



**MIAMI-DADE COUNTY
COMMISSION ON
ETHICS & PUBLIC TRUST**

In re: IVAN HERNANDEZ

CLERK OF THE BOARD
2006 OCT -5 AM 11:31
CLERK: CHRISTINE A. COURTS
MIAMI-DADE COUNTY, FLA.

PUBLIC REPORT AND FINAL ORDER

COMPLAINANT Cythnia Barnett Hibnick filed the above-referenced COMPLAINT against RESPONDENT Ivan Hernandez, a Miami-Dade County Judge, alleging violations of the Voluntary Statement of Fair Campaign Practices of the County Ordinance at Section 2-11.1.1 (D) (6) and (11). RESPONDENT agreed to and signed the Voluntary Statement on May 8, 2006.

RESPONDENT is a Judge who campaigned for reelection in 2006. According to allegations made in the COMPLAINT, RESPONDENT Hernandez allowed his supporters to place a print advertisement in the June 2006 edition of *Libertad News* picturing him with Governor Jeb Bush. The COMPLAINANT alleged that the ad falsely implied that Judge Hernandez was endorsed by Governor Bush.

Pursuant to the Code of Miami-Dade County, Section 2-1068 and Section 2-11.1.1 (D) (2), the Commission on Ethics & Public Trust has jurisdiction to enforce Sections 2-11.1.1 (D) (6), which prohibits a candidate from allow supporters to engage in certain unethical tactics, and (11), which prohibits the use of campaign material that falsifies, distorts, or misrepresents facts. On September 18, 2006, the Ethics Commission determined the COMPLAINT to be legally sufficient. Subsequently, the Ethics Commission found no probable cause in this case, because the photograph alone, lacking specific language stating that the Governor endorsed the RESPONDENT, did not imply an endorsement had been made.

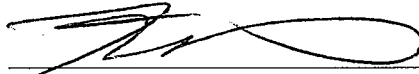
Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT is hereby dismissed for lack of probable cause.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on September 18, 2006.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman