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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In Re: Lt. Edgar Nieves/

Case No. 10-9

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

Walter Clark filed the above-captioned complaint against Lt. Edgar Nieves ("Respondent") for alleged violation of Section 2-11.1(g) (misuse of official position). The complaint alleged the Respondent used his official position to have a subordinate falsify an incident report.

On September 20, 2007, Officer Lisa Hadley was entering the Turner Guildford Knight Correctional Facility when she noticed the complainant in the parking lot. The complainant was wearing a poster board that contained a photograph of Sgt. Robert Brown. The complainant was discouraging officers from joining UCOF. Brown and the Respondent are officers of the United Correctional Officer Federation (UCOF).

Subsequently, Sgt. Brown, at the behest of the Respondent, asked Officer Hadley to write a statement regarding the morning events in the parking lot. Hadley was later told to rewrite her original statement and add the complainant's name and comments. According to Hadley's statements to Internal Affairs, Hadley did not hear any comments made by the complainant. The superiors who advised Hadley to alter the statement were in the Respondent's chain of command. The Respondent did not speak directly to Hadley about the statement. Hadley stated that her final written statement was untrue because it had been altered by the Respondent and other UCOF members who supervised Hadley.

On March 18, 2010, the Ethics Commission found the complaint legally insufficient because the Respondent did not direct Hadley to alter her statement. Further, the complainant withdrew his initial complaint. Accordingly, upon review of the complaint and being otherwise advised in the premises, the Ethics Commission ordered the complaint dismissed.

Therefore, it is:


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ORDERED AND ADJUDGED THAT the Complaint is
DISMISSED.

DONE AND ORDERED by the Miami-Dade Commission on
Ethics and Public Trust in public session on March 18,
2010.

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

By: _____


Kerry Rosenthal
Chairperson

cc: Walter Clark
Lt. Edgar Nieves