



MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

CLERK OF THE BOARD
2011 FEB 22 PM 2:37
CLERK OF CIRCUIT 6 COUNTY COURTS
MIAMI-DADE COUNTY, FLA
#1
FILE

In re: MIGUEL EXPOSITO

C 11-06

PUBLIC REPORT AND FINAL DISMISSAL ORDER

Complainant Raimundo Socorro, a private citizen, filed the above-referenced Complaint on February 1, 2011, alleging violations of the Miami-Dade County Ethics Code and the Citizens' Bill of Rights by Respondent Miguel Exposito, the City of Miami Chief of Police. Complainant Socorro is a Police Lieutenant with the City of Miami Police Department.

The Complaint alleged that Chief Exposito abused his power when he demoted Lieutenant Socorro following public statements made by the Lieutenant. Additionally, Chief Exposito is accused of making false public statements about crime statistics.

The first allegation is a personnel matter and, according to Complainant, has been resolved in a grievance hearing as per his City of Miami Police employment contract. The second allegation, if true, would violate an element of the Citizens' Bill of Rights, which compels government employees to provide the truth on public matters.

Pursuant to the Code of Miami-Dade County, Sec. 2-1068, the jurisdiction of the Ethics Commission extends "to any person required to comply with the ... County or municipal Code of Ethics Ordinances." The County Ethics Code at Sec. 2-11.1(a) extends the jurisdiction of the County Ethics Ordinance to municipal officers and employees.

On February 8, 2011, the Ethics Commission **DISMISSED** the Complaint for **LACK OF LEGAL SUFFICIENCY**. Regarding the first allegation, the Ethics Commission's enabling ordinance specifically denies the Ethics Commission authority to resolve personnel matters. (Miami-Dade County Code at Sec. 2-1067.) Regarding the second allegation, the Ethics Commission does not have authority to enforce violations of the Citizens' Bill of Rights. Remedies must be sought by filing a civil suit in Miami-Dade County Circuit Court. (Miami-Dade County Charter, Citizens' Bill of Rights at (C).)

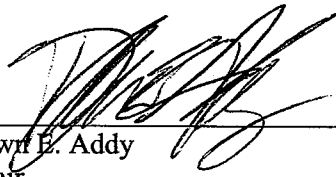
Therefore it is:

ORDERED AND ADJUDGED THAT the Complaint against Respondent Miguel Exposito is hereby **DISMISSED**.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on February 8, 2011.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:



Dawn E. Addy
Chair

Signed on this date: 2/16/2011