



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

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MIAMI-DADE COUNTY, FLA.
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In re: Roberts v. Wolfson
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C 13-16

**PUBLIC REPORT
AND
FINAL DISMISSAL ORDER**

Sherry Kaplan Roberts, a private citizen, filed the above-referenced complaint against respondent Jonah Wolfson, a City Commissioner in the City of Miami Beach.

The complainant alleged that Commissioner Wolfson violated the Citizen's Bill of Rights when his staff did not respond to complainant's public records request for an email distribution list previously used by the Commissioner. If true, this action might violate the Miami-Dade County Citizen's Bill of Rights at Sec. (A)(2), "Truth in Government," and Sec. (A)(3), "Public Records."

Pursuant to the Code of Miami-Dade County at Secs. 2-1068, 2-1072, 2-11.1 (a), and 2-11.1 (y), the Ethics Commission is empowered to enforce the County's Citizen's Bill of Rights against municipal elected officials and to accept and enforce settlement agreements entered into by the advocate and respondents.

The Ethics Commission, meeting in public session on September 12, 2013, approved the advocate's motion to dismiss this complaint for lack of probable cause. An investigation into the allegation showed that although Commissioner Wolfson's office had not kept a copy of the distribution list for over two years, his staff was not

helpful in redirecting the requester to the IT Department, which was able to restore the list. Consequently, the Ethics Commission will issue a Letter of Instruction to Commissioner Wolfson's staff reminding them of their duties to assist the public in obtaining government records. The Ethics Commission hereby enters the attached Letter of Instruction as part of its Final Report and Order.

Therefore it is:

ORDERED AND ADJUDGED that COMPLAINT C 13-16 against respondent Johah Wolfson is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on September 12, 2013.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:


Charlton Copeland
Chair

Signed on this date: 10/10/2013