

## Sanchez, Rodzandra (COE)

---

**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, February 26, 2019 9:53 AM  
**To:** Cristina Escobar  
**Cc:** Arrojo, Jose (COE); Murawski, Michael P. (COE); Perez, Martha D. (COE); Turay, Radia (COE); Sanchez, Rodzandra (COE); Anderson, Machell (COE)  
**Subject:** INQ 19-22, Cristina Escobar , Assistant General Counsel, Dade County PBA (Financial Disclosures)  
**Attachments:** INQ 19- 22 Escobar.pdf

Dear Ms. Escobar:

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance. It was a pleasure to speak with you over the phone to discuss this matter. Attached is INQ 19-22 addressing your question. Please do not hesitate to contact us if you have any questions or if we may be of further assistance.

Cordially,

Mimi

Gilma (Mimi) Diaz-Greco  
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[gdiazgr@miamidade.gov](mailto:gdiazgr@miamidade.gov)  
[www.facebook.com/MiamiDadeEthics](https://www.facebook.com/MiamiDadeEthics)

This email and any attachments are for the exclusive and confidential use of the intended recipient(s). If you are not an intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify me immediately by return email and promptly delete this message and its attachments from your computer. Miami-Dade County is a public entity subject to Florida's public record laws. Any communication with this office, including e-mail messages, could be considered a public record subject to disclosure.

**From:** Cristina Escobar <[cristina@dcpba.org](mailto:cristina@dcpba.org)>  
**Sent:** Thursday, February 21, 2019 2:10 PM  
**To:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>  
**Subject:** RE: Question - Interim Chief - Financial Disclosure FORM 1F

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message  
[reportspam@miamidade.gov](mailto:reportspam@miamidade.gov) **Enterprise Security Office**

She did not.

---

**From:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>  
**Sent:** Thursday, February 21, 2019 1:29 PM  
**To:** Cristina Escobar <[cristina@dcpba.org](mailto:cristina@dcpba.org)>  
**Subject:** RE: Question - Interim Chief - Financial Disclosure FORM 1F

Did she file any financial disclosure forms in 2017 or 2018?

---

**From:** Cristina Escobar <[cristina@dcpba.org](mailto:cristina@dcpba.org)>  
**Sent:** Wednesday, February 20, 2019 9:08 AM  
**To:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>  
**Subject:** RE: Question - Interim Chief - Financial Disclosure FORM 1F

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message [reportspam@miamidade.gov](mailto:reportspam@miamidade.gov) **Enterprise Security Office**

---

Good morning. My client served as Acting Chief July 2017 to April 2018, and then Interim Chief from April 2018 through November 2018.

Thank you!

---

**From:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>  
**Sent:** Tuesday, February 19, 2019 4:39 PM  
**To:** Cristina Escobar <[cristina@dcpba.org](mailto:cristina@dcpba.org)>  
**Subject:** RE: Question - Interim Chief - Financial Disclosure FORM 1F

Good afternoon Ms. Escobar:

It was a pleasure to speak with you this morning. I am preparing a written answer to your inquiry and need a bit more information. Would you please tell me the dates during which the Sergeant served as Interim Police Chief?

If the dates covered more than one calendar year, she may have to file for more than 1 year.

Let me know and thanks.

Mimi

Gilma (Mimi) Diaz-Greco  
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[gdiazgr@miamidade.gov](mailto:gdiazgr@miamidade.gov)  
[www.facebook.com/MiamiDadeEthics](http://www.facebook.com/MiamiDadeEthics)

This email and any attachments are for the exclusive and confidential use of the intended recipient(s). If you are not an intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify me immediately by return email and promptly delete this message and its attachments from your computer. Miami-Dade County is a public entity subject to Florida's public record laws. Any communication with this office, including e-mail messages, could be considered a public record subject to disclosure.

---

**From:** Cristina Escobar <[cristina@dcpba.org](mailto:cristina@dcpba.org)>

**Sent:** Tuesday, February 19, 2019 7:44 AM

**To:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>; Arrojo, Jose (COE) <[Jose.Arrojo@miamidade.gov](mailto:Jose.Arrojo@miamidade.gov)>

**Subject:** RE: Question - Interim Chief - Financial Disclosure FORM 1F

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message [reportspam@miamidade.gov](mailto:reportspam@miamidade.gov) **Enterprise Security Office**

---

Good morning Ms. Diaz-Greco, as for your question reference having authority over \$20,000 of expenditures in her position, my client did not have said authority. Again, thank you so much for your time I this, I really appreciate it and any information you can provide me.

*M. Cristina Escobar, Assistant General Counsel*

*Dade County PBA*

*10680 NW 25th St.*

*Suite #205*

*Doral, FL 33172*

*(305) 593-0044*

*(305)436-0142 (fax)*

*[Cristina@dcpba.org](mailto:Cristina@dcpba.org)*



Warning: This transmission may contain confidential information intended only for the person(s) named above. It may contain information that is exempt from disclosure under applicable laws, including, but not limited to, the FOIA, Privacy Act, 5 USC 552, Ch. 119, F.S., or the Florida Rules of Evidence. Any use, distribution, copying or other disclosure by any other person is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

---

**From:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>

**Sent:** Friday, February 15, 2019 11:43 AM

**To:** Arrojo, Jose (COE) <[Jose.Arrojo@miamidade.gov](mailto:Jose.Arrojo@miamidade.gov)>; Cristina Escobar <[cristina@dcpba.org](mailto:cristina@dcpba.org)>

**Subject:** RE: Question - Interim Chief - Financial Disclosure FORM 1F

Dear Ms. Escobar:

I will conduct some research on the interim position issue and get back to you. However, it is possible that your client would be required to file Form 1 because she had final authority over \$20,000 of expenditures in her position as Interim Chief of Police. Is that the case?

Please advise and regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[gdiazgr@miamidade.gov](mailto:gdiazgr@miamidade.gov)  
[www.facebook.com/MiamiDadeEthics](http://www.facebook.com/MiamiDadeEthics)

This email and any attachments are for the exclusive and confidential use of the intended recipient(s). If you are not an intended recipient, please do not read, distribute or take action in reliance upon this message. If you have received this in error, please notify me immediately by return email and promptly delete this message and its attachments from your computer. Miami-Dade County is a public entity subject to Florida's public record laws. Any communication with this office, including e-mail messages, could be considered a public record subject to disclosure.

---

**From:** Arrojo, Jose (COE)  
**Sent:** Friday, February 15, 2019 11:27 AM  
**To:** Cristina Escobar <[cristina@dcpba.org](mailto:cristina@dcpba.org)>  
**Cc:** Diaz-Greco, Gilma M. (COE) <[Gilma.Diaz-Greco@miamidade.gov](mailto:Gilma.Diaz-Greco@miamidade.gov)>  
**Subject:** RE: Question - Interim Chief - Financial Disclosure FORM 1F

Dear Ms. Escobar:

Greetings. I am copying Gilma Diaz-Greco, a Commission Attorney, on this email as she is all things financial disclosure. I will ask her to consult with you.

On a personal note, I hope that you are doing well. I used to run into you in the middle of night at crime scenes. My current position does not require call-outs.

Best wishes to you and the rest of the PBA family.

Jose

---

**From:** Cristina Escobar <[cristina@dcpba.org](mailto:cristina@dcpba.org)>  
**Sent:** Friday, February 15, 2019 8:01 AM  
**To:** Ethics (COE) <[ethics@miamidade.gov](mailto:ethics@miamidade.gov)>  
**Subject:** Question - Interim Chief - Financial Disclosure FORM 1F  
**Importance:** High

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message [reportspam@miamidade.gov](mailto:reportspam@miamidade.gov) **Enterprise Security Office**

---

Good morning. I am an attorney with the Dade County Police Benevolent Association. I represent a client who was Interim Police Chief for approximately one year in a jurisdiction within Miami Dade County. About 3 months ago she left said position going back to a Sergeant position. The department has forwarded FORM 1F for my client to fill out and return, however, based on the below mentioned circumstances we seek some guidance.

Question: I read where it indicates that if one is Chief of Police one is required to fill FORM 1F financial disclosure. However, as my client was never made permanent Chief of Police (was always interim) is my client required to fill this out and provide to the department for filing?

I left a message for Jose Arrojo, but as I am sure he is super busy he has been unable to get back to me. Therefore, I wanted to see if this query could be passed on to a member of your legal team for advise. My client wishes to comply with all legal requirements so any information and/or advise you can provide us would be greatly appreciated. Thank you.

Sincerely,  
*M.Cristina Escobar, Assistant General Counsel*  
*Dade County PBA*  
*10680 NW 25th St.I*  
*Suite #205*  
*Doral, FL 33172*  
*(305) 593-0044*  
*(305)436-0142 (fax)*  
*[Cristina@dcpba.org](mailto:Cristina@dcpba.org)*



Warning: This transmission may contain confidential information intended only for the person(s) named above. It may contain information that is exempt from disclosure under applicable laws, including, but not limited to, the FOIA, Privacy Act, 5 USC 552, Ch. 119, F.S., or the Florida Rules of Evidence. Any use, distribution, copying or other disclosure by any other person is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

19 West Flagler Street, Suite 820 · Miami, Florida 33130

Phone: (305) 579-2594 · Facsimile: (305) 579-0273

Website: [ethics.miamidade.gov](http://ethics.miamidade.gov)

---

---

**MEMORANDUM**

---

---

**TO:** M. Cristina Escobar, Assistant General Counsel  
Dade County Police Benevolent Association

**FROM:** Gilma Diaz-Greco, Staff Attorney  
Commission on Ethics

**SUBJECT:** INQ 19-22

**DATE:** 2-25-19

**CC:** All COE Legal Staff

---

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding financial disclosure requirements.

Facts: You serve as the Assistant General Counsel for the Dade Police Benevolent Association (PBA). One of the PBA members served as an acting and interim Chief of Police for a municipality in Miami-Dade County from July 2017 through November 2018. You advise that your client was never informed that she was required to file financial disclosure documents in her role as acting and interim Chief or Police for the municipality.

Issue:

Whether an interim Chief of Police is required to file a financial disclosure form for the time period during which she held the acting and interim Chief of Police position for the municipality.

Discussion and opinion:

Section 2-11.1 (i) requires that certain County and Municipal personnel file financial disclosure on a yearly basis. This section also specifies that compliance with the financial disclosure provisions of Chapter 112, Florida Statutes, shall constitute compliance with the County Ethics Code. In other words, persons who are required by state law to file a state financial disclosure form (State Form 1 or 6), satisfy the local financial disclosure

requirement by filing the state form and do not also have to file the local financial disclosure form (Source of Income form).

State law and the County Ethics Code provide that a person holding the position of Chief of Police must file financial disclosure. Pursuant to Florida Statute 112.3145(a), a Chief of Police would file a State Form 1 with the Elections Department in the County where he or she resides. We assume for purposes of this inquiry that the person has not held a position during the reporting period that would require her to file a State Form 6 (certain elected officials, etc.). Information on filing State Forms 1 and 6 can be found at the Florida Commission on Ethics website at <http://www.ethics.state.fl.us/>. Also, attached is the Financial Disclosure Chart prepared by the COE annually which outlines state and local financial disclosure requirements.

The Miami-Dade Commission on Ethics does not interpret Chapter 112, Florida Statutes. However, after conferring with the Florida Commission on Ethics, which has jurisdiction over this matter, they advise that persons in acting or interim positions who assume the duties of that position are “local officers” for purposes of the financial disclosure law. Similarly, the Miami-Dade Commission on Ethics considers that personnel authorized to assume municipal or County functions on an interim basis which would normally be required to file financial disclosure, would file a financial disclosure for the time in which they held that covered position. *See generally* RQO 11-07 and RQO 13-01. Consequently, a person who served as an interim and acting Chief of police who assumed the duties of that position must file a financial disclosure for the period of time during which she held that position.

Persons covered by Chapter 112, must file a State Form 1 within 30 days of appointment or employment and then annually by July 1 of each year. Persons filing State Form 1 report financial interests for the previous year. Using the dates you provided, this would mean that your client would have to file financial disclosure for several years. A 2016 Form 1 should have been filed within 30 days of the July 1<sup>st</sup>, 2017 appointment, and a 2017 Form 1 should have been filed by July 1<sup>st</sup>, 2018. In addition, covered persons must file a Final Statement of Financial Interests (STATE FORM 1F) within 60 days after leaving office or employment (unless taking another position that requires filing either Form 1 or Form 6). In this instance, it would mean that this person would also file a 2018 Form 1F within 60 days of leaving the office in November 2018. These forms can be found on the Florida Commission on Ethics website. Completed forms should be filed with the Elections Department in the County where your client resides. It might also be advisable to send a copy of the forms to the Florida Commission on Ethics at: [CEForm1@leg.state.fl.us](mailto:CEForm1@leg.state.fl.us).

Additional questions regarding late or non-filing of State Form 1 should be addressed to the Florida Commission on Ethics. Filing a State Form 1 or 1F also satisfies the Miami-Dade County financial disclosure requirement and no additional local financial disclosure is required.

This opinion is limited to the facts as you presented them to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.