

**Ethics (COE)**

TNG 08-49

**From:** Ethics (COE)  
**Sent:** Friday, March 28, 2008 3:38 PM  
**To:** 'Rhyofc@aol.com'  
**Subject:** RE: Question from Bay Harbor Councilman Robert Yaffe

Dear Councilman Yaffe:

The e-mail you wish to send to friends and acquaintances is not a paid political advertisement. Therefore, such disclaimer language is not necessary at the bottom of your e-mail. You have the right to support or endorse other candidates for elective office in either your capacity as an elected official or as a private citizen. Depending on the activities you engage in to lend support to other candidates, determines whether certain sections of Florida's elections law apply. Expressing your opinion is generally not activity covered by state elections law.

If you have additional questions, please feel free to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director  
Miami-Dade Commission on Ethics and Public Trust  
(305) 350-0613

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**From:** Rhyofc@aol.com [mailto:Rhyofc@aol.com]  
**Sent:** Thursday, March 27, 2008 6:25 PM  
**To:** Ethics (COE)  
**Subject:** Question from Bay Harbor Councilman Robert Yaffe

I am a Councilman in the Town of Bay Harbor Islands. I am not a candidate for re-election this year.

I would like to send an email from my personal email account (this aol account) to my friends and acquaintances in Bay Harbor prior to election day on April 1, 2008, encouraging all registered voters to vote. I would like to state that I intend to vote for Candidates X and Y because I believe that they will best represent the interests of all members of the community, while also stating that I encourage all to vote whether or not they agree with my opinion.

Would such an email, because it endorses certain candidates, constitute a "paid political advertisement" requiring me to include such a legend in the email or otherwise run afoul of any obligations which I have as an elected official? Am I permitted to express my opinion as a private citizen, even though I am also an elected official, without violating campaign laws or ethical obligations?

Thank you for your assistance.

Robert Yaffe

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