

**Meyers, Robert (COE)**

INQ 10-130

**From:** Meyers, Robert (COE)  
**Sent:** Wednesday, July 14, 2010 2:51 PM  
**To:** Ryan, Timothy (MDCR)  
**Cc:** Johnson, John (MDCR)  
**Subject:** Request for Advisory Opinion

Dear Director Ryan:

I have in my possession a memorandum from you dated June 29, 2010 wherein you request a review of the Miami-Dade Corrections and Rehabilitation Department's (MDCR) role as co-host of the Correctional Accreditation Managers Association (CAMA) 2011 Annual Conference scheduled for May 2011. Among other relevant facts, you indicate that MDCR will serve to coordinate and facilitate conference activities but will have not any financial and/or accounting responsibilities. All checks received for the conference will be made payable to CAMA and will be deposited into accounts maintained and controlled by CAMA. CAMA will give MDCR a debit card to use for incidental expenses connected to the conference. All of the debit card transactions incurred by MDCR will be reviewed by the Executive Director of CAMA. Furthermore, safeguards are in place for check writing as well. All checks written for the conference will require signatures from two CAMA Board members.

If the revenues collected for this conference exceed the costs expended, CAMA will receive the profit, not MDCR. However, MDCR is responsible for generating revenues through fundraisers and vendor/sponsor participation. The MDCR Host Committee plans to target its fundraising activities, but it will not exclusively rely on the ACA list of exhibitors, vendors and sponsors. In June 2009, the Board of County Commissioners, by resolution, authorized MDCR to serve as co-host of this conference and understood when it passed this resolution that MDCR staff and resources will be assigned to this project. You wish to know whether ethical issues arise for those MDCR employees involved in conference-related activities.

One area of the ethics code to highlight is the prohibition against County vendors covering travel or travel-related expenses of County employees. If there were a need for MDCR staff to travel for conference planning purposes, those costs could be underwritten by Miami-Dade County or CAMA, but under no circumstances could a County vendor cover these costs. For example, if a corporation decided it wished to become a conference sponsor or exhibitor, it could not pay travel expenses for any MDCR employee if the sponsor/exhibitor does business with Miami-Dade County.

Another ethics provision worthy of examination covers gift solicitations. As a general rule, County employees are prohibited from soliciting gifts in their official capacity using County resources unless official County business is being conducting. In the instant case, the Board of County Commissioners approved MDCR as a co-host of the 2011 Conference, which means activities in furtherance of the conference would be considered official County business. Thus, it would be permissible for your employees to take on conference assignments while on County time.

Finally, although MDCR officials and employees may engage in efforts to generate revenue for the conference, it is important that the appeal for sponsors and exhibitors is as far-reaching as possible. In other words, fundraising activities should not simply target companies transacting business with Miami-Dade County. It is not a breach of the ethics code for County vendors to decide to become sponsors or exhibitors, nor are MDCR personnel precluded from contacting County vendors, but relying too heavily on County vendors to make the conference profitable could create an appearance problem. However, as long as it can be demonstrated that the fundraising efforts attempted to encompass all companies with a connection to the corrections and rehabilitation field, whether or not they were County vendors, such concerns would be eliminated.

If you need anything further from my office, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director  
Miami-Dade Commission on Ethics and Public Trust

7/14/2010

**Cedeno, Rachelle (COE)**

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**From:** Johnson, John (MDCR)  
**Sent:** Wednesday, July 14, 2010 10:29 AM  
**To:** Cedeno, Rachelle (COE)  
**Subject:** FW: Emailing: Request for Advisory Opinion

**Attachments:** Request for Advisory Opinion.pdf



Request for  
Advisory Opinion.p..

hanks for your assistance.

John

Captain John W. Johnson, CJM  
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-----Original Message-----

**From:** Garrett, Linda H. (MDCR)  
**Sent:** Wednesday, June 30, 2010 5:11 PM  
**To:** Williams, Tyrone (MDCR); Puig, Mary-Ann (MDCR); Browne, Terry (MDCR); Johnson, John (MDCR)  
**Subject:** Emailing: Request for Advisory Opinion

The message is ready to be sent with the following file or link attachments:

Request for Advisory Opinion

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# Memorandum



**Date:** June 29, 2010

**To:** Robert Meyers, Executive Director  
Commission on Ethics and Public Trust

**From:** Timothy P. Ryan, Director  
Corrections and Rehabilitation Department

**Subject:** Request for Advisory Opinion

The following information is presented for your review to determine if there are any issues or concerns regarding the Miami-Dade Corrections and Rehabilitation Department's (MDCR) role and responsibilities as co-host of the Correctional Accreditation Managers Association (CAMA) conference as summarized below.

On June 30, 2009, the Board of County Commissioners (BCC) approved resolution #R-855-09 authorizing MDCR to serve as co-host for the CAMA 2011 Annual National Conference scheduled for May 1 – 3, 2011. The BCC agenda memorandum indicated existing staff and resources will be assigned to this project.

MDCR's role is to coordinate and facilitate conference activities with no financial interest or obligation. There is no need to establish a 501c (3) account because CAMA will control the financial and accounting responsibilities for the venture. All checks received will be made payable to CAMA, forwarded to CAMA if not sent directly to them and deposited by CAMA. Dave Taylor, CAMA Executive Director, will give MDCR a debit card to use for incidental purchases and expenses. Commander Terry L. Browne is the MDCR liaison to CAMA for financial matters and responsible for ensuring checks received are forwarded to CAMA. All transactions will be accompanied by receipts to payers, receipts for debit card purchases, and all statements will be reviewed and approved by CAMA Director Taylor. In August 2010, Captain John Johnson will serve a dual role as a MDCR co-host committee member and a member of the CAMA Board as Treasurer. Currently, the CAMA financial procedures require two signatures for checks exceeding \$1,200. To ensure there is no appearance of impropriety and for the purpose of this conference, two CAMA Board signatures will be required for all financial transactions. In August 2010, CAMA will open an account with Chase Bank for financial matters.

CAMA is the sole beneficiary of all revenues and responsible for paying all costs associated with the conference. Revenues generated from the registration fees and conference vendors/sponsors are expected to cover the predominant costs.

MDCR is responsible for generating revenues through fundraisers and by encouraging vendor/sponsor participation. The MDCR Host Committee plans to strategically target, but not be limited to, the ACA list of exhibitors, vendors, and sponsors by phone and mail. A vendor-exhibitor package was distributed to the vendors and sponsors who attended the May 2010 CAMA Conference in Ohio. We are very anxious to begin; however, the marketing efforts have been suspended pending the outcome of your review. If you have any questions or require additional information, please advise.

TPR/TLB/may

cc: Tyrone W. Williams, Senior Legal Advisor