

## Frigo, Victoria (COE)

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**From:** Centorino, Joseph (COE)  
**Sent:** Monday, October 21, 2013 5:39 PM  
**To:** 'ChiefAndreu@WestMiamiPolice.org'  
**Cc:** Frigo, Victoria (COE); Diaz-Greco, Gilma M. (COE)  
**Subject:** INQ - Chief Nelson Andreu, West Miami Police (MMA World Series of Fighting)

Chief Andreu:

You have requested an opinion from our agency regarding whether your officers may accept complimentary vouchers for entry into the MMA World Series of Fighting, an event taking place on October 26 at the Bank United Center in Coral Gables. It is my understanding that such vouchers have been offered to many law enforcement personnel around the County.

A complimentary voucher accepted by any public officer or employee of the City of West Miami would be classified as a "gift" under the Miami-Dade Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1(e). The latter section would prohibit any gift accepted by an officer because of some official action, performance of a legal duty or violation of legal duty. Provided that no such expectations, conditions or understandings apply to such gifts, then there is no legal prohibition to their accepting the vouchers. However, in the event that the organization in question has contracted with the City of West Miami for the provision for police or other services, such gifts should be carefully scrutinized to insure that no quid pro quo or other improper understanding is attached to the gift. Any City of West Miami officer or employee who is personally paid by MMA World Series of Fighting for police or other public services should not accept such complimentary vouchers.

You did not specify the value of the gift. If the fair market value of the gift exceeds \$100, then any officer accepting such gift would have a duty to report the gift on a Gift Disclosure Form to be filed quarterly with the Clerk of the City of West Miami.

Since as Chief of Police you are a Reporting Individual under Section 112.3145, Florida Statutes, you should be aware that you would be prohibited from accepting a gift from a vendor or lobbyist in excess of \$100.

Please be aware that the Miami-Dade County Code of Ethics only represents a minimum standard of conduct for public servants. Sometimes the appearance of impropriety or the possible loss of public trust that could ensue from a particular action should cause a public servant to consider applying a higher standard of ethics than that which is required. You, as the Chief of Police, are free to impose such standards of ethics upon your department as you deem advisable.

Sincerely,  
Joseph M. Centorino

*Joseph M. Centorino*  
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