

Diaz-Greco, Gilma M. (COE)

Subject: FW: Photo usage opinion

INQ 14-58

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, March 17, 2014 2:15 PM
To: Do, Hung (MDPR)
Cc: Centorino, Joseph (COE)
Subject: RE: Photo usage opinion

Mr. Do:

You have requested an opinion regarding a potential conflict of interest under the outside employment restrictions set out in the Ethics Code.

A background, you are employed as a Zoo Exhibits Technician at Zoo Miami. Your hobby is wildlife photography. On your days off, you have taken photos in the public spaces of Zoo Miami (Zoo). You advise that there is no prohibition under Zoo policies for individuals to take photos in the public areas of the Zoo. The designer of Events by La Vie (La Vie), a private company, is a friend of yours and has asked to use some wild life photos you took at Zoo Miami several years ago in the company's website to support a Safari 5K running/fitness event the company is hosting at the zoo in October 2014. You are not being compensated monetarily for any of the images, but La Vie will give you photo credit on their website for the images used.

Providing images you have taken in the public areas of Zoo Miami free of charge to an event company for use in their website would not constitute prohibited outside employment under the Ethics Code. See the Miami-Dade County Code at Sec. 2-11.1 (j). Further, under Section (j), providing these photos which you took several years ago is not likely to impair your independence of judgment in the performance of your duties to Zoo Miami. Consequently, in this case, no prohibited conflict would occur under the Ethics Code.

Please do not hesitate to contact us if we can be of further assistance.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
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From: Do, Hung (MDPR)
Sent: Thursday, March 06, 2014 2:20 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: RE: Photo usage opinion

Gilma,

Thank you for the response on this matter. I will contact the web designer and get the company's info. I do know that they are not a county vendor. They are a event company that will be renting part of our facility to conduct his race event. We host several such races throughout the year. Zoo Miami does not have any policy against visitors or employees taking photographs at the facility as long as it is from the "public" viewing area. Any photos that are taken "behind the scenes" do have to be approved by a supervisor or media department. I can forward you a copy of our internal policy regarding photos and social media protocol if you like.

All of the photos I have for use on the web site is taken from the public area of the zoo.

Hung Do - Zoo Exhibits Technician
Zoo Miami
Miami-Dade County Parks, Recreation & Open Spaces

P: 305-251-0400 x-84961
C: 305-978-7282

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From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, March 06, 2014 9:29 AM
To: Do, Hung (MDPR)
Subject: FW: Photo usage opinion

Mr. Do,

I am reviewing this matter and a preliminary analysis would not seem to indicate a conflict of interest. However, I would appreciate more information before providing a final answer. Would you please tell me the name of the organization that would be using your photos and would you verify if they are a County vendor? Also, would you advise if there are any policies at Zoo Miami regarding either visitors or employees taking pictures of the facilities and/or animals.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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From: Ethics (COE)
Sent: Monday, February 10, 2014 10:06 AM
To: Diaz-Greco, Gilma M. (COE)
Subject: FW: Photo usage opinion

Please handle.

From: Do, Hung (MDPR)
Sent: Friday, February 07, 2014 10:21 PM
To: Ethics (COE)
Subject: Photo usage opinion

Good day,

I have a question regarding a request for some of my own personal photos being used for a website. A company is planning to host a 5K sponsored running/fitness event at Zoo Miami in the near future. Their designer is a former classmate of mine and she is familiar with my work. They requested use of some of my images to use on their website. I am not being compensated monetarily for any of the images, but they will give me photo credit for the images used.

I would like to seek your opinion to see if there is any conflict with this situation; being that I am a current employee at Zoo Miami for the Parks Department and this company will be holding a event at my place of employment. Not sure if they are considered a county vendor or not and would fall under the same protocols.

For the most part, the photos were taken several years ago on my day off. I sometimes pop into the zoo to photograph periodically being that I enjoy wildlife photography. This is in no way a side business for me, just a really expensive hobby.

I await your response prior to responding to my friends request. Thank you for your time.

Best regards,

Hung Do - Zoo Exhibits Technician
Zoo Miami
Miami-Dade County Parks, Recreation & Open Spaces

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