



MIAMI BEACH

Miami Beach Commissioner cleared in ethics probe but scolded for 'lapse in judgment'

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Miami Beach Commissioner and congressional candidate Kristen Rosen Gonzalez has been cleared in an ethics probe following a complaint that she used her official position to intervene in the police investigation of a political supporter.

On Wednesday, the Miami-Dade Commission on Ethics and Public Trust issued a letter admonishing Rosen Gonzalez for a "lapse in judgment" after determining last month that she had not intentionally tried to prevent the arrest of campaign donor Erik Agazim.

The ethics commission found that Rosen Gonzalez had been unaware Agazim was under investigation for allegedly destroying fire alarms in his neighborhood when she defended him in an email to Miami Beach Police Chief Dan Oates. In a letter of instruction to Rosen Gonzalez, however, the ethics commission warned that she should use caution in the future if she contacts the police department about possible criminal activity involving constituents “so that it does not appear that she is using her official position...to intervene in a criminal investigation.”

"Rosen-Gonzalez's rush to defend [her supporter] was ill-conceived and demonstrated a lapse in judgment," the letter states, adding that "the public's trust is diminished when it appears that a city commissioner has influence over members of the police department."

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Frank Kruszewski, a South Beach resident, submitted the ethics complaint in December after the Miami New Times reported on emails in which Rosen Gonzalez suggested police should leave Agazim alone and instead investigate Kruszewski, a neighbor who she believed had reported Agazim to the police.

Agazim was arrested Sept. 22 after police say he destroyed fire alarms in the Sunset Harbour South condo tower following Hurricane Irma. Agazim, the owner of a gun supply company, was allegedly seen walking around his building in tactical gear while using a machete to bash fire alarms that had been going off for several days.

Agazim texted Rosen Gonzalez on the day of the incident asking for help. The commissioner then e-mailed Oates, saying that "If anyone should be arrested, it should be Frank Kruszewski who is sending the police on wild goose chases." She also asked if she could attend Agazim's meeting with police, which Oates said would be inappropriate.

Agazim faces felony charges and a trial hearing has been scheduled for June. He has pleaded not guilty.

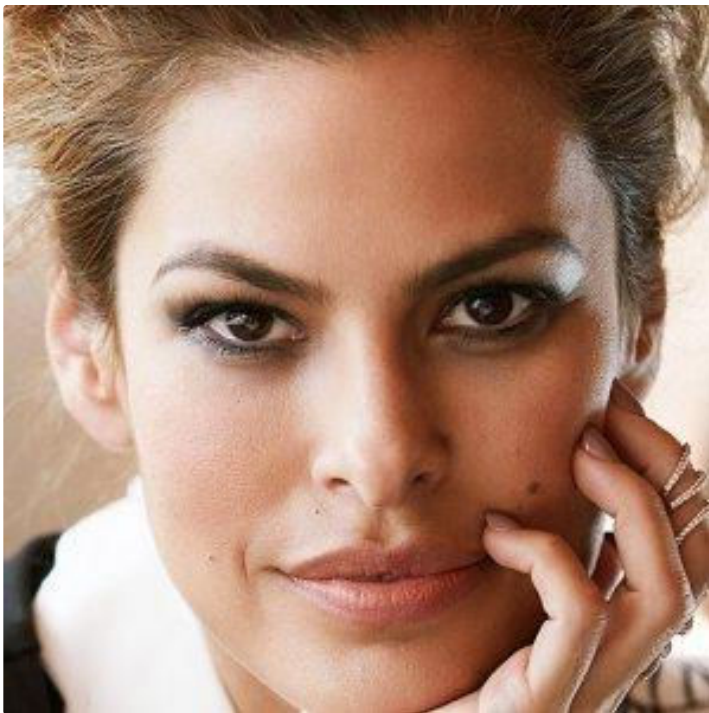
Rosen Gonzalez maintains that she didn't know about the fire alarm allegations when she e-mailed the police chief and that a \$2,700 donation Agazim had given her congressional campaign last May had nothing to do with her decision to contact Oates. In his text message to the commissioner, Agazim did not mention the fire alarms, but said that police were looking for him and that he had done nothing wrong.

Rosen Gonzalez, who is running as a Democrat to replace retiring Rep. Ileana Ros-Lehtinen, previously told the Miami Herald that she gave Agazim's donation to a foundation set up for victims of the Las Vegas shooting after she learned about the criminal allegations.

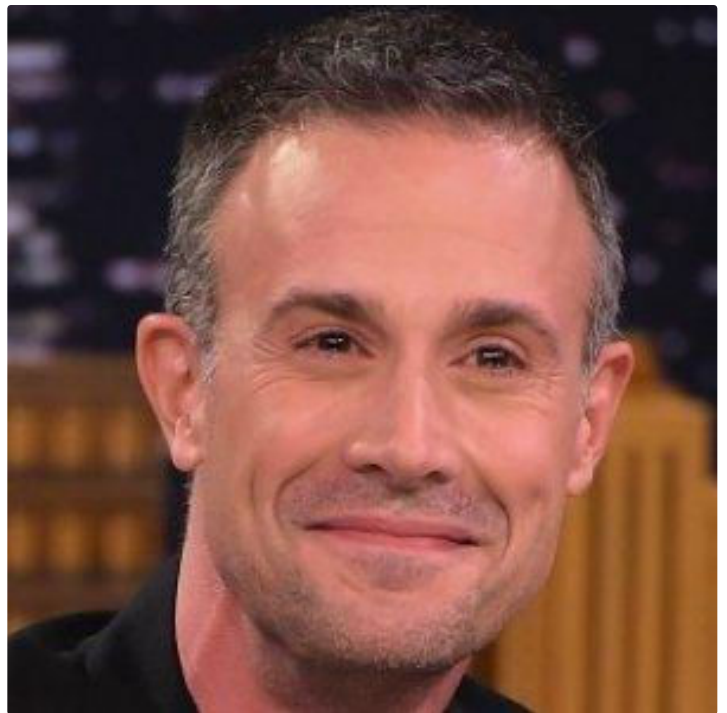
"The ethics commission cleared me of all ethics violations," Rosen Gonzalez said in a text message on Thursday. "That's what counts."

Kruszewski told the Herald that he was satisfied with the strongly worded letter of instruction the ethics commission sent Rosen Gonzalez but did not agree with the commission's findings that Rosen Gonzalez hadn't known Agazim was allegedly involved in illegal activities when she e-mailed the police chief.

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