



BROWARD OFFICE OF THE INSPECTOR GENERAL

OIG ETHICS COMPLIANCE REVIEW

RE: *FILING OF REQUIRED ETHICS TRAINING CERTIFICATIONS*

SUMMARY

The Broward Office of the Inspector General (OIG) conducted this review between April and August 2014 to determine whether 165 current Broward County elected officials who held office in 2013 filed their ethics training certifications as required by the Broward Code of Ethics for Elected Officials (the Ethics Code).

As we did in our July 2013 review of ethics training certifications (OIG 13-006), the OIG contacted and worked with the clerks of those municipalities for whom we could not immediately verify compliance. We then directly e-mailed those officials whose certifications had not been filed. We communicated the requirements and worked with them to bring those officeholders into compliance. Thereafter, we determined that all of Broward's current elected officials substantially complied with the 2013 training and filing requirements.¹

RELEVANT GOVERNING AUTHORITIES AND BACKGROUND

Section 1-19 of the Broward County Code of Ordinances, Code of Ethics for Elected Officials

Section 1-19(d)(1) of the Ethics Code requires every new County and municipal elected official to complete four or more hours of training in public service ethics, public records, and Sunshine (open meetings) law within 120 days of taking office. Section 1-19(d)(2) requires every County and municipal elected official to complete eight hours of continuing education in public service ethics on an annual basis. Both provisions also require the official to file with his or her chief administrative official or municipal clerk, as applicable, a certification that the training requirement was completed.

The Ethics Code became applicable to municipal elected officials on January 2, 2012. This is the second year that Broward's elected officials were required to timely file their certification forms and the OIG's second review for compliance with this requirement.

REVIEW

Between April and August 2014, the OIG conducted a review of publicly available data and documents supplied by the County and its 31 municipalities to determine if elected officials were observing the training provisions of the Ethics Code. We were able to verify the compliance of all elected officials in 18 of the 26 entities that post their ethics training certifications online (93 officials).²

¹ This review was limited to the issue of whether certifications were timely filed and does not extend to a review of their substance beyond declarations that the minimum ethics training requirements were met.

² While the Code does not require it, most of Broward's entities have elected to post ethics training certifications on their websites. Those 26 entities are: Broward County, Coconut Creek, Cooper City, Dania Beach, Davie, Deerfield Beach, Hallandale Beach, Hillsboro Beach, Hollywood, Lauderdale-By-The-Sea, Lauderdale Lakes, Lauderdale Hill, Lighthouse Point, Margate, Miramar, North

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By contacting the remaining municipalities' clerks, we were able to verify compliance of all elected officials in seven (7) other municipalities (33 officials). There were an additional 15 officials whose certifications we obtained from the clerks without delay.

The OIG identified 24 elected officials whose certifications were missing and worked with their municipal clerks, through whom we received 17 more certifications over the course of the next month.

The OIG then sent e-mail notices to the remaining seven (7) office holders. The OIG informed them that a failure to attend or participate in the required training and to ensure that the certifications were on file may constitute violations of the Ethics Code. The OIG also informed those officials that in order to avoid further action, they should report compliance or exhibit a good faith effort to compensate for any failures to meet the Ethics Code's training and filing requirements. OIG staff proceeded to work with them to assist them in fulfilling this provision of the Ethics Code. After our contact, we confirmed that all seven (7) came into compliance with the training and reporting requirements.³

In total, 24 elected officials filed 2013 training certifications that were dated after the OIG began its inquiry.⁴

CONCLUSION

Following last year's review, we found that three elected officials had failed in their obligation to take and certify ethics training in 2012. This year, we are pleased to report that, following our inquiry and encouragement, all 165 of the current elected officials in Broward County who were in office in 2013 are now in substantial compliance with their training requirements under the Ethics Code.

Lauderdale, Oakland Park, Parkland, Pembroke Park, Pembroke Pines, Plantation, Pompano Beach, Southwest Ranches, Sunrise, Tamarac, and Wilton Manors. See links to these municipalities' disclosures on the OIG's website at www.broward.org/inspectorgeneral/programs/ethics/pages/disclosuresites.aspx.

³ Four of the individuals whom we contacted by e-mail completed ethics training after we communicated with them. Because they recognize that they must complete another eight hours for 2014, we found them to be in substantial compliance for 2013. If and when we conduct a future review of certifications for training received this year, we will exclude the previously reported 2014 hours in determining whether these four officials are in compliance for 2014.

⁴ We did not count among these 24 officials the five from one municipality whose city attorney has issued an opinion that their certifications are not due until July 1st for the prior calendar year.