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Miami-Dade

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## **Broward may follow Dade, create office to probe misconduct**

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In the decade-plus it has been in operation, Miami-Dade County's inspector general has ferretted out waves of fraud and helped bring nearly 200 arrests.

Over that same time, Broward County – South Florida's current hotbed of political corruption -- has merely talked about creating an IG. It's still talking.

Why have neighboring counties taken such a disparate approach?

Part of the answer: Broward, long pitching itself as a cleaner government than its neighbor to the south, never felt it needed an independent watchdog with subpoena powers.

Experts say that approach does not hold up.

“They just don't get it. That's all I can say,” said Norman Ostrau, director of Florida Atlantic University's Public Ethics Academy. “They just don't accept that they are out of the mainstream.”

Angelo Castillo, now a Pembroke Pines commissioner, said he suggested an IG while serving on Broward's charter review committee 10 years ago. The idea failed to gain momentum. Instead, Broward strengthened the office of its internal auditor, who reviews county spending.

“I think they thought it was too radical a change,” Castillo said. “At the time there was a lot of boasting that, ‘This is a problem that only exists in Dade and not Broward -- we are not like them.’”

Christopher Mazzella, Miami-Dade's inspector general and a former FBI agent, also made the pitch.

“It was a mistake not to have an IG,” Mazzella said. “Broward rejected it before it even got to the voters. I thought things would not bode well in the future.”

Recent history proves him right.

In September, County Commissioner Josephus Eggelletion, School Board member Beverly Gallagher and former Miramar Commissioner Fitzroy Salesman were arrested in separate federal corruption probes.

Eggelletion pleaded guilty to money laundering in December and faces up to five years in prison at his Feb. 17 sentencing; he faces a separate charge from Broward prosecutors for accepting a free golf membership from a developer. Gallagher and Salesman's cases are still in the courts.

Broward prosecutors are also investigating County Commissioner Diana Wasserman-Rubin related to business dealings involving her husband's grant-writing firm. She said she has done nothing wrong.

Even after the failed push for an inspector general, Broward commissioners have been slow to enact ethics reform. In 2002, voters told commissioners to create a law to "avoid the appearance of impropriety." It didn't happen, leading voters in 2008 to approve the creation of an ethics commission with power to force change.

That group will submit a series of reforms in March, including banning lobbyists and contractors from giving gifts to commissioners. The Commission must approve the suggestions -- or put them on the November ballot.

The ethics commission hasn't voted on whether to recommend an Inspector General, but the idea appears to carry support.

"It is an extra set of eyes -- it is a repository for people to go to if they think something is wrong," said commission member Robin Rorapaugh.

State legislators -- led by Republican Rep. Ellyn Bogdanoff -- are drafting their own version of an Inspector General for Broward. "When government entities believe they have somebody looking over their shoulder on a more regular basis they may conduct themselves differently," Bogdanoff said.

Some elected officials contend investigating corruption is better left to prosecutors.

"I want the state attorney to do his damn job," said State Sen. Chris Smith, one of two legislators who voted against moving forward on the bill.

Broward State Attorney Michael Satz says he supports the idea of an independent inspector general, who could refer cases to his office if they warranted criminal prosecution. That's how Miami-Dade's process works.

Last week, Broward Commissioner Stacy Ritter proposed an inspector general on the same day legislators drafted their own version. Commissioners told the county attorney to bring back a referendum that could go to voters.

“I think the perception is the county is dragging its feet -- that is something I thought needed to change,” said Ritter.

Formed in 1997, Miami-Dade's IG has launched investigations that led to more than 180 arrests, most of which resulted in convictions.

A glance at Miami-Dade's web page reveals a snapshot of cases: An investigation that triggered a 20-year prison term for a former judge; an audit on an inner-city nonprofit accused of mispending government money; the arrest of a transit employee who falsified documents.

But unlike prosecutors, the IG often ferrets out waste that isn't criminal.

“There is no question in my mind most of the money government loses is because of mismanagement and waste,” Mazzella said.

The office has a budget of \$5.3 million to investigate county agencies and receives money from sources including a surcharge on vendor contracts. The school district chose to hire the IG and pays the office a separate \$1.2 million budget.

Not everyone embraces its mission.

Police Benevolent Association president John Rivera has criticized Mazzella, whose office has investigated Rivera and police officers. “It costs a lot of money to run -- they really do what police departments should be doing,” Rivera said. “I think it's duplicitous work being borne by the taxpayers.”

In Broward, the cost of establishing an office, as well as unresolved questions such as whether it would investigate anonymous complaints and pursue elected officials during campaign season, are among the concerns expressed by some elected officials. Whether the IG would gain powers beyond Broward County Hall -- to the school board, cities and BSO -- is up in the air.

Even supporters caution it's only one piece of an ethics package, and not a cure all.

“It keeps the honest people honest,” said Gerald Kogan, a retired Florida Supreme Court justice and former Miami-Dade prosecutor. “The crooks are going to be crooks regardless even if you have an investigator standing outside their door.”