



# Palm Beach County Commission on Ethics

**Commissioners**  
Edward Rodgers, Chair  
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**Executive Director**  
Alan S. Johnson

In Re: Jason Turner

C11-014

## Public Report and Final Order of Dismissal

COMPLAINANT, Pamala Lazarus, a Village of Tequesta employee, filed the above-referenced COMPLAINT on June 27, 2011, alleging a possible ethics violation involving RESPONDENT Jason Turner, a Village of Tequesta employee.

The COMPLAINT alleges that Jason Turner, on or about April 20, 2011, misused his position and authority as a Village employee by sending an email on the Village email system to fellow Village employees, regarding a business owned and operated by his wife.

Pursuant to Chapter 2, Article V, Division 8, Section 2-258(a)<sup>1</sup> of the Palm Beach County Code, the Commission on Ethics is empowered to enforce the county code of ethics. Misuse of public office for financial benefit is prohibited pursuant to Article XIII, sec. 2-443(a)(7) of the Palm Beach County Code.<sup>2</sup>

<sup>1</sup> Article V, Division 8, section 2-258. Powers and duties. (a) The commission on ethics shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided. The commission on ethics shall be empowered to review, interpret, render advisory opinions and enforce the;

- (1) County Code of Ethics;
- (2) County Post-Employment Ordinance, and
- (3) County Lobbyist Registration Ordinance.

<sup>2</sup> Article XIII, sec.2-443. Prohibited conduct.

- (a) Misuse of public office or employment. An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the exercise of reasonable care will result in a financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities.

On July 26, 2011, after an initial inquiry into the matter, the COMPLAINT was determined by staff to be LEGALLY INSUFFICIENT, and presented to the Commission on Ethics on August 4, 2011 with a recommendation of dismissal as LEGALLY INSUFFICIENT.

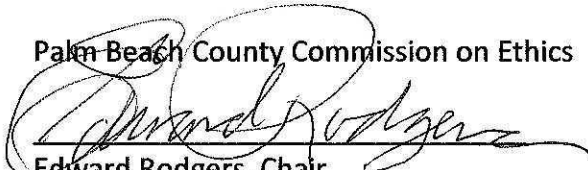
According to the COMPLAINT, the alleged misconduct occurred prior to June 1, 2011, the date that the Code of Ethics and Commission on Ethics ordinances became effective in the municipalities within Palm Beach County. Therefore, the Commission on Ethics lacks jurisdiction in this matter.<sup>3</sup>

The Commission on Ethics reviewed the investigative report, determined that the commission lacks jurisdiction to investigate the allegation that RESPONDENT, Jason Turner, violated sec. 2-443(a) of the Palm Beach County Code of Ethics, and DISMISSED the COMPLAINT on August 4, 2011, due to NO LEGAL SUFFICIENCY.

Therefore it is:

**ORDERED AND ADJUDGED THAT** the COMPLAINT against RESPONDENT Jason Turner is hereby DISMISSED.

**DONE AND ORDERED** by the Palm Beach County Commission on Ethics in public session on August 4, 2011.

Palm Beach County Commission on Ethics  
By:   
Edward Rodgers, Chair

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- (1) Himself or herself;
  - (2) A member of his or her household, including a domestic partner and his or her dependants, or the employer of any of these people;
  - (4) An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who works for such an outside employer.

<sup>3</sup> Sec. 2-260.6. Prospective jurisdiction

The commission on ethics shall be empowered to consider alleged violations within its jurisdiction committed on or after the effective date of the ordinances set forth in section 2-258(a), as each may be amended from time to time. Any alleged violation committed before the effective date of any such ordinance or amendment shall be governed by the applicable law in effect at the time of the alleged violation.