

Biscayne Building  
19 West Flagler St., Suite 220  
Miami, FL 33130  
Phone: (305) 375-1946  
Fax: (305) 579-2656  
www.miamidadeig.org

**Office of the Inspector General  
Miami-Dade County**

# Memorandum

To: The Honorable Alex Penelas, Mayor  
  
The Honorable Chairperson Barbara Carey-Shuler, Ed. D.  
and Members, Board of County Commissioners

From: Christopher Mazzella  
Inspector General

Date: June 17, 2004

Re: Arrests of Two Miami-Dade Fire Rescue Lieutenants

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Attached is a news release relating to the arrests of two Miami-Dade Fire Rescue Lieutenants, Robert Cleary and Norman Hepburn, who were charged with stealing over \$14,000 in overtime pay while conducting inspections at Miami International Airport (MIA). Cleary and Hepburn were responsible for inspections of all life safety systems at the airport, including the inspection and plans review of new construction projects which comprise MIA's \$4.8 billion dollar Capital Improvement Program.

Specifically, the two individuals are charged with one (1) count of Organized Scheme to Defraud, a total of seventy-seven (77) counts of Official Misconduct, and twenty-four (24) counts of Grand Theft. Both individuals have been suspended from their employment.

cc: Mr. George Burgess, County Manager  
Mr. Bill Johnson, Assistant County Manager  
Ms. Susanne Torriente, Assistant County Manager  
Mr. Anthony Bared, Fire Chief, Miami-Dade Fire Rescue  
Ms. Angela Gittens, Director, Miami-Dade Aviation Department  
Mr. Robert Ginsburg, County Attorney  
Ms. Cathy Jackson, Director, Audit and Management Services

Clerk of the Board (copy filed)



OFFICE OF THE INSPECTOR GENERAL  
MIAMI-DADE COUNTY

**MIA FIRE DEPARTMENT LIEUTENANTS ARRESTED**

The Office of the Inspector General (OIG) and the Miami-Dade State Attorney's Office announced today the arrests of two Miami-Dade Fire Rescue Department Lieutenants who stole a total of over \$14,000 in overtime pay while conducting inspections at Miami International Airport (MIA). The two individuals who were arrested were responsible for inspections of all life safety systems at the airport, including the inspection of new construction projects which comprise MIA's \$4.8 billion dollar Capital Improvement Program.

Robert Cleary (Cleary), age 56, and Norman Hepburn (Hepburn), age 53, were arrested on one (1) count of Organized Scheme to Defraud, a total of seventy-seven (77) counts of Official Misconduct, and twenty-four (24) counts of Grand Theft. An arrest affidavit filed by a Special Agent of the OIG has been sealed because it contains airport security information.

The investigation focused on the activities of Cleary and Hepburn between June 2001 and November 2003. The investigation allegedly disclosed that both Cleary and Hepburn falsified numerous overtime slips in their scheme to steal additional overtime pay. In some cases, their supervisors unknowingly approved and signed slips that indicate Cleary and Hepburn were performing inspections into the early morning hours, but the investigation really determined that the inspections were concluded much earlier. In some cases, it is believed that both Cleary and Hepburn were at home while the inspections were supposed to be taking place. The investigation details five particular schemes used by Cleary and Hepburn to cheat the County. These are referred to as the "Double Inspection Scheme", the "Double Dip Scheme", the "False 60-Minute Scheme", the "Phantom Plans Review Scheme", and the "Phantom Inspection Scheme". These schemes are described below:

The Double Inspection Scheme:

This scheme was the most commonly used. Both Cleary and Hepburn received excess overtime pay by scheduling and performing two inspections back to back, then falsifying overtime slips that falsely indicated each inspection was performed in two consecutive four hour periods.

The Double Dip Scheme:

In this scheme, Cleary and Hepburn allegedly collected overtime for conducting inspections at the same time that each was collecting overtime for reviewing building and systems engineering plans.

The False 60-Minute Separation Scheme:

This scheme involved both Cleary and Hepburn taking advantage of the County's collective bargaining agreement by falsifying official leave slips by falsely indicating an hour separation between inspections. This falsification enabled them to collect at the minimum four additional hours of overtime as mandated by the collective bargaining agreement.

The Phantom Plans Review Scheme:

Cleary and Hepburn submitted fraudulent overtime slips for plans review on their days off.

The Phantom Inspection Scheme:

On several occasions, Cleary and Hepburn submitted overtime slips for inspections that did not occur.

Inspector General Christopher Mazzella expressed dismay at the conduct of the fire lieutenants. He noted that Cleary and Hepburn's misconduct not only cheats County taxpayers of their right to clean government but, as front line inspectors, their misconduct directly jeopardizes the County's efforts to austere administer its construction programs without fraud and abuse. But, as Mr. Mazzella continues to stress, the most formidable deterrence to corruption is its vigorous prosecution.

Copies of the news release are available at the Inspector General's Office, 19 West Flagler Street, Suite 220, telephone number (305) 375-1946 and at the State Attorney's Office, c/o Ed Griffith, 1350 N.W. 12 Avenue, telephone number (305) 547-0532.

Media Opportunity – Inspector General Mazzella will be available for a media opportunity concerning this matter.