



Memorandum



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To: The Honorable Harvey Ruvin, Clerk of the Courts, Miami-Dade County
The Honorable Carlos A. Gimenez, Mayor, Miami-Dade County
The Honorable Chairman Joe A. Martinez,
and Members, Board of County Commissioners, Miami-Dade County

From:  Christopher Mazzella, Inspector General

Date: August 9, 2012

Subject: Former Miami-Dade Clerk of the Courts Employees Arrested on Charges
of Theft and Official Misconduct for Altering and Falsifying Marriage
License Records; Ref. IG 11-48

An investigation by the Miami-Dade Office of the Inspector General (OIG) and the Miami-Dade State Attorney's Office (SAO) resulted today in the arrest of Arthur Spicer, Jr. (Spicer) and Versey Miller (Miller), former employees of the Miami-Dade County Clerk of the Courts (Clerk's Office). Spicer and Miller, who were both assigned to the Marriage License Bureau of the Clerk's Office, were terminated from the Clerk's Office during the course of the investigation. Although arrested on separate warrants, they were both charged with multiple counts of Official Misconduct as well as one count each of Grand Theft and Organized Scheme to Defraud.

Spicer, a 21 year Clerk's Office employee, was assigned to the North Dade Justice Center District Court office as a Courtroom Clerk 1. Miller, an 8 year employee, was a Court Records Specialist 2 assigned to the Hialeah District Court office. The OIG investigation found that although working at different District Court offices, Spicer and Miller maintained a close relationship. Spicer's and Miller's duties included processing marriage license requests, issuing marriage licenses, performing marriage ceremonies, and maintaining marriage license records. The OIG investigation revealed that they falsified and altered official marriage license records, circumvented State of Florida statutory waiting period requirements, and pocketed fees due to the Clerk's Office.

Florida law requires that residents apply for a marriage license for which the Clerk's Office collects an application fee. Residents are also required to wait three days for the license to be effective, unless the couple presents proof of a four hour pre-marital preparation course by an approved provider. Couples who present proof of a

completed pre-marital course are given a \$32.50 discount off of the marriage license application fee.

The OIG investigation found that Spicer submitted 17 and Miller 27 altered certificates of completion of the pre-marital course. For those marriage license transactions, the investigation found that Spicer and Miller entered false information on official records, altered official records, and falsified receipts of payments. The records were altered to show completion of the pre-marital course by the applicants, thereby eliminating their waiting period and discounting the application fees. The OIG verified with the course providers that the couples with the altered certificates did not complete their courses.

The OIG also interviewed many of the marriage license applicants who, with the exception of one couple, admitted they had not participated in the pre-marital courses as noted in the Clerk's Office records altered by Spicer and Miller. The applicants stated that they signed the paperwork as directed by the clerks, but many of them were unaware of the requirements or applicable fees. Additionally, many applicants assumed that Spicer and Miller, as Clerk's Office employees, had the authority to waive the waiting period requirement. Miller and Spicer perpetuated that perception as part of their scheme. Miller told some of the marriage license applicants she could do them a favor and waive the waiting period. Other applicants reported that Spicer made phone calls in their presence and appeared to be obtaining permission to waive the waiting period requirement. These actions, from Clerk's Office employees, gave the appearance that the waivers were within the scope of their duties.

Additionally, Spicer and Miller falsified the payment records making it appear they applied the \$32.50 discount while, in actuality, they collected and pocketed those funds. Spicer and Miller also overcharged some of the applicant couples. The OIG found that many couples were unaware of the exact fees as they were unaware of the requirements. Spicer purloined over \$800 and Miller over \$1,300 in overcharges to couples and fees due to the Clerk's Office.

The OIG is grateful to Mr. Ruvlin and his staff for their cooperation during the investigation.

cc: Ed Marquez, Deputy Mayor
Cathy Jackson, Director, Audit & Management Services Department
Charles Anderson, Commission Auditor