FLORIDA
COMMISSION ON ETHICS
JUL 07 2023
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BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In Re: John Polinsky,

Complaint No.: 22-205

Respondent.
_____/

JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER

Respondent, John Polinsky, and the Advocate for the Florida Commission on Ethics enter into this Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

STIPULATED FINDINGS OF FACT

1. Respondent serves as Dorcas Fire Chief and therefore is subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.

2. On December 12, 2022, the Commission on Ethics issued a self-initiated Determination of Investigative Jurisdiction and Order to Investigate.

3. Pursuant to Section 112.324, Florida Statutes, and Commission Rule Chapter 34-17, Florida Administrative Code, the Executive Director of the Commission on Ethics ordered a preliminary investigation for a probable cause determination of whether Respondent had violated the Code of Ethics. The Report of Investigation was released on January 20, 2023.

4. On March 15, 2023, the Commission on Ethics found probable cause to believe Respondent violated Section 112.3145(9)(c), Florida Statutes. The allegation is:

> Respondent violated Section 112.3145(9)(c), Florida Statutes, by willfully failing to file a 2018 CE Form 1, "Statement of Financial Interests."

5. Respondent admits the facts as set forth in the Report of Investigation, which is specifically incorporated by reference in the Joint Stipulation.

STIPULATED CONCLUSIONS OF LAW

6. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

7. The Commission on Ethics has jurisdiction over this proceeding and over Respondent.

8. Respondent violated Section 112.3145(9)(c), Florida Statutes, by willfully failing to file a 2018 CE Form 1, "Statement of Financial Interests."

STIPULATED RECOMMENDED ORDER

9. Respondent admits the allegations as set forth in paragraph four (4) of the Stipulated Findings of Fact, above.

10. The Advocate accepts Respondent's stipulation in this proceeding.

11. The Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings before the Commission in this cause.

12. Therefore, the Advocate recommends that:

(a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties; and

(b) The Commission on Ethics enter a Final Order and Public Report consistent with this Stipulation finding that Respondent violated Section 112.3145(9)(c), Florida Statutes, by willfully failing to file 2018 CE Form 1, "Statement of Financial Interests," and recommending:

removal from his public employment.

FURTHER STIPULATIONS

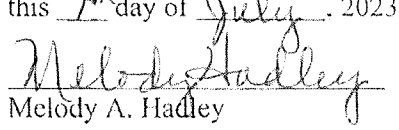
13. Respondent and the Advocate stipulate and covenant that they have freely and voluntarily entered into this Joint Stipulation of Fact, Law, and Recommended Order with full knowledge and understanding of its contents. Respondent and the Advocate further stipulate and covenant that this Joint Stipulation constitutes the full agreement of the parties and that there are no oral or written understandings between the parties other than those contained in this Joint Stipulation of Fact, Law, and Recommended Order.

14. Respondent and the Advocate stipulate and covenant that, in consideration of the provisions of this Joint Stipulation of Fact, Law, and Recommended Order, Respondent and the Advocate accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

15. Respondent and the Advocate stipulate that this Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this document shall be of no purpose and effect and shall not be deemed an admission by Respondent.

16. Effective upon approval of this Joint Stipulation of Fact, Law, and Recommended Order by the Commission on Ethics, Respondent waives all time, notice, hearing rights, requirements, and entitlements, as to all subsequent hearings in this proceeding.

Signed, dated, and entered into:
this 7th day of July, 2023.



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Signed, dated, and entered into:
this 7 day of July, 2023.

John Polinsky
Respondent
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Crestview, Florida 33138
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