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## PRESS RELEASE

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TALLAHASSEE—June 10, 2020—Meeting via Zoom video conference on June 5<sup>th</sup>, in closed session, the Florida Commission on Ethics took action on 39 matters, Chair Kim Rezanka announced today.

The Commission voted to allow the withdrawal of a complaint filed against **KERRIE HUFF**, Florida Notary Public and Dixie County Deputy Clerk. The complainant in the case requested the withdrawal because he learned the facts he submitted with the complaint were not accurate.

The Commission dismissed a complaint filed against Florida Notary Public **CASEY BRYANT**. They declined to proceed further because the allegations in the complaint were better susceptible to scrutiny and remedy by a court proceeding or by a

notary misconduct complaint filed with the Notary Section of the Executive Office of the Governor.

The Commission also dismissed complaints filed against **DINA POSTON**, former Law Enforcement Aide, and **AMBER MUCZKO-ZEIHER**, former Clerk Specialist in the Palm Beach County Sheriff's Office (PBSO). The complaints alleged the employees sold confidential crash report information to an attorney in private practice. Although the allegations in the complaint were sufficient for investigation, the Commission found the public interest would not be served by proceeding further in these complaints. The allegations previously were investigated administratively and criminally, resulting in Ms. Poston's resignation from her position as well as criminal penalties for her actions, and resulting in a similar outcome for Ms. Muczko-Zeiher. Any Commission investigation is unlikely to lead to revelation of any material facts or information not previously discovered during the PBSO investigation of these same allegations.

The Commission reviewed 35 complaints for legal sufficiency. These reviews are limited to questions of jurisdiction and determinations as to whether the contents of the complaint are adequate to allege a violation of the Code of Ethics or other laws within the Commission's jurisdiction. As no factual investigation precedes the reviews, the Commission's conclusions do not reflect on the accuracy of the allegations made in these complaints. The Commission dismissed the following complaints for lack of legal sufficiency: **BLAISE INGOGLIA**, State Representative, District 35; **AL NIEHAUS**, Sheriff, Hernando County; **WILLIAM TOWNSEND, III**, School Board Member, Polk County; **FRED HAWKINS**, County Commissioner, Osceola County; **MARK EARLEY**, Supervisor of Elections, Leon County; **MELONY BELL**, State Representative, District 56; **NATALIE MALONE**, City Clerk, South Bay; **LEONDRAE CAMEL**, City Manager,

South Bay; **GORDON SMITH**, Sheriff, Bradford County; **JOSEPH KLOSKY**, Chair and Trustee, Barefoot Bay Recreation District; **JOHN COFFEY**, Community Manager, Barefoot Bay Recreation District; **SHIRLEY GROOVER**, Mayor, Palmetto; **PAUL K. PULETTI**, Superintendent, Hendry County School District; **DANNY RIDDICK**, County Commissioner, Bradford County; **RICH ARMINGTON**, Head of Resident Relations, Barefoot Bay Recreation District; **MIKE KILGUS**, President, Barefoot Bay Over 60 Softball League; **DAVID MERRILL WHEATON**, Trustee, Barefoot Bay Recreation District; **MICHAEL J. CHITWOOD**, Sheriff, Volusia County; **GLEN BENNETT**, Detective, Volusia County Sheriff's Office; **CARA HIGGINS**, Board Member, Florida Keys Aqueduct Authority; **LAWRENCE P. STEVENSON**, Administrative Law Judge, Division of Administrative Hearings; **DAVID MORGAN**, Sheriff, Escambia County; **CHIP SIMMONS**, Deputy and Candidate for Sheriff, Escambia County; **GROVER ROBINSON**, Mayor, Pensacola; **JENNIFER ELDRED**, Teacher, Orange County School District; **CHRISTOPHER COWART**, Board Member, Levy County School District; **SAM ST. JOHN**, Sheriff, Suwannee County; **MARYBETH HENDERSON**, Mayor, Redington Shores; **ANTHONY CAMMARATA**, General Counsel and Chief Ethics Officer, Florida Office of Financial Regulation; **AMIRA D. FOX**, State Attorney, 20<sup>th</sup> Judicial Circuit; **BILL BARNETT**, Mayor, Naples; **GERALD D. HOLLAND**, Property Appraiser, Duval County; **KATHY MARTIN**, Equal Employment Opportunity Commission Office, Florida Department of Transportation; **CONSTANCE THOMAS**, Mayor, Orange Park; and, **KELLY LICHTER**, President and Board Member, Mason Classical Academy.

#### **PUBLIC SESSION**

The Commission took final action and adopted a Joint Stipulation between the Commission Advocate and Ft. Myers Beach Fire Control District Board Member

**THEODORE R. SCHINDLER, II.** The agreement finds Mr. Schindler filed an inaccurate and incomplete 2017 Form 1 Statement of Financial Interests. A civil penalty of \$500 will be recommended for imposition by the Governor for the violation.

The Commission also adopted a settlement agreement between the Commission Advocate and former Dixie County Clerk of Court and Comptroller **DANA JOHNSON**. Ms. Johnson agreed she violated the Code of Ethics by misusing county equipment and materials to reproduce church bulletins and by altering, fabricating, or falsifying records of her office concerning monies paid or owed by her to the office, and by using inside information to fabricate or alter those records. The adopted agreement calls for a penalty of public censure and reprimand, as well as her resignation from office effective June 5, 2020. The matter will be sent to the Governor for imposition of the penalty and disposition.

Delray Beach City Commissioner and CRA Board Member **RYAN BOYLSTON** also entered into a settlement agreement with the Commission Advocate. The agreement, adopted by the Commission, finds Mr. Boylston violated ethics statutes by doing business with the Downtown Development authority and by having a conflicting contractual relationship by virtue of the business agreement. A civil penalty of \$2,000 will be recommended for imposition by the Governor for those violations.

The Commission adopted a settlement agreement between Broward County Supervisor of Elections **PETER ANTONACCI** and the Commission Advocate, filed prior to consideration of probable cause. Mr. Antonacci agreed he violated the law by filing an inaccurate 2018 Form 6 Full and Public Disclosure of Financial Interests and agreed to pay a civil penalty of \$1,750 for the violation. The civil penalty recommendation will be sent to the Governor for imposition.

The Commission Adopted the Advocate's Motion to Dismiss in a complaint filed against former Broward County School Board Member **STEPHANIE KRAFT**. The Advocate sought the dismissal, stating the public interest would not be served by proceeding further because of the passage of time and the underpinning facts being the same as those of the criminal case previously adjudicated against her. Ms. Kraft was removed from her position, served jail time, and her license to practice law was involuntarily suspended, therefore making further action by the Commission unnecessary.

The Commission voted to dismiss a statutorily-required, self-initiated investigation concerning a willful failure to file a 2017 Form 1 disclosure by **JOHN KINSEY**, former member of the Board of Supervisors for the Twin Creek North Community Development District, for willfully failing to timely file his 2017 Form 1. Mr. Kinsey resigned from the board February 28, 2020. Since holding public office or employment is required to maintain jurisdiction under this particular statute, the Commission no longer possesses jurisdiction in this matter. Similarly, a self-initiated, willful investigation was dismissed by the Commission concerning **LAWRENCE MALANGA**, former Lake Park Planning and Zoning Board Member. He resigned from his position on March 2, 2020, thereby depriving the Commission of jurisdiction.

Contact the Commission's office to obtain rulings on appeals of automatic fines imposed for late submission of financial disclosure reports submitted by public officers and employees. (Item VIII. on the June 5<sup>th</sup> meeting agenda posted on the Commission's website.)

The Florida Commission on Ethics is an independent nine-member commission formed in 1974 to review complaints filed under the statutory Code of Ethics and to

answer questions from public officials about potential conflicts of interest through its issuance of advisory opinions.

If the Ethics Commission believes a violation of the law may have occurred, it may decide to hold a public hearing. If it concludes a violation has been committed, it may recommend civil penalties including removal from office or employment and fines up to \$10,000 per violation.