

EXECUTIVE DIRECTOR'S REPORT

TO: Members, Commission on Ethics

FROM: Kerrie Stillman 
Executive Director

DATE: January 5, 2022

ADVISORY OPINIONS

The Commission on Ethics did not issue any opinions at its December meeting. It has rendered 2,689 opinions since its inception in 1974.

LITIGATION

Case Number 1D21-3115, Patrick Loebig v. Florida Commission on Ethics - This is an appeal of CEO 21-9 regarding the Taxpayer Rights Advocate. The Appellant's Initial Brief is due February 21, 2022.

On November 3, 2021, a rule challenge was filed at DOAH in Carlos Beruff v. Florida Commission on Ethics, Case No. 21-3339RX, alleging that a portion of the materials incorporated by reference into Rule 34-8.202, F.A.C., consisting of a portion of the instructions that accompany the CE Form 1 constitute an invalid exercise of delegated legislative authority. The petition seeks consolidation with DOAH Case No 21-2890EC currently pending before the Division and asks that Mr. Beruff be awarded attorney's fees and costs pursuant to Section 120.595(3), F.S. On November 12, 2021, an Order of Consolidation was issued consolidating DOAH Case Nos. 21-2890EC and 21-3339XX pursuant to Rule 28-106.108, F.A.C.

A hearing on the rule challenge portion of the matter is scheduled for January 6, 2022.

FINANCES

As of November 30, we've spent \$1,003,149.17 (38.56%) of our appropriation, with 41.67% of the FY gone.

PUBLIC SPEAKING ENGAGEMENTS / PUBLICATIONS / HONORS

Caroline is conducting a 50-minute ethics training for DOAH judges of compensation claims and State mediators on January 14, 2022.

Kerrie will be conducting a virtual training session on January 24th at the Florida Department of Revenue's continuing education course for Property Appraisers and Tax Collectors. She will also be presenting in Tallahassee on February 10th at DOR's Duties and Responsibilities of Florida Tax Collectors course for Tax Collectors and their staff.

STAFF ANNOUNCEMENTS

Investigator Kathleen Mann resigned her employment with the Commission, effective December 16, 2021, to accept a position in the private sector. The position has been advertised.

Both part-time clerks resigned their positions, effective December 30, 2021 to take part in the FSU study abroad program. Their positions were advertised and interviews are taking place.

PENDING ORDERS IMPOSING PENALTIES

GOVERNOR

Complaint No. 15-178, In re Michael S. Murphy (Final Order 08/03/16)
Complaint No. 17-108, In re Joel Davis (Final Order 06/13/18)
Complaint No. 17-088, In re Cheryl Thomas-Hughes (Final Order 12/12/18)
Complaint No. 16-062, In re Dennis McDonald (Final Order 10/30/19)
Complaint No. 16-130, In re Frantz Pierre (Final Order 09/15/21)
Complaint No. 18-211, In re Thomas L. Clyce (Final Order 02/10/21)
Complaint No. 18-168, In re Dustin Daniels (Final Order 04/21/21)
Complaint No. 18-047, In re Brian Burkeen (Final Order 04/21/21)
Complaint No. 19-192, In re Marilyn D. Sconions (07/28/21)
Complaint No. 19-158, In re Thomas R. Hardee [Referral] (Final Order 04/21/21)
Complaint No. 19-154, In re Doug Belden (Final Order 03/10/21)
Complaint No. 20-054, In re Milissa Holland (Final Order 09/15/21)
Complaint No. 20-124, In re Francis David Bourrie (Final Order 06/09/21)
Complaint No. 20-125, In re Muhammad Amin (Final Order 10-27-21)
Complaint No. 20-225, In re Alexis P. Rodriguez (Final Order 10-27-21)
Complaint No. 21-077, In re Reginald Sessions (Final Order 10-27-21)
Complaint No. 20-170, In re Betsy Vanderley (Final Order 12-8-21)

HOUSE

Complaint No. 18-026, In re Kim Daniels (Final Order 01/30/19)
Complaint No. 20-206, In re Jackie Toledo (Final Order 10-27-21)
Complaint No. 20-211, In re Tracie Davis (Final Order 10-27-21)

PENDING ACTION ON STATUTORILY-GENERATED LOBBYING FIRM AUDIT MATTERS (GOVERNOR AND CABINET)

Complaint No. 16-017, In re Dean Mead (Probable Cause 01/27/17)
Complaint No. 16-018, In re Buigas and Associates (Probable Cause 01/27/17)
Complaint No. 16-019, In re DDarling Consulting (Probable Cause 01/27/17).
Complaint No. 16-174, In re Kathy Till and Associates, Inc., (Probable Cause 08/02/17)
Complaint No. 16-170, In re Capitol Group, Inc., (Probable Cause 10/25/17)
Complaint No. 16-173, In re Johnson Strategies, LLC (Probable Cause 12/13/17)
Complaint No. 16-175, In re Sayfie Law Firm (Probable Cause 10/25/17)
Complaint No. 17-132, In re Andrew J. Liles (Probable Cause 08/01/18)
Complaint No. 17-134, In re Lester Abberger (Probable Cause 08/01/18)
Complaint No. 17-135, In re Pruitt and Associates (Probable Cause 08/01/18)
Complaint No. 17-136, In re Wilson and Associates, LLC (Probable Cause 08/01/18)
Complaint No. 17-137, In re TC Wolfe (Probable Cause 08/01/18)
Complaint No. 19-031, In re Impact GR (Probable Cause 09/18/19)
Complaint No. 20-055, In re All Florida Solutions, Inc. (Probable Cause 03/10/21)

Executive Director's Report

January 5, 2022

Page 3

Complaint No. 20-056, In re Carr Allison (Probable Cause 03/10/21)

Complaint No. 20-058, In re Pyle and Associates (Probable Cause 03/10/21)

Complaint No. 21-127, In re Diana Hadi Padgett (Probable Cause 12/3/21)

Complaint No. 21-128, CJT Strategies, LLC (Probable Cause 12/3/21)