

EXECUTIVE DIRECTOR'S REPORT

TO: Members, Commission on Ethics

FROM: Kerrie Stillman
Executive Director

DATE: April 6, 2022

ADVISORY OPINIONS

The Commission on Ethics issued one opinion at its March meeting. It has rendered 2,690 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 Taxpayers' Rights Advocate. Gray filed an answer brief on March 15, 2022. The Appellant's Reply Brief is due on April 14, 2022.

In DOAH Case No 21-2890EC Carlos Beruff v. Florida Commission on Ethics, an hearing was held on March 9, 2022.

Case Number 5D22-322, Bill Spaude v. Florida Commission on Ethics. This is an appeal of Complaint No. 19-174. The Appellant's Initial Brief is due April 18, 2022.

On March 9, 2022, in Complaint No. 18-080, In re: Daphne Campbell, the Commission rendered the Final Order and Public Report in which the Commission found that the Respondent violated Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes, on three separate occasions by filing an inaccurate 2013, 2015, and 2017, Form 6, "Full and Public Disclosure of Financial Interests" and recommended the imposition of a public censure and reprimand and a civil penalty of \$22,500 (\$7,500 per violation). On March 29, 2022, a Notice of Appeal of this matter was filed with the First District Court of Appeal. The Appellant's Initial Brief is due on June 7, 2022.

FINANCES

As of February 28, we've spent \$1,601,418.71 (61.55%) of our appropriation, with 66.67% of the FY gone.

PUBLIC SPEAKING ENGAGEMENTS / PUBLICATIONS / HONORS

Steve gave a 100-minute ethics update at the Winter Conference of the Florida Court Clerks & Comptrollers on March 10.

STAFF ANNOUNCEMENTS

Caroline resigned her position, effective March 31. Steve was promoted to the position of Deputy Executive Director and General Counsel, effective April 1.

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. 18-211, In re Thomas L. Clyce (Final Order 02/10/21)
Complaint No. 19-154, In re Doug Belden (Final Order 03/10/21)
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. 19-158, In re Thomas R. Hardee [Referral] (Final Order 04/21/21)
Complaint No. 20-124, In re Francis David Bourrie (Final Order 06/09/21)
Complaint No. 19-192, In re Marilyn D. Sconions (07/28/21)
Complaint No. 20-054, In re Milissa Holland (Final Order 09/15/21)
Complaint No. 16-130, In re Frantz Pierre (Final Order 09/15/21)
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)
Complaint No. 19-174, In re William "Bil" Spaude (Final Order 1-26-22)
Complaint No. 18-141, In re Andreana Jackson (Final Order 1-26-22)
Complaint No. 18-020, In re Joseph Kilsheimer (Final Order 1-26-22)
Complaint No. 20-144, In re Gabriel Garcia (Final Order 3-9-22)
Complaint No. 21-093, In re Dale V.C. Holness (3-9-22)
Complaint No. 21-162, In re Cynthia Stuart (3-9-22)

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)

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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)



FLORIDA
COMMISSION ON ETHICS

MAR 21 2022

RECEIVED

The Florida House of Representatives

Public Integrity & Elections Committee

Chris Sprowls
Speaker

Daniel Perez
Chair

March 17, 2022

Speaker Chris Sprowls
420 The Capitol
By hand-delivery

RE: Commission on Ethics Final Order on Complaint No. 18-090, In re Daphne Campbell

Mr. Speaker:

On March 17, 2022, you referred to the Public Integrity & Elections Committee, the transmittal of the Commission on Ethics regarding the above referenced matter dated March 9, 2022. This letter constitutes my conclusion that the case should be closed without further action.

The Commission concluded that Daphne Campbell failed to fully disclose her liabilities and net worth on her 2013, 2015 and 2017 Form 6 full and public financial disclosures as required by the Constitution and s. 112.3144, F.S. The first two filings were made on June 17, 2014, and June 13, 2016, respectively, during Daphne Campbell's terms as a member of the House of Representatives, which culminated in November 2016. The third occurred during her term in the Senate from 2016 to 2018. The complaint was filed with the Commission on July 3, 2018. The Commission entered its Final Order determining violations on March 9, 2022.

Section 112.324(4) recognizes that complaints against members of the Legislature are governed by the rules of the respective House. Section 112.324(8)(e) provides for referrals applicable to "a former member of the Legislature ... whose violation occurred while a member of the Legislature." That section was cited in the Commission's referral of the matter to you. That section is silent as to the applicability of House rules.

Speaker Chris Sprowls
March 17, 2022
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Article III, s. 4, Fl. Const. gives the House exclusive jurisdiction over the discipline of its members as well as exclusive jurisdiction to govern its procedures. House Rule 18.1 provides that House Rule 18 governs all complaints under the jurisdiction of the House. House Rule 18.5 provides a 2 year limitation period on conduct violations of members. The 2013 and 2015 Form 6 violations identified by the Commission both occurred more than 2 years prior to the filing of the complaint with the Commission. It is my determination that Rule 18.5 bars House action on the complaint.

For the above-stated reasons, I recommend that the matter be closed.

Respectfully submitted,



Daniel Perez, Chair

Cc: Daphne Campbell
John Grant, Chair, Commission on Ethics