DATE FILED
AUG 31 2020
COMMISSION ON ETHICS

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

CONFIDENTIAL

In re RANDALL MERRITT,)
) Complaint No. 20-120
Respondent.)
)

DETERMINATION OF INVESTIGATIVE JURISDICTION
AND ORDER TO INVESTIGATE

UPON REVIEW of this complaint, I find as follows:

1. This complaint was filed by Meaghan Allen of Crawfordville, Florida.

2. The Respondent, Randall Merritt, allegedly serves as a member of the Wakulla County Commission for District 2.

3. The complaint alleges that during a meeting of the Wakulla County Commission on October 3, 2016, the Respondent voted on, or otherwise failed to comply with Section 112.3143(3)(a), Florida Statutes, regarding, measures which would inure to his special private gain or loss or to the special private gain or loss of a principal by whom he had been retained as an engineer. This indicates possible violation of Section 112.3143(3)(a), Florida Statutes, by the Respondent.

4. The complaint further alleges that the Respondent, on his 2017 and 2018 CE Form 6, "Full and Public Disclosure of Financial Interests," failed to accurately disclose income

generated from the sale of real property.[1] This indicates possible violation of Article II, Section 8, Florida Constitution, and Section 112.3144, Florida Statutes.[2]

WHEREFORE staff of the Commission on Ethics shall conduct a preliminary investigation of this complaint for a probable cause determination of whether the Respondent has violated Article II, Section 8, Florida Constitution, and Sections 112.3144 and 112.3143(3)(a), Florida Statutes, as set forth above.

August 31, 2020
Date

C. Christopher Anderson, III
Executive Director

CCA/cmk

[1] However, other allegations of the complaint regarding the Respondent's failure to adequately disclose assets consisting of a First Franklin Financial Stock Account on his 2019 CE Form 6 substantively fail to indicate a possible violation of Article II, Section 8, Florida Constitution, or Section 112.3144, Florida Statutes. More particularly, the complaint alleges that on his 2017 CE Form 6 the Respondent disclosed assets including a First Franklin Financial Stock Account in the amount of $528,000, however, the same item was not reported on his 2019 CE Form 6 as an asset. Although this asset may not be reflected on his 2019 CE Form 6 filing, the complaint process is not designed to serve as a general review or audit function for disclosure filings. The Complainant's doubt or skepticism about the omission of items from a particular financial disclosure filing is not enough to trigger the Commission's investigative jurisdiction absent any factual allegations that the disclosure was required.

[2] This allegation is not immaterial, inconsequential, or de minimis in that, if true, it could constitute a failure to meaningfully disclose income.