

**DATE FILED**  
JAN 29 2014  
**COMMISSION ON ETHICS**

Complaint No. 13-122

Based on the preliminary investigation of this complaint and on the recommendation of the Commission's Advocate, the Commission on Ethics finds that there is no probable cause to believe the Respondent, who serves as Sheriff of Broward County, after having been Sheriff-elect and a candidate for the Office of Sheriff, violated Section 112.3148(3), Florida Statutes, by soliciting gifts from Robert Pereira, a vendor, lobbyist or principal of a lobbyist; and finds that there is no probable cause to believe the Respondent violated Section 112.3148(4), Florida Statutes, by accepting, directly or indirectly, gifts from Robert Pereira, a vendor, lobbyist or principal of a lobbyist.<sup>1</sup>

With regard to the allegation that the Respondent failed to report the gift of a Bahamas cruise valued in excess of \$100 on a CE Form 9, "Quarterly Gift Disclosure," prior to the end of the following calendar quarter, the Commission on Ethics finds that there is probable cause to believe the Respondent violated Section 112.3148(8), Florida Statutes. However, given the totality of the facts involved in this particular case, including the Respondent's lack of experience

<sup>1</sup> The Advocate's Recommendation contains a scrivener's error in its "Recommendation" section, referring to the statutory cite for this allegation as Section 112.314843), Florida Statutes, instead of Section 112.3148(4), Florida Statutes.

in office, the Commission modifies the Advocate's recommendation and will take no further action as to this allegation unless the Respondent requests a public hearing.

With regard to the allegation that the Respondent failed to report the gift of attendance at a holiday party on a CE Form 9, "Quarterly Gift Disclosure," prior to the end of the following quarter, the Commission on Ethics finds that there is probable cause to believe the Respondent violated Section 112.3148(8), Florida Statutes. However, given the totality of the facts involved in this particular case, including the Respondent's lack of experience in office and his reliance on advice of counsel, the Commission modifies the Advocate's recommendation and will take no further action as to this allegation unless the Respondent requests a public hearing.

Pursuant to Section 112.324(3), Florida Statutes, the Respondent is given 14 days from the date of this order to request in writing a public hearing on the basis of which it will be determined whether the Respondent has violated Section 112.3148(8), Florida Statutes, as aforesaid. If no request for a public hearing is received by the Commission or postmarked within 14 days of the date of this order, the Respondent will be deemed to have waived his right to a public hearing.

ORDERED by the State of Florida Commission on Ethics meeting in executive session on January 24, 2014.

January 29, 2014  
Date  
Morgan R. Bentley  
Morgan R. Bentley  
Chair

cc: Mr. Ronald G. Meyer and Ms. Jennifer S. Blohm, Attorneys for Respondent  
Ms. Diane L. Guillemette, Commission Advocate  
Mr. Sam J. Frusterio, Complainant