



THE BUZZ

From the staff of the Tampa Bay Times

Shell-shocked Cabinet considers reforms in wake of FDLE mess



Steve Bousquet, Times/Herald Tallahassee Bureau

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Gov. Rick Scott and the Cabinet met in Tampa Thursday and began an awkward and overdue discussion of how to improve how they do the public's business to prevent a repeat of the fiasco that has led to the forced resignation of a top police official, demands for investigations and a lawsuit alleging Sunshine Law violations.

The four statewide elected officials were forced to respond to a series of reports by the Times/Herald involving the sudden and suspicious ouster before Christmas of a respected state law enforcement official, Commissioner Gerald Bailey of the Florida Department of Law Enforcement.

It was an extraordinary session for Scott and the Cabinet, which appeared shell-shocked by the events that began to unfold last month in the wake of Bailey's forced ouster. Meeting in an equestrian center at the Florida State Fairgrounds, Scott acknowledged for the first time that the removal of Bailey -- by Scott's lawyer, on three hours' notice, with no public discussion and no vote -- could have been handled differently.

"While I wanted to bring in new leadership at FDLE as we transitioned to a second term in office, it is clear, in hindsight, that I could have handled it better," Scott said in prepared remarks. "The buck stops here, and that means I take responsibility."

For the next 90 minutes, the four Republican statewide officials discussed how to repair the bureaucratic wreckage caused by the Bailey controversy. Snakebit by allegations of secret decision-making, they took no votes after Attorney General Pam Bondi said the wording of the agenda item by Scott's office called for "discussion" with no votes taken.

The ensuing discussion was a wonkish give-and-take over setting up new procedures for formally evaluating all state agency heads who report to Scott and the Cabinet. The consensus was that at a meeting in March, Scott and the Cabinet will agree on a set of benchmarks to evaluate three state agency heads: Insurance Commissioner Kevin McCarty, revenue director Marshall Stranberg and banking regulator Drew Breakspear. Scott, who was re-elected in November to a second term, has said repeatedly he wants all three replaced.

"If we do this right way, every quarter they'll come in, they'll have objective measures, clearly defined," Scott said. "No one should be surprised if they're meeting their goals or not."

The discussion exposed the lack of oversight by Scott and the Cabinet members over bureaucrats who manage vast

areas of state government, from banking regulation to insurance to highway safety to managing the state's massive investment portfolio.

The group of four agreed that Attorney General Pam Bondi would provide recommendations for training Cabinet staff members in compliance with Florida's open meetings law. News organizations and a St. Petersburg attorney filed a lawsuit Tuesday in circuit court, accusing Scott and Cabinet members of violating the so-called Sunshine Law by setting in motion Bailey's ouster through private conversations between staff members.

Chief Financial Officer Jeff Atwater called for a "revisit" of the decision to replace Bailey at FDLE with Rick Swearingen, former director of the Capitol police, and his three colleagues agreed to evaluate Swearingen's performance at a June meeting. Atwater cited "perceptions of how he was selected," a hint that Swearingen was chosen not solely because of his qualifications, but as an act of favoritism by Scott, who personally favored him over Bailey.

The image of a dysfunctional Cabinet has political implications. Atwater and Agriculture Commissioner Adam Putnam are both seen as likely candidates to run for governor in 2018.

Putnam said the most serious of Bailey's allegations "should somehow be addressed:" the explosive charge that Scott's former chief of staff, Adam Hollingsworth, ordered Bailey to tell the public and press that the clerk of courts in Orange County was a target of a criminal investigation of a prison escape.

"That gives me great concern," Putnam said.

Bailey refused to comply and told the Times/Herald of the incident. Scott's office has offered a general denial but has declined to discuss the allegation in detail.

After the discussion ended, the Cabinet returned to business as usual, with Bondi offering a puppy for adoption followed by a series of ceremonial resolutions and photo opportunities.

With additional reporting by Times staff writer Josh Solomon

