



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

Office of Executive Director
Post Office Box 1489
Tallahassee, Florida 32302-1489
(850) 410-7001
www.fdle.state.fl.us

Rick Scott, *Governor*
Pam Bondi, *Attorney General*
Jeff Atwater, *Chief Financial Officer*
Adam Putnam, *Commissioner of Agriculture*

August 18, 2011

Honorable Jack Miles
Secretary
Department of Management Services
4050 Esplanade Way
Tallahassee, FL 32399-0950

RE: Candidate for Local Public Office, Robert Wayne Ivey

Dear Secretary Miles:

Our employee, Resident Agent in Charge Robert Wayne Ivey, who has career service status, has requested permission to be allowed to run as a candidate for Sheriff of Brevard County, Florida. Current Sheriff Jack Parker has announced that he is not seeking reelection to the office and there are already other announced candidates for the August, 2012 primary election. As the incumbent Sheriff is not running for reelection, the Florida Department of Law Enforcement has determined that there should be no conflict between this agency and the Brevard County Sheriff's Department due to Mr. Ivey's candidacy.

The Florida Department of Law Enforcement has granted this request to seek office based on the conditions that are listed below. It is recognized that some of the campaign time would take place during a period while Mr. Taylor remains a State of Florida employee. However, given the circumstances of the conditioned approval, we believe the concerns that might otherwise arise by reason of such activity are minimized. In accordance with Rule 60L-36.002, Florida Administrative Code, we are asking the Department of Management Services to review the approval which is based on the following conditions and ask if Mr. Ivey would receive your agency's approval based on the following conditions:

- Robert Wayne Ivey is to submit an irrevocable resignation, with an effective date of on or before January 2, 2012, as mutually agreed, and he will be allowed to use accumulated annual and/or compensatory leave credits.
- Upon the submission of his resignation, Mr. Ivey will surrender his FDLE credentials, weapon, FDLE-issued equipment, and state vehicle. He will not be authorized to engage in law enforcement or investigative efforts on behalf of FDLE during the pendency of his leave time off (i.e. the time between submission of his resignation and the agreed-upon effective date of the resignation).

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- Mr. Ivey will be allowed to engage in public appearance campaign-related activities provided he makes no mention of being currently employed by FDLE or the State of Florida. He will not be permitted to use any state resources during any of his campaign activity and must utilize his personal vehicle, telephone, computer, and other property during his campaign.

We have enclosed a copy of the August 17, 2011 memoranda from Mr. Ivey to me and Assistant Commissioner Ken Tucker which address his Status of Employment and Candidacy Request. Also enclosed is a copy of our August 18, 2011 response memorandum to Mr. Ivey.

Thank you for your prompt consideration of this matter. If you have any questions, or desire further information, please contact Assistant General Counsel Craig Rockenstein at (850) 410-7676.

Sincerely,



Gerald M. Bailey
Commissioner

GMB/rcr

Enclosures

HAND DELIVERED