

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 2021E-06

WHEREAS, the people of the State of Florida, by constitutional amendment, have declared that a public office is a public trust and the people have a right to secure and sustain that trust against abuse; and

WHEREAS, the State of Florida Commission on Ethics has been created to assure that public officers and employees do not abuse the trust placed in them; and

WHEREAS, Matt Shirk is at all times material hereto a former Public Defender of the Fourth Judicial Circuit of Florida, and as such was subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III of Chapter 112, Florida Statutes, and subject to the jurisdiction of the Commission on Ethics; and

WHEREAS, in the Final Order and Public Report No. 19-105 rendered on September 18, 2019, the Commission on Ethics found that Matt Shirk violated section 112.313(6), Florida Statutes, by hiring or directing the hiring of three women contrary to procedures, policies, or qualifications, or outside of normal hiring practices, engaging in workplace or work-related interactions with them of personal interest to himself and unrelated or marginally related to the function of the Public Defender's Office, and terminating them or having them terminated from their employment at the Public Defender's Office for the private benefit of himself, his wife, and their marriage; violated section 112.313(6), Florida Statutes, serving or consuming alcoholic beverages in a City building (offices of the Public Defender) contrary to a City Code provision; violated section 112.313(8), Florida Statutes, by revealing information relating to the representation of a client, obtained in his

capacity as Public Defender, via an interview he gave to a documentary crew interested in his client's case; and

WHEREAS, the Governor accepts the findings, conclusions, and recommendations of the Commission on Ethics Final Order and Public Report No. 19-105.

NOW THEREFORE, I, RON DESANTIS, Governor of Florida, in obedience to my constitutional duty to take care that the laws be faithfully executed, and pursuant to the Constitution and laws of the State of Florida, issue this Executive Order, effective immediately, declaring that:

1. Matt Shirk violated section 112.313(6), Florida Statutes, by hiring or directing the hiring of three women contrary to procedures, policies, or qualifications, or outside of normal hiring practices, engaging in workplace or work-related interactions with them of personal interest to himself and unrelated or marginally related to the function of the Public Defender's Office, and terminating them or having them terminated from their employment at the Public Defender's Office for the private benefit of himself, his wife, and their marriage; violated section 112.313(6), Florida Statutes, by serving or consuming alcoholic beverages in a City building (offices of the Public Defender) contrary to a City Code provision; violated section 112.313(8), Florida Statutes, by revealing information relating to the representation of a client, obtained in his capacity as Public Defender, via an interview he gave to a documentary crew interested in his client's case.

2. A civil penalty in the amount of \$6,000 for the violation of sections 112.313(6) and 112.313(8), Florida Statutes, is hereby imposed against Shirk, which shall be satisfied within thirty (30) days of the date of this order. Payment must be submitted with a written statement under oath by Shirk that the penalty amount was not paid with public funds and will not be reimbursed with public funds.

3. Matt Shirk is hereby publicly censured and reprimanded.



Ron DeSantis

GOVERNOR

DATE: January 28, 2021

By:

James J. Uthmeier

James Uthmeier

ACTING GENERAL COUNSEL

On behalf of and by the authority of Governor Ron DeSantis

ATTEST:

Laurel M. Lee

Laurel M. Lee

SECRETARY OF STATE

2021 JAN 28 PM 4: 25  
DEPARTMENT OF STATE  
TALLAHASSEE, FL

FILED