

STATE OF FLORIDA

EXECUTIVE OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 11-186

WHEREAS, by Executive Order Number 09-248, Michelle Spence-Jones was suspended from her office of City Commissioner for the City of Miami, effective November 23, 2009, based on a November 12, 2009 arrest warrant charging her with second degree Grand Theft in violation of section 812.014(2)(b), Florida Statutes; and

WHEREAS, on December 2, 2009, the State Attorney for the Eleventh Judicial Circuit filed an information charging Michelle Spence-Jones with one count of second degree Grand Theft in violation of section 812.014(2)(b), Florida Statutes; and

WHEREAS, Michelle Spence-Jones, in a special election held on January 12, 2010, was elected to the Miami City Commission to fill the temporary vacancy created by her suspension; and

WHEREAS, by Executive Order Number 10-05, Michelle Spence-Jones was suspended from her office of City Commissioner for the City of Miami, effective January 14, 2010, based on the December 2, 2009, information; and

WHEREAS, on March 3, 2010, a grand jury in the Eleventh Judicial Circuit issued an indictment charging Michelle Spence-Jones with Grand Theft in violation of section 812.014(2)(b), Florida Statutes, and Bribery in violation of section 838.015, Florida Statutes; and

WHEREAS, Executive Order Number 10-61, effective March 4, 2010, amended Executive Order 10-05 to reflect that the suspension of Michelle Spence-Jones was further supported based on the March 3, 2010 grand jury indictment ; and

WHEREAS, on May 2, 2011, Michelle Spence-Jones was found not guilty of Bribery and Grand Theft; and

WHEREAS, on August 23, 2011, the State Attorney for the Eleventh Judicial Circuit filed a Notice of Nolle Prosequi in the case in which Michelle Spence-Jones had been informed against for second degree Grand Theft; and

WHEREAS, Michelle Spence-Jones has been acquitted, found not guilty, or otherwise cleared of the charges which were the basis of the arrest, indictment, and information by reason of which she was suspended pursuant to section 112.51, Florida Statutes, and article IV, section 7, Florida Constitution; and

WHEREAS, article IV, section 7, Florida Constitution, provides that the Governor may suspend an elected municipal officer indicted for a crime until acquitted; and

WHEREAS, section 112.51, Florida Statutes, provides that the Governor shall forthwith revoke the suspension of a municipal official acquitted or found not guilty or otherwise cleared of the charges which were the basis of the arrest, indictment, or information by reason of which he or she was suspended under the provisions of section 112.51 and shall restore such official to office.

NOW THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to section 112.51, Florida Statutes, and article IV, section 7, Florida Constitution, issue this Executive Order, effective immediately:

Section 1. Executive Order Number 09-248 and Executive Order Number 10-05, as amended by Executive Order Number 10-61, are revoked and the suspension of Michelle Spence-Jones is terminated.

Section 2. Michelle Spence-Jones is restored to office as a City Commissioner for the City of Miami, effective immediately.



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of the State of Florida to be affixed at Tallahassee this 24th day of August, 2011.


GOVERNOR

ATTEST:


SECRETARY OF STATE

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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