

FORMAL Complaint

TO: The Florida Retirement System (FRS) Board of Trustees and Investigators

SUBJECT: Mandatory Forfeiture of Retirement Benefits Pursuant to Florida Statute 112.3173 for Former Hillsborough County Sheriff's Office Command Staff

AGENCY CONTACTS FOR FORFEITURE INQUIRY

Please direct this request for investigation and public hearing to the following agencies, which have a statutory role in the forfeiture process:

Agency	Role in Forfeiture Process	Contact Information
FRS Division of Retirement (Pension Plan)	Oversees Pension Plan forfeitures and conducts hearings.	Mail: P.O. Box 9000, Tallahassee, FL 32315-9000
		Phone: 1-844-377-1888 or 850-907-6500
		Email: retirement@dms.fl.gov
State Board of Administration (SBA) (Investment Plan)	Oversees Investment Plan forfeitures and places holds on accounts.	Mail: P.O. Box 13300, Tallahassee, FL 32317-3300
		Phone: 1-850-413-1496 or 850-413-1499
		Email: DefinedContributionPrograms@sbafla.com
Florida Commission on Ethics	Receives notice of specified offenses as required by statute.	Mail: P. O. Drawer 15709, Tallahassee, FL 32317-5709
		Phone: (850) 488-7864
		Web: https://ethics.state.fl.us/

I. Legal Grounds for Mandatory Forfeiture

The FRS has a statutory duty to initiate an investigation and determine forfeiture to protect taxpayer funds, even in the absence of a criminal conviction.

The relevant law is: **Florida Statute § 112.3173 (Felonies involving breach of public trust and other specified offenses by public officers and employees; forfeiture of retirement benefits)** [link: 1.1].

FRS Duty to Act: This statute mandates that the FRS must forfeit a public officer's or employee's retirement rights and privileges if the individual is:

Convicted of a specified offense. **OR**

Whose office or employment is **terminated by reason of his or her admitted commission, aid, or abatement of a specified offense.**

Application to HCSO Findings: The Hillsborough County Sheriff's Office (HCSO) internal investigations found misconduct across seven command staff members, actions that constitute a "specified offense," such as a felony committed with the willful intent to defraud the public of the right to receive the faithful performance of duty. The Sheriff's public statements and administrative actions—firing two and forcing the resignation or retirement of five others—form the basis for the mandatory forfeiture inquiry.

II. Personnel and Financial Summary

The following individuals, all members of the HCSO Command Staff, are subject to a forfeiture determination due to their separation from employment based on misconduct:

A. Academic Cheating Scandal

This misconduct involved widespread academic cheating on required coursework, resulting in a loss of public trust:

Individual	Rank	Separation Status
Chief Deputy Anthony Collins	Chief Deputy	Resigned
Colonel Michael Hannaford	Colonel	Resigned
Colonel Chris Rule	Colonel	Resigned
Captain Lora Rivera	Captain	Resigned
Captain Zuleydis Stearns	Captain	Terminated
Captain Marvin Johnson	Captain	Terminated

B. Illegal Gifts and "Double Dipping" Scandal

This misconduct involved working private jobs during taxpayer-paid Sheriff's Office hours and accepting illegal gifts or gratuities, a clear case of collecting taxpayer-paid salary at the same time as private work:

Individual	Rank	Separation Status
Major James Jackson	Major	Retired/Forced Resignation

C. Total Taxpayer Cost of Benefits Subject to Forfeiture

All seven individuals are scheduled to receive the maximum Health Insurance Subsidy (HIS) benefit. The estimated cost of retirement benefits paid by the taxpayer for employees in the **FRS Special Risk Class** (applicable to command staff) are statutory percentages of salary, and are also subject to forfeiture:

Health Insurance Subsidy (HIS): All seven are scheduled to receive the maximum \$2,700 annually (per person).

Employer Contribution (Pension/Investment Plan): approx 34.19% for Special Risk and of annual salary.

Employer Contribution (DROP): approx. 22.02% of annual salary.

Focus Case: Captain Marvin Johnson (Fired)

Captain Johnson was terminated following the internal investigation into the academic cheating scandal. As a participant in the Deferred Retirement Option Program (DROP), the following taxpayer funds are specifically subject to mandatory forfeiture:

Projected Pension Cash Bonus (DROP) Accrual (as of 2024-02-01): \$830,983.00

Projected Monthly Pension: \$7,359.14

Projected Annual Pension: \$88,309.65

Annual Health Insurance Subsidy (HIS): \$2,700.00

We urge the FRS to hold a public hearing and issue an order of forfeiture to ensure the funds allocated to these individuals' retirement accounts are protected and returned to the state, in compliance with Florida law.

Footnotes (News and Media References)

Ref .	Description	Source URL
[1. 1]	Florida Statute § 112.3173 (Forfeiture of Retirement Benefits)	https://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0112/Sections/0112.3173.html
[1. 2]	News story detailing the academic cheating scandal, firings, and resignations (Collins, Hannaford, Rule, Rivera, Stearns, Johnson).	https://www.wtsp.com/article/news/local/hillsboroughcounty/hillsborough-county-sheriff-cheating-scandal-tampa-deputies/67-df557c13-0eac-4f43-bf2e-59d8c514f90b
[1. 3]	YouTube video: "Hillsborough sheriff to address academic cheating scandal involving staff"	https://www.youtube.com/watch?v=Cgv99BuSz3E
[1. 4]	YouTube video: "Hillsborough sheriff: 'They paid with their careers' for academic cheating scandal"	https://www.youtube.com/watch?v=3Ht50TKX67w

Ref .	Description	Source URL
[1. 5]	News/Video detailing Major James Jackson's retirement following investigation into "double dipping" and gratuities.	https://www.yahoo.com/news/articles/sheriff-chronister-addresses-investigation-involving-094344727.html
[2. 1]	FRS Division of Retirement (DOR) contact information (Phone/Email)	FRS Employer Handbook (frs.fl.gov)
[2. 2]	FRS DOR public records email address	FRS Public Records Policy (myfrs.com)
[2. 3]	FRS Investment Plan/SBA Defined Contribution Programs contact email	FRS Final Orders/Complaint Resolution (myfrs.com)