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Crist suspends 2 Coral Springs commissioners after Sunshine Law charges

By Lisa J. Huriash, Sun Sentinel

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CORAL SPRINGS

Two Coral Springs commissioners charged with violating state open government law were suspended Monday by Gov. Charlie Crist.

Commissioners Vincent Boccard and Tom Powers are accused of meeting secretly with two police union representatives on March 11 at a Coconut Creek sports bar to talk about a salary freeze and union negotiations. Florida's Government in the Sunshine Law says such conversations must take place in a public forum.

The charge against Boccard and Powers is a second-degree misdemeanor. If convicted, each man could be fined up to \$500 and/or spend up to 60 days in jail.

The city charter requires the rest of the commission to appoint replacements pending resolution of the charges.

"I didn't do anything wrong," Boccard said. "I'm totally confused." He referred further questions to his attorney, James Stark, who could not be reached Monday.

Powers' attorney, Kevin Kulik, said his client is innocent and will plead not guilty.

"He'll be completely exonerated," Kulik said. "Tom and Vince did not do anything wrong and at this point it's just an allegation."

The commissioners were captured on surveillance video walking into Bru's Room Sports Grill, where they met with two union officials, Michael Hughes and Christopher Swinson, for more than an hour, officials said.

A third police official who was not present reported the meeting to the Broward State Attorney's Office,



which decided to prosecute.

"We met to make amends and work toward the future," said Hughes, the union president. "It was not a setup. I didn't know when we met that it was a violation."

Before he was elected to the Coral Springs City Commission in 2008, Powers spent 21 years with the Arizona State Police, most of it working as a narcotics agent.

Boccard was elected in 2006.

The relationship between the commission and the city's Police Department has been strained since the commission voted against employee pay raises for the 2009-2010 fiscal year.

The union's attorney, John Fry, said his colleagues did not create a Sunshine Law violation. "There's a contractual dispute going on, but we made no effort to get anybody in trouble," he said.

"My guys were trying to mend fences with these two," Fry said of the March 11 meeting. "We went to build a better relationship with these two. Of course, that's shot to hell now. They met to bury the hatchet, not talk about future events. Nothing good comes out of this for the union."

The last time the Broward State Attorney's Office charged elected officials with violating the Sunshine Law was in 2005. That case involved four elected Pompano Beach officials who were accused of meeting over breakfast with then-Sheriff Ken Jenne before a vote to extend the city's contract with his office.

The commissioners who attended that meeting — Kay McGinn, Susan Foster, Lamar Fisher and George Brummer — agreed to donate \$200 each to charity to settle the case.

Recently, State Attorney Michael Satz has been criticized as being soft on public corruption. A Sun Sentinel analysis of public records published in February shows that over the past 10 years his office's anti-corruption unit has filed official misconduct charges against 218 individuals, only 13 of whom were sitting politicians.

Fry said the State Attorney's Office is jumping on this opportunity to prosecute.

"In light of multiple decisions not to pursue criminal charges against public officials, the State Attorney's Office has picked this nonstarter to pursue," he said.

David Schulson, the prosecutor in the new case, disagreed.

"The Sunshine Law is about open government and is meant to stop the discussion of city business in private, backroom meetings," he said. "There is no hidden agenda with this prosecution. The prosecution is about a violation of the Sunshine Law, nothing more, nothing less."

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