



**Florida Commission on Ethics**  
P.O. Drawer 15709, Tallahassee, Florida 32317-5709  
"A Public Office is a Public Trust"

# COMPLAINT

**1. PERSON BRINGING COMPLAINT:**

Name: Adam Joshua Macker Telephone: 386-898-4700  
Address: 313 Dirksen Dr., apt. C3 Debary, FL 32713  
City: Debary County: Volusia State: FL ZIP: 32713

**2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:**

Use a separate complaint form for each person against whom you are filing a complaint.

Name: Jeff Brower Telephone: 386-736-5920  
Address: Thomas C. Kelly Administration Center, 123 W. Indiana Ave.  
City: DeLand County: Volusia State: FL ZIP: 32720  
Title of office or position held or sought: Volusia County Chair

**3. STATEMENT OF FACTS:**

Please provide a full explanation of your complaint, describing the facts and the actions of the person named above and why you believe he or she violated the law, and include a statement of how you became aware of these facts. Include relevant dates and the names and addresses of people whom you believe may be witnesses. Please do not submit more than 15 pages, including this form. Please do not submit video or audio tapes, CD, DVDs, flash drives, or other electronic media; such material will not be considered part of the complaint and will be returned.

**4. OATH:**

I, the person bringing this complaint, do swear or affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief.

STATE OF Florida  
COUNTY OF Volusia

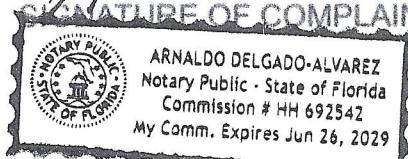
Sworn to (or affirmed) and subscribed before me by  
means of  physical presence or  online notarization.  
this 5<sup>th</sup> day of January, 20 26  
by Adam Joshua Macker  
(name of person making statement)

*Reeke*  
(Signature of Notary Public)

Arnaldo Delgado-Alvarez

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification   
Type of Identification Produced: State-ISSUED I.D.  
M395-075-20-600-0



## **I. INTRODUCTION AND JURISDICTION**

This complaint is submitted to the Florida Commission on Ethics pursuant to Article II, Section 8 of the Florida Constitution and Chapter 112, Florida Statutes, which collectively establish that public office is a public trust and prohibit public officials from abusing their positions or engaging in conduct that undermines constitutional governance. This complaint arises from Chair Jeff Brower's actions during a Volusia County Council public meeting, in which a constitutionally protected public comment was improperly interrupted and curtailed through an unconstitutional point of order raised by Councilmember Troy Kent, and Chair Brower immediately endorsed and publicly thanked Mr. Kent for that action. Chair Brower's conduct constitutes misuse of official authority, failure to safeguard constitutional rights, and affirmative endorsement of unconstitutional suppression of public speech, all of which fall squarely within the Commission's oversight authority.

## **II. STATEMENT OF FACTS**

1. During a duly noticed public meeting of the Volusia County Council, I was providing lawful public comment addressing matters of public concern involving government conduct and accountability.
2. While I was speaking, Councilmember Troy Kent interjected with a "point of order" that had no lawful or constitutional basis, and which functioned solely to suppress protected speech.

3. The point of order was not grounded in any legitimate parliamentary violation, time violation, or decorum rule, but instead operated as a content-based restriction on speech, in violation of the First Amendment to the United States Constitution and Article I, Section 4 of the Florida Constitution.
4. Rather than correcting or neutralizing this unconstitutional interruption, Chair Jeff Brower affirmatively thanked Councilmember Troy Kent on the record for making the point of order.
5. Chair Brower's public endorsement ratified and legitimized unconstitutional conduct, signaling to the Council, staff, and the public that suppression of protected speech was acceptable when directed at a critical speaker.
6. As Chair, Mr. Brower had a non-delegable duty to:
  - Preside impartially
  - Protect constitutional rights during public meetings
  - Prevent misuse of parliamentary procedure as a censorship tool
7. Instead, Chair Brower used his authority to reinforce unconstitutional conduct, thereby chilling public participation and undermining the integrity of the public forum.

### **III. ALLEGATIONS OF MISCONDUCT**

- a. Abuse of Official Position; Chair Jeff Brower used the authority of his office to endorse and legitimize unconstitutional suppression of speech, rather than preventing it.

- b. Failure to Perform Official Duties; Chair Brower failed to uphold his duty to protect the constitutional rights of speakers during a public meeting over which he presided.
- c. Misuse of Parliamentary Procedure By thanking and endorsing an unconstitutional point of order; Chair Brower permitted parliamentary procedure to be weaponized as a censorship mechanism, in violation of established constitutional law governing limited public forums.
- d. Conduct Prejudicial to the Public Trust Public endorsement of unconstitutional conduct by the presiding officer erodes public confidence and violates the principle that public office is a public trust, as mandated by Article II, Section 8 of the Florida Constitution.

#### **IV. HARM SUFFERED**

As a direct result of Chair Brower's conduct:

- My constitutionally protected speech was unlawfully curtailed
- I was publicly singled out and suppressed by elected officials
- The public record reflects official endorsement of unconstitutional conduct
- Public participation was chilled for myself and others similarly situated.

#### **V. REQUEST FOR RELIEF**

I respectfully request that the Florida Commission on Ethics:

1. Open a formal ethics investigation into Chair Jeff Brower.

2. Determine whether his conduct violated Article II, Section 8 of the Florida Constitution and Chapter 112, Florida Statutes.
3. Issue appropriate findings and corrective measures.
4. Take any further action necessary to restore public trust and ensure constitutional compliance in Volusia County Council proceedings

## VI. CONCLUSION

Public office is a public trust. When the presiding officer of a legislative body endorses unconstitutional suppression of speech, the harm extends beyond the individual speaker and strikes at the foundation of representative government. This complaint is submitted in good faith, supported by the public record of the meeting, and for the purpose of restoring constitutional accountability.

## VII. OATH

I hereby swear or affirm that the facts stated in this complaint are true and correct to the best of my knowledge and belief. I understand that knowingly filing a false complaint is unlawful.

Respectfully submitted,

Adam Joshua Macker

Complainant