

**OHIO ETHICS COMMISSION**  
William Green Building  
30 West Spring Street, L3  
Columbus, Ohio 43215-2256



Telephone: (614) 466-7090  
Fax: (614) 466-8368

[www.ethics.ohio.gov](http://www.ethics.ohio.gov)

---

## ***Press Release*** ***July 9, 2003***

---

**For more information, contact:**  
Ohio Ethics Commission  
(614) 466-7090

**FOR IMMEDIATE RELEASE:**

### **FORMER OHIO SCHOOL FACILITIES DIRECTOR SENTENCED FOR ETHICS VIOLATIONS**

On July 9, 2003, Franklin County Municipal Court Judge Harlan Hale found the former Executive Director of the Ohio School Facilities Commission, Randall Fischer, guilty of conflict of interest ethics offenses for accepting and not reporting over \$1200 worth of lodging, meals, and golf outings from companies with whom he approved School Facilities Commission construction contracts.

The conflict of interest and failure to report charges were filed by the Columbus City Prosecutor's Office upon complaints by Paul M. Nick, the Commission's Chief Investigative Attorney, and after an investigation by the Ethics Commission. Judge Hale imposed the maximum fines of \$1250 plus court costs.

The Ethics Commission investigation discovered that between September 1998 through May 2002, Randy Fischer accepted numerous improper lodging, meals, and exclusive golf outings from companies that had or were seeking multi-million dollar unbid school construction contracts from the School Facilities Commission. The gratuities totaled \$1289, with two-thirds of that amount being lodging, meals, and golf outings (\$862) provided by one contractor, the Gilbane Building Company. This included golf outings at two exclusive courses in Rhode Island, and, the Ethics Commission discovered, overnight accommodations there, at the home of Thomas Gilbane, in August 1999. The Gilbane Building Company was awarded over \$10 million in school construction management contracts in Ohio during this time period.

In addition, Fischer failed to disclose all sources of the payments of golf outing fees and meals exceeding \$75 that he was required to disclose on his annual financial disclosure

statements filed with the Ohio Ethics Commission in 2001 and 2002. The source of both of these golf outings was the Gilbane Building Company.

The Chairman of the Ohio Ethics Commission, Dr. Herb Asher, noted, "Avoiding even the appearance of impropriety is paramount to maintaining the public's trust. The former Director's actions clearly undermined the otherwise highly regarded efforts of the Ohio School Facilities Commission. The Taft Administration has strongly advocated the highest ethical standards. The Ohio Ethics Commission fully supports this stance."

David E. Freel, the Executive Director of the Ethics Commission, commented, "This is not a case of an isolated lunch or a round of golf at a municipal course. This involved significant and repetitive perks from companies that received millions of dollars of public work. Their competitors and the public deserve decisions free of actual or perceived undue influence or favoritism. Criminal law, if not common sense, tells us that we don't accept substantial gifts from those who want something from our offices. Obviously, neither was followed here. The vast majority of public servants, however, understand and abide by these basic principles of ethical conduct."

Freel further noted that in 2001, the Ethics Commission broadly distributed a formal advisory opinion that highlighted Ethics law prohibitions upon public officials accepting, and those providing, exclusive entertainment and golf outings. One of the outings Fischer did not disclose occurred nearly a year afterward.

The convictions follow an investigation initiated by the Ohio Ethics Commission and supplemented recently by an examination conducted by the Ohio Inspector General. The Commission noted, importantly, that neither it nor the I.G. found evidence that Fischer's receipt of gratuities corrupted any official decisions at the Ohio School Facilities Commission.

The Ohio Ethics Commission is an independent state agency that applies and administers the Ethics Law for state and local public officials and employees outside of the General Assembly and judiciary. It has the power to investigate allegations of unethical conduct of public servants. The Commission was created 30 years ago upon the enactment of the Ohio Ethics Law in 1973.