In Re: Christine Coke

STATE OF FLORIDA
ELECTIONS COMMISSION

Case No.: FEC 02-137
F.O. No.: DOSFEC 02-190

CONSENT ORDER

The Respondent, Christine Coke, candidate for the Fort Pierce, District Four, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all the issues between the parties. The parties jointly stipulate to the following facts, conclusions of law, and order.

FINDINGS OF FACT

1. The Respondent is Christine Coke.

2. On July 8, 2002, the Commission received a sworn complaint alleging that the Respondent violated the following section of the Florida Election Code:

   Section 106.143(3), Florida Statutes, prohibiting a candidate from representing in a political advertisement that a person supports the candidate before obtaining the written approval of that person.

See Attachment 1

3. No other violation of Chapter 106, Florida Statutes, was alleged in the complaint.

4. The Respondent against whom the complaint was filed has not been notified of an allegation of the same violation before the conduct about which the complaint was filed.

5. The alleged violations occurred more than 14 days before the election in which the Respondent is participating, if the complainant alleged that the political advertisement was either deceptive or influenced the outcome of the election.

6. The Respondent used her name in the political advertisement.

CONCLUSIONS OF LAW

7. The Commission has jurisdiction over the parties to and subject matter of this cause,
pursuant to Section 106.26, Florida Statutes.

8. Based on the facts contained in this Consent Order, the Commission considers the allegation(s) contained in the complaint a minor violation, pursuant to Rule 2B-1.003, Florida Administrative Code.

9. The Respondent neither admits nor denies that she violated Section(s) 106.143(3), Florida Statutes.

ORDER

10. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

11. The Respondent shall bear his own attorney fees and costs that are in anyway associated with this case.

12. The Respondent understands that before the Consent Order is final agency action the Commission at a public meeting must approve it. After approval, the Consent Order is final agency action of the Commission on the violations listed in the Consent Order.

13. The Respondent voluntarily waives the right to any further proceedings under Chapters 106 and 120, Florida Statutes, and the right to appeal the Consent Order.

14. The Respondent will carefully review Chapter 106, Florida Statutes, and avoid any future violation of the chapter.

15. The Respondent agrees to correct immediately her political advertisements and refrain from representing in a political advertisement that a person supports the candidate before obtaining the written approval of that person.

16. The Respondent shall remit to the Commission a fine in the amount of $200.00. The fine shall be paid to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Room 224, Tallahassee, Florida, 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.
The Respondent hereby agrees and consents to the terms of this Consent Order on

9/4/02

Christine Coke
1116 Granada Street
Ft. Pierce, Florida 34949

The Commission staff hereby agree and consent to the terms of this Consent Order on

September 10, 2002.

Barbara M. Linthicum
Executive Director
Florida Elections Commission
107 W Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on August 15, 2002 in Orlando, Florida and filed with the Clerk of the Commission on November 25, 2002, in Tallahassee, Florida.

Susan A. MacManus, Chairman
Florida Elections Commission
107 W Gaines Street
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Copies furnished to:
Barbara M. Linthicum, Assistant General Counsel
Christine Coke, Respondent
Attachment 1: Complaint with attachments
CONFIDENTIAL COMPLAINT*
STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION
107 West Gaines Street—Suite 224, Tallahassee, Florida 32399-1050 P: 217
Telephone Number: (850) 922-4539

The Commission's jurisdiction is limited to violations of Chapters 104, 106 & Section 105.071, Florida Statutes.

PERSON BRINGING COMPLAINT:
Name: Mary Anne Paton
Home Phone: 772 461 1955
Address: 801 S Ocean Dr. Apt 502
City: Ft. Pierce
County: St. Lucie
State: FL
Zip Code: 34949

WORK PHONE:

PERSON AGAINST WHOM COMPLAINT IS BROUGHT: (limit one person per form)
Name: Christine Coke
Home Phone: 772 461 2525
Name of Committee/Corporation: 
Home Address: 1112 Granada St Ft. Pierce, Fl 34949
City: Ft. Pierce
County: St. Lucie
Title of office or position sought: City Commissioner

ALLEGED VIOLATION:
If you believe a provision of Chapter 104, 106, or Section 105.071, Florida Statutes, has been violated, please state the specific section(s) or subsection(s) believed to be violated by the person named in this complaint:
106.143(3) 106.1437

STATEMENT OF FACTS:
State in your own words the detailed facts and actions of the person named in this complaint that form the basis for this complaint. In your statement, please include relevant dates and times and the names and addresses of other persons whom you believe have knowledge of the facts. Also, include with the complaint a copy or picture of all political advertisements that you mention in your statement or any other evidence that supports your statement. Give any and all reasons that you feel that the alleged violation was committed in a willful manner:

Prior to December 2, 2001, I spoke with Christine Coke (then candidate for district 2) and explained to her that my position on the Republican committee would prohibit me from supporting her. I made myself very clear, yet on December 2, 2001, a paid advertisement paid for and approved by Christine Coke campaign appeared in the Ft. Pierce Tribune listing me as a supporter.
I personally know of three other individuals who DID NOT support Ms. Coke, yet, their names also appeared in the advertisement. I never gave Ms. Coke permission to use my name for her personal gain. After the ad appeared, I questioned someone in her campaign and was told that Ms. Coke did not handle the matter, her campaign manager did. I believe the action to be willful and meant to influence voters.

Additional materials attached? (Yes or No) ______

STATE OF FLORIDA
COUNTY OF ______

I swear or affirm, that the above information is true and correct to the best of my knowledge.

Juanita F. Dunn

Signature of Complainant

Sworn to and subscribed before me this _______ day of ______, 2002

Juanita F. Dunn

Signature of Officer Authorized to Administer Oaths or Notary public

(Print Type or Stamp Commissioned Name of Notary Public)

Personally known _______ Or Produced Identification

Type of Identification Produced _______ FL. DRIVERS LICENSE

*NOTICE*

This complaint will be treated as confidential by the Florida Elections Commission until the Commission rules on probable cause. Also, during the investigation of the complaint, a copy will be provided to the person against whom the complaint has been brought. Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.
Christine Coke Would like To Thank You for:

Your commitment to our city’s future
your dedication and hard work
Your generous support and commitment to this campaign:

Gloria Grimesyer
Mary Jane Vander Yacht
Tom Perona
Mimi Brown
Judi Miller
Beth Coke
John Stockmann
Shannon Clark-Leitenbauer
Van Vander Yacht
Greig Johnson
Keith Anderson
Richard Coke
Robert Gehrig
Doug Kerr
Joan Kerr
Daura Hison
Bill Hison
Mike Brown
Gerard Schmitt
Anne Fuller
Rita Schmitt
Stephen Wojtaszek
Bea Coke
Pauline Cossey
Ron Grober
C R. Lait
Basil King
Fred Johnson
June Johnston
Raymond B Vanmeerten
Marie Vanmeerten
Lisa Scott
Mike Scott
Spencer B. Gilbert
Gerald DiBartolomeo
Millie Stockmann
Bill Vachon
Carrol Frischkorn
Paul Frischkorn
Rick Hailes
Mazella Smith
Norm Hayslip
James Hatfield
Barbara DiBartolomeo
Ann Varnadoe
Jack Crain
Beverly Rushin
Joyce Tomlinson
Chet Griffin
Joel Wynne
Christopher Miller
Hal Melville
Sally Richeson
Dick Hellstrom
E H. Klueppelberg
Ann Costanzo
Steve DiPalma
Edward G. Enns
William Schultz
Sam Beller
Eva Daniel
David Lamos
Robert Sumnerhays
Anthony Economys
Mary Ann Browning
Pat Rosenthal
Phil Rosenthal
Jack Butts
Betty Milam
Cheryl Jacquin
Anna White
Ozell Milam
Paul Jacquin
Glenda Calvacanti
Mary Beth Stiglin
Louise Schultz
Loren Perona
Grisel Gehrig
Howard Brenner
Harriet Brenner
Mary Lee Crain
Calvin Browning
Jony Leitenbauer
Yolanda Saurig
Judith Day
Al Dykes
R. L. Freeman Davenport
Margaret Inman
Robert Inman
Joseph Icuc
Joseph Wirthman
Gary Berger
Judith A. Townsend
Mac Mascioli
Karen Hopson
Marianne Michelin
Jim Piowaty
Bill Bryant
Brenda Brady
Anthony Curatolo
Helen Curatolo
Mary Ann Sauier
Louis Daniel
Anastasia Gians
Mary Anne Patan
June Cummings
Fran Dye
Claire Melville
Dawn Osborn
Tim Conn
Alan E. Maynard
Allan T. Hefz
Chuck Nergard
Charles Emery
Tom Knott
Joel Zwemer
Bruce Smith
Dorothy Hansen
Kathryn Hensley
Lawrence D’Agostino
Dolores Eorsslen
Robert Francis
Eileen Emery
Marie Lacroix
Debra Hutchinson
Ed Enseen
Barbara Striesand
Dolores Semler
Barbara Wilkins
Mitch Williford
David Puz
Rick Blaszka
Sue Giovan
Marjorie Leonard
John Cahlil
Mildred M. Braden
Hugh Dell West
Delaven S. Dye
Beatric Podorsvensky
Flo Thompson
Mirian Lay
Speros Gians
Dottie Cook
Robyn Jay
Jack Striglin
Gene Seren
Mary Mascioli
Dave Calvert
Joyce Calvert
Mary Williams
Sonny Gates
Phillip Gates
Flip Gates
Barbara Gates
Darrell Drummond
Donnie Helfton
Allen Osteen
Teri Osteen
Ann Vogel
Jack Vogel
Linette Trabulsy
Carl Trabulsy

Paid Pol. Adv. Approved By Christine Coke, Paid by the Christine Coke Campaign Fund

Tribune Dec 2, 2001