

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Voters Campaign PAC

Case No.: FEC 19-548

TO: Florida Voters Campaign PAC
Michael Dobson, Chair
4005 Brandon Hill Drive
Tallahassee, FL 32309

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **December 1, 2020 at 8:30 AM**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Tim Vaccaro
Executive Director
Florida Elections Commission
November 9, 2020

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 19-548

v.

**Florida Voters Campaign PAC,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 25, 2020, in Tallahassee, Florida.

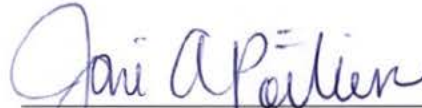
On March 30, 2020, Staff recommended to the Commission that there was probable cause to believe the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Referral, Report of Investigation, Staff's Recommendation, and oral statements, if any, made at the probable cause hearing, the Commission finds there is **probable cause** to charge Respondent with the following violation:

Count 1:

On or about September 10, 2019, Florida Voters Campaign PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2019 M8 Report.

The Commission also finds there is no probable cause to charge Respondent with violating Section 106.19(1)(c), Florida Statutes.

DONE AND ORDERED by the Florida Elections Commission on August 25, 2020.



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Florida Voters Campaign PAC, Respondent
Division of Election, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224,

Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Voters Campaign PAC

Case No.: FEC 19-548

TO: Florida Voters Campaign PAC
Michael Dobson, Chair
4005 Brandon Hill Drive
Tallahassee, FL 32309

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on **August 25, 2020**. The Commission will begin at **8:30 am, EST**, and will consider multiple cases that day.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video or teleconference. Enclosed you will find additional details on joining the video conference via ZOOM, Meeting ID 340 226 0750, or via teleconference by dialing (929) 205-6099 and entering the meeting access code 673802, when prompted. If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely. Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which motions to dismiss or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which motions to dismiss or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

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The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
August 13, 2020

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If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



Confidential Commission Meeting August 25, 2020 at 8:30AM via Zoom

In order to participate in the confidential portion of the August 25, 2020, Florida Elections Commission meeting, please follow the instructions below:

Join Zoom Meeting

Click on the meeting link sent to your attention via email:

<https://zoom.us/j/91062518383?pwd=VkJ4Mi9kUUZXM1llZW5YcDFObU1Sdz09>

If you have difficulty launching the hyperlink, follow these steps.

1. Open your web browser and search ZOOM or enter www.zoom.us
2. Select "Join A Meeting" in the upper right corner of the website.
3. Enter the Meeting ID: 910 6251 8383 and click "Join".
4. Enter the Meeting Passcode: 673802 and click "Join".

For alternative audio participation:

1. Dial: 1 (929) 205-6099
2. Meeting ID: 910 6251 8383
3. Passcode: 673802

While this is a confidential meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

Please test your audio; microphone, speakers and webcam, in advance.

Those attendees who wish to speak before the Commission will need to appear by webcam and will be sworn in remotely.

Please be advised that the Commission will consider multiple cases, so you will be placed in a ZOOM breakout room until your case is considered.

If you have any questions, contact Commission staff at (850) 922-4539. Please provide the case number(s) when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Voters Campaign PAC

Case No.: FEC 19-548

TO: Michael Dobson, Chair
4005 Brandon Hill Drive
Tallahassee, FL 32309

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

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Please note that because of COVID-19, this will be a virtual meeting conducted by remote video conference only. If you wish to attend the meeting, please notify the Commission office by email at fec@myfloridalegal.com no later than 5:00 pm EST, on Friday, August 7, 2020. After receiving your request, the Commission office will send you a set of participant instructions prior to the meeting, which will include login information and specific details regarding the time of your hearing. If you have questions, please contact Commission staff at (850) 922-4539.

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See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
July 28, 2020

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Voters Campaign PAC

Case No.: FEC 19-548

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **no probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes**, and that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on February 24, 2020, the following facts and law support this staff recommendation:

1. On October 16, 2019, the Florida Elections Commission ("Commission") received a referral from the Department of State, Division of Elections ("Division"), alleging that Florida Voters Campaign PAC ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the Division (ROI Exhibit 1)¹ and Michael Dobson has been its Chairperson, Secretary, and Treasurer since its inception in 2017. (ROI Exhibit 1, page 1)

3. On November 13, 2019, the Executive Director notified Respondent by mail that Commission staff would investigate the following statutory provisions:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2019 M8

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the following reporting period:

- 2019 M8

¹ The Report of Investigation is referred to herein as "ROI."

4. On April 7, 2017, the Division sent Respondent a letter (ROI Exhibit 3, page 1) acknowledging that the Division had received Respondent's Statement of Organization (ROI Exhibit 1) and Appointment of Campaign Treasurer and Designation of Campaign Depository (ROI Exhibit 2) for Florida Voters Campaign PAC.

5. The acknowledgment letter advised Respondent that all the Division's publications and reporting forms were available on its website and directed Respondent to print out the *Political Committee Handbook, Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 3, page 3)

6. Pursuant to Section 106.07(7), Florida Statutes, in any reporting period during which a political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the political committee is required to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

7. On September 11, 2019, the Division mailed Respondent a failure-to-file letter informing Respondent that a 2019 M8 Report had not been received. The letter also stated: "If no reportable activity occurred for the report date(s), you are still required to inform us in writing, via the Division's Electronic Filing System, that no reportable activity occurred." (ROI Exhibit 4)

8. On September 23, 2019, the Division mailed Respondent a second failure-to-file letter again informing Respondent that a 2019 M8 Report had not been received. The letter also explained: "that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred." (ROI Exhibit 5)

9. On October 1, 2019, the Division mailed Respondent a Final Notice again informing Respondent that a 2019 M8 Report had not been received and the potential penalties pertaining to failing to file. (ROI Exhibit 6, page 1) The letter was delivered to Respondent on or about October 2, 2019. (ROI Exhibit 6, page 2)

10. A subpoena was issued to Respondent's designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting period, i.e. August 1, 2019 – August 31, 2019. In response to the subpoena, the Operations Manager for the summons and subpoena department stated she was unable to locate any record of an account in Respondent's name.² (ROI Exhibit 7)

11. Based upon the financial institution's response to the subpoena, it appears that Respondent did not have any contributions or expenditures during the 2019 M8 reporting period, and that a waiver should have been filed for the 2019 M8 reporting period. As of the date of the Staff Recommendation in this case, the Division's Florida Election System Reports shows that no waiver or treasurer's report has been filed for the 2019 M8 reporting period. (ROI Exhibit 8, page 1) Thus, Respondent failed to notify the filing officer on the prescribed reporting date that no report

² The subpoena requested all deposit items and all checks drawn on the account, from September 1, 2017 through the present as well as signature cards and monthly bank statements. It appears the committee has never opened a bank account.

would be filed for the following reporting period, as set forth in the table below.

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. Days Late
2019 M8	8/1/19 – 8/31/19	9/10/19	Not Filed	N/A

12. On December 18 and 19, 2019, Respondent had phone contact with investigative staff and stated he was not aware of any reports being filed against his PAC and stated he was currently going through months of mail that he had been too busy to go through. (ROI Exhibit 9, Item 1, line 2, 3 and 4)

13. Respondent stated he only created the PAC to support amendment 4. (ROI Exhibit 9, Item 1, line 4 and 5) However, when Respondent, as Chairman, Secretary and Treasurer, filed his PAC's *Statement of Organization of Political Committee* (DS-DE 5) with the Division, he listed the area, scope and jurisdiction of the committee as "Candidates and Issues (To support or oppose statewide, multicounty, and local candidates and issues.)" (ROI Exhibit 1, page 1, No. 3)

14. Respondent said when the amendment passed, the PAC stopped collecting money or being active. (ROI Exhibit 9, Item 1, line 5 and 6) However, the Division's Florida Election System Reports clearly shows that Respondent's PAC is still active with the Division. (ROI Exhibit 8, page 1) Respondent admitted he should have closed the PAC, but added he was caught up in other activities and it slipped his mind. (ROI Exhibit 9, Item 1, line 6 and 7)

15. Investigations instructed Respondent to contact the Division for assistance and suggested he close the PC if it is no longer active in order to avoid further penalties. Respondent stated he would contact the Division for assistance. (ROI Exhibit 9, Item 1, line 11, 12 and 13)

16. Respondent stated his campaign account is not open and has not been in over a year. To confirm this, investigations contacted the financial institution Respondent identified as his bank/depository. As noted previously, they were unable to locate any information on Respondent. (ROI Exhibit 7) Upon being advised of investigation's inability to locate the campaign account, Respondent now stated he was unsure if a depository was ever opened, although he remembered a PayPal account, but did not know if it was associated with the PAC. (ROI Exhibit 9, Item 3, line 3 and 4)

17. Respondent also stated he does not even know how to get into the EFS system to file anything. (ROI Exhibit 9, Item 1, line 8 and 9) However, the number of reports filed since its 2017 inception strongly suggests otherwise; most notable are the seven reports that Respondent filed on June 11, 2019. (ROI Exhibit 8, page 1 and 2)

18. As to whether he ever received and read Chapter 106, Florida Statutes and the *Political Committee Handbook*, Respondent said he did not recall ever receiving or reviewing either. (ROI Exhibit 9, page 1 and 2, Item 3, line 4, 5 and 6) However, as noted previously, the Division acknowledged to Respondent it had received his PAC's *Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository* on April 7, 2017,

(ROI Exhibit 3, page 1) and advised him all publications and reporting forms of the Division were available on its website and directed him to print out the *Political Committee Handbook, Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 3, page 3)

19. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).


20. The facts set forth above show that Respondent is a political committee registered with the Division. Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed for the following reporting period: 2019 M8.

Based upon these facts and circumstances, I recommend that the Commission find no probable cause to charge Respondent with violating Section 106.19(1)(c), Florida Statutes, and that the Commission find probable cause to charge Respondent with violating the following:

Count 1:

On or about September 10, 2019, Florida Voters Campaign PAC violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2019 M8 Report.

Respectfully submitted on March 30, 2020.



Michael T. McGuckin
Assistant General Counsel

I reviewed this Staff Recommendation this 30th day of March 2020.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 19-548

Respondent: Florida Voters Campaign PAC

Counsel for Respondent: n/a

Complainant: Division of Elections

Counsel for Complainant: n/a

On October 16, 2019, the Florida Elections Commission (Commission) received a referral from the Division of Elections alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.07(7), Florida Statutes, failure of a political committee that did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed; and

Section 106.19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

I. Preliminary Information:

1. Respondent is Florida Voters Campaign PAC, a political committee that is registered with the Division of Elections. The scope of the political committee is “to support or oppose statewide, multicounty, and local candidates and issues”.
2. Complainant is the Division of Elections (DOE).
3. Respondent’s filing officer is Kristi Willis, Chief, Bureau of Election Records.
4. On April 6, 2017, Respondent filed a Statement of Organization of Political Committee (DS-DE 5) form with the Division of Elections. The organization’s special interests are listed as “Social Justice”. To view a copy of the DS-DE 5 form, refer to exhibit 1.
5. On April 6, 2017, Respondent filed an Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees (DS-DE 6) form with the Division of Elections. To view a copy of the DS-DE 6 form, please refer to exhibit 2.
6. On April 7, 2017, Ms. Willis sent Respondent’s chairman a letter acknowledging the committee had been placed on the active committee list as a political committee. The letter advised Respondent that all political committees that file reports with the Division of Elections are required to file by means of the Division’s Electronic Filing System (EFS). Respondent’s chairperson was provided with a user identification number and initial password allowing him

access to the EFS. To view a copy of the April 7, 2017 acknowledgement letter, refer to exhibit 3.

7. On September 11, 2019, Complainant mailed Respondent a failure-to-file letter informing them that a 2019 M8 Report had not been received¹. This letter was sent to the address that Respondent provided on the DS-DE 6 form (Exhibit 2). To view a copy of the September 11, 2019 failure-to-file letter, refer to exhibit 4.

8. On September 23, 2019, Complainant mailed Respondent a second failure-to-file letter informing them that a 2019 M8 Report still had not been received. This letter was also sent to the address Respondent provided on the DS-DE 6 form (Exhibit 2). To view a copy of the September 23, 2019 failure-to-file letter, refer to exhibit 5.

9. On October 1, 2019, Complainant mailed Respondent a "Final Notice" regarding the 2019 M8 Report. This letter was sent via certified mail. This certified letter was also sent to the address Respondent provided on the DS-DE 6 form (Exhibit 2). To view a copy of the October 1, 2019 failure-to-file certified letter with delivery confirmation receipt, refer to exhibit 6.

10. The allegations that Respondent failed to report campaign activity, or in the alternative, failed to notify the filing officer that no report would be filed during the 2019 M8 reporting period will be discussed in the following paragraphs.

II. Alleged Violation of Section 106.07(7), Florida Statutes:

11. I investigated whether Respondent violated this section of the election laws by not notifying the filing officer, in writing, that no report was being filed due to not receiving any contributions or making any expenditures during the 2019 M8 reporting period.

12. Commission staff subpoenaed Respondent's campaign account records from Wells Fargo Bank, N.A., Respondent's campaign depository listed on their DS-DE 6 (Exhibit 2). In a letter dated December 19, 2019, Dawn Ward, Operations Manager for the summons and subpoena department, stated she was unable to locate any record of an account in Respondent's name². To view a copy of Ms. Ward's letter, refer to exhibit 7.

13. Based upon Ms. Ward's letter in response to the Commission's subpoena, it appears that Respondent did not have any contributions or expenditures during the 2019 M8 reporting period. Therefore, it appears that a waiver should have been filed for the 2019 M8 reporting period. As of the date of this report of investigation, no waiver or treasurer's report has been filed for the 2019 M8 reporting period. To view a copy of Respondent's filing history, refer to exhibit 8.

14. There is no record that Respondent has previously been investigated for violating this section of the election laws.

¹ The 2019 M8 Report covers the time-period from August 1, 2019 through August 31, 2019.

² The subpoena requested all deposit items and all checks drawn on the account, from September 1, 2017 through the present as well as signature cards and monthly bank statements. It appears the committee has never opened a bank account.

III. Alleged Violation of Section 106.19(1)(c), Florida Statutes:

15. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes, when it failed to file a treasurer's report for the 2019 M8 reporting period, on the prescribed reporting date.

16. To review the circumstances regarding the committee's campaign activity, please refer to paragraphs 12 and 13 of this report.

17. There is no record that Respondent has previously been investigated for violating this section of the election laws.

IV. FEC History:

18. None.

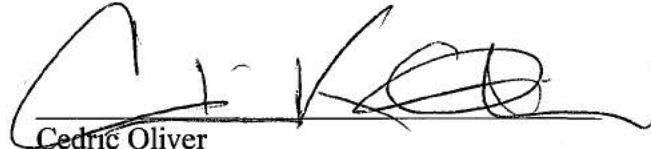
Conclusion:

19. In a telephone interview, Respondent's chairman advised me that he was unaware of any reports being filed against his PAC. He told me that he is currently going through months of mail that he has been too busy to go through. Respondent's chairman stated that the PAC was only created to support amendment 4. He stated that once that amendment passed, the PAC stopped collecting any monies or being active. He stated that he should have closed it then, but he got caught up in other activities and it slipped his mind. He advised me that his campaign depository is not open and has not been in over a year; in a follow-up interview Respondent's chairman advised me that he was unsure if a depository was ever opened. He stated that he remembers a PayPal account but is not sure if it was associated with the PC.

20. Respondent's chairman also advised me that he does not know how to get into the EFS system to file anything. I instructed him to contact DOE for assistance. I went over the investigative process with him. He told me that he did not have any money to pay any fine. I inquired if he had received and read Chapter 106, Florida Statutes and the *Political Committee Handbook*. Respondent's chairman told me that he did not recall ever receiving or reviewing either of them. To view a copy of the phone log, refer to exhibit 9.

21. In the April 7, 2017 acknowledgement letter, Respondent's chairman was informed that all of the Division's publications are available online at the DOE's website. In the letter, the chairman was admonished as follows: **It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, Political Committee Handbook, Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.** To view a copy of the April 7, 2017 acknowledgement letter, refer to exhibit 3.

Respectfully submitted on February 24, 2020.



Cedric Oliver
Investigation Specialist

Current address of Respondent	Current address of Complainant
Florida Voters Campaign PAC 4005 Brandon Hill Drive Tallahassee, Fl 32309	Division of Elections 500 South Bronough Street, Room 316 Tallahassee, Fl 32399
Name and Address of Filing Officer:	Chair of Committee
Ms. Kristi Willis Chief of Bureau of Election Records 500 South Bronough Street, Room 316 Tallahassee, Fl 32399	Michael Dobson, Chair Florida Voters Campaign PAC 4005 Brandon Hill Drive Tallahassee, Fl 32309

Copy furnished to: Mr. Cole Kekelis, Chief Regulatory Council

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Florida Voters Campaign PAC -- FEC 19-548

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Statement of Organization of Political Committee
Exhibit 2	Respondent's DS-DE 6 form
Exhibit 3	Acknowledgement Letter
Exhibit 4	September 11, 2019 failure-to-file letter
Exhibit 5	September 23, 2019 failure-to-file letter (2 nd notice)
Exhibit 6	October 1, 2019 failure-to-file letter with delivery confirmation receipt
Exhibit 7	Wells Fargo Bank N.A. declaration letter
Exhibit 8	Respondent's filing history
Exhibit 9	Phone Log

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY

17 APR -6 PM 1:39

DIVISION OF ELECTIONS
SECRETARY OF STATE

1. Full Name of Committee

Florida Voters Campaign PAC

Telephone

(850) 241-5896

Mailing Address (include city, state and zip code)

4005 Brandon Hill Drive, Tallahassee, Florida 32309

Street Address (include city, state and zip code)

4005 Brandon Hill Drive, Tallahassee, Florida 32309

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or Connected Organization	Mailing Address	Relationship
N/A		

3. Area, Scope and Jurisdiction of the Committee

Candidates and Issues

(To Support or Oppose Statewide, Multicounty, and local Candidates and Issues)

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

Social Justice

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name	Mailing Address	Committee Title or Position
Michael Dobson	4005 Brandon Hill Drive Tallahassee, Florida 32309	Chairperson, Secretary and treasurer

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
Michael Dobson	4005 Brandon Hill Drive Tall, FL 32309	Chairman, Secretary, Treasurer

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
TBD			

8. List Any Issues this Committee is Supporting: To be determined
List Any Issues this Committee is Opposing: To be determined

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party
 NA

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?
 Donate to a 501(c) organization

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
Wells Fargo	3529 Thomasville Rd Tallahassee, FL 32309

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
Form 990	Annual	IRS	Ogden, UT
Form 1120 poi	Annual	IRS	Ogden UT

STATE OF Florida COUNTY Leon

I, Michael Dobson, certify that the information in this Statement of Organization is complete, true and correct.

X Michael Dobson Signature of Chairman of Political Committee April 5, 2017 Date

EXHIBIT 1 (2 of 2)

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

17 APR -6 PM 1:39

DIVISION OF ELECTIONS
SECRETARY OF STATE

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization <i>Florida Voters Campaign PAC</i>		2. Telephone <i>(850) 241-5896</i>	
3. Name of Treasurer or Deputy Treasurer <i>Michael Dobson</i>		4. Email (optional)	
		5. Telephone (optional) <i>(850) 241-5896</i>	
6. Mailing Address <i>4005 Brandon Hill Drive, Tallahassee, FL 32309</i>			
7. Street Address <i>4005 Brandon Hill Drive, Tallahassee, FL 32309</i>			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank <i>Wells Fargo</i>		10. Street Address <i>3529 Thomasville Rd</i>	
11. City <i>Tallahassee, Florida</i>		12. State <i>Florida</i>	13. Zip Code <i>32309</i>
14. Signature of Chairman <i>X [Signature]</i>		15. Name of Chairman (Print or Type) <i>Michael Dobson</i>	

Campaign Treasurer's Acceptance of Appointment

I, *Michael Dobson* (Please Print or Type) do hereby accept the appointment as
treasurer or deputy treasurer for *Florida Voters Campaign PAC*
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

April 5, 2017
Date

X [Signature]
Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 7, 2017

Michael Dobson, Chairperson
Florida Voters Campaign PAC
4005 Brandon Hill Drive
Tallahassee, Florida 32309

Dear Mr. Dobson:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Florida Voters Campaign PAC**, which were placed on file in our office on April 6, 2017. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **May 10, 2017**. The report will cover the period of April 1-30, 2017 (M4). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. The chairperson, campaign treasurer, and deputy treasurers are responsible for protecting this password from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 69745

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/



EXHIBIT

3(1 of 3)

Michael Dobson, Chairperson
April 7, 2017
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelopes contain your confidential pin numbers.

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports must be completed and filed through the EFS not later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight, Eastern Standard Time, of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

EXHIBIT 3 (2 of 3)

Michael Dobson, Chairperson
April 7, 2017
Page Three

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *Political Committee Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/zjs

Enclosures

EXHIBIT 3(3 of 3)



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

September 11, 2019

Michael Dobson, Chairperson
Florida Voters Campaign PAC
4005 Brandon Hill Drive
Tallahassee, FL 32309-2309

PAC 69745

Dear Mr. Dobson:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 10, 2019.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:

\$50 per day for the first 3 days late

\$500 per day for each day after the 3rd day late

If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Second Notice

September 23, 2019

Michael Dobson, Chairperson
Florida Voters Campaign PAC
4005 Brandon Hill Drive
Tallahassee, FL 32309-2309

PAC 69745

Dear Mr. Dobson:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 10, 2019.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on September 11, 2019.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s. 106.07(8)(b), Fla. Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING # & CUSTOMER RECEIPT 9114 9023 0722 4343 8595 89
For Tracking or Inquiries go to USPS.com or call 1-800-222-1811.

October 1, 2019

Michael Dobson, Chairperson
Florida Voters Campaign PAC
4005 Brandon Hill Drive
Tallahassee, FL 32309-2309

PAC 69745

Dear Mr. Dobson:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2019	M8	8/1/19 - 8/31/19

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Krist Reid Willis, Chief
Bureau of Election Records

EXHIBIT

6 (1 of 2)

Track Another Package +

Tracking Number: 9114902307224343859589

Remove X

Your item was delivered in or at the mailbox at 2:03 pm on October 2, 2019 in TALLAHASSEE, FL 32309.

 **Delivered**

October 2, 2019 at 2:03 pm
Delivered, In/At Mailbox
TALLAHASSEE, FL 32309

Feedback

Get Updates v

Text & Email Updates v

Tracking History v

Product Information v

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

EXHIBIT

6(2012)

**WELLS
FARGO**

Summons and Subpoenas Department
PO Box 1415 MAC #D1111-016
Charlotte, NC 28201
Voice: (480) 724-2000

December 19, 2019

Florida Lections Commission
Cedric Oliver
107 W. Gaines Street
Collins Building Suite 224
Tallahassee, FL 32399

Subject: Wells Fargo Response to your legal order

Case name: In re: Case# FEC19-548
Agency reference number: FEC19548
Bank reference number: 22905342

Dear Cedric Oliver

We have completed our research for this legal order, and want to let you know we are not able to provide the requested information because:

Unable to locate records for Florida Voters Campaign PAC. Please provide the account number if known or tax id associated with the account for further research.

If you have questions, or if you have additional information you'd like us to consider, please call us at (480) 724-2000 Monday - Friday, 8:00 a.m. to 8:00 p.m. Eastern Time

Thank you.

Sincerely,

Dawn Ward

Dawn Ward
Operations Manager
Summons and Subpoenas Department

EXHIBIT 7



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Florida Voters Campaign PAC

Name:

Account: 69745

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
2/10/2020	M1		SNT	0	\$0.00		\$0.00	\$0.00
1/10/2020	M12		FEC	0	\$0.00		\$0.00	\$0.00
12/10/2019	M11		FEC	0	\$0.00		\$0.00	\$0.00
11/12/2019	M10		FEC	0	\$0.00		\$0.00	\$0.00
10/10/2019	M9		FEC	0	\$0.00		\$0.00	\$0.00
9/10/2019	M8		FEC	0	\$0.00		\$0.00	\$0.00
8/12/2019	M7		FEC	0	\$0.00		\$0.00	\$0.00
7/10/2019	M6		FEC	0	\$0.00		\$0.00	\$0.00
6/10/2019	M5	6/11/2019	CLO	1	\$0.00		\$0.00	\$0.00
5/16/2019	SG1	6/11/2019	CLO	26	\$0.00		\$0.00	\$0.00
5/10/2019	M4	6/11/2019	FEC	32	\$0.00		\$0.00	\$0.00
4/10/2019	M3	6/11/2019	FEC	62	\$0.00		\$0.00	\$0.00
4/5/2019	SP2	6/11/2019	CLO	67	\$0.00		\$0.00	\$0.00
3/11/2019	SP1	6/11/2019	CLO	92	\$0.00		\$0.00	\$0.00
3/11/2019	M2	6/11/2019	CLO	92	\$0.00		\$0.00	\$0.00
2/11/2019	M1	2/12/2019	CLO	1	\$0.00		\$0.00	\$0.00
1/10/2019	M12	1/15/2019	FEC	5	\$0.00		\$0.00	\$0.00
12/10/2018	M11	12/12/2018	FEC	2	\$0.00		\$0.00	\$0.00
11/2/2018	G7	12/12/2018	FEC	40	\$0.00		\$0.00	\$0.00
11/1/2018	D6	12/12/2018	FEC	41	\$0.00		\$0.00	\$0.00
10/31/2018	D5	10/31/2018						
10/30/2018	D4	10/31/2018	FEC	1	\$0.00		\$0.00	\$0.00
10/29/2018	D3	10/31/2018	FEC	2	\$0.00		\$0.00	\$0.00
10/28/2018	D2	10/31/2018	FEC	3	\$0.00		\$0.00	\$0.00
10/27/2018	D1	10/31/2018	FEC	4	\$0.00		\$0.00	\$0.00
10/26/2018	G6	10/31/2018	FEC	5	\$0.00		\$0.00	\$0.00
10/25/2018	G4	10/31/2018	FEC	6	\$0.00		\$0.00	\$0.00
10/19/2018	G5	10/31/2018	FEC	12	\$0.00		\$0.00	\$0.00
10/5/2018	G3	10/31/2018	FEC	26	\$0.00		\$0.00	\$0.00
9/28/2018	G2A	10/5/2018	FEC	7	\$0.00		\$0.00	\$0.00
9/21/2018	G2	9/21/2018						
9/14/2018	G1A	9/18/2018	FEC	4	\$0.00		\$0.00	\$0.00
9/7/2018	G1	8/31/2018						
8/31/2018	P7A	9/1/2018	FEC	1	\$0.00		\$0.00	\$0.00
8/24/2018	P7	8/26/2018	FEC	2	\$0.00		\$0.00	\$0.00
8/17/2018	P6	8/18/2018	FEC	1	\$0.00		\$0.00	\$0.00
8/10/2018	P5	8/11/2018	FEC	1	\$0.00		\$0.00	\$0.00
8/3/2018	P4	8/4/2018	FEC	1	\$0.00		\$0.00	\$0.00
7/27/2018	P3	7/28/2018	FEC	1	\$0.00		\$0.00	\$0.00
7/20/2018	P2A	7/21/2018	FEC	1	\$0.00		\$0.00	\$0.00
7/13/2018	P2	7/13/2018						
7/6/2018	P1A	7/8/2018	FEC	2	\$0.00		\$0.00	\$0.00
6/29/2018	P1	6/30/2018	FEC	1	\$0.00		\$0.00	\$0.00
6/11/2018	M5	6/11/2018						
6/11/2018	SG3	6/11/2019						

EXHIBIT 8 (1 of 5)

6/11/2018	SG3	6/11/2019						
5/10/2018	SG3	6/11/2019	CLO	397	\$0.00	\$0.00	\$0.00	
5/10/2018	M4	5/22/2018	FEC	12	\$0.00	\$0.00	\$0.00	
4/27/2018	SG2	6/11/2019	CLO	410	\$0.00	\$0.00	\$0.00	
4/27/2018	SG2	6/11/2019	CLO	410	\$0.00	\$0.00	\$0.00	
4/10/2018	M3	4/10/2018						
4/6/2018	SG2	6/11/2019	CLO	431	\$0.00	\$0.00	\$0.00	
3/27/2018	SG1	6/11/2019	CLO	441	\$0.00	\$0.00	\$0.00	
3/27/2018	SG1	6/11/2019	CLO	441	\$0.00	\$0.00	\$0.00	
3/12/2018	M2	3/20/2018	FEC	8	\$0.00	\$0.00	\$0.00	
3/9/2018	SG1	6/11/2019	CLO	459	\$0.00	\$0.00	\$0.00	
2/16/2018	SP2	6/11/2019	CLO	480	\$0.00	\$0.00	\$0.00	
2/16/2018	SP2	6/11/2019	CLO	480	\$0.00	\$0.00	\$0.00	
2/12/2018	M1	2/16/2018	FEC	4	\$0.00	\$0.00	\$0.00	
2/9/2018	SG2	6/11/2019	CLO	487	\$0.00	\$0.00	\$0.00	
1/26/2018	SP2	6/11/2019	CLO	501	\$0.00	\$0.00	\$0.00	
1/10/2018	SG1	1/15/2019	CLO	370	\$0.00	\$0.00	\$0.00	
1/10/2018	M12	1/10/2018						
1/2/2018	SP1	6/11/2019	CLO	525	\$0.00	\$0.00	\$0.00	
1/2/2018	SP1	6/11/2019	CLO	525	\$0.00	\$0.00	\$0.00	
12/19/2017	SP1	6/11/2019	CLO	539	\$0.00	\$0.00	\$0.00	
12/11/2017	M11	12/18/2017	FEC	7	\$0.00	\$0.00	\$0.00	
11/13/2017	M10	11/14/2017	FEC	1	\$0.00	\$0.00	\$0.00	
10/10/2017	M9	10/11/2017	FEC	1	\$0.00	\$0.00	\$0.00	
9/22/2017	M8	9/12/2017						
8/10/2017	M7	8/10/2017						
7/10/2017	M6	7/10/2017						
6/12/2017	M5	6/12/2017						
5/10/2017	M4	5/10/2017						

EXHIBIT 8(2 of 5)



**Florida Department of State
Division of Elections**

Florida Voters Campaign PAC

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. About the Campaign Finance Data Base. If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
W	04/01/2017 - 04/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
○	05/01/2017 - 05/31/2017	0.00	0.00	2,000.00	0.00	0.00	0.00
○	06/01/2017 - 06/30/2017	0.00	0.00	1,500.00	0.00	0.00	0.00
○	07/01/2017 - 07/31/2017	25.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2017 - 08/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2017 - 09/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2017 - 10/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2017 - 11/30/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	11/06/2017 - 12/14/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	11/28/2017 - 12/28/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	11/09/2017 - 12/28/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2017 - 12/31/2017	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2017 - 01/04/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	12/15/2017 - 01/25/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2018 - 01/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	01/05/2018 - 02/08/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	12/29/2017 - 02/15/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	12/29/2017 - 02/15/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	02/01/2018 - 02/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	01/26/2018 - 03/02/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	02/16/2018 - 03/22/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	02/16/2018 - 03/22/2018	0.00	0.00	0.00	0.00	0.00	0.00

EXHIBIT 8 (3 of 5)

○	03/01/2018 - 03/31/2018	50.00	0.00	800.00	0.00	0.00	0.00
W	03/03/2018 - 04/05/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	03/23/2018 - 04/26/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	03/23/2018 - 04/26/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	04/06/2018 - 04/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2018 - 04/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2018 - 05/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	04/27/2018 - 05/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	04/27/2018 - 05/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2018 - 06/22/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	06/23/2018 - 06/29/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	06/30/2018 - 07/06/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/07/2018 - 07/13/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/14/2018 - 07/20/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/21/2018 - 07/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/28/2018 - 08/03/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/04/2018 - 08/10/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/11/2018 - 08/23/2018	0.00	0.00	0.00	0.00	0.00	0.00
○	08/24/2018 - 08/24/2018	50.00	0.00	0.00	0.00	0.00	0.00
○	08/25/2018 - 08/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2018 - 09/07/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/08/2018 - 09/14/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/15/2018 - 09/21/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/22/2018 - 09/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/29/2018 - 10/05/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/06/2018 - 10/12/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/13/2018 - 10/19/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/20/2018 - 10/26/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/27/2018 - 10/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2018 - 10/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/29/2018 - 10/29/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2018 - 10/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/31/2018 - 10/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/20/2018 - 11/01/2018	0.00	0.00	0.00	0.00	0.00	0.00

EXHIBIT 8(4 of 5)

W	11/02/2018 - 11/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2018 - 12/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2019 - 01/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	02/01/2019 - 02/28/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	01/24/2019 - 02/28/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	03/01/2019 - 03/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	03/01/2019 - 04/04/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2019 - 04/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	04/05/2019 - 05/09/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2019 - 05/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
●	All Dates (Totals)	125.00	0.00	4,300.00	0.00	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and **L** Indicates that a loan report was filed

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

Query the Campaign Finance Data Base

[Department of State] [Division of Elections] [Candidates and Races] [Campaign Finance Information]

EXHIBIT

8(5025)

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 19-548**

Respondent: Florida Voters Campaign PAC

Complainant: Division of Elections

1. **Date and time:** December 18, 2019 @ 2:00 pm
Name: Michael Dobson—Chairman
Phone #: (850) 241-5896
Summary: I had telephone contact to discuss complaint allegations with him. Respondent verified contact/home information. Respondent advised me that he was unaware of any reports being filed against his PAC. He told me that he is currently going through months of mail that he has been too busy to go through. Respondent stated that the PAC was only created to support amendment 4. He stated that once that amendment passed, the PAC stopped collecting any monies or being active. He stated that he should've closed it then, but he got caught up in other activities and it slipped his mind. He advised me that his campaign depository isn't open and hasn't been in over a year. He also advised me that he doesn't even know how to get into the EFS system to file anything. I instructed him to contact DOE for assistance. I went over the investigative process with him. He told me that he didn't have any money to pay any fine or negotiate a settlement. I recommended that he close the PC if it's not active for him to avoid being penalized further. He stated that he would contact DOE for assistance with this matter as well.
Memo to File? No
Entered by: CKO

2. **Date and time:** December 19, 2019 @ 12:45 pm
Name: Robert Simms—Bank representative
Phone #: (704) 590-9824
Summary: I had telephone contact in response to message left on my behalf. Mr. Simms advised me that Wells Fargo staff wasn't able to locate any information on Respondent or the chairman. I gave mailing address for the PC and other identifying information that I was able to locate. Wells Fargo staff was still unable to locate any information on Respondent. I requested a letter from them detailing their search efforts and inability to locate information on Respondent. Mr. Simms advised me that he would fax over a declaration letter when he receives it.
Memo to File? No
Entered by: CKO

3. **Date and time:** December 19, 2019 @ 1:10 pm
Name: Michael Dobson—Chairman
Phone #: (850) 241-5896
Summary: I had telephone contact to inquire again about the depository and their inability to locate any information on Respondent. Mr. Dobson advised me that he was unsure if a depository was ever opened. He stated that he remembers a PayPal account but not sure if it was associated with the PC. I inquired if he had received and read Chapter 106, Florida

EXHIBIT 9(10/2)

Statutes and the Political Committee Handbook. Respondent told me that he did not recall ever receiving or reviewing either option.

Memo to File? No

Entered by: CKO

4. **Date and time:** February 19, 2020 @ 11:30 am

Name: Robert Simms—Bank representative

Phone #: (704) 590-9824

Summary: I attempted telephone contact to inquire about the subpoena results. I was unable to leave a message due to mailbox being full. The system wouldn't allow me to be transferred to another agent or operator after numerous attempts.

Memo to File? No

Entered by: CKO

5. **Date and time:** February 19, 2020 @ 12:00 pm

Name: Heidi—Bank representative

Phone #: (480) 724-2000

Summary: I had telephone contact to request my subpoena results for Respondent. Heidi advised me that she would fax over the declaration letter stating that no information was able to be located. I thanked her for her assistance with this matter.

Memo to File? No

Entered by: CKO

EXHIBIT

9(2 of 2)



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



November 13, 2019

Michael Dobson, Chair
Florida Voters Campaign PAC
4005 Brandon Hill Drive
Tallahassee, FL 32309

RE: Case No.: FEC 19-548; Respondent: Florida Voters Campaign PAC

Dear Mr. Dobson:

On October 16, 2019, the Florida Elections Commission received a complaint alleging that your committee violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting period:

- 2019 M8

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the following reporting period:

- 2019 M8

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge you, the Respondent, with violating Chapters 104 or 106, Florida

Florida Voters Campaign PAC
November 13, 2019
Page 2
FEC 19-548

Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed upon your committee. You and the Complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the Complainant; however, it does apply to you, the Respondent, unless you waive confidentiality in writing.

The confidentiality provision does not preclude you from seeking legal counsel. Should you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the commission staff can discuss this case with him or her.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website.

If you have additional questions, please contact **Cedric Oliver**, the investigator assigned to this case.

Sincerely,



Tim Vaccaro
Executive Director

TV/med

DIVISION OF ELECTIONS FEC NOTICE FORM

To FEC from Division of Elections

Name: Florida Voters Campaign PAC
Account Number: 69745
Chairperson: Michael Dobson
Treasurer: Michael Dobson
Registered Agent: Michael Dobson

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon the failure to file a report after notice or failure to file a notification to the filing officer in writing that no report was being filed on the prescribed reporting date as required by section 106.07(7), Florida Statutes.

The following report is outstanding after notification:

2019 M8

- Florida Voters Campaign PAC (69745) is a political committee registered with the Division of Elections. On April 6, 2017, Michael Dobson filed the DSDE 5 and DSDE 6 with the Division indicating that he was the chairperson.
- The 2019 M8 campaign treasurer's report was due on September 10, 2019. On September 11, 2019, the Division mailed Mr. Dobson notification that the 2019 M8 campaign treasurer's report had not been filed.
- On September 23, 2019, the Division mailed Mr. Dobson notification that the 2019 M8 campaign treasurer's report had not been filed.
- On October 1, 2019, the Division mailed Mr. Dobson final notification with delivery confirmation that the 2019 M8 report had not been filed. (See attached letter and delivery confirmation.)

- Mr. Dobson did not notify the Division of Elections prior to or on the prescribed reporting date for the 2019 M8 report that no report was to be filed.
- As of October 15, 2019, Mr. Dobson has not filed the 2019 M8 report.

Sent By: Kristi Reid Willis
Date: October 15, 2019 *KRW*

jcs



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee

Secretary of State

DIVISION OF ELECTIONS

Final Notice

Delivery Confirmation:

USPS TRACKING #
& CUSTOMER
RECEIPT

9114 9023 0722 4343 8695 89

For Tracking or Inquiries go to USPS.com
or call 1-800-222-1811.

October 1, 2019

Michael Dobson, Chairperson
Florida Voters Campaign PAC
4005 Brandon Hill Drive
Tallahassee, FL 32309-2309

PAC 69745

Dear Mr. Dobson:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2019	M8	8/1/19 - 8/31/19

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

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[FAQs >](#)

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Your item was delivered in or at the mailbox at 2:03 pm on October 2, 2019 in TALLAHASSEE, FL 32309.

Delivered

October 2, 2019 at 2:03 pm
Delivered, In/At Mailbox
TALLAHASSEE, FL 32309

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