

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Al Jacquet

Case No.: FEC 18-287

TO: Al Jacquet
964 Tortuga Lane
Riviera Beach, FL 33404

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 August 26, 2020 at 8:30 am, EST**, or as soon thereafter as the parties can be heard.

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 GoToWebinar, 9-Digit Meeting ID 602-468-659, or via teleconference by dialing (866) 901-6455 and entering the meeting access code 515-462-864, 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.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission. 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
August 13, 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.



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



Commission Meeting August 26, 2020 at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the August 26, 2020, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar – Remote Video Conferencing
 1. Open your web browser and search GoToWebinar or enter www.gotowebinar.com
 2. Select Join A Webinar in the upper right corner of the website
 3. Enter the 9-digit Webinar ID: 602-468-659
And your email address
 4. Register your name and email address
 5. You will automatically join to the meeting as an attendee. Attendees are muted and can choose to their webcam.

- B. OpenVoice - Teleconference
 1. Call 1-866-901-6455
 2. Enter Audio Access Code 515-462-864
 3. You will automatically join the meeting as an attendee. Attendees are muted.

While this is a public 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.

You can call or email our office of your intent to participate or of any questions you may have regarding this meeting. Please provide the case number(s) when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Al Jacquet

Case No.: FEC 18-287

TO: Al Jacquet
964 Tortuga Lane
Riviera Beach, FL 33404

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 August 26, 2020 at 8:30 am, EST, or as soon thereafter as the parties can be heard.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video conference only. Prior to the meeting, the Commission office will send you a set of participant instructions, which will include login information for the meeting. Please be advised that the Commission will consider multiple cases that day, so you will need to wait until your case is considered. If you have questions, please contact Commission staff at (850) 922-4539.

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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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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
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: Al Jacquet

Case No.: FEC 18-287

TO: Al Jacquet
964 Tortuga Lane
Riviera Beach, FL 33404

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

NOTICE OF CANCELLATION OF HEARING (INFORMAL HEARING)

You are hereby notified that the previously scheduled **hearing for March 24-25, 2020 is cancelled**. It is anticipated that your case will be heard at the next regularly scheduled meeting, which is currently set for May 2020. A Notice of Hearing will be mailed approximately 14 days prior to the hearing date indicating the exact date, time, and location.

Tim Vaccaro

Executive Director
Florida Elections Commission
March 12, 2020

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Al Jacquet

Case No.: FEC 18-287

TO: Al Jacquet
964 Tortuga Lane
Riviera Beach, FL 33404

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, **March 24, 2020 at 1:00 p.m., or as soon thereafter as the parties can be heard**, at the following location: **House Office Building, 404 South Monroe Street, Room 28-H, 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
March 9, 2019

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.

FILED

19 DEC -9 AM 10:43

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 18-287

v.

**Al Jaquet,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 19, 2019, in Tallahassee, Florida.

On October 3, 2019, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, 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 violations:

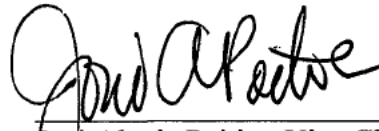
Count 1:

On or about April 10, 2018, Respondent violated Section 106.141(9), Florida Statutes, when Respondent failed to file his 2018 Q1 Office Account Report on the prescribed due date.

Count 2:

On or about July 10, 2018, Respondent violated Section 106.141(9), Florida Statutes, when Respondent failed to file his 2018 Q2 Office Account Report on the prescribed due date.

DONE AND ORDERED by the Florida Elections Commission on November 19, 2019.



Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Al Jaquet, Respondent
Division of Elections, 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: The Honorable Al Jacquet

Case No.: FEC 18-287

TO: The Honorable Al Jacquet
964 Tortuga Lane
Riviera Beach, FL 33404

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, **November 19, 2019 at 9:00 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:

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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.

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Tim Vaccaro

Executive Director
Florida Elections Commission
November 1, 2019

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**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Al Jaquet

Case No.: FEC 18-287

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.141(9), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on August 19, 2019, the following facts and law support this staff recommendation.¹

1. On September 17, 2018, the Florida Elections Commission ("Commission") received a referral from the Division of Elections ("Division") alleging that Al Jaquet ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was elected to the House of Representatives, District 88, in the 2016 primary election. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form was filed with the Division on January 8, 2016. (ROI Attachments A and B)

3. By letter dated January 8, 2016, Kristi Reid Bronson, Chief, Bureau of Election Records, notified Respondent that his name had been placed on file in the Division's office as a candidate for State Representative. The letter advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system ("EFS") and provided Respondent with a user identification number and initial password to access the EFS. (Attachment C, page 1)²

4. Ms. Bronson's January 8, 2016 letter also stated that all of the Division's publications and reporting forms were on the Division's website and directed Respondent to print a copy of Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* ("Handbook"), and the *Calendar of Reporting Dates*. (Attachment C, page 3)

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

² Kristi Reid Bronson is now known as Kristi Reid Willis.

5. On February 14, 2019, the Executive Director sent Respondent notification that Commission staff would investigate the following alleged violations:

Section 106.141(9), Florida Statutes: Respondent failed to file an office account report listing all information required including the amount of any disbursement of funds made, and funds received for the 2018 Q1 and Q2 reporting periods.

6. Within 90 days of being elected to office, a candidate is required to dispose of all surplus campaign funds and file a Termination Report (“TR”) showing disposition of the funds. A candidate elected to the House of Representatives may dispose of up to “[T]en thousand dollars multiplied by the number of years in the term of office for which elected,” into an office account. Members of the House of Representatives are elected for two-year terms. Therefore, Respondent was allowed to deposit up to \$20,000 of his excess campaign funds into an office account. *See* Art. III, §15(b), Fla. Const; and Sections 106.141(1) and 106.141(5)(c), Florida Statutes.

7. Section 106.141(9), Florida Statutes, provides:

Any candidate elected to office who transfers surplus campaign funds into an office account pursuant to subsection (5) **shall file a report on the 10th day following the end of each calendar quarter until the account is closed.** Such reports shall contain the name and address of each person to whom any disbursement of funds was made, together with the amount thereof and the purpose therefor, and the name and address of any person from whom the elected candidate received any refund or reimbursement and the amount thereof. (Emphasis added)³

8. On his 2016 TR, Respondent reported disposing of \$8,769.88 to an office account, and therefore, Respondent was required to file quarterly reports listing all expenditures made with funds from the account. (ROI Exhibit 3, page 1)

9. Respondent’s 2018 Q1 Office Account Report was due on April 10, 2018. However, Respondent failed to timely file the Report. By letters dated July 25, 2018, and August 23, 2018, the Division notified Respondent that a review of the Division’s records indicated Respondent had not filed his 2018 Q1 Office Account Report. (ROI Exhibit 4, pages 1 and 2)

10. Respondent’s 2018 Q2 Office Account Report was due on July 10, 2018. However, Respondent failed to timely file the Report. By letters dated July 25, 2018, and August 23, 2018, the Division notified Respondent that a review of the Division’s records indicated Respondent had not filed his 2018 Q2 Office Account Report. (ROI Exhibit 4, pages 3 and 4)

³ The statutory requirements about disposition of excess campaign funds and the filing of quarterly office account reports are explained in the Handbook on pages 51-52 and 58-59. (Attachment D)

11. Respondent filed his 2018 Q1 and 2018 Q2 Office Account Reports on January 29, 2019. (ROI Exhibit 5)

12. Investigator Smith attempted to contact Respondent seven times by telephone without success. On June 10, 2019, and June 26, 2019, Investigator Smith left a message on Respondent's voicemail requesting Respondent to return the call, which Respondent failed to do. (ROI Exhibit 6, Phone Log Entries 1 and 4)

13. Investigator Smith attempted to call Respondent at a second number on June 26, 2019. Investigator Smith reached a voice mail recording that stated the mailbox was full and could not accept any messages. Investigator Smith reached a similar voice mailbox message when he tried to call Respondent on August 15, 2019. (ROI Exhibit 6, Phone Log Entries 3 and 6)

14. Additionally, on June 11, 2019, June 26, 2019, and August 12, 2019, Investigator Smith attempted to contact Respondent at his law office. Each time, Investigator Smith left a message with the person who answered the phone requesting Respondent to return the call, which Respondent failed to do. (ROI Exhibit 6, Phone Log Entries 2, 4, and 5)

15. "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).

16. The above facts show Respondent was elected to the Florida Legislature in the 2016 primary election. On Respondent's 2016 Termination Report, Respondent reported disposing of \$8,769.88 into an office account. Because Respondent disposed of surplus campaign funds into an office account, he was required to file quarterly reports listing all expenditures made from the account. However, Respondent failed to timely file his 2018 Q1 and Q2 Office Account Reports.

Based on the foregoing, I recommend that the Commission find probable cause to charge Respondent with the following violations:

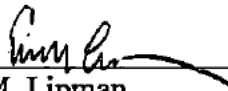
Count 1:

On or about April 10, 2018, Respondent violated Section 106.141(9), Florida Statutes, when Respondent failed to file his 2018 Q1 Office Account Report on the prescribed due date.

Count 2:

On or about July 10, 2018, Respondent violated Section 106.141(9), Florida Statutes, when Respondent failed to file his 2018 Q2 Office Account Report on the prescribed due date.

Respectfully submitted on October 3, 2019.



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation on the 3rd day of October 2019.



Tim Vaccaro
Executive Director

Candidate Listing for 2016 General Election

Change Election

Group: ALL ▼ Status: ALL (except WIT/DNQ) ▼
 Office: ALL ▼ County: ALL ▼
 Last Name Like: Jacquet Order by: Name ▼

- You can narrow your search results for candidates by county. A search by county will provide a list of candidates running for offices for which all or a portion of the geographical area represented by the office is located in that county. For information on county or municipal candidates, please contact your local Supervisor of Elections.

RUN QUERY

State Representative

District	Candidate	Status	Primary	General
88	<u>Jacquet, Al</u> (DEM)	Elected	Won	Unopposed

ATTACHMENT A

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

RECEIVED
DEPARTMENT OF STATE
2018 JAN -8 AM 10:10
DIVISION OF ELECTIONS
TALLAHASSEE, FL

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2. Name of Candidate (in this order: First, Middle, Last)
Al Jacquet

3. Address (include post office box or street, city, state, zip code)
P.O. Box 8084
Delray Beach, FL 33482

4. Telephone
(561) 414-5677

5. E-mail address
electaljacquet@gmail.com

6. Office sought (include district, circuit, group number)
State Representative, District 88

7. If a candidate for a nonpartisan office, check if applicable:
 My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a
 Write-In No Party Affiliation Democratic Party candidate.

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer
Al Jacquet

11. Mailing Address
P.O. Box 8084

12. Telephone
(561) 414-5677

13. City
Delray Beach

14. County
Palm Beach

15. State
FL

16. Zip Code
33482

17. E-mail address
electaljacquet@gmail.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank
Wells Fargo

20. Address
1500 S. Federal Highway

21. City
Delray Beach

22. County
Palm Beach

23. State
FL

24. Zip Code
33483

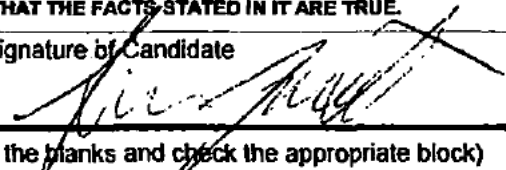
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

1/6/16

26. Signature of Candidate

X



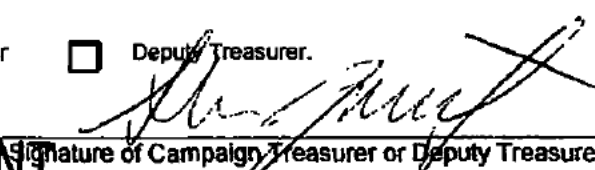
27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Al Jacquet, do hereby accept the appointment
(Please Print or Type Name)

designated above as. Campaign Treasurer Deputy Treasurer.

1/6/16
Date

X



ATTACHMENT

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 8, 2016

Al Jacquet
Post Office Box 8084
Delray Beach, Florida 33482

Dear Mr. Jacquet:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on January 8, 2016. Your name has been placed on the 2016 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **February 10, 2016**. The report will cover the period of January 1-31, 2016 (M1). All candidates who 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 your user identification number. The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy treasurers are responsible for protecting these passwords 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: 65139

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/



ATTACHMENT C, page 1

Al Jacquet
January 8, 2016
Page Two

Pin Numbers

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

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that 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 filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight 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 of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late 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 candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Al Jacquet
January 8, 2016
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: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

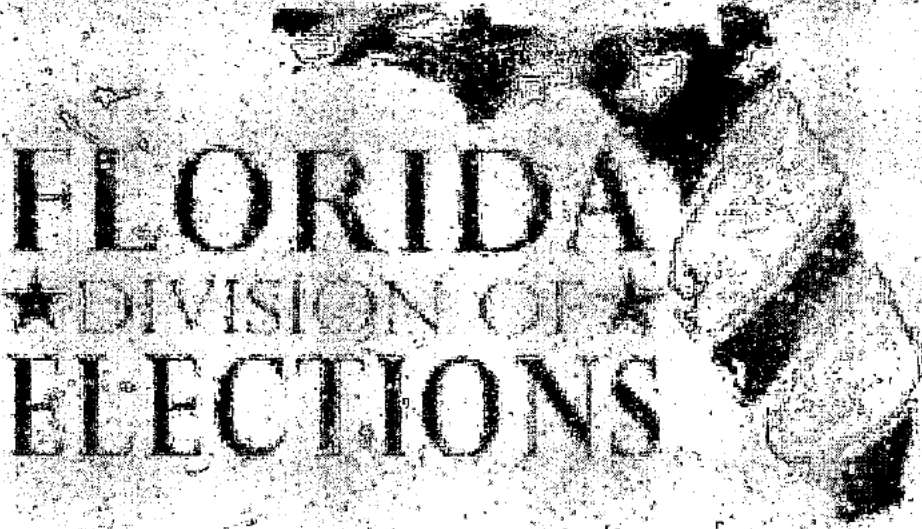


 Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/jha

Enclosures

2016
Candidate
& Campaign
Treasurer
Handbook



Florida Department of State
Division of Elections
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250
850.245.6240

(Rev. 01/22/16)

ATTACHMENT D

page 1

Chapter 17: Termination Reports

Once a candidate withdraws, becomes unopposed, is eliminated, or elected to office, he or she may **only** expend funds from the campaign account to:

- Purchase "thank you" advertising for up to 75 days after he or she withdraws, becomes unopposed, is eliminated, or elected to office.
- Pay for items which were obligated before he or she withdrew, became unopposed, was eliminated, or elected to office.
- Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports.
- Dispose of surplus funds as provided in Section 106.141, F.S.

(Section 106.11(5), F.S.)

Because individuals who seek election to a political party executive committee are not "candidates," they do not file termination reports.

Prior to Disposing of Surplus Funds

A candidate may be reimbursed by the campaign for any previously reported contributions by the candidate to the campaign, in full or in part.

A candidate who filed an oath stating that he or she was unable to pay the fee for verification of petition signatures without

imposing an undue burden on his or her personal resources or on resources otherwise available to him or her, must reimburse the state or local government entity, whichever is applicable, for such waived fee prior to disposing of any funds under the surplus provisions contained in Section 106.141(4), F.S.

(Section 106.141, F.S.)

Disposing of Surplus Funds

Once a candidate withdraws, becomes unopposed, is eliminated, or elected to office, the candidate must dispose of the funds on deposit in his or her campaign account and file a campaign treasurer's report (termination report) reflecting the disposition of funds.

A candidate required to dispose of surplus funds must, at the option of the candidate, dispose of such funds within 90 days by any of the following means, or a combination thereof:

1. Return pro rata to each contributor the funds that have not been spent or obligated.
2. Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of Section 501(c)(3) of the Internal Revenue Code.
3. Give not more than \$25,000 of the funds that have not been spent or obligated to the political party of which such candidate is a member.

Candidate & Campaign Treasurer Handbook

4. Give the funds that have not been spent or obligated:

a. In the case of a candidate for state office, to the state to be deposited in the General Revenue Fund; or

b. In the case of a candidate for office of a political subdivision, to such political subdivision, to be deposited in the general fund thereof.

5. Transfer funds to an office account (See Chapter 20, Office Accounts).

6. In the case of a candidate elected to state office, retain up to \$20,000 in the campaign account for re-election to the same office. (See Chapter 21, Carryover Campaign Funds)

The termination report must include:

1. The name and address of each person or unit of government to whom any of the funds were distributed and the amounts thereof;
2. The name and address of each person to whom an expenditure was made together with the amount and purpose; and
3. The amount of such funds transferred to an office account together with the name and address of the bank in which the office account is located.

If a refund check is received after all surplus funds have been disposed of, the check may be endorsed by the candidate and the refund disposed of pursuant to Section

106.141, F.S. An amended termination report must be filed with the filing officer.

All reports must be signed by the candidate and the campaign treasurer and certified as true and correct.

(Section 106.141, F.S.)

Money from Separate Interest-Bearing Account or Certificate of Deposit

A campaign treasurer of any candidate who withdraws, becomes unopposed, or is eliminated, or elected to office, and who has funds on deposit in any interest-bearing account or certificate of deposit, must, within seven days, transfer such funds and accumulated interest earned thereon to the primary campaign account for disposal. However, when funds are in an account in which penalties will apply for withdrawal within the seven day period, the campaign treasurer must transfer such funds and accumulated interest earned thereon as soon as the funds can be withdrawn without penalty, or within 90 days after the candidate becomes unopposed, withdraws his or her candidacy, or is elected, or eliminated, whichever comes first.

(Section 106.141, F.S.)

Campaign Loans Report

A person elected to office must report all loans, exceeding \$500 in value, made to him or her and used for campaign purposes, and made in the twelve months preceding his or her election to office, to the filing officer. The report must be made on **Forms DS-DE 73 and 73A, Campaign Loan Report** within ten

Chapter 20: Office Accounts

A candidate elected to office or a candidate who will be elected to office by virtue of his or her being unopposed may, in addition to disposing of all the funds in the campaign account in accordance with Section 106.141(4), F.S., transfer funds from the campaign account to an office account any amount up to the limits listed below:

- \$50,000 for a candidate for statewide office;
- \$10,000 for a candidate for multicounty office;
- \$10,000 multiplied by the number of years in the term of office for which elected for a candidate for legislative office;
- \$5,000 multiplied by the number of years in office for which elected for a candidate for county office or for a candidate for any election on less than a countywide basis;
- \$6,000 for a candidate for retention as a justice of the Supreme Court;
- \$3,000 for a candidate for retention as a judge of a district court of appeal;
- \$3,000 for a candidate for county court judge or circuit judge.

(Section 106.141(5), F.S.)

Using the Office Account

The office account must be separate and apart from any other account, including any other type of "office account" such as a legislative account. Any funds so retained by a candidate must be used only for legitimate expenses in connection with the candidate's public office, which may include:

1. Travel expenses incurred by the officer or staff member;
2. Personal taxes payable on office account funds by the candidate or elected public official;
3. Professional services provided by a certified public accountant or attorney for preparation of the election public official's financial disclosure filing pursuant to s. 112.3144 or s. 112.3145;
4. Costs to prepare, print, produce, and mail holiday cards or newsletters about the elected public official's public business to constituents if such correspondence does not constitute a political advertisement, independent expenditure or electioneering communication as provided in s. 106.011;
5. Fees or dues to religious, civic, or charitable organizations of which the elected public official is a member;

6. Items of modest value such as flowers, greeting cards, or personal notes given as a substitute for, or in association with, an elected public official's personal attendance at a constituent's special event of family occasion, such as the birth of a child, graduation, wedding, or funeral;
7. Personal expenses incurred by the elected public official in connection with attending a constituent meeting or event where public policy is discussed, if such meetings or events are limited to no more than once a week; or
8. Expenses incurred in the operation of the elected public official's office, including the employment of additional staff.

As the duties and responsibilities of each office are different, what are considered "legitimate expenses in connection with the candidate's public office" will vary. For additional information, please contact the legal or accounting department for your office.

If a candidate is re-elected to office or elected to another office and has funds remaining in the office account, the candidate may transfer surplus campaign funds to the office account. However, at no time may the total funds in the office account exceed the limitation imposed by Section 106.141(5), F.S.

(Section 106.141(5), F.S.)

Reporting Office Account Funds

A candidate is required to file a report on the 10th day following the end of each calendar quarter following the 90-day termination report until the office account is closed.

The officers required to file office account reports with the Division must file reports electronically using the office account electronic filing system at:

<https://doesecure.dos.state.fl.us/OfficeAccountsOnline/>

Unless the county or city has a different process, those candidates required to file with county or city filing officers file reports using the following forms:

- **Form DS-DE 48**, Office Account Report, and
- **Form DS-DE 48A**, Office Account Disbursement or Deposit Information.

Upon leaving office, any person who has funds in an office account shall give such funds to:

- A charitable organization or organizations that meet the requirements of Section 501(c)(3) of the Internal Revenue Code; or,
- In the case of a state officer, to the state to be deposited in the General Revenue Fund; or,
- In the case of an officer of a political subdivision, to the political subdivision to be deposited in the general fund thereof.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 18-287

Respondent: Al Jacquet

Complainant: Division of Elections

Pursuant to Section 106.25(2), Florida Statutes, on September 17, 2018, the Florida Elections Commission (“Commission”) received information from the Division of Elections (“Division”) that Respondent violated Chapter 106, Florida Statutes. Commission staff, therefore, investigated whether Respondent violated the following statute:

Section 106.141(9), Florida Statutes, failure of a candidate to file an office account report listing all information required, including the amount of any disbursement of funds made, and funds received.

I. Preliminary Information:

1. Respondent, Al Jacquet, currently holds the office of State Representative, representing District 88. Respondent was first elected to office in 2016 and he was subsequently reelected in 2018, without opposition.
2. Complainant is the Division.
3. Respondent’s filing officer is Kristi Reid Willis, Chief, Bureau of Election Records.

II. Alleged Violation of Section 106.141(9), Florida Statutes:

4. I investigated whether Respondent violated this section of the election laws by failing to file an office account report for the 2018 Q1 and 2018 Q2 reporting periods.
5. On January 25, 2017, Respondent filed his Appointment of Campaign Treasurer and Designation of Campaign Depository form (DS-DE 9) with the Division; Respondent appointed himself as campaign treasurer. To review the DS-DE 9 form, refer to Exhibit 1.
6. On January 26, 2017, Ms. Bronson¹ sent Respondent a letter acknowledging that his name had been placed on the active candidate list. The letter advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system (EFS) and provided him with his user identification number and initial password allowing him access to the EFS.

¹ At the time, known as Kristi Reid Bronson. Now known as Kristi Reid Willis.

7. The letter also advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* and the Calendar of Reporting Dates. To review a copy of the acknowledgement letter, refer to Exhibit 2.

8. According to his campaign reports filed with the Division, Respondent made expenditures for an office account following both his 2016 and 2018 campaigns. To review pages from Respondent's 2016 and 2018 Termination-Report, refer to Exhibit 3.

9. On July 25, 2018 and August 23, 2018, the Division sent Respondent letters informing him that their records indicated that he had not filed the office account reports due April 10, 2018 and July 10, 2018, respectively. To review the letters dated July 25, 2018 and August 23, 2018, refer to Exhibit 4.

10. On September 17, 2018, the Commission staff received a referral from the Division alleging that Respondent failed to file an office account report for the 2018 Q1 and 2018 Q2 reporting periods after receiving notice.

11. Respondent did not provide a response to the referral.

12. A questionnaire-affidavit² was prepared and mailed to Respondent for the purpose of asking him why he did not file the office account reports; Respondent did not complete and return the questionnaire-affidavit nor was it returned by the post office.

13. In an e-mail dated August 9, 2019, Ms. Willis stated that Respondent's office account report covering the 2018 Q1 and 2018 Q2 reporting periods were filed on January 29, 2019. To review the e-mail as well as the office account reports, refer to Exhibit 5.

14. No record was found to indicate that Respondent has previously violated this section of the election laws.

III. FEC History:

15. Respondent has a prior history with the Florida Elections Commission. In FEC 18-196, an Order of Probable Cause was issued wherein the members of the Florida Elections Commission found probable cause to charge Respondent with violating Section 106.07(2)(b)1, Florida Statutes, on three occasions.

Conclusion:

16. During the course of the investigation, I made a number of attempts to speak with Respondent by telephone. The attempts were made for the purpose of discussing the possibility

² On the date that the questionnaire-affidavit was due, July 17, 2019, Respondent sent an e-mail stating that the issue underlined in the case had been corrected and that he was interested in entering into a pre-probable cause consent order. In return, Respondent was informed that Commission staff would need to be able to contact him about entering into negotiations directed at settlement and that he had not previously returned telephone calls or responded to e-mails. No other contact has been made with Respondent.

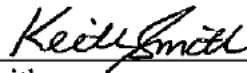
of settling via a pre-probable cause consent order; to query with him as to whether he planned to respond to the questionnaire-affidavit; and, eventually, to review the case with him and afford him an opportunity for questions or comments.

17. During the attempts to contact Respondent, messages were left for him at his law office, which were never returned. In addition, attempts to contact Respondent on his cell-phone were unsuccessful and I was unable to leave a message due to his mail-box being full. To review the phone-log, refer to Exhibit 6.

18. Respondent previously attested that he does possess and has read Chapter 106, Florida Statutes, as well as the *Candidate and Campaign Treasurer Handbook*. To review the previous questionnaire-affidavit, refer to Exhibit 7.

19. Respondent executed a Statement of Candidate form indicating that he had been provided with access to read and understand the requirements of Chapter 106, Florida Statutes; the form is dated as having been signed January 25, 2017. To review the Statement of Candidate form, refer to Exhibit 8.

Respectfully submitted on August 19, 2019.



Keith Smith
Investigation Specialist

Current address of Respondent	Current address of Complainant
The Honorable Al Jacquet 100 East Linton Boulevard #134A Delray Beach, Florida 33483	Division of Elections 500 South Bronough Street, Room 316 Tallahassee, Florida 32399-0250
Name and Address of Filing Officer:	
Kristi Reid Willis, Chief Bureau of Election Records 500 South Bronough Street, Room 316 Tallahassee, Florida 32399-0250	

Copy furnished to: David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Al Jacquet -- FEC 18-287

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 9 form
Exhibit 2	Ack ltr
Exhibit 3	2016/2018 TR pages
Exhibit 4	07/25/18 & 08/23/18 ltr to R
Exhibit 5	E-mail from Kristi/OAR's
Exhibit 6	Phone Log
Exhibit 7	Q/A
Exhibit 8	Statement of Candidate

HAND DELIVERED

17 JAN 25 PM 4:14

SECRETARY OF STATE

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2. Name of Candidate (in this order: First, Middle, Last)

AL JACQUET

3. Address (include post office box or street, city, state, zip code)

P.O. Box 8084 Delray Beach, FL 33482

4. Telephone

(561) 414-5677

5. E-mail address

electaljacquet@gmail.com

6. Office sought (include district, circuit, group number)

State Representative, District 88

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation Democrat Party candidate

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Al Jacquet

11. Mailing Address

P.O. Box 8084

12. Telephone

(561) 414-5677

13. City

Delray Beach

14. County

Palm Beach

15. State

FL

16. Zip Code

33482

17. E-mail address

electaljacquet@gmail.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank

Wells Fargo

20. Address

1500 S. Federal Hwy

21. City

Delray Beach

22. County

Palm Beach

23. State

FL

24. Zip Code

33483

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

1/25/17

26. Signature of Candidate

X [Signature]

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Al Jacquet, do hereby accept the appointment (Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

1/25/17

EXHIBITX

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 26, 2017

The Honorable Al Jacquet
Post Office Box 8084
Delray Beach, Florida 33482

Dear Representative Jacquet:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on January 25, 2017. Your name has been placed on the 2018 active candidate list.

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EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 69613

EXHIBIT 2 (1 of 3)
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/

FLORIDA
DIVISION OF
ELECTIONS

The Honorable Al Jacquet
January 26, 2017
Page Two

Pin Numbers

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

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that 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 filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight 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 of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late 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 candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

The Honorable Al Jacquet
January 26, 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: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer 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/ia

Enclosures

EXHIBIT 2 (3 of 3)



Florida Department of State
Division of Elections

Campaign Expenditures

2016 General Election
Al Jacquet (DEM)
State Representative

This information is being provided as a convenience to the public, has been processed by the Division of Elections and should be cross referenced with the original report on file with the Division of Elections in case of questions.

[About the Campaign Finance Data Base](#)

Rpt Yr	Rpt Type	Date	Amount	Expense Paid To	Address	City State Zip
2016	TR	09/05/2016	946.53	RENTAL EZ	150 AUSTRALIAN AVE	WEST PALM BEACH, FL 33406
2016	TR	09/06/2016	30.00	TRAC RACE	905 W WOOLBRIGHT	BOYNTON BEACH, FL
2016	TR	09/06/2016	4,200.00	BEAUBRUN MICHEL	401 N RAILROAD AVE	BOYNTON BEACH, FL
2016	TR	09/14/2016	49.00	SUPERVISOR OF ELECTIONS	240 S MILITARY TR	WEST PALM BEACH, FL 33415
2016	TR	12/05/2016	8,769.88	OFFICE ACCOUNT HD88	400 S MONROE STREET	TALLAHASSEE, FL 32399
			13,995.41			

5 Expenditure(s) Selected

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

EXHIBIT 3 (1 of 2)



Florida Department of State
Division of Elections

Campaign Expenditures

2018 General Election
Al Jacquet (DEM)
State Representative

This information is being provided as a convenience to the public, has been processed by the Division of Elections and should be cross referenced with the original report on file with the Division of Elections in case of questions.
[About the Campaign Finance Data Base](#)

Rpt Yr	Rpt Type	Date	Amount	Expense Paid To	Address	City State Zip
2018	TR	06/22/2018	1,791.82	DEPARTMENT OF STATE DIV. OF EL	500 S. BRONOUGH ST.	TALLAHASSEE, FL 32399
2018	TR	06/23/2018	2,138.93	INC. APPLE	ONE APPLE PARK WAY	CUPERTINO, CA 95014
2018	TR	09/20/2018	20,000.00	ACCOUNT OFFICE	PO BOX 8084	DELRAY, FL 33482
2018	TR	09/20/2018	1,078.25	INC. MJJ MEDIA	5612 LAKE WORTH ROAD	LAKE WORTH, FL 33463
2018	TR	09/20/2018	1,351.00	FOUNDATION SICKLE CELL	1600 AUSTRALIAN	WEST PALM BEACH, FL 33407
2018	TR	09/20/2018	1,000.00	BIND TIES THAT	PO BOX 4262	WEST PALM BEACH, FL 33420
			27,350.00			

6 Expenditure(s) Selected

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

EXHIBIT 3 (2012)



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

July 25, 2018

Al Jacquet
State Representative, District 88
314 11th Street
West Palm Beach, FL 33401-3401

Re: OA 9901140

Dear Representative Jacquet:

A review of our records indicates that you have not filed the office account report due April 10, 2018, pursuant to Sections 106.0705(1) and 106.141(9), Florida Statutes. Your prompt attention to this matter is appreciated.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

EXHIBIT 4 (1 of 4)



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 23, 2018

Al Jacquet
State Representative, District 88
314 11th Street
West Palm Beach, FL 33401-3401

FINAL REQUEST

Re: OA 9901140

Dear Representative Jacquet:

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

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief
Bureau of Election Records

EXHIBIT 4 (2 of 4)



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

July 25, 2018

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State Representative, District 88
314 11th Street
West Palm Beach, FL 33401-3401

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Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

EXHIBIT 4 (3 of 4)



FLORIDA DEPARTMENT OF STATE

Ken Detzner

Secretary of State

DIVISION OF ELECTIONS

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Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

EXHIBIT 4 (4 of 4)

Keith Smith

From: Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>
Sent: Friday, August 9, 2019 10:08 AM
To: Keith Smith
Subject: RE: Referral - (ID #9901140)

Yes. All were filed on 1-29-19.

From: Keith Smith <Keith.Smith@myfloridalegal.com>
Sent: Thursday, August 08, 2019 8:22 AM
To: Willis, Kristi R. (Bronson) <Kristi.Willis@DOS.MyFlorida.com>
Subject: Referral - (ID #9901140)

EMAIL RECEIVED FROM EXTERNAL SOURCE

Hi Kristi:

Did Representative Al Jacquet ever file his office account reports for 2018 Q1, Q2, and Q3? If so, on what date?

As always, thank you for your assistance in this matter.

Keith Smith
Investigator
Florida Elections Commission
107 W. Gaines St. - Suite 224
Tallahassee, FL 32399
(850) 922-4539 x112
(850) 921-0783 - Fax
Eml: keith.smith@myfloridalegal.com
www.fec.state.fl.us

EXHIBIT

5 (1 of 3)

Office Account Report

2018 Q1

Generated: 8/12/2019 10:41:59 AM

Office Holder	Bank Information	
Al Jacquet Post Office Box 2436 West Palm Beach, FL 33402-2436	Wells Fargo 1500 S Federal Hwy Delray Beach, FL 33483	
Cover Period: 1/1/2018 to 3/31/2018	Amended: N	
Due Date: 4/10/2018		
File Date: 1/29/2019	File Status: Report Filed	
Reviewed: 1/29/2019 3:58:04 AM	Review Status: Complete Detail	
Account Totals: Report Totals:		
Deposits:	\$8,769.88	\$0.00
Disbursements:	\$7,926.93	\$2,046.33
Balance:	\$842.95	

Disbursement or Deposit Transactions

Seq	Date	Name/Address	Purpose	Tranx	Errors	Amount	AMD
1	1/18/2018	American Airlines 4333 Amon Carter Blvd. Fort Worth TX 76155	Travel	DIS	0	\$903.82	
2	1/25/2018	Enterprise Rental 600 Corporate Park Dr St. Louis MO 63105	Transportation	DIS	0	\$140.22	
3	1/29/2018	Expedia 3150 139th Ave Bellevue WA 98005	Lodging	DIS	0	\$179.02	
4	2/2/2018	American Airlines 4333 Amon Carter Blvd. Fort Worth TX 76155	Travel	DIS	0	\$621.87	
5	2/2/2018	Hotel Karibe Port Au Prince Port Au Prince WA 98005	Lodging	DIS	0	\$191.40	
6	3/23/2018	Wells fargo 420 Montgomery St San Francisco CA 94163	Bank Fee	DIS	0	\$10.00	

EXHIBIT 5 (2 of 3)

Office Account Report

2018

Q2

Generated: 8/12/2019 10:42:48 AM

Office Holder Al Jacquet Post Office Box 2436 West Palm Beach, FL 33402-2436		Bank Information Wells Fargo 1500 S Federal Hwy Delray Beach, FL 33483													
Cover Period: 4/1/2018 to 6/30/2018 Due Date: 7/10/2018 File Date: 1/29/2019 Reviewed: 1/29/2019 4:47:47 AM		Amended: Y File Status: Report Filed Review Status: Complete Detail													
<table border="1"> <thead> <tr> <th></th> <th>Account Totals:</th> <th>Report Totals:</th> </tr> </thead> <tbody> <tr> <td>Deposits:</td> <td>\$8,769.88</td> <td>\$0.00</td> </tr> <tr> <td>Disbursements:</td> <td>\$8,418.85</td> <td>\$491.92</td> </tr> <tr> <td>Balance:</td> <td>\$351.03</td> <td></td> </tr> </tbody> </table>			Account Totals:	Report Totals:	Deposits:	\$8,769.88	\$0.00	Disbursements:	\$8,418.85	\$491.92	Balance:	\$351.03			
	Account Totals:	Report Totals:													
Deposits:	\$8,769.88	\$0.00													
Disbursements:	\$8,418.85	\$491.92													
Balance:	\$351.03														

Disbursement or Deposit Transactions

Seq	Date	Name/Address	Purpose	Tranx	Errors	Amount	AMD
1	6/12/2018	Marriott Port Au Prince Port Au Prince	Lodging/food	DIS	0	\$451.92	DEL
2	6/25/2018	Wells fargo 420 Montgomery St San Francisco CA 94163	Bank Fee	DIS	0	\$40.00	
3	6/12/2018	Marriott Port Au Prince Port Au Prince FL 33401	Lodging/food	DIS	0	\$451.92	ADD

EXHIBIT

5 (303)

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 18-287**

Respondent: Al Jacquet

Complainant: Division of Elections

1. **Date and time:** 06/10/19 @ 1:53 p.m.
Name: Respondent
Phone #: 561-703-7166
Summary: I called the telephone number above and reached a recorded message stating, "You have reached the voice-mail for 561-703-7166." It did not identify Respondent by name. The recorded message did not say after the beep leave a message although a single beep sound was made; I left a message explaining the purpose of my telephone call and asking that Respondent return my call.
Memo to File? No
Entered by: KS
2. **Date and time:** 06/11/19 @ 11:09 a.m.
Name: Respondent
Phone #: 561-859-0818 (office)
Summary: I called Respondent at his law office. A woman answering the phone said that Respondent was currently in court. I left a message with her asking that she have him return my telephone call at his earliest possible convenience.
Memo to File? No
Entered by: KS
3. **Date and time:** 06/26/19 @ 9:06 a.m.
Name: Respondent
Phone #: 561-414-5677
Summary: I tried calling Respondent on his cell phone but a recorded message stated that the mailbox is full and can not accept any messages at this time.
Memo to File? No
Entered by: KS
4. **Date and time:** 06/26/19 @ 9:09 a.m.
Name: Respondent
Phone #: 561-859-0818
Summary: I called Respondent at his law office again. I left a voice-mail message stating that I had called on June 11th and left a message with a receptionist to have Respondent return my telephone call. I left a voice-mail message asking that Respondent return my call.
Memo to File? No
Entered by: KS
5. **Date and time:** 08/12/19 @ 11:07 a.m.
Name: Respondent

EXHIBIT

6 (1 of 2)

Phone #: 561-859-0818

Summary: I tried calling Respondent for the purpose of the final interview and to query with him whether he had any questions or comments. A woman answering the phone for his law firm said that he was not in the office today. I left a message with her asking that she have Respondent return my call at his earliest convenience. The woman inquired of me whether I had tried contacting Respondent at any other telephone number. I informed her that I have tried calling Respondent on his cell phone at 561-414-5677 but a recorded message states that the mailbox is full and can't accept any new messages.

Memo to File? No

Entered by: KS

6. **Date and time:** 08/15/19 @ 9:05 a.m.

Name: Respondent

Phone #: 561-414-5677

Summary: I tried calling Respondent but a recorded message stated that the mailbox is full and can not accept any messages at this time.

Memo to File? No

Entered by: KS

7. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

8. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

9. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

10. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

EXHIBIT 6 (202)

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 18-196

REC'D: FL ELECTIONS COM
4 FEB 19 AM 7:38

STATE OF FLORIDA
County of Palm Beach

Al Jacquet, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by State of Florida as State Representative.
3. Prior to being elected to the Florida House of Representatives in 2016, had you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in:

City Commission Delray Beach March 2012 elected

4. What action have you taken to determine your responsibilities under Florida's election laws?

I have taken time to review Ch. 106 Fl. Stat and all of Title IX, Electors and Elections. I have also read and reread our Candidate and Campaign Treasurer Handbook.

5. Do you possess a copy of Chapter 106, Florida Statutes? Yes No

6. If so, when did you first obtain it? March 2012 Election Cycle

7. Have you read Chapter 106, Florida Statutes? Yes No

8. Do you possess a copy of the Candidate and Campaign Treasurer Handbook? Yes No

9. If so, when did you first obtain it? August 2016 Election Cycle

10. Have you read the Candidate and Campaign Treasurer Handbook? Yes No

11. Please explain the reason for not amending your 2017 M2, 2017 M3 and 2017 M5 campaign reports after being notified by the Division of Elections to do so.

Absolute miscommunication on my part. I received a letter in Feb. 2018, after briefly believing the letter indicated an "error" in my Report. I reviewed the reports and noticed no errors showing. I erroneously dismissed the subject as not relevant. I finally & EXHIBIT (1 of 2) and have resolved it.

When filing reports during campaigns, I have learned to be more attentive to minor details and category selections. This will not happen again and I will call immediately upon receiving ANY communication from our Div. of Elections

I HEREBY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

[Handwritten Signature]

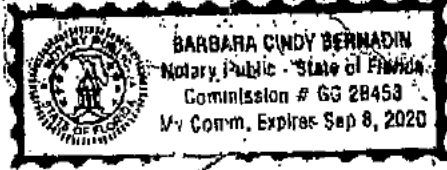
Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 15th day of February, 2019

[Handwritten Signature]

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known or Produced Identification *[Handwritten]*

Type of Identification Produced *[Redacted]*

Case Investigator: *KS*

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

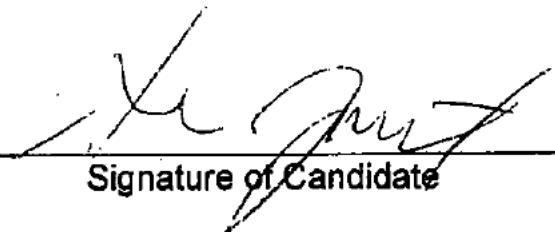
OFFICE USE ONLY

17 JAN 25 PM 4:14
DIVISION OF ELECTIONS
SECRETARY OF STATE

I, Al Jaquet,

candidate for the office of State Representative, Dist. 88:

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X 
Signature of Candidate

1/25/17
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

EXHIBIT

8



FLORIDA ELECTIONS COMMISSION

**107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783
www.fec.state.fl.us; fec@myfloridalegal.com**

February 14, 2019

The Honorable Al Jacquet
State Representative, District 88
P.O. Box 8084
Delray Beach, FL 33482

RE: Case No.: FEC 18-287; Respondent: Al Jacquet

Dear Representative Jacquet:

On September 17, 2018, the Florida Elections Commission received a complaint alleging that you 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 106.141(9), Florida Statutes: Respondent failed to file an office account report listing all information required including the amount of any disbursement of funds made, and funds received for the 2018 Q1 and Q2 reporting periods.

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 respondent with violating Chapters 104 or 106, Florida 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. 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**. Also, please remember that complaints, Commission 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.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us).

The Honorable Al Jacquet
February 14, 2019
Page 2
FEC 18-287

If you have additional questions, please contact **Keith Smith**, the investigator assigned to this case at extension 112.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Vaccaro". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tim Vaccaro
Executive Director

TV/enr

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

Name Al Jacquet	Account Number 9901140
---------------------------	----------------------------------

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon a failure to file a report as required by section 106.141(9), Florida Statutes.

The following reports are outstanding after notification:

- 2018 Q1
- 2018 Q2

Sent By: Kristi Reid Willis *KRW*
Date: September 14, 2018

zjs

AFFIDAVIT

STATE OF FLORIDA

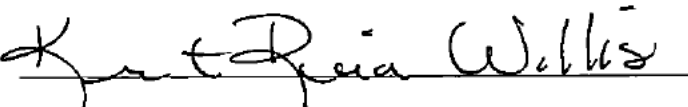
County of Leon

Kristi Reid Willis, being duly sworn, says:

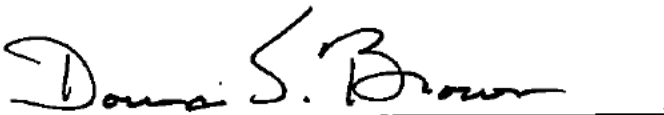
1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Al Jacquet (9901140) currently holds the office of State Representative.
5. The 2018 Q1 office account report was due on April 10, 2018. On July 25, 2018, the Division mailed Representative Jacquet notification that the 2018 Q1 office account report had not been filed.
6. On August 23, 2018, the Division mailed Representative Jacquet notification that the 2018 Q1 office account report had not been filed.
7. The 2018 Q2 office account report was due on July 10, 2018. On July 25, 2018, the Division mailed Representative Jacquet notification that the 2018 Q2 office account report had not been filed.
8. On August 23, 2018, the Division mailed Representative Jacquet notification that the 2018 Q2 office account report had not been filed.

9. As of September 14, 2018, Representative Jacquet has not filed the 2018 Q1 and 2018 Q2 office account reports.

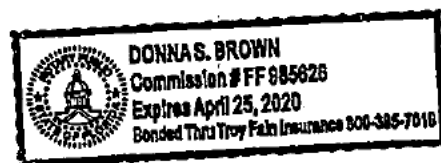
I hereby swear or affirm that the foregoing information is true and correct to the best of my knowledge.


Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 14th day of September, 2018.


Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public
Personally Known





FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

July 25, 2018

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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

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

August 23, 2018

Al Jacquet
State Representative, District 88
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West Palm Beach, FL 33401-3401

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Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

July 25, 2018

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Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner

Secretary of State

DIVISION OF ELECTIONS

August 23, 2018

Al Jacquet
State Representative, District 88
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Bureau of Election Records