

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Glen Wilson

Case No.: FEC 17-341

TO: Glen Wilson
187 Crepe Myrtle
Groveland, FL 34736

Chris Walker
195 Blackstone Creek Road
Groveland, FL 34736

NOTICE OF HEARING (CONSENT ORDER)

A hearing will be held in this case before the Florida Elections Commission on, **May 15, 2018 at 9:30 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399.**

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.

Amy McKeever Toman
Executive Director
Florida Elections Commission
April 30, 2018

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.

THIS FILE CONTAINS INFORMATION
THAT IS CONFIDENTIAL
AND EXEMPT FROM DISCLOSURE
PURSUANT TO
CHAPTER 119, FLORIDA STATUTES

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Glen Wilson

**Case No.: FEC 17-341
F.O. No.: FOFEK**

CONSENT ORDER

Respondent, **Glen Wilson**, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. On October 16, 2017, the Commission received a sworn complaint alleging that Respondent violated Florida's election laws.
2. Respondent supported the campaign of two candidates running for the Groveland Council in the 2017 election.
3. On April 5, 2018, the Executive Director informed Respondent that Commission staff would investigate the following alleged violation:

Section 106.143(1)(c), Florida Statutes: Respondent paid for and distributed political advertisements that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

4. No other legally sufficient violation of Chapter 104 or 106, Florida Statutes, was alleged in the complaint.

5. Respondent has not been the subject of any other legally sufficient complaint alleging a violation of Chapter 104, or 106, Florida Statutes, prior to the occurrence of the conduct alleged in the complaint.

6. Respondent purchased political advertisement signs supporting the two candidates that did not contain a proper disclaimer.

CONCLUSIONS OF LAW

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

8. The Commission considers the allegation contained in the complaint a minor violation, pursuant to Rule 2B-1.003, Florida Administrative Code.

9. Respondent neither admits nor denies that he violated Section 106.143(1)(c), Florida Statutes, on one occasion.

ORDER

10. Respondent and the staff of the Commission have entered into this Consent Order freely and voluntarily.

11. Respondent shall bear his own attorney's fees and costs that are in any way associated with this case.

12. Respondent understands that before the Consent Order is final agency action, it must be approved by the Commission. The Commission will consider this Consent Order at its next available meeting.

13. Respondent voluntarily waives confidentiality upon approval of the Consent Order by the Commission, the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

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

15. Respondent agrees to correct immediately, if feasible, the violations alleged in the complaint.

16. Respondent shall remit to the Commission a civil penalty in the amount of \$200, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty shall be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.

THIS SPACE INTENTIONALLY LEFT BLANK

THE BACK OF THIS DOCUMENT CONTAINS AN "AMSCOT" ARTIFICIAL WATERMARK - HOLD AT AN ANGLE

AMSCOT

The Money Superstore™

INTERNATIONAL MONEY ORDER

86-490
1031

2194959145

GB

PAY TO THE
ORDER OF

Florida Elections Commission 04/11/2018

AMSCOT
CORPORATION
P.O. BOX 25137
TAMPA, FL
33622-5137

Glen C. Wilson

\$200.00

PURCHASER

**TWO HUNDRED AND 00/100 DOLLARS

2194959145

NOT VALID FOR MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS (\$1500)

Payable through BancFirst

AMSCOT CORPORATION

Glen C. Wilson

PURCHASER'S SIGNATURE

PURCHASER AND PAYEE ARE SUBJECT TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER



FEC 17-341



FLORIDA ELECTIONS COMMISSION

**107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539**

www.fec.state.fl.us; fec@myfloridalegal.com

April 5, 2018

Glen Wilson
187 Crepe Myrtle
Groveland, FL 34736

RE: Case No.: FEC 17-341: Respondent: Glen Wilson

Dear Mr. Wilson:

On October 16, 2017, 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 violation(s):

Section 106.143(1)(c), Florida Statutes: Respondent paid for and distributed political advertisements that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

However, prior to an investigation, you have the option of resolving your case by signing a minor violation consent order and paying a fine of \$200 per Rule 2B-1.003, Florida Administrative Code, rather than the potential \$1,000 per violation provided for in Section 106.265, Florida Statutes. If you sign the consent order, you would not be required to admit or deny the allegation(s) in the complaint, but you would be required to immediately correct the violation, if feasible. The signed consent order would then be considered by the Commission at its next available meeting, and would not constitute final action by the Commission until it is accepted and approved by the Commission. If you choose to resolve this case by consent order, or if you have any questions, please contact **Eric Lipman** at 850-922-4539, or at the address listed above.

Glen Wilson
April 5, 2018
Page 2
FEC 17-341

If you choose not to resolve the case by consent order, once the investigation is complete, the Commission will hold one or more hearings in this matter to determine whether the alleged violation(s) occurred and, if so, the amount of the fine to be imposed upon you. For more information, please see our FAQs available at <http://www.fec.state.fl.us>.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/dam



FEC Complaint FEC 17-341

Mr Wilson

to:

fec

03/09/2018 11:43 AM

Hide Details

From: Mr Wilson <gwilson2525@aol.com>

To: fec@myfloridalegal.com

I just realized that I used the wrong word for confidentiality in my waiver. Please allow me to use this response to correct this by acknowledging the proper word.

Thanks

From: fec@myfloridalegal.com

To: gwilson2525@aol.com

Sent: 3/9/2018 11:36:09 AM Eastern Standard Time

Subject: Re: FEC Complaint FEC 17-341

Thank you

Mr Wilson ---03/08/2018 09:16:08 PM---This response is written confirmation of my waiver in any and all confidentially I may have in the F

From: Mr Wilson <gwilson2525@aol.com>

To: fec@myfloridalegal.com

Date: 03/08/2018 09:16 PM

Subject: FEC Complaint FEC 17-341

This response is written confirmation of my waiver in any and all confidentially I may have in the FEC Complaint 17-341.

Thanks

Glen Wilson You may wish to waive your confidentiality *in writing* since you copied others in your email to us regarding the status of this case.



FEC Complaint FEC 17-341

Mr Wilson

to:

fec

03/08/2018 09:16 PM

Hide Details

From: Mr Wilson <gwilson2525@aol.com>

To: fec@myfloridalegal.com

This response is written confirmation of my waiver in any and all confidentiality I may have in the FEC Complaint 17-341.

Thanks

Glen Wilson

You may wish to waive your confidentiality *in writing* since you copied others in your email to us regarding the status of this case.



Re: Attn: Erin.....FEC Complaint FEC 17-341 
Florida Elections Commission to: Mr Wilson
Sent by: Donna Malphurs

03/08/2018 04:31 PM

From: Florida Elections Commission/OAG
To: Mr Wilson <gwilson2525@aol.com>

Dear Mr. Wilson,

In response to your request for the status of FEC 17-341, please be mindful that Section 106.25(7), Florida Statutes, prohibits the disclosure of any complaint and all documents related thereto, until after a probable cause determination, unless the Respondent waives his/her confidentiality in writing. Unless I missed it, there is no waiver of confidentiality in writing in this case file. You may wish to waive your confidentiality *in writing* since you copied others in your email to us regarding the status of this case. Currently, the complaint is under review; you will be notified by letter of the executive director's determination of legal sufficiency.

For legal advice, guidance and or an interpretation of statutes pertaining to political advertising, freedom of speech, etc., please consult with an attorney and or the Department of State, Division of Elections at 850-245-6200.

Sincerely,

Donna Ann Malphurs
 Agency Clerk

Mr Wilson Erin.....Has there been a resolution to this FEC... 03/08/2018 01:42:51 PM

From: Mr Wilson <gwilson2525@aol.com>
To: fec@myfloridalegal.com
Cc: <kpmike@aol.com>, <mradzik1@cfl.rr.com>, <gwilson2525@aol.com>
Date: 03/08/2018 01:42 PM
Subject: Attn: Erin.....FEC Complaint FEC 17-341

Erin.....Has there been a resolution to this FEC Complaint 17-341, filed against Mike Smith, Mike Radzik and myself, by Chris Walker of Groveland ?

I am asking this because we are about to enter another election cycle in Groveland, and I need to know how my First Amendment, Freedom of Speech Rights and my right to political expression will be defined by the FEC and the State of Florida, before I make financial investments in political advertising, such as campaign signs and etc.

Thanks

Glen Wilson

In a message dated 11/13/2017 8:59:56 AM Eastern Standard Time, fec@myfloridalegal.com writes:

Thank you

Mr Wilson ---11/10/2017 01:36:40 PM---Friday, November 10, 2017 Erin Riley

From: Mr Wilson <gwilson2525@aol.com>
To: fec@myfloridalegal.com
Cc: anita@agclaw.net, kpmike@aol.com, mradzik1@cfl.rr.com, dschroth@bowenschroth.com
Date: 11/10/2017 01:36 PM
Subject: Attn: Erin.....FEC Complaint FEC 17-341

Friday, November 10, 2017

Erin Riley

RE: Case No.: FEC 17-341

Dear Erin

This email serves as my response to the above complaint made by Chris Walker. I will attach some exhibits to this email and will mail this response w/exhibits by U.S. Mail also.

Mr. Walker's complaint concerns campaign signs that my wife, Evelyn, and myself purchased and installed at various locations around the city and county. These tasks were not easy as we are both retired senior citizens.

Allow me to say that these signs are our property and not the property of candidates Mike Smith and Mike Radzik. Mr. Walker filed a similar complaint against Mr. Smith and Mr. Radzik. These 2 complaints are frivolous as they are not the sign owners, and I ask that this honorable Commission dismiss these 2 complaints as unfounded.

The City of Groveland's Council held a workshop first and then passed a new temporary sign ordinance prior to the Nov. 7th. Election. City Attorney Anita Geraci-Carver stated that the City must adhere to the June 2015 Supreme Court ruling, "Reed v. Town of Gilbert, Az." and they would not regulate the content of any political sign, including magnetic signs attached to vehicles. She stated that the contents of political signs are protected Free Speech. During the discussion on the new ordinance, Councilman John Griffin complained that a merchant, whose business is close to city hall, has a sign next to his building that is not very complimentary to the City Council. Mr. Griffin stated that he had never done anything to this merchant, and found the sign offensive. Mrs. Geraci-Carver explained that the content of his sign is protected Free Speech, and Groveland does not regulate the content of any political signs, and therefore would not interfere with the merchant's Freedom of Speech.

The signs that we purchased are our expression of Political Free Speech and is protected by the FIRST and FOURTEENTH Amendments to the U.S Constitution, and reinforced by the U.S. Supreme Court ruling in "Reed v. Town of Gilbert, Az."

In "Reed" the Supreme Court says that municipalities may regulate Political signs, in

areas such as "size of signs, locations, the number of days prior to an election that signs may be posted and the number of days after the election when the signs must to be removed, but it is Unconstitutional to regulate the content of any temporary political sign."

Our signs have 2 different disclaimers at the bottom. (1) Approved and Paid for by Private Citizens, and (2) Approved and Paid for by Glen & Evelyn Wilson. My wife and I are "Private Citizens" and do not belong to any PAC, as Mr. Walker seems to insinuate. We are also "THE" Glen & Evelyn Wilson, and enjoy the protections of the Constitution, as we select which candidates to support or not.

These disclaimers are part of the content of our signs, and as such, are protected political speech, and is not regulated by the City of Groveland, or any governmental authority, under the FIRST and FOURTEENTH Amendments.

In "Reed" the Supreme Court states:.... The First Amendment, applicable to the States through the FOURTEENTH Amendment, prohibits the enactment of laws "abridging the freedom of speech." U.S. Const., Amdt. 1. Under that Clause, a government, including a municipal government vested with state authority, **"has no power to restrict expression because of it's message, it's ideas, its subject matter or content,"** Police Dept. of Chicago v. Mosley, 408 U.S. 92, 95 (1972).

It seems to me that for any governmental agency to tell me what I can and cannot put in the contents of any political sign, would be "abridging my freedom of speech." The same would seem to be true with anyone telling me what I must include in the contents of any political sign. This would appear to be interfering with my expression of political freedom of speech which is protected by the FIRST and FOURTEENTH Amendments. I believe this interference would be Unconstitutional.

Chris Walker did not complain to the City of Groveland because he did not like the wording of the disclaimer on my signs. He DEMANDED that Groveland REMOVE the signs, because he did not like the MESSAGE contained in my political signs.

When the City of Groveland refused to regulate the content of my signs, including my magnetic signs, Mr. Walker did not take NO for an answer. He contacted the property owner where my signs were located, and told them that they had "illegal" signs on their property and they needed to be REMOVED immediately.

Mr. Walker's MOTIVES were not only to censor the message on my signs, but he wanted to SUPPRESS the message from Groveland voters by demanding their immediate removal.

When I was served with this complaint, I stated that we live in the United States of America, and not in NORTH KOREA, where a dictator decides what signs can be viewed and what signs cannot. This was the tactic of Chris Walker, but I did not remove a single sign, and even added a few more.

There was nothing nefarious in our protected expressions of political speech as we notified both Mike Radzik and Mike Smith to include in their financial reports, an "IN-KIND" donation of \$500 each for our material expenses and labor.

My wife and I also purchased advertising in a local restaurant, on a flat screen monitor that had an endless loop of ads. The cost of this advertising was \$224, and I instructed both candidates to include in their financials an "IN-KIND" donation of \$112 each. We did not attempt to hide anything, and as you review our signs, you will see there is not a single negative word in the protected contents.

If the State of Florida has any Statutes that do not adhere to the Supreme Court "Reed" ruling, that is not of my concern.

If the State of Florida has a candidate handbook that does not adhere to "Reed" that also is not of my concern.

If I am incorrect in my interpretation of the FIRST and FOURTEENTH Amendments and "Reed," I can tell you that we acted in Good Faith, based on the legal advice of our City Attorney, Anita Geraci-Carver, in that the contents of a political sign cannot be regulated by any governmental agency.

In conclusion, I ask this honorable Commission to dismiss Chris Walker's complaint, as it has established an infringement on my protected political expression, and therefore is Unconstitutional and should be deemed UNFOUNDED.

Attachments:

- (1) 4 x 4 sign w/private citizens
- (2) 4 x 4 sign w/Glen & Evelyn
- (3) 4 x 8 sign/Glen
- (4) 4 x 8 sign/Glen & Evelyn
- (5) Lawn Signs
- (6) Magnets
- (7) Restaurant Advertising

Thank you

Glen & Evelyn Wilson

Homeowners, Taxpayers, & Private Citizens[attachment "Ex-1.pdf" deleted by Donna Malphurs/OAG] [attachment "Ex-2.pdf" deleted by Donna Malphurs/OAG] [attachment "Ex-3.pdf" deleted by Donna Malphurs/OAG] [attachment "Ex-4.pdf" deleted by Donna Malphurs/OAG] [attachment "Ex-5.pdf" deleted by Donna Malphurs/OAG] [attachment "Ex-6.pdf" deleted by Donna Malphurs/OAG] [attachment "Ex-7.jpg" deleted by Donna Malphurs/OAG]

Friday, November 10, 2017

Erin Riley

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RECEIVED

2017 NOV 15 P 12:10

STATE OF FLORIDA
ELECTIONS COMMISSION

ER

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- (6) Magnets
- (7) Restaurant Advertising

Thank you

Glen Wilson *Evelyn A. Wilson*

Glen & Evelyn Wilson

Homeowners, Taxpayers, & Private Citizens

7

★ ELECT ★

MIKE

n'

MIKE

For

★ **Council Seats 2 & 4** ★

Approved and Paid for by Private Citizens



2

★ ELECT ★

MIKE

n'

MIKE

For

★ Council Seats 2 & 4 ★

Approved and Paid for by Glen & Evelyn Wilson

3

★ ELECT ★

MIKKE

n'

MIKKE

★ For Council Seats 2 & 4 ★

Approved and Paid for by Glen Wilson, Private Citizen

4

★ ELECT ★

MINK E

n'

MINK E

★ For Council Seats 2 & 4 ★

Approved and Paid for by Glen & Evelyn Wilson

#5

★ ELECT ★

MIKE

n'

MIKE

★ For Council Seats 2 & 4 ★

Approved and Paid for by Private Citizens

★ ELECT ★

#6

MIKE

n'

MIKE

★ For Council Seats 2 & 4 ★

Approved and Paid for by Private Citizens

**GROVELAND
VOTERS**

#7

★ **ELECT** ★

MIKE

n'

MIKE

**For
★ Council Seats ★
2 & 4**

Approved and Paid for by Glen & Evelyn Wilson



Attn: Erin.....FEC Complaint FEC 17-341

Mr Wilson

to:

fec

11/10/2017 01:36 PM

Cc:

anita, kpmike, mradzik1, dschroth

Hide Details

From: Mr Wilson <gwilson2525@aol.com>

To: fec@myfloridalegal.com

Cc: anita@agclaw.net, kpmike@aol.com, mradzik1@cfl.rr.com,
dschroth@bowenschroth.com

7 Attachments



Ex-1.pdf Ex-2.pdf Ex-3.pdf Ex-4.pdf Ex-5.pdf Ex-6.pdf Ex-7.jpg

Friday, November 10, 2017

Erin Riley

RE: Case No.: FEC 17-341

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Mr. Walker's complaint concerns campaign signs that my wife, Evelyn, and myself purchased and installed at various locations around the city and county. These tasks were not easy as we are both retired senior citizens.

Allow me to say that these signs are our property and not the property of candidates Mike Smith and Mike Radzik. Mr. Walker filed a similar complaint against Mr. Smith and Mr. Radzik. These 2 complaints are frivolous as they are not the sign owners, and I ask that this honorable Commission dismiss these 2 complaints as unfounded.

The City of Groveland's Council held a workshop first and then passed a new temporary sign ordinance prior to the Nov. 7th. Election. City Attorney Anita Geraci-Carver stated that the City must adhere to the June 2015 Supreme Court ruling, "Reed v. Town of Gilbert, Az." and they would not regulate the content of any political sign, including magnetic signs attached to vehicles. She stated that the contents of political signs are protected Free Speech. During the discussion on the new ordinance, Councilman John Griffin complained that a merchant, whose business is close to city hall, has a sign next to his building that is not very complimentary to the City Council. Mr. Griffin stated that he had never done anything to this merchant, and found the sign offensive. Mrs. Geraci-Carver explained that the content of his sign is protected Free Speech, and Groveland does not regulate the content of any political signs, and therefore would not interfere with the merchant's Freedom of Speech.

The signs that we purchased are our expression of Political Free Speech and is protected by

the FIRST and FOURTEENTH Amendments to the U.S Constitution, and reinforced by the U.S. Supreme Court ruling in "Reed v. Town of Gilbert, Az."

In "Reed" the Supreme Court says that municipalities may regulate Political signs, in areas such as "size of signs, locations, the number of days prior to an election that signs may be posted and the number of days after the election when the signs must to be removed, but it is Unconstitutional to regulate the content of any temporary political sign."

Our signs have 2 different disclaimers at the bottom. (1) Approved and Paid for by Private Citizens, and (2) Approved and Paid for by Glen & Evelyn Wilson. My wife and I are "Private Citizens" and do not belong to any PAC, as Mr. Walker seems to insinuate. We are also "THE" Glen & Evelyn Wilson, and enjoy the protections of the Constitution, as we select which candidates to support or not.

These disclaimers are part of the content of our signs, and as such, are protected political speech, and is not regulated by the City of Groveland, or any governmental authority, under the FIRST and FOURTEENTH Amendments.

In "Reed" the Supreme Court states:... The First Amendment, applicable to the States through the FOURTEENTH Amendment, prohibits the enactment of laws "abridging the freedom of speech." U.S. Const., Amdt. 1. Under that Clause, a government, including a municipal government vested with state authority, "**has no power to restrict expression because of it's message, it's ideas, its subject matter or content,**" Police Dept. of Chicago v. Mosley, 408 U.S. 92, 95 (1972).

It seems to me that for any governmental agency to tell me what I can and cannot put in the contents of any political sign, would be "abridging my freedom of speech." The same would seem to be true with anyone telling me what I must include in the contents of any political sign. This would appear to be interfering with my expression of political freedom of speech which is protected by the FIRST and FOURTEENTH Amendments. I believe this interference would be Unconstitutional.

Chris Walker did not complain to the City of Groveland because he did not like the wording of the disclaimer on my signs. He DEMANDED that Groveland REMOVE the signs, because he did not like the MESSAGE contained in my political signs.

When the City of Groveland refused to regulate the content of my signs, including my magnetic signs, Mr. Walker did not take NO for an answer. He contacted the property owner where my signs were located, and told them that they had "illegal" signs on their property and they needed to be REMOVED immediately.

Mr. Walker's MOTIVES were not only to censor the message on my signs, but he wanted to SUPPRESS the message from Groveland voters by demanding their immediate removal.

When I was served with this complaint, I stated that we live in the United States of America, and not in NORTH KOREA, where a dictator decides what signs can be viewed and what signs cannot. This was the tactic of Chris Walker, but I did not remove a single sign, and even added a few more.

There was nothing nefarious in our protected expressions of political speech as we notified

both Mike Radzik and Mike Smith to include in their financial reports, an "IN-KIND" donation of \$500 each for our material expenses and labor.

My wife and I also purchased advertising in a local restaurant, on a flat screen monitor that had an endless loop of ads. The cost of this advertising was \$224, and I instructed both candidates to include in their financials an "IN-KIND" donation of \$112 each. We did not attempt to hide anything, and as you review our signs, you will see there is not a single negative word in the protected contents.

If the State of Florida has any Statutes that do not adhere to the Supreme Court "Reed" ruling, that is not of my concern.

If the State of Florida has a candidate handbook that does not adhere to "Reed" that also is not of my concern.

If I am incorrect in my interpretation of the FIRST and FOURTEENTH Amendments and "Reed," I can tell you that we acted in Good Faith, based on the legal advice of our City Attorney, Anita Geraci-Carver, in that the contents of a political sign cannot be regulated by any governmental agency.

In conclusion, I ask this honorable Commission to dismiss Chris Walker's complaint, as it has established an infringement on my protected political expression, and therefore is Unconstitutional and should be deemed UNFOUNDED.

Attachments:

- (1) 4 x 4 sign w/private citizens
- (2) 4 x 4 sign w/Glen & Evelyn
- (3) 4 x 8 sign/Glen
- (4) 4 x 8 sign/Glen & Evelyn
- (5) Lawn Signs
- (6) Magnets
- (7) Restaurant Advertising

Thank you

Glen & Evelyn Wilson

Homeowners, Taxpayers, & Private Citizens

★ ELECT ★

MIKE

n'

MIKE

For

★ **Council Seats 2 & 4** ★

Approved and Paid for by Private Citizens

★ ELECT ★

MIKE

n'

MIKE

For

★ **Council Seats 2 & 4** ★

Approved and Paid for by Glen & Evelyn Wilson

★ ELECT ★

MIKE

n'

MIKE

★ For Council Seats 2 & 4 ★

Approved and Paid for by Glen Wilson, Private Citizen

★ ELECT ★

MIKE

n'

MIKE

★ For Council Seats 2 & 4 ★

Approved and Paid for by Glen & Evelyn Wilson

★ ELECT ★

MIKE

n'

MIKE

★ For Council Seats 2 & 4 ★

Approved and Paid for by Private Citizens

★ ELECT ★

MIKE

n'

MIKE

★ For Council Seats 2 & 4 ★

Approved and Paid for by Private Citizens

**GROVELAND
VOTERS**

★ ELECT ★

MIKE

n'

MIKE

**For
★ Council Seats ★
2 & 4**

Approved and Paid for by Glen & Evelyn Wilson

COMPLAINT

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom it is brought.

1. PERSON BRINGING COMPLAINT:

Name: CHRIS WALKER Work Phone: (352) 321-2930
Address: 195 Blackstone Creek Rd Home Phone: (352) 321-2930
City: Groveland County: Lake State: FL Zip Code: 34736

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

If you intend to name more than one individual or entity, please file multiple complaints. A person can be an individual, political committee, political party, electioneering communication organization, club, corporation, partnership, company, association, or other type of organization.

Name of individual or entity: Glenn Wilson
Address: 187 Crepe Myrtle Phone: ()
City: Groveland County: Lake State: FL Zip Code: 34736

If individual is a candidate, list the office or position sought: _____

Have you filed this complaint with the State Attorney's Office? (check one) Yes No
Are you alleging a violation of Section 104.271(2), F.S.? (check one) Yes No
Are you alleging a violation of Section 104.2715, F.S.? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please attach a concise narrative statement in which you list the provisions of the Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

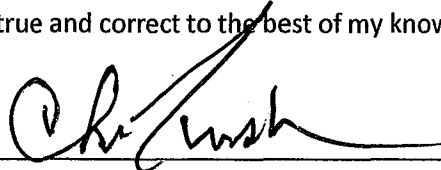
SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

4. OATH:

STATE OF FLORIDA
COUNTY OF Lake

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


Original Signature of Person Bringing Complaint

RECEIVED

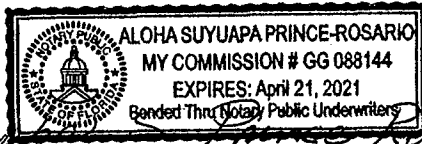
2017 OCT 16 P 4:10

STATE OF FLORIDA
ELECTIONS COMMISSION

Sworn to and subscribed before me this 28 day of
September, 2017



Signature of Officer Authorized to Administer Oaths or Notary Public





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

Personally Known Or Produced Identification

Type of Identification Produced _____

5. IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:

- You **MUST** submit this completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/emailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form for each party you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach **copies** of attachments to **each complaint** to which they apply.
- **MAKE SURE** the alleged violation(s) of **Chapters 104 or 106** occurred within the last **2 years**.
- **MAKE SURE** your complaint is sworn and there is no defect to the notarization in Section 4.

September 26, 2017

Complaint:

Sunday Sept 24th @ 3:10pm, I witnessed a person named Glen Wilson coming out of my subdivision driving a white SUV with a magnet on the side of his vehicle that read "ELECT Mike & Mike" and then two 4x4's with the same design (Exhibit A) were put up at the end of the road next to political campaign signs and on the road near the entrance of a subdivision named Trilogy where Mr. Wilson resides.

This sign only reads "Paid for and approved by private citizens." After reading the 2016 Candidate & Campaign Treasurer Handbook (Exhibit B-1, 2 & 3) on pages 36-38 this seems to be in violation as this sign doesn't have the private citizens name or address attached to the sign. I brought this to the attention of the City Manager, City Police Chief, City Code Inspector, and City Attorney.

No one seems to know what is and what is not allowed. I have attached the email correspondence that I have had with officials in this matter. (Exhibit C). I also contacted Trevor at the Lake County Supervisor of Elections and he indicated that it appeared to be a violation but they don't enforce policy or laws and referred me to the Florida Election Commission, who referred me to the General Council Department.

I believe that this is a violation of the Florida Election Code Chapter 12
Section 106.43

Sincerely



Chris L. Walker
C. Walker
Tax payer/citizen

Exhibit A

★ ELECT ★

MIKE

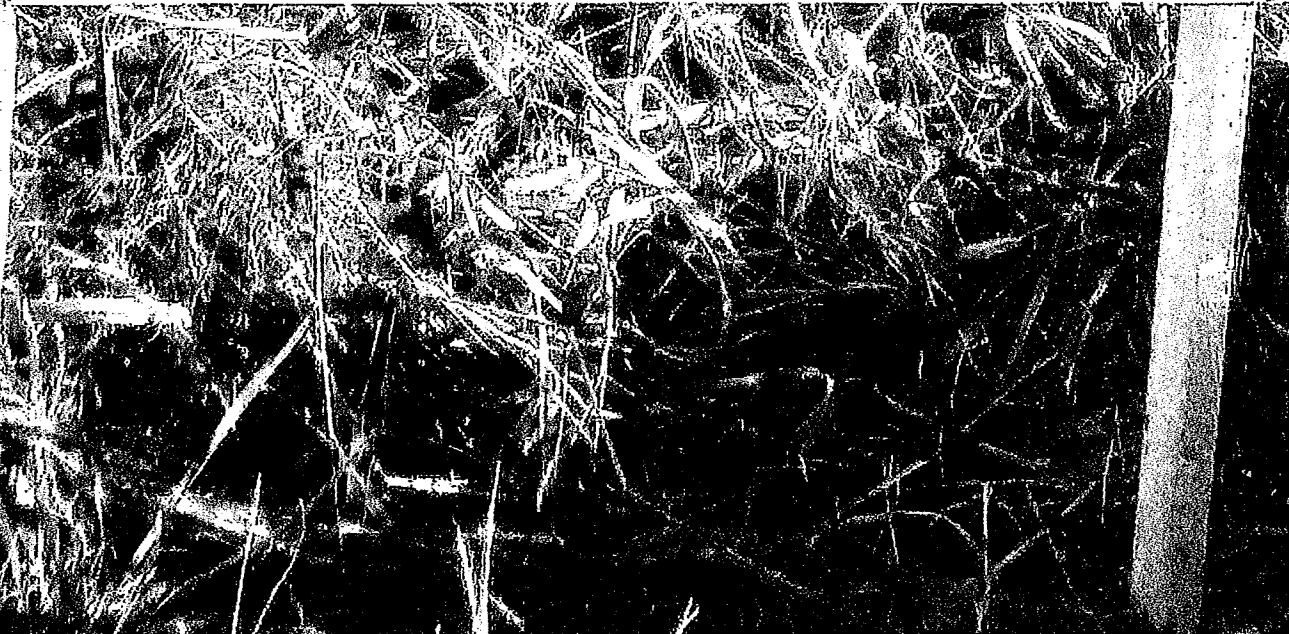
n'

MIKE

For

★ Council Seats 2 & 4 ★

Approved and Paid for by Private Citizens





★ ELECT ★

MIKE

n'

MIKE

For

★ Council Seats 2 & 4 ★

Approved and Paid for by Private Citizens

Exhibit B-1

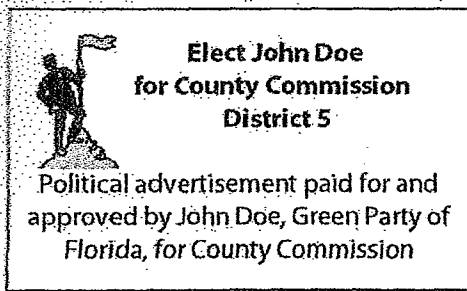
Candidate & Campaign Treasurer Handbook

Non-incumbent Advertisements

Required:

The word "for" must be used in the body of such advertisement between the name of the candidate and the office sought. This does not apply to bumper stickers, or if the advertisement satisfies one of the exceptions in section 106.143(10), Florida Statutes.

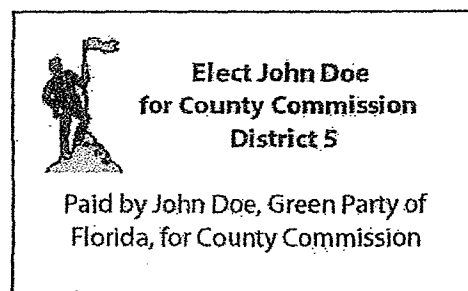
Example:



**Elect John Doe
for County Commission
District 5**

Political advertisement paid for and approved by John Doe, Green Party of Florida, for County Commission

OR



**Elect John Doe
for County Commission
District 5**

Paid by John Doe, Green Party of Florida, for County Commission

Advertisement Provided In-kind

Required:

Political advertisements made as in-kind contributions from a political party must prominently state: "Paid political advertisement paid for by in-kind by (name of political party) Approved by (name of person, party affiliation, and office sought in the political advertisement.)"

Example:



**★ Elect Jane Doe for State Senate, ★
District 5**

Paid political advertisement
paid for by in-kind by
Libertarian Party of Florida
Approved by Jane Doe,
Libertarian Party of Florida,
State Senate

EXHIBIT B-2

Candidate & Campaign Treasurer Handbook

Chapter 13: Other Disclaimers

Any political advertisement not paid for by a candidate that is published, displayed, or circulated prior to, or on the day of, any election must prominently be marked "paid political advertisement" or "pd. pol. adv." and must state the name and address of the persons paying for the advertisement.

The political advertisement must also state whether the advertisement and cost of production were paid for or provided in-kind by or at the expense of the entity publishing, displaying, circulating, or circulating the political advertisement.

(Section 106.143(2), F.S.)

Endorsements in Political Advertisements

It is unlawful for any candidate or person on behalf of a candidate to represent that any person or organization supports such candidate, unless the person or organization so represented has given specific approval in writing to the candidate to make such representation. However, this paragraph does not apply to editorial endorsement by any newspaper, radio or television station, or other recognized news medium; and publication by a party committee advocating the candidacy of its nominees.

(Section 106.143(4), F.S.)

Example:

Political advertisement for a candidate representing that an organization supports him, paid for in-kind by the organization, with specific approval from the organization in writing:

<p>ELECT John Doe</p> <p>For County Commission, District 1 Democrat</p> <p><u>Supported by ABC Foundation</u></p> <p>Pd. Pol. Adv. Sponsored and paid for in-kind by ABC Foundation, Zero Street, Jupiter, FL 32923 Approved by John Doe, Democrat, For County Commission</p>	<p>ABC Foundation</p> <p>July 15, 2006</p> <p>Dear Sir or Madam:</p> <p>Please let this letter serve as our approval of the political advertisement supporting John Doe for County Commission, District 1.</p> <p>The content of this advertisement was reviewed and approved in advance.</p> <p>Sincerely, Mr. Smith</p>
---	--

Exhibit B-3

Candidate & Campaign Treasurer Handbook

Independent Expenditure Disclaimers

Any person who makes an independent expenditure for a political advertisement shall provide a written statement that no candidate has approved the advertisement to the newspaper, radio station, television station, or other medium for each such advertisement submitted for publication, display, broadcast, or other distribution. The advertisement must also contain a statement that no candidate has approved the advertisement. This paragraph does not apply to campaign messages used by a candidate and his or her supporters if those messages are designed to be worn by a person.

(Sections 106.143(5)(b) and (10), F.S.)

Example:

Independent expenditure political advertisement supporting a partisan candidate running for a partisan office:

<p>ABC Foundation Supports</p> <p>Jane Doe</p> <p>For Public Defender, Fourth Circuit Democrat</p> <p>Paid Political Advertisement paid for by the ABC Foundation 444 Robin Lane, Jacksonville, FL 33433 independently of any candidate. This advertisement was not approved by any candidate.</p>	<p>ABC Foundation</p> <p>July 15, 2006</p> <p>Dear Sir or Madam:</p> <p>The enclosed advertisement is an independent expenditure by the ABC Foundation in support of Jane Doe for Public Defender, Fourth Circuit.</p> <p>This advertisement was not approved by any candidate.</p> <p>Sincerely, Mr. Smith</p>
---	--



EXHIBIT C

From: cgrowwalker <cgrowwalker@aol.com>

To: rodney.lucas <rodney.lucas@groveland-fl.gov>; virginia.wright <virginia.wright@groveland-fl.gov>; shawn.ramsey <shawn.ramsey@groveland-fl.gov>

Subject: Possible Sign Violation

Date: Mon, Sep 25, 2017 12:53 pm

Attachments: 20170924_174544.jpg (3524K)

Please see attached photo. Yesterday I witnessed Glen Wilson with this magnet Sign on his car coming out of my subdivision. Then I noticed two of these signs on the Road. I do not believe that this is legal. this Sign only says by a Private Citizen.

1. Did this private citizen register with the City of Groveland for this sign
2. Did this private citizen register as a SUPER PAK political group
3. Did this private citizen register on SUNBIZ to be recognized as a political group

If they didn't the sign must come down. If they did their legal name must be paid and approved by their name... Please check into the legality of this sign.

Thanks
Chris Walker
Tax Payer, Citizen

-----Original Message-----

From: cgrowwalker <cgrowwalker@aol.com>

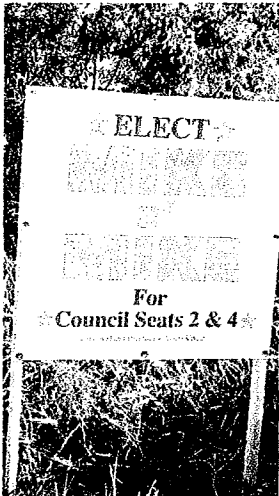
To: cgrowwalker <cgrowwalker@aol.com>

Sent: Mon, Sep 25, 2017 12:39 pm

Subject: Sign

Sent from my MetroPCS 4G LTE Android device

1 Attached Images



2

From: Ramsey, Shawn Chief <shawn.ramsey@groveland-fl.gov>

To: cgrovwalker <cgrovwalker@aol.com>; Mike Radzik <Mike.Radzik@groveland-fl.gov>; Duane Smith <kpmike@aol.com>

Subject: FW: Possible Sign Violation

Date: Mon, Sep 25, 2017 2:24 pm

From: Bernice Christian

Sent: Monday, September 25, 2017 2:23 PM

To: Ramsey, Shawn Chief <shawn.ramsey@groveland-fl.gov>

Subject: RE: Possible Sign Violation

Good afternoon Chief,

Please see the following email copied from 9/6/2017.

From: Anita Geraci [mailto:anita@agclaw.net]

Sent: Wednesday, September 06, 2017 10:28 AM

To: Bernice Christian <bernice.christian@groveland-fl.gov>

Cc: Donna Divine <Donna@agclaw.net>

Subject: RE: Vehicle signs

Bernice,

Yes, I recommend the City not enforce the vehicle sign provision of the sign code due to the temporary sign case law.

Thank you,

Board Certified in City, County & Local Government Law

In reference to the other comments/questions, I am not aware of the requirements or the enforcement authority.

Bernice

From: Ramsey, Shawn Chief

Sent: Monday, September 25, 2017 2:11 PM

To: Bernice Christian <bernice.christian@groveland-fl.gov>

Cc: cgrovwalker@aol.com; Mike Radzik <Mike.Radzik@groveland-fl.gov>; Duane Smith <kpmike@aol.com>

Subject: FW: Possible Sign Violation

Bernice,

Can you please look into this and let me know..... I believe something similar was previously mentioned to Anita in reference to a sign attached to a truck

Chief Ramsey

From: cgrovwalker@aol.com [mailto:cgrovwalker@aol.com]

Sent: Monday, September 25, 2017 12:54 PM

To: Rodney Lucas <Rodney.Lucas@groveland-fl.gov>; Virginia Wright <virginia.wright@groveland-fl.gov>; Ramsey, Shawn Chief <shawn.ramsey@groveland-fl.gov>

Subject: Possible Sign Violation

From: Ramsey, Shawn Chief <shawn.ramsey@groveland-fl.gov>

To: cgrovwalker <cgrovwalker@aol.com>; Mike Radzik <Mike.Radzik@groveland-fl.gov>; Duane Smith <kpmike@aol.com>

Subject: FW: Possible Sign Violation

Date: Mon, Sep 25, 2017 4:52 pm

From: Bernice Christian

Sent: Monday, September 25, 2017 4:50 PM

To: Ramsey, Shawn Chief <shawn.ramsey@groveland-fl.gov>

Subject: RE: Possible Sign Violation

Chief,

Florida Status 179.16 Signs for which permits are not required 179.16 (h) Signs relating exclusively to political campaigns.

We do not have a candidate registration requirement or a cash bond requirement.

Political signs fall under temporary signs; we are referring to Anita's recommendation. (The U.S. Supreme Court case relating to temporary signs and content of the temporary signs).

Thank you,
Bernice

From: Ramsey, Shawn Chief

Sent: Monday, September 25, 2017 3:53 PM

To: Bernice Christian < >

Subject: FW: Possible Sign Violation

From: []

Sent: Monday, September 25, 2017 3:00 PM

To: Ramsey, Shawn Chief < >

Subject: Re: Possible Sign Violation

I understand that Anita referenced to Signs on Vehicles and that she recommends no enforcement. But this other sign is not referenced in any city charter or current code and I'd like an answer to whether it is legal or not and what reference in code is being used to justify it if it is.

Thanks for your Time in this matter,

Chris Walker
Tax Payer/Citizen

-----Original Message-----

From: Ramsey, Shawn Chief < >

To: cgrovwalker < >; Mike Radzik < >

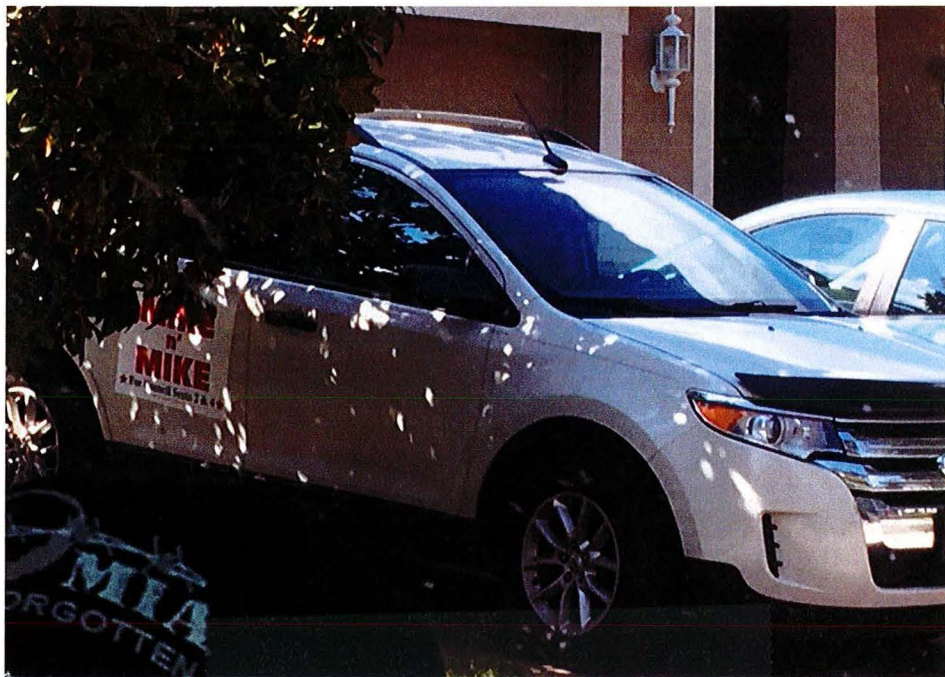
Sent: Mon, Sep 25, 2017 2:24 pm

Subject: FW: Possible Sign Violation

Mr. Wilson's Home



Mr. Wilson's Home





Signs Attached To All signs throughout city

Glen Evelyn Wilson working to put signs out with

