

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Public Safety Association

Case No.: FEC 21-442

TO: Daniel P. Diaz, Chair
2160 58th Avenue, Apt. 216
Vero Beach, FL 32966-4647

Division of Elections
500 South 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, **May 17, 2023 at 8:30**, or as soon thereafter as the parties can be heard, at the following location: Via Webinar Registration URL:

<https://attendee.gotowebinar.com/register/571953185404345941>

Audio participation:
1-877-309-2074

Attendee – muted:
966-952-589

After registering, you will receive a confirmation email containing information about joining the webinar.

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
May 2, 2023

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

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

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

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

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

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

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

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,
Petitioner,

Case No.: FEC 21-442

v.

Florida Public Safety Association,
Respondent.

_____ /

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (“Commission”) at its regularly scheduled meeting on January 24, 2023, in Tallahassee, Florida.

On October 3, 2022, 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 that there is **probable cause** to charge Respondent with the following violation:

Count 1:

On or about July 12, 2021, Florida Public Safety Association violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2021 M6 Report.

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

DONE AND ORDERED by the Florida Elections Commission on January 24, 2023.



Tim Vaccaro, J.D., Executive Director
For Nicholas Primrose, Chairman
Florida Elections Commission

Copies furnished to:
Mattie T. Clay, Assistant General Counsel
Florida Public Safety Association, 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 thirty (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 thirty (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 thirty (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 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Public Safety Association

Case No.: FEC 21-442

TO: Daniel P. Diaz, Chair
3051 N. Course Drive, Apt. 7112
Pompano Beach, FL 33069-3387

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399-6596

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **January 24, 2023 at 1:00 p.m., or as soon thereafter as the parties can be heard**, at the following location: Join Zoom Meeting - <https://us06web.zoom.us/j/86542842462?pwd=VjdKeGRjcFAvZko2Y1pTZmo1cU5pdz09>

Meeting ID: 865 4284 2462

Passcode: 5UuWmT

AUDIO PARTICIPATION:

1-301-715-8592

Meeting ID: 865 4284 2462

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
January 9, 2023

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

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

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

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

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Public Safety Association

Case No.: FEC 21-442

TO: Florida Public Safety Association
Daniel P. Diaz, Chair
3051 N. Course Drive, Apt. 7112
Pompano Beach, FL 33069-3387

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399-6596

NOTICE OF CANCELLATION OF HEARING
(PROBABLE CAUSE DETERMINATION)

You are hereby notified that **the previously scheduled hearing for December 14, 2022, is cancelled.** It is anticipated that your case will be heard at the next regularly scheduled meeting, which will be scheduled for a date to be determined in either January 2023 or February 2023.

A Notice of Hearing will be mailed to you approximately 14 days prior to the new hearing date.

Tim Vaccaro

Executive Director
Florida Elections Commission
December 13, 2022

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Public Safety Association

Case No.: FEC 21-442

TO: Daniel P. Diaz, Chair
3051 N. Course Drive, Apt. 7112
Pompano Beach, FL 33069-3387

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399-6596

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **December 14, 2022 at 10:30 a.m., or as soon thereafter as the parties can be heard**, at the following location: **House Office Building, 402 South Monroe Street, 306 HOB, Mashburn Hall, 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.

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See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
November 30, 2022

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Public Safety Association

Case No.: FEC 21-442

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**, and that there is **no probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 8, 2022, the following facts and law support this staff recommendation:

1. On August 30, 2021, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”), alleging that Florida Public Safety Association (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent was a political committee registered with the Division. (ROI Exhibit 1) Daniel Diaz was appointed to serve as the committee’s chairman and treasurer. (ROI Exhibit 2, page 1)¹ Respondent’s registration was canceled on September 14, 2021, for failing to pay a fine or civil penalty imposed under Chapter 106, Florida Statutes. (ROI Exhibit 1)

3. By letter dated November 9, 2021, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee formerly registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2021 M6 reporting period.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a political committee formerly registered with the Division of Elections, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the 2021 M6 reporting period.

4. By letter dated July 3, 2018, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received its Statement of

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

Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees forms. (ROI Exhibit 4, page 1)

5. The acknowledgment letter advised Respondent that all political committees 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 grant access to the EFS. (ROI Exhibit 4, page 1) The letter further advised Respondent that all the Division’s publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 4, page 2)

6. Respondent’s 2021 M6 Report was due on July 12, 2021; however, Respondent failed to timely file the report or notify the filing officer that no report would be filed. *See* Compl. By letters dated July 13, 2021, July 30, 2021, and August 17, 2021, the Division notified Respondent that its 2021 M6 Report had not been received. The letters also notified Respondent that it was still required to notify the Division if it had no reportable financial activity. (ROI Exhibits 5 & 6) The final notification letter was confirmed delivered on August 20, 2021. (ROI Exhibit 6, page 2)

7. A subpoena was issued to Respondent’s designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting period, i.e., June 1, 2021 – June 30, 2021. (ROI Exhibit 6, page 1) The financial institution was unable to locate a campaign account in Respondent’s name. (ROI Exhibit 8, page 1; ROI, page 2, n. 2)

8. Daniel Diaz, chairperson and treasurer for Respondent, did not respond to the investigation. (ROI Exhibit 9, page 1)

9. As it appears that Respondent had no financial activity, Respondent was required to notify the filing officer in writing that it would not be filing its 2021 M6 Report on the prescribed reporting date but failed to do so. Thus, it does not appear that Respondent falsely reported or deliberately failed to include information in its 2021 M6 Report as the report was waived due to a lack of reportable financial activity.

10. “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).

11. The facts set forth above show that Respondent was a political committee registered with the Division prior to its cancelation. Respondent failed to timely file its 2021 M6 Report or notify the filing officer that no report would be filed. It appears that Respondent had no financial activity during the relevant reporting period and, therefore, was required to notify the filing officer in writing that it would not be filing its 2021 M6 Report on the prescribed reporting date but failed to do so. Thus, it does not appear that Respondent falsely reported or deliberately failed to include

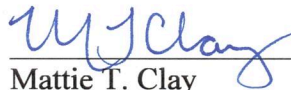
information in its 2021 M6 Report as the report was waived due to a lack of reportable financial activity.

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

Count 1:

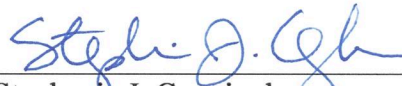
On or about July 12, 2021, Florida Public Safety Association violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer in writing on the prescribed reporting date that it would not be filing its 2021 M6 Report.

Respectfully submitted on October 3, 2022.



Mattie T. Clay
Assistant General Counsel

I reviewed this Staff Recommendation this 3rd day of October 2022.



Stephanie J. Cunningham
General Counsel

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Sections 106.07(7) and 106.19(1)(c), F.S.

Case Number: FEC 21-442

Sections 106.07(7) and 106.19(1)(c), Florida Statutes, failure of a candidate or political committee that did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed or failure to file a campaign report to reflect financial activity.

Respondent: Florida Public Safety Association

Respondent’s Atty: N/A

Division of Elections (Division)

Referral Filed: August 30, 2021

Respondent Type: Political Committee

I. Preliminary Information:

1. Respondent was a political committee formerly registered with the Division. To review the Final Order of Revocation, refer to Exhibit 1.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on July 2, 2018. Daniel Diaz was appointed as campaign treasurer. To review the DS-DE 6, refer to Exhibit 2.¹

3. A Statement of Organization (DS-DE 5) for the political committee was filed with the Division on July 2, 2018. To review the Statement of Organization, refer to Exhibit 3.

4. An acknowledgement letter was mailed to the address provided on the DS-DE 6 on July 3, 2018 advising Respondent that all political committees filing reports with the Division are required to file by means of the Division’s electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing access to the EFS.

5. The acknowledgement 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 *Political Committee Handbook*, and the *Calendar of Reporting Dates*. The letter further advised that it was Respondent’s responsibility to read, understand, and follow the requirements of Florida’s election laws. To review the acknowledgement letter, refer to Exhibit 4.

6. The Division sent correspondence to the address provided on the DS-DE 6 notifying Respondent that the following campaign report(s), or the required notification that no reportable activity occurred, had not been filed: 2021 M6. The letter(s) included reference to the filing date(s) for the report(s). To review the failure to file correspondence, refer to Exhibit 5.

7. On August 17, 2021, the Division sent a letter marked “Final Notice” with delivery confirmation to the address provided on the DS-DE 6 notifying Respondent that the following campaign report(s), or the required notification that no reportable activity occurred, had not been filed: 2021 M6. The letter was confirmed delivered on August 20, 2021. To review the letter marked “Final Notice” and delivery confirmation, refer to Exhibit 6.

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¹ Another form was filed on the same date appointing a deputy treasurer.

II. Alleged Violation of Sections 106.07(7), and 106.19(1)(c), Florida Statutes:

8. I investigated whether Respondent violated these sections of the election laws either by not notifying the filing officer, in writing, that no report would be filed due to not receiving any contributions or making expenditures during the following reporting period(s) or by not filing campaign report(s) to reflect financial activity for the reporting period(s). To review the filing history, refer to Exhibit 7.

Report	Report Cover Period	Due Date	Report or Waiver Required	Exhibit 8²
2021 M6	6/1/21 – 6/30/21	7/12/21	Waiver	8

9. Respondent did not respond to the referral.

10. I attempted to contact Respondent’s Chairperson on three occasions for the purpose of providing an opportunity to discuss the allegations made in the referral. As of the date of this report, my telephone calls have not been returned. Therefore, I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/or the *Political Committee Handbook*. To review the phone log, refer to Exhibit 9.

SIGNATURE OF INVESTIGATOR:  **Date:** September 8, 2022

² I subpoenaed campaign account records from the designated campaign depository. The campaign depository provided notification declaring that it had no record of a campaign account and/or no records from the account during the relevant timeframe.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Florida Public Safety Association -- FEC 21-442

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Final Order of Revocation
Exhibit 2	DS-DE 6 Binder
Exhibit 3	Statement of Organization
Exhibit 4	Acknowledgement Letter
Exhibit 5	Failure to File Correspondence
Exhibit 6	Final Notice with Delivery Confirmation Receipt
Exhibit 7	Filing History
Exhibit 8	Declaration Letter from Depository
Exhibit 9	Phone Log

STATE OF FLORIDA
DEPARTMENT OF STATE

FILED
Stephanie B.

SEP. 17 2021

AGENCY CLERK
DEPARTMENT OF STATE

DEPARTMENT OF STATE, DIVISION OF
ELECTIONS,

Petitioner,

v.

FLORIDA PUBLIC SAFETY ASSOCIATION (73663),

Respondent.

Final Order No. DOS 21- 38 DE

FINAL ORDER

The Florida Department of State, Division of Elections (the "Division"), pursuant to Section 106.03(7), Florida Statutes, and Rule 1S-2.021, Florida Administrative Code, promulgated thereunder, hereby enters its Final Order canceling the registration of Florida Public Safety Association ("Respondent") as a political committee in the State of Florida. The Division, being fully advised as to the premises, finds and orders as follows:

CONCLUSIONS OF LAW

Rule 1S-2.021, Florida Administrative Code, establishes procedures for the Division to cancel the registration of political committees for, among other reasons, when "the committee or organization has an unpaid fine or civil penalty imposed under Chapter 106, F.S., which has become final, meaning all appeals regarding the imposition of the fine or civil penalty have been exhausted or the time for such appeals has passed."

FINDINGS OF FACT

1. Respondent is a registered political committee with the Division of Elections. Respondent's registration number is 73663.

2. On July 8, 2021, the Division mailed an Initial Notice of Intent to Cancel Registration (attached and incorporated by reference) to the most recent address on file for Respondent's chairperson and registered agent. The notice stated that Respondent had failed to pay the fine in the amount of \$188.38 imposed for the late filing of the 2019 M8 campaign treasurer's report and as affirmed in a final order issued by the Florida Elections Commission on February 9, 2021 (attached and incorporated by reference). The Notice of Intent to Cancel Registration informed Respondent of the opportunity to provide documentation to the Division to show why the Respondent's registration should not be canceled.

3. The Notice of Intent was not returned as being undeliverable and Respondent did not respond to the Notice of Intent to Cancel Registration.

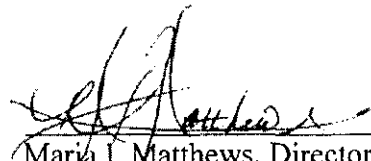
4. On August 9, 2021, the Division mailed Respondent's registered agent a Final Notice of Intent to Cancel Registration (attached and incorporated by reference). The notice informed Respondent of the right to a hearing and advised that if a request for a hearing was not made within 30 days of the date of the notice, the right to a hearing would be waived and final action taken by the Division.

5. Respondent did not respond or otherwise timely request a hearing.

CONCLUSION

Based upon the foregoing and a complete review of the record, it is ORDERED that Respondent's registration as a political committee with the Florida Department of State, Division of Elections, is hereby CANCELED.

DONE AND ORDERED at Tallahassee, Florida, this 14 day of September, 2021.



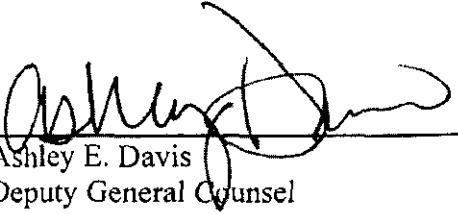
Maria I. Matthews, Director
Division of Elections

NOTICE OF RIGHTS

This Order constitutes final agency action. Judicial review may be sought pursuant to Section 120.68, Florida Statutes, by filing a notice of appeal in the First District Court of Appeal, and a copy with the clerk of the Department of State. Such notice must be filed within 30 calendar days of the date indicated in the Certificate of Service.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order was hand-delivered to the Agency Clerk, Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 and that a true and correct copy of the foregoing Final Order was mailed on this 17 day of September, 2021, by certified U.S. mail to Daniel P. Diaz, Registered Agent, Florida Public Safety Association, 43 South Powerline Road, Suite 262, Pompano Beach, Florida 33069.



Ashley E. Davis
Deputy General Counsel
Florida Department of State
Florida Bar No. 48032
500 S. Bronough Street
Tallahassee, Florida 32399



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

August 9, 2021

Daniel P. Diaz, Registered Agent
Florida Public Safety Association (73663)
43 South Powerline Road, Suite #262
Pompano Beach, Florida 33069

RE: FINAL NOTICE OF INTENT TO CANCEL REGISTRATION

Dear Mr. Diaz:

On July 8, 2021, the Division sent you an Initial Notice of Intent to Cancel Registration (Initial Notice) for the following reason based on Section 106.03(7), Florida Statutes, and Rule 1S-2.021, Florida Administrative Code:

- **The committee has failed to pay the fine in the amount of \$188.38 imposed for the late filing of the 2019 M8 campaign treasurer's report.**

You did not provide a response within the 30 days of the Initial Notice to show why the registration should not be canceled or to voluntarily terminate registration.

This letter constitutes Final Notice of Intent to Cancel Registration (Final Notice). If you object to the cancellation, you have 30 days from the date of the Final Notice to request a hearing.

The request for hearing must be filed with the Division of Elections, Bureau of Election Records (use the address listed below.) The request for a hearing will be forwarded to the Florida Elections Commission (FEC). The FEC will conduct a hearing based on your request and any supporting documentation. If you want to appear personally in the hearing, you must ask to appear in the request for the hearing. If you fail to request a hearing, you waive your right to a hearing and a final order will be issued canceling the committee's registration.

You are still obligated for any fines or fees imposed automatically by law or by the FEC.

If you have any questions, please call (850) 245-6280.

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

DSB/mcc
Enclosure

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 DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

July 8, 2021

Daniel P. Diaz, Chairperson and Registered Agent
Florida Public Safety Association (73663)
43 South Powerline Road, Suite #262
Pompano Beach, Florida 33069

RE: INITIAL NOTICE OF INTENT TO CANCEL REGISTRATION

Dear Mr. Diaz:

This Initial Notice of Intent to Cancel Registration of your political committee is based on the following pursuant to Section 106.03(7), Florida Statutes, and Rule 1S-2.021, Florida Administrative Code:

- **The committee has failed to pay the fine in the amount of \$188.38 imposed for the late filing of the 2019 M8 campaign treasurer's report.**

If you object to this cancellation, you have 30 days from the date of this notice to provide documentation showing why the committee's registration should not be canceled.

All further notices regarding cancellation of this committee's registration will be sent only to the registered agent's most recent address on file.

If you have any questions, please call (850) 245-6280.

Sincerely,

A handwritten signature in black ink that reads "Donna S. Brown".

Donna S. Brown, Chief
Bureau of Election Records

DSB/mcc

Enclosure

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 Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



February 9, 2021

Florida Public Safety Association
Daniel Diaz, Chair
43 South Powerline Road, # 262
Pompano Beach, FL 33069-3069

RECEIVED
2021 FEB 10 AM 11:48

RE: Case No.: FEC 20-422; Campaign Treasurer's Report due 09-10-19 (2019 M8)

Dear Mr. Diaz:

Pursuant to Rule 2B-1.005(2), Florida Administrative Code, the Florida Elections Commission has entered the enclosed Default Final Order against your committee. The Default Final Order is the result of your committee having failed to pay the fine imposed by your filing officer or to timely appeal the fine to the Commission.

Please read the Final Order carefully. The order indicates the amount of the fine and the number of days you have to pay the fine. **Please pay the fine to your filing officer, who is:**

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

If you fail to pay the fine to the filing officer, an enforcement action may be filed against you in the circuit court. If it is necessary to take further legal action to collect the fine, the law provides that you pay for the cost of collection, including attorney fees.

If you have any questions, please contact us at fec@myfloridalegal.com or at the number listed above.

Sincerely,
Donna Ann Malphurs
Agency Clerk

✓ Enclosure: Default Final Order
cc: Division of Elections, Filing Officer

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Florida Public Safety Association

**Case No.: FEC 20-422
F.O. No.: FOEC 21-010A
Report: 2019 M8**

DEFAULT FINAL ORDER

THIS MATTER was referred to the Florida Elections Commission (Commission) by the filing officer for failure of the Respondent to pay the assessed fine.

FINDINGS OF FACT

1. The Commission is charged with enforcing Chapter 106, Florida Statutes, the campaign financing laws.

2. Respondent is a political committee registered with the State. Respondent's 2019 M8 campaign treasurer's report was not filed with the filing officer on September 10, 2019, the designated due date.

3. On June 16, 2020, the filing officer sent a final fine notice to the Respondent by delivery confirmation advising them that the amount of the fine was \$188.38. The notice also advised Respondent, as required by Section 106.07(8)(b), Florida Statutes, that they must either pay the fine or appeal to the Florida Elections Commission within 20 days after receipt of the notice of payment due.

4 Respondent has failed to pay the assessed fine or to appeal to the Commission.

CONCLUSIONS OF LAW

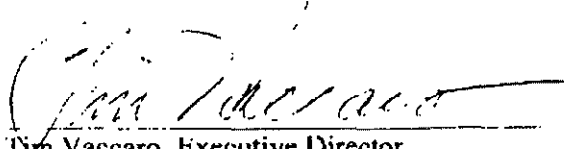
5. The Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 106.07, Florida Statutes.

6. Respondent's failure to timely file a notice appealing the assessed fine constitutes a waiver of entitlement to an appeal.

ORDER

Based on the foregoing facts and conclusions of law, it is hereby **ORDERED** that the assessed fine of \$188.38 is affirmed. The fine shall be paid to the Division of Elections at 500 South Bronough Street, Room 316, Tallahassee, FL 32399-0250 within 30 days of the date this Final Order is filed with the Commission.

DONE AND ORDERED by the Florida Elections Commission on
February 1, 2021.


Tim Vaccaro, Executive Director
Florida Elections Commission

Copies furnished to:
Stephanie Cunningham, Assistant General Counsel
Florida Public Safety Association, Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO APPEAL

This order is final agency action. Any party who is adversely affected by this order has the right to seek judicial review pursuant to Section 120.68, Florida Statutes, by filing a notice of administrative appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Florida Elections Commission at 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, Florida 32399-1050, and by filing a copy of the notice of appeal with the appropriate district court of appeal. The party must attach to the notice of appeal a copy of this order and include with the notice of appeal filed with the district court of appeal the applicable filing fees. **The notice of administrative appeal must be filed within 30 days of the date of this order is filed with the Commission.** The date this order was filed appears in the upper right-hand corner of the first page of the order.

Notice to Filing Officer

The Clerk of the Florida Elections Commission will send a copy of this order to Respondent. The Final Order directs the Respondent to pay the Filing Officer. If the Filing Officer is not paid within 30 days of the date the Final Order is filed with the Commission, the Filing Officer can file an enforcement action in circuit court to enforce the fine that is due and owing to the county or municipality. The date this order was filed appears in the upper right-hand corner of the first page of this order.

Florida Department of State
 R.A. Gray Building
 500 South Bronough Street
 Tallahassee, Florida 32399-0250

91 7108 2133 3939 3271 9158

Daniel P. Diaz, Registered Agent
 Florida Public Safety Association
 43 South Powerline Road, Suite 262
 Pompano Beach, Florida 33069

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Daniel P. Diaz, RA
 Florida Public Safety Association
 43 South Powerline Rd, Ste 262
 Pompano Beach, FL 33069
 9590 9402 2467 6306 7073 01

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) Date of Delivery
- D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

2. Article Number (Transfer from service label)

91 7108 2133 3939 3271 9158

Chellman, Malcolm C.

From: Brown, Donna S.
Sent: Tuesday, October 05, 2021 2:37 PM
To: Chellman, Malcolm C.
Subject: FW: Final Order 21-38
Attachments: DOS 21-38 - DOS v. Florida Public Safety Association.pdf; DOS 21-38 FO Certified Mail Receipt.pdf

Would you print this and put it in my in box? Thanks!

From: Buse, Stephanie <Stephanie.Buse@dos.myflorida.com>
Sent: Tuesday, October 5, 2021 10:26 AM
To: Brown, Donna S. <Donna.Brown@dos.myflorida.com>
Subject: Final Order 21-38

Good morning Donna,

I just realized I forgot to forward the attached when I mailed it out.

Attached please find a copy of Final Order 21-38 and the certified receipt with tracking number 9171082133393932719168.

Best,

Stephanie A. Buse

Executive Assistant
Office of the General Counsel
FLORIDA DEPARTMENT OF STATE
R. A. Gray Building, Suite 100
500 South Bronough Street
Tallahassee, Florida 32399
850.245.6513

Note: This response is provided for reference only and does not constitute a formal legal opinion or representation from the sender or the Department of State. Parties should refer to the Florida Statutes and applicable case law, and/or consult an attorney to represent their interests before relying upon the information provided.

In addition, Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records. Public records are available to the public and media upon request, unless the information is subject to a specific statutory exemption. Therefore, any information that you send to this address, including your contact information, may be subject to public disclosure.

RECEIVED
2021 OCT -5 PM 2:48
DIVISION OF ELECTIONS
TALLAHASSEE, FL

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

RECEIVED
DEPARTMENT OF STATE
2018 JUL -2 AM 10:05
DIVISION OF ELECTIONS
TALLAHASSEE FL

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization Florida Public Safety Association	2. Telephone (954) 834-3429
---	---------------------------------

3. Name of Treasurer or Deputy Treasurer Daniel P Diaz	4. Email (optional)	5. Telephone (optional) ()
---	---------------------	--------------------------------


6. Mailing Address
43 S Powerline Rd Ste 262, Pompano Beach, FL 33069

7. Street Address
43 S Powerline Rd Ste 262, Pompano Beach, FL 33069

8. The following bank has been designated as the Primary Depository Secondary Depository

9. Name of Bank Wells Fargo (Pending)	10. Street Address
---	--------------------

11. City	12. State	13. Zip Code
----------	-----------	--------------

14. Signature of Chairman X 	15. Name of Chairman (Print or Type) Daniel P Diaz
---	--

Campaign Treasurer's Acceptance of Appointment

I, **Daniel P Diaz**, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for **Florida Public Safety Association**
(Committee or Organization)

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

6/29/2018
Date

X 
Signature of Campaign Treasurer or Deputy Treasurer

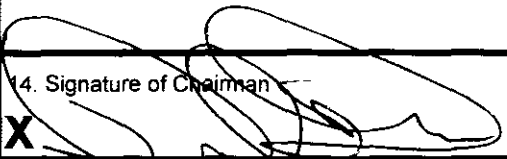
**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
DEPARTMENT OF STATE
2018 JUL -2 AM 10:05
DIVISION OF ELECTIONS
TALLAHASSEE, FL

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization Florida Public Safety Association		2. Telephone (954) 834-3429	
3. Name of Treasurer or Deputy Treasurer Randy Goodwin		4. Email (optional) ()	
5. Telephone (optional) ()			
6. Mailing Address 43 S Powerline Rd Ste 262, Pompano Beach, FL 33069			
7. Street Address 43 S Powerline Rd Ste 262, Pompano Beach, FL 33069			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank Wells Fargo (Pending)		10. Street Address	
11. City		12. State	13. Zip Code
14. Signature of Chairman 		15. Name of Chairman (Print or Type) Daniel P Diaz	


Campaign Treasurer's Acceptance of Appointment

I, Randy Goodwin, do hereby accept the appointment as
(Please Print or Type)

treasurer or deputy treasurer for Florida Public Safety Association
(Committee or Organization)

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

6/29/2018
Date


Signature of Campaign Treasurer or Deputy Treasurer

**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
2018 JUL -2 AM 10:05
DIVISION OF ELECTIONS
TALLAHASSEE FL

1. Full Name of Committee
Florida Public Safety Association

Telephone
954-834-3429

Mailing Address (include city, state and zip code)
43 S Powerline Rd #262, Pompano Beach, FL 33069

Street Address (include city, state and zip code)
43 S Powerline Rd #262, Pompano Beach, FL 33069

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

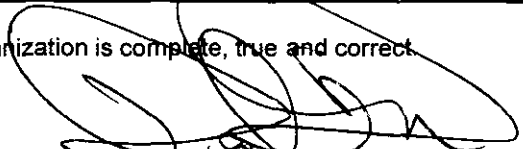
Name of Affiliated or Connected Organization	Mailing Address	Relationship
None		

3. Area, Scope and Jurisdiction of the Committee
Statewide political committee to support statewide and local candidates or other activity not prohibited by Chapter 106 F.S.

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

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

Full Name	Mailing Address	Committee Title or Position
Daniel P Diaz	43 S Powerline Rd Ste 262, Pompano Beach, FL 33069	Treasurer

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)			
Full Name	Mailing Address	Committee Title or Position	
Randy Goodwin	43 S Powerline Rd Ste 262, Pompano Beach, FL 33069	Deputy Treasurer	
Daniel P Diaz	43 S Powerline Rd Ste 262, Pompano Beach, FL 33069	Chairman	
7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)			
Full Name	Mailing Address	Office Sought	Party
TBD			
8. List Any Issues this Committee is Supporting: None			
List Any Issues this Committee is Opposing: None			
9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party			
n/a			
10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?			
Contribute to candidates, political parties, political committees or other activities not prohibited by law.			
11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds			
Name of Bank or Depository & Account Number		Mailing Address	
Wells Fargo, Account Pending			
12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any			
Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
None			
STATE OF <u>Florida</u> <u>Broward</u> COUNTY			
I, <u>Daniel P. Diaz</u> , certify that the information in this Statement of			
Organization is complete, true and correct.			
X 		<u>6/29/2018</u>	
Signature of Chairman of Political Committee		Date	



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 3, 2018

Daniel P. Diaz, Chairperson
Florida Public Safety Association
43 South Powerline Road
Suite 262
Pompano Beach, Florida 33069

Dear Mr. Diaz:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Florida Public Safety Association**, which were placed on file in our office on July 2, 2018. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **July 13, 2018**. The report will cover the period of June 30, 2018 - July 6, 2018 (2018 P2). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

EFS Access

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's filing credentials.

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 73663

Timely Filing

All reports 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

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/



Daniel Diaz, Chairperson
July 3, 2018
Page Two

the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

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

Electronic Receipts

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

Instructions and Assistance

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

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

Please let me know if you need additional information.

Sincerely,



Kristi Reid Willis, Chief
Bureau of Election Records

KRW/jcs

Enclosures

pc: Randy Goodwin, Deputy Treasurer



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

July 13, 2021

Daniel P. Diaz, Chairperson
Florida Public Safety Association
43 South Powerline Road #262
Pompano Beach, FL 33069-3069

PAC 73663

Dear Mr. Diaz:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was July 12, 2021.

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

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
 - * \$50 per day for the first 3 days late
 - * \$500 per day for each day after the 3rd day late
 - * If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

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

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

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

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

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Second Notice

July 30, 2021

Daniel P. Diaz, Chairperson
Florida Public Safety Association
43 South Powerline Road #262
Pompano Beach, FL 33069-3069

PAC 73663

Dear Mr. Diaz:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was July 12, 2021.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on July 13, 2021.

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

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

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # 9114 9022 0078 9649 8711 19
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

August 17, 2021

Daniel P. Diaz, Chairperson
Florida Public Safety Association
43 South Powerline Road #262
Pompano Beach, FL 33069-3069

PAC 73663

Dear Mr. Diaz:

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

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2021	M6	6/1/21 - 6/30/21

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

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

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

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

Track Another Package +

Tracking Number: 9114902200789649871119

[Remove X](#)

Your item was delivered to an individual at the address at 11:23 am on August 20, 2021 in POMPANO BEACH, FL 33069.

Delivered, Left with Individual

August 20, 2021 at 11:23 am
POMPANO BEACH, FL 33069

Get Updates 

Text & Email Updates



Tracking History



Product Information



See Less 

Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Florida Public Safety Association

Name:

Account: 73663

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
9/10/2021	M8		NEN	0	\$0.00		\$0.00	\$0.00
8/10/2021	M7		NEN	0	\$0.00		\$0.00	\$0.00
7/12/2021	M6		NEN	0	\$0.00		\$0.00	\$0.00
6/10/2021	M5		NEN	0	\$0.00		\$0.00	\$0.00
5/10/2021	M4		NEN	0	\$0.00		\$0.00	\$0.00
4/12/2021	M3		NEN	0	\$0.00		\$0.00	\$0.00
3/10/2021	M2		NEN	0	\$0.00		\$0.00	\$0.00
2/10/2021	M1		NEN	0	\$0.00		\$0.00	\$0.00
1/11/2021	M12		NEN	0	\$0.00		\$0.00	\$0.00
12/10/2020	M11		NEN	0	\$0.00		\$0.00	\$0.00
11/10/2020	M10	11/6/2020						
10/30/2020	G6	11/6/2020	NEN	7	\$0.00		\$0.00	\$0.00
10/29/2020	D6	11/6/2020	NEN	8	\$0.00		\$0.00	\$0.00
10/28/2020	D5	11/6/2020	NEN	9	\$0.00		\$0.00	\$0.00
10/27/2020	D4	11/6/2020	NEN	10	\$0.00		\$0.00	\$0.00
10/26/2020	D3	11/6/2020	NEN	11	\$0.00		\$0.00	\$0.00
10/25/2020	D2	11/6/2020	NEN	12	\$0.00		\$0.00	\$0.00
10/24/2020	D1	11/6/2020	NEN	13	\$0.00		\$0.00	\$0.00
10/23/2020	G5	10/23/2020						
10/16/2020	G4A	10/23/2020	NEN	7	\$0.00		\$0.00	\$0.00
10/9/2020	G4	10/8/2020						
10/2/2020	G3A	10/8/2020	NEN	6	\$0.00		\$0.00	\$0.00
9/25/2020	G3	9/22/2020						
9/18/2020	G2A	9/11/2020						
9/11/2020	G2	9/10/2020						
9/4/2020	G1A	9/10/2020	NEN	6	\$0.00		\$0.00	\$0.00
8/28/2020	G1	8/28/2020						
8/21/2020	P7A	8/25/2020	NEN	4	\$0.00		\$0.00	\$0.00
8/14/2020	P7	8/18/2020	NEN	4	\$0.00		\$0.00	\$0.00
8/7/2020	P6	8/10/2020	NEN	3	\$0.00		\$0.00	\$0.00
7/31/2020	P5	8/10/2020	FEC	10	\$0.00		\$0.00	\$0.00
7/24/2020	P4	8/10/2020	NEN	17	\$0.00		\$0.00	\$0.00
7/17/2020	P3	8/10/2020	NEN	24	\$0.00		\$0.00	\$0.00
7/10/2020	P2A	8/10/2020	NEN	31	\$0.00		\$0.00	\$0.00
7/3/2020	P2	8/10/2020	NEN	38	\$0.00		\$0.00	\$0.00
6/26/2020	P1A	8/10/2020	NEN	45	\$0.00		\$0.00	\$0.00
6/19/2020	P1	7/10/2020	NEN	21	\$0.00		\$0.00	\$0.00
6/10/2020	M5	6/10/2020						
5/11/2020	M4	5/8/2020						
4/10/2020	M3	4/11/2020	NEN	1	\$0.00		\$0.00	\$0.00
3/10/2020	M2	3/10/2020						
2/10/2020	M1	2/7/2020						
1/10/2020	M12	1/10/2020						
12/10/2019	M11	12/9/2019						
11/12/2019	M10	11/6/2019						

10/10/2019	M9	10/13/2019	CLO	3	\$0.00	\$0.00	\$0.00
9/10/2019	M8	9/10/2019	NEN	0	\$188.38	\$188.38	\$0.00
8/12/2019	M7	8/5/2019					
7/10/2019	M6	7/1/2019					
6/10/2019	M5	6/7/2019					
5/10/2019	M4	5/16/2019	FOI	6	\$0.00	\$0.00	\$0.00
4/10/2019	M3	4/16/2019	FOI	6	\$0.00	\$0.00	\$0.00
3/11/2019	M2	3/20/2019	FOI	9	\$0.00	\$0.00	\$0.00
2/11/2019	M1	2/11/2019					
1/10/2019	M12	1/10/2019					
12/10/2018	M11	12/11/2018	FOI	1	\$0.00	\$0.00	\$0.00
11/2/2018	G7	11/2/2018					
11/1/2018	D6	11/2/2018	FOI	1	\$0.00	\$0.00	\$0.00
10/31/2018	D5	11/2/2018	FOI	2	\$0.00	\$0.00	\$0.00
10/30/2018	D4	11/2/2018	FOI	3	\$0.00	\$0.00	\$0.00
10/29/2018	D3	11/2/2018	FOI	4	\$0.00	\$0.00	\$0.00
10/28/2018	D2	11/2/2018	FOI	5	\$0.00	\$0.00	\$0.00
10/27/2018	D1	10/27/2018					
10/26/2018	G6	10/26/2018					
10/25/2018	G4	10/8/2018					
10/19/2018	G5	10/16/2018					
10/5/2018	G3	10/8/2018	FOI	3	\$0.00	\$0.00	\$0.00
9/28/2018	G2A	10/8/2018	FOI	10	\$0.00	\$0.00	\$0.00
9/21/2018	G2	10/8/2018	FOI	17	\$0.00	\$0.00	\$0.00
9/14/2018	G1A	10/8/2018	FOI	24	\$0.00	\$0.00	\$0.00
9/7/2018	G1	9/11/2018	FOI	4	\$0.00	\$0.00	\$0.00
8/31/2018	P7A	8/30/2018					
8/24/2018	P7	8/30/2018	FOI	6	\$0.00	\$0.00	\$0.00
8/17/2018	P6	8/11/2018					
8/10/2018	P5	8/11/2018	FOI	1	\$0.00	\$0.00	\$0.00
8/3/2018	P4	7/31/2018					
7/27/2018	P3	7/24/2018					
7/20/2018	P2A	7/24/2018	FOI	4	\$0.00	\$0.00	\$0.00
7/13/2018	P2	7/11/2018					



Florida Department of State
Division of Elections

Florida Public Safety Association

Campaign Finance Activity

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

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
W	06/30/2018 - 07/06/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/07/2018 - 07/13/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/14/2018 - 07/20/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/21/2018 - 07/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	07/28/2018 - 08/03/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/04/2018 - 08/10/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/11/2018 - 08/23/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/24/2018 - 08/24/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	08/25/2018 - 08/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/01/2018 - 09/07/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/08/2018 - 09/14/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/15/2018 - 09/21/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/22/2018 - 09/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	09/29/2018 - 10/05/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/06/2018 - 10/12/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/13/2018 - 10/19/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/20/2018 - 10/26/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/27/2018 - 10/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2018 - 10/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/29/2018 - 10/29/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2018 - 10/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/31/2018 - 10/31/2018	0.00	0.00	0.00	0.00	0.00	0.00

W	10/20/2018 - 11/01/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	11/02/2018 - 11/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2018 - 12/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2019 - 01/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	02/01/2019 - 02/28/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	03/01/2019 - 03/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2019 - 04/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2019 - 05/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2019 - 06/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	07/01/2019 - 07/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
○	08/01/2019 - 08/31/2019	0.00	0.00	0.00	753.50	0.00	0.00
W	09/01/2019 - 09/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	10/01/2019 - 10/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	11/01/2019 - 11/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	12/01/2019 - 12/31/2019	0.00	0.00	0.00	0.00	0.00	0.00
W	01/01/2020 - 01/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	02/01/2020 - 02/29/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	03/01/2020 - 03/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	04/01/2020 - 04/30/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	05/01/2020 - 05/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/01/2020 - 06/12/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/13/2020 - 06/19/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/20/2020 - 06/26/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	06/27/2020 - 07/03/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/04/2020 - 07/10/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/11/2020 - 07/17/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/18/2020 - 07/24/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	07/25/2020 - 07/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/01/2020 - 08/13/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/14/2020 - 08/14/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/15/2020 - 08/21/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/22/2020 - 08/28/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	08/29/2020 - 09/04/2020	0.00	0.00	0.00	0.00	0.00	0.00
	09/05/2020 - 09/11/2020	0.00	0.00	0.00	0.00	0.00	0.00

W							
W	09/12/2020 - 09/18/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	09/19/2020 - 09/25/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	09/26/2020 - 10/02/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/03/2020 - 10/09/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/10/2020 - 10/16/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/17/2020 - 10/23/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/24/2020 - 10/24/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/25/2020 - 10/25/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/26/2020 - 10/26/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/27/2020 - 10/27/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2020 - 10/28/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/17/2020 - 10/29/2020	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2020 - 10/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	0.00	0.00	0.00	753.50	0.00	0.00

Note: ^(E) indicates that report was filed electronically

X Indicates that detail has not been released

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

Select Detail Type

Contributions

Select Sort Order

Date(Ascending)

Select Output Type

Display On Screen

[Query the Campaign Finance Data Base](#)

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



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

FILED-FL ELECTIONS COM
27 APR '21 PM 3:34

April 06, 2021

Eric Lipman, General Counsel
Eric Lipman
107 W. Gaines St
Collins Building Suite 224
Tallahassee, FL 32399

Subject: Additional information needed for your Wells Fargo account records request.

Case name: RE FEC 21067
Agency reference number: FEC21067
Bank reference number: 24983485

Dear Eric Lipman

We received your legal order, and were not able to locate the requested information. So that we can move forward with researching your request, please provide us with additional information as described below **within 10 days** from the date of this letter.

Please note that our research is limited to accounts at Wells Fargo Bank NA

What you need to do

- * Send us the following information

Unable to provide any information for Florida Public Safety Association and Daniel P. Diaz with address 43 South Powerline Road 262 Pompano Beach FL 33069.

- * Mail to :

Summons and Subpoenas Department
PO Box 1415 MAC #D1111-016
Charlotte, NC 28201

If we do not receive your information within 10 days from the date of this letter, we will consider our response to your legal order complete.

IF you have questions, please call us at (480) 724-2000 Monday – Friday, 8:00 a.m. to 8:00 p.m. Eastern Time

Thank you.

Sincerely,

Santina Moore

Santina Moore
Operations Manager
Summons and Subpoenas Department

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 21-442**

Respondent: Florida Public Safety Association

Complainant: Division of Elections

1. **Date and time:** January 4, 2022 @ 3:45 pm
Name: Daniel Diaz—Chairman
Phone #: (954) 834-3429
Summary: I attempted telephone contact to discuss complaint allegations. I left a message to return my call.
Entered by: CKO
2. **Date and time:** January 20, 2022 @ 11:30 am
Name: Daniel Diaz—Chairman
Phone #: (954) 834-3429
Summary: I attempted telephone contact to complete final interview. I left a message to return my call.
Entered by: CKO
3. **Date and time:** January 24, 2022 @ 12:35 pm
Name: Daniel Diaz—Chairman
Phone #: (954) 834-3429
Summary: I attempted telephone contact to complete final interview. I left a message to return my call.
Entered by: CKO
4. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
5. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
6. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
7. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

8. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

9. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

RESPONDENT INTERVIEW MEMO – Call details at #[LOG NUMBER]

Type and ask your case specific question(s) first, then ask the remaining questions.

- Have you filed a 2021 M6 Report?
- Did you have any financial activity during the 2021 M6 reporting period?
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida's election laws?
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Do you possess a copy of the [*Candidate and Campaign Treasurer OR Political Committee OR Electioneering Communications Organization*] Handbook? If so, when did you first obtain it? Have you read it?
- *If a section of Chapter 104 is listed in the LS letter, ask:* Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



November 9, 2021

Daniel Diaz
Florida Public Safety Association
43 South Powerline Road #262
Pompano Beach, FL 33069

RE: Case No.: FEC 21-442; Respondent: Florida Public Safety Association

Dear Mr. Diaz:

On August 30, 2021, the Florida Elections Commission received a complaint alleging that your committee violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee formerly registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2021 M6 reporting period.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a political committee formerly registered with the Division of Elections, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the 2021 M6 reporting period.

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 prepare and present a written Staff Recommendation (SR) to the Commission as to whether there is probable cause to charge, the 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 upon your committee. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

Pursuant to Section 106.25(4)(i)3., Florida Statutes, the Commission may enter into a consent agreement with a Respondent to settle a complaint prior to a finding of probable cause. If you are

Daniel Diaz
November 9, 2021
Page 2
FEC 21-442

interested in entering negotiations directed towards reaching a consent agreement to resolve this matter, please contact the Commission and request to speak with the attorney assigned to this case.

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

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause, unless the Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

Should you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the commission staff can discuss this case with him or her.

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

If you have additional questions, please contact **Cedric Oliver**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at Cedric.Oliver@myfloridalegal.com.

Sincerely,

A handwritten signature in blue ink that reads "Tim Vaccaro". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tim Vaccaro
Executive Director

TV/mw

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

REC'D: FL ELECTIONS COM
30 AUG '21 PM 3:29

Name: Florida Public Safety Association
Account Number: 73663
Chairperson: Daniel P. Diaz
Treasurer: Daniel P. Diaz
Registered Agent: Daniel P. Diaz

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

The following report is outstanding after notification: 2021 M6

- Florida Public Safety Association (73663) is a political committee registered with the Division of Elections. On July 2, 2018, the committee filed the DSDE 5 and DSDE 6 with the Division indicating that Daniel P. Diaz was the chairperson.
- The 2021 M6 campaign treasurer's report was due on July 12, 2021. On July 13, 2021, the Division mailed Florida Public Safety Association notification that the 2021 M6 campaign treasurer's report had not been filed.
- On July 30, 2021, the Division mailed Florida Public Safety Association notification that the 2021 M6 campaign treasurer's report had not been filed.
- On August 17, 2021, the Division mailed Florida Public Safety Association final notification with delivery confirmation that the 2021 M6 report had not been filed. (See attached letter and delivery confirmation.)
- The committee did not notify the Division of Elections prior to or on the prescribed reporting date for the 2021 M6 report that no report was to be filed.
- As of August 27, 2021, Florida Public Safety Association has not filed the 2021 M6 report.

Sent By: Donna S. Brown
Date: August 27, 2021
bct

DSB



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee
Secretary of State

DIVISION OF ELECTIONS

**Final Notice
Delivery Confirmation:**

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August 17, 2021

Daniel P. Diaz, Chairperson
Florida Public Safety Association
43 South Powerline Road #262
Pompano Beach, FL 33069-3069

PAC 73663

Dear Mr. Diaz:

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

<u>Year</u>	<u>Report</u>	<u>Cover Period</u>
2021	M6	6/1/21 - 6/30/21

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

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

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

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

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August 20, 2021 at 11:23 am
POMPANO BEACH, FL 33069

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