

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Willie Spears

Case No.: FEC 17-300

TO: Willie Spears
720 Lismore Place
Montgomery, AL 36117-6032

David Stafford, Escambia County SOE
PO Box 12601
Pensacola, FL 32591

NOTICE OF HEARING (INFORMAL)

A hearing will be held in this case before the Florida Elections Commission on, **May 14, 2019 at 8:30 am**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
April 30, 2019

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

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

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

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

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

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

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

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 17-300

v.

**Willie Spears,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 26, 2019, in Tallahassee, Florida.

On January 7, 2019, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

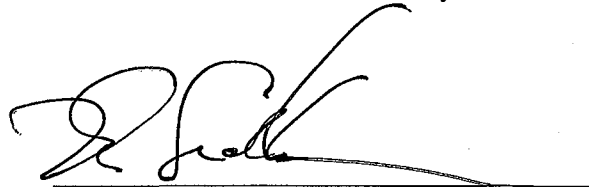
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Count 1:

On or about August 4, 2016, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2016 termination reporting period.

The Commission finds that there is **no probable cause** to charge Respondent with violating Sections 106.141(1), and 106.19(1)(c), Florida Statutes.

DONE AND ORDERED by the Florida Elections Commission on February 26, 2019.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:

Cole H. Kekelis, Assistant General Counsel

Willie Spears, Respondent

David Stafford, Escambia County Supervisor of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

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

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

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff

Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

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

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Willie Spears

Case No.: FEC 17-300

TO: Willie Spears
720 Lismore Place
Montgomery, AL 36117-6032

David Stafford, Escambia County SOE
PO Box 12601
Pensacola, FL 32591

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **February 26, 2019 at 9:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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See further instructions on the reverse side.

Tim Vaccaro, J.D.
Executive Director
Florida Elections Commission
February 11, 2019

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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: Willie Spears

Case No.: FEC 17-300

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Sections 106.141(1), and 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on December 18, 2018, the following facts and law support this staff recommendation:

1. On October 4, 2017, the Florida Elections Commission (“Commission”) received a sworn complaint alleging that Willie Spears, (“Respondent”) violated Chapter 106, Florida Statutes.
2. Respondent was a 2016 candidate for Superintendent of Schools for Escambia County. He withdrew from the race before qualifying.
3. By letter dated April 9, 2018, 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 2016 candidate for Superintendent of Schools for Escambia County, may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2016 termination reporting period.

Section 106.141(1), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for Superintendent of Schools for Escambia County, failed to timely file his 2016 Termination Report reflecting the disposition of all remaining campaign funds.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for Superintendent of Schools for Escambia County, may have falsely reported or deliberately failed to include information in his 2016 Termination Report, as required by Chapter 106.

4. On March 21, 2016, Respondent filed a Statement of Candidate form with the Escambia County Supervisor of Elections (“ECSOE”) in which he acknowledged that he had been

provided access to read and understand the requirements of Chapter 106, Florida Statutes. (ROI Exhibit 1)¹

5 On March 21, 2016, Respondent filed an Appointment of Campaign Treasurer and Designation of Campaign Depository form (“DS-DE 9”) with the ECSOE. Respondent designated Paula Parsons as his campaign treasurer and Warrington Bank as his campaign depository. Ms. Parsons resigned by letter filed with the ECSOE on April 5, 2016.² (ROI Exhibits 2 & 3)

6. In an affidavit dated July 25, 2018, Keelie A. Sekerka, Election Specialist for the ECSOE, attested that on March 21, 2016, Respondent was provided digital copies of Chapter 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook*. On March 21, 2016, an acknowledgment signed by Respondent was filed with the ECSOE in which he acknowledged that he had either received a copy of or was told where to access the Escambia County Handbook and the Division of Elections Handbook. Respondent also acknowledged that he was informed of online campaign reports and due dates. On March 21, 2016, an acknowledgment signed by Respondent was filed with the ECSOE in which Respondent acknowledged that he had received a CD containing the “2016 Candidate Handbook for Local Candidates, All Election Laws, and the State Candidate Handbook.” (ROI Exhibits 16, 19 & 20)

7. Respondent withdrew from the race for Superintendent of Schools for Escambia County by letter dated April 11, 2016. The letter is date stamped May 16, 2016, and the ECSOE acknowledged receipt of the withdrawal by letter dated May 17, 2016.³ (ROI Exhibit 4, page 2; Exhibit 5)

8. Section 106.141(1), Florida Statutes, requires a candidate to dispose of the funds on deposit in his campaign account and file a report reflecting the disposition of all remaining funds within 90 days of withdrawing his candidacy, becoming an unopposed candidate, being eliminated as a candidate, or being elected to office.

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

10. Section 106.19(1)(c), Florida Statutes, prohibits a candidate from falsely reporting or deliberately failing to include any information required by Chapter 106.

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

² In a telephonic interview on August 8, 2018, Ms. Parsons explained that she resigned because Respondent indicated she would not be in control of campaign finances in her position as treasurer. (ROI Exhibit 11, pages 2-3)

³ In an email dated June 20, 2016, Ms. Sekerka indicated that the withdrawal was “accepted” on April 11, 2016. However, based upon the date stamp and acknowledgment letter, it is reasonable to conclude that the notice of withdrawal was filed with the ECSOE on or about May 16, 2016. (ROI Exhibit 4, page 4)

11. As detailed below, Respondent was not required to file a 2016 Termination Report ("TR") because there is no evidence of reportable financial transactions through the campaign account during the TR reporting period. However, Respondent was required to file a waiver of the 2016 TR through which he would have notified the filing officer that no reportable financial transactions occurred during the 2016 TR reporting period. The waiver was due by August 4, 2016, and Respondent failed to file it.

12. By letter dated May 17, 2016, the ECSOE acknowledged Respondent's withdrawal, drew Respondent's attention to the requirements of Section 106.141(1), Florida Statutes, and informed Respondent that his TR, covering the period of May 1, 2016, through August 4, 2016, was due on August 4, 2016.⁴ (ROI Exhibit 4, page 2)

13. On June 17, 2016, Respondent emailed the ECSOE and acknowledged that he had been receiving emails and letters in the mail, "...saying I owe money and I have to file reports." Respondent requested assistance. (ROI Exhibit 4, page 4)

14. On June 20, 2016, the ECSOE explained in a reply that since Respondent's withdrawal was "accepted" on April 11, 2016, he was required to submit either a waiver or report for the period of April 1, 2016, through April 11, 2016, and he was required to file a TR. *Id.*

15. A conversation log from the ECSOE initialed by Ms. Sekerka indicates that on June 20, 2016, Respondent called their office regarding his campaign reports. Ms. Sekerka explained that he needed to file his 2016 M4 report covering the month of April. She asked if Respondent had any contributions or expenditures to report, and he indicated that he did not, so she explained that he needed to submit a waiver of the report. Ms. Sekerka also reminded Respondent to file his TR, which was due on August 4, 2016. (ROI Exhibit 4, page 5)

16. On June 30, 2016, Respondent filed a waiver of the 2016 M4 report certifying that he had not received funds, made contributions, or expended reportable funds during the 2016 M4 reporting period, which covered the entire month of April. (ROI Exhibit 8)

17. By emails on June 30, 2016, and August 3, 2016, the ECSOE reminded Respondent to file his TR, which was due on August 4, 2016. (ROI Exhibit 4, pages 7-8)

18. On September 14, 2016, the ECSOE sent an email to Respondent notifying him that he had failed to file his TR and asking him to file it. On September 15, 2016, the ECSOE sent Respondent a letter notifying him that he had failed to file the TR.⁵ (ROI Exhibit 4, pages 9-11)

19. On September 18, 2016, Respondent contacted the ECSOE by email asking if they were trying to reach him. The ECSOE replied that they had mailed Respondent a notice that his TR was due on August 4, 2016. The reply attached a copy of the failure to file letter. (ROI Exhibit 4, page 12)

⁴ The letter was sent to Respondent's address on his DS-DE 9, but it was returned unclaimed. (ROI Exhibit 4, page 3)

⁵ The letter was sent to Respondent's address on his DS-DE 9, but it was returned unclaimed. (ROI Exhibit 4, page 11)

20. Ms. Sekerka confirmed in an affidavit dated July 25, 2018, that as of that date, Respondent had neither filed his 2016 TR nor notified the filing officer in writing that no report was being filed. (ROI Exhibit 16, page 2)

21. In response to the complaint, Respondent asserted that on February 20, 2018, he went to the ECSOE to ask Supervisor of Elections David Stafford about the complaint. According to Respondent, Mr. Stafford remembered Respondent coming in but said he did not know if Respondent came in to fill out the correct paperwork. Respondent claimed he has attempted to submit the paperwork three times. Respondent sent two emails to the Commission on February 22, 2018. In the first email, Respondent stated a waiver was submitted on April 11, 2006 [presumably, Respondent meant 2016], at 5:37:33 p.m. In the second email, Respondent asserted, "Here is proof that I filled this out April 2016." However, there was no attachment to either of the emails. A review of the waiver of Respondent's 2016 M3 report shows that it was submitted on April 11, 2016, at 7:37:33 p.m. Respondent may have been referring to the filing of the 2016 M3 waiver, which is not at issue in this case. Respondent did not provide any evidence suggesting that he attempted to file or filed a 2016 TR or waiver of the 2016 TR. (ROI Exhibits 10, 15 & 22)

22. In an affidavit dated July 19, 2018, David Stafford, Escambia County Supervisor of Elections, attested that on February 20, 2018, Respondent visited the ECSOE to speak with him about his 2016 TR. Mr. Stafford asserted that he told Respondent they had no record of him filing his 2016 TR and that he was required to do so. According to Mr. Stafford, Respondent stated he thought he had already submitted it, but Mr. Stafford told him that they have no record of the report. Respondent then asked how to submit it, and Mr. Stafford walked him over to Ms. Sekerka. (Attachment A)

23. In a statement signed by Ms. Sekerka, she acknowledged that Respondent visited the ECSOE on February 20, 2018. According to Ms. Sekerka, Respondent spoke with Mr. Stafford and decided to submit his TR. Ms. Sekerka assisted Respondent to log into the filing system. Respondent stated to her that he opened a campaign account at Wells Fargo with his own money but did not have any other contributions or expenditures. Ms. Sekerka explained to Respondent that he needed to file an amendment to the first report [presumably, the 2016 M3, for which Respondent had filed a waiver] showing the contribution he made to open the campaign account. Ms. Sekerka also informed Respondent he needed to file his TR. Ms. Sekerka walked Respondent through the system, showed him where the TR was, and reviewed what he needed to do to correct the reports. However, Respondent decided to leave, but he took his login information. (ROI Exhibits 9 & 10)

24. In a telephonic interview on April 13, 2018, Respondent claimed he never opened a campaign account and said he was assured by the ECSOE that "everything was fixed" when he visited their office. (ROI Exhibit 11, page 1)

25. In a telephonic interview on August 8, 2018, Paula Parsons, Respondent's former treasurer, indicated that Respondent had a campaign fundraiser and raised a small amount of money. Ms. Parsons confirmed in an email dated August 14, 2018, that Respondent opened the campaign account with Wells Fargo after unsuccessfully attempting to open an account at Warrington Bank. (ROI Exhibit 11, pages 2-3; Exhibit 12, page 1)

26. The investigation secured Respondent's campaign account records from Wells Fargo. The account was opened on March 21, 2016, with a deposit of \$900. Three more deposits took the account up to \$1,464.66, and the account was taken to a zero balance on April 1, 2016. There is no record of any further campaign account activity. (ROI Exhibits 13 & 14)

27. The bank records thus show that all campaign funds on deposit in the campaign account were disposed of by April 1, 2016, which was before Respondent withdrew from the race. Since there is no evidence of campaign finance activity after April 1, 2016, Respondent did not have to file a 2016 TR to reflect such activity. However, Respondent was required to file a waiver of the 2016 TR by August 4, 2016, notifying the filing officer that he had no reportable financial transactions during the TR reporting period. Respondent failed to do so, and Ms. Sekerka confirmed that as of July 25, 2018, Respondent had not done so.

28. Based upon the information above, Respondent failed to file a waiver of the campaign's 2016 TR by the required due date.

29. "Probable Cause" is defined as a 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).

30. The above facts show that Respondent was a 2016 candidate for School Superintendent for Escambia County. He withdrew from the race but failed to file either a 2016 TR or waiver of the 2016 TR within 90 days of withdrawal. A review of Respondent's bank records revealed that the campaign account had been zeroed out on April 1, 2016, which was before Respondent withdrew from the race. There is no evidence of campaign finance activity during the 2016 TR reporting period. Therefore, Respondent was not required to file a 2016 TR to report such campaign finance activity. However, Respondent was required to file a waiver of the 2016 TR by the due date of the report notifying the filing officer that there was no reportable financial activity during that reporting period. Respondent failed to do so, and the filing officer confirmed that as of July 25, 2018, Respondent had not done so.

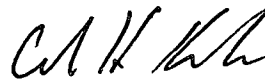
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Based upon these facts and circumstances, I recommend that the Commission find no probable cause to charge Respondent with violating Sections 106.141(1), and 106.19(1)(c), Florida Statutes, and find probable cause to charge Respondent with the following:

Count 1:

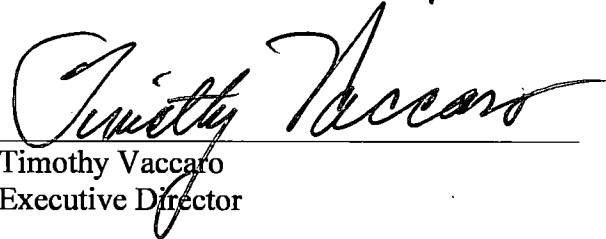
On or about August 4, 2016, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2016 termination reporting period.

Respectfully submitted on January 7, 2019,



Cole H. Kekelis
Assistant General Counsel

I reviewed this Staff Recommendation this 7th day of January 2019.



Timothy Vaccaro
Executive Director

AFFIDAVIT OF FILING OFFICER
Case Number: FEC 17-300

STATE OF FLORIDA
County of Escambia

David H. Stafford, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by ESCAMBIA COUNTY as SUPERVISOR OF UTILITIES

3. Did you have any conversations with **Willie Spears** concerning a provision of Chapter 106, *Florida Statutes*, at any time during his 2016 campaign? **Yes** or **No**. If yes, please indicate whether the conversation(s) was in person, in writing, or by telephone, and the subject matter of the conversation(s). If applicable, please provide copies documenting the conversation(s).

SEE RESPONSE TO QUESTION 6. I DON'T
RECALL ADDITIONAL CONVERSATIONS, OTHER
THAN GENERAL, BRIEF INTERACTIONS, POSSIBLY.

4. Please provide details of any conversations you had with **Willie Spears** (including any correspondence) since September 29, 2017 regarding his 2016 TR. Please provide copies of any correspondence from him or to him by your office since September 29, 2017.

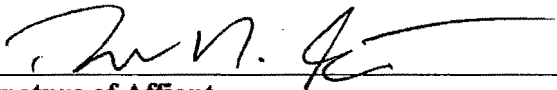
SEE RESPONSE TO QUESTION 6 AND ATTACHMENTS.

5. Yes or No. On or about February 20, 2018, did Willie Spears speak with you regarding his 2016 TR?

6. If yes, please provide details of your conversation with Willie Spears on or about February 20, 2018, regarding his 2016 TR.

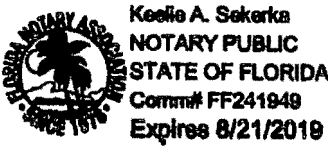
MR. SPEARS CAME TO THE OFFICE WITH QUESTIONS ABOUT A LETTER HE RECEIVED REGARDING HIS CAMPBELL REPORTS. I TOLD HIM WE HAD NO RECORD OF HIS SUBMITTING HIS 2016 TR, AND THAT HE WAS REQUIRED TO DO SO. I SUSAN TO RECALL HIM SAYING HE THOUGHT HE HAD ALREADY DONE SO, AND I REITERATED THAT WE HAD NO RECORD OF IT. HE THEN ASKED HOW TO DO SO, AND I WALKED HIM OVER TO MEET WITH KEELIE SEKERKA FROM MY STAFF. I HAVE ATTACHED HER NOTE TO FILE, WHICH CORRESPONDS WITH MY RECOLLECTION OF THAT DAY.

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.


Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 19 day of July, 2018.


Signature of Notary Public - State of Florida
Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known or Produced Identification
Type of Identification Produced: _____

Case investigator: HH

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 17-300

Respondent: Willie Spears

Complainant: David Stafford

On October 4, 2017, the Florida Elections Commission (“Commission”) received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statutes:

Section 106.07(7), Florida Statutes, failure of a candidate who, 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;

Section 106.141(1), Florida Statutes, failure of a candidate to dispose of funds remaining in his campaign account within 90 days after he withdrew, became unopposed, was eliminated or elected and to file a report reflecting the disposition of all remaining funds; and

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

I. Preliminary Information:

1. Respondent was a 2016 candidate for Superintendent of Schools for Escambia County. He withdrew before qualifying. Respondent has been employed as a football coach and athletic director at a number of public high schools in Florida and Alabama. He is also a motivational speaker and a former co-host of a daily morning television program.

2. On March 21, 2016, Respondent filed a Statement of Candidate (Form DS-DE 84), and Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates (Form DS-DE 9) with the Escambia County Supervisor of Elections (“ECSOE”), and became a 2016 candidate for Superintendent of Schools for Escambia County. On March 18, 2016, Paula Parsons accepted appointment as his campaign treasurer. She submitted a letter of resignation as campaign treasurer to the ECSOE on April 5, 2016. To review Respondent’s Statement of Candidate, refer to Exhibit 1. To review Form DS-DE 9, refer to Exhibit 2. To review the letter of resignation from Paula Parson, refer to Exhibit 3.

3. Complainant is the Honorable David Stafford, ECSOE. Respondent was required to file his campaign treasurer’s reports (“CTRs”) with Complainant’s office.

4. By letter dated April 9, 2018, the Commission's Executive Director informed Respondent that she found one or more legally sufficient allegations that Commission staff will investigate.

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

5. I investigated whether Respondent violated this section of the election laws by not notifying his filing officer, in writing, that no report would be filed for the 2016 termination report ("TR") cover period.

6. Complainant alleges that Respondent failed to file his 2016 TR listing the disposition of all remaining funds on account in his campaign depository within 90 days of withdrawing his candidacy.

7. With his complaint, Complainant provided a series of letters and emails to and from Respondent regarding Respondent's withdrawal from the race, and Respondent's need to file his 2016 M4 Report and his 2016 TR. To review Complainant's additional information, refer to Exhibit 4.

8. By letter dated April 11, 2016, Respondent informed Complainant he had decided not to run for Superintendent of Schools. The letter was date-stamped May 16, 2016 by ECSOE staff. To review his notice of withdrawal, refer to Exhibit 5.

9. In an exchange of emails beginning on June 17, 2016, Respondent emailed Complainant's office acknowledging that Respondent had received emails and letters indicating that he had to file reports and requested assistance. To review Respondent's email and ECSOE staff's reply, refer to Exhibit 6.

10. In her email response (Exhibit 6), dated June 20, 2016, Keelie A. Sekerka, ECSOE Elections Specialist, reminded Respondent to file a waiver-of-report (written notice of no-campaign-finance-activity) or CTR showing contributions and expenditures for the reporting period of April 1 through 11, 2016, and to file his TR within 90 days of his withdrawal.

11. On June 20, 2016, according to a type-written summary documenting a telephone conversation with Respondent, Ms. Sekerka explained to Respondent that he needed to submit a waiver (written notification of no-campaign-finance-activity) for the 2016 M4 reporting period based upon Respondent's claim he had no campaign finance activity, and to submit his TR by August 4, 2016. To review Ms. Sekerka's summary, refer to Exhibit 7.

12. On June 30, 2016, Respondent filed a waiver-of-report for his 2016 M4 reporting period covering April 1 through 30, 2016; written notification of no-campaign-finance-activity or his 2014 M4 Report was due on May 10, 2016. To review his waiver-of-report, refer to Exhibit 8.

13. Dated Tuesday, February 20, 2018, a type-written statement completed by Ms. Sekerka, ECSOE Elections Specialist, indicated that Respondent came into the ECSOE office, spoke with Complainant and decided to complete his TR. Respondent informed Ms. Sekerka that he or his campaign treasurer had opened a campaign account at Wells Fargo Bank with his

own monies and he had no other contributions or expenditures; however, Respondent's Form DS-DE 9 was never updated to reflect the new campaign depository. To review her statement, refer to Exhibit 9.

14. According to Ms. Sekerka's statement dated February 20, 2018 (Exhibit 9), during their meeting she instructed Respondent to disclose the campaign contribution he made to his campaign opening the campaign account during the 2016 M3 Report¹ cover period and to file his TR. She indicated she provided Respondent his PIN numbers, walked him through the steps to unlock his first report (2016 M3 Report cover period) to make the changes, as well as where his TR was located within their filing system. However, Respondent left the ECSOE office before completing the 2016 M3 Report and filing his TR.

15. On April 13, 2018, by telephone, Respondent informed me he never opened a campaign bank account and only saw his campaign treasurer once. Respondent said he was assured by the ECSOE that "everything was fixed" when he drove to Pensacola and spoke with Complainant in person. To review the investigative phone log, refer to Exhibit 11.

16. On August 8, 2018, during a telephone interview with this investigator (Exhibit 11), Respondent's campaign treasurer Paula Parsons said Respondent had a campaign fundraiser early after she became campaign treasurer. She believes the amount raised was less than \$1,000.00; however, she does not recall the exact amount raised during the event.

17. Respondent's Form DS-DE 9 (Exhibit 2) identifies Warrington Bank as his campaign depository. However, during my telephone interview with Ms. Parson's, Respondent's campaign treasurer, on August 8, 2018 (Exhibit 11), and confirmed by email on August 14, 2018, she declared there were issues that prevented the opening of a campaign account at Warrington Bank; therefore, Respondent's campaign account was opened at Wells Fargo Bank. To review Ms. Parson's email to me dated August 14, 2018, refer to Exhibit 12.

18. I subpoenaed the bank records from the campaign depository, Wells Fargo Bank, N.A. A review of the bank records indicates Respondent had campaign finance activity he was required to disclose and identify the disposition of all remaining funds on account in his campaign depository within 90 days of withdrawing his candidacy. (Note: The Bank said all transactions were electronic and no images were available in response to our subpoena.) To review the bank signature card, and bank statement for Respondent's campaign account covering the period from March 21 through April 13, 2016, refer to Exhibits 13 and 14, respectively.

19. The table that follows identifies Respondent's campaign finance activity from the opening of his campaign account on March 21, 2016, until the end of the bank statement period on April 13, 2016, when an online transfer of the remaining funds in the campaign account was made to Respondent's personal account and his campaign account achieved a \$0.00 balance.

¹ On April 11, 2016, Respondent filed a waiver-of-report providing written notice to the filing officer that he had no campaign finance activity for his 2016 M3 reporting period covering March 1 through 31, 2016. To review his waiver-of-report, refer to Exhibit 10.

Date	Activity	Amount	Daily Balance
STARTING BALANCE ON 03/21/16		\$0.00	\$0.00
03/21/16	Deposit	\$900.00	\$900.00
03/28/16	Deposit made in a branch/store	\$405.00	\$1,305.00
03/31/16	Online contribution via Rally.Org	\$45.75	\$1,350.75
04/01/16	Online contribution via Rally.Org	\$113.91	\$1,464.66
04/01/16	Online transfer to Respondent's personal account	\$1,464.66	\$0.00
ENDING BALANCE ON 04/13/16			\$0.00

20. On February 20, 2018, by email, in response to notice of the instant complaint, Respondent indicated "I am going to do the correct paperwork again, ... and I am trying to do everything I can to meet the requirements...." To review his non-sworn response, refer to Exhibit 15.

21. Dated October 8, 2018, I mailed an affidavit-questionnaire to Respondent after reviewing the bank records to ascertain why he did not disclose campaign finance activity and the disposition of all remaining funds on account in his campaign depository within 90 days of withdrawing his candidacy. However, at the time of this report of investigation ("ROI"), Respondent has not completed the affidavit-questionnaire, and it was not returned by the USPS.

22. Based upon Respondent's bank records (Exhibit 14) identifying campaign finance activity, it appears Respondent was required to file a TR within 90 of withdrawing his campaign rather than notifying his filing officer, in writing, that no report would be filed for the 2016 TR cover period.

23. I found no record of previous complaints to indicate that Respondent had violated this section of Florida's election laws.

III. Alleged Violation of Section 106.141(1), Florida Statutes:

24. I investigated whether Respondent violated this section of the election laws by not disposing of funds remaining in his campaign account within 90 days after he was eliminated.

25. Complainant essentially alleges that Respondent failed to file his 2016 TR listing the disposition of all remaining funds on account in his campaign depository within 90 days of withdrawing his candidacy.

26. As previously discussed in paragraphs 8 through 22 of this ROI, Respondent did not file his 2016 TR; however, he had undisclosed campaign finance activity.

27. I found no record of previous complaints to indicate that Respondent had violated this section of Florida's election laws.

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

28. I investigated whether Respondent violated this section of the election laws by falsely reporting or deliberately failing to include information required by Chapter 106, Florida Statutes.

29. Complainant alleges that Respondent has not filed either his campaign treasurer's report or notification that no reportable activity occurred.

30. As previously discussed in paragraphs 8 through 22 of this ROI, Respondent did not file his 2016 TR; however, he had undisclosed campaign finance activity.

31. I found no record of previous complaints to indicate that Respondent had violated this section of Florida's election laws.

V. FEC History:

32. Respondent had no history of additional complaints filed against him with the Commission at the time of our receipt of this complaint.

Conclusion:

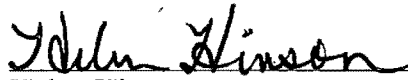
33. On December 14, 2018, I called the telephone number on file for Respondent and published on his website, www.williespears.com; however, I reached an individual who indicated this was no longer Respondent's telephone number. Therefore, I was unable to conduct a final interview with Respondent and review my findings in the instant complaint as I had no other telephone number for Respondent.

34. Ms. Sekerka completed and submitted an Affidavit with attachments identifying information ECSOE staff provided on a CD to Respondent on March 21, 2016, including Chapters 104 and 106, Florida Statutes; the *2016 Escambia County Candidate Handbook*; the *2016 Candidate and Campaign Treasurer Handbook*; and links to handbooks and laws. On March 21, 2016, Respondent acknowledged receipt of the information provided by ECSOE staff on a CD. To review her Affidavit, refer to Exhibit 16. To review relevant pages of the *2016 Escambia County Candidate Handbook*, refer to Exhibit 17. To review relevant pages of the *Candidate and Campaign Treasurer Handbook*, refer to Exhibit 18. To review Respondent's acknowledgements, refer to Exhibits 19 and 20.

35. On March 21, 2016, Respondent signed and filed his Statement of Candidate with his filing officer (Exhibit 1). There is no history of previous Statements of Candidate. Respondent's filing officer provided a two-page Candidate Information Sheet to Respondent; Respondent was to complete page 2 by entering information for his previous campaigns including the office sought, election year and whether the candidate was elected or eliminated; however, the second page of the sheet is blank. To review Respondent's Candidate Information Sheet, refer to Exhibit 21.

36. All additional written statements submitted by Respondent are attached as Exhibit 22. (Note: On page 2, Respondent indicates he has supplied proof of compliance; however, he provided no additional information.)

Respectfully submitted on December 18, 2018.


Helen Hinson
Investigation Specialist

Current address of Respondent	Current address of Complainant
Mr. Willie Spears 720 Lismore Place Montgomery, Alabama 36117-6032	The Honorable David Stafford Post Office Box 12601 Pensacola, Florida 32591

Name and Address of Filing Officer:
The Honorable David Stafford
Escambia County Supervisor of Elections
Post Office Box 12601
Pensacola, Florida 32591

Copy furnished to:

Mr. David B. Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Willie Spears -- FEC 17-300

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Respondent's Statement of Candidate
Exhibit 2	Respondent's Form DS-DE 9
Exhibit 3	Paula Parson's Letter of Resignation
Exhibit 4	Additional information from Complainant
Exhibit 5	Respondent's Notice of Withdrawal
Exhibit 6	Respondent's email dated June 17, 2016, and ECSOE staff's reply on June 20, 2016
Exhibit 7	Dated June 20, 2016, a summary of a telephone conversation Keelie A. Sekerka, ECSOE Elections Specialist, had with Respondent
Exhibit 8	Respondent's Waiver-of-Report for the 2016 M4 reporting period
Exhibit 9	Dated February 20, 2018, Statement by Keelie Sekerka, ECSOE Elections Specialist regarding Respondent's visit to Complainant's office
Exhibit 10	Respondent's Waiver-of-Report for the 2016 M3 reporting period
Exhibit 11	Investigative Phone Log
Exhibit 12	Email dated August 14, 2018 from Paula Parson, Respondent's campaign treasurer
Exhibit 13	Respondent's Bank Signature Card
Exhibit 14	Relevant pages of the Bank Statement for period of March 21 through April 13, 2016
Exhibit 15	Respondent's non-sworn response dated February 20, 2018
Exhibit 16	Affidavit by Keelie A. Sekerka, ECSOE Elections Specialist
Exhibit 17	Relevant pages of the <i>2016 Escambia County Candidate Handbook</i>
Exhibit 18	Relevant pages of the <i>2016 Candidate and Campaign Treasurer Handbook</i>

Exhibit 19	Respondent's acknowledgement with email address for campaign report reminder notices and other candidate information
Exhibit 20	Respondent's acknowledgement signed and dated by Respondent
Exhibit 21	Respondent's Candidate Information Sheet
Exhibit 22	Respondent's additional written statements

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

COPY

16 MAR 21 8:59 AM

I, Willie Spears,

candidate for the office of Superintendent of Schools;

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


Signature of Candidate

March 21, 2016
Date

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

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

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

(PLEASE PRINT OR TYPE)

MAR 21 9:59 AM

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

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

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

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

Willie Spears

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

6504 Sandra Road
Panama City FL 32409

4. Telephone

(850) 624-6933

5. E-mail address

wspears05@gmail.com

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

Superintendent of schools

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

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

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

Write-In No Party Affiliation _____ Party candidate.

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

Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Paula Parsons

11. Mailing Address

4048 Scottsdale Ave

12. Telephone

(850) 910-3125

13. City

Pace

14. County

Santa Rosa

15. State

FL

16. Zip Code

32571

17. E-mail address

levoyage@bellsouth.net

18. I have designated the following bank as my

Primary Depository Secondary Depository

19. Name of Bank

Warrington Bank

20. Address

4093 Barrancas Ave Pace 32507

21. City

Pensacola

22. County

Escambia

23. State

FL

24. Zip Code

32501

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

25. Date

March 18, 2016

26. Signature of Candidate

Willie Spears

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

I, Paula Parsons, do hereby accept the appointment
(Please Print or Type Name)

designated above as:

Campaign Treasurer Deputy Treasurer.

3-18-16

Date

Paula Parsons

Signature of Campaign Treasurer or Deputy Treasurer

Paula Parsons
Superintendent of Schools Campaign
4048 Scottsdale Ave
Pace FI 32571

'15 APR 5 10:42

David Stafford
Escambia County Supervisor of Elections

It is with regret that I must resign my position as treasurer for Willie Spears candidate for Superintendent of Schools. At this time I will not be able to fulfill my duties and feel it is in the best interest of the campaign that I resign.

Sincerely

A handwritten signature in cursive script that reads "Paula Parsons". The signature is written in black ink and is positioned above the printed name.

Paula Parsons



David H. Stafford
ESCAMBIA COUNTY
SUPERVISOR OF ELECTIONS

Post Office Box 12601
Pensacola, FL 32591-2601
EscambiaVotes.com

Phone: (850) 595-3900
Fax: (850) 595-3914
soe@escambivotes.com

April 25, 2016

COPY

Article #: 92148969009997901520815188

Willie Spears
Escambia County Superintendent of Schools 2016 Campaign
6804 Sandra Road
Panama City, FL 32409

Dear Mr. Spears:

This letter is to notify you that we have received the letter of resignation for your appointed campaign treasurer. We have not received a re-filing for your campaign treasurer.

Section 106.21 (2), Florida Statutes, states a candidate may remove his, her, or its campaign treasurer or any deputy treasurer. In case of the death, resignation, or removal of a campaign treasurer before compliance with all obligations of a campaign treasurer under this chapter, **the candidate shall appoint a successor and certify the name and address of the successor in the manner provided in the case of an original appointment.**

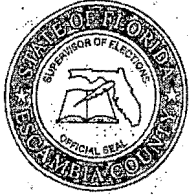
We are notifying you to submit an appointment of a campaign treasurer form DS-DE 9 appointing your new campaign treasurer.

You have publically announced that you are withdrawing your candidacy. You are required to notify the filing officer in writing if you choose to withdraw.

Sincerely,

David H. Stafford, CERA
Supervisor of Elections

Enclosure DS-DE9 Form



David H. Stafford
ESCAMBIA COUNTY
SUPERVISOR OF ELECTIONS

Post Office Box 12601
Pensacola, FL 32591-2601
EscambiaVotes.com

Phone: (850) 595-3900
Fax: (850) 595-3914
soe@escamblavotes.com

May 17, 2016

COPY

Article #: 92148969009997901521098825

Willie Spears
Escambia County Superintendent of Schools 2016 Campaign
6804 Sandra Road
Panama City, FL 32409

Dear Mr. Spears:

This letter is to notify you that we have received your letter of withdrawal for 2016 Escambia County Superintendent of Schools. Your scheduled termination report is the TRSpears report for the period of May 01, 2016 through August 04, 2016 due August 04, 2016.

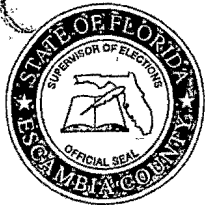
Per F.S. 106.141 Candidates must dispose of all funds in the campaign account and file a Termination Report within 90 days after having withdrawn, become unopposed, eliminated or elected to office.

Penalty for Late Filing

For Termination Reports the fine is \$50 per day for each late day, not to exceed 25% of the total contributions or expenditures, whichever is greater, for the period covered by the late report.

Sincerely,

David H. Stafford, CERA
Supervisor of Elections



David H. Stafford
 ESCAMBIA COUNTY
 SUPERVISOR OF ELECTIONS

Post Office Box 12601
 Pensacola, FL 32591-2601

CERTIFIED MAIL™



neopost#
 05/17/2016
US POSTAGE

\$05.11⁰



ZIP 32502
 041L11244256

*9214 8969 0099 9790 1521 0988 25

- REASON CHECKED**
- Moved, Left No Address
 - Return For Postage
 - Temporarily Away
 - Attempted, Not Known
 - Refused
 - Vacant



Unclaimed

16 JUN 20 9:35AM

Spears, Willie
 Esc Cnty Superintendent of Schools Campaign
 6804 Sandra Road
 Panama City, FL 32409

5/18/16 ✓ 623
 RR-21 R-6-02

NIXIE 322 DE 1 8988/16/16
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 SC: 325912601 *2187-07588-17-42

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com

*9214 8969 0099 9790 1521 0988 25

Certified Mail Fee
 \$ 3.30

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$ 7.25
- Certified Mail Restricted Delivery \$ 4.00
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage
 \$ 0.465

Total Postage and Fees
 \$ 5.115

Sent To
 Spears, Willie
 Street and Apt. No., Esc Cnty Superintendent of Schools Campaign
 6804 Sandra Road
 City, State, Zip+4® Panama City, FL 32409

PS Form 3800, April 2015 See Reverse for Instructions

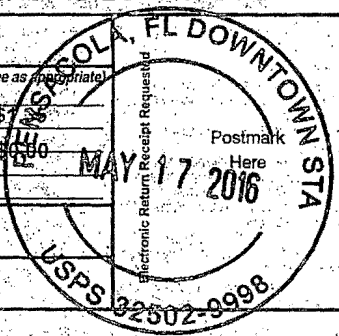


EXHIBIT 4 (3 of 14)

Keelie Sekerka

From: Keelie Sekerka
Sent: Monday, June 20, 2016 4:21 PM
To: 'Willie Spears'
Subject: RE: Willie Spears

Mr. Spears we are contacting you because Mr. Stafford accepted your letter of withdrawal on April 11, 2016 therefore you must submit either a waiver or report showing contributions & expenditures for the period of 04/01/2016 through 04/11/2016. It is per Florida Statue 106.141 that you must file a termination report within 90 days of being withdrawn. Your termination report is the TRSpears report.

Thank You

Keelie A. Sekerka

Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiavotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Willie Spears [<mailto:wspears05@gmail.com>]
Sent: Friday, June 17, 2016 5:36 PM
To: SOE
Subject: Willie Spears

Greetings,

On March 21, 2016 I filed to run for superintendent of schools. Seven days later. One week later, I decided not to run. I called and talked to two people in your office and I sent in a letter.

For some reason I keep getting emails and letters in the mail, many from certified mail saying I owe money and I have to file reports.

Please help me.

WS

<http://www.pnj.com/story/news/2016/03/21/spears-running-escambia-superintendent/82075054/>
<http://www.pnj.com/story/news/local/education/2016/03/30/spears-withdrawing-superintendent-race/82428254/>

EXHIBIT 4 (4¹ of 14)

June 20, 2016 @ 5:00 pm

Mr. Spears called the SOE Office in regards to his campaign reports. I explained to him he still needs to submit his M4 report for the period of 4/01/16 – 4/30/16. I ask if he had any contributions or expenditures to report he said no. I told him he only needs to login and submit a waiver. He also has his termination report due 08/04/16, the TRSpears report. He said he would go online and do them both now. WJ

Keelie Sekerka

From: Keelie Sekerka
Sent: Thursday, June 30, 2016 3:22 PM
To: 'votespears@gmail.com'
Subject: past due campaign report
Attachments: report notices.pdf - cert. notice & email

Please see the attached notices previously sent to you in regards to your past due campaign report and your termination report.

Thank You

Keelie H. Sekerka

Escambia County Supervisor of Elections Office
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambivotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Keelie Sekerka

From: Keelie Sekerka
Sent: Thursday, June 30, 2016 3:22 PM
To: 'votespears@gmail.com'
Subject: past due campaign report
Attachments: report notices.pdf

Please see the attached notices previously sent to you in regards to your past due campaign report and your termination report.

Thank You

Keelie H. Sekerka

Escambia County Supervisor of Elections Office
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiavotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

EXHIBIT 4 (7 of 14)

Keelie Sekerka

From: Keelie Sekerka
Sent: Wednesday, August 03, 2016 9:19 AM
To: 'votespears@gmail.com'
Subject: FW: Willie Spears
Attachments: Spears Termination Report Notice.pdf

Importance: High

*also-
mailed
copies*

Reminder of Termination Campaign Report – Due before
08/04/2016!
Tomorrow!

Mr. Spears we are contacting you because Mr. Stafford accepted your letter of withdrawal on April 11, 2016 therefore you must submit a termination report. It is per Florida Statue 106.141 that you must file a termination report within 90 days of being withdrawn. Your termination report is the TRSpears report due 08/04/2016. I have attached the original notice we sent to you.

Thank You

Keelie A. Sekerka

Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiavotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Keelie Sekerka

From: Keelie Sekerka
Sent: Wednesday, September 14, 2016 12:00 PM
To: 'votespears@gmail.com'
Subject: FW: Willie Spears
Attachments: Spears Termination Report Notice.pdf

Importance: High

**As of Today We Have Not Received Your Termination
Report
Please Submit ASAP!**

From: Keelie Sekerka
Sent: Wednesday, August 03, 2016 9:19 AM
To: 'votespears@gmail.com'
Subject: FW: Willie Spears
Importance: High

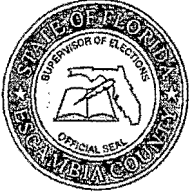
**Reminder of Termination Campaign Report – Due before
08/04/2016!
Tomorrow!**

Mr. Spears we are contacting you because Mr. Stafford accepted your letter of withdrawal on April 11, 2016 therefore you must submit a termination report. It is per Florida Statue 106.141 that you must file a termination report within 90 days of being withdrawn. Your termination report is the TRSpears report due 08/04/2016. I have attached the original notice we sent to you.

Thank You
Keelie A. Sekerka
Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiovotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

EXHIBIT 4 (9 of 14)



David H. Stafford
ESCAMBIA COUNTY
SUPERVISOR OF ELECTIONS

Post Office Box 12601
Pensacola, FL 32591-2601
EscambiaVotes.com

Phone: (850) 595-3900
Fax: (850) 595-3914
soe@escambivotes.com

Immediate Attention Requested
Possible Fine for Late Report

September 15, 2016

COPY

Mr. Willie Spears
6804 Sandra Road
Panama City FL 32409

Article #: 92148969009997901522954595

Dear Mr. Spears:

This letter is to notify you that Your Termination Campaign Report (coded TRSpears) was due before Midnight, Thursday, August 04, 2016. As of the date on this letter your report has not been received in our office.

Since you signed the Statement of Candidate form stating that you have read and understand Chapter 106, Florida Statutes, you are aware that you are assessed a fine for each late day of \$50.00 per day for the first three days late and thereafter, \$500.00 per day. However, the fine may not exceed 25% of the total receipts or expenditures, whichever is greater, covered by the late report. F.S. 106.07 (8) (b)

Once we receive your report, we will notify you of the specific amount of your fine. The fine must be paid from personal funds.

Please be advised, however, that a willful failure to file a campaign treasurer's report constitutes a violation of Chapter 106, Florida Statutes, independent of the automatic fine violation referenced above. Therefore, if you fail to file a report, such failure will be considered a willful violation of Chapter 106, Florida Statutes, and we will be required to notify the Florida Elections Commission of your failure to file.

Sincerely,

David H. Stafford
Supervisor of Elections

DHS/ks



David H. Stafford
 SUPERVISOR OF ELECTIONS
 ESCAMBIA COUNTY
 POST OFFICE BOX 12601
 PENSACOLA, FLORIDA 32591-2601
 EscambiaVotes.com

CERTIFIED MAIL™



214 8969 0099 9790 1522 9545 95

neopost
 09/15/2016
US POSTAGE

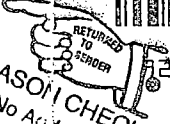
\$05.11⁰



ZIP 32502
 041L11244256

Unclaimed

- REASON CHECKED**
- Moved, Left No Address
 - Return For Postage
 - Temporarily Away
 - Attempted, Not Known
 - Refused
 - Vacant



Box 17547/16
1/22
R. 10-02

Spears, Willie
 6804 Sandra Road
 Panama City, FL 32409

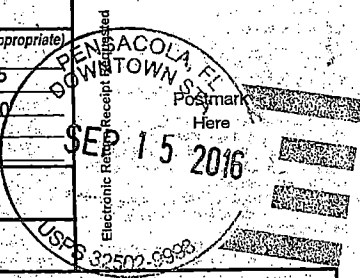
16 OCT 22 9:44AM

NIXIE 322 DE 1 0010/19/16
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 UNC 8C: 32591260101 *2187-02320-15-42
 32591260101

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com
 214 8969 0099 9790 1522 9545 95

Certified Mail Fee	\$3.30
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 1.35
<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$0.465
Total Postage and Fees	\$5.115



Sent To
 Spears, Willie
 Street and Apt. No., 6804 Sandra Road
 Panama City, FL 32409
 City, State, Zip+4®

EXHIBIT 4 (11 of 14)

Keelie Sekerka

From: Keelie Sekerka
Sent: Monday, September 19, 2016 1:36 PM
To: 'Willie Spears'
Subject: RE: Certified mail
Attachments: 2016_09_19_13_33_00.pdf

Importance: High

Yes we have mailed you a notice in regards to your termination report that was due 08/04/2016. I have attached the letter for you as well.

Thank You,

Keelie A. Sekerka

Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiavotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Willie Spears [<mailto:wspears05@gmail.com>]
Sent: Sunday, September 18, 2016 2:21 PM
To: SOE
Subject: Certified mail

Hello,

Are you trying to reach me for some reason. I have a new address, but was told you were trying to reach me.
850-624-6933
Willie Spears

EXHIBIT 14 (12 of 14)

Keelie Sekerka

From: Mail Delivery Subsystem [MAILER-DAEMON@mx3.co.escambia.fl.us]
To: wspears05@gmail.com
Sent: Monday, September 19, 2016 1:36 PM
Subject: Relayed: Certified mail

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

wspears05@gmail.com

Subject: RE: Certified mail

l H. Stafford
DIRECTOR OF ELECTIONS
TALAHASSEE COUNTY
P.O. BOX 12601
TALAHASSEE, FLORIDA 32399-12601

nextpost
09/29/2017
US POSTAGE

PRIORITY MAIL
\$07.10⁰⁰



ZIP 32502
041L11244256

RECEIVED

2017 SEP 30 - A 10:57

STATE OF FLORIDA
ELECTIONS COMMISSION

2017 SEP 30 A 10:57 AM
EXHIBIT 11 (11/30/17) 7

STATE OF FLORIDA
ELECTIONS COMMISSION

Florida Elections Commission
107 West Gaines Street, Ste 224
Collins Building
Tallahassee FL 32399-1050

STATE OF FLORIDA
ELECTIONS COMMISSION

2017 OCT - 4 A 11:04

RECEIVED

Willie Spears
Superintendent of Schools Campaign
6804 Sandra Road
Panama City, FL 32409

David Stafford
Escambia County Supervisor of Elections

This letter is to inform you that I have decided not to run for Superintendent of Schools.

Sincerely


Willie Spears

4/11/16
Date

MAY 16 2016

Keelie Sekerka

From: Keelie Sekerka
Sent: Monday, June 20, 2016 4:21 PM
To: 'Willie Spears'
Subject: RE: Willie Spears

Mr. Spears we are contacting you because Mr. Stafford accepted your letter of withdrawal on April 11, 2016 therefore you must submit either a waiver or report showing contributions & expenditures for the period of 04/01/2016 through 04/11/2016. It is per Florida Statue 106.141 that you must file a termination report within 90 days of being withdrawn. Your termination report is the TRSpears report.

Thank You

Keelie A. Sekerka

Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambivotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Willie Spears [<mailto:wspears05@gmail.com>]
Sent: Friday, June 17, 2016 5:36 PM
To: SOE
Subject: Willie Spears

Greetings,

On March 21, 2016 I filed to run for superintendent of schools. Seven days later. One week later, I decided not to run. I called and talked to two people in your office and I sent in a letter. For some reason I keep getting emails and letters in the mail, many from certified mail saying I owe money and I have to file reports. Please help me.
WS

<http://www.pnj.com/story/news/2016/03/21/spears-running-escambia-superintendent/82075054/>
<http://www.pnj.com/story/news/local/education/2016/03/30/spears-withdrawing-superintendent-race/82428254/>

June 20, 2016 @ 5:00 pm

Mr. Spears called the SOE Office in regards to his campaign reports. I explained to him he still needs to submit his M4 report for the period of 4/01/16 – 4/30/16. I ask if he and any contributions or expenditures to report he said no. I told him he only needs to login and submit a waiver. He also has his termination report due 08/04/16, the TRSpears report. He said he would go online and do them both now.

WS

WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

ONLINE SUBMISSION

Id: 527 [1110042]

Submitted on:

6/30/2016 16:43:04 (eastern)

OFFICE USE ONLY

Willie Spears

Name

Superintendent of Schools

Office Sought

6804 Sandra Road

Address

Panama City, FL 32409

City

State

Zip Code



Candidate



Political Committee



Party Executive Committee

NOTE: This form does not apply to an electioneering communications organization (ECO). An ECO must file a report (not a waiver) that no reportable contributions or expenditures were made during the reporting period (s. 106.0703(6), F.S.).



Check here if address has changed since last report.



Check here if PC has DISBANDED and will no longer file reports.

TYPE OF REPORT (Check Appropriate Box and Complete Applicable Line beneath Box)



MONTHLY REPORT



PRIMARY ELECTION



GENERAL ELECTION



OTHER REPORT TYPE

Indicate report #

M M4

Indicate report #

P _____

Indicate report #

G _____

Indicate report type and # as applicable:



TERMINATION REPORT



SPECIAL ELECTION

NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

4/1/2016

THROUGH

4/30/2016

X

Signature

Date

X

Signature

Date

REQUIRED SIGNATURES FOR:

Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Party Executive Committees:

Treasurer and Chairman (s. 106.20(2), F.S.)

Except as noted above for an ECO, in any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

Tuesday, February 20, 2018, Willie Spears came into the office to speak with Mr. Stafford. Mr. Spears received a letter from the Florida Elections Commissions regarding not filling his termination report. He spoke with Mr. Stafford and decided to submit his termination report. I set down with Mr. Spears at the candidate computer and went over logging in, He stated he needed to fix this today what does he need to do. He did not have his login information which I found and walked him through logging in. He needed to update his password, he changed the password (do not know new password) and he was able to login. I gave him the pin numbers and explained he would need them to submit his reports. showed him where to find his termination report. We (Jon & Keelie) ask Mr. Spears if he opened his campaign account he said yes, he went to the original bank but had to change banks to open it at Wells Fargo. We do not have a DS-DE9 form assigning Wells Fargo as his campaign bank. We did not know this until today. Mr. Spears stated he opened his account with his own monies or either his treasurer did but had no other contribution or expenditures. I explained he needed to do an amendment for the first report showing the contribution he made to open the account, he would need to know the date, amount of contribution, name, address and when he closed the account to withdraw the monies as well along with the required information. Then do his termination report. I walked him through unlocking his first report and how to enter the information as well as where his termination report was. After reviewing what Mr. Spears needed to do to correct his reports. He decided to leave. He did take his login information with him.

Keelie A Sekerka
Keelie A Sekerka
Escambia County SOE
Elections Specialist

WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

ONLINE SUBMISSION

Id: 527 [1102858]

Submitted on:

4/11/2016 19:37:33 (eastern)

OFFICE USE ONLY

Willie Spears

Name

Superintendent of Schools

Office Sought

6804 Sandra Road

Address

Panama City, FL 32409

City

State

Zip Code



Candidate



Political Committee



Party Executive Committee

NOTE: This form does not apply to an electioneering communications organization (ECO). An ECO must file a report (not a waiver) that no reportable contributions or expenditures were made during the reporting period (s. 108.0703(6), F.S.).



Check here if address has changed since last report.



Check here if PC has DISBANDED and will no longer file reports.

TYPE OF REPORT (Check Appropriate Box and Complete Applicable Line beneath Box)



MONTHLY REPORT



PRIMARY ELECTION



GENERAL ELECTION



OTHER REPORT TYPE

Indicate report #

M3
M

Indicate report #

P

Indicate report #

G

Indicate report type and #
as applicable:



TERMINATION REPORT



SPECIAL ELECTION

NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

3/1/2016

THROUGH

3/31/2016

X

Signature

Date

X

Signature

Date

REQUIRED SIGNATURES FOR:

Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

Except as noted above for an ECO, in any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-300**

Respondent: Willie Spears

Complainant: The Honorable David Stafford (Escambia County SOE)

1. **Date and time:** 04/13/18; 5:20 p.m.

Name: Respondent—Willie Spears

Phone #: 850-624-6933

Summary: I phoned, identified myself, requested to speak to Respondent and he indicated I had reached him; I explained that I am investigating the complaint, our ED issued a LS letter on April 9, 2018, alleging three violations of Florida's election laws. Respondent said he hasn't seen the letter, yesterday his attorney began suing the School Superintendent of Escambia County, and SOE—Complainant—for discrimination. He said he understands that I have a job to do but is very frustrated by complaint and bullying by local officials. Respondent intimated that the local officials are concerned that he'll run for Superintendent in 2020 and want the complaint to assist in a future smear campaign against him should he seek public office in Escambia County.

Respondent said he was assured by the SOE that "everything was fixed" when he drove to Pensacola on his "own time"; he drove from Montgomery as he had personal business in Panama City then drove to Pensacola and spoke with Complainant in person. He feels this is further harassment by SOE and School Superintendent. I explained it appears he filed a 2016 M4 Report (waiver-of-report) rather than a TR, and perhaps he and/or his campaign treasurer should file a TR. Respondent said he never opened a campaign bank account and only saw campaign treasurer once.

Memo to File? No

Entered by: HH

2. **Date and time:** 07/12/18; 12:30 p.m. EST

Name: Keelie A. Sekerka, Elections Specialist, Escambia County SOE Office

Phone #: 850-595-3900

Summary: I phoned, identified myself, requested to speak with Keelie, and after a brief pause, she identified herself; I explained that I would like any additional information her office may have on Respondent; she requested I "shoot" her a quick email and I agreed to provide same.

Memo to File? No

Entered by: HH

3. **Date and time:** 07/12/18; 12:41 p.m. EST

Name: Paula Parsons, R's campaign treasurer

Phone #: 850-910-3125 (cell)

Summary: I phoned Ms. Parsons, reached her voice-mailbox ("Paula"), I identified myself, provided my contact number, explained that I have questions about Respondent's campaign treasurer's reports, requested she return my call and again provided my contact number.

Memo to File? No

Entered by: HH

4. **Date and time:** 07/13/18; 1:10 p.m. EST
Name: Keelie A. Sekerka, Elections Specialist, Escambia County SOE Office
Phone #: 850-595-3900
Summary: I phoned, identified myself to Brittany, and requested to speak with Ms. Sekerka; after a brief hold, she answered the phone. I explained that I will email an affidavit-questionnaire later today regarding Respondent's 2016 campaign and materials staff of the ECSOE provided to him. She said staff created a local candidate handbook (she'll provide a copy of the Table of Contents), provided copies of the *Candidate and Campaign Treasurer Handbook* and Florida's election laws obtained from the DOE's website downloaded to a CD for local candidates including Respondent. She explained they're busy sending out ballots by mail today but she should be able to complete it next week.
Memo to File? No
Entered by: HH
5. **Date and time:** 07/23/18; 11:14 a.m.
Name: Paula Parsons, R's campaign treasurer
Phone #: UNK
Summary: She returned my call and provided her contact number: 850-910-3125.
Memo to File? No
Entered by: HH
6. **Date and time:** 07/30/18; 4:35 p.m.
Name: Paula Parsons, R's campaign treasurer
Phone #: 850-910-3125
Summary: I phoned, reached her voice-mailbox, identified myself, apologized for missing her call last week, explained the reason for my absence, provided time when I'm available today, usual business hours in Tallahassee, and requested she return my call.
Memo to File? No
Entered by: HH
7. **Date and time:** 08/07/18; 10:37 a.m.
Name: Paula Parsons, R's campaign treasurer
Phone #: UNK
Summary: She phoned, explained she will be in the office all day today, and provided her contact number, PH: 850-910-3125 (same as on file).
Memo to File? No
Entered by: HH
8. **Date and time:** 08/08/18; 4:00 p.m.
Name: Paula Parsons, R's campaign treasurer
Phone #: 850-910-3125
Summary: I phoned, identified myself, she confirmed I had reached her; Ms. Parsons confirmed she was Respondent's campaign treasurer, she knew his campaign manager (Whitney ??), and had served as campaign treasurer for a candidate Whitney managed prior

to Respondent's campaign. Ms. Parsons said Respondent was articulate, wanted to do something to improve the community so she agreed to be his campaign treasurer.

Ms. Parsons explained that Respondent had a campaign fundraiser early after she became campaign treasurer; it raised a small amount of money (she does not recall the exact amount but does not think it was over \$1,000). She added that Respondent wanted control of the money, wanted her to only complete and file CTRs, and she would not be in control of campaign finances. As campaign treasurer, Ms. Parsons knew she would bear all the responsibility for anything that went wrong—discrepancies in the campaign bank account and incorrect/late filings, etc.; therefore, Ms. Parsons submitted her resignation to the Escambia County SOE.

Ms. Parsons said she attempted to remove her name from the campaign account at Wells Fargo Bank; however, the depository would not remove her name unless Respondent came in with her. Ms. Parsons said she gathered all the paperwork she had related to Respondent's campaign and mailed it to Respondent at his home in Panama City, Florida. She declared she did not complete any CTRs/notices-of-no-activity. Ms. Parsons said Respondent informed her later that he returned the contributions (from the fundraiser) to the contributors when he withdrew from the campaign.

Memo to File? No

Entered by: HH

9. **Date and time:** 08/20/18; 1:59 p.m.

Name: Patricia Hawkins, subpoenas, Wells Fargo Bank, N.A.

Phone #: 704-427-5967 (caller I.D.)

Summary: She phoned, identified herself, explained that she needs Respondent's SSN, and my email address to provide the records; I provided same.

Memo to File? No

Entered by: HH

10. **Date and time:** 09/10/18; 1:16 p.m.

Name: Wells Fargo Bank, N.A. – summons & subpoena processing

Phone #: 480-724-2000

Summary: I called after receiving notice about the records (bank reference # 20426565) and there was only the one monthly bank statement without including deposit items for Respondent's campaign account. I waited approximately 10 (9:55) minutes for someone to answer the phone and recording of female voice said, "Please wait for the next representative."

Memo to File? No

Entered by: HH

11. **Date and time:** 10/08/18; 3:30 p.m.

Name: Respondent—Willie Spears

Phone #: 850-624-6933

Summary: I phoned Respondent in an attempt to confirm his mailing address to send the affidavit-questionnaire, left voice-mail message identifying myself, providing my contact number and requesting Respondent to return my call.

Memo to File? No

Entered by: HH

12. **Date and time:** 11/16/18; 4:08 p.m.

Name: Scott, Wells Fargo Bank, N.A. – summons & subpoena processing

Phone #: 480-724-2000

Summary: I phoned regarding the incomplete production (bank reference # 20426565), identified myself and explained I received one monthly bank statement; however, the subpoena included copies of all deposit items including images corresponding to each deposit and copies of payment instruments, items of withdrawal, withdrawal ticket, checks, transfers, electronic payments, wire transfers, etc. Scott said I should fax my request to 844-879-0561, and identify the bank reference number I had provided to him. I asked how soon I should expect my records; he said he could not give an ETA, as it depended on the individual representative.

Memo to File? No

Entered by: HH

13. **Date and time:** 11/20/18; 9:15 a.m.

Name: Patricia Hawkins, subpoenas, Wells Fargo Bank, N.A.

Phone #: UNK

Summary: She phoned, reached my voice-mailbox while I was out of the office, said she received my fax regarding production and had produced signature cards, bank statements, deposits, off-sets, checks, debit memos, etc., for the period March 1, 2016 until the present time; I should understand these accounts were open for a brief period of time; would not provide any additional production if she did not hear from me today; and provided her contact number, 704-427-5967.

Memo to File? No

Entered by: HH

14. **Date and time:** 11/21/18; 8:50 a.m.

Name: Patricia Hawkins, subpoenas, Wells Fargo Bank, N.A.

Phone #: 704-427-5967

Summary: I phoned, reached her voice-mailbox, provided my contact information, and indicated that I only received the campaign account (3791708104) signature card (account application) and bank statement covering the period of March 21 through April 13, 2016; did not receive the credits/deposits, off-sets, withdrawals, etc., she said she provided earlier; and provided my contact number.

Memo to File? No

Entered by: HH

15. **Date and time:** 12/13/18; 3:20 p.m.

Name: Patricia Hawkins, subpoenas, Wells Fargo Bank, N.A.

Phone #: 704-427-5967

Summary: I phoned, reached her voice-mailbox, provided my contact information, Bank Reference # 20426565, said I have called before, and indicated that I only received the campaign account (3791708104) signature card (account application) and one bank

statement (covering the period of March 21 through April 13, 2016); did not receive the credits/deposits, off-sets, withdrawals, etc., and provided my contact number.

Memo to File? No

Entered by: HH

16. **Date and time:** 12/14/18; 3:26 p.m.

Name: Respondent—Willie Spears

Phone #: 850-624-6933

Summary: I phoned number on file for Respondent; however, young person (male voice) answering phone said this was no longer Respondent's phone number, he didn't know when it changed or how long he (male voice) had this number. I noted this is same telephone number currently identified on Respondent's personal website, www.williespears.com — The Willie Spears Experience; Respondent's address is provided on his website as "720 Lismore Pl, Montgomery, AL 36117"; and according to the schedule provided on the website, Respondent is scheduled to speak at a church in Cordele, Georgia this Sunday, December 16, 2018.

Memo to File? No

Entered by: HH

17. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

18. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

19. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

20. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

Helen Hinson

From: Helen Hinson
Sent: Tuesday, August 14, 2018 5:21 PM
To: 'Paula'
Subject: RE: CONFIDENTIAL - Case No.: FEC 17-300

Ms. Parsons,
Thank you for the information.

Helen Hinson
Investigation Specialist
Florida Elections Commission
The Collins Building, Ste. 224
107 West Gaines Street
Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
PH: 850.922.4539, extension 115
FAX: 850.921.0783
www.fec.state.fl.us

Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

From: Paula <psparsons@bellsouth.net>
Sent: Tuesday, August 14, 2018 5:17 PM
To: Helen Hinson <Helen.Hinson@myfloridalegal.com>
Subject: RE: CONFIDENTIAL - Case No.: FEC 17-300

Ms Hinson:
He originally tried Warrington Bank, but there was an issue to do with his father (because they have the same name) and Warrington Bank would not let the account be opened. Therefore Wells Fargo was chosen because that is where his personal accounts were held.

Thanks
Paula

Sent from Mail for Windows 10

From: Helen Hinson
Sent: Thursday, August 9, 2018 3:15 PM
To: PARSONS PAULA
Subject: RE: CONFIDENTIAL - Case No.: FEC 17-300

Ms. Paula Parsons
4048 Scottsdale Ave.
Pace, FL 32571
PH: 850.910.3125

EXHIBIT 112 (1 of 3)

Dear Ms. Parsons:

I am drafting the Affidavit, and wish to confirm that Wells Fargo Bank, N.A., served as campaign depository for the 2016 campaign of Willie Spears, as we discussed yesterday. The Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates (Form DS-DE 9) filed with the SOE on March 21, 2016, identifies Warrington Bank at 4093 Barrancas Avenue, Pensacola, Florida, as campaign depository. Please let me know which is correct and why it changed to Wells Fargo rather than as identified on Form DS-DE 9.

Thank you in advance for your assistance in resolving this matter.

Helen Hinson

Investigation Specialist
Florida Elections Commission
The Collins Building, Ste. 224
107 West Gaines Street
Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
PH: 850.922.4539, extension 115
FAX: 850.921.0783
www.fec.state.fl.us

Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

From: PARSONS PAULA <psparsons@bellsouth.net>
Sent: Thursday, August 09, 2018 12:30 PM
To: Helen Hinson <Helen.Hinson@myfloridalegal.com>
Subject: Re: CONFIDENTIAL - Case No.: FEC 17-300

Good morning. I did receive the e-mail but there is no attachment
Thanks
Paula.

On Wednesday, August 8, 2018 4:20 PM, Helen Hinson <Helen.Hinson@myfloridalegal.com> wrote:

Ms. Paula Parsons
4048 Scottsdale Ave.
Pace, FL 32571
PH: 850.910.3125

Dear Ms. Parsons:

Thank you for taking the time to speak with me this afternoon. As we discussed, I have provided this email so you may forward emails you have regarding the 2016 campaign of Willie Spears for Superintendent of Escambia Schools.

Thank you in advance for your assistance in resolving this matter. **Please be kind enough to confirm your receipt of the email and your ability to open it.**

EXHIBIT 12² (2 of 3)

Helen Hinson
Investigation Specialist
Florida Elections Commission
The Collins Building, Ste. 224
107 West Gaines Street
Tallahassee, FL 32399-1050
helen.hinson@myfloridalegal.com
PH: 850.922.4539, extension 115
FAX: 850.921.0783
www.fec.state.fl.us

Please note: Florida has a very broad public records law. Written communications to or from me regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

Customer 1 Information

Customer Name: WILLIE D SPEARS JR			Street Address: 6804 SANDRA RD		
Customer Number (ECN): 522534861657418			Address Line 2:		
Account Relationship: Primary Joint Owner (or)			Address Line 3:		
Taxpayer Identification Number (TIN):		TIN Type:	Date of Birth:		City:
[REDACTED]		SSN	10/20/1977		PANAMA CITY
State:		ZIP/Postal Code:		Country:	Time at this address:
FL		32409-1516		US	3 Year(s) 8 Month(s)
Primary ID Type:	Primary ID Description:		Directional Address:		
DLIC	[REDACTED]		(Document when no physical residence, business or alternate street address.)		
Primary ID St/Ctry/Prov:	Primary ID Issue Date:	Primary ID Expiration Date:			
FL	10/21/2010	10/20/2019			
Secondary ID Type:	Secondary ID Description:		Previous Street Address:		
OTHR DC	WF DEBIT CARD				
Secondary ID State/Country:	Secondary ID Issue Date:	Secondary ID Expiration Date:			
		12/01/2017			
Home Phone:	Business Phone:		City:		
850/624-6933	850/535-2046		State:		
Current Employer:	ZIP/Postal Code:		Country:	Time at this address:	
VERNON HIGH SCHOOL				Year(s) Month(s)	
Check Reporting:	Country of Citizenship:				
NO RECORD	US				

Customer 2 Information

Customer Name: PAULA PARSONS			Street Address: 4048 SCOTTSDALE AVE		
Customer Number (ECN): 104268611804214			Address Line 2:		
Account Relationship: Secondary Joint Owner (or)			Address Line 3:		
Taxpayer Identification Number (TIN):		TIN Type:	Date of Birth:		City:
[REDACTED]		SSN	06/06/1969		PACE
State:		ZIP/Postal Code:		Country:	Time at this address:
FL		32571-8843		US	Year(s) Month(s)
Primary ID Type:	Primary ID Description:		Directional Address:		
DLIC	[REDACTED]		(Document when no physical residence, business or alternate street address.)		
Primary ID St/Ctry/Prov:	Primary ID Issue Date:	Primary ID Expiration Date:			
FL	06/05/2014	06/06/2022			
Secondary ID Type:	Secondary ID Description:		Previous Street Address:		
OTHR	SSN CRD 9947				
Secondary ID State/Country:	Secondary ID Issue Date:	Secondary ID Expiration Date:			
Home Phone:	Business Phone:		City:		
			State:		
Current Employer:	ZIP/Postal Code:		Country:	Time at this address:	
Political Campaign				Year(s) Month(s)	
Check Reporting:	Country of Citizenship:				
NO RECORD	US				




Customer Signatures

Everything I have stated in this application is correct. You are authorized to make any inquiries that you consider appropriate to determine if you should open or maintain the account. This may include ordering a credit report or other report (i.e. information from any motor vehicle department or other state agency) on me. **I have received a copy of the applicable account agreement and the privacy policy (each may be amended from time to time) and agree to be bound by their terms.** I also agree to the terms of the dispute resolution program described in the foregoing agreements. **Under the dispute resolution program, our disputes will be decided before one or more neutral persons in an arbitration proceeding and not by a jury trial or a trial before a judge.**

Customer 1 Name

WILLIE D SPEARS JR

Customer 1 Signature

WILLIE D SPEARS JR


- Submit manually
- Signature not required

Date:

03/21/2016

Customer 2 Name

PAULA PARSONS

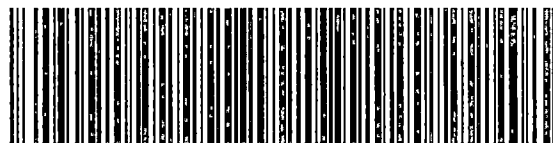
Customer 2 Signature

PAULA PARSONS


- Submit manually
- Signature not required

Date:

03/21/2016



2W02-000760270659-03

EXHIBIT 13 (2 of 2)

Wells Fargo Everyday Checking

Account number: 3 [REDACTED] □ March 21, 2016 - April 13, 2016 □ Page 1 of 3

WILLIE D SPEARS JR
 PAULA PARSONS
 SPEARS FOR SUPERINTENDENT
 6804 SANDRA RD
 PANAMA CITY FL 32409-1516

Questions?

Available by phone 24 hours a day, 7 days a week:
 Telecommunications Relay Services calls accepted

1-800-TO-WELLS (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (287)
 P.O. Box 6995
 Portland, OR 97228-6995

You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input checked="" type="checkbox"/>
Online Bill Pay	<input type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input checked="" type="checkbox"/>

Other Wells Fargo Benefits

Students have unique needs when it comes to their money. Whether a younger teen in high school, or an older teen preparing to graduate and take the next step towards college, the military, or directly into the workforce, Wells Fargo has the tools and resources to help students access their money, manage a budget, pay for college, and much more. Visit

wellsfargo.com/studentcenter

Activity summary

Beginning balance on 3/21	\$0.00
Deposits/Additions	1,464.66
Withdrawals/Subtractions	- 1,464.66
Closing balance on 4/1	\$0.00

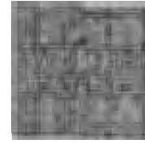
Account number: [REDACTED]

WILLIE D SPEARS JR
 PAULA PARSONS
 SPEARS FOR SUPERINTENDENT

Please account terms and conditions apply

For Direct Deposit use
 Routing Number (RTN): 063107513

Account number: [REDACTED] □ March 21, 2016 - April 13, 2016 □ Page 2 of 3

**Overdraft Protection**

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
3/21		Deposit	900.00		900.00
3/28		Deposit Made In A Branch/Store	405.00		1,305.00
3/31		Rally.Org Sv9T 8886482220 160330 Willie Spears	45.75		1,350.75
4/1		Rally.Org Sv9T 8886482220 160331 Willie Spears	113.91		
4/1		Online Transfer to Spears W Checking xxxxxx3101 Ref #ben8Cils7 on 04/01/16		1,464.66	0.00
Ending balance on 4/13					0.00
Totals			\$1,464.66	\$1,464.66	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

**IMPORTANT ACCOUNT INFORMATION**

Overdraft Fee Waiver Clarification: We will waive any overdraft fees if both your ending daily account balance (posted balance) and your available balance (which includes pending transactions) are overdrawn by \$5 or less and there are no items returned for insufficient funds at the end of our nightly processing. This fee waiver is associated with the total overdrawn balance, not the dollar size of the transaction(s) contributing to the overdrawn balance. To find out more about online banking tools that Wells Fargo offers to help you manage and track your spending, visit wellsfargo.com/online-banking. For additional information, see your Account Agreement, speak with a local banker, or call the phone number on the top of your statement.

EXHIBIT 14 (2 of 2)



Response in writing

Willie Spears

to:

fec

02/20/2018 12:00 PM

Hide Details

From: Willie Spears <wspears05@gmail.com>

To: fec@myfloridalegal.com

Erin Riley,

Greetings,

My name is Willie Spears and I received your certified letter on Friday, February 16th. When I received the letter your offices were closed and they have been closed through the weekend and on Monday, February 19th, which was President's Day. Therefore today is the first day that I could respond to the allegations. There was a complaint filed against me by an officer of the Office of Elections for Escambia County. His name is David Stafford. This morning, which is Tuesday February 20th, I drove to Pensacola from my home in Montgomery, Alabama to ask him about this complaint. When we spoke he remembered me coming in, but he said he did not know if I came in to fill out the correct paperwork. I have attempted to turn in this paperwork three different times. I have tried to contact the Office of Elections and I also have reached out to experienced politicians to help me in this endeavor. I withdrew from the election for Superintendent of Schools less than 10 days after submitting my application. I am going to do the correct paperwork again, however, I wanted to submit this in writing saying that I am trying to do everything I can to meet the requirements. Please tell me what I need to do to rectify this situation. Thank you so much for your assistance in this matter.

Willie Spears

850-624-6933

EXHIBIT

15

AFFIDAVIT
Case Number: FEC 17-300

STATE OF FLORIDA
County of Escambia

Keelie A. Sekerka, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by the Escambia County Supervisor of Elections as an Election Specialist.
3. Please provide copies from the following 2016 candidate's campaign file: **Willie Spears.**

Check	ITEM
attached	Calendar of Reporting Dates for 2016 campaign
sent	Letter of Withdrawal dated April 11, 2016

4. Please check each item provided to the candidate, and list the date that the item was provided to her/him.

Check	ITEM	DATE
X	Chapter 104, <i>Florida Statutes</i>	03/21/16
X	Chapter 106, <i>Florida Statutes</i>	03/21/16
X	<i>Candidate and Campaign Treasurer Handbook. Please indicate Year.</i> 2016	03/21/16
	Other: ¹	

5. How are Chapter 106, *Florida Statutes*, and the *Candidate and Campaign Treasurer Handbook* provided to the candidate? on CD when pre-filed see attached

- Publications are given directly to the candidate.
- Publications are available in the office, candidate is advised to pick-up the publications for themselves.

¹ Please identify any local publications regarding Florida's election laws that may have been provided to the candidate in lieu of the *Candidate and Campaign Treasurer Handbook* published by the Division of Elections such as a 2016 Candidate Handbook for local candidates. If your office published the item(s), please send a copy of the Table of Contents for the item(s) with the affidavit.

X Candidate is advised to download copies of the publications from our website or the Division of Elections' website.

X Copies are downloaded from the Division of Elections' website to a CD and given to the candidate.

X Other, please explain. provided link to handbooks & laws (see attached) _____

6. Please identify Florida's election laws that were provided to the candidate on CD.
_____ current laws provided by the Division of Elections at the time of pre-filing _____

7. Did Willie Spears tender any campaign checks for his 2016 campaign to your office for qualifying fee, fines, petition signature verification, etc.? Yes or No. If yes, please provide a copy.

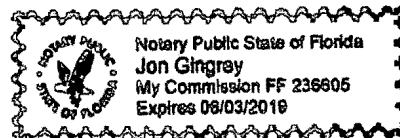
8. Has Willie Spears filed his termination report or notified the filing officer in writing on the prescribed reporting date that no report is being filed? Yes or No. If yes, please provide a copy and identify the date it was filed.

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Queen C. DePue
Signature of Affiant

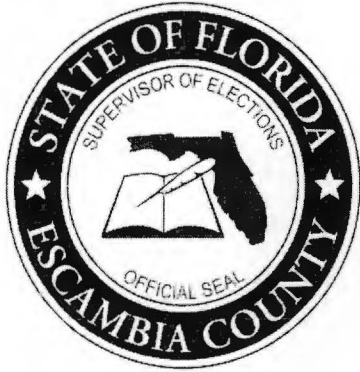
Sworn to (or affirmed) and subscribed before me this 25 day of July, 2018.

[Signature]
Signature of Notary Public - State of Florida
Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known or Produced Identification _____
Type of Identification Produced: _____

Case investigator: HH



2016

**Escambia County
Candidate
Handbook**

David H. Stafford, CERA
Escambia County Supervisor of Elections

EXHIBIT 17 (1 of 8)

Published 8/28/2015
Revised 06/01/2016

EXHIBIT 17 (2 of 8)

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EXHIBIT 17 (3 of 8)

Explanation

The information contained in this handbook is intended as a quick reference guide only and is current upon publication. Chapters 97-106, Florida Statutes, the Constitution of the State of Florida, Division of Elections' Opinions and Rules, Division of Elections' Candidate Handbook, Attorney General Opinions, city charters and ordinances, special acts and other sources should be reviewed in their entirety for complete information regarding qualifying.

This handbook contains information relevant to running for local offices and who qualify with David H. Stafford, Escambia County Supervisor of Elections Office as party candidates, no party affiliation candidates, nonpartisan candidates and write-in candidates. It summarizes the qualifications for each office, with both the regular and petition methods of qualifying, along with write-in procedures (if applicable) for each local office that qualifies. It also indicates the number of signatures required for petition method candidates.

Please direct any questions to David H. Stafford, Escambia County Supervisor of Elections, Candidate Qualifying Department at (850) 595-3900.

Visit our website EscambiaVotes.com



EXHIBIT 17 (4 of 8)

2016 Campaign Reporting Dates for Local Candidates and Committees for Primary Election August 30, 2016

Primary Election Reports must be filed by all candidates even if their name will only appear on the General Election Ballot.

Cover Period	Report Code	Due Date
01/01/16 – 01/31/16	2016 M1	02/10/16
02/01/16 – 02/29/16	2016 M2	03/10/16
03/01/16 – 03/31/16	2016 M3	04/11/16
04/01/16 – 04/30/16	2016 M4	05/10/16
05/01/16 – 05/31/16	2016 M5	06/10/16
06/01/16 – 06/24/16	2016 P1	07/01/16
06/25/16 – 07/08/16	2016 P2	07/15/16
07/09/16 – 07/22/16	2016 P3	07/29/16
07/23/16 – 07/29/16	2016 P4	08/05/16
07/30/16 – 08/05/16	2016 P5	08/12/16
08/06/16 – 08/12/16	2016 P6	08/19/16
08/13/16 – 08/25/16	2016 P7	08/26/16
Termination Reports		
05/01/16 – 08/04/16	TR-JQ	08/04/16
06/25/16 – 09/22/16	TR-Q	09/22/16
08/26/16 – 11/28/16	TR-P	11/28/16

Penalty for Late Filing

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

For Termination Reports the fine is \$50 per day for each late day, not to exceed 25% of the total contributions or expenditures, whichever is greater, for the period covered by the late report. **Candidates must dispose of all funds in the campaign account and file a Termination Report within 90 days after having withdrawn, become unopposed, eliminated or elected to office.**

EXHIBIT 17 (5 of 8)

Overview

Each candidate and treasurer is responsible for following all applicable laws provided by the State of Florida during his or her run for elected office.

Each candidate must sign a statement of candidate form within 10 days of filing the appointment of campaign treasurer form. The statement of candidate form states that the candidate has been given access to, read, and understood the requirement of Chapter 106 of the Florida Statutes

The Florida Election Commission in Tallahassee investigates violations of Chapter 106 should any individual wish to file a complaint. The Escambia County Supervisor of Elections does not have investigative authority. Criminal penalties are associated with many provisions.

Completion and correctness of finance reports are the responsibility of the candidate and campaign treasurer. The supervisor of elections office is required to notify the Florida Elections Commission for failure to submit a report.

The Escambia County Supervisor of Elections requires that all campaign reports be filed through the Online Reporting System. Each candidate will be issued a password and ID number that will be mailed to them after filing the DS-DE 9 Appointment of Campaign Treasurer Form. Reports must be filed by 11:59:59 p.m. on the date it is due, otherwise the report is considered late.

Each candidate, campaign treasurer, and deputy treasurer will receive a personal identification number to submit reports using the electronic filing system. The PIN will be considered a signature for the submitted report.

Campaign reports are public records. These reports will likely be reviewed by opposing candidates, the general public, and media outlets. In some cases, investigators from different governmental agencies review these reports. It is important that great care is taken to ensure that campaign reports are complete, accurate, and in compliance with all election laws.

If a campaign report has been accepted and is found to be incomplete, the candidate will be notified and required to file an **amended** campaign report.

EXHIBIT 17 (6 of 8)

Common Mistakes Made By Candidates, Political Committees & Campaign Treasurers

- One of the most serious mistakes a candidate can make is to accept a cash contribution and then spend it before it is deposited into the campaign account;
- Accepting anonymous contributions, such as passing the hat or selling tickets for fund raisers without getting the required information from contributors;
- Accepting cash contributions in excess of \$50, in aggregate, per election, from same donor;
- Failing to include correct political disclaimers on political advertisements and campaign literature;
- Filing Campaign Treasurer Reports late;
- Showing a deficit in campaign contribution and expenditure reports;
- Spending monetary contributions before they are deposited into the campaign account;
- Paying for items with cash and personal check instead of a campaign check;
- Accepting contributions to cover outstanding expenses after the election;
- Listing occupation over \$100 as "business owner", "sales" or other vague descriptions;
- Listing a contribution from "Mr. and Mrs." – the contribution must be listed from the individual who signed the check. (Division of Elections Opinion 93-10)

2016 Candidate Qualifying

Judicial, State Attorney and Public Defender: Noon, May 2 – Noon, May 6

1st Day to accept qualifying papers: April 18, 2016 (14 days prior to beginning of qualifying)

Federal, State, Multi-County, Escambia county and City Offices: Noon, June 20 – Noon, June 24

1st Day to accept qualifying papers: June 6, 2016 (14 days prior to beginning of qualifying)

The following pages contain specific qualifying information for local offices.

EXHIBIT 17 (7 of 8)

Superintendent of Schools	
Qualifications	<ul style="list-style-type: none"> • Registered voter • Resident of the county at the time of assuming office.
Petition Requirements	1% of Registered Voters in Escambia County – 2,010 Valid Petitions <i>(Must meet petition requirement <u>or</u> pay Qualifying Fee listed below.)</i>
Salary	\$135,571 (FY 2015-16)
Qualifying Fee	6% Partisan - \$8,134.26 or 4% Nonpartisan - \$5422.84
Forms to File	<p>To get started:</p> <ul style="list-style-type: none"> • Appointment of Campaign Treasurers & Designation of Campaign Depository (DS-DE 9) • Statement of Candidate Form (DS-DE 84) • Candidate Information Sheet (located on EscambiaVotes.com website) <p>During Qualifying: (Noon, June 20, 2016 – Noon, June 24, 2016) (must file ONE of the two Loyalty Oaths)</p> <ul style="list-style-type: none"> • Candidate Oath - Candidate with Party Affiliation (DS-DE 24) • Candidate Oath - Candidate with No Party Affiliation (DS-DE 24B) • Form 6 Full and Public Disclosure of Financial Interests 2015
Term of Office	4 years
Commence Term	Tuesday, November 22, 2016

EXHIBIT 17 (8 of 8)

2016 Candidate & Campaign Treasurer Handbook

FLORIDA
★ DIVISION OF ★
ELECTIONS



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

(Rev. 01/22/16)

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Chapter 16: Filing Campaign Reports

Each campaign treasurer designated by a candidate shall file regular reports of all contributions received and all expenditures made by or on behalf of such candidate.

The candidate and his or her campaign treasurer shall certify as to the correctness of each report. Each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any campaign treasurer or candidate who willfully certifies the correctness of any report while knowing that such report is incorrect, false or incomplete commits a misdemeanor of the first degree.

(Section 106.07, F.S.)

Where to File

A campaign treasurer is required to file campaign treasurer's reports with the officer with whom the candidate registers.

Candidates filing reports with the Division are required to file by means of the Electronic Filing System. If the candidate's filing officer is other than the Division, contact the appropriate filing officer to find out the requirements.

The web address for filing online with the Division is: <https://efs.dos.state.fl.us/>
(Section 106.07(2), F.S.)

When to File

Reports must be filed on the 10th day following the end of each calendar month from the time the candidate registers, except that if the 10th day occurs on a Saturday, Sunday or legal holiday, the report shall be filed on the next business day that is not a Saturday, Sunday or legal holiday.

A statewide candidate must file reports:

1. On the 60th day immediately preceding the primary election, and each week thereafter, with the last weekly report being filed on the 4th day immediately preceding the general election.
2. On the 10th day immediately preceding the general election, and each day thereafter, with the last daily report being filed the 5th day immediately preceding the general election.

All other candidates must file reports on the 60th day immediately preceding the primary election and bi-weekly on each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election.

For candidates that file with the Division, see the "Reporting Dates Calendar" at:

<http://dos.myflorida.com/elections/forms-publications/publications/>

An individual seeking a publicly elected position on a political party executive committee who receives a contribution or makes an expenditure must file a single report of all contributions and expenditures on the 4th day immediately preceding the primary election. (*See Chapter 18, Reporting for Individuals Seeking a Publicly Elected Position on a Party Executive Committee.*)

Unless the electronic filing requirements of Section 106.0705, Florida Statutes, apply, reports shall be filed no later than 5 p.m. of the day designated. A report postmarked by the U.S. Postal Service no later than midnight of the day designated is deemed timely filed. A report received by the filing officer within 5 days after the designated due date that was delivered by the U.S. Postal Service is deemed timely filed unless it has a postmark indicating the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the U.S. Postal Service at the time of mailing or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is proof of mailing in a timely manner. Reports filed with the Division through the Electronic Filing System (EFS) are due no later than midnight, Eastern Time, of the due date.

(Sections 106.07, 106.0705
and 106.141, F.S.)

Penalty for Late Filing

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is

greater, for the period covered by the late report. However, for the reports immediately preceding the primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a candidate's termination report, the fine shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater for the period covered by the late report. All fines must be paid from the candidate's **personal funds** – not campaign funds.

(Section 106.07(2) and (8), F.S.)

Notice of No Activity

In any reporting period during which a candidate has not received funds or made any expenditures, the filing of the required report for that period is waived. **However, the candidate must notify the filing officer in writing on or before the prescribed reporting date that no report is being filed on that date.** (A notice of no activity filed with the Division must be filed electronically using the EFS.) The next report filed must specify that the report covers the entire period between the last submitted report and the report being filed.

(Section 106.07, F.S.)

Incomplete Reports

If a campaign treasurer files a report that is deemed incomplete, it shall be accepted on a conditional basis. The campaign treasurer will be notified by the filing officer as to why the report is incomplete. The campaign

treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report.

(Section 106.07(2), F.S.)

Reporting Total Sums

Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts by or for such candidate, and total sums of all expenditures made by such candidate during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

(Section 106.07, F.S.)

Reporting Contributions

Each report must contain:

- Full name, address, specific occupation, amount, and date of each person making a contribution. Reports must provide as clear a description as practicable of the principal type of business conducted for corporations contributing. **The principal type of business or the occupations are not required if the contribution is \$100 or less, or from a relative provided the relationship is reported.**
- Name, address, amount, and date of each political committee making any transfer of funds.
- Full name, address, specific occupation, principal place of business of the lender

and endorser, date and amount of each loan.

- Statement of each contribution, rebate, refund, or other receipts not listed in 1. through 3. above.

(Sections 106.07(4) and 112.312(21), F.S.)

Returning Contributions

Contributions **must be returned** to the contributor **if**:

- A candidate receives a contribution in excess of the limitations provided by law.
- A candidate with opposition in an election receives a contribution on the day of that election or less than five days prior to the date of that election.
- A candidate receives a contribution once he or she is elected, defeated, becomes unopposed, or withdraws his or her candidacy.

If the contribution to be returned has not been deposited into the campaign account, report the contribution as a contribution returned using form DS-DE 02.

If the contribution has been deposited into the campaign account:

- Report the contribution; and
- Write a check from the campaign account to the contributor for the amount of the contribution and report this on the itemized contribution report using the contribution type "Refund."

This amount is reported as a negative. The candidate may also wish to submit a written explanation to the filing officer.

(Section 106.08, F.S.)

Reporting Expenditures

Each report must contain:

- Full name and address of each person to whom expenditures have been made along with the amount, date, and clear purpose of the expenditure. Name, address, and office sought by each candidate on whose behalf such expenditure was made.
- Full name and address of each person to whom an expenditure for personal services, salary or reimbursed authorized expenses was made along with the amount, date, and clear purpose of the expenditure.
- Total amount withdrawn and the total amount spent from the petty cash fund. Each expenditure from the petty cash fund need not be individually reported but complete records of petty cash expenditures must be kept.
- Transaction information for each credit card purchase. Credit cards may be used by statewide (Governor, Cabinet and Supreme Court Justice) candidates only. (See *Division of Elections Opinion 05-07*.)
- Amount and nature of debts and obligations owed by or to the candidate, which relate to the conduct of any political campaign.

- The amount and nature of any separate interest-bearing accounts or certificates of deposit. Identification of the financial institution in which such accounts or certificates of deposit are located must be identified.

- The primary purposes of an expenditure made indirectly through a campaign treasurer for goods and services such as communications media placement or procurement services, campaign signs, insurance, and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

- Total sum of expenditures during the reporting period.

(Section 106.07, F.S.)

Special Requirements for Judicial Retention Candidates

A candidate for retention as a Justice of the Supreme Court or a Judge of a District Court of Appeal who has not received any contributions or made any expenditures, may file a sworn statement on **Form DS-DE 96, Affidavit of Intention**, at the time of qualifying that he or she does not anticipate receiving contributions or making expenditures in connection with his or her candidacy for retention to office.

Such candidate must file a final report within 90 days following the general election for which the candidate's name appeared on the ballot for retention. The candidate may

Chapter 17: Termination Reports

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

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

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

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

Prior to Disposing of Surplus Funds

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

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

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

(Section 106.141, F.S.)

Disposing of Surplus Funds

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

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

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

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

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

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

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

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

The termination report must include:

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

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

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

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

(Section 106.141, F.S.)

Money from Separate Interest-Bearing Account or Certificate of Deposit

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

(Section 106.141, F.S.)

Campaign Loans Report

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

days after being elected to office. Loan reports filed with the Division must be filed using the EFS.

Any person who makes a contribution to an individual to pay all or part of a loan incurred in the twelve months preceding the election, to be used for the individual's campaign, may not contribute more than the amount which is allowed in Section 106.08(1), F.S.

(Section 106.075, F.S.)

Chapter 24: Florida Elections Commission

The Florida Elections Commission is a separate and independent entity from the Division. Commissioners are appointed by the Governor from lists of names submitted by legislative leaders.

Automatic Fine Appeal Process

Any candidate may appeal or dispute a fine for a late filed campaign treasurer's report. The appeal must be based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date. The candidate may request and is entitled to a hearing before the Florida Elections Commission, which has the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in Section 106.265(1), F.S., when determining the amount of a fine, if any, to be waived. The appeal must be made within 20 days of the receipt of the notice of payment due. The candidate must, within the 20 day period, notify the filing officer in writing of his or her intention to bring the matter before the Commission.

(Section 106.07(8)(c), F.S.)

Complaint Process

Any person who has information of a violation of Chapters 104 or 106, F.S., shall file a sworn complaint with the Florida Elections Commission, 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050 or call 850- 922-4539. A complaint form may be obtained from the Florida Elections Commission or downloaded from the Commission's website at:

<http://www.fec.state.fl.us>.

(Sections 106.25 and 106.28, F.S.)

Appendix A: Frequently Asked Questions

Candidates

Q1. If I want to be a no party affiliation candidate, can I still be registered to vote as a Republican or Democrat?

Yes. Any registered elector who qualifies for office without party affiliation will have their name placed on the ballot at the general election without party affiliation.

(Section 99.0955(1), F.S.)

Q2. Do I have to designate a campaign treasurer and depository before I make public my intention to run for office?

No. A person must appoint a campaign treasurer and designate a depository prior to qualifying for office, obtaining signatures on petitions, accepting contributions or making expenditures. Nothing in the election laws prohibits a person from announcing their intention to become a candidate prior to designating a treasurer or depository as long as no contributions are received and no expenditures are made in connection with that announcement.

(Section 106.021, F.S.)

Q3. What if I want to change my campaign treasurer or other officers?

File a reappointment of campaign treasurer (Form DS-DE 9) with the filing officer along with a copy of the letter of resignation or removal.

Q4. How are judges elected in Florida and what are their terms?

Merit Retention

Not all judges in Florida are elected to office. Supreme Court Justices and Judges of the District Court of Appeal are always appointed by the Governor from a list of three to six candidates presented by the Judicial Nominating Commission for that court. Once appointed, they must serve at least one year before the next primary (i.e. both the primary and general elections must be one year away) election and, thereafter, must face a "yes" or "no" vote every six years as to whether they will remain in office. If a judge is not retained the appointment process starts again. Further information can be obtained from the Florida State Courts website at <http://www.flcourts.org>.



David H. Stafford
Escambia County Supervisor of Elections

Post Office Box 12601
Pensacola, Florida 32591
www.EscambiaVotes.com

COPY

Phone: (850) 595-3900
Fax: (850) 595-3914
soe@EscambiaVotes.com

Willie Spears, Superintendent of Schools

16 MAR 21 9:59

Candidate Name and Office Seeking

Candidate Received Instructions and/or materials on the following:

- Received Candidate Handbook or told where online to access it.
Escambia County Handbook:
<http://escambivotes.net/CandPDF/CandidateHandbook.pdf>

lewycage@bellsouth.net
Email address to receive Campaign
Report Reminder Notices and
other candidate information

Division of Elections Handbook: <http://election.dos.state.fl.us/publications/publications.shtml>

- Provided access to Florida Statutes Chapter 106 – Campaign Financing and Form DS-DE 84 due within 10 days of pre-filing. Also Chapter 104 which refers to Violations and Penalties.
http://election.dos.state.fl.us/publications/pdf/2014/2014_election-laws.pdf
<http://election.dos.state.fl.us/forms/pdf/DSDE84.pdf>
- Informed of Online Campaign Reports and due dates. (Frequency of Campaign Reports will change - will send updated Schedule) ID and Password will be sent through US Mail.
- Contributions: As of November 1, 2013, \$1,000 aggregate limit to include check, cash and in-kind; \$50 Cash Limit (to include candidate); Contributions from joint checking account is from the person who signed the check. Each contribution, no matter how small shall include address and if over \$100 must include specific occupation (cannot list business owner or sales, etc. – must list specific type of business. Also, contributions/loans from candidates must be listed. If over \$100, must list occupation. Cannot list occupation as "candidate").
- Expenditures: All transactions should go through campaign account. Must list address and purpose for each expenditure.
- Informed Candidate of the requirement that all printed materials should contain Political Disclaimers, samples are included in handbooks.
- Informed Candidate that the News Media will be notified.

Willie Spears
Candidate (or Representative) Signature and Date

4-10-16 - m3
Due Date of First Campaign Report
submitted now
Due Date of Statement of Candidate Form
(if not turning in at pre-filing)



David H. Stafford
ESCAMBIA COUNTY
SUPERVISOR OF ELECTIONS

Post Office Box 12601
Pensacola, FL 32591-2601
EscambiaVotes.com

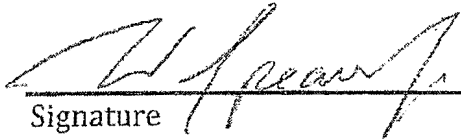
Phone: (850) 595-3900
Fax: (850) 595-3914
soe@escambiavotes.com

Please sign for receipt of the 2016 Candidate Handbook for Local Candidates, All Election Laws, and the State Candidate Handbook. (Provided on CD)

18 MAR 21 8:58 AM

Willie Spears

Print Name



Signature

March 21, 2016

Date

EXHIBIT 20



Escambia County Supervisor of Elections Candidate Information Sheet

16 MAR 21 8:58 AM

Original Revised

Election Year 2016

Candidate's Name	Willie Spears
Residence Address <small>(Include City, State & Zip) (may also list mailing address)</small>	6804 Sandra Road Panama City, FL 32409
Telephone Number(s) Daytime	850-624-6933
Email Address	wspears05@gmail.com
Office Sought – Including District, Seat or Group #	Superintendent of Schools
Political Party (if applicable)	
Date of Birth or Voter ID	10-20-77
Treasurer's Name	Paula Parsons
Treasurer's Mailing Address <small>(Include City, State & Zip)</small>	4048 Scottsdale Ave
Telephone Number(s) Daytime	850-910-3125
Deputy Treasurer's Name	Willie Spears
Deputy Treasurer's Mailing Address <small>(Include City, State & Zip)</small>	6804 Sandra Road Panama City, FL 32409
Telephone Number(s) Daytime	850-624-6933
Deputy Treasurer's Name	
Deputy Treasurer's Mailing Address <small>(Include City, State & Zip)</small>	
Telephone Number(s) Daytime	

NOTE: All information on this form becomes a public record upon receipt by the Escambia County Supervisor of Elections office. Under Florida Law, email addresses are public records, if you do not want your personal email address released, you may wish to create a "campaign specific" email address.

Candidate Signature

March 18, 2016
Date

Continued on Page 2

EXHIBIT 21 (1 of 2)

Candidate's Name: _____

Previous Office Sought	
Year / Elected or Eliminated	
Previous Office Sought	
Year / Elected or Eliminated	
Previous Office Sought	
Year / Elected or Eliminated	
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Previous Office Sought	
Year / Elected or Eliminated	
Previous Office Sought	
Year / Elected or Eliminated	



Willie Spears

Willie Spears

to:

Florida Elections Commission

02/22/2018 07:44 PM

Hide Details

From: Willie Spears <wspears05@gmail.com>

To: Florida Elections Commission <fec@myfloridalegal.com>

The letter says I must submit a waiver. A waiver was submitted on 4-11-06 5:37.33 pm

I believe this is an attempt to destroy my character by Malcolm Thomas and David Stafford.
WS

EXHIBIT 22 (1 of 2)



Proof
Willie Spears

to:

Florida Elections Commission

02/22/2018 07:50 PM

Hide Details

From: Willie Spears <wspears05@gmail.com>

To: Florida Elections Commission <fec@myfloridalegal.com>

Here is proof that I filled this out April 2016

EXHIBIT 22 (2 of 2)



FLORIDA ELECTIONS COMMISSION

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

April 9, 2018

Willie Spears
720 Lismore Place
Montgomery, AL 36117-6032

RE: Case No.: FEC 17-300; Respondent: Willie Spears

Dear Mr. Spears:

On October 04, 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 violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for Superintendent of Schools for Escambia County, may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2016 termination reporting period.

Section 106.141(1), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for Superintendent of Schools for Escambia County, failed to timely file his 2016 Termination Report reflecting the disposition of all remaining campaign funds.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a 2016 candidate for Superintendent of Schools for Escambia County, may have falsely reported or deliberately failed to include information in his 2016 Termination Report, as required by Chapter 106.

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there

Willie Spears
April 9, 2018
Page 2
FEC 17-300

is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

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

If you have additional questions, please contact **Helen Hinson**, the investigator assigned to this case at extension 115.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr



Proof
Willie Spears

to:
Florida Elections Commission
02/22/2018 07:50 PM

Hide Details

From: Willie Spears <wspears05@gmail.com>

To: Florida Elections Commission <fec@myfloridalegal.com>

Here is proof that I filled this out April 2016



Willie Spears

Willie Spears

to:

Florida Elections Commission

02/22/2018 07:44 PM

Hide Details

From: Willie Spears <wspears05@gmail.com>

To: Florida Elections Commission <fec@myfloridalegal.com>

The letter says I must submit a waiver. A waiver was submitted on 4-11-06 5:37.33 pm

I believe this is an attempt to destroy my character by Malcolm Thomas and David Stafford.

WS



Response in writing

Willie Spears

to:

fec

02/20/2018 12:00 PM

Hide Details

From: Willie Spears <wspears05@gmail.com>

To: fec@myfloridalegal.com

Erin Riley,

Greetings,

My name is Willie Spears and I received your certified letter on Friday, February 16th. When I received the letter your offices were closed and they have been closed through the weekend and on Monday, February 19th, which was President's Day. Therefore today is the first day that I could respond to the allegations. There was a complaint filed against me by an officer of the Office of Elections for Escambia County. His name is David Stafford. This morning, which is Tuesday February 20th, I drove to Pensacola from my home in Montgomery, Alabama to ask him about this complaint. When we spoke he remembered me coming in, but he said he did not know if I came in to fill out the correct paperwork. I have attempted to turn in this paperwork three different times. I have tried to contact the Office of Elections and I also have reached out to experienced politicians to help me in this endeavor. I withdrew from the election for Superintendent of Schools less than 10 days after submitting my application. I am going to do the correct paperwork again, however, I wanted to submit this in writing saying that I am trying to do everything I can to meet the requirements. Please tell me what I need to do to rectify this situation. Thank you so much for your assistance in this matter.

Willie Spears
850-624-6933

RECEIVED

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: David Stafford Work Phone: (850) 595-3900
Address: PO Box 12601 Home Phone: () N/A
City: Pensacola County: Escambia State: FL Zip Code: 32591

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: Willie Spears
Address: 6804 Sandra Road Phone: (850) 624-6933
City: Panama City County: Bay State: FL Zip Code: 32409

If individual is a candidate, list the office or position sought: Superintendent of Schools

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:**

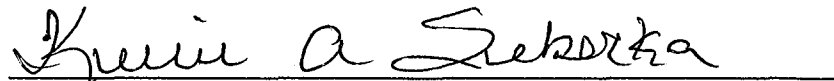
STATE OF FLORIDA
COUNTY OF Escombia

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 -4 A 11:03
STATE OF FLORIDA
ELECTIONS COMMISSION

Sworn to and subscribed before me this 27th day of
September, 2017



Signature of Officer Authorized to Administer Oaths or Notary Public



Keelie A. Sekerka
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF241949
Expires 8/21/2019

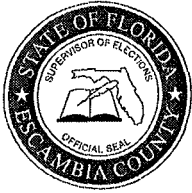
(Print, Type, or Stamp Commissioned Name of Notary Public)

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.



David H. Stafford
ESCAMBIA COUNTY
SUPERVISOR OF ELECTIONS

Post Office Box 12601
Pensacola, FL 32591-2601
EscambiaVotes.com

Phone: (850) 595-3900
Fax: (850) 595-3914
soe@escambiavotes.com

September 29, 2017

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

Reference Alleged Violation(s):

Pursuant to Florida Statutes 106.07(8) (d), I am officially notifying the Florida Elections Commission of the following action of candidate Willie Spears:

- Failure to file his candidate termination report which was due on August 04, 2016.

Supporting documents are enclosed.

Sincerely,

David H. Stafford, CERA
Supervisor of Elections

Enclosure(s)

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

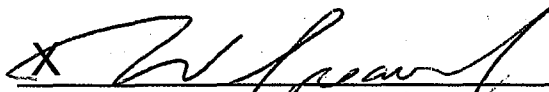
COPY

'16 MAR 21 8:59AM

I, Willie Spears,

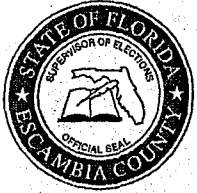
candidate for the office of Superintendent of Schools;

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


Signature of Candidate

March 21, 2016
Date

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



David H. Stafford
ESCAMBIA COUNTY
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COPY

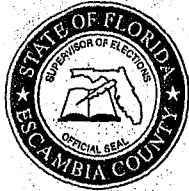
Please sign for receipt of the 2016 Candidate Handbook for Local Candidates, All Election Laws, and the State Candidate Handbook. (Provided on CD)

16 MAR 21 8:58 AM

Willie Spears
Print Name

Willie Spears
Signature

March 21, 2016
Date



David H. Stafford
ESCAMBIA COUNTY
SUPERVISOR OF ELECTIONS

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Pensacola, FL 32591-2601
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May 17, 2016

COPY

Article #: 92148969009997901521098825

Willie Spears
Escambia County Superintendent of Schools 2016 Campaign
6804 Sandra Road
Panama City, FL 32409

Dear Mr. Spears:

This letter is to notify you that we have received your letter of withdrawal for 2016 Escambia County Superintendent of Schools. Your scheduled termination report is the TRSpears report for the period of May 01, 2016 through August 04, 2016 due August 04, 2016.

Per F.S. 106.141 Candidates must dispose of all funds in the campaign account and file a Termination Report within 90 days after having withdrawn, become unopposed, eliminated or elected to office.

Penalty for Late Filing

For Termination Reports the fine is \$50 per day for each late day, not to exceed 25% of the total contributions or expenditures, whichever is greater, for the period covered by the late report.

Sincerely,

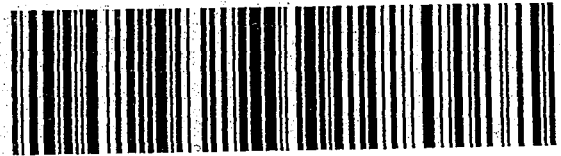
David H. Stafford, CERA
Supervisor of Elections



David H. Stafford
 ESCAMBIA COUNTY
 SUPERVISOR OF ELECTIONS

Post Office Box 12601
 Pensacola, FL 32591-2601

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 05/17/2016
US POSTAGE

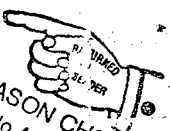
\$05.11⁹



ZIP 32502
 041L11244256

*9214 8969 0099 9790 1521 0988 25

- REASON CHECKED**
- Moved, Left No Address
 - Return For Postage
 - Temporarily Away
 - Attempted, Not Known
 - Refused
 - Vacant



Unclaimed

JUN 20 9:35AM

Spears, Willie
 Esc Cnty Superintendent of Schools Campaign
 6804 Sandra Road
 Panama City, FL 32409

5/18/16 ✓ 523
 722-21 R-6-02

NIXIE 322 DE 1 8886/16/16
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 SC: 32591260181 *2187-87533-17-42

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CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

*9214 8969 0099 9790 1521 0988 25

Certified Mail Fee
 \$ **\$3.30**

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$ **\$1.95**
- Certified Mail Restricted Delivery \$ **\$0.80**
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage
 \$ **\$0.465**

Total Postage and Fees
 \$ **\$5.115**

Sent To
 Spears, Willie
 Street and Apt. No., City, State, Zip+4®
 Esc Cnty Superintendent of Schools Campaign
 6804 Sandra Road
 Panama City, FL 32409

Postmark Here
 MAY 17 2016
 PANAMA CITY, FL DOWNTOWN STA
 USPS 32502-9998
 Electronic Return Receipt Requested

PS Form 3800, April 2015 See Reverse for Instructions

June 20, 2016 @ 5:00 pm

Mr. Spears called the SOE Office in regards to his campaign reports. I explained to him he still needs to submit his M4 report for the period of 4/01/16 – 4/30/16. I ask if he and any contributions or expenditures to report he said no. I told him he only needs to login and submit a waiver. He also has his termination report due 08/04/16, the TRSpears report. He said he would go online and do them both now.

WS

Keelie Sekerka

From: Keelie Sekerka
Sent: Monday, June 20, 2016 4:21 PM
To: 'Willie Spears'
Subject: RE: Willie Spears

Mr. Spears we are contacting you because Mr. Stafford accepted your letter of withdrawal on April 11, 2016 therefore you must submit either a waiver or report showing contributions & expenditures for the period of 04/01/2016 through 04/11/2016. It is per Florida Statue 106.141 that you must file a termination report within 90 days of being withdrawn. Your termination report is the TRSpears report.

Thank You

Keelie A. Sekerka

Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambivotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Willie Spears [<mailto:wspears05@gmail.com>]
Sent: Friday, June 17, 2016 5:36 PM
To: SOE
Subject: Willie Spears

Greetings,

On March 21, 2016 I filed to run for superintendent of schools. Seven days later. One week later, I decided not to run. I called and talked to two people in your office and I sent in a letter. For some reason I keep getting emails and letters in the mail, many from certified mail saying I owe money and I have to file reports. Please help me.
WS

<http://www.pnj.com/story/news/2016/03/21/spears-running-escambia-superintendent/82075054/>
<http://www.pnj.com/story/news/local/education/2016/03/30/spears-withdrawing-superintendent-race/82428254/>

Keelie Sekerka

From: Keelie Sekerka
Sent: Thursday, June 30, 2016 3:22 PM
To: 'votespears@gmail.com'
Subject: past due campaign report
Attachments: report notices.pdf - cert. notice & email

Please see the attached notices previously sent to you in regards to your past due campaign report and your termination report.

Thank You

Keelie H. Sekerka

Escambia County Supervisor of Elections Office
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiavotes.com

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Attachments: report notices.pdf

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Thank You

Keelie H. Sekerka

Escambia County Supervisor of Elections Office
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiavotes.com

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Keelie Sekerka

From: Keelie Sekerka
Sent: Wednesday, August 03, 2016 9:19 AM
To: 'votespears@gmail.com'
Subject: FW: Willie Spears
Attachments: Spears Termination Report Notice.pdf

Importance: High

*also mailed
copies*

Reminder of Termination Campaign Report – Due before
08/04/2016!
Tomorrow!

Mr. Spears we are contacting you because Mr. Stafford accepted your letter of withdrawal on April 11, 2016 therefore you must submit a termination report. It is per Florida Statue 106.141 that you must file a termination report within 90 days of being withdrawn. Your termination report is the TRSpears report due 08/04/2016. I have attached the original notice we sent to you.

Thank You

Keelie A. Sekerka

Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiovotes.com

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David H. Stafford
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Pensacola, FL 32591-2601
EscambIaVotes.com

Phone: (850) 595-3900
Fax: (850) 595-3914
soe@escambIavotes.com

May 17, 2016

COPY

Article #: 92148969009997901521098825

Willie Spears
Escambia County Superintendent of Schools 2016 Campaign
6804 Sandra Road
Panama City, FL 32409

Dear Mr. Spears:

This letter is to notify you that we have received your letter of withdrawal for 2016 Escambia County Superintendent of Schools. Your scheduled termination report is the TRSpears report for the period of May 01, 2016 through August 04, 2016 due August 04, 2016.

Per F.S. 106.141 Candidates must dispose of all funds in the campaign account and file a Termination Report within 90 days after having withdrawn, become unopposed, eliminated or elected to office.

Penalty for Late Filing

For Termination Reports the fine is \$50 per day for each late day, not to exceed 25% of the total contributions or expenditures, whichever is greater, for the period covered by the late report.

Sincerely,

David H. Stafford, CERA
Supervisor of Elections

Keelie Sekerka

From: Keelie Sekerka
Sent: Wednesday, September 14, 2016 12:00 PM
To: 'votespears@gmail.com'
Subject: FW: Willie Spears
Attachments: Spears Termination Report Notice.pdf

Importance: High

**As of Today We Have Not Received Your Termination
Report
Please Submit ASAP!**

From: Keelie Sekerka
Sent: Wednesday, August 03, 2016 9:19 AM
To: 'votespears@gmail.com'
Subject: FW: Willie Spears
Importance: High

**Reminder of Termination Campaign Report – Due before
08/04/2016!
Tomorrow!**

Mr. Spears we are contacting you because Mr. Stafford accepted your letter of withdrawal on April 11, 2016 therefore you must submit a termination report. It is per Florida Statue 106.141 that you must file a termination report within 90 days of being withdrawn. Your termination report is the TRSpears report due 08/04/2016. I have attached the original notice we sent to you.

Thank You
Keelie A. Sekerka
Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambivotes.com

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David H. Stafford
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SUPERVISOR OF ELECTIONS

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Pensacola, FL 32591-2601
EscambiaVotes.com

Phone: (850) 595-3900
Fax: (850) 595-3914
soe@escamblavotes.com

Immediate Attention Requested

Possible Fine for Late Report

September 15, 2016

COPY

Mr. Willie Spears
6804 Sandra Road
Panama City FL 32409

Article #: 92148969009997901522954595

Dear Mr. Spears:

This letter is to notify you that Your Termination Campaign Report (coded TRSpears) was due before Midnight, Thursday, August 04, 2016. As of the date on this letter your report has not been received in our office.

Since you signed the Statement of Candidate form stating that you have read and understand Chapter 106, Florida Statutes, you are aware that you are assessed a fine for each late day of \$50.00 per day for the first three days late and thereafter, \$500.00 per day. However, the fine may not exceed 25% of the total receipts or expenditures, whichever is greater, covered by the late report. F.S. 106.07 (8) (b)

Once we receive your report, we will notify you of the specific amount of your fine. The fine must be paid from personal funds.

Please be advised, however, that a willful failure to file a campaign treasurer's report constitutes a violation of Chapter 106, Florida Statutes, independent of the automatic fine violation referenced above. Therefore, if you fail to file a report, such failure will be considered a willful violation of Chapter 106, Florida Statutes, and we will be required to notify the Florida Elections Commission of your failure to file.

Sincerely,

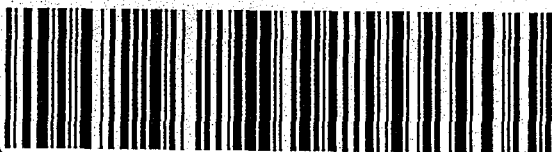
David H. Stafford
Supervisor of Elections

DHS/ks



David H. Stafford
 SUPERVISOR OF ELECTIONS
 ESCAMBIA COUNTY
 POST OFFICE BOX 12601
 PENSACOLA, FLORIDA 32591-2601
EscambiaVotes.com

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neopostSM
 09/15/2016
US POSTAGE

\$05.11⁰⁰



ZIP 32502
 041L11244256

9545 9545 9545 9545 9545 9545

- REASON I CHECKED**
- Moved, Left No Address
 - Return For Postage
 - Temporarily Away
 - Attempted, Not Known
 - Refused
 - Vacant



Unclaimed

*POC
 1754+16*

*1122
 R.50-02*

Spears, Willie
 6804 Sandra Road
 Panama City, FL 32409

1600T22 9:44AM

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Domestic Mail Only
 For delivery information, visit our website at www.usps.com®

9545 9545 9545 9545 9545 9545

Certified mail Fee: **\$3.30**

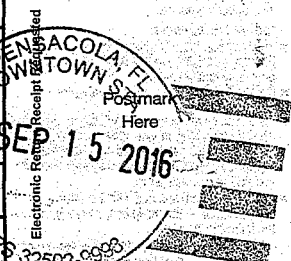
Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$ 1.35
- Certified Mail Restricted Delivery \$ 0.00
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage **\$0.465**

Total Postage and Fees **\$5.115**

Sent To: **Spears, Willie**
 Street and Apt. No.: **6804 Sandra Road**
 City, State, Zip+4®: **Panama City, FL 32409**



MIXIE 822 DE 1 0010/19/16
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 BC: 32591260101 *2187-02320-15-42

Keelie Sekerka

From: Keelie Sekerka
Sent: Monday, September 19, 2016 1:36 PM
To: 'Willie Spears'
Subject: RE: Certified mail
Attachments: 2016_09_19_13_33_00.pdf

Importance: High

Yes we have mailed you a notice in regards to your termination report that was due 08/04/2016. I have attached the letter for you as well.

Thank You,

Keelie A. Sekerka

Escambia County Supervisor of Elections Office
Election Specialist
213 Palafox Place, 2nd Floor
Pensacola FL 32502
Direct - 850.595.3900 ext 4507
Fax - 850.595.3914
Email - keelie_sekerka@escambiavotes.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Willie Spears [<mailto:wspears05@gmail.com>]
Sent: Sunday, September 18, 2016 2:21 PM
To: SOE
Subject: Certified mail

Hello,

Are you trying to reach me for some reason. I have a new address, but was told you were trying to reach me.

850-624-6933

Willie Spears

Keelie Sekerka

From: Mail Delivery Subsystem [MAILER-DAEMON@mx3.co.escambia.fl.us]
To: wspears05@gmail.com
Sent: Monday, September 19, 2016 1:36 PM
Subject: Relayed: Certified mail

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

wspears05@gmail.com

Subject: RE: Certified mail