#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Snelby Green		Case No.: FEC 20-631
TO:	Shelby Green	Division of Elections
	Post Office Box 5651	500 S. Bronough Street, Room 31
	Tallahassee, FL 32314	Tallahassee, FL 32399

#### NOTICE OF HEARING (INFORMAL HEARINGS (IH))

A hearing will be held in this case before the Florida Elections Commission on, **November 14, 2023 at 8:30 a.m.,** *or as soon thereafter as the parties can be heard*, at the following location: **402 South Monroe Street, 12 HOB, 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.

CI . 11

Tim Vaccaro

Executive Director Florida Elections Commission October 31, 2023 Please refer to the information below for further instructions related to your particular hearing:

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

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

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

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

If this is an **informal hearing**, it will be conducted pursuant to 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.

# Stephanie Cunningham

www.fec.state.fl.us

From: Sent: To: Subject: Attachments:	S Green <sbsllc2017@gmail.com> Thursday, August 17, 2023 5:06 PM Stephanie Cunningham Re: FEC Cases FinAffiAug 17, 2023 Doc 2.pdf</sbsllc2017@gmail.com>
Please see my finan	cial affidavit attached.
Thank you.	
_	23 at 10:20 AM S Green < <u>sbsllc2017@gmail.com</u> > wrote: et this taken care of today.
On Tue, Aug 15, 20	023 at 4:05 PM Stephanie Cunningham < <a href="mailto:Stephanie.Cunningham@myfloridalegal.com">Stephanie.Cunningham@myfloridalegal.com</a> wrote:
Ms. Green:	
	been continued to the November meeting. I have attached a copy of my prior email regarding the cial Support for your review.
Congratulations o	on your little one.
Stephanie J. Cunn	ingham
General Counsel	
Florida Elections (	Commission
107 W. Gaines Str	reet
Collins Building, S	uite 224
Tallahassee, FL 32	2399
stephanie.cunning	gham@myfloridalegal.com
(850) 922-4539	
(850) 921-0783 fa	nx

# 

Address: Po Box 5651

Parlahasse, ft 323/4

4. I have other income paid: () weekly () every two weeks () semi-monthly () monthly () yearly. WA

(Circle "Yes" and fill in the amount if you have this kind of income, otherwise circle "No")

Social Security benefits?	YES of NO	\$
Veterans' benefits?	YES of NO	\$
Unemployment compensation?	YES or NO	\$
Child support or regular support from family	YES o (NO)	\$
members/spouse?	YES OI(NO)	\$
Union funds?		
Workers compensation?	YES or NO	\$
Rental income?	YES or NO	\$
Retirement/ Pensions?	YES or NO	\$
	YES of NO	\$
Dividends or interest?	YES or NO	S
Trusts/ Gifts?	YES of NO	
Any other income not on the list?	1ES OLNO	\$

5. I have other assets: (Circle "yes" and fill in the value of the property, otherwise circle "No"; use the back to provide additional information)

Cash?	YES OF NO	\$	TO CO
Savings?	YES OF TO	s 4k	In Cons
Bank account(s)?	YES or NO	5500	
Stocks/ Bonds?	YES or NO	S	
Money market accounts?	YES OF NO	5 4 R	
a. Certificates of deposit or Equity* in real estate (excluding homestead) if yes, please list the address of this property below.	Trust Firtflorila W Prime Mewilian	\$4,000	
b. Equity* in motor vehicles/boats/other tangible property expectancy in an interest in such property? ) if yes, please list the information for this property below.	YES or NO	\$	

<sup>\*</sup>Equity means value minus loans.

a Address	4580	Faulkne	rle	Talla	harrengte.	52311
a. Address.	and make/r	nodel & tag#	2018	Terle	model S	GRE3N
b. List the y	ear/make/i	model of tagin.	-			

Check one: I ( ) DO WOO NOT expect to receive more assets in the near future. The asset is

6. I have total liabilities and debts of S 215 k as follows:

	Other Real Property \$
Home \$	Credit Cards \$
Motor Vehicle \$ 50 K	Costs of medicine \$
Medical bills \$ 5 K	Other \$ 220,050
Child Support paid direct \$	

Student > Personal

- 8. I receive: (Circle "Yes" or "No")
  Temporary Assistance for Needy Families Cash Assistance
  Poverty-related Veterans' Benefits
  Supplemental Security Income (SSI)

STATE OF FLOR	
COUNTY OF	Leon

swear or affirm that the above in	nformation is true and correct to the best of my knowledge.
	A Van dare
	Signature of Respondent  Sworn to and subscribed before me this day of
	august . 20 23.

Signature of Officer Authorized to Administer Oaths or
Notary public.

TIANNA COHEN
Notary Public, State of Florida

Notary Public, State of Florida Commission# HH 309908 My comm. expires Sept. 7, 2026

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

# STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re:	: Shelby Green	Case No.	: FEC 20-631
		1	

#### **ORDER CONTINUING CASE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 15, 2023, in Tallahassee, Florida.

Commission Staff requested that the matter be continued. Staff spoke with Respondent prior to the hearing and was informed that Respondent did not receive the Notice of Hearing and was unaware of the hearing date. Respondent indicated that she was unavailable on the date of the hearing and requested that the case be continued so that she could attend.

The Commission considered Staff's request. Staff's request was GRANTED.

**THIS MATTER** is continued until the next available meeting of the Florida Elections Commission.

**DONE AND ORDERED** by the Florida Elections Commission on August 15, 2023.

Tim Vaccaro, J.D., Executive Director For Joni Alexis Poitier, Vice Chair Florida Elections Commission

Copies furnished to: Stephanie J. Cunningham, General Counsel Shelby Green, Respondent Division of Elections, Complainant

#### STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Shelby Green		/	Case No.: FEC 20-031
TO:	Shelby Green		Division of Elections
	PO Box 5651		500 South Bronough Street, Room 316
	Tallahassee, FL 32314-5651		Tallahassee, FL 32399

## NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **August 15, 2023 at 8:30 a.m.**, or as soon thereafter as the parties can be heard, at the following location: **Virtual Meeting via GoTo Webinar:** 

WEB PARTICIPATION: <a href="https://attendee.gotowebinar.com/register/4391393799096818270">https://attendee.gotowebinar.com/register/4391393799096818270</a>
AUDIO PARTICIPATION: 1 877 309 2074 ATTENDEE ACCESS CODE: 424-284-031

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.

CI . 11

Tim Vaccaro

Executive Director Florida Elections Commission August 1, 2023 Please refer to the information below for further instructions related to your particular hearing:

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

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

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

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

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

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

# STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Florida Elections Commission, Petitioner,

v. Case No.: FEC 20-631
Shelby Green,
Respondent.

## **ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 16, 2023, in Tallahassee, Florida.

On April 3, 2023, 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):

#### Count 1:

On or about October 24, 2020, Shelby Green, violated Section 106.07(5), Florida Statutes, when she certified that Putting Floridians First's 2020 D1 Report was true, correct, and complete when it was not.

#### THIS SPACE INTENTIONALLY LEFT BLANK

#### Count 2:

On or around October 24, 2020, Shelby Green, violated Section 106.19(1)(b), Florida Statutes, when she failed to report contributions required to be reported by Chapter 106, Florida Statutes, on Putting Floridians First's 2020 D1 Report.

**DONE AND ORDERED** by the Florida Elections Commission on May 16, 2023.

Tim Vaccaro, J.D., Executive Director For Joni Alexis Poitier, Vice Chair Florida Elections Commission

Copies furnished to: Stephanie J. Cunningham, General Counsel Shelby Green, Respondent Division of Elections, Complainant

## NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by <u>consent order</u> 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 <u>informal hearing</u> held before the Commission, if you <u>do not</u> 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 <u>formal hearing</u> 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: Shelby Green			Case No.: FEC 20-631	
	•	/		
TO:	Shelby Green		Division of Elections	
	PO Box 5651		500 South Bronough Street, Room 316	
	Tallahassee, FL 32314-5651		Tallahassee FL 32399	

#### **NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)**

A hearing will be held in this case before the Florida Elections Commission on, May 16, 2023 at 8:30, or as soon thereafter as the parties can be heard, at the following location: Join Zoom Meeting:

https://us06web.zoom.us/meeting/register/tZMpdumuqTsqGt1MNuvpQBOl5XPapAI 9zfC

 Audio Participation:
 Meeting ID:
 Passcode:

 Dial: 1 301 715 8592
 874 1067 0009
 772737

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

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

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

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

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

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

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

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

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

See further instructions on the reverse side.

Tim Vaccaro

Executive Director Florida Elections Commission May 2, 2023 Please refer to the information below for further instructions related to your particular hearing:

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

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

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

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

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

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

# STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Shelby Green	Ca	se No.:	FEC 20-631
	_/		

#### STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.07(5)**, and **106.19(1)(b)**, **Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on February 1, 2023, the following facts and law support this staff recommendation:

- 1. On December 10, 2020, the Florida Elections Commission ("Commission") received a referral from the Department of State, Division of Elections ("Division"), alleging that Shelby Green ("Respondent") violated Chapter 106, Florida Statutes.
- 2. Respondent is the treasurer for Putting Floridians First, a political committee registered with the Division. (ROI Exhibit 1)<sup>1</sup>
- 3. By letter dated March 12, 2021, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.07(5), Florida Statutes: Respondent, in her capacity as treasurer for Putting Floridians First, a political committee registered with the Division of Elections, may have certified the 2020 D1 campaign treasurer's report was true, correct, and complete when it was not, as alleged in the complaint.

Section 106.19(1)(b), Florida Statutes: Respondent, in her capacity as treasurer for Putting Floridians First, a political committee registered with the Division of Elections, may have failed to report one or more contributions during the 2020 D1 reporting period required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

4. On June 29, 2020, Putting Floridians First filed an Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees form ("DS-DE 6") appointing Respondent as its treasurer. (ROI Exhibit 1)

Staff Recommendation FEC 20-631

<sup>&</sup>lt;sup>1</sup> The Report of Investigation is referred to herein as "ROI."

- 5. By letter dated July 6, 2020, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received the committee's DS-DE 6. (ROI Exhibit 2, page 1)
- 6. The acknowledgment letter advised Respondent that all committees filing reports with the Division are required to use the electronic filing system ("EFS") and provided Respondent with a user identification number and initial password to grant access to the EFS. The letter further advised Respondent that all of the Division's publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 2)

#### Alleged Violation: Section 106.07(5), Florida Statutes

- 7. Complainant alleged that Respondent violated Florida's election laws by certifying that the committee's 2020 D1 Report was true, correct, and complete when it was not.
- 8. Under Section 106.07, Florida Statutes, a campaign treasurer's report is required to contain all contributions received and all expenditures made during the reporting period. Additionally, Section 106.07(4)(a), Florida Statutes, provides that each report must also contain the full name, address, and occupation or description of business, together with the amount and date of such contributions, and the full name and address to whom expenditures have been made along with the amount, date, and purpose for said expenditures.
- 9. The committee's 2020 D1 Report was due on October 24, 2020. (ROI Exhibit 3) On October 24, 2020, Respondent certified the report as true, correct, and complete. (ROI Exhibit 4, page 2) The committee's report was incomplete as Respondent failed to report contributions and an expenditure as evidenced by the filing of an amended report. (ROI Exhibits 5-7) (See ROI, p. 2, ¶ 6)
- 10. Respondent acknowledged that she amended reports with large amounts of activity due to a lack of knowledge of Chapter 106, Florida Statutes, a lack of consistent assistance, unawareness of the financial activity until the last minute, unawareness of the high volume of activity until the last minute, and a lack of preparedness for the accelerated reporting schedule. (ROI Exhibit 8, page 2)
- 11. Respondent stated that she did not have access to the candidates' and committees' bank accounts but had to wait to receive information from the parties. (ROI Exhibit 9, page 3) She stated that she would receive large batches of check images at the last minute or the day before the reports were due. (ROI Exhibit 8, page 2; ROI Exhibit 9, page 3)
- 12. Respondent stated that she had volunteers assisting her, but many dropped out and the person assisting her was no longer available pre-election during the weekly reporting periods. (ROI Exhibit 8, page 2; ROI Exhibit 9, page 3)
- 13. Respondent stated that she was overwhelmed by the amount of financial activity that she was required to report. She stated that she prioritized filing the reports timely. She knew

that all reportable financial activity should have been disclosed on the original report but input as much information as possible before filing the reports. (ROI Exhibit 9, page 3)

- 14. Respondent stated that it was her understanding that if she did not file the report by the due date that the candidate or committee would be assessed a fine; however, she thought it was acceptable to file an amended report to add information as long as the original report was timely filed. (ROI Exhibit 9, page 3)
- 15. Respondent certified that the committee's 2020 D1 Report was true, correct, and complete when it was not.

## Alleged Violation: Section 106.19(1)(b), Florida Statutes

- 16. Complainant alleged that Respondent violated Florida's election laws by failing to report contributions required to be reported by Chapter 106, Florida Statutes. The reporting period at issue is the 2020 D1 reporting period which ran from October 17, 2020, through October 23, 2020.
- 17. The committee's 2020 D1 Report was due on October 24, 2020 and was timely filed. (ROI Exhibit 4, page 2) The report disclosed one contribution in the amount of \$5,000. (ROI Exhibit 6, page 1) On October 30, 2020, six days later, Respondent filed an amended 2020 D1 Report disclosing two monetary contributions totaling \$12,500. (ROI Exhibits 5 & 6) The report was filed four days before the general election.
- 18. Chapter 106, Florida Statutes, requires treasurers to report any contributions received and any expenditures made for the purpose of influencing the results of an election.
- 19. Respondent failed to report contributions required to be reported by Chapter 106, Florida Statutes, on the committee's 2020 D1 Report.
- 20. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).
- 21. The facts set forth above show that Respondent is the treasurer for Putting Floridians First, a political committee registered with the Division. Respondent certified that the committee's 2020 D1 Report was true, correct, and complete when it was not. Respondent failed to report contributions required to be reported by Chapter 106, Florida Statutes, on the committee's 2020 D1 Report.

Based upon these facts and circumstances, I recommend that the Commission find

probable cause to charge Respondent with violating the following:

## Count 1:

On or about October 24, 2020, Shelby Green, violated Section 106.07(5), Florida Statutes, when she certified that Putting Floridians First's 2020 D1 Report was true, correct, and complete when it was not.

## Count 2:

On or around October 24, 2020, Shelby Green, violated Section 106.19(1)(b), Florida Statutes, when she failed to report contributions required to be reported by Chapter 106, Florida Statutes, on Putting Floridians First's 2020 D1 Report.

Respectfully submitted on April 3, 2023.

Stephanie J. Cunningham

General Counsel

I reviewed this Staff Recommendation this \_\_\_\_\_day of April 2023.

Tim Vaccard

**Executive Director** 

#### FLORIDA ELECTIONS COMMISSION

## Report of Investigation for Late-Reported Financial Activity

Case Number: FEC 20-631

Sections 106.07(5) and 106.19(1)(b), Florida Statutes, a treasurer for a candidate or political committee certified campaign treasurer report(s) as true, correct, and complete when they were not and failed to report contribution(s) required to be reported by Chapter 106, F.S.

**Respondent's Atty:** N/A

**Division of Elections (Division)** 

Referral Filed: December 10, 2020

**Respondent Type:** Treasurer for Political

Committee

#### I. Preliminary Information:

- 1. Respondent was the appointed campaign treasurer for Putting Floridians First, a political committee registered with the Division. The Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) appointing Respondent was filed on June 29, 2020. To review the DS-DE 6, refer to Exhibit 1.
- 2. On July 6, 2020, the Division sent Respondent a letter acknowledging Respondent's appointment as the campaign treasurer for Putting Floridians First. The letter advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Political Committee Handbook*, and the *Calendar of Reporting Dates*. The letter further advised that it was Respondent's responsibility to read, understand, and follow the requirements of Florida's election laws. To review the acknowledgement letter, refer to Exhibit 2. To review the 2020 Calendar of Reporting Dates, refer to Exhibit 3.

#### II. Alleged Violation of Sections 106.07(5) and 106.19(1)(b), Florida Statutes:

- 3. I investigated whether Respondent violated these sections of the election laws by certifying that one or more campaign treasurer report(s) were true, correct, and complete when they were not and failing to report one or more contribution(s).
- 4. Specifically, the referral alleged Respondent filed one or more original campaign treasurer report(s) on or before the due date(s) that did not include certain financial transactions, which Respondent added to amended report(s) filed after the due date(s). The referral was only concerned with certain specified total contribution(s) and/or expenditure(s) added to certain amended report(s) and essentially alleged that by adding this activity to amended report(s) filed after the due date(s), Respondent demonstrated that she failed to report those transactions by the designated due date(s). The report at issue is: 2020 D1. To review the filing history, refer to Exhibit 4.
- 5. The 2020 D1 was due on October 24, 2020. Respondent filed it on October 24, 2020. By filing the report, Respondent certified that it was true, correct, and complete. The report showed one monetary contribution in the amount of \$5,000.00, no in-kind contributions, and no expenditures. To review the 2020 D1, refer to Exhibit 5. To review Division records evidencing when the activity referenced in this paragraph was filed on the original report, refer to Exhibit 6, page 1.

- 6. On October 30, 2020, which was six days after the due date for the report, Respondent filed an amended 2020 D1 report adding two monetary contributions in the total amount of \$12,500.00, and one monetary expenditure in the total amount of \$15.00. This amended report was filed four days before the general election. To review the 2020 D1, refer to Exhibit 5. To review Division records evidencing when the activity referenced in this paragraph was filed on the amended report, refer to Exhibit 6, pages 1-2. To review the applicable bank records, refer to Exhibit 7.
- 7. On October 5, 2022, the Florida Elections Commission received a written response from Respondent, who stated that she served as treasurer for many candidates and committees during the past two election cycles. Respondent stated that she learned the EFS but was not well-versed with the election statutes and did not readily know the frequency and periodic quickening of reporting dates. Respondent explained that it became apparent she needed assistance, but the help she received was not constant and, "tapered off when I needed it the most," such as during pre-election weekly reporting and when termination reports were due. She added that it was not uncommon for candidates and committees to send her large batches of check images at the last minute, which prevented her from completing and filing reports timely and accurately. Respondent summarized the following factors that contributed to her amending reports after the due date to disclose sometimes large amounts of additional activity: lack of thorough knowledge of Chapter 106, Florida Statutes; lack of consistent and continued help with reports; lack of awareness of often high-volume financial activity until the last minute; and lack of preparation for quickened reporting dates. Respondent concluded by stating she has, "learned that these lessons come at a high price." To review Respondent's response, refer to Exhibit 8.
- 8. I called Respondent and interviewed her on two occasions in order to provide her an opportunity to respond to the referral. Respondent stated that she has never run for public office, though she has served as treasurer for several candidates and political committees. Respondent stated that she had not read Chapter 106, Florida Statutes, and that while she had not read the entire *Political Committee Handbook*, she referred to it if she had any questions. To review the phone log, refer to Exhibit 9, interviews 1 and 3.
- 9. When asked if she was aware that all financial activity should be included on the original report, Respondent answered affirmatively. However, she added that it was her understanding that the campaign would be assessed a fine if a report was late, but that it was alright to amend a report if the original had been timely filed. Respondent stated she would input as much information as possible before filing the original report and would file an amended report to include information not on the original. To review the phone log, refer to Exhibit 9, interviews 1 and 3.
- 10. Respondent explained that she initially had several people working with her to enter information into EFS, but later the volunteers dropped out, which left her to do everything. She explained that she became overwhelmed by the amount of activity that occurred in each campaign, that in many instances she did not have access to campaign accounts, and that sometimes candidates and committees sent her incomplete information and/or would not send her information until the day before a report was due. Respondent indicated that, being overwhelmed, she prioritized filing original reports on time. She explained that she wanted to be transparent, so she reported the information she had and added the rest later. To review the phone log, refer to Exhibit 9, interviews 1 and 3.

#### THIS SPACE INTENTIONALLY LEFT BLANK

-

<sup>&</sup>lt;sup>1</sup> I subpoenaed campaign account records from the designated campaign depository.

11. When asked if she considered resigning as treasurer from some campaigns due to feeling overwhelmed, Respondent stated that she thought about it but did not want to leave candidates in a bad situation with no one to help them. However, Respondent indicated that she did not discuss her situation with any of the candidates. Respondent asserted that she has taken the following corrective measures: reading Chapter 106, Florida Statutes; reading the *Handbook*; hiring an assistant to help her input information; requiring access to campaign accounts; and requesting that candidates and committees use Truist as their depository so she can monitor the account activity electronically. To review the phone log, refer to Exhibit 9, interviews 1 and 3.

Syangie Vagle

SIGNATURE OF INVESTIGATOR:

Date: February 1, 2023

# FLORIDA ELECTIONS COMMISSION

# REPORT OF INVESTIGATION

Shelby Green -- FEC 20-631

LIST OF EXHIBITS						
Exhibits #s	Description of Exhibits					
Exhibit 1	DS DE 6					
Exhibit 2	Acknowledgement Letter					
Exhibit 3	2020 Calendar of Reporting Dates					
Exhibit 4	Filing History					
Exhibit 5	2020 D1					
Exhibit 6	2020 D1 DPA Report					
Exhibit 7	Bank Records					
Exhibit 8	Respondent's Written Response					
Exhibit 9	Phone Log					

# APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR POLITICAL COMMITTEES

(Sections 106.011(2) and 106.021(1), F.S.)

RECEIVED UE PARTMENT OF STATE

2020 JUN 29 AM 9: 07

DIVISION OF ELECTIONS
TALLAHASSEE, FI

CHECK APPROPRIATE BOX:		7	ALLAHASSEF, FL
Initial Filing for: Primary Treasurer Deputy Treasurer			OFFICE USE ONLY
Re-filing to Change: Primary Treasurer Deputy Treasurer	Primary/Second	ary Depository	
Committee     Putting Floridians First		2. Telephone (850 ) 661 (	3941
3. Name of Treasurer or Deputy Treasurer 4. Email (optional Shelby Green sbsllc2017@gn		5. Telephone (d (850 ) 661 (	
6. Mailing Address Po Box 5651 Tallahassee, FL 32314			
7. Street Address 1842 Ashley Hall Way Tallahassee, FL 32308			
8. The following bank has been designated as the Pri	mary Depository	Seconda	ry Depository
9. Name of Bank Suntrust Bank	10. Street Addres		
11. City Tallahassee	12. St FI	ate	13. Zip Code 32309
14. Signature of Chairman	15. Name of Cha Shelby Greet	irman (Print or Typ า	e)
Campaign Treasurer's Ac	ceptance of	Appointment	
Shelby Green (Please Print or Type) treasurer or deputy treasurer for Putting Floridians F	irst	, do herek	by accept the appointment as
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAD ACCEPTANCE OF APPOINTMENT AND		OREGOING CAMI	
6/25/20 x	Jh.		
Date DS-DE 6 (Rev. 4/19)	Signature of Camp	aign Treasurer or	Deputy Treasurer



**RON DESANTIS** 

Governor

LAUREL M. LEE Secretary of State

July 6, 2020

Shelby Green, Chairperson Putting Floridians First Post Office Box 5651 Tallahassee, Florida 32314

Dear Ms. Green:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Putting Floridians First**, which were placed on file in our office on June 29, 2020. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

#### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **July 10, 2020**. The report will cover the period of June 27, 2020 - July 3, 2020 (2020 P2A). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

#### **EFS Access**

Below is the web address to access the EFS and the committee's user identification number. Enclosed are the committee's confidential, filing credentials.

EFS Website Address: https://efs.dos.state.fl.us

Identification Number: 78816

#### **Timely Filing**

All reports must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the

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



Shelby Green, Chairperson July 6, 2020 Page Two

due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

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

#### **Electronic Receipts**

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

#### Instructions and Assistance

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

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

Please let me know if you need additional information.

Reid Willis

Sincerely,

Kristi Reid Willis, Chief Bureau of Election Records

KRW/zjs

Enclosures

# 2020 Calendar of Reporting Dates

Political Committees/Independent Expenditure-Only Organizations registered with the Division of Elections

Report Code	<u>Cover Period</u>	<u>Due Date</u>
2019 M12	12/1/19 – 12/31/19	1/10/2020
2020 M1	1/1/20 – 1/31/20	2/10/2020
2020 M2	2/1/20 – 2/29/20	3/10/2020
2020 M3	3/1/20 – 3/31/20	4/10/2020
2020 M4	4/1/20 – 4/30/20	5/11/2020
2020 M5	5/1/20 – 5/31/20	6/10/2020
2019 MUC*	1/1/19 – 12/31/19*	6/19/2020*
2020 P1	6/1/20 - 6/12/20	6/19/2020
2020 P1A	6/13/20 - 6/19/20	6/26/2020
2020 P2	6/20/20 – 6/26/20	7/3/2020
2020 P2A	6/27/20 – 7/3/20	7/10/2020
2020 P3	7/4/20 – 7/10/20	7/17/2020
2020 P4	7/11/20 – 7/17/20	7/24/2020
2020 P5	7/18/20 – 7/24/20	7/31/2020
2020 P6	7/25/20 – 7/31/20	8/7/2020
2020 P7	8/1/20 - 8/13/20	8/14/2020
2020 P7A	8/14/20	8/21/2020
2020 F / A	6/14/20	6/21/2020
2020 G1	8/15/20 – 8/21/20	8/28/2020
2020 G1A	8/22/20 – 8/28/20	9/4/2020
2020 G2	8/29/20 – 9/4/20	9/11/2020
2020 G2A	9/5/20 – 9/11/20	9/18/2020
2020 G3	9/12/20 – 9/18/20	9/25/2020
2020 G3A	9/19/20 – 9/25/20	10/2/2020
2020 G4	9/26/20 – 10/2/20	10/9/2020
2020 G4A	10/3/20 – 10/9/20	10/16/2020
2020 G5	10/10/20 – 10/16/20	10/23/2020
2020 D1**	10/17/20 – 10/23/20**	10/24/2020**
2020 D2**	10/24/2020**	10/25/2020**
2020 D3**	10/25/2020**	10/26/2020**
2020 D4**	10/26/2020**	10/27/2020**
2020 D5**	10/27/2020**	10/28/2020**
2020 D5**	10/28/2020**	10/29/2020**
2020 00	10/28/2020	10/23/2020
2020 G6***	10/17/20 – 10/29/20***	10/30/2020***
2020 M10	10/30/20 – 10/31/20	11/10/2020
2020 M10 2020 M11	11/1/20 – 11/30/20	12/10/2020
		1/11/2021
2020 M12	12/1/20 – 12/31/20	1/11/2021

<sup>\*</sup> If not reported as individual contributions when received, a political committee must report contributions that comprise multiple uniform contributions from the same person aggregating no more than \$250 per calendar year, collected by an organization that is the affiliated sponsor of the political committee. The report must list the name, address, and occupation of the person making the contribution; however, the occupation need not be listed if the aggregate contribution from the person is \$100 or less.

<sup>\*\*</sup> These reports need only contain information on all previously unreported contributions received as of the preceding day; however, expenditures can be reported if desired.

<sup>\*\*\*</sup> If expenditures for 10/17/20 - 10/29/20 have already been reported during the daily reports, <u>do not</u> duplicate expenditures in this report.



search | directory | contact us | 411 | subscribe | tour | help

# Florida Department of State - Division of Elections

# Florida Election System Reports

Name:				Acco	ount: 78816						
Election:			Date Due	Туре	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
		<b>~</b>	10/21/2022	G4A	10/14/2022		Late	A336336U		i ilieu	i aiu
Acct:	78816				10/14/2022						
Туре:	Committee		10/7/2022		10/7/2022						
турс.	Committee		10/7/2022		10/7/2022						
	Search Reset	(	9/23/2022	G2A	9/23/2022						
		Ç	9/16/2022	G2	9/16/2022						
		ę	9/9/2022	G1A	9/9/2022						
		(	9/2/2022	G1	9/2/2022						
		8	8/26/2022	P7A	8/26/2022						
		8	8/19/2022	P7	8/20/2022	CLO	1	\$0.00	1	\$0.00	\$0.00
			3/12/2022		8/12/2022						
			3/5/2022		8/5/2022						
			7/29/2022		7/29/2022						
			7/22/2022		7/22/2022	01.0		40.00		<b>#</b> 0.00	00.00
			7/15/2022		7/16/2022	CLO	1	\$0.00		\$0.00	\$0.00
			7/8/2022		7/4/2022	CI O	2	<b>ድ</b> ስ ሰብ		<b>#0.00</b>	ድር ርር
			7/1/2022 6/24/2022		7/4/2022	CLO CLO	3 1	\$0.00 \$0.00		\$0.00 \$0.00	\$0.00 \$0.00
			6/10/2022		6/25/2022 6/10/2022	CLO	ı	φυ.υυ	,	<b>Ф</b> 0.00	φυ.υυ
			5/10/2022		5/10/2022						
			4/11/2022		4/11/2022						
			3/10/2022		3/10/2022						
			2/10/2022		2/10/2022						
			1/10/2022		1/10/2022						
			12/10/2021		12/10/2021						
			11/10/2021	M10	11/10/2021						
			10/12/2021	М9	10/12/2021						
		ę	9/10/2021	M8	9/10/2021						
		3	8/10/2021	M7	8/10/2021						
		-	7/12/2021	М6	7/12/2021						
		(	6/10/2021	М5	6/10/2021						
			5/10/2021	M4	5/4/2021						
		4	4/12/2021	МЗ	4/12/2021						
			3/10/2021		3/10/2021						
			2/10/2021		2/10/2021						
			1/11/2021		1/11/2021						
					12/10/2020						
					11/10/2020						
					10/30/2020		4	ቀለ ለለ		<u></u>	ው
					10/30/2020	CLO	1	\$0.00	1	\$0.00	\$0.00
			10/28/2020 10/27/2020		10/28/2020						
			10/27/2020 10/26/2020		10/27/2020						
			10/20/2020	υs	10/26/2020						

10/25/2020 D2 10/25/2020

## FEC - Candidate/Committee Filing History Report

10/24/2020	D1	10/24/2020					
10/23/2020	G5	10/24/2020	CLO	1	\$0.00	\$0.00	\$0.00
10/16/2020	G4A	10/16/2020					
10/9/2020	G4	10/9/2020					
10/2/2020	G3A	10/2/2020					
9/25/2020	G3	9/25/2020					
9/18/2020	G2A	9/18/2020					
9/11/2020	G2	9/11/2020					
9/4/2020	G1A	9/4/2020					
8/28/2020	G1	8/28/2020					
8/21/2020	P7A	8/21/2020					
8/14/2020	P7	8/15/2020	CLO	1	\$500.00	\$0.00	\$0.00
8/7/2020	P6	8/7/2020					
7/31/2020	P5	7/31/2020					
7/24/2020	P4	7/24/2020					
7/17/2020	P3	7/18/2020	CLO	1	\$0.00	\$0.00	\$0.00
7/10/2020	P2A	7/10/2020					

FLORIDA DEPARTMEN CAMPAIGN TRE	T OF STATE, DIVISION		ONS		
(1) Putting Floridians First Candidate, Committe or Party Name		816 . Number			
(3) Post Office Box 5651	Tallahassee	FL	32314		
Address (number and street)  Check box if address has changed since last report	City	State	Zip Code	_	
(4) Check appropriate box(es):					
<ul> <li>☐ Candidate (office sought):</li> <li>☒ Political Committee</li> <li>☐ Committee of Continuous Existance</li> <li>☐ Party Executive Committee</li> </ul>	☐ Check If PC has				
(5) REPO	RT IDENTIFIERS				
Cover Period: From 10/17/2020 To 10	)/23/2020	Report Type:	D1		
☐ Original                       Sp	ecial Election Report				
(6) CONTRIBUTIONS THIS REPORT	(7) E.	XPENDITURES T	HIS REPORT		
Cash & Checks \$17,500.00	Monetary Expenditu	res		\$15.00	
Loans \$0.00	Transfers to Office A	Account		\$0.00	
Total Monetary \$17,500.00	Total Monetary	у		\$15.00	
In-Kind \$0.00	(8) Other Distribution	ns			
Co It is a first degree misdemeanor for any p	ertification person to falsify a public re	ecord (ss.839.13,	F.S.)		
I certify that I have examined this report and it is true, correct and complete	I certify that I have examined this report and it is true, correct and complete				
Name of Treasurer Deputy Treasurer	Name of	andidate X	Chaiman (PC/PTY	' Only	
Χ	X Signature			··	
Signature	Signature				

Prepared on: 11/10/20 3:20:17PM Reviewed On: 10/30/20 10:12 pm

ID: 78816

# CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

\*\* Records in Filed Report \*\*

Page 1 of 1

Name: Putting Floridians First

Report: 2020 D1

Period: 10/17/2020

to 10/23/2020

Seq#	Full Name (Last, Suffix, First, Middle	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	FLIPPABLES FLORIDA VICTORY FUND 611 PENNSYLVANIA AVE SE #192	F	POLITICAL COMMITTEE	\$5,000.00
10/20/2020	WASHINGTON, DC 20003	CHE		
2	EMILY'S LIST FEDERAL FUND	F	POLITICAL COMMITTEE	\$2,500.00

1800 M ST NW STE 375N WASHINGTON, DC 20036 10/23/2020 CHE ADD FORWARD FLORIDA \$10,000.00 F POLITICAL COMMITTEE PO BOX 7453 10/19/2020 TALLAHASSEE, FL 32314 CHE ADD

ID: <u>788</u>16

## CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

Page 1 of 1

Name: Putting Floridians First

Report: 2020 D1

Period: 10/17/2020 to 10/23/2020

Seq#	Full Name (Last, Suffix, First, Middle	Туре	Purpose	Amount
Date	Street Address & City, State, Zip	1 ype	Pulposo	Amend
1	SUNTRUST	MON	BANK FEES	\$15.00
10/19/2020	303 PEACHTREE ST ATLANTA, GA 30308		2.44.1.22	ADD

# Filed Campaign Treasurer's Report

**Putting Floridians First** 78816 - PAC

Elect ID: 20201103-GEN Report: 2020 D1 (17)

From: 10/17/202

Amd: Y Wvr: N

Filed: FIL 10/24/2020 11:38:23

To: 10/23/202

Cmplt: COM

Reviewed: AUD 10/30/2020 10:12:21

**Original Report** 

Submitted: 10/24/2020 11:38:23

#### **CONTRIBUTIONS**

Seq			Contributor	Occupation	Errors	
Date	Name	Address	Туре	Inkind Description	Amd	Amount
1	FLIPPABLES FLORIDA VICTORY F	611 PENNSYLVANIA AVE SE #192	F	POLITICAL COMMITTEE	0	\$5,000.00
10/20/2020		WASHINGTON DC 20003	CHE			

#### **Amended Report**

Submitted: 10/30/2020 10:09:07

#### **CONTRIBUTIONS**

Seq	CONTRIDUTIONS			Occupation	Errors	
Date	Name	Address	Туре	Inkind Description	Amd	Amount
2	EMILY'S LIST FEDERAL FUND	1800 M ST NW STE 375N	F	POLITICAL COMMITTEE	0	\$2,500.00
10/23/2020		WASHINGTON DC 20036	CHE		ADD	

# Filed Campaign Treasurer's Report

Page 2

**Putting Floridians First** 78816 - PAC

Elect ID: 20201103-GEN

From: 10/17/202

Amd: Y Wvr: N Filed: FIL 10/24/2020 11:38:23

Report: 2020 D1 (17)

To: 10/23/202 Cmplt: COM Reviewed: AUD 10/30/2020 10:12:21

Amended Report

Submitted: 10/30/2020 10:12:47

#### **CONTRIBUTIONS**

Seq					Contributor	Occupation	Errors	
Date	Name	Address			Туре	Inkind Description	Amd	Amount
3	FORWARD FLORIDA	PO BOX 7453			F	POLITICAL COMMITTEE	0	\$10,000.00
10/19/2020		TALLAHASSEE	FL	32314	CHE		ADD	

#### **EXPENDITURES**

Seq						Office	E	Errors	
Date	Name	Address			Туре	Purpose	A	md	Amount
I	SUNTRUST	303 PEACHTREE	ST		MON		•	0	\$15.00
10/19/2020		ATLANTA	GA	30308		BANK FEES		DD	

SUNTRUST BANK PO BOX 305183 NASHVILLE TN 37230-5183

**SUNTRUST** 

PAGE 1 OF 2 36/E00/0175/0/ 39

10/31/2020

ACCOUNT STATEMENT

PUTTING FLORIDIANS FIRST 1842 ASHLEY HALL WAY TALLAHASSEE FL 32308-4976 QUESTIONS? PLEASE CALL 1-800-786-8787

KEEP YOUR SUNTRUST ACCOUNTS SAFER.

USE UNIQUE USERNAMES AND PASSWORDS FOR YOUR ONLINE BANK ACCOUNTS.

IT'S BEST NOT TO RECYCLE THE SAME USERNAME AND PASSWORD ON MULTIPLE WEBSITES WHERE YOU HAVE AN ONLINE PROFILE - ESPECIALLY YOUR FINANCIAL ACCOUNTS. ALSO, TRY TO AVOID CHARACTERS FROM YOUR EMAIL, PHONE NUMBER, BIRTHDATE OR OTHER PERSONAL INFORMATION.

ON OTHER PERSONNEL TREORMETOR.

ACCOUNT SUMMARY ACCOUNT NUMBER ACCOUNT TYPE STATEMENT PERIOD SIMPLE BUSINESS CHECKING 10/01/2020 - 10/31/2020 \_\_\_\_\_\_ AMOUNT DESCRIPTION
\$38,265.39 AVERAGE BALANCE
\$30,000.00 AVERAGE COLLECTED BALANCE
\$5,113.60 NUMBER OF DAYS IN STATEMENT PERIOD DESCRIPTION AMOUNT BEGINNING BALANCE \$49,829.06 DEPOSITS/CREDITS \$49,554.86 CHECKS 31 WITHDRAWALS/DEBITS \$30,241.90 ENDING BALANCE \$32,909.89 \_\_\_\_\_

OVERDRAFT PROTECTION

ACCOUNT NUMBER PROTECTED BY NOT ENROLLED

FOR MORE INFORMATION ABOUT SUNTRUST'S OVERDRAFT SERVICES, VISIT WWW.SUNTRUST.COM/OVERDRAFT.

\_\_\_\_\_

DEPOSITS/CREDITS

DATE	AMOUNT SERIAL	ı	DATE	AMOUNT	SERIAL #	
10/23	2,500.00	DEPOSIT	10/27	1,000.00		DEPOSIT
10/05	5,000.00	ELECTRONIC/ACH (FLIPPABLE5	CREDIT DONA	TION		
10/15	5,000.00	INCOMING FEDWIRE	CR TRN	#010985		
10/19	10,000.00	INCOMING FEDWIRE	CR TRN	#013721		
10/20	5,000.00	ELECTRONIC/ACH ( FLIPPABLE5	CREDIT DONAT	TION		
10/26	1,500.00	ELECTRONIC/ACH ( FLIPPABLE5	CREDIT DONA	rion		

DEPOSITS/CREDITS: 7 TOTAL ITEMS DEPOSITED: 3

CHECKS

CHECK AMOUNT DATE CHECKS

NUMBER PAID NUMBER PAID

98 113.60 10/13 \*1026 5,000.00 10/27

CHECKS: 2

\* INDICATES BREAK IN CHECK NUMBER SEQUENCE. CHECK MAY HAVE BEEN PROCESSED ELECTRONICALLY AND LISTED AS AN ELECTRONIC/ACH TRANSACTION.

\_\_\_\_\_\_

WITHDRAWALS/DEBITS

DATE AMOUNT SERIAL # DESCRIPTION

10/15 15.00 INCOMING FEDWIRE TRANSFER FEE TRN #010985

MEMBER FDIC CONTINUED ON NEXT PAGE

SUNTRUST BANK PO BOX 305183 NASHVILLE IN 37230-5183

**SUNTRUST** 

PAGE 2 OF 2 36/E00/0175/0/ 39

10/31/2020

ACCOUNT STATEMENT

DATE AMOUNT SERIAL # DESCRIPTION
10/19 15.00 INCOMING FEDWIRE TRANSFER FEE TRN #013721
10/30 30,143.90 OUTGOING FEDWIRE DR TRN #013561
10/30 65.00 OUTGOING FEDWIRE TRANSFER FEE TRN #013561
10/30 3.00 PAPER STATEMENT FEE

WITHDRAWALS/DEBITS: 5

		BALANCE ACTI	VITY HISTOR	¥	
DATE	BALANCE	COLLECTED BALANCE	DATE	BALANCE	COLLECTED
10/01	38,265.39	38,265.39	10/23	65,621.79	63,121.79
10/05	43,265.39	43,265.39	10/26	67,121.79	67,121.79
10/13	43,151.79	43,151.79	10/27	63,121.79	62,121.79
10/15	48,136.79	48,136.79	10/28	63,121.79	63,121.79
10/19	58,121.79	58,121.79	10/30	32,909.89	32,909.89
10/20	63 121 79	63 121 79		CANADA C ST. LLIVE DOLLARS	

THE ENDING DAILY BALANCES PROVIDED DO NOT REFLECT PENDING TRANSACTIONS OR HOLDS THAT MAY HAVE BEEN OUTSTANDING WHEN YOUR TRANSACTIONS POSTED THAT DAY. IF YOUR AVAILABLE BALANCE WASN'T SUFFICIENT WHEN TRANSACTIONS POSTED, FEES MAY HAVE BEEN ASSESSED.

MEMBER FOIC

Run Date: 12-May-21 Run Time: 11:06 AM

#### **Transaction Detail Report**

Page: 1 User Name: TRAIL

ON FILE: N

CTRY:

BK: N

BNK: 175

**SND DATE: 201019** 

AMT: \$10,000.00

SRC: FED

**ADV: LTR** 

TYP: FTR

VAL: 201019

CUR: USD LOC:

ON FILE: N

CTRY:

TRN:

FOR AMT: 10,000.00

**CHECK NUM:** 

**DBT:** A/061000104

ACC: G/9088171050

**DEPT:** 175

SUNTRUST BANK ATLANTA, GA

SEND:

SNDR REF NUM: 2020101900013664

ORIG: /1000245127708 FORWARD FLORIDA 2521 HOLLYWOOD BLVD HOLLYWOOD FL 33020

**REF NUM:** 

**CDT:** D/1

ACC: D/ DEPT: 175

**DEPT:** 175

PUTTING FLORIDIANS FIRST 1842 ASHLEY HALL WAY TALLAHASSEE FL 32308-4976

BNF:

PUTTING FLORIDIANS FIRST

ORIG TO BNF INFO:

FRANCESSCA CESTI-BROWNE

Exhibit 7 Page 3 of 7

STSC SUBPOENA SERVICES FL-ORLANDO-7136

COPY REFERENCE: 20210503000345 SS 05/04/21 11:30:18 2 WEB JOBT10504105656 0030094041+ 20201023 07

2500.00

000000

## SunTrust Bank

**Deposit** 

Transaction Date / Time:

10/23/2020/15:53

Account Number:

Processing Date:

Transaction ID:

10/23/2020

Account Type: Checking/Savings/Money Market

Cashbox Number: Cost Center:

0006 7027970

Session Funds In: Cash In:

\$0.00

81

\$0.00

Check In:

\$2,500.00 \$0.00

Session Funds Out: Total Deposit Amt:

\$2,500.00

:510001751:

2500001

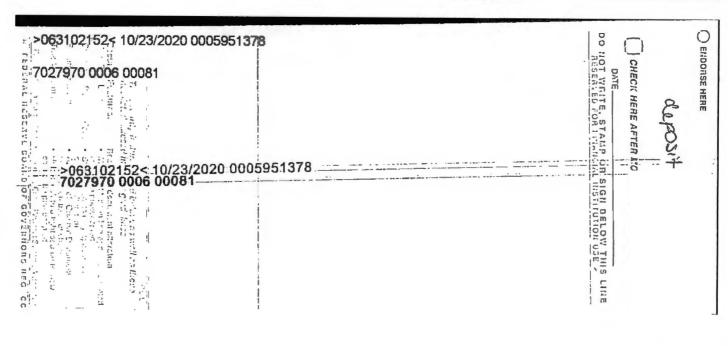
>083102152< 10/23/2020 005951380

7027970 0006 00081

STSC SUBPOENA SERVICES FL-ORLANDO-7136

COPY REFERENCE: 20210503000345 SS 05/04/21 11:30:18 2 WEB JOBT10504105656 0030094041+ 20201023 07 2500.00 000000

**EMILY's List Federal Fund Amalgamated Bank** October 8, 2020 2872 1800 M Street NW, Ste 375N 1825 K Street, NW Washington, DC 20036 Washington, DC 20006 Security features. Demis on book ONE THOUSAND AND 0/100 US DOLLARS \$\*\*\*\*\*\*1,000.00 0 Pay To The **Putting Floridians First** Order Of: Post Office Box 5651 Tallahassee, FL 32314



STSC SUBPOENA SERVICES FL-ORLANDO-7136 COPY REFERENCE: 20210503000345 SS 05/04/21 11:30:18 2 WEB JOBT10504105656 0030094041+ 20201022 07 000000

**Amaigamated Bank EMILY's List Federal Fund** 2589 July 30, 2020 1825 K Street, NW 1800 M Street NW, Ste 375N Washington, DC 20006 Washington, DC 20036 Security teatures. Dottains on back \$\*\*\*\*\*\*1,500.00 \*\*\*\*ONE THOUSAND FIVE HUNDRED AND 0/100 US DOLLARS Pay To The **Putting Floridians First** 0 Order Of: Post Office Box 5651 Tallahassee, FL 32314

000000

*>063102152< 10/23/2020 0005951379	O ENDO
* \$063102f52< 10/23/2020 0005951379 7027970 0006 00081	HEC DATE TY
	HERE A A A A A A A A A A A A A A A A A A A
	FIRE TARREST
>063102152< 10/23/2020 0005951379	
R 1 원 3 등 2 부 등 경영 원 경기	HIGH BE
	H BELOW T
	E HIS
	CITIE

STSC SUBPOENA SERVICES FL-ORLANDO-7136

COPY REFERENCE: 20210503000344 SS 05/04/21 11:30:18 3 WEB JOBT10504105656 0078009894 20201027 07 000000

PUTTING FLORIDIANS FIRST	63-215/631	1076
1842 ASHLEY HALL WAY TALLAHASSEE, FL 32308	DATE /0/24	2020
	ducting 1	5,000.00
Fire Thousand Jollan	00/No	-DOLLARS (
SUNTRUST ACHRET 001000104	0	
MEMO 10.10.20 Villo 3 Editing Jav 209	Xhx	

BY SHALL SE AND WAS TRUE PROGRAMME SECTION OF SECTION SECTION

For Deposit Only - JPMC STAMP OH SIGN BELOW THIS LINE



Green FEC Cases StatementS Green to: fec 10/05/2022 06:51 AM

Cc: "Stephanie Cunningham"
From: "S Green" <sbsllc2017@gmail.com>

To: fec@myfloridalegal.com Cc: "Stephanie Cunningham" <Stephanie.Cunningham@myfloridalegal.com>

History:

This message has been replied to and forwarded.

#### 1 Attachment



FECCases StatementSigned.pdf

Hi,

Please see my statement attached.

Thank you. Shelby Green October 5 2022

Florida Ethics Commission Po Drawer 15709 Tallahassee, FL 32317

Subject: FEC Cases Statement

Dear Stephanie Cunningham,

Please allow this statement to serve as a formal explanation of the circumstances that have contributed to the multiple FEC cases that I would like to settle. I would first like to acknowledge that I have submitted reports late and subsequently amended reports with large amounts of activity. While this was never my initial intention, factors such as: lack of thorough Chapter 106 Statute knowledge, lack of consistent and continued help with reports, the unawareness of financial activity until the last minute, the unawareness of a high volume of activity until the last minute, and the lack of the preparation for the quickened reporting dates all contribute to my errors.

For the past two election cycles, I have worked as an independent contractor in the role of the Treasurer on many campaigns and political committees. I began this process by learning the EFS system and gathering information from candidates and committees to file reports. While I had some knowledge of the election statutes, not only was I not well-versed at the time, but I would only reference the statutes as needed. Therefore, I subverted my own treasury and compliance efforts in not knowing and always implementing statutes like the 2-day recordkeeping requirement of expenses and being prepared for the quickening of the reporting periods. During my first election cycle as a Treasurer, I did not initially have help in preparing the reports but learned that in order to file the weekly and bi-weekly reports on time and with accuracy, I would need assistance, so I was able to get help during my second cycle, but it was not constant and eventually tapered off when I needed it the most. Ultimately, the person that was assisting me was no longer available to me during the pre-election weekly reporting and in preparing the termination reports-when I needed the most assistance.

Two of the largest factors that led to my late reporting and subsequent amendments were not readily knowing the reporting period dates and not always having knowledge of the activity that had occurred-which in retrospect was probably my largest mistake. In any one instance where I would receive a large batch of check images, at the last minute, from the campaign that had been written to canvassers or campaign staff and not yet cashed or even contributions that were received but not yet deposited by reporting time, it would prevent me from preparing other reports and in turn make my other reports late. Yes, I learned quickly that operating blindly was not sustainable and definitely did not allow for accuracy or timeliness and did not agree with Chapter 106.

While I have explained the compounding reasons that have led to my multiple cases with the FEC, and have learned that these lessons come at a high price, I greatly appreciate your consideration in the resolution and settlement of these cases.

Shelby Green

## FLORIDA ELECTIONS COMMISSION PHONE LOG

Case No.: FEC 20-631

**Respondent:** Shelby Green

**Complainant:** Division of Elections

1. **Date and time:** 07/13/21 @ 10:47 a.m.

**Name:** Respondent **Phone** #: 850-590-3612

**Summary:** See note at the end of the Phone Log.

**Entered by: MBW** 

2. **Date and time:** 07/20/21 @ 10:32 a.m.

**Name:** Respondent **Phone** #: 850-590-3612

Summary: I called Respondent to clarify information she had given in the previous

telephone interview.

Respondent previously stated that if she had any questions about completing the CTRs she would check the Treasurer Handbook. I asked if she possessed a copy of the Handbook. She stated she did not have a printed copy of the Handbook; she explained that she would check the online copy at the DOE website.

**Entered by: MBW** 

3. **Date and time:** 11/28/22 @ 3:58 p.m.

**Name:** Respondent **Phone** #: 850-590-3612

**Summary:** I called to get an update on the information I received during the initial interview on July 13, 2021. I asked her to explain her understanding of reporting campaign activities before the investigation and what is her understanding now. She stated that it was her understanding that if she did not file the report by the due date then she would be assessed a fine. However, she thought that it was okay to file an amended report to add information as long as the original report was filed on time. She stated that she did not realize that there was anything wrong with amending the campaign reports until she started getting the letters about the investigation.

I asked her to explain why there was a large amount of activity reported after the due date. She explained that she wanted to be transparent, so she reported the information that was available and added the rest later. I asked her to explain. She stated that the candidate or PCs usually collected the contributions and wrote the expenditure checks and sent her the information to file the reports. She stated that sometimes she did not have access to bank records, especially for the candidates from south Florida because she lives in Tallahassee so the candidates would have a campaign worker to compile a spreadsheet and send her the spreadsheet. She stated that there were occasions when the spreadsheets did not contain all the information required on the campaign report; therefore, she just reported the information that was available to her.

I asked her had any information regarding her political history changed, i.e., had she run for office, had she read the Handbook or Chapter 106. She stated that she had not run for public office. She stated that she had never run for public office. She explained that the Shelby Green that ran for City Commission was not her. She stated that since the last interview she has read Chapter 106, Florida Statutes. She added, "it's a lot of stuff in there." She stated she has also read the Handbook. She stated that she has the 2018 Handbook. I gave her directions to download the 2022 Handbook from the DOE website.

She stated that she has made other corrective measures to try to stay on top of things. She has hired an assistant to help her input the information. She requests that the candidates and PCs use Truist as their depository so she can monitor the account activity electronically. She requires access to the campaign account so she can have access to the information before the day before it is due.

Memo to File? No Entered by: MBW

4. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

5. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

6. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

7. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

8. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

9. **Date and time:** 

Name: Phone #: Summary: Entered by:

#### RESPONDENT INTERVIEW MEMO – Call details for entry #1

- I asked why did she filed so many amendments? She stated that often the candidates would not send her the information until the day before the report was due. She stated that initially she had several people working with her to enter the information into the system but later, the volunteers dropped out and it just left her to do everything. She stated that she became overwhelmed by amount of activity that occurred in each campaign. She stated that she prioritized filing the report on time.
- I asked if she was aware that all the information regarding the financial activity in a reporting period should be on the original report. She answered affirmatively and added that it was her understanding that if the report was late the campaign would be assessed a fine, but it was okay to amend the report if the report was timely filed. She stated that she inputted as much information as possible before filing the original report and she would file an amended to report the information that was not recorded on the original. She reiterated that she was overwhelmed.
- I asked if she had access to the bank accounts for the campaigns. She answered negatively. She stated that in many cases she was not a signatory on the account. She explained that usually the candidate handled the deposits and expenditures and sent the information to her to be reported. She stated that sometimes that would send it periodically and sometimes they would wait until the end of the reporting period, when it was time to file the report.
- I asked, if she considered resigning from some of the candidates' campaigns, since she felt "overwhelmed." She stated that she thought about it but she didn't want to just leave the candidates in a bad situation with no one to help with the campaign. I asked if she thought she was currently in a bad situation. She answered affirmatively. I asked if she had discussed her situation with any of the candidates. She answered, negatively. She stated she did know what the procedure was or what she needed to do; therefore, she has not spoken with anyone about her current situation.
- I asked what corrective measures she took once she received the letters from the FEC. She stated that by the time she received the letters most of the campaigns were raping up; therefore, she thought she could handle it but it was just as hectic during the TR period;

therefore, she ended up in the same situation, which generated even more letters from the FEC.

- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred. *No*
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred. She stated that she has been appoint as treasurer before. She did not give the candidates' names. She stated that she previously worked with the Democratic party and agreed to help with the campaigns of a couple of the Democratic candidates.
- Have you ever held the office of chairperson, treasurer, or other similar position for a
  political committee or electioneering communications organization? If so, please name
  each committee, state the office you held for each, and state when you held each office.
  Yes. Treasurer.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the
  name of the candidate or committee whose report you prepared or signed. Yes. Various
  Democratic candidates.
- What action have you taken to determine your responsibilities under Florida's election laws? She stated that she checked the treasurer handbook and called the DOE if she had any questions.
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it? No
- Do you possess a copy of the [Candidate and Campaign Treasurer OR Political Committee OR Electioneering Communications Organization] Handbook? If so, when did you first obtain it? Have you read it? Yes. She did not know the exact date she first obtained it. She stated she did not read the entire handbook but referred to it if she had any questions.
- Did you receive any other materials from your filing officer? If so, please describe them.
   No
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case? She stated that she was hoping she could settle all the cases. I informed her that I would inform the attorney assigned to the case and the attorney will get back with her. I explained that FEC 19-439 may not be included in the settlement agreements that Ms. Clay will discuss with her. I explained the settlement process and the investigative process. I informed her that I will attempt to meet with Ms. Clay regarding her cases next week and someone would reach out to her by phone. I confirmed that 850-590-3612 was the number to reach her.

# FLORIDA ELECTIONS COMMISSION PHONE LOG

Case No.: FEC 20-631

**Respondent:** Shelby Green

**Complainant:** Division of Elections

1. **Date and time:** 07/13/21 @ 10:47 a.m.

**Name:** Respondent **Phone** #: 850-590-3612

**Summary:** See note at the end of the Phone Log.

**Entered by: MBW** 

2. **Date and time:** 07/20/21 @ 10:32 a.m.

**Name:** Respondent **Phone** #: 850-590-3612

Summary: I called Respondent to clarify information she had given in the previous

telephone interview.

Respondent previously stated that if she had any questions about completing the CTRs she would check the Treasurer Handbook. I asked if she possessed a copy of the Handbook. She stated she did not have a printed copy of the Handbook; she explained that she would check the online copy at the DOE website.

**Entered by:** MBW

3. **Date and time:** 11/28/22 @ 3:58 p.m.

**Name:** Respondent **Phone** #: 850-590-3612

**Summary:** I called to get an update on the information I received during the initial interview on July 13, 2021. I asked her to explain her understanding of reporting campaign activities before the investigation and what is her understanding now. She stated that it was her understanding that if she did not file the report by the due date then she would be assessed a fine. However, she thought that it was okay to file an amended report to add information as long as the original report was filed on time. She stated that she did not realize that there was anything wrong with amending the campaign reports until she started getting the letters about the investigation.

I asked her to explain why there was a large amount of activity reported after the due date. She explained that she wanted to be transparent, so she reported the information that was available and added the rest later. I asked her to explain. She stated that the candidate or PCs usually collected the contributions and wrote the expenditure checks and sent her the information to file the reports. She stated that sometimes she did not have access to bank records, especially for the candidates from south Florida because she lives in Tallahassee so the candidates would have a campaign worker to compile a spreadsheet and send her the spreadsheet. She stated that there were occasions when the spreadsheets did not contain all the information required on the campaign report; therefore, she just reported the information that was available to her.

I asked her had any information regarding her political history changed, i.e., had she run for office, had she read the Handbook or Chapter 106. She stated that she had not run for public office. She stated that she had never run for public office. She explained that the Shelby Green that ran for City Commission was not her. She stated that since the last interview she has read Chapter 106, Florida Statutes. She added, "it's a lot of stuff in there." She stated she has also read the Handbook. She stated that she has the 2018 Handbook. I gave her directions to download the 2022 Handbook from the DOE website.

She stated that she has made other corrective measures to try to stay on top of things. She has hired an assistant to help her input the information. She requests that the candidates and PCs use Truist as their depository so she can monitor the account activity electronically. She requires access to the campaign account so she can have access to the information before the day before it is due.

Memo to File? No Entered by: MBW

4. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

5. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

6. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

7. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

8. **Date and time:** 

Name:

Phone #:

**Summary:** 

**Entered by:** 

9. **Date and time:** 

Name: Phone #: Summary: Entered by:

#### <u>RESPONDENT INTERVIEW MEMO – Call details for entry #1</u>

- I asked why did she filed so many amendments? She stated that often the candidates would not send her the information until the day before the report was due. She stated that initially she had several people working with her to enter the information into the system but later, the volunteers dropped out and it just left her to do everything. She stated that she became overwhelmed by amount of activity that occurred in each campaign. She stated that she prioritized filing the report on time.
- I asked if she was aware that all the information regarding the financial activity in a reporting period should be on the original report. She answered affirmatively and added that it was her understanding that if the report was late the campaign would be assessed a fine, but it was okay to amend the report if the report was timely filed. She stated that she inputted as much information as possible before filing the original report and she would file an amended to report the information that was not recorded on the original. She reiterated that she was overwhelmed.
- I asked if she had access to the bank accounts for the campaigns. She answered negatively. She stated that in many cases she was not a signatory on the account. She explained that usually the candidate handled the deposits and expenditures and sent the information to her to be reported. She stated that sometimes that would send it periodically and sometimes they would wait until the end of the reporting period, when it was time to file the report.
- I asked, if she considered resigning from some of the candidates' campaigns, since she felt "overwhelmed." She stated that she thought about it but she didn't want to just leave the candidates in a bad situation with no one to help with the campaign. I asked if she thought she was currently in a bad situation. She answered affirmatively. I asked if she had discussed her situation with any of the candidates. She answered, negatively. She stated she did know what the procedure was or what she needed to do; therefore, she has not spoken with anyone about her current situation.
- I asked what corrective measures she took once she received the letters from the FEC. She stated that by the time she received the letters most of the campaigns were raping up; therefore, she thought she could handle it but it was just as hectic during the TR period;

therefore, she ended up in the same situation, which generated even more letters from the FEC.

- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred. *No*
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred. She stated that she has been appoint as treasurer before. She did not give the candidates' names. She stated that she previously worked with the Democratic party and agreed to help with the campaigns of a couple of the Democratic candidates.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office. *Yes. Treasurer.*
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the
  name of the candidate or committee whose report you prepared or signed. Yes. Various
  Democratic candidates.
- What action have you taken to determine your responsibilities under Florida's election laws? She stated that she checked the treasurer handbook and called the DOE if she had any questions.
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it? *No*
- OR Electioneering Communications Organization] Handbook? If so, when did you first obtain it? Have you read it? Yes. She did not know the exact date she first obtained it. She stated she did not read the entire handbook but referred to it if she had any questions.
- Did you receive any other materials from your filing officer? If so, please describe them.
   No
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case? *She stated that she was hoping she could settle all the cases.* I informed her that I would inform the attorney assigned to the case and the attorney will get back with her. I explained that FEC 19-439 may not be included in the settlement agreements that Ms. Clay will discuss with her. I explained the settlement process and the investigative process. I informed her that I will attempt to meet with Ms. Clay regarding her cases next week and someone would reach out to her by phone. I confirmed that 850-590-3612 was the number to reach her.



Green FEC Cases StatementS Green to: fec 10/05/2022 06:51 AM

Cc: "Stephanie Cunningham"

From: "S Green" <sbsllc2017@gmail.com>

To: fec@myfloridalegal.com

Cc: "Stephanie Cunningham" < Stephanie.Cunningham@myfloridalegal.com>

History:

This message has been replied to and forwarded.

#### 1 Attachment



FECCases StatementSigned.pdf

Hi,

Please see my statement attached.

Thank you. Shelby Green October 5 2022

Florida Ethics Commission Po Drawer 15709 Tallahassee, FL 32317

Subject: FEC Cases Statement

Dear Stephanie Cunningham,

Please allow this statement to serve as a formal explanation of the circumstances that have contributed to the multiple FEC cases that I would like to settle. I would first like to acknowledge that I have submitted reports late and subsequently amended reports with large amounts of activity. While this was never my initial intention, factors such as: lack of thorough Chapter 106 Statute knowledge, lack of consistent and continued help with reports, the unawareness of financial activity until the last minute, the unawareness of a high volume of activity until the last minute, and the lack of the preparation for the quickened reporting dates all contribute to my errors.

For the past two election cycles, I have worked as an independent contractor in the role of the Treasurer on many campaigns and political committees. I began this process by learning the EFS system and gathering information from candidates and committees to file reports. While I had some knowledge of the election statutes, not only was I not well-versed at the time, but I would only reference the statutes as needed. Therefore, I subverted my own treasury and compliance efforts in not knowing and always implementing statutes like the 2-day recordkeeping requirement of expenses and being prepared for the quickening of the reporting periods. During my first election cycle as a Treasurer, I did not initially have help in preparing the reports but learned that in order to file the weekly and bi-weekly reports on time and with accuracy, I would need assistance, so I was able to get help during my second cycle, but it was not constant and eventually tapered off when I needed it the most. Ultimately, the person that was assisting me was no longer available to me during the pre-election weekly reporting and in preparing the termination reports-when I needed the most assistance.

Two of the largest factors that led to my late reporting and subsequent amendments were not readily knowing the reporting period dates and not always having knowledge of the activity that had occurred-which in retrospect was probably my largest mistake. In any one instance where I would receive a large batch of check images, at the last minute, from the campaign that had been written to canvassers or campaign staff and not yet cashed or even contributions that were received but not yet deposited by reporting time, it would prevent me from preparing other reports and in turn make my other reports late. Yes, I learned quickly that operating blindly was not sustainable and definitely did not allow for accuracy or timeliness and did not agree with Chapter 106.

While I have explained the compounding reasons that have led to my multiple cases with the FEC, and have learned that these lessons come at a high price, I greatly appreciate your consideration in the resolution and settlement of these cases.

Shelby Green



### Florida Elections Commission

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



March 12, 2021

Shelby Green, in her capacity as treasurer for Putting Floridians First Post Office Box 5651 Tallahassee, FL 32314

RE: Case No.: FEC 20-631; Respondent: Shelby Green

Dear Ms. Green:

On December 10, 2020, 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(5), Florida Statutes**: Respondent, in her capacity as treasurer for Putting Floridians First, a political committee registered with the Division of Elections, may have certified the 2020 D1 campaign treasurer's report was true, correct, and complete when it was not, as alleged in the complaint.

**Section 106.19(1)(b), Florida Statutes:** Respondent, in her capacity as treasurer for Putting Floridians First, a political committee registered with the Division of Elections, may have failed to report one or more contributions during the 2020 D1 reporting period required to be reported by Chapter 106, Florida Statutes, as alleged in the complaint.

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will prepare and present a written Staff Recommendation (SR) to the Commission as to whether there is probable cause to charge you, the Respondent, with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed upon you. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

Shelby Green March 12, 2021 Page 2 FEC 20-631

Pursuant to Section 106.25(4)(i)3., Florida Statutes, the Commission may enter into a consent agreement with a Respondent to settle a complaint prior to a finding of probable cause. If you are interested in entering negotiations directed towards reaching a consent agreement to resolve this matter, please contact the Commission and request to speak with the attorney assigned to this case.

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

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

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

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

If you have additional questions, please contact **Margie Wade**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at <u>Margie Wade@myfloridalegal.com</u>.

Sincerely.

Tim Vaccaro Executive Director

TV/med

### **DIVISION OF ELECTIONS FEC NOTICE FORM**

To FEC from Division of Elections

Name: Putting Floridians First

Account Number: 78816

Chairperson: Shelby Green Treasurer: Shelby Green Registered Agent: Shelby Green

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.22(7) and 106.25, Florida Statutes. Apparent violations of Chapter 106, F.S., have occurred based upon a review of campaign treasurer's reports which reflect that the report listed below were filed in violation of sections 106.07(5) and 106.19(1)(c), Florida Statutes. In addition, the treasurer failed to keep detailed accounts. current within not more than 2 days after the date of receiving a contribution or making an expenditure, of all contributions received and all expenditures made by or on behalf of the political committee in violation of section 106.06(1), Florida Statutes.

#### 2020 D1

- On June 29, 2020, Putting Floridians First (78816) registered as a political committee with the Division and has remained in an active status since that date. Shelby Green is the chairperson, treasurer, and registered agent.
- The 2020 D1 campaign treasurer's report was due on October 24, 2020. On October 24, 2020, Ms. Green filed the report showing contributions in the amount of \$5,000. On October 30, 2020, Ms. Green amended the report adding \$12,500 in contributions.

Sent By: Kristi Reid Willis

December 9, 2020 Key Date:

eal

FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS CAMPAIGN TREASURER'S REPORT SUMMARY						
(1) Putting Floridians First	(2) 7881					
Candidate, Committe or Party Name	1.D. N	lumber	00044			
(3) Post Office Box 5651	Tallahassee	FL State	32314 Zip Code	_		
Address (number and street)  Check box if address has changed since last report	City	State	Zip Code			
(4) Check appropriate box(es):						
<ul> <li>☐ Candidate (office sought):</li> <li>☒ Political Committee</li> <li>☐ Committee of Continuous Existance</li> <li>☐ Party Executive Committee</li> </ul>	Check If PC has D					
(5) REPO	RT IDENTIFIERS					
Cover Period: From 10/17/2020 To 10	0/23/2020 F	Report Type:	D1			
☐ Original                                    Sp	pecial Election Report					
(6) CONTRIBUTIONS THIS REPORT	(7) EXF	PENDITURES T	THIS REPORT			
Cash & Checks \$17,500.00	Monetary Expenditures	Monetary Expenditures		\$15.00		
Loans \$0.00	Transfers to Office Account \$0.00			\$0.00		
Total Monetary \$17,500.00	Total Monetary \$15.00			\$15.00		
In-Kind \$0.00	(8) Other Distributions					
Certification  It is a first degree misdemeanor for any person to falsify a public record (ss.839.13, F.S.)						
I certify that I have examined this report and it is true, correct and complete	I certify that I have examined this report and it is true, correct and complete					
Name of Treasurer Deputy Treasurer	Name of Candidate X Chaiman (PC/PTY Only			Y Only		
X	x					
Signature	Signature					

Prepared on: 11/10/20 3:20:17PM Reviewed On: 10/30/20 10:12 pm

ID: 78816

#### CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

Page 1 of 1

Name: Putting Floridians First

Report: 2020 D1

Period: 10/17/2020

to 10/23/2020

"" Records in Filed Report ""				
Seq#	Full Name (Last, Suffix, First, Middle	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	FLIPPABLES FLORIDA VICTORY FUND 611 PENNSYLVANIA AVE SE #192	F	POLITICAL COMMITTEE	\$5,000.00
10/20/2020	WASHINGTON, DC 20003	CHE	•	
2	EMILY'S LIST FEDERAL FUND 1800 M ST NW STE 375N	F	POLITICAL COMMITTEE	\$2,500.00
10/23/2020	WASHINGTON, DC 20036	CHE		ADD
3	FORWARD FLORIDA PO BOX 7453	F	POLITICAL COMMITTEE	\$10,000.00
10/19/2020	TALLAHASSEE, FL 32314	CHE	•	ADD

ID: 78816

#### CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

Page 1 of 1

Name: Putting Floridians First

Report: 2020 D1

Period: 10/17/2020

to 10/23/2020

** Records in Filed Report **				
Seq#	Full Name (Last, Suffix, First, Midgle	_	_	Amount
Date	Street Address & City, State, Zip	Туре	Purpose	Amend
1	SUNTRUST 303 PEACHTREE ST	MON	BANK FEES	\$15.00
10/19/2020				ADD