

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Citizens for Advancement of Ocoee

Case No.: FEC 22-094

TO: Mark Herron, Esquire
Messer Caparello, P.A.
PO Box 15579
Tallahassee, FL 32317

Joel Keller
5021 Lighterwood Court
Ocoee, FL 34761

NOTICE OF HEARING (CONSENT ORDER (PUBLIC))

A hearing will be held in this case before the Florida Elections Commission on **December 3, 2025, at 9:30 am, or as soon thereafter as the parties can be heard**, via Webinar at: **Registration URL** <https://attendee.gotowebinar.com/register/8443550463090426453>. **Webinar ID** 144-463-043
Audio Only 1 877 309 2074 -- 786-784-735.

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
November 7, 2025

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.

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

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 22-094

v.

**Citizens for the Advancement of Ocoee,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (“Commission”) at its meeting held on August 20, 2025, at 9:00 a.m. via Zoom teleconferencing.

On July 2, 2024, 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 around February 27, 2021, Citizens for the Advancement of Ocoee violated Section 106.143(1)(c), Florida Statutes, when it paid for and published a political advertisement that contained express advocacy but did not include a proper disclaimer.

Count 2:

On or around February 27, 2021, Citizens for the Advancement of Ocoee violated Section 106.143(1)(c), Florida Statutes, when it paid for and published a political advertisement that contained express advocacy but did not include a proper disclaimer.

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Count 3:

On or around March 9, 2021, Citizens for the Advancement of Ocoee violated Section 106.03(4), Florida Statutes, when it failed to report a change of information in its Statement of Organization to its filing officer within 10 days following the change.

DONE AND ORDERED by the Florida Elections Commission on August 20, 2025.



Tim Vaccaro, J.D., Executive Director
For Joseph S. Van de Bogart, Chair
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Mark Herron, Esq., Attorney for Respondent
Joel Keller, Complainant

NOTICE OF RIGHT TO A HEARING

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

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

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence

relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

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

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Citizens for Advancement of Ocoee

Case No.: FEC 22-094

TO: Mark Herron, Esquire
Messer Caparello, P.A.
PO Box 15579
Tallahassee, FL 32317

Joel Keller
5021 Lighterwood Court
Ocoee, FL 34761

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

A hearing will be held in this case before the Florida Elections Commission on, **August 20, 2025 at 9:00 a.m., or as soon thereafter as the parties can be heard**, at the following location: **Virtual Meeting Session One via Zoom link:** <https://us06web.zoom.us/j/87502116363?pwd=QPHprWtiAvKrbm6H0yViYFTRuxqMEI.1>; Meeting ID 875 0211 6363, Passcode: 183827.

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See further instructions on the reverse side.

Tim Vaccaro

Executive Director
Florida Elections Commission
July 28, 2025

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

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Citizens for the Advancement of Ocoee

Case No.: FEC 22-094

TO: Mark Herron, Esquire
Messer Caparello, P.A.
PO Box 15579
Tallahassee, FL 32317

Joel Keller
5021 Lighterwood Court
Ocoee, FL 34761

NOTICE OF CANCELLATION OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

You are hereby notified that the previously scheduled hearing for February 26 and 27, 2025, is cancelled. It is anticipated that your case will be heard at the next regularly scheduled meeting, on a date to be determined. A Notice of Hearing will be mailed approximately 14 days prior to the new hearing date.

Tim Vaccaro

Executive Director
Florida Elections Commission
February 24, 2025

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Citizens for the Advancement of Ocoee

Case No.: FEC 22-094

TO: Mark Herron, Esquire
Messer Caparello, P.A.
PO Box 15579
Tallahassee, FL 32317

Joel Keller
5021 Lighterwood Court
Ocoee, FL 34761

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

A hearing will be held in this case before the Florida Elections Commission on, **February 27, 2025 at 9:00 a.m., or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399**. 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.

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Tim Vaccaro
Executive Director
Florida Elections Commission
February 5, 2025

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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: Citizens for the Advancement of Ocoee

Case No.: FEC 22-094

ORDER CONTINUING CASE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 14, 2024, in Tallahassee, Florida.

Staff requested that the matter be continued to finalize settlement negotiations.

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 14, 2024.



Tim Vaccaro, J.D., Executive Director
For Chad Mizelle, Chairman
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Mark Herron, Esq., Attorney for Respondent
Joel Keller, Complainant

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Citizens for the Advancement of Ocoee

Case No.: FEC 22-094

TO: Mark Herron, Esquire
Messer Caparello, P.A.
PO Box 15579
Tallahassee, FL 32317

Joel Keller
5021 Lighterwood Court
Ocoee, FL 34761

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION (PCD))

A hearing will be held in this case before the Florida Elections Commission on, **August 14, 2024 at 9:00 a.m., or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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Tim Vaccaro

Executive Director
Florida Elections Commission
July 23, 2024

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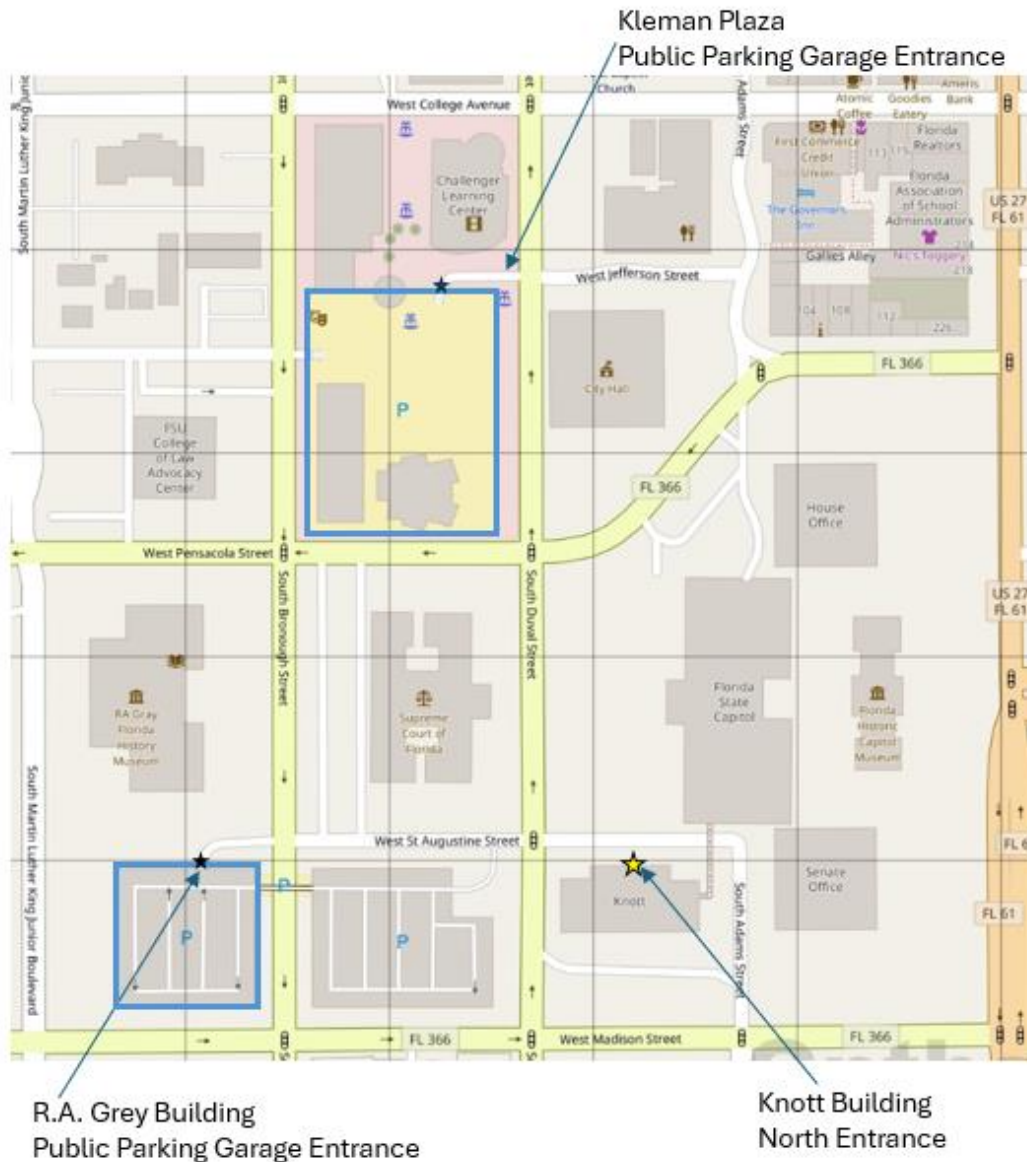
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Florida Elections Commission Meeting - Augut 13-14, 2024, 412 Knott Building

- Please enter the Knott Building at the North entrance as indicated below.
- Public parking is available at Kleman Plaza (entrance at West Jefferson Sreet/South Duval Street) and the R.A. Grey Building Garage (entrance at West St. Augustine Street/South Bronough Street).



**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Citizens for the Advancement
of Ocoee**

Case No.: FEC 22-094

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the sworn complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Sections 106.143(1)(c)**, and **106.03(4), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on June 11, 2024, the following facts and law support this staff recommendation:

1. On May 4, 2022, the Florida Elections Commission (“Commission”) received a sworn complaint from Joel Keller (“Complainant”), alleging that Citizens for the Advancement of Ocoee (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the Orange County Supervisor of Elections. On November 25, 2020, Respondent filed its Statement of Organization of Political Committee (“DS-DE 5”) with the Orange County Supervisor of Elections. (ROI Exhibit 1)¹

3. By letter dated April 9, 2024, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.143(1)(c), Florida Statutes: Respondent, a political committee registered with the Orange County Supervisor of Elections, may have paid for and distributed political advertisements in the form of signs that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.03(4), Florida Statutes: Respondent, a political committee registered with the Orange County Supervisor of Elections, may have failed to timely file an amended DS-DE 5 form reflecting the candidate it supported, as alleged in the complaint.

Alleged Violation: Section 106.143(1)(c) Florida Statutes

4. Complainant alleged that Respondent violated Florida’s election laws by failing to include a proper disclaimer on two political advertisements.

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

5. Under Section 106.143(1)(c), Florida Statutes, political advertisements are required to be marked with the proper statutory disclaimer (“paid political advertisement” or “pd. pol. adv.”), the name and address of the persons paying for the advertisement, and state whether the advertisement was paid for or provided in kind.

6. The advertisements at issue are two signs which encourage the reader to vote for George Oliver. (ROI Exhibits 5 & 6) The signs meet the definition of a “political advertisement” as they expressly advocate for the election of a candidate. §106.011(15), Fla. Stat. The ads contain the following disclaimers: “POLITICAL ADVERTISEMENT PAID FOR AND APPROVED BY CITIZENS FOR THE ADVANCEMENT OF OCOEE” and “POLITICAL ADVERTISEMENT PAID FOR BY CITIZENS FOR THE ADVANCEMENT OF OCOEE.” (ROI Exhibit 5, page 1; Exhibit 6, page 1) The ads do not contain the specific language required by the statute, i.e., “paid political advertisement” or “pd. pol. adv.” followed by the name and address of the persons paying for the advertisement.

7. Respondent did not file a response to the investigation. (ROI Exhibit 7)

8. Respondent paid for and published two political advertisements that did not include a proper disclaimer.

Alleged Violation: Section 106.03(4), Florida Statutes

9. Complainant alleged that Respondent violated Florida’s election laws by failing to timely file an amended DS-DE 5 disclosing its support of candidate George Oliver.

10. Under Section 106.03(4), Florida Statutes, “[a]ny change in information previously submitted in a statement of organization shall be reported to the agency or officer with whom such committee or electioneering communications organization is required to register within 10 days following the change.”

11. On November 25, 2020, Respondent filed its DS-DE 5 with the Orange County Supervisor of Elections. Respondent’s DS-DE 5 indicated that it was not supporting any candidates. (ROI Exhibit 1) On September 21, 2021, Respondent filed an amended DS-DE 5; however, the DS-DE 5 was filed after George Oliver’s election. (ROI Exhibit 9) A Commission staff investigator requested copies of the DS-DE 5s on file with the Orange County Supervisor of Elections and the above-referenced forms were the only ones provided. (ROI, p. 3, ¶ 18)

12. Complainant provided photos of two political advertisements which expressly advocated for George Oliver and were attributable to Respondent. The photos show the political advertisements being displayed at an event and in front of a residence. (ROI Exhibit 5, pages 2 & 3; ROI Exhibit 6, page 2)

13. On February 27, 2021, George Oliver made a social media post stating that one of the signs (as shown in ROI Exhibit 6) was replaced. (ROI Exhibit 8) Therefore, Respondent was supporting candidate George Oliver on or before February 27, 2021, but failed to timely file an amended DS-DE 5 disclosing its support of the candidate.

14. “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).

15. The facts set forth above show that Respondent is a political committee registered with the Orange County Supervisor of Elections. Respondent paid for and published two political advertisements that did not include a proper disclaimer. Respondent failed to timely file an amended DS-DE 5 disclosing its support of candidate, George Oliver.

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 around February 27, 2021, Citizens for the Advancement of Ocoee violated Section 106.143(1)(c), Florida Statutes, when it paid for and published a political advertisement that contained express advocacy but did not include a proper disclaimer.

Count 2:

On or around February 27, 2021, Citizens for the Advancement of Ocoee violated Section 106.143(1)(c), Florida Statutes, when it paid for and published a political advertisement that contained express advocacy but did not include a proper disclaimer.

Count 3:

On or around March 9, 2021, Citizens for the Advancement of Ocoee violated Section 106.03(4), Florida Statutes, when it failed to report a change of information in its Statement of Organization to its filing officer within 10 days following the change.

Respectfully submitted on July 2, 2024.



Stephanie J. Cunningham
General Counsel

I reviewed this Staff Recommendation this 2nd day of July 2024.

A handwritten signature in blue ink, appearing to read "Tim Vaccaro", is written over a horizontal line.

Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 22-094

Respondent: Citizens for Advancement of Ocoee
Counsel for Respondent: Mark Herron

Complainant: Joel Keller
Counsel for Complainant: N/A

On May 4, 2022, the Florida Elections Commission (Commission) received a sworn complaint alleging that Respondent violated Chapters 104 or 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statute(s):

Section 106.143(1)(c), Florida Statutes, may have paid for and distributed political advertisements in the form of signs that contained express advocacy but did not include a proper disclaimer; and

Section 106.03(4), Florida Statutes, may have failed to timely file an amended DS-DE 5 form reflecting the candidate it supported.

I. Preliminary Information:

1. Respondent is a political committee registered with the Orange County Supervisor of Elections (SOE).

2. On November 25, 2020, Respondent filed a Statement of Organization form (DS-DE 5) with the SOE. Rhiannon Arnold was noted to be Respondent's Chairperson. To review the DS-DE 5, refer to Exhibit 1.

3. On November 25, 2020, Respondent also filed an Appointment of Campaign Treasurer and Designation of Campaign Depository form (DS-DE 6) with the SOE. Alfred Carson, Jr., was appointed campaign treasurer. To review the DS-DE 6, refer to Exhibit 2.

4. In an affidavit, SOE staff attested that on November 25, 2020, Respondent was provided a committee packet, or similar material, that included links to the websites of the Division of Elections and/or the SOE, where documents such as Chapter 106, F.S., and the *Political Committee Handbook* were available for review. SOE staff further attested that Rhiannon Arnold ran for 9th Circuit Court Judge, Group 1, in 2020 but was not elected. To review the SOE staff affidavit, refer to Exhibit 3.

5. On November 25, 2020, the SOE sent Respondent's Treasurer a letter acknowledging receipt of the DS-DE 6 and advising him to "Please visit the Division of Elections website at dos.myflorida.com/elections/ for copies of Florida Statutes and the Political Committee

Handbook.” A copy of this letter was sent to Chairperson Arnold. To review the acknowledgment letter, refer to Exhibit 4.

II. Alleged Violation of Section 106.143(1)(c), Florida Statutes:

6. I investigated whether Respondent violated this section of the election laws by failing to include a proper disclaimer on political advertisement signs.

7. Specifically, Complainant alleged that Respondent paid for and distributed signs advocating for the re-election of George Oliver III, the 2021 incumbent candidate for City of Ocoee Commissioner, District 4. Mr. Oliver was re-elected in the municipal election held on March 9, 2021.

8. Complainant provided photos of the two different signs at issue. The first sign states, “RE-ELECT GEORGE OLIVER FOR CITY OF OCOEE COMMISSIONER – DISTRICT 4...VOTE MARCH 9TH.” A disclaimer at the bottom states, “POLITICAL ADVERTISEMENT PAID FOR AND APPROVED BY CITIZENS FOR THE ADVANCEMENT OF OCOEE.” One photo shows a close-up of the sign, and two other photos show the sign being displayed at an event. To review the photos of the first sign, refer to Exhibit 5.

9. The second sign also states, “RE-ELECT GEORGE OLIVER FOR CITY OF OCOEE COMMISSIONER – DISTRICT 4” and “VOTE MARCH 9TH.” The arrangement of the phrase “VOTE MARCH 9TH” is different from the other sign, and this sign includes a photograph of Mr. Oliver. The disclaimer on the second sign states, “POLITICAL ADVERTISEMENT PAID FOR BY CITIZENS FOR THE ADVANCEMENT OF OCOEE.” One photo shows a close-up of the sign, and another photo shows three of the signs being displayed on a front lawn. To review the photos of the second sign, refer to Exhibit 6.

10. Section 106.143(1)(c), F.S., sets forth the requirements for disclaimers on any other political advertisement paid for and distributed by someone other than a candidate. Specifically, it states, “Any other political advertisement published, displayed, or circulated before, or on the day of, any election must prominently: 1. Be marked ‘paid political advertisement’ or with the abbreviation ‘pd. pol. adv.’ 2. State the name and address of the persons paying for the advertisement. 3. State whether the advertisement and the cost of production is paid for or provided in kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement.”

11. Respondent did not respond to the complaint.

12. I sent Respondent’s attorney an affidavit posing pertinent questions about the complaint in order to provide Respondent the opportunity to respond to the allegations in the complaint. However, as of the date of this report a completed affidavit has not been returned. Therefore, I am unable to determine whether Respondent’s Chairperson and/or Treasurer possess and have read Chapter 106, F.S., and the *Political Committee Handbook*. To review the emails and affidavit, refer to Exhibit 7.

III. Alleged Violation of Section 106.03(4), Florida Statutes:

13. I investigated whether Respondent violated this section of the election laws by failing to file an amended DS-DE 5 form with the SOE reflecting the candidate it supported within 10 days following the change.

14. Specifically, Complainant alleged that Respondent was supporting the re-election of George Oliver III, the 2021 incumbent candidate for City of Ocoee Commissioner, District 4, but failed to file an amended DS-DE 5 disclosing that information. Mr. Oliver was re-elected in the municipal election held on March 9, 2021.

15. As noted above, Respondent initially filed its DS-DE 5 with the SOE on November 25, 2020. At section 3 of the DS-DE 5, Respondent's area, scope, and jurisdiction was stated as follows: "The Citizens for the Advancement of Ocoee is a Political Action Committee that was formed by a group of Ocoee and Orange County residents to support initiatives and political candidates that are interested in Ocoee's and West Orange County's infrastructure (roads, highways, traffic control devices, storm water, and 5G connectivity) and Social Initiatives." At section 7 of the DS-DE 5, which asked for the name, address, office sought, and party affiliation of "Each Candidate or Other Individual that this Committee is Supporting," Respondent stated, "None." To review the initial DS-DE 5, refer to Exhibit 1.

16. Complainant provided photos of political advertisement signs that expressly advocated for the re-election of Mr. Oliver. The photos pictured the signs being publicly displayed at an event and on a front lawn. The disclaimers on the signs stated, "POLITICAL ADVERTISEMENT PAID FOR AND APPROVED BY CITIZENS FOR THE ADVANCEMENT OF OCOEE" and "POLITICAL ADVERTISEMENT PAID FOR BY CITIZENS FOR THE ADVANCEMENT OF OCOEE," respectively. To review the photos of the signs, refer to Exhibits 5-6.

17. Complainant also provided a screenshot of a social media post made by Mr. Oliver on February 27, 2021. The post stated, "Three signs were stolen and three signs have been replaced." Included within the post was a photo showing three of the signs referenced above in paragraphs 9 and 16, which contained disclaimers specifying that Respondent had paid for the signs. That post is evidence that Respondent took overt actions to support Mr. Oliver's re-election campaign in the form of the signs. These actions were taken on or before February 27, 2021, which was the date of the post in which the signs were shown publicly displayed. Therefore, an updated DS-DE 5 form should have been filed within 10 days of that post, at the latest. To review the post, refer to Exhibit 8.

18. The SOE provided copies of Respondent's DS-DE 5s on file with their office, which included the initial DS-DE 5 and another DS-DE 5 filed on September 21, 2021. The second DS-DE 5 was not filed until several months after the election in which Mr. Oliver had been re-elected. The second DS-DE 5 was not filed until approximately seven months after the social media post evidencing that signs supporting Mr. Oliver's re-election campaign and paid for by Respondent were publicly displayed. The second DS-DE 5 specified the same area, scope, and jurisdiction at section 3 and still did not specify a candidate Respondent was supporting at section 7, which still stated, "None." To review the second DS-DE 5, refer to Exhibit 9.

19. Respondent did not respond to the complaint.

20. I sent Respondent's attorney an affidavit posing pertinent questions about the complaint in order to provide Respondent the opportunity to respond to the allegations in the complaint. However, as of the date of this report a completed affidavit has not been returned. Therefore, I am unable to determine whether Respondent's Chairperson and/or Treasurer possess and have read Chapter 106, F.S., and the *Political Committee Handbook*. To review the emails and affidavit, refer to Exhibit 7.

Respectfully submitted on June 11, 2024.

A handwritten signature in blue ink that reads "Margie Wade". The signature is written in a cursive, flowing style.

Margie Wade
Investigation Specialist

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Citizens for Advancement of Ocoee -- FEC 22-094

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	DS-DE 5
Exhibit 2	DS-DE 6
Exhibit 3	SOE Affidavit
Exhibit 4	SOE Acknowledgment Letter
Exhibit 5	Sign #1 Images
Exhibit 6	Sign #2 Images
Exhibit 7	Emails with Affidavit
Exhibit 8	Social Media Post – 2/27/21
Exhibit 9	Amended DS-DE 5

STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY

BILL COWLES
SUPERVISOR OF ELECTIONS
ORANGE COUNTY, FL

2020 NOV 25 A 11:49

1. Full Name of Committee

Citizens for the Advancement of Ocoee

Telephone

407-256-6171

Mailing Address (include city, state and zip code)

203 Park Lake Street, Orlando, FL 32803

Street Address (include city, state and zip code)

203 Park Lake Street, Orlando, FL 32803

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

Name of Affiliated or
Connected Organization

Mailing Address

Relationship

3. Area, Scope and Jurisdiction of the Committee

The Citizens for the Advancement of Ocoee is a Political Action Committee that was formed by a group of Ocoee and Orange County residents to support initiatives and political candidates that are interested in Ocoee's and West Orange County's infrastructure (roads, highways, traffic control devices, storm water, and 5G connectivity) and Social Initiatives.

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

Education; Construction & Development; Infrastructure; and Social Issues

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

Full Name

Mailing Address

Committee Title or Position

Rhiannon Arnold

203 Park Lake Street, Orlando, FL
32803

Chairman

Alfred Carson

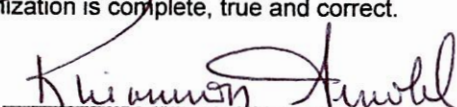
2831 Roseglen Way, Orlando, FL
32812

Treasurer

Jim Moyer

1811 Southern Red Oak Court, Ocoee,
FL 34761

Custodian of Books and
Accounts

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)			
Full Name	Mailing Address	Committee Title or Position	
Rhiannon Arnold	203 Park Lake Street, Orlando, FL 32803	Chairman	
7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)			
Full Name	Mailing Address	Office Sought	Party
None			
8. List Any Issues this Committee is Supporting: ONE OCOEE Initiative List Any Issues this Committee is Opposing:			
9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party None			
10. In the Event of Dissolution, What Disposition will be Made of Residual Funds? Donation to a West Orange County Charity			
11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds			
Name of Bank or Depository & Account Number		Mailing Address	
Insight Federal Credit Union		2143 E. Semoran Blvd Apopka, FL 32703	
12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any			
Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
None			
STATE OF <u>Florida</u> <u>Orange</u> COUNTY I, <u>Rhiannon Arnold</u> , certify that the information in this Statement of Organization is complete, true and correct. <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div> X  Signature of Chairman of Political Committee </div> <div> <u>11/24/2020</u> Date </div> </div>			

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(2) and 106.021(1), F.S.)

BILL COWLES
SUPERVISOR OF ELECTIONS
ORANGE COUNTY, FL

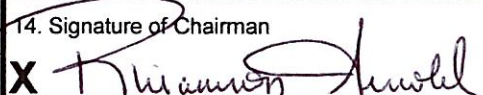
2020 NOV 25 A 11:49

CHECK APPROPRIATE BOX:

Initial Filing for: ☒ Primary Treasurer ☐ Deputy Treasurer

OFFICE USE ONLY

Re-filing to Change: ☐ Primary Treasurer ☐ Deputy Treasurer ☐ Primary/Secondary Depository

1. Committee Citizen for the Advancement of Ocoee		2. Telephone (407) 256-6171	
3. Name of Treasurer or Deputy Treasurer Alfred Carson Jr.		4. Email (optional) A.Carson77@yahoo.com	
		5. Telephone (optional) (407) 484-4922	
6. Mailing Address 2831 Roseglen Way, Orlando, FL 32812			
7. Street Address 2831 Roseglen Way, Orlando, FL 32812			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank Insight Federal Credit Union		10. Street Address 2143 E. Semoran Blvd	
11. City Apopka		12. State Florida	13. Zip Code 32703
14. Signature of Chairman 		15. Name of Chairman (Print or Type) Rhiannon Arnold	

Campaign Treasurer's Acceptance of Appointment


I, Alfred Carson Jr., do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for Citizens for the Advancement of Ocoee
(Committee)

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

11/24/2020

Date

X


Signature of Campaign Treasurer or Deputy Treasurer

AFFIDAVIT OF FILING OFFICER

Case Number: [REDACTED]

STATE OF FLORIDA

County of Orange

Kristi Gay, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by Orange County Supervisor of Elections as an Election Coordinator-Elections Operations.
3. Please provide copies of the listed items from the following committee's campaign file:
Citizens for Advancement of Ocoee.

Check	ITEM
X	The Statement of Organization (DS DE 5) and any amendments
X	Form(s) for all campaigns whereby chairman or treasurer acknowledges receipt of instructions and/or campaign materials.

4. Please check each item provided to the chairman or treasurer and list the date that the chairman or treasurer was provided the item.

Check	ITEM	DATE
	<i>A Compilation of The Election Laws of the State of Florida</i>	
	Chapter 104, <i>Florida Statutes</i>	
	Chapter 106, <i>Florida Statutes</i>	
	<i>Political Committee Handbook</i> . Please provide revision date of publication. _____	
	Other: ¹ See response to #5, below.	11/25/2020

5. Relative to Chapter 106, *Florida Statutes*, and the *Political Committee Handbook*, please indicate how these publications are provided to the chairman or treasurer.

¹ Any local publications relative to the Election laws that may have been provided by your office in lieu of the *Political Committee Handbook* published by the Division of Elections. If your office published the item(s), please send a copy of the item(s) with the affidavit.

- A committee packet, or similar material, is given to the committee. The committee packet includes links to the Division of Elections' website, or our website, where these documents are available for review.
- Publications are provided on a CD or thumb/flash drive that is given to the committee.
- Other, please explain. _____

6. Did your office² offer any campaign workshops, campaign skills or training seminars prior to the 2021 election? ☒ Yes or ☐ No. If yes, please list all workshops/training seminars that were attended by the chairman or treasurer, along with the date of attendance. If available, please attach a copy of any attendance sheets from the workshops/training seminars and if available, please provide a copy of the syllabus and outline or PowerPoint presentation for the workshops/seminars.

Yes, we had a Candidate Seminar in 2020. We do not have copies of attendance sheets. _____

7. Does your office have any record of Rhiannon Arnold, chairman, having sought elective office within your jurisdiction prior to the 2021 election? ☒ Yes or ☐ No. If yes, please list the previous office(s) he/she ran for, the date(s) of the election(s), and the result(s) of the election(s). If the committee withdrew her/his candidacy for election, please indicate if the withdrawal was before or after qualifying.

Rhiannon Arnold ran for 9th Circuit Court Judge, Group 1 in August 2020. All campaign documents were filed with the Division of Elections. The official result of the August 18, 2020, election for 9th Judicial Circuit, Group 1, was as follows: Mikaela Nix, 108,122 votes(55%); Rhiannon Arnold, 88,141 votes (45%).

8. Does your office have any record of Rhiannon Arnold having been named as a chairperson or campaign treasurer of another political committee (PC or PAC) or electioneering communications organization (ECO) within your jurisdiction? ☐ Yes or ☒ No. If yes, please list the name(s) of the committees.

² If your county elections or ethics office offered committee workshops/campaign skills or training seminars, please identify the office providing the workshops/seminars and provide copies of any notices that were sent to committees within your jurisdiction.

9. Did you or any member of your staff have any conversations with Rhiannon Arnold concerning a provision of Chapter 106, Florida Statutes, relative to political disclaimers or amending their Statement of Organization, at any time during the 2021 campaign? ☒ Yes or ☐ No. If yes, please indicate whether the conversation was in person, in writing, or by telephone and the subject matter of the conversation. If applicable, please provide copies of records documenting the discussion.

See attachments. _____

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

Kristi L. Gay
Signature of Affiant

Kristi L. Gay
Print or type name of Affiant on the line above.

Sworn to (or affirmed) and subscribed before me this 2 day of May, 2024.

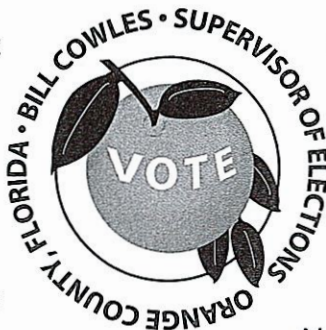
Lyman Perez - Lyman Perez
Signature of Notary Public - State of Florida
Print, Type, or Stamp Commissioned Name of Notary Public



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

Case investigator:

BILL COWLES
Supervisor of Elections
Orange County, Florida



OUR MISSION IS TO:
*Ensure the integrity of the electoral process.
Enhance public confidence.
Encourage citizen participation.*

November 25, 2020

TO: Alfred Carson, Campaign Treasurer for Citizens for the Advancement of Ocoee, PC
2831 Roseglen Way, Orlando, FL 32812

FR: Bill Cowles, Supervisor of Elections, Orange County

RE: Campaign Treasurer - Appointment

This acknowledges receipt of your appointment as Campaign Treasurer for Citizens for the Advancement of Ocoee, PC.

A Campaign Treasurer's report is required to be filed by **December 10, 2020** covering November 25, 2020 through November 25, 2020. All reports are required to be filed using the electronic filing Campaign Finance Software.

You must contact Cindy Clark, Director of Elections, as soon as possible, to set-up a meeting to receive their unique password and pins, along with instructions for using the software. Your Chairman is encourage to attend this meeting.

It is important that you note that, "any candidate or political committee failing to file a report on the designated due date shall be subject to a fine ..." (Section 106.07, F.S.). The fine is assessed at the rate of **\$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day**, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Please visit the Division of Elections website at dos.myflorida.com/elections/ for copies of Florida Statutes and the Political Committee Handbook.

If you have any questions or need assistance, please contact Cindy Clark 407-254-6510 and she will be pleased to assist you.

BC/cmc

cc: Chairman

RE-ELECT

*Leadership with
a sense of Urgency*



GEORGE OLIVER



FOR CITY OF OCOEE COMMISSIONER - DISTRICT 4

WWW.VOTE4GEORGEOLIVER.COM

VOTE MARCH 9TH

POLITICAL ADVERTISEMENT PAID FOR AND APPROVED BY CITIZENS FOR THE ADVANCEMENT OF OCOEE





ECT

VOTE MARCH 9TH


GEORGE
OLIVER

CITY OF OCOEE COMMISSIONER - DISTRICT 4

Leadership with a sense of Urgency

WWW.VOTE4GEORGEOLIVER.COM

POLITICAL ADVERTISEMENT PAID FOR BY CITIZENS FOR THE ADVANCEMENT OF OCOEE

A portrait of George Oliver, a Black man with a short beard and mustache, wearing a dark suit, white shirt, and a yellow and black striped tie. He is smiling and looking towards the camera. The background of the portrait shows a white building with a green lawn and a tree.

signs have been replaced. We serve an
AWESOME GOD!!!



From: [Margie Wade](#)
To: mherron@lawfla.com
Subject: FEC 22-094 [REDACTED]
Date: Monday, May 20, 2024 4:20:00 PM
Attachments: [22-094 Affidavit of R background info.docx](#)
[REDACTED]

Dear Mr. Herron:

The Florida Elections Commission needs additional information concerning the complaint filed against your clients with the Commission. Therefore, the Commission requests that your clients complete the attached questionnaire, have it notarized, and return it to me by June 3, 2024.

[REDACTED]

Best regards,

Margie B. Wade

Investigation Specialist
Florida Elections Commission
107 W. Gaines St., Suite 224
Tallahassee, FL 32399
Phone: 850-922-4539
Email: Margie.Wade@myfloridalegal.com

From: [Margie Wade](#)
To: mherron@lawfla.com
Subject: FEC 22-094 [REDACTED]
Date: Wednesday, June 5, 2024 12:48:00 PM
Attachments: [22-094 Affidavit of R background info.docx](#)

Dear Mr. Herron,

I am writing to follow up on my May 20, 2024, email. Please have your clients complete the attached affidavits, have them notarized, and return them to me by June 10, 2024. [REDACTED]

[REDACTED]

Best regards,

Margie B. Wade

Investigation Specialist
Florida Elections Commission
107 W. Gaines St., Suite 224
Tallahassee, FL 32399
Phone: 850-922-4539
Email: Margie.Wade@myfloridalegal.com

AFFIDAVIT OF BACKGROUND INFORMATION
Case Number: FEC 22-094

STATE OF FLORIDA
County of Orange

Rhiannon Arnold, being duly sworn, says:

1. This affidavit is made upon my personal knowledge.
2. I am of legal age and competent to testify to the matters stated herein. I am currently employed by _____ as _____.
3. Have you ever run for public office? If so, please name the office(s) you ran for and the date(s) of the election(s) you ran in.

4. Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name the candidate(s) you served as treasurer, the office(s) the candidate ran for, and the dates of the election(s).

5. Did you serve as chairman of Citizens for the Advancement of Ocoee Political Committee from November of 2020 through March of 2021? _____

6. Have you ever held the office of chairperson, treasurer, board member, or other similar position for any other political committee? If so, please list the names and addresses of the committees and dates when you held the position.

7. Have you ever prepared or signed a campaign treasurer's report? If so, please list the name of the candidate or committee whose report you prepared or signed.

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

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

10. If so, when did you first obtain it? _____

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

12. Do you possess a copy of Chapter 104, Florida Statutes? ☐ Yes ☐ No

13. If so, when did you first obtain it? _____

14. Have you read Chapter 104, Florida Statutes? ☐ Yes ☐ No

15. Do you possess a copy of the *Political Committee Handbook*? ☐ Yes ☐ No

16. If so, when did you first obtain it? _____

17. Have you read the *Political Committee Handbook*? ☐ Yes ☐ No

18. List any additional materials you received from the Supervisor of Elections.

19. When (on what date) did Citizens for the Advancement of Ocoee decide to support George Oliver's 2021 campaign for Ocoee City Commissioner?

20. Please explain why you did not update the DS DE 5 form filed with the Orange County Supervisor of Elections to reflect that Citizens for the Advancement of Ocoee was supporting Mr. Oliver.

21. According to the complaint, Citizens for the Advancement of Ocoee published yard signs to support Mr. Oliver's campaign. When (on what date) did you publish the yard signs?

22. Did you review and approve the artwork for the political signs before the yard signs were published? _____

23. The photo of the yard sign attached to the complaint contained the disclaimer, "POLITICAL ADVERTISEMENT PAID FOR AND APPROVED BY CITIZENS FOR THE ADVANCEMENT OF OCOEE." Who was responsible for the wording in the disclaimer?

24. Did you review and approve the disclaimer on the yard signs before the yard signs were published?

25. Did you consult with anyone (e.g. Supervisor of Elections, City Clerk, attorney, etc.) regarding the correct wording for the disclaimer? _____

If so, please provide the name of the person you consulted and their contact number.
_____ If your contact was written (e.g. email), please provide a copy
of the communication. If the contact was verbal (e.g. by phone or in person), please summarize
your conversation below.

26. Did you review the Election Code or the Political Committee Handbook regarding the
correct wording for the disclaimer? _____

27. Please describe the procedure you used to ensure that the disclaimers in the political
advertisements were correct.

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

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this _____ day of
_____, 20_____.

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

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

Case Investigator: MBW



George Oliver

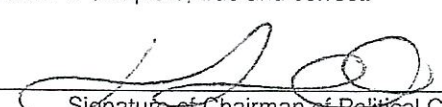


Feb 27, 2021 · 🌐

Three signs were stolen and three signs have been replaced. We serve an **AWESOME GOD!!!**



STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE (PLEASE TYPE)		OFFICE USE ONLY BILL COWLES SUPERVISOR OF ELECTIONS ORANGE COUNTY, FL 2021 SEP 21 A 10: 25
1. Full Name of Committee Citizens for the Advancement of Ocoee		Telephone 310-461-2097
Mailing Address (include city, state and zip code) 1314 Windy Meadow, Minneola, FL 34715		
Street Address (include city, state and zip code) 1314 Windy Meadow, Minneola, FL 34715		
2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)		
Name of Affiliated or Connected Organization	Mailing Address	Relationship
3. Area, Scope and Jurisdiction of the Committee <small>The Citizens for the Advancement of Ocoee is a Political Action Committee that was formed by a group of Ocoee and Orange County residents to support initiatives and political candidates that are interested in Ocoee's and West Orange County's infrastructure (roads, highways, traffic control devices, storm water, and 5G connectivity) and Social Initiatives.</small>		
4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.) Education; Construction & Development; Infrastructure; and Social Issues		
5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)		
Full Name	Mailing Address	Committee Title or Position
Joi Thomas-Addison	1314 Windy Meadow, Minneola, FL 34715	Chairman
Daryl Jackson	643 Lake Beulah Cv, Winter Garden, FL 34787	Treasurer
Jim Moyer	1811 Southern Red Oak Court, Ocoee, FL 34761	Custodian of Books and Accounts

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)			
Full Name	Mailing Address	Committee Title or Position	
Joi Thomas-Addison	1314 Windy Meadow, Minneola, FL 34715	SILL COWLES SUPERVISOR OF ELECTIONS Chairman ORANGE COUNTY, FL 2021 SEP 21 A 10: 25	
7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)			
Full Name	Mailing Address	Office Sought	Party
None			
8. List Any Issues this Committee is Supporting: ONE OCOEE Initiative List Any Issues this Committee is Opposing:			
9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party None			
10. In the Event of Dissolution, What Disposition will be Made of Residual Funds? Donation to a local West Orange County Charity and Political Campaigns			
11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds			
Name of Bank or Depository & Account Number		Mailing Address	
Seacoast Bank		345 Main St. Apopka, FL 32703	
12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any			
Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
None			
STATE OF <u>Florida</u> <u>Orange</u> COUNTY			
I, <u>Joi Thomas-Addison</u> , certify that the information in this Statement of Organization is complete, true and correct.			
X  Signature of Chairman of Political Committee		<u>8/31/2021</u> Date	

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 22-094**

Respondent: Citizens for Advancement of Ocoee

Complainant: Joel Keller

1. **Date and time:** 04/23/24 @ 9:19 a.m.
Name: Kristi Gay
Phone #: 407-836-2070
Summary: I called to ask the procedure for sending the Affidavit of Filing Officer. Ms. Gay stated that I should email the affidavit to her at Kristi.gay@ocfelections.gov.
Entered by: MBW
2. **Date and time:** 05/01/24 @ 10:18 a.m.
Name: Mark Herron, Respondent's attorney
Phone #: 850-222-0720
Summary: I called Mr. Herron to ask if he wanted to enter a pre-probable cause consent order in this case. After discussing the issues alleged in the complaint, Mr. Herron agreed that a consent order would be the best option.
Entered by: MBW
3. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
4. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
5. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
6. **Date and time:**
Name:
Phone #:
Summary:
Entered by:
7. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

8. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

9. **Date and time:**

Name:
Phone #:
Summary:
Entered by:

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

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

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



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



April 9, 2024

Messer Caparello, P.A.
Mark Herron
P.O. Box 15579
Tallahassee, FL 32317

RE: Case No.: FEC 22-094; Respondent: Citizens for Advancement of Ocoee

Dear Mr. Herron:

On May 4, 2022, the Florida Elections Commission received a complaint alleging that your client 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 106.143(1)(c), Florida Statutes: Respondent, a political committee registered with the Orange County Supervisor of Elections, may have paid for and distributed political advertisements in the form of signs that contained express advocacy but did not include a proper disclaimer, as alleged in the complaint.

Section 106.03(4), Florida Statutes: Respondent, a political committee registered with the Orange County Supervisor of Elections, may have failed to timely file an amended DS-DE 5 form reflecting the candidate it supported, 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 your client with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed upon your client. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

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

Mark Herron
April 9, 2024
Page 2
FEC 22-094

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.

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 Margie.Wade@myfloridalegal.com.

Sincerely,



Tim Vaccaro
Executive Director

TV/jd

From: [Cindy Lowell](#)
To: [Donna Malphurs](#)
Cc: [Mark Herron](#)
Subject: Re: Notice of Appearance
Date: Tuesday, June 7, 2022 7:18:02 AM
Attachments: [NOA.pdf](#)

In the matter Citizens for the Advancement of Ocoee, please see attached.

Cindy Lowell

Legal Assistant

Mark Herron

Rob McNeely

Patrick O'Bryant

850-201-5234



**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

FEC Case No. 22-094

In re: Citizens for the Advancement of Ocoee, Respondent.

NOTICE OF APPEARANCE

The undersigned is appearing as attorney for **Citizens for the Advancement of Ocoee**, in connection with the above-referenced complaint. Please serve copies of all pleadings, motions, correspondence, or other papers relating to this matter on the undersigned at the address set forth below.

Respectfully submitted on this 7th day of June, 2022, by:

____/s/Mark Herron_____
MARK HERRON
Florida Bar Number: 0199737
Messer Caparello, P.A.
Post Office Box 15579
Tallahassee, FL 32317
Telephone: (850) 222-0720
Facsimile: (850) 558-0659
Email: mherron@lawfla.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing notice of appearance was filed via electronic mail to the Agency Clerk, Florida Elections Commission, Room 224, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-1050, on this 7th day of June, 2022.

____/s/Mark Herron_____
Mark Herron

COMPLAINT

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

REC'D: FL ELECTIONS COM
4 MAY '22 PM 3:26

1. PERSON BRINGING COMPLAINT:

Name: Joel Keller Work Phone: (____) _____
Address: 5021 Lighterwood Court Home Phone: (407) 948-3379
City: Ocoee County: Orange State: FL Zip Code: 34761

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

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

Name of individual or entity: Rhiannon Arnold, Chairman, Citizens for Advancement of Ocoee
Address: 203 Park Lake Street Phone: (407) 256-6171
City: Orlando County: Orange State: FL Zip Code: 32803

If individual is a candidate, list the office or position sought: N.A.

Have you filed this complaint with the State Attorney's Office? (check one) ☐ Yes ☒ No

Are you alleging a violation of Section 104.271(2), F.S.? (check one) ☐ Yes ☒ No

Are you alleging a violation of Section 104.2715, F.S.? (check one) ☐ Yes ☒ No

3. ALLEGED VIOLATION(S):

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

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

SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

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

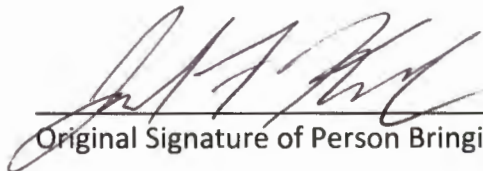
FLORIDA ELECTIONS COMMISSION
107 West Gaines Street, Suite 224, Tallahassee, FL 32399-1050

4. **OATH:**


STATE OF FLORIDA

COUNTY OF Orange

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


Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 20 day of
April, 20 22


Signature of Officer Authorized to Administer Oaths or Notary Public



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

Personally Known ☒ Or Produced Identification ☐

Type of Identification Produced _____

5. **IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:**

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

Complaint Against Chairman Rhiannon Arnold

Citizens for Advancement of Ocoee PC

Statement of Facts

George Oliver, III ("Oliver") was a successful candidate for election in the 2021 City of Ocoee Municipal Election, District 4. Before and during the 2021 election, Oliver and the political committee, **Citizens for the Advancement of Ocoee** ("PC") violated Florida's campaign finance laws related to independent expenditures, coordination, contribution limits, campaign reporting and political disclaimers.

Several political advertisements were produced for Oliver saying "re-elect" Oliver, but there are no expenses for these advertisements appearing on Oliver's campaign reports. It is abundantly clear that Oliver's entire campaign circumvented election law when the affiliated PC's 3-4 large donors paid for Oliver's entire campaign. I have personally reviewed the PC's contribution and expenditure reports, Oliver's contribution and expenditure reports, and political advertisements, collateral material and pictures/videos posted by the Oliver Campaign, and it appears that all Oliver campaign advertising and collateral material was paid for by the PC.

To my knowledge, none of Oliver's campaign collateral was compliant with laws relating to political advertising or electioneering communications. See ss. 106.143, 106.1439, F.S. The ads, referenced in more detail below, instructed voters to "re-elect" or "vote for" George Oliver. There is also plenty of evidence of coordination, in-kind contributions from the PC to the Oliver Campaign, and excess contribution violations between the PC and Oliver Campaign, set forth in more detail below.

A. Evidence of Coordination Violations

1. Melissa Myers was Oliver's Campaign Manager. Melissa Myers was Oliver's Campaign Manager. She apparently submitted the cable TV purchase on behalf of the Oliver campaign that was paid for by the PC. Additionally, Just Write, Inc. made a \$2,400 contribution to the PC. Just Write, Inc. is Ms. Myers' company and Ms. Myers is Oliver's campaign manager. I am of the belief that Ms. Myers does not have the financial wherewithal to make such a large contribution to the PC – thus, I have concerns that this contribution actually came from someone else and was simply funneled through Ms. Myers' business.
Exhibit 1: *Florida Politics* story stating Ms. Myers served as Oliver's Campaign Manager.
Exhibit 2: NAB form – Ms. Myers is listed as the person who placed the cable TV purchase and the PC is paying for it.
Exhibit 18: Just Write, Inc., Articles of Incorporation.
2. She apparently submitted the cable TV purchase on behalf of the Oliver campaign that was paid for by the PC. Additionally, Just Write, Inc. made a \$2,400 contribution to the PC. Just Write, Inc. is Ms. Myers' company and of course, Ms. Myers is Oliver's campaign manager. I am of the belief that Ms. Myers does not have the financial wherewithal to make such a large contribution to the PC – thus, I have concerns that this contribution actually came from someone else and was simply funneled through Ms. Myers business.
Exhibit 1: *Florida Politics* story stating Ms. Myers served as Oliver's Campaign Manager
Exhibit 2: NAB form – Ms. Myers is listed as the person who placed the cable TV purchase and the PC is paying for it.

3. Campaign Video – The PC apparently paid for the production of the video, but Oliver is doing all the reading and approving it.
Exhibit: (Finance & docs file) PC expense reports (2020-2021 M1 #14, M2 #2, M3 #1 reports)
Exhibit 3: Video; also at this link:
Exhibit: (finance & tax docs) Oliver's campaign reports do not contain any expenses for video production.

4. Websites – The PC and Oliver Campaign websites are in the same format. However, only the PC lists an expense for creation/maintenance of a website. The Oliver Campaign does not list any such expenses.
Exhibit 4 & 5: George Oliver website
Exhibit 6: Ocoee PC website
Exhibit: No website expenses in Oliver expenditure reports
Exhibit: Only the PC lists an expense for "campaign web design". (2020-2021, M1 #11)

5. Door Hangers – Oliver used "re-elect Oliver" door hangers, but the PC paid for them. There are no expenses from the Oliver Campaign for door hangers.
Exhibit: PC finance report (2020-2021, M1 #10)
Exhibit 7: Video of George Oliver showing off their door hangers.

B. Evidence of Contribution Violations

1. Yard Signs & Large Signs – All signs say "re-elect" Oliver, but the disclaimer indicates that the signs are paid for by the PC (total cost, \$2,306.53).
Exhibits: (video showing large sign)
Exhibit 8, 9 & 10: Photos of signs showing "re-elect George" but PC disclaimer (I can provide additional photo's if requested.)
Exhibit: PC expenditure report for signs - M1 #8-\$840.29, #12-\$175; M2 #1-\$599.06, #4-\$569.78; M3 #3-\$122.40
Exhibit: Oliver Campaign expense reports show no expenditures for yard signs or large signs.

2. Cable TV Purchase – This expenditure does not appear on the PC's or Oliver's expenditure reports (total cost, \$2,035.00)
(**unreported expense for the PC and the campaign; a violation of s. 106.07, F.S.)
Exhibit 2: NAB form states PC would be paying for the TV spots.
Exhibit 11: Spectrum invoice made out to George Oliver.

3. Video Production – filming and production (total cost, \$2,200.00)
Exhibit: PC expenditure reports (M1 #14; M2 #2; M3 #1)
Exhibit: Oliver expenditure reports - \$0 for video production
There were a few professionally produced spots:
Exhibit 3: 60 second video; also at this youtube link:
(no written disclaimer in the video)
**The TV spot was a 30 second edited version of the 60 second video.

Campaign video:

(** no disclaimer)

Campaign video:
disclaimer)

(** no

Exhibit: there are no video expenses or vendors listed on Oliver's reports, yet the videos are professionally produced & edited.

4. T-Shirts – Paid for by the PC, but say “re-elect” Oliver (total cost, \$1,174.86)
Exhibit 7: Video of George Oliver talking about the shirts
Exhibit 12, 13 & 14: Photos of people in Oliver's t-shirts
Exhibit (financial & docs file): PC expenditure report: M1 #2 - \$25, #3- \$341.44, #4-\$341.44, #5-\$191.97; #10-\$275.01
5. Billboard – “re-elect George Oliver” paid for by PC (total cost, \$2,700.00)
Exhibit 15 & 16: Photos of Lamar billboard & Facebook post of Oliver saying their contributions paid for billboard advertisement.
Exhibit: PC expenditure report: M1-#1 \$2,700.00
6. Website – Oliver Campaign website, but no expense in his expenditure reports (total cost, \$2,100.00?)
Exhibit 4 & 5: Oliver Campaign website.
Exhibit 6: PC website.
Exhibit: (Financial & Docs file) No website expenses in Oliver expenditure reports.
Exhibit: (Financial & Docs file) PC expenditure report: M1 #11 “Deposit for campaign web design” - \$500 – Encore Production; \$1,600 – Encore Production for “marketing printing services” ?? – it's a large amount to Encore, so I believe it could be the balance for website production.
7. DJ for Events
This is one of a few events supporting his campaign.
Exhibit: one of a few posts at events with a DJ saying “re-elect” George Oliver.

Exhibit: No DJ expenditures on Oliver's expenditure reports.
Exhibit: PC expenditure reports: M1 #6-\$150, #7-\$200, M3 #2-\$325, #5-\$475.
8. Door Hangers – (total \$643.43)
Exhibit: PC expenditure report: M1 #10.
Exhibit 7: Video of George Oliver showing off door hangers.
Exhibit 17 – Photo of doorhanger from the above video.
9. Every publication I have reviewed appears to violate election laws with “Re-elect George Oliver.” The listed purposes on the PC's expenditure reports also reiterates that it was spending a lot on behalf of the Oliver Campaign, and likely with the input of Oliver or his campaign staff. Therefore, these additional expenses should also be investigated because a strong pattern of coordination has been established. The PC should be required to produce any collateral material and support for the following expenses (total costs, \$1,659.34):
 - “Megaphone speaker for campaign” - \$50
 - “Social media advertising” - \$75

"Catering services" - \$160
"Campaign mailers" - \$470
"Deposit for food for campaign staff" - \$500
"Event planning for campaign event" - \$180
"Flyers for the campaign" - \$124.34
"Social media marketing" - \$100

C. Miscellaneous Violation

1. Finally, the PC filed its Statement of Organization, *Form DS-DE 5*, on November 25, 2020. In Box 7 of page two, the PC represented that it was not supporting any candidates (Listing "NONE.") and made no mention of the Oliver Campaign. In fact, the PC represented that it was only supporting the "ONE OCOEE initiative" (Box 8). It is clear that the PC was in fact supporting the Oliver Campaign, but failed to disclose this fact in its Statement of Organization (or any updates thereto). See *s. 106.03(2)(f), F.S.*

CONCLUSION

It is abundantly clear that the PC, with the cooperation and coordination of the Oliver Campaign, circumvented campaign election laws by running Oliver's campaign for Ocoee City Commission through the PC. There is ample evidence that the PC expenditures referenced above were coordinated with the Oliver Campaign, and therefore, should be treated as "in-kind contributions" to the Oliver Campaign. "In-kind" contributions, like monetary contributions are subject to the contribution limits references in section 106.08, Florida Statutes. This was likely done to enable large contributors to fund 95% of Oliver's campaign because he was unable to raise it from individual supporters. As a candidate who ran against Mr. Oliver in the 2021 election, I have personal knowledge of these allegations and ask that the Florida Elections Commission investigate such allegations.