



**Miami-Dade Commission on Ethics & Public Trust**

**Investigative Report**

**Investigator:** Karl Ross

<b>Case K13-066</b>	<b>Case Name:</b> Steven C. Bateman Campaign	<b><u>Date Open:</u></b>	<b><u>Date Closed:</u></b>
<b>Complainant(s):</b> Patrick Pascuzzo	<b>Subject(s):</b> Homestead Mayor Steve Bateman	April 4, 2012	March 6, 2015

**Allegation(s):**

On March 16, 2012, Patrick Pascuzzo, a private citizen, filed a complaint with the Miami-Dade Commission on Ethics and public trust (“COE”) against then Mayor of Homestead Steven C. Bateman, alleging that Bateman misspent or misappropriated surplus funds from his 2011 political campaign. COE counsel denied legal sufficiency on the basis that COE lacks jurisdiction over Chapter 106 of Florida Statutes regarding campaign finance.

On or about April 4, 2012, COE Executive Director Joseph Centorino ordered a review of the matter by COE’s auditor, Christina Seymour, and after apparent irregularities were found in the disposal of surplus campaign funds, the matter was referred to the Miami-Dade County State Attorney’s Office (“SAO”) for further review into possible criminal violations.

**Relevant Ordinances:**

Florida Statute 106.11 (5) (a) states in pertinent part that a candidate who is elected may expend funds from the campaign to

- (a) Purchase “thank you” advertising for up to 75 days after he is elected,
- (b) Pay for items which were obligated before he was elected,
- (c) Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports,
- (d) Dispose of surplus funds as provided in 106.141.

Florida Statute 106.141 provides that a candidate, once elected, has 90 days to dispose of surplus funds in his or her campaign account as follows: 1.) return funds to contributors on a pro-rated basis, 2.) donate funds to a charity or tax-exempt organization, 3.) donate funds to an affiliated political party or committee, or 4.) donate funds to the general fund of a candidate's municipality or political subdivision. The prevailing candidate may dispose of surplus funds using one of the above means or a combination thereof and must submit a report detailing their disposition.

**Investigation:**

The investigation was turned over to COE Investigator/ Forensic Accountant Karl Ross on or about September 2012, following the departure of COE auditor Seymour, now Christina Topley. COE continued to participate in the investigation, working jointly with SAO.

The investigation consisted of numerous sworn statements from vendors, consultants, and others connected with the 2011 Steve Bateman for Mayor political campaign, along with the review of public records, campaign finance reports, bank account and other records.

The details of the investigation are outlined in the Statement of Facts included in the COE case file and culminated in the filing of criminal charges against the subject on or about October 31, 2013, for seven (7) counts of violating Chapter 106 Florida Statutes.

**Conclusion(s):**

The case was settled on or about March 6, 2015, when Steve Bateman entered into a plea agreement with the State of Florida in which Bateman pleaded no contest to counts three and four of the seven-count Information, acknowledging he failed to properly dispose of \$1,419 in surplus campaign funds in violation of F.S. 106.141(10).

Bateman was further sentenced to one year of misdemeanor probation. Adjudication was withheld pending compliance with the terms of the agreement.

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Karl Ross, COE Investigator

Approved by:

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Michael Murawski, Advocate

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Joseph Centorino, Executive Director