



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Manuel W. Diaz and Breno Penichet

**CASE
CLOSED**

Case No.: K12-054	Case Name: North Miami (LETf)	Date Open:	
	Subject(s): Frantz Pierre, Marie Eleazard	12/13/12	Date: <u>11/25/14</u>

Allegation(s):

On March 28, 2012, information was received that North Miami Beach (NMB) Councilman Franz Pierre (Pierre) voted to approve a \$10,000 donation from the Police Department's Law Enforcement Trust Fund (LETf) to the Center for Family Empowerment, Inc. (CFEI). The Blog reported that CFEI is a 501(c)(3) and is registered in Florida as a not-for-profit corporation.

Information was also received that the Executive Director of CFEI, Marie Eleazard (Eleazard), was one of eight (8) persons registered to vote with Miami-Dade County Supervisor of Elections at the Pierre residence.

An investigation was initiated to determine the relationship between, Pierre and CFEI, and whether the LETf funds appropriated by NMB were properly used for the intended purpose by CFEI.

Relevant Ordinances:

Miami Dade County Conflict of Interest and Code of Ethics Ordinance , Sec 2-11.1

“(g) *Exploitation of official position prohibited.* No person included in the terms defined in Subsections (b) (1) through (6) and (b) (13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or her or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.”

Investigation:

Interviews

Ralph Hernandez (Hernandez) – Former NMB Chief of Police

Hernandez was introduced to Eleazard by Pierre, at a meeting in his office arranged by Pierre.

According to Hernandez, Pierre and Eleazard originally met with NMB City Manager Kelvin Baker (Baker) requesting funding for CFEI. Baker directed Pierre and Eleazard to contact Hernandez. After discussing the merits of CFEI and the not-for-profit's plans to help the community, Hernandez decided to request Commission approval for the award of \$10,000 to CFEI.

Hernandez submitted this request, along with other requests, to the City Commission for approval. (Copies in file.) The Commission approved the CFEI donation on August 17, 2010. (Copy in investigative file.)

As a requirement for the award, Hernandez directed CFEI to submit a report documenting the use of the donation. (Copy in file.) Hernandez left NMB shortly after the Commission approved the award to CFEI. He does not know if the report was submitted. (See report from Hernandez to Baptist-Miller in investigative file.)

Hernandez recommended that the COE contact Mac Serda (Serda), former NMB Police Department financial analyst for additional information.

Mac Serda (Serda) – North Miami Deputy City Manager

Serda was contacted. He was working in the police department's finance section prior to current assignment. He recalled the request for funding and speaking to representatives of CFEI. He did not recall meeting with any CFEI representatives to discuss any specific events.

Kelvin Baker (Baker), Former NMB City Manager

Baker confirmed that he met with Pierre and Eleazard in his office to discuss funding for CFEI. Baker recommended that they contact Hernandez to request funding. He left the City shortly after. He has no first-hand knowledge of how the LEFT funds were spent.

Johnette Hardiman (Hardiman), Miami-Dade Assistant State Attorney

Hardiman was contacted and advised of the scope of the investigation. She recommended that investigators contact NMB prior to proceeding and secure their cooperation in the investigation.

Roselyn B. Weisblum (Weisblum), Former Assistant City Manager, NMB

Weisblum was an Assistant City Manager in 2010. Weisblum recalled the City Council approving the LETF donation to CFEI. She did not recall any CFEI events scheduled in the City. She advised COE investigators to contact Police Chief Gomer (Gomer).

Chief Larry Gomer (Gomer) – NMB Police Chief

Gomer was interviewed in his office. He relayed the following:

He was not involved in the 2010 NMB LETF donation to CFEI. In 2011, he was contacted by former City Manager Lyndon L. Bonner (Bonner). Bonner directed him to meet with Pierre and representatives of CFEI, to discuss a donation to CFEI from the LETF.

Gomer received a formal request from CFEI. Gomer evaluated the request and denied the request after noting a peculiarity with the mailing address used by CFEI.

The 2011 CFEI request has been made part of the investigative file. The request was signed by Linda Mathieu, as the executive director of CFEI.

Gomer recommended that the COE also investigate an NMB LETF donation made to a not-for-profit headed by Vilme Pradel (Pradel) called the Social Harmony Foundation, Inc. The organization used the same mailing address as CFEI. The Social Harmony Foundation received a donation during the same August 17, 2010 City Council meeting as CFEI. (See below the interview with Pradel.)

Lyndon L. Bonner (Bonner) – Former NMB City Manager

Bonner was interviewed via telephone. He advised that Pierre made an appointment to meet with him to discuss the funding of CFEI. Pierre met with Bonner. Bonner contacted Gomer and instructed him to meet with Pierre to discuss funding. Bonner and Gomer reviewed the CFEI proposal for 2011 and decided not to continue funding for the non-for-profit.

Florence Thony (Thony), former President CFEI

Thony was contacted at her residence. The scope of the inquiry was explained.

Thony explained that she was asked by Eleazard to be the president of CFEI. She served as the president of CFEI, until late in 2010 or early 2011, when she resigned. She informed the other board members that she was resigning and assumed that the other directors would file the necessary documents with the Florida Secretary of State's office to remove her from the corporate documents.

When asked about the corporate records, she advised that she turned over all records to Eleazard and the other directors when she resigned.

Thony identified a copy of CFEI (Check # 1002). She advised that the check was for the initial expenses that she incurred when forming the not-for-profit. She explained that office supplies were purchased. She advised that the check that she was given reimbursed her for her out-of-pocket expenses. She advised that she did not write "phone reimbursement" in the notation part of the check. She does not know who wrote that.

Thony recalled that part of the LETF funding was used to purchase Thanksgiving turkeys for residents in NMB. She recalled that some of the funds were also used to purchase school supplies for some students. There were two school supply distributions. She was present for both distributions. She was not present when CFEI purchased turkeys from Publix, nor was she present when the turkeys were distributed.

Thony knows Eleazard but does not know how to contact her. She does not know others who received checks from CFEI (Caesar, Mathieu, Delva or Rodriguez.)

She reiterated that she had only stayed with CFEI for a few months after CFEI received donation. She does not know how money was spent after she resigned. She agreed to provide a sworn statement if necessary.

Marie Iva Eleazard-Lotuer (Eleazard)

An attempt to contact Eleazard was made at her residence in Pembroke Pines, FL. Eleazard was not home at the time. A note for Eleazard was left with the homeowner, Dominique Serg Maglorie.

Eleazard contacted the COE. Eleazard was told that the COE needed to speak to her to discuss CFEI and to review the organization's financial records for the use of the donation. Eleazard advised that she had no records. She advised that she would contact the COE at a later date to arrange for an interview. She first had to speak to her attorney. Eleazard never re-contacted the COE.

A second attempt was made to contact Eleazard. Eleazard, during the telephone conversation, again refused to meet with COE Investigators until she spoke to her attorney. Eleazard advised that her attorney Joseph Geller, Esq (Geller) would be contacted the COE. Geller never contacted COE Investigators.

Note:

Eleazard, at the time, was under investigation by the Miami-Dade State Attorney in a separate matter. Eleazard was one of eight NMB residents registered to vote at the Pierre residence. That case was closed on June 9, 2013. The State Attorney determined that Eleazard was properly registered to vote at the Pierre residence.

Eleazard was listed as living in the Pierre's residence along with Pierre, Karry Joseph (Pierre's son-in law), Ange Joseph, Joline Pierre, Reus Pierre, Jonathan Romellus, Marie Romellus and Katrina Allison.

Vilme Pradel (Pradel) - owner LEDARP Enterprises, 1733 NE 162 Street, North Miami, FL.

The building at 1733 NE 162 Street, NMB, FL, is listed as the office address for CFEI on the documents submitted to NMB. A sign on the building identified the offices as LEDARP Enterprises. Miami-Dade property records indicate that the building is owned by Vision 2000 Investments, LLC.

Pradel was onsite and was interviewed by the COE. He identified himself as the owner of the building. According to Pradel, he received the mail sent to CFEI. When mail was delivered, he would contact Frannix Jean-Mary (Jean-Mary), the current President of CFEI. Jean-Mary would arrange to pick up the mail. Pradel advised that CFEI never had an office in the building. He continued that, if CFEI needed office space for a meeting, someone would contact him and he could arrange for the building to be open. He advised that he could not recall when CFEI last used the building.

Pradel gave Investigators Jean-Mary's cellular number.

Note: Pradel is listed as the President of Social Harmony Foundation, Inc. (SHFI). SHFI received a \$4,000 award from the NMB Police LETF Fund at the same council meeting in 2010 where CFEI was awarded \$10,000. (Copy of the award has been made part of the investigative file.)

Frannix Jean- Mary (Jean-Mary), President, CFEI

Jean-Mary was contacted by COE Investigators and agreed to an interview. Jean-Mary met with Investigators at 1733 NE 162 Street, NMB, FL.

Jean-Mary explained that he recently took over as president of CFEI. Neither Eleazard nor Thony turned over any of the organizations financial documents to him. He does not know how the 2010 LETF donation was used. Jean-Mary recommended that the COE contact the current CFEI treasurer, Remus Caesar (Caesar).

During the interview, Jean-Mary became loud and abrasive. He believed that the investigation was racially motivated and instigated by the local media to bring attention to his wife, Yvenoline Dargenson (Dargenson), who was a candidate for office in NMB at the time. He advised that her NMB residency was being questioned by her opponents. He advised that he and his wife are separated and she lives in NMB and he lives in Pembroke Pines.

Jean-Mary was asked concerning checks 1011, 1012 and 1013. Jean-Mary confirmed that he signed the checks; 1011 for telephone usage for CFEI cellular telephone that he maintained as President; check 1012 to reimburse him for his out of pocket costs in developing a web site for CFEI; and check 1013 to Flavien to re-incorporate CFEI for the current year.

According to Jean-Mary, CFEI had not held any activities since he took office as President.

He also advised that he was in the process of obtaining a new funding source for the organization.

Jean-Mary was re-contacted and advised that the COE wanted to take a formal statement from him. He was advised that the COE had issued a subpoena for his testimony and a second subpoena for any CFEI financial records in his possession. Jean-Mary agreed to meet with investigators and accept the subpoenas. Jean-Mary never appeared to receive the subpoenas. Jean-Mary did not return calls made to his cellular number.

Remus Caesar

Caesar was contacted via telephone. He was advised that the COE was attempting to audit the expenditures for the LETF funds given to CFEI. He was advised that Jean-Mary had provided his telephone number to COE Investigators, and advised that he maintained the CFEI's financial records.

During the interview, Caesar advised that he had spoken to an attorney, whose name he forgot. The attorney had also spoken to Jean-Mary. The attorney advised that he had contacted the COE and the investigations concerning CFEI and the use of the donation was closed.

Caesar was informed that the investigation was still open and he was required to provide an accounting of all expenditures made from the LETF funds. Caesar agreed to cooperate and provide the records that he had. He would contact the attorney, who would act as his liaison with the COE. Caesar failed to re-contact COE Investigators.

A COE subpoena was issued. Caesar responded to the subpoena. A summary of his statement follows. The statement was taken under oath, but not transcribed.

- Works for Miami-Dade Public schools as a middle school counselor.
- He and a number of professionals joined together to start the CFEI in 2009. The other officers were Thony and Eleazard.
- He was involved in the 501(c)(3) application process for CFEI. CFEI was incorporated and sought 501(c)(3) because NMB would only give money to 501(c)(3) that was a registered Florida not-for-profit.
- He did not maintain any receipts or other financial documents for CFEI.
- He only voted on the expenditure of the LETF funds.
- The responsibility of keeping CFEI financial documents was with Eleazard and Thony.

Caesar was shown the bank records obtained by the COE and asked to comment on the

expenditures.

- Caesar acknowledged that he had reviewed CFEI bank records sent to CFEI by the bank. Caesar emphasized that as a corporate officer he was aware of all the expenditures reflected in the documents. He also emphasized that all CFEI expenditures were approved by a vote of the Corporate Directors. There were no minutes taken of the corporate meetings, where expenditures were approved.

Caesar identified the copies of CFEI checks subpoenaed by the COE.

- Check number 1001, written to “Magda Delva”

Remus explained that Delva is his niece and she lives with him at his residence. The \$667 reflects money that she loaned him for CFEI activities. He explained that at times he did not have money to pay for activity expenses. Caesar borrowed cash from Delva. The \$667 reflected a one-time reimbursement for the money that she loaned him. He did not have any receipts for the expenditures. He explained that he paid for the CFEI incorporation process with money borrowed from Delva.

- Check number 1002, written to “cash”

The money was a reimbursement to Thony for a phone bill for a telephone belonging to CFEI. Thony maintained the telephone. The \$600 reflected her use of the telephone for two years, 2009 and through 2010. Caesar said that the directors voted to approve the \$600. There are no records documenting the vote.

- Check number 1003, written to “Niralade Rodriguez”

Caesar never met Rodriguez. Eleazard advised the directors that she had borrowed the money from Rodriguez to cover expenses that she incurred on behalf of CFEI. He conceded that he does not know how Eleazard used the \$3,600. He said that the directors approved the expenditure. He advised that he never saw any receipts for the use of the LETF funds.

- Check number 1004

Caesar advised that the money was used for two turkey giveaways. He attended the giveaways. One of the giveaways was held at NM City hall. The second was held on a street corner in NM, he does not remember where.

- Check number 1005, written to “S&I Uniforms”

Caesar advised that CFEI was able to negotiate with the vendor the purchase of school supplies and uniforms from S&I Uniforms. The check was written to reimburse the vendor. The supplies and uniforms were distributed to deserving families at city hall and at an event at the NMB amphitheater. He did not attend the distribution.

- Check number 1006, written to “Karry Joseph”

Joseph is one of the other individuals that purportedly resides with Pierre. Joseph

started to construct CFEI web site. His step father, Councilman Pierre, told him not to continue because he had voted in favor of the item to approve the item. His step-father did not want a conflict to occur. CFEI paid him for the work performed. Remus does not know what Joseph did for the money.

- Check number 1007, written to “Julien Van Vier,” a local Haitian performer and promoter.

He was given the money to promote fund raising for CFEI. Caesar does not know if the Van Vier ever promoted CFEI. Eleazard handled the arrangements with Van Vier.

- Check number 1008, written to the “City of Pembroke Pines”

According to Caesar, CFEI held a meeting at a residence in Pembroke Pines. He does not recall the address. Nor does he recall the name of the owner of the residence. He advised that there were about 12 persons in attendance. He said the directors voted on and approved \$50 for water to defray the cost of water purchased for the meeting. He does not know why the check was made out for \$100.56 or why the check was made out to Pembroke Pines. He advised that Eleazard was at the meeting and handled the payment.

Note: COE obtained the payment records from the City of Pembroke Pines. The payment was made to pay the municipal water bill at Eleazard residence. (Copy of information in the investigative file.)

- Check number 1009, written to “Gerard Baptiste” for \$400

Baptiste, according to Caesar, was the driver who transported turkeys and uniforms for CFEI. The check was issued to reimburse Baptiste for the use of his car and for his time.

- Check number 1011, written to “VBack.com”

CFEI decided to get telephone service through VBack to save money. Jean-Mary, current president of CFEI is the owner of VBack. Check 1011 was apparently signed by Jean-Mary. (Copies of the corporate documents for VBack in the investigative file.)

- Check number 1012, written to “VBack.com”

Caesar advised that the payment was to pay for the balance of the construction of CFEI web site. The check was apparently signed by Jean-Mary.

- Check number 1013, written to “Frank Fauien”

Caesar advised that the payment was made to reimburse Fauien, an accountant for the expenses he incurred in registering CFEI as a not-for-profit.

Caesar was shown the withdrawal and ATM card expenses listed on the bank statements.

He testified that that Thony and Eleazard had signature authority over the bank account and held the ATM card. He advised that the directors approved the use of gasoline on one occasion for the transportation of the turkeys and school supplies purchased by CFEI. Caesar also identified a check card purchase of 12/15 as being for Metro PCS, and as being approved by the directors. The payment was for the use of CFEI telephone.

He did not know the reason for the other ATM purchases. He advised that CFEI no longer has an ATM card; he destroyed it.

He serves on the Board of Directors of Technology Resource Center, Inc., a not-for-profit. Another board member is Dargenson who is the wife of the current CFEI President Jean-Mary.

Caesar recommended that the COE contact Serda, who could verify that CFEI arranged for and held a school bag give-away at NM City Hall.

Magda Delva (Delva) was contacted at her residence 195 NE 134 Street, NM, FL

Delva advised that Caesar was her uncle and also lived at the residence. Delva was shown the copy of check #1001 and acknowledged that the original check was given to her and cashed by her. She identified her signature on the back. Delva advised that she did not recall why the check was written and what the reimbursement (in the checks notation) was for.

She contacted her uncle Caesar. (The conversation with Caesar is documented above.)

Delva was subpoenaed and gave a statement to COE Investigators attesting to the above. During the statement Delva confirmed that check #1001 she received was reimbursement for money that she loaned to Caesar. Delva testified that she did not know any members of CFEI.

Nirlande Amy Rodriguez (Rodriguez)

Note: Prior to interviewing Rodriguez, the COE subpoenaed Rodriguez' bank records. The records have been made part of the investigative file.

Rodriguez was interviewed by COE Investigators. A recording of the interview has been made part of the investigative report. In the interview, Rodriguez stated that she had no knowledge of CFEI. She knew Eleazard, but did not know Thony or Caesar.

Rodriguez was shown Check # 1003. She advised that she knew of the check but had never seen the check. She advised that the writing on the check was not hers. The signature on the back of the check was not hers. She had no knowledge why "reimbursement" was written in the notation portion of the check. Eleazard never told Rodriguez what she was going to do with cash from the check.

Rodriguez advised that she met Eleazard through a church that they both attended. She advised that she was approached by Eleazard to use her account number to make a deposit. It was agreed that Rodriguez would later withdraw the cash and give it to Eleazard.

According to Rodriguez, Eleazard used her bank number to deposit check #1003 into her account. After depositing the check, Eleazard contacted Rodriguez and told her to withdraw the \$3,600 and meet a third person "Linda" in a parking lot in Broward. Eleazard instructed Rodriguez to give the \$3,600 to "Linda," which she did. Rodriguez advised that she had never previously met "Linda" nor has she seen "Linda" since.

After the interview, the COE issued a subpoena to JPMorgan Chase for Rodriguez' checking account for the period of 6/1/10 through 6/30/10. The records provided by JP Morgan Chase indicate a deposit of \$3,600 on November 15, 2010. There is a subsequent withdrawal of \$3000.

Note: This does not correspond with Rodriguez statement that "she withdrew the \$3,600 full amount and gave the money to Linda. The shortfall may indicate that Rodriguez kept \$600.00. Rodriguez, when advised of the discrepancy, insisted that she withdrew the full amount (\$3,600) and gave the full amount to "Linda."

A second subpoena was issued to JP Morgan Chase for the deposit slip used when depositing the \$3,600. The handwriting on the deposit slip does not appear to belong to Rodriguez. The same subpoena requested the withdrawal slip for the \$3,000 previously mentioned. The writing on the withdrawal slip appears to belong to Rodriguez when compared to the Master Agreement signed by Rodriguez when opening the account.

Rodriguez agreed to provide a formal statement to the COE.

Frank Flavien (Flavien)

Flavien was interviewed via telephone. He acknowledged receiving check # 1013. He advised that Caesar contacted him and asked him to re-register CFEI with the State as a not-for-profit. The check was issued to reimburse him for his out of pocket expenses.

Flavien was asked if he had any of CFEI corporate records in his possession. He advised that he did not. He is married to former director of CFEI Lynda Mathieu.

Lynda Mathieu (Mathieu)

Mathieu was contacted via telephone. She was advised as to the scope of the investigation. She was advised that COE Investigators were seeking corporate records to include minutes of any directors meeting and documents reflecting payments made by the organization.

Mathieu advised that she had none. She recommended that the COE contact Eleazard or one of the other directors. She advised that she was one of the founders of CFEI and had incurred expenses on behalf of CFEI and never had been reimbursed.

She noted that CFEI had held a number of community activities such as school book bag giveaways and food giveaways. She advised that CFEI organizers, her included, had approved reimbursements to individuals who had made out of pocket expenditures on behalf of the organization.

Mathieu advised that she knew Van Vier and said he was an entertainer. She confirmed that CFEI had paid him \$250 for publicity. She did not know if Van Vier ever did anything for the LETF funds he received.

She stated that she had not spoken to Eleazard in over two years. She stated that she never met Rodriguez. She denied ever receiving any money from Rodriguez.

Florida Department of Law Enforcement

The COE met with Special Agent Supervisor Robert S. Breeden, Supervisor Michelle Buffalino, and Special Agent Jim Futch to discuss the case. Also present during the meeting was Gomer from NMB Police Department.

During the meeting the scope of the investigation was discussed. Special Agent Breeden advised that he would meet with ASA Hardiman to discuss if FDLE would assign staff to pursue the investigation.

Timothy VanderGiesen and Meisha Darrough - Miami-Dade State Attorney's Office

The COE met with Assistant State Attorney Timothy VanderGiesen (VanderGiesen) and Assistant State Attorney Miesha Darrough (Darrough). During a meeting, the COE advised as to the scope of the investigation and provided copies of materials obtained during the course of the investigation.

VanderGiesen advised that he has discussed the investigation with representatives from FDLE. VanderGiesen was awaiting further investigation as to whether FDLE would assume the case. VanderGiesen explained that if FDLE accepted the case, FDLE would direct the investigations.

Copies of relevant materials concerning the investigation were left with Darrough.

VanderGiesen was asked to contact the COE to coordinate any further involvement with the investigation.

On September 2, 2014, Darrough advised that the State Attorney's Office would close their case in the matter. Darrough advised that she would forward the COE a copy of the close out memorandum. The case was closed by Darrough on October 10, 2014. A copy of the close out memorandum is included in the file.

Document/Audio/Video Review:

Checks written from the account

#	Date	Payee	Notation	Amount	Signature
1001	11/15/10	Magda Delva	reimbursement	\$667.00	Eleazard
1002	11/15/10	Cash	phone bill reimbursement	\$600.00	Thony
1003	11/15/10	Niralande Rodriguez	reimbursement	\$3,600.00	Eleazard
1004	11/18/10	Publix	turkeys	\$758.61	Thony/Eleazard
1005	11/18/10	S&I Uniforms	school supplies	\$1,795.00	Thony/Eleazard
1006	11/18/10	Karry Joseph	web site	\$150.00	Eleazard
1007	11/29/10	Julien Van Vier	fund raising	\$250.00	Eleazard
1008	12/30/10	Water	Pembroke Pines	\$100.56	Eleazard

1009	12/30/10	Gerrard Baptist	reimbursement	\$400.00	Eleazard
1011	8/24/11	VBack Office.com	website	\$150.00	Jean-Mary
1012	8/24/11	VBack	phone	\$79.80	Jean-Mary
1013	9/27/11	Frank Favien		\$61.25	Jean-Mary
<u>ATM and cash withdrawals</u>					
Date		Type and location of withdrawal			
Amt.					
01/03/11		ATM Withdrawal Regions Cooper Cty Br Cooper City FL			
\$60.00					
01/03/11		ATM Withdrawal Regions Flamingo Road Ft Lauderdale FL			
\$40.00					
01/03/11		Check Card Purchase Dykes BP 5541 Pembroke Pine FL			
\$30.00					
01/04/11		Check Card Purchase Walgreens #4143 5912 Pembroke Pine FL			
\$20.00					
01/06/11		Check Card Purchase Pembroke BP 5541 Pembroke Pine FL			
\$15.00					
01/07/11		Check Card Purchase Subway 0 5814 N Miami Beach FL			
\$5.35					
01/10/11		Check Card Purchase Avis Rent-A-Car 3389 Ft. Lauderdale FL			
\$182.75					
01/12/11		ATM Withdrawal Regions N Miami Bch B N Miami Bch FL			
\$100.00					
01/14/11		Check Card Purchase Bmc,Metro Pcs 4900 877-315-6074			
\$148.31					
01/19/12		Check Card Purchase Bravo Supermark 5411 Pembroke Pine FL			
\$16.62					
Total Withdrawals					
\$618.03					

State of Florida, Secretary of State Division of Corporations

Center for Family Empowerment, 501(c)(3). Filed July 30, 2009. Incorporated October 12, 2010. Marie Eleazard, President, Registered Agent, 1480 NW 144 Ave, Pembroke Pines, Florida, 33028. Florence Thony, Vice President, Maryse Carrie Vice President, Linda Mathieu, Secretary and Caesar Remus, Treasurer.

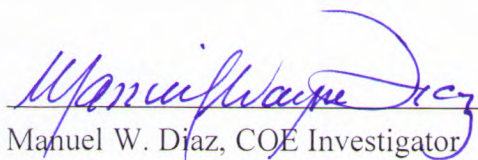
Not-for-profit was incorporated on July 30, 2009.
(Copies in file)

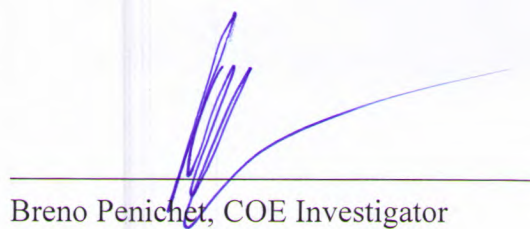
Conclusion:

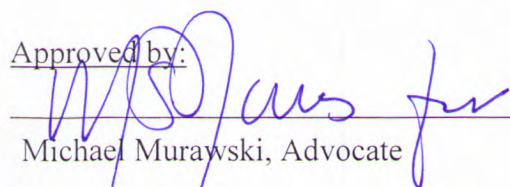
The COE investigation suggests that Councilman Pierre facilitated CFEI to receive a grant/donation of NM LETF funds of \$10,000 in 2010. A second request for funding, in 2011, was denied. CFEI appears to be a loosely structured Florida non-profit organization. By their own admission, the officers and directors kept virtually no records of expenses or receipts. The records show that approximately \$3,000 of the \$10,000 award went to Eleazard personally after she funneled the money through the checking account of Nirlande Rodriguez. At least \$100.00 of the award money was used to pay Eleazard's water bill (an act which constitutes the crime of theft but is outside of the Statute of Limitations). Although some of the award money seems to have been spent on legitimate charitable expenses (turkey giveaway, book-bags/school uniform giveaway), the majority of the money was doled out to various officers, relatives and friends with no substantiation of what the money was used for.

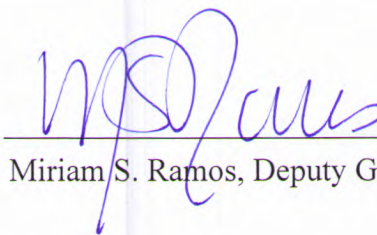
This case was turned over to FDLE to pursue any charges they deemed appropriate. On September 2, 2014, Darrough advised that the State Attorney's Office would close their case in the matter. The case was closed by Darrough on October 10, 2014. This investigation is now closed with no further action.

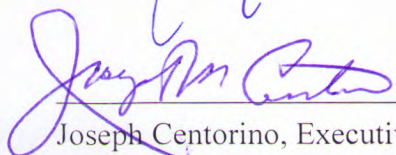
A copy of the report will be provided to NMB with the recommendation that they review their policy, process and procedure for awarding grants such as the one in question here. At a minimum, some due diligence should be conducted to determine whether the entity to receive the grant money is, in fact, a bona fide and legitimate non-profit entity; the city should also require an accounting of how the funds are actually spent. The vast majority of the \$10,000 given to CFEI appears to have been spread around to various individuals for questionable reasons unrelated to legitimate non-profit, charitable expenditures and was instead used for personal expenses. The fact that Eleazard, at one point, was a resident and registered voter in Councilman Pierre's home heightens legitimate suspicions of impropriety. The City should consider an outright ban on awarding such grants to any entity or individual who is related or resides with an appointed or elected official.

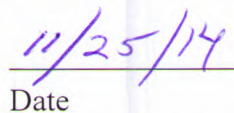

Manuel W. Diaz, COE Investigator


Breno Penichet, COE Investigator

Approved by:

Michael Murawski, Advocate


Miriam S. Ramos, Deputy General Counsel


Joseph Centorino, Executive Director


Date