



Miami-Dade Commission on Ethics & Public Trust

Report of Investigation

Investigator: Sylvia Batista

Case No: K14-069	Case Name: Pets' Voice PAC	Date Open:	CASE CLOSED Date: <u>11/20/14</u>
Complainant(s): Maria Lievano Cruz, Esq., Chief of Staff for Jose "Pepe" Diaz	Subject(s): Pets' Voice PAC	07/29/14	

Allegation(s):

On 07/29/14, the COE met with Marie Lievano Cruz, Esq., Chief of Staff for Jose "Pepe" Diaz (Cruz). Cruz informed that a campaign being conducted to unseat Commissioner Diaz utilized a disbanded political action committee, Pets' Voice, in the disclosure language of its political advertisements.

According to Cruz, Pets' Voice originally registered with the State of Florida Division of Elections in April of 2012 and was disbanded in October of 2012. Pets' Voice subsequently registered with the Miami-Dade County Department of Elections in October of 2012, and disbanded on 11/12/13.

Pets' Voice was formerly chaired by Michael Rosenberg of the Pets' Trust. Cruz explained that, regardless of its disbanded status, Pets' Voice claimed to have paid for a You Tube video asking members of the general public to run for office against the sitting incumbents of Districts 8 and 12 of the Miami-Dade County Board of County Commissioners. Additionally, subsequent political advertisements circulated in support of Daniella Levine-Cava, candidate for District 8, and Marjorie Figueira, candidate for District 12, included Pets' Voice in its disclosure language. Cruz added that Pets' Voice has been used in the disclosure language on mobile billboards circulated to promote the political campaigns of the aforementioned candidates. Lastly, Cruz informed that there is no active PAC registered under the name Pets' Voice in the Federal, State or County reporting systems.

Relevant Law:

Florida Statutes, Sections 106.03 Registration of political committees and electioneering communications organizations;
106.08 Contributions; limitations on;
106.09 Cash contributions and contribution by cashier's checks;
106.19 Violations by candidates, persons connected with campaigns, and political committees; and
106.143 Political advertisements circulated prior to election; requirements.

Document/Audio/Video Review:

- 07/28/14 – Print-out from the State of Florida Division of Elections reflecting status of Pets' Voice as a disbanded PAC.
- 11/02/12 – Letter to the Florida Department of State Division of Elections from Lindsay Gorton, Treasurer of Pets' Voice, advising that the PAC Pets' Voice has been closed and a county level PAC, also named Pets' Voice, has been opened.
- 10/16/12 – Letter to Michael Rosenberg, Chairperson of Pets' Voice, from the Chief of the Bureau of Election Records regarding the information received involving the disbandment of Pets' Voice.
- 10/10/12 – Statement of Organization of Political Committee of Pets' Voice with Miami-Dade Elections Department.
- 11/12/13 – Campaign Treasurer's Report Summary (CTR) filed by Pets' Voice in connection with its disbandment at the county level and disposition of funds.
- 06/27/13 – Articles of Incorporation of Pets' Voice, Inc. as a Florida non-profit corporation. Article Four 501(c)(4) restrictions states that Pets' Voice, Inc. "shall not participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office to an extent that would disqualify it from tax exemption under Section 501(c)(4) of the Internal Revenue Code."
- Screen shot of You Tube video political advertisement displaying disclaimer language stating that the advertisement is paid for by Pets' Voice.
- Copies from The Pets' Voice webpage showing political advertisements containing the disclaimer language stating that it was paid for by Pets' Voice.
- Facebook advertisements in favor of the aforementioned candidates without any disclaimer language.

- Additional advertisement in favor of Dr. Marjorie C. Figueira containing disclaimer language crediting the Pets' Voice.
- Advertising trucks with disclaimer language crediting the Pets' Voice.
- Candidate Report reflecting contributions to candidate Marjorie C. Figueira by Pets' Voice.
- 08/06/14 - Confidential Complaint filed by Juan Carlos Planas, Esq. with the Florida Elections Commission (FEC) against Pets' Voice on the subject allegations.

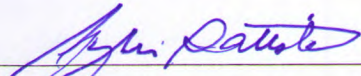
Investigation:

Interviews/Contacts

11/05/14 – Cruz was contacted and asked about the status of the matter. Cruz informed that the SAO did not file a complaint against Pets' Voice with the FEC. Subsequently, the COE was informed that attorney Juan-Carlos Planas filed the complaint with the FEC in August of 2014.

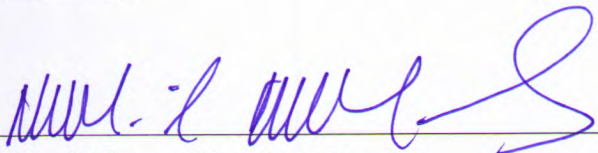
Conclusion(s):

Given that a complaint on the subject allegations was filed with the FEC by Attorney Juan Carlos Planas against Pets' Voice, no further action will be taken by the COE on this matter, and the case is closed.

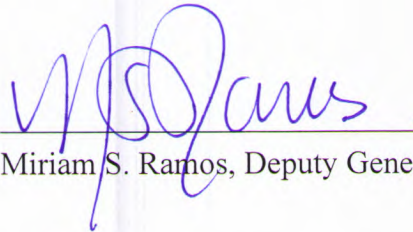


Sylvia Batista, COE Investigator

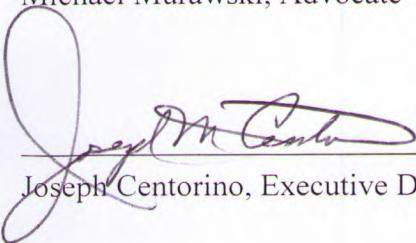
Approved by:



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

11/20/14

Date