

JOHN H. TAYLOR
DOB: 11/23/1944

AFFIDAVIT IN SUPPORT OF ARREST WARRANT FOR JOHN H. TAYLOR

1.) Your Affiant is Det. Gustave Bayas, a sworn Deputy Sheriff of the Miami-Dade Police Department (MDPD), located in and for Miami-Dade County, Florida, and Affiant Bayas has been a police officer for 27 years, having served 12 years as a homicide detective. He is currently assigned to the MDPD Public Corruption Investigations Bureau (PCIB), where he has worked for seven years and is lead public corruption detective for the present case involving the political campaign of Opa-locka Mayor MYRA L. TAYLOR. Affiant Bayas was assisted in investigation by Ross Karl Ross, an investigator with the Miami-Dade Commission on Ethics and Public Trust (COE). Mr. Ross is a Certified Fraud Examiner, and has been employed by COE for six years. He has conducted more than 150 ethics inquiries and has regularly assisted PCIB and the Miami-Dade County State Attorney's Office (SAO) with public corruption investigations such as the present case involving the Taylor campaign.

2.) Your Affiant, in consultation with SAO and with the assistance of other PCIB detectives, has conducted an investigation into the alleged criminal activities of the Myra L. Taylor Mayoral Campaign (hereinafter "the Taylor campaign" or "the Campaign") and its agents and officers, including the above-listed defendants: JOHN H. TAYLOR, the candidate's husband; ELVIRA V. SMITH, the candidate's sister; DEMETRIUS TAYLOR, the candidate's son. More

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specifically, your Affiant has investigated whether expenditures for campaign signs, mailers and other materials were made in accordance with Florida law, which requires that all campaign materials be purchased through an official campaign account and that all such transactions be duly reported.

- 3.) As a result of the investigation, your Affiant found that the Campaign received illegal subsidies totaling thousands of dollars from corporate entities linked to the candidate and her relatives – Vankara: A Learning Exchange Inc. (hereinafter “Vankara”) and New Beginnings of South Florida Inc. (hereinafter “New Beginnings”). Vankara is a private, for profit daycare center and charter school located at 13485 Alexandria Drive in Opa-locka, and is operated by Myra Taylor and members of her family. New Beginnings is a private, non-profit corporation controlled by Myra Taylor and members of her family and is located at 2398 119th Street, the same location as the Taylor family church, led by Rev. JOHN H. TAYLOR, the defendant. These unreported expenditures provided a material advantage to the Campaign and bolstered the efforts of then-candidate Myra Taylor to unseat the city’s incumbent mayor, JOSEPH L. KELLEY, and, as a result of her successful campaign, to vastly increase her influence over the affairs of the City of Opa-locka. Myra Taylor defeated KELLEY by a margin of 54 percent to 46 percent of the ballots cast on or before Election Day on Nov. 2, 2010.

4.) According to the investigation, these illegal contributions from Vankara and New Beginnings were used to purchase promotional materials and were made on behalf of the Campaign by DEFENDANTS JOHN H. TAYLOR and ELVIRA V. SMITH, giving your Affiant probable cause to believe the DEFENDANTS committed the offense of Making Contributions in Excess of \$500 in violation of Florida State Statute 106.08. Under state law, all campaign-related expenditures must be made from authorized campaign accounts and must be duly reported in campaign finance reports. Your Affiant found that the DEFENDANTS directed more than two such contributions to the Campaign, thereby incurring a felony violation of said statute (two or more illegal contributions).

5.) The investigation, with the help of covert recordings made by a cooperating witness, also found that the above-mentioned DEFENDANTS did conspire to and acted to conceal the illegal expenditures through the fabrication of false invoices purporting to represent expenditures made on behalf of the Campaign, and that said invoices were presented to law enforcement in response to a subpoena issued by the SAO on or about Feb. 25, 2011. Accordingly, your Affiant has probable cause to believe that DEFENDANTS JOHN H. TAYLOR, ELVIRA V. SMITH, and DEMETRIUS TAYLOR committed the offense of Fabricating Physical Evidence in violation of Florida Statute 918.13(1)(b); and the offense of Conspiracy to Tamper with Evidence in violation of Florida Statute 918.13(1)(a) and 777.04(3).

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6.) During the course of the investigation, SAC [redacted] issued subpoenas for campaign records, vendor invoices and financial documents relating to the Campaign and your Affiant have analyzed such documentation. Your Affiant also interviewed vendors, suppliers, consultants and others with knowledge of political campaigns, in general, and the Taylor campaign, in particular. The investigation also relied upon covert recordings made by a cooperating witness, who attended meetings arranged by representatives of the Campaign in order to discuss how best to falsify campaign records in order to conceal the improper payments from authorities. Accordingly, the following has been determined:

GENERAL BACKGROUND INFORMATION

7.) The candidate opened a bank account for her mayoral campaign in the City of Opa-locka at Wachovia Bank on or about July 2, 2010. She began receiving campaign contributions on or about Aug. 20, 2010, according to Campaign Treasurer Reports (CTRs) filed with the City of Opa-locka Clerk's Office. To ensure fairness and transparency and to comply with Florida law, all related contributions and expenditures must be recorded in these reports. At the time she was running for office, the candidate was employed by Vankara, which operates a for-profit daycare center and preschool on Alexandria Drive in the City of Opa-locka. Vankara is funded by a combination of government grants and private tuition, and keeps a separate bank account with Bank of America. The entity has also received cash deposits and donations from outside sources including individuals and companies doing business with the City of Opa-locka, your

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Affiant have learned. Details of such donations raise ethical questions and are not publicly reported.

8.) The investigation found that Vankara funneled a total of \$6,000 in unlawful campaign contributions to Graphic Images Inc., a printer of campaign materials based in Pompano Beach, Florida, that was hired by the Campaign to produce signs, mailers and other propaganda. It should be noted that Graphic Images billed the Campaign for more than \$11,000 worth of political materials delivered in connection with the 2010 Mayoral race in Opa-Locka, and that the remaining balance of about \$5,000 was paid for with legitimate campaign funds. Only the latter expenditures were reported in CTRs, unlike the expenditures made through Vankara that represented an illegal subsidy to the Campaign and which were not reported in the CTRs as required by law.

9.) The investigation found that New Beginnings of South Florida, another corporation with ties to Opa-Locka Mayor TAYLOR and her family, provided a further illegal subsidy in the amount of \$783.93 to the Campaign by paying for a political mailer on or about October 8, 2010. The mailer was prepared by The Campaign Super Store, located in North Miami Beach, Florida. Neither the mailer nor the corresponding expenditure was reported in the candidate's CTR.

PROBABLE CAUSE

CRIME: ILLEGAL CONTRIBUTIONS IN EXCESS OF \$500 (two or more)

F.S. 106.08(7)(b), 3rd Degree Felony

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10.) On or about September 23, 2010, the Taylor campaign made the first of a series of unlawful payments to Graphic Images for materials used in connection with the Opa-locka mayoral contest. On or about that date, Graphic Images received a payment of \$2,000 made on behalf of the Campaign on a Vankara company check (No. 1408). The check for "printing" was dated Sept. 23, 2010, and signed by ELVIRA V. SMITH, an officer with Vankara. SMITH, while the candidate's sister, is not an official representative of her campaign. The payment was concurrent with an invoice dated Sept. 24, 2010, from Graphic Images and representing the purchase of \$3,375.85 worth of campaign materials. A representative of Graphic Images told Affiant that the materials were purchased in connection with the Taylor mayoral campaign in Opa-locka, and that the check was delivered to the company by JOHN H. TAYLOR SR.

11.) On or about Oct. 4, 2010, the Campaign made three additional payments to Graphic Images improperly using checks from Vankara totaling \$4,000. The first was Vankara check No. 1411 for \$2,000, along with check No. 1412 for \$1,000 and check No. 1413 for \$1,000. The stated purpose of all three checks was "printing," and each check was signed by ELVIRA V. SMITH. The checks were issued days after the Campaign ordered an additional \$3,900 worth of campaign materials. A representative of Graphic Images stated that the materials were produced at the request of the Taylor mayoral campaign in Opa-locka, and that the checks were delivered to the company by JOHN H. TAYLOR SR.

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Records obtained from Bank of America for the Vankara account show that checks No. 1411 and No. 1413 – for \$2,000 and \$1,000 respectively – were returned for insufficient funds on Oct. 6, 2010. This caused representatives of the Taylor campaign to contact Graphic Images and make arrangements for a replacement check. Bank records show that JOHN H. TAYLOR made a \$4,000 cash deposit into the Vankara account on Oct. 6, 2010, for an alleged “loan” and that the following day a Vankara check (No. 1414) in the amount of \$3,000 was issued to purchase a cashier’s check payable to Graphic Images. The check from Vankara was signed by SMITH, who noted in the memo line that the check was intended to “redeem” checks No. 1411 and No. 1413. The cashier’s check for \$3,000 (No. 7700177) also stated that its purpose was to “redeem checks” and the remitter of said check was identified as Vankara.

13.) On Dec. 2, 2010, Affiant took a sworn statement from the production manager at Graphic Images who handled the Myra Taylor for Mayor Campaign account, GREGORY GUERRA. GUERRA advised that the above-listed payments were made in connection with political materials he produced for the Campaign, and that his company had not done any business with Vankara in 2010 and had no payments outstanding for previous orders. He said representatives of the Campaign were aware the payments from Vankara were improper and called a meeting to discuss the matter on or about Oct. 21, 2010. GUERRA said the meeting took place in the office of JOHN H. TAYLOR at his church on the 2300 block of Northwest 119th Street. He said that during the meeting he was advised

by TAYLOR and SMITH that the Vankara payments were improper and that GUERRA needed to "fix" the invoices to conceal the improper payments.

14.) GUERRA stated that he was instructed to prepare a set of false invoices to make it appear the Vankara payments were done for legitimate purposes. GUERRA said TAYLOR made what he considered a threatening remark by telling GUERRA that he (GUERRA) could "go to jail" for taking improper payments from Vankara and that "Lady Taylor would get a slap on the wrist," referring to his wife by her nickname. He said that during that meeting, JOHN TAYLOR called somebody whom TAYLOR identified as the Opa-locka City Attorney and that the individual identified as the City Attorney advised him that any invoices from Graphic Images would have to be compatible with payments from the campaign account and could not reflect the improper payments from Vankara. He said TAYLOR repeated the attorney's advice that "the flower must match the bud," in reference to the invoices from Graphic Images.

15.) Several days later, on or about Oct. 25, 2010, GUERRA received an email from SMITH requesting "quotes" relating to an alleged "marketing program that we are embarking on" for the Vankara School. GUERRA advised that no such marketing program had been discussed previously. He further advised that he believed the purpose of the email from SMITH was to provide a cover story for the \$6,000 worth of improper payments from Vankara made on behalf of the Taylor mayoral campaign. The day following the election of Mayor Taylor - Nov.

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3. 2011 GUERRA received a second such email from Safdie requesting "the quote for the Vankara School's marketing campaign." GUERRA advised, once again, that no such campaign had been developed and that he believed the request was intended to serve as a guise to cloak the illegal campaign payments.

16.) On or about April 7, 2011, your Affiant interviewed CHARLES SAFDIE, owner of The Campaign Super Store Inc. SAFDIE advised that he produced several mailers and/or campaign items for the MYRA TAYLOR campaign. He later provided invoices and other information showing that he produced three such items during the month of October 2010, and that the most expensive item was a campaign mailer promoting the candidacy of now Mayor TAYLOR touting her "accomplishments during my term as vice mayor." The back of the mailer purports to share TAYLOR'S "transparent vision for a better Opa-locka!" The item was prepared and mailed out to eligible voters at a cost of \$783.93, according to Invoice No. 100810003 of The Campaign Super Store.

17.) SAFDIE further advised that he was unable to authorize sending the TAYLOR item to be processed and mailed out because he had not received payment from the Campaign. He said that he was subsequently given a check made out to him personally for \$783.93 on an account other than the regular campaign account. He said he deposited the item at or about that time at a branch of Bank of America located on Northeast 125th Street in North Miami.

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18.) Your Affiant were subsequently able to verify that the payment in question was made using a check (No. 1024) from an account belonging, not to the Campaign, but to New Beginnings of South Florida – a corporation controlled by Mayor TAYLOR and other members of her family. The check was drawn on account No. 898041425319, and signed by ELVIRA V. SMITH. SMITH, who signed the Vankara checks, is also an officer in New Beginnings.

PROBABLE CAUSE

CRIME: FABRICATING PHYSICAL EVIDENCE, F.S. 918.13 (1)(b), 3rd Degree Felony

CRIME: CONSPIRACY TO TAMPER WITH EVIDENCE, F.S. 918.13 (1)(a) and F.S. 777.04 (3), 3rd Degree Felony

19.) On or about Feb. 25 2011, your Affiant served a subpoena against the Taylor campaign at the offices of Vankara and the subpoena was accepted by MARGARET SPANN, treasurer for the Campaign. The subpoena requested that the Campaign produce invoices and supporting documentation, including evidence of payments, for political items purchased from Graphic Images and other vendors. That same day your Affiant provided cooperating witness GUERRA with a palm-sized recording device that could be used to discreetly record phone conversations and meetings with representatives of the Campaign. GUERRA subsequently recorded conversations with the DEFENDANTS and others made on Feb. 26, March 1, March 2, March 3 and March 23. The covert recordings were then turned over to PCIB detectives for processing, reproduction and analysis.

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20.) GUERRA advised that on Feb. 26, 2011 – the day after the subpoena was served – he received a text message from phone number (786) 970-1996 at 3:54 p.m., stating: “Please call Bishop Taylor ... asap!” He said he returned the call that afternoon and spoke to JOHN TAYLOR, who after a short conversation put his wife, Mayor Myra Taylor, on the phone and that she and GUERRA had a short, cordial conversation. Mayor Taylor put JOHN TAYLOR back on the line with GUERRA and JOHN TAYLOR, after more small talk about local political issues, finally revealed to GUERRA the purpose of the contact. “The ethics board is after us again,” TAYLOR told GUERRA in reference to COE. TAYLOR went on to explain that authorities wanted copies of the Campaign’s invoices for signs and political materials, including those prepared by Graphic Images. “They want all the invoices for all the signs you put up,” he said.

21.) JOHN TAYLOR further advised GUERRA that he was trying to make sure the payments from the Campaign “all line up right” and are consistent with invoices from Graphic Images for the production of signs and other materials. At one point, TAYLOR acknowledges that the payments from Vankara would have been improper, stating: “If I did that ... then I can’t pay with Vankara checks.” TAYLOR went on to say that he didn’t want his wife to have any legal problems, further acknowledging the Campaign’s misconduct by stating his wife, by that time Mayor of Opa-locka, risked being removed from office: “She won’t get

slapped on the wrist ... She'll be coming out of office." TAYLOR then directed GUERRA to obtain copies of the Campaign's invoices for his review.

22.) TAYLOR arranged to meet with GUERRA to discuss the invoices, and GUERRA was instructed to go to his church on Northwest 119th Street on March 1, 2011. GUERRA arrived that afternoon and was received by SMITH and DEMETRIUS C. TAYLOR, who goes by the name of "CORLEON." SMITH advised GUERRA that the Campaign had received a subpoena from the State Attorney's Office "asking for all our, you know, invoices and supporting documents." SMITH further advised that she had discussed the matter with JOHN TAYLOR, and that she shared her concern with him because "I couldn't get my invoices to match." SMITH went on to tell GUERRA that she wanted him to produce a quote or estimate for a fictitious marketing campaign for Vankara that would justify the payment of \$6,000 during the mayoral campaign. During the meeting, JOHN TAYLOR entered the room and joined the discussion about how to straighten out the situation, calling the SAO subpoena "devastating."

23.) At one point during the March 1, 2011, SMITH acknowledges that she made the improper payment using Vankara's funds, saying she did so "in my zeal to keep us from having such a large bill" for campaign expenditures. SMITH then references again the fictitious marketing campaign, telling GUERRA: "Vankara was going to a marketing campaign program anyway. So give me an estimate for \$6,000 worth of stuff, maybe newspaper ads, billboards, whatever."

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24.) SMITH later told GUERRA and TAYLOR that "CORLEON did the math" and that the Campaign only paid Graphic Images roughly \$5,000 for \$10,000 worth of political materials. SMITH further suggested to GUERRA that he change "some of the invoices" to alleviate this discrepancy. They further discussed that a new set of invoices from Graphic Images would have to be created to keep investigators from discovering the improper payments from Vankara. JOHN TAYLOR asked GUERRA if he could provide the falsified invoices later that day, and GUERRA advised that he would try to have them by the following day. The next day – March 2, 2011 – GUERRA returned to the church and met with campaign representatives to go over the invoices and to devise a strategy for reconciling the invoices and improper payments.

25.) On March 3, 2011, GUERRA returned to the church on Northwest 119th Street where he met SMITH and DEMETRIUS TAYLOR in the office. The three discussed how best to falsify the invoices purporting to be from Graphic Images and, when they finished, TAYLOR printed out a final set of falsified invoices representing payments of \$5,035 from the Campaign. As GUERRA returned to his car with the set of false invoices, he was approached by JOHN TAYLOR, who thanked GUERRA for his assistance in the matter. Before they parted company, TAYLOR told GUERRA that he can still recall the "worst feeling" he ever had, which was to see his wife marched into a criminal courthouse wearing leg irons in connection with a previous Federal prosecution for tax evasion. TAYLOR said he

recalled calling her defense attorney and was glad he didn't have a gun, making a reference to late Miami City Commissioner ARTHUR TEELE, who famously committed suicide in the lobby of The Miami Herald: "Because if I had a gun, I wouldn't be like Arthur Teele. Everybody in that room would be dead."

26.) Afterwards, GUERRA told investigators that the elder TAYLOR'S remark about TEELE made him uncomfortable and that he felt the purpose of the anecdote was to further intimidate him and to ensure his complicity. GUERRA provided investigators with the set of falsified invoices produced at the church by ELVIRA V. SMITH and DEMETRIUS TAYLOR, which were identical to those turned into authorities on or about March 29, 2011, on behalf of the Campaign. GUERRA was later asked to examine a photo line-up prepared by detectives at PCIB, and he positively identified the above-mentioned defendants as being the individuals who were present at the time the covert recordings were made.

27.) On March 22, 2011, GUERRA was again contacted by representatives of the Campaign and asked to appear at the site of a billboard owned by the TAYLOR family and associates on the 13700 block of Northwest 27th Avenue in Opa-locka. When GUERRA arrived the following afternoon (March 23, 2010), he was met by DEMETRIUS TAYLOR, who asked whether he had been contacted yet by government investigators. GUERRA advised that he had not.

CONCLUSION

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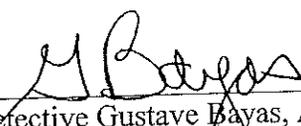
28.) It is submitted by your Affiant that, based on the foregoing, there exists probable cause to believe DEFENDANTS JOHN H. TAYLOR SR. and ELVIRA V. SMITH did act to facilitate, coordinate and direct unlawful contributions worth at least \$6,783 to the mayoral campaign of MYRA L. TAYLOR, who was elected Opa-locka Mayor on Nov. 2, 2010. Those payments were comprised of four (4) checks from the account of "Vankara: A Learning Exchange Inc.," and totaled \$6,000, plus one (1) check from New Beginnings of South Florida Inc. for \$783.93. DEFENDANT SMITH authorized said checks with her signature, and the checks were delivered to campaign vendors by JOHN TAYLOR. The above-named DEFENDANTS similarly intervened when two Vankara checks were returned for insufficient funds and a cashier's check was obtained from Bank of America, drawn against Vankara's business account. DEFENDANTS TAYLOR and SMITH, accordingly, violated Florida Statute 106.08 (7)(b) regarding knowingly making or accepting two or more campaign contributions in excess of \$500, a 3rd Degree Felony (1 count each).

29.) It is submitted by your Affiant that, based on the foregoing, there exists probable cause to believe that DEFENDANTS ELVIRA V. SMITH, JOHN H. TAYLOR SR. and DEMETRIUS TAYLOR knowingly, willfully and deceitfully prepared a set of false invoices purporting to represent expenditures by the Myra L. Taylor for Mayor political campaign, and that in doing so they violated Florida

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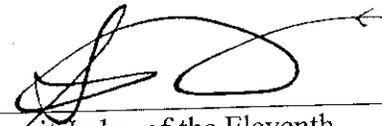
Statute 918.13(1)(a) regarding Tampering with or Fabricating Physical Evidence,
a 3rd Degree Felony (6 counts each).

30.) It is further submitted by your Affiant that there exists probable cause to believe these same DEFENDANTS actively conspired to tamper with evidence in violation of Florida Statute 918.13(1)(a) and Florida Statute 777.04(3), a 3rd Degree Felony (one count each).



Detective Gustave Bayas, Affiant
Miami Dade Police Department
Public Corruption Investigations Bureau

Sworn to and subscribed before me, this 9th day of FEBRUARY, 2012



Circuit Judge of the Eleventh
Judicial Circuit of Florida

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IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

Arrest Warrant for:

CASE NO.: 64-10-106

JOHN TAYLOR

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DOB: 11/23/1944

MOTION TO DETERMINE CONFIDENTIALITY OF COURT RECORDS

COMES NOW KATHERINE FERNANDEZ RUNDLE, State Attorney of the Eleventh Judicial Circuit of Florida, by and through the undersigned Assistant State Attorney, pursuant to Rule 2.420(f)(3), Florida Rules of Judicial Administration, and respectfully files the following Motion to Determine Confidentiality of Court Records, and in support thereof states:

1. This case involves court record(s), to wit: the Arrest Warrant and Affidavit for JOHN TAYLOR, that will reveal an active criminal investigation, to wit: Conspiracy.
2. Pursuant to Fla. R. Jud. Admin. 2.420(c)(6), copies of arrest warrants and supporting affidavits retained by judges, clerks, or other court personnel are automatically confidential and exempt from disclosure until execution of said warrants or until a determination is made by law enforcement that execution cannot be made. The State is requesting that the Arrest Warrant and Affidavit for JOHN TAYLOR remain sealed after execution of said warrant because there is an ongoing active criminal investigation that would be compromised by disclosure of the information contained in these records.
3. The grounds for determining that these court records are confidential is/are, pursuant to Fla. R. Jud. Admin. 2.420(c)(9)(A)
 - (i) to prevent a serious and imminent threat to the fair, impartial, and orderly administration of justice;
 - (iii) to protect a compelling government interest;
 - (v) to avoid substantial injury to innocent third parties;
 - (vii) to comply with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law.
4. The State, pursuant to Rule 2.420(f)(1)(A), Florida Rules of Judicial Administration, requests an in camera hearing on this Motion in order to protect the above stated interest(s).

5. The particular records that the State requests to remain confidential are this Motion to Determine Confidentiality of Court Records, the transcript of the proceedings thereon, the Arrest Warrant and Affidavit for JOHN TAYLOR, any Order entered on this Motion, and the progress docket or similar records generated to document this activity in the case.

6. The State requests that the following persons be permitted to view the confidential court records: Designated employees of the State Attorney's Office and Miami Dade Police Department Public Corruption Bureau.

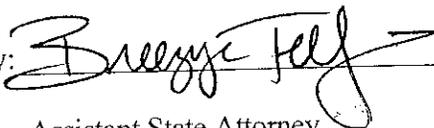
7. The State requests that any Order which this Court enters on this Motion expire upon arrest unless the State files a motion to extend the order prior to the expiration date. The State requests that any Order entered on this Motion stay in effect until the Court rules on the motion for extension.

8. The State submits that the degree, duration and manner of confidentiality which the State is requesting in this Motion due to the reasons set forth above, is no broader than necessary to protect the interests set forth above, and further submits that there are no less restrictive measures available to protect the interests set forth above.

WHEREFORE, based on the foregoing, the State respectfully requests that this Court grant its Motion to Determine Confidentiality of Court Records.

Respectfully submitted,

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY

By: 

Assistant State Attorney
Florida Bar # 18055
1350 Northwest 12th Avenue
Miami, Florida 33136-2111
(305) 547-0100

CERTIFICATE OF GOOD FAITH

I HEREBY CERTIFY that the foregoing Motion to Determine Confidentiality of Court Records has been made in good faith is supported by a sound factual and legal basis.

A handwritten signature in cursive script, appearing to read "Bryan Kelly", is written over a horizontal line.

Assistant State Attorney