

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

K #:12-067 Judy Waldman Campaign

Date Opened: Nov. 9, 2012

Date Closed: April 17, 2013

Name of investigator: Karl Ross

ALLEGATION: real estate developer Wayne Rosen (Rosen) made an improper campaign contribution to Homestead City Councilwoman Judy Waldman (Waldman) in connection with her 2011 re-election campaign. The allegation was subsequently confirmed.

BACKGROUND: On Nov. 26, COE Executive Director Joseph Centorino received a tip from Pat Pascuzzo, a Homestead activist and blogger, alleging that Rosen had made two \$500 contributions from the same company (Shores Development Inc.) to Walden's political campaign. Mr. Centorino directed this investigator to look into the allegation, as COE had previously audited the same campaign in response to a formal complaint against the Waldman campaign filed earlier that year (C12-21).

INVESTIGATION: A review of Waldman's campaign bank account records and Campaign Treasurer's Reports showed that \$500 contributions were made by Shores Development on June 10, 2012, and June 29, 2012. The first check was drawn on an account with Great Florida Bank. The second check was drawn on an account with BB&T. Both checks were signed by Rosen and

deposited into the Waldman campaign account. According to state corporate records, Rosen is identified as the sole officer and registered agent for Shores Development, active since 1950.

After verifying the allegation of a possible excess or duplicate contribution, COE contacted Rosen by email on or about Nov. 27, 2012, and asked him to respond to the findings. On Dec. 3, 2012, Rosen confirmed, via email, that he had written two checks on behalf of the same company, albeit from different bank accounts.

On or about Dec. 4, COE contacted Waldman and asked her to respond to the findings and Rosen's acknowledgement of the improper contribution. During a subsequent telephone interview, Waldman also acknowledged her campaign improperly accepted the two contributions from Shores Development. "It's not something I did intentionally," Waldman said, adding: "I try to do everything by the books." Her husband, Mervin Waldman, served as her campaign treasurer.

At or about the same time, Rosen made additional contributions to the Waldman re-election campaign using checks drawn on other business or personal accounts, some with similar names. These include checks for \$500 from Rosen (personally), "Wayne Rosen Inc.," "Shores Air Inc./ Shores Land Dev." The contributions were reported on the same CTR covering the period from April 1, 2011 to June 30, 2011.

CONCLUSION: The investigation found that Shores Development Inc. made campaign contributions to the Waldman re-election campaign totaling \$1,000. Under Florida Statute 106.08 subsection (1)(a) concerning *Contributions; limits on*, states in applicable part that: "... no person ... may, in any election, make contributions in excess of \$500 to any candidate for election to or retention in office or to any political committee ..."

The same statute in subsection (7)(a) states it is unlawful for any person to “knowingly and willfully” make or accept an improper or excessive contribution.

Based on the findings, that an improper contribution was made to the Judy Waldman re-election campaign from Shores Development Inc. in possible violation of Florida Statute 106.08 section (1)(a), and that the matter should be referred to the Florida Elections Commission for appropriate action.

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