

REPORT OF INVESTIGATION

K #: 10-154 Terence Pinder campaign

Date Opened: Oct. 1, 2010

Date Closed: Feb. 8, 2011

Name of investigator: Karl Ross
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ALLEGATION: It had been alleged that former Vice Mayor Terence Pinder's political campaign for the Opa-locka City Commission was being improperly subsidized by his employer, G.F.M. Operations. G.F.M. runs the Opa locka-Hialeah Flea Market [sic], and has an outstanding debt to the City in excess of \$250,000 for unpaid occupational licensing fees. According to sources, G.F.M. was supporting Pinder's campaign in order to forestall collections actions against the flea market and its owners.

INVESTIGATION: On or about Oct. 1, 2010, investigators for the Miami-Dade Commission on Ethics (COE) and the Miami-Dade police Public Corruption Investigations Bureau (PCIB), visited Opa-locka and corroborated information from sources that the Pinder campaign had posted political campaign signs throughout the City. While recording information about one sign on the corner of NW 22nd Avenue and NW 135th Street, an investigator was approached by Mr. Pinder himself and Pinder was advised as to the nature of the visit. During a subsequent conversation, Pinder did acknowledge that he had posted signs prior to the corresponding funds being raised by his campaign, a potential violation of Chapter 106 (Florida campaign finance law). He said that he had purchased the campaign materials on credit and was being given the usual 30 day grace-period to make payment. While in Opa-locka on that occasion, investigators did observe numerous diamond-shaped signs that lacked a political disclaimer as required by law, but Pinder advised that unknown parties had been removing stickers he had placed on those signs in order to comply with the legal

requirements. Investigators did find one such sign in which a white strip with a political disclaimer was partially removed, lending some credence to Pinder's assertion. On or about Oct. 19, 2010, investigators contacted Pedro Tortosa, owner of Print Order – Pinder's campaign vendor for political signage – and Mr. Tortosa advised that he had invoiced the Pinder campaign for the materials and that Pinder had subsequently paid with campaign checks. A copy of the invoice was obtained and it showed that Pinder made the order on or about Sept. 27, 2010, for 20 diamond-shaped signs, 6,000 full-color folding brochures, 5,000 door hangers and two large signs (4' by 6') – for a total of \$1,583.60 (\$1,480 plus tax). As of the date shown on the invoice, the Pinder campaign had a balance of \$260, according to his campaign finance reports. Sufficient funds to pay for said expenses were reportedly raised in the next seven to 10 days. So for a short time, at least, the campaign did incur expenditures without the corresponding funds being available in the campaign account, the investigation has shown.

Lastly, it should be noted that the address on the invoice (250 Sabur Lane, apt. 130, Opa-locka, FL 33054) is not the same address on Pinder's official campaign filings. That address is 941 Ali Baba Avenue, Opa-locka, FL 33054, and is rumored to be the home of an acquaintance or family member and not his actual residence. The address on the invoice corresponds to information about Pinder's current place of residence. This was brought to the attention of the Miami-Dade State Attorney's Office and it was decided that since both addresses are located within the city of Opa-locka, the matter did not warrant criminal investigation and could be dealt with as an administrative action. On Jan. 31, 2011, the Pinder campaign filed its final campaign or "termination" report.

CONCLUSION: The investigation did establish the Pinder campaign may have incurred in several violations of state election law, but did not establish an improper link between G.F.M. and the Pinder campaign. G.F.M. does owe the city approximately \$300,000, the

city attorney told investigators, but is seeking to resolve the issue through arbitration. The investigation did find that political materials were in fact paid for by the Pinder political campaign, albeit not strictly in the manner proscribed by state law, available information suggests. These findings could be referred to the Florida Elections Commission for further review if the Independent Ethics Advocate or some other individual or agency felt it were appropriate to do so.

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