



**Miami-Dade Commission on Ethics & Public Trust**

**Investigative Report**

**Investigator:** Karl Ross

<b>Case K15-039</b>	<b>Case Name:</b> Judy Waldman petitions	<b><u>Date Open:</u></b>	<b><u>Date Closed:</u></b>
<b>Complainant(s):</b> Lynda Bell, Steve Losner	<b>Subject(s):</b> Homestead Councilwoman Judy Waldman, Merv Waldman Mark Goodrich, et al.	June 25, 2015	<b>CASE CLOSED</b>

Date: 4/1/2016

**Allegation(s):**

It was alleged that Homestead City Councilwoman Judy Waldman and Moving Forward PC, a political committee led by Mark Goodrich, engaged in an illegal scheme to promote a charter referendum that would have served to exempt Councilwoman Waldman from term limits that, as presently construed, prevent her from seeking re-election this fall. Based on information provided by the above-named complainants, there is reason to believe Waldman, Goodrich and possibly others may have conspired to falsely witness hundreds of petitions signed by local voters in connection with the political campaign to amend the City's political charter.

During the course of the investigation, conducted jointly by COE and the SAO Public Corruption Task Force, it was learned payments to petition circulators were being made in cash and not reported to the Division of Elections, in possible violation of state electoral law.

**Relevant Ordinances:**

Florida Statute 104.011 *False swearing; submission of false voter registration information.—*

(1) A person who willfully swears or affirms falsely to any oath or affirmation, or willfully procures another person to swear or affirm falsely to an oath or affirmation, in connection with or arising out of voting or elections commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person who willfully submits any false voter registration information commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Florida Statute 104.091, *Aiding, abetting, advising, or conspiring in violation of the code.*—

- (1) Any person who knowingly aids, abets, or advises the violation of this code shall be punished in like manner as the principal offender.
- (2) Any person who agrees, conspires, combines, or confederates with another person to commit a violation of this code shall be punished as if he or she had committed the violation.
- (3) Any person who knows of a felony violation of this code and gives any aid to the offender who has violated this code, with intent that the offender avoid or escape detection, arrest, trial, or punishment, shall be punished as if he or she had committed the violation. This subsection does not prohibit a member of The Florida Bar from giving legal advice to a client.

## **Investigation:**

### **Interviews**

LYNDA BELL, former Homestead Mayor and Miami-Dade County Commissioner  
STEVEN LOSNER, former Homestead City Councilman and Vice Mayor  
June 25, 2015

During a meeting at the Miami-Dade State Attorney's Office, the above-mentioned individuals provided information regarding alleged electoral fraud relating to a petition drive that, among other things, would have served to exempt Councilwoman JUDY WALDMAN from existing term limits on her tenure as a city councilwoman and would have thereby enabled her to seek another term in office later this year. The complainants alleged the petition drive was concocted for her sole and exclusive benefit and that other issues relating to veterans rights and restrictions on public employment for elected officials after they leave office were mere window dressing. They said Waldman was first elected in 2001, and has held office for 14 consecutive years. Also present at SAO were Assistant State Attorney LUIS PEREZ, SAO Investigator MICHAEL D'AMBROSIA, COE Investigator KARL ROSS.

LOSNER, an attorney who served on the Homestead Council from 2001 through 2007, was appointed to the City's Charter Review Committee and helped draft changes leading to term limits for councilmembers adopted in 2002. The changes limited the terms on councilmembers to no more than 12 consecutive years. He said the "clock started running" on these limits in 2005 for Councilwoman Waldman. He said that because the changes were phased in for new districts, Councilwoman Waldman served a two-year term at the onset of this period and is not eligible to seek re-election later this year because, if elected to another four year term, she would exceed the 12-year limit. He said that Waldman is the only sitting city councilmember who could possibly benefit from the proposed language in the petition drive.

Losner and BELL stated that MOVING FORWARD PC was the political action committee behind the petition drive to assist Waldman in circumventing term limits. They identified the political director and chief paid consultant as MARK C. GOODRICH, who was also a consultant for the political campaign of Homestead Mayor JEFF PORTER. They advised the treasurer/ registered agent of MOVING FORWARD is ERNESTO MARTINEZ JR. The committee is located at 2655 LeJeune Road, Suite 323, Coral Gables, FL 33134.

They stated the PC was funded largely by CHARLES "PINKY" MUNZ of the Redland

Company, a Homestead construction firm, and WAYNE ROSEN, who runs numerous real estate ventures in South Dade. Both have had significant financial issues come before the Homestead City Council, and have funded various political causes and committees. The complainants stated Waldman supported Munz and Rosen on previous issues, and that because of this she was able to “strong arm” them into funding Moving Forward. Records on file with the Florida Division of Elections show the Redland Company and entities linked to Rosen contributed approximately \$40,000 to this PC, most of which was in turn paid to GOODRICH.

The complainants stated Waldman sought a verbal opinion on the matter as to whether she could seek re-election from City Attorney RICHARD WEISS, and was advised that under the present rules she would not qualify to run for office. They said petitions to enact the charter changes were received by the City Clerk’s Office several days before the June 17, 2015, City Council meeting, during which the proposed changes were discussed at length.

Complainants stated they identified and/or interviewed a number of possible witnesses to what they describe as a scheme to carry out electoral fraud in connection with the petition drive. They alleged petitions were falsely certified by individuals who did not, in fact, circulate the petitions, and that they falsified the petitions under oath (false swearing). The purported reason for this duplicity was that Waldman, her husband Merv, and others, including active members of the Homestead Police Department and former Homestead Mayor and Miami-Dade County Manager ROY (STEVE) SHIVER JR, circulated petitions, but the aforementioned individuals did not want to be linked to the drive since Councilwoman Waldman was the primary, if not exclusive, beneficiary of the changes and would want to keep her involvement hidden.

Bell stated she requested copies of the petitions from City Clerk ELIZABETH SEWELL, but was told it would cost \$713 to make copies of the roughly 3,300 petitions. Note that about 1,000 of those were rejected by the Miami-Dade Elections Department because the signature did not match the one on file or for other reasons – i.e., voter moved outside district.

Bell and Losner stated they had spoken to several individuals who signed petitions and now felt that they had been tricked into supporting the measures contained therein. She identified one such voter as PEGGY JACOBSEN, of 405 NW 21<sup>st</sup> Street, Homestead, FL 33030, who is a neighbor of Councilwoman Waldman in the Villages of Homestead development. They said Jacobsen advised that a Homestead police detective, VON GRANT, asked her to sign the petition at her place of business, Jacobsen Antiques. They said Jacobsen was shown a copy of her petition, witnessed by CARELIZ SANDIFER, of 24925 SW 127<sup>th</sup> Ct., Homestead, FL 33032, as the circulator. Jacobsen advised Det. Grant was the one who got her to sign the petition. She subsequently filed an affidavit withdrawing her signature.

A second witness was identified as former Homestead Councilwoman NAZARIA (NAZY) RAMALLO SIERRA, who stated Waldman stopped by her home and asked her, her husband FELIPE SIERRA, and their two grown sons to sign the petition. They said Sierra stated Waldman told her she had been “cheated” out of a final term on the Homestead Council. She said Waldman’s husband, MERV WALDMAN, was also present. The Sierras live at 2611 NE 41<sup>st</sup> Place, Homestead, FL 33033 (Waterstone). Sierra’s petition was certified, not by either Waldman, but by a YAZMIN CUELLAR, of 9545 SW 132 Street, Miami, FL 33157.

The complainants also stated Waldman likely received assistance from members of a law enforcement non-profit called Project S.O.S., an acronym for "Start Off Smart." She said the organization is headed by SANDRA (SANDI) NANNI. They suggested that because Waldman regularly supports Project S.O.S.'s funding requests through the Homestead Community Reinvestment Agency and other City sources, that Nanni and her staff may have been coopted by Waldman to assist with the petition drive. They further advised Nanni's husband, ART NANNI, ran for Cutler Bay mayor and Goodrich was his advisor. They further advised that in addition to Det. Grant, several other police officers circulated petitions on behalf of the Waldman petition effort: BRYCE BARKER, CHIP BECKER, TOM MEAD. They further stated Steve Shiver's adult daughter, ASHLEY SHIVER, circulated petitions.

Bell told investigators she personally interviewed one of the suspects, Sandifer, and that Sandifer admitted she did not witness any of the petitions she certified. She said Sandifer told her Goodrich gave her a stack of about 300 petitions to sign, and that she was paid \$2 per petition. She said that during the time she was signing the petitions, Councilwoman Waldman entered the room on at least two or three occasions. They said that in addition to Sandifer, other names listed as circulators on the petitions included Cuellar, ASHLEY DUDAS and EMILY CAPETTA. They said Cuellar has been linked to Moving Forward PC.

The complainants stated that MARY BREEDING was also known to be circulating petitions at Keys Gate after being told by a member of the homeowners association, KEVIN SULLIVAN, that she was not allowed to circulate the petitions in Keys Gate, a private community. Bell said she did not see Breeding's name on any of the petitions.

On July 2, 2015, investigators took a sworn statement from former Homestead Councilwoman NAZARIA (NAZY) RAMALLO SIERRA at the South Dade Government Center. Investigators D'AMBROSIA and ROSS were present, along with ASA PEREZ.

Ms. Sierra advised that on the afternoon of June 4, 2015, she and her husband, FELIPE SIERRA, signed petitions at the request of Councilwoman Waldman. This happened, she said, following a chance encounter with Waldman and her husband, Merv, at a medical office near Homestead Hospital, under the portico or drop-off area of what was later identified as the Portofino Professional Center. Ms. Sierra said she accompanied her husband there on business, as he received a call by the property manager, CHARLES GUGLIUZZA, to look at uneven brick pavers in the driveway that caused a visitor to trip and complain.

After they arrived, Ms. Sierra stated she saw Judy and Merv Waldman, and that Merv was holding a clipboard. She said she said hello to Mrs. Waldman, with whom she served on the Homestead City Council from 2007 to 2009. She said she and Waldman were not political allies, but that she had nonetheless maintained a cordial relationship with her. During the course of the conversation, Ms. Sierra said she asked the Waldmans about the petition. "I go, 'What's that all about?'" She said Councilwoman Waldman responded by telling her that she was seeking to change the City's term-limit rules because she lost two years as a result of past redistricting and wanted to get those years back so that she could remain in office. She said Waldman told her that a lot of people were trying to help her, and briefly mentioned the other

items on the petition, such as the measure relating to the rights of former military. She said Councilwoman Waldman then left to attend a medical appointment at the center.

Ms. Sierra said she did not carefully read the petition, and signed it anyway. She said she signed the petition and gave it to Merv Waldman. She said she called over her husband, Felipe, and asked him to sign the petition to help the councilwoman. She said she saw her husband sign the petition and give it to Merv, and she then used her phone to call her two sons – MICHAEL SIERRA, 19, and PHILIP SIERRA, 22 – and asked them to respond to the medical center to sign the petitions on behalf of Councilwoman Waldman. She said she did not personally witness her sons sign the petitions, but did fill out the forms in their names. She said she could not verify their signatures on the copy of the petitions provided by investigators, stating their signatures were highly variable. She did confirm her husband's signature.

Ms. Sierra stated that the only other people in the vicinity at the time she and her husband signed the petitions were Gugliuzza, the property manager, and a female assistant, whom she described as black, heavyset and middle aged. She said she had no idea who YAZMIN CUELLAR is, when shown a copy of her petition that Cuellar signed as the circulator. "That person" – Cuellar – "did not witness my signature or my husband's ..." she said.

Ms. Sierra stated that about one week after the encounter with the Waldmans, she received an urgent text message from former Homestead Mayor Lynda Bell. She said that she pulled over her vehicle to call Bell, and that Bell expressed surprise that she had signed Waldman's petition since she and Waldman were not political allies for the most part. Sierra said that Bell stated to her that Waldman misled her about the purpose of the petition, and wanted to know the details of their encounter. She said that Bell later asked her to go before the City Council and denounce the petition effort but that she refused to do so. She said she later agreed to provide Bell with an email account of what happened, which she confirmed she provided to Bell on or about June 17, the day of the City Council meeting in question.

Ms. Sierra said she was reluctant to get further involved in Homestead politics because of alleged harassment she and her family suffered following her defeat to now Councilman Elvis Maldonado in 2009. She said she received threats and harassment from local police officers, whom she believes were acting at the direction of former Mayor STEVEN BATEMAN. She said she promised her family that she would not run for public office again.

Ms. Sierra stated she lives in the Stonebrook section of the Waterstone Community, and that her husband is the president of the Stonebrook Homeowners Association. She said she and her husband own a driveway paver company called Sierras 'R' Us.

On July 9 2015, SAO Investigator Michael D'Ambrosia and ASA Luis Perez-Medina took a sworn statement from potential witness Peggy Jacobson, 405 NW 21<sup>st</sup> Street, Homestead, FL. A report was filed by D'Ambrosia, a copy of which will be added to the file.

JACQUELINE MORALES, petition circulator  
7271 NW 174<sup>th</sup> Street, Hialeah, FL  
July 14, 2015

JACQUELINE MORALES returned a phone call to COE Investigator Ross at about 10 a.m., and stated she was in Texas on a campaign-related assignment. She confirmed that she participated in the Homestead petition drive at the request of MARK GOODRICH, and that she also took direction from Councilwoman JUDY WALDMAN. She said she personally witnessed all the petitions she signed or certified. However, she stated that on one occasion a Hispanic woman in her mid-30s who worked at the main office asked her to sign a stack of petitions that she had not circulated and that she declined to sign them. She said the woman – whom she described as having “dark hair, pulled back” – didn’t seem to think she was asking her to do anything improper. She said the woman told her Goodrich wanted her to sign them. “She said Mark told her to ask me to sign them,” Morales said of the petitions. She said she did not know the woman’s name, but that it was her job to “validate” petitions.

Morales stated she also saw Councilwoman Waldman at the campaign office on the corner of Krome Avenue and about 1<sup>st</sup> Street in downtown Homestead. She said Waldman “arranged” for her to go to a senior center on SW 167<sup>th</sup> Avenue and another main road she thought might be Canal Road or Canal Street that ran along a drainage canal. Morales said that she went to the center, but was not allowed to meet with residents. She said the director of the facility – a woman named Cynthia – told her she wouldn’t allow her to circulate petitions unless she got a call from Waldman herself. Morales said she advised Waldman, and that the councilwoman called the director and that she was subsequently allowed to circulate petitions. She said that she was initially paid \$2 per signed petition, but that as the deadline for submitting the charter amendment approached the price was increased to \$4 per signed petition.

Morales stated she would return to Miami in a week or two, and would contact investigators at that time to provide a formal statement. She said she would then be leaving soon after that for another campaign-related job in Missouri, but that she was willing to cooperate.

On Sept. 14, 2015, Ms. Morales provided a voluntary sworn statement at SAO in the presence of this investigator and SAO Investigator D’Ambrosia. She provided a statement consistent with the information provided during the initial telephone interview. She further advised that when the woman at the campaign office asked her to sign the circulator portion of the petitions, she estimated the number of unsigned petitions at approximately 100.

She said she declined to sign the petitions, and the woman told her to speak to Mark Goodrich. She said she knew, based on her experience and reading of the language in the circulator’s portion that it would have been inappropriate for her to sign if she did not witness the signatures. She said she worked on the Homestead campaign from about March 10 to the end of April. During the statement she positively identified Mark Goodrich from a photo array, as she also did for Merv Waldman. She was unable to identify Judy Waldman from a photo array. She also positively identified Careliz Sandifer as the office worker who asked her to sign the petitions. She said she could not recall her name, but stated she thought it started with a “Y.”

She stated that she reported to Goodrich, and that she saw him training other circulators at the

office. She said Goodrich asked her to review petitions where he suspected fraudulent signatures. She also stated she felt that Goodrich was worried about failing to meet the required number of signatures since many of the petitions had to be discarded because the voters did not live within the boundaries of Homestead proper.

She said she felt Goodrich was disorganized when it came to advising the workers as to the complexities of this aspect of the campaign. With respect to Judy Waldman, Morales said she met her on a couple of occasions, and that she helped provide maps and walk lists. She said it was difficult to obtain a large number of valid petitions on any given day, and that it was not cost-effective for her to work on the campaign when considering the amount spent on gas to travel to Homestead. She said she mainly continued to work on the campaign because she didn't have anything else to do at that time and because Goodrich seemed desperate for experienced help and kept contacting her and asking her to help with the campaign.

CARELIZ SANDIFER, campaign worker for petition drive

Phone: [REDACTED]

July 14, 2015

SANDIFER provided a tape-recorded, sworn statement at the home of a friend in the presence of SAO Investigator D'AMBROSIA and COE Investigator ROSS. She advised she learned about the campaign from a friend working as petition circulator, KEVIN CHAMBLISS and, at the request of investigators, provided his cell phone number, (815) 981-0940. She said she went to see MARK GOODRICH about working on the campaign, but was not interested in going out and circulating petitions. She said she was hired, instead, to work at the campaign office validating the petitions on a program called Web Elect.

SANDIFER said the program allowed her to match personal identifiers for the voters with other information to determine whether they are eligible – i.e., are registered and live within the Homestead city limits. She said she tried to keep piles from each of the circulators organized. She said many of the petitions were not signed by circulators, but could not estimate a percent – though she thought it was less than half of them. She said that toward the end of the campaign, the stacks of petitions became disorganized. She said there was no protocol to review the petitions upon delivery to ensure they were signed by circulators. She said Goodrich stressed she should leave the bottom part of those petitions blank.

Sandifer said she was the only campaign employee to work at the office on Krome Avenue, along with Goodrich, and that the other circulators would show up mainly to deliver their petitions. She said the circulators were paid \$2 per signed petition upon delivery, though Goodrich would pay certain circulators whom he considered to be “the go-getters” as much as \$4 per petition. She said that Goodrich frequently made disparaging remarks about some of the circulators, but that there were a few that he was very complimentary about, including a woman who worked on a lot of out-of-town campaigns. She said she could not recall the woman's name, but said she often remarked about her wearing flip-flops.

With respect to the unsigned petitions, Sandifer stated that on at least two occasions, Goodrich told her to sign stacks of about 100 to 150 petitions as the circulator/ witness. She said she did not realize she was doing anything improper, and was only following orders. “He said I want

you to sign these. ... Mark, Goodrich. I felt that it was part of what I was supposed to do. I was following instructions.” She said she signed close to 300 petitions she did not witness, though she said that she did sign about 60 petitions where she did witness the signatures. She said this happened toward the end of the petition drive, perhaps some time in April.

Sandifer said she worked part-time from about 10:30 a.m. or 11 a.m., until 3 p.m. or 6 p.m., and that some days she just worked afternoons – 2 p.m. to 5 p.m. She advised that in addition to Goodrich and the circulators she also would see Councilwoman WALDMAN. She said Goodrich was in charge of the operation. She said she recalled seeing Waldman on only two occasions, and that she and her husband, MERV, were usually asking Goodrich about which areas or neighborhoods they should be canvassing and were consulting maps of the city. She said she did not have any conversations with the councilwoman beyond saying hello.

Sandifer said she was not aware of any circulators turning in forged signatures, but she did recall Goodrich was worried about meeting the targets for putting the measures on the ballot. She said that Goodrich on occasion might have to go out and circulate petitions himself to meet the targeted number of petitions. She said she was not aware of petitions being turned in by Waldman or police officers, though she did hear that police officers were involved in the campaign. “There were a lot of [petitions] that were unsigned, and [Goodrich] would say he needed to contact [the circulators] so they could come in” and sign them.

Sandifer recalled that on one occasion, Goodrich asked her to give a stack of unsigned petitions to “the lady that got a lot of petitions signed” – i.e., the woman who wore flip-flops – and that Goodrich asked her to ask the woman to sign as circulator. Sandifer said she presented the woman with a stack about a half inch thick, and asked the woman to sign them in the circulator’s portion of the petition, but that the woman did not sign them. She said the woman made a comment about getting to them later, and never did. She said she assumed the woman had circulated the petitions herself and that she didn’t realize Goodrich had asked her to ask the woman to do anything that might be improper or illegal.

Sandifer said she knew most of the petition circulators – including three named Ashley. She said she never met Yazmin Cuellar, though she saw her name on many petitions. She stated she never saw Steve Shiver at the campaign office. She further stated that she received approximately 20 text messages from Goodrich during the course of the campaign from his cell phone, providing the number (305) 244-4393. She agreed to forward the text messages to investigators. She expressed her willingness to offer further cooperation.

At about 2 p.m., investigators D’Ambrosia and Ross visited Unit K at 980 Constitution Drive in Homestead in search of circulators Kevin Chambliss and TINA WIGGINS. They were greeted by a woman who indicated she had been renting the unit for exactly one month, and that she did not know Chambliss or Wiggins. She suggested her landlord, “Chad,” might know something about them and agreed to forward contact information to him.

At about 2:25 p.m., investigators went to the home of circulator ROBERTO GORRESTIETA, at 15770 SW 294<sup>th</sup> Ter., Homestead, and spoke to a woman who said she was his mother. She said Gorrestieta was working, but would not state when she expected him back. She said he did live there, and agreed to provide him with contact information upon his return.



At about 2:45 p.m., investigators went to the home of circulator ASHLEY DUDAS, and were told that Dudas was out of town until Friday, but that she had class over the weekend. A young woman who appeared at the door to the home agreed to leave contact information.

At about 3 p.m., investigators went to the home of circulator EMILY CAPETTA, at 28804 SW 150<sup>th</sup> Ave., Homestead, and attempted to make contact with Capetta. Loud music could be heard from the residence, and investigators knocked repeatedly to get her attention. An online check was conducted, and the vehicle in her driveway was registered in her name. A card was left on her door after the subject failed to respond to knocking on her door and window.

ASHLEY DUDAS, campaign worker  
July 20, 2015

Dudas, 19, was interviewed at her father's home in Cutler Bay by investigators D'Ambrosia and Ross. She agreed to provide a tape-recorded sworn statement, which began at about 11:15 a.m. She advised she became involved in the Homestead petition drive at the suggestion of her best friend, YAZMIN CUELLAR, who was able to save enough money from working the campaigns to buy a truck. She said Cuellar had worked on several political campaigns at the direction of GOODRICH, including the ED MACDOUGALL campaign for U.S. Congress.

She said she was contacted by Goodrich in late February or early March and started on the Homestead petition drive soon after. She said that for the first few weeks, she and Cuellar canvassed homes for signatures and would always work together since they did not feel safe, as young women, going to people's homes alone. She said that, on average, they would collect 8-10 signatures a day and were paid \$3 for each, which they split. She advised that she was not as comfortable as Cuellar talking to voters. She further advised that, after a while, they were getting fewer and fewer petitions and were disheartened. She said that Goodrich asked them to work in the office and paid them \$10 an hour to assist. She provided a number for her friend, Cuellar, as (305) 878-8251.

Dudas said she and Cuellar sorted petitions and reviewed them for accuracy on Web Elect. She said she was advised it was okay to fill out the voter information, but not the signature and name. She said she was advised to tell voters not to sign the circulator's portion. She said she worked at an office on Krome Avenue in downtown Homestead, and that a middle-aged Hispanic woman also worked there, but that Goodrich later dismissed her from the campaign. She advised that after about April, she and Cuellar only did office work and did not collect any further signatures in the field. She estimated that they legitimately collected about 100 signed petitions, and stated that the overwhelming majority of petitions that she and Cuellar signed were signed in the office or in their respective homes and that they did not witness the voters in those occasions signing the petitions. She estimated that more than 1,000 petitions were falsely witnessed in this manner, which they did at Goodrich's direction. She advised that she never read the text in the circulator's portion and just filled in the blanks.

Dudas said that, initially, Goodrich tried to keep the petitions organized by circulator, but that later in the campaign Goodrich became "confused" about who brought in them in, and "he

would ask us to sign them.” She said Goodrich would also have them fill out the notary portion of the petitions, and that he would drop off stacks of petitions with the notary, usually at a Wendy’s near the Walmart in Florida City. She noted that the last few weeks of the campaign “was a hustle” because such a high number of the petitions submitted to Miami-Dade Elections was rejected, and that Goodrich was under pressure to succeed.

Dudas said “the mayor” of Homestead visited the office on at least two occasions to talk to Goodrich, and that she and Cuellar also worked at a party for the mayor’s campaign at the Homestead-Miami Speedway. She said also recalled Goodrich saying that “the councilwoman was upset” with him because of the lack of progress in gathering signatures. She said that several of the men gathering signatures were from out of town and that Goodrich put them up in hotels. She also noted that an older woman and her husband were also collecting signatures, and that the woman would usually stay in the car while the husband delivered petitions. She also said SANDI NANNI of Project S.O.S. assisted gathering petitions, and that she accompanied Goodrich to the offices of Project S.O.S. on one occasion for about four to five hours. She said that many of the petitions gathered by S.O.S. were blank in the circulator portion. She also said that the older gentlemen who worked with his wife (thought to be Councilwoman Waldman and husband, Merv), turned in a number of petitions that Goodrich were signed by police officers. She said Goodrich told them that because they were signed by police officers, it was okay to sign and witness them as circulators. She described the older man as about 5’ 10” with short, white hair and medium build.

Dudas said Goodrich was emphatic that he didn’t want forged signatures, but that one of the circulator brought in petitions that looked forged and those were discarded. She said that Goodrich kicked some people off the campaign for this reason. She said that in addition to the people from out of town, Goodrich found people on Craigs’ List to work on the campaign. She said she recalled one occasion when four people came to the office to meet with Goodrich, including the mayor (Jeff Porter), the councilwoman (Judy Waldman), another man (possibly Merv Waldman) and a fourth person, whose sex or description she could not recall.

She said she knew they were discussing the petition drive because they kept talking about how many petitions they had. She said she remembered toward the end of the campaign Goodrich kept talking about not wanting to hear the city councilwoman get upset with him. She said that the last communication she had with Goodrich was him stating they had “made the goal” and had enough signed petitions, and that he was going to take a week off before getting back to work on the next phase of the campaign. She said that she didn’t hear from him after that. She said Cuellar later told her that Goodrich called her to say they should meet to talk about the investigation. She said that she told Cuellar she didn’t want to get involved further, and that Cuellar told her she wouldn’t meet with him either, unless they both went to the meeting.

Investigator D’Ambrosia administered a photo lineup, and Dudas picked out Goodrich, saying, “This is Mark.” She also picked out a photo of Councilwoman Waldman and stated, “This is the lady. I think she was a circulator. ... This may have been the woman whose husband got the police signatures.” Again she estimated that she and Cuellar signed more than 1,000 petitions they did not personally witness, sometimes taking them home to sign at their leisure. She said that sometimes they would be given stacks of as many as about 300 petitions.

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Dudas said “the mayor” of Homestead visited the office on at least two occasions to talk to Goodrich, and that she and Cuellar also worked at a party for the mayor’s campaign at the Homestead-Miami Speedway. She said also recalled Goodrich saying that “the councilwoman was upset” with him because of the lack of progress in gathering signatures. She said that several of the men gathering signatures were from out of town and that Goodrich put them up in hotels. She also noted that an older woman and her husband were also collecting signatures, and that the woman would usually stay in the car while the husband delivered petitions. She also said SANDI NANNI of Project S.O.S. assisted gathering petitions, and that she accompanied Goodrich to the offices of Project S.O.S. on one occasion for about four to five hours. She said that many of the petitions gathered by S.O.S. were blank in the circulator portion. She also said that the older gentlemen who worked with his wife (thought to be Councilwoman Waldman and husband, Merv), turned in a number of petitions that were signed by police officers. She said Goodrich told them that because they were signed by police officers, it was okay to sign and witness them as circulators. She described the older man as about 5’ 10” with short, white hair and medium build.

Dudas said Goodrich was emphatic that he didn’t want forged signatures, but that one of the circulator brought in petitions that looked forged and those were discarded. She said that Goodrich kicked some people off the campaign for this reason. She said that in addition to the people from out of town, Goodrich found people on Craigs’ List to work on the campaign. She said she recalled one occasion when four people came to the office to meet with Goodrich, including the mayor (Jeff Porter), the councilwoman (Judy Waldman), another man (possibly Merv Waldman) and a fourth person, whose sex or description she could not recall.

She said she knew they were discussing the petition drive because they kept talking about how many petitions they had. She said she remembered toward the end of the campaign Goodrich kept talking about not wanting to hear the city councilwoman get upset with him. She said that the last communication she had with Goodrich was him stating they had “made the goal” and had enough signed petitions, and that he was going to take a week off before getting back to work on the next phase of the campaign. She said that she didn’t hear from him after that. She said Cuellar later told her that Goodrich called her to say they should meet to talk about the investigation. She said that she told Cuellar she didn’t want to get involved further, and that Cuellar told her she wouldn’t meet with him either, unless they both went to the meeting.

Investigator D’Ambrosia administered a photo lineup, and Dudas picked out Goodrich, saying, “This is Mark.” She also picked out a photo of Councilwoman Waldman and stated, “This is the lady. I think she was a circulator. ... This may have been the woman whose husband got the police signatures.” Again she estimated that she and Cuellar signed more than 1,000 petitions they did not personally witness, sometimes taking them home to sign at their leisure. She said that sometimes they would be given stacks of as many as about 300 petitions.

YAZMIN CUELLAR, campaign worker  
July 20, 2015

In a tape-recorded sworn statement at her home in Cutler Bay, Cuellar, 19, provided information to investigators Ross and D'Ambrosia about the Homestead petition drive she recently worked on along with her friend, Ashley Dudas. The statement began at about 2:35 p.m. Cuellar's grandparents were present. She began by providing background information consistent with that provided by Dudas during her statement that same day. She stated the petition drive was run by Goodrich, but added: "Obviously, the mayor of Homestead was part of it," suggesting he helped provide the campaign office on Krome Ave. She further stated that Goodrich expected to work on the mayor's re-election campaign after the petition drive. She said that circulators were given maps for areas to canvass, and that they provided copies of their drivers licenses for the notary. She said the going rate was \$2 per signed petition.

Cuellar said she and Dudas initially worked in the field gathering signatures, and that Dudas would usually drive while she went door to door. She said that her parents didn't think it was worthwhile for her to drive to Homestead and spend money on gas, considering how little they were making on the petition drive. She said that Goodrich offered to have them work in the campaign office because he said he felt he could trust them. She said she and Dudas turned in about three "rounds" or batches of petitions they collected in the field, and that this amounted to about 100 petitions all together. She said that after they began in the office, they used the Web Elect program to validate the petitions, and did have some suspected forgeries from a circulator named Josh. She added that "a lot of people weren't filling out the circulator part, so we had to fill out the circulator portion." She said she and Dudas did this at Goodrich's direction. "It was both of us because we were the only circulators in the office," she said.

She said they both signed more than 100 petitions they DID NOT witness, noting that the unsigned petitions would pile up in the office and that Goodrich instructed them to sign as circulators. She said that about 30 to 40 percent of all petitions were not signed by circulators, though the number was below 50 percent and probably at least one third of the total. She said Goodrich gave instructions for circulators not to fill out the notary portion of the petition, and that, furthermore, they should not allow voters to sign the circulator portion. She said that, when Goodrich instructed her and Dudas to sign as circulators for petitions they did not witness, at no time did he tell them they were doing anything improper and could get in trouble. She said she trusted Goodrich and it did not occur to her anything was amiss.

Cuellar confirmed Goodrich contacted her the previous Friday (July 17) and told her about the investigation, and suggested they meet. He called from (305) 244-4393 at 11:55 a.m. She said she did not respond to his request and has not heard from him since then.

She noted that a middle-aged Hispanic woman also worked at the office. She said the mayor would sometimes stop by to talk to Goodrich about his upcoming campaign. She said she and Dudas worked an event for the mayor at the speedway, as hostesses and signing people in as they arrived. She said the event was a fund-raiser for his re-election campaign.

Roscoe Warren, former mayor/ petition circulator  
1689 S. Goldeneye Ln., Homestead, FL  
Aug. 5, 2015

On the above date, investigators D'Ambrosia and Ross interviewed former Homestead Mayor Roscoe Warren at his home in the Villages of Homestead residential development. He agreed to a voluntary interview, which was tape recorded by SAO Investigator D'Ambrosia.

With respect to the petition he signed, Warren advised that he signed it at the request of Judy and Merv Waldman and that, furthermore, he circulated numerous petitions among his family members and returned about 15 of those petitions to the Waldmans' residence. He reviewed a copy of the petition form dated March 26, 2015, and verified his signature. He said he signed the form after the Waldmans visited his home one evening along with a neighbor from across the street (referred to as "Mrs. Mueller") and a fourth individual he did not recognize – a middle-aged white female in her 40s or early 50s. He said he discussed the petition with Judy Waldman, with whom he served on the Homestead City Council, and said he knew the reason for it without any lengthy explanation on her part – to allow her to run for an additional term in office. He said he was familiar with the charter changes that impeded her from doing so.

Warren said he was friendly with the councilwoman and sympathetic to her cause. He said he signed the petition and gave it to Merv. He said the Waldmans asked him if he was willing to circulate additional petitions among friends and family, and he agreed. He said Merv gave him a stack of petitions, and instructed him not to fill out the circulator's portion of the form, just the voter information and signature. He said he followed Merv's instruction, and obtained signatures from about 15 members of his family and others. He said that among those who signed the forms were his sister, MALLIE GRAHAM, and a friend, ANTONIO TANNER. He said he returned the forms to the Waldmans by leaving them in their mailbox.

Asked if he knew who Yazmin Cuellar was – the individual who signed the circulator's portion of the petition he signed – Warren said he did not. (Note: The unidentified female who accompanied the Waldmans does not match Cuellar's physical description.)

Mark Goodrich, subject of investigation  
Interview at Days Inn motel, Homestead  
Sept. 29, 2015

Investigators D'Ambrosia and Ross contacted Mr. Goodrich through the front desk at about 10 a.m., and requested a meeting. Goodrich consented to a voluntary statement/ interview in the break room of the motel to discuss his involvement with the Homestead petition drive.

Goodrich advised that he had been made aware of the investigation a couple of months back, and wanted to clarify any concerns. He said he was willing to discuss his involvement in the campaign, but refused to discuss the alleged involvement of City Councilwoman Judy Waldman or any other public officials. He said the petition drive was his idea, and that he alone wrote the language of the three proposed charter amendments. "I wrote it. I wrote it alone."

Goodrich stated that he was between political campaigns and unemployed late last year/ early this year and since he was “friends with the mayor of Homestead,” he contacted Mayor Jeff Porter about starting a political campaign. He said he became sensitive to the needs of military veterans while working on the Congressional campaign of Cutler Bay Mayor Ed MacDougall last fall. He said MacDougall is a veteran of the Armed Forces and a police officer. He said he also became acquainted through MacDougal with Arthur Nanni, a retired Miami-Dade police officer who ran for Cutler Bay mayor last year. He said he further became acquainted with Nanni’s wife, Sandy, who run the Project S.O.S. program for the Homestead PD. He said he did ask Ms. Nanni for help circulating and collecting petitions. He said he did not have any direct involvement with Homestead police officers or homeowners associations.

Goodrich stated that similar measures to protect military veterans against discrimination had been proposed in 153 U.S. cities, and that he felt it was a worthy endeavor. He stated that he didn’t think it would generate enough voter interest as a stand-alone item, so he decided to add two other items – saying that most proposed charter changes are in groups of three.

He said the “revolving door” item was supported by unnamed individuals or politicians in Homestead, but he said he could not recall why the third item concerning term limits was included. He refused to answer any questions about whether Councilwoman Waldman was the intended beneficiary of this item. “I’m not answering [questions about] Judy Waldman. I’m only discussing my involvement.”

Goodrich said the petition was copied from a template used by County Commissioner Xavier Suarez for a Countywide petition drive. He said that, as a result, the form included sections for a notary and for a petition circulator to sign. He said that, based on his consultation with a Homestead city attorney – later identified as DAVID M. WOLPIN – he was advised that there was no legal requirement to include either section in the petition for a Homestead campaign. He said he kept the notary section and even went so far as to have a notary sign the forms, so that his circulators would be more reluctant to commit fraud by forging voter signatures. He further claimed he had the circulators sign the middle circulator portion – attesting to the fact they had witnessed the voters sign the petitions – for internal record keeping purposes only.

Goodrich became agitated when he was asked why certain circulators were instructed to fill out the circulator portion of the document while others were advised to leave it blank. He stated that he never advised any of his circulators to leave this portion blank, though he said “volunteers” assisting the campaign did frequently leave this portion blank. In those instances he said that he did instruct several of his “girls” or female staffers to sign in the circulator’s portion of the petitions. He claimed this was only because he felt secure that those blank petitions were properly circulated by trusted individuals and this helped him to keep track of these petitions, which he felt were reliable and could be submitted to the county elections office for review. He said he did not submit many petitions (roughly 1,000) because he had concerns about whether his circulators had forged voter signatures in some instances.

Goodrich dismissed the circulator information as “irrelevant” and said that even if they had been improperly signed and witnessed, he stated that he did not believe there was any victim and, hence (in his opinion), no crime. He said the same was true for the notary portion of the petitions, adding that he only had them notarized “to scare” the circulators.

With respect to any legal requirements, he said he followed section 6.02 of the Miami-Dade County Code, though he described this section as “completely vague” as to the requirements for conducting a petition drive. (Note: Need to review this section in the recording because section 6.02 appears to be a reference to a section of the Homestead City Code or Charter, while the corresponding portion of the Miami-Dade County Charter is Section 6.03.)

He later described section 6.02 as “the king of vague” and stated he did not get reliable legal counsel from either the city or county attorney’s office, and made a reference to county rules superseding city rules, though he appeared to make contradictory statements.

He continued to insist that, based on his understanding of the law, there was no requirement to have a circulator attestation or notary portion on the petitions. He said he communicated with the Homestead City Clerk and an Assistant City Attorney to establish the guidelines for the drive. He raised a further distinction, saying that while a circulator attestation is necessary for a proposed ordinance change, no attestation is necessary for a proposed charter change.

With respect to the apparent false swearing, Goodrich stated: “I would tell the girls, ‘Could you just sign this information?’ ... because I knew if these guys signed them, that they were rock-solid” and came from trusted sources – i.e., competent circulators.

He said that the petition drive was the first such initiative in Homestead, and the first that he had been involved with. He stated he hoped it would make it onto the ballot and allow him to conduct a full-fledged political campaign for its approval. He said a decision was made not to move forward with the campaign because of opposition from the public at the Homestead City Council meeting, and that he blamed former Mayor/County Commissioner Lynda Bell for stirring up opposition. He said he is a veteran political consultant and noted he has worked for such high-profile figures as former New York Mayor Rudy Giuliani and U.S. Sen. John McCain, R-Arizona, both presidential contenders.

David M. Wolpin, assistant city attorney of Homestead  
Weiss Serota Helfman Cole & Bierman  
Phone: (954) 763-4242  
Oct. 1, 2015

Mr. Wolpin stated that he was contacted by Mark Goodrich regarding a proposed petition drive to amend the Homestead Charter. He said he told Goodrich he would review the petition for legal form, but advised him that he could not offer legal advice. He said he referred Goodrich to the Miami-Dade County elections supervisor for further guidance.

Mr. Wolpin said that Section 6.03 of the Miami-Dade County Charter governs petition drives for charter amendments in older Miami-Dade cities such as Homestead. He said that, per Sec. 6.03, there is no requirement circulators sign an oath stating they witnessed voter signatures. He said this is done as a “convention” and a show of good faith. “It’s more like a custom. It shows things are properly presented to the people.”

When asked if the fact that a circulator portion was included on the petitions with attestation

language including a sworn statement that the circulator personally witnessed the voter's signature could, by its inclusion, create a legal liability for the circulators, Wolpin answered this was "an interesting question," then added that if circulators were falsely swearing: "That certainly would not be a proper thing, not something that the city would condone."

Larry Meno, candidate for City Council  
Manager at the Villages of Homestead Clubhouse  
Glenda Dykes, present at Meno's request  
Oct. 1, 2015

Mr. Meno appeared for a voluntary interview at the Starbucks in Florida City, and was accompanied by a woman who identified herself as Glenda Dykes. He tape recorded the interview, as did SAO Investigator Mike D'Ambrosia. Mr. Meno stated that he had only limited involvement in the petition drive to amend the Homestead Charter earlier this year, stating that he signed a petition that was presented to him by Mark Goodrich.

Meno said that Goodrich was the individual overseeing the petition drive. "He's the one who facilitated everything, the meetings with the police ..." In particular, Meno was asked if he directed Officer Kennedy of the Homestead PD about how to fill out the petitions. He stated that he did not, and only engaged in "casual, cordial" conversation with him, when Officer Kennedy arrived at the clubhouse to pick up a packet of petitions left by Goodrich.

Meno said that knows and is friends with Councilwoman Waldman, noting that she serves on the board of directors for the Villages of Homestead HOA. He said he was not aware of any involvement on her part in the aforementioned petition drive.

#### ***Document/Audio/Video Review:***

Tape recorded statements were taken from a number of the above-listed witnesses, including Careliz Sandifer, Yazmin Cuellar, Ashley Dudas, Roscoe Warren, and the main subject of the investigation, Mark Goodrich. A controlled call was also recorded between Sandifer and Goodrich, and copies of text messages exchanges between Goodrich, Sandifer, and other campaign workers were also reviewed and, in some instances, copied.

Among the records reviewed for this investigation were copies of more than 3,000 signed petitions submitted to Miami-Dade Elections Department officials, state statutes relating to electoral fraud, the Homestead City Charter, copies of documents on file with the state Division of Elections for Moving Forward PC, copies of City Council agendas and meeting minutes, as well as reports prepared by Miami-Dade Elections officials. Also reviewed were emails between the subject, Mark Goodrich, and the Homestead City Clerk's Office. In



addition, many of the witnesses listed above were asked to identify the subject, Goodrich, and other potential subjects from photo arrays prepared by SAO Investigator D'Ambrosia.

### **Conclusion(s):**

Based on the foregoing, there is reason to believe the subject of the investigation, Mark C. Goodrich, violated F.S. 104.011, titled *False swearing; submission of false voter registration information*, which states in Subsection (1), that: "A person who willfully swears or affirms falsely to any oath or affirmation, or willfully procures another person to swear or affirm falsely to an oath or affirmation, in connection with or arising out of voting or elections commits a felony of the third degree, punishable as provided in ..."

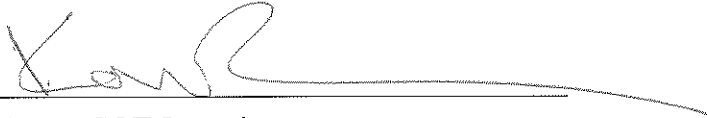
Three of the witnesses listed above – Careliz Sandifer, Ashley Dudas, and Yazmin Cuellar – stated that Goodrich instructed them to fill out the circulator's portion of petitions collected on behalf of the drive to amend the City's charter and make it possible for now former City Councilwoman Judy Waldman to serve an additional term in office. A fourth campaign worker, Jacqueline Morales, stated she was asked to do the same but refused.

Based on their statements, it is evident that many hundreds of petitions signed by Homestead voters were falsely sworn by campaign workers who did not witness the voters sign the forms, as indicated in the circulator's portion of the petition forms. There is reason to believe that as many as 1,000 petitions were falsely sworn in this manner – or about one third of all petitions accepted as valid by Miami-Dade County elections officials. This alleged false swearing was carried out at the instruction of Goodrich, a veteran campaign operative and consultant.

It is further evident from the investigation that the petition drive was carried out on behalf of former Councilwoman Waldman, and that the motive for falsely swearing the identity of the circulators was to hide the involvement of Waldman, her husband and their political allies. It should be noted that while Goodrich, the primary subject, refused to discuss any involvement by Waldman, it is abundantly clear from text messages he exchanged with campaign workers – in particular Sandifer – that the councilwoman was the driving force behind the campaign and that she provided funding and other support necessary for its survival.

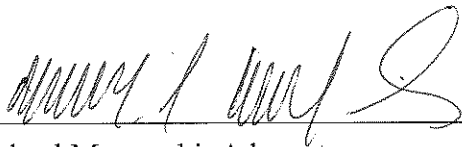
After consultation with prosecutors at the Miami-Dade County State Attorney's Office, and the General Counsel and Independent Advocate of the Commission on Ethics, it was decided

that a formal complaint should be filed against Goodrich for violations of Chapter 104. Said complaint was filed on or about Feb. 1, 2016, with the Florida Elections Commission.

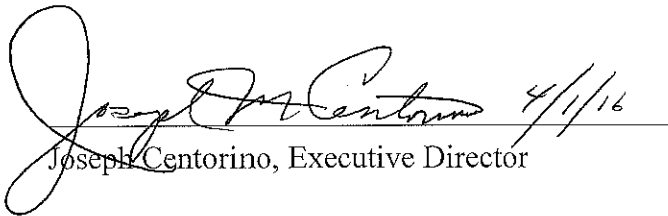


Karl Ross, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director