



Miami-Dade Commission on Ethics & Public Trust
Investigative Report

Investigator: Larry Lebowitz

Case: PI-15-009	Case Name:	<u>Date Open:</u>	CASE CLOSED
<u>Complainant(s):</u> COE self-generated, anonymous letter	<u>Subject(s):</u> Raquel Regalado (Serving Miamians ECO)	4/7/2015	

Allegation(s):

Date: _____

- 1) That a candidate for Miami-Dade mayor is in violation of state election laws because her campaign website is being underwritten by an Electioneering Communications Organization, which cannot conduct direct advocacy.

Applicable Law:

Fla. Stat., Chapter 106.011(9)

“Electioneering communications organization” means any group, other than a political party, whose election-related activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications and whose activities would not otherwise require the group to register as a political party or *political committee* under this chapter.

Fla. Stat., Chapter 106.011(16)(a) (1)(c)

“Political committee” means:

1. A combination of two or more individuals, or a person other than an individual, that, in an aggregate amount in excess of \$500 during a single calendar year:
c. Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue.

Investigation:

Interviews

None

Document/Audio/Video Review:

Anonymous letter and attachments addressed to this investigator, received at the Commission on Ethics and Public Trust (hereinafter "COE") on April 7, 2015. An identical copy of the packet was sent to COE Executive Director Joseph Centorino. The letter explains how mayoral candidate Raquel Regalado appears to be in violation of state statutes because her campaign website, www.raquelregalado.com, is being paid for by an Electioneering Communications Organization (hereinafter "ECO") entitled Serving Miamians.

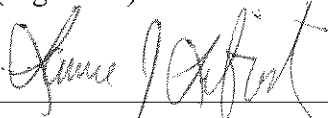
As the letter correctly notes, under state election laws, an ECO is prohibited from conducting direct advocacy for a particular candidate or issue (the same conduct would be perfectly permissible if the funds were channeled through a Political Action Committee or "PAC"). The attachments include examples from the Regalado for Mayor website indicating that the site is being underwritten by Serving Miamians. Other attachments include the mandatory state paperwork required to create the ECO.

Conclusion(s):

While there may be an apparent technical violation of state law, it is not within the COE's jurisdiction. Chapter 106 violations fall under the jurisdiction of the Florida Elections Commission (hereinafter "FEC"). The complainant who sent this anonymous material to the COE could file it with the FEC as well. The FEC does not, however, accept anonymous complaints.

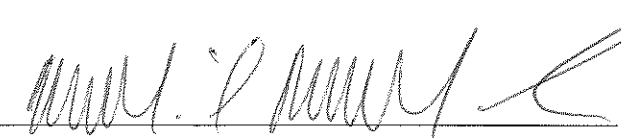
After consulting with the Advocate and the Executive Director, a decision was made to close this file with no further action. A copy of the anonymous materials was forwarded to attorney Parker D. Thomson, the registered agent for Serving Miamians, with a cover letter signed by Centorino. A copy of that letter is attached to this report.

(Signature)

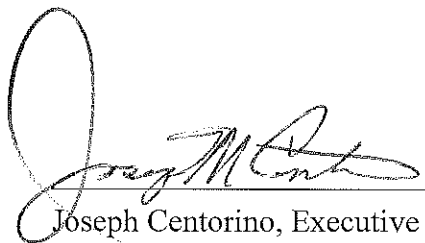


L. Lebowitz, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director

4/20/15

Date Closed