

3. ALLEGED VIOLATIONS

A. Facts and Actions that Support the Alleged Violations

The facts and actions supporting this complaint are as follows. Scott Maddox opened a campaign account for Leon County Superintendent of Schools in April 2015. That same month he accepted his first contributions. On June 21, 2016, Maddox announced he was withdrawing from the superintendent's race. At that point, he had raised \$216,448.55 for the superintendent's race and spent \$85,189.07, leaving a balance of \$131,259.48.

On June 23, 2016, Maddox re-designated his 2016 superintendent account as a 2020 Florida Senate race campaign account. [Exhibit A attached.] At the end of the next reporting period, Maddox filed a Campaign Treasurer's Termination Report. [Exhibit B attached.] On September 23, 2016, the Leon County Supervisor of Elections sent Maddox and his campaign treasurer, Christy Cameron, certified letters stating: "we find that your campaign report is incomplete according to the requirements under Chapter 106, Florida Statutes. [Exhibit C attached.] There are areas of concern in the itemized lists of contributions and/or expenditures." The supervisor's office explained in a phone call with the Maddox campaign that the \$131,259.48 roll over was missing from the reports. [Exhibit D attached.] In his letter, the supervisor reminded the Maddox campaign "all reporting errors must be amended within 7 days after receipt of this notice under 106.07, Florida Statutes. Failure to file a complete report after this notice constitutes a violation of Chapter 106 of the Florida Statutes." [Exhibit C attached.]

Maddox and Cameron ignored the supervisor's admonitions. The \$131,259.48 was missing from each of Maddox's campaign finance reports from June 2016 through July 2017.

On August 1, 2017, the *Tallahassee Democrat* published an article titled "Maddox says clerical error led to inaccurate campaign report." [Exhibit D attached.] This article announced

to the public that \$131,259.48 was unaccounted for in Maddox's campaign finance reports. Only then did Maddox take corrective action and the money reappeared on his reports. On August 1, 2017, the Maddox campaign filed an amended report that reflects the money being in the account since he re-designated it on June 23, 2016. [Exhibit E attached.] However, no individual report from the intervening months actually reflected a \$131,259.48 balance in the account.

What Maddox did with the money during the intervening months raises questions that warrant investigation. If the money was actually in his account, there is no reasonable explanation why he ignored the certified letter he received from the supervisor instructing him to correct the report. Further, he apparently ignored a phone call from the supervisor reminding him of the same.

In addition, Maddox's Senate campaign account showed a negative balance of \$1,625. Maddox did not correct that error either until it was revealed in the August 1 *Tallahassee Democrat* article.

Although it is unclear what Maddox did with the \$131,259.48 during the year it was missing from his campaign finance reports, Maddox's campaign finance reports demonstrate that he violated many provisions of the Florida Election Code. Specifically, Maddox violated:

section 106.05 when he failed to deposit the \$131,259.48 from his superintendent's account into his Senate account within five days.

section 106.06(1) when he failed to ensure and/or conspired with his campaign treasurer to not report the \$131,259.48 that he supposedly rolled over from his superintendent's account into his Senate account within two days.

section 106.07(1) when he failed to file regular reports of all contributions he received in his Senate account because he omitted the \$131,259.48 on all of his reports from June 2016 to July 2017.

section 106.07(2)(a)1 when he failed to correct his campaign reports within seven days of receipt of proper notice from the supervisor.

section 106.07(4)(a)(4) when he failed to include the amount and date of the \$131,259.48 contribution on all of his reports from June 2016 to July 2017.

section 106.11(4) when he incurred expenses in his Senate account for which there were insufficient funds.

section 106.141(1) when he withdrew his candidacy for superintendent and did not, within 90 days, dispose of the funds on deposit in his campaign account and file a report reflecting the disposition of all remaining funds.

section 106.141(8)(a) when he failed to file the statutorily required form with all of the required information.

section 106.19(1)(b) when he failed to report the \$131,259.48 contribution to his Senate account.

section 106.19(1)(c) when he falsely reported or deliberately failed to include information required by Chapter 106.

section 106.19(d) when he made or authorized an expenditure in violation of section 106.11(4) or any other expenditure prohibited by Chapter 106.

section 106.141 when he failed to properly dispose of surplus campaign funds.

section 106.19 when he failed to report contributions and falsely reported or deliberately failed to include information required by Chapter 106.

Moreover, Maddox's actions were willful. Maddox is a perennial candidate for elective office in Florida. He has been involved in elective politics his entire adult life, running for office for the first time in 1990 while still in college. Since then he has run for a variety of state and local offices, each time signing an oath that he had received, read, and understood the state's election laws. In addition, he is a former head of the Florida Democratic Party. He is thus intimately familiar with the campaign finance reporting requirements of the Florida Election Code. But even if Maddox could claim ignorance of his general legal responsibilities, the Leon County Supervisor of Elections sent him a certified letter and called him on the phone putting

him on notice that he was in violation of the law in September 2016; however, Maddox did nothing for almost a year. Indeed, it was only after the matter became a public relations problem for Maddox that he took corrective action. The commission should not tolerate this willful disregard for the Florida Election Code.

B. Potential Witnesses

- Scott Maddox
510 N. Adams St.
Tallahassee, FL 32301
(850) 222-6020
(Candidate)
- Christy Cameron
3420 Native Dancer Trail
Tallahassee, FL 32309
(850) 222-6050
(Campaign Treasurer)
- Paige Carter-Smith
1534 Belleau Wood Dr
Tallahassee, FL 32308
(850) 422-0925
(Maddox confidant and sister of Campaign Treasurer)
- Allie Fleming
5235 Outwood Mill LN
Tallahassee, FL 32309
(850) 668-9480
(Maddox's aide)
- Ion Sancho
6008 Veterans Memorial Dr
Tallahassee, FL 32309
(850) 668-7342
(Former Supervisor of Elections, wrote letters to Maddox about missing campaign money, and likely spoke or directed staff to speak with Maddox about missing money)
- Mark Early
315 S Calhoun St #110
Tallahassee, FL 32301
(850) 606-8683

(Current Supervisor of Elections, wrote letters to Maddox about missing campaign money, and spoke or directed staff to speak with Maddox about missing money)