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EIGHTEENTH JUDICIAL CIRCUIT OF FLORIDA
BREVARD AND SEMINOLE COUNTIES

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Reply to: Seminole County

February 22, 2022

Special Agent Sean Coyle
Florida Department of Law Enforcement
500 West Robinson Street
Orlando, FL 32801

RE: FDLE OR-14-0194

Dear Special Agent Coyle:

The Office of the State Attorney for the Eighteenth Judicial Circuit has received your completed investigation into allegations levied by Robert Burns and Brevard County School Board Member Jennifer Jenkins that Representative Randy Fine committed the crimes of Corruption by Threat Against a Public Servant (Fla. Stat. s. 838.021), Cyberintimidation by Publication (Fla. Stat. s. 836.115), and Stalking (Fla. Stat. s. 784.048). Mr. Burns has also alleged that Representative Fine maintains a residency outside of his Representative District, voted at a Precinct in which he did not live, and solicited campaign contributions in violation of Florida State Statutes. I have determined that none of Representative Fine's actions constitute crimes under Florida law, and I am writing to memorialize my findings.

Corruption by Threat Against a Public Servant (Fla. Stat. s. 838.021):

The crime of Corruption by Threat Against a Public Servant is criminalized in Fla. Stat. s. 838.021(1):

[i]t is unlawful to harm or threaten to harm any public servant, his or her immediate family, or any other person with whose welfare the public servant is interested with the intent to: (a) Influence the performance of any act or omission that the person believes to be, or that the public servant represents as being, within the official discretion of the public servant, in violation of a public duty, or in performance of a public duty. [or] (b) Cause or induce the public servant to use or exert, or procure the use or exertion of, any influence upon or with any other public servant regarding any act or omission that the person believes to be, or that the public servant represents as being, within the official discretion of the public servant, in violation of a public duty, or in performance of a public duty.

The Crime of Corruption by Threat Against a Public Servant is a third-degree felony. (Fla. Stat. s. 838.021(3)(b)). The statute defines the following key words relevant to my analysis:

- “‘Harm’ means pecuniary or other loss, disadvantage, or injury to the person affected.” (Fla. Stat. s. 838.014(5)).
- “Public servant” is defined as “(a) [a]ny officer or employee of a governmental entity, including any executive, legislative, or judicial branch officer or employee; (b) [a]ny person, except a witness, who acts as a general or special magistrate, receiver, auditor, arbitrator, umpire, referee, consultant, or hearing officer while performing a governmental function; or (c) [a] candidate for election or appointment to any of the officer positions listed in this subsection, or an individual who has been elected to, but has yet to official assume the responsibilities of, public office.” (Fla. Stat. s. 838.014(7)).

Ms. Jenkins has alleged that Representative Fine committed the crime of Corruption by Threat Against a Public Servant when he made comments in the press regarding potential reductions in funding should specific School Boards in Florida institute mask mandates in light of COVID-19. The article, entitled “School mask mandate threatens polarize Florida legislators”, was published by the Tampa Bay Times in August, 2021, and postured the issue by stating, “Republican lawmakers who control the budget committees in the state House and Senate said Friday that they support education commissioner Richard Corcoran’s threat to withhold money from school boards that impose mask mandates and potentially remove the elected officials from office as Florida faces another week of surging COVID-19 cases.”

It was in this vein that Representative Fine, the Chairperson of the Florida House of Representatives’ PreK-12 Appropriations Subcommittee, was quoted as saying, “I can tell you, if my school district requires masks, I will make sure they get hurt next year . . . I’m not going to share what I will do. But it will hurt . . . Students are not going to be prevented from going to school because some bureaucrat wants to tell parents how to raise their child. It’s not going to happen, at least in Brevard County.”

Ms. Jenkins is a member of the Brevard County School Board and has been a vocal proponent of mask mandates within the public school system. She interpreted Representative Fine’s comments as being directed at her given that the two had publicly sparred over the issue. Given the context of Representative Fine’s statements, however, it is clear that they were directed at the Brevard County School Board as a whole and not at Ms. Jenkins or any other individual “public servant” as that phrase is defined by Fla. Stat. s. 838.014(7). Accordingly, I find that Representative Fine’s comments threatening to withhold or limit funding should the Brevard County School Board impose mask mandates do not constitute the crime of Corruption by Threat Against a Public Servant (Fla. Stat. s. 838.021).

Cyberintimidation by Publication (Fla. Stat. s. 836.115):

The crime of Cyberintimidation by Publication is criminalized in Fla. Stat. s. 836.115(2). Enacted April 19, 2021, the statute states, in pertinent part, that it is “unlawful for a person to electronically publish another person’s personal identification information with the intent to, or with the intent that a third party will use the information to: (a) Incite violence or commit a crime

against the person; or (b) Threaten or harass the person, placing such person in reasonable fear of bodily harm.” The statute defines the following key words relevant to my analysis:

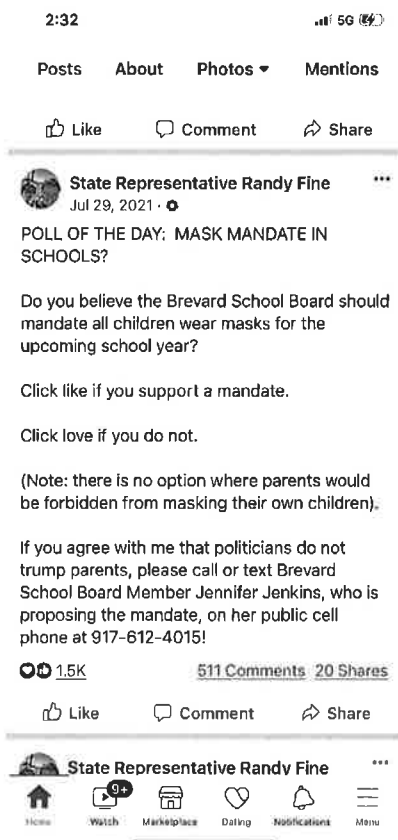
- “‘Electronically publish’ means to disseminate, post, or otherwise disclose information to an Internet site or forum.” (Fla. Stat. s. 836.115(1)(a)).
- “‘Harass’ has the same meaning provided in s. 817.568(1)(c).” (Fla. Stat. s. 836.115(1)(b)). “‘Harass’ means to engage in conduct directed at a specific person that is intended to cause substantial emotional distress to such person and serves no legitimate purpose. ‘Harass’ does not mean to use personal identification information for accepted commercial purposes. The term does not include constitutionally protected conduct such as organized protests or the use of personal identification information for accepted commercial purposes.” (Fla. Stat. s. 817.568(1)(c)).
- “‘Personal identification information’ has the same meaning as provided in s. 817.568(1)(f).” (Fla. Stat. s. 836.115(1)(c)). “‘Personal identification information’ means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including any: 1. Name . . . [or] telephone number.” (Fla. Stat. s. 817.568(1)(f)).

Jennifer Jenkins has alleged that Representative Fine committed the crime of Cyberintimidation by Publication when he disseminated her telephone number to the public via a post on his political Facebook page on July 29, 2021. In that post (as is show to the right), Representative Fine identifies Ms. Jenkins by name, invites her constituents to contact her regarding mask mandates in schools, and provides what he terms her “public cell phone” number (917-612-4015).

Representative Fine clearly disseminated, posted, and disclosed information (Ms. Jenkins’s phone number) to Facebook (an Internet site or forum). Accordingly, I find that he “electronically published” Ms. Jenkins’s telephone number, as the term “electronically publish” is defined in Fla. Stat. s. 836.115(1)(a).

I do not find, however, that Representative Fine posted Ms. Jenkins’s phone number with the intent that it would be used to incite violence, or result in a crime being committed, against Ms. Jenkins, or result in Ms. Jenkins being threatened or harassed such that she would be placed in reasonable fear of bodily harm.

The discussion of mask mandates by the Brevard County School Board had been widely publicized throughout the local media, and Ms. Jenkins’s support of mask mandates in schools was well-known to the public. Despite Representative Fine sharing her phone number in the Facebook post, Ms. Jenkins acknowledged that she did not change her number to avoid calls, texts, or voicemails; Ms. Jenkins never failed to attend any School Board meetings; she and her husband continued to work for the School Board in their respective professional capacities as Speech-Language Pathologist and Teacher; and on one occasion,



during a September 1, 2021, protest at her house regarding mask mandates, she offered protesters pizza and allowed her minor child to play outside, in her front yard.

I would note that while Ms. Jenkins characterized the phone number recited in the post as her personal cell phone number, your investigation revealed that Ms. Jenkins used it for professional purposes and shared it publicly. It was the phone number she voluntarily provided Representative Fine in February, 2021; it is the number she used when she and Representative Fine communicated with one another in the months and weeks prior to the July 29, 2021, post at issue; it is the phone number associated with Ms. Jenkins on four, publicly-accessible websites (voterfocus.com, openmpi.com, hipaaspace.com, and npiprofile.com); and it is the phone number Ms. Jenkins acknowledged using for her campaign contact information when she ran for the Brevard County School Board in 2020.

Representative Fine's post encouraged Ms. Jenkins's constituents to contact her regarding the issue of mask mandates, but it did not call upon others to be violent, to commit a crime against Ms. Jenkins, or to act towards Ms. Jenkins in such a way that she would be placed in reasonable fear of bodily harm. Accordingly, I find that Representative Fine's July 29, 2021, post wherein he provides Ms. Jenkins's telephone number and invites people to contact her on the issue of mask mandates does not constitute the crime of Cyberintimidation by Publication (Fla. Stat. s. 836.115).

Robert Burns claims that Representative Fine committed the crime of Cyberintimidation by Publication when Representative Fine posted Mr. Burns's name, references to Mr. Burns as a "rapist" and "convicted felon," and shared details of Mr. Burns's criminal history record on Facebook. Mr. Burns is a public figure in Brevard County politics, and there are dozens of online references to him, by name, on various websites and social media platforms independent of Representative Fine's postings. Mr. Burns was his cousin's campaign manager when his cousin ran for Palm Bay City Council approximately three years ago. Later, Mr. Burns became the campaign manager for Representative Fine's political opponent in the 2020 election for Florida House District 53. Mr. Burns also is the founder and Editor-in-Chief of the online publication, The Space Coast Rocket, which to date has published 109 articles referencing Representative Fine by name, dating back to the Fall of 2019. None of the articles published by The Space Coast Rocket cast Representative Fine in a favorable light, and he and Representative Fine have had what is best described as an acrimonious professional relationship for years.

Mr. Burns insists that Representative Fine's allegations of him being a "rapist" and "convicted felon" are false and have caused others in the community to react unfavorably to him. Your investigation revealed that Mr. Burns has a criminal history record documenting arrests in 2011 for "Aggravated Sexual Assault of Adult by Force, Forced Sodomy" and in 2016 for "Larceny of Government Property" and "False Official Statement." Mr. Burns's criminal history record also notes a conviction for Assault and Battery (Domestic) from 2015. Details of Mr. Burns's criminal history record do not constitute "personal identification information" as that term is defined in Fla. Stat. s. 836.115(1)(c) or 517.568(1)(f). Therefore, Representative Fine's decision to share any information from it via Facebook posts does not constitute the crime of Cyberintimidation by Publication.

I do not find that Representative Fine posted Mr. Burns's name with the intent that it would be used to incite violence, or result in a crime being committed, against Mr. Burns, or result in Mr. Burns being threatened or harassed such that Mr. Burns would be placed in reasonable fear of bodily harm. I believe Representative Fine shared information from Mr. Burns's criminal history record in an attempt to besmirch Mr. Burns's reputation, but there is no evidence that he did so intending that it would incite violence or result in Mr. Burns becoming the victim of a crime.

Similarly, I find that there is no evidence that Representative Fine's actions threatened or harassed Mr. Burns, placing him in reasonable fear of bodily harm. When you interviewed Mr. Burns, he described feeling harassed and having experienced emotional distress due to Representative Fine's actions, but Mr. Burns acknowledged that he had not taken any actions consistent with him being fearful of bodily harm. Mr. Burns has not moved from his residence; he has not changed his phone number; he continues to operate The Space Coast Rocket; and he continues to publicly comment on, and write articles regarding, politically charged issues, including matters involving Representative Fine.

Accordingly, I find that Representative Fine's actions of posting Mr. Burns's name, details of Mr. Burns's criminal history record, and referring to Mr. Burns as a "rapist" and "convicted felon" do not constitute the crime of Cyberintimidation by Publication (Fla. Stat. s. 836.115).

Stalking (Fla. Stat. s. 784.048):

The crime of Stalking is criminalized in Fla. Stat. s. 784.048(2), which specifically states that "[a] person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083." Some key words relevant to my analysis of the Stalking statute are defined elsewhere in the section and in the Florida Standard Jury Instructions:

- "'Willfully' means knowingly, intentionally, and purposely." (Fla. Std. Jury Instr. (Crim.) 8.6).
- "'Harass' means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose." (Fla. Stat. s. 784.048(1)(a); Fla. Std. Jury Instr. (Crim.) 8.6).
- "'Course of conduct' means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose. The term does not include constitutionally protected activity such as picketing or other organized protests." (Fla. Stat. s. 784.048(1)(b); Fla. Std. Jury Instr. (Crim.) 8.6).
- "Cyberstalk" is defined in the alternative as "1. To engage in a course of conduct to communicate, or to cause to be communicated, directly or indirectly, words, images, or language by or through the use of electronic mail or electronic communication, directed at or pertaining to a specific person; or 2. To access, or attempt to access, the online accounts or internet-connected home electronic systems of another person without that person's permission." Both alternative definitions further require that the behavior towards the victim cause "substantial emotional distress to that person and [serve] no legitimate purpose." (Fla. Stat. s. 784.048(1)(d); Fla. Std. Jury Instr. (Crim.) 8.6).

The Stalking statute requires that the State prove, beyond a reasonable doubt, that the behavior at issue served no legitimate purpose and caused “substantial emotional distress.” The issue of what causes “substantial emotional distress” has been the subject of many criminal cases throughout Florida. “Substantial emotional distress” is “greater than just an ordinary feeling of discomfort.” Cash v. Gagnon, 306 So.3d 106, 109 (Fla. 4th DCA 2020). “Mere irritation, annoyance, embarrassment, exasperation, aggravation, and frustration, without more, does not equate to substantial emotional distress.” Johnstone v. State, 298 So.3d 660, 669 (Fla. 4th DCA 2020) (Klingensmith, dissenting).

In analyzing whether the defendant’s behavior caused substantial emotional distress, an objective, reasonable person standard must be used. D.L.D. v. State, 815 So.2d 746 (Fla. 5th DCA 2002). This requires that the State of Florida prove that a reasonable person, if subjected to the same behavior, would suffer from substantial emotional distress. A Stalking victim’s individual perceptions and personal sensitivities are trumped by that which a reasonable person would feel given the facts and circumstances surrounding the events. Additionally, it is insufficient that the totality of a defendant’s behavior caused “substantial emotional distress.” Rather, the State must prove that the individual incidents of harassment or cyberstalking which, when combined together, constitute a defendant’s course of conduct, separately caused “substantial emotional distress.” Laserinko v. Gerhardt, 154 So.3d 520 (Fla. 5th DCA 2015).

As to the issue of whether an individual’s conduct serves a “legitimate purpose” and is not, therefore, stalking, the conduct will be deemed “legitimate when there is a reason for the [conduct] other than to harass the victim.” O’Neill v. Goodwin, 195 So.3d 411, 413 (Fla. 4th DCA 2016). The analysis of what constitutes a “legitimate purpose” is necessary to avoid running afoul of criminalizing as Stalking that which is otherwise constitutionally protected free speech, even if that speech is offensive or vituperative. Watts v. U.S., 394 U.S. 705, 708 (1969).

Robert Burns has alleged that Representative Fine’s actions of posting Mr. Burns’s name, details of Mr. Burns’s criminal history record, and referring to Mr. Burns as a “rapist” and “convicted felon” constitute the crime of Stalking. Representative Fine’s postings do not constitute the crime of Stalking for two reasons. First, there is insufficient evidence to support a finding that Mr. Burns experienced substantial emotional distress as a result of Representative Fine’s actions. I recognize that Mr. Burns may have felt annoyed, embarrassed, exasperated, aggravated, and frustrated by Representative Fine’s actions, but those emotions do not rise to the level of substantial emotional distress. Using an objective, reasonable person standard, and taking into account that Mr. Burns has continued to publicly spar with Representative Fine on local, political issues, there is insufficient evidence to support Mr. Burns’s claim that he has experienced substantial emotional distress.

Second, Representative Fine’s actions of sharing Mr. Burns’s name and criminal record information arguably served a legitimate purpose in that it informed the electorate of facts that reflected upon Representative Fine’s opponent in the 2020 Election, and for whom Mr. Burns was Campaign Manager. It also, arguably, was a means by which Representative Fine attempted to tarnish Mr. Burns’s reputation, thus discrediting Mr. Burns’s various positions on local, political issues involving Representative Fine.

Accordingly, I find that Representative Fine's actions of posting Mr. Burns's name, details of Mr. Burns's criminal history record, and referring to Mr. Burns as a "rapist" and "convicted felon" do not constitute the crime of Stalking.¹

I note that Ms. Jenkins did not allege that she was the victim of Stalking through the course of your investigation, but she did petition for an Injunction for Protection Against Stalking Violence against Representative Fine in Brevard County Clerk of the Court Case Number 05-2021-DR-050417, in which she cited the same facts that she provided to you as a basis to seek an Injunction. In an abundance of caution, and to foreclose later request for review of the matter, I find that Representative Fine's action of posting Ms. Jenkins phone number and inviting her constituents to call her regarding mask mandates, coupled with the other numerous Facebook posts where he references Ms. Jenkins, do not constitute the crime of Stalking.

Using a reasonable person standard, there is insufficient evidence to support Ms. Jenkins's claim that Representative Fine's actions caused her substantial emotional distress. I recognize that being referenced in multiple Facebook posts, and receiving numerous calls, texts, and voicemails on the topic of mask mandates, was likely annoying, aggravating, and frustrating to Ms. Jenkins, but those emotions do not rise to the level of substantial emotional distress. Additionally, Representative Fine's actions arguably served a legitimate purpose, in that they brought the issue of mask mandates in schools to the attention of Ms. Jenkins's constituents and encouraged them to contact her, in her official capacity, so that she could properly represent them as a Member of the Brevard County School Board. Accordingly, I find that Representative Fine's actions of posting Ms. Jenkins's telephone number and referencing her in multiple other Facebook posts does not constitute the crime of Stalking.²

Representative Fine's Residency Qualification to Hold Office (Article III, Section 15, Fla. Const.):

Mr. Burns claims that Representative Fine is not a resident of the Florida House of Representatives District he represents. The Florida Constitution requires that "[e]ach legislator shall be at least twenty-one years of age, an elector and resident of the district from which elected and shall have resided in the state for a period of two years prior to election." (Fla. Const. Art. III, s. 15).

The Florida House of Representatives has exclusive jurisdiction over the qualifications of its members. Senate and House Joint Rule 7.1, which addresses residency, states, in pertinent part, that "(1) [a] member shall be a legal resident and elector of his or her district at the time of

¹ Mr. Burns filed a Petition for Injunction for Protection Against Stalking Violence against Representative Fine in Brevard County Case Number 05-2021-DR-050970. He cited the same events and allegations in support of his Petition as he provided to you in support of his claim that Representative Fine criminally Stalked him. Mr. Burns's Petition for Injunction was heavily litigated and ultimately dismissed by way of an Order issued by Senior Judge James Earp on January 15, 2022. (Brevard County Clerk of the Court Case Number 05-2021-DR-050970).

² I note that Ms. Jenkins's Petition for Injunction for Protection Against Stalking Violence, filed against Representative Fine in October 2021, resulted in heavy litigation and was ultimately dismissed by way of an Order issued by Senior Judge James Earp on January 15, 2022. (Brevard County Clerk of the Court Case Number 05-2021-DF-050417).

election and shall maintain his or her legal residence within that district for the duration of his or her term of office. While a member may have multiple residences, he or she shall have only one legal residence.” The Rule goes on to state that, “(3) [i]n accordance with Section 2 of Article III of the Florida Constitution, each house of the Legislature shall be the sole judge of the qualifications of its members, including whether a member no longer satisfies his or her qualifications for office.”

The issue of Representative Fine’s residency has been the subject of two complaints lodged with the Public Integrity & Ethics Committee of the Florida House of Representatives. Both of those complaints were closed by way of written letters explaining to the complainants that they had provided insufficient information to the Committee to constitute formal complaints, and as such, procedures before the Committee would not be initiated. Both letters went on to provide facts regarding Representative Fine’s residency that tended to show that Representative Fine had established sufficient legal residency to satisfy his qualifications for office.

While I acknowledge that Representative Fine’s residency qualification is a matter that may only be judged by the House of Representatives, your investigation has revealed that beginning in 2007, Representative Fine lived on Spoonbill Lane in Melbourne Beach (within District 53). In October 2016, Hurricane Matthew caused damage to Representative Fine’s Spoonbill Lane home, resulting in him obtaining temporary housing at a hotel, a rented condominium, and then a second, simultaneously owned home on Oak Street in Melbourne Beach. Throughout this time, Representative Fine continued to own the Spoonbill Lane residence. In October 2019, Representative Fine sold the Spoonbill Lane home and rented a condominium on Casseekee Trail in Melbourne Beach until 2020, at which time he rented an apartment on Robert J. Conlan Boulevard in Palm Bay (which is his current, legal residence). Both the Casseekee Trail and Conlan Boulevard addresses are within Representative Fine’s District, District 53.

The legality and propriety of Representative Fine’s residency qualification for office is a matter upon which I, as a member of the Executive Branch, am not constitutionally permitted to pass judgment. Nonetheless, I am memorializing your findings regarding his residencies within District 53, as is consistent with the two previous findings by the House Public Integrity & Ethics Committee, tending to indicate that Representative Fine does have legal residency in District 53.

Representative Fine’s Residency Qualification to Vote (Fla. Stat. s. 101.045):

Mr. Burns has alleged that Representative Fine did not live within the Precinct in which he was registered to vote. Florida Statute Section 101.045(1) states, in pertinent part, “[a] person is not permitted to vote in any election precinct or district other than the one in which the person has his or her legal residence and in which the person is registered.” It is a third-degree felony for an individual to commit or attempt to commit any fraud in connection with voting, pursuant to Fla. Stat. s. 104.041.

Information received from the Supervisor of Elections indicates that Representative Fine’s Brevard County voting precincts have been 311 (when he resided on Spoonbill Lane), 318 (effective October 2019, when he moved from Spoonbill Lane to Casseekee Trail), and 303

(effective November 2020, when he moved from Casseekee Trail to Conlan Boulevard). He has voted early in every Primary and General Election since 2014.

“Legal residence,” for purposes of voter registration in Florida, is not defined in our state statutes but has been interpreted to be where a person intends to make his or her permanent residence. (Op. Div. Elect. Fla. 93-05, 80-27, and 78-27). Representative Fine’s driver’s license has reflected the Spoonbill Lane, Casseekee Trail, and Conlan Boulevard addresses, consistent with his voter registration and he has used those same addresses to establish his required residency qualification for purposes of running for the Florida House of Representatives, District 53. Accordingly, I find that Representative Fine has voted in accordance with our Florida elections laws, and that there is no evidence to believe that he has fraudulently registered to vote in a precinct in which he did not establish a legal residence.

Campaign Financing (Fla. Stat. s. 104.31 and 106.15):

Mr. Burns has alleged that Representative Fine violated Florida’s Campaign Financing laws by participating in an August 31, 2021, interview with Space Coast Daily from his local House District 53 office, during which he provided listeners the means to financially contribute to his reelection campaign.

Florida Statute Section 104.31(2) states that “[a]n employee of the state or any political subdivision may not participate in any political campaign for an elective office while on duty.” It is a first-degree misdemeanor to do so. (Fla. Stat. s. 104.31(3)). This statute only applies to employees of the state, or any political subdivision thereof, not elected officers. That distinction is apparent when comparing the full provisions of the statute and noting that only employees are precluded from participating in political campaigning while on duty, whereas other provisions of the statute apply to both officers and employees. Such a reading of the statute is necessary to avoid officers, who wear the mantle of their position at all times and are, therefore, always on duty, from being prosecuted for participating in their own political campaigns for elective office. Because Representative Fine is an officer, not an employee, for purposes of Chapter 104, his act of soliciting campaign contributions on August 31, 2021, do not constitute a violation of Fla. Stat. s. 104.31(2).

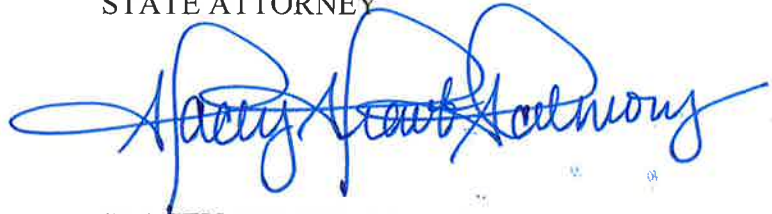
Florida Statute Section 106.15(4) states that “[n]o person shall make and no person shall solicit or knowingly accept any political contribution in a building owned by a governmental entity. For purposes of this subsection, ‘accept’ means to receive a contribution by personal hand delivery from a contributor or the contributor’s agent. This subsection shall not apply when a government-owned building or any portion thereof is rented for the specific purpose of holding a campaign fund raiser.” A violation of said statute is a first-degree misdemeanor. (Fla. Stat. s. 106.15(5)). Representative Fine’s District 53 Office is located at 2539 Palm Bay Road Northeast, Suite 5, Palm Bay, Florida 32905, a building that is owned by “Palm Bay Plaza Investments, LLC” pursuant to the Brevard County Property Appraiser. Accordingly, Representative Fine’s District Office is not in a government-owned building, and his act of soliciting campaign contributions on August 31, 2021, from it, do not constitute a violation of Fla. Stat. s. 106.15.

In conclusion, I have addressed each of the violations of law that Jennifer Jenkins and Robert Burns reported to my Office and to you at the Florida Department of Law Enforcement. I

have legally determined that none of Representative Fine's actions support the filing of criminal charges, thus concluding your investigation and my official review of it. I thank you for the time and effort you spent in investigating this matter, and I thank you for the opportunity to review your completed investigation.

Sincerely,

PHIL ARCHER
STATE ATTORNEY



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