

The question I ask that the FCE decide is this: did Ms. Janet C. Long violate FS 112.3144 “Full and public disclosure of financial interests” in filing her 2010 and 2012 form 6's?

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Ms. Janet C. Long ("Ms. Long") was elected to the Florida House of Representatives ("House") in 2006, was re-elected in 2008 and defeated in 2010. In 2012, she is running for the District 1 seat on the Pinellas County Board of County Commissioners.

The Florida Constitution (article II section 8) requires that candidates for certain elected offices file “file full and public disclosure of their financial interests”. FS 112.3144 requires the same, and thus any violation of the statute are a matter for the FCE.

Ms. Long was required to file the financial disclosure form known as “form 6”. Ms. Long's 2010 form 6 is attached (**app. A**) as well as her 2012 form 6 (**app. B**). Ms. Long signed both, and in doing so affirmed that the information was "true, accurate and complete”.

The evidence indicates that Ms. Long filed a substantially inaccurate form 6's, both in 2010 and in 2012. Below is what I found:

### **1. Grossly overstated value of home**

Ms. Long claimed a value for her home far beyond what the Pinellas County Property Appraiser's Office (PAO) says it is worth. The PAO 2011 JMV (Just Market Value) was the latest figure available to Ms. Long when she filed her 2012 form 6. Taking this JMV of \$261,687 (**app. C**) and multiplying by 1.1 to account for sales costs, one arrives at a fair market value (FMV) of \$287,856. In stark contract, Ms. Long claims her home was worth \$470,000, which is 80% higher than JMV.

Likewise for the 2010 form 6, the 2009 JMV of \$307,718 suggests a FMV of \$338,490. Ms. Long claimed the home was worth \$425,000 at the time, 38% more than JMV.

Note also that Ms. Long claims that her home *increased* in value by \$45,000 from 2010 (\$425,000) to 2012 (\$470,000). On the very face of it, that assertion is incredible. The PAO's JMV figures instead show a decrease in value of \$46,031.

Particularly for 2012, it seems that Ms. Long is trying to make it appear that she has substantial equity in her home when in fact she does not.

Had Ms. Long put a value for her home at 10%, 20% or maybe even 30% above JMV, then maybe one could let that go. But 38% and 80% higher? At some point, the claim becomes an outright inaccuracy and I think Ms. Long's claims are beyond that point.

## 2. Household goods value in question

On Ms. Long's 2012 form 6, she claim "household goods and personal effects" worth \$395,000, which is \$125,000 more than in 2010. Comparing to the form 6 filings of other 2012 BCC candidates, Ms. Long's number of \$395,000 appears to be extraordinarily high:

Neil Brickfield (district 1)	\$ 60,000
Charlie Justice (district 3)	\$ 89,900
Nancy Bostock (district 3)	\$ 80,000
Karen Seel (district 5)	\$ 211,500 (Ms. Seel's net worth is in excess of \$3.6 million)
Ken Welch (district 7)	\$ 74,415
Buck Walz (district 7)	\$ 26,150

The FCE should verify the accuracy of the \$395,000 figure as it constitutes 64% of Ms. Long's stated net worth. An accurate statement of assets, liabilities and net worth is important in order for the voter to be able to make an assessment of the economic forces that influence a candidate, or may influence that candidate if elected.

## 3. Low value assigned to business

Despite the existence of a sizable consulting contract with St. Petersburg College ("SPC") (**app. D**) that did not end until March 31, 2012, Ms. Long claimed that her consulting business JCL & Associates was worth less than \$1,000 on 12/31/2009. This is hard to believe. Did she have her business appraised?

Please note from app. D that the SPC consulting contract began in July 2009. In December 2009, it was extended to December 31, 2010. Therefore, there was one year left on that contract as of 12/31/2009, the valuation date for the purpose of the 2010 form 6 (**app. A**).

The contract appears to have been further extended to March 31, 2012, as a newspaper report (**app. E**) and a statement on Ms. Long's own campaign website indicate (**app. F**).

## 4. Income from business appears too low

Given the existence of this SPC contract and other clients named in the 2010 form 6, I also find it hard to believe Ms. Long's claim that JCL & Associates produced less than \$1,000 a year in income for Ms. Long in 2009 and 2011.

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Had Ms. Long accurately stated her financial situation, voters might have asked more questions about her consulting business JCL & Associates, a business which was the subject of a critical 2010 article in the Tampa Bay Times (**app. D**). The voters might also have asked themselves if the candidate was primarily running to serve the people, or because the candidate primarily wants the \$90,389 annual pay that comes with being a Pinellas County commissioner.

Many, myself included, question the true motivations of candidates who are retirement age or older (Ms. Long is 67 or 68) and exhibit the combination of low income, low net worth *and* high loan to value ratio on their house (or have other substantial debts). Voters have a right under the Florida Constitution to know the candidate's true financial situation before voting. The voters have been denied this right, as it appears that Ms. Long's required disclosures were not "true, accurate and complete".

It is my understanding that the Commission can only consider violations under FS 112. However, other questionable acts should inform the FCE's decision. Therefore, I want to mention that in 2012 Ms. Long has written herself several checks out of campaign funds while only explaining those payments as "reimbursements". Just writing "reimbursements" does not tell you what the money was used for. I have found no other candidate for county commission who engages in the unusual practice of writing themselves checks out of campaign funds.

Each time Ms. Long was sworn in as a Seminole City Council member, she swore specifically to uphold FS112 part III, the code of ethics that she now appears to have violated. When elected as a state representative, Ms. Long twice swore to uphold the Florida Constitution, which of course incorporates article II, section 8. Given all these oaths she had already taken as an elected official and given her oath to file accurate disclosures, a fine is in order. A clear message should be sent to all candidates: your form 6 has to pass the smell test.

In the interest of full disclosure, I want to inform the FCE that my wife and I have each donated \$250 to the campaign to re-elect Mr. Brickfield, a Republican who is Ms. Long's opponent in this 2012 race. However, I have previously published information very critical of Mr. Brickfield, and this was reported by the Tampa Bay Times in 2009 (**app. G**). Earlier this year, I also filed an ethics complaint against a Republican (Jimmie Johnson) in my immediate area. So I file this complaint not for partisan reasons or because I am voting for Ms. Long's opponent. Rather, I file it because I think the voters need to know these facts before they vote. Hence I will make it public knowledge that I filed this complaint.

I e-mailed and called Ms. Long before filing this complaint, in order to give her an opportunity to tell me if I am wrong in anyway. That e-mail is attached (**app. H**). Ms Long did not respond, and that is of course her prerogative.

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Thomas Rask