



Inspector General Insights

Background: The Office of Inspector General (OIG) received an anonymous complaint about the Robert L. Zore Foundation Inc. dba the Fallen Officers (Fallen Officers), alleging that their president/founder Rosemary Zore (Zore) and vice-president Michael A. Randall (Randall) were engaging in questionable financial activities for a not-for-profit entity. The Fallen Officers were regularly holding fund-raising concerts at the County's Sugden Regional Park, where they were soliciting for approximately \$100,000.00 in donations to build a memorial in that same County Park. A sample promotion for their concerts is shown below.



Objective/Scope: The OIG initiated a review to determine if the Fallen Officers violated associated U.S. Code(s), Florida Statutes, and/or Collier County Ordinance(s) when they:

- Initiated solicitation and fundraising activities in Collier County, Lee County, or the State of Florida after September 4, 2018.
- Received contributions, donations and/or funds in Collier County, Lee County, or the State of Florida after September 4, 2018.

Observations: The OIG observed the following:

- On September 5, 2018, Fallen Officers received approval from the Internal Revenue Service (IRS) to be exempt from federal income tax and classified as a 26 U.S. Code §501(c)(3) public charity. However, the records revealed that they were not registered as a charitable organization with the Florida Department of Agriculture and Consumer Services (FDACS). Without the required state registration, the Fallen Officers were illegally soliciting contributions per Florida Statute §496.405.
- Fallen Officers violated the Collier County Code of Ordinances, Part I, Chapter 34 – Charitable Solicitations, Article II – Public Solicitation of Contributions when they failed to register as a public solicitor with the Collier County Clerk of the Circuit Court.

- Fallen Officers violated Florida Statute §617.0803 when they submitted a registration as a Florida not-for-profit Corporation using the name of Zore's deceased father (Robert L. Zore) as their Secretary/Director (the required third active board member). Zore and Randall continued to use the deceased father's name (Robert L. Zore) as an active board member in the required Division of Corporations' annual reports from 2019 through 2021. Subsequently, on July 22, 2022, an Officer/Director Resignation form was submitted to the Florida Division of Corporations, indicating the deceased man's personal signature, following an attestation that he was resigning as the Secretary/Director (see following clip).

OFFICER / DIRECTOR RESIGNATION
FOR A CORPORATION

I, Robert L. Zore, hereby resign as S/D
 of Robert L. Zore Foundation Inc
 (Name of Corporation)
 ID# 1800009523 a corporation organized under the laws of the State of
 (Divisional Number, if applicable)
Florida

[Signature]
 (Signature of resigning officer/director)

NO JUL 22 AM 11:27

OFFICER / DIRECTOR RESIGNATION
FOR A CORPORATION

I, Michael Randall, hereby resign as VP
 of Robert L. Zore Foundation Inc
 (Name of Corporation)
 ID# 1800009523 a corporation organized under the laws of the State of
 (Divisional Number, if applicable)
Florida

[Signature]
 (Signature of resigning officer/director)

NO JUL 22 AM 11:27

[Signature]
 (Signature of resigning officer/director)

[Signature]
 (Signature of resigning officer/director)

- On September 15, 2020, Randall registered The Gold Lion Agency, LLC (Gold Lion) with the Division of Corporations, identifying himself as the president/manager. Gold Lion functions as a professional solicitor, promoting the fundraising events and solicitation activities benefitting the Fallen Officers in Collier County and Lee County. Neither Gold Lion nor Randall were registered with the FDACS as a professional solicitor as required per Florida Statute §496.410(1).
- §617.0832 (Director Conflicts of Interest) states that a contract or other transaction between a corporation and its directors shall be either void or voidable if it is made with any other corporation, firm, association, or entity in which one or more of its directors are financially interested. Randall violated this statute by using Gold Lion to sponsor and promote fundraising events and activities to benefit Fallen Officers.
- As a §501(c)(3) public charity, Fallen Officers were required to file an annual Form 990 return with the IRS. The online IRS records showed that they filed a Form 990-EZ form in 2018 and reported a total revenue of \$6,060.00. However, the IRS website did not disclose records of a Form 990 during the years 2019, 2020, and 2021, all of which would have been past due at the time of the OIG review. Accordingly, Fallen Officer's tax-exempt status was at risk of being revoked for failure to file the Form 990 for three consecutive years.

- OIG's online research showed that Randall promoted and marketed concert events and fundraising activities for local not-for-profit organizations in the City of Naples and Collier County since 2013. Additionally, Randall's Gold Lion website described him as a marketing/advertising executive with over 25 years of experience working with and developing not-for-profit organizations. Based on his history and his own representations, Randall would have been familiar with the requirements of not-for-profit organizations.
- OIG's law enforcement database and court records review on Randall and Zore revealed concerning information for persons responsible for handling finances of a not-for-profit entity:

Randall

- On September 14, 2010, Randall was arrested by the Jackson Township Police Department (Stark County, Ohio) and charged with a 5th degree felony theft charge for allegedly stealing property out of a rental home after he was served with an eviction notice. The stolen property was valued at approximately \$4,038.99.
- On April 18, 2011, Randall was found guilty of a lesser offense (1st degree misdemeanor theft charge instead of 5th degree felony) and sentenced to 180 days at the Stark County Jail. The sentence was suspended on the condition of a 2-year probation, and the requirement to pay \$500.00 in restitution and \$100.00 in fines.
- Although Randall paid for the restitution and fines, on September 9, 2011, and October 13, 2011, respectively, he received two court notices for failure to pay the probation court costs of \$75.00. He initiated payment of the required probation fees in response to the second late notice.
- Randall filed two Chapter 7 bankruptcy cases in the State of Ohio in 2001 and 2012, respectively.
- Records showed the State of Ohio Department of Taxation filed 11 separate Ohio State Tax judgment liens against Randall in the Stark County Common Pleas Court and two in the Franklin County Common Pleas Court for sales tax violations between the dates of January 9, 2014, and March 27, 2020. The judgments range from \$1,716.66 to \$10,631.00. As of the date of this report, the OIG confirmed that all these judgment liens remain active/open.
- A Civil Action Complaint for Breach of Contract was filed in the Collier County Court against Randall on April 16, 2018, by a local Naples developer for failure to pay rent as stated in the Rental Lease Agreement, and for allegedly damaging the rental property and taking illegal possession of fixtures (fans, lights, curtains, etc.) from the rental property after he was served with an eviction notice. In a settlement agreement executed on September 27, 2018, Randall agreed to pay the Plaintiff \$16,000.00 for rents owed pursuant to the Lease of the Premises, and \$2,000.00 for damages to the premises. The total amount owed by Randall to the Plaintiff was \$18,000.00 to be paid no later than December 15, 2019. The OIG contacted the Plaintiff, who indicated that he was paid \$100.00 in total from Randall, leaving a balance still owed of \$17,900.00.
- A Collier County Court Small Claims judgment in the amount of \$1,760.00 was filed by Rick Johnson Auto & Tire Inc. against Randall on April 17, 2018, for failure to pay for labor and parts on a repair request that he authorized on his vehicle.
- A Collier County Court Small Claims judgment in the amount of \$4,056.00 was filed against Randall by Ford Motor Credit Company on July 21, 2020, for failure to make payments due on a car loan contract.

- On September 22, 2021, in the Collier County 20th District Circuit Court, American Credit Acceptance, LLC received court approval to repossess Randall's Harley Davidson motorcycle for failure to make payments.
- A civil judgment in the amount of \$6,467.00 was filed against Randall and Mar Sports Marketing by Capital One Bank in the Stark County Common Pleas Court, Ohio. As of the date of this report, the judgment remains open.
- A civil judgment in the amount of \$2,898.00 was filed against Randall and All Wireless Inc. by Brightstar Corp. in the Stark County Common Pleas Court, Ohio. As of the date of this report, the judgment remains open.
- Randall had outstanding child support payments in the State of Ohio.
- OIG did not find records of employment or a steady source of income for Randall.

Zore

- Four eviction notices were filed in the Collier County Circuit Court against Zore in 1998 and 1999 for failure to pay the monthly rent on her leased apartment. In two of the four evictions, the final judgment was ruled in favor of the plaintiff, and the remaining two were dismissed.
- In 2013, a dissolution of marriage was filed in the Collier County Circuit Court by Zore and her ex-husband. A review of the court documents showed that Zore reported her profession as a nail technician with a monthly income of \$1,148.00. She reported \$3,275.00 in monthly expenses for 10 credit cards with outstanding balances, a car loan, and household expenses, resulting in a monthly deficit of \$2,127.00.
- On October 20, 2015, Countywide Process Service on behalf of Target, Inc. filed a civil action against Zore for failure to make payment on a credit card in the amount of \$915.17. On June 17, 2016, a final judgment ruled that Zore was required to pay Countywide Process Service a principal of \$915.17 plus \$228.00 for court costs totaling \$1,143.17. On February 13, 2017, a motion for Continuing Writ of Garnishment against Salary or Wages was issued against Zore in the amount of \$1,143.17. On August 31, 2017, a Notice of Voluntary Dismissal of Garnishment was filed by the plaintiff, with no further information included in the court records.
- On February 9, 2016, Portfolio Recovery Associates, LLC on behalf of Citibank/Best Buy filed a civil action against Zore for failure to make monthly credit card payments in the amount of \$2,720.84. The final judgment ruled that Zore was required to pay Portfolio Recovery Associates, LLC a total of \$2,720.84 plus \$351.50 in court costs, totaling \$3,072.34. No further information was included in the court records.

Based on the aforementioned information, it appeared that Randall and Zore were experiencing financial hardship before and/or after they became involved with the Fallen Officers organization.

Recommendations & Actions: Based on the above-mentioned observations and documentary evidence obtained by the OIG, the OIG referred its investigation to the FDACS – Office of Agricultural Law Enforcement/Regulatory Investigative Section (RIS) for possible criminal/prosecutorial consideration. RIS staff subpoenaed and reviewed bank records for Zore, Randall, Fallen Officers, and Gold Lion. On June 21, 2022, the Office of Agricultural Law Enforcement - Criminal Investigative Section arrested Zore and Randall with the assistance of the Collier County Sheriff's Office.

Zore was arrested for the charge of *Engaging in Solicitation of Contributions without a License*, §496.405(1)(a) – a Felony 3rd Degree (one count), and the charge of *Fail to Apply Contributions in a Manner Substantially Consistent with the Solicitation*, §496.415(16) – a Felony 3rd Degree (one count).

Randall was arrested for the charge of *Fail to Register as Professional Solicitor* §496.410(1) – a Felony 3rd Degree (one count) when he solicited donations and engaged in fundraising events and activities without registering The Gold Lion Agency.

Conclusion: The state registration and criminal charges were resolved as follows.

Robert L. Zore Foundation / Fallen Officers

- FDACS records showed that the Fallen Officers organization submitted a Charitable Organizations/Sponsors Registration Application on July 14, 2022. On August 1, 2022, they received a Notice of Deficiency from FDACS for not providing an acceptable financial report for the fiscal years ending in September 2020 and September 2021, for not listing the correct title for one of the new board members, and for not providing the required certification/attestation to confirm that the new board members read and understood the conflict of interest policy. FDACS designated their application as “Suspended”.
- On January 10, 2023, the Fallen Officers organization submitted a second application to FDACS. On January 27, 2023, they received a second Notice of Deficiency for submitting an incomplete application, and for not providing an acceptable financial report for the fiscal year ending 12/31/2021.
- An OIG online query conducted on March 23, 2023, showed that FDACS removed the Fallen Officer “Suspension” status from their application and approved their registration. The FDACS website indicated the total revenue reported by the Fallen Officers organization on their 2021 IRS Form 990 was \$599,349.00.

Zore – Adjudication Withheld on Two Third Degree Felony Counts

- On January 17, 2023, Zore was adjudicated as “Adjudication Withheld” for the charge of *Operate in Violation, Fail to Comply with Solicitation of Contributions Act*, §496.415(1) – two counts.
- Zore was sentenced by the Court to a term of twenty-four (24) months of State Probation under the supervision of the Florida Department of Corrections. However, the terms of the negotiated plea agreement allowed her to petition the Court for an early termination of her probation upon completion of all probation terms and conditions.
 - Zore was ordered to pay restitution in the amount of \$20,000.00 to the Fallen Officers organization, with minimum monthly payments of \$833.00.
 - She was ordered to pay \$615.00 in court fines and fees.
 - Zore was directed to complete a 501(C)(3) course.

- She could continue to work at the foundation so long as she is not on the Board of Directors and does not have the capability to write any checks.
- According to the State Attorney's office, as part of the negotiated plea agreement, Zore was required to distribute \$180,000.00 in funds from the Fallen Officers organization's bank accounts to other charitable organizations as follows:
 - Collier County 100 Club - \$25,000.00
 - Home Front Heroes (Lee County) - \$25,000.00
 - Miami Police Officer Assistance Trust (POAT) - \$50,000.00
 - COPS (Concerns of Police Survivors) - \$30,000.00
 - Tunnel to Towers - \$50,000.00
- Zore was directed to report to probation immediately. On February 10, 2023, Zore filed a motion to terminate her 24-month probation term. The motion was granted on March 16, 2023, and her probation was terminated on March 27, 2023.

Randall – Guilty of One Count of a Third Degree Felony

- On February 17, 2023, Randall was adjudicated as “Guilty/Delinquent” of *Operate in Violation, Fail to Comply with Solicitation of Contributions Act*, §496.415(1) – one count.
- Randall was sentenced by the Court to a term of twenty-four (24) months of State Probation under the supervision of the Florida Department of Corrections. The OIG noted that the sentencing document did not inform the Judge of Randall's 2011 Ohio guilty misdemeanor theft verdict, as described previously.
 - Randall was ordered to complete 100 hours of Community Service.
 - He was ordered to report to probation immediately.
 - The court adjudged that Randall may not act as a board member and may not write any checks for any charity organization.
 - Randall was ordered to pay \$715.00 in court fines and fees.
 - **UPDATE:** On June 10, 2024, Randall's probation was terminated.

Additional Information: The State Attorney furnished the OIG with a copy of a resignation letter from Zore to the new Fallen Officers Board of Directors, dated January 2, 2023. In this letter, Zore stated that due to the ongoing court proceedings, she decided to resign as the Fallen Officers' president. She indicated that as of January 1, 2023, the Fallen Officers Foundation had a balance of \$405,019.65. Zore further stated that \$100,000.00 was kept in reserve for the “Collier County Fallen Officers Memorial,” which she indicated she wanted to get, “...on the agenda for the Collier County Commissioners desk for final approval. We currently have the blessing of the Parks and Recreation Board for approval at Sugden Regional Park ...” Zore went on to name two sitting commissioners and one other elected official, who she indicated as “blessing” the proposed memorial.

Campaign Activity

Per a review of Supervisor of Elections data and subpoenaed bank records, campaign donations totaling \$2,530.00 were made by Fallen Officers, Gold Lion, Zore and/or Randall to two other newly elected commissioners and one Naples city councilman in the 2022 election. The donation by the Fallen Officers was noted as a value-in-kind gift basket donation valued at \$280.00.

- Although this is not a cash contribution, under the Internal Revenue Code, all section 501(c)(3) organizations are prohibited from directly or indirectly participating in or intervening in any political campaign on behalf of (or in opposition to) any candidate for elective public office. Contributions to political campaign funds or public statements of position (verbal or written) made on behalf of the organization in favor of or in opposition to any candidate for public office clearly violate this prohibition, and such contributions could result in denial or revocation of tax-exempt status and the imposition of certain excise taxes.
- Acceptance of a donation from a 501(c)(3) by a campaign appears to violate Florida Statute §106.08 (5)(b), which prohibits contributions from charitable organizations. Knowing and willfully making or accepting such a contribution would be a first-degree misdemeanor.

Review of Bank Records

The OIG was furnished with the July 2019 – April 14, 2022, bank records subpoenaed for Zore, Randall, and Fallen Officers, which the OIG reviewed. Some items of note are as follows:

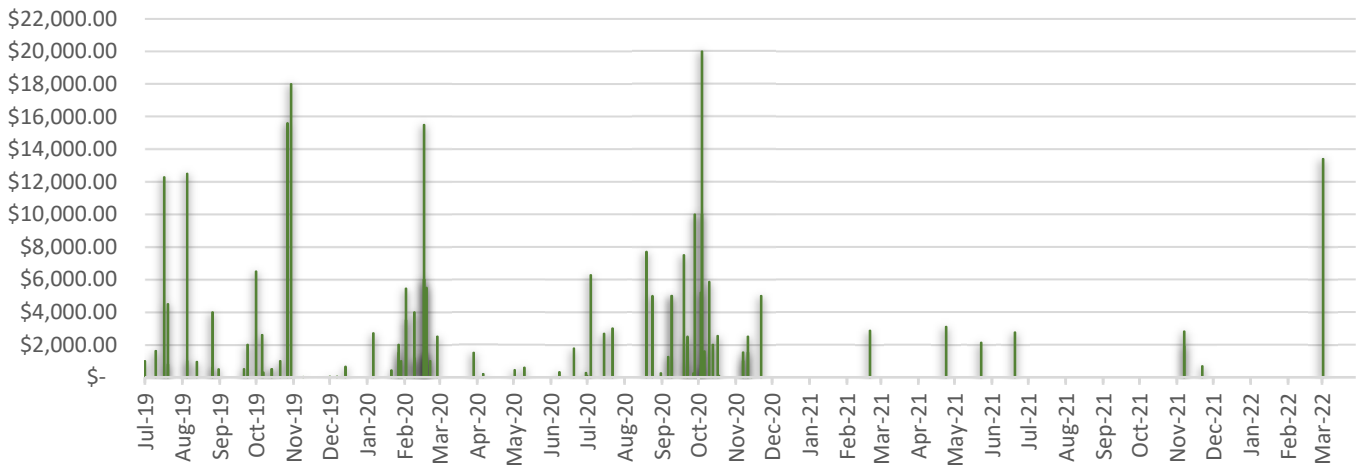
- Fallen Officers was able to obtain office space from St. Matthew’s House at the rate of \$1.00 per month beginning in February 2022. According to an email obtained by the OIG, this was based on an introduction and recommendation by a County commissioner.
- The FDAC RIS investigators reported findings of \$34,938.15 of personal expenditures from Fallen Officers funds. The OIG noted payments related to maintenance and improvements of personal residences of \$1,760.63, massage and spa services of \$978.25, expenses while traveling in Ohio of \$2,025.71, and an Ohio child support payment of \$500.00. There were \$31,325.53 in payments on credit cards, for which statements were not available.
- Prior to April 15, 2021, when Fallen Officers prepaid \$23,585.30 towards a 36-month lease on a 2021 Ford F150 valued at \$63,640.00, the foundation paid for auto repairs and car payments totaling \$6,091.06 for personal vehicles. This included a payment of \$2,231.02 to Ford Motor Credit on November 1, 2019 (as previously mentioned, Ford obtained a judgment in the amount of \$4,056.00 against Randall on July 21, 2020).
- The cash receipts and disbursements for the years are noted in the following table, net of transfers between Zore/Randall’s personal accounts, Gold Lion, and Fallen Officers.

Per Bank Activity	2019	2020	2021	Mar 2022	Total
Total Net Deposits	\$ 112,641.93	\$ 228,594.25	\$ 970,727.64	\$ 290,185.30	\$ 1,602,149.12
Total Net Disbursements	(106,215.74)	(216,865.82)	(710,689.79)	(148,755.00)	(1,182,526.35)
Net Cash Balance through 4/2022	<u>\$ 6,426.19</u>	<u>\$ 11,728.43</u>	<u>\$ 260,037.85</u>	<u>\$ 141,430.30</u>	<u>\$ 419,622.77</u>

- The increase in net credit card and check deposits shown in the bank account activity over the years is inconsistent with the falling cash deposit activity in 2021 and 2022, as noted in the chart below.

Cash Deposit History

July 2019 - March 2022



- Zore and Randall purchased a Naples condominium on August 9, 2021, for \$230,000.00, with no mortgage recorded. The OIG found that Randall and Zore netted over \$163,000.00 that same month, from the sale of a Naples property for which they had an option to purchase, stemming from a 2019 residential lease. This left over \$67,000.00 due at the time of the purchase of the new condominium. The OIG found no evidence that the remaining funds required would have been furnished by other real estate transactions.
 - Court records revealed that the last recorded quit claim deed and mortgage deed under the name of Randall was executed for a home in Ohio in December 2008, where he was named the owner along with his ex-wife. No other quit claim deeds or mortgage deeds were previously recorded or executed in Florida or Ohio for Randall.
 - Court records did not reveal information about any mortgage deeds or quit claim deeds previously recorded or executed under the name of Zore in the State of Florida.

Ongoing Operations

Randall's Gold Lion has a concert series scheduled at the County's Paradise Coast Sports Complex, "To Honor our "Legends" Of First Responders, Law Enforcement, Military and Veterans at every concert." The Fallen Officers are not named as a beneficiary of the six-part concert series, the first of which is scheduled for November 3, 2023, with five more to follow in 2024 (January 5th, February 2nd, March 1st, April 5th, and May 3rd).

Total # Transactions	Amounts Audited or Reviewed	Questioned Costs	Recovery	# Charges Filed
5,356	\$ 3,688,065.52	\$ 252,957.71	\$200,000.00	3