



AFFIDAVIT IN SUPPORT OF ARREST WARRANT

Your affiant, Robert Fielder, a State Attorney Investigator with the Office of the State Attorney for the Eleventh Judicial Circuit, who being first duly sworn, deposes and states as follows:

Your Affiant is a State Attorney Investigator assigned to conduct public corruption investigations. I have held this position since April, 2003. During the past 6 ½ years, I have conducted numerous public corruption investigations which have resulted in the arrests and convictions of dozens of defendants. Prior to that time, I was a police officer with the City of Miami Police Department for twenty-nine (29) years. From 1986 to 2003, I was detached to Federal authorities, including the United States Attorney's office and the Drug Enforcement Administration, and was responsible for conducting complex criminal investigations involving police corruption, public corruption and narcotics trafficking.

Since 2007 your affiant has conducted a joint investigation with the Miami-Dade Police Department into alleged corruption and grand theft by City of Miami Commissioner MICHELLE SPENCE-JONES. Since that time, I have personally interviewed numerous witnesses and I have reviewed and analyzed hundreds of documents, including the records of the Miami-Dade Action Plan Trust, correspondence and emails concerning relevant events, and banking records. I am also aware of information produced by the Detectives assigned to the Public Corruption Investigation Bureau (PCIB) of the Miami-Dade Police Department. Based upon the foregoing, your Affiant has probable cause to believe that MICHELLE SPENCE-JONES has committed the crime of 2<sup>nd</sup> Degree Grand Theft in violation of Florida Statute 812.014(2)(b).

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2. On September 23, 2004, at a Budget Meeting of the Miami-Dade County Commission, Chairperson Barbara Carey-Shuler directed the Miami-Dade Action Plan Trust (MMAAP), a quasi-public agency, to reprogram and distribute county funds as grants to several groups including: (1) Timbuktu Marketplace, (2) Osun Village, and (3) Friends of MLK, Inc. The exact dollars amounts for these grants would be decided at a later date.
  
3. On November 8, 2004, the Board of Directors of MMAAP voted to follow the directions of Chairperson Carey-Shuler and allocated funds for the following grants:
  - Timbuktu Marketplace      \$25,000
  - Osun Village                      \$25,000
  - Friends of MLK, Inc.              \$25,000
  
4. Timbuktu Marketplace is the creation of local artist, Marvin Weeks, and is a concept to provide a gallery where African-American artists could display and sell their artwork. In the latter half of 2004 and early 2005, Mr. Weeks had an oral agreement with MICHELLE SPENCE-JONES to jointly open a café and artist space on N.W. 7<sup>th</sup> Avenue in Miami, Florida
  
5. Osun Village is the concept of architects Harlan Woodard and Nathaniel Styles to redevelop and renovate a portion of 7<sup>th</sup> Avenue in Miami. Their plan would renovate storefronts between 54th Street and 62nd Street on N.W. 7<sup>th</sup> Avenue in an afro-centric style as part of a plan to revitalize this area. Osun Village itself does not exist as a legal entity with a bank account, instead any funds directed to Osun Village would go to Community Builders Holistic Development Corporation, which is the corporation of Styles and Woodard.

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6. Friends of MLK, Inc. is a non-profit corporation headed by Reverend Gaston Smith with the stated purpose of continuing the legacy of Martin Luther King, Jr. by assisting citizens in Liberty City.
7. Between the dates of September 2004 and August 2005, MICHELLE SPENCE-JONES was employed by the City of Miami as an Aide to the Mayor. Her responsibilities included managing the City office of Film, Arts, Culture and Entertainment.
8. The officials at MMAP, including Contracts Officer Williams Simmons, were unsure how to distribute the funds to Timbuktu Marketplace, Osun Village, and Friends of MLK, Inc. The usual process was for a potential grant recipient to apply to and make a presentation to MMAP'S staff and Board of Director's stating why they needed public funds and what was to be accomplished with these funds. However, with the grants to the three entities at issue, MMAP officials did not know who to contact and who would sign the necessary documents before the grant funds could be distributed.
9. Sometime in November or December 2004, MICHELLE SPENCE-JONES contacted MMAP Contracts Officer William Simmons and told him that she would be the contact person for the three grants at issue. Although this process was highly unusual and unprecedented, Mr. Simmons decided to go along with SPENCE-JONES' directions because he was aware of her close relationship with Chairperson Carey-Shuler and he was afraid of adverse employment actions if he failed to cooperate.
10. On December 15, 2004, Karym Ventures, Inc. was incorporated as a for-profit corporation with its directors and officers consisting of MICHELLE SPENCE-JONES and members of her immediate family.
11. On or about January 4th, 2005, MICHELLE SPENCE-JONES spoke once again to Williams Simmons and told him that the grant funds for

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Timbuktu Marketplace and Osun Village should be redirected to Karym Ventures, Inc. for its Café Soul project which would be located at 4905 N.W. 7<sup>th</sup> Avenue. She also told Simmons that the Reverend Gaston Smith would likely be the principal of Friends of MLK, Inc. and the person who would sign for and receive the grant funds.

12. William Simmons wanted some proof that the intended grant recipients, Timbuktu Marketplace and Osun Village agreed to the redesignation of Karym Ventures, Inc. as the new grant recipient. To satisfy Mr. Simmons request, MICHELLE SPENCE-JONES obtained two letters which were submitted to MMAP. SPENCE-JONES asked her "business partner" Marvin Weeks to write her a letter in support of her Café Soul project. He wrote this letter never stating and never intending that SPENCE-JONES and Karym Ventures, Inc. would receive grant funds intended for him. He was aware that he was to receive grant funds from MMAP; however, he didn't realize that SPENCE-JONES had actually taken his grant until the summer of 2005. (See Attachment 1)
  
13. The second letter that MICHELLE SPENCE-JONES provided to MMAP was an unsigned letter from Community Builders Holistic Development Corporation Association, the corporation of Nathaniel Styles and Harlan Woodard. This letter purported to support the SPENCE-JONES' Café Soul project. However, even though it was on their corporation's letterhead, Mr. Styles and Mr. Woodard never saw the letter, did not sign it, and never authorized anyone to write a letter on their behalf. In fact, Mr. Woodard, when shown the letter for the first time by your Affiant, exclaimed that "We are victims of identity theft!" (See Attachment 2)
  
14. Even with the two letters discussed above, MMAP official Simmons still wanted verification from Chairperson Carey-Shuler that she approved of this unprecedented redirection of grant funds from the intended recipients to a third party. On or about February 15, 2005, MMAP

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received a letter purportedly from Chairperson Barbara Carey-Shuler on her official office stationery. This letter, which was faxed to MMAP from an unknown telephone number, stated that the original intent of the Chairperson was for MICHELLE SPENCE-JONES and her family corporation Karym Ventures, Inc. to receive the grant money instead of Timbuktu Marketplace and Osun Village. Ms. Carey-Shuler has stated under oath that she did not sign this letter, that a stamp of her signature was used instead of her actual signature, that she would never sign a letter like this, that she had never seen or authorized this letter, and that she never directed MMAP to redirect the funds to SPENCE-JONES. Furthermore, Ms. Carey-Shuler stated that she had no authority to reallocate the funds because it would be unlawful for a single commissioner to reallocate funds without a vote of the full County Commission. In fact, Ms. Carey-Shuler stated that she was "shocked" that MICHELLE SPENCE-JONES had gotten the funds instead of the intended recipients. (See Attachment 3)

15. As for the \$25,000 grant to Friends of MLK, Inc., MICHELLE SPENCE-JONES arranged for Reverend Gaston Smith to be the contracting principal and recipient of the funds. On July 17, 2005, MMAP and Miami-Dade County wrote a check to Friends of MLK, Inc for \$25,000. Reverend Gaston Smith stole a portion of these funds and is presently awaiting trial as a defendant in a separate case. MICHELLE SPENCE-JONES received \$8000 of these funds as an alleged "consultant" to Friends of MLK, Inc.
16. On or about April 8, 2005, Miami-Dade County issued a check to Karym Ventures, Inc. for \$50,000 which was the total amount of the two grants intended for Timbuktu Marketplace and Osun Village.

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17. The contract between MMAP, on behalf of Miami-Dade County, and Karym Ventures, which was signed by Kenneth Spence, the brother of MICHELLE SPENCE-JONES, specifically required that the County's \$50,000 grant be placed into a separate bank account and not comingled with funds from any other source. This is a standard provision in county grants and loans so that auditors can later verify that the county funds were used for the intended purpose. MICHELLE SPENCE-JONES and her brother immediately violated the prohibition against co-mingling fund by depositing the \$50,000 check into a bank account with fund from other sources. Between April 2005 and September 2005, Karym Venture's bank account included in addition to the aforementioned \$50,000, additional grant funds from Miami-Dade County for the Cafe' Soul project in the amount \$25,000, "consulting" fees from Friends of MLK, Inc in the amount of \$8,000, a "finders fee" from a client of MICHELLE SPENCE-JONES in the amount of \$3000, and a few small cash deposits totaling less than \$1000, and an additional running balance of approximately \$2000. Therefore, during the relevant time period of April to September 2005, MICHELLE SPENCE-JONES and her family, through their corporation Karym Ventures, Inc, had co-mingled funds in the amount of approximately \$89,000. It is important to note that \$83,000 from the total amount of funds came from county services (ie, the \$50,000 grant from MMAP, the \$25,000 additional grant for Café' Soul from Miami-Dade County, and \$8000 from the MMAP grant to Friends of MLK, Inc.). By September 23, 2005, Karym Ventures bank account had a balance of \$728.82

18. The \$89,000 (with \$83,000 derived from Miami-Dade County funds) was spent as follows:

- MICHELLE SPENCE-JONES: \$12,408.00
- Kenneth Spence: \$9569.00

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- Yvonne Lowe (mother of MICHELLE SPENCE-JONES):  
\$3175.00
- American Express: \$10,279.71 (credit card charges by MICHELLE SPENCE-JONES and Kenneth Spence included air travel, hotels, restaurants, pet care, footwear, gasoline, groceries, satellite television, clothing and automobile repair).
- Expenses related to the Café' Soul project:  
approximately \$54,000.00

Based on the foregoing evidence, your affiant has probable cause to believe that defendant MICHELLE SPENCE-JONES committed the crime of 2<sup>nd</sup> Degree Grand Theft, in violation of 812.014(2)(b).



Robert Fielder, Affiant  
Investigator For the  
Office of the State Attorney  
for the 11<sup>th</sup> Judicial Circuit

Sworn and subscribed before me this 12<sup>th</sup> day of November, 2009.



Circuit Court Judge  
11<sup>th</sup> Judicial Circuit of Florida  
BEATRICE A. Butchko

**ATTACHMENT 1**



4256 NW 7<sup>th</sup> Ave.  
Miami, Fl. 33127

January 3, 2005

Michelle Jones  
Karyn Ventures / Café Soul

Ms. Jones this letter is to confirm the support and collaboration of Timbuktu Marketplace with the Café Soul Demonstration project. Timbuktu is excited about working with Karyn Ventures in providing a brand with a planned business concept. Our partnership to develop a focus area along the 7<sup>th</sup> Avenue corridor as an arts and entertainment venue will strengthen the economical stability of Café Soul and the surrounding community.

Timbuktu has agreed to work with Café Soul in creating a clearinghouse for national and international artist from the African Diaspora. This opportunity will provide our business an unprecedented ability to tap into the regional markets. Timbuktu will work with Karyn Ventures to identify and develop liable and working space. South Florida has Emerged as a leader in the world of arts and entertainment the collaboration of this effort can Enhance our ability for success.

A handwritten signature in cursive script that reads "Marvin Weeks".

Sincerely,  
Marvin Weeks  
Timbuktu Market

## **ATTACHMENT 2**



## Community Builders Holistic Development Corporation



January 10, 2005

Mrs. Michelle Spence Jones  
Café Soul  
Miami, FL 33127

Re: Osun's Village

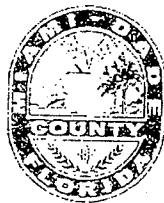
Dear Michelle,

We are very pleased that you have identified a location for your "Café Soul" concept in Liberty City, and welcome you to our growing business community. As you are aware, we are diligently developing the Osun's Village Development that will span from 54<sup>th</sup>-58<sup>th</sup> Street on Northwest 7<sup>th</sup> Avenue. Your "Café Soul" initiative fits within the proposed African Caribbean Cultural Corridor and its design through KDI/Architecture, Inc. will reflect the proposed design standards for the corridor.

As we develop the corridor we look forward to collaborating with your corporation to develop innovative initiatives that stimulate business growth and development in this under-served and economically distressed urban corridor. Once again, we welcome you to the community and look forward to working with you on this your most recent project and others to come in the very near future.

5601 NW 7<sup>th</sup> Ave, Miami, Florida 33127  
tel: 305.759.7100 or 786.344.1153 fax: 305.759.7200  
[cbuidhdc@aol.com](mailto:cbuidhdc@aol.com)

## **ATTACHMENT 3**



DR. BARBARA CAREY-SHULER  
BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER, DISTRICT 3

February 15, 2005

Mr. John T. Jones, Chairman  
Metro-Miami Action Plan Trust  
19 West Flagler Street, M-106  
Miami, FL 33130

Dear Mr. Jones:

**Re: Karym Ventures, Inc., d/b/a Café Soul**

This letter serves as clarification of my intent regarding the funding allocations of \$25,000 to Timbuktu Marketplace, Inc. and \$25,000 to Osun's Village placed in the September 2004 budget.

The Metro-Miami Action Plan Trust should release the \$50,000 to Karym Ventures, Inc., the company overseeing the development of Café Soul--a commercial development project that includes Timbuktu Marketplace and is part of the overall Osun's Village project (see attachments).

Please do not hesitate to call if additional information is necessary.

Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Carey-Shuler".

Barbara Carey-Shuler, Ed.D.  
County Commissioner, District 3

Attachments