

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND
FOR BROWARD COUNTY, FLORIDA**

CASE NO. CACE 22-016854 (18)

Judge: Fabienne E. Fahnestock

MARIE MURRAY MARTIN,

Plaintiff / Petitioner

v.

RODNEY GABRIEL VELEZ,

BROWARD SUPERVISOR OF ELECTIONS AND CANVASSING BOARD, Joe
Scott

BROWARD COUNTY SCHOOL BOARD, Chair Torey Alston

Defendant(s) / Respondent(s)



AMENDED PETITION FOR WRIT OF QUO WARRANTO PER JUDGE

FABIENNE E. FAHNESTOCK'S ORDER TO SHOW CAUSE

Comes now Petitioner Marie Murray Martin after an amendment per Judge's order to show cause. This case is before the Court on the petition of Marie Murray Martin for a writ of quo warranto seeking an order directing Respondent Rodney Gabriel Velez to provide evidence to prove he has his Judicial Clemency, Executive Pardon or Restoration of civil rights in order to hold a seat on the Broward County School Board and directing the Supervisor of Elections not to certify the votes and directing the Broward County School Board not swear the Respondent into office. Without proof of clemency aka civil rights the Respondent should not be permitted to have his votes certified by the Broward Supervisor of Elections on November 18 at 3 p.m., hold office, nor be sworn in on November 22, 2022 at 8 a.m., according to the Florida Constitution. The unofficial results from the Supervisor of Elections website report the Respondent unofficially the winner of the November 8, 2022 election for Broward County School Board, District 1.

In 1995, Velez was charged and pled guilty to aggravated battery, a 2nd degree felony. His judgment was adjudicated guilty, Case No. 94021542CF10A, Appendix AA.

The Florida Constitution Article VI Section 4 states: "No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent,

shall be qualified to vote or hold office until restoration of civil rights or removal of disability.” With the passage of Florida’s Amendment 4 approved by voters in 2018, the voting language of Article VI Section 4 has been amended and voting rights have been restored to some felons who have paid fines, served time and satisfied parole. However, Amendment 4 did not change the Constitutional language addressing the disqualification of a felon in regard to holding office or serving on a jury.

To date, when a Clemency Search is done on the public site of the Office of Executive Clemency using the Respondent’s name and date of birth the site states “NO RECORDS FOUND.” Appendix A. In addition, Velez publicly confirmed he did not have clemency in an October 30, 2022 Sun Sentinel article, Appendix B.

The Respondent’s confirmation statement in the Sun Sentinel that he will “fight” to get his clemency proves his falsification of the candidate’s oath during the qualifying period. In contrast, prior to October 30, 2022 he was saying “I have my rights.” The Respondent telling the Sun Sentinel he has his “rights” thereby deceived the public at large. The Sun Sentinel's readership is between 163,000 weekly and 228,906 on Sundays. By November 13, 2022 after the election on

November 8, 2022 in an article in the Sun Sentinel, the Respondent stated he filed his clemency paperwork, Appendix BB.

In a June 30, 2022 Sun Sentinel article, the Respondent erroneously claimed the Supervisor of Elections told him he was eligible to run for office. The Respondent stated, "Because it's an elected position, I am allowed to," Appendix DA. However, the Respondent's fabrication was proven wrong in a September 7, 2022 response to the Petitioner from Scott's general counsel Devona Reynolds Perez. The counsel said, "Mr. Scott recognizes you may have valid concerns regarding Mr. Velez's candidacy; however, Mr. Scott's role as the qualifying officer is strictly ministerial in nature. As the qualifying officer, Mr. Scott is not permitted to determine whether the contents of the qualifying papers submitted by a candidate are true or accurate," Appendix E. Again the Respondent's misleading claim was proven wrong in a November 11, 2022 WLRN article, Ivan Castro of Broward Supervisor of Elections office said, "The supervisor has no authority to challenge candidates or question their eligibility to hold office. He did not ask and we would not give legal advice if he had asked," Appendix EA.

This proves undisputedly that on June 13, 2022, the Respondent falsely signed the candidate's oath and filed it with the Broward County Supervisor of

Elections. Without clemency the Respondent did not meet the qualifications and was not eligible to sign, Appendix C. The oath states “I am qualified under the Constitution and Florida laws to hold the office which I desire to be nominated or elected.” The Respondent could not swear to the oath, because under the Constitution he did not qualify.

In addition, it is unlawful to affirm the candidate’s oath, according to Florida Statute 104.011: “A person who willfully swears or affirms falsely to any oath or affirmation, or willfully procures another person to swear or affirm falsely to an oath or affirmation, in connection with or arising out of voting or elections commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

On August 17, 2022, the Petitioner filed a fraud complaint with the Florida State Department Division of Elections Office, Appendix D. The Respondent was notified of the fraud complaint as required per complaint guidelines. The complaint states, “anyone who is running for public office must have there (sic) civil rights restored or seek special permission from the clemency board. Rodney G. Velez has not had his civil rights restored.” However, after being notified by the state department with a copy of the fraud complaint, in complete defiance of the law the

Respondent continued in the race and did not notify voters that he did not have his civil rights. In addition, on October 3, the Petitioner made an effort to notify the Respondent and sent the Respondent a certified letter asking for proof of his clemency. He never signed for the package, Appendix I and J.

The Petitioner has also written the Secretary of State for an advisory opinion but again the Secretary of State's office said by phone they, like the Supervisor of Elections, have no jurisdiction to enforce Article VI Section 4 or Florida Statute 104.011 in a school board race. A deputy counsel David Chappell by phone stated "the Secretary of State's office is ministerial only." The Petitioner also wrote to the Attorney General's office. The Attorney General's office referred the Petitioner back to the elections office and told the Petitioner to continue working with the office of elections, Appendix F. The local State's Attorney was also contacted without response, Appendix G.

All but the State's Attorney have said the local court has the jurisdiction to enforce Florida Constitution Article VI Section 4, and Florida Statute 104.011 in a Broward County School Board race.

The only example of a similar case in Florida is the Tyrone Oliver case in December of 2019. The case never made it to the courts. Oliver, also a felon without clemency, won a seat on the Ocala City Commission but was never sworn in. By January 2021, Oliver still did not have clemency. Though the city commission and school board are different entities, the Constitution takes precedence. The city attorney of Ocala stated, "The Florida Constitution provides no person convicted of a felony shall be qualified to vote or hold office until restoration of civil rights," Appendix H. The city attorney continued "So the question becomes. Does the constitutional provision apply to the City of Ocala? My answer: I think it does." The Petitioner makes the same argument. Does the constitutional provision apply to the School Board of Broward County? The Petitioner's answer: I think it does.

Based on all the facts, the only way the Respondent, Rodney Gabriel Velez, would be able to serve was to have gone through the clemency board to get his clemency. He did not.

The Clemency Information sheet dated March 10, 2021 states: The Restoration of Civil Rights restores to an applicant all the rights of citizenship in the state of Florida enjoyed before the felony conviction—including the right to vote if not already restored by Amendment 4, the right to serve on a jury, and the

right to hold public office ... Such restoration shall not relieve an applicant from the registration and notification requirements. Appendix AB.

This case will set a precedent in the state. The Respondent's disregard for the law deceived voters, and usurped the election process. Elections should be transparent, accountable and have fair processes. If the Respondent is able to move forward as though nothing illegal occurred, future elections throughout the state of Florida will be inundated with ineligible candidates at great cost to the voters, taxpayers, courts and local communities.

Based on the Florida Constitution, the Petitioner is requesting the judgment to:

- 1. Immediately notify the Supervisor of Elections not to certify the Respondent's votes from the November 8 election; and
- 2. Order the Respondent not be sworn into office as a Broward County School Board Member because the Respondent does not have Judicial Clemency, an Executive Pardon or Restoration of his civil rights and therefore is not qualified to hold office.

In the event the processing of this case extends beyond, November 18, 2022 at 3 p.m. after votes are certified, the Petitioner is requesting the judgment to:

- Order the Respondent not be sworn into office as a Broward County School Board Member because the Respondent does not have Judicial Clemency, an Executive Pardon or Restoration of his civil rights and therefore is not qualified to hold office, under the Florida Constitution and the Florida State Statute **102.168. Contest of election.**— Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any elector qualified to vote in the election related to such candidacy, or by any taxpayer, respectively.

In the event the processing of the case extends beyond, November 22, 2022 at 8 a.m. when the Respondent is sworn in, the Petitioner is requesting the judgment to:

- Order the Respondent removed as a Broward County School Board Member because the Respondent does not have Judicial Clemency, an Executive Pardon or Restoration of his civil rights and therefore is not qualified to hold office, under 102.168 and the Florida Constitution.

Respectfully submitted,

A handwritten signature in cursive script that reads "Marie Murray Martin". The signature is written in dark ink and is positioned below the typed name of the petitioner.

Marie Murray Martin
Petitioner
Marie Murray Martin
Petitioner
1313 N. Park Avenue
Hollywood, Florida 33021
Cell: 954-483-6509 work: 754-323-2900
Email: mariemartintgaz@gmail.com

Rodney G. Velez
Respondent
2522 N. 28th Avenue
Hollywood, Florida 33020
Cell: 954-850-2501
Email: RodVelez954@gmail.com

Joe Scott, Broward Supervisor of Elections
Respondent
Broward County Government Center
115 S. Andrews Ave. Room #102
Fort Lauderdale, FL 33301

Broward County School Board
Torey Alston, BCPS Chairman
Respondent
600 SE 3rd Avenue
Fort Lauderdale, FL 33301

Cc: Marilyn Batista, BCPS general counsel
Cc: Harold Pryor, State Attorney
Cc: Florida State Dept. Division of Elections
Cc: Florida Elections Commission
Cc: Florida Inspector General Melinda Meguel

IN THE CIRCUIT COURT OF THE 17 TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE22-016854 (18)
JUDGE FABIENNE E. FAHNESTOCK

MARIE MURRAY MARTIN,
Petitioner,

v.

RODNEY GABRIEL VELEZ,
Respondent.

ORDER TO SHOW CAUSE

THIS CAUSE came before the Court upon Petitioner's *pro se* Petition for Writ of Quo Warranto filed on November 14, 2022. Upon review of the Petition and the case file, the Court noted deficiencies which must be remedied before the Court may act upon the Petition. Accordingly, it is hereby **ORDERED** that:

1. Petitioner shall effectuate and record service of process for the Court to exercise jurisdiction over the Respondent. At this juncture, the record does not reflect proper service of process has taken place.
2. Petitioner's prayer for relief requests this Court to exercise jurisdiction over entities not currently parties to this proceeding. Petitioner must ensure all indispensable parties are named and served in this action in order to guarantee any relief requested is just and proper.
3. Failure to cure these deficiencies may result in dismissal of the case. A 15 minute hearing has been scheduled for Monday, November 28, 2022 at 2:30 p.m. via zoom: <https://17thflcourts.zoom.us/j/598494885>, Meeting ID: 598 494 885 to determine whether this order has been complied with.

DONE and **ORDERED** in Chambers, at Broward County, Florida this 18th day of November 2022.



FABIENNE E. FAHNESTOCK
CIRCUIT COURT JUDGE

Copy to:

Marie Murray Martin (mariemartin@gaz@gmail.com)

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OFFICE OF EXECUTIVE CLEMENCY
FLORIDA COMMISSION ON OFFENDER REVIEW

BEFORE SEARCHING, PLEASE NOTE:

- This Restoration of Civil Rights (RCR) search only returns information regarding civil rights that have been **GRANTED** by the Board of Executive Clemency.
- You will **NOT** be able to determine **STATUS** or **ELIGIBILITY** on pending cases.
- If your rights were granted without a hearing, you may search from this page for your **CERTIFICATE**.
- If your rights were granted at a Clemency Meeting, you will need to contact the Office of Executive Clemency for a copy of your **EXECUTIVE ORDER**.
- Executive Orders or Certificates for other forms of Clemency Granted such as Pardons, Firearm Authority, Remission of Fines, Restoration of Alien Status (Historical), or Commutation of Sentence can be obtained by contacting the Office of Executive Clemency.
- If a more recent felony conviction has occurred after the date granted on the certificate, you will need to contact the Office of Executive Clemency to verify your current status or to request information on eligibility to have your rights restored again.

Contact the Office of Executive Clemency

Toll Free: 1-800-435-8286

Phone: (850) 488-2952

Fax: (850) 488-0695

Email

For applicants to update contact information:

ClemencyWeb@fcor.state.fl.us

Inquiries from law enforcement and government

officials: Governmentofficialsclemency@fcor.state.fl.us

The Office of Executive Clemency

Florida Commission on Offender Review

4070 Esplanade Way

Tallahassee, FL 32399-2450

SEARCH FOR CERTIFICATE:

- Enter the **FIRST**, then **LAST NAME** used at the time of conviction.
- Enter the **DATE OF BIRTH** or Florida Department of Corrections **ID NUMBER**.

RECORD NOT FOUND

Please check spelling and/or try an alternative name (e.g. Robert for Bob)

Restoration of Civil Rights Search	
*First Name:	Rodney
*Last Name:	Veniz
*Date of Birth (e.g. mm/dd/yyyy):	08/06/1970
*Department of Corrections ID Number:	

Search Database

*First and Last Name and either the **Date of Birth** or **Department of Corrections ID Number** are required.

Florida Commission on Offender Review Home Page

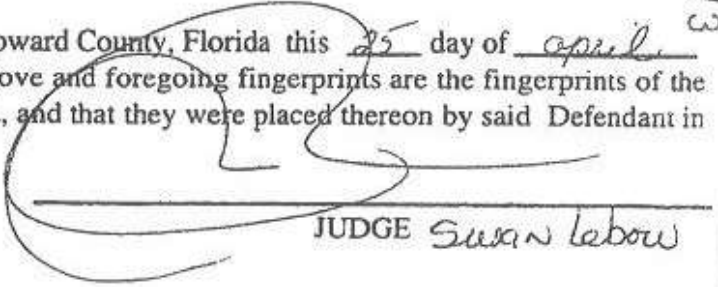
If your right to vote has been restored, click here to obtain an online application and information to register to vote.

DIVISION CRIMINAL FJ	<input type="checkbox"/> ADJUDICATION WITHHELD <input checked="" type="checkbox"/> ADJUDICATED GUILTY	CASE NUMBER 9421542CF10A
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RECORDED IN THE OFFICIAL RECORDS BOOK OF BROWARD COUNTY, FLORIDA COUNTY ADMINISTRATOR

Trach Court Deputy
 Name and Title

DONE AND ORDERED in Open Court at Broward County, Florida this 25 day of April A.D., 19 88 I HEREBY CERTIFY that the above and foregoing fingerprints are the fingerprints of the Defendant Rodney Gabriel Velez, and that they were placed thereon by said Defendant in my presence in Open Court this date.


 JUDGE Susan Lebow

23434PG0073

17th Judicial Circuit in and for Broward County

DIVISION:
CRIMINAL

JUDGEMENT

DIV: FJ

EG

CLOCK IN

95-194952 T#008
05-10-95 08:18AM

THE STATE OF FLORIDA VS:

Rodney Gabriel Velez

CASE NUMBER

94 21542CF10A

PLAINTIFF

DEFENDANT

PROBATION VIOLATOR
(Check if Applicable)

STATE ATTORNEY Laura Ajoku
COURT REPORTER T. Grant

The Defendant, Rodney Gabriel Velez being personally before this Court represented by: Frank Freeman his attorney of record, and having:

- (Check Applicable Provision)
- Been tried and found guilty of the following crime(s).
 - Entered a plea of guilty to the following crime(s).
 - Entered a plea of nolo contendere to the following crime(s).

COUNT	CRIME	OFFENSE STATUTE NUMBER(S)	DEGREE OF CRIME	ADD'L MONIES IMPOSED
<u>I</u>	<u>Amended to Agg Battery</u>	<u>784.045</u>	<u>2° F</u>	

and no cause having been shown why the Defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is hereby ADJUDICATED GUILTY of the above crime(s)

The Defendant is hereby ordered to pay the sum of Fifty Dollars (\$50.00) pursuant to F.S. 960.20 (Crimes Comp. Trust Fund). The defendant is further ordered to pay the sum of Five Dollars (\$5.00) as court costs pursuant to F.S. 943.25(4).

(Check if Applicable) The Defendant is further ordered to pay a fine in the sum of \$ _____ pursuant to F.S. 775.0835. (This provision refers to the optional fine for the Crimes Compensation Trust Fund, and is not applicable unless checked and completed. Fines imposed as part of a sentence pursuant to F.S. 775.083 are to be recorded on the Sentence page(s).)

Restitution to State The defendant shall make payment of any debt due and owing to the State under section 960.17, 948.03 (1)(9) and 775.089, Florida Statutes. The amount of such debt shall not exceed \$10,000 and has already been determined to be \$ _____ or if not yet determined shall be determined by the Court at a later date upon final payment by the Crimes Compensation Trust Fund on behalf of the victim(s).

The Court hereby imposed additional court costs in the sum of \$ _____

Imposition of Sentence Stayed and Withheld The Court hereby stays and withholds the imposition of sentence as to count(s) I and places the Defendant on probation for a period of 2 years under the supervision of the Department of Corrections (condition of probation set forth in separate order.)

Sentence Deferred Until Later Date (Check if Applicable) The Court hereby defers imposition of sentence until _____ (Date)

Pay \$200.00 Trust Fund pursuant to F.S. 27.3455

BK 23434 PG 0072

The Defendant in Open Court was advised of his right to appeal from this Judgment by filing notice of appeal with the Clerk of Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of his right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigence.

COUNT(S) _____ DAYS BROWARD COUNTY JAIL W/CREDIT FOR _____ DAYS TIMES SERVED

THE CIRCUIT/COUNTY COURT, IN AND FOR BROWARD COUNTY, FLORIDA

FAILURE TO PAY FINE BY THE BELOW DATE MAY RESULT IN A WARRANT FOR YOUR ARREST AND/OR THE SUSPENSION OF YOUR DRIVER'S LICENSE AND DELINQUENCY FEES IMPOSED.

DATE 4/25/95 CASE NO. 94021542CF10A ARREST NO. HM94005427 ROR/IC/URETY Joe Klein AGENCY HMM
SUMMONS/CASH BOND

DEFENDANT RODNEY GABRIEL VELEZ AKA VELEZ, RODNEY GABRIEL

COURT STATUS

MAGISTRATE TRIAL CHANGE OF PLEA TRUST FUND / HOURS COMM. SERVICE
 ARRAIGNMENT JURY PLED GUILTY ADJ. GUILTY I 50 VC 200 ASSESSMENT EACH COUNT
 SENTENCING COURT PLED NOLO WITHHELD VC EACH COUNT
 PSI 1ST. V.O. NOLLE PROSEQUI DISMISSED ACQUITTED
 PDR FINAL V.O.

negotiated Plea


CHARGE(S) 001 AGGRAV BATTERY W/ DANGEROUS WEAPON
Amended to: Agg. Battery 784.045

DUI USE ONLY

COUNT _____ PROBATION W/SPECIAL CONDITION _____ HOURS COMM SERVICE _____ WORK PERMIT _____
 LICENSE SUSP. _____
 CASAP/DUI SCHOOL _____ CASAP EVALUATION _____
 \$ _____ COURT COST _____ 5% _____ VC _____ CJC _____ EMTF _____
 JAIL TIME _____
 OTHER _____

SENTENCE: 1 2 years Probation
Reduce CAS to \$30⁰⁰ per month
Reserve Restitution to victim
no harmful contact with victim
early term of probation (hrq through Probation)

COUNT(S)	TIME SERVED	DAYS
\$ FINE COURT COST 5% VC CJC		
\$ FINE COURT COST 5% VC CJC		
\$ FINE COURT COST 5% VC CJC		
\$ FINE COURT COST 5% VC CJC		


 SUSAN LEBOW
 JUDGE

75/

DISP 3 1/87

JUDGE

BY D Rowland (DEPUTY CLERK)
 FILE COPY

**SHERIFF'S OFFICE
BROWARD CO., FL**



HW945427

Sp 94-21542 of

COURT COPY

OBTS Number 0007401988	Print Clearance	Name Search	Teletype 00/00/00	
Arrest Number HW945427	Offense Report Number HW-945427	BCCN Number	Booking Sheet Control Date & Time 12/21/94 07:43	
Last Name VELEZ	First RODNEY	Middle GABRIEL	SSN [REDACTED]	Probation N
Alias Last Name	First	Middle	Driver's License Yes Y No	State FL
Street Nick Name	Race W	Sex M	Hgt 506	Wgt 175
	Eyes BRN	Hair BRN	Comp MED	Age 24
	Date of Birth 08/05/70	Place of Birth KEY WEST	St FL	City US
Scars, Marks, Tattoos TT LION ON HIP				
Permanent Address 6321 SW 33 ST				
	Blg	Apt MIRAMAR	City FL	St FL
Resident of Broward County? YES	Yrs 08	Mths 00	Resident of Florida? YES	Yrs 24
	Mths 00	Phone Number 305-987-5927	US Vet NO	
GDH	Other Medical TO SEE NURSE			
Employer SELF EMPLOYED	Occupation CAR DETAILS			
Prints YES	Blood Alcohol .002	Vehicle Towed	Arrest Agency HW	Place of Arrest (Address) 2639 GRANT ST HOLLYWOOD
Arrest Date 12/20/94	Arrest Time 23:54	Arresting Officer MELETICH	I.D. Number H !	Order Issued NO
Booking Date 12/21/94	Booking Time 07:29	Booking Officer FLORIAN	I.D. Number J BS2173	Acc Charge Officer
Date 122194	Charges 001 AGG BATTERY W/F/A	MagCode comments 2FY	Capias Warrant Number D	Bond \$00.00

BOOKING RMKS: 29-54 7578
WC 7658
NCH

Release Reason	Released By	Released To	Date Released	Time Released
Arrest No HW945427	Last Name VELEZ	First RODNEY	Unattended Children? G	
Date 12/21/94	Time 07:29	Sex M	Race W	Date of Birth 08/05/70
Armed	Dang	Resist	Rabbit	Sub
Bin No 3289	P-Box No	Book No	Vehicle Towed To	Other
Currency \$	Language msg			

29 2578 WJ 7658 NCH

BS NO

ARREST AGENT HW		OFFENSE REPORT 94-1357B7		LOCAL ID NO		FB		SS NO		
DEFENDANT'S LAST NAME VELEZ RODNEY				ALIAS/STREET NAME				CITIZENSHIP US		
PO	SEX	HGT	EYES	HAR	WGT	COOR	AGE	DOB	BIRTHPLACE	SCARS/MARKS Y
W	M	506	BRO	BRO	175	MED	24	08/05/1970	FL	
PERMANENT ADDRESS 6321 SW 33RD ST. MIRAMAR, FL						LOCAL ADDRESS				
RESIDENCE TYPE 2 (1) CITY (2) COUNTY (3) FLORIDA (4) OUT-OF-STATE						PLACE OF EMPLOYMENT SELF-EMPLOYED MAINTENANCE				
HOW LONG DEFENDANT IN BROWARD COUNTY - yrs		BREATHALYZER BY/CCN		READING		PLACE OF ARREST		DATE/TIME ARRESTED		ARRESTING OFFICER/S/CCN
0						2639 GRANT ST. HOLLYWOOD		12/20/1994		2240 1427
OFFICER INJURED		UNIT		ZONE		BEAT		SH RT		UNIT TRANSPORTING PRISONER
Y <input type="checkbox"/> N <input checked="" type="checkbox"/>										
TYPE		S-BASE/STATE		M-ALUCOCCA		P-AMMUNITION		J-DANGEROUS		OTHER
N/A		C-COCAINE		M-MARIJUANA		E-EQUIPMENT		Z-OTHER		N
K-AMPHETAMINE		S-HEROIN		C-COCAINE		S-SYNTHETIC				

DEFENDANT'S VEHICLE-MAKE NISSA TYPE AUT YEAR 1991 COLOR BLK VIN NO JN1HJ01P7MT530419

ATTACH DEFENDANT'S PHOTO VEHICLE TOWED TO TAG NO JJ106C OTHER IDENTIFIERS OR REMARKS TRANSPORTED TO BSO

DEFENDANT'S PHOTO GOOD

COUNT NO	OFFENSES CHARGED	CITATION #, IF APPLICABLE	FS # OR CAP AS/WARRANT #
1.	BATTERY AGGRAVATED		784.045

PROBABLE CAUSE AFFIDAVIT

Before me this date personally appeared MELETICH, HECTOR JOHN who being first duly sworn deposed and says that on 20th day December 19 94 at 2639 GRANT ST. HOLLYWOOD, FL (or the location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe same are as follows:

ON 12/20/94 AT OR ABOUT 2354 HOURS, AT THE LOCATION OF 2639 GRANT STREET, WHICH IS LOCATED WITHIN THE JURISDICTIONAL LIMITS OF THE CITY OF HOLLYWOOD, WITHIN BROWARD COUNTY AND THE STATE OF FLORIDA, THE ABOVE NAMED DEFENDANT DID COMMIT AN AGGRAVATED BATTERY UPON THE VICTIM, HEREIN IDENTIFIED AS [REDACTED] RODNEY VELEZ DID INTENTIONALLY TOUCH OR STRIKE [REDACTED] AGAINST HIS WILL. RODNEY VELEZ INTENTIONALLY CAUSED BODILY HARM TO [REDACTED] RODNEY VELEZ IN

COMMITTING THE BATTERY INTENTIONALLY OR KNOWINGLY CAUSED THE VICTIM TO SUFFER GREAT

I swear the above statement is correct and true to the best of my knowledge and belief. 2240 12 20 94
Hector J. Meletich 2240 OFFICER'S NAME/CCN

STATE OF FL COUNTY OF Broward The foregoing instrument was acknowledged before me this 21 day of December 19 94 and is certified by known to me or who has produced (ID Type) Police as identification and who (DO OR DID NOT) (Seal or Stamp) Title or Rank/CCN

DEPUTY CLERK OF THE COURT, NOTARY PUBLIC, OR ASSISTANT STATE ATTORNEY

DEPENDANT LAST NAME: VELEZ
 FIRST NAME: RODNEY
 DOB: 306 173 W M
 HEIGHT: 5' 7"
 HAIR: BROWN
 EYES: BROWN
 OFFENSE REPORT NUMBER: 94-135787
 ARREST NUMBER: 2240
 COURT NUMBER: 1427

NAME OF VICTIM OR CORPORATION, EXACT LEGAL NAME AND STATE OF INCORPORATION: [REDACTED]
 ADDRESS: [REDACTED]

COUNT NO	OFFENSE CHARGED	CIT. OR N. P. APPLICABLE	F.S. # OR CAPAS/ARTICLE #

I, the undersigned, a duly sworn peace officer, depose and say that on 20th day of December, 94, at 2639 GRANT ST, HOLLYWOOD, FL, the above named defendant committed the above offense charged and the facts set forth in this complaint are true to the best of my knowledge and belief.

BODILY HARM.

ON THE ABOVE DATE AND TIME, THIS OFFICER RESPONDED TO THE ABOVE ADDRESS IN REFERENCE TO A DISTURBANCE CALL. UPON ARRIVAL, THIS OFFICER WITNESSED THE VICTIM, [REDACTED] LYING ON THE GROUND WITH A CUT OVER HIS RIGHT EYE AND BLOOD ON THE PAVEMENT NEXT TO HIM. THE VICTIM SEEMED TO BE UNCONSCIOUS. RESCUE RESPONDED LESS THAN A MOMENT LATER AND BEGAN WORKING ON THE VICTIM. THE VICTIM WAS BEING HELD ON THE GROUND BY THE WITNESS, CHRISTINE FORTIN, WHO WAS TRYING TO COMFORT THE VICTIM AT THIS TIME. BOTH RODNEY VELEZ AND WITNESS, MOSES MEDINA, WERE ARGUING ON THE SIDE OF THE ROAD, AND THESE INDIVIDUALS WERE SEPARATED AT THIS TIME AND PLACED IN POLICE VEHICLES TO PROTECT THEMSELVES FROM ANY FURTHER DISTURBANCE. THERE WAS DISPATCHED A POSSIBLE HANDGUN IN THE AREA, SO ALL PRECAUTIONS WERE TAKEN BY POLICE OFFICERS ON SCENE. ACCORDING TO ONE WITNESS, CHRISTINE FORTIN, SHE HAD COME HOME TO THE ABOVE LOCATION, 2639 GRANT STREET, WHERE MOSES MEDINA, RAUL ESCOBEDO, AND DAVID ESCOBEDO ARROYO, ALONG WITH THE VICTIM, [REDACTED] WERE INSIDE THE HOUSE DRINKING BEER AND PLAYING MUSIC. ACCORDING TO THE WITNESS, CHRISTINE FORTIN, THE GROUP INSIDE WERE PLAYING THE MUSIC TOO LOUD, AND SHE HAD GONE INTO HER ROOM WITH HER BOYFRIEND, RODNEY VELEZ, AND TRIED TO GO TO SLEEP. AFTER AWHILE OF TRYING TO GET THE GROUP TO LOWER THE MUSIC, VELEZ EXITED THE ROOM AND CONFRONTED THE GROUP, AND SHE BEGAN HEARING WORDS OF

Subscribed and sworn to before me this 20th day of December 1994 at Hollywood, Florida.

Hector Meletich 2240 OFFICER/AFFIDANT'S SIGNATURE
Hector Meletich 2240 OFFICER'S NAME/CCN
 OFFICER'S DIVISION: *Sgt. Benches 2241*

STATE OF FL COUNTY OF Broward
 The foregoing instrument was acknowledged by Police on this 21 day of December, 1994 and a person whose name is known to me or who has produced ID Type: Police as the Deputy Clerk and was taken on call.

DEPUTY CLERK OF THE COURT ROOM PUBLIC OR ASSISTANT STATE ATTORNEY
 COURT COPY

SEVENTEENTH JUDICIAL CIRCUIT
 BROWARD COUNTY
 STATE OF FLORIDA

COAN OTC #2241
 TITLE OR RANK/CCN

DEFENDANT'S LAST NAME	FIRST	MIDDLE	SUF	HT	WT	HAIR	SEX	DOB	OFFENSE REPORT	ARRESTING OFFICER'S NO.	ARRESTING OFFICER'S DIV.
VELEZ	RODNEY			108	175	N	M	10/17/70	94-135787	2210	1427
NAME OF VENDOR OR CORPORATION BY WHICH LEGAL NAME AND STATE OF INCORP.											
ADDRESS											
CITY											
COUNT NO	OFFENSES CHARGED						SECTION # IF APPLICABLE		FS # OR CAPAS/ARRAINT #		

Before me this date personally appeared MELETICH, HECTOR JOHN who being first duly sworn, deposes and says that on 20th day of December, 1994 at 2639 GRANT ST, HOLLYWOOD, FL (write location) above named defendant committed the above offenses charged and the facts and probable cause to believe same are as follows:

FIGHTING IN THE LIVING ROOM. ACCORDING TO WITNESSES, THE FIGHT STARTED IN THE HOUSE WHERE ALLEGEDLY RODNEY VELEZ POINTED THE PISTOL AT THE VICTIM [REDACTED] AND THE WITNESS, MOSES MEDINA. PICTURES WERE TAKEN OF THE SCENE THAT SHOWED THE WATER COOLER INSIDE THE LIVING ROOM KNOCKED DOWN AND DOORS SEPARATING THE CLOSET FROM THE LIVING ROOM ALSO KNOCKED DOWN. THERE WAS BLOOD ALSO IN PARTS OF THE LIVING ROOM ON THE FLOOR AND ON THE WALL. THE FIGHT CONTINUED OUTSIDE WHERE ALLEGEDLY MOSES MEDINA PICKED UP A BLUE/GREEN COLORED SECURITY BAR, LABELED "THE CLUB", IN SUPPOSEDLY DEFENDING AGAINST VELEZ. IT WAS AT THIS TIME THAT THE FIGHT WORKED ITS WAY OUT TO THE MIDDLE OF THE STREET ON GRANT AND ALLEGEDLY VELEZ DID HIT THE VICTIM [REDACTED] ON HIS HEAD WITH THE SEMI-AUTOMATIC SILVER COLORED PISTOL, KNOCKING THE VICTIM TO THE GROUND CAUSING THE VICTIM TO BLEED PROFUSELY FROM HIS FOREHEAD. DURING THIS CONFRONTATION RAUL ESCOBEDO GOT INTO HIS VAN TO GET AWAY AND CALL THE POLICE. THE WITNESS, CHRISTINE FORTIN, ALSO WENT TO HER NEIGHBOR'S HOUSE ON THE EAST SIDE OF HER HOME TO ASK THE NEIGHBOR TO CALL POLICE. STATEMENTS WERE TAKEN FROM RAUL ESCOBEDO AND DAVID ESCOBEDO ARROYO BY DETECTIVE SOCCOL, #00B9, AND MYSELF, OFFICER MELETICH. NOTE THAT THE WITNESSES MOSES MEDINA, RAUL ESCOBEDO, AND DAVID ESCOBEDO ARROYO SPOKE VERY LITTLE ENGLISH AND TRANSLATION WAS NEEDED. THE ARRESTEE, RODNEY VELEZ, WAS TRANSPORTED TO HOLLYWOOD DETENTION FOR PROCESSING. ID TECHNICIAN COMBS, #1913, TOOK POSSESSION OF THE FIREARM WHICH WAS FOUND UNDERNEATH THE FRONT

I swear the above statements are correct and true to the best of my knowledge and belief.
Hector J. Meletich 2240 OFFICER/AFFIANT'S SIGNATURE
Hector J. Meletich 2240 OFFICER'S NAME/NO.
 OFFICER'S DIVISION Sub Bureau 0041

STATE OF FL COUNTY OF Broward
 The foregoing instrument was acknowledged before me this 21 day of December, 1994 and is personally known to me or who has produced (ID Type) Police as identification and who is OR is not take an oath.

DEPUTY CLERK OF THE COURT, NOTARY PUBLIC, OR ASSISTANT STATE ATTORNEY
[Signature]
 COURT COPY

(SEE OR STAMP)
Comm. Of. #7736
 TITLE OF BANK/CCN

DEFENDANT'S LAST NAME	FIRST	MIDDLE	SEX	HGT	WGT	RC	DOB	OFFENSE REPORT #	ARRESTING OFFICER (S)/CCN
VELEZ	RODNEY		M	506	175	W	08/05/1970	94-135787	2240 1427
NAME OF ENTITY (IF CORPORATION, EXACT LEGAL NAME AND STATE OF INCORP)								ADDRESS	
[REDACTED]								[REDACTED]	
COUNT NO.	OFFENSES CHARGED	CITATION #, IF APPLICABLE	FS # OR CAPIAS/WARRANT #						

I swear the above statement is correct and true to the best of my knowledge and belief. Before me this date personally appeared MELETICH, HECTOR JOHN who being first duly sworn deposes and says that on 20th day of December, 1994 at 2639 GRANT ST, HOLLYWOOD, FL (or the location) the above named defendant committed the above offenses charged and the facts show no probable cause to believe same are as follows:

PASSENGER'S SEAT. ACCORDING TO VELEZ, HE COULD NOT REMEMBER WHO OR EXACTLY WHEN THE PISTOL WAS PLACED UNDERNEATH THE SEAT.

I swear the above statement is correct and true to the best of my knowledge and belief.

Hector J. Meletich 2240 OFFICER/AFFIANT'S SIGNATURE Hector J. Meletich 2240 OFFICER'S NAME/CCN OFFICER'S DIVISION
Sgt Bruce 0041

STATE OF FL COUNTY OF Broward The foregoing instrument was acknowledged before me this 31 day of December, 1994 who is personally known to me or who has produced (ID Type) None as identification and who (D) OR (D.N) take an oath.

[Signature] DEPUTY CLERK OF THE COURT, NOTARY PUBLIC OR ASSISTANT STATE ATTORNEY Con. Of #225 SEAL OR STAMP
TITLE OR RANK/CCN

SEVENTEENTH JUDICIAL CIRCUIT
BROWARD COUNTY
STATE OF FLORIDA COURT COPY 019 - Court
270 - State Atty
310 - F. To Admin.

Appendix AB

2. Owe any outstanding court ordered financial obligations for the cases for which they are requesting clemency.
3. Owe restitution for any case in the entire criminal record.
4. Owe more than \$1,000 in any misdemeanor, criminal traffic, or felony adjudication withheld case(s) in the entire criminal record.

Individuals convicted in a federal, military, or out-of-state court are not eligible to apply.

Specific Authority to Own, Possess, or Use Firearms (Firearm Authority)

The Specific Authority to Own, Possess, or Use Firearms (Firearm Authority) restores to an applicant the right to own, possess, or use firearms, which were lost as a result of a felony conviction. Due to federal firearms laws, the Clemency Board will not consider requests for firearm authority from individuals convicted in federal or out-of-state courts. In order to comply with federal law, a Presidential Pardon or a Relief of Disability from the Bureau of Alcohol, Tobacco and Firearms must be issued in cases involving federal court convictions. A Pardon or Restoration of Civil Rights with no restrictions on firearms must be issued by the state where the conviction occurred. Applicants are eligible to apply 8 years after completion of all terms of sentence.

This type of clemency requires that the applicant must have completed all terms of sentences imposed and all conditions of supervision have expired or been completed, for a period of no less than 8 years from the felony conviction, adjudication of guilt withheld, or misdemeanor conviction.

The person may not:

1. Have any outstanding detainers or pending criminal charges.
2. Owe any outstanding court ordered financial obligations for the cases for which they are requesting clemency.
3. Owe restitution for any case in the entire criminal record.
4. Owe more than \$1,000 in any misdemeanor, criminal traffic, or felony adjudication withheld case(s) in the entire criminal record.

Individuals convicted in a federal, military, or out-of-state court are not eligible to apply.

Restoration of Civil Rights for Florida/Federal/Military/Out-of-State conviction(s)

The Restoration of Civil Rights restores to an applicant all the rights of citizenship in the state of Florida enjoyed before the felony conviction—including the right to vote if not already restored by Amendment 4, the right to serve on a jury, and the right to hold public office—except the specific authority to own, possess, or use firearms. Such restoration shall not relieve an applicant from the registration and notification requirements, or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders. Applicants are eligible to apply after completion of all terms of sentence other than any legal financial obligations.

The applicant may not:

1. Have any outstanding detainers or pending criminal charges.

For applicants with out-of-state, Federal or Military convictions, you must be a resident of the state of Florida to apply.

a good conclusion. I was heartened it was a unanimous decision. Everyone wanted to go in that direction."

During the Aug. 23 election, held three days before the suspensions, Korn fared slightly better with just under 31% of the votes, compared to just under 30% for Zeman.

Zeman has a giant campaign finance advantage with a war chest of \$233,000, most of which is self-funded, compared to \$66,000 for Korn.

District 1

The possibility of a DeSantis suspension also is being raised in the District 1 race, between teacher Marie Martin, 59, and Rod Velez, 52, a property manager with a construction company for the District 1 seat. The district includes Hollywood, Hallandale Beach, Dania Beach and parts of eastern Miramar and Pembroke Pines.

The seat was held for 14 years by Martin's mother, Ann Murray, whose retirement came prematurely when DeSantis suspended her.

A major issue in this race is the eligibility of Velez, who was convicted in 1995 of aggravated battery, a second-degree felony. Velez, who hasn't had any criminal issues since, got

his voting rights restored after DeSantis signed into law Amendment 4, a ballot initiative passed by voters in 2018.

The amendment guarantees the right to vote, but not the right to hold office, according to rules prepared by the Board of Clemency in March 2021.

"Qualifying to vote under Amendment 4 does not restore any other civil rights — including the right to serve on a jury or to hold public office — or the specific authority to own, possess, or use firearms to a person convicted of a felony," the document states.

Martin filed a complaint with the state Elections Commission, saying only the clemency board can grant full civil rights and it hasn't done so with Velez. She said he improperly notified the Broward supervisor of elections he is eligible to run.

However, Velez points to comments from the March 2021 clemency board meeting where DeSantis supported restoring other civil rights.

"I believe that those who have had their voting rights restored under Amendment 4 — it makes sense to also restore the other civil rights," DeSantis said at the time.

Martin counters, "The governor's belief did not change the Constitution

in regard to the clemency process. It still takes an application to the Executive Office of Clemency to gain rights to serve on a jury or run for office — it's not automatic."

Experts say restoring civil rights through the Clemency Board can take years, as the board has a huge backlog of applications and meets infrequently.

No one from the governor's, clemency office or Department of State's office or Elections Commission provides clarity when contacted by the Sun Sentinel. An email Martin received from a representative for Supervisor of Elections Joe Scott said the supervisor's role is "ministerial in nature," and he isn't authorized to determine if Velez is eligible to hold office.

Velez said he has lawyers fighting this issue for him, and he's convinced he'll be able to serve.

"If I have to be the person to pioneer this, I'll be that person," he said.

The winner of the race could help determine Cartwright's fate.

Velez said he wants to give her time to make needed changes.

"I don't think she's doing a spectacular job by any means, but I've seen improvements," he said.

Martin said she wouldn't have supported hiring Cartwright, as she originally

agreed to serve as only the interim leader when she was first hired in August 2021. Martin said she agrees with the current board's 90-day plan.

"I will hold her accountable for the expected ... improvements, and based on her performance reconsider her position as Broward County Public Schools' leader," Martin said.

During the Aug. 23 election, Velez led Martin in total votes, 41% to 35%. Velez, a registered Democrat, leads in fundraising with \$32,406, compared to \$23,651 for Martin, who has no party affiliation.

District 5

Ruth Carter Lynch, 69, a charter schools consultant, and Jeff Holness, 50, who owns a tutoring company, are seeking to be elected in the majority Black District 5, which includes Lauderdale Hill, Lauderdale Lakes and parts of Fort Lauderdale, Plantation and Sunrise.

Both candidates have run for School Board before, with Holness losing to Debbi Hixon for an at-large seat in 2020 and Lynch losing to Osgood in 2012.

One issue raised in the campaign is Lynch's ties to charter schools, which teachers' unions and many other public education advocates argue siphon money from

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Appendix BB

After months of turmoil, new Broward School Board looks for stability

By Scott Travis

South Florida Sun-Sentinel

•

Nov 13, 2022 at 11:00 am

A tumultuous 19-month period in Broward Schools — marked by the removal and replacement of four School Board members, the indictment of a former superintendent and an effort to fire the new superintendent — could be nearing its end.

Maybe.

Four new board members are scheduled to be sworn in on Nov. 22 after winning elections Tuesday: property manager Rod Velez, tutoring business owner Jeff Holness, lawyer and flight attendant Brenda Fam and business CEO Allen Zeman.

This will be the School Board's second major shakeup in three months. In late August, Gov. Ron DeSantis suspended and replaced four longtime School Board members after the release of a grand jury report that found widespread mismanagement in the district.

That same grand jury indicted former Superintendent Robert Runcie on a perjury charge, former General Counsel Barbara Myrick on a charge of illegally disclosing secret grand jury information and former technology chief Tony Hunter on bribery and bid-rigging charges. All three have pleaded not guilty and their cases are pending.

But even if that drama is behind, questions remain for the new board, including how the addition of Fam, a newly elected “anti-woke” conservative, will affect the pro-LGBTQ, racial diversity and social justice policies the historically liberal school district has championed for years.

It also remains to be seen whether newly elected board member, Velez, will be allowed to serve since he has a felony in his background and hasn't gotten his full civil rights restored yet. It's a

question that may not be answered until after Velez, who is still fighting for full restoration of rights, is sworn in.

Still, most board members remain confident that the seating of a new board will at least start an effort to focus more on student achievement and less on “adult issues,” such as audits, botched personnel searches and questions about whether to fire Superintendent Vickie Cartwright.

PORTION OMITTED

Velez, although a registered Democrat, said he’s a political moderate who will listen to all sides. One of his first moves planned is to appoint Ryan Reiter, a DeSantis appointee on the current board who works for a construction company, as his appointee to the Facilities Task Force, a district watchdog committee.

He’s taken to social media asking who is interested in other committees and said he has gotten dozens of suggestions.

But whether Velez will actually get to stay on the board much past swearing-in remains unanswered.

Velez was convicted in 1995 of aggravated battery, a second-degree felony. He had his voting rights restored after DeSantis signed into law Amendment 4, a ballot initiative passed by voters in 2018.


The amendment guarantees the right to vote, but not the right to hold office, according to rules prepared by the Board of Clemency in March 2021.

DeSantis has publicly said he supports the right of felons who have voting rights restored to regain other rights too, but there’s no indication the law was changed to reflect that. The governor’s office has refused to comment.

Velez said he has a meeting scheduled with DeSantis and his wife, Casey, prior to being sworn in and hopes the issue will be resolved in his favor. He’s also formally applied for clemency, although that process has been slow for many other felons seeking to have their full rights restored.

“I’ve filled out my paperwork. I’m just going to let it take its course,” Velez said.

Appendix C

<p style="text-align: center;">CANDIDATE OATH</p> <p style="text-align: center;">SCHOOL BOARD NONPARTISAN OFFICE</p> <p>Check box only if you are seeking to qualify as a write-in candidate:</p> <p><input type="checkbox"/> Write-in candidate</p>	<p style="text-align: right;">2022 JUN 13 PM 1:49</p> <p style="text-align: right;">OFFICE USE ONLY</p>
<p>Candidate Oath (Section 99.021(1)(a) and 105.031, Florida Statutes)</p> <p>I, <u>Rodney "Rod" Velez</u></p> <p><i>(Print name above as you wish it to appear on the ballot. If your last name consists of two or more names but has no hyphen, check box <input type="checkbox"/> (see page 2 - Compound Last Names). No change can be made after the end of qualifying. Although a write-in candidate's name is not printed on the ballot, the name must be printed above for oath purposes.)</i></p> <p>am a candidate for the nonpartisan office of <u>Broward County School Board</u> <u>1</u></p> <p style="text-align: center;"><small>(Office) (District #)</small></p> <p><u> </u>; I am a qualified elector of <u>Broward</u> County, Florida;</p> <p style="text-align: center;"><small>(Circuit #) (Group or Seat #)</small></p> <p>I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.</p> <p>Section 876.05, Florida Statutes, oath (only applicable if elected and when term of office begins): I, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the school board and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.</p>	
<p>Candidate's Florida Voter Registration Number (located on your voter information card): <u>127966460</u></p>	
<p>Phonetic spelling for audio ballot: Print name phonetically on the line below as you wish it to be pronounced on the audio ballot as may be used by persons with disabilities (see instructions on page 2 of this form). <i>[Not applicable to write-in candidates.]</i></p> <p><u>RodKNEE VLEZ</u></p>	
<p><u>X</u> <u>Rod Velez</u></p> <p><small>Signature of Candidate</small></p>	<p><u>(954) 850-2501</u></p> <p><small>Telephone Number</small></p>
<p><u>2522 N. 28th Ave.</u></p> <p><small>Address</small></p>	<p><u>Florida</u> <u>33020</u></p> <p><small>State ZIP Code</small></p>
<p>STATE OF FLORIDA</p> <p>COUNTY OF <u>Broward</u></p>	<p><u>Jacqueline C Grant</u></p> <p><small>Signature of Notary Public</small></p> <p><small>Print, Type, or Stamp Commissioned Name of Notary Public below:</small></p>
<p>Sworn to (or affirmed) and subscribed before me by means of online notarization <input type="checkbox"/> OR physical presence <input checked="" type="checkbox"/> this <u>13</u> day of <u>June</u>, 20<u>22</u> Personally Known <input checked="" type="checkbox"/> OR Produced Identification <input type="checkbox"/> Type of Identification Produced: _____</p>	

VIOLATION: If you believe any irregularities or fraud involving voter registration or voting, or candidate or issue petition activities have been committed, please state the specific acts committed by the person or entity named in this complaint:

CIVIL RIGHTS NEVER BEING RESTORED, THUS MAKING RODNEY G VELEZ, INELIGIBLE TO RUN FOR OFFICE.

STATEMENT OF FACTS

State in your own words exactly what happened. Please include details such as what happened, where the events or acts happened, when they happened (including dates and times), what you were told, who spoke to you and to whom you spoke, what you agreed or did not agree to, and who else saw or knows about what happened. Include the names, addresses and phone numbers of relevant persons. Also, give any reasons why you feel that the person or entity against whom you have brought this complaint knew that his or her actions were wrongful. The more specific information that you provide to us, the better we will be able to assist you.

I AM FILING THIS COMPLAINT IN REFERENCE TO THE ABOVE RODNEY G VELEZ, AND HIS ELIGIBILITY TO LEGALLY BE ALLOWED TO RUN FOR AND ELECTED PUBLIC SEAT. 12/94 RODENY G VELEZ WAS ARRESTED, FOR A 2ND DEGREE FELONY HE WAS CONVICTED OF SAID 2-DEGREE FELONY 04/1995 (CASE # 94021542CF10A). UNDER FLORIDA LAW ANYONE CONVICTED OF A FELONY WHO IS RUNNING FOR PUBLIC OFFICE, MUST HAVE THERE CIVIL RIGHTS RESTORED OR SEEK SPECIAL PERMISSION FROM THE CLEMENCY BOARD. AS OF THE DATE OF THIS COMPLAINT BEING FILED, AND THE CLEMENCY BOARD WEBSITE FOR WHICH I AM ATTACHING A COPY OF THE RESULTS. RODNEY G VELEZ HAS NOT HAS HIS CIVIL RIGHTS RESTORED, OR HAS HE FILED PAPERWORK WITH THE BROWARD COUNTY SUPERVISOR OF ELECTIONS, SHOWING HE HAS PERSMISSION TO BE ALLOWED TO RUN. JOE SCOTT BROWARD COUNTY SUPERVISOR OF ELECTIONS, HAS BEEN AWARE OF THIS SENCE SUMMER 2021. WITH THIS INFORMATION BEING VERIFIED. I ASK WHY HIS NAME IS STILL ON THE BALLOT FOR THE PRIMARY 8/23/2022, AND NOT BEEN REMOVED.

Check here if additional pages or documents are attached.

Marie A. Martin

8/17/2022

Signature of complainant

Date Signed

Marie A. Martin

Print or type name of complainant


It is a third-degree felony for any person to knowingly and willfully make any false, fictitious, or fraudulent statement or representation in any matter within the jurisdiction of the Department of State. See § 817.155, Fla. Stat.

THIS COMPLAINT IS NOT CONFIDENTIAL. ONCE IT IS FILED WITH THE DEPARTMENT OF STATE, IT BECOMES A PUBLIC RECORD.

9/19/2022

Gmail - Fwd: Complaint re Broward School Board Candidate- Rodney G. Velez

Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

 **EFC 22-115 - Marie Murray Martin v. Rodney Velez.pdf**
323K

Appendix D

ELECTIONS FRAUD COMPLAINT

Voter Fraud Hotline Telephone number 1-877-868-3737

Under section 97.012(15), Florida Statutes, the Department of State has authority to conduct preliminary investigations into any allegations of irregularities or fraud involving voter registration or voting, or candidate or issue petition activities. The Department may then report its findings to the Office of Statewide Prosecution or to the State Attorney for the judicial circuit in which the alleged violation occurred for prosecution, where warranted.

Please return the completed complaint form to: *Florida Department of State, Office of the General Counsel
1st Floor, R.A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399-0259*

You will receive a written response from the Department of State at the end of its investigation.

RECEIVED
2022 AUG 19 AM 11:31

PERSON BRINGING COMPLAINT

Name MARIE MURRAY MARTIN Day Phone 954-483-6509 Evening Phone 954-483-6509
 Address 1313 N PARK ROAD City HOLLYWOOD
 County BROWARD State FLA Zip Code 33021
 E-mail Address mariemurraymartin@gmail.com

PERSON OR ENTITY AGAINST WHOM COMPLAINT IS BROUGHT (limit one person/entity per form)

Name RODNEY G VELEZ Work Phone 954-850-2501
BROWARD COUNTY SCHOOL BOARD DISTRICT 1 BROWARD COUNTY SCHOOL BOARD
Person's title of office or position held or sought if applicable *Name of Governmental Office or Private Entity/Office*
 Address 2522 N 28th AVE City HOLLYWOOD
 County BROWARD State FL Zip Code 33020

Have you filed this complaint with the (check all that apply):

RECEIVED

AUG 19 2022

Office of the General Counsel

- | | | |
|---------------------------------------|------------------------------|--|
| State Attorney's Office | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Office of Statewide Prosecution | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Florida Department of Law Enforcement | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Florida Elections Commission | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Florida Commission on Ethics | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Appendix DA

Candidate with a felony can't volunteer in Broward schools. But he's running for office to help run them.

By Scott Travis

South Florida Sun-Sentinel

*

Jun 30, 2022 at 11:39 am

Rod Velez isn't allowed to serve as a Broward schools employee or volunteer in his children's school due to a felony conviction, but he wants to help lead the district as a School Board member.

Velez, a 51-year-old married father of three who lives in Hollywood, is running for a south county District 1 seat. He was convicted in 1995 of aggravated battery, a second-degree felony.

The incident was a matter of self-defense, Velez said, and he took a plea deal to avoid jail time.

Velez, who now works as a property manager, said he hasn't had any issues in the nearly three decades since.

For years, Velez was unable to vote or run for office. But that changed in 2019, when Gov. Ron DeSantis, in response to a voter-approved amendment, signed a law that allows felons who have paid their dues to have their voting rights restored.

But the felony still makes him ineligible to serve as a regular school district employee or volunteer on school campuses. A district employee policy includes a long list of disqualifying offenses, one of them being aggravated battery. The district also prohibits anyone convicted of a violent crime from becoming a volunteer.

The felony conviction has become an issue in the race to replace longtime board member Ann Murray, who is stepping down after 14 years on the board. Velez is competing against Marie Murray Martin, a teacher who is Murray's daughter, and Paul Wiggins, a Dania Beach pastor.

Some are trying to make it a key issue: The South Florida Sun Sentinel received an anonymous packet with Velez's arrest paperwork in it. His opponents have questioned whether he's eligible to be a School Board member.

Wiggins said that as a pastor, “we are big on giving second chances and benefits to folks, but if there’s a School Board policy as it relates to volunteers, that is what should govern the day.”

Martin said, “I know when I became a teacher, I had to be fingerprinted and a background check had to be done for me to be employed.”

But those rules don’t apply to School Board members, because these seats are governed by state statutes, not district policies.

“Elected officials are not volunteers or employees,” said Keyla Concepcion, a spokeswoman for Broward Schools.

Velez said he checked with the Supervisor of Elections and the school district to confirm he’s eligible.

“That was one of my concerns. If I can’t serve, I’m not going to waste my time,” he said. “But because it’s an elected position, I’m allowed to.”

END OF ARTICLE OMITTED

council seat with 52% percent of the vote, beating his opponent, Ire Bethea Sr. But in the days following, the city had raised concerns about whether Oliver could fill the post.

City Attorney Patrick Gilligan rose from the half-circle of council members facing the audience and spoke first.

“As you probably have read in the newspaper, there are some issues about Mr. Tyrone Oliver’s qualifications to be seated as city council,” he said.

Gilligan was an older man with a white beard lining his face. He talked with a deep Southern drawl.

In 1986, Gilligan said, Oliver was convicted of a drug charge. It was a felony.

PORTION OF THE ARTICLE OMITTED

But Gilligan had concerns. A serious question had been raised at a weekly meeting with the supervisors of elections in the region. They wanted to know if it was legal for a convicted felon to run for office. Gilligan had been forced to review the law.

The phone call played in Oliver’s mind as Gilligan began to lay out his case at the city council meeting.

“Let me start with our charter,” Gilligan said.

He began to describe section 2.01B, which outlines the eligibility requirements for the council. A candidate must be a qualified voter. A candidate must be a registered voter in the city he or she is seeking election. A candidate must be a resident of Ocala for at least a year before his or her election to office.

“Mr. Oliver meets those qualifications that are in the city charter,” Gilligan said.

Oliver’s hopes shot up. The council could seat him; it was within the city’s rights.

But Gilligan had more to say. Ocala’s provisions were not the problem, he said. It was Florida law that stood in the way.

“The Florida constitution . . . provides that no persons convicted of a felony shall be qualified to vote or hold office until restoration of civil rights.”

Appendix E

9/19/2022

Gmail - Fwd: Complaint re Broward School Board Candidate- Rodney G. Velez



Marie Martin <marie.martin.tgaz@gmail.com>

Fwd: Complaint re Broward School Board Candidate- Rodney G. Velez

1 message

Marie Murray Martin <mariemurraymartin@gmail.com>
To: mariemartintgaz@gmail.com

Mon, Sep 19, 2022 at 9:50 AM

----- Forwarded message -----

From: **Reynolds Perez, Devona** <DReynoldsPerez@broward.org>
Date: Wednesday, September 7, 2022
Subject: Complaint re Broward School Board Candidate- Rodney G. Velez
To: "mariemurraymartin@gmail.com" <mariemurraymartin@gmail.com>
Cc: Joe Scott <JScott@browardvotes.gov>

Dear Ms. Martin,

I am writing to you on behalf of Mr. Joe Scott, Broward County's Supervisor of Elections. The attached complaint form signed by you regarding Broward School Board District 1 Candidate Rodney G. Velez was forwarded to Mr. Scott's attention by the Florida Department of State, Division of Elections. Mr. Scott recognizes you may have valid concerns regarding Mr. Velez' candidacy; however, Mr. Scott's role as the qualifying officer is strictly ministerial in nature. As the qualifying officer, Mr. Scott is not permitted to determine whether the contents of the qualifying papers submitted by a candidate are true or accurate, including without limitation, the candidate's sworn affirmation/oath, that they are qualified under Florida law to hold office, Section 99.061(7)(c), Florida Statutes.

If you still question the legitimacy of Mr. Velez' eligibility as a candidate, we recommend that you consult with an attorney to determine the appropriate course of action.

Sincerely,

Devona A. Reynolds Perez
Counsel for Broward County's
Supervisor of Elections
Broward County Attorney's Office
115 S. Andrews Avenue, Suite 423
Fort Lauderdale, Florida 33301
O: (954) 357-7398
dreynoldsperez@broward.org



Appendix EA

WLRN 91.3 FM | By Kate Payne

Published November 11, 2022 at 6:00 AM EST

Rod Velez won his race for the Broward County School Board this week, carrying 52% of the vote over his competitor Marie Murray Martin's 47%. But she alleges Velez isn't able to hold office because he has a felony conviction and hasn't had his civil rights restored.

Days after Rod Velez was elected to the Broward County School Board, questions remain about whether he can legally hold office.

Velez is a property manager and a parent of school-age children. He also has a past felony conviction for aggravated battery in 1995.

Thanks to a constitutional amendment passed in 2018, Floridians convicted of most felonies are able to register to vote, once they've served their time and paid any associated fines and fees.

But Amendment 4 only dealt with the right to vote — not with other civil rights that are revoked when Floridians are convicted of a felony, like the right to own a firearm, to serve on a jury, and to hold elected office.

In order to regain those rights, returning citizens must submit an application to the state Office of Executive Clemency.

Marie Murray Martin, a teacher who ran and lost against Rod Velez, alleges he has not had his rights restored and therefore is ineligible to be a school board member.

"I'm not stopping until he either proves his clemency or doesn't," Martin said. "And then the powers that be will have to make the determination on what to do with Mr. Velez' certification of his votes and being sworn in."

Velez declined an interview request from WLRN and did not respond to questions about his eligibility. A search of the state's clemency database shows no record that his civil rights have been restored. A spokesperson for the agency did not respond to questions about Velez's case.

Velez is eligible to vote, according to the Broward County Supervisor of Elections Office. But a county spokesperson said that determining a candidate's legal eligibility to hold office is not the SOE's responsibility:

"The supervisor has no authority to challenge candidates or question their eligibility to hold office," said spokesperson Ivan Castro.

Asked whether Velez consulted with the Broward SOE about his eligibility, Castro replied: "He did not ask and we would not give legal advice if he had asked."

When filing to run for office, candidates must affirm that they are qualified. In signing his candidate eligibility paperwork and launching a bid for the school board, Martin said that Velez fooled voters.

"There are voters who feel like they have been deceived," Martin said. "They feel misled. They feel like they were lied to."

Martin says she has been trying for months to get county and state officials to assess Velez' status. She suggested she may take legal action to challenge his eligibility but declined to specify what her next steps could be.

"Until Mr. Velez produces his clemency, it is not over," she said.

Broward County's newly-elected school board members are scheduled to be sworn in on Nov. 22.

If Velez takes office, Martin worries he could be removed by Gov Ron DeSantis, who could then appoint his replacement.

Martin knows the risk of removal well; she's the daughter of Ann Murray, a former Broward School Board member whose retirement came early when DeSantis removed her and three of her colleagues from office in August.

Appendix F



Marie Martin <marie.martin.tgaz@gmail.com>

Fwd: From the Florida Attorney General's Office

1 message

Marie Murray Martin <mariemurraymartin@gmail.com>
To: mariemartintgaz@gmail.com

Wed, Nov 9, 2022 at 12:47 PM

----- Forwarded message -----

From: <attorney.general@myfloridalegal.com>
Date: Tuesday, October 18, 2022
Subject: From the Florida Attorney General's Office
To: MARIEMURRAYMARTIN@gmail.com

The Florida Attorney General's Office received your correspondence regarding your concerns with Broward School Board Candidate Gabriel Velez.

I note that you have previously contacted the Florida Department of State (DOS), which is an appropriate authority in which to express concerns about the elections process. We also encourage you to continue working with that agency for any new or ongoing issues.

Florida Department of State
Division of Elections
Voter Assistance Hotline: (866) 308-6739
Voter Fraud Hotline: (877) 868-3737
Voter Fraud Website: <http://dos.myflorida.com/elections/contacts/elections-fraud-complaint>
Email: DivElections@dos.myflorida.com

You may also consider reaching out the Florida Elections Commission who reviews issues regarding specific candidates as well as ethics if you have not done so already. More information about the Elections Commission is online at <http://www.fec.state.fl.us/FECWebF1.nsf/pages/FAQs>. You may contact the Elections Commission at:

Florida Elections Commission
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Website: <http://www.fec.state.fl.us/>

Sincerely,

Rob Sparks
Office of Citizen Services
Florida Attorney General's Office
PL-01, The Capitol
Tallahassee, Florida 32399-1050
Telephone: (850) 414-3990
Toll-free within Florida: (866) 966-7226
Website: www.myfloridalegal.com

PLEASE DO NOT REPLY TO THIS E-MAIL. THIS ADDRESS IS FOR PROCESSING ONLY.

To contact this office please visit the Attorney General's website at www.myfloridalegal.com and complete the on-line contact form. Again, thank you for contacting the Office of the Florida Attorney General.

INTERNET MESSAGE RECEIVED BY THE ATTORNEY GENERAL'S OFFICE ON 10/16/2022

Marie Murray Martin
1313 N Park Road
Hollywood, FL 33021
Phone: (954) 483-6509
Email: Mariemurraymartin@gmail.com

RE: Rodney Gabriel Velez
2522 N 28th Avenue
Hollywood, FL 33020
Phone: (954) 850-2501
Website: <https://www.vote4velez.com>

Subject: School Board Candidate swears oath with SOE w/o Clemency

I filed a fraud complaint with The Florida Dept of State in Tallahassee to alert officials that Rod Velez was not eligible to be on a ballot or be sworn in. It was sent to the Broward SOE who said he had no power to decide. It seems my only option if Rod Velez wins is to file a petition of quo warranto the day after the election to demand he shows his clemency affidavit. The Clemency Board says he must complete an application to run for office, he has no record on the Clemency Board search. He is not eligible to run or be sworn in.

Appendix G



Marie Martin <marie.martin.tgaz@gmail.com>

BCPS District 1 Race and Clemency

1 message

Marie Martin <marie.martin.tgaz@gmail.com>
To: "sao17@sao17.state.fl.us" <sao17@sao17.state.fl.us>

Sun, Oct 30, 2022 at 4:44 PM

Good Evening,

For months, I have been trying to get the Sun Sentinel to report the truth about Candidate Rod Velez's clemency. Today, they did and with it Mr. Velez admits he does not have his clemency. Which means at the time of signing his oath for qualifying he only had his voting rights, not his civil rights.

As a candidate, I have been frustrated by the lack of transparency of the press and the candidate. Especially, when the press endorsed him for accountability and transparency. Some people who do not understand the law think this is only politics. However, under Florida Statute 104.011 and the Constitution, it is law.

104.011 False swearing;

(1) A person who willfully swears or affirms falsely to any oath or affirmation, or willfully procures another person to swear or affirm falsely to an oath or affirmation, in connection with or arising out of voting or elections commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

In addition the Florida Constitution states, Article VI, Section 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

As we both know, Amendment 4 addresses the voting but the other portions of the Constitution still stand. So, Velez must have his clemency to swear an oath to the SOE. He did not have it on June 13, 2022 when he filed with the SOE and still does not have it according to the public clemency search. I am not trying to get him charged with a crime (even though he's committed one), however, I do think he should have to leave the race if he does not have the clemency. Again, he's not eligible to sign the oath without it.

I write to inform you of the situation and ask for your guidance and direction in the matter. I am attaching several files including a fraud complaint and response from Joe Scott's counsel. Last week, I spoke to the Secretary of State Assistant General Counsel David Chappell who recommended contacting you, after I requested an advisory opinion. He said SS has no jurisdiction in the matter.

SS 102.168 was also given to me, I am looking into that option too.


Thank you for your time and attention,


Marie Murray Martin, candidate for BCPS District 1

3 attachments

Sun Sentinel 103022.jpeg
1711K



 **EFC 22-115 - Marie Murray Martin v. Rodney Velez (2).pdf**
323K

 **Response (1).pdf**
324K

Appendix H

UNSEATED

Tyrone Oliver won a city council race in Ocala. But a decades-old felony conviction came back to haunt him.

By Michaela Mulligan | Jan. 4, 2021

Ocala – In Tyrone Oliver’s living room hangs a photo of himself that was shot just over a year ago. It’s a professional portrait, the kind you might see gracing the halls of government.

Oliver is smiling, his dark skin crinkling around his eyes and giving away his 63 years. He wears a black suit with a crisp white shirt underneath. Around his neck is a thick red tie and a matching handkerchief peeks out of his breast pocket. He sports a look of satisfaction on his face, the look of a winner.

Oliver posed for the portrait days after his Ocala City Council run-off win in November 2019. Back then he was brimming with enthusiasm to take on his new role. But in a few short weeks, everything would change. A mistake in his past haunted his present. And all that he worked for and hoped for would suddenly hang in the balance.

Oliver knew life would not always be easy. That he would face the hurdles any boy born Black and poor faced in the Florida of his youth. He was raised in the era of civil rights, with those two strikes against him. He grew up being told “no” in some way or another.

He wanted to change things for Black boys growing up today. That was why he ran for public office. But now, Oliver was facing a third strike. And an entirely new set of “no” answers.

PORTION OF THE ARTICLE OMITTED

The council meeting began promptly at 5, but Oliver, a chaplain with Deliverance Outreach Ministries of Ocala, had to wait an agonizing 22 minutes before the council would take up the reason for his uneasiness. He had won a Nov. 19 runoff for an open

Those words came crashing down on Oliver, dashing the hope he had felt just seconds ago.

Oliver had believed his candidacy was within the law after Floridians passed Amendment 4 in 2018, which restored the voting rights of convicted felons, excluding those who committed murder or sexual assault. Most felons were deemed eligible to vote, provided they had completed their parole and probation and paid any assessed fees or fines.

Oliver had assumed that because he could now cast a vote, he could also run for office.

Oliver had registered to vote the day the constitutional amendment went into effect. He had long yearned for the restoration of his rights. He had learned as a young man to fight for those rights. He had that instilled in him by a man who would become the father he never knew.

PORTION OF ARTICLE OMITTED

At the Ocala council meeting, Gilligan, the city attorney, continued outlining the problem that had been brought to his attention. The Florida Constitution, as he saw it, did not allow convicted felons to run for public office.

“So, the question then becomes: Does this constitutional provision apply to the city of Ocala? My answer is: I think it does.”

Oliver’s heart sank. It was the opposite of what he’d hoped to hear. Even though local election officials had approved his candidacy, Gilligan was saying that he could not take office without the state first granting him clemency.

PORTION OF ARTICLE OMITTED

Oliver’s clemency case was still pending as of early December 2020. He has spent nearly \$10,000 on legal fees, hoping to get his case heard. He knows he is lucky to be able to pay those fees, as many others aren’t so lucky. He continues to run Deliverance Outreach Ministries of Ocala.

During COVID-19, the clinic has taken precautions, but still sees patients. Oliver says he has enjoyed having free time at home with his wife. He attends his son’s football games every Friday. He is still waiting for the state to restore his rights.

Appendix I

Marie Murray Martin,
Candidate for Broward Schools District 1
1313 N. Park Road
Hollywood, Florida 33021

Oct. 3, 2022

Dear Rodney Velez,

As your opponent in the Broward County School Board race, I'm writing to request your proof of clemency.

As you know Amendment 4 gives you your right to vote, but it does not restore your Civil Rights to run for office or serve on a jury. To run for an office in Florida, you should have applied with the Clemency Board and you would be given a certificate of clemency once the process was complete. To date, on the public search there are no records when your name and birth date are entered.

In October, my brother passed away, he was 57 and a felon. During his funeral we were very open about his past, because we were so proud of the change he had made in his life. I'm sure your family feels the same about you. However, if he would have wanted to run for political office, he would not have been eligible without applying to the clemency board.

I write in hopes that you will produce your proof of clemency by Oct. 19 at 5 p.m. and put the issue to rest. Otherwise, according to Florida law, you will not be eligible to be sworn in if you were to win the election on Nov. 8, 2022. Please look up Tyrone Oliver who ran and won a city commissioner seat in Ocala, but was never sworn in.

Best Regards



Marie Murray Martin

Appendix J

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$0.60
\$	
Total Postage and Fees	\$4.60
\$	

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2522
City, State, ZIP+4® **Hollywood FL 33020**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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October 5, 2022, 12:41 pm

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October 3, 2022, 11:51 pm

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October 3, 2022, 8:27 pm

HOLLYWOOD, FL 33021
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