

## Person Details

Involvement COM	Invl No 1	Type Person	Name GRENFELL, MARTIN WILLIAM	MNI 	Race W	Sex M	DOB 03/02/1964
Age 56	Height 605	Weight	Hair Color WHI	Eye Color BLU			

## Arrest Details

Involvement OTH	Arrest Type V	Arrest Date	Arrest Time	Booking No	Book Date	Book Time
Involvement OTH	Status	Dispo	Arrest Location			

PRB\_CAUS

On June 12, 2020, the defendant, Martin Grenfell, completed and signed a Candidate Oath with the election office. The Candidate Oath form was notarized by Barbara Osthoff.

Barbara's current job title at the Supervisor of Election's office is Assistant Supervisor of Elections. Barbara advised the following:

Barbara remembers notarizing Martin Grenfell's Candidate Oath form. Martin provided his Florida Driver's license as proof of identification. Barbara compared Martin's driver's license photo to Martin and compared Martin's signature to the signature on the driver's license to positively identify Martin. Martin signed the Candidate Oath form prior to making contact with Barbara, therefore Barbara made Martin sign the form again in her presence.

Upon viewing the Candidate Oath form, I observe Martin's signature in a black ink pen and then again in a blue ink pen, which confirmed Barbara's statement.

Martin completed the Candidate Oath form in its entirety on 6/12/2020. On the Candidate Oath form, it states, "I, (Name) am a candidate for the office of (Office) (District #), (Circuit #), (Group or Seat #); I am a qualified elector of \_\_\_\_\_ County, Florida; I am a qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected". To which Martin printed his name "Martin Grenfell", the office "Polk County Commission", the district "1", and the County "Polk", and signed the bottom of the form in the "Signature of Candidate" portion. At the bottom of the Candidate Oath form, I observed Barbara notarized the form. By signing the Oath, Grenfell attested that he is qualified to hold office under the Constitution and the Laws of Florida.

Reference United States District Court Middle District of Florida Tampa Division case number 8:12-CR-403-T-26TBM, Martin was convicted of a felony (Trafficking in Counterfeit Labels) on 2/22/2013 in Federal Court. Martin received probation for three (3) years.

On 11/18/2012, Martin was provided a plea agreement. On page 14 of Martin's plea agreement, the following is written, "The defendant also understands that defendant will be adjudicated guilty of the offenses to which defendant has pleaded and, if any of such offenses are felonies, may thereby be deprived of certain rights, such as the right to vote, to hold public office, to serve on a jury, or to have possession of firearms". I observed Martin Grenfell's initials in the "Defendant Initials" portion at the bottom of page 14, therefore acknowledging the conditions and terms on page 14.

On 2/22/2013, Martin Grenfell received a Sentencing Memorandum in Support of a Reasonable Probationary Sentence. On page four (4) the following is written, "Mr. Grenfell pled guilty to a non-violent felony. As a result, he will lose his right to vote, run for office, possess a firearm, and probably most importantly to him, the opportunity to volunteer in his children's' school and after school activities".

Per 2018 Florida Amendment 4, it is an Amendment that restores voting rights of Floridians with felony convictions after they complete all terms of their sentence, including parole or probation. Amendment 4 does not include restoring the ability to run for office upon the completion of all terms of a sentence. According to the rules for the Office of Executive Clemency, the earliest a convicted felon can have their civil rights restored is five years after the date of his completed probation. Martin was convicted of a

felony on 2/22/2013. Contact was made with the United States Probation Office, with the middle district of Florida, via phone. It was confirmed Martin successfully completed his probation on 2/21/2016, therefore Martin would not be eligible to have his civil rights restored until 2/21/2021.

Under Article 6, Section 4, of the Florida Constitution, it is written, "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". The Florida Constitution does not include restoring the ability to run for office upon the completion of all terms of a sentence, only voting rights.

Multiple attempts were made to make contact with Martin at his residence, which were met with negative results. Contact was made with Martin, via phone. Martin was advised, an investigation was being conducted into allegations that he advised on a legal document "He was not a convicted felon". Martin advised the following:

The allegation is a lie. The form he completed that had a portion that was relatively close to the "Not a convicted felon" sentence was his voters registration form. Martin advised that sentence included "and if I am a convicted felon, I had my rights restored". Due to Amendment 4, his rights have been restored. Martin advised he would only meet with detectives if his lawyer was present and all documents alleging any illegal acts be sent to his attorney prior to meeting.

Amendment 4 does not restore the ability to run for office. Per the Office of Executive Clemency Office, Martin's civil rights are not eligible to be restored for five years after the date of Martin's completed probation, which is 2/21/2021. Due to Grenfell's Plea Agreement from 11/18/2012, Grenfell's initials at the bottom of page 14, which means he acknowledged the conditions, and Grenfell's Sentencing Memorandum in Support of a Reasonable Probationary Sentence from 2/22/2013, it was determined Martin had knowledge that his civil rights to run for office were not restored. Therefore, by Martin attesting that he is qualified to hold office under the Constitution and the Laws of Florida, Martin willfully swore or affirmed falsely to an oath or affirmation in connection with or arising out of voting or elections, which is a violation of F.S.S. 104.011.

## Charges

Charge	Counts	Level	Charge Literal	Warrant No	Warrant ORI	Other Booking No
104.011..	1	F3	FALSE SWEARING WITH			