



Florida Department of
Law Enforcement

Richard L. Swearingen
Commissioner

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Rick Scott, *Governor*
Pam Bondi, *Attorney General*
Jimmy Patronis, *Chief Financial Officer*
Adam Putnam, *Commissioner of Agriculture*

November 12, 2018

Pam Bondi
Attorney General
The Capitol PL-01
Tallahassee, FL 32399-1050

Dear General Bondi,

Thank you for your letter voicing your concerns regarding the transparency of Florida's elections process and an inquiry into whether "documented irregularities constitute incompetence or intentional malfeasance and outright fraud."

I am deeply troubled that you think I have announced that FDLE would not be pursuing any investigation or inquiry into the conduct of elections officials in Broward or Palm Beach counties (or any other county) that may rise to criminal conduct during the 2018 election. I have made no such announcement. The statement released last week was "FDLE is working with DOS and will investigate any allegations of criminal activity or fraud."

It has been inaccurately reported that FDLE would require a complaint in writing from candidate Rick Scott in order to pursue any such inquiry or investigation. We simply responded to media inquiries as to whether such a written request had been received and as of the date of this letter it has not.

Unfortunately, I believe the confusion is about the reference in F.S. 943.03(02) which requires a written order from the Governor for the Department to pursue an investigation into the misconduct in connection of their official duties, public officials and employees subject to the suspension or removal by the Governor. As an election supervisor falls within this definition, this likely led to this assumption by those reporting that a complaint in writing must be received.

Let me assure you that I had already taken the necessary steps to promote public safety and specifically the integrity of our elections process during the 2018 midterm election. A preliminary inquiry was initiated prior to the receipt of your letter.

We continue to work closely with the Department of State, local, state and federal law enforcement agencies and other partners in the review and vetting of any complaint associated with Florida's election. As with all complaints made to FDLE, we engage in a vetting process, internal legal review, the gathering of facts through interviews and documentation collection, and the securing of evidence as necessary as well as the consultation with appropriate prosecuting entities. We would like to work with the Office of Statewide Prosecution on any criminal investigation and subsequent prosecution.

If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Swearingen", is written over the word "Sincerely,".

Rick Swearingen