

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA

v.

CASE NO.: 502022CF006572AXXX MB

Leo GRANT JR.
B/M, DOB: 03/18/1967
SSN: [REDACTED]

Defendant. /

CRIMINAL INVESTIGATION

FDLE AGENCY CASE # EI-32-0115

Affidavit in Support of Arrest Warrant

COMES NOW your Affiant, Special Agent (SA) Antonio Mathews of the Florida Department of Law Enforcement (FDLE), makes this Affidavit in support of probable cause to support the arrest of the Subject described below. Based on Affiant's personal knowledge, a review of the relevant records and other materials obtained during the course of this investigation, interviews of witnesses, conversations with other members of law enforcement and documents provided by public officials, Affiant avers the Subject identified below has committed the following offense(s):

Subject: Leo Grant Jr
Race: Black
Gender: Male
Date of Birth: 03/18/1967
Social Security Number: [REDACTED]
Florida Driver License: G653-520-67-098-0
Last Known Address: 1130 NW Second Street, South Bay, Florida 33493
Offense(s): False Affirm. Re Voting or Elections, § 104.011(1), Fla. Stat.
Voting as an Unqualified Elector, § 104.15, Fla. Stat.

22 AUG 17 AM 9:33
JOSEPH A. LAMARCA, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

FILED

FACTS

1. On September 10, 1999, the subject named above, Leo Grant Jr, was convicted of Lewd Assault (Second Degree), violating Florida Statute Section 800.04(3), in the Fifteenth Judicial Circuit, Case No. 99-6427CF. Your Affiant verified this conviction through records maintained at the Palm Beach County Clerk of Court. The crime of Lewd Assault

(Second Degree) is a felony sexual offense. Pursuant to the Constitution of the State of Florida, Article VI, Section 4, no person convicted of this offense shall be qualified to vote until restoration of their civil rights. The subject, Leo Grant Jr, has not had his civil rights restored since this conviction and remains an ineligible elector.

2. Grant's conviction requires him to register as a Sexual Offender per Section 943.0435, Florida Statutes (2022). Florida law requires Grant to periodically report in person and provide updated contact information to the local sheriff's office and to the Florida Department of Highway Safety and Motor Vehicles (DHSMV).
3. On or about April 20, 2020, Grant allegedly completed a Florida Voter Application, which contained his complete name, his date of birth and listed his residence as "110 SW 10th Avenue Apartment 2, South Bay, FL 33493." As part of his application, Grant affirmed the following: "I affirm that I am not a convicted felon, or if I am, my right to vote has been restored." This affirmation is not true as Grant has not had his civil rights restored after the conviction discussed above. This application was submitted to the Palm Beach County Supervisor of Elections which was then forwarded from the Palm Beach Supervisor of Elections to the Florida Secretary of State in Leon County, Florida.
4. On April 24, 2020, according to certified documents prepared by and in the custody of the Supervisors of Elections, after processing the application discussed in paragraph 3 above, Grant became a registered voter in Palm Beach County, Florida, with an assigned voter ID of 128122688.
5. Records provided to FDLE by the Florida Department of State Division of Elections reflected that Grant did actually vote by mail in the 2020 Primary Election on August 18, 2020, and in the 2020 General Election on November 3, 2020, in Palm Beach County.
6. The 2020 Primary Election and 2020 General Election ballots included numerous candidates for statewide and federal offices. The results of these election contests are sent to the Florida Secretary of State electronically for certification by the Elections Canvassing Commission.
7. On Tuesday, August 9, 2022, SA Alberto Diaz and SA Antonio Martindale conducted a voluntary non-custodial interview with Grant at 2 locations, the 100 block of NW 9th Avenue in South Bay and beside a Sunoco gas station at 110 US-27 S in South Bay, regarding registering and voting in the 2020 election cycle. The interview was audio recorded. The following synopsis outlines Grant's interview:

Grant understood their meeting was voluntary, he was not under arrest or being held against his will. He displayed and handed his Florida Driver License (Number: G653-520-67-098-

0, Issued: 04/09/2019, Expires: 03/18/2028, Listed Address: 135 NW 9th Avenue, South Bay, FL 33493) upon request. He also verbally provided his date of birth and social security number. Grant had just moved yesterday to his new residence located at 1130 NW Second Street in South Bay. His previous residence was located at 135 NW 9th Avenue in South Bay.

Grant stated that he can read and write the English language. His highest level of education was the 10th grade and he received his GED around 2010 or 2011. Grant has been diagnosed with stress, depression and wears a pacemaker. He takes assorted prescribed medications for his health and psychological issues. He did not take any this morning. Grant indicated that he was not under the influence of any drugs or alcohol right now.

Grant looked for his Florida Voter Information Card upon request. He did not have it or know where it was. Grant viewed a completed Florida Voter Registration Application copy with his Personal Identification Information (PII), a signature, and dated what appeared to be "4-20-2020." Grant confirmed the handwriting and signature on it was his. He confirmed that he checked the box for "I affirm that I am not a convicted felon, or if I am, my right to vote has been restored." He also confirmed he had read and understood the Florida Voter Registration Application.

Grant remembered filling out his vote-by-mail ballot at his house and mailing it in for the November 2020 election by putting it in a Post Office mailbox. He did not remember the exact date he mailed it. No one else filled out, handled or signed Grant's Florida Voter Registration Application and vote-by-mail ballot. Grant did not go to a booth or another location to vote in that election.

Grant remembered receiving a paper in the mail about his right being able to vote. He no longer had this paperwork. Grant confirmed he had been convicted of Lewd Assault in 1999 and went to prison. He claimed he had no other arrests after this. After the interview concluded, Grant left the location in his personal vehicle.

8. Grant's provided PII matched with the Florida Voter Registration information as well as a Florida Driver and Vehicle Identification Database (DAVID) Record Detail your Affiant had received.
9. Your Affiant verified a State of Florida Office of Executive Clemency gold star letter dated August 9, 2022, that informed staff had made a diligent search of the clemency records and found that Grant was previously granted restoration of civil rights, except the right to own, possess or use firearms on 02/13/1987, but there was no record of specific authority to receive, possess firearms or a pardon of any kind, having been granted by the Governor

and Cabinet of the State of Florida. In addition, there was no subsequent application pending for clemency at the time of the letter. Grant's conviction for Lewd Assault, a felony sexual offense as defined in F.S. 98.0751, post-dates the restoration of civil rights received by Grant in February of 1987.

CONCLUSION

This affidavit is submitted for the limited purpose of establishing probable cause to believe that the subject named above has committed the offenses described above. Your Affiant has not included every fact concerning this investigation. Rather, your Affiant has set forth the facts that he believes is necessary for a fair determination of probable cause.

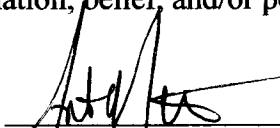
WHEREFORE based on the above stated facts, probable cause exists to charge Leo GRANT Jr. with:

Count 1: False Affirmation - Voting or Elections
§ 104.011(1), Fla. Stat.
3rd Degree Felony

Count 2: Voting as an Unqualified Elector
§ 104.15, Fla. Stat.
3rd Degree Felony

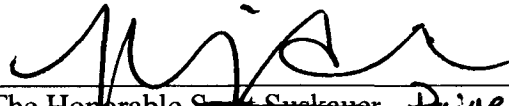
AFFIRMATION

I hereby affirm that the events constituting probable cause to arrest the subjects described in this Affidavit are true based on my information, belief, and/or personal knowledge.



Affiant
Special Agent Antonio Mathews
Florida Department of Law Enforcement

Sworn to and subscribed before me this 17th day of August 2022.



The Honorable ~~Scott Suskauer~~ Paige Gillman
Circuit Court Judge, Fifteenth Judicial Circuit