Florida Department of Law Enforcement

Case Number: FP-32-0002

Nineteenth Judicial Circuit of Florida

Investigative Summary:

Voter Registration Fraud

Incident Date: February 8, 2013

Case Agent:
Special Agent John J. Schultz

SUBJECT:

Corran "Corry" Westbrook
White/Female
Date of Birth: 12/21/1970
Place of Birth: Pennsylvania
Address: 2015 Klingle Road, NW
Washington, D.C. 20010

INCIDENT LOCATION:

Supervisor of Elections office
4375 43rd Avenue, Vero Beach,
Indian River County, Florida 32967

Complaint Received.

Patricia A. Lavins, of 2180 Via Fuentes, Vero Beach, Florida 32963, telephone number (772) 492-1683, filed a complaint with the Florida Department of State, Division of Elections, alleging that Corry Westbrook was a permanent resident of Washington, D.C., but obtained a Florida voter registration card by claiming to reside with her parents in Vero Beach, Florida. After reviewing the allegation, the complaint was referred to the Florida Department of Law Enforcement, Fort Pierce Field Office.

Background.

Article I, Section 2, of the United States Constitution, mandates that members of Congress, when elected, must be an inhabitant in the state in which their district is located. Corry Westbrook is currently running for the U.S. House of Representatives, 8th Congressional District of Florida.

Florida State Statutes 104.011, False swearing; submission of false voter registration information.

(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.
(2) A person who willfully submits any false voter registration information commits a felony of the third degree.

Investigation.

On September 6, 2013, the Florida Department of Law Enforcement (FDLE) initiated a criminal investigation based on the complaint that Corry Westbrook committed voter registration fraud. The complainant alleged that Ms. Westbrook resides in Washington, D.C., but obtained a Florida voter registration card by claiming to reside with her parents at 1955 3rd Street, Vero Beach, Indian River County, Florida.

I. Voter's registration records obtained.

FDLE Special Agent (SA) John J. Schultz obtained a certified copy of the Florida voter's registration application of Corry Westbrook from the Supervisor of Elections office in Vero Beach, Indian River County, Florida. According to this sworn application, Ms. Westbrook claimed to reside at 1955 3rd Street, Vero Beach, Florida 32962. This is the address that appears in the section that states, "Address Where You Live (legal residence – no P.O. Box)". In the section that requested an address of where the applicant had previously voted, Ms. Westbrook provided the address of 2015 Klingle Road, NW, Washington, D.C. 20010. This application, which has an oath section in which the applicant swears that the information provided is true, is signed "Corry Westbrook", and dated "2-8-13".

II. Defense of Corry Westbrook.

During the course of this investigation, Ms. Westbrook, the attorney representing Ms. Westbrook, and the father of Ms. Westbrook have provided the following documentation to SA Schultz in an attempt to establish that Ms. Westbrook was a permanent resident of Vero Beach, Florida when she registered to vote in February of 2013:

- Signed two page rental agreement between Parris and Kathleen Westbrook (landlord) and Corry Westbrook (tenant), dated 02/08/2013.
- Cancelled rent checks from Corry Westbrook made payable to Parris or Kathleen Westbrook.
- A billing invoice from the Pool Keeper, Inc. addressed to Corry Westbrook for pool service at 1955 3rd Street, Vero Beach, Florida, dated 08/26/2013.
- A bank statement from [redacted] in the name of Corry Westbrook, with the address of 1955 3rd Street, Vero Beach, Florida covering the period of 09/13/2013 to 10/10/2013.
- A Florida driver's license in the name of Corran Westbrook, with the address of 1955 3rd Street, Vero Beach, Florida and an issue date of 12/13/13.
- A library card in the name of Corry Westbrook from the Indian River County Library.

III. Unannounced visit to the residence of 1955 3rd Street, Vero Beach, Florida.

On October 1, 2013, SA Schultz and another FDLE special agent conducted an unannounced visit to the residence of 1955 3rd Street, Vero Beach, Florida in order to conduct an interview. Upon arrival, FDLE agents met with Parris and Kathleen Westbrook, parents of Corry Westbrook. Parris Westbrook agreed to be interviewed after the complaint was explained to him. Parris Westbrook also advised that Corry Westbrook was not available because she was in Washington, D.C.

During the interview, Parris Westbrook advised that he and his wife were renting a bedroom in their house to Corry Westbrook. When asked how much was the rent, Parris Westbrook checked with his wife, Kathleen, and then claimed it was $400.00 per month, (the rental agreement was later obtained and it indicated that the rent was $100.00 per month). When asked to view the rental agreement, Parris Westbrook, (the landlord), advised that he did not have the rental agreement, but that it was in the possession of Corry Westbrook, (the tenant). When asked to view the bedroom that was rented to Corry Westbrook, Parris Westbrook showed SA Schultz a bedroom in which the bed did not contain any bed sheet or bed cover. The pillows did not have pillow covers, and the closet contained approximately seven items of clothing hanging on hangars. On the floor of the closet was one pair of women's tennis shoes. When asked if Corry Westbrook paid any other bills in order to reside at the residence, Parris Westbrook produced one billing invoice from The Pool Keeper, Inc. that was made out to Corry Westbrook for pool service at 1955 3rd Street, Vero Beach, Florida. The billing invoice was dated 08/26/2013.

IV. Sworn statements from employees of The Pool Keeper, Inc.

SA Schultz interviewed and subsequently obtained sworn statements from two employees of The Pool Keeper, Inc. Employee Teri Margeson stated that she had been

servicing the pool at 1955 3rd Street, Vero Beach, Florida for the last 8 years. Margeson advised that she is at the residence every Thursday for about 15 to 20 minutes to service the pool. She stated she knew Parris and Kathleen Westbrook and would occasionally talk to Parris Westbrook about the pool, politics, or sports. When shown a photograph of Corry Westbrook, Margeson stated that she had never seen the photographed person before. SA Schultz then asked if Parris or Kathleen Westbrook ever spoke of their daughter, Corry. Margeson responded by stating that Parris Westbrook approached her once and asked about changing the name on the billing invoice to his daughter, Corry, because his daughter "was running for office". Margeson agreed to the request and notified Brenda Scarberry, receptionist/office manager at The Pool Keeper office.

A sworn statement was then obtained from Office Manager/Receptionist Brenda Scarberry at The Pool Keeper. Scarberry stated that on 04/09/2013 at 2:45 p.m., Parris Westbrook called The Pool Keeper office and requested the name on the billing invoice be changed from his wife, Kathleen, to his daughter, Corry, because his wife was in bad health and his daughter "was running for office". SA Schultz was provided with a copy of a "telephone log" that documented the telephone request of Parris Westbrook on 4-9-2013. Scarberry further stated that although the name on the billing invoice was changed to Corry Westbrook, she was 99.9% sure that the pool service bill has always been paid by Kathy Westbrook. Scarberry indicated that there may have been one check issued from someone other than Kathy, but Scarberry couldn't remember it. Scarberry also stated that she has never met Parris, Kathy or Corry Westbrook.

V. Rental lease agreement and cancelled rent checks obtained.

Ms. Westbrook emailed to SA Schultz a copy of the rental lease agreement with her parents, and three cancelled rent checks. This rental lease agreement, which was two pages long, was between Kathleen and Parris Westbrook, (listed as landlord), and Corry Westbrook, (listed as tenant). The agreement was for Corry Westbrook to rent one room and have use of shared space for the premises located at 1955 3rd Street, Vero Beach, Florida 32962. The term of this lease was for one month and then the lease became a "Tenancy at Will", which is automatically renewed upon term expiration unless written notice of non-renewal is delivered by either party at least 10 days prior to term renewal. This agreement also indicated that rent of $100.00 per month was to be paid by check on the 8th of each month, and if the rent is not paid on time, a late fee of $10.00 was to be paid by the tenant. The security deposit was listed as $50.00 and was refundable. At the bottom of page 2 appeared to be the signatures of Kathleen Westbrook, Parris Westbrook, and Corry Westbrook. Next to the signature of Corry Westbrook was the date of 2-10-2013.

The three cancelled rent checks sent to SA Schultz were drawn on [redacted] in the name of Corry Westbrook, 2015 Klingle Road, NW, Washington, D.C. 20010. These checks were issued as follows:

- Check # 1343 was made payable to Kathleen Westbrook, dated 3-16-2013, in the amount of $240.00. In the memo section is "Rent", and the signature appears to be Corry Westbrook. The back of the check had a signature that could possibly be Kathleen A. Westbrook.

- Check # 1360 was made payable to Parris Westbrook, dated 6-7-2013, in the amount of $300.00. The memo section is not filled out, and the signature appears to be Corry Westbrook. The back of the check had a signature that is not legible.

- Check # 1371 was made payable to Kathleen Westbrook, dated 7-6-2013, in the amount of $350.00. The memo section appears to state "August/Sept Rent plus clean", and the signature appears to be Corry Westbrook. The back of the check had a signature that could possibly be Kathleen Westbrook.

SA Schultz also printed out the email message received from Ms. Westbrook, because she stated in the email message that she paid in cash for the first month's rent, even though the rental lease agreement states that the rent must be paid by check.

VI. Sworn, recorded statement of Corry Westbrook.

On November 12, 2013, SA Schultz interviewed Corry Westbrook, who is running for the U.S. House of Representatives, 8th Congressional District of Florida. This interview was conducted at the law office of Pamela B. Stuart, attorney representing Ms. Westbrook. SA Keren Ortiz, of FDLE, was also present.

Ms. Westbrook claimed that Patricia Lavins, the complainant, has made numerous false allegations against her that are politically motivated. Ms. Westbrook stated her primary residence was the room she rented, plus shared space, at her parents residence, located at 1955 3rd Street, Vero Beach, Florida 32962. Ms. Westbrook also claimed a residence at 2015 Klingle Road, NW, Washington, D.C. 20010, which she shares with her husband. During the interview, Ms. Westbrook stated that she was employed full-time for a company called Oceana in Washington, D.C. as a Federal Policy Director. She also provided a copy of her Washington, D.C. driver's license. (This license, which expires on [redacted]2019, contains the address of 2015 Klingle Road, NW, Washington, D.C. 20010-1058.) Ms. Westbrook also claimed to own a blue Toyota Prius that was in her name and had a Washington, D.C. license plate.

Ms. Westbrook claimed that as of February, 2013, her primary residence was in Vero Beach, Florida because she signed a lease agreement with her parents who reside at 1955 3rd Street. She stated this was her primary residence, because that is where she mentally intended to live and that is where she calls home. Ms. Westbrook confirmed that she obtained her Florida voter's registration card in Vero Beach on February 8, 2013 at the Indian River County Supervisor of Elections office. She also confirmed that she sent SA Schultz an email message with attachments that included a copy of her rental lease agreement with her parents and three cancelled rent checks. When asked how much she paid in rent per month, she said she wasn't sure, that she thought it was $100.00 per month, but she had to check. Ms. Westbrook then proceeded to check the documents she brought with her and confirmed that the rent was $100.00 per month.

This rental lease agreement, which is two pages long, was dated February 8, 2013 and was signed on February 10, 2013. When asked about paying other bills at the Vero Beach residence, Ms. Westbrook claimed that the pool service bill was paid out of her rent. Ms. Westbrook identified a billing invoice that SA Schultz handed her from the Pool Keeper, Inc. in the name of Corry Westbrook. This billing invoice was dated

08/26/2013 and was in the amount of $79.13. (So if the pool service bill comes out of the monthly rent of $100.00, then Ms. Westbrook would only pay $20.87 in rent for that particular month.)

Ms. Westbrook claimed her husband, who works for the Environmental Protection Agency (EPA), does not come to Florida to live with her because of the Federal Hatch Act rules, so he stays away from the campaign and the election process. SA Schultz then pointed out to Ms. Westbrook that her husband could still come to her residence in Vero Beach, Florida in order to maintain their marriage.

Ms. Westbrook stated she first registered to vote in Washington, D.C. in 1997 or 1998. Ms. Westbrook advised that she always votes in elections, and the last time she voted in Washington, D.C. was in 2012. Ms. Westbrook claims that she considers herself a life-long resident of Florida and mentally considers Vero Beach her home, but she also admits that she would never sell her house in D.C. because that is her "nest-egg".

VII. [redacted] records of Ms. Westbrook obtained.

Subpoenaed bank records from [redacted] reveal that the checking account of Corry Westbrook, 1955 3rd Street, Vero Beach, Florida, was opened on 08/14/2013, and that four checks were issued by Ms. Westbrook on this account during the first three months.

According to records received from [redacted] Ms. Westbrook issued the following checks on account number [redacted] from 08/14/2013 through 11/15/2013:

1) Check # 1001, dated 08/23/2013, payable to Kathleen Westbrook, $400.00, and the memo section indicated: Rent July, Aug, Oct. & Novem - DVR.

2) Check # 1002, dated 10/16/2013, payable to Kathleen Westbrook, $250.00, and the memo section indicated: Oct./Nov Rent.

3) Check # 1003, dated 11/15/2013, payable to Corry Westbrook for Congress, $200.00, and the memo section was blank.

4) Check # 1004, dated 11/08/2013, payable to Christi's, $612.04, and the memo section indicated: Gym Fee. (NOTE: Checks 1003 and 1004 were dated out of sequence.)

It should be noted that not one of the rent checks issued by Ms. Westbrook was for $100.00, which is the monthly rent per the rental lease agreement. Also, check # 1371, drawn on the [redacted] account, (listed above), and check # 1001, drawn on the [redacted] account, (listed above), both claim to pay for the rent for the month of August. Furthermore, check # 1001 and check # 1002, of the [redacted] account, both claim to pay for the rent for the months of October and November.

[redacted] records further show a deposit of $770.63. This deposited item was a check issued from Oceana, Inc., dated 09/20/2013, made payable to Corry Westbrook of 2015 Klingle Road, NW, Washington, D.C. 20010. Oceana, Inc. was the employer of

Ms. Westbrook and this check indicates that as of 09/20/2013, Oceana, Inc. still issued checks for payment to Ms. Westbrook at her Washington D.C. address of 2015 Klingle Road, NW.

VIII. Library card records of Ms. Westbrook obtained.

SA Schultz served a business record search warrant on the Indian River County Library in Vero Beach, Florida in order to obtain the library card records of Corry Westbrook. SA Schultz received a certified letter from Mary Snyder, Director of Library Services, stating that Corry Westbrook registered [redacted]

IX. Ms. Westbrook obtains a Florida driver's license.

Ms. Westbrook subsequently obtained a Florida driver's license on 12/13/2013 and emailed a copy of this driver's license to SA Schultz. This driver's license contained the address of 1955 3rd Street, Vero Beach, Florida. A query conducted in the Driver And Vehicle Information Database (DAVID) confirmed that this driver's license was valid.

X. Mailing addresses obtained on the bills of Ms. Westbrook.

Subpoenaed records reveal that the following bills of Ms. Westbrook were mailed to her residence located at 2015 Klingle Road, NW, Washington, D.C. 20010 as of the date listed in the parenthesis:

- Lord & Taylor, (closed on 06/07/2013 due to inactivity)
- Verizon Wireless, personal cellular telephone, (10/27/2013)
- Capital One (11/11/2013)
- Nordstrom, Inc. (12/10/2013)
- American Express (12/18/2013) *
- Everhome Mortgage (01/09/2014) +
- Toyota Motor Credit Corporation (01/15/2014) +

*NOTE: The American Express account was opened by Ms. Westbrook on 03/28/2013, which is after Ms. Westbrook obtained a Florida voter registration card on 02/08/2013 by claiming to reside at 1955 3rd Street, Vero Beach, Florida.

+NOTE: The Everhome Mortgage loan and the Toyota car loan are joint accounts that Ms. Westbrook holds with her husband, Jeffrey Kempic.

XI. Surveillance conducted in Vero Beach, Florida.

SA Schultz conducted "drive-by" surveillances of the residence located at 1955 3rd Street, Vero Beach, Florida in an attempt to determine who was residing at the residence. A "drive-by surveillance" is an observation of the residence, and any people or vehicles outside of the residence, at a specific time in which SA Schultz drove past the residence.

Between 09/10/2013 and 10/17/2013, SA Schultz conducted a drive-by surveillance of the residence located at 1955 3rd Street, Vero Beach, Florida, twenty-four (24) times. During this time span, SA Schultz never observed Corry Westbrook at the residence of 1955 3rd Street, Vero Beach, Florida. SA Schultz did observe Parris Westbrook in the driveway of the residence on one occasion. Also, the only two vehicles observed parked in the driveway of 1955 3rd Street, Vero Beach, Florida were the two vehicles owned by Parris and Kathleen Westbrook.

Between 09/18/2013 and 10/06/2013, SA Schultz conducted surveillance of the campaign office of Corry Westbrook, located at Maxwell Plaza, 1127 21st Street, Vero Beach, Florida, eight (8) times. This surveillance was conducted in order to determine if Ms. Westbrook was in the Vero Beach, Florida area. During this time span, SA Schultz never observed Ms. Westbrook at the campaign office in Vero Beach, Florida, but did observe a white male on two occasions that resembled Parris Westbrook.

XII. Neighborhood canvass conducted around 1955 3rd Street, Vero Beach, Florida.

Between 11/21/2013 and 12/11/2013, SA Schultz conducted a neighborhood canvass of five residences immediately surrounding the residence of 1955 3rd Street, Vero Beach, Florida. While conducting this neighborhood canvass, SA Schultz never observed Ms. Westbrook outside of the residence of 1955 3rd Street, Vero Beach, Florida and the only vehicles observed in the driveway were those of Parris and Kathleen Westbrook.

On 11/21/2013, SA Schultz interviewed Virgil Vannatta at his residence of 306 20th Avenue, Vero Beach, Florida. Vannatta, who is retired, stated that he has lived in his house since 1978. He advised that he only knows the Westbrook family at 1955 3rd Street to wave and say "Hi". When shown a photograph of Corry Westbrook, Vannatta stated that he has observed her at the residence of 1955 3rd Street approximately 3 times since 1978.

On 11/21/2013, SA Schultz interviewed Joanna Osbahr at her residence of 275 20th Avenue, Vero Beach, Florida. Osbahr, who works during the day and sometimes on weekends, stated that she has lived in her house since 1994. She advised that she only knows the older couple at 1955 3rd Street to wave and say "Hi". Osbahr does not know the names of the couple, but states that she usually will see them once or twice per week. When shown a photograph of Corry Westbrook, Osbahr stated that she has never seen the photographed person at the residence of 1955 3rd Street.

On 11/22/2013, SA Schultz interviewed Julius Peto at his residence of 1920 3rd Street, Vero Beach, Florida. Peto, who is retired but still working part-time doing cabinet work, has lived in his house since 1998. Peto knows Parris and Kathy Westbrook of 1955 3rd Street. When shown a photograph of Corry Westbrook, Peto stated that she was the daughter of Parris and Kathy Westbrook. Peto also stated that Ms. Westbrook had been seen at the 1955 3rd Street residence 5 or 6 times in the last year, but Peto could not advise if she resided with her parents. Peto stated that he has never spoken to Ms. Westbrook.

On 11/22/2013, SA Schultz interviewed Jeremy and Adrian Spilman at their residence of 1925 3rd Street, Vero Beach, Florida. Jeremy Spilman stated he has lived in the house for approximately ten years and Adrian Spilman stated she has lived in the house for approximately seven years. The Spilman's, who both work during the day, Monday through Friday, advised that they knew their neighbors, Parris and Kathy Westbrook of 1955 3rd Street. When shown a photograph of Corry Westbrook, the Spilman's both indicated that they had never seen the photographed person at the 1955 3rd Street residence.

On 12/11/2013, SA Schultz interviewed Diane Pasqualone at her residence of 265 20th Avenue, Vero Beach, Florida. Pasqualone, who works during the day, stated that she has lived in her house for 21 years. When asked who resided at the residence located at 1955 3rd Street, Pasqualone stated that she has observed an older male in his late 60's or early 70's working in the yard, but she has never spoken to him. She further advised that she has never seen anyone else at the residence. When shown a photograph of Corry Westbrook, Pasqualone stated that she has never seen the photographed person at the 1955 3rd Street residence.

XIII. Hotel registration records obtained on Ms. Westbrook.

Subpoenaed records were received from the Holiday Inn Express of 9400 19th Lane, Vero Beach, Florida. Hotel registration records revealed that Corry Westbrook had registered to stay at the hotel between 03/17/2013 and 03/18/2013. These records also indicate that Ms. Westbrook claimed an address of 2015 Klingle Road, NW, Washington, D.C. 20010, when registering at the Holiday Inn Express. This hotel registration in Vero Beach, Florida, is 37 days after Ms. Westbrook obtained a Florida voter registration card by claiming a home address of 1955 3rd Street, Vero Beach, Florida. According to Google Maps, this Vero Beach hotel is 9.6 miles away from the Vero Beach, Florida, residence Ms. Westbrook claims as her permanent residence, yet Ms. Westbrook used her Washington, D.C. address on the hotel registration.

Subpoenaed records were received from the Days Inn of 139 Pittsburgh Road, Butler, Pennsylvania. Hotel registration records revealed that Corry Westbrook had registered to stay at the hotel between 03/22/2013 and 03/23/2013. These records also indicate that Ms. Westbrook claimed an address of 2015 Klingle Road, NW, Washington, D.C. 20010, when registering at the Days Inn. This hotel registration is 42 days after Ms. Westbrook obtained a Florida voter registration card by claiming a home address of 1955 3rd Street, Vero Beach, Florida.

Subpoenaed records were received from the Hotel Rose of 50 Southwest Morrison Street, Portland, Oregon. Hotel registration records revealed that Corry Westbrook had registered to stay at the hotel between 08/05/2013 and 08/08/2013. These records also indicate that Ms. Westbrook claimed an address of 2015 Klingle Road, NW, Washington, D.C. 20010, when registering at the Hotel Rose. This hotel registration is 5 months and 28 days after Ms. Westbrook obtained a Florida voter registration card by claiming a home address of 1955 3rd Street, Vero Beach, Florida.

XIV. Telephone contact with Ms. Westbrook.

On May 13, 2014, SA Schultz contacted Ms. Westbrook at telephone number (772) 539-1992 after Ms. Westbrook left a voice mail message on the cellular telephone of SA Schultz requesting to be contacted. This call was recorded with a digital recorder. During this conversation, Ms. Westbrook complained about comments made by Pat Lavins and was under the belief that SA Schultz was providing information from the investigation to Lavins. SA Schultz advised that he could not control comments made by Lavins, but assured Ms. Westbrook that Lavins was not provided with confidential investigative information.

SA Schultz then advised Ms. Westbrook that information had been received that she stayed at the Holiday Inn Express in Vero Beach, Florida about one month after she obtained her Florida voter's registration card claiming to reside at 1955 3rd Street, Vero Beach, Florida. When asked why she would stay at a local hotel, Ms. Westbrook responded that she had an argument with her father and decided to spend the night at the hotel. (Note: Ms. Westbrook claimed her Washington D.C. address when registering at the hotel.)

Ms. Westbrook was then asked if she ever moved to Vero Beach, Florida and she responded that she had started to move to Vero Beach in January of 2013 and that she was trying to quit her job, but that there were so many things going on. However, her intent was to be in Vero Beach. According to Ms. Westbrook, "Mentally, I moved here in February, it's just, there was some extraneous things I couldn't control. So there's no law broken." When asked why she would register to vote before she actually moved to Vero Beach, Ms. Westbrook responded, "I just registered to vote, I didn't realize it was going to be a problem." Ms. Westbrook then implied that Leslie Swann, Supervisor of Elections, gave her the impression that she was within the law because Swann knew Ms. Westbrook, the family of Ms. Westbrook, and accepted Ms. Westbrook's application for a voter registration card. SA Schultz then pointed out that Swann accepted Ms. Westbrook's application because Ms. Westbrook claimed under oath to reside at 1955 3rd Street, Vero Beach, Florida.

Ms. Westbrook stated that she did not break the law as she read it and when she checked with her lawyer, her lawyer also stated that she did not break the law. When SA Schultz asked when did Ms. Westbrook check with her lawyer about this law, Ms. Westbrook replied that it was after Pat Lavins had filed her complaint.

XV. Employment records obtained on Ms. Westbrook.

According to records received from Oceana pursuant to a grand jury subpoena, Ms. Westbrook was hired on August 31, 2011 as the Federal Policy Director of Oceana, 1350 Connecticut Avenue, NW, 5th Floor, Washington, D.C. At the time she was hired, Ms. Westbrook claimed an address of 2015 Klingle Road, NW, Washington, D.C. 20010.

Ms. Westbrook's position was classified as full-time, exempt in accordance with the Fair Labor Standards Act. According to the position description, Oceana records indicate that the Federal Policy Director (Director) oversees Oceana's federal government relations work in order to influence the policies of the United States, regional

fishery management councils, states, and other decision-making institutions. The Director is the direct supervisor of the team of policy experts in Washington, D.C. The Director is expected to develop and maintain extensive contacts on Capitol Hill, within federal agencies, and in other decision-making bodies. The Director is based in Washington, D.C. and some travel is required. According to the position description under the heading of "Physical Demands", Oceana records state the position demands the Director "to stand, walk, and sit constantly during the work day. It requires an ability to walk to Metro and throughout Congressional Office buildings."

Leave records maintained with Oceana show that on Friday, February 8, 2013, Ms. Westbrook took personal leave from her full-time position in Washington, D.C. (This is the date that Ms. Westbrook obtained her Florida voter registration card in Vero Beach, Florida by taking an oath that she resided at 1955 3rd Street, Vero Beach, Florida 32962.)

In her resignation letter, dated 11/05/2013, Ms. Westbrook indicates that her last day with Oceana will be on 11/29/2013. Ms. Westbrook does not provide a reason for resigning, but states that, "It has been an honor and pleasure to work for Oceana for the past 2 years and 4 months."

On 11/27/2013, Ms. Westbrook submits an "Address Change Form" with Oceana indicating that her new address, effective 11/27/2013, will be 1955 3rd Street, Vero Beach, FL 32962. This address change with her Washington, D.C. employer is 9 months and 19 days after Ms. Westbrook obtained her Florida voter registration card by claiming a home address of 1955 3rd Street, Vero Beach, Florida.

XVI. Exhibits held as related items in this investigation.

The following is a list of exhibits held as related items:

ITEM #	DESCRIPTION
INV-1	Complaint received from the Florida Division of Elections.
INV-2	Documents from the Property Appraiser's office.
INV-3	Document from the Tax Collector's Office.
INV-4	Florida voter registration application of Corry Westbrook.
INV-5	Biography of Corry Westbrook.
INV-6	Documents from Oceana website.
INV-7	CD [redacted]
INV-8	Washington D.C. property and tax information.
INV-9	Witness subpoenas for Parris and Kathleen Westbrook, (obtained).
INV-10	E-mail messages from Patricia Lavins.
INV-11	Recorded interview with Parris Westbrook with documents and pictures.
INV-12	Documents received from Patricia Lavins.
INV-13	Subpoena issued to Experian and response from Experian.

INV-14	Witness subpoenas for Parris and Kathleen Westbrook, (not served).
INV-15	Court order issued to Experian.
INV-16	Letter from Patricia Lavins.
INV-17	CD containing telephone calls to and from Corry Westbrook.
INV-18	Rental lease agreement, 3 cancelled checks and e-mail message.
INV-19	Subpoena issued to Verizon Wireless.
INV-20	Sworn statement of Teri Margeson, with photo of Corry Westbrook.
INV-21	Sworn statement of Brenda Scarberry, photo of Westbrook, and documents.
INV-22	Telephone records received from Verizon Wireless.
INV-23	FOIA request to D.C. Board of Elections.
INV-24	Email message and documents received from Westbrook's attorney.
INV-25	Sworn statement of Corry Westbrook, copy of D. C. driver's license.
INV-26	Records received from the D.C. Board of Elections.
INV-27	Records received from Experian.
INV-28	Subpoena issued to [redacted]
INV-29	Subpoena issued to Nordstrom, Inc.
INV-30	Subpoena issued to American Express.
INV-31	Subpoena issued to Toyota Financial Services.
INV-32	Subpoena issued to Everhome Mortgage.
INV-33	Photograph of Corry Westbrook, (from Oceana website).
INV-34	Subpoena issued to Capital One, N.A.
INV-35	Subpoena issued to Chase.
INV-36	Subpoena issued to Lord & Taylor Credit Services.
INV-37	Records received from Nordstrom, Inc.
INV-38	Records received from [redacted]
INV-39	Records received from American Express.
INV-40	Copy of Florida driver's license of Corry Westbrook and e-mail message.
INV-41	Response from Capital One, N.A.
INV-42	Response from Chase.
INV-43	Records received from Everhome Mortgage.
INV-44	Response from Toyota Motor Credit Corporation.
INV-45	Subpoena issued to Toyota Motor Credit Corporation.
INV-46	Subpoena issued to Capital One, N.A.
INV-47	Records received from Lord & Taylor Credit Services.
INV-48	Records received from Toyota Motor Credit Corporation.

INV-49	Records received from Capital One, N.A.
INV-50	Subpoena issued to the Hotel Rose.
INV-51	Subpoena issued to the Days Inn.
INV-52	Application and Affidavit for Search Warrant.
INV-53	Search Warrant Order.
INV-54	Search warrant documents and library card records.
INV-55	Records received from the Hotel Rose.
INV-56	Records received from the Days Inn.
INV-57	Subpoena issued to Oceana, Inc.
INV-58	Subpoena served at the Holiday Inn Express, hotel document obtained.
INV-59	Sworn Affidavit of SA Schultz.
INV-60	Records received from the Holiday Inn Express.
INV-61	Subpoena, motion, affidavit in reference to the Grand Jury.
INV-62	Recorded voice mail messages and phone calls, and one e-mail message.
INV-63	Records received from Oceana, Inc.
INV-64	E-mail messages of Patricia Lavins.

I swear the foregoing is true and correct

SWORN to and SUBSCRIBED
This 1 day of AUGUST, 2014

Special Agent John J. Schultz
Florida Department of Law Enforcement
120 Orange Avenue,
Fort Pierce, Florida 34950

(Notary Public or LEO)

OFFICE OF THE
State Attorney
NINETEENTH JUDICIAL CIRCUIT OF FLORIDA
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Rec'd
9/20/14

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Fort Pierce, FL 34950

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OFFICE OF THE
State Attorney
NINETEENTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
INDIAN RIVER, MARTIN, OKEECHOBEE
AND ST. LUCIE COUNTIES

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September 5, 2014

Spc Agent John J. Schultz
FDLE Ft Pierce
120 Orange Ave
Ft. Pierce, FL 34950

RE: Complaint against: Corran Westbrook
Agency Case No.: 2014-32-0002
Case No.: 31-2014-WF-003241-A

The arrest warrant referenced above was denied for the following reason(s):

You submitted an affidavit for an arrest warrant charging Corran "Corry" Westbrook with one count of False Swearing to Voter Registration Information [F.S. 104.011(1)] and one count of Submitting False Voter Registration Information [F.S. 104.011(1)].

The affidavit details the investigation into Westbrook's claim to be a resident of Indian River County at the time she registered to vote. In short, the evidence shows Westbrook took steps to establish residency on and after the date she registered. Such steps included signing a residential rental agreement on the same day she registered, paying rent, establishing a pool service account, opening a bank account with a local address, obtaining a Florida driver's license, and obtaining an Indian River County Library card. There is no doubt that the affidavit demonstrates many irregularities from which it could be argued that Westbrook's attempt to establish residency was a sham and that she truly intended to reside in Washington, D.C. However, Westbrook claims that she intended to reside in Indian River County and that she was in fact a bona fide resident of Indian River County. So in order to prove that she knowingly and willfully falsely swore or affirmed that she was a resident, making her subject to criminal punishment, it is necessary to have a clear definition of residency.

The term "residency," as it applies to a prosecution for false swearing or submitting false information, is not defined by Florida Statutes. An advisory opinion issued by the Division of Elections attempts to offer guidance. That opinion, DE 93-05 (June 23, 1995) was issued to the Supervisor of Elections for Dade County. Florida Statute 106.24(2) authorizes the Division to provide such advisory opinions when requested by certain enumerated persons or organizations (supervisor of elections, candidates, local officers having election-related duties, political parties, affiliated political committees, political committees, committees of

continuous existence, or other persons or organizations engaged in political activity). It further makes such opinions binding upon any person or organization who sought the opinion. The Division's opinions are not binding upon the courts.

In the opinion of the Division, "for the purpose of registering to vote, an individual has established legal residency in a county when he physically moves to the county with the intent of making that county his permanent home." The Division relies upon Bloomfield v. City of St. Petersburg Beach, 82 So.2d 364 (Fla. 1955), which stated:

> [W]here a good faith intention is coupled with an actual removal evidenced by positive overt acts, then the change of residence is accomplished and becomes effective. This is so because legal residence consists of the concurrence of both fact and intention. The bona fides of the intention is a highly significant factor.

The Division's opinion letter goes on to state that legal residence is, therefore, determined by looking to where a person intends to make a home permanent and to whether factual evidence exists to corroborate that intent. In making this determination, no single piece of evidence, such as homestead exemption, is decisive... Examples of evidence which may be considered in determining whether legal residency has been established include driver's license, tax receipts, mail receipts, bank accounts, the relocation of personal effects, and the purchase or rental of property." The opinion cites Ogden v. Ogden, 33 So.2d 870, 873 (1947) which holds, "the best proof of one's domicile [legal residence] is where he says it is."

It should be noted that none of the cases cited in the Division's opinion involve a criminal prosecution or whether the person involved is alleged to have falsely sworn or affirmed to have legal residence for the purpose of registering to vote. Because they do not address prosecution under any criminal law, it is questionable whether their holdings apply in such cases.

Furthermore, in order to achieve a successful prosecution, the state would necessarily have to prove Westbrook knew the statements she made on the voter registration application were untrue at the time she made them. See Miller v. Coleman, 178 So. 157 (Fla. 1938)(A statement made by a person who in good faith at the time believed the statement to be true could not be construed to be a criminal act, although in fact the statement was not true and although it was intended to be used under the provisions of the act referred to.) This element is particularly problematic in the absence of a clear definition of residency. As the Division's opinion states, '[T]he establishment of legal residence depends on a variety of acts or declarations, all of which must be considered and weighed on a case-by-case basis."

In light of the particular circumstances of this case which indicate, at least on their face, that the defendant made some "positive overt acts" beginning on the same day she registered to vote and indicating an intention to reside in Indian River County, that she expressed her intention to live in Indian River County, and the absence of a clear legal definition of residency for the purposes of enforcing the criminal statutes, the warrant is not approved.

If you have any questions please give me a call.

Sincerely,

Brian G. Workman
Assistant State Attorney