



## FLORIDA DEPARTMENT *of* STATE

RON DESANTIS  
Governor

CORD BYRD  
Secretary of State

August 18, 2022

### VIA U.S. MAIL AND ELECTRONIC MAIL

Julie Marcus  
Supervisor of Elections  
13001 Starkey Road  
Largo, FL 33773

*Re: Evidence Preservation*

Dear Supervisor Marcus:

I write to bring your attention to a matter of great public importance. Through no fault of your own, records demonstrate that the convicted felons listed in the attached Exhibit A were registered to vote and voted in your county during the 2020 General Election. *See* Exhibit A. The convicted felons listed in Exhibit A fall into one of three categories: (1) convicted murderers, (2) convicted sex offenders, or (3) felons who were serving a probationary sentence at the time of casting a ballot. Records also demonstrate that certain voters in your county, *see* Exhibit B, may have cast more than one ballot during the 2020 General Election. This information was obtained pursuant to Section 98.075(2)(b)1, Florida Statutes, in collaboration with 25 other states. Depending on the facts and circumstances of each case, the individuals in Exhibits A and B may have committed criminal violations of the Florida Elections Code.

To ensure the integrity of any investigation involving the foregoing matters, it is imperative to preserve the physical voting record of these individuals, including any registration applications, original records of individual in-person voting with signatures, and vote-by-mail ballot return envelopes, which may later be needed for evidentiary purposes to prove elements of a crime. As you know, the law requires retention of all ballots, forms, and other election materials for a minimum of 22 months after an election and for any additional time in accordance with the schedule promulgated by the Division of Library and Information Services. *See* § 101.545, Fla. Stat.; Rule 1B-24.003(1)(c), Fla. Admin. Code; *see also* 52 U.S.C. § 20701.

Please consider this a formal request to preserve and maintain for later access and review all of the original records in your possession for the 2020 General Election relating to the individuals listed in Exhibits A and B. *See* General Records Schedule GS3 for Election Records, p. viii. (“A. Litigation – When a public agency has been notified or can reasonably anticipate that a potential cause of action is pending or underway, that agency should immediately place a hold on disposition of any and all records related to that cause.”). Note that the contents of Exhibits A and B constitute active criminal investigative information and are exempt from public records disclosure pursuant to Section 119.071(2)(c), Florida Statutes. Accordingly, please assert the above exemption and do not produce the contents of Exhibits A or B in response to any public records request. *See also* § 838.21, Fla. Stat.

While I acknowledge this represents additional labors during the 2022 election cycle, the requested action is unavoidable to preserve the option of bringing accountability to those corrupting our electoral process.

It goes without saying that your calls in these regards are welcome.

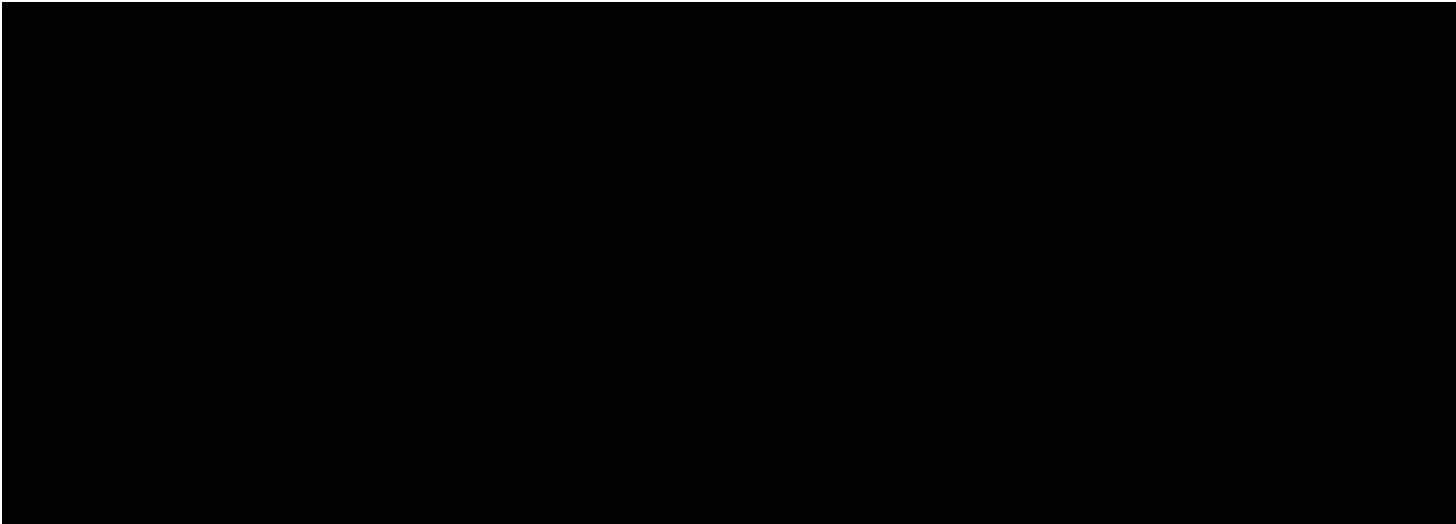
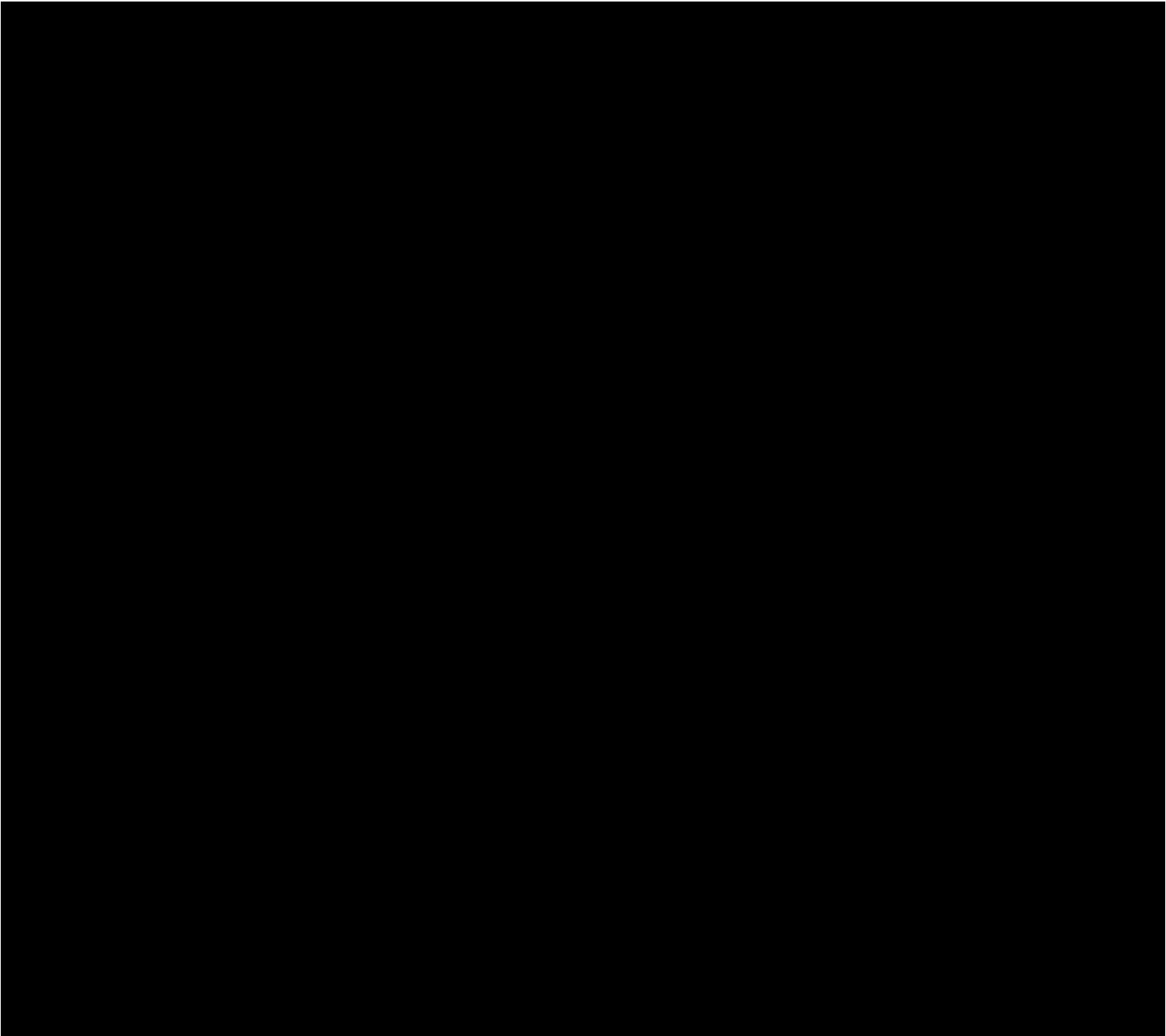
Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Antonacci', with a long horizontal line extending to the right.

Peter Antonacci  
Office of Election Crimes and Security

Enclosures

cc:





*\*Additional investigation required to establish accuracy of match.*