



**Florida Department of Law Enforcement
Office of Executive Investigations
Public Corruption Unit**



Investigative Summary

FDLE Case Number: EI-14-0173

Subject: Gregory S. Tony

Judicial Circuit: Seventeenth

County: Broward



Case Agent: Keith Riddick

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT

SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA

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FDLE

PUBLIC CORRUPTION UNIT

OFFICE OF EXECUTIVE INVESTIGATIONS INVESTIGATIVE SUMMARY

CASE NUMBER: EI-14-0173 **DATE:** July 19, 2021

CASE AGENT: Inspector Keith B. Riddick

SUBJECT(s): Gregory S. Tony

INCIDENT DATE(S): February 1, 2020

**INCIDENT
LOCATION(s):** Broward County Florida

**ALLEGATION(S) /
CHARGE(S):** F.S.S. 322.08 (1) – Application for license; requirements for license and identification card forms, a First-Degree Misdemeanor
F.S.S. 322.33 – Making false affidavit perjury, to-wit; F.S.S. 92.525 – Verification of documents; perjury by false written declaration, a Third-Degree Felony
F.S.S. 322.212 (5) (a) – Unauthorized Possession of, and Other Unlawful Acts in Relation to, Driver License or Identification Card, a Third-Degree Felony

INVESTIGATIVE PREDICATE:

The Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI), Public Corruption Unit (PCU) received a complaint regarding Broward County Sheriff Gregory Tony. Per the complaint, Sheriff Tony made false statements regarding multiple documents, to include: his FDLE Criminal Justice Standards and Training Commission (CJSTC) Form 68, known as “Affidavit of Applicant” and documents related to his past law enforcement applications for training and employment. Furthermore, during the course of this investigation, information was developed detailing that Sheriff Tony had also provided false statements regarding past law enforcement employment and for Florida Driver’s License applications.

Scope of the Investigation

The scope of OEI's investigation was to ascertain if Gregory Tony had provided false statements, oral or written, regarding his submission of the following documents and, if in doing so, he had violated Florida State Statute:

- Question #4 on his FDLE Criminal Justice Standards and Training (CJSTC) Form 68 titled "Affidavit of Applicant" sworn to and dated January 7, 2020. On this notarized form, Sheriff Tony indicated / marked false to question # 4 "I had a criminal record sealed or expunged." Sheriff Tony completed this required affidavit upon his appointment to Sheriff of Broward County, Florida. It was alleged that Sheriff Tony has a Felony criminal record in Pennsylvania that could not be located via public records.
- Gregory Tony's past law enforcement applications for training and employment.
- Gregory Tony's applications for Florida Driver's License.

During the course of this investigation, OEI Inspectors reviewed documents pertaining to Tony's interactions with law enforcement and court records in Pennsylvania, records pertaining to law enforcement applications for employment, documents pertaining to his CJSTC law enforcement certification, and records pertaining to his Florida DHSMV applications for driver's license and records. OEI Inspectors also conducted interviews in furtherance of this investigation. As a result of the investigation, the following facts were established:

Records Review

In furtherance of this investigation, OEI Inspectors queried Tony in various federal, state, and local law enforcement and criminal history databases. OEI also obtained and reviewed available documents from the Philadelphia Police Department (PPD) in Philadelphia, Pennsylvania.

Pennsylvania Records:**Philadelphia Adult Probation (PAP) Case ID 921240252**

OEI Inspectors obtained and reviewed records pertaining to Philadelphia Adult Probation Department Case ID 921240252, in which Tony was identified as the defendant. Per the records, the case was filed on "Wednesday December 9th, 1992", captioned "PROBATION DEPARTMENT VS. TONY", and with the case type listed as "FINES, COST &/OR RESTITUTION". The "Docket Type" was listed as "ACTIVE CASE" and showed "BY ORDER OF THE COURT, JUDGMENT IS SATISFIED" with the date of January 6, 1993. The database did not provide information regarding the case details.

PPD case number H93-144

OEI Inspectors obtained and reviewed records pertaining to PPD case number H93-144. Per the records, Gregory Toney-Scott (Tony), was arrested for the May 3, 1993 murder of eighteen-year-old Hector Rodriguez. A review of the homicide file revealed that on May 4, 1993, pursuant to the investigation conducted in case number H93-144, Tony was arrested and charged with murder, possessing instruments of crime, possession of an unlicensed firearm, and carrying firearms on public streets or public property in Philadelphia. Tony was then released to the custody of the “Youth Study Center”, currently the Philadelphia Juvenile Justice Services Center (PJJSC). On May 12, 1993, pursuant to his arrest, Tony’s bond was set at \$15,000.

It should be noted that although no official court records delineating the disposition of Tony’s arrest in the matter have been located, open source information reported that on December 15, 1993, Tony went to trial on the above arrest and was subsequently found not guilty of all charges.

PAP Case ID 940845094

OEI Inspectors obtained and reviewed records pertaining to Philadelphia Adult Probation Department Case ID 940845094, in which Tony was identified as the defendant. Per the records, the case was filed on “Tuesday, August 09th, 1994”, captioned “PROBATION DEPARTMENT VS. TONY”, and with the case type listed as “TRAFFIC COURT JUDGMENT”. The document detailed “SATISFACTION FILED” on June 14, 2001. The Philadelphia Municipal Court, Traffic Division Web Site, indicated that citation number M00323293 was issued on April 6, 1993, for “Operate W/O License” (Operating Without a License) and that the fine of \$308.00 was still owed.

Pennsylvania Records Requests Responses

In furtherance of this investigation, OEI Inspectors attempted to obtain any and all Pennsylvania court records related to Tony’s homicide arrest and the PAP referenced cases. Requests/subpoenas for said records were sent to the Philadelphia District Attorney’s Office, the First Judicial District of Pennsylvania (the Court of Record for the case), and the Pennsylvania State Police (PSP) Records Unit with the following results:

- No member of the Philadelphia District Attorney’s Office was willing/allowed to speak on record, but those that the OEI Inspectors spoke with all advised that the records were no longer in the District Attorney’s Office possession, and they surmised that the records were expunged.
- In response to a subpoena, sent to the First Judicial District of Pennsylvania, OEI Inspectors received an email from Glenn S. Bozzacco, of the First Judicial District Legal Services that stated “We are unable to find anything. It is believed that the record is expunged. For some reason some financial costs remained and they were administratively removed because there was no case associated with them”.
- PSP Corporal (Cpl.) Brad Trimball, supervisor of the PSO Records Unit, advised that his agency had no records of the homicide arrest. Cpl. Trimball advised that the PSP records are compiled through the submission of an arrestee’s fingerprints and that Pennsylvania law does not require the fingerprinting of

an arrested juvenile at the time of the arrest. Cpl. Trimball further advised that a juvenile found not-guilty at trial could also not be fingerprinted, which he believed is what happened in this case.

Although the records pertaining to the arrest of Gregory Tony for the murder of Hector Rodriguez appeared to have been expunged, OEI Inspectors were unable to find any documentation which identified who requested and/or caused said expungement.

Pennsylvania Department of Transportation (PenDot) Driver's License Records

OEI Inspectors obtained and reviewed records from PenDot which detailed the following:

- Tony's Pennsylvania Driver's License, Number [REDACTED] was suspended on August 8, 1993, for "Failure to Appear for Trial or Court Appearance."
- The records detailed a "Driver Conviction" for "Operator Must Be Licensed" dated June 30, 1994.
- The records detailed a "Driver Conviction" for "Red Light Violation" dated March 4, 1997.
- The records detailed that Tony's Pennsylvania Driver's License was suspended, for what appear to be five separate cases (different "locator codes") of "Failure to Appear for Trial or Court Appearance" on January 23, 1998.
- Tony's driver's license expired on November 30, 1998.
- All of the aforementioned driver's license suspensions listed a "Reinstatement Date" of October 11, 2001.

Florida Records:

Liberty County Court Case Information System

OEI Inspectors obtained and reviewed records from the Liberty County Court which detailed the following.

- Tony was issued a traffic citation on March 19, 2000, for driving with a driver's license that was expired for more than four months (his Pennsylvania license had expired on November 30, 1998).
- The violation at that time was under Florida State Statute 322.03 (5), a crime defined as a second-degree misdemeanor.
- Tony pled "Nolo Contendere" to the charge on May 2, 2000, at which time the attending judge withheld adjudication and fined him \$123.00.
- Tony paid the fine on May 31, 2000.

It should be noted that at the time of this offense Tony did possess a Department of Highway Safety and Motor Vehicles (DHSMV) issued identification card, but not a Florida Driver's License.

Leon County Florida Court Case Information System

OEI Inspectors obtained and reviewed records from the Leon County Court. The court records detailed that on December 12, 2001, Tony was charged, via summons, with a violation of Florida State Statute 832.05, described as "FRAUD-INSUFF FUNDS CHECK MAKE UTTER ISSUE UNDER 150 DOLLARS" (a first-degree misdemeanor crime commonly known as "passing a worthless check"). The docket detailed that the case was dismissed via a "No Information" filed on January 24, 2002. It should be noted that open source documents detailed that Tony admitted to writing the check in order to purchase books while he was attending Florida State University and that the charge was dropped after he reimbursed the business for the worthless check.

Tony's Law Enforcement Related Applications

Pursuant to this investigation, OEI Inspectors conducted a historical review of Tony's known law enforcement career related applications and other documentation. OEI Inspectors obtained and reviewed the available documents related to Tony's law enforcement agency applications for employment and training. It should be noted that at the time of the investigation some of Tony's law enforcement applications were unavailable due to the time-lapse between the events and this inquiry or due to records retention schedules. As a result of the investigation, the following facts were established:

Tallahassee Police Department (TPD) Employment Application

OEI Inspectors requested Tony's employment application records from TPD. Per TPD's response, Tony applied for employment as an officer with the agency in November of 2003; however, the application was destroyed per records retention schedule. TPD provided OEI Inspectors with the following documents:

- A "Staff Summary Sheet" dated February 18, 2004.
- A copy of a letter from TPD Chief Walter A. McNeil, dated March 15, 2004.

The "Staff Summary Sheet" detailed the subject as "Police Officer Candidate Gregory Scott Tony". The following was documented under the heading "Purpose/Discussion":

"Gregory Tony is currently employed as an accountant with the Department of Highway Safety. His previous employment includes teaching GED and pre-GED material to inmates at Wakulla Correctional Institute. He has expressed an interest in sponsorship to Pat Thomas Law Enforcement Academy. He was recently discontinued from out hiring process due to drug use – Lysergic Acid Diethylamide (LSD); which he admitted on his Personal History Statement. Mr. Gregory admitted to a one-time use of LSD in 1995. His Personal History Statement also reflects marijuana use approximately two times during 1995 through 1996. Mr. Gregory is appealing his discontinuance for his felony drug use, but failed to mention his marijuana use around that same time in his

appeal request. The applicant also failed to mention on his Personal History Statement of Passing a Worthless Bank Check (PWBC) in January 2000.”

The document also contained comments regarding the Employee Resources policy on the discontinuance of the application process, in which the applicant (Tony) admitted to committing a felony by possession of a controlled substance such as LSD.

The aforementioned letter to Tony from Chief McNeil indicated that Chief McNeil agreed with the discontinuation of Tony’s application “from further consideration”.

Per a review of the records provided by TPD, it was determined that Tony’s employment process as a police officer with TPD was discontinued due to his self-reported drug use and his failure to disclose his criminal history related to PWBC. Due to not being able to obtain Tony’s TPD employment application, it was not possible to determine if Tony disclosed the aforementioned Pennsylvania criminal history.

Tallahassee Community College – Pat Thomas Law Enforcement Academy (TCC-PTLEA) Training Application

OEI Inspectors obtained and reviewed records pertaining to Tony’s application and attendance to the TCC law enforcement academy. Per the records, on March 12, 2004, Tony applied to attend the night class of TCC-PTLEA’s Law Enforcement Basic Recruit Program. As part of the application, Tony was required to complete a “Declaration Form” which stated:

“All statements and information given in this application are true to the best of my knowledge. In the event that I am admitted to the Academy, I understand that any information found to be omitted or incorrect on any portion of my application may constitute grounds for dismissal.

By my signature below, I hereby authorize the Pat Thomas Law Enforcement Academy to conduct such investigations as are necessary to determine the accuracy and completeness of this application”.

Tony’s notarized signature was affixed to the document under the above statements.

A review of the application noted the following:

- Tony answered “no” when asked “Are you presently certified or have you ever been certified as a law enforcement or corrections officer?”
- Tony answered “no” when asked “Have you been given a traffic ticket within the past five-(5) years? Any civil infractions?”
- Tony answered “no” when asked “Have you ever been arrested in any state for any criminal violation (felony or misdemeanor or contempt of court order)?”

- The application lists a “Special Note” which advised that “Criminal records sealed under Florida Statutes, as most states, may be available for inspection by a criminal justice agency for the purpose of employment.”
- Tony answered “no” when asked “If convicted, has your record been expunged?”

Based on the aforementioned review of the TCC-PTLEA documents, it was determined that Tony provided false information when he answered “no” to the question related to his traffic citation history, since he failed to disclose that he was issued multiple traffic tickets, as per the aforementioned Pennsylvania and Florida records. It was also determined that Tony provided false information when he answered “no” to the question related to his arrest history, since he failed to disclose his arrest for murder in Pennsylvania, as per the reviewed PPD records. It should be noted that although it appears that Tony knowingly and willfully mislead public servants in the performance of their official duties by making false statements in writing on his official applications (regarding his traffic citation, drug use, and arrest history) to members of the Tallahassee Community College Pat Thomas Law Enforcement Academy, a criminal prosecution of these actions would be negated per Florida State Statute (F.S.S.) 775.15 (2) (d), Florida’s Statute of Limitations.

On January 20, 2005, Tony received notice that he was accepted into TCC-PTLEA’s Law Enforcement Basic Recruit Class #289 and was subsequently issued a “Certificate of Completion” on October 25, 2005.

Coral Springs Police Department (CSPD)

OEI Inspectors obtained and reviewed records pertaining to Tony’s June 2005 application for employment as a “Law Enforcement Trainee” with CSPD. A review of the application and those documents determined the following:

A review of the above titled application noted the following:

- Tony answered “no” when asked “Have you ever participated in any undetected crimes?”
- Tony answered “no” when asked “Have you ever handled hallucinogens?”
- Tony answered “no” when asked to “List the times and dates you have personally used hallucinogens.”
- Tony answered “no” when asked “Have you ever handled any other illegal drugs (Ecstasy, prescriptions, etc.)?”
- Tony answered “no” when asked to “List all moving violations you have had in the last seven years.”
- Tony answered “no” when asked “Have you ever been arrested?”
- Tony answered “no” when asked “Have you ever been arrested, received a notice to appear, been charged, convicted, pleaded Nollo Contedere, or pleaded guilty to any criminal violation?”

- On page nine of the application Tony answered “yes” when asked “Have you applied to any other law enforcement agencies?”, but did not list all of the agencies he had applied to, as requested.

The reviewed documents also contained an employment application bearing the heading “City of Coral Springs Florida” with a subheading of “Police Department”. A review of that application noted the following:

- Under Section VI, titled “Employment/Unemployment Record”, Tony answered “no” when asked “Have you ever applied for a position with any law enforcement agency?”
- Under Section VIII, titled “Criminal and Juvenile Record”, Tony answered “no” to question number one, when asked “Have you ever been arrested, charged, received a notice or summons to appear for any criminal violation?” Note: After the above question, Section VIII read “If yes to question #1 or #2, list all such matters even if not formally charged or no court appearance, or found not guilty, or matter settled by payment of fine or forfeiture of collateral.”
- Also, under Section VII, Tony answered “no” when asked “Have you ever been detained by any law enforcement officer for investigative purposes or to your knowledge have you every (sic) been subject of, or a suspect in, any criminal investigation?”
- Under Section IX, titled “Driving History”, Tony answered “Yes” when asked “Have you ever had a license suspended or revoked?” “Suspended” was underlined and “Pennsylvania – 1996” was handwritten after the question.
- Also, under section IX, Tony appeared to answer “no” initially to the question “Have you ever received a traffic citation?” before changing his answer to “yes” and noting “Pennsylvania – 1996”.

Additionally, under section IX, Tony answered “no” when asked “Do you now have any unpaid traffic citations outstanding against you?” It should be noted that Tony failed to disclose the aforementioned unpaid \$308.00 fine for citation number M00323293, issued on April 6, 1993, for “Operate W/O Licnse#1” (Operating Without a License), as per PAP Case ID 940845094 records.

As part of the above application, Tony was required to sign a form titled “Affirmation”, which stated: *“I affirm that this application contains no misrepresentations or falsifications, omissions, or concealment of material fact and that information given by me is true and complete to the best of my knowledge and belief. I am aware that statements made by me on this application are subject to later investigation. I am further aware that should any investigation disclose any such misrepresentation, falsification, omission or concealment of material fact, my application may be rejected and my name removed from the eligible lists. If already appointed, I may be dismissed.”* Tony’s notarized signature was affixed to the document under the above statement. The form was dated June 27, 2005.

As part of the CSPD application process, Tony underwent a Computer Voice Stress Analysis (CVSA) exam. The exam was an attempt to ensure that Tony was truthful in his answers to questions relative to his application for

employment. As part of the exam, Tony was required to complete a “Background Questionnaire”. A review of Tony’s answers to the “Background Questionnaire” noted the following:

- Tony answered “no” when asked “Has a law enforcement agency ever been called because of something that you were involved in?”
- Tony answered “no” when asked “Were you ever in a fight in which a weapon was used?”
- Tony answered “no” when asked “Have you ever injured or caused the death of another person?”
- Tony answered “no” when asked “Have you ever intentionally damaged property belonging to another person?”
- Tony answered “Fighting” when asked “What is the most serious thing you have ever done in your life?”
- Tony answered “no” when asked “Have you ever been accused of any misconduct?”
- Tony answered “no” when asked “Have you ever been questioned by a law enforcement agency as a suspect in an investigation?”
- Tony answered “no” when asked “Other than what has already been covered have you been involved in anything that you could have been arrested for?”
- Tony answered “no” when asked “Do you know or have you ever had regular associations with persons whom you knew, or should have known, were under criminal investigation, or who had a reputation in the community or with law enforcement agencies for involvement in criminal behavior?”
- Tony answered “no” when asked “Have you ever been arrested, charged, or detained by a law enforcement agency including military apprehensions? Include any arrests in which the charges were dropped, reduced, found not guilty, or in which the records were sealed or expunged. Failure to do so could result in termination of the application process. A Notice to Appear is considered an arrest and must also be listed.”
- Tony answered “no” when asked “Have you ever served probation, parole, community control, or community service?”
- Tony did not answer when asked “What fines have you been required to pay, and were they paid on time?”
- Tony answered “no” when asked if he had ever used LSD.
- Tony answered “yes” when asked “Have you ever benefited from the sale of illegal drugs to include money, free drugs, or sexual favors? (Note if you received any money from a friend or a family member

involved in drug sales indirectly. List her and give details. (sic)” and wrote “During the 1990’s, on a few occasions (sic) (3-4) a “friend” who sold drugs would buy me food or candy etc...”.

- Tony answered “yes” when asked “Have you ever been in company of people using illegal drugs?” and wrote “Family, Friends, neighbors”.
- Tony answered “yes” when asked “Has your driver’s license ever been suspended or revoked?” and wrote “Pennsylvania driver’s License during 1996”.
- Tony answered “yes” when asked “Are all the traffic citations that you have ever received listed on your employment application?”
- When asked to “List ALL NAMES that you have ever used to include maiden, nick names, married, and legal name changes, and dates used”, Tony wrote “Gregory Tony”.

The CVSA Background Questionnaire document concluded with an attestation that stated “I certify that the above information provided is true and correct. I have been completely truthful in my answers to these questions.” Tony’s signature and the date “6/24/05” followed the above attestation.

Based on the aforementioned review of the CSPD documents, it was determined that Tony provided false information when he answered the questions related to his traffic citation history, because he failed to disclose that he was issued multiple traffic tickets, as per the reviewed Pennsylvania and Florida records. It was also determined that Tony provided false information when he answered questions related to his drug use history and previous law enforcement applications, since he failed to disclose his self-reported drug use history, as per the reviewed TPD records regarding his previous law enforcement application for employment. Furthermore, it was determined that Tony provided false information when he answered questions related to his arrest history, since he failed to disclose his arrest for murder in Pennsylvania, as per the reviewed PPD records. It should be noted that Tony resigned from CSPD on September 29, 2016, and moved to South Carolina until the time he was appointed as the Sheriff of Broward County.

It should also be noted that although it appears that Tony knowingly and willfully misled public servants in the performance of their official duties by making false statements in writing on his official applications (regarding his traffic citation, drug use, and arrest history) to members of the CSPD, a criminal prosecution of these actions would be negated per Florida State Statute (F.S.S.) 775.15 (2) (d), Florida’s Statute of Limitations.

Tony’s Appointment to the Office of the Sheriff of Broward County, Florida

On January 10, 2019, FDLE’s Background Investigations Unit (BIU) was tasked by the Florida Office of the Governor with conducting a background check on Gregory Tony, aka Gregory Scott Tony, in preparation for his appointment as the Sheriff of Broward County Florida, which occurred the following day. As part of the appointment process, Tony completed and signed a notarized affidavit, which stated in part “I hereby authorize the Florida Department of Law Enforcement to check any and all records including but not limited to records pertinent to criminal history, employment history, residence history, driver’s license, military, education and

motor vehicle history. I further authorize any law enforcement agency to release to the Florida Department of Law Enforcement information regarding convictions/dispositions under Florida Statutes or statues (sic) of other jurisdictions. This consent applies to any and all future screenings and/or rescreenings (sic) conducted by the Executive Office of the Governor.” The FDLE BIU documented Tony’s background under FDLE case EI-75-7778. As routine process for backgrounds, a check was performed of the Florida Crime Information Center (FCIC)/National Crime Information Center (NCIC), which did not yield any results. Per the reviewed documents, Tony’s background investigation identified one traffic infraction for Tony, and that Tony was listed as the “Defendant in Leon County (FL) Misdemeanor Case #37-2001-MM-011782, dated 01/04/00 for Fraud-Insufficient Funds Check Make Utter Issue Under 150 Dollars which was No Information Filed on 01/24/02”.

Additionally, as part of the appointment process, Tony provided the Governor’s Office with a one-page biography in which he noted that he “grew up in the crime-ridden street (sic) of Philadelphia’s inner city.” Tony also wrote “when drugs and violent crime were consuming the majority of his peers, Greg (Tony) took to sports to find an escape”. It should be noted that Tony failed to disclose in the letter to the Governor, information pertaining to his self-disclosed drug history and his arrest for murder by the PPD.

On January 7, 2020, as part of his continued certification as a Florida law enforcement officer, Tony completed and signed a FDLE’s Criminal Justice Standards and Training Commission (CJSTC) Form 68 titled “Affidavit of Applicant”, an official document required for Florida law enforcement certification. As part of Form 68, Tony answered eleven statements that fell under a line reading, in part, “I attest to the following statements: Each statement shall be checked “True”, “False” or “NA”. Tony checked “False” to statement four, which read “I had a criminal record sealed or expunged.” On Form 68, following the above statements, was a block that contained the following: “NOTICE: This document shall constitute as an official statement with the purview of Section 837.06, F.S., and is subject to verification by the employing agency and the Criminal Justice Standards and Training Commission. Any intentional omission when submitting this application or false execution of this affidavit shall constitute a misdemeanor of the second degree and disqualify the officer for employment as an officer.” That block was followed by a paragraph that began with “PLEASE READ CAREFULLY BEFORE SIGNING” and read in part; “I hereby certify that to the best of my knowledge and belief, the information that I’ve entered on this form is true.” Tony’s notarized signature, dated January 7, 2020, was affixed below those statements.

Pursuant to the aforementioned answer by Tony to Form 68, OEI Inspectors attempted to locate the disposition/court records associated with PPD case number H93-144 (murder investigation). OEI Inspectors attempted to ascertain if the disposition/court records associated with PPD case number H93-144 were sealed or expunged (a court-ordered process in which the legal record of an arrest or a criminal conviction is "sealed," or erased from system records). Per OEI Inspectors’ requests to the PPD, the Philadelphia State Attorney’s Office, the Philadelphia Clerk of the Court, and the Pennsylvania State Police, no records existed in their respective systems pertaining to the disposition of PPD case number H93-144. Per the aforementioned agencies, the records regarding the disposition of PPD case number H93-144 were not sealed in their system and they could not identify any legal process (other than expungement) to account for the permanently removed/erased information from their system. OEI Inspectors were unable to identify any documentation that detailed when or who began the legal process to permanently retrieve/erase the documentation regarding the disposition of PPD case number H93-144 from the pertinent Pennsylvania systems.

Tony's FLDHSMV Records

OEI Inspectors obtained and reviewed Tony's FLDHSMV records. Per the reviewed records, Tony conducted thirteen transactions pertaining to obtaining and maintaining a Florida identification (ID) or a Florida driver's license. Based on the analysis of Tony's driver's license histories (PA and FL) combined with his documented law enforcement history, OEI Inspectors developed the following table detailing incidents of interest:

Date:	State:	Transaction:
1/23/1998	PA	Driver's License Suspended (5 counts)
2/4/1999	FL	Tony applied and received a state ID card. Tony answered "NO" to Possess a valid out-of-state license.
4/20/1999	FL	Tony applied and received a replacement state ID card. Tony answered "NO" to Possess a valid out-of-state license.
3/19/2000	FL	Tony was issued a citation for "Operating Vehicle with Expired Driver's License"
10/11/2001	PA	Tony's PA driver's license suspensions shown as "Cleared".
10/16/2001	FL	Tony applied and was issued a FL Driver's License. Tony answered "YES" to the question "Has your driving privilege ever been revoked, suspended, or denied in any state?". Tony advised PA and "TICKET" as the reason for suspension.
3/15/2002	FL	Tony applied and was issued a replacement FL Driver's License. Tony falsely answered "NO" to the question "Has your driving privilege ever been revoked, suspended, or denied in any state?"
8/4/2003	FL	Tony was issued a citation for "Failure to obey traffic instruction sign/device".
8/22/2003	FL	Tony applied and was issued a replacement FL Driver's License. Tony answered "YES" to the question "Has your driving privilege ever been revoked, suspended, or denied in any state?" Tony advised PA and but gave no the reason for suspension.
2/3/2004	FL	Tony applied and was issued a replacement FL Driver's License. Tony falsely answered "NO" to the question "Has your driving privilege ever been revoked, suspended, or denied in any state?"
2/2005	FL	Tony began the Florida Basic Law Enforcement Training Academy
6/1/2005	FL	Tony applied and was issued a replacement FL Driver's License. Tony answered "YES" to the question "Has your driving privilege ever been revoked, suspended, or denied in any state?" Tony advised PA and "TICKETS" as the reason for suspension.

6/27/2005	FL	Tony submitted an employment application to CSPD in which he answered “Yes” to the question “Have you ever has a license suspended or revoked”.
10/19/2005	FL	Tony applied and was issued a replacement FL Driver’s License. Tony falsely answered “NO” to the question “Has your driving privilege ever been revoked, suspended, or denied in any state?”
10/25/2005	FL	Tony graduated from the Florida Basic Law Enforcement Training Academy
11/11/2005	FL	Tony was hired as a police officer by Coral Springs Police Department
8/23/2007	FL	Tony applied and was issued a replacement FL Driver’s License. Tony falsely answered “NO” to the question “Has your driving privilege ever been revoked, suspended, or denied in any state?”
12/2/2013	FL	Tony applied and was issued a replacement FL Driver’s License. Tony falsely answered “NO” to the question “Has your driving privilege ever been revoked, suspended, or denied in any state?”
9/29/2016	FL	Tony separated from employment with Coral Springs Police Department
3/15/2017	FL	Tony applied and was issued a replacement FL Driver’s License. Tony falsely answered “NO” to the question “Has your driving privilege ever been revoked, suspended, or denied in any state?”
6/23/2017	FL	Tony applied and was issued a replacement FL Driver’s License. Tony falsely answered “NO” to the question “Has your driving privilege ever been revoked, suspended, or denied in any state?”
1/11/2019	FL	Tony was appointed Sheriff of Broward County
2/1/2019	FL	Tony applied and was issued a replacement FL Driver’s License. Tony falsely answered “NO” to the question “Has your driving privilege ever been revoked, suspended, or denied in any state?”

As detailed the above table, on February 1, 2019, while employed in a sworn law enforcement position as the Sheriff of Broward County, Florida, Tony applied for and received a replacement for said driver’s license. The driver’s license application completed by Tony in relation to the issuance of the above described replacement license bore a section titled “Statement of Applicant Concerning License or ID Card”. Directly under that title was the question “Has your driving privilege ever been revoked, suspended or denied in any state?” with an area for what appeared to be a yes or no answer. That question was followed by areas titled state, date, reason, and restored. Tony answered “NO” to the above question. It should be noted that as described in the aforementioned Pennsylvania records, Tony’s Pennsylvania Driver’s License had been multiple times. Furthermore, per FLDHSMV records, Tony had previously answered “YES” to the same question when conducting Florida Driver’s License transaction applications from October 16, 2001, through the February 1, 2019, transaction.

The driver's license application completed by Tony in relation to the issuance of the above described replacement license bore the following attestation: "Under penalty of perjury, I swear or affirm that the information given by me in this application is true and correct. I also understand the operation of a motor vehicle constitutes consent to any sobriety test required by law and consent to release of driver records required by law."

OEI Inspectors obtained a sworn statement from FLDHSMV Driver's License Examiner Brittni Romero regarding Tony's aforementioned February 1, 2019, transaction. Ms. Romero testified that she remembered the above described transaction involving Tony. Ms. Romero further advised that Tony filled and answered the questions on the application himself. Furthermore, as part of the application process, Romero stated that she was required to read the above described attestation to Tony. Per Romero, after she read the attestation, Tony was required to electronically acknowledge having personally read the attestation prior to being allowed to affix his signature, thereby swearing to the attestation.

Interview of Sheriff Gregory Tony

OEI Inspectors requested an interview with Tony pursuant to this investigation. On June 28, 2021, Tony's attorney, Michael Moskowitz, advised that Tony declined to provide OEI Inspectors an interview.

SECTION II

INVESTIGATIVE FINDINGS

The following findings are based on the evidence, documentation, and information obtained during OEI's investigation:

- Per FLDHSMV records, on October 16, 2001, Tony applied and was issued a FL Driver's License.
- As part of the FL Driver's License application process, Tony had to answer the question: "Has your driving privilege ever been revoked, suspended, or denied in any state?"
- As previously detailed, as of January 23, 1998, Tony's Pennsylvania driver's license had been suspended five times.
- Per FLDHSMV records, from October 16, 2001, through February 1, 2019, Tony conducted 11 transactions related to his FL Driver's License in which he had to answer the question; "Has your driving privilege ever been revoked, suspended, or denied in any state?" During eight (8) of those transactions, Tony falsely answered "no" to the aforementioned question.
- During the aforementioned February 1, 2019, FL Driver's License transaction (replacement driver's license), Tony was employed in a sworn law enforcement position as the Sheriff of Broward County, Florida.
- Tony conducted the transaction in person at the FLDHSMV's Driver's License office located at 3718-3 W Oakland Park Blvd, Lauderdale Lakes, FL 33311.
- Per Ms. Romero, she was the FLDHSMV Driver's License Examiner assigned to Tony.

- Per the sworn testimony of Driver’s License Examiner Brittini E. Romero, she recognized Tony as the Sheriff of Broward County and that Tony was in his Sheriff’s Office uniform at the time.
- Per Ms. Romero, Tony himself verbally answered the required questions she asked in regard to the application.
- Per Ms. Romero, Tony answered “no” when asked “Has your driving privilege ever been revoked, suspended, or denied in any state?”
- Per FLDHSMV records, the application dated February 1, 2019, as well as previous Florida DHSMV applications, all bore the attestation “Under penalty of perjury, I swear or affirm that the information given by me in this application is true and correct. I also understand the operation of a motor vehicle constitutes consent to any sobriety test required by law and consent to release of driver records required by law.”
- Per Ms. Romero, she was required to and did read the attestation to Tony.
- Per Ms. Romero, the FLDHSMV application system required that Tony electronically acknowledge having personally read the attestation prior to being allowed to affix his signature, thereby swearing to the attestation.

Based on the information and records reviewed during this investigation, it was determined that on February 1, 2019, Sheriff Gregory Tony, provided false information and concealed a material fact, to wit the prior suspension of his Pennsylvania Driver’s License, when he knowingly and willfully falsely swore “that he had not had a driver’s license revoked, suspended, or denied in any state” during his application for a replacement for his Florida Driver’s License. Furthermore, it was determined that Sheriff Gregory Tony made a “false affidavit perjury” when he knowingly and willfully swore to or affirmed the false statements he made in the above described driver’s license application were the truth, to wit, that he had not had a driver’s license revoked, suspended, or denied in any state.

SECTION III

STATE ATTORNEY

A copy of this document, all related Investigative Reports and corresponding documents, were provided to the State Attorney’s Office in and for the Seventeenth Judicial Circuit for their review and prosecutorial determination.



FDLE

PUBLIC CORRUPTION UNIT

OFFICE OF EXECUTIVE INVESTIGATIONS INVESTIGATIVE SUMMARY ADDENDUM

CASE NUMBER: EI-14-0173 **DATE:** September 30, 2021

CASE AGENT: Inspector Keith B. Riddick

SUBJECT(s): Gregory S. Tony

INCIDENT DATE(S): February 1, 2020

**INCIDENT
LOCATION(s):** Broward County Florida

**ALLEGATION(S) /
CHARGE(S):** F.S.S. 322.08 (1) – Application for license; requirements for license and identification card forms, a First-Degree Misdemeanor
F.S.S. 322.33 – Making false affidavit perjury, to-wit; F.S.S. 92.525 – Verification of documents; perjury by false written declaration, a Third-Degree Felony
F.S.S. 322.212 (5) (a) – Unauthorized Possession of, and Other Unlawful Acts in Relation to, Driver License or Identification Card, a Third-Degree Felony

ADDITIONAL INVESTIGATIVE EFFORTS REQUESTED:

On July 23, 2021, Inspectors with the Florida Department of Law Enforcement's Office of Executive Investigations (OEI), provided the State Attorney's Office (SAO) for the 17th Judicial Circuit, an investigative summary dated July 19, 2021, with all related investigative documentation. On August 25, 2021, after their review of the provided information, the SAO requested the Office of the Florida Governor to issue an executive order forwarding the review and prosecutorial determination of the materials related to this investigation to an independent judicial circuit. On August 1, 2021, the Florida Governor assigned the SAO for the 20th Judicial Circuit to discharge the duties of the 17th Judicial Circuit's SAO pertaining to this investigation.

On September 9, 2021, this case was presented to 20th Judicial Circuit Office of the State Attorney. Pursuant to the presentation, OEI Inspectors were asked to conduct the following additional investigative activities. This addendum details the findings of OEI's additional investigative activities.

Pursuant to OEI's presentation to the 20th Judicial Circuit Office of the State Attorney of the findings of FDLE case EI-14-0173, OEI Inspectors were asked to conduct the following additional investigative efforts:

- Obtain and review Tony's application for attendance to Florida State University (FSU).
- Obtain and review Tony's application to the Florida Department of Corrections (FDOC) regarding his employment at the Wakulla Correctional Institution.
- Obtain and review Tony's application for employment to the Florida Department of Highway Safety and Motor Vehicles (FLDHSMV).
- Determine if data from an older application in the FLDHSMV Driver's License System could be "brought over" to a new application.

Records Review

OEI Inspectors obtained and reviewed Tony's applications related to his admission to FSU as a student and non-sworn law enforcement employment applications with the FDOC and FLDHSMV.

The records reviewed from FSU contained three separate applications (dated September 29, 1999; March 27, 2003; and May 12, 2004). Per the documents in all three applications, Tony was asked to answer "YES" or "NO" to a similar question that asked if he was ever charged with a violation of the law which resulted in probation, community service, a jail sentence, or the revocation or suspension of your driver's license (including traffic violations which resulted in a fine of \$200 or more)? Tony answered "NO" to the above question on all three of the applications; though, as previously reported, his Pennsylvania driver's license had been suspended on January 23, 1998. It should be noted that all three of the applications contained an attestation, signed by Tony, that stated the information he provided was true and accurate.

Per the review of records from Tony's FDOC and FLDHSMV employment applications, it was determined that the applications did not contain questions or information related to the scope of this investigation.

FLDHSMV Driver's License System Inquiry

Pursuant to statements made by Ms. Romero during her sworn interview (detailed in the Investigative Summary for this investigation), OEI Inspectors spoke to Ms. Barbara Peacock, a member of FLDHSMV's Systems Evaluation Unit. Ms. Peacock stated that "the system" and the examiner's training did not allow for an applicant's answer from a prior driver's license examination to be "brought over" during a new exam. Ms. Peacock explained that the system and the examiner's training ensured that the application questions were asked during every application process, and that the applicant's new individual answers were recorded during that application

process. Ms. Peacock advised that FLDHSMV personnel were frequently called upon to testify to that fact in court.

Clarification Notice

In addition to the aforementioned investigative actions, OEI Inspectors reviewed the Investigative Summary for this investigation dated July 19, 2021. During their review, OEI Inspectors noted a scrivener's error in the section detailing Tony's Tallahassee Community College – Pat Thomas Law Enforcement Academy (TCC-PTLEA) Training Application (page 6). The Investigative Summary stated that Tony answered "no" when asked "Have you been given a traffic ticket within the past five-(5) years? Any civil infractions?" It should be noted that the TCC-PTLEA application detailed that Tony answered "yes" to the aforementioned question, but failed to disclose the instances in which he received the traffic tickets.

SECTION III

STATE ATTORNEY

A copy of this document, all related additional Investigative Reports and corresponding documents, were provided to the State Attorney's Office in and for the 20th Judicial Circuit for their review and prosecutorial determination.