

PROBABLE CAUSE AFFIDAVIT - MANATEE COUNTY  
STATE OF FLORIDA

24 OF 399

Booking No: \_\_\_\_\_

vs.

DEFENDANT	Defendant Name (last, first, middle initial)		Race B black N n/a I amer. ind. W white O oriental U unknown		Sex M male N n/a F female U unknown		Date of Birth 1/1/0001		
	Arresting Agency	OBTS Number (for BKG)	Agency Case Number		Arrest Date		Arrest Time		
	Location of Arrest (house/street number, street name, direction, apt#)					Zone	Grid	Arrest On W warrant S summons O on sight	
	Location of Offense (house/street number, stree name, direction, apt#)					Crime Date		Time	
CHARGE / BOND	Type of Weapon		01 handgun 04 firearm 07 hands/feet 10 fire/incendary 88 unknown 02 rifle 05 knife/culter 08 poison 12 simulated wep 99 other		Drug Influence Y yes N no (blank for unknown)		Alcohol Influence Y yes N no (blank for unknown)		
	Arresting Officer (last, first, middle initial)		ID#	Assisting Officer (last, first, middle initial)		ID#			
	Charge Description					Degree S 2nd P special penalty C capitol T 3rd N n/a			
	Level of Charge		GOC L conspire to attempt A attempt F facilitate T threat M misdemeanor M accessory to attempt B assault P principal X aid and abet C county L municipal P principal to attempt C conspiracy S solicitation Y accessory before the fact		Charge		F 1st L life A accessory after the fact N not applicable		
Bond Amount	Court Date & Time (24 Hour)		Docket Number		Court C county R circuit J juvenile		Defendant Hold Y yes N no		
URC Code		Offense B buy K dispense R smuggle Activity D deliver M make/cultivate S sell N n/a U use O counterfeit T trafficking A fraud F forgery P possess X stln prop Z embezzle		Drug Type E heroin O opium denvative N n/a A amphetamine P paraphernalia R rock Z other B barbiturate H hallucinogen S synthetic C cocaine M marijuana U unknown		SAO Number			
Drug 1 gram Unit 2 milligram 3 kilogram		4 ounce 8 milliliter 5 pound 9 dose/unit 6 ton		Quantity of Units		No of offenses Cleared UK unknown 00-99			
Victim/Arrestee Relationship		02 stranger 06 parent 10 step-child 14 teacher 03 spouse 07 brother/sister 11 in-law 15 child of girl/boy friend 00 n/a 04 ex-spouse 08 child 12 other family 16 girl/boy friend 01 undetermined 05 co-habitant 09 step-parent 13 student 17 friend		18 neighbor 22 landlord/tenant 19 sitter/day care 23 acquaintance 20 employee 99 other unknown					

Victim 1: SOCIETY      Victim 2: \_\_\_\_\_      Victim 3: \_\_\_\_\_

\*\*\* See Attached Narrative \*\*\*

The Manatee County Sheriff's Office has incurred actual costs, as defined in F.S.S. 938.27 and 775.089 in the investigation and preparation for trial.     Misdemeanor \$100 or     Felony (non-detailed) \$200.

Sworn and subscribed before me on the date set forth below:

Supervisor: *[Signature]* U. DAUINO 11008405      Affiant: *[Signature]*      ID # 10000865

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# MANATEE COUNTY SHERIFF'S OFFICE

## ARREST REPORT

IFR Attachment



CAPIAS REQUEST  ARREST  JUVENILE REFERRAL  WARRANT  SUMMONS

Note: This report is to be completed by the officer having the most information about the case.  
Each defendant and charge must have a separate form.

Case No:	2023004792
Booking No:	
OBTs No:	

<b>PERSON ARRESTED / SUSPECT</b>	<b>PERSONS CODES</b>		OF Offender	SU Suspect	<b>SU</b>	<b>Name ID: 10573281</b>																	
	Name (Last, First, Middle) HOPES, SCOTT LAWRIE					Race W	Sex M	Date of Birth 9/22/1960			Age 63	Country/State of Birth											
	Address (Street, Apt. Number) 2980 50TH AVE W					City / State BRADENTON, FL			Zip 34207														
	Residence Phone ( ) 305-7760049		Driver's License/ID Number/State H120792603420 / FL			Expiration Date		Social Security Number			Height	Weight											
	Hair Color	Eye Color	Employer / School MANATEE COUNTY SCHOOL BOARD																				
	Address					Business Phone			Occupation CHAIRMAN														
	Next of Kin		Relationship	Phone	Address (Address, City, State, Zip)																		
	Scars / Marks / Tattoos (Location / Describe)																						
	Res Status 1 city 3 florida 2 county 4 out-of-state		Juvenile Disposition 1 handled/processed 2 turned over to HRS/CYF 3 jail			Mental Status M married S single D divorced		Citizenship		Religion		Education UK unknown 01-99		UK									
	Appearance	Behavior		Build		Complexion		Deformity		Dexterity		Eyes		Facial		Glasses		Hair		Hair Style		Misc	
#1	#2	#1	#2	#1	#2	#1	#2	#1	#2	#1	#2	#1	#2	#1	#2	#1	#2	#1	#2	#1	#2	#1	#2
02 Dirty	01 Abuse	03 Heavy	06 Average	359 Cauliflower Ear	03 Ambidextrous	06 Bulging	02 Full	01 None	04 Bald	01 Afro	05 Handicap												
04 Jewelry	02 Brutal	01 Light	03 Dark	358 Cleft Palate	02 L-Hand	03 Cross	03 Goatee	99 Other	05 Balding	05 Braided	06 N/A												
01 Neat	03 Calm	02 Medium	04 Freckles	356 Club Foot	01 R-Hand	02 Glass	04 Mustache	03 Plain	01 Long	99 Other	99 Other												
99 Other	06 Nervous	04 Muscular	01 Light	350 Crippled Arm		04 Normal	01 None	04 Reading	02 Medium	03 Shag	01 Past												
03 Unusual	04 Normal	99 Other	02 Medium	353 Crippled Finger		01 One	99 Other	02 Sun	99 Other	04 Strght	Employee												
	99 Other		99 Other	354 Crippled Foot		99 Other	05 Sideburns	05 Wire	03 Short	02 Wavy													
	05 Polite		05 Ruddy	351 Crippled Hand		05 Squint																	
AKA (last, first, middle)				Race N n/a O oriental W white U unknown B black I american Indian		Sex M male N n/a F female U unknown		AKA Date of Birth		AKA SSN													
AKA (last, first, middle)				Race N n/a O oriental W white U unknown B black I american Indian		Sex M male N n/a F female U unknown		AKA Date of Birth		AKA SSN													
AKA (last, first, middle)				Race N n/a O oriental W white U unknown B black I american Indian		Sex M male N n/a F female U unknown		AKA Date of Birth		AKA SSN													
Parent's Name (last, first, middle)					Residence Phone			Business Phone			Guardian Type 1 parent 3 other 2 legal custodian												
Address (house number, direction, street name, apt#, city, state, zip)										Occupation/Employer													
Notified By			Date	Time	Released to - Name			Relationship		Date	Time												



**MANATEE COUNTY SHERIFF'S OFFICE  
SUPPLEMENTAL CHARGE REPORT**

Defendant (Last, First, Middle Initial)  
**HOPES, SCOTT LAWRIE**

Case No **2023004792**  
Booking No \_\_\_\_\_  
OBTS No \_\_\_\_\_

Charge Description										<b>119.10-2A</b>		Degree	S 2nd	P special penalty	<b>F</b>	
<b>ANY PERSON VIOL PUBLIC RECORDS LAW</b>										Charge		C capitol	T 3rd	N n/a		
Level of Charge										F felony	M misdemeanor	C county	L municipal			
Charge										M	GOC	L conspire to attempt	A attempt	F facilitate	T threat	A accessory after the fact
Charge										M	GOC	M accessory to attempt	B assault	P principal	X aid and abet	N not applicable
Charge										C county	L municipal	P principal to attempt	C conspiracy	S solicitation	Y accessory before the fact	
Bond Amount	Court Date & Time		Docket Number		Court	C county	Defendant	Y yes	Related OBTS No							
					R circuit	J juvenile	Hold	N no								
90Z	Offense	B buy	K dispense	R smuggle	Drug Type		E heroin	O opium derivative	N n/a							
	Activity	D deliver	M make/cultivate	S sell	A amphetamine	P paraphernalia	R rock	Z other								
URC Code	N n/a	U use	O counterfeit	T trafficking	B barbiturate	H hallucinogen	S synthetic									
	A fraud	F forgery	P possess	X stln prop	C cocaine	M marijuana	U unknown									
Drug 1 gram	4 ounce	8 milliliter	Quantity of Units		No of offenses	UK unknown	SAO Number									
Unit 2 milligram	5 pound	9 dose/unit			Cleared	00-99										
3 kilogram	6 ton															
Victim/Arrestee	02 stranger	06 parent	10 step-child	14 teacher	18 neighbor	22 landlord/tenant										
Relationship	03 spouse	07 brother/sister	11 in-law	15 child of girl/boy friend	19 sitter/day care	23 acquaintance										
00 n/a	04 ex-spouse	08 child	12 other family	16 girl/boy friend	20 employee	99 other unknown										
01 undetermined	05 co-habitant	09 step-parent	13 student	17 friend	21 employer											

Charge Description										<b>117.105</b>		Degree	S 2nd	P special penalty	<b>F</b>	
<b>NOTARY FALSELY CERTIFY ANY INSTRUMENT</b>										Charge		C capitol	T 3rd	N n/a		
Level of Charge										F felony	M misdemeanor	C county	L municipal			
Charge										F	GOC	L conspire to attempt	A attempt	F facilitate	T threat	A accessory after the fact
Charge										F	GOC	M accessory to attempt	B assault	P principal	X aid and abet	N not applicable
Charge										C county	L municipal	P principal to attempt	C conspiracy	S solicitation	Y accessory before the fact	
Bond Amount	Court Date & Time		Docket Number		Court	C county	Defendant	Y yes	Related OBTS No							
					R circuit	J juvenile	Hold	N no								
26A	Offense	B buy	K dispense	R smuggle	Drug Type		E heroin	O opium derivative	N n/a							
	Activity	D deliver	M make/cultivate	S sell	A amphetamine	P paraphernalia	R rock	Z other								
URC Code	N n/a	U use	O counterfeit	T trafficking	B barbiturate	H hallucinogen	S synthetic									
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00 n/a	04 ex-spouse	08 child	12 other family	16 girl/boy friend	20 employee	99 other unknown										
01 undetermined	05 co-habitant	09 step-parent	13 student	17 friend	21 employer											

Charge Description										<b>817.569-2</b>		Degree	S 2nd	P special penalty	<b>F</b>	
<b>USE PUBLIC RECORD COMMIT FELONY</b>										Charge		C capitol	T 3rd	N n/a		
Level of Charge										F felony	M misdemeanor	C county	L municipal			
Charge										F	GOC	L conspire to attempt	A attempt	F facilitate	T threat	A accessory after the fact
Charge										F	GOC	M accessory to attempt	B assault	P principal	X aid and abet	N not applicable
Charge										C county	L municipal	P principal to attempt	C conspiracy	S solicitation	Y accessory before the fact	
Bond Amount	Court Date & Time		Docket Number		Court	C county	Defendant	Y yes	Related OBTS No							
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# MANATEE COUNTY SHERIFF'S OFFICE

## PCA CONTINUATION

PCA  CAPIAS  JUV REF  SUPPLEMENT

Case # 2023004792

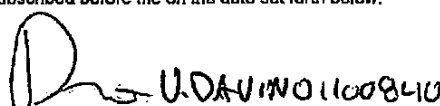
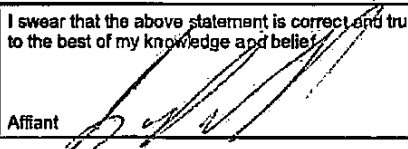
### Count One: F.S.S. 119.10(2)(a) - Destruction of Public Records

According to testimony from Manatee County Information Technology Services personnel Jonathan HART, Ronald HARDY, Andrew RICHARDSON, and Michael HOTALING, as well as supporting documentation, the timeline of events for former Manatee County Administrator Scott HOPES' final day of employment is not dissimilar to the allegations put forth in Michael BARFIELD's initial complaint. All evidence suggests that on February 7, 2023, HOPES did contact ITS for assistance with transferring data from his county-issued iPhone to his personal device. HOPES then requested to transfer his work phone number to his personal device. When told that might not be permitted, HOPES performed a factory reset on his county-issued iPhone and iPad in HART's presence. Since HOPES did not provide a timely statement for this investigation, no evidence was initially discovered to suggest he did not knowingly "wipe" his devices. Additionally, in a March 24, 2023 article from Sarasota Herald-Tribune writer Jesse MENDOZA, HOPES is purported to have said, "Both devices were automatically backed up remotely by the county's IT department and that the text messaging was disabled on county phones in mid-2022." If the reporting is accurate, it can be inferred from HOPES' reasoning that he believed his actions to be appropriate, since no records were being destroyed. Additionally, a review of the prevailing ITS policy found no explicit language prohibitive of HOPES' actions.

In order to gather probable cause for the charge of Destruction of Public Records, there must be credible evidence of a public record actually being destroyed. After an exhaustive search of HOPES' county-issued laptop computer and iCloud account, as well as former Deputy County Administrator Robert REINSHUTTLE's county-issued laptop computer, iCloud account, iPhone, and iPad, I could find no evidence of a public record being destroyed or withheld by the erasure of HOPES' iPhone and/or iPad. In fact, I was able to find the unredacted version of records submitted to BARFIELD and personally redacted by HOPES as a result of an earlier public records request, and upon detailed inspection, I found the redactions to be appropriate.

One might then speculate as to why HOPES was so eager to prevent the contents of his electronic devices from being turned over to the Manatee County Government. During the inspection of HOPES' laptop, I did discover photographs of a personal nature, which had been backed-up on HOPES' iCloud account and accessible from all his devices. It would be reasonable to make the assumption HOPES was attempting to prevent those photographs from being viewed by the public. It should be noted, the photographs in question were in no way illicit or immoral, but they were of a personal medical nature.

However, well after this investigation was concluded, HOPES' attorney, Lisa CHITTARO, contacted the

Sworn and subscribed before me on the date set forth below:		I swear that the above statement is correct and true to the best of my knowledge and belief.	
Supervisor	 U. DAVINO 11008401	Affiant	
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State Attorney's Office on January 16, 2024, and expressed her client's willingness to finally provide a statement. On February 5, 2024, I responded to the Law Offices of Lisa Chittaro and met with HOPES in order to obtain his sworn statement in the presence of his attorney. During this interview, HOPES admitted to wiping the devices after HART had ensured him the devices were backed up. When asked why he wiped the devices since all the information contained on the devices was theoretically already under the control of IT, HOPES stated there were confidential alarm codes, e.g. for Crosley Mansion, that he did not trust IT with, even though IT already had access to those codes.

By stating as much during a sworn interview in front of his attorney, HOPES provided evidence of a record that had indeed been destroyed as a result of the intentional erasure of his county-issued devices. By destroying said records, HOPES intentionally attempted to prevent its inspection. Although confidential alarm codes may be considered exempt from public record requests, they are still public records. Therefore, enough probable cause exists to establish HOPES intentionally and improperly cause the destruction of public records.

### 119.07 Inspection and copying of records; photographing public records; fees; exemptions.—

(1)(a) Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.

### 119.10 Violation of chapter; penalties.—

(1) Any public officer who:

(a) Violates any provision of this chapter commits a noncriminal infraction, punishable by fine not exceeding \$500.

(b) Knowingly violates the provisions of s. 119.07(1) is subject to suspension and removal or impeachment and, in addition, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) Any person who willfully and knowingly violates:

(a) Any of the provisions of this chapter commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Section 119.105 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Sworn and subscribed before me on the date set forth below:

Supervisor

*[Signature]*  
V. DAVINO 11008405

I swear that the above statement is correct and true to the best of my knowledge and belief.

Affiant

*[Signature]*

ID # 10000867

# MANATEE COUNTY SHERIFF'S OFFICE

## PCA CONTINUATION

PCA  CAPIAS  JUV REF  SUPPLEMENT

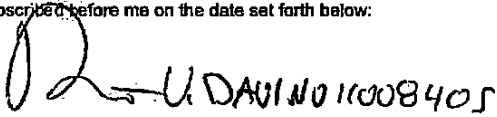
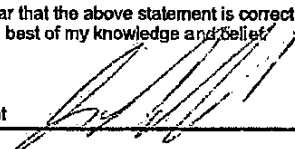
Case # 2023004792

### Count Two: 117.105 - Principal to False or Fraudulent Instrument as a Notary Public

On April 21, 2023, General Counsel Eric WERBECK received an e-mail from the Manatee County Attorney's Office containing a complaint that had been sent to the Florida Department of State, Notary Commissions and Certifications Section, as well as the Executive Office of the Governor on April 20, 2023. The complaint was prepared and sent by a State of Florida certified notary public and aide to the Manatee County Board of County Commissioners (BOCC), Natasha HARPEL. In her complaint, HARPEL purported to have found two documents on the Manatee County Clerk of Court's website that were forged and fraudulently notarized. The documents in question were a Satisfaction and Release of Deferred Promissory Note and Mortgage for Fannie L. and Irvin JOHNSON, and a Satisfaction and Release of Deferred Promissory Note and Subordinate Mortgage for Margarett Ann WEISS. The purpose of these documents was to confirm the fulfillment of terms for State Housing Initiative Partnership Program (SHIP) loans that had been issued through Manatee County Government. Both documents appear to have been signed by former Manatee County Administrator Scott HOPES. HOPES' signature on both documents appears to have been witnessed by former Administrative Assistant to HOPES, Lauren GRUBB, and current BOCC Administrative Assistant, Jorge ARANA, on December 27, 2022. Additionally, both documents indicate they were notarized and stamped by HARPEL on December 27, 2022.

According to HARPEL's initial complaint and subsequent sworn statement, she was out of the country on a vacation cruise from December 21, 2022, through January 3, 2023, as was later confirmed by her self-documented time sheets. The two suspicious documents were obviously signed with a signature stamp, but the notary information was filled out in handwriting. During her sworn statement, HARPEL affirmed she did own a stamp of her own signature, but she had never used it for notarizing documents. Additionally, she has always written her name in block print when filling out the notary information and included her full Notary Commission number (HH 186575). On the two suspicious documents, HARPEL's name was written in a cursive/block print hybrid style, and the Notary Commission number was incorrectly entered by excluding the letter prefix (186575). These differences were confirmed upon examination of actual documents notarized by HARPEL preceding this incident. When comparing the suspicious documents with a legitimately notarized instrument, the difference in handwriting is readily apparent.

Interviews were later conducted with ARANA and GRUBB. During his sworn statement, ARANA could not recall signing these specific documents. However, he stated it was a routine practice for GRUBB to bring him documents to witness, and he would do as told. Except for possibly one occasion during HOPES' administration, ARANA stated he was never present when the documents were being signed or

Sworn and subscribed before me on the date set forth below:		I swear that the above statement is correct and true to the best of my knowledge and belief.	
Supervisor	 U. DAVIS No 10008405	Affiant	
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notarized. Although, according to HARPEL, ARANA and GRUBB were the only two people who she knew to be aware of the location of HARPEL's signature stamp, ARANA denied ever using said stamp.

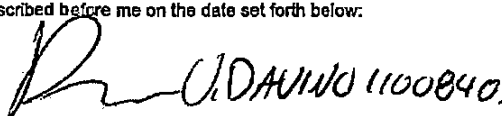
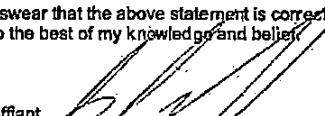
During her sworn statement, GRUBB denied using HARPEL's signature stamp as well. However, she did confirm ARANA's version of events. GRUBB stated HOPES had mandated a system by which these types of documents would be signed and notarized. When in receipt of a document requiring HOPES' signature, GRUBB would affix signature stickers and simply leave it on HOPES' desk until he had the opportunity to sign. She added it would sometimes take up to a week for HOPES to sign a document she had left for him. When she received confirmation from HOPES he had signed the document, GRUBB would recover it from HOPES' desk, take it to someone to sign as witness, and deliver it to a notary. If no notary was available, GRUBB would often leave the document on their desk to be notarized upon their return. The notary would then arrange for transportation of the document(s) to the Clerk of Court's Office for recording. GRUBB stated HOPES mandated this process, because it was "more effective and efficient for his schedule to sign when he had time, instead of trying to coordinate a meeting time." She said she could recall only one or two occasions during HOPES' entire tenure as County Administrator when he actually met with a notary to sign a document. HARPEL confirmed this process in her sworn statement, purporting she would sometimes receive a stack of fifty items to be notarized.

Former County Administrator, and HOPES' immediate predecessor, Cheri CORYEA also provided a statement confirming HOPES' mandated process for document notarization to be his own. CORYEA was adamant she was always present in the room with the notary when signing the requisite documents. Any change to this process was initiated with HOPES' oversight.

During his sworn statement, HOPES was shown copies of the two documents in question. He would not confirm the signature to be his, stating that he signed thousands of documents during his tenure as County Administrator. He additionally stated he could not recall whether he had signed any documents requiring notarization without a notary present, but he did deny mandating any process whereby documents were notarized without the requisite witnessing.

Probable cause exists to establish former Manatee County Administrator Scott HOPES mandated a process to intentionally and systematically subvert the laws of the State of Florida governing the institution of Notary Public by insisting he sign documents requiring notarization at his own leisure without a certified Notary Public and requisite witnesses immediately present on an ongoing basis.

**117.105 False or fraudulent acknowledgments; penalty.**—A notary public who falsely or fraudulently takes

Sworn and subscribed before me on the date set forth below:		I swear that the above statement is correct and true to the best of my knowledge and belief.	
Supervisor	 U. DAVIDO 11008401	Affiant	
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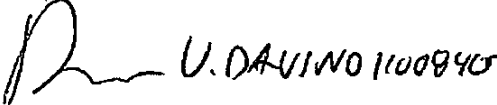
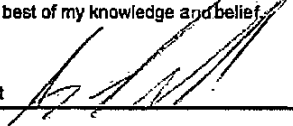
an acknowledgment of an instrument as a notary public or who falsely or fraudulently makes a certificate as a notary public or who falsely takes or receives an acknowledgment of the signature on a written instrument is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

**777.011 Principal in first degree.**—Whoever commits any criminal offense against the state, whether felony or misdemeanor, or aids, abets, counsels, hires, or otherwise procures such offense to be committed, and such offense is committed or is attempted to be committed, is a principal in the first degree and may be charged, convicted, and punished as such, whether he or she is or is not actually or constructively present at the commission of such offense.

### Count Three: 812.014(2)(c) - Grand Theft

During the pay period of September 24, 2022, through October 7, 2022, a state of emergency was declared for Manatee County due to Hurricane Ian. According to an audit performed by the Manatee County Clerk of Court's Inspector General's (IG) Office, former County Administrator Scott HOPES' timecard reflected 165.75 hours worked during this pay period, 32.5 regular hours and 133.25 emergency weather hours as indicated by the pay code, "Emergency Worked 3012." This pay code was uniquely issued for this specific event. Based upon the hours submitted in HOPES' timecard, he received an approximate \$15,000 overpayment of wages due to the emergency weather hours being calculated at 1.5 times the normal rate. The following pay period, there was an automatic correction performed by county payroll during which approximately \$6,200 of this amount was recovered from HOPES' subsequent paycheck. This automatic correction was due to the fact that some exempt employees are sometimes allowed extra compensation for overtime during emergency events to the tune of one time their hourly rate. This privilege is explicitly extended to only exempt employees below the rank of Director. However, HOPES was still overpaid by \$8,863.60. No evidence has been presented indicative of HOPES' making notification of the overpayment, nor attempts at making restitution for the error in his favor. Analysis of HOPES' time sheets reveal he entered his hours worked himself.

During the pay period of November 5, 2022, through November 18, 2022, another state of emergency was declared for Manatee County due to Hurricane Nicole. According to the aforementioned audit, HOPES' timecard for this pay period reflected 38.5 vacation hours and 50.5 emergency weather hours as indicated

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Supervisor	 U. DAVINO 1100940	Affiant	
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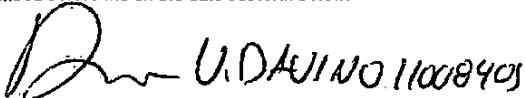
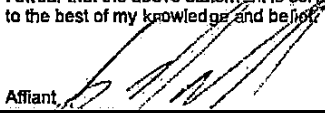
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by the pay code, "Exempt Emergency Worked 3013," for a total of ninety-seven hours. The additional seventeen hours resulted in an overpayment to HOPES of \$1,757.23. HOPES was also confirmed as being out of the country on vacation during the Hurricane Nicole state of emergency. According to the IG, operations were not suspended during Hurricane Nicole, and the use of this pay code was not authorized. Additionally, none of HOPES' Deputy Administrators had utilized any special pay codes during this pay period. No evidence has been presented indicative of HOPES making notification of the overpayment, nor attempts at making restitution for the error in his favor. Analysis of HOPES' time sheet reveal HOPES' hours worked entries were made by his then Administrative Assistant, Lauren GRUBB. During her subsequent sworn statement on September 19, 2023, GRUBB stated HOPES had given her the necessary permissions to enter his hours into the time and attendance program on the computer, and she would routinely perform those entries based upon HOPES' instructions.

In addition to the two weather events, the IG audit found discrepancies during HOPES' very first pay period as County Administrator. HOPES' first day on the job was Thursday, April 1, 2021. That particular day was nearly in the middle of the pay period, which ranged from March 27, 2021, through April 9, 2021. Therefore, HOPES only worked seven days out of the ten-day pay period. However, HOPES' timesheet reflected 106 hours worked when he was only eligible for fifty-six hours of pay for that particular period. Since there was no emergency pay code in effect, the computer automatically limited HOPES' hours worked to eighty. However, the additional twenty-four hours reflected an overpayment to HOPES of \$2,157.69. No evidence has been presented indicative of HOPES making notification of the overpayment, nor attempts at making restitution for the error in his favor.

During his tenure as Manatee County Administrator, HOPES was classified as an exempt administrative employee per the Fair Standards Labor Act guidelines, which means he is exempt from earning overtime pay. Additionally, HOPES' employment contract in effect at that time dated May 24, 2022, states HOPES was to be paid a base salary of \$215,000 and was "not eligible for any salary increase (including but not limited to merit pay increases or cost of living increases) or bonus not provided for herein unless expressly approved by the board." The only bonuses provided in the applicable employment contract referred to the use of a county-owned vehicle and Deferred Compensation account payments. No evidence has been presented indicating the BOCC was asked for or approved additional payments to HOPES for either emergency period. In total, HOPES was overpaid \$12,778.52 regarding these three events. No evidence has been presented indicative of HOPES' making notification of any of these overpayments, nor attempts at making restitution to the citizens of Manatee County for any of these errors, all of which were in his favor.

On February 5, 2024, HOPES provided a sworn statement during which he admitted to receiving straight time payments as "emergency operations pay" during the two hurricanes, but he was insistent he was authorized to receive this pay per his employment contract. Hopes agreed he was initially paid time and a

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half for these hours, but the half time was recovered by the County the following pay period. HOPES claimed to have made notification of the error to Human Resources after he read his paystub, but the approximate \$11,000 over payment for the two emergency events was never returned to the county coffers.

Probable cause therefore exists to establish former County Administrator Scott HOPES deprived the citizens of Manatee County of \$12,778.52 in unearned taxpayer funds through fraudulent means.

**812.014 Theft.—**

(1) A person commits theft if he or she knowingly obtains or uses, or endeavors to obtain or to use, the property of another with intent to, either temporarily or permanently:

(a) Deprive the other person of a right to the property or a benefit from the property.

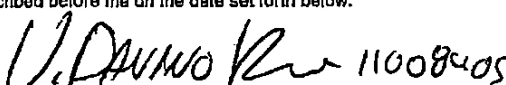
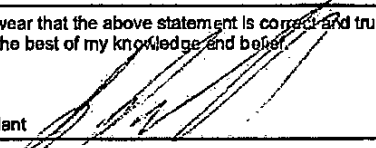
(b) Appropriate the property to his or her own use or to the use of any person not entitled to the use of the property....

(c) It is grand theft of the third degree and a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property stolen is:

1. Valued at \$750 or more, but less than \$5,000.
2. Valued at \$5,000 or more, but less than \$10,000.
3. Valued at \$10,000 or more, but less than \$20,000

**Count Four: 817.569 - Criminal Use of a Public Record**

Probable cause exists to posit the events described in Count Four were perpetrated through the use of public record(s), these records being the time keeping data and logs generated and used by the employee time and attendance timecard application utilized by Manatee County Government. HOPES' use and manipulation of said public record(s) facilitated the Grand Theft of approximately \$12,778.52.

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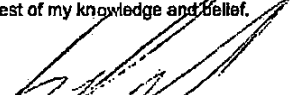
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**817.569 Criminal use of a public record or public records information; providing false information; penalties.**—A person who knowingly uses any public record, as defined in s. 119.011, who knowingly uses information obtainable only through such public record, or who knowingly provides false information that becomes part of a public record to facilitate or further the commission of:

(1) A misdemeanor of the first degree, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A felony, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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Supervisor	 U. DAUINO 11008405	Affiant	
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