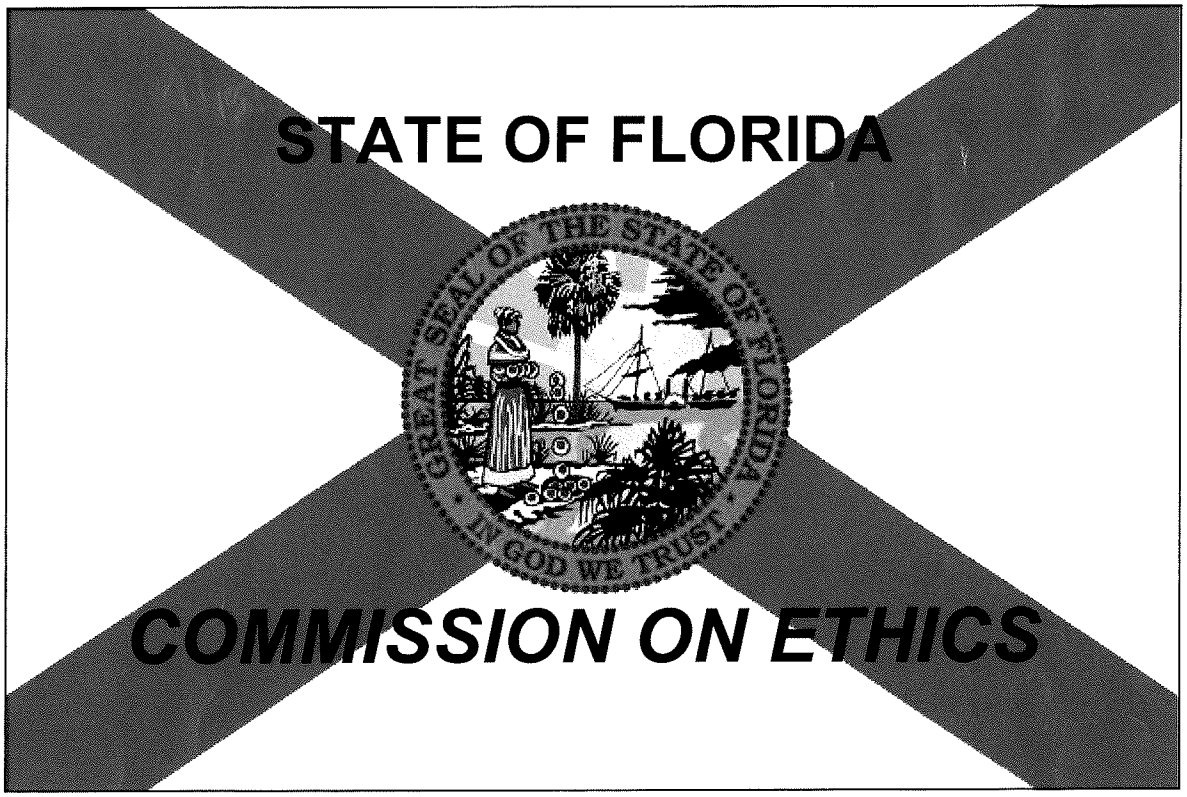
REPORT OF INVESTIGATION



Complaint Number 21-229

NOTICE CONCERNING CONFIDENTIALITY

This report of investigation concerns an alleged violation of Chapter 112, Part III, Florida Statutes, or other breach of public trust under provisions of Article II, Section 8, Florida Constitution. The Report and any exhibits may be confidential (exempt from the public records law) pursuant to Section 112.324, Florida Statutes, and Chapter 34-5, F.A.C., the rules of the Commission on Ethics. Unless the Respondent has waived the confidentiality in writing, this report will remain confidential until one of the following occurs: (1) the complaint is dismissed by the Commission; (2) the Commission finds sufficient evidence to order a public hearing; or (3) the Commission orders a public report as a final disposition of the matter. *See Section 112.3215, Florida Statutes, regarding executive branch lobbying matters and confidentiality.

STATE OF FLORIDA
COMMISSION ON ETHICS
Post Office Drawer 15709
Tallahassee, Florida 32317-5709

REPORT OF INVESTIGATION

TITLE: EDDIE A. MARTINEZ
Former Monroe County Commissioner
District 3
Key West, Florida

COMPLAINT NO.: 21-229

INVESTIGATED BY: Matthew P. Garrigan

Distribution: Commission on Ethics
Respondent
Advocate
File

Releasing Authority: Kerrie J. Stillman
Executive Director

April 18, 2022
Date

* * * *

REPORT OF INVESTIGATION

COMPLAINT NO. 21-229

(1) Jeffrey L. Johnson of Key West, alleges that Eddie Martinez, while serving as a member of the Monroe County Commission, violated the Code of Ethics for Public Officers and Employees.

(2) The Complaint alleges that the Respondent failed to disclose his public salary as a primary source of income and failed to accurately disclose his assets or liabilities underlying his net worth disclosure on his CE Form 6, "Full and Public Disclosure of Financial Interests," filing for the year 2020 (Appended as pages three and four of the complaint). The Complaint also alleges that the Respondent failed to complete the mandatory ethics training pursuant to Section 112.3142, Florida Statutes.

(3) The Executive Director of the Commission on Ethics noted that based upon the information provided in the complaint, the above-referenced allegations were sufficient to warrant a preliminary investigation to determine whether the Respondent's actions violated Article II, Section 8, Florida Constitution, Section 112.3144, Florida Statutes (Full and Public Disclosure of Financial Interests), and Section 112.3142, Florida Statutes (Ethics Training).

(4) The Respondent served as a County Commissioner for Monroe County from November 17, 2020, until he resigned from office on December 7, 2021. The Respondent filed his 2020 CE Form 6, "Full and Public Disclosure of Financial Interests," on August 30, 2021.

(5) The Respondent advised by telephone that he filled out the form by himself and did not seek any advice or assistance in completing it. The Respondent also said he does not recall how long it took him to complete the form.

(6) Under "Part A – Net Worth," the Respondent disclosed a net worth of $500,000. However, he failed to disclose any assets under "Part B – Assets," nor any liabilities under "Part C – Liabilities." The Respondent said he read the instructions for the disclosure form, but did not "feel the need" to disclose any assets or liabilities. He acknowledged that he had assets that were valued over $1,000 that he should have reported on his 2020 CE Form 6. Furthermore, he acknowledged he had liabilities over $1,000 and that he should have reported on his 2020 CE Form 6. The Respondent acknowledged that, in hindsight, he should have disclosed both his assets and liabilities. However, he maintained that at the time he completed his CE Form 6, he did not comprehend the instructions.

(7) Under "Part D – Income," the Respondent disclosed his income as $100,000. However, the Respondent failed to separately disclose his salary as a County Commissioner as a source of income. The Respondent advised the total for his income of $100,000 included his salary as a Professional Surveyor and Mapper, as well as the salary he earned as a Monroe

County Commissioner. He acknowledged he was required to disclose his income from the County as a source of income for his 2020 CE Form 6, but stated that at the time he completed the disclosure form, he did not understand the instructions.

(8) The Senior Administrator of Human Resources for Monroe County, Ms. Pamela Pumar, verified by email that the County paid the Respondent $5,995.21 in 2020.

(9) As of the date of this Report of Investigation, the Respondent has not filed a CE Form 6X, "Amendment to Full and Public Disclosure of Financial Interests," to amend his 2020 CE Form 6.

(10) The complainant further alleges that the Respondent failed to complete his ethics training required pursuant to Section 112.3142(e), Florida Statutes (Ethics Training). The Respondent was elected to office on November 3, 2020, and did not take the training in 2020.

(11) Section 112.3142(2)(e), Florida Statutes, provides in part:

> A constitutional officer or elected municipal officer assuming a new office or new term of office after March 31 is not required to complete ethics training for the calendar year in which the term of office began.

END OF REPORT OF PRELIMINARY INVESTIGATION