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OFFICE OF
STATE ATTORNEY
FIRST JUDICIAL CIRCUIT OF FLORIDA

May 2, 2012

Dr. George R. McCormick
80 Baybridge Drive
Gulf Breeze, FL 32561

Re: Complaint Against Timothy Wyrosdick

Dear Dr. McCormick:

This office has completed its review of your complaints against Tim Wyrosdick which allege possible criminal violations of the Florida Election laws. Following a thorough review of your complaints, we have determined that there is insufficient evidence to warrant criminal charges. For this reason, we will take no further action regarding this matter.

As you are aware, you have filed several complaints together with addendums and supporting documents alleging that Santa Rosa County School Superintendent Tim Wyrosdick or other individuals had violated various provisions of the Florida Election laws. In response to your complaints, we have interviewed more than twenty witnesses, reviewed numerous documents and researched the applicable law. Based upon this review, we have determined that the majority of your allegations are without merit and fail to establish evidence that any crime was committed.

Several of your allegations, however, were sufficient to warrant further review. The first of these involved two administrator meetings that occurred in October and November of 2011. At the October meeting there was no political discussion either before or during the meeting. After the conclusion of the mandatory meeting there was a voluntary meeting involving some of the administrators. During the voluntary meeting, Wyrosdick announced that he was running for school superintendent. The meeting during November was a two-day meeting with the first day dedicated to principals and the second to assistant principals. There was no discussion either before or during either of these meetings concerning Wyrosdick's campaign. After the official meetings had concluded the administrators were told that they could pick up petition cards outside in the parking lot. They were also advised that their participation was voluntary and no threats were made for the failure to pick up a packet. Based upon the facts as outlined above,

there is insufficient evidence to establish that any crime was committed. Any possible violation would more appropriately be handled as a civil complaint filed with the Florida Election Commission.

The next allegation which warrants discussion was an email communication regarding the collection of petition cards sent by Linda Gooch on December 6, 2011. This email was sent by Ms. Gooch on her personal computer but used her school email account. Ms. Gooch was advised by Mr. Wyrosdick both before and during this email exchange not to use school resources for political purposes. Any violation by Ms. Gooch was both minimal and inadvertent and does not rise to a level that would warrant criminal prosecution. Again, this matter is more appropriate for the Florida Elections Commission.

The final allegation involves two emails sent by David Sigurnjak as well as a voice mail message left by Sigurnjak on David Gunter's school telephone. The e-mails in question were sent by Sigurnjak to SRCASA Board Members and concerned the collection of petition cards. The first e-mail was sent before school hours and the second was sent during a time that Sigurnjak was not actively working on school business. Both e-mails were sent using Sigurnjak's school computer and on his school e-mail account.

The telephone message was a request by Sigurnjak for Gunter to bring any petition cards which had been collected to him. Wyrosdick had no prior knowledge of either the e-mails or the telephone message. Any violation by Mr. Sigurnjak was minimal and inadvertent and does not rise to the level that would warrant criminal prosecution. This matter is also more appropriate for the Florida Elections Commission.

For the reasons previously stated, this office will take no further action regarding this matter.

Sincerely,



Gregory A. Marcille
Chief Assistant State Attorney