

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 12-24 (Executive Order of Suspension)

WHEREAS, Jose Angel Rodriguez, is presently serving as Mayor for the City of Boynton Beach, Florida; and

WHEREAS, on January 26, 2012, the State Attorney for the Fifteenth Judicial Circuit of Florida filed an information alleging that Jose Angel Rodriguez committed unlawful compensation or reward for official behavior, in violation of section 838.016, Florida Statutes; solicitation to commit unlawful disclosure of confidential criminal information, in violation of sections 777.04(2) and 838.21, Florida Statutes; resisting, obstructing or opposing a law enforcement officer, in violation of section 843.02, Florida Statutes, which resulted in a warrant being issued and his arrest; and

WHEREAS, a violation of section 838.016, Florida Statutes, constitutes a felony in the second degree; and a violation of section 777.04(2), Florida Statutes, a violation of section 8, Florida Statutes, and a violation of section 843.02, Florida Statutes, constitute misdemeanors in the first degree; and

WHEREAS, section 112.51, Florida Statutes, provides that the Governor may suspend from office any elected municipal officer who is arrested for a felony; and

WHEREAS, it is in the best interests of the residents of the City of Boynton Beach, and the citizens of the State of Florida, that Jose Angel Rodriguez be immediately suspended from the public office, which he now holds, upon the grounds set forth in this executive order;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to section 112.51, Florida Statutes, find as follows:

- A. Jose Angel Rodriguez is, and at all times material was, Mayor for the City of Boynton Beach, Florida.

B. The office of Mayor for the City of Boynton Beach, Florida, is within the purview of the suspension powers of the Governor, pursuant to section 112.51, Florida Statutes.

C. The attached information alleges that Jose Angel Rodriguez committed acts in violation of the laws of Florida. This suspension is predicated upon the attached information, which alleges conduct constituting a felony and misdemeanors and are incorporated as if fully set forth in this Executive Order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Jose Angel Rodriguez is suspended from the public office, which he now holds, to wit: Mayor for the City of Boynton Beach, Florida.

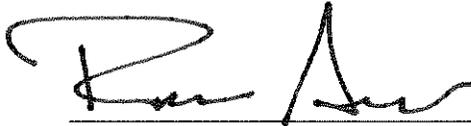
Section 2. Jose Angel Rodriguez is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.



ATTEST:


SECRETARY OF STATE

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 27th day of January, 2012.


GOVERNOR

2012 JAN 27 PM 3:48
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, STATE OF FLORIDA

CRIMINAL DIVISION _____

STATE OF FLORIDA

CASE NO.
ISSUE WARRANT

vs.

JOSE ANGEL RODRIGUEZ
W/M, 08/02/1962,

INFORMATION FOR:

- 1) UNLAWFUL COMPENSATION OR REWARD FOR OFFICIAL BEHAVIOR
- 2) SOLICITATION TO COMMIT UNLAWFUL DISCLOSURE OF CONFIDENTIAL CRIMINAL INFORMATION
- 3) RESIST, OBSTRUCT OR OPPOSE A LAW ENFORCEMENT OFFICER

In the Name and by Authority of the State of Florida:

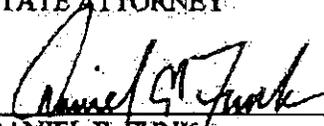
MICHAEL F. McAULIFFE, State Attorney for the Fifteenth Judicial Circuit, Palm Beach County, Florida, by and through his undersigned Assistant State Attorney, charges that:

COUNT 1: JOSE ANGEL RODRIGUEZ on or about December 1, 2011, in the County of Palm Beach and State of Florida, while a public servant, did corruptly request, solicit, accept, or agree to accept, any benefit not authorized by law, for the past, present, or future performance, nonperformance, or violation of any act or omission which LORI LAVERRIERE believed to have been, or JOSE ANGEL RODRIGUEZ, a public servant, represented as having been, either within his official discretion, in violation of a public duty, or in performance of a public duty, contrary to Florida Statute 838.016. (2 DEG FEL)

COUNT 2: JOSE ANGEL RODRIGUEZ on or between November 17, 2011 and December 1, 2011, in the County of Palm Beach and State of Florida, did unlawfully solicit LORI LAVERRIERE, a public servant, to commit UNLAWFUL DISCLOSURE OF CONFIDENTIAL CRIMINAL INFORMATION, an offense prohibited by law and in the course of said solicitation commanded, hired, encouraged, or requested LORI LAVERRIERE to engage in specific conduct which would constitute said offense or offenses or an attempt to commit said offense or offenses, contrary to Florida Statutes 777.04(2) and 838.21 (1 DEG MISD)

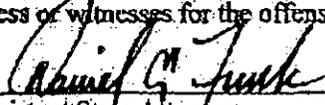
COUNT 3: JOSE ANGEL RODRIGUEZ on or between November 16, 2011 and December 1, 2011, in the County of Palm Beach and State of Florida, did unlawfully resist, obstruct or oppose BOYNTON BEACH POLICE DEPARTMENT CHIEF MATTHEW IMMLER AND/OR DETECTIVE RAY DE LOS RIOS, a law enforcement officer of the BOYNTON BEACH POLICE DEPARTMENT, in the execution of a legal process or in the lawful execution of a legal duty, without offering or doing violence to the person of such officer, contrary to Florida Statute 843.02. (1 DEG MISD)

MICHAEL F. McAULIFFE
STATE ATTORNEY

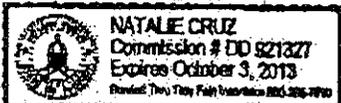
By: 
DANIEL E. FUNK
FL. BAR NO. 0592501
Assistant State Attorney
Fifteenth Judicial Circuit

STATE OF FLORIDA
COUNTY OF PALM BEACH

Appeared before me, DANIEL E. FUNK, Assistant State Attorney for Palm Beach County, Florida, personally known to me, who, being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged, that this prosecution is instituted in good faith, and certifies that testimony under oath has been received from the material witness or witnesses for the offense.


Assistant State Attorney

Sworn to and subscribed to before me this 26th day of January, 2012.




NOTARY PUBLIC, State of Florida

FCIC REFERENCE NUMBERS:

- 1) UNLAWFUL COMPENSATION OR REWARD FOR OFFICIAL BEHAVIOR 5199
- 2) SOLICITATION TO COMMIT UNLAWFUL DISCLOSURE OF CONFIDENTIAL CRIMINAL INFORMATION 4802, 7399
- 3) RESIST OFFICER WITHOUT VIOLENCE 4801

NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING

Pursuant to Florida Rule of Judicial Administration 2.420(d)(2), the filer of this court record (Information) indicates that confidential information is included within the document being filed; to wit: Social Security Number, § 119.0714.