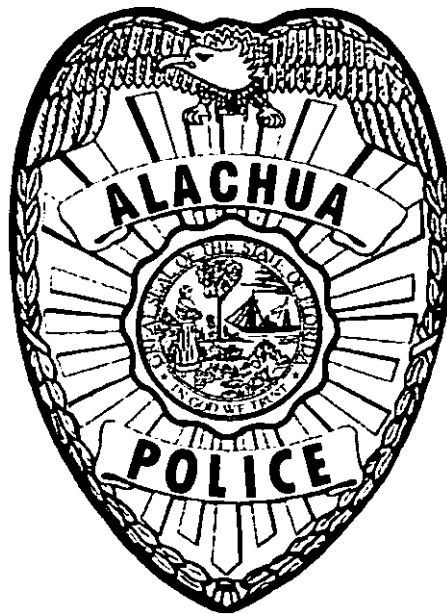


Alachua Police Department

**Robert Jernigan
Chief of Police**



**City of Alachua
Charles Grapski
and
Michael Canney**

EVENTS TIMELINE

April 28, 2006 thru February 12, 2007



Alachua Police Department

P.O. Box 910
Alachua, Florida 32616-0910

Chief Robert E. Jernigan

(386) 462-1396

March 1, 2007

Honorable William Cervone
State Attorney's Office
Eight Judicial Circuit
120 West University Avenue
Gainesville, Florida 32602

Dear Mr. Cervone:

The purpose of this letter and its attachments is merely a courtesy to keep you up to date as to the continuing incidents involving Charles Grapski, Michael Canney and the City of Alachua. As you may already be aware, the first major incident involving Charles Grapski occurred on April 28, 2006 in the office of Clovis Watson Jr., City Manager. Mr. Watson had left his office to confirm some information for Mr. Grapski, from the Deputy Clerk, Alan Henderson. When Mr. Watson returned he observed a blinking red light and realized that he was secretly being recorded. Mr. Watson asked Mr. Grapski if he was recording him and Mr. Grapski stated that he was. Mr. Watson informed him that tape recording him without his permission was illegal. On May 1, 2006 while Mr. Grapski was in the Commission Room reviewing the election ballots, Mr. Grapski was advised that he was being placed under arrest for illegally tape recording Mr. Watson on April 28, 2006. Mr. Grapski was taken into custody and transported to the Department of the Jail and charged with FSS 934.03 Interception of Oral Communication. Mr. Grapski's tape recorder was taken as evidence and I obtained a search warrant for the files on the tape recorder.

The second incident involving Mr. Grapski occurred on May 15, 2006. Again, Mr. Grapski entered City Hall and recorded Alan Henderson and other employees without their knowledge and his behavior was belligerent and demanding.

The third incident involving Mr. Grapski occurred at the City Commission meeting on June 19, 2006. Mr. Grapski was disruptive during the meeting and had to be escorted out of the building by Officer William Baldree and myself. While outside the building, Mr. Grapski called me a "fucking punk" and told me "fuck you" numerous times and that we "needed to learn the fucking law". During the meeting, Mr. Grapski displayed a total disregard for the sense of public decency by his statements and did affect the peace and quite of those citizens at the commission meeting through his continued disruptive behavior and actions. A sworn complaint was filed against Mr. Grapski for violation of FSS 877.03 Disorderly Conduct.

The fourth incident occurred on December 8, 2006. Officer Daniel Chalker responded to City Hall in reference to a complaint made by Purchasing Director, Frank Sodek that Charles Grapski and Michael Canney were inside the barricades at City Hall which had recently caught fire, videotaping the building. Mr. Sodek asked them several times to step back from the barricades for their safety. Both Grapski and Canney ignored his requests. Mr. Sodek called the Alachua Police Department and requested an officer to respond. Both Mr. Grapski and Mr. Canney left prior to the arrival of the officer.

The fifth incident occurred on February 6, 2007. Mr. Grapski followed by Michael Canney, who was videotaping at the time, entered City Hall. Mr. Clovis Watson stated that while he was trying to eat his lunch, Mr. Grapski behaved in an unruly and disruptive manner. Mr. Watson however tried to talk to Mr. Grapski in a calm and professional manner. Mr. Grapski continued to raise his voice and made demands to inspect Mr. Watson's and Alan Henderson's computer. Mr. Grapski's unruly behavior continued for about twenty minutes and went past the normal hours of operation at City Hall. Other employees in City Hall that witnessed Mr. Grapski's behavior described their discomfort and inability to conduct business during Grapski's tirade. Mr. Watson wrote a memo to the Mayor and Commissioners advising them of the incident at City Hall.

The sixth incident occurred on February 12, 2007. I responded to City Hall in reference to a disturbance. After arriving I observed Mr. Clovis Watson Jr., Mr. Grapski, and Michael Canney videotaping the incident. Mr. Grapski was demanding documents from Mr. Watson in a loud argumentative tone of voice. I requested Officer Jimmy Smith respond as backup. While waiting for Officer Smith, Mr. Watson advised me that Mr. Grapski had been disruptive and had the employees inside City Hall nervous and upset and that he asked him to leave the premises. I then asked Mr. Grapski numerous times to leave and he continued being verbally combative and refused to listen to my commands. Officer Smith arrived and asked Mr. Grapski to leave numerous times, advising him that he was trespassing. Grapski advised both Officer Smith and me that he wanted to file a criminal charge against Mr. Watson for not releasing public records. When Officer Smith placed his hand on Mr. Grapski's shoulder, Mr. Grapski told Officer Smith not to touch him and that he wanted the trespass in writing. Officer Smith advised Mr. Grapski that he was disturbing the peace and quiet and normal flow of business with his behavior and tone of voice and that he would arrest him for disturbing the peace if he did not stop. Officer Smith advised Mr. Grapski to walk with him to his patrol car. While walking to the patrol car, Mr. Grapski stated, referring to me, "he didn't do his job like last time because he was a corrupt little shit". Officer Smith then advised Mr. Grapski that his demeanor constituted disorderly conduct and if he did not stop he would be arrested. Mr. Grapski was escorted to the south end of the parking lot. At that time Mr. Grapski called the Alachua County Sheriff's Office and requested a deputy to respond. Deputy Buckley responded and spoke with Mr. Grapski and viewed the videotape that Mr. Canney had filmed during the incident. Deputy Buckley indicated in his report that Mr. Watson showed great self-control during the incident. Mr. Buckley also stated that the video showed Mr. Grapski being disrespectful, belligerent, and uncooperative with me once I arrived on the scene. Deputy Buckley did not find any violation of the law regarding public records.

The seventh incident occurred also on February 12, 2007. The City of Alachua was conducting a City Commission Meeting at the Alachua Elementary School in Alachua. During citizen comments, Mr. Grapski accused the City "*of violating the law consciously, knowingly and willfully*" and that he "*had documentary evidence that for years the City has been denying that in violation of the law*". After Mr. Grapski finished his comments he approached the Mayor and Commissioners to deliver a letter to them. Mayor Calderwood instructed Mr. Grapski to give the letter to the clerk, Diane Morgan. Mr. Grapski ignored the instructions of the Mayor and proceeded to give them to the Commission. At that time Mayor Calderwood asked him to cooperate with the Commission and that this was the only warning that she was going to give him. Mr. Grapski returned to his seat. Another citizen made some comments and when returning to their seat, Mr. Grapski made verbal comments to the citizen. Mayor Calderwood asked Mr. Grapski to not speak from the floor. Mayor Calderwood then advised me that if Mr. Grapski disrupted the meeting again she would ask me to escort him out. Right after that while another citizen was making comments, Mr. Grapski turned around in his seat, which was located on the front row, and tried to hand some papers to a citizen that refused to accept them. Mr. Grapski then tried again to give another citizen behind him some papers and started talking to them. The Mayor then told Mr. Grapski that she had asked him not to disrupt. Mr. Grapski became argumentative and was told that he was out of order and to leave the room. Mr. Grapski refused to leave and I was asked to have him leave. I approached Mr. Grapski and advised him that he had been instructed to leave by the Mayor and that I was instructing him to leave or he would be arrested. Mr. Grapski ignored my command to leave and I advised him he was under arrest and placed handcuffs on him. When I attempted to have Mr. Grapski leave the room, he laid on the floor. At that time I called for assistance. Four officers arrived on scene. I advised them that Mr. Grapski was under arrest and to remove him from the building. When the officers attempted to get Mr. Grapski to stand up and walk out, Mr. Grapski laid back down on the floor and had to be physically carried out. After exiting the building, while the officers were holding Mr. Grapski, he kicked Officer Daniel Chalker and Officer Jimmy Smith. Officer Chalker fell down on top of Mr. Grapski when he was kicked. At that time I asked if anyone had a Taser, hoping that he would quit resisting and stand up and walk to the patrol vehicle. Officer Chalker took his Taser out and pointed it at Mr. Grapski. Mr. Grapski stated, "You are going to Taser me". I advised Mr. Grapski "Yes if you don't get up". Even though Mr. Grapski didn't comply with the repeated pleas from the officers to stand up, I did not tell any of the officers to Taser him and they did not Taser him. Michael Canney was filming the officers and I removing Mr. Grapski from the building. At no time was Mr. Grapski injured or excessive force used to take him into custody and transport him to the Alachua Police Department. The High Springs Herald stated in their newspaper that Mr. Grapski was charged with resisting arrest without violence for allegedly kicking the police officers, but that incident came a few minutes after Alachua police threatened to use a Taser on him while he laid on the sidewalk. The truth is that Mr. Grapski kicked the officers first, which caused Officer Chalker to fall down on top of him. Since Mr. Canney hasn't released the video to law enforcement it is unknown if the film contains footage of Mr. Grapski kicking the officers.

Due to this being an ongoing and continuous situation, not only facing the City of Alachua, the Alachua Police Department, and the State Attorney's Office, it has the potential of involving even the Alachua County Sheriff's office, which current circumstances have already indicated. For these reasons, I have compiled all of the incidents involving Mr. Grapski and Michael Canney so that you have at your disposal a complete and concise history surrounding the City of Alachua and Mr. Grapski and Mr. Canney. On January 29, 2007, I was advised by Spencer Mann, of your office, that Judge Seig found probable cause that Mr. Grapski disturbed the peace, was trespassing, and resisted arrest without violence at the City Commission meeting that was held at City Hall on June 19, 2006. Judge Seig also ordered that Mr. Grapski have no contact with any city employee, official, or city commissioner and that he could not attend any city commission meetings and was forbidden to come to the City of Alachua unless he lives here. Now that the order has been lifted Mr. Grapski has resumed his past pattern of behavior towards the City.

Mr. Grapski's behavior at the City Commission meetings has been continuously escalating and worsening. The City of Alachua Commission and its constituency, only ask that all individuals attending these meeting and involved in City Government activity, act professionally and conduct themselves appropriately at all City functions and places of City business. Otherwise the Alachua Police Department will have no other choice but to take the appropriate action, as to maintain the peace and dignity of its City Government and its operations.

It is my deepest desire that no future incidents, as in the past, will occur. But based on past patterns and history, I feel compelled to keep you apprised of the situation, pending any continued involvement by the State Attorney's Office, either at the request of a citizen or by the City of Alachua.

Thank you for your time out of your busy schedule to speak with me today regarding these issues. I look forward to discussing any questions, concerns and/or suggestions that may bring resolution to this matter.

Sincerely,



Robert Jernigan
Chief of Police

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- TAB 3 - May 15, 2006 - (APD Case 2006005440) Incident at City Hall involving Grapski recording Alan Henderson and other City employees without their knowledge, and being belligerent and demanding.**
- TAB 4 - June 19, 2006 - (APD Case 2006006909) Incident involving Grapski at City Commission meeting. Grapski was Disruptive and had to be physically escorted out of the meeting. A sworn complaint was filed for violation of FSS 877.03 Disorderly Conduct.**
- T AB 5 - December 8, 2006 - (APD Case 2006013465) Grapski and Michael Canney enter a barricaded area at City Hall due to a recent fire. When asked to leave several times by Purchasing Director Frank Sodek for their safety, they ignored his request and police were called to City Hall. Chief Jernigan drafted and sent a letter to Bill Cervone with the State Attorney's Office reference this incident.**
- TAB 6 - February 6, 2007 -- (APD Case 2007001426) Incident at City Hall involving Charles Grapski. The City Manager was trying to eat his lunch and was interrupted by Charles Grapski and Michael Canney. Grapski's conduct was unruly and disruptive and caused discomfort amongst the City employees who witnessed the incident.**
- TAB 7 - February 7, 2007 - (APD Case 2007001648) City Manager Clovis Watson Jr. drafted a memo To the Mayor and Commissioners regarding the incident at City Hall on 2/6/07. Clovis Watson Jr. wrote a Letter to Ms. Gleason, Director of Cabinet Affairs and Special Counsel for Open Government, Executive Officer of the Governor reference questions he Has regarding Florida State Statutes 119.**

TAB 8 - February 12, 2007 - (APD Case 2007001648) Incident at City Hall where Charles Grapski is causing a disturbance at City Hall. Grapski enters City Hall demanding documents from the City Manager in a loud argumentative tone of voice. Chief Jernigan and Officer Jimmy Smith arrive and Grapski is issued a trespass warning. Grapski calls for ASO to respond and the deputy talks with Grapski and determines that the City has not violated any Public Records Law requests and is told by the deputy that the trespass that APD issued is good and he needs to adhere to the trespass warning.

TAB 9 - February 12, 2007 - (APD Case 2007001657) The City of Alachua is holding a City Commission meeting at the Alachua Elementary School. Grapski becomes disorderly and is told to leave the meeting and refuses and subsequently is handcuffed and carried out of the meeting by four officers and charged with violation of FSS 877.03 Disorderly Conduct, FSS 843.01 Resisting Arrest With Violence, FSS 843.02 Resisting Arrest Without Violence, and FSS 810.08 Trespass.

TAB 10 - Email Correspondence

TAB 11 - Public Records Requests

DVD(S) ATTACHED

Disk 1

- ◆ #1 - May 15, 2006 Disruption at City Hall
- ◆ #2 - June 19, 2006 City Commission Ejection
- ◆ #3 - February 6, 2007 Disturbance at City Hall

Disk2

- ◆ February 12, 2007 - Arrest at Commission Meeting at Alachua Elementary

Disk3

- ◆ February 12, 2007 - Disturbance at City Hall



**CHARLES GRAPSKI
TIMELINE**

April 28, 2006

- ◆ 1345 – Charles Grapski and Eileen McCoy engage in a conversation with City Manager, Clovis Watson Jr. in his office, not knowing at the time that Grapski was recording him on a recording device. Mr. Watson advises Grapski that recording him without his knowledge is illegal.

May 1, 2006

- ◆ 1055 – (APD Case 2006004792) Charles Grapski was at City Hall reviewing absentee ballots. Clovis Watson Jr. advised Chief Jernigan that he wanted Chief Jernigan to advise Charles Grapski that he was being placed under arrest for violation of Florida State Statute 934.03 Interception of Oral Communication. Grapski was advised of the charge and taken into custody by Officer David Stewart. Officer Jimmy smith assisted Officer Stewart with the arrest.

May 15, 2006

- ◆ 0818 – (APD Case 2006005440) Detective Carrie Lund responded to City Hall and made contact with Alan Henderson, Deputy City Clerk. Henderson wanted Detective Lund to document two incidents that occurred at City Hall on 4/28/06 and 5/10/06. On 4/28/06 Charles Grapski was at City Hall trying to inspect some public records from Alan Henderson and was also recording the conversation between Alan and Grapski. Henderson made Grapski leave, as he was being belligerent and demanding. On 5/10/06 Charles Grapski was in the Commission Room inspecting some records. Also present was Tara Henderson, Bryan Boukari and Michael Canney. After about an hour of inspecting the records, Alan Henderson noticed a tape recording device on the table and that the red light was blinking. Henderson asked Grapski if he was recording and Grapski replied yes. Henderson asked Grapski to turn the device off because he did not wish to be recorded. Grapski advised Henderson that he was a public official and he had the right to record him.

June 19, 2006

1911 - (APD Case 2006006909) The City of Alachua was holding a City Commission Meeting at the City Hall in Alachua. When Mayor Calderwood stated that the chair had three items to modify on the agenda, Charles Grapski interrupted the Mayor three times stating "Parliamentary Inquiry". When Mayor Calderwood attempted to explain to Grapski, Grapski interrupted several more times. Mayor Calderwood then read to the audience the rules governing the meeting. After reading the Rules, Mayor Calderwood called Grapski out of order and asked him to have a seat. Grapski did not follow Mayor Calderwood's request and continued to speak out of order. Mayor Calderwood then asked Chief Jernigan to have Grapski leave the meeting room. Chief Jernigan approached Grapski and asked him several times to leave. When Grapski wouldn't leave, Chief Jernigan placed his hand on Grapski's left shoulder. Grapski pulled away and stated "Get your hands off me". When Grapski refused to leave, Chief Jernigan and Officer William Baldree escorted Grapski out of the building. Once outside the Commission Room, Grapski called Chief Jernigan "a fucking punk" and told me "fuck you" numerous times and "that we needed to learn the fucking law". A sworn complaint was filed against Grapski for violation of Florida State Statute 877.03, Breach of the Peace/Disorderly Conduct.

December 8, 2006

- ◆ 1547 - (APD Case 2006013465) - Officer Daniel Chalker responded to City Hall and made contact with Purchasing Director Frank Sodek. Sodek advised Officer Chalker that Charles Grapski and Michael Canney were observed walking in the barricaded area around City hall filming with a video camera. Sodek asked Grapski and Canney to step back behind the barricades for their protection. Grapski and Canney ignored Sodek and were asked again to step back. Sodek then called the Alachua Police Department and both Grapski and Canney left.

February 6, 2007

◆ 1628 - (APD Case 2007001426) - On 2/7/07 City Manager, Clovis Watson Jr. advised me that on 2/6/07 around 1630 hours that Charles Grapski entered City Hall, followed by Michael Canney who was videotaping the entire incident. Clovis Watson advised that while he was trying to eat his lunch that Grapski behaved in an unruly and disruptive manner. While Watson was trying to talk with Grapski in a calm and professional manner, Grapski continued to raise his voice and make demands to inspect his computer as well as the Deputy Clerk's computer. Grapski's behavior continued for about twenty minutes and went past the normal hours of operation at City Hall. Statements from other employees who were present during the incident described their discomfort and inability to conduct business during Grapski's tirade.

February 7, 2007

- ◆ Clovis Watson Jr. drafted a memo to the Mayor and Commissioners regarding the incident at City Hall involving Charles Grapski.
- ◆ Clovis Watson Jr. wrote a letter to Ms. Gleason, Director of Cabinet Affairs and Special Counsel for Open Government, Executive Officer of the Governor reference questions he has concerning Florida State Statutes 119.

February 12, 2007

- ◆ 1347 (APD Case 2007001648) Chief Jernigan responds to City Hall in reference to a disturbance. Chief Jernigan arrives and observes Clovis Watson Jr., Charles Grapski and Michael Canney, with a video camera on the front porch leading into the City Hall temporary building. Grapski was demanding documents from the Clovis Watson Jr. in a loud argumentative tone of voice. Chief Jernigan requested Officer Jimmy Smith respond as backup. Watson advised Chief Jernigan that Grapski had been disruptive and had the employees inside City Hall nervous and upset and he asked him to leave the premises. Chief Jernigan asked Grapski to leave numerous times with Grapski stating he wanted to file a criminal charge against Clovis for not releasing public records. Officer Smith asked Grapski to leave numerous times and told Grapski that he was trespassing. When Officer Smith placed his hand on Grapski's shoulder, Grapski told Officer Smith not to touch him and that he wanted the trespass in writing. Officer Smith advised Grapski that he was disturbing the peace and quiet and normal flow of business with his behavior and tone of voice and that he would arrest him for disturbing the peace if he did not stop. Officer Smith advised Grapski to walk to his patrol car. While walking to the patrol car Grapski stated to Chief Jernigan that "he didn't do his job like last time because he was a corrupt little shit". Officer Smith then advised Grapski that his demeanor constituted disorderly conduct and if he did not stop he would arrest

him. Grapski was then issued a written trespass warning signed by Clovis Watson Jr. Grapski refused to sign the warning. Grapski then called the Alachua County Sheriff's Office requesting a deputy to respond. Grapski was escorted over the grass area south of the City Hall while he waited for ASO to respond. Officer Smith received statements from City Employees as to the behavior of Grapski. Deputy Buckley (ASO Case 07-1722) arrived and spoke with Grapski. Deputy Buckley indicated in his report that he was the video that Michael Canney had filmed when Grapski went to City Hall and that he observed Grapski being uncooperative and disrespectful to Clovis Watson Jr. and other employees. Grapski was waving papers in Watson's face and refusing to cooperate. Grapski was also making what sounded like almost scripted loud statements trying to get Watson to answer questions about the papers that Watson could obviously not read while they were being waved in the air. Watson showed great self control during the incident. The tape also showed Grapski being disrespectful, belligerent, and uncooperative with Chief Jernigan once he arrived on the scene. Deputy Buckley further stated that Grapski's claim that Watson and other city employees have been intentionally denying him access to public records showed no validity at this time. Deputy Buckley stated that since Grapski cannot provide any evidence that the City of Alachua is intentionally refusing him access to public records, and the City of Alachua has acknowledged all of the requests Grapski showed him, there is no evidence of a violation of the Florida Public Records Law at this time.

February 12, 2007

- ◆ 2040 - (APD Case 2007001657) The City of Alachua was holding a City Commission at the Alachua Elementary School in Alachua. During citizen comments, Charles Grapski went to the podium and stated that public records were still being denied by the City of Alachua. Grapski stated that the City has been violating the law consciously, knowingly and willfully and now with the express participation of Marian Rush and Robert Rush which he stated constitutes a violation of the ethic laws of the bar and he has contacted the Florida bar regarding that matter. Grapski continued by stating that he has documentary evidence that for years the City has been denying that in violation of the law. Grapski stated that Marian Rush had received a letter from Joseph Little through her brother Robert Rush stating that they are incorrect when they state that we are represented by him and that they cannot speak with us. Grapski stated that we have a right to the records, we have a right to access them and we are being denied those records. Grapski then approached the Mayor stating that he hereby gives her the letter. Mayor Calderwood then asked Grapski to hand it to the clerk.

Mayor Calderwood stated "No Mr. Grapski, Mr. Grapski, Mr. Grapski, this will be the only time I ask you to please cooperate with the Commission. This is the only warning that I am going to give you". Grapski then returned to his seat. While another citizen, Thelma Hammond was leaving the podium after making her comments, Grapski made verbal comments to Hammond. Mayor Calderwood then stated "Mr. Grapski, please don't speak from the floor. Mr. Grapski, I have given you". Mayor Calderwood then advised Chief Jernigan that if Grapski disrupts the meeting again that she would ask him to escort him out. Another citizen, Theresa Kenyon went to the podium to make comments. Grapski then turned around in his seat on the front row of the meeting and tried to hand some papers to Thelma Hammond, with her refusing. Mr. Grapski attempted again to give papers to someone behind him as well as talking to them. Mayor Calderwood then stated, "Mr. Grapski, I have asked you not to disrupt". Mr. Grapski then stated, "I'm not". Mayor Calderwood then stated, "Yes you are. They do not want the material. Chief Jernigan will you ask Mr. Grapski to leave". Mr. Grapski became argumentative towards the Mayor and again asked him to leave several more times. Mayor Calderwood stated, "Mr. Grapski, I have warned you. Mr. Grapski you are, you are leaving the room now, you are out of order. I have asked you to cooperate. Chief Jernigan then advised Mr. Grapski that if he didn't leave he was going to be arrested. Mr. Grapski continued to be argumentative, ignoring not only the Mayor's request to leave but also Chief Jernigan's lawful order to leave. At that time Chief Jernigan placed handcuffs on Grapski and attempted to escort him from the building. Mr. Grapski lowered himself to the floor and Chief Jernigan had to summons backup officers to assist with removing him from the meeting. Mr. Grapski then got back in his seat. When the backup officers arrived, I advised them to escort Grapski out of the building. Mr. Grapski went limp and had to be physically carried from the building. Michael Canney was videotaping the officers. After exiting with Mr. Grapski, Grapski kicked Officer Chalker causing him to fall on top of Grapski. Grapski also kicked Officer Jimmy Smith. After Grapski kicked the officers I asked if anyone had a taser. Grapski stated, "You are going to Taser me". Chief Jernigan stated, "Yes if you don't get up". Officer Daniel Chalker had his Taser out but I advised him not to use it. Due to the presence of a sufficient number of officers to physically transport Grapski, and that he offered no further resistance with violence after he had

kicked the officers, the Taser was not deployed. Grapski was carried to the patrol car and had to be loaded into the car by the officers. Grapski was charged with violation of Florida State Statute 877.03 Disorderly Conduct, FSS 843.01 Resisting Arrest With Violence, FSS 843.02 Resisting Arrest Without Violence, and FSS 810.08 Trespass and transported to APD for processing. After arriving at APD, Grapski stated that we would have to carry him from the car to inside the station. I advised Mr. Grapski that he could just wait in the patrol vehicle and I would go inside and complete the paperwork. After completing the paperwork, Mr. Grapski was transported to ACDC without any further incident.

2

CASE INVESTIGATION
2006004792

TIME LINE

05/02/06

- 0830 - Sent email to Assistant State Attorney Lee Libby advising I was available to make changes or corrections as needed this morning. Please give me a call when you are ready at 386-462-6569.
- 0910 - Left APD in route to State Attorney's Office to meet with Lee Libby
- 0945 - Arrived at State Attorney's Office and met with Lee Libby-- Application and Affidavit For Search Warrant and Search Warrant reviewed by me and myself and Lee Libby went to Judge Cates for execution. Judge Cates reviewed documents and requested language be added. Returned to State Attorney's Office and Lee Libby added language and then we went back to Judge Cates office, he reviewed it, swore me in and signed the documents. Lee Libby advised me to make contact with Spencer Mann to ascertain a time that we could meet and review the recording. I then returned to Alachua.
- 1235 - Went to the State Attorney's Office and made contact with Spencer Mann.
- 1305 - Arrived at the State Attorney's Office and met with Spencer Mann. Spencer Mann had an IT person meet us to assist with the recorder. It was determined that a special cable would be needed to download the files to a computer. However, we were able to listen to conversations between Clovis Watson Jr., and Grapski that were recorded Friday, April 28, 2006 and conversation between Deputy Clerk Alan Henderson and Grapski on May 1, 2006. I brought a tape recorder so that the recordings could be taped to a cassette tape that I provided Spencer Mann. Information Systems Director, Thomas Morris called various stores in Gainesville trying to locate a download cable but was unable to find one. Morris located a recorder available from Best Buy. I left the cassette tape with Spencer Mann.
- 1429 - I then left the State Attorney's Office in route to Best Buy.
- 1437 - Arrived at Best Buy and purchased a Olympus Recorder
- 1506 - Returned to the Alachua Police Department and secured Grapski's recorder in my office

- 1605 - Called Spencer Mann and left voice mail advising that I would be available anytime Thursday to meet with him to review Grapski's recorder
- 1630 - Received call from Spencer Mann advising to meet with him Thursday at 1300 hours at the State Attorney's Office

5/3/06

- 1035 - Went to City Hall and picked up written statement from Alan Henderson reference incident that took place Monday at City Hall
- 1435 - Called Linda at Lee Libby's office and requested she fax or email me a copy of the search warrant and applicant for affidavit for search warrant - advised she would
- 1446 - Received copy of Search Warrant and Application and Affidavit For Search Warrant from Lee Libby's office via fax

5/4/06

- 1615 - Went to State Attorney's Office to meet Spencer Mann to download files from Grapski Recorder
- 1237 - Arrived at the State Attorney's Office
- 1250 - Met with Investigator Spencer Mann and Information Systems Director Thomas Morris
- 1256 - Provided Spencer Mann with a copy of the Search Warrant
- 1256 - Spencer Mann read the entire Search Warrant out loud to Thomas Morris and myself
- 1300 - Thomas Morris downloaded the files from Grapski's recorder onto Spencer Mann's laptop computer and then burned (3) CD's which were kept in the possession of Spencer Mann
- 1315 - Tom Morris completed downloading the files to the CD's
- 1320 - Per Spencer Mann request, I released Grapski's recorder to him to keep for evidence. Spencer Mann gave me a receipt for the recorder.
- 1356 - Spencer Mann called Judge Cates office to see if he was available for the Search Warrant Return. Was advised that Judge Cates was in Levy County.
- 1358 - Myself and Spencer Mann listened to the voice recording between Clovis Watson Jr., and Grapski

- 1430 - Spencer Mann and myself went to Judge Sieg's office for the Search Warrant return.
- 1450 - We met with Judge Sieg and he swore me in and signed off on the return
- 1502 - We then went to the Clerk's Office on the 4th floor and the Search Warrant Return along with (1) disk was clerked in and left with the clerk
- 1510 - Spencer Mann made me a copy of the Search Warrant return for my records
- 1513 - I returned to the Alachua Police Department

5/19/06

- 1615 - Met with FDLE agent Don Ugliano reference conducting investigation on Grapski if future incidents occurred. Advised by Don that they did not want to get involved in the case since Grapski had already been arrested and the SAO was handling the case.
- 1645 - Called Mike Fellows with ASO and requested that they handle any future complaints regarding Grapski and the City of Alachua - advised he would get back with me the first of next week

5/22/06

- 0830 - Received email from Mike Fellows with ASO advising that they will assist in any way.
- 1022 - Received letter from City Manager addressed to Sheriff Oelrich requesting independent investigation on Grapski

5/23/06

- 0745 - Tara Henderson requested I meet City Manager at City Hall reference picking up correspondence to Sheriff Oelrich reference Grapski Case – Requested I fax a copy of letter to Sheriff
- 0853 - Called for Mike Fellows with ASO to advise him of letter being sent to Sheriff – Received voice mail and requested he call me back
- 0855 - Sent a copy of the letter via fax to 352-374-1801 –ASO
- 0933 – Mike Fellows with ASO called me at APD and I advised him a letter had been sent via fax to Sheriff Oelrich asking for an independent investigation by their agency on Mr. Grapski. I read the letter to Mike Fellows and he advised that it will probably be forwarded to CID. He also advised that the Sheriff was out of the country and would not be back for at least 5 days.

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT

IN AND FOR ALACHUA COUNTY, FLORIDA

SEARCH WARRANT

JK "BUDDY" #137
CLERK OF COURT
ALACHUA COUNTY

2006 MAY -4 PM 3:02

FILED
OK 52

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

TO: ALL AND SINGULAR SHERIFFS AND/OR DEPUTY SHERIFFS OF ALACHUA COUNTY, FLORIDA, AND/OR MUNICIPAL POLICE OFFICERS OF THE CITY OF ALACHUA, ALACHUA COUNTY, FLORIDA.

WHEREAS, complaint on oath and in writing supported by affidavit has been made before the undersigned Judge of Alachua County, Florida, and whereas said facts made known to me have caused me to certify and find that there is probable cause to believe that the laws of the State of Florida are being violated or property constituting evidence relevant to proving a crime has been committed, pursuant to Section 933.02(2)(a), Florida Statutes, and that voice recordings are in or on the following described property which was used in the commission of a crime, to wit: Interception of Oral Communications, in violation of Section 934.03(1)(a), Florida Statutes, in the City of Alachua, Alachua County, Florida, to-wit:

Olympus Digital Voice Recorder, Model DS2, located in the Alachua Police Department's property and evidence room (logged in under Case Report# 2006004792)

SAID PROPERTY being in the City of Alachua, State of Florida, and believed to be the property of **Charles J. Grapski** and or other unknown persons by having on and in said property:

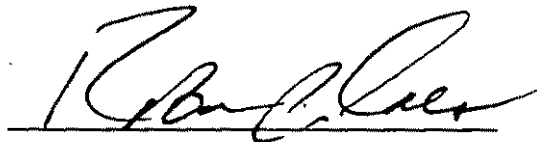
1. Any voice recordings of Clovis Watson Jr, City of Alachua Police Commissioner and/or Alan Henderson and/or any other employees of the City of Alachua.

Which was used in the commission of a crime in violation of the laws of the State of Florida or is/are being kept and contains evidence of a violation of the laws of the State of Florida, to wit: Florida Statute 934.03 (1) (a) Interception and disclosure of wire, oral, or electronic communication.

COPY

NOW, THEREFORE, you or either of you with such lawful assistance as may be necessary, are commanded, in the daytime or in the nighttime, or on Sunday, to forensically examine, listen to and to make a copy of any audio recordings, however said audible sounds are recorded on said digital voice recorder, contained in the above described digital voice recorder and then and there search diligently for said property described in this warrant, and to conduct a forensic examination of the contents of the above described recorder and if the same or any part thereof be found on said property, you are hereby authorized to seize and secure the same and to make return of your doings under this warrant to the undersigned within ten days from the date hereof and you are likewise commanded in event you seize or take the property or materials mentioned in this warrant to safely keep the same until otherwise ordered by a Court having jurisdiction thereof, and that you give proper receipt for said property and deliver a copy of this warrant to the person from whom taken or in whose possession it is found or in the absence of any such person to leave said copy in the place where said property was found, and you are further directed to bring said property so found and any person arrested in connection therewith before the Court having jurisdiction of this offense to be disposed of according to law.

WITNESS, my hand and official seal this 2 day of May, 2006.

A handwritten signature in black ink, appearing to read "Robert C. Lee", written over a horizontal line.

JUDGE

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

BEFORE ME, Judge of the CIRCUIT Court, in and for Alachua County, Florida, personally came Robert Jernigan, Alachua Police Department Chief of Police, who first being duly sworn deposes and says that he believes and has good reason to believe:

That the laws of the State of Florida are being violated or property constituting evidence relevant to proving a crime has been committed, pursuant to Section 933.02(2)(a), Florida Statutes, and that voice recordings are in or on the following described property which was used in the commission of a crime, to wit:

Interception of Oral Communications, in violation of Section 934.03(1)(a), Florida Statutes, in the City of Alachua, Alachua County, Florida, to-wit:

Olympus Digital Voice Recorder, Model DS2, located in the Alachua Police Department's property and evidence room (logged in under Case Report# 2006004792)

SAID PROPERTY being in the City of Alachua, Alachua County, State of Florida, and believed to be the property of Charles Grapski and or other unknown persons by having on and in said property:

Any voice recordings of Clovis Watson Jr., City of Alachua Police Commissioner and/or Alan Henderson and/or any other City of Alachua employee.

The basis of your Affiant's belief is:

Your affiant, Chief Robert Jernigan is a sworn Law Enforcement Officer employed by the Alachua Police Department, Alachua, Florida, for 25 years.

J.K. "BUD" RBY
CLERK OF COURTS
ALACHUA COUNTY, FL.

2006 MAY -4 PM 3:02

FILED
CK 52

COPY

On Friday, 4/28/06, at approximately 1345 hours, Clovis Watson Jr., hereinafter referred to as "Watson", arrived at 15001 NW 140th Street (Alachua City Hall) in response to a disturbance. Watson is the City of Alachua's Police Commissioner. After entering City Hall, **Charles Grapski** was seated in Watson's office, along with witness Eileen McCoy. Clovis Watson engaged in a conversation with **Charles Grapski** to ascertain what the problem was and offer his assistance. **Charles Grapski** advised Watson that he had a concern with regards to obtaining public records from the City. Watson and **Charles Grapski** discussed the issue for a short time and then Watson exited his office to confirm information for **Charles Grapski** from the Deputy Clerk. Upon Watson's return to his office, Watson heard his own voice for a brief moment. Watson then sat down and noticed a small black case on the table in his office with a blinking red light, and realized Watson was secretly being recorded. Watson then asked **Charles Grapski** if he was being recorded, at which time he replied in the affirmative. Watson advised **Charles Grapski** that it was illegal for him to record a person without his/her consent. **Charles Grapski** advised Watson that it should be expected since he is a public official. Watson advised **Charles Grapski** that he was incorrect and again stated that his actions were illegal. In a subsequent email from **Charles Grapski**, he stated, "Because as a public official – I have the right to record anything you say – because anything you say is deemed public statement." A copy of said email is attached hereto and incorporated by reference.

On Monday, May 1, 2006, **Grapski** met with Watson again in Watson's office. **Grapski** was arrested at that time and charged with Interception of Oral Communications, in violation of Section 934.03(1)(a), Florida Statutes, by Watson. During a search incident to arrest, your affiant seized the above described recording device, which is believed to be the recording device used by **Grapski** on April 28, 2006 to record Watson's conversations with **Grapski**, without Watson's consent.

Your affiant interviewed Alan Henderson on May 2, 2006. Henderson is the Deputy City Clerk for the City of Alachua. Henderson told your affiant that Grapski and McCoy came into the City clerk's office inquiring about public records. During the conversation Grapsky advised Henderson that Grapski was recording the conversation. The conversation was turning confrontational, so Henderson arranged for Watson to talk to Grapsky. Henderson saw a tape recorder device in Grapsky's hand while Grapsky was holding a clip board. Henderson did not consent to being recorded.

Based on these findings and Chief Robert Jernigan's training and experience, it is believed that the above described recorder was used to record oral communications of Clovis Watson Jr. and/or Allen Henderson and/or any other City of Alachua employee, without his/her consent, and contains evidence of said voicerecordings.

Wherefore, it is prayed that a search warrant issue, commanding all and singular municipal police officers of the City of Alachua, Alachua County, Florida and any of their duly constituted agents, with necessary and proper assistance, to forensically search the above described audio recorder to listen to and record the audio sounds recorded on the voice recorder so that such evidence may be procured to be used in the investigation and prosecution of said person or persons violating the laws of the State of Florida.

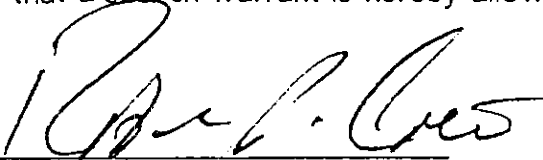

AFFIANT

SWORN to and subscribed before me this 2 day of May, 2006.


CIRCUIT COURT JUDGE

The above application for search warrant coming on to be heard and having examined the applicant under oath and the above sworn affidavit set forth and other facts and thereupon being satisfied that there is probable cause to believe

that the grounds set forth in said application and facts so exist and that the law is being violated as alleged, I so find, and that a search warrant is hereby allowed and issued.


CIRCUIT COURT JUDGE

REVIEWED BY: _____

#2

Clovis Watson Jr

From: Charles Grapski [cgrapski@mac.com]
Sent: Monday, May 01, 2006 1:46 AM
To: Clovis Watson Jr
Subject: Re: Claimed Exemption

On Apr 30, 2006, at 3:16 PM, Clovis Watson Jr wrote:

- > Mr. Grapski:
>
> I have two requests. The first is that you provide me with a copy of
> the tape you made of our conversation Friday, April 28, 2006, when we
> were discussing your concerns regarding access to public records.

I'll consider it. However it was not a tape - but electronic - and I have not made a copy of it yet. Of course, I am not obligated to provide you with such a copy.

- >
> Secondly, I would ask that, in the future, you obtain my consent when
> taping
> me, unless circumstances dictate otherwise according to law.

Actually - I had your consent to be recorded - first, because you clearly saw that you were being recorded, second, because you openly stated that you recognized you were being recorded and continued to speak (and never asked not to be recorded), and third, because as a public official - I have a right to record anything you say - because anything you say is deemed to be a public statement.

- >
> Based on your request to be provided written documentation in regard
> to what
> you referred to as the claimed exemption, I will provide you with that
> information during our 10:30 a.m. meeting scheduled Monday, May 1,
> 2006.

Thank you. However, as I mentioned, please provide the documents requested - as the exemption you claim does not exist or apply to me in this case. I also believe that the City of Alachua once before had a request for these documents, and made similar claims, and had those claims refuted once before - that the documents were obtainable by request.

I will see you at 10:30 - I will be recording any and all of our interactions throughout this process. That is your notification.

Thank you,

Charles Grapski

- >
>
> Clovis Watson Jr.
> City Manager, Alachua Florida
> www.cityofalachua.com

- > ---Original Message---
> From: Charles Grapski [mailto:cgrapski@mac.com]
> Sent: Friday, April 28, 2006 3:39 PM

> To: cwatsonjr@cityofalachua.com
> Cc: cgrapski@mac.com
> Subject: Claimed Exemption

> Mr. Watson,

> Thanks for your prompt reply via phone. Please provide me, in
> writing, as
> is required by 119 Florida Statutes, the explicit legal exemption that
> you
> are claiming regarding this request for public records. Please state
> the
> nature of the document, the portion thereof which is exempt, and the
> statutory exemption being relied upon.

> I also want to confirm that we will meet on Monday at 10:30 to inspect
> those
> documents which are not subject to exemptions.

> Thank you,

> Charles Grapski

INVENTORY AND RECEIPT
(SEARCH WARRANT)

SEARCH WARRANT EXECUTED 5-4-06 1:00PM

DOWNLOADED 25 DIGITAL VOICE FILES
TO CD DISK.

FILED
OK 52
2006 MAY -4 PM 3:02
J.K. "BUDDY" ITBY
CLERK OF COURTS
MICHIGAN COUNTY F.

DATED this 4 day of

MAY, 2006.

Robert J. Jernigan
Officer

COPY

RETURN
(SEARCH WARRANT)

STATE OF FLORIDA)
COUNTY OF ALACHUA)

Received this Search Warrant on the 2 day of
MAY, 2006, and executed and served same in ALACHUA
County, Florida, on the 4 day of MAY, 2006, by
searching the premises described therein and by taking into my
custody the property described in the above Inventory and Receipt
and by having read and delivered a copy of this Search Warrant and
Inventory and Receipt to: RECORDING DEVICE SEIZED
DURINE ARREST.

I, CHIEF ROBERT JERNIGAN, the Officer by whom
the warrant was executed, do swear that the above Inventory and
Receipt contains a true and detailed account of all the property
taken by me on said Warrant.

Robert Jernigan
OFFICER

Sworn to and subscribed before
me this 4 day of May, 2006

Neil
JUDGE, Circuit Court of the
Eighth Judicial Circuit, in and for
Alachua County, Florida.

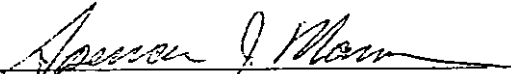
OFFICE OF THE STATE ATTORNEY

Eighth Judicial Circuit

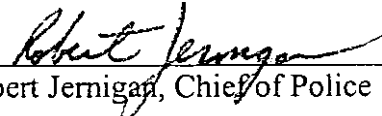
STATE VS. GRAPSKI PROPERTY RECEIPT

Received from Chief Robert Jernigan, Alachua Police Department, physically handed to Investigator Spencer Mann, at the Office of the State Attorney.

One Olympus DS -2 Digital Voice Recorder



Spencer J. Mann, Investigator



Robert Jernigan, Chief of Police

1:20PM 5-4-06
Time and Date



JEANNE M. SINGER
CHIEF ASSISTANT STATE ATTORNEY

120 WEST UNIVERSITY AVENUE
GAINESVILLE, FLORIDA 32602-1437

CAROLE E. ZEGEL
EXECUTIVE DIRECTOR

WILLIAM P. CERVONE
STATE ATTORNEY
EIGHTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
ALACHUA, BAKER, BRADFORD, GILCHRIST, LEVY
AND UNION COUNTIES

TELEPHONE (352) 374-3670
FAX (352) 491-4553

FACSIMILE TRANSMISSION

COVER SHEET

DATE: *5-3-06*

TO: *Chief Jensen*

AGENCY/CO.: *APD*

FAX PHONE: *386-462-6579*

OFFICE PHONE#:

FROM: LINDA - FELONY INTAKE

NUMBER OF PAGES (WITH COVER SHEET): *9*

hoping both of you have signed copy

PLEASE IMMEDIATELY NOTIFY FAX RECIPIENT UPON RECEIPT OF TRANSMISSION. THANK YOU IN ADVANCE.

IF ALL OF THE PAGES ARE NOT RECEIVED, PLEASE CALL 374-3673 or FAX: 352-491-4672

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

SEARCH WARRANT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

TO: ALL AND SINGULAR SHERIFFS AND/OR DEPUTY SHERIFFS OF ALACHUA COUNTY, FLORIDA, AND/OR MUNICIPAL POLICE OFFICERS OF THE CITY OF ALACHUA, ALACHUA COUNTY, FLORIDA.

WHEREAS, complaint on oath and in writing supported by affidavit has been made before the undersigned Judge of Alachua County, Florida, and whereas said facts made known to me have caused me to certify and find that there is probable cause to believe that the laws of the State of Florida are being violated or property constituting evidence relevant to proving a crime has been committed, pursuant to Section 933.02(2)(a), Florida Statutes, and that voice recordings are in or on the following described property which was used in the commission of a crime, to wit: Interception of Oral Communications, in violation of Section 934.03(1)(a), Florida Statutes, in the City of Alachua, Alachua County, Florida, to-wit:

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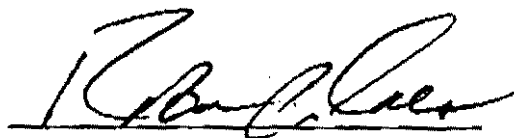
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Which was used in the commission of a crime in violation of the laws of the State of Florida or is/are being kept and contains evidence of a violation of the laws of the State of Florida, to wit: Florida Statute 934.03 (1) (a) Interception and disclosure of wire, oral, or electronic communication.

NOW, THEREFORE, you or either of you with such lawful assistance as may be necessary, are commanded, in the daytime or in the nighttime, or on Sunday, to forensically examine, listen to and to make a copy of any audio recordings, however said audible sounds are recorded on said digital voice recorder, contained in the above described digital voice recorder and then and there search diligently for said property described in this warrant, and to conduct a forensic examination of the contents of the above described recorder and if the same or any part thereof be found on said property, you are hereby authorized to seize and secure the same and to make return of your doings under this warrant to the undersigned within ten days from the date hereof and you are likewise commanded in event you seize or take the property or materials mentioned in this warrant to safely keep the same until otherwise ordered by a Court having jurisdiction thereof, and that you give proper receipt for said property and deliver a copy of this warrant to the person from whom taken or in whose possession it is found or in the absence of any such person to leave said copy in the place where said property was found, and you are further directed to bring said property so found and any person arrested in connection therewith before the Court having jurisdiction of this offense to be disposed of according to law.

WITNESS, my hand and official seal this 2 day of May, 2006.



JUDGE

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

BEFORE ME, Judge of the CIRCUIT Court, in and for Alachua County, Florida, personally came Robert Jernigan, Alachua Police Department Chief of Police, who first being duly sworn deposes and says that he believes and has good reason to believe:

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The basis of your Affiant's belief is:

Your affiant, Chief Robert Jernigan is a sworn Law Enforcement Officer employed by the Alachua Police Department, Alachua, Florida, for 25 years.

On Friday, 4/28/06, at approximately 1345 hours, Clovis Watson Jr., hereinafter referred to as "Watson", arrived at 15001 NW 140th Street (Alachua City Hall) in response to a disturbance. Watson is the City of Alachua's Police Commissioner. After entering City Hall, **Charles Grapski** was seated in Watson's office, along with witness Eileen McCoy. Clovis Watson engaged in a conversation with **Charles Grapski** to ascertain what the problem was and offer his assistance. **Charles Grapski** advised Watson that he had a concern with regards to obtaining public records from the City. Watson and **Charles Grapski** discussed the issue for a short time and then Watson exited his office to confirm information for **Charles Grapski** from the Deputy Clerk. Upon Watson's return to his office, Watson heard his own voice for a brief moment. Watson then sat down and noticed a small black case on the table in his office with a blinking red light, and realized Watson was secretly being recorded. Watson then asked **Charles Grapski** if he was being recorded, at which time he replied in the affirmative. Watson advised **Charles Grapski** that it was illegal for him to record a person without his/her consent. **Charles Grapski** advised Watson that it should be expected since he is a public official. Watson advised **Charles Grapski** that he was incorrect and again stated that his actions were illegal. In a subsequent email from **Charles Grapski**, he stated, "Because as a public official – I have the right to record anything you say – because anything you say is deemed public statement." A copy of said email is attached hereto and incorporated by reference.

On Monday, May 1, 2006, **Grapski** met with Watson again in Watson's office. **Grapski** was arrested at that time and charged with Interception of Oral Communications, in violation of Section 934.03(1)(a), Florida Statutes, by Watson. During a search incident to arrest, your affiant seized the above described recording device, which is believed to be the recording device used by **Grapski** on April 28, 2006 to record Watson's conversations with **Grapski**, without Watson's consent.

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Based on these findings and Chief Robert Jernigan's training and experience, it is believed that the above described recorder was used to record oral communications of Clovis Watson Jr. and/or Allen Henderson and/or any other City of Alachua employee, without his/her consent, and contains evidence of said voice recordings.

Wherefore, it is prayed that a search warrant issue, commanding all and singular municipal police officers of the City of Alachua, Alachua County, Florida and any of their duly constituted agents, with necessary and proper assistance, to forensically search the above described audio recorder to listen to and record the audio sounds recorded on the voice recorder so that such evidence may be procured to be used in the investigation and prosecution of said person or persons violating the laws of the State of Florida.



AFFIANT

SWORN to and subscribed before me this 2 day of May, 2006.


CIRCUIT COURT JUDGE

The above application for search warrant coming on to be heard and having examined the applicant under oath and the above sworn affidavit set forth and other facts and thereupon being satisfied that there is probable cause to believe

that the grounds set forth in said application and facts so exist and that the law is being violated as alleged, I so find, and that a search warrant is hereby allowed and issued.


CIRCUIT COURT JUDGE

REVIEWED BY: _____

#2

Clovis Watson Jr

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I'll consider it. However it was not a tape - but electronic - and I have not made a copy of it yet. Of course, I am not obligated to provide you with such a copy.

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 > Secondly, I would ask that, in the future, you obtain my consent when
 > taping
 > me, unless circumstances dictate otherwise according to law.

Actually - I had your consent to be recorded - first, because you clearly saw that you were being recorded, second, because you openly stated that you recognized you were being recorded and continued to speak (and never asked not to be recorded), and third, because as a public official - I have a right to record anything you say - because anything you say is deemed to be a public statement.

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 > to what
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I will see you at 10:30 - I will be recording any and all of our interactions throughout this process. That is your notification.

Thankyou,

Charles Grapski

>
 >
 > Clovis Watson Jr.
 > City Manager, Alachua Florida
 > www.cityofalachua.com

> —Original Message—
 > From: Charles Grapski [mailto:cgrapski@mac.com]
 > Sent: Friday, April 28, 2006 3:39 PM

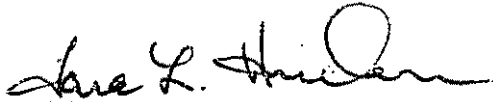
> To: cwatsonjr@cityofalachua.com
> Cc: cgrapski@mac.com
> Subject: Claimed Exemption
>
> Mr. Watson,
>
> Thanks for your prompt reply via phone. Please provide me, in
> writing, as
> is required by 119 Florida Statutes, the explicit legal exemption that
> you
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> the
> nature of the document, the portion thereof which is exempt, and the
> statutory exemption being relied upon.
>
> I also want to confirm that we will meet on Monday at 10:30 to inspect
> those
> documents which are not subject to exemptions.
>
> Thank you,
>
> Charles Grapski
>
>

CR #2006004792

Statement of Tara L. Henderson

On Friday, 04/28/2006, at approximately 1345 hours, I called City Manager Clovis Watson, Jr. to advise him of a disturbance at City Hall involving the Deputy City Clerk, Mr. Alan Henderson, an unknown white male (Charles Grapski), and Mrs. Eileen McCoy. Mr. Watson advised that he was enroute to the office and would be there within the next few minutes. Mr. Grapski and Mrs. McCoy were brought into Mr. Watson's office to await his arrival.

Mr. Watson arrived shortly thereafter, entered his office and began speaking with Mr. Grapski and Mrs. McCoy. A few minutes later, Mr. Watson asked for Mr. Henderson. He then exited his office and went to Mr. Henderson's office. Shortly thereafter, he returned to his office and a conversation once again ensued. I was on the phone upon Mr. Watson's return to his office, but did later hear him make the comment that anything he says to him (Grapski) he would say openly to the public.



Tara L. Henderson

5 May 2006

Date

The early afternoon of April 28, I was approached by Charles Grapski and Eileen McCoy regarding a public records request he had sent via email on the 27th. Since I was out of the office that day, I did not read the email until the morning of the 28th, and thus had not had the time to collect the information requested.

His email stated that he would be by the morning of the 28th to inspect the records. I informed him that I had just that day read the message, and was not yet finished compiling the information. At that point, he became demanding, abrasive, hectoring, and confrontational, lecturing me on the law, his rights, and my responsibilities.

After we had been talking for some time, he informed me that he was recording the conversation. I made no comment upon that, but did not then, prior or subsequent to his announcement give express or implied consent to the recording.

As the confrontation grew slightly heated, I asked Tammi Adkins to alert Chief Jernigan to stand by. She interpreted that to mean summoning the police, who arrived shortly. In the meantime, I was forced to refer Mr. Grapski to City Manager Watson, and had them leave my office, as they were interfering with my functions for the City.

I told the APD officers who responded that there was no need for them to be there, as the situation was being handled by the City Manager.

A handwritten signature in black ink, appearing to be "D. H. [unclear]". The signature is written in a cursive style with large, sweeping loops.

5-3-06



ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Submitted to State Attorney's Office

Date: 4-9-06

By: [Signature]

Disturbance
Event Date: Friday, April 28, 2006

Event: 2006004792



NT: 2006004792

DATE: 04/28/2006

TIME RECEIVED: 13:53

Event Code: 22D Disturbance

Dispatched As: 22D Disturbance

Event Type: Offense

Reported As: In Progress

Priority: 1

Address: 15001 NW 140 St

Sector:

Zone:

City: Alachua

County: Alachua

State: Florida

Zip Code: 32615

Jurisdiction: Alachua PD

Remarks: Tami of City Hall Re Mr Henderson having problem with male subject verbal. City Manager notified & 10-51 per Tara.312 adv'd City Manager will take care of this

Weapon Reported: UNKNOWN

Reporting Party:

Telephone:

Origin: Telephone Generated

Dispatcher ID: 201D

OFFENSES 1

Offenders: 1

Victims: 1

Arrests: 1

OFFENSE 1 Statute: 934 03 Interception Of Oral Communication

Offense Code: 90Z All Other Offenses

Offense Status: Completed

Date: 04/28/2006 Time: 13:45

Forced Entry: NO

Location: 15001 NW 140 St

Alcohol Involved: NO

Location Type: Government/Public Building

Drugs Involved: NO

Criminal Activity: No Drug Activity Reported

Computers Involved: NO

Bias Motivation: Anti-None

Domestic Violence: NO

Premises Entered: 1

No Weapons Involved

NOTES FOR OFFENSE 1

No Notes On File For This Offense.

PERSONS INVOLVED WITH OFFENSE 1

Grapski, Charles J

Age: 40

Offender

Charge: 934 03

Interception Of Oral Communication

Counts: 1

Arrested: 05/01/2006

Time: 00:00

Booking:

OBTS:

Released: No

Release Type:

Probable Cause: No probable cause narrative on file for this offender.

Arresting Agency: Not On Record

White Male

Date of Birth: 06/09/1965

Agency ORI: Not On Record

Height: 5'09"

Weight:

Hair: Blonde

Eyes: Blue

Arresting Officer: Not On Record

Officer ID & Rank: Not On Record

Occupation: Professor

Birth Place: Not On Record

Organization: Not On Record

Employer: University of Florida

Notes: None on file for this person record.

Watson, Clovis Jr

Age: N/A

[Employee]

Victim/Complainant

Victim Type: L. E. Officer

Black Non-Hispanic Male

Date of Birth: / /

Injury Type:

Height:

Weight:

Hair: Black

Eyes: Brown

Extent of Injury:

Victim-Offender Relation:

Occupation: City Manager

Employer: Alachua Police Department

Notes: None on file for this person record..

AR

**ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT**

Event Date: Friday, April 28, 2006
Disturbance

Event: 2006004792

McCoy, Eileen Boden	Age: 49	Witness
Occupation: Not On Record Employer: Not On Record	White Non-Hispanic Female Height: 5'05" Weight: 140 Hair: Brown	Date of Birth: 02/14/1957 Eyes: Brown
Notes: None on file for this person record..		

Henderson, Tara	Age: 30	[Employee] Other
Occupation: Exec Asst Employer: City of Alachua	White Non-Hispanic Female Height: Weight: Hair: Brown	Date of Birth: 08/03/1975 Eyes: Blue
Notes: None on file for this person record..		

Henderson, Alan	Age: 62	Other
Occupation: Deputy City Clerk Employer: City of Alachua	White Non-Hispanic Male Height: 6'04" Weight: Hair: Brown	Date of Birth: 01/12/1944 Eyes: Brown
Notes: None on file for this person record..		

PROPERTY INVOLVED WITH OFFENSE 1

Digital Recorder	Item: 0	Link: 1015646	Value: \$ 0.00
Make:	Quantity: 1.0	Units (Each)	Type: Miscellaneous
Model:	Category: Physical Evidence	Evidence: Yes	Impounded: No
Serial Number:	License Tag:	Tag State:	
Color: Black		OAN:	
Year:		Recovered: No	
Owner: Grapski, Charles J			
Contact: Alachua Police Department			
Disposition:			
Notes: None on file for this property record.			

OTHER PERSONS INVOLVED IN EVENT 2006004792

No other person records on file for this event.

OTHER PROPERTY INVOLVED IN EVENT 2006004792

No other property records on file for this event.

PRIMARY NARRATIVE FOR EVENT 2006004792

Friday, 04/28/2006, at approximately 1345 hours, I arrived at 15001 NW 140th Street (Alachua City Hall) in response to a disturbance. When I arrived, I informed the APD officers present that I would handle the situation from here. I found defendant Charles Grapski seated in my office. He was accompanied by Eileen McCoy. I engaged in a conversation with Mr.

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Event Date: Friday, April 28, 2006
Disturbance

to ascertain the problem and to offer my assistance. Mr. Grapski advised that he had a concern with obtaining public information from the City. After a brief discussion, I exited my office to confirm information for Mr. Grapski from the Deputy City Clerk, Mr. Alan Henderson.

Upon arriving back at my office, I observed the two occupants bent over my table, and heard what sounded like a brief snippet of my voice. At that point, I noticed a small black case on the table. It had a blinking red light. I asked Mr. Grapski if he was recording me and he replied in the affirmative. I advised Mr. Grapski that it was illegal to record a person without his/her consent, to which he replied that I should expect it since I was a public official.

I advised Mr. Grapski that he was incorrect and again advised him that his action was illegal. In a subsequent email from him, he stated, "...because as a public official - I have a right to record anything you say - because anything you say is deemed to be a public statement." That email and another convinced me that he did not realize the gravity of his actions and the possible consequences.

When he returned to City Hall on Monday, 05/01/2006, to inspect the records, he was allowed to do so until such time that he told me he was finished with his personal inspection. At this point, he was arrested on a felony complaint per the cited Statute and transported to the Alachua County Detention Center for processing. As he was being led from the room, I heard him state in effect - I have been nice to you so far; now I will get you.

ALACHUA POLICE DEPARTMENT
INCIDENT EVENT REPORT ATTACHMENT

Disturbance
Event Date: Monday, May 1, 2006

Event: 2006004792

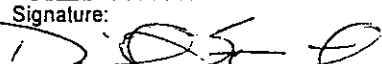
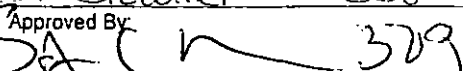

IRBANCE

Date: May 1, 2006 Time: 10:55

Event Number: 2006004792

On 05/01/06 at approximately 10:55am, contact was made with the City Manager, Clovis Watson, in reference to a disturbance that took place at the Alachua City Hall on 04/23/06. Watson advised that he had a sworn complaint for Charles Grapski. Watson advised that Grapski was currently at City Hall reviewing election results in the City Commission Room. Upon entering the commission room, Grapski was located sitting at a table reviewing absentee ballots. Alachua Police Chief, Robert Jernigan, advised Grapski he was under arrest. Grapski was taken into custody and escorted from City Hall with minimal resistance. While being removed, Grapski made several statements requesting for Bill Cervone to be contacted. Grapski requested that the City Manager Watson and Police Chief Jernigan, be arrested for abusing the power of their positions. Grapski was searched and transported to ACDC without further incident. Enroute to ACDC, Grapski questioned the whereabouts of his digital audio recorder. Grapski was advised that it would be entered into evidence, Grapski stated, "How do you know that is the tape recorder I used before."

ATTACHMENT CERTIFICATIONS FOR EVENT 2006004792

Submitted By: L. STEWART #338	Signature: 	Date: 05-01-06
Approved By:  #329	Signature: 	Date: 5-2-06

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Disturbance
Event Date: Friday, April 28, 2006



Event: 2006004792

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CERTIFICATIONS FOR EVENT 2006004792

Prepared By: Clovis Watson Jr	Signature: 	Date: 5/5/2006
Reviewed By: SGT. R. J. SANCHEZ #316	Signature: SGT. R. J. SANCHEZ 	Date: 05-08-06

ARREST SWORN COMPLAINT HOLD

EIGHTH JUDICIAL CIRCUIT

AGENCY CASE REPORT NUMBER:

2006004792

NAME OF SUBJECT (LAST, FIRST, MI): Grapski, Charles J.		ALIAS / MAIDEN:	
911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.): 303 CR 352		CITY: Keystone Heights	STATE: FL
BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): University of Florida		CITY: Gainesville	STATE: FL

MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS):		SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):	
FACE: <input checked="" type="checkbox"/> WHITE <input type="checkbox"/> BLACK	SEX: M	DATE OF BIRTH: 06/09/1965	HEIGHT: 5'09"
HAIR COLOR: Blonde	EYE COLOR: Blue	COMPLEXION: Med	BUILD: Med

STATE OF BIRTH: FL	PHOTO NUMBER:	PLACE OF BIRTH:	COUNTRY OF CITIZENSHIP:
SPN NUMBER:	AGENCY OR NUMBER: FL 0010800	SOLD / AGENCY ID / NUMBER:	BOOKING NUMBER:
LOCATION OF ARREST: 15001 NW 140 Street, Alachua, FL 32615	DATE OF ARREST: 05/01/2006	TIME OF ARREST (MILITARY):	DATE OF BOOKING:

#1 (NAME):	DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO
#2 (NAME):	DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> NTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO

JUVENILE DISPOSITION: <input type="checkbox"/> RELEASED TO JAC <input type="checkbox"/> ISSUED NTA AND RELEASED	NAME OF PARENT / GUARDIAN (NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO):	WORK TELEPHONE NUMBER: ()
PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT #, PO BOX, ETC.):	CITY:	STATE:

#1 (NAME): Eileen McCoy	ADDRESS: 14410 NW 142 Terr/POB 296, Alachua, FL 32616	TELEPHONE NUMBER: (386) 418-0327
#2 (NAME):	ADDRESS:	TELEPHONE NUMBER: ()

OFFENSE DESCRIPTION: Interception & Disclosure of wire, oral,	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NTA	COMPLETE STATUTE / ORDINANCE NUMBER: 934.03 (1)(a)	VICTIM NOTIFICATION: ARREST: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> WARRANT <input type="checkbox"/> JUVENILE PO ORDER <input type="checkbox"/> CIVIL ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE: 04/28/2006	TIME OF OFFENSE: 1345	BAIL AMOUNT: ()
VICTIM (NAME): Clovis Watson, Jr.	ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): 15001 NW 140 Street	CITY: Alachua	STATE: FL

OFFENSE DESCRIPTION:	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NTA	COMPLETE STATUTE / ORDINANCE NUMBER:	VICTIM NOTIFICATION: ARREST: <input type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> WARRANT <input type="checkbox"/> JUVENILE PO ORDER <input type="checkbox"/> CIVIL ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE:	TIME OF OFFENSE:	BAIL AMOUNT:
VICTIM (NAME):	ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):	CITY:	STATE:

THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS / LOCATION): 15001 NW 140 Street	CITY OF: Alachua	COUNTY OF: Alachua	STATE OF: FLORIDA
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On Friday, 04/28/2006, at approximately 1345 hours, I arrived at 15001 NW 140 Street (Alachua City Hall) in response to a disturbance. Upon my arrival, defendant Charles Crapski was seated in my office, along with witness Eileen McCoy. I engaged in a conversation with Mr. Grapski to ascertain what the problem was and offer my assistance. Mr. Grapski advised that he had a concern with regards to obtaining public records

MANDATORY APPEARANCE IN COURT AT: _____ DATE OF APPEARANCE: _____ TIME OF APPEARANCE: _____ AM PM

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND THIS NOTICE IS SPECIFICALLY TO BE USED TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS.

SWORN TO AND SUBSCRIBED TO BEFORE ME THIS: DAY OF _____	IS/WEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NAME/PRINT: <u>Clovis Watson, Jr.</u> SIGNATURE: _____ AGENCY: <u>Alachua Police Dept.</u> LEO ID NUMBER: <u>1101</u>
--	---

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

ADMP#	DOB NUMBER	SPS NUMBER
AGENCY REPORT NUMBER	FL 0010800	AGENCY REPORT NUMBER 2006004792
NAME (LAST, FIRST, MIDDLE)	ALIAS/MAIDEN NAME	

BY	Grapski, Charles J.	SEX	M	DATE OF BIRTH	06/09/1965	HAIR NUMBER	NO ID AGENCY ID/NUMBER	HEIGHT	5'09"	WEIGHT
----	---------------------	-----	---	---------------	------------	-------------	------------------------	--------	-------	--------

ACTIVITY	1 - AMERICAN INDIAN	2 - SMUGGLE	3 - DISPENSE	4 - MANUFACTURE/PRODUCE/CULTIVATE	5 - UNKNOWN	6 - DRUG TYPE	7 - BARRITURAGE	8 - MARIJUANA	9 - MARIJUANA EQUIPMENT	10 - UNKNOWN
W - WHITE	1 - AMERICAN INDIAN	2 - SMUGGLE	3 - DISPENSE	4 - MANUFACTURE/PRODUCE/CULTIVATE	5 - UNKNOWN	6 - DRUG TYPE	7 - BARRITURAGE	8 - MARIJUANA	9 - MARIJUANA EQUIPMENT	10 - UNKNOWN

CHARGE DESCRIPTION	COUNT	FELONY	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION
Interception & Disclosure of wire...	1	MISD	9-340.3	ARREST Y N RELEASE Y N
CAPIAS	ARREST WARRANT	JUV. PL.	CITATION	CIVIL ORDER
#	SEQ. NO.	OFFENSE DATE AND TIME (MM/YY)	BAIL AMOUNT	DRUG TYPE
		6/28/2006 1345		N
VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE		
Clovis Watson, Jr.	15001 NW 140 Street, Alachua, FL 32615	(386) 462-1231		

CHARGE DESCRIPTION	COUNT	FELONY	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION
		MISD		ARREST Y N RELEASE Y N
CAPIAS	ARREST WARRANT	JUV. PL.	CITATION	CIVIL ORDER
#	SEQ. NO.	OFFENSE DATE AND TIME (MM/YY)	BAIL AMOUNT	DRUG TYPE
VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE		
		()		

CHARGE DESCRIPTION	COUNT	FELONY	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION
		MISD		ARREST Y N RELEASE Y N
CAPIAS	ARREST WARRANT	JUV. PL.	CITATION	CIVIL ORDER
#	SEQ. NO.	OFFENSE DATE AND TIME (MM/YY)	BAIL AMOUNT	DRUG TYPE
VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE		
		()		

CHARGE DESCRIPTION	COUNT	FELONY	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION
		MISD		ARREST Y N RELEASE Y N
CAPIAS	ARREST WARRANT	JUV. PL.	CITATION	CIVIL ORDER
#	SEQ. NO.	OFFENSE DATE AND TIME (MM/YY)	BAIL AMOUNT	DRUG TYPE
VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE		
		()		

from the City. He and I discussed the issue for a short time, and I then exited my office to confirm information for Mr. Grapski from the Deputy Clerk. Upon my return, I heard my own voice for a brief moment, as I entered my office door. I then sat back down and noticed a small black case on the table in my office with a blinking red light, and realized I was secretly being recorded.

I then asked Mr. Grapski if he was recording me, to which he replied in the affirmative. I advised Mr. Grapski that it was illegal to record a person without his/her consent, to which he stated that it should be expected since I am a public official. I advised Mr. Grapski that he was incorrect and again stated that his actions were illegal. In a subsequent email from Mr. Grapski (attached), he stated, "because as a public official - I have a right to record anything you say - because anything you say is deemed to be a public statement."

NAME (PRINT) Clovis Watson, Jr. SIGNED _____ AGENCY APD OFFICER ID NUMBER 1101

The early afternoon of April 28, I was approached by Charles Grapski and Eileen McCoy regarding a public records request he had sent via email on the 27th. Since I was out of the office that day, I did not read the email until the morning of the 28th, and thus had not had the time to collect the information requested.

His email stated that he would be by the morning of the 28th to inspect the records. I informed him that I had just that day read the message, and was not yet finished compiling the information. At that point, he became demanding, abrasive, hectoring, and confrontational, lecturing me on the law, his rights, and my responsibilities.

After we had been talking for some time, he informed me that he was recording the conversation. I made no comment upon that, but did not then, prior or subsequent to his announcement give express or implied consent to the recording.

As the confrontation grew slightly heated, I asked Tammi Adkins to alert Chief Jernigan to stand by. She interpreted that to mean summoning the police, who arrived shortly. In the meantime, I was forced to refer Mr. Grapski to City Manager Watson, and had them leave my office, as they were interfering with my functions for the City.

I told the APD officers who responded that there was no need for them to be there, as the situation was being handled by the City Manager.

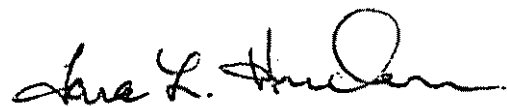
A handwritten signature in black ink, appearing to read "Charles Grapski". The signature is fluid and cursive, with a large initial "C" and "G".

5-3-06

Statement of Tara L. Henderson

On Friday, 04/28/2006, at approximately 1345 hours, I called City Manager Clovis Watson, Jr. to advise him of a disturbance at City Hall involving the Deputy City Clerk, Mr. Alan Henderson, an unknown white male (Charles Grapski), and Mrs. Eileen McCoy. Mr. Watson advised that he was enroute to the office and would be there within the next few minutes. Mr. Grapski and Mrs. McCoy were brought into Mr. Watson's office to await his arrival.

Mr. Watson arrived shortly thereafter, entered his office and began speaking with Mr. Grapski and Mrs. McCoy. A few minutes later, Mr. Watson asked for Mr. Henderson. He then exited his office and went to Mr. Henderson's office. Shortly thereafter, he returned to his office and a conversation once again ensued. I was on the phone upon Mr. Watson's return to his office, but did later hear him make the comment that anything he says to him (Grapski) he would say openly to the public.


Tara L. Henderson

5 May 2006
Date

FELONY

Mittimus Transmittal for Intake
Unit of the State Attorney's Office
120 West University Avenue
Gainesville, Florida 32601

From: Alachua Police Department

To: State Attorney's Office

DEFENDANT	CASE REPORT NUMBER
Grapski, Charles J	2006004792

Delivered By: _____ *SW*
Received By: _____ *YD*

Date: 5-9-06
Date: MAY 09 2006

ELDP

#3

City of Alachua

15001 Northwest 140th Street
Post Office Box 9
Alachua, Florida 32615
Phone: (386) 462-1231
Fax: (386) 462-1985

TO: Mayor & Commissioners

FROM: Clovis Watson, Jr., MPA
City Manager

REC COPY

DATE: April 28, 2006

RE: Public Record Request and aftermath of this date

We were visited by Charles Grapski and Eileen McCoy, who were seeking to inspect public records, specifically those related to the absentee ballots of the recent election.

The original request was in an email to Mr. Henderson, who did not receive it until this morning. He told Mr. Grapski that the requested records would be segregated from the other election documents and be available for inspection at 8:30 Monday morning.

He took exception to this, and I discussed it with him then and again in a later phone call. The one document he was most interested in obtaining is apparently exempt from Chapter 119 and not maintained as a permanent record after the election. A copy of the pertinent section of the election law is attached.

The way it is interpreted by me, the city attorney and the Supervisor of Elections is that this document is not for distribution to other than the named parties (of which Mr. Grapski is not one), and during the election cycle only.

While others may interpret it otherwise, we will follow the law as we see it.

Additionally, after our discussion had started, I noticed a blinking red light on what at first appeared to be a phone. I asked if he was recording our conversation, to which he answered in the affirmative. I told him that I do not mind being recorded because what I say I will say in any venue. I did register my objection that he had not informed me he would be recording me, to which he answered that I, as a public official, should expect to be recorded. I took exception, stating that certainly in a public meeting such might be expected, but that this situation was not a public meeting.

Clovis Watson, Jr. ♦ City Manager

The appropriate and legal approach would have been to advise me of his intent to record my conversation with him.

I will keep you advised on this as well as the underlying situation.

I will gladly discuss this matter with you at your convenience.

Clovis Watson, Jr. ♦ City Manager

On 5/1/06 the City Manager requested that I come over to City Hall reference the information I researched regarding FSS 934.03. After arriving at City Hall, I made contact with the City Manager and I advised him that I had a copy of the FSS which indicated that the unlawful reception of an oral communication was a felony. Clovis showed me an email that he received from Grapski. Clovis then advised me that he was going to arrest Grapski for the offense. I advised Clovis that I would go to APD and get a mittimus for him to fill out. I left City Hall and went to APD and obtained a mittimus for Clovis. I then returned to City Hall and left the mittimus for Tara Henderson and a copy of the Case Report assigned to the case. I then left City Hall and returned to APD. While at APD I received a call from City Hall advising me to come to City Hall. I also had Officers Jimmy Smith and David Stewart respond also. They were advised while at APD that I would have them take Mr. Grapski into custody and transport him to ACDC. After arriving at City Hall, contact was made with Clovis and shortly thereafter, the officer's and I went into the Commission Room, where I advised Mr. Grapski that he was being placed under arrest for violation of FSS 934.03 unlawful interception of an oral communication. The officer's took Mr. Grapski into custody and took him outside to their patrol vehicle and transported him to ACDC. I took a recording device that was lying on the table next to Mr. Grapski for evidence. Mr. Grapski told me that I couldn't arrest him, that I could only give him a summons. He then wanted State Attorney Bill Cervone called and wanted the Sheriff called and wanted the Sheriff to arrest both Clovis and me.

3



**ALACHUA POLICE DEPARTMENT
INCIDENT EVENT REPORT**



Suspicious Activity
Event Date: Monday, May 15, 2006

Event: 2006005440

EVENT: 2006005440

DATE: 05/15/2006

TIME RECEIVED: 08:18

Event Code: 13A Suspicious Activity

Dispatched As: 13A Suspicious Activity

Event Type: Incident

Reported As: In Progress

Priority: 1

Address: 15001 NW 140 St

Sector: Zone:

City: Alachua

County: Alachua

State: Florida

Zip Code: 32615

Jurisdiction: Alachua PD

Remarks: 315 req cr for 13A at City Hall

Weapon Reported: UNKNOWN

Reporting Party: Henderson, Alan

Telephone:

Origin:

Dispatcher ID: 307D

PERSONS INVOLVED IN EVENT 2006005440

Henderson, Alan Age: 62		Complainant	
Occupation: Deputy City Clerk Employer: City of Alachua		White Non-Hispanic Male Height: 6'04" Weight: Hair: Brown	Date of Birth: 01/12/1944 Eyes: Brown
Telephones: (386) 462-1231 Business	Addresses: PO BOX 9 15001 NW 140 St	Alachua, FL 32615 Alachua, FL 32615	Mailing Address Business
Notes: None on file for this person record..			

Henderson, Tara Age: 30		[Employee]	Witness
(Restricted Employee Information)			
Notes: None on file for this person record..			

Canney, Michael Age: 53		Witness	
Occupation: Not On Record Employer: Not On Record		White Non-Hispanic Male Height: 5'10" Weight: Hair: Brown	Date of Birth: 11/08/1952 Eyes:
Telephones: (386) 418-3791 Residential	Addresses: PO Box 1901 15319 NW 140 ST	Alachua, FL 32615 Alachua, FL 32615	Mailing Address Residence
Notes: None on file for this person record..			

Boukari, Habib B Age: 26		Witness	
Occupation: Editor Employer: Alachua Today		Oriental/Asian Non-Hispanic Male Height: 5'09" Weight: Hair: Brown	Date of Birth: 03/04/1980 Eyes: Blue
Telephones: (386) 462-3355 Business (386) 462-6556 Business	Addresses: PO Box 2135 14804 MAIN ST PO Box 28	Alachua, FL 32616 Alachua, FL 32615 Alachua, FL 32616	Mailing Address Business Mailing Address

ALACHUA POLICE DEPARTMENT
INCIDENT EVENT REPORT

Event Date: Monday, May 15, 2006
Suspicious Activity

Event: 2006005440

Notes: None on file for this person record..

Grapski, Charles J		Age: 40	Other
Occupation: Not On Record	White Non-Hispanic Male		Date of Birth: 06/09/1965
Employer: Not On Record	Height: 5'09"	Weight:	Hair: Blonde Eyes: Blue
Telephones:	Addresses:		
No Telephone Records On File	5803 CR 352	Keystone Heights, FL 32656	Residence
Notes: None on file for this person record..			

PROPERTY INVOLVED IN EVENT 2006005440

No property records on file for this offense.

VEHICLES INVOLVED IN EVENT 2006005440

Tag	Type	Year	Make	Model	Color	VIN
-----	------	------	------	-------	-------	-----

No vehicle records on file for this event.

PRIMARY NARRATIVE FOR EVENT 2006005440

5/11/2006, contact was made with Alan Henderson at City Hall, Alachua, Florida, in reference to a suspicious incident. Henderson is currently employed by the City of Alachua as the Deputy City Clerk. Henderson requested that the following two incidents be documented:

On 4/28/2006, Charles Grapski, arrived at City Hall to inspect some public records. After several minutes of conversation, Grapski stated that he was taping the conversation. Henderson continued talking with Grapski. Henderson made Grapski leave the office shortly thereafter because he became belligerent and demanding.

On 5/10/2006, Charles Grapski was at City Hall, in the commission room, inspecting some records. Also present at this time was Tara Henderson, City of Alachua employee, Bryan Boukari, Editor of the Alachua County Today Newspaper, and Michael Canney. After approximately 1 hour of record inspecting (approximately 1200 hours), Henderson told Grapski that it was time to wrap it up for the day. It was lunch hour and the city employees had other duties to attend to. Henderson stated that he noticed a tape recording device on the table. Henderson noticed the red light was blinking. Henderson asked Grapski if the device was recording. Grapski replied yes. Henderson asked Grapski to turn the device off because he did not wish to be recorded. Henderson reported that Grapski told him that he was a public official and had the right to be recorded because this is a public meeting area. Henderson stated that he had to continue speaking with Grapski because he was trying to get him to leave the building. Henderson told Grapski that his time was up and he would have to reschedule for another day. Henderson reported that Grapski wanted to come back at 1300 hours, but was advised that the city staff could be too busy to accommodate him at that time. Henderson stated that when he returned back from lunch at approximately 1350 hours, he was approached by Grapski in the parking lot. Grapski turned on the tape recorder and began asking Henderson about rescheduling the appointment. Henderson advised that he did not answer Grapski's questions because he was on his lunch hour.

I then made contact with Tara Henderson at City Hall. Henderson made the following verbal statement:

Approximately 1200 hours, A. Henderson was telling Grapski that it was time to wrap things up. A. Henderson asked Grapski if he was recording. Grapski stated that he was. A. Henderson asked Grapski to stop recording. Grapski refused and stated

ALACHUA POLICE DEPARTMENT

INCIDENT EVENT REPORT

Event Date: Monday, May 15, 2006

Suspicious Activity

at he could record because A. Henderson was a public official and he has the right to record him.

I attempted to make contact with Boukari, but he was not in the office. Contact will be attempted at a later date and time.

CERTIFICATIONS FOR EVENT 2006005440

Prepared By:

15 Detective Carrie Lund

Signature:

Date:

Reviewed By:

301 Chief Robert E Jernigan

Signature:

Date:

4



ALACHUA POLICE DEPARTMENT OFFENSE EVENT REPORT



Disturbance
Event Date: Monday, June 19, 2006

Event: 2006006909

EVENT: 2006006909 **DATE: 06/19/2006** **TIME RECEIVED: 19:11**

Event Code: 111 Disturbance		Dispatched To: 111 Disturbance	
Event Type: Offense	Reported As: In Progress	Priority: 1	
Address: 15001 NW 140 St	Sector:	Zone:	
City: Alachua	County: Alachua		
State: Florida	Zip Code: 32615	Jurisdiction: Alachua PD	
Remarks: 319 req CR re disturbance at Alachua City Hall	Weapon Reported: UNKNOWN		
Reporting Party: Calderwood, Jean	Telephone:	Origin: Officer Initiated	Dispatcher ID: 108D

OFFENSES 1 **Offenders: 1** **Victims: 0** **Arrests: 0**

OFFENSE 1				Statute: 877 03 Breach Of Peace/disorderly Conduct/fighting/b			
Offense Code: 13C	Intimidation	Offense Status: Completed					
Date: 06/19/2006	Time: 19:11	Forced Entry: NO					
Location: 15001 NW 140 St		Alcohol Involved: NO					
Location Type: Government/Public Building		Drugs Involved: NO					
Criminal Activity: No Drug Activity Reported		Computers Involved: NO					
Bias Motivation: Anti-None	Domestic Violence: NO	Premises Entered: 1					
No Weapons Involved							

NOTES FOR OFFENSE 1
No Notes On File For This Offense.

PERSONS INVOLVED WITH OFFENSE 1

Grapski, Charles J		Age: 41	Offender	
Charge: 87703	Breach Of Peace/disorderly Conduct/fighting/b		Counts: 1	
Arrested: No	Release Type:			
Released: No	Probable Cause: NO probable cause narrative on file for this offender.			
Arresting Agency: Not On Record	White Non-Hispanic Male		Date of Birth: 06/09/1965	
Agency ORI: Not On Record	Height: 5'09"	Weight:	Hair: Blonde	Eyes: Blue
Arresting Officer: Not On Record	Birth Place: Not On Record		Citizenship: Not On Record	
Officer ID & Rank: Not On Record				
Occupation: Not On Record				
Employer: Not On Record				
Telephones: No Telephone Records On File	Addresses: 5803 CR 352	Keystone Heights, FL 32656	Residence	
Notes: None on file for this person record..				

Jernigan, Robert E	Age: N/A	[Employee]	Offender
(Restricted Employee Information)			
Notes: None on file for this person record..			

Baldree, William	Age: N/A	[Employee]	Offender
(Restricted Employee Information)			
Notes: None on file for this person record..			

**ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT**

Event Date: Monday, June 19, 2006
Disturbance

PROPERTY INVOLVED WITH OFFENSE 1

Video Disk	Item: 1	Link: 1015933	Value: \$ 0.00
Make:	Quantity: 1.0	Units (Each)	Type: Miscellaneous
Model:	Category: Physical Evidence	Evidence: Yes	Impounded: No
Serial Number:		License Tag:	Tag State:
Color:			
Year:		OAN:	
Owner:		Recovered: No	
Contact:			
Disposition:			
Notes: None on file for this property record.			

OTHER PERSONS INVOLVED IN EVENT 2006006909

Calderwood, Jean	Age: N/A	Complainant
Occupation: Mayor	White Non-Hispanic Female	Date of Birth: / /
Employer: City of Alachua	Height: Weight: Hair:	Eyes:
Telephones:	Addresses:	
No Telephone Records On File	No Address Records On File	
Notes: None on file for this person record..		

OTHER PROPERTY INVOLVED IN EVENT 2006006909

No other property records on file for this event.

VEHICLES INVOLVED IN EVENT 2006006909

Tag	Type	Year	Make	Model	Color	VIN
No vehicle records on file for this event.						

PRIMARY NARRATIVE FOR EVENT 2006006909

On 6/20/06 the City of Alachua Commission Meeting started at 1900 hours. Mayor Jean Calderwood stated that the chair had three items that we would like to modify on the agenda. At that point Grapski interrupted the Mayor three times stating "Parliamentary Inquiry". Mayor Calderwood then stated to Grapski. "Let me explain something Mr. Grapski". Grapski interrupted again stating "I'm asking for parliamentary inquiry". Mayor Calderwood then advised Grapski that this is not the proper time to ask for parliamentary. Grapski interrupted again and stated "Parliamentary Inquiry is a question as to when in the proper rule. I'm asking for you to tell me what the rules and procedures say, if the clerk could read the rules and procedures of the City of Alachua. Mayor Calderwood then stated that she would read the rules. Grapski then stated "As to Robert's Rules of Order and do they apply and how can a member of the public inquire as to the procedure when the City is about to violate the law or its rules". Mayor Calderwood then stated "We expect everyone to behave in a civil manner. We expect everyone to abide by certain manners that doesn't deprive other citizens from participating in a meeting. We don't allow one person to deprive other people from their rights as well. Now I will read you our procedures. Thank you". Mayor Calderwood then read the procedures without interruption from Grapski. Upon completion of reading the procedures, Mayor Calderwood stated "I am going to call you out of order just as our rules have said". Grapski then stated "Point of order". Mayor Calderwood then asked Grapski to have a seat. Grapski did not follow Mayor Calderwood's request and continued to speak

ALACHUA POLICE DEPARTMENT

OFFENSE EVENT REPORT

Event Date: Monday, June 19, 2006

Disturbance

of order. Mayor Calderwood then stated "Chief Jernigan, would you ask Mr. Grapski to please leave the meeting room". At that time Chief Jernigan and myself approached Grapski and Chief Jernigan asked him several times to leave. Chief Jernigan then placed his hand on Grapski's left shoulder. Grapski pulled away and said to Chief Jernigan, "Get your hands off me". When he refused to leave, Chief Jernigan and I escorted him out of City Hall. Mayor Calderwood again advised Grapski that she had ruled him out of order. After escorting Grapski outside the Commission room, Grapski called Chief Jernigan "a fucking punk" and told me "fuck you" numerous times and told both us that we needed to learn the fucking law. There were several juveniles present at the meeting that were exposed to Grapski's inappropriate behavior. Grapski was told that he could not return to the meeting. A sworn complaint is being filed against Grapski for Breach of the Peace/Disorderly Conduct.

CERTIFICATIONS FOR EVENT 2006006909

Prepared By:

319 Officer William Baldree

Signature:

Date:

Reviewed By:

319 Officer William Baldree

Signature:

Date:

EIGHTH JUDICIAL CIRCUIT

OBTS NUMBER: _____ AGENCY CASE REPORT NUMBER: 1500144140

NAME OF SUBJECT (LAST, FIRST, MI): Christina, Daniela ALIAS/MAIDEN: _____

911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.): 3000 E 37th CITY: Rockledge STATE: FL ZIP CODE: 32955 TELEPHONE NUMBER: _____

BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NUMBER: _____

MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS): _____ SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION): _____

RACE: WHITE AMERICAN INDIAN BLACK ASIAN / ORIENTAL SEX: W DATE OF BIRTH: 02/03/85 HEIGHT: 5'0" WEIGHT: _____ HAIR COLOR: Brown EYE COLOR: Blue COMPLEXION: Fair BUILD: Med

DRIVER'S LICENSE / STATE ID NUMBER: _____ STATE OF DL / ID: FL SOCIAL SECURITY NUMBER: _____ PHOTO NUMBER: _____ PLACE OF BIRTH: _____ COUNTRY OF CITIZENSHIP: _____

SPN NUMBER: _____ AGENCY ORI NUMBER: 1500144140 SO ID / AGENCY ID / NUMBER: _____ BOOKING NUMBER: _____

LOCATION OF ARREST: _____ DATE OF ARREST: _____ TIME OF ARREST (MILITARY): _____ DATE OF BOOKING: _____ TIME OF BOOKING (MILITARY): _____

SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.): Victim SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.): Known to officer

CO-DEF. #1 (NAME): _____ DATE OF BIRTH: _____ RACE: _____ SEX: _____ COURT NUMBER: _____ ARRESTED SWORN COMPLAINT FELONY MISDEMEANOR JUVENILE: YES NO

#2 (NAME): _____ DATE OF BIRTH: _____ RACE: _____ SEX: _____ COURT NUMBER: _____ ARRESTED SWORN COMPLAINT FELONY MISDEMEANOR JUVENILE: YES NO

JUVENILE JUVENILE DISPOSITION: RELEASED TO JAC ISSUED TO AN ANNUAL REVIEW NAME OF PARENT / GUARDIAN (NOTIFIED YES NO): _____ WORK TELEPHONE NUMBER: _____

PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT #, PO BOX, ETC.): _____ CITY: _____ STATE: _____ ZIP CODE: _____ HOME TELEPHONE NUMBER: _____

WITNESS #1 (NAME): _____ ADDRESS: _____ TELEPHONE NUMBER: _____

#2 (NAME): _____ ADDRESS: _____ TELEPHONE NUMBER: _____

CHARGE 1 OFFENSE DESCRIPTION: Owner of the Vehicle / Drive Privilege FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: 877.03 VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION CAPIAS NUMBER: _____ DATE OF OFFENSE: 08/10/08 TIME OF OFFENSE: 1711 BAIL AMOUNT: _____ VICTIM'S TELEPHONE NUMBER: (888) 442-1234

VICTIM (NAME): John B. Christopher ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): 1500144140 St CITY: Altamonte STATE: FL ZIP CODE: 32615

CHARGE 2 OFFENSE DESCRIPTION: _____ FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: _____ VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION CAPIAS NUMBER: _____ DATE OF OFFENSE: _____ TIME OF OFFENSE: _____ BAIL AMOUNT: _____ VICTIM'S TELEPHONE NUMBER: _____

VICTIM (NAME): _____ ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): _____ CITY: _____ STATE: _____ ZIP CODE: _____

THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS/LOCATION): 1500144140 St CITY OF: Altamonte COUNTY OF: Alachua STATE OF: FL, FL, FL

PROSECUTIVE SUMMARY: During a traffic enforcement procedure for the City of Altamonte, the Defendant was stopped on 8/10/08. The Defendant was advised of the violation and the consequences. The Defendant refused to comply with the officer's orders to sit down. The Defendant became agitated and was asked to leave. The Defendant refused to leave. The officer arrested the Defendant for disorderly conduct.

MANDATORY APPEARANCE IN COURT AT: _____ DATE OF APPEARANCE: _____ TIME OF APPEARANCE: AM PM

I AGREE AND PROMISE TO COMPLY AND ANSWER THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS NOTICE TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS.

DEFENDANT (SIGNATURE): _____ DATE: _____

JURAT I SWEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME (PRINT): Christina Daniela SIGNATURE: _____ AGENCY: Altamonte Police Dept LEO ID NUMBER: 31

WITNESS NAME: _____ SIGNATURE: _____ TITLE: _____

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Alachua Police Department

P.O. Box 910
Alachua, Florida 32616-0910

Chief Robert E. Jernigan

(386) 462-1396

December 18, 2006

State Attorney's Office
Attn: Bill Cervone
P.O. Box 1437
Gainesville, Florida 32602

Dear Mr. Cervone:

On 12/08/06 at 1545 hours an incident involving Charles Grapski and Michael Canney occurred at City Hall located at 15001 NW 140th Street in Alachua. The City at the time had barricaded the area around City Hall as heavy equipment was being utilized to remove dirt and curbing from the parking lot.

Michael Canney approached Mr. Sodek with a video camera in hand. Mr. Sodek asked Mr. Canney to step back behind the barricades for his own safety. Mr. Canney then asked Mr. Sodek about temporary buildings and the status of the City Hall fire. Mr. Sodek responded that we did not have a definitive answer from the fire marshal. A few minutes later Mr. Canney and Mr. Grapski had crossed the barricades again and were filming operations next to the Fire Station dumpster. They then proceeded around the temporary buildings and were observed adjacent to City Hall filming through the windows. Mr. Sodek approached them again and asked what they did not understand at which time Mr. Grapski indicated that Mr. Sodek had never asked him anything and that he did not understand anything. Mr. Sodek then walked away and called the Alachua Police Department. Mr. Grapski then asked Mr. Sodek if he was going to have him arrested. Mr. Sodek gave no response. Upon arrival of Officer Chalker, he observed Mr. Canney and Mr. Grapski walking across SR 235 towards a vehicle that was parked in the City Hall parking lot.

The purpose of this letter is to inform you of the continued unacceptable behavior of both Michael Canney and Charles Grapski. Had either one of them been injured in the construction area, the City of Alachua would have been liable. Although the City of Alachua is not interested in filing any charges reference this incident, we would like for you to be aware of the continued harassment and defiance that these two individuals exhibit to city staff while on City property.

Sincerely,

A handwritten signature in cursive script that reads "Robert Jernigan".

Robert Jernigan
Chief of Police

**ALACHUA POLICE DEPARTMENT
INCIDENT EVENT REPORT**

Event Date: Friday, December 8, 2006
Suspicious Activity

EVENT: 2006013465 DATE: 12/08/2006 TIME RECEIVED: 15:47

Code: 13A Suspicious Activity Incident Type: Incident Address: 15001 NW 140 St City: Alachua State: Florida Zip Code: 32615 Remarks:	Dispatched As: 13A Suspicious Activity Reported As: In Progress Priority: 1 Sector: Zone: County: Alachua Jurisdiction: Alachua PD Weapon Reported:
Reporting Party: Telephone: Origin: Dispatched Dispatcher ID:	

PERSONS INVOLVED IN EVENT 2006013465

Canney, Michael Age: 54 Occupation: Not On Record Employer: Not On Record	Date of Birth: 11/08/1952 Height: 5'10" Race: White Weight: Ethnicity: Non-Hispanic Hair Color: Brown Sex: Male Eye Color: SSN: 261-21-2746 Skin: Light
Telephones: Addresses:	
No Telephone Records On File 15319 NW 140 ST Alachua, FL 32615 Residence	

Notes: None on file for this person record..

Sodek, Frank III Age: 61 Occupation: Not On Record Employer: Not On Record	Date of Birth: 02/08/1945 Height: 5'10" Race: White Weight: 190 Ethnicity: Hair Color: Brown Sex: Male Eye Color: Brown SSN: - - Skin:
Telephones: Addresses:	
(386) 462-1231 Business 15001 NW 140 St Alachua, FL 32615 Business	

Notes: None on file for this person record..

Grapski, Charles J Age: 41 Occupation: Professor Employer: University of Florida	Date of Birth: 06/09/1965 Height: 5'09" Race: Weight: Ethnicity: Hair Color: Blonde Sex: Eye Color: Blue SSN: Skin: Medium
Telephones: Addresses:	
No Telephone Records On File 5803 CR 352 Keystone H gh 32656 Residence	

Notes: None on file for this person record..

PROPERTY INVOLVED IN EVENT 2006013465

No property records on file for this offense.

ALACHUA POLICE DEPARTMENT

INCIDENT EVENT REPORT

Event Date: Friday, December 8, 2006

Suspicious Activity

Event: 2006013465

VEHICLES INVOLVED IN EVENT 2006013465

Type	Year	Make	Model	Color	VIN
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No vehicle records on file for this event.

PRIMARY NARRATIVE FOR EVENT 2006013465

On the above date and time I responded to 15001 NW 140 Street (City Hall). Upon arrival I made contact with Frank Sodek. Sodek advised that Charles Grapski and Michael Canney were seen walking inside the barricaded area around City Hall filming with a video camera. Sodek asked Grapski and Canney to step back behind the barricades for their own protection. Heavy equipment was in the process of removing dirt and curbing from the parking lot at the time. Grapski and Canney continued to walk the property with video camera in hand, ignoring Sodek's request to stay behind the barricades. Sodek again asked Grapski and Canney to step behind the barricades. Grapski advised that he was never asked to step back, and again continued to film the inside of City Hall. Sodek advised he then called the Alachua Police Department. Grapski was seen walking from across the street with Canney to his vehicle, where both left the area. A report was filed on this incident to document future events. A statement was filled out by Sodek and is attached. The scene was cleared without incident.

CERTIFICATIONS FOR EVENT 2006013465

Prepared By: <i>D. Chalker</i>	Signature: <i>[Signature]</i> 333	Date: 12/8/06
Reviewed By: SGT. WILLIAM BALDREE 319	Signature: <i>[Signature]</i>	Date: 12/08/06

STATEMENT

Fill Out in Full Detail

Agency: <u>Alachua Police Dept.</u>	Agency Case #:
Date & Time Given: <u>12/31/06 @ 17:00</u>	Location Given: <u>City Hall</u>
Offense:	Location of Offense:
Date & Time of Offense: <u>5:00 @ DEC 06</u>	Susp./Def. Name/Sex/Race:

PERSON MAKING STATEMENT

Name: <u>FRANK SODEK, III</u>	Sex:	Race:	Age:	D.O.B.:
Address:	Zip:	Ph:		
Name & Address: <u>CITY OF ALACHUA PO BOX 9 ALACHUA FL</u>	Zip: <u>32616</u>	Ph: <u>386-462-6689</u>		
Relationship to Kin (Not Living With Witness):	Home Ph:	Bus. Ph:		
Address:	Zip:			

FRANK SODEK, III, do hereby voluntarily make the following statement without threat, coercion, offer of benefit or favor by any persons whomsoever.

I observed Michael Conroy and Charlie Hrapetski inside the barricade on the south side of City Hall. Conroy approached me with video camera in hand. I asked him to please step back behind barricade for his own safety since we were removing curbing and fill from the parking area with heavy equipment. He asked about temp bldgs and status of City Hall fire investigation. I indicated that we did not have a definitive answer from the fire marshall. Several minutes later Conroy & Hrapetski had crossed the barricade again and were filming operations next to the Fire Station dumpster. They then proceeded around the temp bldgs and were observed adjacent to City Hall filming through the windows. I approached them and asked what they did not understand at which time Hrapetski indicated that I had just asked him anything and that he did not understand anything. I then walked away and called APD. Hrapetski asked if I was going to have him arrested. I gave no response.

Subscribed Before me, the Undersigned Authority

Day of December, 20 06

333
L.E.O. of the Eighth Judicial Circuit

I swear/affirm the above and/or attached statements are correct and true.

Signature: Frank Sodek III
Page 1 of 1

6



Alachua Police Department

P.O. Box 910
Alachua, Florida 32616-0910

Chief Robert E. Jernigan

(386) 462-1396

February 8, 2007

State Attorney's Office
Attn: Bill Cervone
P.O. Box 1437
Gainesville, Florida 32602

Dear Mr. Cervone:

On 2/6/07 an incident involving Charles Grapski and Michael Canney occurred at City Hall located at 15001 NW 140th Street in Alachua. The entire incident was video taped by Michael Canney and put on their website "freealachua.org". Mr. Grapski was demanding to inspect Clovis Watson Jr. and Deputy City Clerk, Alan Henderson's computer as well as other demands. Mr. Grapski was very unruly and disruptive while inside of City Hall. Other employees in City Hall described their discomfort and inability to conduct City business during Grapski's tirade.

Again, this is another incident where Mr. Grapski displays unacceptable behavior at City Hall while the employees are trying to conduct City business. Although the City of Alachua is not interested in filing charges reference this incident, we would like for you to be aware of the continued harassment and disruptive behavior that Mr. Grapski exhibits while at City Hall.

Sincerely,

A handwritten signature in cursive script that reads "Robert Jernigan".

Robert Jernigan
Chief of Police



**ALACHUA POLICE DEPARTMENT
INCIDENT EVENT REPORT**



Verbal Dispute
Event Date: Wednesday, February 7, 2007

Event: 2007001426

NT: 2007001426

DATE: 02/07/2007

TIME RECEIVED: 16:28

Incident Code: 22V Verbal Dispute

Dispatched As: 22V Verbal Dispute

Event Type: Incident

Reported As: In Progress

Priority: 2

Address: 15001 NW 140 St

Sector:

Zone:

City: Alachua

County: Alachua

State: Florida

Zip Code: 32615

Jurisdiction: Alachua PD

Weapon Reported: UNKNOWN

Remarks: 301 adv'd incident occurred 2/6/07@ 1620

Reporting Party:

Telephone:

Origin: Officer Initiated

Dispatcher ID: 115D

PERSONS INVOLVED IN EVENT 2007001426

Grapski, Charles J	Age: 41	Suspect
Occupation: Professor Employer: University of Florida	White Non-Hispanic Male Height: 5'09" Weight: Hair: Blonde	Date of Birth: 06/09/1965 Eyes: Blue
Telephones: No Telephone Records On File	Addresses: 5803 CR 352	Keystone Heights, FL 32656 Residence
Notes: None on file for this person record..		

Clovis Jr (Restricted Employee Information) Watson	Age: N/A	[Employee]	Victim/Complainant
Notes: None on file for this person record..			

Henderson, Tara	Age: 31	Witness
Occupation: Exec Asst Employer: City of Alachua	White Non-Hispanic Female Height: Weight: Hair: Brown	Date of Birth: 08/03/1975 Eyes: Blue
Telephones: (386) 454-1458 Residential (386) 418-3577 Residential (386) 462-1396 Business	Addresses: PO BOX 9 20810 NW CR 236 15001 NW140St 12714 NW 202 St	Alachua, FL 32615 High Springs, FL 32643 Alachua, FL 32615 Alachua, FL 32615 Mailing Address Residence Business Residence
Notes: None on file for this person record..		

Morgan, Jeffrey R	Age: 21	Witness
Occupation: IT Employer: City Of Alachua	White Male Height: 5'08" Weight: Hair:	Date of Birth: 02/27/1985 Eyes:
Telephones: (407) 513-4659 Residential	Addresses: 20815 NW 74 Pl	Alachua, FL 32615 Parent's Home

**ALACHUA POLICE DEPARTMENT
INCIDENT EVENT REPORT**

Event Date: Wednesday, February 7, 2007
Verbal Dispute

Event: 2007001426

2500 E Crooked Lake Club Blvd

Eutis, FL 32726

Residence

Notes: None on file for this person record..

Henderson, Alan		Age: 63	Witness
Occupation: Deputy City Clerk Employer: City of Alachua		White Non-Hispanic Male Height: 6'04" Weight: Hair: Brown	Date of Birth: 01/12/1944 Eyes: Brown
Telephones: (386) 462-1231 Business		Addresses: PO BOX 9 15001 NW 140 St	Mailing Address Business
Notes: None on file for this person record..			

Morgan, Diane		Age: N/A	Witness
Occupation: Not On Record Employer: Not On Record		White Female Height: Weight: Hair:	Date of Birth: / / Eyes:
Telephones: No Telephone Records On File		Addresses: No Address Records On File	
Notes: None on file for this person record..			

Canney, Michael		Age: 54	Other
Occupation: Not On Record Employer: Not On Record		White Non-Hispanic Male Height: 5'10" Weight: Hair: Brown	Date of Birth: 11/08/1952 Eyes:
Telephones: (386) 418-3791 Residential		Addresses: PO Box 1901 15319 NW 140 S T	Mailing Address Residence
Notes: None on file for this person record..			

PROPERTY INVOLVED IN EVENT 2007001426

No property records on file for this offense.

VEHICLES INVOLVED IN EVENT 2007001426

Tag	Type	Year	Make	Model	Color	VIN
-----	------	------	------	-------	-------	-----

No vehicle records on file for this event.

PRIMARY NARRATIVE FOR EVENT 2007001426

2/7/07 City Manager Clovis Watson Jr. advised me that on 2/6/07 at approximately 4:30 PM, Mr. Grapski entered City Hall, advised by Mr. Michael Canney who videotaped the entire incident, which has since been posted on the "free alachua" website.

ALACHUA POLICE DEPARTMENT

INCIDENT EVENT REPORT

Event Date: Wednesday, February 7, 2007

Verbal Dispute

son stated that while Mr. Grapski was in City Hall, he behaved in an unruly and disruptive manner. Watson advised that was eating lunch when the two entered, and advised them that he would prefer not to be recorded while he was trying to eat his lunch. Watson further stated that while he tried to talk to Mr. Grapski in a calm and professional manner, Mr. Grapski continued to raise his voice and make demands to inspect his computer as well as the Deputy Clerk's by way of his hestoring tactics. Mr. Grapski's behavior continued for nearly twenty minutes and went past the normal hours of operation at City Hall. In fact, staff had to wait for Mr. Grapski and Mr. Canney to leave in order to lock the building for closing, as they normally do at 4:30 PM each day. As Watson was exiting the building to attend another meeting, Mr. Grapski and Mr. Canney followed Watson through the parking lot to his vehicle. Mr. Grapski persisted with his demands, and Watson had to ask him to please move so that he could enter his vehicle. Watson stated that these repeated outbursts were extremely disruptive to the working environment and put employees in a very vulnerable situation. Statements from other employees who were present during the incident describe their discomfort and inability to conduct City business during Grapski's tirade.

Mr. Watson requested that I forward a copy of all documentation regarding this incident to the State Attorney's Office, not for prosecution, but to keep the State Attorney's Office abreast of the disruptive actions of Mr. Charles Grapski and Mr. Michael Canney.

The following is attached with this incident report.

- (1) Memo from Clovis Watson Jr. to Chief Jernigan
- (2) Memo from Clovis Watson Jr. to Mayor & City Commissioners
- (3) Letter from Clovis Watson Jr. to Pat Gleason, Director of Cabinet Affairs and Special Counsel for Open Government
- (4) Statement of Incident: J.R. Morgan
- (5) Statement of Incident: Tara Henderson
- (6) Statement of Incident: Diane Morgan
- (7) Statement of Incident: Alan Henderson
- (8) DVD of Incident


CERTIFICATIONS FOR EVENT 2007001426

Prepared By: 301 Chief Robert E Jernigan	Signature: <i>Robert E. Jernigan</i>	Date: 2-8-07
Reviewed By: 301 Chief Robert E Jernigan	Signature: <i>Robert E. Jernigan</i>	Date: 2-8-07



City of Alachua

15001 Northwest 140th Street
Post Office Box 9
Alachua, Florida 32615
Phone: (386) 462-1231
Fax: (386) 462-1985

FROM: J.R. Morgan
IT Department 

DATE: February 6, 2007

RE: Statement of Incident: Workplace Disruption

At approximately 4:20PM on February 6, 2007 Charles Grapski persistently disrupted the workplace in the Administrative Offices building of Alachua City Hall, interrupting communication and collaboration between myself and co-workers in the adjacent building. While demanding public records from Mr. Watson, he continued to increase the volume of his voice, in spite of Clovis Watson's polite attempts to quiet Mr. Grapski. After several minutes of one-sided conversation, Mr. Grapski briefly mentioned he would independently consult me for electronic public records and/or personal workstation access, as opposed to filing these requests with the appropriate department(s). This disorder continued until City Manager Clovis Watson left the premise to attend an off-site meeting, wherein Grapski and Canney persisted to harass Mr. Watson until he entered his vehicle.

Please contact me if you have any further questions or comments. Thank you.


J.R. Morgan

J.R. Morgan

◆ IT Department ◆

Systems Administrator

Tuesday, 02/06/2007, 4:20PM

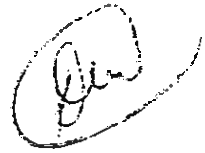
On the above date and time, Mr. Charles Grapski entered the Administration unit of the temporary City Hall facilities accompanied by Mr. Michael Carney, who had a video recording device in his hand. City Manager Clovis Watson, Jr. was attempting to eat his lunch when the two entered the office. Mr. Grapski immediately began questioning Mr. Watson about public records, demanding an immediate response. Mr. Watson advised he was trying to eat his lunch and that he would prefer not to be recorded while doing so.

Mr. Grapski continued with his demands to the extent that I considered him to be badgering Mr. Watson. Mr. Watson repeatedly advised that he would not have further discussion with Mr. Grapski due to pending litigation he has filed against the City, and asked Mr. Grapski to lower his voice as he was being extremely disruptive to the employees in the office. During this time, I received two phone calls and had a very difficult time hearing the callers over Mr. Grapski.

This continued for about twenty minutes, until Mr. Watson excused himself to go to his next meeting. Mr. Grapski and Mr. Carney followed Mr. Watson out the door and continued to record him through the parking lot as he was walking to his car. Mr. Watson maintained his composure and politely responded throughout Mr. Grapski's verbal assault.

~~11~~
2-6-07

Statement from Diane Morgan Referencing Incident on February 6, 2007:



At approximately 4:20 p.m. on Tuesday, February 06, 2007, I was working at my desk in our temporary City Hall Administration Building when I heard Mr. Grapski's voice coming from the front door area. Although I did not physically see Mr. Grapski because of the location of my work desk, I heard him plainly. Our City Manager, Clovis Watson, Jr. had only entered the building minutes before and was proceeding to eat his lunch. City Manager Watson calmly and politely explained to Mr. Grapski that he could not speak with him at this time. Mr. Grapski only became more irate and his voice continually escalated until it was almost a shout. Again, City Manager Watson asked him to please quiet down as staff was trying to work in the building. Mr. Grapski denied he was shouting and continued his tirade for approximately 15 to 20 minutes until I heard City Manager Watson ask him to step outside.

I was appalled at the tone and the demeanor that Mr. Grapski approached our City Manager with. I have worked in different professions throughout my career and have never encountered anyone who spoke so persistent, hateful, and degrading in any of my work environments. Mr. Grapski made myself, and I am sure the others in the building as well, very uncomfortable with his outburst that was totally uncalled for. Although City Manager Watson stayed calm throughout the incident, I felt Mr. Grapski was losing control and went way beyond the bounds of propriety.

February 7, 2007

Clovis Watson, Jr.
City Manager

From: Alan Henderson
Deputy City Clerk

I was appalled at the disrespectful, disruptive tirade unleashed by Charles Grapski in the City Hall trailer yesterday. To hear him hector and disrespect you and your position was gut-wrenching. Seldom have I seen a ruder, more demeaning, and demanding person than Grapski.

One thing I must mention in light of his repeated demands to you. He constantly reiterated that he has not been provided with one of his requests—the files on your and my computer prior to the fire. This is erroneous and unfair. This is because his original demand was for “the directory of files and folder”, which everyone agrees is simply an electronic index that disappears every time the computer is shut down, and changes whenever something is added or deleted. This is also not considered a document by the State people responsible for records and retention.

What he did was to demand something for which he never submitted a request—to inspect the computers and the files in question. This, in effect, was a request that we have not received until yesterday, when he changed his request. For us to comply with this request, we must have J.R. Morgan ascertain that the hard drives are indeed intact. Then we must review the contents for items that are exempt or privileged.

We could not have complied with that request until that takes place. Since he arrived a few minutes prior to closing, he was in effect asking us to drop everything, stay after hours and allow him to inspect information that may be deemed outside the scope of Chapter 119.

As to his loud, abrasive and disruptive behavior, I thank you for handling yourself in such a calm and professional manner—it kept all of us from feeling like we were about to be assaulted by this person. I have experienced such attacks by this person on more than one occasion last year, and find it unsettling, unprofessional and threatening.

It was doubly so, because he came in so close to closing time, and continued his tirade well past time for us to lock the door at 4:30, as we always do. I, personally, felt trapped by his presence, and did not feel secure until he followed you to your car and we were finally able to lock up.

City of Alachua

15001 Northwest 140th Street
Post Office Box 9
Alachua, Florida 32615
Phone: (386) 462-1231
Fax: (386) 462-1985

7 February 2007

To: Robert Jernigan
Chief of Police

From: ~~/~~ Clovis Watson, Jr., MPA
City Manager

Re: **DISORDERLY CONDUCT – CHARLES GRAPSKI**

This memo is to inform you of an incident involving Mr. Grapski that occurred in City Hall yesterday (Tuesday, 02/06/2007), at approximately 4:20pm, during which Mr. Grapski behaved in an unruly and disruptive manner. Grapski entered City Hall followed by Mr. Michael Canney who videotaped the entire incident, which has since been posted on the "free alachua" website. I was eating a very late lunch when the two entered, and advised that I would prefer not to be recorded while trying to eat my lunch. A copy of the videotape has been included for your review. As you will see, despite speaking to Grapski in a calm and professional manner, he continued to raise his voice and make demands to inspect my computer as well as the Deputy Clerk's by way of his hectoring tactics.

Mr. Grapski's behavior continued for nearly twenty minutes and went well past our normal hours of operation. In fact, staff had to wait for Mr. Grapski and Mr. Canney to leave in order to lock the building for closing, as they normally do at 4:30PM each day. As I was exiting the building to attend another meeting, Mr. Grapski and Mr. Canney followed me through the parking lot to my vehicle. Mr. Grapski persisted with his demands, and I even had to ask him to please move so that I could enter my vehicle. These repeated outbursts are extremely disruptive to the working environment and put employees in a very vulnerable situation. Please also find statements from other employees who were present during the incident (attached), in which they describe their discomfort and inability to conduct City business during Grapski's tirade.

I look forward to meeting with you for further discussion on ways for the City to address this issue.

ATTACHMENTS

Clovis Watson, Jr. ♦ City Manager

7

City of Alachua

15001 Northwest 140th Street
Post Office Box 9
Alachua, Florida 32615
Phone: (386)462-1231
Fax: (386) 462-1985

TO: Madam Mayor & Commissioners
FROM: ~~Clovis~~ Watson, Jr., MPA
City Manager
DATE: February 7, 2007
RE: Grapski incident in City Hall

I am providing you with a video and staff reaction to a commotion caused by Charles Grapski late afternoon yesterday. The video certainly speaks for itself, as do the staff reports.

I have given the information to Chief Jernigan, and asked that he contact the States Attorney regarding what we consider disorderly conduct.

In addition, he totally disrupted the schedule we follow at 4:30; closing to the public so staff may make certain there are no loose ends. His presence short-circuited that and they were not able to lock the door until I left for my next meeting at 4:45, with Grapski trailing me all the way to my car.

I will keep you apprised of future developments in this matter, and stand ready to answer any questions you may have.

Clovis Watson, Jr. ♦ City Manager



City of Alachua

The Good Life
Community
Celebrating a Century
1905-2005

Clovis Watson, Jr., MPA
City Manager

Dean Calderwood
Mayor

Jim Coerper
Vice-Mayor

James Lewis
Commissioner

Orien Hills
Commissioner

Tonnie Burgess
Commissioner

February 7, 2007

Pat Gleason
Director of Cabinet Affairs and Special Counsel for Open Government
Executive Office of the Governor
The Capitol
Tallahassee, FL 32399

Dear Ms. Gleason,

In my effort to fulfill my pledge to make Alachua a model open government city, I am forwarding you the enclosed material so that you can help to guide me in a very consternating situation.

We were recently confronted by a very demanding and abrasive individual to whom we have supplied thousands of documents. In every case, he has complained that he did not get what he was looking for, or that we had not responded to his request, or some other complaint. This latest confrontation is representative of our dealings with him for the past year. The DVD video speaks for itself. No public official should be subjected to such disrespectful and demeaning behavior.

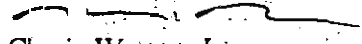
My question is this: The person said he wants to inspect the files on the computers used by me and our Deputy City Clerk. Both of these machines contain a mix of sensitive material which includes personnel, law enforcement and attorney privilege information. In other words, he wants total access to the hard drives for whatever his purposes.

Additionally, this individual is currently suing the City, and had another lawsuit dismissed last month in our favor.

Am I correct in stating that such a request is only fulfilled under court order? This appears to go well beyond the intent and spirit of Chapter 119. We have complied with his previous requests, many of which involved voluminous information and extensive staff time, for which he refuses to pay reasonable charges.

I look to you for guidance in this matter, as to the current request, and to future similar requests which seem to be well outside 119. This whole scenario appears to be one that fits well with the mission of the open government goal in Florida—a test case, if you will.

I await your assessment of this matter, and thank you in advance for your assistance.


Clovis Watson, Jr.
City Manager

Cc: Madam Mayor & Commissioners
City Attorney Marian Rush

15001 NW 140th St.
Alachua, Florida
32615

P.O. Box 9
32616

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**ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT**



Trespass
Event Date: Monday, February 12, 2007

Event: 2007001648

EVENT: 2007001648

DATE: 02/12/2007

TIME RECEIVED: 13:47

Event Code: 22T Trespass	Dispatched As: 50A Assist Agency	Priority: 1
Event Type: Offense	Reported As: In Progress	
Address: 15001 NW 140 St	Sector:	Zone:
City: Alachua	County: Alachua	
State: Florida	Zip Code: 32615	Jurisdiction: Alachua PD
Remarks: Re Grapski S-22D at city hall 1502 301 adv ASO 10-97	Weapon Reported: UNKNOWN	
Reporting Party: Watson, Clovis Jr	Telephone:	Origin: Officer Initiated
		Dispatcher ID: 115D

OFFENSES 2

Offenders: 1

Victims: 1

Arrests: 0

OFFENSE 1 Statute: 810 09 Trespass Property Other Than Structure/convey

Offense Code: 90Z All Other Offenses	Offense Status: Completed
Date: 02/12/2007 Time: 13:52	Forced Entry: NO
Location: 15001 NW 140 St	Alcohol Involved: NO
Location Type: Government/Public Building	Drugs Involved: NO
Criminal Activity: No Drug Activity Reported	Computers Involved: NO
Bias Motivation: Anti-None	Domestic Violence: NO
No Weapons Involved	Premises Entered: 0

NOTES FOR OFFENSE 1

No Notes On File For This Offense.

PERSONS INVOLVED WITH OFFENSE 1

Watson, Clovis Jr	Age: N/A	[Employee]	Complainant
(Restricted Employee Information)			
Notes: None on file for this person record.			

Grapski, Charles J	Age: 41	Offender
Charge: 810 09 Trespass Property Other Than Structure/convey	Counts: 1	
Arrested: No	Release Type:	
Released: No	Probable Cause: No probable cause narrative on file for this offender.	
Arresting Agency: Not On Record	White Non-Hispanic Male	Date of Birth: 06/09/1965
Agency ORI: Not On Record	Height: 5'09" Weight: Hair: Blonde	Eyes: Blue
Arresting Officer: Not On Record		
Officer ID & Rank: Not On Record		
Occupation: Not On Record	Birth Place: Not On Record	Citizenship: Not On Record
Employer: Not On Record		
Notes: None on file for this person record.		

City of Alachua	Age: N/A	Victim/Complainant
Victim Type: Government	Non-Hispanic	Date of Birth: / /
Injury Type:	Height: Weight: Hair:	Eyes:
Extent of Injury:		
Victim-Offender Relation:		
Occupation: Not On Record		

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Event Date: Monday, February 12, 2007
Trespass

Event: 2007001648

Employer: Not On Record

Notes: None on file for this person record..

PROPERTY INVOLVED WITH OFFENSE 1

No property records on file for this offense.

OFFENSE 2 Statute: 877 03 Breach Of Peace/disorderly Conduct/fighting/b

Offense Code: 90Z All Other Offenses	Offense Status: Completed
Date: 02/12/2007 Time: 13:52	Forced Entry: NO
Location: 15001 NW 140 St	Alcohol Involved: NO
Location Type: Government/Public Building	Drugs Involved: NO
Criminal Activity: No Drug Activity Reported	Computers Involved: NO
Bias Motivation: Anti-None	Domestic Violence: NO
No Weapons Involved	Premises Entered: 0

NOTES FOR OFFENSE 2

No Notes On File For This Offense.

PERSONS INVOLVED WITH OFFENSE 2

Grapski, Charles J	Age: 41	Offender
Charge: 877 03 Breach Of Peace/disorderly Conduct/fighting/b	Counts: 1	
Arrested: No		
Released: No	Release Type:	

Probable Cause: No probable cause narrative on file for this offender.

Arresting Agency: Not On Record	White Non-Hispanic Male	Date of Birth: 06/09/1965
Agency ORI: Not On Record	Height: 5'09" weight:	Hair: Blonde
Arresting Officer: Not On Record		Eyes: Blue
Officer ID & Rank: Not On Record		
Occupation: Not On Record	Birth Place: Not On Record	Citizenship: Not On Record
Employer: Not On Record		

Notes: None on file for this person record..

Watson, Clovis Jr	Age: N/A	[Employee]	Witness
(Restricted Employee Information)			

Notes: None on file for this person record..

PROPERTY INVOLVED WITH OFFENSE 2

No property records on file for this offense.

OTHER PERSONS INVOLVED IN EVENT 2007001648

No other person records on file for this event.

OTHER PROPERTY INVOLVED IN EVENT 2007001648

No other property records on file for this event.

VEHICLES INVOLVED IN EVENT 2007001648

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Event Date: Monday, February 12, 2007
Trespass

Type

Year

Make

Model

Color

VIN

No vehicle records on file for this event.

PRIMARY NARRATIVE FOR EVENT 2007001648

While on patrol I was advised by Chief Jernigan to come to Alachua City Hall in reference to a disturbance. Upon arrival I noticed City Manager Clovis Watson, Chief Jernigan, Charles Grapski, and an unknown male with a video camera outside the City Hall front door. Grapski was speaking in a louder than normal argumentative tone of voice to City Manager Watson demanding documents. After approximately 5 minutes of Grapski's loud augmented tone, City Manager Watson advised him that he had been disruptive and had the employees inside the City Hall nervous and upset and asked him to leave the premises. Grapski refused to leave and City Manager walked into City Hall. I then walked over to Grapski and advised him he was asked to leave City Hall property. Grapski then spoke to Chief Jernigan and demanded he take action against City Manager Watson for breaking the law by not providing him with the documents he had demanded. Chief Jernigan advised him the documents request was a legal issue for the courts. I then advised Grapski he had been asked to leave the premises. Grapski then turned to me and demanded I take action because he had not received the documents. I then advised Grapski he was trespassing and he needed to leave the premises. I then placed my hand on his shoulder to guide him off the premises. Grapski then advised me to not touch him and told me he wanted the trespass in writing. I advised Grapski that he was disrupting the peace and quite and normal flow of business with his behavior and tone of voice and I would arrest him for disturbing the peace if he did not stop. I advised Grapski to go to my patrol car. While walking Grapski told the Chief that he didn't do his job like last time because he was "A corrupt little shit". I then advised Grapski that his demeanor is constituting disorderly conduct and if he did not stop I would arrest him.

I then had a trespass warning signed by City Manager Watson issued to Grapski. Grapski refused to sign the trespass warning. Grapski then called the Alachua Sheriff's Office to come to the scene. Grapski had walked over to the grass area of City Hall. I advised Grapski he was still on City Hall property and that he needed to go over to the Library property. Grapski then argued that he wasn't on city property and I needed to show him exactly where the City Hall property was. I advised him the grass area was still City Hall property. Grapski refused to leave the grass area that I had advised him was City Hall property.

Instead of causing any further disturbance to the employees at this time, I felt Grapski was far enough away from the City Hall building so the employees could get back to normal business until the Alachua Sheriff's Office could arrive.

Deputy Buckley arrived and spoke with Grapski in reference to his complaint (07-1722). While Deputy Buckley was speaking with Grapski, I noticed I had written a clerical error on the trespass form. I corrected the error and walked over to Grapski to advise him of the error and attempt to correct the error on the copy I made him. Deputy Buckley had the copy so I obtained the copy from him and attempted to correct the error on Grapski's copy out of courtesy. Grapski then lunged at the copy and snatched it out of my hands. I then removed Grapski's hand from the copy. Grapski then attempted to snatch the copy from my hand again. I then gave Grapski back his copy and advised him of the clerical error. I then asked Grapski again if he wanted to sign the trespass warning. Grapski refused again.

I then walked inside City Hall and made a copy of the corrected trespass warning. I then gave the trespass warning to Deputy Buckley. Deputy Buckley then gave Grapski the corrected copy.

Grapski's actions caused disruption of the City Hall employees from conducting the normal flow of business and refused to leave City Hall property after being issued a trespass warning.

I received copies of witness statements from City Hall employees via City Manager Watson. City Hall employees who gave statements were Tracie Cain, Betty O'Dea, Diane Morgan, Alan Henderson, and Tara Henderson.

Attached is a supplement report prepared by Chief Jernigan.

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT ATTACHMENT

Trespass
Event Date: Monday, February 12, 2007

Event: 2007001648

ESPAS	Date: February 13, 2007	Time: 09:00	Event Number: 2007001648
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On 2/12/07 at approximately 1348 hours I went to City Hall and observed Charles Grapski standing outside the door of the building with the City Manager, Clovis Watson Jr. Michael Canney was video taping Clovis Watson Jr. and Charles Grapski. Mr. Watson advised Mr. Grapski that he was creating a disturbance and wanted him to leave the property. I advised Mr. Grapski that he needed to leave the property numerous times. Charles Grapski wanted to file a criminal complaint with me against Mr. Watson for not giving him public records. Officer Jimmy Smith arrived on the scene and instructed Mr. Grapski to leave the premises. Mr. Grapski then wanted to file a criminal complaint with Officer Smith. When it appeared that Mr. Grapski was not going to leave as instructed, Officer Smith placed his hand on the back of his shoulder. Mr. Grapski told Officer Smith not to touch him and that he wanted the trespass in writing. Officer Smith walked over to his patrol vehicle to get a trespass warning form. Mr. Grapski followed Officer Smith and while getting the form, Mr. Grapski called me a "corrupt little shit". Mr. Grapski then walked over to the south end of the City Hall property on the grass. Officer Smith told Mr. Grapski that he was still on City property and needed to walk over to the library property. Mr. Grapski refused to leave the grass area and became argumentive about the property boundaries. Mr. Grapski advised us that he was calling the Alachua County Sheriff's Office. Shortly thereafter Deputy Danny Buckley (ID 505) arrived and spoke with Mr. Grapski. See ASO Report 07-1722.

ATTACHMENT CERTIFICATIONS FOR EVENT 2007001648

Affiant: Robert E Jernigan	Signature:	Date:
Witnessed By: Robert E Jernigan	Signature:	Date:

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Trespass
Event Date: Monday, February 12, 2007

Event: 2007001648

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CERTIFICATIONS FOR EVENT 2007001648

Prepared By: 8 Officer Jimmy J Smith	Signature:	Date:
Reviewed By: 305 Major Clayton K Reiter	Signature:	Date:

DEPENDANT	NAME OF SUBJECT (LAST, FIRST, MI): Grapski, Charles J				ALIAS / MAIDEN:					
	911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.):			CITY:	STATE:	ZIP CODE:	TELEPHONE NUMBER: ()			
	BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):			CITY:	STATE:	ZIP CODE:	TELEPHONE NUMBER: ()			
	MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS): P.O. BOX 190 ALACHUA, FL 32616			SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):						
	<input checked="" type="checkbox"/> WHITE <input type="checkbox"/> BLACK	<input type="checkbox"/> AMERICAN INDIAN <input type="checkbox"/> ASIAN/ORIENTAL	SEX: M	DATE OF BIRTH: 06/09/1965	HEIGHT: 6'00	WEIGHT: 200	HAR COLOR: BLONDE	EYE COLOR: BLUE	COMPLEXION: LIGHT	BUILD: MED
	R:	STATE OF DL/ID: FL	SOCIAL SECURITY NUMBER:	PHOTO NUMBER:	PLACE OF BIRTH: NEW YORK, NY		COUNTRY OF BIRTH: US			
	SUBJECT'S OCCUPATION:		SP NUMBER:	AGENCY OR NUMBER: FL001800	SO ID / AGENCY ID / NUMBER:		BOOKING NUMBER:			
	LOCATION OF ARREST:			DATE OF ARREST:	TIME OF ARREST (MILITARY):	DATE OF BOOKING:	TIME OF BOOKING (MILITARY):			

CO-DEF.	#1 (NAME):				DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> NTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO
	#2 (NAME):				DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> NTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO

JUVENILE	JUVENILE DISPOSITION: <input type="checkbox"/> RELEASED TO JAC <input type="checkbox"/> ISSUED NTA AND RELEASED	NAME OF GUARDIAN/PARENT (NOTIFIED) <input type="checkbox"/> YES <input type="checkbox"/> NO:						WORK TELEPHONE NUMBER: ()
	PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT#, PO BOX, ETC.):			CITY:	STATE:	ZIP CODE:	HOME TELEPHONE NUMBER: ()	

WITNESS	#1 (NAME): CLOVIS WATSON JR	ADDRESS: 15001 NW 140TH STREET ALACHUA FL. 32615					TELEPHONE NUMBER: (386) 462-1321
	#2 (NAME):	ADDRESS:					TELEPHONE NUMBER: ()

CHARGE	OFFENSE DESCRIPTION: TRESPASS AFTER WARNING	<input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NTA	COMPLETE STATUTE / ORDINANCE NUMBER: 810.09	VICTIM NOTIFICATION: ARREST: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> JUVENILE PU ORDER <input type="checkbox"/> CIVIL ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE: 02/12/2007	TIME OF OFFENSE: 1352	BAIL AMOUNT:	VICTIM'S TELEPHONE NUMBER: (386) 462-1321
	VICTIM (NAME): CITY OF ALACHUA	ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): 15001 NW 140TH STREET		CITY: ALACHUA	STATE: FL ZIP CODE: 32615

CHARGE 2	OFFENSE DESCRIPTION: DISORDERLY CONDUCT	<input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NTA	COMPLETE STATUTE / ORDINANCE NUMBER: 877.03	VICTIM NOTIFICATION: ARREST: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> WARRANT <input type="checkbox"/> JUVENILE PU ORDER <input type="checkbox"/> CIVIL ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE: 02/12/2007	TIME OF OFFENSE: 1352	BAIL AMOUNT:	VICTIM'S TELEPHONE NUMBER: ()
	VICTIM (NAME): STATE OF FLORIDA	ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):		CITY:	STATE: ZIP CODE:

PROSECUTIVE SUMMARY	THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS / LOCATION): 15001 NW 140TH STREET		CITY OF: ALACHUA	COUNTY OF: ALACHUA	STATE OF: FLORIDA
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DEFENDANT WAS AT ALACHUA CITY HALL STANDING OUTSIDE THE MAIN DOOR DEMANDING DOCUMENTS FROM THE WITNESS IN A LOUDER THEN NORMAL ARGUMENTATIVE TONE. THE WITNESS ADVISED THE DEFENDANT HE WAS BEING DISRUPTIVE AND MAKING THE EMPLOYEES AT CITY HALL NERVOUS AND UPSET AND ASKED HIM TO LEAVE THE PROPERTY. THE DEFENDANT STAYED ON THE PROPERTY AND CONTINUED TO SPEAK. I THEN INFORMED THE DEFENDANT HE NEEDED TO LEAVE THE PROPERTY. THE DEFENDANT LEFT THE FRONT OF THE BUILDING BUT CONTINUED TO STAY ON CITY HALL PROPERTY. I ADVISED THE DEFENDANT HE WAS STILL ON CITY HALL PROPERTY AND THE DEFENDANT STATED SHOW HIM WHERE CITY HALL PROPERTY ENDED. I ADVISED THE DEFENDANT THE GRASS AREA AWAY FROM THE BUILDING WAS STILL PROPERTY OF CITY HALL AND ASKED HIM TO LEAVE AGAIN. DEFENDANT STAYED ON THE GRASS IN CITY HALL PROPERTY.

NTA	<input type="checkbox"/> MANDATORY APPEARANCE IN COURT AT:	DATE OF APPEARANCE:	TIME OF APPEARANCE:	<input type="checkbox"/> AM <input type="checkbox"/> PM
	I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS NOTICE TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS.		DEFENDANT (SIGNATURE):	DATE:

JUF	I SWORN TO AND SUBSCRIBED TO BEFORE ME THIS: 12 DAY OF FEBRUARY 2007		I SWEAR THE ABOVE AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.		
	SIGNATURE:		NAME (PRINT): JIMMY JE SMITH		SIGNATURE:
TITLE: OFFICER		AGENCY: ALACHUA POLICE DEPARTMENT		LEO ID NUMBER: 328	



Alachua County Sheriff's Office INCIDENT REPORT

07001722
REPORT NUMBER

AGENCY ACSO CAD EVENT 070430636 RELATED CASES
CLASSIFICATION 119.10 VIOLATION OF PUBLIC RECORDS LAW
MAJOR VIOLATION STATUS INFORMATION ONLY/NO FOLLOWUP REQUIRED
DISPOSITION INFORMATION
OFFENSES 119.10 VIOLATION OF PUBLIC RECORDS LAW

REPORTED 02/12/07 14:19 MON OCCURRED 02/12/07 12:30 MON TO 02/12/07 14:00 MON

LOCATION 15001 NW 140TH ST

PREMISE CITY HALL ALACHUA
CITY ALACHUA 32615

ZONE 01

CITY 30

ALCH1

- | | | | | |
|--------|--|--|--|--|
| NATURE | <input type="checkbox"/> Computer Used | <input type="checkbox"/> Hate/Bias | <input type="checkbox"/> Child Abuse | <input type="checkbox"/> Arson |
| | <input type="checkbox"/> Alcohol Related | <input type="checkbox"/> Officer Assault | <input type="checkbox"/> Domestic Violence | <input type="checkbox"/> Robbery |
| | <input type="checkbox"/> Drug Related | <input type="checkbox"/> Senior Citizen | <input type="checkbox"/> Thefts | <input type="checkbox"/> Motor Vehicle Theft |
| | <input type="checkbox"/> Gang Related | <input type="checkbox"/> Juvenile | <input type="checkbox"/> Burglary | <input type="checkbox"/> Booking Sheets/SWCP |
| | <input type="checkbox"/> Report via PX | <input type="checkbox"/> Report by Mail | | |

OFFICER 0505 BUCKLEY, DANNY
APPROVED 0217 OBERLIN, KEVIN

REPORT FILED 02/12/07 00:00
APPROVAL DATE 02/12/07 23:08

SYNOPSIS

I responded to the City Hall in Alachua in reference to assisting a citizen.

07001722

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



NAME: [REDACTED]

CR REFERENCE# 01 SYSTEM# 1 INVOLVEMENT [] Juvenile [] Non-Disclosure
NAME GRAPSKI, CHARLES JAMES TYPE Individual
ADDRESS
ALT.ADDRESS SPO BOX 190 ALACHUA FL 32615
DOB 06/09/1965 AGE 41 SSN [REDACTED]
DL NO [REDACTED] FL FBIID [REDACTED]
LOCAL ID 94-00960 STATE ID
DESCRIPTION SEX M RACE W ETHNICITY N HAIR BLN EYES BLU HEIGHT 509 WEIGHT 180
CAUTION
EMPLOYER UNEMPLOYED PHONE
ADDRESS RES.STATUS U
OCCUPATION
COMMENTS HOMELESS
ADDITIONAL INFO

CR REFERENCE # 02 SYSTEM# 2 INVOLVEMENT [] Juvenile [] Non-Disclosure
NAME WATSON, CLOVIS TYPE Individual
ADDRESS 15001 NW 140TH ST
ALACHUA, FL 32615 PHONE (352) 462-1231
ALT.ADDRESS, DOB 09/30/1958 AGE 48 SSN
DLNO FBIID
LOCAL ID STATE ID
DESCRIPTION SEX M RACE B
CAUTION
EMPLOYER CITY HALL ALACHUA PHONE (352) 462-1231
ADDRESS 15001 NW 140TH ST ALACHUA FL 32615
OCCUPATION CITY MANAGER RES.STATUS U
COMMENTS
ADDITIONAL INFO

CR REFERENCE# 03 SYSTEM# 3 INVOLVEMENT [] Juvenile [] Non-Disclosure
NAME JERNIGAN, ROBERT TYPE Individual
ADDRESS 14801 MAIN ST
ALACHUA, FL 32615 PHONE (388) 462-1396
ALT.ADDRESS, DOB AGE SSN
DLNO FBIID
LOCAL ID STATEID
DESCRIPTION SEX U RACE U ETHNICITY N
CAUTION
EMPLOYER ALACHUA POLICE DEPARTMENT PHONE (386)462-1396
ADDRESS 14801 MAIN ST ALACHUA FL 32615
OCCUPATION CHIEF OF POLICE RES.STATUS U
COMMENTS
ADDITIONAL INFO

Alachua County Sheriff's Office INCIDENT REPORT



07001722

REPORTNUMBER

CR REFERENCE # 04 SYSTEM# 4 INVOLVEMENT Juvenile Non-Disclosure
 IN Involved Party TYPE Individual

NAME CANNEY, MICHAELS
 ADDRESS 15319 NW 140TH ST
 ALACHUA, FL 32615

ALT.ADDRESS.
 DOB [REDACTED] AGE 54 SSN [REDACTED]
 DLNO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATEID

DESCRIPTION W ETHNICITY N HAIR BRO EYES HAZ HEIGHT 510 WEIGHT 190
 CAUTION
 EMPLOYER SELF EMPLOYED PHONE
 ADDRESS
 OCCUPATION ANTIQUES RES.STATUS R
 COMMENTS
 ADDITIONAL INFO

CR REFERENCE# 05 SYSTEM# 5 INVOLVEMENT Juvenile Non-Disclosure
 IN Involved Party TYPE Individual

NAME HINEY, ERVIN
 ADDRESS

ALT.ADDRESS.
 DOB [REDACTED] AGE [REDACTED] SSN [REDACTED]
 DLNO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATEID

DESCRIPTION SEX M RACE W
 CAUTION
 EMPLOYER ADDRESS PHONE
 COMMENTS NO OTHER INFORMATION RES.STATUS U
 ADDITIONAL INFO

CR REFERENCE # 06 SYSTEM# 6 INVOLVEMENT Juvenile Non-Disclosure
 IN Involved Party TYPE Individual

NAME ROBBINS, TAMARA KAY
 ADDRESS 13627 NW 146TH AV
 ALACHUA, FL 32615

ALT.ADDRESS.
 DOB 01/12/1959 AGE 48 SSN [REDACTED]
 DL NO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATEID

DESCRIPTION SEX RA W HAIR BLN EYES BLU HEIGHT 504 WEIGHT 118
 CAUTION
 EMPLOYER UNKNOWN PHONE
 ADDRESS
 OCCUPATION RES.STATUS R
 COMMENTS INFORMATION FROM MASTER NAME
 ADDITIONAL INFO

07001722

REPORT NUMBER

Alachua County
Sheriff's Office
INCIDENT REPORT



CR REFERENCE# 07
NAME STATE OF FLORIDA
ADDRESS

SYSTEM# 7

INVOLVEMENT VI

Juvenile
Victim

Non-Disclosure
TYPE Government

ALT. ADDRESS,
DOB
DLNO
LOCAL ID
DESCRIPTION
CAUTION
EMPLOYER

AGE

SSN
FBI ID
STATE ID

PHONE
PHONE
PHONE

ADDRESS

PHONE

OCCUPATION

RES. STATUS

COMMENTS

ADDITIONAL INFO

VICTIM OF: 119.10-VIOLATION OF PUBLIC RECORDS LAW

INJURY

RELATIONSHIP

07001722
REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



NARRATIVE

REPORTED BY 0505 BUCKLEY, DANNY

REPORT FILED 02/12/2007

I made contact with Grapski and Canney at the listed location. Grapski and Canney were standing on the side of the parking lot at the Alachua City Hall since Grapski had just been trespassed from City Hall by the Alachua Police Department (see APD CR #2007001648).

Grapski stated that he had gone to City Hall to put in a request for public records. Grapski had requested these records previously, but had not yet received them. He stated that he felt the employees of the City of Alachua were intentionally stalling and refusing to grant his requests for public records. Grapski said that while he and Robbins were in the building trying to get copies of these records, they were told by Watson that Grapski's request would not be accepted and that that was a violation of State Statute. Grapski has apparently been sending in numerous requests for public records from the City of Alachua for several months. He showed me copies of some of the requests (emails), that he has submitted to the City of Alachua. Grapski claims that he is being denied these records because he is trying to prove that city officials are corrupt. Grapski also said that he behaved politely and had not caused a disturbance while in the building. Thus, APD had no legal right to trespass him from a public building. Grapski and Canney had video taped the incident and showed me the tape.

Watson stated that Grapski had been in City Hall several times recently and that he has a habit of creating disturbances when he does not get his way. On this date, Grapski and Robbins came into the building with Canney at approximately 1230 hours. Canney was videotaping the incident. Grapski confronted city employees and began to rudely request copies of public records. When employees told him that they had reviewed his requests, but that they were too busy at that moment to stop what they were doing and copy the records, Grapski began to voice his displeasure. According to Watson, he was demeaning, belligerent, and intimidating to the city employees. Grapski even tried to threaten them with having them charged criminally if they did not do what he wanted. Grapski, Robbins, and Canney then left only to return a short while later. Grapski and Robbins then walked to Alan Henderson's desk and began rudely requesting copies of records. When Grapski was asked to leave, he refused and Watson called APD. Watson then tried to talk to Grapski and asked Grapski to step outside or leave since he was creating a disturbance. Grapski refused and became more belligerent toward Watson. Grapski had to be asked several times by Watson to leave the building before he finally complied. Once outside, Chief Jernigan arrived and Grapski became louder and more uncooperative. Grapski was not happy that he was being trespassed by APD and verbally expressed his displeasure. Watson also stated that due to Grapski's recent behavior, his employees have become fearful of him and are concerned that his outbursts will turn violent toward them.

The portion of the video tape that Grapski allowed me to watch was the part that contained the second time Grapski came into the City Hall. Although the sound was poor, watching it on the camera itself, the video tape of the second part of this incident did, in fact, back up Watson's account of the incident. On the tape, I observed Grapski being uncooperative and disrespectful to Watson and other employees. Grapski was waving papers in Watson's face and refusing to cooperate. Grapski was also making what sounded like almost scripted loud statements trying to get Watson to answer questions about the papers that Watson could obviously not read while they were being waved through the air. Watson showed great self control during the incident. The tape also clearly showed Grapski being disrespectful, belligerent, and uncooperative with Chief Jernigan once he arrived on scene. Grapski and Canney both neglected to tell me that they had been in the office prior to the second incident when I was speaking with them. I did not determine that there had in fact been two separate incidents until after Grapski had left the area.

Grapski's claim that Watson and other city employees have been intentionally denying him access to public

07001722

REPORT NUMBER

**Alachua County
Sheriff's Office
INCIDENT REPORT**



NARRATIVE

records showed no validity at this time. Watson advised that the City of Alachua and Grapski are currently involved in litigation over public records and that many records that are not involved in the litigation have been released. Other requests from Grapski are being processed but apparently this has not been done as efficiently as Grapski would like. Since Grapski cannot provide any evidence that the City of Alachua is intentionally refusing him access to public records, and the City of Alachua has acknowledged all of the requests Grapski showed me, there is no evidence of a violation of the Florida Public Records Law at this time.

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Proofread by ID #877



**ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT**



Disturbance
Event Date: Monday, February 12, 2007

Event: 2007001657

ENT: 2007001657		DATE: 02/12/2007	TIME RECEIVED: 20:40
Event Code: 22D Disturbance	Dispatched As: 50C Assist Citizen		Priority: 2
Event Type: Offense	Reported As: In Progress		
Address: 13800 NW 152 PL	Sector:	Zone:	
City: Alachua	County: Alachua		
State: Florida	Zip Code: 32615	Jurisdiction: Alachua PD	
Remarks: 301 req LEO at Alachua Elem 2044 328 adv 10-15 Charles Grap ski Dob/6-9-65 2156 333 10-51 ACDC 2201 10-14 SR 25/Mol ec 2205 10-14 SR 25/T Creek 2210 10-14 NW 6 St 2216 10-91		Weapon Reported: UNKNOWN	
Reporting Party:	Telephone:	Origin:	Dispatcher ID: 116D

OFFENSES 4 Offenders: 1 Victims: 1 Arrests: 1

OFFENSE 1 Statute: 843 01 Resist With Violence	
Offense Code: 90Z All Other Offenses	Offense Status: Completed
Date: 02/12/2007 Time: 20:40 To Date: 02/12/2007 Time: :	Forced Entry: NO
Location: 13800 NW 152 PL	Alcohol Involved: NO
Location Type: School/College	Drugs Involved: NO
Criminal Activity: No Drug Activity Reported	Computers Involved: NO
Bias Motivation: Anti-None	Domestic Violence: NO
No Weapons Involved	Premises Entered: 0

NOTES FOR OFFENSE 1

No Notes On File For This Offense.

PERSONS INVOLVED WITH OFFENSE 1

Grapski, Charles J Age: 41 Offender	
Charge: 843 01 Resist With Violence	Counts: 1
Arrested: // Time: : Booking:	OBTS:
Released: No Release Type:	
Probable Cause: No probable cause narrative on file for this offender.	
Arresting Agency: Not On Record	White Non-Hispanic Male Date of Birth: 06/09/1965
Agency ORI: Not On Record	Height: 5'09" Weight: Hair: Blonde Eyes: Blue
Arresting Officer: Not On Record	
Officer ID & Rank: Not On Record	
Occupation: Not On Record	Birth Place: Not On Record Citizenship: Not On Record
Employer: Not On Record	
Notes: None on file for this person record..	

State of Florida Age: N/A Victim/Complainant	
Victim Type: Government	Non-Hispanic Date of Birth: //
Injury Type:	Height: Weight: Hair: Eyes:
Extent of Injury:	
Victim-Offender Relation:	
Occupation: Not On Record	
Employer: Not On Record	

Notes: **None on file for this person record..**

**ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT**

Event Date: Monday, February 12, 2007
Disturbance

Event: 2007001657

PROPERTY INVOLVED WITH OFFENSE 1

DVD Commission Meeting		Item: 1	Link: 1017340	Value: \$ 0.00
Make:	Quantity: 0.0	Type:	Miscellaneous	
Model:	Category: Physical Evidence	Evidence:	Yes	Impounded: No
Serial Number:		License Tag:		Tag State:
Color:		OAN:		
Year:		Recovered:	No	
Owner:				
Contact:				
Disposition:				
Notes: None on file for this property record.				

Witness Statements		Item: 2	Link: 1017341	Value: \$ 0.00
Make:	Quantity: 0.0	Type:	Miscellaneous	
Model:	Category: Miscellaneous	Evidence:	Yes	Impounded: No
Serial Number:		License Tag:		Tag State:
Color:		OAN:		
Year:		Recovered:	No	
Owner:				
Contact:				
Disposition:				
Notes: None on file for this property record.				

OFFENSE 2 Statute: 843 02 Resist/obstruct/oppose Of Officer Without Vio

Offense Code: 90Z All Other Offenses	Offense Status: Completed
Date: 02/12/2007 Time: 20:40 To Date: 02/12/2007 Time: :	Forced Entry: NO
Location: 13800 NW 152 PL	Alcohol Involved: NO
Location Type: School/College	Drugs Involved: NO
Criminal Activity: No Drug Activity Reported	Computers Involved: NO
Bias Motivation: Anti-None	Premises Entered: 0
Domestic Violence: NO	
No Weapons Involved	

NOTES FOR OFFENSE 2

No Notes On File For This Offense.

PERSONS INVOLVED WITH OFFENSE 2

Grapski, Charles J	Age: 41	Offender
Charge: 843 02 Resist/obstruct/oppose Of Officer Without Vio	Counts: 1	
Arrested: / / Time: : Booking:	OBTS:	
Released: No Release Type:		
Probable Cause: No probable cause narrative on file for this offender.		
Arresting Agency: Not On Record	White Non-Hispanic Male	Date of Birth: 06/09/1965
Agency ORI: Not On Record	Height: 5'09" Weight: Hair: Blonde	Eyes: Blue
Arresting Officer: Not On Record		
Officer ID & Rank: Not On Record		
Occupation: Not On Record	Birth Place: Not On Record	Citizenship: Not On Record
Employer: Not On Record		
Notes: None on file for this person record..		

**ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT**

Event Date: Monday, February 12, 2007
Disturbance

State of Florida	Age: N/A	Victim/Complainant
Victim Type: Government	Non-Hispanic	Date of Birth: / /
Injury Type:	Height: Weight: Hair:	Eyes:
Extent of Injury:		
Victim-Offender Relation:		
Occupation: Not On Record		
Employer: Not On Record		
Notes: None on file for this person record..		

PROPERTY INVOLVED WITH OFFENSE 2

No property records on file for this offense.

OFFENSE 3	Statute: 877 03 Breach Of Peace/disorderly Conduct/fighting/b
Offense Code: 90Z All Other Offenses	Offense Status: Completed
Date: 02/12/2007 Time: 20:40 To Date: 02/12/2007 Time: :	Forced Entry: NO
Location: 13800 NW 152 PL	Alcohol Involved: NO
Location Type: School/College	Drugs Involved: NO
Criminal Activity: No Drug Activity Reported	Computers Involved: NO
Bias Motivation: Anti-None	Domestic Violence: NO
No Weapons Involved	Premises Entered: 0

NOTES FOR OFFENSE 3

No Notes On File For This Offense.

PERSONS INVOLVED WITH OFFENSE 3

Grapski, Charles J	Age: 41	Offender
Charge: 877 03 Breach Of Peace/disorderly Conduct/fighting/b	Counts: 1	
Arrested: / / Time: : Booking:	OBTS:	
Released: No Release Type:		
Probable Cause: No probable cause narrative on file for this offender.		
Arresting Agency: Not On Record	White Non-Hispanic Male	Date of Birth: 06/09/1965
Agency ORI: Not On Record	Height: 5'09" Weight: Hair: Blonde	Eyes: Blue
Arresting Officer: Not On Record		
Officer ID & Rank: Not On Record		
Occupation: Not On Record	Birth Place: Not On Record	Citizenship: Not On Record
Employer: Not On Record		
Notes: None on file for this person record..		

State of Florida	Age: N/A	Victim/Complainant
Victim Type: Government	Non-Hispanic	Date of Birth: / /
Injury Type:	Height: Weight: Hair:	Eyes:
Extent of Injury:		
Victim-Offender Relation:		
Occupation: Not On Record		
Employer: Not On Record		
Notes: None on file for this person record..		

**ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT**

Event Date: Monday, February 12, 2007
Disturbance

Event: 2007001657

Brady, Hal Age: 53		Witness	
Occupation: Recreation Director Employer: City of Alachua	White Non-Hispanic Male Height: Weight: Hair:	Date of Birth: 12/04/1953 Eyes:	
Notes: None on file for this person record..			

Hammon, Thelma L Age: 75		Witness	
Occupation: Not On Record Employer: Not On Record	Black Non-Hispanic Female Height: Weight: Hair: Black	Date of Birth: 08/08/1931 Eyes: Brown	
Notes: None on file for this person record..			

Kenyon, Theresa Kay Age: 37		Witness	
Occupation: Not On Record Employer: Not On Record	White Non-Hispanic Female Height: 5'03" Weight: 140 Hair: Brown	Date of Birth: 02/16/1969 Eyes: Green	
Notes: None on file for this person record..			

PROPERTY INVOLVED WITH OFFENSE 3

No property records on file for this offense.

OFFENSE 4		Statute: 810 08 Trespass-Occupied Structure Or Conveyance	
Offense Code: 90Z All Other Offenses	Date: 02/12/2007	Time: 20:40	To Date: 02/12/2007
Location: 13800 NW 152 PL	Location Type: School/College	Criminal Activity: No Drug Activity Reported	Bias Motivation: Anti-None
No Weapons Involved	Domestic Violence: NO	Offense Status: Completed	Forced Entry: NO
		Alcohol Involved: NO	Drugs Involved: NO
		Computers Involved: NO	Premises Entered: 0

NOTES FOR OFFENSE 4
No Notes On File For This Offense.

PERSONS INVOLVED WITH OFFENSE 4

Grapski, Charles J Age: 41		Offender	
Charge: 810 08	Trespass-Occupied Structure Or Conveyance	Counts: 1	
Arrested: / /	Time: Booking:	OBTs:	
Released: No	Release Type:		
Probable Cause: No probable cause narrative on file for this offender.			
Arresting Agency: Not On Record	White Non-Hispanic Male	Date of Birth: 06/09/1965	
Agency ORI: Not On Record	Height: 5'09" Weight: Hair: Blonde	Eyes: Blue	

**ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT**

Event Date: Monday, February 12, 2007
Disturbance

Event: 2007001657

Arresting Officer: Not On Record Officer ID & Rank: Not On Record Occupation: Not On Record Employer: Not On Record	Birth Place: Not On Record Citizenship: Not On Record
Notes: None on file for this person record..	

State of Florida Victim Type: Government Injury Type: Extent of Injury: Victim-Offender Relation: Occupation: Not On Record Employer: Not On Record	Age: NA Non-Hispanic Height: Weight: Hair:	Victim/Complainant Date of Birth: / / Eyes:
Notes: None on file for this person record..		

PROPERTY INVOLVED WITH OFFENSE 4

No property records on file for this offense.

OTHER PERSONS INVOLVED IN EVENT 2007001657

No other person records on file for this event.

OTHER PROPERTY INVOLVED IN EVENT 2007001657

Other property records on file for this event.

VEHICLES INVOLVED IN EVENT 2007001657

Tag	Type	Year	Make	Model	Color	VIN
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No vehicle records on file for this event.

PRIMARY NARRATIVE FOR EVENT 2007001657

On 2/12/07 at 1900 hours the City of Alachua convened a City Commission meeting in the auditorium of the Alachua Elementary School. During citizen comments, Charles Grapski went to the podium and stated that public records were still being denied by the City of Alachua. Grapski stated that when he makes a request for a record he expects to get it. Grapski stated that the City has been violating the law consciously, knowingly and willfully and now with the express participation of Marian Rush and Robert Rush which he stated constitutes a violation of the ethic laws of the bar and he has contacted the Florida bar regarding that matter. Grapski stated that several weeks ago Clovis Watson gave him a complete set of ordinances of the City. Grapski stated that he has documentary evidence that for years the City has been denying that in violation of the law. Grapski stated once that was done Ms. Rush instructed Mr. Watson to cease communication and cooperation by himself and all city officials with regard to giving them public records. Grapski stated that the excuse is that ligation is ongoing, however there is no ligation on these public matter, record matters yet. Grapski stated that Ms. Rush has received a letter from Joseph Little through her brother Robert Rush stating that they are incorrect when they state that we are represented by him and that they cannot speak with us. Grapski stated that we have a right to the records, we have a right to access them and we are being denied those records. Grapski stated that I will hereby give you the letter. Mr. Grapski approached the City Mayor at that time. Mayor Calderwood stated "Mr. Grapski if you could hand it to the staff, to the clerk, Ms. Morgan please. No Mr. Grapski, Mr. Grapski, Mr. Grapski, this will be the only time that I will ask you to please cooperate with the Commission. This will be the only warning that I am going to give you". Mr. Grapski stated "if you can provide me the rule that I just broke. Mr. Grapski, thank you Mr. Grapski for your comments." Thelma Hammond went to the podium to speak to the City Commission. When Hammond completed her comments and started walking back to her seat, Mr. Grapski made verbal comments

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Event Date: Monday, February 12, 2007
Disturbance

Hammond. Mayor Calderwood then stated "Mr. Grapski, please don't speak from the floor. Mr. Grapski, I have given you. Chief Jernigan, if Mr. Grapski disrupts the meeting again I would ask you to escort him out. Stop now!" Theresa Kenyon then approached the podium to make her citizen comments. While Kenyon was speaking, Mr. Grapski turned around to the citizens behind him and started talking. Mr. Grapski then turned around again and tried to hand some of his papers to Thelma Hammond and she refused to take them. Mr. Grapski attempted again to give papers to someone behind him as well as talking to them. Mayor Calderwood then stated "Mr. Grapski I have asked you to not disrupt. Mr. Grapski stated I'm not. Mayor, "yes you are. They do not want the material. Chief Jernigan, will you ask Mr. Grapski to leave. I have seen Ms. Hammond. I saw Ms. Hammond and Ms. Adkins shake their heads saying and they continued to ignore. Mr. Grapski became argumentative towards the Mayor. The Mayor then stated Mr. Grapski we are asking you to leave. We are asking you to leave the meeting right now. Grapski stated "Madam Mayor I am here to participate in a public meeting". Mayor,"Mr. Grapski, I have warned you. Mr. Grapski you are, you are leaving the room now, you are out of order. I have asked you to cooperate. I then advised Mr. Grapski that if he didn't leave I was going to arrest him. Mr. Grapski continued to be argumentative and refused to leave. At that time I placed him in handcuffs and advised him he was under arrest. Again, the Mayor advised Mr. Grapski that he was leaving the room and that he was out of order several times. After I handcuffed Mr. Grapski and tried to get him to go out with me he stated I was going to have to pick him up. I attempted to pick him up. Mr. Grapski lowered himself onto the floor and then got back in his chair. I then called APD Communications on my portable radio and told the dispatcher to send me backup. Shortly thereafter, the officers arrived. I stood by until the officers arrived. After the officers arrived we had to carry Mr. Grapski out of the building and load him into the patrol vehicle. While carrying Mr. Grapski to the patrol vehicle, Mr. Grapski kicked officer Jimmy Smith and Officer Daniel Chalker. After Mr. Grapski was loaded into the patrol vehicle, I went to the Alachua Police Department to prepare a mittimus. After arriving at APD Officer Chalker opened Mr. Grapski's door for him to get out. Mr. Grapski advised us that we would have to carry him. I advised Mr. Grapski that he could just remain in the vehicle and I would go inside and complete the paperwork. Mr. Grapski remained in the vehicle while I prepared the mittimus. He was then transported to the Alachua County Detention Center in Gainesville.

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT ATTACHMENT

Disturbance
Event Date: Monday, February 12, 2007

Event: 2007001657

STURBANCE Date: February 12, 2007 Time: 20:40 Event Number: 2007001657

On the above date and time I responded to 13800 NW 152 Place (Alachua Elementary) to assist Chief Jernigan at the Commission meeting. Upon arrival I observed a white male, known to me as Charles Grapski, handcuffed sitting in a chair. Chief Jernigan advised that Grapski was under arrest and needed to be escorted off the premises. Grapski was ordered numerous times to leave the premises to which he refused. Myself, along with Officer Smith and Chief Jernigan attempted to physically remove Grapski from the chair. While doing so, Grapski went limp and laid in a prone position on the floor. Grapski was taken out of the building by Chief Jernigan, Officer Smith, and myself. On the way to my patrol vehicle, Grapski raised his body forward and began kicking his legs towards myself and Officer Smith, striking me in the left hand causing me to fall on top of Grapski. Grapski was again lifted up and physically taken to my marked patrol vehicle. While at APD, Grapski advised he was only doing what he was instructed to do by an attorney. Grapski further stated he had been arrested unlawfully. I then transported Grapski to the Alachua County Jail and had him booked in. I had no further involvement in this incident.

ATTACHMENT CERTIFICATIONS FOR EVENT 2007001657

Submitted By: 3 Officer Daniel M Chalker	Signature:	Date:
Reviewed By: 305 Major Clayton K Reiter	Signature:	Date:

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT ATTACHMENT

Disturbance
Event Date: Monday, February 12, 2007

Event: 2007001657

RESISTANCE TO ARREST Date: February 12, 2007 Time: 20:30 Event Number: 2007001657

In the above incident I assisted placing Grapski in Ofc. Chalkers patrol vehicle. I asked Grapski to enter the vehicle under his own power and he refused so Ofc. Chalker, Ofc. Smith, Ofc. Lloyd and myself had to lift Grapski off the ground and place him in the patrol vehicle. While at the Police Department I was watching Grapski while paperwork was being processed. In an unprovoked conversation Grapski stated to me that he apologized for the position that he put us (the officers) in and that he realized that his actions were not the most productive. I had not asked Grapski any questions but he continued on by stating that he had a feeling that he was going to be arrested at the commission meeting. Grapski stated that his legal counsel had advised him that if he was ever arrested he should not assist officers in removing him but that he should "go limp". Grapski also stated that now that he had thought about his actions he realized that he should have complied with police after he had been removed from the meeting because his point had already been made. No further information is available at this time.

ATTACHMENT CERTIFICATIONS FOR EVENT 2007001657		
Submitted By: Officer Christopher Latimer	Signature:	Date:
Reviewed By: 305 Major Clayton K Reiter	Signature:	Date:

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT ATTACHMENT

Disturbance
Event Date: Monday, February 12, 2007

Event: 2007001657

EVENT SUPPLEMENT Date: February 12, 2007 Time: 2:0:40 Event Number: 2007001657

On February 12, 2007 I was assigned uniform patrol in a marked patrol vehicle. I was dispatched to Alachua Elementary reference assisting Chief Robert Jernigan with a disturbance at the City of Alachua Commission Meeting. Upon arrival I observed a W/M subject handcuffed sitting in a chair. Chief Jernigan had instructed the subject later identified as Charles Grapski that he was under arrest. Grapski refused to comply with Chief Jernigan's order. Chief Jernigan along with Officer Jimmy Smith attempted to escort Grapski by grabbing his arms. Grapski immediately fell to the floor laying in a prone position. Chief Jernigan and Officer Smith asked Grapski to please stand. Grapski refused to stand and advised that he was being arrested unlawfully. Chief Jernigan, Officers Jimmy Smith and Daniel Chalker attempted to physically remove Grapski from the auditorium by carrying him by his arms and feet. Grapski was removed from the auditorium yelling towards an unknown subject to videotape the arrest. Once outside in the breezeway Grapski used his weight to pull his upper body forward, while as his feet kicked Officer Smith and Chalker in the legs and hands, causing Officer Chalker to fall. Grapski continued to yell at the unknown subject to continue videotaping. Grapski then started complaining about the wrist restraints and the damage to his clothing. Grapski continued to resist and had to be carried to the vehicle. The officer's continued to plead with Grapski to stop resisting and stand on his own will. Grapski continued to resist and was physically lifted and placed into Officer Chalker's marked police vehicle. While at Alachua Police Headquarters I spoke with Grapski. Grapski stated that he understood that we were just doing our job. I advised Grapski that once the officer's arrived and attempted to escort him out of the auditorium he should have walked out of the auditorium. Grapski stated that the arrest was unlawful because he had evidence of a crime. I advised Grapski that you report the evidence to the appropriate agencies and all parties including himself are innocent until proven guilty. I had no further involvement in this incident.

ATTACHMENT CERTIFICATIONS FOR EVENT 2007001657

Submitted By: 5 Officer Darry D Lloyd	Signature:	Date:
Approved By: 305 Major Clayton K Reiter	Signature:	Date:

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT ATTACHMENT

Disturbance
Event Date: Monday, February 12, 2007

Event: 2007001657

REST SUPPLEMENT

Date: February 12, 2007 Time: 20:40

Event Number: 2007001657

I arrived at the Alachua Elementary to assist Chief Jernigan with an arrest. Upon arrival I spoke with Chief Jernigan. Chief Jernigan advised Charles Grapski had been arrested for trespass after warning. I then walked over to Grapski and noticed he had been handcuffed. I advised Grapski to get up and walk to my patrol car. Grapski refused to get up from the chair he was sitting in. I then attempted to lift Grapski from the chair. Grapski then laid prone on the floor. Officer Chalker and Chief Jernigan then assisted me in carrying Grapski out. Half way to the patrol car Grapski raised up and started kicking his legs, striking myself in the leg. I noticed Officer Chalker fall forward on top of Grapski. Grapski was then advised to stand up and walk to the patrol car. Grapski refused to stand up and stated he was only doing what he was advised to do because he had been unlawfully arrested. Grapski was then carried to Officer Chalker's patrol car and placed into the back seat.

ATTACHMENT CERTIFICATIONS FOR EVENT 2007001657

Submitted By: Officer Jimmy J Smith	Signature:	Date:
Approved By: 305 Major Clayton K Reiter	Signature:	Date:

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT ATTACHMENT

Disturbance
Event Date: Monday, February 12, 2007

Event: 2007001657

STATEMENT(S)	Date: February 14, 2007	Time: 08:57	Event Number: 2007001657
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On 2/13/07 Thelma Hammond gave me a written statement regarding what she witnessed at the City Commission Meeting.

On 2/13/07 Theresa Kenyon gave Major Clayton Reiter a typed statement regarding what she witnessed at the City Commission Meeting.

On 2/13/07 Recreation Director, Hal Brady gave me a typed statement regarding what he had witnessed at the City Commission Meeting.



ATTACHMENT CERTIFICATIONS FOR EVENT 2007001657

Submitted By:	Signature:	Date:
Approved By:	Signature:	Date:

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Disturbance
Event Date: Monday, February 12, 2007

Event: 2007001657

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INTENTIONALLY

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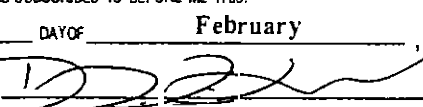
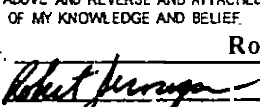
CERTIFICATIONS FOR EVENT 2007001657

Prepared By: 1 Chief Robert E Jernigan	Signature:	Date:
Reviewed By: 301 Chief Robert E Jernigan	Signature:	Date:

EIGHTH JUDICIAL CIRCUIT

AGENCY CASE REPORT NUMBER:

2007001657

NAME OF SUBJECT (LAST, FIRST, MI): Grapski, Charles J		ALIAS / MAIDEN:							
911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.):		CITY:	STATE:	ZIP CODE:	TELEPHONE NUMBER: ()				
SINE SS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):		CITY:	STATE:	ZIP CODE:	TELEPHONE NUMBER: ()				
MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS): P.O. Box 190 Alachua 32616		SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):							
<input checked="" type="checkbox"/> WHITE <input type="checkbox"/> AMERICAN INDIAN <input type="checkbox"/> BLAC	SEX: M	DATE OF BIRTH: 06-19-1	HEIGHT: 5'9	WGHT: 200	HAIR COLOR: Blonde	EYE COLOR: Blue	COMPLEXION: Light	BUILD: Medium	
STATE: / ID:		PLACE OF BIRTH: New York		COUNTRY OF BIRTH: US					
SUBJECT: Unemployed		SPN: 1989002035	AGENCY ORI NUMBER: FL0010800	SO ID / AGENCY ID / NUMBER: 1994-00960	BOOKING NUMBER:				
LOCATION OF ARREST: 13800 NW 152 PL (Alachua Elementary)		DATE OF ARREST: 02-12-2007	TIME OF ARREST (MILITARY): 2040hrs	DATE OF BOOKING: 02-12-2007	TIME OF BOOKING (MILITARY): 2018				
SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.): Chief Jernigan			SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER ETC.): Known to Officer/ Florida ID						
CO-DEF.	#1 (NAME):	DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> NTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO	
	#2 (NAME):	DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> NTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO	
JUVENILE	JUVENILE DISPOSITION: <input type="checkbox"/> RELEASED TO JAC <input type="checkbox"/> ISSUED NTA AND RELEASED		NAME OF GUARDIAN/PARENT (NOTIFIED) <input type="checkbox"/> YES <input type="checkbox"/> NO:			WORK TELEPHONE NUMBER: ()			
	PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT # PO BOX, ETC.):		CITY:	STATE:	ZIP CODE:	HOME TELEPHONE NUMBER: ()			
WITNESS	#1 (NAME): Hal Brady	ADDRESS: 15001 NW 140 Street			TELEPHONE NUMBER: ()				
	#2 (NAME):	ADDRESS:			TELEPHONE NUMBER: ()				
CHARGE	OFFENSE DESCRIPTION: Disorderly Conduct		<input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NTA	COMPLETE STATUTE / ORDINANCE NUMBER: 877.03		VICTIM NOTIFICATION: ARREST: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
	<input type="checkbox"/> JUVENILE PU ORDER <input type="checkbox"/> CML ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE: 02-12-07	TIME OF OFFENSE: 2040	BAL AMOUNT:	VICTIM'S TELEPHONE NUMBER: ()				
VICTIM (NAME): State of Florida		ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):		CITY: Alachua	STATE: FL	ZIP CODE: 32615			
CHARGE 2	OFFENSE DESCRIPTION: Resisting With Violence		<input checked="" type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NTA	COMPLETE STATUTE / ORDINANCE NUMBER: 843.01		VICTIM NOTIFICATION: ARREST: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
	<input type="checkbox"/> WARRANT <input type="checkbox"/> JUVENILE PU ORDER <input type="checkbox"/> CML ORDER <input type="checkbox"/> CITATION <input type="checkbox"/> CAPIAS NUMBER:	DATE OF OFFENSE:	TIME OF OFFENSE:	BAL AMOUNT:	VICTIM'S TELEPHONE NUMBER: ()				
VICTIM (NAME): State of Florida		ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):		CITY: Alachua	STATE: FL	ZIP CODE: 32615			
PROSECUTIVE SUMMARY	THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS/ LOCATION): 13800 NW 152 PL/ Alachua Elementary		CITY OF: Alachua		COUNTY OF: Alachua		STATE OF: FLORIDA		
	<p>On 02/12/07 at approximately 2040hrs the defendant during citizens comments interrupted the citizen that was speaking and was told numerous times by the Mayor to not blurt out comments from the floor. Mayor Calderwood advised the defendant that if he continued to do so he would have to leave. The defendant defied the Mayor's instructions and again blurted out comments from the floor, interrupting the citizen that was speaking. Mayor Calderwood at that time asked me to remove the defendant from the room. I approached the defendant and gave him a lawful order to leave or he would be arrested for trespassing. The defendant refused to leave and I advised him that he was under arrest. The defendant was placed in wrist restraints. As I attempted to escort the defendant from the auditorium the defendant laid on the floor in a prone position refusing to leave the building.</p>								
NTA	<input type="checkbox"/> MANDATORY APPEARANCE IN COURT AT:			DATE OF APPEARANCE:	TIME OF APPEARANCE: <input type="checkbox"/> AM <input type="checkbox"/> PM				
	I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS NOTICE TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS.			DEFENDANT (SIGNATURE):		DATE:			
JURY	I APPEAR AND SUBSCRIBED TO BEFORE ME THIS:			I SWEAR THE ABOVE AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.					
	12 DAY OF February 2007								
SIGNATURE: 		NAME (PRINT): Robert Jernigan		SIGNATURE: 		AGENCY: Alachua Police			
TITLE: Law Enforcement Officer		LEO ID NUMBER: 301							

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

AKRESI SWORN COMPLAINT

JUVENILE N.I.A.

ADMIN.
 OBTS NUMBER
 AGENCY ORI NUMBER
FL0010800

SPINNUMBER
 AGENCY REPORT NUMBER
2007001657

NAME (LAST, FIRST, MIDDLE) **Grapski, Charles** ALIAS/MAIDEN NAME

WHITE | AMERICAN INDIAN W | B - BLACK | O - ORIENTAL/ASIAN
 SEX **M** DATE OF BIRTH **06-09-1965** JAIL NUMBER SO ID/AGENCY ID/NUMBER **19 94-0096 0** HEIGHT **6'0** WEIGHT **200**

CODE ACTIVITY S. SELL R. SMUGGLE K. DISPENSE/DISTRIBUTE M. MANUFACTURE/PRODUCE/CULTIVATE U. UNKNOWN Z. OTHER DRUG TYPE N. NA C. COCAINE M. MARIJUANA O. OPIUM/DERIVATIVE S. SYNTHETIC
 P. POSSESS T. TRAFFIC E USE

CHARGE DESCRIPTION **Resisting Without Violence** COUNT FELONY MISD. TRAFFIC STATUTE/ORDINANCE NUMBER **8, 4, 3 | 0, 2** VICTIM NOTIFICATION ARREST Y N RELEASE Y N
 CAPIAS ARREST WARRANT JUV PU. CITATION CIVIL ORDER SEQ. NO. OFFENSE DATE AND TIME (MIL) **02-12-2007 2040 hrs** BAIL AMOUNT DRUG TYPE **N** ACTIVITY **N**
 VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) **State of Florida** ADDRESS PHONE **(386) 462-1396**

CHARGE DESCRIPTION **Trespass** COUNT FELONY MISD. TRAFFIC STATUTE/ORDINANCE NUMBER **8, 1, 0 | 0, 8** VICTIM NOTIFICATION ARREST Y N RELEASE Y N
 CAPIAS ARREST WARRANT JUV PU. CITATION CIVIL ORDER SEQ. NO. OFFENSE DATE AND TIME (MIL) **02-12-2007 2040 hrs** BAIL AMOUNT DRUG TYPE **N** ACTIVITY **N**
 VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) **State of Florida** ADDRESS PHONE **(386) 462-1396**

CHARGE DESCRIPTION COUNT FELONY MISD. TRAFFIC STATUTE/ORDINANCE NUMBER VICTIM NOTIFICATION ARREST Y N RELEASE Y N
 CAPIAS ARREST WARRANT JUV PU. CITATION CIVIL ORDER SEQ. NO. OFFENSE DATE AND TIME (MIL) BAIL AMOUNT DRUG TYPE ACTIVITY
 VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) ADDRESS PHONE **()**

CHARGE DESCRIPTION COUNT FELONY MISD. TRAFFIC STATUTE/ORDINANCE NUMBER VICTIM NOTIFICATION ARREST Y N RELEASE Y N
 CAPIAS ARREST WARRANT JUV PU. CITATION CIVIL ORDER SEQ. NO. OFFENSE DATE AND TIME (MIL) BAIL AMOUNT DRUG TYPE ACTIVITY
 VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) ADDRESS PHONE **()**

PROSECUTIVE SUMMARY CONTINUED

Three uniformed officers arrived and assisted me in removing the defendant from the building. Once the defendant was removed from the auditorium the defendant lifted up yelling for a unknown subject to continue video taping. In doing so the defendant was kicking the law enforcement officers in their legs and hands. The defendant was asked several times to stand up, but refused. The defendant continued to refuse my lawful authority and had to be placed in a marked vehicle by 4 uniformed officers.

2007 FEB 12 PM 10:22
 SHERIFF'S OFFICE

NAME (PRINT) **Chief Robert Jernigan** SIGNED *Robert Jernigan* AGENCY **APD** OFFICER ID NUMBER **301**

10

QUESTION: What is the subject of the email from Robert Jemigan?

From: Robert Jemigan [rjemigan@cityofalachua.com]

To: Spencer Mann

cc:

Date: Wed, 21 Jun 2006 13:53:02 -0700

Subject: FW: Fw: You need to address this

Spencer,

Attached is the email that was sent from Grapski to Mayor Calderwood and input from Alan Henderson regarding Robert's Rules of Order. It is my understanding that Grapski continues to violate the order not to have contact with the Commissioners. The Mayor has expressed serious concern for his continued harassment towards her and his hostile behavior. This is one of a number of emails that have been sent by Grapski and we will be forwarding them to you as well.

Thanks!

-----Original Message-----

From: Clovis Watson Jr <cwatsonjr@cityofalachua.com>

Sent: Wed, 21 Jun 2006 16:25:20 -0400

Subject: FW: Fw: You need to address this

Clovis Watson Jr.

City Manager, Alachua Florida

www.cityofalachua.com

-----Original Message-----

From: Alan Henderson <ahenderson@cityofalachua.com>

Sent: Wednesday, June 21, 2006 4:22 PM

To: Marian B Rush; Clovis Watson Jr

Subject: Re: Fw: You need to address this

My input on this is as follows: Robert's Rules of Order, 10th Edition, states, on page 3, that a member is one who has the right to fully participate in the proceeding of the body; that is, to make motions, to debate, and to vote. Mr. Grapski is not, according to Robert's Rules, a member by any stretch of the definition. Secondly, Robert's Rules apply after the full application of the Commission's Rules & Procedures. He has no standing, by the very authority he was quoting, to raise the inquiries he did Monday night.

Marian B Rush wrote:

>

>-----Original Message -----

> *From:* Clovis Watson Jr <<mailto:cwatsonjr@cityofalachua.com>>

> *To:* marian@rushandglassman.com <<mailto:marian@rushandglassman.com>>

> *Sent:* Wednesday, June 21, 2006 3:31 PM

> *Subject:* FW: You need to address this

>

>

>

>

>

> Clovis Watson Jr.

>

> City Manager, Alachua Florida

>

> www.cityofalachua.com <<http://www.cityofalachua.com>>

>
> -----
>
> *From:* JeanGLC@aol.com <mailto:JeanGLC@aol.com> <JeanGLC@aol.com>
> *Sent:* Tuesday, June 20, 2006 9:25 PM
> *To:* cwatsonjr@cityofalachua.com <mailto:cwatsonjr@cityofalachua.com>
> *Subject:* Fwd: You need to address this

> Please forward a copy to Ms. Rush. Thanks

> -----
>
> Subject:
> You need to address this
> From:
> "Charles Grapski" <cgrapski@mac.com>
> Date:
> Tue, 20 Jun 2006 11:53:39 -0400
> To:
> <jcalderwood@cityofalachua.com>
>
> To:
> <jcalderwood@cityofalachua.com>
> CC:
> <cgrapski@mac.com>

> Mrs. Calderwood,

> I am growing increasingly concerned about the failure of the City of Alachua

> to follow the law and its established rules and procedures.

> But more importantly I believe that last nights activities by Chief Jernigan

> and Clovis Watson truly call into question exactly WHO is running the City of Alachua.

> Last night the City again defiantly attempted to use the consent agenda to pass substantive policies which is a prohibited act under Florida law, statute 286.011. I don't know how many times I have to warn the city about

> this. The law is very clear on this - it is not a joke - and Clovis Watson

> may not circumvent that law by "talking individually" to each of the commissioners to find out if they "Consent" to the item. That is not legal.

> Your City Attorney should certainly know that and state that to you.

> Furthermore you read from the rules and procedures but once again seem to think they apply to the PUBLIC - and not the Commission. The Rules and Procedures you cited ADOPT Roberts Rules of Order to conduct the meeting.

> I appropriately and in an orderly fashion rose and made a point of "parliamentary inquiry." This is the appropriate thing for a member of the public to do - under the rules - when there is a question about those rules

> or the law. I attempted to have you read the rule regarding procedures
> (which is in the rules) adopting Roberts Rules of Order - then to have the
> clerk (parliamentarian) read the section of Roberts Rules on what is - and
> when it is appropriate - a parliamentary inquiry.
>
> I further was going to request that the City Attorney read Chapter 286 to
> the Commission advising them of the law. And I then attempted - as is
> prescribed in the rules - to raise a "point of order" (and thus also
having
> the Clerk read the rules on that).
>
> However, without your instructing the Chief of Police to arrest or remove
me
> - and on tape you reiterate that you did not make such a request - the
Chief
> of Police, unrequested (except by Clovis Watson - who does not actually
run
> the meetings of the City cOMmission), stood aggressively in front of me
> while I was trying to address you. Then physically committed assault and
> battery on me - all the while with you trying to speak to me (you kept
> saying, "Mr. Grapski" - but the Chief was attempting to physically detain
me
> as I was trying to listen to your statement and respond) - at the front of
> the Chambers.
>
> I tried to continue to operate according to the Rules and Procedures - and
> stated you had not ruled my Parliamentary Inquiry out of order. When you
> did do this - I then proceeded (as is the rule) to make a Point of Order
> (after which I would have made a motion to appeal the ruling of the chair
-
> as is again in the rules and procedures). This is what the ORDERLY manner
> of business at City Hall under the rules is supposed to do - without the
> Police attempting to shut the person up.
>
> When Jernigan evicted me from the building - without cause - I stated to
him
> that you had simply "ruled me out of order" - which is a parliamentary
> action with proper actions to follow which I attempted to do - and that
this
> was not a basis to have me physically removed - and he stated that "That
> means leave" (I have it on video) - and then he said that "He was deciding
> to have me removed".
>
> Things are escalating in the City of Alachua. Clovis Watson has committed
> perjury in having me arrested the first time. He has approached and
> intimidated citizens who are witnesses to criminal activities he has
> committed. Several people now FEAR physical retaliation by Clovis Watson
> and indeed by APD (under color of law).
>
> This situation has truly grown out of hand - and it is time for you to
stand
> up and take honest action about it. I am trying to implore you to stop
> listening to what Clovis and others are telling you - and start reading
the
> actual rules and laws and demanding they be enforced. This situation is
> rapidly escalating out of control - because Clovis Watson and others KNOW
> that they committed serious violations of the law in their conduct of the
> recent election.
>
> Let me state to you a FACT:

QUESTION W/ COMMENT

- > On April 11th Clovis Watson approached residents of Alachua, at the steps of
- > City Hall, who he knew as they were arriving to pay their utility bill.
- > Watson solicited those individuals to vote - even though the voting was the
- > next day. He instructed them (and escorted them) into Henderson's office.
- > He instructed them on who to vote for. Henderson had also given guidance to
- > some as to who to vote for ... this is highly illegal.
- >
- > One such individual, with no intention of voting, told Clovis that the
- > election was the next day and she couldn't vote. Clovis told her that was
- > not a problem and she could vote there that day. After telling her to vote
- > for "Mr. Lewis" he escorted her into Henderson's office. Henderson then
- > stood over her and watched her cast a ballot. She left and encountered
- > Watson on the steps again. He asked if she voted for the "right one" - she
- > said she voted for who he told her to, "Mr. Lewis" - Watson then asked, "but
- > did you vote for number 2?" - she said no Mr. Lewis was the first on the
- > ballot. Watson then had her return to Henderson - who took out the ballot
- > she had originally cast, tore it up, and gave her a new one to vote for
- > James Lewis.
- >
- > This story was told to me in person by this citizen. She had previously
- > told it to two other people. She told this to me in the presence of a large
- > number of other individuals. And she has repeatedly re-affirmed this
- > story
- > and has told this to two attorneys and her name was given to Bill Cervone to
- > interview.
- >
- > When Clovis Watson obtained illegally my recorder - he heard her voice on the
- > recording in interviews I had with witnesses to the voting procedure - he
- > subsequently confronted her (and has intimidated her) - and then falsely
- > stated to the commission that she approached him with a concern about our
- > "unwanted" solicitation from her. This was a LIE by Clovis. Clovis has
- > since, acting as the City, sent a threatening letter to Michael Canney, a
- > misleading ad in the papers attempting to discourage witnesses from
- > speaking, and a personal letter to all absentee voters with the same intent.
- >
- > I know of many criminal activities taking place in the City of Alachua by
- > City officials. I will do all I can to bring this to light - to public
- > attention and ultimately prosecution. I believe that you are involved in
- > many of these acts WITHOUT your conscious participation - but as a result of
- > their actions and their misleading you.
- >
- > I can only implore you to take a long, hard look at the facts - and to read
- > the actual laws and procedures I have been trying to bring to your
- > attention. What you decide to do is up to you. Just know that I have
- > attempted to inform you of the wrongdoing taking place under your leadership
- > as Mayor.
- >
- > Charles Grapski



From: Robert Jernigan rjernigan@cityofalachu.com

To: Mike Fellows

cc:

Date: Mon, 22 May 2006 06:47:33 -0700

Subject: RE: Charles Grapski and APD

Thanks Mike!

Chief Jernigan

-----Original Message-----

From: Fellows, Mike <mfellows@alachuasheriff.org>

Sent: Mon, 22 May 2006 07:27:09 -0400

Subject: FW: Charles Grapski and APD

Chief,

Just wanted to re-contact you to let you know that we will assist in any way. Below is the email I sent out to all supervisors. If there is anything else you need, please don't hesitate to call.

Captain Fellows

-----Original Message-----

From: Fellows, Mike

Sent: Friday, May 19, 2006 2:31 PM

To: Tyson, Don; Anderson, Scott; Behl, Robert; Bessinger, Darrell; Blizzard, Bella; Buckley, Danny; Burnett, Whitney; Butscher, David; Clark, David; Corwine, George; Cox, Ryan; Fellows, Mike; Freedman, Larry; French, Sherry L.; Hanson, Mike; Hinson, Paul; Jenkins, Kelvin; Moran, J.J.; Mosher, Estan; Oberlin, Kevin; Redmond, John; Richman, John; Rooney, Richard; Scott, Chad; Stophel, Lori; Thomas, Todd; Tuck, David

cc: Canchola, Tony

Subject: Charles Grapski and APD

If you did not know, a citizen was arrested a short time ago by Clovis Watson, for illegal recording of conversations and I believe Breach of the Peace. Under the advisement of FDLE and the SAO, if there are calls for service involving this subject and criminal conduct, or other disturbances from APD involving this subject, Chief Jernigan has asked our agency to respond and handle the complaint. If APD or this citizen calls for our service, we will respond, take a report when applicable, and enforce the appropriate laws. The SAO is in the process of determining if prosecution on the arrest will take place. Use good judgment before filing any charges, and have deputies call you before making any physical arrest when time allows. Keep me updated on this as calls arise. Thanks.

From: Robert Jernigan rjernigan@cityofalachua.com

To: Clovis Watson

cc:

Date: Mon, 22 May 2006 06:44:03 -0700

Subject: FW: Charles Grapski and APD

-----Original Message-----

From: Fellows, Mike <mfellows@alachuasheriff.org>

Sent: Mon, 22 May 2006 07:27:09 -0400

Subject: FW: Charles Grapski and APD

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To: Tyson, Don; Anderson, Scott; Behl, Robert; Bessinger, Darrell; Blizzard, Bella; Buckley, Danny; Burnett, Whitney; Butscher, David; Clark, David; Corwine, George; Cox, Ryan; Fellows, Mike; Freedman, Larry; French, Sherry L.; Hanson, Mike; Hinson, Paul; Jenkins, Kelvin; Moran, J.J.; Mosher, Estan; Oberlin, Kevin; Redmond, John; Richman, John; Rooney, Richard; Scott, Chad; Stophel, Lori; Thomas, Todd; Tuck, David

Cc: Canchola, Tony

Subject: Charles Grapski and APD

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Captain Mike Fellows

Alachua County Sheriff's Office

Captain Mike Fellows

Alachua County Sheriff's Office

Uniform Patrol Division

352-367-4097

.-*** Message Scanned by Alachua County McAfee Webshield Appliance ***-. .

QUESTION W/COMMA

Uniform Patrol Division

352-367-4097

*** Message Scanned by Alachua County McAfee Webshield Appliance ***.

From: Robert Jernigan rjernigan@cityofalachua.com

Clovis Watson

CC:

To:

Date: Tue, 23 May 2006 13:19:43 -0700

Subject: Grapski Investigation/ASO

Clovis,

I spoke with Mike Fellows with ASO this morning at 0933 hours and he advised that the Sheriff was out of the country for the next 5 days. I advised him that I sent a letter to the Sheriff via fax and read the letter to him that you composed. He advised that it will probably be forwarded to CID and an Investigator will be assigned to come out and talk with Allan and Tara and any other parties involved.

Thanks!

Chief

From: Robert Jernigan <rjernigan@cityofalachua.com>

To: Clovis Watson

cc:

Date: Wed, 21 Jun 2006 14:07:31 -0700

Subject: FW: Fw: You need to address this

-----Original Message-----

From: Robert Jernigan <rjernigan@cityofalachua.com>

Sent: Wed, 21 Jun 2006 13:53:02 -0700

Subject: FW: Fw: You need to address this

Spencer,

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Thanks!

-----Original Message-----

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Sent: Wed, 21 Jun 2006 16:25:20 -0400

Subject: FW: Fw: You need to address this

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City Manager, Alachua Florida
www.cityofalachua.com

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To: Marian B Rush; Clovis Watson Jr

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Marian B Rush wrote:

>

>-----Original Message -----

> *From:* Clovis Watson Jr <mailto:cwatsonjr@cityofalachua.com>

> *To:* marian@rushandglassman.com <mailto:marian@rushandglassman.com>

> *Sent:* Wednesday, June 21, 2006 3:31 PM

> *Subject:* FW: You need to address this

>

>

>

>
 >
 > Clovis Watson Jr.
 >
 > City Manager, Alachua Florida
 >
 > www.cityofalachua.com <<http://www.cityofalachua.com>>

 >
 > *From:* JeanGLC@aol.com <<mailto:JeanGLC@aol.com>> <JeanGLC@aol.com>
 > *Sent:* Tuesday, June 20, 2006 9:25 PM
 > *To:* cwatsonjr@cityofalachua.com <<mailto:cwatsonjr@cityofalachua.com>>
 > *Subject:* Fwd: You need to address this

>
 >
 > Please forward a copy to Ms. Rush. Thanks

 >
 > Subject:
 > You need to address this
 > From:
 > "Charles Grapski" <cgrapski@mac.com>
 > Date:
 > Tue, 20 Jun 2006 11:53:39 -0400
 > To:
 > <jcaldерwood@cityofalachua.com>
 >
 > To:
 > <jcaldерwood@cityofalachua.com>
 > CC:
 > <cgrapski@mac.com>

>
 > Mrs. Calderwood,
 >
 > I am growing increasingly concerned about the failure of the City of
 Alachua
 > to follow the law and its established rules and procedures.
 >
 > But more importantly I believe that last nights activities by Chief
 Jernigan
 > and Clovis Watson truly call into question exactly WHO is running the City
 > of Alachua.
 >
 > Last night the City again defiantly attempted to use the consent agenda to
 > pass substantive policies which is a prohibited act under Florida law,
 > statute 286.011. I don't know how many times I have to warn the city
 about
 > this. The law is very clear on this - it is not a joke - and Clovis
 Watson
 > may not circumvent that law by "talking individually" to each of the
 > commissioners to find out if they "Consent" to the item. That is not
 legal.
 > Your City Attorney should certainly know that and state that to you.
 >
 > Furthermore you read from the rules and procedures but once again seem to
 > think they apply to the PUBLIC - and not the Commission. The Rules and

> Procedures you cited ADOPT Roberts Rules of Order to conduct the meeting.
 >
 > I appropriately and in an orderly fashion rose and made a point of
 > "parliamentary inquiry." This is the appropriate thing for a member of
 the
 > public to do - under the rules - when there is a question about those
 rules
 > or the law. I attempted to have you read the rule regarding procedures
 > (which is in the rules) adopting Roberts Rules of Order - then to have the
 > clerk (parliamentarian) read the section of Roberts Rules on what is - and
 > when it is appropriate - a parliamentary inquiry.
 >
 > I further was going to request that the City Attorney read Chapter 286 to
 > the Commission advising them of the law. And I then attempted - as is
 > prescribed in the rules - to raise a "point of order" (and thus also
 having
 > the Clerk read the rules on that).
 >
 > However, without your instructing the Chief of Police to arrest or remove
 me
 > - and on tape you reiterate that you did not make such a request - the
 Chief
 > of Police, unrequested (except by Clovis Watson - who does not actually
 run
 > the meetings of the City Commission), stood aggressively in front of me
 > while I was trying to address you. Then physically committed assault and
 > battery on me - all the while with you trying to speak to me (you kept
 > saying, "Mr. Grapski" - but the Chief was attempting to physically detain
 me
 > as I was trying to listen to your statement and respond) - at the front of
 > the chambers.
 >
 > I tried to continue to operate according to the Rules and Procedures - and
 > stated you had not ruled my Parliamentary Inquiry out of order. When you
 > did do this - I then proceeded (as is the rule) to make a Point of Order
 > (after which I would have made a motion to appeal the ruling of the chair
 -
 > as is again in the rules and procedures). This is what the ORDERLY manner
 > of business at City Hall under the rules is supposed to do - without the
 > Police attempting to shut the person up.
 >
 > When Jernigan evicted me from the building - without cause - I stated to
 him
 > that you had simply "ruled me out of order" - which is a parliamentary
 > action with proper actions to follow which I attempted to do - and that
 this
 > was not a basis to have me physically removed - and he stated that "That
 > means leave" (I have it on video) - and then he said that "He was deciding
 > to have me removed".
 >
 > Things are escalating in the City of Alachua. Clovis Watson has committed
 > perjury in having me arrested the first time. He has approached and
 > intimidated citizens who are witnesses to criminal activities he has
 > committed. Several people now FEAR physical retaliation by Clovis Watson
 > and indeed by APD (under color of law).
 >
 > This situation has truly grown out of hand - and it is time for you to
 stand
 > up and take honest action about it. I am trying to implore you to stop
 > listening to what Clovis and others are telling you - and start reading
 the

> actual rules and laws and demanding they be enforced. This situation is
> rapidly escalating out of control - because Clovis Watson and others KNOW
> that they committed serious violations of the law in their conduct of the
> recent election.

> Let me state to you a FACT:

> On April 11th Clovis Watson approached residents of Alachua, at the steps
> of

> City Hall, who he knew as they were arriving to pay their utility bill.
> Watson solicited those individuals to vote - even though the voting was
> the
> next day. He instructed them (and escorted them) into Henderson's office.
> He instructed them on who to vote for. Henderson had also given guidance
> to
> some as to who to vote for ... this is highly illegal.

> One such individual, with no intention of voting, told Clovis that the
> election was the next day and she couldn't vote. Clovis told her that was
> not a problem and she could vote there that day. After telling her to
> vote

> for "Mr. Lewis" he escorted her into Henderson's office. Henderson then
> stood over her and watched her cast a ballot. She left and encountered
> Watson on the steps again. He asked if she voted for the "right one" -
> she

> said she voted for who he told her to, "Mr. Lewis" - Watson then asked,
> "but

> did you vote for number 2?" - she said no Mr. Lewis was the first on the
> ballot. Watson then had her return to Henderson - who took out the ballot
> she had originally cast, tore it up, and gave her a new one to vote for
> James Lewis.

> This story was told to me in person by this citizen. She had previously
> told it to two other people. She told this to me in the presence of a
> large

> number of other individuals. And she has repeatedly re-affirmed this
> story

> and has told this to two attorneys and her name was given to Bill Cervone
> to
> interview.

> When Clovis Watson obtained illegally my recorder - he heard her voice on
> the

> recording in interviews I had with witnesses to the voting procedure - he
> subsequently confronted her (and has intimidated her) - and then falsely
> stated to the commission that she approached him with a concern about our
> "unwanted" solicitation from her. This was a LIE by Clovis. Clovis has
> since, acting as the City, sent a threatening letter to Michael Canney, a
> misleading ad in the papers attempting to discourage witnesses from
> speaking, and a personal letter to all absentee voters with the same
> intent.

> I know of many criminal activities taking place in the City of Alachua by
> City officials. I will do all I can to bring this to light - to public
> attention and ultimately prosecution. I believe that you are involved in
> many of these acts WITHOUT your conscious participation - but as a result
> of

> their actions and their misleading you.

> I can only implore you to take a long, hard look at the facts - and to
> read

>the actual laws and procedures I have been trying to bring to your
>attention.What you decide to do is up to you. Just know that I have
> attempted to inform you of the wrongdoing taking place under your
leadership
> as Mayor.
>
>
> Charles Grapski
>

From: Robert Jemigan rjernigan@cityofalachua.com

To: Clovis Watson

cc:

Date: Thu, 29 Jun 2006 12:01:30 -0700

Subject: No Contact Order

The judge's secretary has the order presently. As soon as I can get it I will deliver it to you.

Thanks!

Chief

From: Robert Jernigan rjernigan@cityofalachua.com

To: Clovis Watson

cc:

Date: Thu, 29 Jun 2006 12:33:01 -0700

Subject: No Contact Order Follow UP

Clovis,

It may be a couple of days before the order is drawn up and we get a copy according to SpenCer Mann.

Chief

From: Robert Jernigan rjernigan@cityofalachua.com

To: Clovis Watson

cc:

Date: Thu, 29 Jun 2006 12:48:37 -0700

Subject: No Contact Order

Judge Seig found Probable Cause that Grapski disturbed the peace, was trespassing, and resisted arrest without violence. Judge has ordered no contact with any city employee, official, or city commissioner. He cannot attend any city commission meetings and is forbidden to come to the City of Alachua unless he lives here. Order will remain in effect until case is closed "Could take 4-5 months".

#2

Clovis Watson Jr

From: Charles Grapski [cgrapski@mac.com]
Sent: Monday, May 01, 2006 1:46 AM
To: Clovis Watson Jr
Subject: Re: Claimed Exemption

On Apr 30, 2006, at 3:16 PM, Clovis Watson Jr wrote:

- > Mr. Grapski:
- >
- > I have two requests. The first is that you provide me with a copy of
- > the tape you made of our conversation Friday, April 28, 2006, when we
- > were discussing your concerns regarding access to public records.

I'll consider it. However it was not a tape - but electronic - and I have not made a copy of it yet. Of course, I am not obligated to provide you with such a copy.

- >
- > Secondly, I would ask that, in the future, you obtain my consent when
- > taping
- > me, unless circumstances dictate otherwise according to law.

Actually - I had your consent to be recorded - first, because you clearly saw that you were being recorded, second, because you openly stated that you recognized you were being recorded and continued to speak (and never asked not to be recorded), and third, because as a public official - I have a right to record anything you say - because anything you say is deemed to be a public statement.

- > Based on your request to be provided written documentation in regard
- > to what
- > you referred to as the claimed exemption, I will provide you with that
- > information during our 10:30 a.m. meeting scheduled Monday, May 1,
- > 2006.

Thank you. However, as I mentioned, please provide the documents requested - as the exemption you claim does not exist or apply to me in this case. I also believe that the City of Alachua once before had a request for these documents, and made similar claims, and had those claims refuted once before - that the documents were obtainable by request.

I will see you at 10:30 - I will be recording any and all of our interactions throughout this process. That is your notification.

Thank you,

Charles Grapski

- >
- >
- > Clovis Watson Jr.
- > City Manager, Alachua Florida
- > www.cityofalachua.com
- >

> -----Original Message-----

- > From: Charles Grapski [mailto:cgrapski@mac.com]
- > Sent: Friday, April 28, 2006 3:39 PM

> To: cwatsonjr@cityofalachua.com

> Cc: cgrapski@mac.com

> Subject: Claimed Exemption

>

> Mr. Watson,

> Thanks for your prompt reply via phone. Please provide me, in

> writing, as

> is required by 119 Florida Statutes, the explicit legal exemption that

> you

> are claiming regarding this request for public records. Please state

> the

> nature of the document, the portion thereof which is exempt, and the

> statutory exemption being relied upon.

>

> I also want to confirm that we will meet on Monday at 10:30 to inspect

> those

> documents which are not subject to exemptions.

>

> Thank you,

>

> Charles Grapski

>

>

From: Robert Jernigan jernigan@cityofalachua.com

To: lcl@sa.co.alachua.fl.us

cc: *opj56*

Date: Tue, 2 May 2006 05:56:43 -0700

Subject: Search Warrant

Good morning Mr. Libby,

I am available to make changes or corrections as needed this morning. Please give me a call when you are ready at 386-462-6569.

Thanks, Chief Jernigan

November 24, 2006

Robert Jernigan, Chief
Alachua Police Department

PUBLIC RECORDS REQUEST

Pursuant to Article I, Section 24 of the Florida Constitution and Chapter 119 Florida Statutes, the Florida Public Records Law, this is a formal demand for public records.

Please provide the following records upon presentation of this request. If there is a reason for a delay in producing these records please provide this in a written response and state the statutory basis for the denial or delay.

If any record or portion thereof is withheld please provide a description of the record and the explicit statutory exemption being relied upon for the denial.

Please provide these documents for INSPECTION.

1. All documents, files, correspondence, memorandums, etc. regarding the allegations of and investigation into and prosecution of Charles Grapski with regard to Clovis Watson.
2. All correspondence of Robert Jernigan pertaining to Charles Grapski.
3. The Evidence Report and all related documents regarding the seizure, possession, and investigation of the audio recorder in the case against Charles Grapski

RECEIVED
NOV 24 2006
[Signature]

*Pulled Reports + Took
To AL. Henderson
@ City Hall 11/27/06
@ 1700 Hours*

From: Clovis Watson Jr cwatsonjr@cityofalachua.com

To: Robert Jernigan

cc:

Date: Wed, 21 Feb 2007 13:20:44 -0500

Subject: FW: High Springs Herald

Clovis Watson Jr.
City Manager, Alachua Florida
www.cityofalachua.com

From: Clovis Watson Jr [mailto:cwatsonjr@cityofalachua.com]

Sent: Wednesday, February 21, 2007 1:16 PM

To: 'Ronald Dupont'

Subject: RE: High Springs Herald

Mr. Dupont,

I have not had the ability to view the video you are referring to. Therefore, I cannot comment on what you viewed on it or its accuracy. I will, however, provide you the following information regarding tasers. The use of the taser is governed by use of force policies. The taser has a place in the use of force continuum at the same level as the baton. The City of Alachua taser policy gives examples of factors and circumstances to be considered by an officer when considering the taser in the use of force continuum. Below the taser and the baton on the use of force continuum is the use of verbal commands. Included in verbal commands given in order to gain control of a suspect is verbalizing the threatened use of force. The threatened use of force is an escalation on the use of force continuum below the actual use of a taser or a baton. Therefore the threat to use force is on a different level on the use of force continuum than the actual application of that force. It should be made perfectly clear that the taser was not used on Charles Grapski. As always, please feel free to contact me should you have any additional questions regarding this matter.

Respectfully,
Clovis Watson Jr.
City Manager, Alachua Florida
www.cityofalachua.com

From: Ronald Dupont <rdupont@highspringsherald.com>

Sent: Tuesday, February 20, 2007 4:12 PM

To: cwatsonjr@cityofalachua.com

Subject: High Springs Herald

Mr. Watson:

I had called Chief Jernigan earlier today, but Carrie Lund called me back and said that I would have to talk to you about this subject.

I was watching the videotape of Charlie Grapski being carried out of the city commission meeting last week. There comes a part in the video where Grapski is laid on the ground and the following conversation takes place:

Jernigan: "Have you got a taser? (to another officer)"

Grapski: "You're going to taser me?"

Jernigan: "Yeah, if you don't get up."

In the video, you can see the officer with his Taser out, with the laser light on, with the Taser aimed at Grapski as he is on the ground.

Mr. Watson, is it city policy to use a Taser on a man using passive resistance, such as laying on the ground as Grapski was doing? I was sent a copy of the city's Taser policy and can't seem to find the section where a Taser is to be used on a person in such a situation.

But I could be reading the policy incorrectly or misinterpreting the situation that was taking place with Grapski.

Any help you could give me on this would be appreciated.

Ronald Dupont Jr.
Editor & Associate Publisher
The High Springs Herald, Florida's #1-Ranked Weekly Newspaper
386-454-1297
rdupont@HighSpringsHerald.com
<http://www.HighSpringsHerald.com>
Personal Website: <http://www.ronald-dupont.com>

EIGHTH JUDICIAL CIRCUIT

AGENCY CASE REPORT NUMBER: 2007001657

DEFENDANT: NAME OF SUBJECT (LAST, FIRST, MI): Grapski, Charles J ALIAS / MAIDEN:

911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.): CITY: STATE: ZIP CODE: TELEPHONE NUMBER:

BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE: TELEPHONE NUMBER:

MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS): P.O. Box 190 Alachua 32616 SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):

SEX: M RACE: M Height: 5,9 Weight: 200 Hair Color: Blonde Eye Color: Blue Build: Medium

STATE OF DL/ID: FL SOCIAL SECURITY NUMBER: 1989002035 PHOTO NUMBER: FLOO 10800 PLACE OF BIRTH: New York COUNTRY OF BIRTH: US

SUBJECT: Unemployed AGENCY OR I.D. NUMBER: FLOO 10800 SO ID / AGENCY ID / NUMBER: 1994-00960 BOOKING NUMBER:

LOCATION OF ARREST: 13800 NW 152 PL (Alachua Elementary) DATE OF ARREST: 02-12-2007 TIME OF ARREST (MILITARY): 2040hrs DATE OF BOOKING: 02-12-2007 TIME OF BOOKING (MILITARY): 2018

SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.): Chief Jernigan SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.): Known to Officer/ Florida ID

#1 (NAME): #2 (NAME): DATE OF BIRTH: RACE: SEX: COURT NUMBER: ARRESTED: SWORN COMPLAINT: FELONY: MISDEMEANOR: TRAFFIC CASE: JUVENILE: YES: NO

JUVENILE DISPOSITION: NAME OF GUARDIAN/PARENT (NOTIFIED) YES: NO: WORK TELEPHONE NUMBER: PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT #, PO BOX, ETC.): CITY: STATE: ZIP CODE: HOME TELEPHONE NUMBER:

#1 (NAME): Hal Brady ADDRESS: 15001 NW 140 Street TELEPHONE NUMBER:

#2 (NAME): ADDRESS: TELEPHONE NUMBER:

OFFENSE DESCRIPTION: Disorderly Conduct COMPLETE STATUTE / ORDINANCE NUMBER: 877.03 VICTIM NOTIFICATION: ARREST: YES: NO RELEASE: YES: NO

CHARGE: JUVENILE PU ORDER: CIVIL ORDER: CITATION: DATE OF OFFENSE: 02-12-07 TIME OF OFFENSE: 2040 BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER:

VICTIM (NAME): State of Florida ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: Alachua STATE: FL ZIP CODE: 32615

CHARGE 2: OFFENSE DESCRIPTION: Resisting With Violence COMPLETE STATUTE / ORDINANCE NUMBER: 843.01 VICTIM NOTIFICATION: ARREST: YES: NO RELEASE: YES: NO

WARRANT: JUVENILE PU ORDER: CIVIL ORDER: CITATION: DATE OF OFFENSE: TIME OF OFFENSE: BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER:

VICTIM (NAME): State of Florida ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: Alachua STATE: FL ZIP CODE: 32615

PROSECUTIVE SUMMARY: THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS / LOCATION): 13800 NW 152 PL / Alachua Elementary CITY OF: Alachua COUNTY OF: Alachua STATE OF: FLORIDA

On 02/12/07 at approximately 2040hrs the defendant during citizens comments interrupted the citizen that was speaking and was told numerous times by the Mayor to not blurt out comments from the floor. Mayor Calderwood advised the defendant that if he continued to do so he would have to leave. The defendant defied the Mayor's instructions and again blurted out comments from the floor, interrupting the citizen that was speaking. Mayor Calderwood at that time asked me to remove the defendant from the room. I approached the defendant and gave him a lawful order to leave or he would be arrested for trespassing. The defendant refused to leave and I advised him that he was under arrest. The defendant was placed in wrist restraints. As I attempted to escort the defendant from the auditorium the defendant laid on the floor in a prone position refusing to leave the building.

MANDATORY APPEARANCE IN COURT AT: DATE OF APPEARANCE: TIME OF APPEARANCE:

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS NOTICE TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS. DEFENDANT (SIGNATURE): DATE:

I SWEAR THE ABOVE AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NAME (PRINT): Robert Jernigan

SIGNATURE: TITLE: Law Enforcement Officer AGENCY: Alachua Police LEO NUMBER: 301

Form Date (Revised 1/00) White - Court Yellow - State Attorney 2nd White - Agency Golden - Defendant PAGE 1 OF 2

ARREST COMPLAINT

ADMIN. CASE NUMBER

AGENCY OR NUMBER

FL0010800

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

SPIN NUMBER

AGENCY REPORT NUMBER

2007001657

NAME (LAST, FIRST, MIDDLE)

Grapski, Charles

ALIAS/MAIDEN NAME

RACE <input type="checkbox"/> WHITE <input type="checkbox"/> AMERICAN INDIAN <input type="checkbox"/> BLACK <input type="checkbox"/> ORIENTAL/ASIAN <input checked="" type="checkbox"/> W	SEX <input type="checkbox"/> F <input checked="" type="checkbox"/> M	DATE OF BIRTH 06-09-1965	JAIL NUMBER	SO. AGENCY NUMBER 199	D NUMBER 4-0096-0	HEIGHT 6'0	WEIGHT 200
---	---	------------------------------------	-------------	---------------------------------	-----------------------------	----------------------	----------------------

CHARGE DESCRIPTION Resisting Without Violence	COUNT	<input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISD <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER 8, 4, 3, 0, 2	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input checked="" type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. PU. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MIL) 02-12-2007 2040 hrs	BAIL AMOUNT	DRUG TYPE N ACTIVITY N
VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) State of Florida			ADDRESS PHONE (386) 462-1396	

CHARGE DESCRIPTION Trespass	COUNT	<input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISD <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER 8, 1, 0, 0, 8	VICTIM NOTIFICATION ARREST Y <input checked="" type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. PU. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MIL) 02-12-2007 2040 hrs	BAIL AMOUNT	DRUG TYPE N ACTIVITY N
VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) State of Florida			ADDRESS PHONE (386) 462-1396	

CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. PU. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MIL)	BAIL AMOUNT	DRUG TYPE ACTIVITY
VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)			ADDRESS PHONE	

CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. PU. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MIL)	BAIL AMOUNT	DRUG TYPE ACTIVITY
VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)			ADDRESS PHONE	

Three uniformed officers arrived and assisted me in removing the defendant from the building. Once the defendant was removed from the auditorium the defendant lifted up yelling for a unknown subject to continue video taping. In doing so the defendant was kicking the law enforcement officers in their legs and hands. The defendant was asked several times to stand up, but refused. The defendant continued to refuse my lawful authority and had to be placed in a marked vehicle by 4 uniformed officers.

PROSECUTIVE SUMMARY CONTINUED

2007 FEB 16 PM 10:22

NAME (PRINT) **Chief Robert Jernigan** SIGNED *Robert Jernigan* AGENCY **APD** OFFICER ID NUMBER **301**

WHITE - COURT YELLOW - STATE ATTORNEY GREEN - INVESTIGATIONS PINK - AGENCY COPY BLUE - DEFENDANT PAGE **2** OF **2**

CBTS NUMBER: _____

EIGHTH JUDICIAL CIRCUIT

AGENCY CASE REPORT NUMBER: 2006004792

NAME OF SUBJECT (LAST, FIRST, MI): Grapski, Charles E.		ALIAS / MAIDEN:			
311 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.): CR 352		CITY: Naples Heights	STATE: FL	ZIP CODE: 34096	TELEPHONE NUMBER: ()
BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): University of Florida		CITY: Gainesville	STATE: FL	ZIP CODE: ()	TELEPHONE NUMBER: ()
MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 311 ADDRESS):		SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):			

RACE: <input type="checkbox"/> WHITE <input type="checkbox"/> AMERICAN INDIAN <input type="checkbox"/> BLACK <input type="checkbox"/> ASIAN / ORIENTAL	SEX: M	DATE OF BIRTH: 06/09/1963	HEIGHT: 5'09"	WEIGHT:	HAIR COLOR: Brown	EYE COLOR: Blue	COMPLEXION: Med	BUILD: Med
STATE OF DL / ID: FL		SOCIAL SECURITY NUMBER:	PHOTO NUMBER:	PLACE OF BIRTH:	COUNTRY OF CITIZENSHIP:			

SUBJECT'S OCCUPATION: Professor	SPN NUMBER: 1989022055	AGENCY ORI NUMBER: FL 0010200	SO ID / AGENCY ID / NUMBER: 94-027160	BOOKING NUMBER:
LOCATION OF ARREST: 15001 NW 140 Street, Alachua, FL 32615	DATE OF ARREST: 05/01/2006	TIME OF ARREST (MILITARY): 11:20	DATE OF BOOKING: 05-01-06	TIME OF BOOKING (MILITARY): 1158

SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.): _____ SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.): _____

#1 (NAME):	DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> MTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO
#2 (NAME):	DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> MTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO

JUVENILE DISPOSITION: <input type="checkbox"/> RELEASED TO JAC <input type="checkbox"/> ISSUED MTA AND RELEASED	NAME OF PARENT / GUARDIAN (NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO):	WORK TELEPHONE NUMBER: ()
PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT #, PO BOX, ETC.):		HOME TELEPHONE NUMBER: ()

#1 (NAME): Eileen McCoy	ADDRESS: 14410 NW 142 Terr/POB 296, Alachua, FL 32615	TELEPHONE NUMBER: (386) 418-0127
#2 (NAME):	ADDRESS:	TELEPHONE NUMBER: ()

CHARGE DESCRIPTION: Disturbance in closure of wire, ord	<input type="checkbox"/> FEL <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC	DDMP LATEST / FUTE / ORDINANCE NUMB: 9704.03 (1)11	ACT / MODIFICATION: ARREST: <input type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> WARRANT <input type="checkbox"/> CIVIL ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE: 04/28/2006	TIME OF OFFENSE: 1345	BAIL AMOUNT:

VICTIM (NAME): Clavis Watson, Jr.	ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): 15001 NW 140 Street	CITY: Alachua	STATE: FL	ZIP CODE: 32615
OFFENSE DESCRIPTION:	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC	COMPLETE STATUTE / ORDINANCE NUMBER:	VICTIM NOTIFICATION: ARREST: <input type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input type="checkbox"/> YES <input type="checkbox"/> NO	

<input type="checkbox"/> WARRANT <input type="checkbox"/> CIVIL ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE:	TIME OF OFFENSE:	BAIL AMOUNT:	VICTIM'S TELEPHONE NUMBER: ()
VICTIM (NAME):	ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):	CITY:	STATE:	ZIP CODE:

THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS / LOCATION): 15001 NW 140 Street CITY OF: Alachua COUNTY OF: Alachua OR: FLORIDA

On Friday, 04/28/2006, at approximately 1345 hours, I arrived at 15001 NW 140 Street (Alachua City Hall) in response to a disturbance. Upon my arrival, defendant Charles Grapski was seated in my office, along with witness Eileen McCoy. I engaged in a conversation with Mr. Grapski to ascertain what the problem was and offer my assistance. Mr. Grapski advised that he had a concern with regards to obtaining public records.

MANDATORY APPEARANCE IN COURT AT: _____ DATE OF APPEARANCE: _____ TIME OF APPEARANCE: _____ AM PM

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS NOTICE TO AVOID WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I HAVE READ MY SIGNATURE IS NOT AN ADMISSION OF GUILTY OR WAIVER OF MY RIGHTS.

STATE AND SUBSCRIBED TO BEFORE ME THIS: _____ DAY OF May 7 2006

SIGNATURE: _____ TITLE: Chief of Police

I SWEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME (PRINT): Clavis Watson, Jr.

SIGNATURE: _____

AGENCY: Alachua Police Dept. LEO ID NUMBER: 1101

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

OBIS NUMBER
ORI NUMBER
AGENCY REPORT NUMBER

SN NUMBER 1987000035
AGENCY REPORT NUMBER 0000000001
ALIAS/MAIDEN NAME

NAME: LAST, FIRST, MIDDLE
[Redacted]

RACE W - WHITE 3 - BLACK 1 - AMERICAN INDIAN O - ORIENTAL/ASIAN	SEX M F	DATE OF BIRTH 06/09/1963	HAIR COLOR	SO ID/AGENCY ID/NUMBER 44-00760	HEIGHT 5'09"	WEIGHT
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ACTIVITY N. N/A P. POSSESS	S. SELL B. BUY T. TRAFFIC	R. SMUGGLE D. DELIVER E. USE	K. DISPENSE/ DISTRIBUTE	M. MANUFACTURE/ PRODUCE/ CULTIVATE	U. UNKNOWN Z. OTHER	DRUG TYPE N. N/A A. AMPHETAMINE	B. BARBITURATE C. COCAINE E. HEROIN	H. HALLUCINOGEN M. MARIJUANA O. OPIUM/DERIVATIVE	P. PARAPHERNALIA EQUIPMENT	U. UNKNOWN Z. OTHER	S. SYNTHETIC
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
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<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. P.U. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MM/YY)	BAIL AMOUNT	DRUG TYPE	ACTIVITY
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VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) ADDRESS PHONE

CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
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<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. P.U. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MM/YY)	BAIL AMOUNT	DRUG TYPE	ACTIVITY
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VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) ADDRESS PHONE

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<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. P.U. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MM/YY)	BAIL AMOUNT	DRUG TYPE	ACTIVITY
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VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) ADDRESS PHONE

CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
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<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. P.U. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MM/YY)	BAIL AMOUNT	DRUG TYPE	ACTIVITY
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VICTIM NAME (IF BUSINESS GIVE LEGAL NAME) ADDRESS PHONE

from the City. He said I dismissed the issue for a short time, and I then exited my office to confirm information for Mr. Grapski from the Deputy Clerk. Upon my return I heard my own voice for a brief moment, as I entered my office door. I then sat back down and noticed a small black base on the basis in my office with a blinking red light, and realized I was secretly being recorded.

I then asked Mr. Grapski if he was recording me, to which he replied in the affirmative. I advised Mr. Grapski that it was illegal to record a person without his/her consent, to which he stated that is should be expected since I am a public official. I advised Mr. Grapski that he was incorrect and again stated that his actions were illegal. In a subsequent email from Mr. Grapski (attached), he stated, "because as a public official - I have a right to record anything you say - because anything you say is deemed as a public statement."

(PRINT) Clovis Watson, Jr. SIGNED _____ AGENCY ARI OFFICER ID NUMBER 1000

ARREST SWORN COMPLAINT HOLE

JUVENILE NOTICE TO APPEAR

EIGHTH JUDICIAL CIRCUIT

CASE REPORT NUMBER:
2005008207

OBJ'S NUMBER:

NAME OF SUBJECT (LAST, FIRST, MI): **Young Joshua Ramsey** ALIAS / MAIDEN:

HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.): **21824 NW 78th Avenue** CITY: **Alachua** STATE: **FL** ZIP CODE: **32615** TELEPHONE NUMBER: ()

BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): **W.G. Johnson & Son** CITY: **Gainesville** STATE: **FL** ZIP CODE: **32653** TELEPHONE NUMBER: ()

MARRIAGE ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 311 ADDRESS): SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):

RACE: WHITE AMERICAN INDIAN BLACK ASIAN / ORIENTAL SEX: **M** DATE OF BIRTH: **6/17/86** HEIGHT: **5-10** WEIGHT: **140** HAIR COLOR: **Brown** EYE COLOR: **Green** COMPLEXION: **Fair** BUILD: **Thin**

STATE OF DL / ID: **FL** PHOTO NUMBER: PLACE OF BIRTH: **Gainesville, FL** COUNTRY OF CITIZENSHIP: **USA**

AGENCY OR NUMBER: **FL 0010300** SO ID / AGENCY ID / NUMBER: **2005-02376** BOOKING NUMBER:

DATE OF ARREST: **07-10-05** TIME OF ARREST (MILITARY): **0959** DATE OF BOOKING: **07-24-05** TIME OF BOOKING (MILITARY): **1245**

LOCATION: **3.5 Miles East of CR 241 on NW 174th Ave** SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.): **LEO** SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.): **Florida Drivers License**

DEPENDANT

#1 (NAME): **Earl Spenser** DATE OF BIRTH: **1/18/54** RACE: **M** SEX: **M** COURT NUMBER: ARRESTED SWORN COMPLAINT NTA FELONY MISDEMEANOR TRAFFIC CASE JUVENILE YES NO

JUVENILE DISPOSITION: RELEASED TO JAC ISS JEP NT AND RELEASED

NAME OF PARENT / GUARDIAN (NOTIFIED YES NO): **Chief Robert Jernigan** ADDRESS: **Alachua Police Department** TELEPHONE NUMBER: **(386) 462-1396**

CO-DEFENDANT

OFFENSE DESCRIPTION: **Trespass & Larceny of Water (City)** COMPLETE STATUTE / ORDINANCE NUMBER: **812.14** VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION CAPIAS NUMBER: **07-29-05** DATE OF OFFENSE: **0915** TIME OF OFFENSE: **0915** BAIL AMOUNT: **(386) 462-1231** VICTIM'S TELEPHONE NUMBER:

VICTIM (NAME): **City of Alachua** ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): **P.O. Box 9** CITY: **Alachua** STATE: **FL** ZIP CODE: **32616**

CHARGE 1

THE FOLLOWING INCIDENT OCCURRED AT ADDRESS / LOCATION: **NW 158th Ave / NW 14th St** CITY OF: **Alachua** COUNTY OF: **Alachua** STATE OF: **FLORIDA**

On 7/29/05 at approximately 0915 hours Chief Jernigan observed a white/red water truck with W.G. Johnson & Son logo on the side of the truck at the intersection of NW 14th Street and NW 158th Avenue with a hose hooked up to the water hydrant. Chief Jernigan called dispatch and requested they call the Building Department to ascertain if they had authorization to be pumping water from the hydrant. Chief Jernigan circled the block and when he returned

MANDATORY APPEARANCE IN COURT AT: DATE OF APPEARANCE: TIME OF APPEARANCE: AM PM

CHARGE 2

I, AND I SUBSCRIBED TO BEFORE ME THIS:

DAY OF **July** 2005

SIGNATURE: **[Signature]** TITLE: **[Signature]**

I SWEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. **Police Commissioner**

NAME (PRINT): **Clovis Watson Jr., City Manager**

SIGNATURE: **[Signature]**

AGENCY: **Alachua PD** LEO ID NUMBER: **1101**

JURAT

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

SPN NUMBER
AGENCY ORI NUMBER
FL 0010800
LAST FIRST, MIDDLE

SPN NUMBER
AGENCY REPORT NUMBER
2005008207
ALIAS/MAIDEN NAME

DEF. NAME	YOUNG Joshua Ramsey
RACE	W - WHITE B - BLACK O - ORIENTAL/ASIAN <input checked="" type="checkbox"/> W
SEX	M
DATE OF BIRTH	6/17/86
JAIL NUMBER	
SO ID/AGENCY ID NUMBER	
HEIGHT	5-10
WEIGHT	140

ACTIVITY	S. SELL N. SNA 2. POSSESS	R. SMUGGLE D. DELIVER E. USE	K. DISPENSE/ DISTRIBUTE	M. MANUFACTURE/ PRODUCE/ CULTIVATE	U. UNKNOWN Z. OTHER	DRUG TYPE	B. BARBITURATE C. COCAINE E. HEROIN	H. HALLUCINOGEN M. MARIJUANA O. OPIUM/DERIVATIVE	P. PARAPHERNALIA/ EQUIPMENT	U. UNKNOWN Z. OTHER
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST <input type="checkbox"/> N <input type="checkbox"/> RELEASE <input type="checkbox"/> N <input type="checkbox"/>
<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. P.U. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MIL)	BAIL AMOUNT	DRUG TYPE ACTIVITY

VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST <input type="checkbox"/> N <input type="checkbox"/> RELEASE <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>
<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. P.U. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MIL)	BAIL AMOUNT	DRUG TYPE ACTIVITY

VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST <input type="checkbox"/> N <input type="checkbox"/> RELEASE <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>
<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. P.U. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MIL)	BAIL AMOUNT	DRUG TYPE ACTIVITY

VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST <input type="checkbox"/> N <input type="checkbox"/> RELEASE <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>
<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. P.U. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MIL)	BAIL AMOUNT	DRUG TYPE ACTIVITY

VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE
City of Alachua	P.O. Box 9 Alachua, Fl 32615	(385) 462-1231

the truck was leaving. Chief Jernigan followed the water trail and observed the truck turn ea east on NW 174th Avenue. A traffic stop was made on the truck. Chief Jernigan advised the driver that he observed him pumping water from the hydrant into his truck and asked if he had authorization. The driver then advised he got approximately 1300 gallons of water for the purpose of watering some fresh laid grass on NW 174th Avenue. Chief Jernigan asked the driver and passenger for identification. Both produced a Florida Drivers License. The driver was identified as being David Spencer and the passenger, Joshua Young. Chief Jernigan requested that I respond to his location reference the theft. After arriving I made the decision for us to make an arrest because of the long standing problem with theft of water from our hydrants in the City.

PROSECUTIVE SUMMARY - CONTINUED

EIGHTH JUDICIAL CIRCUIT

AGENCY CASE REPORT NUMBER:
2005008207

NAME OF SUBJECT (LAST, FIRST, MI): Spencer David Earl ALIAS / MAIDEN:

911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.): 4426 SW 186th St CITY: Newberry STATE: FL ZIP CODE: 32660 TELEPHONE NUMBER: ()

BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): W.G. Johnson & Son CITY: Gainesville STATE: FL ZIP CODE: 32653 TELEPHONE NUMBER: ()

MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS): 2430 NW 73rd Place Gainesville SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):

RACE: WHITE HEIGHT: 5-05 WEIGHT: 175 HAIR COLOR: Grey EYE COLOR: blue COMPLEXION: Fair BUILD: Med

BOOKING NUMBER: 1794000364 BOOKING NUMBER: 205-82375

LOCATION OF ARREST: 3.5 Tenths of a mile East of CR 241/ on NW 174th Ave DATE OF ARREST: 07-29-05 TIME OF ARREST (MILITARY): 0959 DATE OF BOOKING: 07-29-05 TIME OF BOOKING (MILITARY): 1240

SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.): LEO SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.): Florida Drivers License

#1 (NAME): Joshua Ramsey Young DATE OF BIRTH: 6/17/86 RACE: W SEX: M COURT NUMBER: NTA ARRESTED FELONY MISDEMEANOR JUVENILE: YES NO

#2 (NAME): NTA DATE OF BIRTH: NTA RACE: NTA SEX: NTA COURT NUMBER: NTA ARRESTED FELONY MISDEMEANOR JUVENILE: YES NO

JUVENILE DISPOSITION: RELEASED TO JAC ISSUED NT, A AND RELEASED NAME OF PARENT / GUARDIAN (NOTIFIED YES NO): WORK TELEPHONE NUMBER: ()

PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT #, PO BOX, ETC.): CITY: STATE: ZIP CODE: HOME TELEPHONE NUMBER: ()

#1 (NAME): Chief Robert Jernigan ADDRESS: Alachua Police Department TELEPHONE NUMBER: 886-262-1396

OFFENSE DESCRIPTION: Trespass & Larceny of Water (City) FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: 812.14 VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION DATE OF OFFENSE: TIME OF OFFENSE: BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER: ()

City of Alachua P.O. Box 9 Alachua FL 32616

OFFENSE DESCRIPTION: FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION DATE OF OFFENSE: TIME OF OFFENSE: BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER: ()

VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

THE FOLLOWING INCIDENT OCCURRED AT ADDRESS / LOCATION: NW 158th Ave / NW 14th Street CITY OF: Alachua COUNTY OF: Alachua STATE OF: FLORIDA

On 7/29/05 at approximately 0915 hours Chief Jernigan observed a white/red water truck with W.G. Johnson & Son logo on the side of the truck at the intersection of NW 14th Street and NW 158th Avenue with a hose hooked up to the water hydrant. Chief Jernigan called dispatch and requested they call the Building Department to ascertain if they had authorization to be pumping water from the hydrant. Chief Jernigan circled the block and when he returned

MANDATORY APPEARANCE IN COURT AT: DATE OF APPEARANCE: TIME OF APPEARANCE: AM PM

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND THE INSTRUCTIONS SPECIFIED WITHIN THIS NOTICE TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS. DEFENDANT (SIGNATURE): DATE:

I SWEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. Police Commissioner / NAME (PRINT): Clovis Watson Jr. City Manager SIGNATURE: [Signature] AGENCY: Alachua PD LEO ID NUMBER: 1101

JURY: I AM SUBSCRIBED TO BEFORE ME THIS: DAY OF July 2005. SIGNATURE: [Signature] TITLE: [Title]

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

SYSTEM NUMBER	SPN NUMBER 1984000364
AGENCY ORIGIN NUMBER 0010800	AGENCY REPORT NUMBER 2005002207
LAST, FIRST, MIDDLE Spencer David Earl	ALIAS/MAIDEN NAME

RACE W - WHITE B - BLACK	SEX M	DATE OF BIRTH 01/18/54	JAIL NUMBER	SO ID/AGENCY ID/NUMBER	HEIGHT 5-05	WEIGHT 175
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ACTIVITY S. SELL N. NA P. POSSESS	T. TRAFFIC	R. SMUGGLE D. DELIVER E. USE	K. DISPENSE/ DISTRIBUTE	M. MANUFACTURE/ PRODUCE/ CULTIVATE	U. UNKNOWN Z. OTHER	DRUG TYPE N. NA A. AMPHETAMINE	B. BARBITURATE C. COCAINE E. HEROIN	H. HALLUCINOGEN M. MARIJUANA O. OPIUM/DERIVATIVE & SYNTHETIC	P. PARAPHERNALIA/ EQUIPMENT	U. UNKNOWN Z. OTHER
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
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<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. PU. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MM)	BAIL AMOUNT	DRUG TYPE	ACTIVITY
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VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
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<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. PU. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MM)	BAIL AMOUNT	DRUG TYPE	ACTIVITY
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VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
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<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. PU. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MM)	BAIL AMOUNT	DRUG TYPE	ACTIVITY
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VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE
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CHARGE DESCRIPTION	COUNT	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD. <input type="checkbox"/> TRAFFIC	STATUTE/ORDINANCE NUMBER	VICTIM NOTIFICATION ARREST Y <input type="checkbox"/> N <input type="checkbox"/> RELEASE Y <input type="checkbox"/> N <input type="checkbox"/>
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<input type="checkbox"/> CAPIAS <input type="checkbox"/> ARREST WARRANT <input type="checkbox"/> JUV. PU. <input type="checkbox"/> CITATION <input type="checkbox"/> CIVIL ORDER	SEQ. NO.	OFFENSE DATE AND TIME (MM)	BAIL AMOUNT	DRUG TYPE	ACTIVITY
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VICTIM NAME (IF BUSINESS GIVE LEGAL NAME)	ADDRESS	PHONE
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City of Alachua

P.O. Box 9 Alachua, FL 32615

(386) 462-1231

PROSECUTIVE SUMMARY - CONTINUED

the truck was leaving. Chief Jernigan followed the water trail and observed the truck turn east on NW 174th Avenue. A traffic stop was made on the truck. Chief Jernigan advised the driver that he observed him pumping water from the hydrant into his truck and asked if he had authorization. The driver then advised he got approximately 1300 gallons of water for the purpose of watering some fresh laid grass on NW 174th Avenue. Chief Jernigan asked the driver and passenger for identification. Both provided Florida Drivers License. The driver was identified as being David Spencer and the passenger, Joshua Young. Chief Jernigan requested that I respond to his location reference the theft. After arriving I made the decision for us to make an arrest because of the long standing problem with theft of water from our hydrants in the City.

NAME (PRINT) Clavis Watson, Jr.

SIGNED _____

AGENCY AD

OFFICER ID NUMBER 1101

WHITE - COURT

YELLOW - STATE ATTORNEY

GREEN - INVESTIGATIONS

PINK - AGENCY COPY

GOLDEN - DEFENDANT

PAGE 2 OF 2

From: Vicki Floyd vfloyd@cityofalachua.com

To: Robert Jernigan

cc:

Date: Thu, 22 Feb 2007 12:06:16 -0500

Subject: FW: public records request

Vicki Floyd
Records Specialist
City of Alachua Police Department
(386) 462-6571

-----Original Message-----

From: Vicki Floyd vfloyd@cityofalachua.com

Sent: Thursday, February 22, 2007 10:19 AM

To: Robert Jernigan

Subject: public records request

I spoke to a gentleman today by the name of Michael Canney. He is requesting all arrests (copy of all signed mitimus') made by Clovis Watson, Jr. since he has been the City Manager and also all arrests made by you since January 1, 2006. Can you provide me with the appointment date for Clovis Watson, Jr., City Manager.

Thank You!

Vicki Floyd
Records Specialist
City of Alachua Police Department
(386) 462-6571

From: Vicki Floyd vfloyd@cityofalachua.com

Robert Jernigan

cc:

To:

Date: Thu, 22 Feb 2007 10:19:15 -0500

Subject: public records request

I spoke to a gentleman today by the name of Michael Canney. He is requesting all arrests (copy of all signed mitimus') made by Clovis Watson, Jr. since he has been the City Manager and also all arrests made by you since January 1, 2006. Can you provide me with the appointment date for Clovis Watson, Jr., City Manager.

Thank You!

Vicki Floyd
Records Specialist
City of Alachua Police Department
(386) 462-6571

From: Robert Jernigan riernigan@cityofalachua.com

To: Alan Henderson

CC:

Date: Thu, 22 Feb 2007 09:16:45 -0800

Subject: FW: public records request

Alan,

Just wanted to make you aware of Mr. Canney's public record requests. Since these are police records he is inquiring about we will fill our statutory obligation.

Call if you have any questions.

Thanks, Chief

-----Original Message-----

From: Vicki Floyd <vfloyd@cityofalachua.com>

Sent: Thu, 22 Feb 2007 12:06:16 -0500

Subject: FW: public records request

Vicki Floyd

Records Specialist

City of Alachua Police Department

(386) 462-6571

-----Original Message-----

From: Vicki Floyd <vfloyd@cityofalachua.com>

Sent: Thursday, February 22, 2007 10:19 AM

To: Robert Jernigan

Subject: public records request

I spoke to a gentleman today by the name of Michael Canney. He is requesting all arrests (copy of all signed mitimus') made by Clovis Watson, Jr. since he has been the City Manager and also all arrests made by you since January 1, 2006. Can you provide me with the appointment date for Clovis Watson, Jr., City Manager.

Thank You!

Vicki Floyd

Records Specialist

City of Alachua Police Department

(386) 462-6571

From: Alan Henderson ahenderson@cityofalachua.com
To: cwatsonjr@cityofalachua.com, marian@rushandglassman.com, rjernigan@cityofalachua.com
cc:
Date: Wed, 21 Feb 2007 15:22:56 -0500
Subject: FW: Public Records Request 2.20.07c

From: Michael Canney chicoverde@cox.net
Sent: Wednesday, February 21, 2007 3:12 PM
To: ahenderson@cityofalachua.com
Subject: Re: Public Records Request 2.20.07c

Mr. Henderson:

Thank you for your prompt response. I will pick up the document today.

As for the exemption you cited, let's be clear about where and how it applies.

The exemption applies only to documents or records produced exclusively by the criminal investigation itself, such as sworn witness statements or recorded interviews submitted to the State Attorney's Office or another law enforcement official who is conducting the investigation.

The exemption does not apply to any notes, memoranda or correspondence, email or otherwise, produced by city officials and city employees.

If there are in fact any memoranda or email messages referring to the trespassing incident that were produced or received by Mr. Watson, yourself, or any city employee, these documents are public records. I believe the city manager has written a memo for the commission regarding that incident and the arrest incident as well, and if you could provide copies I would appreciate it.

At this time I also request a copy of all memoranda or email messages that were produced or received by Mr. Watson, Mr. Jernigan, yourself, or any city employee, referring to the alleged disturbance and arrest at Alachua Elementary School later in the evening of February 12, 2007. Again, I am not requesting records that are part of the criminal investigation but rather records that were produced by city officials and employees in the course of conducting public business.

If the city has produced such records and is withholding them claiming the statutory exemption you have cited, I request that you provide me with a list of the exempted documents or records, along with the specific exemption claimed for each item.

Citing a blanket exception for unspecified documents and records is not an acceptable response to my request for public records. You are required to disclose what records in fact exist and declare the reason why they are exempt.

119.07

(b) A person who has custody of a public record who asserts that an exemption applies to a part of such record shall redact that portion of the record to which an exemption has been asserted and validly applies, and such person shall produce the remainder of such record for inspection and copying.

(c) If the person who has custody of a public record contends that all or part of the record is exempt from inspection and copying, he or she shall state the basis of the exemption that he or she contends is applicable to the record, including the statutory citation to an exemption created or afforded by statute.

(d) If requested by the person seeking to inspect or copy the record, the custodian of public records shall state in writing and with particularity the reasons for the conclusion that the record is exempt or confidential.

Sincerely,

Michael Canney

Alan Henderson wrote:

>From 119: "Active criminal intelligence information and active criminal investigative information are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution."

The only responsive document for your request is the "front" sheet, which will be available this afternoon.

Charge is 15 cents.

-----Original Message-----

From: Michael Canney [mailto:chicoverde@cox.net]

Sent: Tuesday, February 20, 2007 5:22 PM

To: Alan Henderson

Subject: Public Records Request 2.20.07c

Mr. Henderson:

I am hereby requesting a copy of the following documents:

All memos, incident reports, or criminal complaints written by Clovis Watson Jr., Robert Jernigan, and any other city official or staff member, regarding the alleged trespassing incident involving Charles Grapski at City Hall on the afternoon of February 12, 2007.

Please let me know when these documents are ready for pickup.

Thank you in advance for your prompt reply,

Michael Canney

PO Box 190

Alachua, FL 32616

386-418-3791
chicoverde@cox.net

From: Alan Henderson ahenderson@cityofalachua.com

To: chicoverde@cox.net

cc: cwatsonjr@cityofalachua.com, marian@rushandglassman.com, rjernigan@cityofalachua.com

Date: Wed, 21 Feb 2007 11:29:49 -0500

Subject: RE: Public Records Request 2.20.07c

From 119: "Active criminal intelligence information and active criminal investigative information are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution."

The only responsive document for your request is the "front" sheet, which will be available this afternoon.

is 15 cents.

-----Original Message-----

From: Michael Canney <chicoverde@cox.net>

Sent: Tuesday, February 20, 2007 5:22 PM

To: Alan Henderson

Subject: Public Records Request 2.20.07c

Mr. Henderson:

I am hereby requesting a copy of the following documents:

All memos, incident reports, or criminal complaints written by Clovis Watson Jr., Robert Jernigan, and any other city official or staff member, regarding the alleged trespassing incident involving Charles Grapski at City Hall on the afternoon of February 12, 2007.

Please let me know when these documents are ready for pickup.

Thank you in advance for your prompt reply,

Michael Canney
PO Box 190
Alachua, FL 32616
386-418-3791
chicoverde@cox.net

From: Alan Henderson ahenderson@cityofalachua.com
To: cwatsonjr@cityofalachua.com, marian@rushandglassman.com, rjernigan@cityofalachua.com
CC:
Date: Wed, 21 Feb 2007 08:38:00 -0500
Subject: FW: Public Records Request 2.20.07c

-----Original Message-----

From: Michael Canney <chicoverde@cox.net>
Sent: Tuesday, February 20, 2007 5:22 PM
To: Alan Henderson
Subject: Public Records Request 2.20.07c

Mr. Henderson:

I am hereby requesting a copy of the following documents:

All memos, incident reports, or criminal complaints written by Clovis Watson Jr., Robert Jernigan, and any other city official or staff member, regarding the alleged trespassing incident involving Charles Grapski at City Hall on the afternoon of February 12, 2007.

Please let me know when these documents are ready for pickup.

Thank you in advance for your prompt reply,

Michael Canney
PO Box 190
Alachua, FL 32616
386-418-3791
chicoverde@cox.net





ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT



Trespass
Event Date: Monday, February 12, 2007

Event: 2007001648

EVENT: 2007001648

DATE: 02/12/2007

TIME RECEIVED: 13:47

Event Code: 22T Trespass

Dispatched As: 50A Assist Agency

Event Type: Offense

Reported As: In Progress

Priority: 1

Address: 15001 NW 140 St

Sector:

Zone:

City: Alachua

County: Alachua

State: Florida

Zip Code: 32615

Jurisdiction: Alachua PD

Remarks: Re Grapski S-22D at city hall 1502 301 adv ASO 10-97

Weapon Reported: UNKNOWN

Reporting Party: Watson, Clovis Jr

Telephone:

Origin: Officer Initiated

Dispatcher ID: 115D

OTHER PERSONS INVOLVED IN EVENT 2007001648

No other person records on file for this event.

ALACHUA POLICE DEPARTMENT
OFFENSE EVENT REPORT

Trespass
Event Date: Monday, February 12, 2007

Event: 2007001648

THIS EVENT PAGE

INTENTIONALLY

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CERTIFICATIONS FOR EVENT 2007001648

Prepared By: Officer Jimmy J Smith	Signature:	Date:
and By: 305 Major Clayton K Reiter	Signature:	Date:

From: Alan Henderson ahenderson@cityofalachua.com
To: rjernigan@cityofalachua.com
cc:
Date: Tue, 20 Feb 2007 15:06:54 -0500
Subject:
Charge for Grapski's request at 15 cents per page, please..

From: Alan Henderson ahenderson@cityofalachua.com
To: rjernigan@cityofalachua.com
cc:
Date: Tue, 20 Feb 2007 15:05:38 -0500
Subject: Grapski request Taser and Force.pdf

From: Robert Jernigan rjernigan@cityofalachua.com
To: Alan Henderson
cc:
Date: Tue, 20 Feb 2007 08:37:40 -0800
Subject: RE: [Fwd: Public Records Request: Taser Policy]

Alan,

Attached is the Taser Policy and Use of Force Policy

Thanks,
Chief

-----Original Message-----

From: Alan Henderson <ahenderson@cityofalachua.com>
Sent: Tue, 20 Feb 2007 10:49:48 -0500
Subject: [Fwd: Public Records Request: Taser Policy]

From: /Alan Henderson ahenderson@tyofalacha.com
To: Robert Jernigan
cc: Clovis Watson Jr, Marian B Rush
Date: Tue, 20 Feb 2007 10:49:48 -0500
Subject: [Fwd: Public Records Request: Taser Policy]

From: Robert Jernigan rjernigan@cityofalachua.com

To: Allen Henderson
cc: Clovis Watson

Date: Tue, 4 Jul 2006 12:11:40 -0700

Subject: Public Records Request/Hal Brady

Allen,

Your email states that you want all incident reports or police reports related to incidents that occurred at the Alachua Recreation Center involving inappropriate behavior or misconduct by Rec Center employees or volunteers at the center for the years of 2004, 2005, and 2006.

In order for me to conduct a thorough search in our Code 3 database I will require a list of all employees and volunteers that worked or volunteered at the Rec Center for the years of 2004, 2005, and 2006.

Thanks!

From: Al anHenderson ahenderson@cityofalachua.com

To: Tara Henderson, Traci Cain, Marcian Brown, Robert Jernigan

cc:

Date: Mon, 03 Jul 2006 13:25:25 -0400

Subject: Document1

Please provide me with the following. If there will be extensive time involved, please forward me an estimate of the hours needed.

Thanks

June 21, 2006

Request for Public Records re Parks and Recreation Director Harold Brady

Mr. Henderson:

Please prepare for me a copy of the following documents, and inform me when they are ready for pick up:

1. A complete set of all personnel records kept by the city for Parks and Recreation Director Harold Brady, to include all performance evaluations, incident reports, police reports, and any other information kept by the city related to Mr. Brady's employment with the city. If the city keeps records in locations other than Mr. Brady's personnel file, as was the case with certain APD officers, please include ALL files in the city's possession related to Mr. Brady.

Traci Cain: personnel file

2. All incident reports or police reports related to incidents that occurred at the Alachua Recreation Center involving inappropriate behavior or misconduct by Rec Center employees or volunteers at the center for the years 2004, 2005 and 2006.

Chief Jernigan

3. Mr. Brady's employment contract with the city, and any other document containing information defining the Parks and Recreation director's job description and compensation package.

Traci Cain: Job description; don't think there is any record with compensation package

4. All notes and memoranda written by Mr. Brady to the city manager or any member of the city commission during the year 2006, including email.

Tara

5. All notes and memoranda received by Mr. Brady from the city manager or any member of the city commission during the year 2006, including email.

Tara

6. A record of all Mr. Brady's cell phone calls made or received (incoming and outgoing) during work hours, during the year 2006.

Mr. Brown



Alachua Police Department

P.O. Box 910
Alachua, Florida 32616-0910

Chief Robert E. Jernigan

(386) 462-1396

February 27, 2003

Sawgrass Legal Center, P.A.
7907 West McNab Road
Tamarac, FL 33321-8428

Dear Mr. Sabghir:

I am responding to your Public Records Request Dated 2/19/03. I will address each item that you have listed 1-8.

1. There are no public records that reflect the budgetary cost associated with responding to residential burglar alarms calls within the City of Alachua for year 1997-2002.
2. There are no public records that reflect the budgetary cost associated with responding to commercial establishment burglary alarm calls within the City of Alachua for years 1997-2002.
3. Whenever a resident or business is billed for going over the allowed amount of alarms during a time period, the Alachua Police Department will bill them. When the check is received, it is forwarded to the finance department at City Hall. The Alachua Police Department does not have a report that indicates how much revenue was sent to City Hall.
4. I am not aware of any formal study that was conducted by the City of Alachua between 1997-2002. The city ordinance was adopted on January 26, 1986 and has been in effect to this date.
5. Between 1998-present, there have been 1,485 reported burglar alarms in the City of Alachua. To gather the average response time to each of these calls, each report would have to be viewed and the response time calculated. This would be very time consuming and costly. Having been on the department for 22 years, if I were to estimate our response time to all calls, it would be anywhere from 3-7 minutes.
6. There is not a record that describes the number of Priority calls (Burglary on Structure) calls for 1997-2002.
7. The Alachua Police Department does not track whether calls are called in by telephone or in person.

8.

Same as #7

Our Computer Aided Dispatch software that we are currently using was purchased in 1998. All records prior to that were entered into a different program. In 1997 there were 7,132 incident calls for the Alachua Police Department. To determine how many alarms were included in that number, each incident would have to be checked manually. Again, this would be very time consuming and costly.

I attempted to compile a report for you for the alarms that were received from 1998 to present. It took the computer 3 hours to complete this report and the end result was two pages, which I have included. I have highlighted the areas that may be of interest to you. I am also attaching a copy of our City Ordinance that was adopted in 1986.

I hope that the information that I have provided you will assist you. If you have any questions regarding what I have submitted, please call me.

Sincerely,



Robert Jernigan
Chief of Police

ALACHUA POLICE DEPARTMENT
 ACTIVITY SUMMARY BY SIGNALS
 01/01/1998 to 02/26/2003
 ALL UNITS

TOTAL ACTIVITY: 56912 All Calls

SIGNAL	DESCRIPTION	COUNT	CLRD	%CLRD	% OF TOTAL
1	Impaired/Reckless Driver	435			0.76%
10	Stolen Vehicle	169	26	15.38%	0.30%
11	Abandoned Vehicle	490			0.86%
12P	Parking Problem	112			0.20%
12S	Traffic Stop	18367	321	1.75%	32.27%
12T	Traffic Problem	996			1.75%
13A	Suspicious Activity	1656			2.91%
13H	Incomplete E911 Call	978			1.72%
13P	Suspicious Person	1347			2.37%
13U	Unsecured Premises	291	1	0.34%	0.51%
13V	Suspicious Vehicle	1386			2.44%
14	Information	66			0.12%
15	Special Detail	42			0.07%
16	Invalid Signal - Not Defined	11			0.02%
17	Invalid Signal - Not Defined	11			0.02%
18	Beverage Violation	26			0.05%
19	Narcotics Violation	383			0.67%
2	Intoxicated Subject	124			0.22%
20	Mentally Impaired Person	33			0.06%
21B	Burglary, Business	217	14	6.45%	0.38%
21C	Burglary, Conveyance	339	23	6.78%	0.60%
21R	Burglary, Residence	363	41	11.29%	0.64%
21Z	Burglary Other	30	2	6.67%	0.05%
22C	Civil Dispute	126			0.22%
22D	Disturbance	659			1.16%
22F	Fight	213			0.37%
22T	Trespass	205			0.36%
22V	Verbal Dispute	682			1.20%
23	Riot/Civil Distrubance	2			0.00%
24A	Robbery, Armed	33	5	15.15%	0.06%
24P	Robbery, In Progress	8	0	0.00%	0.01%
24S	Robbery, Strong Arm	16	5	31.25%	0.03%
25A	Fire, Arson	8	0	0.00%	0.01%
25G	Fire, Grass/Field	48			0.08%
25H	Fire, Hazmat	2			0.00%
25S	Fire, Structure	50			0.09%
25V	Fire, Vehicle	68			0.12%
27	Prowler	21			0.04%
28	Sex Offense	46	6	13.04%	0.08%
29	Assault/Battery	764	339	44.37%	1.34%
3	Hit & Run	120	2	1.67%	0.21%
30	Assist Officer	5			0.01%
31	Medical Emergency	34			0.06%
32S	Shoplifting	219	92	42.01%	0.38%
32T	Theft	1136	141	12.41%	2.00%
3A	Alarm, Audible	1403			2.47%
3B	Alarm, Burglar	1485			2.61%

ALACHUA POLICE DEPARTMENT
 ACTIVITY SUMMARY BY SIGNALS
 01/01/1998 to 02/26/2003
 ALL UNITS

ACTIVITY: 56912 All Calls

SIGNAL	DESCRIPTION	COUNT	CLRD	%CLRD	% OF TOTAL
33F	Alarm, Fire	19			0.03%
33P	Alarm, Panic/Duress	113			0.20%
33R	Alarm, Robbery	37	1	2.70%	0.07%
34T	Bomb Threat	3	0	0.00%	0.01%
35	Person Shot	14			0.02%
36	Stabbing	5			0.01%
37A	Suicide Attempt	38			0.07%
37S	Suicide	2			0.00%
38	Hostage/Abduction	1	0	0.00%	0.00%
4	Traffic Accident	1671			2.94%
42	Criminal Mischief	347	44	12.68%	0.61%
43D	Property, Damaged	193			0.34%
43F	Property, Found	234			0.41%
43L	Property, Lost	172			0.30%
43R	Property, Recovered	167			0.29%
44	Juvenile Call	1463			2.57%
45	Shots Fired	154			0.27%
45A	Weapons Offense	5	3	60.00%	0.01%
46	Trash Dumping	36			0.06%
47D	Threat, Death	10	0	0.00%	0.02%
47T	Harassing P/X Calls	259			0.46%
48	Wanted Person	568			1.00%
49	Warrant Service	42			0.07%
4F	Traffic Accident/Injuries	15			0.03%
50A	Assist Agency	2504			4.40%
50B	Assist Business	3115	8	0.26%	5.47%
50C	Assist Citizen	5585			9.81%
50F	Fingerprints	503			0.88%
50V	Assist Disabled Vehicle	2077			3.65%
51	Noise Complaint	597			1.05%
52	Premises Check	251			0.44%
52R	Premises Check Request	25			0.04%
53	Animal Call	849			1.49%
55	Vice Violation	1	0	0.00%	0.00%
58	Forgery/Counterfeiting	187	24	12.83%	0.33%
60	HAZMAT Incident	5			0.01%
61	Hazardous Condition	16			0.03%
62	Municipal Violation	145			0.25%
63	Stalking	15	2	13.33%	0.03%
7	Death Investigation	30	2	6.67%	0.05%
BA	Missing Person	19			0.03%
8J	Missing Juvenile	97	5	5.15%	0.17%
9	Lost/Stolen Tag	98			0.17%

12

06006075

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



AGENCY AC SO CAD EVENT RELATED CASES APD 2006004792
 CLASSIFICATION INFORMATION INFORMATION
 MAJOR VIOLATION INFORMATION STATUS INFORMATION ONLY/NO FOLLOWUP REQUIRED
 DISPOSITION INFORMATION
 OFFENSES INFORMATION INFORMATION

REPORTED 05/16/06 17:00 TUE OCCURRED 05/16/06 17:00 TUE TO 05/16/06 17:00 TUE

LOCATION 2621 SE HAWTHORNE RD

PREMISE AC SO
 CITY GAINESVILLE 32640 ZONE 03 CITY 11 AC SO

- | | | | | |
|--------|--|--|--|--|
| NATURE | <input type="checkbox"/> Computer Used | <input type="checkbox"/> Hate/Bias | <input type="checkbox"/> Child Abuse | <input type="checkbox"/> Arson |
| | <input type="checkbox"/> Alcohol Related | <input type="checkbox"/> Officer Assault | <input type="checkbox"/> Domestic Violence | <input type="checkbox"/> Robbery |
| | <input type="checkbox"/> Drug Related | <input type="checkbox"/> Senior Citizen | <input type="checkbox"/> Thefts | <input type="checkbox"/> Motor Vehicle Theft |
| | <input type="checkbox"/> Gang Related | <input type="checkbox"/> Juvenile | <input type="checkbox"/> Burglary | <input type="checkbox"/> Booking Sheets/SWCP |
| | <input type="checkbox"/> Report via PX | <input type="checkbox"/> Report by Mail | | |

OFFICER 0542 BUFFENMYER, DALE
 APPROVED 0210 Bernal, Paul

REPORT FILED 05/16/06 00:00
 APPROVAL DATE 05/18/06 14:28

SYNOPSIS

Lt. Clark asked me to initiate an information report for the complainant, Charles Grapski.

SIGNATURES

Submitted By _____ ID _____ Date _____
 Approved by _____ ID _____ Date _____
 Assigned to _____ ID _____ Date _____

06006075

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



ADDITIONAL INCIDENT DATA

Entry Point

- Unknown
- Ground Level
- Upper Level
- Front
- Rear
- Side
- Top/Roof/Skylight/Duct
- Door
- Window

Method of Entry

- Open/Unlocked
- Bodily Force
- Bolt Cutters
- Channel Lock/Pliers
- Coat Hanger
- Hid in Building
- Key/Slip
- No Force
- Pry Tool/Screw Driver
- Other/Unknown

Type of Entry

- Admitted in
- Forced Entry
- Hid Inside
- Security Bars Cut/Forced
- Glass Breakage
- Door Kicked
- Cut Convertible Top

Weapons Used

- Handgun
- Rifle
- Explosive Device/Incendiary
- Bat/Board/Club
- Glass Breakage
- Chain/Rope
- Cutting Instrument
- Vehicle
- Blunt Object
- Other

How Weapon Used

- Cut/Stabbed Victim
- Strangled/Choked
- Threatened
- Struck/Knocked Down/Kicked
- Shot
- Bound/Tied Up
- Kicked
- Displayed Weapon
- Implied Weapon
- Other

Impersonate

- Customer
- Drunk
- Disabled Motorist
- Employee/Employer
- Law Enforcement/Utility
- Relative
- Repairman
- Survey/Polster
- Delivery Person
- Other

Object of Attack

- Business
- Vehicle
- Church
- Person(s)
- Institutional/Government
- Garage/Storage
- Residence
- Safe
- Cash Register
- Other

Weapons Used Cont.

- Hands/Fist/Feet
- Shotgun
- Threat/Intimidation
- Simulated Weapon
- Drugged Victim
- Unknown

Demands/Force Victim

- Consume Alcohol
- Lie on Floor
- Open Register
- Open Safe
- Give Money / Put Money in Bag
- Just Bills
- Remain Silent
- Remove Clothing
- Save
- Walk/Run
- Turn Around / Not Look
- Drugs
- Jewelry
- Other

Security

- Alarm
- Bars/Gates
- Dogs
- External Lights
- Guard
- Locked Doors
- Neighborhood Watch
- Operation ID
- Security Fence
- Dead Bolts
- Camera
- Other
- None

Sex Acts

- Anal Penetration
- Condom Used
- Cut/Remove Clothing
- Ejaculated on Victim
- Fondled Genitals
- Oral Sex on Suspect
- Oral Sex on Victim
- Penetration w/Object
- Defecated
- Masturbated
- Urinated on Victim
- Took Photos/Filmed
- Torture
- Cleaned Up/Washed
- Other
- Digital Penetration
- Viewed Pornographic Material
- Injured
- Vaginal Penetration
- Fondled Breasts

Tools Used

- Bolt/Wire Cutters
- Drill
- Torch
- Lock Pick
- Pry Bar
- Glass Cutter
- Saw
- Pipe/Tire Iron
- Electronic Equipment
- Club or Hammer Device
- Rock/Brick
- Slip Device
- Other
- Disabled Phone
- Slim Jim
- Axe

06006075

REPORT NUMBER

Alachua County Sheriff's Office

INCIDENT REPORT



NAMES

CR REFERENCE# 01 SYSTEM# 1
 NAME GRAPSKI, CHARLES S
 ADDRESS 5803 CR 352
 KEYSTONE HEIGHTS, FL 32656
 ALT ADDRESS,
 DOB 06/09/1965 AGE 40
 DLNO [REDACTED] FL
 LOCAL ID
 DESCRIPTION M HEIGHT 509
 CAUTION
 EMPLOYER UNKNOWN
 ADDRESS
 OCCUPATION INSTRUCTOR
 COMMENTS
 ADDITIONAL INFO

INVOLVEMENT Juvenile
 RP Reporting Party
 SSN
 FBI ID
 STATE ID

Non-Disclosure
 TYPE Individual
 PHONE (352) 473-8883
 PHONE (352) 359-4608
 PHONE
 RES.STATUS R

CR REFERENCE# 02 SYSTEM# 2
 NAME SALMON, BILL
 ADDRESS 410 SE 4TH AV
 GAINESVILLE, FL 32601
 ALT ADDRESS,
 DOB AGE
 DLNO
 LOCAL ID
 DESCRIPTION SEX M RACE W
 CAUTION
 EMPLOYER UNKNOWN
 ADDRESS
 OCCUPATION ATTORNEY
 COMMENTS
 ADDITIONAL INFO

INVOLVEMENT Juvenile
 OT Other
 SSN
 FBI ID
 STATE ID

Non-Disclosure
 TYPE Individual
 PHONE (352) 378-6076
 PHONE
 PHONE
 RES.STATUS U

06006075

REPORT NUMBER

**Alachua County
Sheriff's Office
INCIDENT REPORT**

NARRATIVE

REPORTED BY 0542 BUFFENMYER, DALE

REPORT FILED 05/16/2006

On 05-16-06, Lt. David Clark advised that Charles Grapski and his attorney, Bill Salmon, were in the Sheriff's conference room and he asked me to take a report on behalf of Charles Grapski.

At 5:00 PM, I met with Charles Grapski and Bill Salmon. Mr. Grapski informed me that he was arrested by Clovis Watson, Jr., Alachua City Police Commissioner, on 05-01-06. (APD #2006004792) The charge was Interception and Disclosure of Wire, Oral, or Electronic Communication F.S. 934.03 (1) (a). Charles Grapski advised that the probable cause in the *Mittimus* had false statements. He provided me with a copy that he obtained from the State Attorney's Office. Grapski underlined sentences in the narrative that he believed were untrue.

Mr. Grapski provided some background into the events. He advised that he was at Alachua City Hall on 04-28-06, and he had a meeting with Clovis Watson, Jr. as City Manager. Grapski was investigating absentee ballots that he believed were a problem in the Alachua City Commission elections that occurred on 04-11-06. According to Mr. Grapski, he told Clovis Watson that he was recording the meeting and he had the digital recorder in the center of the table. Clovis Watson mentioned that to be taped, he needed his permission and Charles Grapski disagreed. Besides, Grapski said that Clovis Watson continued to talk fully knowing he was being recorded. Grapski told me that everything was recorded on the digital recorder even Clovis Watson admitting he knew he was being taped. Grapski also told me that over the weekend after the meeting, he received an email from Clovis Watson asking for a copy of recording. Mr. Grapski advised that he had not downloaded it yet so the only record was still on the disc inside of the digital recorder. Then three days later, Mr. Grapski had an appointment with Clovis Watson. When he showed up, the Alachua City Chief of Police, two APD Officers, and Clovis Watson met him and Clovis Watson arrested him. Grapski told me that they seized his digital recorder at the time he was arrested. He also said Ilene McCoy was there at the time of the arrest. Grapski also advised that Clovis Watson told the media of his arrest and he filed a referendum at the Alachua City Council Meeting. At that time, Clovis Watson admitted that he knew he was being recorded. Grapski and his attorney, Bill Salmon, believed he was falsely arrested. Charles Grapski, who is a Political Science Instructor, believes that Clovis Watson has put fear into many of the Alachua City citizens over the last election. He also acknowledged that Watson has accused him of the same.

In regard to the digital recorder, Bill Salmon advised that it is now in possession of the State Attorney's Office. He was advised by the State Attorney's Office to come to the Sheriff's Office to file a report.

Copied from e-mail by ID 1622/Proofed by ID 1522

06006075
REPORT NUMBER

Alachua County
Sheriff's Office
INCIDENT REPORT



CASE MANAGEMENT DETAILS

SUBMITTED BY	0542 BUFFENMYER, DALE	DATE	05/16/2006
APPROVED	0210 Bernal, Paul	DATE	05/18/2006
LAST REVIEW	0210	DATE	05/18/2006
CASE STATUS	CURRENT APPROVED	PREVIOUS	COMPLETE

ASSIGNED TO ASSIGNED BY	DATE
----------------------------	------

CASE REVIEW HISTORY

ASSIGNED	05/18/06 14:28	REVIEWED BY	0210 Bernal, Paul
CASE STATUS	INFO		
ASSIGNED	05/16/06 22:49	REVIEWED BY	
CASE STATUS	INFO		
ASSIGNED	05/16/06 22:47	REVIEWED BY	
CASE STATUS	INFO		
ASSIGNED	05/16/06 22:41	REVIEWED BY	
CASE STATUS	INFO		

SUPPLEMENT STATUS

NO SUPPLEMENTS FOUND

06006075

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



AGENCY AC SO CAD EVENT RELATED CASES APD 2006004792
 CLASSIFICATION INFORMATION INFORMATION
 MAJOR VIOLATION INFORMATION STATUS INFORMATION ONLY/NO FOLLOWUP REQUIRED
 DISPOSITION INFORMATION
 OFFENSES INFORMATION INFORMATION

REPORTED 05/16/06 17:00 TUE OCCURRED 05/16/06 17:00 TUE TO 05/16/06 17:00 TUE

LOCATION 2621 SE HAWTHORNE RD

PREMISE AC SO CITY GAINESVILLE 32640 ZONE 03 CITY 11 AC SO

- NATURE
- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Computer Used | <input type="checkbox"/> Hate/Bias | <input type="checkbox"/> Child Abuse | <input type="checkbox"/> Arson |
| <input type="checkbox"/> Alcohol Related | <input type="checkbox"/> Officer Assault | <input type="checkbox"/> Domestic Violence | <input type="checkbox"/> Robbery |
| <input type="checkbox"/> Drug Related | <input type="checkbox"/> Senior Citizen | <input type="checkbox"/> Thefts | <input type="checkbox"/> Motor Vehicle Theft |
| <input type="checkbox"/> Gang Related | <input type="checkbox"/> Juvenile | <input type="checkbox"/> Burglary | <input type="checkbox"/> Booking Sheets/SWCP |
| <input type="checkbox"/> Report via PX | <input type="checkbox"/> Report by Mail | | |

OFFICER 0542 BUFFENMYER, DALE
 APPROVED 0210 Bernal, Paul

REPORT FILED 05/16/06 00:00
 APPROVAL DATE 05/18/06 14:28

SYNOPSIS

Lt. Clark asked me to initiate an information report for the complainant, Charles Grapski.

SIGNATURES

Submitted By _____ ID _____ Date _____
 Approved by _____ ID _____ Date _____
 Assigned to _____ ID _____ Date _____

06006075

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



ADDITIONAL INCIDENT DATA

Entry Point

- Unknown
- Ground Level
- Upper Level
- Front
- Rear
- Side
- Top/Roof/Skylight/Duct
- Door
- Window

Method of Entry

- Open/Unlocked
- Bodily Force
- Bolt Cutters
- Channel Lock/Pliers
- Coat Hanger
- Hid in Building
- Key/Slip
- No Force
- Pry Tool/Screw Driver
- Other/Unknown

Type of Entry

- Admitted In
- Forced Entry
- Hid Inside
- Security Bars Cut/Forced
- Glass Breakage
- Door Kicked
- Cut Convertible Top

Weapons Used

- Handgun
- Rifle
- Explosive Device/Incendiary
- Bat/Board/Club
- Bodily Force
- Chain/Rope
- Cutting Instrument
- Vehicle
- Blunt Object
- Other

How Weapon Used

- Cut/Stabbed Victim
- Strangled/Choked
- Threatened
- Struck/Knocked Down/Kicked
- Shot
- Bound/Tied Up
- Kicked
- Displayed Weapon
- Implied Weapon
- Other

Impersonate

- Customer
- Drunk
- Disabled Motorist
- Employee/Employer
- Law Enforcement/Utility
- Relative
- Repairman
- Survey/Pollster
- Delivery Person
- Other

Object of Attack

- Business
- Vehicle
- Church
- Person(s)
- Institutional/Government
- Garage/Storage
- Residence
- Safe
- Cash Register
- Other

Weapons Used Cont.

- Hands/Fist/Feet
- Shotgun
- Threat/Intimidation
- Simulated Weapon
- Drugged Victim
- Unknown

Demands/Force Victim

- Consume Alcohol
- Lie on Floor
- Open Register
- Open Safe
- Give Money / Put Money in Bag
- Just Bills
- Remain Silent
- Remove Clothing
- Sex
- Walk/Run
- Turn Around / Not Look
- Drugs
- Jewelry
- Other

Security

- Alarm
- Bars/Gates
- Dogs
- External Lights
- Guard
- Locked Doors
- Neighborhood Watch
- Operation ID
- Security Fence
- Dead Bolts
- Camera
- Other
- None

Sex Acts

- Anal Penetration
- Condom Used
- Cut/Remove Clothing
- Ejaculated on Victim
- Fondled Genitals
- Oral Sex on Suspect
- Oral Sex on Victim
- Penetration w/Object
- Defecated
- Masturbated
- Urinated on Victim
- Took Photos/Filmed
- Torture
- Cleaned Up/Washed
- Other
- Digital Penetration
- Viewed Pornographic Material
- Injured
- Vaginal Penetration
- Fondled Breasts

Tools Used

- Bolt/Wire Cutters
- Drill
- Torch
- Lock Pick
- Pry Bar
- Glass Cutter
- Saw
- Pipe/Tire Iron
- Electronic Equipment
- Club or Hammer Device
- Rock/Brick
- Slip Device
- Other
- Disabled Phone
- Slim Jim
- Axe

06006075

REPORT NUMBER

Alachua County Sheriff's Office

INCIDENT REPORT



NAMES

CR REFERENCE# 01 SYSTEM # 1 INVOLVEMENT Juvenile
 NAME GRAPSKI, CHARLES S RP Reporting Party Non-Disclosure
 ADDRESS 5803 CR 352 TYPE Individual
 KEYSTONE HEIGHTS, FL 32656
 PHONE (352) 473-8883
 PHONE (352) 359-4603
 ALT. ADDRESS, DOB 06/09/1965 AGE 40 SSN
 DL NO [REDACTED] FL FBI ID
 LOCAL ID STATE ID
 DESCRIPTION M W HEIGHT 509
 CAUTION
 EMPLOYER UNKNOWN PHONE
 ADDRESS
 OCCUPATION INSTRUCTOR RES.STATUS R
 COMMENTS
 ADDITIONAL INFO

CR REFERENCE# 02 SYSTEM # 2 INVOLVEMENT Juvenile
 NAME SALMON, BILL OT Other Non-Disclosure
 ADDRESS 410 SE 4TH AV TYPE Individual
 GAINESVILLE, FL 32601
 PHONE (352) 378-6076
 PHONE
 PHONE
 ALT. ADDRESS, DOB AGE SSN
 DL NO LOCAL ID FBI ID
 LOCAL ID STATE ID
 DESCRIPTION SEX M RACE W
 CAUTION
 EMPLOYER UNKNOWN PHONE
 ADDRESS
 OCCUPATION ATTORNEY RES.STATUS U
 COMMENTS
 ADDITIONAL INFO

06006075

REPORT NUMBER

**Alachua County
Sheriff's Office
INCIDENT REPORT****NARRATIVE****REPORTED BY 0542 BUFFENMYER, DALE****REPORT FILED 05/16/2006**

On 05-16-06, Lt. David Clark advised that Charles Grapski and his attorney, Bill Salmon, were in the Sheriff's conference room and he asked me to take a report on behalf of Charles Grapski.

At 5:00 PM, I met with Charles Grapski and Bill Salmon. Mr. Grapski informed me that he was arrested by Clovis Watson, Jr., Alachua City Police Commissioner, on 05-01-06. (APD #2006004792) The charge was Interception and Disclosure of Wire, Oral, or Electronic Communication F.S. 934.03 (1) (a). Charles Grapski advised that the probable cause in the Mittimus had false statements. He provided me with a copy that he obtained from the State Attorney's Office. Grapski underlined sentences in the narrative that he believed were untrue.

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06006075

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



CASE MANAGEMENT DETAILS

SUBMITTED BY	0542 BUFFENMYER, DALE	DATE	05/16/2006
APPROVED	0210 Bernal, Paul	DATE	05/18/2006
LAST REVIEW	0210	DATE	05/18/2006
CASE STATUS	CURRENT APPROVED	PREVIOUS	COMPLETE

ASSIGNED TO	DATE
ASSIGNED BY	

CASE REVIEW HISTORY

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CASE STATUS	INFO		
ASSIGNED	05/16/06 22:47	REVIEWED BY	
CASE STATUS	INFO		
ASSIGNED	05/16/06 22:41	REVIEWED BY	
CASE STATUS	INFO		

SUPPLEMENT STATUS

NO SUPPLEMENTS FOUND



06007148

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



AGENCY ACSO CAD EVENT 061600374 RELATED CASES 06-7150
 CLASSIFICATION 934.03(1)(a) INTERCEPTION OF ORAL COMMUNICATIONS
 MAJOR VIOLATION 934.03 STATUS SENT TO STATE ATTORNEY
 DISPOSITION CLOSED DISPOSED OF EVIDENCE
 OFFENSES 934.03(1)(a) INTERCEPTION OF ORAL COMMUNICATIONS

REPORTED 06/09/06 08:48 FRI OCCURRED 04/28/06 11:00 FRI TO 04/28/06 13:00 FRI

LOCATION 15001 NW 140TH ST

PREMISE CITY HALL ALACHUA
 CITY ALACHUA 32615

ZONE 01

CITY 30

ALCH1

- NATURE
- | | | | |
|--|--|--|---|
| <input type="checkbox"/> Computer Used | <input type="checkbox"/> Hate/Bias | <input type="checkbox"/> Child Abuse | <input type="checkbox"/> Arson |
| <input type="checkbox"/> Alcohol Related | <input type="checkbox"/> Officer Assault | <input type="checkbox"/> Domestic Violence | <input type="checkbox"/> Robbery |
| <input type="checkbox"/> Drug Related | <input type="checkbox"/> Senior Citizen | <input type="checkbox"/> Thefts | <input type="checkbox"/> Motor Vehicle Theft |
| <input type="checkbox"/> Gang Related | <input type="checkbox"/> Juvenile | <input type="checkbox"/> Burglary | <input checked="" type="checkbox"/> Booking Sheets/SWCP |
| <input type="checkbox"/> Report via PX | <input type="checkbox"/> ReportbyMail | | |

OFFICER 0244 WITHERINGTON, THOMAS
 APPROVED 0295 BROWN, VERNELL

REPORT FILED 06/09/06 00:00
 APPROVAL DATE 06/09/06 00:00

SYNOPSIS

The Alachua County Sheriff's Office was requested to investigate allegations that conversations of two City of Alachua Employees had been unlawfully recorded without the knowledge and/or consent of those employees. The investigation revealed sufficient probable cause to substantiate the allegations. A Sworn Complaint has been filed in this case.

SIGNATURES

Submitted By _____ ID _____ Date _____
 Approved by _____ ID _____ Date _____
 Assigned to _____ ID _____ Date _____

06007148

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



ADDITIONAL INCIDENT DATA

Entry Point

- Unknown
- Ground Level
- Upper Level
- Front
- Rear
- Side
- Top/Roof/Skylight/Duct
- Door
- Window

Method of Entry

- Open/Unlocked
- Bodily Force
- Bolt Cutters
- Channel Lock/Pliers
- Coat Hanger
- Hid in Building
- Key/Slip
- No Force
- Pry Tool/Screw Driver
- Other/Unknown

Type of Entry

- Admitted In
- Forced Entry
- Hid Inside
- Security Bars Cut/Forced
- Glass Breakage
- Door Kicked
- Cut Convertible Top

Weapons Used

- Handgun
- Rifle
- Explosive Device/Incendiary
- Bat/Board/Club
- Bodily Force
- Chain/Rope
- Cutting Instrument
- Vehicle
- Blunt Object
- Other

How Weapon Used

- Cut/Stabbed Victim
- Strangled/Choked
- Threatened
- Struck/Knocked Down/Kicked
- Shot
- Bound/Tied Up
- Kicked
- Displayed Weapon
- Implied Weapon
- Other

Impersonate

- Customer
- Drunk
- Disabled Motorist
- Employee/Employer
- Law Enforcement/Utility
- Relative
- Repairman
- Survey/Polster
- Delivery Person
- Other

Object of Attack

- Business
- Vehicle
- Church
- Person(s)
- Institutional/Government
- Garage/Storage
- Residence
- Safe
- Cash Register
- Other

Weapons Used Cont.

- Hands/Fist/Feet
- Shotgun
- Threat/Intimidation
- Simulated Weapon
- Drugged Victim
- Unknown

Demands/Force Victim

- Consume Alcohol on Floor
- Open Register
- Open Safe
- Give Money / Put Money in Bag
- Just Bills
- Remain Silent
- Remove Clothing
- Sex
- Walk/Run
- Turn Around / Not Look
- Drugs
- Jewelry
- Other

Security

- Alarm
- Bars/Gates
- Dogs
- External Lights
- Guard
- Locked Doors
- Neighborhood Watch
- Operation ID
- Security Fence
- Dead Bolts
- Camera
- Other
- None

Sex Acts

- Anal Penetration
- Condom Used
- Cut/Remove Clothing
- Ejaculated on Victim
- Fondled Genitals
- Oral Sex on Suspect
- Oral Sex on Victim
- Penetration w/Object
- Defecated
- Masturbated
- Urinated on Victim
- Took Photos/Filmed
- Torture
- Cleaned Up/Washed
- Other
- Digital Penetration
- Viewed Pornographic Material
- Injured
- Vaginal Penetration
- Fondled Breasts

Tools Used

- Bolt/Wire Cutters
- Drill
- Torch
- Lock Pick
- Fry Bar
- Glass Cutter
- Saw
- Pipe/Tire Iron
- Electronic Equipment
- Club or Hammer Device
- Rock/Brick
- Slip Device
- Other
- Disabled Phone
- Slim Jim
- Axe

06007148
REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



NAMES: [REDACTED]

CR REFERENCE# 01 SYSTEM# 1 INVOLVEMENT Juvenile Non-Disclosure
 SS Suspect w/SWCP TYPE Individual

NAME GRAPSKI, CHARLES JAMES
 ADDRESS 5803 CR 352
 KEYSTONE HEIGHTS, FL 32656
 PHONE (352) 473-8883
 PHONE
 PHONE

ALT. ADDRESS,
 DOB 06/09/1965 AGE 41 SSN [REDACTED]
 DL NO [REDACTED] FL FBIID [REDACTED]
 LOCAL ID STATE ID

DESCRIPTION SEX M RACE W HAIR BRO EYES BLU HEIGHT 509 WEIGHT 150
 CAUTION
 EMPLOYER UNIVERSITY OF FLORIDA
 ADDRESS GAINESVILLE, FL
 PHONE

OCCUPATION
 COMMENTS BORN IN NEW YORK. NO OTHER INFORMATION
 RES.STATUS R
 ADDITIONAL INFO
 Hair Brown
 Eyes Blue

CR REFERENCE# 02 SYSTEM# 2 INVOLVEMENT Juvenile Non-Disclosure
 OT Other TYPE Individual

NAME CANNEY, MICHAELS
 ADDRESS 15319 NW 140TH ST
 ALACHUA, FL 32615
 PHONE (386) 418-3791
 PHONE
 PHONE

ALT. ADDRESS,
 DOB 11/08/1952 AGE 53 SSN [REDACTED]
 OL NO [REDACTED] FL FBIID [REDACTED]
 LOCAL ID STATE ID

DESCRIPTION SEX M RACE W HAIR BRO EYES BRO HEIGHT 510 WEIGHT 160
 CAUTION
 EMPLOYER ADDRESS
 PHONE

OCCUPATION
 COMMENTS
 RES.STATUS
 ADDITIONAL INFO
 Hair Brown
 Eyes Brown
 Facial Hair Mustache; Goatee

CR REFERENCE# 03 SYSTEM# 3 INVOLVEMENT Juvenile Non-Disclosure
 WI Witness TYPE Individual

NAME MCCOY, EILEEN BODEN
 ADDRESS 14110 NW 142ND TR
 ALACHUA, FL 32615
 PHONE (386) 418-0327
 PHONE
 PHONE

ALT. ADDRESS,
 DOB [REDACTED] AGE 49 SSN [REDACTED]
 DL NO [REDACTED] FL FBIID [REDACTED]
 LOCAL ID STATE ID

DESCRIPTION SE F CE
 CAUTION
 EMPLOYER ADDRESS
 PHONE

OCCUPATION
 COMMENTS
 RES.STATUS R
 ADDITIONAL INFO

06007148
REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



NAMES

CR REFERENCE# 04 SYSTEM# 4 INVOLVEMENT Juvenile
 NAME HENDERSON, ALAN SCOTT VI Victim
 ADDRESS 15001 NW 140TH ST
 ALACHUA, FL 32615
 ALT. ADDRESS, DOB [REDACTED] AGE 62 SSN [REDACTED]
 DL NO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATE ID
 DESCRIPTION SEX M RACE W
 CAUTION
 EMPLOYER ALACHUA CITY HALL PHONE (386) 462-1231
 ADDRESS 15001 NW 140TH ST., ALACHUA, FL
 OCCUPATION DEPUTY CLERK RES. STATUS
 COMMENTS
 ADDITIONAL INFO VICTIM OF 934.03(1)(a)- INTERCEPTION OF ORAL COMMUNICATIONS
 INJURY
 RELATIONSHIP Name Entry No. 1 02 STRANGER

CR REFERENCE# 05 SYSTEM# 5 INVOLVEMENT Juvenile
 NAME HENDERSON, TARA LEE VI Victim
 ADDRESS 15001 NW 140TH ST
 ALACHUA, FL 32615
 ALT. ADDRESS, DOB 08/03/1975 AGE 30 SSN [REDACTED]
 DL NO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATE ID
 DESCRIPTION SEX F RACE W ETHNICITY N
 CAUTION
 EMPLOYER ALACHUA CITY HALL PHONE (386) 462-1231
 ADDRESS 15001 NW 140TH ST ALACHUA, FL
 OCCUPATION
 COMMENTS
 ADDITIONAL INFO VICTIM OF
 INJURY
 RELATIONSHIP

CR REFERENCE# 06 SYSTEM# 6 INVOLVEMENT Juvenile
 NAME WATSON, CLOVIS OT Other
 ADDRESS 15001 NW 140TH ST
 ALACHUA, FL 32615
 ALT. ADDRESS, DOB [REDACTED] AGE 47 SSN [REDACTED]
 DL NO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATE ID
 DESCRIPTION SEX M RACE B
 CAUTION
 EMPLOYER CITY OF ALACHUA PHONE (386) 462-1231
 ADDRESS 15001 NW 140TH ST ALACHUA, FL
 OCCUPATION CITY MANAGER RES. STATUS
 COMMENTS
 ADDITIONAL INFO

NA

06007148

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



NAMES: [REDACTED]

OR REFERENCE# 07 SYSTEM# 7
NAME DUPONT JR, RONALD
ADDRESS 5NW1STST
HIGH SPRINGS, FL 32643

INVOLVEMENT Juvenile
OT Other

Non-Disclosure
TYPE Individual

ALT ADDRESS
DOB 10/07/1966 AGE 39
DLNO
LOCAL ID

SSN
FBI ID
STATE ID

PHONE
PHONE
PHONE

DESCRIPTION SEX M RACE W
CAUTION

EMPLOYER HIGH SPRINGS HERALD
ADDRESS 5 NW 1ST ST, HIGH SPRINGS

PHONE (386) 454-1297

OCCUPATION EDITOR

RES.STATUS

COMMENTS
ADDITIONAL INFO

06007148
REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



PROPERTY

CR REFERENCE# 01 INVOLVEMENT 08 Submitted to Property EVIDENCE/SEIZED Evidence SYSTEM# 1 In Custody PROP.ROOM # 001

TYPE Z LETTER FROM CITY MANAGER WATSON

BRAND MODEL QTY 1
COLOR SERIAL OAN

LOSS VALUE \$0.00
RECOVERED VALUE \$1.00 DATE 05/23/2006 AGENCY AGENCY ACSO BY 0244 WITHERINGTON.

THOMAS

COMMENTS

Disposed DATE 01/31/2007 DISPOSITION DESTROYED
HOLD YES DATE 06/30/2007 BY 0244
TAG BAR CODE 1.06007148-001 CUSTODY DATE 06/12/2006
SHELF F BIN F OTHER F

CR REFERENCE# 02 INVOLVEMENT 08 Submitted to Property EVIDENCE/SEIZED Evidence SYSTEM# 2 In Custody PROP.ROOM # 002

TYPE Z COMPACT DISC

BRAND MODEL QTY 1
COLOR SERIAL OAN

LOSS VALUE \$0.00
RECOVERED VALUE \$1.00 DATE 05/30/2006 AGENCY AGENCY ACSO BY 0244 WITHERINGTON.

THOMAS

COMMENTS CONTAINS ARTICLE AND VIDEO FROM THE HIGH SPRINGS HERALD WEBSITE

Disposed DATE 01/31/2007 DISPOSITION DESTROYED
HOLD YES DATE 06/30/2007 BY 0244
TAG BAR CODE 1.06007148-002 CUSTODY DATE 06/12/2006
SHELF F BIN F OTHER F

REFERENCE# 03 INVOLVEMENT 08 Submitted to Property EVIDENCE/SEIZED Evidence SYSTEM# 3 In Custody PROP.ROOM # 003

TYPE Z COMPACT DISC

BRAND MODEL QTY 1
COLOR SERIAL OAN

LOSS VALUE \$0.00
RECOVERED VALUE \$1.00 DATE 06/01/2006 AGENCY AGENCY ACSO BY 0244 WITHERINGTON.

THOMAS

COMMENTS CONTAINED COPIES OF RECORDED CONVERSATIONS BETWEEN GRAPSKI/ALAN HENDERSON/TARA HENDERSON.

Disposed DATE 01/31/2007 DISPOSITION DESTROYED
HOLD YES DATE 06/30/2007 BY 0244
TAG BAR CODE 1.06007148-003 CUSTODY DATE 06/12/2006
SHELF F BIN F OTHER F

CR REFERENCE# 04 INVOLVEMENT 08 Submitted to Property EVIDENCE/SEIZED Evidence SYSTEM# 4 In Custody PROP.ROOM # 004

TYPE Z COMPACT DISC

BRAND MODEL QTY 1
COLOR SERIAL OAN

LOSS VALUE \$0.00
RECOVERED VALUE \$1.00 DATE 05/30/2006 AGENCY AGENCY ACSO BY 0244 WITHERINGTON.

THOMAS

COMMENTS CONTAINS AUDIO INTERVIEWS WITH TARA HENDERSON AND ALAN HENDERSON.

Disposed DATE 01/31/2007 DISPOSITION DESTROYED
HOLD YES DATE 06/30/2007 BY 0244
TAG BAR CODE 1.06007148-004 CUSTODY DATE 06/12/2006
SHELF F BIN F OTHER F

06007148

REPORT NUMBER

**Alachua County
Sheriff's Office
INCIDENT REPORT**



NARRATIVE

REPORTED BY 0244 WITHERINGTON, THOMAS

REPORT FILED 06/09/2006

Refer also to related ACSO case number 06-7150.

During the week of 05-21-2006, Alachua City Manager, CLOVIS WATSON, sent a written request for investigative assistance to the Alachua County Sheriff's Office. In his letter, WATSON reported that two city employees (ALAN HENDERSON and TARA HENDERSON) may have been recorded without their permission by GRAPSKI. WATSON requested that the Alachua County Sheriff's Office investigate the allegations against GRAPSKI. (I received a copy of WATSON's written request for ACSO assistance. I placed that copy into evidence under this case number.)

On 05-30-2006, at approximately 1040 hours, I met with ALAN HENDERSON at his office at the Alachua City Hall complex located at 15001 NW 140th Street. My interview with ALAN HENDERSON was audio-recorded with his knowledge and consent. I placed a copy of that audio-recording into evidence under this case number. The following narrative of this paragraph is attributable to ALAN HENDERSON, based on my interview with him. (Refer to the audio recording of my interview with ALAN HENDERSON for the entirety of his statements to me.) ALAN HENDERSON first met with GRAPSKI on 04-28-2006. After "some conversation", GRAPSKI informed ALAN HENDERSON that their conversation was being taped. ALAN HENDERSON was not aware at that time that GRAPSKI was in violation of FSS 934.03(1)(a) by recording him without his prior knowledge or consent. GRAPSKI returned to the Alachua City Hall on 05-10-2006, between 1100 and 1200 hours to "look at records" in the commission chambers. ALAN HENDERSON observed what appeared to be a recording device on the table next to GRAPSKI. ALAN HENDERSON asked GRAPSKI: "Is that a recorder, and is it on?" GRAPSKI replied: "Yes it is." ALAN HENDERSON stated: "I do not wish to be recorded. Please turn it off." GRAPSKI responded with a "litany" of how "he had rights" and that ALAN HENDERSON was a public official and that he (GRAPSKI) "could tape anybody he wants to at any time." ALAN HENDERSON subsequently learned that at least part of his meeting with GRAPSKI on 05-01-2006 had been video/audio-recorded without ALAN HENDERSON's knowledge or consent. A portion of ALAN HENDERSON's conversation with GRAPSKI on 05-01-2006 appeared in video form on the website for the High Springs Herald newspaper. ALAN HENDERSON believed that MICHAEL CANNEY was responsible for filming the clip which appeared on the High Springs Herald website, as CANNEY was present and seated in the audio portion of the commission chambers at the time the video clip in question was filmed. CANNEY was also in possession of a video camera, which was placed in the seat beside him and "angled up".

At the conclusion of my interview with him on 05-30-2006, ALAN HENDERSON informed me that MICHAEL CANNEY was present within the commission chambers of the Alachua City Hall. On 05-30-2006, at approximately 1050 hours, I met with MICHAEL CANNEY in the commission chambers of the Alachua City Hall. CANNEY was seated at a table between the audience section of chambers and the commission desk area of the chambers. TARA HENDERSON was also present at that time, and was seated at the commission desk. I identified myself to CANNEY and requested that he participate in an interview with me. CANNEY stated that he was busy at the moment and asked to arrange for an interview at his residence at a later time. I informed CANNEY that I would be willing to schedule the interview at his convenience and asked him to provide a time as well as the location of his residence. CANNEY inquired as to the nature of the subject matter of the proposed interview. I informed CANNEY that an allegation had been made against him regarding the illegal recording of a conversation without the consent or knowledge of person(s) involved in that conversation. CANNEY stated that he wished to speak with an attorney before being interviewed by me. I provided CANNEY with one of my business cards and requested that he contact me to arrange for an interview, should he be willing to do so after consulting with an attorney. I concluded my contact with

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**Alachua County
Sheriff's Office
INCIDENT REPORT****NARRATIVE**

CANNEY at the time.

On 05-30-2006, at approximately 1057 hours, I met with TARA HENDERSON at her office desk at the Alachua City Hall. My interview with TARA HENDERSON was audio-recorded with her knowledge and consent. I placed a copy of that audio-recording into evidence under this case number. The following narrative of this paragraph is attributable to TARA HENDERSON, based on my interview with her. (Refer to the audio recording of my interview with TARA HENDERSON for the entirety of her statements to me.) Following GRAPSKI's arrest on 05-01-2006, TARA HENDERSON was informed by CITY MANAGER CLOVIS WATSON that Alachua Police Department Chief of Police ROBERT JERNIGAN had seized GRAPSKI's audio-recorder. CHIEF JERNIGAN recognized TARA HENDERSON's voice while reviewing the audio recordings on GRAPSKI's seized audio-recorder. Based on the nature of the conversation, which involved TARA HENDERSON's recent weight loss, TARA HENDERSON believed the conversation to have been recorded without her knowledge or consent on 04-28-2006 at approximately 1000 hours. GRAPSKI was present at the Alachua City Hall at that time and was accompanied by EILEEN MCCOY. TARA HENDERSON did not observe GRAPSKI to be in possession of a recording device, and GRAPSKI did not inform her that he was recording her conversation with MCCOY. TARA HENDERSON was present within the commission chambers on 05-10-2006, when GRAPSKI had returned to review documents there. CANNEY was also present at that time and was seated in the audience section of the commission chambers. TARA HENDERSON heard CANNEY ask GRAPSKI: "Do you mind if I video-tape you?". GRAPSKI replied: "Of course not..." TARA HENDERSON had been writing at her desk, and "... after that conversation transpired I just so happened to look up and at that point Mr. Canney had the camera pointed to me and he snapped it closed really quick. You know, it was one of those side-flap things...". CANNEY then sat down. Several days later, ALAN HENDERSON notified TARA HENDERSON that there was a link to a video clip on the website of the High Springs Herald. When TARA HENDERSON and ALAN HENDERSON viewed the video clip, "It was the back side, you know, it was being filmed from behind Mr. Grapski, which is where Mr. Canney was sitting. And, so it showed Mr. Grapski's back and then the desk and then I was there the whole time and you could see Mr. Henderson's legs." At no time did CANNEY request TARA HENDERSON's permission to be recorded, nor did he notify her that she was being filmed.

On 05-30-2006, I visited the High Springs Herald website. After searching the site, I located an article titled "Grapski back at City Hall as allegations mount". The article contained a link to a video clip. The video link was accompanied by the following text: "To view amateur footage taken in the Alachua City Hall chambers of the exchange between Grapski and Deputy City Clerk Alan Henderson, Click Here. Henderson is the man standing in the video. Grapski is sitting. (Right click on the link to save the video to your hard drive for better playback.)" I downloaded both the article and the video clip, and placed copies of both (on a compact disc) into evidence under this case number. I reviewed the video clip, and found it to be as described by TARA HENDERSON.

On 05-10-2006, at approximately 1952 hours, CANNEY left a message on my office voicemail messaging system. CANNEY stated that he still did not wish to be interviewed by me until he had spoken with an attorney, but that he would be willing to make a statement after receiving all of the information regarding my investigation against him.

On 06-01-2006, I obtained a copy of a compact disc from the Eighth Judicial Circuit State Attorney's Office. The CD was a copy of a CD submitted as evidence by the Alachua Police Department following GRAPSKI's arrest on 05-01-2006. (Refer to related to APD case report number 2006-5440.) The CD contained several digital audio files which had been downloaded from GRAPSKI's audio recorder.

I reviewed the audio files from the aforementioned CD. I located two audio files which appeared to contain

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the recorded audio conversations referenced by ALAN HENDERSON and TARA HENDERSON. (I copied those two files and submitted them on a separate compact disc under this case number.) The first file, labeled "DS_2020.WMA", contained a recording of a conversation between ALAN HENDERSON and GRAPSKI which is believed to have occurred at ALAN HENDERSON's office on 04-28-2006. GRAPSKI conversed with ALAN HENDERSON for approximately 31 seconds before stating: "By the way, I'm recording this." The second file, labeled DS_2021.WMA", contained a recording of the conversation between TARA HENDERSON and MCCOY, as well as the recording of the conversation between GRAPSKI and WATSON (for which GRAPSKI was subsequently arrested). The nature of the recorded conversations were as reported by ALAN HENDERSON and TARA HENDERSON.

On 06-06-2006, at approximately 1130 hours, I spoke by phone with RONALD DUPONT, who is the editor of the High Springs Herald. DUPONT confirmed that CANNEY had provided the video clip featured on the website for the High Springs Herald. DUPONT reported that CANNEY had not made a request for anonymity when providing the video to the High Springs Herald.

On 06-06-2006, at approximately 1159 hours, CANNEY left a message on my work voicemail messaging system requesting that I contact him. I contacted CANNEY by phone at approximately 1201 hours. CANNEY stated that he did not wish to be interviewed on the advice of his attorney. CANNEY reported that he had contacted the Alachua City Hall and made a public records request to determine the details of the complaint against him, as well as the name(s) of the person(s) who had made the complaints against him. CANNEY stated that he was informed that there were no public records with those details at the Alachua City Hall, which appeared to be in conflict with the fact that I was investigating him for criminal allegations. I informed CANNEY that no written public records regarding the complaint and allegations had been completed, and that I would file a written report at the conclusion of my investigation. I also informed CANNEY that the written report of my investigation would be considered a public record upon the conclusion of my investigation and that I would re-contact him when I had completed that written report. I asked CANNEY not to make any statements to me regarding the investigation, as he had been advised by his attorney not to participate in an interview with me.

At this time, sufficient probable cause exists to substantiate two criminal counts of Unlawful Interception of Oral Communications against GRAPSKI, both in violation of Florida State Statute 934.03(1)(a).

I request that this case be CLEARED WITH A SWORN COMPLAINT.

Copied over from email and proofed by ID 350.

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CASE MANAGEMENT DETAILS

SUBMITTED BY	0244 WITHERINGTON, THOMAS	DATE	06/09/2006
APPROVED	0295 BROWN, VERNELL	DATE	06/09/2006
LAST REVIEW	0244	DATE	06/09/2006
CASE STATUS	CURRENT UPDATED	PREVIOUS	APPROVED

ASSIGNED TO	DET/PROPERTY 0244 WITHERINGTON, THOMAS	DATE	06/09/2006
ASSIGNED BY			

CASE REVIEW HISTORY

ASSIGNED	02/01/07 14:17	DET/PROPERTY 0244 WITHERINGTON, THOMAS	REVIEWED BY
CASE STATUS	SAO		
ASSIGNED	06/16/06 09:44	DET/PROPERTY 0244 WITHERINGTON, THOMAS	REVIEWED BY
CASE STATUS	SAO		
ASSIGNED	06/09/06 14:51	DET/PROPERTY 0244 WITHERINGTON, THOMAS	REVIEWED BY
CASE STATUS	SAO		
ASSIGNED	06/09/06 11:54		REVIEWED BY 0244 Witherington, Thomas
CASE STATUS	SAO		
ASSIGNED	06/09/06 10:40	DET/PROPERTY 0244 WITHERINGTON, THOMAS	REVIEWED BY
CASE STATUS	CWSC		
ASSIGNED	06/09/06 10:39	DET/PROPERTY 0244 WITHERINGTON, THOMAS	REVIEWED BY 0295 Brown, Vernell
CASE STATUS	CWSC		
ASSIGNED	06/09/06 10:38	DET/PROPERTY 0244 WITHERINGTON, THOMAS	REVIEWED BY 0295 Brown, Vernell
CASE STATUS	CWSC		
ASSIGNED	06/09/06 10:35		REVIEWED BY
CASE STATUS	CWSC		
ASSIGNED	06/09/06 10:06		REVIEWED BY
CASE STATUS	CWSC		

SUPPLEMENT STATUS

NO SUPPLEMENTS FOUND

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IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff,

Case Number: 01-2006-CF-002725-A
C.R.#: ACSO06-7148
DIVISION II

vs.

CHARLES JAMES GRAPSKI ✓
Defendant.

*Letter
ASCS*

CASE ACTION REPORT NO INFORMATION

The State of Florida, by the undersigned authority, enters a **NO INFORMATION** in the above entitled action dismissing **ALL CHARGES** due to:

2B PROBABLE CAUSE TO CHARGE EXISTS BUT CASE LACKS PROSECUTIVE MERIT IN LIGHT OF BALANCING POSSIBLE OUTCOMES WITH RESOURCES REQUIRED TO PURSUE


EVIDENCE:

The Evidence Custodian is hereby authorized to:

- Retain custody of the evidence until instructed otherwise.
- Dispose of the evidence in accordance with Florida Statutes.

I HEREBY CERTIFY that a copy hereof has been furnished to CHARLES JAMES GRAPSKI, 5803 CR 352, KEYSTONE HEIGHTS, FL 32656, this 19 day of December, 2006.

WILLIAM P. CERVONE
STATE ATTORNEY



 GEOFFREY C. FLECK
 Assistant State Attorney
 Florida Bar Number: 199001

FOR FURTHER INFORMATION CALL INVESTIGATOR SPENCER MANN - (352) 374-3670

cc: D/S TOM WITHERINGTON, ALACHUA COUNTY SHERIFF'S OFFICE
JAIL
ACSO EVIDENCE CUSTODIAN
PROBATION / PAROLE

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PROPERTY

SYSTEM# 1 TYPE Z BRAND COLOR LOSS VALUE \$0.00 RECOVERED VALUE \$1.00 THOMAS COMMENTS HOLD TAG SHELF <input type="checkbox"/> Disposed YES F	INVOLVEMENT 08 EVIDENCE/SEIZED LETTER FROM CITY MANAGER WATSON MODEL SERIAL DATE 05/23/2006 DATE 06/30/2007 BAR CODE 1.06007148-001 BIN F	<input checked="" type="checkbox"/> Submitted to Property <input checked="" type="checkbox"/> Evidence CR REF.# 01 AGENCY ACSC AGENCY ACSC DISPOSITION BY 0244 CUSTODY DATE 06/12/2006 OTHER F	<input checked="" type="checkbox"/> In Custody PROP.ROOM# 001 QTY 1 OAN BY 0244 WITHERINGTON,
SYSTEM# 2 TYPE Z BRAND COLOR LOSS VALUE \$0.00 RECOVERED VALUE \$1.00 THOMAS COMMENTS HOLD TAG SHELF <input type="checkbox"/> Disposed YES F	INVOLVEMENT 08 EVIDENCE/SEIZED COMPACT DISC MODEL SERIAL DATE 05/31/2006 DATE 06/30/2007 BAR CODE 1.06007148-002 BIN F	<input checked="" type="checkbox"/> Submitted to Property <input checked="" type="checkbox"/> Evidence CR REF.# 02 AGENCY ACSC AGENCY ACSC DISPOSITION BY 0244 CUSTODY DATE 06/12/2006 OTHER F	<input checked="" type="checkbox"/> In Custody PROP.ROOM# 002 QTY 1 OAN BY 0244 WITHERINGTON,
SYSTEM# 3 TYPE Z BRAND COLOR LOSS VALUE \$0.00 RECOVERED VALUE \$1.00 THOMAS COMMENTS HOLD TAG SHELF <input type="checkbox"/> Disposed YES F	INVOLVEMENT 08 EVIDENCE/SEIZED COMPACT DISC MODEL SERIAL DATE 08/01/2005 DATE 06/30/2007 BAR CODE 1.06007145-003 BIN F	<input checked="" type="checkbox"/> Submitted to Property <input checked="" type="checkbox"/> Evidence CR REF.# 03 AGENCY ACSC AGENCY ACSC DISPOSITION BY 0244 CUSTODY DATE 06/12/2006 OTHER F	<input checked="" type="checkbox"/> In Custody PROP.ROOM# 003 QTY 1 OAN BY 0244 WITHERINGTON,
SYSTEM# 4 TYPE Z BRAND COLOR LOSS VALUE \$0.00 RECOVERED VALUE \$1.00 THOMAS COMMENTS HOLD TAG SHELF <input type="checkbox"/> Disposed YES F	INVOLVEMENT 08 EVIDENCE/SEIZED COMPACT DISC MODEL SERIAL DATE 06/30/2006 DATE 06/30/2007 BAR CODE 1.06007145-004 BIN F	<input checked="" type="checkbox"/> Submitted to Property <input checked="" type="checkbox"/> Evidence CR REF.# 04 AGENCY ACSC AGENCY ACSC DISPOSITION BY 0244 CUSTODY DATE 06/12/2006 OTHER F	<input checked="" type="checkbox"/> In Custody PROP.ROOM# 004 QTY 1 OAN BY 0244 WITHERINGTON,

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Alachua County Sheriff's Office INCIDENT REPORT



06-7148

City of Alachua

The Good Life Community
Celebrating a Century
1905-2005

Clovis Watson, Jr., MPA
City Manager

Jean Calderwood
Mayor

Gib Coetper
Vice Mayor

James Lewis
Commissioner

Orian Hillis
Commissioner

Bonnie Burgess
Commissioner

22 May 2006

*Maria Calchotta
please handle
209
5/29/06*

Sheriff Stephen Collich
Alachua County Sheriff's Office
Post Office Box 1210
Gainesville, FL 32602-1210

Re: **REQUEST FOR INDEPENDENT INVESTIGATION**

Dear Sheriff Collich:

The City of Alachua has experienced problems with an individual using electronic devices to record oral conversations without permission. The first time I was aware that this occurred is when this individual notified me. Because of my experience in law enforcement, through this to the attention of the Alachua Police Department and Mr. Charles Grapski was arrested. Since that time, it has come to my attention that Mr. Grapski may have also recorded a conversation or conversations with the City's Deputy Clerk, Alan Henderson, without his permission, and that he may also have recorded a conversation of my assistant, Tara Henderson, also without her permission or knowledge.

In order to avoid any further legal actions, which may be taken by the City or any of its employees, as being construed as self-serving or politically motivated, I am requesting the Alachua County Sheriff's Office to undertake an immediate investigation of these other incidents so the full ramifications of Mr. Grapski's actions can be fully evaluated. If it is deemed that there have been actionable criminal infractions, the appropriate action may be taken by law enforcement.

Thank you for your attention to the above.

Respectfully,

Clovis Watson, Jr., MPA
City Manager

cc: Madam Mayor & Commissioners
Marion B. Rush, City Attorney
Robert Jemigan, Chief of Police
Bill Cervone, State Attorney
Spencer Marx, State Attorney Investigator

15501 NW 16th St.
Alachua, Florida
32615

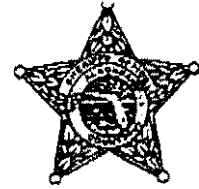
P.O. Box 9
32615

Phone 386.462.1231 fax 386.462.1985
www.cityofalachua.com

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REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



<input type="checkbox"/> ARREST		<input checked="" type="checkbox"/> SWORN COMPLAINT		<input type="checkbox"/> HOLD		ALACHUA COUNTY SHERIFF'S OFFICE				<input type="checkbox"/> JUVENILE		<input type="checkbox"/> NOTICE TO APPEAR					
AGENCY CASE REPORT NUMBER 06007148																	
NAME OF SUBJECT (LAST, FIRST, MI) GRAPSKI, CHARLES JAMES										ALIAS/MAISEN GRAPSKI, CHARLES S							
HOME ADDRESS 6803 CR 152				CITY KEYSTONE HEIGHTS		STATE FL		ZIP CODE 32656		TELEPHONE NUMBER (352) 473-88 83							
BIRTH DATE FOR RECORDING GAINESVILLE, FL										TELEPHONE NUMBER							
MARKING ADDRESS																	
RACE WHITE		SEX M		DATE OF BIRTH 06/09/1965		HEIGHT 509		WEIGHT 180		HAIR COLOR BRO		EYES COLOR BLU		COMPLEXION MEDIUM		BUILD MEDIUM	
DRIVER'S LICENSE / STATE ID NUMBER				STATE OF BIRTH FL		SOCIAL SECURITY NUMBER				PHOTO NUMBER		PLACE OF BIRTH NEW YORK		COUNTRY OF BIRTH USA			
SUBJECT'S OCCUPATION				SPIN NUMBER 1989002035		AGENCY OR NUMBER FL0010000		SOI / AGENCY ID NUMBER 84-00980		BOOKING NUMBER							
LOCATION OF ARREST				DATE OF ARREST		TIME OF ARREST		DATE OF BOOKING		TIME OF BOOKING							
SUBJECT IDENTIFIED BY VENDOR LEO						SUBJECT'S NAME VERIFIED BY LEO						PHOTO ID					
ST NAME		DATE OF BIRTH		RACE		SEX		COUNT NUMBER		<input type="checkbox"/> JUVENILE							
VENDOR		DATE OF BIRTH		RACE		SEX		COUNT NUMBER		<input type="checkbox"/> JUVENILE							
AGENCY DISPOSITION				NAME OF PARENT / GUARDIAN				<input type="checkbox"/> NOTIFIED		LOCAL TELEPHONE NUMBER							
PARENT / GUARDIAN HOME ADDRESS				CITY		STATE		ZIP CODE		HOME TELEPHONE NUMBER							
ST NAME EILEEN BODEN MCCOY				ADDRESS 14110 NW 142ND TR, ALACHUA, FL 32615				CITY ALACHUA		STATE FL		ZIP CODE 32615		PHONE NUMBER (386) 418-0327			
ST NAME				NO. OF LINES				CITY		STATE		ZIP CODE		PHONE NUMBER			
OFFENSE DESCRIPTION INTERCEPTION OF ORAL COMMUNICATIONS				FELONY				COMPLETE STATUTE / ORDINANCE NUMBER 934.01(1)(a)				VICTIM NOTIFICATION ARREST Y RELEASE Y					
NUMBER		DATE OF OFFENSE 04/28/2006		TIME OF OFFENSE 10:00		BAIL AMOUNT		VICTIM TELEPHONE NUMBER (386) 462-1231									
VICTIM NAME HENDERSON, ALAN SCOTT		ADDRESS 18001 NW 140TH ST				CITY ALACHUA		STATE FL		ZIP CODE 32615							
OFFENSE DESCRIPTION INTERCEPTION OF ORAL COMMUNICATIONS				FELONY				COMPLETE STATUTE / ORDINANCE NUMBER 934.01(1)(B)				VICTIM NOTIFICATION ARREST Y RELEASE Y					
NUMBER		DATE OF OFFENSE 04/28/2006		TIME OF OFFENSE 10:00		BAIL AMOUNT		VICTIM TELEPHONE NUMBER (386) 462-1231									
VICTIM NAME HENDERSON, TARA LEE		ADDRESS 18001 NW 140TH ST				CITY ALACHUA		STATE FL		ZIP CODE 32615							
THE FOLLOWING INCIDENT OCCURRED AT 18001 NW 140TH ST				CITY OF ALACHUA				COUNTY OF ALACHUA		STATE OF FLORIDA							
<p>On 04-28-2006, the DEFENDANT unlawfully obtained an audio recording of a conversation which he had with ALAN HENDERSON while at the Alachua City Hall. The DEFENDANT did not notify ALAN HENDERSON that his conversation was being recorded prior to that conversation. After approximately 31 seconds of conversation with ALAN HENDERSON, the DEFENDANT disclosed that the conversation was being recorded. ALAN HENDERSON has reported that he did not consent to the recording of the conversation, but was unaware that he could lawfully decline to be recorded.</p> <p>On 04-28-2006, the DEFENDANT unlawfully obtained an audio recording of a conversation which occurred between victim TARA HENDERSON and witness EILEEN MCCOY while at the Alachua City Hall. The conversation, which was private in nature, was recorded in whole without TARA HENDERSON's knowledge or consent.</p> <p>On 05-01-2006, the DEFENDANT was arrested for a similar charge. The defendant's audio recorder was</p>																	
<input type="checkbox"/> MANDATORY APPEARANCE IN COURT AT						DATE OF APPEARANCE				TIME OF APPEARANCE							
I AGREE AND ACKNOWLEDGE TO SIGN, PRINT AND SIGN MY NAME AND SIGN THIS NOTICE TO APPEAR AS SPECIFIED IN THIS NOTICE TO APPEAR. MY REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS.										DEFENDANT'S SIGNATURE		DATE					
SWORN TO AND SUBSCRIBED TO BEFORE ME THIS										I BEAR THE ABOVE, AND MY USE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.							
8TH		DAY OF JUNE, 2006				NAME (PRINT)		Tara Henderson									
SIGNATURE		DET. J. C. Sullivan 575				SIGNATURE		Tara Henderson									
TITLE		DEPUTY SHERIFF				AGENCY		ACSO		BOOKING NUMBER 241							

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REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



ARREST SWORN COMPLAINT

JUVENILE NOTICE TO APPEAR

CASE NUMBER

EPK NUMBER
1881002035

AGENCY ORI NUMBER
FL0010000

SUPPLEMENT ALACHUA COUNTY SHERIFF'S OFFICE

ARREST CASE REPORT NUMBER
06007148

NAME OF SUBJECT (LAST, FIRST, MI)
GRAPSKI, CHARLES JAMES

ALIAS/HAZARD
GRAPSKI, CHARLES S

RACE	SEX	DATE OF BIRTH	BOOKING NUMBER	MO IS	CR. REPORT NUMBER	HT (IN)	WEIGHT
WHITE	M	05/09/1965		94-0	09 60	68 9	150

seized as evidence by the Alachua Police Department subsequent to that arrest. I have reviewed the audio recordings obtained from the DEFENDANT's seized audiorecorder, and I have found those recordings to be consistent with the statements of victims ALAN HENDERSON and TARA HENDERSON.



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REPORT NUMBER

Alachua County Sheriff's Office

INCIDENT REPORT



AGENCY ACSO CAD EVENT 061600376 RELATED CASES 06-7148
CLASSIFICATION 934.03(1)(a) INTERCEPTION OF ORAL COMMUNICATIONS
MAJOR VIOLATION STATUS SENT TO STATE ATTORNEY
DISPOSITION CLOSED DISPOSED OF EVIDENCE
OFFENSES 934.03(1)(a) INTERCEPTION OF ORAL COMMUNICATIONS

REPORTED 06/09/06 08:48 FRI OCCURRED 05/10/06 13:00 WED TO 05/10/06 13:00 WED

LOCATION 15001 NW 140TH ST

PREMISE CITY HALL ALACHUA CITY ALACHUA 32615 ZONE 01 CITY 30 ALCHI

- | | | | | |
|--------|--|--|--|---|
| NATURE | <input type="checkbox"/> Computer Used | <input type="checkbox"/> Hate/Bias | <input type="checkbox"/> Child Abuse | <input type="checkbox"/> Arson |
| | <input type="checkbox"/> Alcohol Related | <input type="checkbox"/> Officer Assault | <input type="checkbox"/> Domestic Violence | <input type="checkbox"/> Robbery |
| | <input type="checkbox"/> Drug Related | <input type="checkbox"/> Senior Citizen | <input type="checkbox"/> Thefts | <input type="checkbox"/> Motor Vehicle Theft |
| | <input type="checkbox"/> Gang Related | <input type="checkbox"/> Juvenile | <input type="checkbox"/> Burglary | <input checked="" type="checkbox"/> Booking Sheets/SWCP |
| | <input type="checkbox"/> Report via PX | <input type="checkbox"/> Report by Mail | | |

OFFICER 0244 WITHERINGTON, THOMAS
APPROVED 0296 BROWN, VERNELL

REPORT FILED 06/09/06 00:00
APPROVAL DATE 06/09/06 00:00

SYNOPSIS

While investigating a related ACSO case, an employee of the City of Alachua reported that their conversation had been unlawfully audio/video-recorded without their knowledge and/or consent. The investigation revealed sufficient probable cause to substantiate the allegations. A Sworn Complaint has been filed in this case.

SIGNATURES

Submitted By	_____	ID	_____	Date	_____
Approved by	_____	ID	_____	Date	_____
Assigned to	_____	ID	_____	Date	_____

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REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



ADDITIONAL INCIDENT DATA

Entry Point

- Unknown
- Ground Level
- Upper Level
- Front
- Rear
- Side
- Top/Roof/Skylight/Duct
- Door
- Window

Method of Entry

- Open/Unlocked
- Bodily Force
- Bolt Cutters
- Channel Lock/Pliers
- Coat Hanger
- Hid in Building
- Key/Slip
- No Force
- Pry Tool/Screw Driver
- Other/Unknown

Type of Entry

- Admitted In
- Forced Entry
- Hid Inside
- Security Bars Cut/Forced
- Glass Breakage
- Door Kicked
- Cut Convertible Top

Weapons Used

- Handgun
- Rifle
- Explosive Device/Incendiary
- Bat/Board/Club
- Bodily Force
- Chain/Rope
- Cutting Instrument
- Vehicle
- Blunt Object
- Other

How Weapon Used

- Cut/Stabbed Victim
- Strangled/Choked
- Threatened
- Struck/Knocked Down/Kicked
- Shot
- Bound/Tied Up
- Kicked
- Displayed Weapon
- Implied Weapon
- Other

Impersonate

- Customer
- Drunk
- Disabled Motorist
- Employee/Employer
- Law Enforcement/Utility
- Relative
- Repairman
- Survey/Pollster
- Delivery Person
- Other

Object of Attack

- Business
- Vehicle
- Church
- Person(s)
- Institutional/Government
- Garage/Storage
- Residence
- Safe
- Cash Register
- Other

Weapons Used Cont.

- Hands/Fist/Feet
- Shotgun
- Threat/Intimidation
- Simulated Weapon
- Drugged Victim
- Unknown

Demands/Force Victim

- Consume Alcohol
- Lie on Floor
- Open Register
- Open Safe
- Give Money / Put Money in Bag
- Just Bills
- Remain Silent
- Remove Clothing
- Sex
- Walk/Run
- Turn Around / Not Look
- Drugs
- Jewelry
- Other

Security

- Alarm
- Bars/Gates
- Dogs
- External Lights
- Guard
- Locked Doors
- Neighborhood Watch
- Operation ID
- Security Fence
- Dead Bolts
- Camera
- Other
- None

Sex Acts

- Anal Penetration
- Condom Used
- Cut/Remove Clothing
- Ejaculated on Victim
- Fondled Genitals
- Oral Sex on Suspect
- Oral Sex on Victim
- Penetration w/Object
- Defecated
- Masturbated
- Urinated on Victim
- Took Photos/Filmed
- Torture
- Cleaned Up/Washed
- Other
- Digital Penetration
- Viewed Pornographic Material
- Injured
- Vaginal Penetration
- Fondled Breasts

Tools Used

- Bolt/Wire Cutters
- Drill
- Torch
- Lock Pick
- Pry Bar
- Glass Cutter
- Saw
- Pipe/Tire Iron
- Electronic Equipment
- Club or Hammer Device
- Rock/Brick
- Slip Device
- Other
- Disabled Phone
- SlimJim
- Axe

06007150
REPORT NUMBER

Alachua County Sheriff's Office

INCIDENT REPORT



NAMES

CR REFERENCE# 01 SYSTEM# 1 INVOLVEMENT Juvenile Non-Disclosure
 SS Suspect w/SWCP TYPE Individual

NAME CANNEY, MICHAELS
 ADDRESS 15319 NW 140TH ST ALACHUA, FL 32615

ALT. ADDRESS, DOB 11/08/1952 AGE 53 SSN [REDACTED]
 DLNO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATE ID

DESCRIPTION SEX M RACE W HAIR BRO EYES BRO HEIGHT 510 WEIGHT 160
 CAUTION
 EMPLOYER
 ADDRESS
 OCCUPATION
 COMMENTS NO OTHER INFORMATION
 ADDITIONAL INFO
 Hair Brown
 Eyes Brown
 Facial Hair Mustache; Goatee

PHONE (386) 418-3791
 PHONE
 PHONE
 PHONE
 RES.STATUS R

CR REFERENCE# 02 SYSTEM# 2 INVOLVEMENT Juvenile Non-Disclosure
 VI Victim TYPE Individual

NAME HENDERSON, ALAN SCOTT
 ADDRESS 15001 NW 140TH ST ALACHUA, FL 32615

ALT. ADDRESS, DOB 01/12/1944 AGE 62 SSN [REDACTED]
 DLNO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATE ID

DESCRIPTION SEX M RACE W
 CAUTION
 EMPLOYER ALACHUA CITY HALL
 ADDRESS 15001 NW 140TH ST ALACHUA
 OCCUPATION DEPUTY CLERK
 COMMENTS
 ADDITIONAL INFO VICTIM OF 934.03(1)(a) - INTERCEPTION OF ORAL COMMUNICATIONS
 INJURY
 RELATIONSHIP Name Entry No. 1 02 STRANGER

PHONE
 PHONE
 PHONE
 PHONE (386) 462-1231
 RES.STATUS

CR REFERENCE# 03 SYSTEM# 3 INVOLVEMENT Juvenile Non-Disclosure
 WI Witness TYPE Individual

NAME GRAPSKI, CHARLES JAMES
 ADDRESS 5803 CR 352 KEYSTONE HEIGHTS, FL 32656

ALT. ADDRESS, DOB 06/09/1965 AGE 41 SSN [REDACTED]
 DLNO [REDACTED] FL FBI ID [REDACTED]
 LOCAL ID STATE ID

DESCRIPTION SEX M RACE W HAIR BRO EYES BLU HEIGHT 509 WEIGHT 150
 CAUTION
 EMPLOYER UNIVERSITY OF FLORIDA
 ADDRESS GAINESVILLE, FL
 OCCUPATION
 COMMENTS PLACE OF BIRTH NEW YORK
 ADDITIONAL INFO

PHONE (352)
 PHONE
 PHONE
 PHONE
 RES.STATUS R

06007150
REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



NAMES

CR REFERENCE# 04 SYSTEM# 4 INVOLVEMENT Juvenils
 WI Witness
NAME HENDERSON, TARA LEE
ADDRESS 15001 NW 140TH ST
ALACHUA, FL 32615
ALT.ADDRESS,
DOB 08/03/1975 AGE 30 SSN [REDACTED]
DL NO [REDACTED] FL FBI ID [REDACTED]
LOCAL ID STATE ID
DESCRIPTION SEX W ETHNICITY N
CAUTION
EMPLOYER ALACHUA CITY HALL
ADDRESS 15001 NW 140TH ST ALACHUA, FL.
OCCUPATION
COMMENTS
ADDITIONAL INFO

Non-Disclosure
TYPE Individual

PHONE
PHONE
PHONE

PHONE (386) 462-1231

RES.STATUS

CR REFERENCE # 05 SYSTEM# 5 INVOLVEMENT Juvenils
 WI Witness
NAME DUPONT JR, RONALD
ADDRESS 5 NW 1ST ST
HIGH SPRINGS, FL 32643
ALT.ADDRESS,
DOB 10/07/1966 AGE 39 SSN
DL NO FBI ID
LOCAL ID STATE ID
DESCRIPTION SEX M RACE W
CAUTION
EMPLOYER HIGH SPRINGS HERALD
ADDRESS 5 NW 1ST ST, HIGH SPRINGS, FL
OCCUPATION
COMMENTS
ADDITIONAL INFO

Non-Disclosure
TYPE Individual

PHONE
PHONE
PHONE

PHONE (386) 454-1297

RES.STATUS U

06007150
REPORT NUMBER

**Alachua County
Sheriff's Office
INCIDENT REPORT**



NARRATIVE

REPORTED BY 0244 WITHERINGTON, THOMAS

REPORT FILED 06/09/2006

The investigative details regarding this case are contained in the narrative summary of related ACSO case report number 06-7148. Evidence relevant to this case has also been submitted under related ACSO case number 06-7148.

At this time, sufficient probable cause exists to substantiate one criminal count of Unlawful Interception of Oral Communications against GRAPSKI, in violation of Florida State Statute 934.03(1)(a). ALAN HENDERSON is considered the victim of this criminal act. (There is not sufficient probable cause at this time to consider TARA HENDERSON as a victim. While her image appears in the video alleged to have been surreptitiously obtained by CANNEY, she does not speak during the video recording. As a result, there is no intercepted oral communication involving TARA HENDERSON.)

I request that this case be CLEARED WITH A SWORN COMPLAINT

Copied over from email and proofed by ID 350.

EN

EN

06007150

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



CASE MANAGEMENT DETAILS

SUBMITTED BY	0244 WITHERINGTON, THOMAS	DATE	06/09/2006
APPROVED	0295 BROWN, VERNELL	DATE	06/09/2006
LAST REVIEW	0244	DATE	06/09/2006
CASE STATUS	CURRENT UPDATED	PREVIOUS	APPROVED

ASSIGNED TO	DET/PROPERTY 0244 WITHERINGTON, THOMAS	DATE	06/09/2006
ASSIGNED BY			

CASE REVIEW HISTORY

ASSIGNED	01/24/07 09:51	DET/PROPERTY 0244 WITHERINGTON, THOMAS
CASE STATUS	SAO	REVIEWED BY
ASSIGNED	06/16/06 09:44	DET/PROPERTY 0244 WITHERINGTON, THOMAS
CASE STATUS	SAO	REVIEWED BY
ASSIGNED	06/09/06 14:52	DET/PROPERTY 0244 WITHERINGTON, THOMAS
CASE STATUS	SAO	REVIEWED BY
ASSIGNED	06/09/06 11:54	
CASE STATUS	SAO	REVIEWED BY 0244 Witherington, Thomas
ASSIGNED	06/09/06 10:39	DET/PROPERTY 0244 WITHERINGTON, THOMAS
CASE STATUS	CWSC	REVIEWED BY 0295 Brown, Vernell
ASSIGNED	06/09/06 10:24	
CASE STATUS	CWSC	REVIEWED BY
ASSIGNED	06/09/06 09:38	
CASE STATUS	CWSC	REVIEWED BY
ASSIGNED	06/09/06 09:32	
CASE STATUS	CWSC	REVIEWED BY

SUPPLEMENT STATUS

NO SUPPLEMENTS FOUND

06007150
REPORT NUMBER

**Alachua County
Sheriff's Office
INCIDENT REPORT**



IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff,

Case Number: 01-2006-CF-002724-A
C.R.#: ACSO06-7150
DIVISION I

vs.

MICHAEL S CANNEY ✓
Defendant.

Handwritten mark resembling a large 'B' or '8' with a checkmark.

CASE ACTION REPORT
NO INFORMATION

The State of Florida, by the undersigned authority, enters a **NO INFORMATION** in the above entitled action dismissing **ALL CHARGES** due to:

2B PROBABLE CAUSE TO CHARGE EXISTS BUT CASE LACKS PROSECUTIVE MERIT IN LIGHT OF BALANCING POSSIBLE OUTCOMES WITH RESOURCES REQUIRED TO PURSUE

EVIDENCE:

The Evidence Custodian is hereby authorized to:

Retain custody of the evidence until instructed otherwise.

Dispose of the evidence in accordance with Florida Statutes.

I HEREBY CERTIFY that a copy hereof has been furnished to MICHAEL S CANNEY, 15319 NW 140TH ST, ALACHUA, FL 32615, this 19 day of December, 2006.

WILLIAM P. CERVONE
STATE ATTORNEY

Handwritten signature of Geoffrey C. Fleck

GEOFFREY C. FLECK
Assistant State Attorney
Florida Bar Number: 199601

FOR FURTHER INFORMATION CALL INVESTIGATOR SPENCER MANN- (352) 374-3670

cc: D/S TOM WITHERINGTON, ALACHUA COUNTY SHERIFF'S OFFICE
JAIL
ACSO EVIDENCE CUSTODIAN
PROBATION / PAROLE

06007150
REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



<input type="checkbox"/> ARREST		<input checked="" type="checkbox"/> SWORN COMPLAINT		<input type="checkbox"/> HOLD		ALACHUA COUNTY SHERIFF'S OFFICE		<input type="checkbox"/> JUVENILE		<input type="checkbox"/> NOTICE TO APPEAR	
03/31/2007						AGENCY CASE REPORT NUMBER 06007150					
NAME OF SUBJECT (LAST, FIRST, MI) CANNEY, MICHAEL S						ALIAS/MAJEN					
511 HOME ADDRESS 15319 NW 140 TH ST				CITY ALACHUA		STATE FL		ZIP CODE 32615		TELEPHONE NUMBER (386) 418-3781	
BUSINESS/ SCHOOL ADDRESS						TELEPHONE NUMBER					
MAILING ADDRESS						EYES/HAIR/COLOR, TIPS, FACIAL HAIR, UNUSUAL PHYSICAL FEATURES					
RACE WHITE		SEX M		DATE OF BIRTH 11/08/1952		HEIGHT 5'10		WEIGHT 160		HAIR COLOR BRO	
EYES COLOR BRO		COMPLEXION MEDIUM		BUILD MEDIUM		SCARS/ TATTOOS		COUNTRY OF BIRTH USA		TELEPHONE NUMBER	
SUBJECT'S OCCUPATION		EMPLOYER		AGENCY OR NUMBER FL0010000		BOOKING NUMBER		BOOKING NUMBER		BOOKING NUMBER	
SUBJECT IDENTIFIED BY (NAME) LEO		SUBJECT'S NAME VERIFIED BY PHOTO ID		DATE OF BIRTH		RACE		SEX		COURT NUMBER	
JUVENILE DISPOSITION		NAME OF PARENT/ GUARDIAN		<input type="checkbox"/> NOTIFIED		WORK TELEPHONE NUMBER		PARENT/ GUARDIAN HOME ADDRESS		CITY	
PARENT/ GUARDIAN HOME ADDRESS		CITY		STATE		ZIP CODE		HOME TELEPHONE NUMBER			
P1 NAME RONALD DUPONT, JR		ADDRESS 5 NW 1ST ST, HIGH SPRINGS, FL 32643		TELEPHONE NUMBER (386) 462-1231		P2 NAME ALAN HENDERSON		ADDRESS 15001 NW 140TH ST, ALACHUA, FL		TELEPHONE NUMBER (386) 462-1231	
OFFENSE DESCRIPTION INTERCEPTION OF ORAL COMMUNICATIONS		FELONY		COMPLETE STATUTE/ORDINANCE NUMBER 934.03(1)(a)		VICTIM NOTIFICATION ARREST Y RELEASE Y		NUMBER		DATE OF OFFENSE 05/10/2006	
VICTIM NAME HENDERSON, ALAN SCOTT		ADDRESS 15001 NW 140TH ST		CITY ALACHUA		STATE FL		ZIP CODE 32615		VICTIM'S TELEPHONE NUMBER (386) 462-1231	
OFFENSE DESCRIPTION		COMPLETE STATUTE/ORDINANCE NUMBER		VICTIM NOTIFICATION ARREST RELEASE		NUMBER		DATE OF OFFENSE		TIME OF OFFENSE	
VICTIM NAME		ADDRESS		CITY		STATE		ZIP CODE		VICTIM'S TELEPHONE NUMBER	
THE FOLLOWING INCIDENT OCCURRED AT 15001 NW 140TH ST.		CITY OF ALACHUA		COUNTRY OF ALACHUA		STATE OF FLORIDA		<p>On 05-10-2006, the DEFENDANT unlawfully obtained a video/audio recording of a conversation which occurred between witness, CHARLES GRAPSKI, and victim, ALAN HENDERSON, while at the Alachua City Hall. The DEFENDANT did not notify ALAN HENDERSON that his conversation was being video/audio recorded prior to that conversation. (The investigation revealed that the DEFENDANT had obtained permission from GRAPSKI to use the video recorder.) The conversation was recorded without the knowledge or consent of ALAN HENDERSON. The DEFENDANT delivered a portion of the video/audio-recorded conversation to the High Springs Herald newspaper, which subsequently posted a video clip of the recorded conversation on their website.</p>			
<input type="checkbox"/> MANDATORY APPEARANCE IN COURT AT		DATE OF APPEARANCE		TIME OF APPEARANCE		I AGREE TO FORSWORE (OR SWORN) TO THE CHARGES AND PUNISHMENTS SPECIFIED IN THE NOTICE TO APPEAR, WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILTY/WAY OF MY RIGHTS		DEFENDANT (SIGNATURE)		DATE	
SWORN TO AND SUBSCRIBED TO BEFORE ME THIS		YEAR THE ABOVE AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.		NAME (PRINT)		SIGNATURE		AGENCY		LEGISLATIVE NUMBER	
8TH DAY OF JUN, 2006		NAME (PRINT) Tom Witherspoon		SIGNATURE Tom Witherspoon		AGENCY ACSO		LEGISLATIVE NUMBER 264		SIGNATURE DET. J.C. Saldaña 575	
DET. J.C. Saldaña		AGENCY ACSO		LEGISLATIVE NUMBER 264							



Alachua County Sheriff's Office INCIDENT REPORT



06007600 REPORT NUMBER

AGENCY ACSI CAD EVENT 081701123 RELATED CASES
CLASSIFICATION INFORMATION INFORMATION
MAJOR VIOLATION INFORMATION STATUS INFORMATION ONLY/NO FOLLOWUP REQUIRED
DISPOSITION INFORMATION
OFFENSES INFORMATION INFORMATION

REPORTED 06/19/06 19:08 MON OCCURRED 06/19/06 19:08 MON TO 06/19/06 19:08 MON

LOCATION 15001 NW 140TH ST

PREMISE CITY HALL CITY ALACHUA 32615 ZONE 01 CITY 30 ALCH1

- NATURE checkboxes: Computer Used, Alcohol Related, Drug Related, Gang Related, Report via PX, Hate/Bias, Officer Assault, Senior Citizen, Juvenile, Report by Mail, Child Abuse, Domestic Violence, Thefts, Burglary, Arson, Robbery, Motor Vehicle Theft, Booking Sheets/SWCP

OFFICER 0820 KOON, PERRY
APPROVED 0217 OBERLIN, KEVIN

REPORT FILED 06/19/06 00:00
APPROVAL DATE 06/19/06 00:00

SYNOPSIS I responded to the incident location and took a report for information.

SIGNATURES Submitted By, Approved by, Assigned to with ID and Date fields

06007600

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



ADDITIONAL INCIDENT DATA

Entry Point

- Unknown
- Ground Level
- Upper Level
- Front
- Rear
- Side
- Top/Roof/Skylight/Duct
- Door
- Window

Method of Entry

- Open/Unlocked
- Bodily Force
- Bolt Cutters
- Channal Lock/Pliers
- Coat Hanger
- Hid in Building
- Key/Slip
- No Force
- Pry Tod/Screw Driver
- Other/Unknown

Type of Entry

- Admitted In
- Forced Entry
- Hid Inside
- Security Bars Cut/Forced
- Glass Breakage
- Door Kicked
- Cut Convertible Top

Weapons Used

- Handgun
- Rifle
- Explosive Device/Incendiary
- Bat/Board/Club
- Bodily Force
- Chain/Rope
- Cutting Instrument
- Vehicle
- Bunt Object
- Other

How Weapon Used

- Cut/Stabbed Victim
- Strangled/Choked
- Threatened
- Struck/Knocked Down/Kicked
- Shot
- Bound/Tied Up
- Kicked
- Displayed Weapon
- Implied Weapon
- Other

Impersonate

- Customer
- Drunk
- Disabled Motorist
- Employee/Employer
- Law Enforcement/Utility
- Relative
- Repairman
- Survey/Postster
- Delivery Person
- Other

Object of Attack

- Business
- Vehicle
- Church
- Person(s)
- Institutional/Government
- Garage/Storage
- Residence
- Safe
- Cash Register
- Other

Weapons Used Cont.

- Hands/Fist/Feet
- Shotgun
- Threat/Intimidation
- Simulated Weapon
- Drugged Victim
- Unknown

Demands/Force Victim

- Consume Alcohol
- Lie on Floor
- Open Register
- Open Safe
- Give Money / Put Money in Bag
- Just Bills
- Remain Silent
- Remove Clothing
- Sex
- Walk/Run
- Turn Around / Not Look
- Drugs
- Jewelry
- Other

Security

- Alarm
- Bars/Gates
- Dogs
- External Lights
- Guard
- Locked Doors
- Neighborhood Watch
- Operation ID
- Security Fence
- Dead Bolts
- Camera
- Other
- None

Sex Acts

- Anal Penetration
- Condom Used
- Cut/Remove Clothing
- Ejaculated on Victim
- Fondled Genitals
- Oral Sex on Suspect
- Oral Sex on Victim
- Penetration w/Object
- Defecated
- Masturbated
- Urinated on Victim
- Took Photos/Filmed
- Torture
- Cleaned Up/Washed
- Other
- Digital Penetration
- Viewed Pomographic Material
- Injured
- Vaginal Penetration
- Fondled Breasts

Tools Used

- Bolt/Wire Cutters
- Drill
- Torch
- Lock Pick
- Pry Bar
- Glass Cutter
- Saw
- Pipe/Tire Iron
- Electronic Equipment
- Club or Hammer Device
- Rock/Brick
- Slip Device
- Other
- Disabled Phone
- SlimJim
- Axe

06007600

REPORT NUMBER

Alachua County
Sheriff's Office
INCIDENT REPORT



JAMES

CR REFERENCE# 01 SYSTEM# 1
NAME GRAPSKI, CHARLES JAMES
ADDRESS 5803 CR 352
KEYSTONE HEIGHTS, FL 32656

INVOLVEMENT Juvenile
RP Reporting Party

Non-Disclosure
TYPE Individual

PHONE
PHONE (352) 359-4603
PHONE

ALT ADDRESS,
DOB 06/09/1965 AGE 41
DL NO [REDACTED] FL

SSN [REDACTED]
FBI ID
STATE ID

LOCAL ID
DESCRIPTION SEX M RACE W ETHNICITY N

CAUTION
EMPLOYER UNIVERISTY OF FLORIDA
ADDRESS
OCCUPATION POLITICAL SCIENCE

PHONE
RES.STATUS R

COMMENTS
ADDITIONAL INFO

06007600

REPORT NUMBER

**Alachua County
Sheriff's Office
INCIDENT REPORT**

NARRATIVE

REPORTED BY 0820 KOON, PERRY

REPORT FILED 06/19/2006

Charles Grapski called to report that he felt he was battered by Alachua Police Department's Chief Jerican. Charles advised that when the mayor put the meeting into order and started to advise the first order of business, he stood up to make a parliamentary inquiry to address an error in their proceedings he states are in Florida Statute 286.011. Chief Jerican, with the assistance of another APD officer, escorted Charles out of the meeting.

Charles had a personal video camera. He allowed me to see the tape of him being escorted from the meeting. In the video, Charles was very upset and, with a raised voice, was yelling at the mayor. Chief Jerican, with assistance, grabbed Charles by the upper arm and escorted him out of city hall.

Charles was unable to provide a copy of this video tape; however, stated when a copy could be made, he would drop it off at the Sheriff's Office.

According to Chief Jerican, the mayor asked him to escort Charles out of the proceedings and, from what I saw on Charles' video camera, there was no improper law enforcement action taken.

APD's case report number is 2006-6909.

This report was written for information only.

Transcribed by ID #877/Proofed by ID 1522

N.

06007600

REPORT NUMBER

Alachua County Sheriff's Office INCIDENT REPORT



CASE MANAGEMENT DETAILS

SUBMITTED BY	0820 KOON, PERRY	DATE	06/19/2006
APPROVED	0217 OBERLIN, KEVIN	DATE	06/19/2006
LAST REVIEW	0217	DATE	06/19/2006
CASE STATUS	CURRENT UPDATED	PREVIOUS	APPROVED

ASSIGNED TO	DATE
ASSIGNED BY	

CASE REVIEW HISTORY

ASSIGNED	06/20/06 09:28	REVIEWED BY	
CASE STATUS	INFO		
ASSIGNED	06/19/06 23:50	REVIEWED BY	0217 OBERLIN, KEVIN
CASE STATUS	INFO		
ASSIGNED	06/19/06 22:09	REVIEWED BY	
CASE STATUS	INFO		
ASSIGNED	06/19/06 22:07	REVIEWED BY	
CASE STATUS	INFO		

SUPPLEMENT STATUS

NO SUPPLEMENTS FOUND

13

Charles Grapski, Plaintiff, filed suit against J. Bernard Machen, in his official capacity as President of the University of Florida, Case No: 01-2005-CA-4005 alleging that Machen violated public records laws. It was found that Charles Grapski failed to prove that J. Bernard Machen or his designees unlawfully refused or delayed production of the public records he requested and he failed to prove that any other public records existed which were not produced. This decision was made in the Chambers of Alachua County, Florida on May 9, 2006. Charles Grapski filed an appeal and the 1st District Court of Appeals affirmed a Circuit Court decision issued in May that said Machen did not violate state public records laws. Charles Grapski is trying to sue and have criminal action taken against the City of Alachua for the same thing that Machen was accused of. The decision made by the Circuit Court of Appeals in this matter gives the City of Alachua current case law to refer to regarding public records.

From: Tara Henderson thenderson@cityofalachua.com

To: Robert Jernigan

cc:

Date: Fri, 2 Mar 2007 14:36:56 -0500

Subject: Emailing: Grapski v Machen Order on Evidentiary Hearing dated 5 9 06

The message is ready to be sent with the following file or link attachments:

Grapski v Machen Order on Evidentiary Hearing dated 5 9 06

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

CHARLES GRAPSKI,

Plaintiff,

vs.

CASE NO.: 01-2005-CA-4005

DIVISION: J

J. BERNARD MACHEN, in his official capacity
As President of the University of Florida,

Defendant.

ORDER ON EVIDENTIARY HEARING

This cause came before the court for an evidentiary hearing on Plaintiff's Amended Complaint seeking an order compelling Defendant to produce certain public records and awarding him his attorney's fees and costs. Based upon the testimony of the witnesses, the documents received in evidence and a review of the entire case file, the court makes the following findings of fact and conclusions of law:

1. Plaintiff is a University of Florida doctoral candidate who teaches at the University of Florida on occasions. He is self described as politically active with a keen interest in the relationship between the University of Florida and Florida Blue Key, Inc., a private corporation. He desires to monitor that relationship including the flow and control of money between the two.

2. Defendant is the President of the University of Florida and is being sued in his official capacity.

2005 MAY 9 PM 22

3. Plaintiff routinely sends numerous e-mails to Defendant and other officers and employees of the University of Florida expressing his concerns about various issues including his concerns about the relationship between the University of Florida and Florida Blue Key, Inc.

4. In an effort to monitor this relationship, Plaintiff sent numerous public records requests to Defendant and other University of Florida officials requesting documents about the relationship. The specific subjects of the hearing on Plaintiff's complaint and this order are two public records requests made by Plaintiff on June 7, 2005. These were an e-mail to Defendant (Exhibit "4") and an e-mail to Dr. Patricia Telles-Irvin, Vice President for Student Affairs (Exhibit "5"). The emails were identical in their request. Plaintiff sought from Defendant and Dr. Telles-Irvin the following documents in their possession or control:

[A]ny and all records held by or generated by your office with regard to the issue of the funding of Homecoming 2005, the related proposal to use the A&S fee, and the agency relationship of UF with Florida Blue Key, Inc.

5. On June 13, 2005, Steve Orlando, an employee in the University of Florida's News Bureau responded to the Plaintiff's public records requests by e-mail. He advised Plaintiff that Defendant had no records responsive to Plaintiff's request and that the documents in Dr. Telles-Irvin's possession or control responsive to his request were available for pickup. These documents were admitted into evidence as exhibit "1" which contained 43 pages. After receiving Steve Orlando's e-mail, Plaintiff testified that he dealt primarily with Steve Orlando regarding his public records requests.

6. Plaintiff picked up the documents and reviewed them. He e-mailed Dr. Telles Irvin on June 13, 2005 advising her that the production was incomplete. He identified documents he believed were public records which were not produced (Exhibit "6"). Plaintiff also testified that he again requested that Defendant produce documents responsive to the request.

7. On June 22, 2005, Steve Orlando e-mailed Plaintiff that Defendant did not have any documents responsive to the Plaintiff's requests.

8. On July 11, 2005, Plaintiff was advised that additional documents responsive to his request to Dr. Telles-Irvin were available for pickup. These documents were admitted into evidence as exhibit "2" which contained 38 pages.

9. Plaintiff continued to send e-mails to Defendant and Dr. Telles-Irvin stating that the production was not complete and that additional documents should be produced. Defendant advised Plaintiff by e-mail again on August 10, 2005 that his office had no documents responsive to Plaintiff's requests. On August 17, 2005, Steve Orlando e-mailed Plaintiff stating that Dr. Telles-Irvin and Defendant had produced all documents in their possession or control responsive to Plaintiff's requests and that no further documents would be forthcoming.

10. On October 20, 2005, Plaintiff sent an additional Public Records request "B" to Dr. Telles-Irvin requesting additional documents regarding the University of Florida and Florida Blue Key, Inc. This request was much broader in scope. He

requested, "ALL relevant University documents pertaining to FBK, Growl, and Homecoming."

11. On November 14, 2005, Plaintiff filed his amended complaint seeking an order from this court compelling Defendant to produce the documents responsive to his June 7, 2005 public records requests which he believed were not produced. He also sought an award of attorney's fees and costs. The Amended complaint was served by mail upon Defendant's counsel, John Devault, whose office is in Jacksonville, Florida.

12. On November 15, 2005, Steve Orlando advised Plaintiff by e-mail that documents responsive to his October 20, 2005 public records request "B" were available for pickup and that a fee of \$144.19 was being charged for copying and staff time for assembling the documents. Plaintiff did not pick these records up until the week of the evidentiary hearing of April 21, 2006, some five months later. These documents were admitted into evidence as exhibit "3" which contained 42 pages.

13. Defendant does not routinely maintain copies of documents, including e-mail communications he receives, that he forwards to his executive staff for handling. Defendant's executive staff members are his designee responsible for maintaining any public records pursuant to Chapter 119, Florida Statutes, Florida's Public Records Law. Dr. Telles-Irvin was Defendants' designee for the public records requested by Plaintiff on June 7, 2005.

14. The sole issue for determination by this court is if the Defendant, through his designee, "unlawfully refused to permit a public record to be inspected, examined, or

copied" and if Plaintiff had to file a civil action to require production of these public records. If the court determines that defendant did unlawfully refuse, then Plaintiff is entitled to production of the refused documents and he is entitled to reasonable costs of enforcement including reasonable attorney's fees

15. Plaintiff contends that the records produced by Defendant on November 15, 2005 responding to his October 20, 2005 contained documents which should have been produced in response to his June 7, 2005 requests. He also contends that the numerous e-mails from himself and others to Defendant and other University officials concerning 2005 homecoming are public records and should have been produced.

16. E-mails from Plaintiff and others to Defendant, Dr. Telles-Irvin, and other University of Florida officials raising concerns about issues, complaining about things, praising them or condemning them may or may not be "public records" within the meaning of the Public Records Act. The Florida Supreme Court has limited the definition of public records to: "those materials which constitute *records*- that is, materials that have been prepared *with the intent* of perpetuating or formalizing knowledge", State v. City of Clearwater, 863 So.2d 149 (Fla. 2003). In City of Clearwater, supra, the Court was specifically speaking of e-mails on government computers. "Thus, it cannot merely the placement of the e-mails on the City's computer system that makes the e-mail public records. Rather, the e-mails must have been prepared 'in connection with official agency business' and be 'intended to perpetuate, communicate, or formalize knowledge of some type.'" City of Clearwater, supra.

17. Plaintiff contends that all e-mails, regardless of source, received by a public official concerning the agency are public records. He also seems to believe that it is his *intent* that his e-mails be formalized or perpetuated as knowledge within the agency which makes them public records. Accepting Plaintiff's interpretation, would lead to an unreasonable and unworkable result for public agencies. In this modern computer age with the ability of people to continually send e-mails to public officials and the problems all persons who own a computer face with "spam" and bulk mail, to hold that every e-mail a public official receives on his or her public computer mentioning the agency, is a public record is an absurd result. The mere fact that an e-mail is received by a public agency or official does not make it a public record.

18. If the public agency or official receives an e-mail and it is intended by that agency or official that the e-mail be acted upon by the agency or that its contents be perpetuated, communicated or formalized as knowledge within the agency, then it properly is to be considered a public record. Otherwise the e-mail is not a public record.

19. Plaintiff's public records requests of June 7, 2005 were very specific. He wanted documents regarding funding of homecoming 2005, the related proposal to use A&S fees and the agency relationship of the University of Florida and Florida Blue Key, Inc. The Defendant responded to this request twice, providing 81 pages of documents.

20. Plaintiff's public records request of October 20, 2005, was much broader in scope. He requested, "ALL relevant University documents pertaining to FBK, Growl,

and Homecoming." The Defendant provided 42 pages of documents in response to this request.

21. The court has carefully reviewed exhibits "1, 2 & 3" and the e-mails from Plaintiff and others to Defendant and Dr. Telles-Irvin to determine if any of these documents support Plaintiff's contention that Defendant "unlawfully" withheld production of public records which were responsive to his June 7, 2005 requests.

22. The only documents introduced into evidence which could conceivably support Plaintiff's claim that Defendant unlawfully withheld public records would be any documents in exhibit "3" which were responsive to Plaintiff's June 7, 2005 requests which had not previously been produced since the documents in exhibits "1" and "2" were produced by Defendant or his designee before the initial or amended complaint were filed. The documents in exhibit "3" were compiled in response to Plaintiff's October 20, 2005 request and produced one day after Plaintiff's amended complaint was served by mail. Plaintiff's beliefs and supposition that other "public records" exist which are responsive to his June 7, 2005 requests are not evidence. Plaintiff failed to produce any evidence that any other "public records" exist which are responsive to his initial requests.

23. The only documents contained in exhibit "3" which could be considered as responsive to Plaintiff's initial public records requests are: (a) a copy of a June 14, 2005 Independent Florida Alligator article titled: "VP vetoed bill, cuts Gator Growl Funding by \$200K"; (b) copy of University of Florida Student Senate, Student Body Law 2005-124, an amendment to the A&S Fee Budget dealing with a transfer from reserves to SGP to

fund 24,000 tickets to Gator Growl; (c) copy of a June 1, 2005 Gainesville Sun article titled, "SG clears up confusion over source of funds"; (d) copy of Letter from Dr. Telles-Irvin to Randy Talbot appointing him to the Homecoming Advisory Committee along with a copy of a list of the committee members. At the hearing, Dr. Telles Irvin said copies of other appointment letters to the remaining committee member were missing, but they were identical to the Talbot letter. She did not know where there other copies were. Since there was no testimony that these copies existed at the time of the hearing, the missing copies are not public records. Skeen v. D'Alessandro, 681 So.2d 712 (Fla. 2d DCA 1995); (e) copy of a June 21, 2005 e-mail from Dr. Telles-Irvin to Linda Nielsen asking her to file an e-mail from an unknown person (the name was redacted), subject FBK Homecoming and Gator Growl documents.; (f) copy of Gator Growl/Homecoming Budget Analysis. This appears to be another iteration of two other budget analysis previously provided in exhibits "1 & 2"; and (g) copy of an e-mail dated June 2, 2005 from Defendant to Dr. Telles-Irvin forwarding a copy of Plaintiff's email to Defendant dated June 2, 2005, subject FBK getting A&S Fee money. Defendant's email to Dr. Telles-Irvin stated "This guy's not the one to pursue this but the issues are contained in his memo." The court finds that a, b, d, f, and g are records are public records which could be deemed responsive to Plaintiff's June 7, 2005 public records request since the agency intended that this information be perpetuated or formalized as knowledge. Item c is not responsive to the initial public records request since it dealt with Student government transfer of reserve funds and not A&S fees as plaintiff specifically requested.

Item e is not responsive to the initial request since it was an email from a student government officer wanting to develop a working relationship with Dr. Telles-Irvin, not with anything specifically requested by Plaintiff.

24. The question is whether the Defendant through his designed "unlawfully refused" inspection, examination or copying of these public records. The public records law is designed to allow citizens access to public records in a timely manner without the need for court intervention. It should be liberally construed in favor of production of the documents. No citation of authority is needed for these propositions. Every court knows this. However, common sense and reason must play a part in applying this statute to a set of facts. The legislature never intended this statute to be used as a hammer to club an agency or public official in a game of minutiae when a few documents are inadvertently omitted. Were there some public records that were not produced in the first two requests? Absolutely. Was this failure of production an unlawful refusal? Absolutely not. The record in this case clearly establishes that the Defendant and his designees made a good faith attempt to comply with the public records requests of Plaintiff. They acted in a timely manner and produced these documents. There was no evidence of a refusal to produce the records. Six documents produced in the third production by Defendant out of 123 pages produced do not prove an unlawful refusal or unlawful delay on Defendant's part in producing the records. In fact, it shows that Defendant was still trying to produce documents responsive to Plaintiff's requests. Plaintiff failed to produce any evidence that Defendant "unlawfully refused" or "unlawfully delayed" production or that his court

action was the catalyst which caused the documents to be produced. The evidence was that the records were timely produced in response to his public records requests.

25. Plaintiff's theory of this case is that if a record is missing, regardless of the reason, he is entitled to attorney's fees. He argues if the agency overlooks a document, even though it produces many documents responding to his request, or that the agency in good faith believes it has complied, but that a document later turns up responsive to his request, he is entitled to attorney's fees. This is not in keeping with the interpretation of the public records law. A finding of "unlawful" refusal or delay in producing public records requires some proof that the agency or public official took some action in hindering the production or took no action which resulted in an unlawful delay in production of the public records. In this case that proof is lacking. "Good faith" is recognized as a defense to a request for attorney's fees in cases where the agency refused production on a good faith belief that the requested documents were not public records. Alston v. City of Riviera Beach, 882 So.2d 436 (Fla. 4th DCA 2004); Skeen v. D'Alessandro, 681 So.2d 712 (Fla. 2d DCA 1995). Dr. Telles-Irvin testified she made a good faith effort to comply with the public records requests of Plaintiff. The record indicates she did just that. If "good faith" is a defense to a refusal, surely it is a defense in a case where the Defendant is making a "good faith" attempt to produce. Inadvertence or misplacing a document is not a refusal or an unreasonable delay.

26. The six documents described in paragraph 23 were not produced by Defendant in response to Plaintiff's law suit. They were compiled and made available to

Plaintiff by Defendant on November 15, 2005 in response to Plaintiff's additional public records request of October 20, 2005. It is mere happenstance that the production and delivery occurred one day after Plaintiff filed his amended complaint. Plaintiff served his amended complaint by mail, therefore, this production was made before Defendant received Plaintiff's amended complaint.

27. Plaintiff failed to prove that Defendant or his designees unlawfully refused or delayed production of the public records he requested and he failed to prove that any other public records exist which were not produced. He is not entitled to costs or attorney's fees. Defendant is not entitled to attorney's fees in defending Plaintiff's suit. He is, however, entitled to recover costs as the prevailing party.

Accordingly, it is adjudged:

Plaintiff shall take nothing by this action. The court reserves jurisdiction for an award of costs to Defendant.

DONE AND ORDERED in Chambers at Gainesville, Alachua County, Florida,
this 9th day of May, 2006.

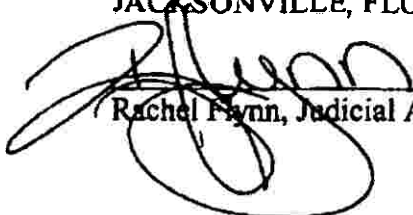


ROBERT E. ROUNDTREE, JR.,
Circuit Judge

Copy furnished by regular U.S. mail May 9, 2006 to:

GARY S. EDINGER, ESQUIRE
305 NE 1ST STREET
GAINESVILLE, FLORIDA 32601

JOHN A. DEVAULT, III, ESQUIRE
101 EAST ADAMS STREET
JACKSONVILLE, FLORIDA 32202



Rachel Fynn, Judicial Assistant

to scenic route



ROB C. WITZEL / The Gainesville Sun

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erwork filed around the beginning of April.

Ruling for Machen ends Grapski's records lawsuit

By JACK STRIPLING

Sun staff writer

A lawsuit alleging University of Florida President Bernie Machen violated public records laws has come to an end.

The 1st District Court of Appeals has affirmed a Circuit Court decision issued in May that said Machen did not violate state public records laws, even though he inadvertently failed to produce some requested e-mails. The decision means that Charlie Grapski, the UF doctoral student who filed the suit, cannot make any further appeals.

"You can't really ask for re-hearing, and it's not appealable for the Supreme Court, so the case is at a final end at this point," said Gary Edinger, Grapski's attorney.

Grapski, a staunch advocate for public records laws, filed a series of records requests in 2005, demanding documentation and e-mails related to the funding of UF Homecoming activities and Florida Blue Key,

a leadership organization that sponsors Gator Growl. Circuit Court Judge Robert Roundtree ruled in May that Grapski failed to prove that records existed that should have been handed over after his request. He added that not all e-mails sent to UF are public records, calling such a notion "absurd" in an Internet age of mass communication.

While this ends Grapski's suit, his attorney said he didn't know whether Grapski might make future challenges regarding UF's handling of records.

"Whether Mr. Grapski is going to have future public records wars with the university, I don't know," Edinger said. "He is a persistent person."

Grapski's activism has sparked controversy in recent months. Last week, he was arrested at an Alachua County Commission meeting. He was charged with disorderly conduct, trespass, resisting arrest with violence and resisting arrest without violence.

Grapski could not be reached for comment.

PUBLIC NOTICE

A neighborhood workshop will be held to discuss an upcoming construction project at the Murphree Water Treatment Plant, located at 1600 NE 53rd Avenue, Gainesville Florida. The meeting will be held at the plant on Thursday, March 8, 2007 at 7 p.m. For security purposes, all attendees will be asked to provide a photo ID to gain entry to the plant.

The project will include the construction of two new filters and the upgrading of the four existing filters at the Murphree Water Treatment Plant. This is not a public hearing, but rather a meeting to inform neighboring property owners of the nature of the construction project and to seek their comments. The purpose of this project is to improve service to our customers, and we will do our best to inconvenience the neighborhood as little as possible.

For more information, contact Debbie Daugherty of GRU Water and Wastewater Engineering at (352) 393-1610.

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14

1

AB 14 - Letter dated April 12, 2007 that I sent to Sheriff Sadie Darnell advising her that the Alachua Police Department would be handling the incident that occurred at the Hal Brady Recreation Center.

Letter dated April 17, 2007 that I sent to Sheriff Sadie Darnell expressing my concerns about ASO involvement in the incident at the Hal Brady Recreation Center.



Alachua Police Department

P.O. Box 910
Alachua, Florida 32616-0910

Chief Robert E. Jernigan

(386) 462-1396

April 17, 2007

Honorable William Cervone
State Attorney's Office
Eight Judicial Circuit
120 West University Avenue
Gainesville, Florida 32602

Dear Mr. Cervone:

On March 1, 2007 I wrote you a letter involving the continuing incidents with Charles Grapski, Michael Canney, and the City of Alachua. Another incident has occurred involving Charles Grapski, Michael Canney, and City employee, Hal Brady.

When the Alachua Police Department was notified of the incident, APD officers responded to the scene to handle the call. While APD officers were on the scene, Suspect Charles Grapski called the Sheriff's Office and requested ASO respond to handle the call. After the deputies arrived, they were going to turn the call over to APD but after Charles Grapski called the Sheriff directly on his personal cell phone, the deputies were told by the Sheriff to handle the call.

On April 12, 2007 I was in training in Gainesville. Sheriff Darnell and Chief Deputy Huckstep, had a meeting with the Mayor, Jean Calderwood, Major Clayton Reiter, and City Manager Clovis Watson Jr. During that meeting Sheriff Darnell stated that they were not going to handle the call.

On April 13, 2007 I sent a letter to Sheriff Darnell advising her that the Alachua Police Department was going to handle the call and re-interview those parties involved in the disturbance. Further investigation into the incident has led APD to file Trespass After Warning charges against Charles Grapski.

On April 17, 2007 I sent Sheriff Darnell a letter stating my concerns as to the manner in which she directed her deputies to handle the call after talking to Charles Grapski via his personal cell phone. (See attached letter) I would like for you to add the enclosed documents to the notebook that I provided you on March 1, 2007.

Sincerely,

A handwritten signature in cursive script that reads "Robert Jernigan".

Robert Jernigan
Chief of Police



April 11, 2007

1310 - (APD Case 2007003769) Charles Grapski went to the Hal Brady Recreation Center and confronted Hal Brady because he was upset that Hal Brady had told Conrad Curtis that he could not be at the Center. Brady advised Grapski that he told Curtis that he could be at the Center but could not socialize with the employees. Grapski accused Brady of violating Conrad Curtis's rights to be at the Center. Grapski began yelling and cursing at Brady and got into Brady's face. Brady advised Grapski was pointing his finger in his face while yelling at him and touched him with his finger. Brady also advised that Michael Canney was putting the video camera in Brady's face during the altercation. Brady advised that Grapski got into Danny Flagg's face that was also at the Center. Brady stated that Flagg had to be physically held back by another city employee to keep Flagg from Grapski. When the officers from APD arrived, Grapski advised that he did not want to deal with APD because of his past incidents with APD and called the Alachua County Sheriff's Office. APD requested to view the video that Canney had but Canney refused. ASO deputy Leslie Richardson arrived and advised that ASO would handle the call. See ASO Case # 07-4280. ASO advised that they were going to clear the call as a disturbance with a case status as (for information only).

April 12, 2007

1735 - I instructed Investigator Darry Lloyd at the Alachua Police Department to re-interview Hal Brady and the witnesses that were listed on the APD Case Report 2007003769 on 4/13/07.

April 13, 2007

0900 - I drafted and sent a letter via fax to Sheriff Sadie Darnell with the Alachua County Sheriff's Office advising her that the Alachua Police Department would be handling the incident that occurred at the Recreation Center in Alachua that ASO had responded to (ASO Case# 07004280).

1013 - I received a telephone call from Sheriff Sadie Darnell advising me that she got my letter that was sent to her via fax this morning. Darnell advised that it was her understanding that they never took over the call or ever had any intentions of taking over the call. Darnell stated that apparently there were a lot of rumors and miscommunication and again they never had any intention of taking over the call. Darnell advised that Lt. Perry who was on the scene asked the APD officers if they wanted ASO to handle the call and they advised that they did not. Darnell advised that her and David Huckstep met with Mayor Calderwood, Clovis Watson Jr., and Major Reiter on 4/12/07 and

got that cleared up. I advised Darnell that we were going to re-interview everyone involved and go from there. Again, Darnell reiterated that they did not have any intention of taking over the call and had no intention of doing so.

1100 - I called Assistant State Attorney Lee Libby and advised him of the incident that occurred at the Hal Brady Recreation Center and wanted to know if it would be possible to obtain a search warrant for the video tape that Michael Canney took of the incident between Hal Brady and Charles Grapski. Libby asked me if I knew exactly where the tape was and I advised him that I did not but it was probably at his residence. Libby advised me that he wanted to talk with Bill Cervone and then get back with me. Mr. Libby advised me to send a copy of the report and a sworn complaint to him regarding the charges against Charles Grapski. I advised Mr. Libby that I would send what he requested as soon as possible and I advised Mr. Libby that I would wait for him to call me back.

1105 - I met with Investigator Darry Lloyd and advised him of my conversation with Lee Libby and requested that he complete a sworn complaint with the charge(s) and a copy of the report to Mr. Libby.

1145 - Spencer Mann called from the State Attorney's Office and advised that they were going to serve Michael Canney a subpoena for the video tape of the incident at the Recreation Center and that he would get back with me reference the mittimus he received from Lee Libby on Grapski as to the trespass charge. Spencer stated that Lee Libby wanted to review case law reference trespass on a public facility.

April 17, 2007

I prepared a letter to Sheriff Sadie Darnell advising her of my concerns regarding the incident at the Hal Brady Recreation Center. See letter dated April 17, 2007.



Alachua Police Department

P.O. Box 910
Alachua, Florida 32616-0910

Chief Robert E. Jernigan

(386) 462-1396

April 17, 2007

Honorable Sheriff Sadie Darnell
Alachua County Sheriff's Office
2621 S.E. Hawthorne Road
Gainesville, Florida 32641

Sheriff Darnell:

On April 11, 2007 the Alachua Police Department responded to the Hal Brady Recreation Center after being notified by City employee Allen Lewis that there was a disturbance. APD Officer Charlie Nahrwold and Officer Jimmy Smith arrived on the scene. Officer Nahrwold made contact with Hal Brady. Brady advised Officer Nahrwold that Charles Grapski came to the Recreation Center and started yelling, cursing, and pointing his finger in his face because he had told Conrad Curtis that he couldn't be at the Center. Brady advised Grapski that he told Curtis that he was allowed to be at the Center but he could not socialize with the employees while they were working. Charles Grapski called the Alachua County Sheriff's Office and they transferred the call to APD Communications. I listened to the recording of Charles Grapski and could hear Grapski in the background saying, "You need to stay out of this, you need to stay out of this. You have got an incident down at the Alachua Rec Center in which the Alachua City officials are threatening citizens because of their political persuasion. Grapski advised the dispatcher that he wanted the Sheriff's Office down here now". Communications advised Grapski that APD had arrived and Grapski stated, "We don't need Alachua PD officers, we need the Sheriff officers. Grapski stated to Communications that Officer Jimmy Smith had arrived and he has had problems with him numerous times".

APD officers were present on the scene upon the arrival of ASO Deputy Leslie Richardson and Sergeant Paul Hinson. Deputy Richardson spoke with Charles Grapski and Michael Canney. Officer Nahrwold attempted to talk to a witness and Deputy Richardson advised Nahrwold not to talk to the witness, that he would talk to the witness himself. Officer Nahrwold then walked to the front of the Recreation Center and stood by.

Shortly thereafter, Deputy Richardson approached Officer Nahrwold and asked if APD could handle the call. Officer Nahrwold advised Deputy Richardson that APD would take over the call. Deputy Richardson then handed Grapski's identification to Officer Nahrwold. Officer Nahrwold then called APD Communications to run a local check. Within a few minutes Deputy Richardson approached Officer Nahrwold again and advised him that they were going to handle the call, that they had spoken to the Sheriff and that they were instructed to handle the call and document the incident.

On 4/12/07 I sent you a letter advising you that pursuant to the meeting with City of Alachua Mayor Jean Calderwood, City Manager Clovis Watson Jr., and Major Clayton Reiter that it was my understanding that you were not going to handle the incident that occurred at the Hal Brady Recreation Center. I advised you that the Alachua Police Department would be moving forward with handling this case, (letter attached).

On 4/12/07 I received a telephone call from you that you had received my letter via fax and you had some questions about it. You advised that it was your understanding that you never took over the call and that you had no intention of taking over the call and was confused as to why clarification was needed and wanted to make sure I was up to speed, that you had met with the Mayor, Major, and Manager Watson.

In that meeting you stated to the mayor that Gainesville businessman, the late Ledger Walker was in the habit of calling ASO instead of GPD because he apparently had little confidence in GPD. There is one glaring inconsistency, which makes this an invalid comparison with our case. Mr. Walker was calling as the victim, not as the suspect. In our situation, Mr. Brady, the victim, called APD, which was understandable. After they responded, Grapski, the suspect, called ASO. After their arrival, and after they had agreed that APD was rightly the lead in the situation, the suspect called you. At that point, you apparently circumvented your own chain of command, and directed your officers to take charge of the case. I advised you that it was my understanding that you had taken over the call. You asked where that came from and I advised you that I really didn't know exactly, that there were a lot of rumors flying around out there. However, I did not base my decisions on rumors, I based them on the information that my officers advised me of since they were there on the scene. You agreed that there were rumors flying around and reiterated that you had no intention of taking over the call. You also indicated that Lt. Perry was on the scene and asked the APD officers if they wanted ASO to take over the call and they said no. You stated that it was basically for protocol purpose and if they wanted us to we could but we had no intention of taking over the call. I then advised you that we were going to handle the call and re-interview everyone involved and go from there. Both officers Nahrwold and Smith do not recall Lieutenant Perry being at the incident as you stated.

It concerns me that a city employee called for the assistance of the Alachua Police Department at a City facility and when APD officers arrived and attempted to handle the call, shortly thereafter it appears that the Deputies were directed by you to take over the call. It also concerns me that you had a fully qualified Deputy and Sergeant on the scene that agreed that APD needed to handle the call and even asked if we wanted to handle it. Then after Mr. Grapski calls you from his personal cell phone and had a short discussion with you he then handed the phone to the deputy. After that your deputy advised the APD officers on the scene that they had spoken to the Sheriff and would be handling and documenting the call. It clearly appears that you took over as well and took sides with Mr. Grapski and instructed your deputies to handle the call instead of turning it over to my agency. If Mr. Grapski had called me reference this incident I would have told him that I have qualified officers on the scene and for him to talk with them. My Sergeant on the scene advised me later that it felt very awkward in the manner in which the Sheriff was involved. "Their presence there was odd, but when I discovered there was direct contact with the Sheriff in reference to the incident I was amazed. There was nothing dangerous or unique to the situation that I felt would need that kind of influence or participation from the Sheriff".

It appears that Charles Grapski believes he can do whatever he wants to do in the City of Alachua and if confronted by the Alachua Police Department all he has to do is call the Sheriff's Office and they will respond and take over. Charles Grapski definitely knows that the Alachua Police Department will take appropriate action against him if he violates the law from past experience and I assure you that the Alachua Police Department will continue to enforce the laws if Charles Grapski or citizens choose to break them.

On March 1, 2007 I presented you with a letter (see copy attached) and a notebook as a courtesy to keep you up to date as to the continuing incidents involving Charles Grapski, Michael Canney, and the City of Alachua. "As I stated in my letter Mr. Grapski's behavior has been continuously escalating and worsening. I also indicated that it is my deepest desire that no future incidents, as in the past, will occur, but based on past patterns and history, I feel compelled to keep you apprised of the situation, pending any possible involvement by the Florida Department of Law Enforcement, either at the request of a private citizen or by the City of Alachua". It appears very evident that Charles Grapski is continuing his disruptive behavior in the City of Alachua. I wrote you that letter to avoid this type of circumstance and I am surprised after my written correspondence and meeting with you and your Chief Deputy that we have to address these concerns again.

In the past the Alachua Police Department has had an excellent working relationship with the Alachua County Sheriff's Office under the leadership of former Sheriff, Senator Stephen Oelrich. I would like to continue that relationship with you and strongly believe that this can be accomplished if we work together in collaboration with the citizens of Alachua and Alachua County. It is imperative that we do this for the safety of our citizens and officers.

Sincerely,



Robert Jernigan
Chief of Police

Cc: FDLE
State Attorney's Office





Alachua Police Department

P.O. Box 910
Alachua, Florida 32616-0910

Chief Robert E. Jernigan

(386) 462-1396

April 12, 2007

The Hon. Sadie Darnell, Sheriff
Alachua County Sheriff's Office
2621 S.E. Hawthorne Road
Gainesville, Florida 32641

RE:

APD No.: 2007003769
ASO No.: 07004280

Dear Sheriff Darnell:

Pursuant to your meeting with City of Alachua Mayor, Jean Calderwood, and City Manager, Clovis Watson, Jr., on April 12, 2007, you indicated that your agency, the Alachua County Sheriff's Office, is not handling the incident which occurred at the Alachua Recreation Department on April 11, 2007, your case number 07004280. Accordingly, the City of Alachua Police Department will be moving forward in handling this case.

Should you have any questions regarding this, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Robert E. Jernigan".

Robert E. Jernigan
Chief of Police, City of Alachua





Alachua Police Department

P.O. Box 910
Alachua, Florida 32616-0910

Chief Robert E. Jernigan

(386) 452-1396

March 1, 2007

Honorable Sheriff Sadie Darnell
Alachua County Sheriff's Office
2621 S.E. Hawthorne Road
Gainesville, Florida 32641

Dear Sheriff Darnell:

The purpose of my letter is to inform you as the Sheriff of Alachua County of a multitude of incidents involving Charles Grapski, Michael Canney and the City of Alachua. The first incident involving Charles Grapski occurred on April 28, 2006 in the office of Clovis Watson Jr., City Manager. Mr. Watson had left his office to confirm some information for Mr. Grapski, from the Deputy Clerk, Alan Henderson. When Mr. Watson returned he observed a blinking red light and realized that he was secretly being recorded. Mr. Watson asked Mr. Grapski if he was recording him and Mr. Grapski stated that he was. Mr. Watson informed him that tape recording him without his permission was illegal. On May 1, 2006 while Mr. Grapski was in the Commission Room reviewing the election ballots, Mr. Grapski was advised that he was being placed under arrest for illegally tape recording Mr. Watson on April 28, 2006. Mr. Grapski was taken into custody and transported to the Department of the Jail and charged with FSS 934.03 Interception of Oral Communication. Mr. Grapski's tape recorder was taken as evidence and I obtained a search warrant for the files on the tape recorder.

The second incident involving Mr. Grapski occurred on May 15, 2006. Again, Mr. Grapski entered City Hall and recorded Alan Henderson and other employees without their knowledge and his behavior was belligerent and demanding.

The third incident involving Mr. Grapski occurred at the City Commission meeting on June 19, 2006. Mr. Grapski was disruptive during the meeting and had to be escorted out of the building by Officer William Baldree and myself. While outside the building, Mr. Grapski called me a "fucking punk" and told me "fuck you" numerous times and that we "needed to learn the fucking law". During the meeting, Mr. Grapski displayed a total disregard for the sense of public decency by his statements and did affect the peace and quite of those citizens at the commission meeting through his continued disruptive behavior and actions. A sworn complaint was filed against Mr. Grapski for violation of FSS 877.03 Disorderly Conduct.

The fourth incident occurred on December 8, 2006. Officer Daniel Chalker responded to City Hall in reference to a complaint made by Purchasing Director, Frank Sodek that Charles Grapski and Michael Canney were inside the barricades at City Hall which had recently caught fire, videotaping the building. Mr. Sodek asked them several times to step back from the barricades for their safety. Both Grapski and Canney ignored his requests. Mr. Sodek called the Alachua Police Department and requested an officer to respond. Both Mr. Grapski and Mr. Canney left prior to the arrival of the officer.

The fifth incident occurred on February 6, 2007. Mr. Grapski followed by Michael Canney, who was videotaping at the time, entered City Hall. Mr. Clovis Watson stated that while he was trying to eat his lunch, Mr. Grapski behaved in an unruly and disruptive manner. Mr. Watson however tried to talk to Mr. Grapski in a calm and professional manner. Mr. Grapski continued to raise his voice and made demands to inspect Mr. Watson's and Alan Henderson's computer. Mr. Grapski's unruly behavior continued for about twenty minutes and went past the normal hours of operation at City Hall. Other employees in City Hall that witnessed Mr. Grapski's behavior described their discomfort and inability to conduct business during Grapski's tirade. Mr. Watson wrote a memo to the Mayor and Commissioners advising them of the incident at City Hall.

The sixth incident occurred on February 12, 2007. I responded to City Hall in reference to a disturbance. After arriving I observed Mr. Clovis Watson Jr., Mr. Grapski, and Michael Canney videotaping the incident. Mr. Grapski was demanding documents from Mr. Watson in a loud argumentative tone of voice. I requested Officer Jimmy Smith respond as backup. While waiting for Officer Smith, Mr. Watson advised me that Mr. Grapski had been disruptive and had the employees inside City Hall nervous and upset and that he asked him to leave the premises. I then asked Mr. Grapski numerous times to leave and he continued being verbally combative and refused to listen to my commands. Officer Smith arrived and asked Mr. Grapski to leave numerous times, advising him that he was trespassing. Grapski advised both Officer Smith and me that he wanted to file a criminal charge against Mr. Watson for not releasing public records. When Officer Smith placed his hand on Mr. Grapski's shoulder, Mr. Grapski told Officer Smith not to touch him and that he wanted the trespass in writing. Officer Smith advised Mr. Grapski that he was disturbing the peace and quiet and normal flow of business with his behavior and tone of voice and that he would arrest him for disturbing the peace if he did not stop. Officer Smith advised Mr. Grapski to walk with him to his patrol car. While walking to the patrol car, Mr. Grapski stated, referring to me, "he didn't do his job like last time because he was a corrupt little shit". Officer Smith then advised Mr. Grapski that his demeanor constituted disorderly conduct and if he did not stop he would be arrested. Mr. Grapski was escorted to the south end of the parking lot. At that time Mr. Grapski called the Alachua County Sheriff's Office and requested a deputy to respond. Deputy Buckley responded and spoke with Mr. Grapski and viewed the videotape that Mr. Canney had filmed during the incident. Deputy Buckley indicated in his report that Mr. Watson showed great self-control during the incident. Mr. Buckley also stated that the video showed Mr. Grapski being disrespectful, belligerent, and uncooperative with me once I arrived on the scene. Deputy Buckley did not find any violation of the law regarding public records.

The seventh incident occurred also on February 12, 2007. The City of Alachua was conducting a City Commission Meeting at the Alachua Elementary School in Alachua. During the meeting, Mr. Grapski accused the City "of violating the law consciously, knowingly and willfully" and that he "had documentary evidence that for years the City has been denying that in violation of the law". After Mr. Grapski finished his comments he approached the Mayor and Commissioners to deliver a letter to them. Mayor Calderwood instructed Mr. Grapski to give the letter to the clerk, Diane Morgan. Mr. Grapski ignored the instructions of the Mayor and proceeded to give them to the Commission. At that time Mayor Calderwood asked him to cooperate with the Commission and that this was the only warning that she was going to give him. Mr. Grapski returned to his seat. Another citizen made some comments and when returning to their seat, Mr. Grapski made verbal comments to the citizen. Mayor Calderwood asked Mr. Grapski to not speak from the floor. Mayor Calderwood then advised me that if Mr. Grapski disrupted the meeting again she would ask me to escort him out. Right after that while another citizen was making comments, Mr. Grapski turned around in his seat, which was located on the front row, and tried to hand some papers to a citizen that refused to accept them. Mr. Grapski then tried again to give another citizen behind him some papers and started talking to them. The Mayor then told Mr. Grapski that she had asked him not to disrupt. Mr. Grapski became argumentative and was told that he was out of order and to leave the room. Mr. Grapski refused to leave and I was asked to have him leave. I approached Mr. Grapski and advised him that he had been instructed to leave by the Mayor and that I was instructing him to leave or he would be arrested. Mr. Grapski ignored my command to leave and I advised him he was under arrest and placed handcuffs on him. When I attempted to have Mr. Grapski leave the room, he laid on the floor. At that time I called for assistance. Four officers arrived on scene. I advised them that Mr. Grapski was under arrest and to remove him from the building. When the officers attempted to get Mr. Grapski to stand up and walk out, Mr. Grapski laid back down on the floor and had to be physically carried out. After exiting the building, while the officers were holding Mr. Grapski, he kicked Officer Daniel Chalker and Officer Jimmy Smith. Officer Chalker fell down on top of Mr. Grapski when he was kicked. At that time I asked if anyone had a Taser, hoping that he would quit resisting and stand up and walk to the patrol vehicle. Officer Chalker took his Taser out and pointed it at Mr. Grapski. Mr. Grapski stated, "You are going to Taser me". I advised Mr. Grapski "Yes if you don't get up". Even though Mr. Grapski didn't comply with the repeated pleas from the officers to stand up, I did not tell any of the officers to Taser him and they did not Taser him. Michael Canney was filming the officers and I removing Mr. Grapski from the building. At no time was Mr. Grapski injured or excessive force used to take him into custody and transport him to the Alachua Police Department. The High Springs Herald stated in their newspaper that Mr. Grapski was charged with resisting arrest without violence for allegedly kicking the police officers, but that incident came a few minutes after Alachua police threatened to use a Taser on him while he laid on the sidewalk. The truth is that Mr. Grapski kicked the officers first, which caused Officer Chalker to fall down on top of him. Since Mr. Canney hasn't released the video to law enforcement it is unknown if the film contains footage of Mr. Grapski kicking the officers.

Due to this being an ongoing and continuous situation, not only facing the City of Alachua, the Alachua Police Department, and the State Attorney's Office, but it also has the potential of involving the Alachua County Sheriff's office, which current circumstances have already indicated. For these reasons, I have compiled all of the incidents involving Mr. Grapski and Michael Canney so that you are aware of the history surrounding the City of Alachua and Mr. Grapski and Mr. Canney. On January 29, 2007, I was advised by Spencer Mann with the State Attorney's Office that Judge Seig found probable cause that Mr. Grapski disturbed the peace, was trespassing, and resisted arrest without violence at the City Commission meeting that was held at City Hall on June 19, 2006. Judge Seig also ordered that Mr. Grapski have no contact with any city employee, official, or city commissioner and that he could not attend any city commission meetings and was forbidden to come to the City of Alachua unless he lives here. Now that the order has been lifted Mr. Grapski has resumed his past pattern of behavior towards the City.

Mr. Grapski's behavior at the City Commission meetings has been continuously escalating and worsening. The City of Alachua Commission and its constituency, only ask that all individuals attending these meeting and involved in City Government activity, act professionally and conduct themselves appropriately at all City functions and places of City business. Otherwise the Alachua Police Department will have no other choice but to take the appropriate action, as to maintain the peace and dignity of its City Government and its operations.

It is my deepest desire that no future incidents, as in the past, will occur. But based on past patterns and history I feel compelled to bring these matters to your attention, pending any possible future involvement by the Alachua County Sheriff's Office, either at the request of a citizen or by the City of Alachua.

Thank you for your time out of your busy schedule to speak with me today regarding these issues.

Sincerely,



Robert Jernigan
Chief of Police