

**JOSEPH W. LITTLE
LAWYER
3731 N. W. 13th Place
Gainesville, Fl. 32605**

352-372-5955
352-214-8454
Littlegnv@gmail.com

November 4, 2009

The Honorable William P. Cervone, Esq., State Attorney
Eighth Judicial Circuit
120 West University Avenue
Gainesville, Fl. 32601

Re: Clovis Watson and Charles Grapski, more information

Dear Bill:

Thank you for your letter of October 21, 2009 in reply to mine of October 17, 2009. It is enough to say the lens through which you view corrupt official conduct and your tolerance to it are both quite different from mine.

My purpose in writing now is to follow up my October 17, 2009 letter as it pertains to Clovis Watson. I herewith submit a copy of an application for special risk membership he signed on October 20, 2008 and submitted to the Florida Retirement System. I obtained this document from the record of the DMS proceedings pertaining to Clovis Watson's FRS status that was concluded by the order I sent you in my October 17 letter.

In this document Watson represented himself as a "Law Enforcement Officer certified, or required to be certified" on the date he signed the application. Watson signed and submitted this application *after* FDLE's letter of July 18, 2007 had directed him to cure his dual-office violation and *after* the Alachua Police Chief's letter of September 7, 2007 had sent FDLE a sworn affidavit attesting that Watson had been separated from employment as a police officer. (Copies of these two documents are enclosed.) Alachua apparently did this to comply with FDLE's directions and to satisfy the requirements of §943.139 Fla. Stat.

In the meantime Watson has continued to serve full time as Alachua's city

manager. (He announced his intention to retire as of this month, but whether his retirement is yet effective, I do not know.) Watson's sworn statement that "I am a Law Enforcement Officer" was a false statement, though not sworn. In any event, the apparent purpose was to obtain retirement benefits to which he was not entitled and to do so by falsifying his status.

Watson's false application augments the evidence you now possess that shows that Watson and the City of Alachua made repeated attempts to defraud the FRS and Florida taxpayers of thousands of dollars based upon false representations. Is this not strong evidence of criminal behavior?

Yours sincerely,

Joseph W. Little

Enclosures (3)

Florida Retirement System
Application for Special Risk Membership
Law Enforcement/Correctional Officers



P.O. Box 9000
Tallahassee, FL 32315-9000
(850) 488-8837
Toll Free 1-877-377-3675

Member Name: Clovis Watson, Jr. Member SSN: 264-33-5254

Birthdate: 09 / 30 / 1958 Position Title: City Manager Date Employed in Position: 06 / 05 / 2002

Agency: City of Alachua County/Agency Number: 11100 Class Code Reported on Payroll _____

I hereby make application for Special Risk Membership as a member of the Florida Retirement System meeting the criteria for special risk as indicated below:

- A. I am a Law Enforcement Officer certified, or required to be certified, by Criminal Justice Standards and Training Commission; and
- My duties and responsibilities in this position include the pursuit, apprehension and arrest of law violators or suspected law violators; or
 - I am an active member of a bomb disposal unit whose primary responsibility is the location, handling and disposal of explosive devices; or
 - I am the Supervisor or Command Officer of special risk members whose duties include the pursuit, apprehension and arrest of law violators or suspected law violators; or
 - I am the Supervisor or Command Officer of special risk members of a bomb disposal unit; or
 - I am a County Sheriff or Elected Police Chief.

- B. I am a Correctional Officer certified, or required to be certified, by Criminal Justice Standards and Training Commission; and
- My primary duties and responsibilities in this position are the custody and physical restraint, when necessary, of prisoners or inmates within a prison, jail or other criminal detention facility, or while on work detail outside the facility, or while being transported; or
 - I am the Supervisor or Command Officer of special risk members whose primary duties and responsibilities are the custody and physical restraint of prisoners and inmates within a prison, jail or other criminal detention facility.
 - I am the Superintendent or Assistant Superintendent of a Correctional or Detention Facility.

Member Signature:
Clovis Watson, Jr. - City Manager

Date Signed: 10/20/2008

TO BE COMPLETED BY EMPLOYER

I hereby certify that the position of Clovis Watson, Jr. meets the criteria for special risk membership in accordance with Section 121.0515, F. S., and Florida Retirement System Rules, and he/she is certified, or required to be certified, in compliance with Section 943.1395, Florida Statutes. Attached is a current job description showing all of his/her duties and the percentage of time spent performing each of these duties.

Name of Employee

Employer Signature: Title: Mayor, City of Alachua Date: 10/20/2008
 Title: Human Resources Director 10/20/2008

TO BE COMPLETED BY THE DIVISION OF RETIREMENT

Certification of the above officer or employee as a Special Risk Member is hereby:

Approved/Disapproved: _____

Authorized Signature: _____ Effective Date of Special Risk: _____



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

Criminal Justice Professionalism Program
Post Office Box 1489
Tallahassee, Florida 32302-1489
(850) 410-8600
www.fdle.state.fl.us

Charlie Crist, Governor
Bill McCollum, Attorney General
Alex Sink, Chief Financial Officer
Charles H. Bronson, Commissioner of Agriculture

July 18, 2007

Clovis Watson, Jr.
City Manager
City of Alachua
15100 NW 142nd Terrace
Alachua, Florida 32616

Re: Violation of Dual Office Holding under the Florida Constitution

Dear Mr. Watson:

It has come to our attention that you may be in violation of the following section of the Florida Constitution:

A2 S5 of the State Constitution:

(a) "No person shall hold at the same time more than one office under the government of the state and the counties and municipalities therein, except that a notary public or military officer may hold another office, and any officer may be a member of a constitution revision commission, taxation and budget reform commission, constitutional convention, or statutory body having only advisory powers."

According to the City of Alachua's public website, you serve as the City Manager of the City of Alachua. In addition, our records reflect that you are currently registered as a full-time law enforcement officer in our Automated Training Management System (ATMS2). It remains the opinion of our General Counsel's Office that because of the two positions that you hold, you are in violation of the above portion of the Florida Constitution.

We have no other choice but to separate your employment as a full-time officer with the Alachua Police Department, and ask that you cease any activities involving the duties of a law enforcement officer. Otherwise, we will be forced to report this violation to the Ethics Commission for further investigation.

Please contact me or Training and Research Manager Terry Baker at (850) 410-8600 by July 31, 2007 to inform us of your plans to rectify this situation.

Sincerely,

Michael Crews, Director
Criminal Justice Professionalism Program

MDC/gwh

Service • Integrity • Respect • Quality

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Alachua Police Department

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

Chief Robert E. Jernigan

(386) 462-1396

September 7, 2007

Florida Department of Law Enforcement
Criminal Justice Professionalism Program
P.O. Box 1489
Tallahassee, Florida 32302-1489

Dear Mr. Terry Baker:

Enclosed is CJSTC Form 61 Affidavit of Separation for Clovis Watson Jr. A letter reference this form will be mailed separate by Rodney W. Smith, Esq. If you have any questions regarding this letter, please call me at 386-462-6569.

Sincerely,

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

Chief Robert Jernigan

Cc: Clovis Watson Jr.

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Florida Department of Law Enforcement

AFFIDAVIT OF SEPARATION

Incorporated by Reference in Rule 11B-27.002(3)(a)15., F.A.C.



**CJSTC
61**

Please type in black or blue ink and use capital and small letters for names, titles and addresses

Social Security Number (Optional): 264 - 33 - 5254

Name: Watson, Jr. Clovis
Last First MI

Agency name: Alachua P.D. Agency ORI: FL 0010800

Date employed: 11/10/1983 Separation date 6/5/2002

Employment Type

Law Enforcement Correctional

Correctional Probation Concurrent

Special Elected or Appointed

Full time Part time Auxiliary

SEPARATION REASONS

| ADMINISTRATIVE - ROUTINE | ADMINISTRATIVE - NON-ROUTINE | UNFAVORABLE - MISCONDUCT |
|---|---|---|
| <input type="checkbox"/> Voluntary separation not involving misconduct <input type="checkbox"/> Transfer within agency. No break in service <input type="checkbox"/> Retired. Not involving misconduct <input type="checkbox"/> Deceased <input type="checkbox"/> Budgetary constraints. Local and Federal grants not renewed. <input type="checkbox"/> Extended leave of absence or Suspension Type: _____ Periods of Time: _____ <input type="checkbox"/> Administrative termination not involving misconduct. <input checked="" type="checkbox"/> Special elected or appointed Position: <u>City Manager</u> Anticipated term: <u>Nov 2013</u> Retroactive from June 5, 2002 until completion of term | <input type="checkbox"/> Failure to complete basic recruit training <input type="checkbox"/> Failure to pass the State Officer Certification Examination ADMINISTRATIVE - SUBSTANDARD PERFORMANCE <input type="checkbox"/> Failure to satisfactorily complete agency field training program (training performance issues) <input type="checkbox"/> Failure to perform assigned tasks satisfactorily OTHER - EXAMPLE <input type="checkbox"/> Excessive absenteeism; failure to report for duty and sleeping on duty, etc. | <input type="checkbox"/> Voluntary separation or retirement while being investigated for violation of agency policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Terminated for violation of agency policy not involving a moral character violation defined in Rule 11B-27.0011, F.A.C. Form CJSTC-61A must be completed and submitted with form CJSTC-61 for either of the following: <input type="checkbox"/> Voluntary separation or retirement while being investigated for violation of Section 943.13(4), F.S., or violation of moral character standards defined in Rule 11B-27.0011, F.A.C. <input type="checkbox"/> Terminated for violation of Section 943.13(4), F.S., or violation of moral character standards as defined in Rule 11B-27.0011, F.A.C. |

NOTICE: Section 943.139(2), F.S., requires the execution of an Affidavit of Separation by the employing agency in a case of officer separation. If the officer is separated, whether voluntarily or involuntarily, for failure to comply with provisions of Section 943.13, F.S., you are required to so specify when completing the Affidavit of Separation Supplement form CJSTC 61A. WARNING: Intentional false execution of this Affidavit of Separation constitutes a misdemeanor of the second degree.

In the State of Florida, County of Alachua, before me this day personally appeared Robert Jernigan, who being duly sworn, deposes and says: I hereby certify that to the best of my knowledge and belief, the reason for the separation of the officer named in Item on this affidavit, and the detailed facts and reasons reported on the Form 61A (if applicable) are true and correct.

Robert Jernigan Agency administrator's signature 9/6/07 Date signed Robert Jernigan Chief of Police Agency administrator's name and title

STATE OF FLORIDA, COUNTY OF Alachua The foregoing instrument was acknowledged before me this 6th day of (month/year) September 2007 by Robert Jernigan who is personally known to me or who has produced _____ (type of identification) as identification and who did (did not) take an oath.

Notary's name Tara L. Henderson Notary's signature Tara L. Henderson

Notary's title/rank _____ Serial number _____
Effective 10/16/1997 Original - FDLE Copy - Agency Revised 2/7/2002



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