

The following are clarifications to the report submitted by FDLE as it relates to me. The three allegations filed by Joyce Gallagher were:

1. That I paid restitution for the release of an inmate and in exchange was gifted a vehicle.
2. That I was double dipping by receiving reimbursement from ACSO and FDLE for commission trips.
3. That I obtained an autographed photo from a trustee in return for additional gain time.

The findings in each of these allegations were exoneration.

Upon investigating the vehicle allegation, FDLE investigators determined that I did not pay sales tax upon registering for tags with the tag agency.

I believe it is imperative to clarify the interpretation made by the investigators when I was interviewed versus my understanding at the time of the recorded interview and the reality of what actually occurred before, during and after the automobile transaction. Additionally, the only interview or discussions that I had with the FDLE investigators took place during the morning of Feb. 26<sup>th</sup> in my office. I did agree to voluntarily give a statement and cooperate. While on the tape, I was not completely positive of the events particularly as it related to the car allegation as it occurred two years ago during a five-minute transaction, but I relied upon information from the investigator that I believed to be true. After the interview, I shared with Inv. Bustle how I did not really remember what had happened at the tag agency and he indicated the report would be so noted.

The other two allegations were more specific to the jail operation therefore I was more sure of those allegations or issues than that of the car. It is natural that I would recall a jail operational issue more specifically than a simple personal transaction such as the car, because I run the jail. My wife takes primary responsibility of household expenses. This is the first time I have purchased a vehicle from a non-dealer entity, since I moved to Florida. I knew though how gain time is issued and it would have been consistent with hundreds of other inmates who have obtained extra gain or had forfeited gain time restored for good industry or good behavior. With regard to the travel and per diem, I likewise knew that all was in order as I have for years maintained a consistency in, first, the estimation of the travel and secondly with the actual numbers which could result in either a refund to me or reimbursement to ACSO. I mentioned during the taped interview relative to the checks coming to my house but the books coming to the jail. Having had the time to reflect why that would have been, I know now that having the checks come to my house would have given me control to the extent they would have passed through my hands for certain instead of arriving at ACSO and possibly not coming to me. (Mail is often opened even when addressed to me.) The quarterly books, on the other hand are sent to the jail by FDLE so I could put them in the binders I keep in my office.

It's important to have a better chronology regarding the car. Sometime in December 2004, I agreed to purchase the car from Della Davis. I did not have the money at that time especially with Christmas upon us. Della understood that but was more interested in having the vehicle at my house instead of it being parked at her house because she had several cars there. I told her that we would settle up with the money sometime around my daughter's birthday in March 2005. The car was parked in my garage or in my driveway for about three months. I do not know when the title was brought to my house, nor did I personally receive it from either Della or Brian. My wife told me that Brian had delivered an envelope sometime when I was not home as she had let him in our house. I would not have let him in and at some other time he brought a part to the house when I was there and I did not let him any closer than my garage. He only stayed a couple of minutes and the conversation was brief, although I had hoped he was doing better and making better decisions. The report states that I paid Della cash for the car, but at roughly 43:47 of the tape, I indicated I didn't know because my wife pays all the bills. Upon further checking of my records at home, I gave Della a check made by my wife for \$2000 and cash in the amount of \$3500. I think that it is important to note here, yet established elsewhere, that Della Davis and I (including my wife and children and her children) have a special relationship and bond as former neighbors and friends, especially with the death and the related circumstances of her late husband.

When it came to registering the car, I have no recollection of when the title was signed. I know I did not write gift on the title. I am certain I handed the envelope to the tag agency employee and wrote the check for the amount I was told. I did not read the state document. At about 55:56 of the tape, I was told that I paid \$65 and change (an incorrect statement on FDLE's part, as I actually paid \$175.85 to Von Fraser, Tax Collector). I realized during the taped interview that the low amount would probably not include tax and at 56:18 I was asked, "do I recall no tax paid?" To that I replied, "I guess that was true." In retrospect, I did not recall, nor do I now. However, with the statement of the investigators on tape indicating a \$65 figure, I drew an assumption that no taxes were paid. Regarding my statement of having done that many times over the years, I did not mean on a vehicle transaction. As I said earlier, I have not purchased a vehicle from an individual in over twenty years and never in the state of Florida. Have I saved tax dollars over the years? Probably, yes. My wife and I have made many purchases over the Internet/eBay. I do not try to purposely avoid taxes. My personal records reflect accurate and timely tax payments.

Upon my being relieved of duty and returned home my wife and I immediately began looking for cancelled checks or the check register and only found a check register entry to the tax collector on March 7, 2005 for \$175.85. I could not find any checks in the amount of "\$65 and change". There are none. I contacted my bank and obtained a copy of the check from their records and the memo portion indicates "Mustang" and the tag office put a rubber stamp "to the order of Von Fraser". While this statement is six plus weeks after the interview, it is reasonable that had \$175.85 been a part of interview, I might have replied differently than acknowledging that I did not pay sales tax because that larger amount makes much better sense. I wish I could have participated in a follow-up interview, upon researching all the facts.

I would like to elaborate on the sales tax incident. The tag agency clerk did not question the transaction, as I would have remembered that without question. Had he/she done so, I would have written a check in whatever amount they indicated.

I know very well what is transpiring at the county jail, as it is my job to do so. My wife, a former banker has the primary responsibility for writing checks and paying our household and family expenses and does a remarkable job. In that regard it takes a burden off of my back, allowing me to focus on what I do best; running the jail. I am always preoccupied with jail issues. At that particular time, I was coordinating the assemblage of documents, interviews and meeting deadlines for the BoCC Cultural Assessment. On the home front having a daughter approaching sixteen, another daughter out of town at college and a wife with numerous health related problems (to include a pending cancer biopsy) were also a part of my life, and on my mind, in March 2005.

I made a mistake at the tag agency, due in part to my inattention and preoccupation with other unrelated external matters. I did not, nor would I ever, intentionally and illegally avoid paying sales tax, especially being a law enforcement officer. I would never purposely risk my name, reputation and life long career over a couple hundred dollars. Anyone who knows me knows that. I did not review the paperwork. I did not receive the title from the seller (my wife did, and it was in an envelope). I merely took it to the tag agency to get the plates and title. I never removed the title from the envelope. It was only removed at the tag agency.

Regarding the report filed by FDLE, it is fair to clarify some issues as they relate to me that have not been addressed here. Joyce Gallagher, the complainant, made three allegations noted on page one. On page two, her sworn statement looks to recant the allegations she made. On page five, Gallagher says that she believed that I did not repay the ACSO for per diem, yet she produces records that exonerate me from them. Further on page 7, the documents produced by Gallagher are identified and the travel voucher issues are resolved, again exonerating me. I might add here that I told the investigators to check with Joyce (not knowing she was the complainant) as she had photocopy records of all my travel, or at least she showed me before that she did.

Regarding the gain time issuance and/or approval, Gallagher knows very well that extra gain time is granted with regularity to include any trustees whose duties included the second floor suite of offices. Additionally, any gain time credits are reviewed with the classification staff and decisions to grant gain time is regularly the collective decisions of staff, not mine exclusively, as Gallagher suggests.

Page 10 investigative findings need clarification and more accurate bullets particularly under Allegation #1, specifically; I purchased the 1998 Ford Mustang for \$5500 from Della Davis, not Brian Nagel. He is her son and the car was in his name for her purposes. I never transacted anything with Brian Nagel as statements have established. The final, and most important bullet definitely needs to be clarified. I never "knowingly" did not

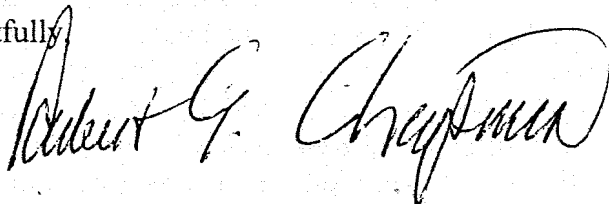
pay Florida sales tax on the vehicle. At the conclusion of the taped interview I indicated that I would pay the tax due and subsequently did, however it is not noted in the report.

Based upon the report filed by FDLE, I believe State Attorney Bill Cervone in his letter to Inv. Bustle references my silence and failure to pay tax to an inaccurate report filed by FDLE. I also believe that the original three allegations should have referenced my exoneration and that the tax matter be noted as a by-product of false accusations by a seemingly disgruntled employee who recanted her story during the investigation. I welcome a full review by anyone requesting my performance as a public employee.

My family, with my oldest daughter just having started a teaching career, another finishing high school and my wife with her fragile health plus my extended family have been affected by my having answer these allegations wherein I'm exonerated, however they all know I would not purposely do anything but be a law abiding citizen of this community and a good husband and father and neighbor. I want to get back to work do what I do, run the jail.

I take full responsibility for my actions, which caused this investigation. I recognize that I have been exonerated of the charges I was originally accused of but clearly I should have paid more attention to the transfer of the title and I should have asked specific questions regarding the costs involved in this transaction. I did not ask those questions and I now stand ready to take responsibility for this situation. I never intended to embarrass the Sheriff's Office, my family or this community. It was an oversight on my part and an oversight I will forever regret.

Respectfully,

A handwritten signature in cursive script that reads "Robert G. Chapman". The signature is written in black ink and is positioned to the right of the word "Respectfully,".