

# Sheriff

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08 October 2013

Mr. Walt Bogdanich  
Investigative Reporter  
The New York Times  
620 Eighth Avenue  
New York, New York 10018

Dear Mr. <sup>Walt</sup>Bogdanich,

I have received and reviewed your letter to me dated September 10, 2013. You stated in your letter that its purpose was to "set the record straight" and to "clear the air." I do not believe your letter accomplished either goal but in fairness, I do not believe any letter, regardless of who wrote it, could either "set the record straight" or "clear the air," because there is simply too much history and information regarding this case.

In the past, whenever I have attempted to "clear the air" on an issue, I have always found it helpful to examine my own conduct first. I have always tried to conduct myself honorably in my dealings with others and when I feel that I may have come up short, I have found that the best path forward is to admit my faults, offer an apology and try and learn from the experience. I have spent a considerable amount of time reviewing and examining my interactions with you, and with one exception, I feel that I have been forthright and honorable. In my spirit to "clear the air", I want to apologize for sending copies of my letter to you dated March 30, 2013 to several media outlets. There were two reasons why I did that. First, I wanted to demonstrate that I welcomed media scrutiny and second, I was hoping to attract interest from other media outlets regarding this story because I had come to question your agenda and your objectivity. The truth is, the content of that letter was very critical of you and your reporting. That should have been a communication between you and me and no one else. By sending that letter to others, I made our dispute personal and that was wrong, so please accept my apology.

Rather than address your letter point by point, I thought it would be more productive to make some general statements in response. My concern, from almost my first contact with you, was that you had come to a preordained conclusion regarding this case. I came to this belief not simply by the questions you were asking



but more importantly, by the questions you were not asking. With all of the information you have received from our office and others, the primary focus of your lines of inquiry and public records requests have been how we learned that the two witnesses (Ladley and Boswell) would often smoke marijuana while hanging around outside of their home. Your other focus has been wanting to know who specifically worked on our case review. Your desire to know who specifically worked on our case review is understandable in light of some of the statements that we have heard being generated by Rodgers concerning this subject. Another example is Scott O'Connell's statement. With all of the outrageous revelations shared in that statement, your letter to me on September 10, 2013, was the first time you have ever acknowledged Scott O'Connell's statement and that was only in reference to your interest in my curiosity about how you became involved in the case.

My hope was that after you initially received our case review and other documents that this case would have come into sharper focus for you, and that we would sit down and have an open, frank and respectful conversation. That, of course, never occurred. We could spend many hours discussing and analyzing why that conversation never occurred but to be succinct, it is my belief that it didn't occur because I never developed any level of trust with you and you never developed any level of trust with me. If we both lack trust in each other then we are both at fault.

In its purest form this case is about the following:

1. A controversial death case occurred involving some members of the St. Johns County Sheriff's Office and extended family.
2. For a variety of reasons the leader of the Sheriff's Office requested a state law enforcement agency review this case.
3. The findings of the state review were the same as the findings by the Sheriff's Office, prosecutors and medical experts.
4. The leader of the Sheriff's Office filed complaints against two members of the state law enforcement agency for their conduct while investigating this case. While I had come to suspect some misconduct, it was not until our case review was completed that the breadth and scope of the misconduct came to light.
5. Within two weeks of these complaints being filed, one of the agents abruptly retired and the other was placed on paid administrative leave and continues in that capacity.
6. Ironically, both the former target of the state agent's investigation and the victim's brother have filed a "notice of intent" to sue the two agents for their conduct.
7. The state law enforcement agency has for several months now been conducting both criminal and administrative investigations of their two agents and those investigations continue.
8. The Governor of the State of Florida appointed a Special Prosecutor to conduct a criminal investigation of one of these agents for "official misconduct."

You stated in your letter that based on my letters to the New York Times I do not understand the "newsgathering process". I admit that I do not understand the "newsgathering process," but it is equally apparent that based on your lines of inquiry, in light of all the information you possess, that you do not understand the "police investigation process." Even though we may both lack an understanding in these areas, I would hope that we both seek the same end states of truth, fairness and justice.

Based on all of our interactions I am utterly convinced that you have been unduly influenced by Rodgers and a couple of others regarding this case and it has colored your view of the Sheriff's Office and myself. Almost every line of inquiry you have pursued is the same as many of the items that we have learned from our sources, that Rodgers has advanced amongst his small circle of friends and colleagues. In fairness to you, though I do not know Rodgers personally, many have conveyed to me that among Rodgers' many attributes is that he is very, very persuasive. I only wish that you and I could have met and established a level of trust before you had contact with Rodgers.

Finally, you mentioned in your letter that having my voice and perspective in your reporting is as important as ever and to contact you should I change my mind about speaking with you. This comment brings me back to the trust issue I mentioned earlier in this letter. Our latest contact with you certainly did not help in establishing any form of trust. I am referring to when you appeared in our office lobby ostensibly to ask about the status of some "public records requests" you had submitted. You and a couple of your colleagues filmed this encounter or at least it appeared that you did. I suspect that should that footage ever appear in a film it will be accompanied by narration to the effect that the Sheriff's Office had "no comment" and will not mention that you were simply checking up on a "public records request". Incidentally, "no comment" would never be accurate because I have supplied a tremendous amount of "comment" through my case review and other items of correspondence.

I would not be opposed to meeting with you in a public place for a cup of coffee, just you and me having an "off the record" conversation, no cameras, no tape recorder, no pens or paper. This could be a far more meaningful and effective way to "clear the air" and "set the record straight". If this conversation results in a mature and respectful dialogue that satisfies us both, I may be willing to have an "on the record" conversation" with you. If we fail to establish some baseline of trust and one or both of us is not satisfied with the conversation, then we both go our separate ways.

Finally, in your letter you assured me that you were the same reporter that I initially thought you were, a journalist who was a "gentleman" with "impeccable" credentials and experience. I can assure you that my fervent hope is that in the final analysis my initial impression of you proves to be accurate.

When you get an opportunity please let me know what your thoughts are.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Shoar', with a stylized flourish at the end.

David B. Shoar  
Sheriff

COPY: Mr. David McCraw, Assistant General Counsel, The New York Times  
Mr. John Kaney, P.A.