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## Palm Beach contractor acquitted of paying town official



Chaz Equipment president Gary Czajkowski takes the stand in his corruption trial on Tuesday. (J. Gwendolynne Berry/The Palm Beach Post)

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A jury on Wednesday acquitted Chaz Equipment president Gary Czajkowski on charges he unlawfully made a \$25,000 loan to Town of Palm Beach construction manager Steven White, partially clearing Czajkowski in what has become Palm Beach County's biggest public corruption case in several years.

Czajkowski still faces charges that he allegedly plied other city and municipal workers with parties, hotel stays and gifts in exchange for favor in winning public construction contracts. But Tuesday's verdict ended unsuccessfully for prosecutors the first major installment of the public corruption investigation, "Operation Dirty Water."

White, currently serving a 42-month sentence on charges he took kickbacks in exchange for using his influence to get construction projects for Chaz Equipment and Dee Griffin Earthworks, was the star prosecution witness and testified that Czajkowski gave him the loan for a land deal and later said he no longer had to repay it.

Czajkowski, testifying in his defense Tuesday, said he never forgave the loan.

Jury foreman Robert Simmons, speaking after the verdict was read, said he and other jurors were entrenched in two camps for hours in their deliberations — those who believed the \$25,000 was a loan among friends, and those who thought Czajkowski gave the money with corrupt intentions.

In the end they all decided prosecutors hadn't presented enough evidence to prove Czajkowski made the loan intending to curry favor on future construction projects.

"I think the key word we all hung on is 'intent,' and in the end it was impossible without seeing evidence that we didn't have to get inside Mr. Czajkowski's head to know what his intent was," Simmons said.

In their closing arguments, prosecutors Daniel Funk and Jessica Johnston tried unsuccessfully to tell jurors that Czajkowski and White were clearly business associates and not friends, leaving no other explanation for the loan but corrupt intent.

Czajkowski's attorney's Doug Duncan and Mark Shapiro, however, said the opposite was true, and that Czajkowski merely got burned trying to help a friend in an emergency.

After the verdict, Shapiro said that he thought jurors came up with a fair and just decision in a case where they could have easily decided differently.

"Any way you look at it, anytime someone is accused of public corruption, there's always a presumption of guilt rather than innocence. It's human nature," Shapiro said.

Shapiro said Czajkowski's case, like other public corruption cases, was largely based on circumstantial evidence.

Simmons on Wednesday agreed, but said although the panel acquitted Czajkowski, they felt he was guilty of poor decision-making.

But overall, the image that left an indelible impression in the minds of all jurors was the image of White shuffling out of the courtroom in prison scrubs, his feet shackled, after he testified.

"Clearly our leaders are letting us down," Simmons said. "In our times now, where we're looking at politicians and public officials and wondering why all these scandals are popping up left and right, this was clearly a case where our leaders let us down."