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IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

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STATE OF DELAWARE) In And For Kent County

) I.D. Nos. 2003002075

vs.) 2003003149

JOHN SAPP,)

Defendant.)

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**TRANSCRIPT
OF
SENTENCING**

Thursday, October 14, 2021
Kent County Courthouse
Dover, Delaware 19901

BEFORE:

THE HONORABLE NOEL EASON PRIMOS, Judge

APPEARANCES:

KEVIN B. SMITH, ESQUIRE
DEPUTY ATTORNEY GENERAL
appearing on behalf of the State of Delaware

JOHN R. GAREY, ESQUIRE
appearing on behalf of the Defendant

CHANDRA D. BROWN, RPR
OFFICIAL COURT REPORTER

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1 Thursday, October 14, 2021
2 9:00 a.m.
3 Courtroom No. 8

4 MR. SMITH: Good morning, Your Honor.

5 THE COURT: We're here for the sentencing of
6 John Sapp.

7 MR. SMITH: Thank you, Your Honor.

8 Your Honor, at this time, the State moves
9 the sentencing of John Sapp.

10 THE COURT: Yes.

11 MR. SMITH: Your Honor, with the Court's
12 permission, before I enter into the State's
13 presentation --

14 THE COURT: Mr. Smith, just one moment. I
15 just want to check one thing with Mr. Garey.

16 Mr. Garey, did you have an opportunity to
17 review the pre-sentence report with your client?

18 MR. GAREY: Yes, Your Honor.

19 THE COURT: That's fine.

20 Mr. Smith, you may proceed.

21 MR. SMITH: Thank you, Your Honor.

22 Your Honor, before beginning the State's
23 presentation, there is two exhibits that the State
would like to enter. I believe there's no objection

1 from the Defense. One is a record certification and
2 the other is a redacted recording of a telephone call
3 from the Department of Correction between the
4 defendant and his spouse.

5 So I have both, a redacted one that removes
6 some irrelevant references as well as some names of
7 the victims, and then I have an unredacted copy as
8 well for the Court as a Court exhibit.

9 THE COURT: Mr. Garey.

10 MR. GAREY: That is correct, Your Honor.

11 THE COURT: Those will be admitted as
12 exhibits without objection.

13 MR. SMITH: Your Honor, if I may approach.
14 I believe it will be -- they are numbered, correct,
15 Your Honor?

16 I'm sorry. They should be 1 and 2. So it
17 would be State's 1 and 2 and then Court Exhibit 1.

18 THE COURT: Yes. Actually, if you could
19 hand them to the court security officer who could
20 then hand them to the clerk.

21 Do you need to explain, Mr. Smith, which one
22 is, again, 1 and which one is 2?

23 MR. SMITH: Your Honor, the redacted one

1 will be the State's exhibit. The one that does not
2 say redacted will be the Court exhibit. And State's
3 1, I suppose, would be the certification.

4 THE COURT: Yes.

5 So explain to me again what State's 1 is.

6 MR. SMITH: State's Exhibit 1 is a record
7 certification. Your Honor, I would say that that can
8 just be handed to the Court. I'm not going to make
9 reference to it. But it's a certification that
10 accompanies the prison calls. Those calls are
11 business records under D.R.E 803(6) and it's
12 self-authenticating with the certification pursuant
13 to Rule 902.11.

14 THE COURT: And do you intend to refer to
15 the -- I'm assuming it's a -- you said it's a
16 redacted transcript of the call?

17 MR. SMITH: I'm sorry. It's an audio
18 recording of the call.

19 THE COURT: Do you intend to play that
20 during today's presentation?

21 MR. SMITH: Yes, Your Honor. I'm going to
22 request the Court's permission to publish that during
23 the State's presentation.

1 THE COURT: Yes. That's fine.

2 THE CLERK: So marked, Your Honor, Court's
3 Exhibit 1.

4 So marked, Your Honor, State's Exhibit 1.

5 So marked, Your Honor, as State's Exhibit 2.

6 MR. SMITH: Your Honor, if I could just
7 retain State's Exhibit 2 and then leave the other
8 exhibits with the Court.

9 THE COURT: That would be fine.

10 MR. SMITH: Thank you, Your Honor.

11 THE COURT: Mr. Michelau, you may hand them
12 to the clerk.

13 You may proceed, Mr. Smith.

14 MR. SMITH: Thank you, Your Honor.

15 Mr. Garey, may it please the Court.

16 It is an uncontroversial proposition. It's
17 enshrined in law that an adult man or an adult of any
18 kind should not have sex with a minor. He should not
19 do it once. He should not do it twice. He should
20 not do it 30 times. He should not do it with one
21 girl. He should not do it with two girls. He
22 shouldn't do it anywhere in any manner and he
23 certainly shouldn't abuse a position of trust in

1 order to do it.

2 Notwithstanding that, the Court is asked to
3 believe that these repetitive acts of what
4 essentially are child molestation amounts to lapses
5 of judgment. Yet the defendant's morality didn't
6 stop him for those two years. His faith didn't stop
7 him. His fear of getting caught didn't stop him.
8 The law did not stop him for over two years.

9 Scripture teaches that not many of you
10 should become teachers, brothers. For you know that
11 we who teach will be judged with greater strictness.
12 That did not give him pause. And that's not just a
13 religious teaching. That is the law of the State of
14 Delaware. That those that are in a position of trust
15 are judged with greater strictness and that is why
16 the defendant was charged with and why he has pled
17 guilty to Sexual Abuse by a Person in a Position of
18 Trust, Authority or Supervision.

19 The Court is in receipt of a large number of
20 character letters. The Court is aware of the
21 allegations of the indictment each of which the two
22 counts of Continuous Sexual Abuse of a Minor
23 involving two different victims, involving the course

1 in each case of over a year of repetitive acts of
2 sexual conduct.

3 All of this goes to show that the defendant
4 is practiced at deception, practiced at leading a
5 double life. He minimizes his conduct in his
6 interviews with the psychosexual evaluator and his
7 interview with the pre-sentence officer. He says he
8 engaged in his crimes, in part, because he is
9 empathic, because he has his mother's niceness,
10 because he was trying to help the victims feel that
11 they belonged.

12 To the contrary, he preyed on the
13 vulnerable. He zeroed in on their areas of low
14 self-esteem. He flattered them. He boosted their
15 egos. He treated them like prey he was seeking under
16 the guise of help.

17 One author has said, Your Honor, that
18 niceness is a decision. It is a strategy of social
19 interaction. It is not a character trait. It is not
20 uncommon for those that would prey upon children to
21 develop a public persona that is religiously
22 acceptable, that is morally upright, that is likeable
23 and respectable.

1 Your Honor, the State submits that the
2 defendant's remorse is famed. And, in part, the
3 State can do so with some confidence because of a
4 prison phone call which came to the State's attention
5 from only three nights ago, from Monday night, and
6 the defendant speaking with his wife referred to the
7 victims, and I apologize for the language, as whores
8 or as bitches, and indicated that they were somehow
9 guilty in this entire ordeal.

10 With the Court's permission, if I could play
11 that. It's approximately five to six minutes in
12 length.

13 THE COURT: That's fine, Mr. Smith.

14 MR. SMITH: Your Honor, at this time the
15 State is publishing State's Exhibit 2.

16 (Whereupon, an audio recording was played).

17 MR. SMITH: There was some cross talk there,
18 but it was clear that he referred to both of his
19 victims as whores and -- or at least one of his
20 victims as a whore, as a bitch. This type of
21 language, this type of attitude towards his own
22 pattern of unremitting offenses shocks the
23 conscience, Your Honor.

1 The defendant was not someone who was
2 entrapped. He was someone who molested teenage girls
3 from the age of 15 to 17. He was not entrapped.
4 He's admitted to multiple instances of other
5 extramarital sex with adults including with a
6 prostitute, which was not enough for him, to
7 consumption of pornography, which was not enough for
8 him, which eventually escalated to molestation to two
9 teenaged girls to illicit unlawful sexual conduct.
10 Two teenaged girls who trusted him.

11 It was not just contact. It was not just
12 once. The defendant, as is mentioned in the
13 pre-sentence investigation, sent nude images of
14 himself. He touched them on their breasts, on their
15 vaginas. He penetrated their vaginas with his
16 finger. He performed oral sex. He had one of them
17 perform oral sex on him again and again and again,
18 multiple times a month for almost two years. But his
19 solace is that it was not intercourse.

20 Ultimately, he was the adult. He was the
21 one who was a married man, who was a father, and he
22 was the one whose conduct was predatory. The idea
23 that the girls even shared an iota of fault is

1 disgusting. It is abhorrent. It is contrary to the
2 public policy of the State of Delaware.

3 For their part, the victims did recognize
4 that his acts were out of line, they were abusive at
5 times. At times, as they mentioned, they even
6 spurned his sexual advances.

7 The evidence shows that this was the
8 defendant's design, that he put himself in position
9 to be around adolescents, that he took advantage of
10 them and his carefully cultivated reputation when the
11 time was right and he did not come forward of his own
12 volition. He only came forward when he was found
13 out. He engaged in damage control. Only hours,
14 maybe a day after he was told that one of his victims
15 had disclosed the abuse to another, he began his
16 campaign of damage control. There's little else to
17 call it.

18 Perhaps he thought he could take advantage
19 of what some called cheap grace of perhaps if he
20 apologized profusely enough, with enough tears, it
21 would get swept under the rug. But showing grace --
22 as the individuals from the community who wrote that
23 petition says, showing grace does not mean sin

1 without consequence, it does not mean crime without
2 punishment. Showing mercy does not mean ignoring the
3 pain, potentially life-long pain caused to the
4 victims, it does not mean failing to protect the
5 defenseless, it does not mean refusing to deter the
6 defendant and others who would harm the children in
7 this state.

8 Your Honor, it's the State's position the
9 defendant must pay for his crimes in the community
10 and the community must be protected from his
11 predatory behavior.

12 Your Honor, I've set forth a detailed
13 description of the State's recommendations on
14 sentencing in this case in the State's sentencing
15 memo. Ultimately, the request from the State is for
16 the maximum recommendation that was agreed to which
17 was 10 years at Level V. Followed, the request is by
18 5 years of probation at Level III GPS.

19 The reason for this request, as laid out, is
20 that this will help ensure that he remains on
21 probation supervision while his children remain
22 juveniles. It will also prevent him or at least
23 deter him from committing additional offenses.

1 The State also is requesting a relatively
2 broad no-contact order. During the term of his
3 pretrial supervision, his probation officer had
4 approved him to attend church services where minors
5 were present. The State would like to avoid that
6 happening without any kind of accountability, at
7 least. So for that reason -- and because there would
8 not be limitations on other types of congregant
9 settings where children are present, the State is
10 requesting a special no-contact order that the
11 defendant may not attend congregant settings where
12 children under 18 are present and may not enter or
13 remain in a private residence where children under 18
14 are present. Again, this is except for his own
15 children with whom the State has agreed to request
16 supervised contact.

17 Notwithstanding this, I won't recite it, but
18 the State did put out a suggestion for a process to
19 be placed in the order for there to be some
20 accountability for the defendant if he attends one of
21 those congregant settings like a religious or
22 educational event.

23 The State is also requesting that the Court

1 impose a no-contact order that survives the end of
2 his supervision. So a 25-year no-contact order with
3 Victim 1 and a 25-year no-contact order with Victim 2
4 and her immediate family members.

5 Your Honor, the defendant is a danger to the
6 community. He will remain a danger to the community
7 unless he changes his ways. And for those reasons,
8 the State requests the 10-year Level V
9 recommendation.

10 Thank you.

11 THE COURT: Thank you, Mr. Smith.

12 Mr. Garey.

13 MR. GAREY: May it please the Court,
14 counsel.

15 Your Honor, this is the time set aside for
16 the sentencing of John Sapp who stands before you an
17 admitted -- he's pled guilty to various sex offenses
18 and he is humble today as he stands here waiting to
19 be sentenced. He's admitted his wrongdoing to this
20 Court, to his victims, to their families, and to his
21 community, to his church, and, most importantly, to
22 his God.

23 I have reviewed the pre-sentence report

1 that's been prepared as well as the other exhibits
2 that's been tendered to the Court by the State for
3 Your Honor's review.

4 Your Honor, Mr. Sapp stands before you today
5 completely humbled. His life as he knows it and as
6 he has known it will be completely different from
7 here on after. His passion has always been to be
8 outside, to be hunting with his friends and his
9 family. He has a young son. That is gone forever.

10 As a convicted felon, he will be prohibited
11 from having a firearm or any other deadly weapon. He
12 knows he is facing a minimum mandatory period of 6
13 years of incarceration with actually the possibility
14 of up to 75 years.

15 As he stands here waiting for the Court's
16 sentence, he knows he's leaving behind his wife, his
17 three young children, the business that he's built
18 up, his standing in the community. And everything
19 that he has worked for is now at jeopardy, admittedly
20 by his actions and by his decisions.

21 Having said that, there's a very real
22 possibility that his business, his home, and even his
23 family will not survive the sentence of this Court.

1 Now, as an advocate for Johnny Sapp, I am in
2 no way minimizing the conduct. I'm in no way
3 minimizing the impact that his actions has had on the
4 two victims. The conduct is wrong. He has admitted
5 it.

6 Notwithstanding the impressions of
7 Mr. Smith, I submit that Mr. Sapp is extremely
8 remorseful and not only will he not engage in future
9 conduct like this, but he has reflected literally
10 every day since this was disclosed last year.

11 He was the adult. He was the person in
12 position of trust and his missteps falls squarely on
13 his shoulders.

14 Having said that, Your Honor, Mr. Sapp's
15 life and his character should not be measured solely
16 by these missteps and by the faults and conduct that
17 has taken place which brings him here today.

18 The State seeks to identify Mr. Sapp solely
19 as a child predator who will seek out and destroy any
20 child under the age of 18 at his earliest
21 opportunity. Granted, Mr. Sapp committed serious
22 offenses while he was a youth leader, but he did not
23 go into that position with the sole purpose and the

1 design to commit sexual offenses.

2 Things happened. He found himself in a
3 position where he crossed boundaries which should not
4 have been crossed.

5 And as Mr. Smith has referred to the
6 scriptures, I would also submit that all of this --
7 all of us have sinned and make missteps.

8 Now, with respect to -- Mr. Smith submits
9 that Johnny Sapp, in a belated attempt to save his
10 hide, called and made this confession when he knew
11 that this matter was going to be reported to the
12 police.

13 I submit that that is completely -- I'll
14 submit that Mr. Smith's impression and opinion is not
15 supported by the facts, the facts that are out there.

16 Prior to the disclosure and prior to
17 Mr. Sapp contacting his Pastor that he had something
18 to get off his chest, Mr. Sapp had actually reached
19 out to his support network and contacted numerous
20 individuals indicating that he had a heavy burden and
21 an issue that he needed to deal with and he asked for
22 their prayers. That was days before any disclosure
23 was made, days before he had any indication that this

1 was going to be potentially reported to the law
2 enforcement or to the parents of the victims or what
3 have you.

4 I have reviewed the exhibits submitted by
5 the State, specifically the exhibit submitted on
6 Monday, October the 11th. And without dwelling too
7 much on that, Your Honor, I would -- the author of
8 that letter neglected to tell the Court that Mr. Sapp
9 of his own goodwill provided her and her family with
10 a new roof at no cost whatsoever, and has allowed
11 their family to hunt on Mr. Sapp's farm and grounds
12 for a number of years at no cost.

13 We're here to talk about Mr. Sapp, not the
14 authors of the character letters, but I would submit,
15 Your Honor, that Mr. Sapp -- there's many, many more
16 things about Mr. Sapp which are positive as opposed
17 to these tragic missteps that have taken place.

18 I bring up the author of the letter also to
19 point out that one of Mr. Sapp's contacts was the
20 brother of that person. And when he found out what
21 actually Mr. Sapp was asking for prayer for responded
22 not in graciousness, but, rather, had I known what
23 you had on your mind and what you were dealing with,

1 I would not have prayed for you.

2 Now, that's only one person and I submit
3 that Mr. Smith has made reference to the pre-sentence
4 officer and to the psychotherapist report that we
5 submitted. And when I bring that up, Your Honor,
6 Mr. Smith's challenged the mitigation report that we
7 submitted, but, ironically or not ironically, in
8 March of this year, Mr. Smith advised me by e-mail
9 that he found the report thorough and generally
10 credible.

11 So I was somewhat surprised with the tenor
12 of the letter where he basically asked the Court to
13 disregard the report as essentially junk science and
14 that Mr. Smith was not candid with the evaluator.

15 My point is that Mr. Sapp spoke for, I
16 think, five or six hours with the evaluator. He
17 spoke an hour to an hour and a half with the officer
18 that conducted the pre-sentence report. And I'm not
19 challenging what the pre-sentence officer reported.
20 But what I would submit is that it's a better
21 measurement and what I would ask the Court to
22 consider in fashioning the sentence is the number of
23 members of the community that has signed the petition

1 that's been submitted as well as the number of people
2 from the community that appeared not only for today's
3 sentencing, but also at the time Mr. Sapp entered his
4 plea in August.

5 I submit that the number of individuals from
6 the community have taken the time to come before the
7 Court to demonstrate support is a better measure of
8 the true character of Johnny Sapp than what is
9 reflected in the pre-sentence report, his admitted
10 conduct even, and the opinion of Mr. Smith.

11 Your Honor, I'd like to say something about
12 the exhibit that Mr. Smith played today. As I've
13 told you, Mr. Sapp is facing mandatory incarceration
14 today for an unknown period of time that Your Honor
15 has the sole discretion to impose. He has found his
16 life as he has known it to be a 180 reversal. I
17 think that his reflection and his statements on the
18 tape are as opposed to complete non-remorse, I would
19 submit, is simply an inappropriate venting as he was
20 facing the sentencing today.

21 And, you know, the State and Mr. Smith want
22 perfection as he's imposing -- as he's pending
23 sentencing. The State was not -- I submit the State

1 was not happy that Mr. Sapp was able to make bond.
2 And I put out the fact that cash was raised to meet
3 that bond. But while Mr. Sapp was out on pretrial
4 supervision, he had no violations, no violations of
5 bail conditions. He did not violate any portion of
6 the no-contact provisions.

7 I would point out that even in the early
8 days of after the arrest, one of the parents of the
9 victims actually came over to Mr. Sapp's home and was
10 speaking with him and continuing to have contact.

11 Now, I know opinions change and feelings
12 change and all that. But what I'm trying to say is
13 that Mr. Sapp fully complied with every condition set
14 by this Court, by pretrial supervision, by the
15 probation officer. When he changed churches, he
16 contacted the probation officer and said, Am I
17 allowed to attend Calvary Church. And
18 notwithstanding what Mr. Smith said about he went to
19 the church where there were children, there were not
20 children present at the congregation. The children
21 at that church attend a separate service in a
22 completely different building. And he asked the
23 pretrial supervision officer if it was permitted.

1 And she gave him expressed permission to attend.

2 So for Mr. Smith to stand before the Court
3 and submit that he has not changed his ways, I think,
4 is disingenuous.

5 Your Honor, I'm used to drinking water when
6 I speak and I'm extremely dry.

7 THE COURT: Mr. Robinson or Mr. Welch.

8 MR. GAREY: Your Honor, with the Court's
9 permission, I have some members of the community who
10 would like to address the Court. I've spoken with
11 each of them. None of them are very long. And if
12 the Court would indulge us, I would ask if we could
13 do that.

14 THE COURT: Well, before we do that,
15 Mr. Garey, I have reviewed the letters that have been
16 submitted. There have been other letters submitted
17 even as late as almost 4 o'clock yesterday afternoon.

18 Are these individuals who would be speaking,
19 if I granted permission for them to speak, are they
20 people who have submitted written letters to the
21 Court?

22 MR. GAREY: No person that I've asked to
23 speak -- let me rephrase that.

1 No person that has asked to speak today has
2 submitted a letter to the Court.

3 THE COURT: Okay. Because I received a --

4 MR. GAREY: I submitted a letter from a
5 Mr. Miller.

6 THE COURT: Mr. Miller, is he one of the
7 ones that is asking to speak?

8 MR. GAREY: No, Your Honor.

9 THE COURT: Is there a reason why -- how
10 many people are you asking permission to speak?

11 MR. GAREY: Five.

12 THE COURT: And is there a reason --

13 MR. GAREY: But they are very short. All of
14 them are very short.

15 THE COURT: Let me just ask. Mr. Garey, is
16 there a reason why they were not able to submit their
17 comments in writing?

18 MR. GAREY: I was just advised of this
19 yesterday.

20 THE COURT: Advised by whom?

21 MR. GAREY: Advised by my client that these
22 people would like to talk.

23 THE COURT: But, again, why were they not

1 able to submit their comments in writing?

2 MR. GAREY: Your Honor, I can't answer that.

3 I would simply submit that given the nature
4 of -- in support of my request to the Court, I would
5 submit that given the seriousness of the offense and
6 seriousness of the sentence that I'm not asking for
7 anything that's unduly burdensome to the Court that I
8 can -- that's unduly burdensome to the Court in
9 fashioning a sentence. Because I think the State has
10 basically challenged completely my client's character
11 and these are individuals that know him intimately.
12 And I do not believe that I'm asking for anything
13 that's unduly out of line.

14 One is his wife. One is one of the church
15 pastors. One is a former correctional guard. One is
16 the wife of the Pastor. And the other one that I
17 just found out this morning, literally at 6 o'clock
18 this morning, a long-time friend and business person
19 or not a business person, a customer of Mr. Sapp.

20 So if the Court is inclined to grant my
21 request, in part, I can narrow that down.

22 THE COURT: Mr. Smith, the State's position
23 on the request?

1 MR. SMITH: Your Honor, the State's not
2 objecting. Defer to the Court on timing, etc., but
3 there's no objection.

4 THE COURT: Okay.

5 Mr. Garey, the Court will allow these
6 limited statements. Again, I would emphasize limited
7 in time.

8 I would note that the defendant's wife, I
9 believe, did submit a written statement which I
10 reviewed. But I will allow these verbal or oral
11 statements to be made. But, again, I would ask that
12 they be limited in time.

13 MR. GAREY: We don't want to drag this out
14 unduly, Your Honor.

15 So with that, Your Honor, I would ask
16 Ms. Sherry Sapp to come forward.

17 THE COURT: Good morning, Mrs. Sapp.

18 MS. SAPP: Good morning, Your Honor.

19 Thank you for giving me the opportunity to
20 speak on behalf of my husband.

21 Since the day he came forward to me on his
22 own and told me everything that had happened, I have
23 forgiven him and I have witnessed a man who is very

1 remorseful and sorry for his actions. It was very
2 out of character, I believe, and he is very
3 repentant. And the last two years, obviously, they
4 haven't been easy. But he has handled himself well
5 in that area and I believe that he is very remorseful
6 for his actions.

7 He's an amazing daddy to our three young
8 children. And they mean the world to him. And this
9 has been very hard on them as well. They need him in
10 their lives, Your Honor. I ask for leniency on this
11 day.

12 And I also ask for forgiveness for my
13 careless words that were spoken in the recording.
14 They were said out of much anger and I'm embarrassed
15 and ashamed of them.

16 Thank you again for giving me the
17 opportunity to come forward and speak on his behalf.

18 THE COURT: Thank you, Mrs. Sapp.

19 MR. GAREY: Ms. Brown, could you come
20 forward.

21 MS. BROWN: Good morning.

22 I appreciate you and --

23 THE COURT: Ms. Brown, I'm sorry. If you

1 could please state your full name for the record.

2 MS. BROWN: My name is Michele Brown.

3 I met John Sapp, Jr. four years ago when I
4 was looking for someone to build my shop for my
5 business. The first day I met him, I was impressed
6 how polite and his manners were to please us to do
7 whatever we needed or wanted to get this job done.

8 During this process, as we got to know each
9 other, we ended up forming a close bond, a
10 friendship, actually more like family. Not only with
11 him, but with his wife and children as well. I'm
12 proud of the business that he has built for himself
13 and his family. He worked hard to get where that
14 business is today and is known as one of the best
15 bold builders around.

16 We spent family evenings, dinners with him
17 and saw nothing but a wonderful, compassionate man
18 with his wife and children whom he loves and adores.

19 He would always text, check in with me a lot
20 and see if I was okay and if I needed anything and it
21 meant he had a loving caring heart. He would be the
22 first person to be there if I ever needed or help.
23 For example, the tornado came through our property

1 and he was right there without a second thought and
2 cleaned it all up.

3 Even knowing what he was going through, he
4 worried about others and their needs. He fixed my
5 leaking roof at the last minute on a rainy Friday
6 night because he knew I was worried about. His
7 mom-mom and pop-pop lived next door to me and he
8 would be there many weekends taking care of them,
9 working on their house fixing up things. There are
10 many countless people who he has been there for at
11 the drop of a hat.

12 And I have had many talks with him and I'm
13 telling you today that I know he feels remorseful for
14 what has happened. And I truly feel he got lost with
15 his way with his good heart.

16 To let you know just how much he means to
17 me, I consider him a son that I never had. And he
18 will become an heir to my estate and I did not even
19 think twice about that.

20 I ask you today to please show some leniency
21 in his case because I know in my heart he is not, nor
22 ever will be a threat to anyone. He is the most
23 loved and blessed person that I know. And I am

1 grateful and thankful that he has come into my life
2 and I am sorry that this has happened to him and his
3 family.

4 And I thank you for allowing me to speak
5 today, Your Honor.

6 THE COURT: Thank you, Mrs. Brown.

7 MR. GAREY: Reverend Jody Wood.

8 MR. WOOD: My name is my Pastor Jody Wood.

9 In full disclosure, I did send a letter of
10 reference prior to the pretrial, but...

11 THE COURT: And I did review that.

12 MR. WOOD: I didn't send anything on
13 pre-sentencing.

14 Just a couple of comments. I've been at
15 Calvary for 32 years, a master's level therapist, and
16 I've seen John since all of this came down. And I've
17 tested him on numerous levels about his remorse, but
18 he did exhibit for this year and a half or so
19 tremendous remorse about what he did. And I did try
20 to nail it down because there is a difference between
21 being caught and being remorseful and being really
22 remorseful. I believe his -- he cared a lot and it
23 got the best of him.

1 And I also believe in the midst of his
2 frustrations, he could say things that because he
3 is -- I mean, he's facing an awful lot, you know, in
4 his life right now.

5 So I have seen him to be genuinely
6 remorseful. I do not believe that he is a predator.
7 I've gotten a sense over the years and he has been
8 consistent in coming to see me because he wanted to
9 be able to get better, not just because he was trying
10 to mitigate the damage of the Court and what was
11 going to happen. But I think he really wanted to
12 move on with his life and understand the consequences
13 of his actions and what he's going to have to go
14 through.

15 So I'm just here to testify to his remorse
16 and my belief that he is not a predator but he got
17 caught into something here on an emotional level that
18 got carried away and he lost the sense of his
19 boundaries. So that's my testimony here today.

20 THE COURT: Thank you.

21 MR. GAREY: Dorothy Wood.

22 MS. WOOD: Good morning, Your Honor.

23 THE COURT: Good morning.

1 MS. WOOD: Thank you for allowing me the
2 opportunity to speak. My name is Dorothy L. Wood. I
3 am the executive administrator of Calvary Assembly of
4 God Church in Dover, Delaware.

5 Today I'm representing Calvary Church in the
6 matter of Mr. Sapp. Along with his wife Sherry and
7 their three children, John Sapp started attending
8 Calvary in December 2020. As the executive
9 administrator, I was made aware of Mr. Sapp's
10 probation and the restrictions placed upon him due to
11 the charges brought against him. In attending
12 Calvary, Mr. Sapp has a clear understanding of
13 restrictions placed upon him and has been
14 exceptionally conscientious in abiding by the rules
15 and those restrictions.

16 Calvary has policies and procedures in
17 writing and in place regarding registered sex
18 offenders. Our security team, children's ministries,
19 executive leadership team, other ministries and the
20 church board are trained to protect our congregation.

21 While we do not believe Mr. Sapp is a threat
22 to the children who attend on Sundays, we have guided
23 him on where he should remain while attending church.

1 Specifically this includes remaining only in our
2 sanctuary and main lobby and not entering any area of
3 the campus where there are children. Mr. Sapp has
4 abided by these rules.

5 As the Court considers sentencing today, we
6 understand there are consequences for Mr. Sapp's
7 actions and we do not condone his actions. Should
8 any leniency be considered as part of sentencing
9 today, Calvary Church would like to offer themselves
10 to the Court as part of any mandatory restorative
11 process. In support of Calvary's mission, we commit
12 to walking alongside Mr. Sapp and his family while
13 maintaining clear boundaries.

14 Thank you, sir.

15 THE COURT: Thank you.

16 MR. GAREY: Your Honor, this is the last
17 speaker. Mr. Don Scott.

18 MR. SCOTT: Hello, Your Honor.

19 THE COURT: Good morning.

20 MR. SCOTT: My name is Don C. Scott. I'm a
21 retiree from the State of Delaware Department of
22 Correction.

23 I come before you today on behalf of my

1 friend Johnny Sapp. We have been friends for 9
2 years. Johnny behaved out of character and made very
3 bad choices, but I'm here today to talk just briefly
4 about Johnny's character and as a friend and a
5 father.

6 I've always known him to be a kind and loyal
7 person. He's a very skilled builder who has a
8 well-respected construction business which employs
9 several people. On many occasions, I've watched him
10 complete home repairs for people in the church that
11 never asked for help. He just saw the need and he
12 helped them out without compensation.

13 He's very involved in his children's lives.
14 As the father of three young children, he spent a lot
15 of time with his kids sharing experiences in the
16 outdoors.

17 My 30-year career with the DOC, I learned
18 the most prevalent denominator amongst the inmates
19 there was the fact they didn't have a father figure
20 in their lives.

21 In making your decision today on sentencing,
22 I hope and pray that you would consider a sentence
23 structure that is fair but allows him to return home

1 while his children are still young enough that he can
2 be a positive influence in their lives.

3 Thank you for your time.

4 THE COURT: Thank you, Mr. Scott.

5 MR. GAREY: May I have a moment?

6 THE COURT: Certainly.

7 MR. GAREY: Your Honor, at this time, I
8 believe Mr. Sapp wishes to address the Court.

9 THE COURT: Yes.

10 I'll ask Mr. Sapp to come over to the podium
11 here.

12 Mr. Garey, do you have your mask handy? I'm
13 going to ask you to put your mask back on.

14 And, Mr. Sapp, you may remove your mask
15 while you're talking.

16 THE DEFENDANT: Yes, Your Honor.

17 Your Honor, thank you for giving me the
18 opportunity to speak this morning to you.

19 Good morning, first and foremost, but thank
20 you for allowing me the opportunity to speak today.

21 I want to begin by saying I'm so very sorry
22 for what I did. I want to make it clear I'm not just
23 saying sorry because it's what I should say. I say

1 it because I truly am sorry. I carry much regret and
2 sorrow for my actions. So, I, John Sapp, here,
3 again, want to publicly express how sincerely sorry I
4 am for what occurred.

5 First coming forward to my wife, then the
6 Pastor and the victims' parents was the hardest thing
7 I had ever done at this point in my life. Today is
8 equally as hard, but I accept the responsibility.

9 In the past almost 2 years, people would ask
10 me how I'm doing. And, honestly, never really knew
11 what to say because of this day today was lurking in
12 my future as a storm ferociously approaching, getting
13 closer and closer each day. So I would say to the
14 people I was okay. But really I felt like a man
15 standing in a tornado saying it's not windy.

16 My actions have affected many people and for
17 that I'm very sorry as well.

18 I want to be able to move forward from the
19 past actions that have been weighing on me so
20 heavily. So today in front of you, my loving,
21 supporting friends and family, I take the next step
22 in my journey to move forward.

23 I'm a man who, again, wants to be able to

1 get back to providing stability for my wife and my
2 three young children. I want to be the best husband,
3 father, provider and friend just as the way God has
4 created me and God's purpose.

5 Your Honor, again, I say to the victims, I
6 am truly sorry. I truly am.

7 That is all, Your Honor. Thank you.

8 THE COURT: Thank you.

9 Mr. Garey, anything further?

10 MR. GAREY: Your Honor, it's been suggested
11 that Mr. Sapp, after this was disclosed and his
12 arrest, was imminent and even after his arrest failed
13 to disclose or failed to show the necessary remorse
14 and humbleness that one would expect with these
15 charges.

16 Your Honor, I submit that that's not
17 accurate. Mr. Sapp was ordered by the courts to have
18 no contact with the victims and their families.
19 Moreover, probably most importantly, he was advised
20 by counsel, myself, not to talk about the case while
21 this matter was pending. As a result, he kept to
22 himself and relied on his faith and his church and
23 let the legal issue lay in my hands.

1 Your Honor, Mr. Sapp is going to be required
2 to register as a Tier 3 sex offender, which is going
3 to put significant restraints on his freedom after
4 his incarceration.

5 I have reviewed the State's exhibits, the
6 victim impact statements that were submitted. And
7 one of the comments that's jumped out at me was the
8 victims were not seeking -- notwithstanding the pain,
9 they were not seeking additional pain for painsake.
10 They are asking for justice tempered by mercy, Your
11 Honor.

12 Mr. Sapp, I've known Mr. Sapp close to two
13 years now. And throughout that time frame, I can
14 tell you that Mr. Sapp is a man of extreme faith and
15 he is accepting the Court's verdict and the Court's
16 sentence and he is relying and placing his faith in
17 God to get him through this for the purposes that God
18 has in this matter.

19 I submit that the plea entry and the 6 --
20 which calls for a period of 6 years of incarceration
21 will be a just sentence in this matter.

22 Mr. Sapp had no prior criminal history
23 whatsoever. He spent an initial time frame, I think

1 a week to two weeks, maybe, I don't think it was a
2 month, but more than a week of incarceration at the
3 time of his arrest. And he's had a much more
4 extended time frame since August.

5 And I submit that that time frame in jail
6 has had a significant impact on him as what we refer
7 to as in the system as the shock value of being
8 incarcerated.

9 I submit that the minimum mandatory period
10 of incarceration for Mr. Sapp will do all the things
11 that this Court looks to in fashioning a just
12 sentence and exacting punishment and retribution when
13 the Court fashions the sentence for any individual
14 that comes before the Court. Anything extra after
15 the six years' minimum mandatory is simply
16 warehousing Mr. Sapp for the purpose -- just simply
17 warehousing Mr. Sapp. And I submit it will not
18 achieve any additional benefit thereafter.

19 So, respectfully, Your Honor, I'm urging the
20 Court to sentence Mr. Sapp to the minimum mandatory
21 period of 6 years followed by probation and any other
22 condition the Court deems appropriate.

23 THE COURT: Anything further, Mr. Garey?

1 MR. GAREY: That's all.

2 THE COURT: Thank you, Mr. Garey.

3 I would like just to have a few moments to
4 collect my thoughts.

5 (Brief pause.)

6 THE COURT: The Court is ready to announce
7 its sentence. But before I do that, I would like to
8 explain the reasoning behind my sentence. And I have
9 some comments which primarily are directed to
10 Mr. Sapp, the defendant.

11 So, Mr. Sapp, I would like you to stand at
12 this time with your counsel. He can stand where he
13 is. Well, I think it's fine for Mr. Sapp to stand
14 where he is at this point.

15 And let me just stay before I make these
16 comments, I have reviewed the material that has been
17 submitted, the various letters, character references,
18 other letters and documents that have been submitted
19 by the State.

20 And I have reviewed the pre-sentence report
21 which includes interviews with you, Mr. Sapp, and
22 with others. So I'm going to be referring to that in
23 my comments.

1 I'd like to read a quote that you made
2 during your interview with the pre-sentence officer.
3 I'll just read from the pre-sentence report.

4 In relation to the fairness of his plea, the
5 offender said, "I lack knowledge of how the system
6 works. I did not expect any time because I know what
7 happened. Any amount of time does not seem fair to
8 my side."

9 Now, Mr. Sapp, when you met with the parents
10 of one of your victims in February of 2020, you made
11 it very clear to those people that you expected
12 and -- you expected to serve time in prison and you
13 knew you would be serving time in prison. And when
14 you met or when you came before me two and a half
15 months ago, I was very careful to explain to you the
16 minimum mandatory time that you would be facing and I
17 also asked you if your attorney, Mr. Garey, had
18 explained that; in other words, that you would be
19 facing minimum mandatory time.

20 So, Mr. Sapp, it's just not true that you
21 did not expect to serve time in prison for the
22 offenses that you have committed. And it's really
23 dishonest for you to say that. So I just want to

1 make that clear.

2 Now, I also want to make it clear both to
3 you and to many people who have submitted letters,
4 and I'm not placing any blame on anyone who has
5 submitted a letter who is not familiar with the legal
6 system, but many people have asked that you serve no
7 time in prison or only the time that you have served
8 up until today. And I just want to make it clear
9 that I'm required by law to sentence you to 6 years
10 in prison, at least 6 years in prison, and I'm going
11 to uphold the oath that I took when I became a judge,
12 and I'm going to uphold the laws of this state.

13 But I also want to explain to you, Mr. Sapp,
14 for the sake of your own wife and children and the
15 rest of your family and friends, you do not want a
16 society where judges can disregard the law and when
17 people have committed crimes that carry minimum
18 mandatory sentences, when those judges can simply
19 disregard those laws and disregard those sentences.
20 If that were to happen, we would become a lawless
21 society where no one would be safe. And you do not
22 want that for your family or for your friends.

23 That comment on your part, Mr. Sapp, I think

1 is also concerning to the Court for another reason in
2 addition to other comments that you have made,
3 including the phone call that we heard this morning.

4 And my concern is that -- it's really
5 twofold. One is that these comments that you have
6 made indicate that you are not taking responsibility
7 for your actions.

8 And, secondly, that you're not appreciating
9 the seriousness of your actions and that you feel in
10 some way that you're being treated unfairly in this
11 process or that the process has not been fair to you.

12 Now, Mr. Sapp, you were charged with 89
13 counts in the original indictment. You ended up
14 pleading guilty to only three of those counts.
15 Based, I'm sure, upon the wise counsel of your
16 attorney that you accept the offer that was being
17 made by the State, that you plead guilty to only
18 three of the 89 counts. Had you gone to trial and
19 been convicted on those 89 counts, you would have
20 faced many, many years of minimum mandatory time in
21 prison. And you accepted the plea offer to the three
22 counts.

23 And I just want to say that for those who

1 have been asking for mercy, again, I'm not faulting
2 anyone for asking for mercy, but you have already
3 been shown mercy by being offered a plea to three
4 counts out of 89. You have already been shown mercy
5 in this process.

6 Now, I just want to point out some of the
7 other statements that you have made in this process
8 that, again, bring to light the Court's concern, the
9 twofold concern about not taking responsibility here
10 and not appreciating the seriousness of what you have
11 done to your victims. For example, you indicated in
12 the interview with the pre-sentence officer, and this
13 is a quote, "I guess I have my mom's caring nature
14 and it went too far."

15 You also indicated -- this is a quote -- "We
16 never had sexual intercourse. I never allowed myself
17 to do it. It did not feel right."

18 You also stated, "I am a caring human being
19 and it is hard to accept what is to come." That's a
20 quote.

21 You also stated, when explaining how this
22 came about, "Two girls I tried to help by making them
23 feel they belonged with the group."

1 And then you also indicated you tried to
2 help them by "fitting in."

3 You also stated to the pre-sentence officer,
4 "I'll always care and it hurts to see people alone."

5 And then Reverend Wood, who has been
6 counseling with you, made the following comments,
7 which I'm sure were based on comments that you had
8 made to him. And let me just read from Reverend
9 Woods' comments.

10 "He wishes he had made better decisions and
11 been trained on how to set appropriate boundaries.
12 John never intended any ill intent or harm to anyone
13 in any way. As a youth leader, he genuinely wanted
14 to care for all the youth under his care. He
15 recognizes boundaries were crossed and regrets the
16 unintentional decisions made at the moment. From the
17 very beginning, his intent was not to seek out
18 inappropriate relationships."

19 Now, with regard to this idea that your
20 actions were unintentional, I just want to point out
21 you were the one who initiated sexual relationships
22 with two young girls who were 15 or 16 at the time
23 when you were in your 30s. You initiated various

1 sexual contacts with them and performed acts on them.
2 You sent obscene photographs of yourself to these two
3 young victims. The activities occurred in your
4 vehicle and your home and while you were their youth
5 leader and all --

6 Mr. Sapp, all of these acts were
7 intentional. I want to make that clear. They
8 weren't unintentional. You didn't unintentionally
9 send pictures to these young women. You didn't
10 unintentionally perform sexual acts on them.

11 Now, Reverend Woods' comments -- and, again,
12 I'm not faulting the comments. I'm just indicating
13 it appears that he was relaying what you have told
14 him. Those comments indicate that you are blaming
15 others for not training you to set boundaries, that
16 you are saying you didn't intend to harm anyone, and
17 that you just wanted to care for the youth who were
18 under your care.

19 Now, Mr. Sapp, what I want to explain to you
20 and what I hope you take -- one of the things I hope
21 you take from this is that you need to take
22 responsibility for your actions. You need to stop
23 blaming others or not blame others for the things

1 that you have done and you need to stop making
2 excuses for the things that you have done. If you do
3 that, you will be on your way to learning something
4 from this terrible experience. I know it has been
5 terrible for you. I do think that you bare fault and
6 so you can't push the blame for that off on other
7 people. But I'm not diminishing how terrible the
8 experience has been for you.

9 But I think whatever sentence the Court ends
10 up imposing on you, I think it's important that you
11 learn these things from this experience.

12 My hope is that when you realize -- if you
13 realize -- the severity of your actions and your
14 responsibility for those actions that you will some
15 day be able to do two things; one is communicate that
16 to those around you. Because I'm afraid that your
17 many friends do not realize some of these things
18 either; in other words, the seriousness of what
19 you've done and your responsibility for them. And
20 also that you will gain a deeper understanding of the
21 pain that you have caused and the harm that you have
22 caused to these two children, these two young girls
23 and their families.

1 Now, Mr. Sapp, in crafting a sentence or
2 imposing a sentence in this case, I could give you
3 much more than the 10 years that the State is
4 recommending in prison. And that might be a just
5 outcome as far as you're concerned. But I'm also
6 mindful of your family who did not participate in
7 your crimes and they will undoubtedly suffer from
8 your time in prison when you were unable to provide
9 for them. And in crafting a sentence, I have to
10 balance that. But at the same time, with the
11 seriousness of your crimes and the aggravating
12 factors that are present -- and I'll talk about that
13 in a moment.

14 I'm not going to impose more than the 10
15 years that the State is asking for. And I will
16 indicate exactly how many years I'm going to impose
17 in a few moments. But there will be other aspects of
18 your sentence following your incarceration to ensure
19 that you do not commit similar crimes in the future.

20 I appreciate Ms. Wood indicating that at
21 least your current congregation is willing to
22 participate in that. I'm going to take them up on
23 that. And the reason that I think that that is very

1 important as well, maybe just as important as your
2 period of incarceration, is that while you say you
3 have no intention of putting your family through this
4 again, you've also claimed, as we read at various
5 times, that your actions were unintentional. So
6 you're claiming that your actions were unintentional,
7 at least to some extent, and your representation that
8 you will never put your family through this again,
9 the Court has to be mindful that you're also saying
10 at least some aspect of your actions are
11 unintentional.

12 So after you are released from
13 incarceration, you will serve 1 year of Home
14 Confinement. That will be followed by 1 year of
15 Level III GPS. And that will be followed by 3 years
16 of Level II probation.

17 Now, during those periods of time that you
18 will be allowed to -- as a result of the type of
19 confinement or the type of probation, you will be
20 able to be with your family and also provide for your
21 family.

22 I will also impose other conditions on your
23 probation period, which is that you will have no

1 contact with any person under 18 years of age. Now,
2 that will not apply to your own children.

3 Now, the State has requested that any
4 contact with your own children must be supervised.
5 I'm not going to make that requirement because I
6 haven't seen any indication that your wrong actions
7 extend to your own children or that there is a danger
8 of that.

9 So I'm not going to require supervised
10 contact with your own children. But if there's any
11 contact with any other child, any other child under
12 the age of 18, there is going to be a requirement of
13 supervision.

14 I'm also going to make an exception when we
15 say no contact under the age of 18 for religious
16 gatherings and also for family gatherings. I want to
17 set certain conditions on those, again, to make sure
18 as much as possible, that you are not alone with any
19 children under the age of 18. But I am going to
20 allow certain exceptions.

21 And I'm also going to grant the State's
22 request for 25-year no-contact orders with the two
23 victims.

1 And this sentence, I want to say before I
2 announce the sentence, does take into account the
3 mitigating factor of no prior victims. It also takes
4 into account the aggravating factors of need for
5 correctional treatment and offense against a child.

6 And, also, despite, Mr. Sapp, your
7 indications of remorse and other individuals'
8 indication of remorse, I do believe that the phone
9 call from the prison indicates something about a
10 disturbing lack of remorse. And I'm also taking that
11 into account in the sentence.

12 So the Court will announce its sentence as
13 follows:

14 It is the order of the Court that the
15 defendant, having previously entered pleas of guilty
16 to the indicated charges, the Court announces the
17 sentence as follows:

18 And I will indicate, first of all, that all
19 sentences of confinement are to run consecutive and
20 all sentences of probation, with the exception of the
21 Level IV sentence, are to run concurrent. There will
22 be a Level IV sentence.

23 First of all, as to Criminal Action No.

1 20030326, which is Continuous Sexual Abuse of a
2 Child, effective August 4, 2021, the defendant is
3 sentenced as follows:

4 The defendant is placed in the custody of
5 the Department of Correction for 25 years at
6 Supervision Level V with credit for 7 days previously
7 served. Again, that's effective August 4, 2021.
8 That is suspended after 3 years at Supervision Level
9 V to be followed by 1 year Supervision Level IV home
10 Confinement followed by 1 year Supervision Level III
11 GPS followed by 3 years Supervision Level II.

12 And in imposing the longer period of
13 probation, the Court specifically finds that the
14 longer period of probation will reduce the likelihood
15 that the offender will commit similar offenses in the
16 future and that's pursuant to 11 Del. Code Section
17 4333(d)(1).

18 The defendant will be held at Supervision
19 Level V for Supervision Level IV Home Confinement.

20 And the defendant will be held at
21 Supervision Level III for Level III GPS.

22 The first 2 years of this sentence is a
23 mandatory term of incarceration pursuant to statute.

1 As to Criminal Action No. 20060090, Sexual
2 Abuse of a Child by a Person in Position of Trust or
3 Authority, the defendant is placed in the custody of
4 the Department of Correction for 25 years at
5 Supervision Level V, suspended after 3 years at
6 Supervision Level V to be followed by 1 year
7 Supervision Level III GPS followed by 3 years
8 Supervision Level II.

9 The first 2 years of this sentence is a
10 mandatory term of incarceration pursuant to statute.

11 Again, probation is concurrent.

12 As to Criminal Action No. 20030310,
13 Continuous Sexual Abuse of a Child, the defendant is
14 placed in the custody of Department of Correction for
15 25 years at Supervision Level V, suspended after 3
16 years at Supervision Level V followed by 1 year
17 Supervision Level III GPS followed by 3 years
18 Supervision Level II.

19 First 2 years of this sentence is a
20 mandatory term of incarceration pursuant to statute
21 and probation is concurrent.

22 Other conditions of this sentence:

23 The defendant will pay court costs and the

1 costs of prosecution.

2 The defendant will have no contact with
3 Victim 1 or her residence for 25 years.

4 The defendant will have no contact with any
5 minor under the age of 18 years with the exception of
6 his own children.

7 The defendant may not attend congregant
8 settings where children under 18, other than his own
9 children, are present, or enter into a private
10 residence where children under 18, other than his own
11 children, are present with the following exceptions:

12 The defendant may attend family gatherings
13 where children under 18 are present provided that all
14 of the children present are related in some way to
15 the defendant and provided that the defendant is
16 supervised by an adult chaperone.

17 The second exception is the defendant can
18 attend religious services where children other than
19 his own children are present provided that the
20 institution conducting the service certifies that it
21 is aware of the offenses of conviction and the terms
22 of the defendant's supervision and the institution
23 submits a written safety plan to the defendant's

1 probation officer which must include, at a minimum,
2 supervision at all times by an adult chaperone who is
3 not a relative of the defendant and the probation
4 officer approves the venue's written safety plan.

5 The defendant will be -- will also have no
6 contact with Victim 2 or that victim's family or that
7 victim's residence for 25 years.

8 The defendant will be required to register
9 with the State Bureau of Identification as a sex
10 offender. And the provisions of the statutes
11 regarding sex offender registration and community
12 notification will apply.

13 The defendant will be evaluated for and
14 participate in a sex offender's program as deemed
15 appropriate by the probation officer.

16 Pursuant to statute, the defendant having
17 been convicted of a sex offense, it is a condition of
18 the defendant's probation that the defendant will
19 provide a DNA sample at the time of his first meeting
20 with the probation officer.

21 The defendant must surrender his driver's
22 license pursuant to statute.

23 And I'm also going to indicate that the

1 defendant should be evaluated while at Level V for
2 participation in any appropriate programs there
3 regarding sex offenders.

4 The Department of Correction will notify the
5 Court if any aspect of the sentence cannot be carried
6 out. And the defendant will be provided with
7 re-entry services at the time of his release.

8 Is there anything that I have not addressed
9 in this sentence, Mr. Smith?

10 MR. SMITH: No, Your Honor.

11 THE COURT: Mr. Garey?

12 MR. GAREY: No, Your Honor.

13 THE COURT: Okay.

14 Mr. Sapp, again, my words were sincere. I
15 do hope that you learn from this terrible experience
16 and that concludes the Court's hearing for today.

17 The Court will be in recess.

18 (Whereupon, the proceedings in the
19 above-entitled matter were concluded.)
20
21
22
23

C E R T I F I C A T E

I, CHANDRA D. BROWN, an Official Court Reporter of the Superior Court of the State of Delaware, do hereby certify the above and foregoing Pages 1 to 56 to be a true and accurate transcript of the proceedings therein indicated on October 14, 2021 as was stenographically reported by me and reduced to typewriting under my direct supervision, as the same remains of record in the Kent County Courthouse at Dover, Delaware.

This certification shall be considered null and void if this transcript is disassembled in any manner by any party without authorization of the signatory below.

/s/ Chandra D. Brown
Chandra D. Brown, RPR

November 3, 2021
Date

CHANDRA D. BROWN, RPR
OFFICIAL COURT REPORTER