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COURT STATE ATTORNEY AGENCY CENTRAL RECORDS JAIL CRIME ANALYSIS P.I.O. DEFENDANT

NOV 18 2020

OBTS Number		PROBABLE CAUSE AFFIDAVIT							
A	Agency OR Number		Agency Name		1 Arrest 2 N.T.A	3 Request for Warrant 4 Request for Capias	1	JUVENILE	
M	FL 0500200		BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2020-012946				
N	Charge Type Check as many as apply		<input checked="" type="checkbox"/> 1 Felony <input type="checkbox"/> 3 Misdemeanor <input type="checkbox"/> 5 Ordinance <input type="checkbox"/> 2 Traffic Felony <input type="checkbox"/> 4 Traffic Misdemeanor <input type="checkbox"/> 6. Other		Special Notes				
D	Name (Last, First, Middle)					Race	Sex	Date of Birth	
E	FUNK, AUSTIN VAN LEAR					W	M	04/26/2002	
H	Charge Description		Charge Description						
A	322.212(1A) DL UNAUTHORIZED POSSESSION OF D/L OR ID								
R	Charge Description		Charge Description						
G	Victim's Name (Last, First, Middle)						Race	Sex	Date of Birth
S	STATE OF FLORIDA,						U	U	
T	Local Address (Street, Apt. Number) (City) (State) (Zip)			Phone			Address Source		
M	100 NW 2ND AVE, BOCA RATON, FL 33432			(561) -					
M	Business Address (Name, Street) (City) (State) (Zip)			Phone			Occupation		
M				(561) -					
<p>The undersigned certifies and swears that he/she has just and resonable grounds to believe and does believe that the above named Defendant committed the following violation of law. The Person taken into custody . . .</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts</p> <p><input checked="" type="checkbox"/> confessed to <u>OFC. CARECCIA</u> admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation</p> <p>On the <u>18</u> day of <u>November</u> <u>2020</u> at <u>01:45</u> (Specifically include facts constituting cause for arrest.)</p>									
<p>On 11/18/20, at approximately 0118 hours, I responded code 3 to 298 NE 2nd Street to report of a burglary in progress. The homeowner, W/M Jerry Starr, stated that an unknown suspect was currently trying to break into his car.</p> <p>When I arrived, I observed a white male with no shirt on the front lawn of the address walking from the front door to the black vehicle in the driveway. I asked the white male, later identified as W/M Austin Funk, if he lived there and he said "no, I'm just visiting friends." I advised Funk he was being detained and he was immediately placed into handcuffs and when I asked him who lives at this address, he said he did not know. Funk was also unable to tell me what address he was currently at. When I asked Funk if the homeowner would know him, he said "I hope so". While putting my gloves on, Funk stated "you can have my pocket, my wallet is in my pocket."</p> <p>I confirmed with Funk that he was giving me consent to go into his pocket for his ID, and he stated, "yes sir". When I pulled out his wallet from his front left pants pocket, I opened it and discovered a South Carolina DL with Funk's picture and name on it. I asked Funk if this was his ID to which he replied "No sir, that's not a real ID. I'm waiting for my real ID in the mail". I confirmed with Funk that he would give me his real information so that I could identify him for the purpose of this stop, which he advised he would. I then read Funk his constitutional warnings from a BRPD issued card and he advised he was willing to speak with me.</p> <p>Funk said he was drinking at O'Briens (a local bar) with his friends and had been trying to find his friend's house, who allegedly lives around the corner from the house we were at. Funk once again could not tell me the address of the house we were at. I then asked Funk why he has the fictitious South Carolina DL in his possession to which he answered it was because he uses it to get drinks (Funk is below the age of 21). I asked Funk how the DL was "fake" and he advised it is fake because it has his face on it and</p>									
<p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><u>MAZER, DEREK B.</u> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p>11/18/2020 DATE</p> <p>SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p><u>CARECCIA, GREGORY JAMES (843)</u> NAME OF OFFICER (PLEASE PRINT)</p> <p>11/18/2020 DATE</p>									
ADMINISTRATIVE	PAGE <u>1</u> OF <u>2</u>								

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SCANNED

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OIGS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT			1 Arrest	3 Request for Warrant	1	JUVENILE
D M N		Agency OR- Number FL 0500200	Agency Name BOCA RATON POLICE DEPARTMENT	2 N.T.A			4 Request for Capias	
D E F		Charge Type: Check as many as apply <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Agency Report Number 3 2 2020-012946			Special Notes	
D E F		Name (Last, First, Middle) FUNK, AUSTIN VAN LEAR			Attn:	Race	Sex	Date of Birth
P R O B A B L E		W M 04/26/2002						

the state and address are not correct. When I further inspected the DL, I found that the date of birth depicted was 04/26/1998, the address depicted was 9893 Mount Street, Greenville, SC, 296134213, and the DL # was 165872566. It should be noted that when the DL # was searched in FCIC/NCIC, no results were found. Funk further advised his intention of being on the property at this address was to find his friend who he believed lived here.

Based on my interview with Funk and the discovery of the fictitious drivers license in his possession, I have probable cause to charge Funk pursuant to FSS 322-212(1)(a)
Unauthorized Possession of a Fictitious Driver's License.

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ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME MAZER, DEREK B NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 11/18/2020 DATE	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER CARECCIA, GREGORY JAMES (843) NAME OF OFFICER (PLEASE PRINT) 11/18/2020 DATE	PAGE 2 OF 2
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Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/> 119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/> 943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/> 119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/> 119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/> 119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/> 985.04(1)	Juvenile offender records.	
	<input type="checkbox"/> 119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/> 395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/> 394.4615(7)	Mental health information.	
	<input type="checkbox"/> 119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/> (iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/> (viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/> (xiii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/> (xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>		
Other	<input type="checkbox"/>		
	<input type="checkbox"/>	Other:	
	<input type="checkbox"/>	Other:	

REVIEW COMPLETED BY

Booking Number: 2020027128	Date: 11/18/2020
	Specialist Name/ID: T Howard/7185

SCANNED
NOV 18 2020