

0516281

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

200P 3812

3214

OBTS Number		Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06 20-065534	
Charge Type Check as many as apply <input checked="" type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized N/A		Multiple Clearances Indicator 0 1		1. Arrest 2. N.T.A. 3. Request For Warrant 4. Request For Copies	
Location of Arrest (Including Name of Business) Walmart, 6294 Forest Hill Blvd Greenacres, FL 33415				Location of Offense (Including Name of Business) Walmart, 6294 Forest Hill Blvd Greenacres, FL 33415			
Date of Arrest May 4, 2020		Time of Arrest 0730		Booking Date		Booking Time	
Jail Date		Jail Time		Location of Vehicle N/A			
Name (Last, First, Middle) Ramirez-Martinez Brian Jalro						Alias (Name, DOB, Soc. Sec. #, Etc.)	
Race W - White B - Black O - Oriental/Asian		Sex M		Date of Birth 11-1-84		Height 5-06	
Weight 150		Eye Color Brn		Hair Color Brn		Complexion Med	
Build Med		Marital Status Married		Religion UK		Indication of Alcohol Influence Y N Unk <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Residence Type 1. City 2. County 3. Florida 4. Out of State		Address Source Martinez		Occupation	
Local Address (Street, Apt. Number) 1092 Pinewood Lake Ct		City Greenacres		State FL		Zip 33415	
Permanent Address (Street, Apt. Number)		City		State		Zip	
Business Address (Street, Apt. Number)		City		State		Zip	
DL Number, State R562-070-84-401-0		Social Security Number		INS Number A62727798		Place of Birth Columbia	
Citizenship Columbia		Co-Defendant Name (Last, First, Middle) Martinez Sonia		Race W		Sex F	
Date of Birth 10-27-82		1. Arrested 2. At Large		3. Felony 4. Misdemeanor 5. Juvenile		1. Arrested 2. At Large	
Parent Legal Guardian Other		Name (Last, First, Middle)		Phone		Address (Street, Apt. No.)	
City		State		Zip		Business Phone	
Notified By (Name)		Date		Time		Juvenile Disposition: 1. Handled/Processed with Dept. and Released 2. TOT HRSDAYS 3. Incarcerated	
Released To (Name)		Relationship		Date		Time	
The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 561 355-2226) informed of any address change <input type="checkbox"/> Yes, by (Name) <input type="checkbox"/> No (Reason)		School Attended		Grade		Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Description of Property		Value of Property		Drug Activity N, N/A P, Possess		S, Sell B, Buy T, Traffic	
R, Smuggle D, Deliver E, Use		K, Dispense/Distribute		M, Manufacture/Produce/Cultivate		Z, Other	
Drug Type N, N/A A, Amphetamine		B, Barbiturate C, Cocaine E, Heroin		H, Hallucinogen M, Marijuana		P, Paraphernalia/Equipment U, Unknown Z, Other	
Charge Description Organized Fraud		Counts 01		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number 617.034 (4)(A)(3)	
Violation or ORD. #		Drug Activity N		Drug Type N		Amount/Unit N/A	
Offense # 20-065534		Warrant/Copies Number		Bond 1,000		Charge Description Petit Theft	
Counts 01		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number 812.014(3)(A)		Violation or ORD. #	
Drug Activity N		Drug Type N		Amount/Unit N/A		Offense # 20-065534	
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OETS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request For Warrant 4. Request For Capias		1 <input type="checkbox"/> Juvenile <input type="checkbox"/>		
Agency ORI Number FLO 5 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06		20-065534				
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Defendant Name (Last, First, Middle) Ramirez-Martinez		Brian		Jairo		Race W	Sex M	Date of Birth 11-1-84		
Charge Organized Fraud		Charge Petit Theft								
Victim Name (Last, First, Middle) Walmart		City Greenacres		State FL		Zip 33415		Race N	Sex N	Date of Birth N/A
Local Address (Street, Apt. Number) 6294 Forest Hill Blvd		City Greenacres		State FL		Zip 33415		Phone 561-966-3101		Address Source
Business Address (Street, Apt. Number) 6294 Forest Hill Blvd		City Greenacres		State FL		Zip 33415		Phone 561-966-3101		Occupation
The undersign swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The person taken into custody...										
<input 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.							
<input type="checkbox"/> confessed to admitting to the below facts.			<input checked="" type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.							
On the 4th day of May 20 2020 at 7:33 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM										

On Monday, May 4, 2020, at around 1933 hours, PBSO responded to Walmart, 6294 Forest Hill Blvd. in reference to an incident of Organized Fraud and Petit Retail Theft. Upon arrival, contact was made with Asset Protection Associate Brian Kozak, 4-23-77. Kozak advised that he observed from his surveillance W/ F Sonia Martinez, 10-27-82, and W/M Brian Martinez, 11-1-84, switching ticket items at the self service counter. Kozak explained that Sonia was using a \$0.98 fraudulent UPC to scan 7 pieces of merchandise. After paying for their ticketed items with cash, they proceeded to exit all points of sale without paying for the appropriate merchandise. At that time, Kozak and Asset Protection Customer Host, Tyneshia, stopped Sonia and Brian and contacted the Palm Beach County Sheriff's Office. The fraudulent purchase containing the stolen merchandise totaled \$21.13. The actual total cost of the merchandise was \$80.42 with tax. Amongst the items were Vitamin D, trash bags and "prem" chocolate. Kozak completed a sworn statement, and provided a copy of the actual receipt, the fraudulent receipt and a copy of Walmart's surveillance video.

Upon watching the surveillance video it was determined that Sonia held the UPC code in the palm of her gloved left hand as she acted like she swiped the merchandise with her right and handed it off to Brian to bag. On some of the merchandise, the UPC code for the actual item could be seen on camera, clearly showing that Sonia or Brian had no intention of paying for the actual item. Incident to arrest, a UPC tag was located in the bra area of Sonia. The UPC tag number was 27223 28740, and was for a 9in silver ornament in the amount of \$0.98. Attached to the UPC tag was a piece of rolled tape. It was determined that the UPC tag was taped to the palm of Sonia's gloved hand and that was how she was able to swipe the items and hand them to Brian to bag them. It should be noted that Kozak was able to determine that this UPC tag was also used at the Walmart located at 9990 Belvedere Rd, West Palm Beach, FL 33411, on May 1, 2020 to purchase several other items as well. In addition, Sonia's and Brian's vehicle was identified as a Lexus NX 300, bearing FI tag: Z00AND, where there were several more UPC tags in the driver's door compartment seen in plain view.

At this time, Sonia and Brian were transported to District 16 and I was contacted to investigate further. Upon arrival at the district, I conducted recorded interviews with Sonia and Brian. D/S Falcon, #28371, assisted with Spanish translation and advised both of them their rights from a department issued Spanish Miranda card. During our first interview with Sonia, post-Miranda, she confessed to using the UPC tag tonight at Walmart. Sonia explained that this was her second time using the UPC tag. The first time was at Walmart on May 1, 2020. Sonia explained that she got an adrenaline rush the first time and wanted to see if she could get away with it again tonight. When asked about Brian's involvement. She stated that Brian was made about it the first time when he found out and asked that she not do it again tonight.

Next, D/S Falcon and I interviewed Brian. Post Miranda, Brian explained that he did in fact bag the

AY 05

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Defendant Name (Last, First, Middle) Ramirez-Martinez Brian Jairo				Race W	Sex M	Date of Birth 11-1-84	
Charge Organized Fraud				Charge Petit Theft			
Victim Name (Last, First, Middle) Walmart				Race N	Sex N	Date of Birth N/A	
Local Address (Street, Apt. Number) 6294 Forest Hill Blvd		City Greenacres	State FL	Zip 33415	Phone 561-966-3101	Address Source	
Business Address (Street, Apt. Number)		City	State	Zip	Phone	Occupation	
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<input type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> confessed to admitting to the below facts.		<input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.					
On the 4th day of May 20 2020 at 7:33 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM							

On Monday, May 4, 2020, at around 1933 hours, PBSO responded to Walmart, 6294 Forest Hill Blvd. In reference to an incident of Organized Fraud and Petit Retail Theft. Upon arrival, contact was made with Asset Protection Associate Brian Kozak, 4-23-77. Kozak advised that he observed from his surveillance W/ F Sonia Martinez, 10-27-82, and W/M Brian Martinez, 11-1-84, switching ticket items at the self service counter. Kozak explained that Sonia was using a \$0.98 fraudulent UPC to scan 7 pieces of merchandise. After paying for their ticketed items with cash, they proceeded to exit all points of sale without paying for the appropriate merchandise. At that time, Kozak and Asset Protection Customer Host, Tyneshia, stopped Sonia and Brian and contacted the Palm Beach County Sheriff's Office. The fraudulent purchase containing the stolen merchandise totaled \$21.13. The actual total cost of the merchandise was \$80.42 with tax. Amongst the items were Vitamin D, trash bags and "prem" chocolate. Kozak completed a sworn statement, and provided a copy of the actual receipt, the fraudulent receipt and a copy of Walmart's surveillance video.

Upon watching the surveillance video it was determined that Sonia held the UPC code in the palm of her gloved left hand as she acted like she swiped the merchandise with her right and handed it off to Brian to bag. On some of the merchandise, the UPC code for the actual item could be seen on camera, clearly showing that Sonia or Brian had no intention of paying for the actual item. Incident to arrest, a UPC tag was located in the bra area of Sonia. The UPC tag number was 27223 28740, and was for a 9in silver ornament in the amount of \$0.98. Attached to the UPC tag was a piece of rolled tape. It was determined that the UPC tag was taped to the palm of Sonia's gloved hand and that was how she was able to swipe the items and hand them to Brian to bag them. It should be noted that Kozak was able to determine that this UPC tag was also used at the Walmart located at 9990 Belvedere Rd, West Palm Beach, FL 33411, on May 1, 2020 to purchase several other items as well. In addition, Sonia's and Brian's vehicle was identified as a Lexus NX 300, bearing FI tag: Z00AND, where there were several more UPC tags in the driver's door compartment seen in plain view.

At this time, Sonia and Brian were transported to District 16 and I was contacted to investigate further. Upon arrival at the district, I conducted recorded interviews with Sonia and Brian. D/S Falcon, #28371, assisted with Spanish translation and advised both of them their rights from a department issued Spanish Miranda card. During our first interview with Sonia, post-Miranda, she confessed to using the UPC tag tonight at Walmart. Sonia explained that this was her second time using the UPC tag. The first time was at Walmart on May 1, 2020. Sonia explained that she got an adrenaline rush the first time and wanted to see if she could get away with it again tonight. When asked about Brian's involvement, she stated that Brian was made about it the first time when he found out and asked that she not do it again tonight.

Next, D/S Falcon and I interviewed Brian. Post Miranda, Brian explained that he did in fact bag the

groceries; however, that he did not know what Sonia was doing until they were stopped by Loss Prevention. He explained that he did not know about the May 1st incident.

In conclusion, Sonia and Brian attached a \$0.98 UPC tag to the palm of Sonia's glove in order to fraudulently purchase several groceries and not pay the full amount for them.

The foregoing instrument was sworn to and affirmed before me this <u>5th</u> day of <u>May</u> 20 <u>20</u> , by:	
<u>D/S. J. Derogatis</u> <u>34280</u>	<u>Detective J. D'Angelo</u> <u>24982</u>
Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	Name of Arresting/Investigating Officer
<u>[Signature]</u>	<u>[Signature]</u>
Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	Signature of Arresting/Investigating Officer

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NOT A CERTIFIED COPY



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
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"/>	(xii) 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"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2020011921	Date: 05/05/2020
	Specialist Name/ID: T Howard/7185