

2021 CF 754 AX

ARREST / NOTICE TO APPEAR Juvenile Referral Report

1. Arrest 3. Request for Warrant
2. N.T.A. 4. Request for Capias

3 Juvenile N

ADMINISTRATION	OBTS Number		Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-20-63373				
	Charge Type: <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						If Weapon Seized Enter Type		Multiple Clearance Indicator		
	Location of Arrest (Including Name of Business)						Location of Offense (Business Name, Address)				
	Date of Arrest / /		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time

DEFENDANT	Name (Last, First, Middle) Aguilar, Brianda Y											Alias (Name, DOB, Soc. Sec. #, Etc)										
	W - White B - Black		I - American Indian O - Oriental / Asian		Race W	Sex F	Date of Birth 12/30/1989			Height 503		Weight 150		Eye Color brown		Hair Color brown		Complexion light brown		Build med		
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)											Marital Status		Religion		Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.						
	Local Address (Street, Apt. Number)				(City)				(State)		(Zip)		Phone () -		Residence Type 1. City 3. Florida 2. County 4. Out of State							
	Permanent Address (Street, Apt. Number)				(City)				(State)		(Zip)		Phone (561)507-4978		Address Source FL DL							
	Business Address (Street, Apt. Number)				(City)				(State)		(Zip)		Phone () -		Occupation Delivery							

CO-DEF	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile	<input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor			
	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile	<input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor			
JUVENILE	<input type="checkbox"/> Parent	Name (Last)	(First)		(Middle)		Residence Phone						
	<input type="checkbox"/> Legal Custodian	<input type="checkbox"/> Other	Address (Street, Apt. Number)				(City)		(State)		(Zip)		Business Phone
	Notified by: (Name)				Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/DYS 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 561-355-2526) informed of any change of address: <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						

CODE	Drug Activity	S. Sell	R. Smuggle	K. Dispense/Distribute	M. Manufacture/Produce/Cultivate	Z. Other	Drug Type	B. Barbituate	H. Hallucinogen	P. Paraphernalia/Equipment	U. Unknown
	N. N/A	B. Buy	D. Deliver	E. Use	A. Amphetamine	C. Cocaine	E. Heroin	M. Marijuana	O. Opium/deriv.	S. Synthetic	Z. Other

CHARGE	Charge Description Child Neglect Causing Great Harm						Counts 1(f)	Domestic Violence <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number 827.03(3)		Violation of ORD#
	Drug Activity		Drug Type		Amount/Unit		Offense # 20-63373		Warrant/Capias Number		Bond
	Charge Description						Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD#
	Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond
	Charge Description						Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD#

JOSEPH ABRILIZO, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

FILED
2021 JAN 26 PM 1:28

NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court	Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444									
	<input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.	Court Date and Time		Month	Day	Year	Time	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.			

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

ADMIN.	Signature of Defendant (or Juvenile and Parent/Custodian)				Date Signed			
	HOLD for other Agency Name:		Signature of Arresting Officer <i>[Signature]</i>				Name Verification (Printed by Arrestee) (PRINT)	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:		Name of Arresting Officer (Print) Detective B Joseph		I.D. # 836		BU#	

Intake Deputy		I.D. #		Pouch #		Transporting Officer		I.D. #		Agency		Witness here is subject Signed with an "X".	Page 1 OF 1
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DOMESTIC VIOLENCE PROBABLE CAUSE AFFIDAVIT
PALM BEACH COUNTY

On the 21 day of 12 2020 at 2100 hours
Subject: Aguilar, Brianda Y DOB: 12/30/1989 Case #: 20-63373
Charge Description: Child Neglect Causing Great Harm Statute #: 827.03(3)
Victim: [REDACTED] DOB: 08/22/2010 Race: W Sex: F
Local Address: [REDACTED]

Personal Contact: _____

Narrative:

Marsy's Law signed

I responded to [REDACTED] in reference third party allegations of a sexual battery occurring to 10 year old child, identified as [REDACTED] at that location. Contact was made with [REDACTED] Brianda Aguilar 12/30/1989 who provided an audio/video recorded sworn statement and confirmed that [REDACTED] had disclosed to her on 12/09/2020 that Brianda's [REDACTED] Carlos Delvalle 03/18/1989, had sexual battered her at the residence. Brianda further advised that she had then confronted Carlos over the phone about the allegations to which he confessed to her apologizing for the sexual battery of [REDACTED] Brianda stated that she does not let Carlos have contact with the children, but admitted to still being in contact with him. Brianda advised that she had never contacted any law enforcement in reference the sexual battery of [REDACTED]

In speaking further with Brianda she stated that she did not want to do a controlled phone call and/or participate further with police at that time. Brianda advised that she wanted to see the results from the Child Protection Team interview to find if anything other than [REDACTED] being kissed and receiving oral sex from Carlos had occurred. Brianda advised that if Carlos only gave [REDACTED] oral sex and did not place his fingers or penis in her she was not going to cooperate with police.

On 01/05/2021 In speaking with Brianda at CPT with DCF and CPT personnel present Brianda provided that she DON'T SNITCH and told Carlos that the police were involved after we left her residence on 12/21/2020. Brianda provided that she never was going to call the police about [REDACTED] being sexually battered and was not going to cooperate further. In an apparent attempt to justify Carlos's actions Brianda stated that [REDACTED] was becoming a woman and looks like [REDACTED]

It was also advised in the subsequent forensic CPT interview with [REDACTED] that even following [REDACTED] disclosure Brianda still is in frequent contact with Carlos, Carlos still pays the family bills and Brianda had told [REDACTED] that Carlos was going to buy [REDACTED] a laptop computer.

The forensic interview of [REDACTED] was completed at CPT coming back positive for indicators of the sexual abuse of [REDACTED] Carlos subsequently confessed to the sexual battery of [REDACTED] along with writing an apology letter to her for his actions and was taken into custody on 01/05/2021 (BBPD #20-63373).

Due to the totality of events I am also requesting a warrant for the arrest of Brianda Aguilar in reference Child Neglect causing great harm FSS 827.03(3)(b).

Defendant's Statement: Taped

Victim's Statement: Taped

Observation Of Victim (Physical and Emotional):

Relationship Between Victim and Suspect:

Brianda is [REDACTED]

Photographs: Scene: Yes No
 Victim: Yes No
 911 Call: Yes No Caller: _____
 Tape Requested: Yes No
 Weapon Used: Yes No Type: _____
 Witnesses: Yes No
 Injuries: Yes No
 Medical Treatment: Yes No
 At Scene Yes No Paramedics: _____
 At Hospital Yes No Physician(s): _____
 Hospital: _____

Act Committed In Presence Of Minor(s): Yes No

Name: _____

Name: _____

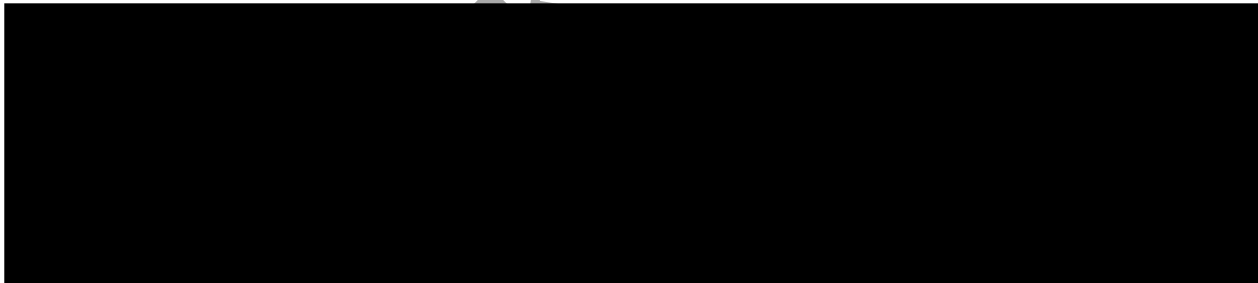
F.D.C.F. Notified: Yes No Victim Pregnant: Yes No

Violation Of Restraining Order: Yes No Case #: _____

Prior History Of Domestic Violence: Yes No

Alcohol Or Drugs Involved: Yes No Unknown

Victim Contact Information:

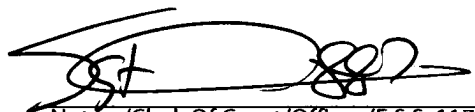


State Of Florida
County Of Palm Beach

Appeared before me, Detective B Joseph, (print name) personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true.


Signature Of Arresting Officer

Sworn to and subscribed to me before this 11 day of January, 2021


Notary/Clerk Of Court/Officer (F.S.S. 117 10)