

# ARREST / NOTICE TO APPEAR Juvenile Referral Report

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

ADMINISTRATION	OBTS Number		Agency ORI Number		Agency Name <b>Palm Beach County Animal Care &amp; Control</b>		Agency Record Number <b>151-005490</b>	
	Charge Type: Check as many as apply.		<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	
	Location of Arrest (Including Name of Business)		Location of Offense (Business Name, Address)		Weapon Seized/Type		1 Yes 2 No	
	Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle	
JUVENILE	Name (Last, First, Middle) <b>BADBLEY KENNY</b>				Alias (Name, DOB, Soc. Sec. #, Etc.)			
	Race <input checked="" type="checkbox"/> A - White <input type="checkbox"/> B - Black		Sex <b>M</b>		Date of Birth <b>7/11/1968</b>		Height <b>5'9"</b>	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status <b>MARRIED</b>		Religion		Indicator Alcohol In Drug Infr Resident 1 City 2 County	
	Local Address (Street, Apt. Number)		(City)		(State)		(Zip)	
	Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)	
	Business Address (Street, Apt. Number)		(City)		(State)		(Zip)	
	D/A Number, State <b>B324512682510</b>		Soc. Sec. Number		INS Number		Place of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	CHARGE	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other		Name (Last)		(First)		(Middle)
Address (Street, Apt. Number)		(City)		(State)		(Zip)		
Notified by (Name)		Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released		
Released To: (Name)		Relationship		FCIC/NCIC		Date		
The above address was provided by defendant and/or defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office informed of any change of address:						School Attended		
<input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)								
Recovery Information 0. N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8.								
Drug Activity		S. Sell		R. Smuggle		K. Dispense/		
N: N/A		B. Buy		D. Deliver		Distribute		
P. Possess		T. Traffic		E. Use				
CHARGE	Charge Description <b>ANIMAL COWELTY</b>		Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number <b>828.12.2</b>	
	Drug Activity		Drug Type		Amount/Unit		Offense #	
	Charge Description <b>ANIMAL COWELTY</b>		Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number <b>828.12.2</b>	
	Drug Activity		Drug Type		Amount/Unit		Offense #	
	Charge Description		Counts		Domestic Violence		Statute Violation Number	
	Drug Activity		Drug Type		Amount/Unit		Offense #	
	Charge Description		Counts		Domestic Violence		Statute Violation Number	
	Drug Activity		Drug Type		Amount/Unit		Offense #	
	Charge Description		Counts		Domestic Violence		Statute Violation Number	
	Drug Activity		Drug Type		Amount/Unit		Offense #	
NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court <input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side.		Location (Court, Room Number, Address)					
			Court Date and Time					
			Month Day Year Time A.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 S 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 M ISSUED.							
MIN.	Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed					
	HOLD for other Agency		Signature of Arresting Officer		Name Verification (Printed by Arrestee)			
	Name:		X		(PRINT)			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest		Name of Arresting Officer (Print)		I.D. #				

**PALM BEACH COUNTY ANIMAL CARE AND CONTROL  
PROBABLE CAUSE AFFIDAVIT**

Charge Type [ 3 ]      1. Arrest                      3. Request for Warrant \_  
   2. N.T.A.                      4. Request for Capias

Agency Report A21-002440

Charge Type [ X ] Felony                      [ X ] Misdemeanor                      [ ] Ordinance  
   [ ] Traffic Felony                      [ ] Traffic Misdemeanor [ ] Other

**Special Notes**

Defendant: Kenny Badgley

Local Address: 15324 Key Lime Blvd.

Local City: Loxahatchee, FL

Local Phone: 561-628-7666

Business Address: N/A

Business Phone: N/A

Alias: N/A

Race: Cauc    Sex: M    DOB: 7/11/1968

**Charge(s)**

1. 828.12.2 - Cruelty to Animals - AID# 1793783 Neutered Tan, German Shepherd mix, 11 yrs. old, Named Harley
2. 828.13 – Cruelty to Animals- AID# 1793783 Neutered Tan, German Shepherd mix, 11 years old, named Harley

Victim: STATE OF FLORIDA

Local Address: N/A

Local City: N/A

Local Phone: N/A

Business Address: same as above

Business Phone N/A    Address Source: VICTIM

The undersigned certifies and 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

[ ] committed the below acts in my presence.

[X] Confessed to Caring for Harley, admitting to the above acts.

[ ] was observed by \_\_\_\_\_ who told \_\_\_\_\_ that

he/she saw the arrested person commit the below acts.

[ ] was found to have committed the below acts, resulting from my (described) investigation.

On Tuesday, March 9, 2021 at 10:54am, Palm Beach County Animal Care and Control received a complaint of a fawn colored shepherd with sores on his body, hips, ribs and backbones are visible. The dog also had no shelter and unknown if he had access to food and water. Officer Carlee Balfe (Badge #2120) responded to the complaint

Upon Officer Balfe's arrival to 15286 74<sup>th</sup> St, Loxahatchee she met with Phil Smith who reported that there was a very skinny dog with its ribs, back, and hips showing the dog was in the backyard of defendant's home behind the garage.

After receiving permission from the residents of 15232 74<sup>th</sup> St., Loxahatchee Mr. Smith and Officer Balfe were able to observe the dog from the backyard. Officer Balfe observed an extremely skinny dog whose ribs were clearly visible and hipbones prominent. Officer Balfe observed the dog tethered to a concrete slab. Officer Balfe then contacted me by phone and requested my assistance on the complaint.

Upon my arrival to 15286 74<sup>th</sup> St, Loxahatchee I was able to meet with Officer Balfe who informed me that the dog was visible from the backyard of 15232 74<sup>th</sup> St, Loxahatchee. Officer Balfe stated that the owner of the property has granted us permission to view the dog from their property. We walked into the backyard and to the back fence. I was able to observe a tan Shepherd mix lying next to a wooden structure. The dog was tethered and seemed lethargic. I was able to observe ribs, hips and spine. I also observed that the dogs head was sunken in. I scored the dog a 5 on the TACC scale (Tufts Animal Care and Condition, 1 being of ideal weight and 5 being emaciated).

We then made contact with [REDACTED], took us to behind the garage. During the course of the investigation [REDACTED] informed Officer Balfe and I that [REDACTED] (Kenny Badgley) has been the one feeding and giving water to Harley for the past three months. Mr. Badgley was not home at that time, so I was unable to speak with him. [REDACTED] did owner surrender Harley to Palm Beach County Animal Care and Control.

On March 18, 2021 at 11:20am, I called and spoke with Mr. Badgley on a recorded line. I informed Mr. Badgley who I was and that I was calling from a recorded line. I asked Mr. Badgley how long had Harley been in that condition. Mr. Badgley stated that he has been that way for at least a year. I then asked Mr. Badgley was he the one responsible for feeding Harley and he responded "yes". Mr. Badgley stated that Harley was an escape artist and he had to tether him. Mr. Badgley also stated that Harley would eat his way through the fence and a hutch. I then ended the call.

Dr. Sara Chapman examined Harley and concluded "*Harley arrived at the shelter as a TACC 5. He was severely emaciated, muscle wasted, and weak. Most of his skeletal structure was visible under his skin, including his ribs, vertebrae, spine of the scapula, femur, and hips. A layperson should have easily recognized that Harley was too skinny and was not receiving appropriate nutrition. It is likely that chronic lack of appropriate amount/quality of nutrition lead to Harley's poor body condition since he gained*

*approximately 30 lbs. over a 2-month period without any major medical intervention. Harley came into the shelter positive for internal parasitism (hookworms and heartworms). These internal parasites can cause weight loss or failure to thrive, but are unlikely to result in a TACC 5 body condition on their own. Hookworms are intestinal parasites that can cause diarrhea, weight loss, and anemia. Harley's hookworm infection was easily treated with a few days of deworming medication. Heartworm disease is a serious and potentially fatal disease in which worms grow in the blood vessels/heart/lungs and cause lasting damage. If left untreated, the disease can progress to congestive heart failure or caval syndrome (complete blockage of the vessels in the heart leading to cardiovascular collapse). Harley was not in stable enough condition on arrival to the shelter to be treated for heartworm disease. Harley was able to gain weight despite not receiving adulticide treatment for his heartworm disease, which further justifies that chronic malnutrition/starvation likely played a role in his poor body condition. Infections with hookworms or heartworms are avoidable with appropriate monthly preventative medications. Harley was undoubtedly suffering as his body began to breakdown its own muscle and fat to provide energy that was not being provided through his diet. Harley was living an inhumane life, as he did not have freedom from discomfort, hunger, or disease".*

██████████ admitted to Officer Balfe and myself that her husband was responsible for feeding Harley. As an owner, Mr. Badgely has a lawful responsibility to provide adequate food, water and shelter. Mr. Badgely admitted to me on a recorded line that he was responsible for providing food, water and shelter for Harley. Mr. Badgely also admitted Harley was emaciated for close to a year. Harley gained thirty pounds in two months while being cared for at Palm Beach County Animal Care and Control. Based on the above facts, probable cause exists to charge Kenny Badgely with F.S.S. animal cruelty 828.12.2 and F.S.S. 828.13

State of Florida

County of Palm Beach

The foregoing instrument was SWORN TO OR AFFIRMED AND SUBSCRIBED BEFORE ME this 7/15/2021

by Sgt Maximilian Sharpe who is personally known to me.



Notary Public/Clerk of

Court Officer (F.S.S. 117.10)

  
Signature of Arresting/Investigating Officer

Name of Officer: Sgt. M Sharpe 2213

