

2020CF 7114 AX

ARREST / NOTICE TO APPEAR

A D M I N I S T R A T I O N	OBTS Number		Agency ORI Number 0500800		Agency Name West Palm Beach Police Department		Agency Report Number (N.T.A.'s only) 9 4 2020-0004867		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		3		JUVENILE						
	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		If Weapon Seized Enter Type: NOT APPLICABLE		Multiple Clearance Indicator																
Location of Arrest (Including Name of Business)											Location of Offense (Business Name, Address) 1771 CITY SIDE DR, WEST PALM BEACH, FL 33401										
Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle									
Name (Last, First, Middle) CANSECO, KRISTEN											Alias (Name, DOB, Soc. Sec. #, Etc.) Alias:										
Race W - White B - Black		Sex W		Date of Birth 10/02/1984		Height 5'05		Weight 150		Eye Color BLUE		Hair Color BLOND OR		Complexion		Build					
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)											Marital Status M		Religion		Indication of: Alcohol Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk. <input checked="" type="checkbox"/> Drug Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk. <input checked="" type="checkbox"/>						
Local Address (Street, Apt. Number) 990 MILLBRAE CT UNIT 2, WEST PALM BEACH, FL 33401		(City)		(State)		(Zip)		Home Phone (434) 466-7344		Residence Type: 1. City 2. County 3. Florida 4. Out of State 1											
Permanent Address (Street, Apt. Number) 990 MILLBRAE CT UNIT 2, WEST PALM BEACH, FL 33401		(City)		(State)		(Zip)		Mobile Phone		Address Source VERBAL											
Business Address (Name, Street)		(City)		(State)		(Zip)		Work Phone		Occupation											
D/L Number, State C522516848620 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State)		Citizenship US													
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor		<input type="checkbox"/> 5. Juvenile									
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor		<input type="checkbox"/> 5. Juvenile									
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian		Other: _____		Name (Last, First, Middle)		Residence Phone															
Address (Street, Apt. Number)		(City)		(State)		(Zip)		Business Phone													
Notified by: (Name)		Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 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 355-2526) informed of any change of address.											School Attended		Grade								
Property Crime? <input type="checkbox"/> Yes <input checked="" 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. Disperses/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Opium Deriv.		P. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other	
Charge Description CHILD NEGLECT		Statute Violation Number 827.03(1)(E)		Violation of ORD #																	
Drug Activity		Drug Type N		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond							
Charge Description		Statute Violation Number		Violation of ORD #																	
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Warrant / Capias Number		Bond							
Charge Description		Statute Violation Number		Violation of ORD #																	
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Warrant / Capias Number		Bond							
Health / Apparent Physical Condition of Defendant											Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries Explain:										
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond		<input type="checkbox"/> Released to Parent/Guardian		<input type="checkbox"/> T.O.T. County Jail		PROPERTY - Received By		Released By		Released To											
Transported By		Date Transported		Time Transported		Other															
<input type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court		<input checked="" type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		Location (Court, Room)		Court Date and Time															
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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.											No Photo Available										
Signature of Defendant (or Juvenile and Parent/Custodian)											Date Signed										
I CONSENT TO RECEIVE REMINDERS OF COURT DATE(S) AND TIMES FOR THIS CASE BY TEXT MESSAGE TO THE NUMBER IDENTIFIED HERE. I UNDERSTAND THAT STANDARD TEXT MESSAGE RATES MAY APPLY AND THAT I MAY REVOKE THIS CONSENT VIA THE TEXT MESSAGE SYSTEM IF I CHOOSE.											(434) 466-7344		INITIAL								
HOLD for Other Agency		Signature of Arresting Officer <i>Christy</i>		Name Verification (Printed by Arrestee)																	
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) TOMAS, CHRISTIAN		I.D. # 01808		(PRINT)				PAGE 1 OF 1									
Intake Deputy		I.D. #		Pouch #		Transporting Officer		I.D. #		Agency		Witness here if subject signed with an "X"									

PROBABLE CAUSE AFFIDAVIT

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

3 JUVENILE

A D M I N I S T R A T I V E	OBTS Number		Agency ORI Number FL 0500800		Agency Name WEST PALM BEACH POLICE DEPARTMENT		Agency Report Number 9 4 2020-0004867		
	Charge Type: Check as many as apply.		Special Notes:		Race		Sex		
<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									

D E F E N D A N T	Name (Last, First, Middle) CANSECO, KRISTEN						Race W	Sex F	Date of Birth 10/02/1984
	Alias								

C H A R G E S	Charge Description 827.03(1)(E) CHILD NEGLECT				Charge Description			
	Charge Description				Charge Description			

V I C T I M	Victim's Name (Last, First, Middle)						Race	Sex	Date of Birth
	Local Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Address Source		
	Business Address (Name, Street)		(City)	(State)	(Zip)	Phone	Occupation		

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. was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.

confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.

On the **18** day of **May**, **2020** at **17:32** (Specifically include facts constituting cause for arrest.)

On March 13, 2020, the crime of Child Neglect occurred at 1771 Cityside Dr. where a two-year-old child was reported to have drowned in the community swimming pool. Emergency Room Physician Dr. Cabrera and nurses advised petechiae was present in the child who was recovering at St. Mary's Pediatric Emergency Room. The [REDACTED] Kristen Canseco, was present and said she and [REDACTED] went to the community pool for a party. Kristen said [REDACTED] had did not have any formal swimming lessons and wore floatation devices in the water which he always tried removing. According to Kristen, [REDACTED] removed his flotation devices and entered the pool without her knowledge and was submerged underwater for a short period of time. Surveillance video from the community swimming pool showed Kristen and [REDACTED] at the pool earlier that day. Upon review of the footage, the two-year-old is seen walking up to Kristen and appears to ask for her to remove the flotation device. Kristen is seen removing [REDACTED] flotation device and began speaking to another person. [REDACTED] does not remove his own flotation device like initially stated by Kristen to investigators at the hospital. [REDACTED] is seen wandering off enters the pool from the stairs on the left side of the video screen. [REDACTED] head falls beneath the water level as he grasps for anything around him to pull himself up. Kristen is seen at the top of the video screen talking to someone with her back turned to [REDACTED] 2-year-old that has no formal swim training. [REDACTED] is seen submerged underwater from the 18:46:19 mark to the 18:49:06 mark of the video, which totaled two minutes and forty-seven seconds (2m:47sec). Canseco is seen turning around and jumping into the pool where a limp [REDACTED] is pulled from under the water. CPR was performed on the two-year-old by a resident and a security guard. Interviews with the Fleming family and the Sturgis family revealed a previous incident where one of the younger children went missing inside the community but was found by CitySide security guards shortly after. Sturgis provided a photograph which was posted to Facebook by [REDACTED] showing a very small child who climbed to the top of a parking lot light pole that appeared to be approximately 40-50 feet high. There did not

A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME		SIGNATURE OF ARRESTING / INVESTIGATING OFFICER	
	NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)		TOMAS, CHRISTIAN (01808)	
	DATE 8-17-2020		NAME OF OFFICER (PLEASE PRINT) 05/18/2020	

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

3

JUVENILE

A D M I N I S T R A T I V E	OBTS Number	Agency Name		Agency Report Number	
	Agency ORI Number FL 0500800	WEST PALM BEACH POLICE DEPARTMENT		9 4 2020-0004867	
Charge Type: Check as many as apply.				Special Notes:	
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D E F	Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
	CANSECO, KRISTEN		W	F	10/02/1984

appear to be any safety measures available and numerous items around which could cause traumatic injuries if the child were to fall. Statements from the Flemings and Sturgis family also indicate the children are not disciplined and reckless. It is unknown which of the Canseco children is at the top of the light pole.

On August 13, 2020, I requested the CPT report from Senior Case Coordinator Tracy Piendle via email. She responded and provided me with the CPT Forensic Interview which documented positive findings for neglect. Piendle added "It was extremely fortunate that the child did not die or suffer severe brain damage. Nevertheless, the incident occurred due to a complete lack of supervision at the pool by the caretaker, thus with positive findings for neglect."

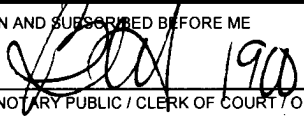
At this time, I believe Probable Cause exists for the arrest of Kristen Canseco for violation of FSS 827.03(1)(E) Child Neglect.

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NOT A CERTIFIED COPY

A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER	
		_____	
	NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	NAME OF OFFICER (PLEASE PRINT)	
	8-17-2020	TOMAS, CHRISTIAN (01808)	
	DATE	DATE	
		05/18/2020	