

2020CF 4944

Rough Arrest Only

ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report				1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		3		Juvenile	
OBTS Number		Agency ORI Number FL0500000				Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06.19-089384	
Charge Type: Check as many as apply.		<input checked="" type="checkbox"/> 1. Felony		<input type="checkbox"/> 3. Misdemeanor		<input type="checkbox"/> 5. Ordinance		Weapon Seized/Type 1. Yes 2. No 2		Multiple Clearance Indicator	
Location of Arrest (Including Name of Business)		Location of Offense (Business Name, Address)				Date of Arrest		Time of Arrest		Booking Date	
Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time	
Location of Vehicle		Name (Last, First, Middle) DOMINGUEZ ZENON, NEFTALI				Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black		Sex M		Date of Birth 10/18/1988		Height 5'07"		Weight 165		Eye Color BRO	
Hair Color BLK		Complexion LGT		Build MED		Marital Status SINGLE		Religion UNK		Indication of: Alcohol Intoxication <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Drug Intoxication <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) UNK		Residence Type 1. City 3. Florida 2. County 4. Out of State 2		Address Source SELF		Occupation MEXICO ID		Citizenship MEXICO		Place of Birth MEXICO	
Local Address (Street, Apt. Number) 1622 62ND AVENUE SOUTH		(City) LAKE WORTH		(State) FL		(Zip) 33415		Phone (561) 598-0622		D/L Number, State	
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone		Soc. Sec. Number	
Business Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone		INS Number A97393862	
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	
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other		Name (Last)		(First)		(Middle)		Residence Phone		Business Phone	
Address (Street, Apt. Number)		(City)		(State)		(Zip)		School Attended		Grade	
Notified by: (Name)		Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/CYF 3. Incarcerated		Released To: (Name)		Relationship	
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: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)		FCIC/NCIC		Date		Time		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. Other		Drug Activity	
Charge Description SEXUAL BATTERY ON A CHILD		Counts 2		Domestic Violence <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number 794.011 (2b)		Violation of ORD #		Drug Activity	
Drug Activity N		Drug Type N		Amount/Unit N/A		Offense # 19-089384		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 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 #		Drug Activity	
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond	
Instruction No. 1 Mandatory Appearance in Court		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.		P.M.		Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed	
HOLD for other Agency		Name of Arresting Officer DET. R. KHAYYAM		I.D. # 24975		Name Verification (Printed by Arrestee) (PRINT)		Witness here is subject signed with an 'X'.		PAGE 1 of 1	
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest		<input type="checkbox"/> Suicidal <input type="checkbox"/> Other:		Intake Deputy		I.D. #		Pouch #		Transporting Officer	

OBTS Number		PROBABLE CAUSE AFFIDAVIT			3		Juvenile	
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number 06 - 19-089384			
Charge Type: <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance Check as many <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other as apply.					Special Notes:			
Defendant's Name (Last, First, Middle) DOMINGUEZ, NEFTALI ZENON					Race W	Sex M	Date of Birth 10/18/1988	
Charge Description SEXUAL BATTERY ON A CHILD					Charge Description			
Charge Description					Charge Description			
Victim's Name (Last, First, Middle) [REDACTED]					Race W	Sex F	Date of Birth 07/31/2007	
Victim's Local Address (Street, Apt. Number) (City) (State) (Zip)					Phone		Address Source MOTHER	
Victim's Business Address (Name, Street) (City) (State) (Zip)					Phone		Occupation STUDENT	
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...								
<input type="checkbox"/> committed the below acts in my presence.			<input type="checkbox"/> was observed by _____ who told _____			<input type="checkbox"/> 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 my (described) investigation.					
On the 10TH day of OCTOBER, 20019 at 3:00 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).								

NARRATIVE:

On 07/09/2019, I was assigned this case for follow- up investigation. It was reported that [REDACTED] were sexually battered when they were nine and eight years old by Neftali in 2013 and 2015 respectively.

On 07/22/2019, a forensic interview was completed for [REDACTED] at the Child Protection Team located at 5305 Greenwood Drive, West Palm Beach. Case Coordinator (CC) Shelby Halasz conducted the interview. The interview was audio and video recorded, burned onto a DVD, and the DVD was later placed into evidence at the Palm Beach County Sheriff's Office. The following is a brief summary of [REDACTED] statement. [REDACTED] stated she would tell the truth during the interview and stated that she was told by Neftali to take off her clothes during one occasion at which time, she did not. [REDACTED] stated she pretended to be asleep while Neftali took off her clothes, placed his penis inside her and made her hurt. She would go on to state that she felt "weird" when Neftali was committing the act. Additionally, [REDACTED] stated Neftali would "move up and down" but eventually stopped when [REDACTED] at the time called him while she was in another room. Moreover, [REDACTED] stated she developed a urinary tract infection as a result of this incident. She recalled the incident being some time in 2015. She would go on to state that Neftali would place his hands under her shirt and rub her breasts. This is the extent of [REDACTED] statement.

On 07/22/2019, a forensic interview was conducted for [REDACTED] by Case Coordinator (CC) Shelby Halasz at the Child Protective Team (CPT) 5305 Greenwood Avenue, West Palm Beach. According to [REDACTED] she stated that Neftali "raped me". [REDACTED]

NARRATIVE CONTINUATION

referred to him as "Tali". She went on to state that [REDACTED] would go to work on Saturdays leaving her in the care of Tali. She stated Tali would "take his penis out and put it in my vagina" and that it happened "more than one time." [REDACTED] stated the last time Tali "raped" her was when they were in a new apartment having a get together. She said he took her into [REDACTED] room and "did it to me again". She did not know whether Neftali followed her to [REDACTED] house or not. She went on to state he took into [REDACTED] room, told her to put the ice down, and pulled her pants down while inside the bedroom. She would go on to say that Neftali would "hump me" and would "insert his penis in the middle". [REDACTED] stated Neftali "let go of me and put his thing away, because he stopped humping me." She said Neftali told her "don't worry, you won't get pregnant" and would put a condom on his penis. She described Neftali's penis as "hard" and that he "had a boner." [REDACTED] thought she was approximately nine years old when the first incident occurred. [REDACTED] stated she would take a shower before each incident because she would pee on herself and Neftali would make her take a shower before he had sex with her. She did not describe anything coming out of Neftali's penis during each encounter and she did not describe that anything came out of her vagina. However, she did state that she would hurt after each encounter. [REDACTED] recalled approximately three times during the CPT interview of Neftali engaging in sexual intercourse with her. This is the extent of [REDACTED] statement.

On 09/28/2019, the suspect, in this case, was interviewed regarding the allegations. The interview was audio and video recorded, burned onto a DVD, and the DVD was later placed into evidence at the Palm Beach County Sheriff's Office. The following is a brief summary of Neftali's statement.

Post Miranda, Neftali stated he [REDACTED] from the time the girls were very young. He stated he viewed them [REDACTED] and that he had a good relationship with [REDACTED]. Additionally, when asked whether he ever showed his penis to the girls, he stated he had not. Neftali was asked whether he had sexual intercourse with either [REDACTED] he stated he never has and that he would not consider that because he viewed them both [REDACTED]. During the interview, Neftali stated he felt sick and was about to cry because of the allegations made by both [REDACTED]. I asked whether he owed [REDACTED] any money [REDACTED] or whether there was any other reason why the girls would say he made them have sexual intercourse with them, he stated he did not know why the girls made the allegations and continued to deny the allegations. I asked Neftali what he thought should happen to an adult who had sexual intercourse with a child and he stated that person should go to jail. Moreover, I asked Neftali whether he was telling the truth during this interview and he stated he was signifying by raising his right hand to affirm that his statement was the truth. This is the extent of Neftali's statement. Neftali was afforded the opportunity to take a Computer Voice Stress Analysis (CVSA) exam after the interview. Neftali agreed to the examination and signed a request for voice stress examination form in the presence of Det. Holguin #23150, who conducted

NARRATIVE CONTINUATION

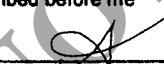
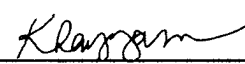
the examination. The CVSA was audio and video recorded in the same room where the interview was conducted. At the conclusion of the interview, there was no sign of deception noted. A supplemental report from Det. Holguin will follow this report.

On 9/28/19, I conducted a computerized voice stress analysis (CVSA) on Neftali Dominguez at the request of Detective Khayyam ID#24975. The CVSA was digitally recorded. A review of the CVSA was conducted, a review of the questions was completed and the request for examination form was signed. The CVSA was conducted in Spanish as Neftali is a Spanish Speaker only.

The following relevant questions were asked on the MZOC exam: Question #4. Did you ever touch [REDACTED] inappropriately? Neftali stated "no". Question #6 Did you touch [REDACTED] vagina? Neftali stated "no". Question #10. Did you have sex with [REDACTED]? Neftali stated "no". Question #12 Did you touch [REDACTED] vagina? Neftali stated "no". Question #14. Did you have sex with [REDACTED]? Neftali stated "no".

On the above stated questions deception was not indicated. For further details, authorized persons should review the CD copy which will be placed in PBSO evidence. Detective Christoffel reviewed the data from the CVSA and concurred with the above findings. This concludes my involvement in this case on 9/28/19.

Based on the statement provided by the victim and identical circumstances reported by [REDACTED] I humbly request an arrest warrant for NEFTALI ZENON DOMINGUEZ for the charge of SEXUAL BATTERY ON A CHILD as Neftali, a person eighteen years of age or older, did commit sexual battery upon [REDACTED] persons 12 years of age or younger, without [REDACTED] consent, by inserting his penis into their vaginas, contrary to Florida Statute 794.011(2)(B). (LIFE FEL).

Sworn and Subscribed before me	
	
Signature Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Signature of Arresting / Investigating Officer
DET. A. HOFFMAN #26684	DET. R. KHAYYAM #24975
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Name of Officer (Please Print)
10/10/19	10/10/19
Date	Date