

# 0519939

20mm 9309 SB

# 1346

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

AD M I N I S T R A T I O N	Agency ORI Number <b>0500400</b>	Agency Name <b>Delray Beach Police Department</b>	Agency Report Number (N.T.A.'s only) <b>4 0 20-015630</b>
D E F E N D A N T	Charge Type Check as many as apply: <input 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	If Weapon Seized Enter Type <b>Hands/fist/feet/teeth</b>	Multiple Clearance Indicator <b>1</b>
	Location of Arrest (Including Name of Business) <b>8 E ATLANTIC AVE, DELRAY BEACH, FL 33444</b>		Location of Offense (Business Name, Address) <b>8 E ATLANTIC AVE, DELRAY BEACH, FL 33444</b>
C O D E F	Date of Arrest <b>12/01/2020</b>	Time of Arrest <b>01:53</b>	Booking Date <b>12/01/2020</b>
	Booking Time <b>02:03</b>	Jail Date	Jail Time
J U V E N I L E	Name (Last, First, Middle) <b>PETRILLO, RICHARD NICHOLAS</b>		Alias: <b>PETRILLO, RICHARD NICHOLAS</b>
	Race W - White B - Black O - Oriental/Asian <b>W</b>	Sex <b>M</b>	Date of Birth <b>03/31/1994</b>
C H A R G E	Weight <b>220</b>	Eye Color <b>BROWN</b>	Hair Color <b>BLOND OR</b>
	Complexion <b>FAIR</b>	Build <b>LARGE</b>	Marital Status <b>S</b>
C O D E F	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)	Religion <b>NOT INDICA</b>	Indication of Alcohol Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>
	Local Address (Street, Apt. Number) <b>10305 NW 48TH CT, CORAL SPRINGS, FL 33076</b>	Phone <b>(954) 798-4637</b>	Residence Type: 1. City 3. Florida 2. County 4. Out of State <b>3</b>
C H A R G E	Permanent Address (Street, Apt. Number) <b>10305 NW 48TH CT, CORAL SPRINGS, FL 33076</b>	Phone <b>(954) 798-4637</b>	Address Source <b>DL</b>
	Business Address (Name, Street) <b>10305 NW 48TH CT, CORAL SPRINGS, FL 33076</b>	Phone	Occupation
C O D E F	DL Number, State <b>P364754941110 / FL</b>	INS Number	Place of Birth (City, State) <b>CORAL SPRINGS, FL</b>
	Co-Defendant Name (Last, First, Middle)	Race	Sex
C H A R G E	Co-Defendant Name (Last, First, Middle)	Race	Sex
	Co-Defendant Name (Last, First, Middle)	Race	Sex
C H A R G E	<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____ <input type="checkbox"/> Legal Custodian	Name (Last, First, Middle)	Residence Phone
	Address (Street, Apt. Number) <b>10305 NW 48TH CT, CORAL SPRINGS, FL 33076</b>	(City) (State) (Zip)	Business Phone
C H A R G E	Notified by: (Name)	Date	Time
	Released To: (Name)	Relationship	Date
C H A R G E	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
	Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Description of Property	Value of Property
C H A R G E	Drug Activity N. N/A P. Possess	S. Sell B. Buy T. Traffic	E. Smuggle D. Deliver E. Use
	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other
C H A R G E	Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	K. Hallucinogen M. Marijuana O. Opium/deriv.
	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other	
C H A R G E	Charge Description <b>DISORDERLY INTOXICATION</b>	State Violation Number <b>856.011</b>	Violation of ORD #
	Drug Activity	Drug Type <b>N</b>	Amount / Unit
C H A R G E	Offense #	Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
	Warrant / Capias Number	State Violation Number	Violation of ORD #
C H A R G E	Charge Description	State Violation Number	Violation of ORD #
	Drug Activity	Drug Type	Amount / Unit
C H A R G E	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
	Warrant / Capias Number	State Violation Number	Violation of ORD #
C H A R G E	Charge Description	State Violation Number	Violation of ORD #
	Drug Activity	Drug Type	Amount / Unit
C H A R G E	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
	Warrant / Capias Number	State Violation Number	Violation of ORD #
C H A R G E	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"/> Dehydration <input type="checkbox"/> Injuries	
	Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> Posted Bond <input checked="" type="checkbox"/> South County Mental Health	PROPERTY - Received By	Released By
C H A R G E	Transported By	Date Transported	Time Transported
	Other		
C H A R G E	<input checked="" 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 Page 2.	Location (Court, Room) <b>South County 200 W Atlantic Ave Delray Beach, FL 33444</b>	Court Date and Time <b>01/05/2021 08:30:00</b>
	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.		No Photo Available
C H A R G E	Signature of Defendant (or Juvenile and Parent/Custodian) <b>NON-COMPLIANT</b>		Date Signed
	Signature of Arresting Officer <b>1094</b>		Name Verification (Printed by Arrestor) <b>DEC 1 AM 5:14</b>
C H A R G E	Hold for Other Agency <input type="checkbox"/> Dangerous <input type="checkbox"/> Sexicial	Name of Arresting Officer (Print) <b>PIMENTEL, LOISE A</b>	I.D.# <b>1094</b>
	Intake Deputy <b>D. Anderson</b>	Pouch #	Transporting Officer <b>PIMENTEL</b>
C H A R G E	I.D.#	Agency <b>DBPD</b>	Witness here if subject signed with an "X".

PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

OSTS Number	Agency ORI Number <b>FL 0500400</b>		Agency Name <b>DELRAY BEACH POLICE DEPARTMENT</b>		Agency Report Number <b>4   0   20-015630</b>	
Charge Type: <input type="checkbox"/> 1. Felony <input checked="" 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						Special Notes:
Name (Last, First, Middle) <b>PETRILLO, RICHARD NICHOLAS</b>					Race <b>W</b>	Sex <b>M</b>
Date of Birth <b>03/31/1994</b>						
Charge Description <b>856.011 DISORDERLY INTOXICATION</b>			Charge Description			
Charge Description			Charge Description			
Victim's Name (Last, First, Middle) <b>State Of Florida</b>					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 WITNESSES who told  
 confessed to \_\_\_\_\_ THIS OFFICER 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 the 1 day of December, 2020 at 01:53 (Specifically include facts constituting cause for arrest.)

This incident occurred in the City of Delray Beach, Palm Beach County, FL.

On 12/01/2020, at approximately 0113 hours, I responded to 8 E Atlantic Ave (Tin Roof) regarding a simple battery. Upon arrival, I made contact with witnesses, Raymond Finizio (patron), Paige Barone (manager/bartender), Thomas Fahy (patron) and, victim Richard Zebart (security). Witnesses and victim were actively restraining suspects Nikki Robinson and Richard Petrillo. I immediately placed handcuffs on Robinson while Ofc. Mintus placed his on Petrillo to safely detain both subjects. Once they were properly detained, I proceeded to obtain sworn statements from all witnesses and victim. It should be noted that all accounts of events matched.

The following took place: on this date, the business Tin Roof was closing up and Barone requested for Zebart to keep an eye on Robinson and Petrillo who were in the patio area still drinking. Zebart then complied and observed as Petrillo took a bucket that contained beer out of the patio area and placed it out of the fence. It should be noted that alcohol consumption is not allowed outside of bar/restaurant grounds per City Ordinances. Zebart then approached Petrillo and requested for him to bring the bucket of beer back to the bar property. Petrillo then proceeded to push Zebart several times and Zebart responded by pushing him back in self-defense. Barone observed this altercation and asked Finizio and Fahy to help Zebart. They observed as Petrillo became increasingly more agitated and began to attempt to punch. At this time, Finizio, Fahy and Zebart brought Petrillo to the ground to hinder him from injuring anyone and detained him. Robinson observed the altercation and decided to pick up a black traffic/pedestrian cone and hit Zebart multiple times over the head with it. Finizio then pulled back from Petrillo and restrained Robinson until officers arrived. (See BWC footage for exact statements).

Zebart declined to prosecute charges against Robinson and Petrillo. Decline to Prosecute

SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
<u>RUSCZYK, JONATHAN N</u> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)	<u>PIMENTEL, LOISE A (1094)</u> NAME OF OFFICER (PLEASE PRINT)
<u>12/01/2020</u> DATE	<u>12/01/2020</u> DATE

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

**1** JUVENILE

OBTS Number	Agency ORI Number <b>FL 0500400</b>		Agency Name <b>DELRAY BEACH POLICE DEPARTMENT</b>	Agency Report Number <b>4   0   20-015630</b>
Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input checked="" 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				Special Notes:


Name (Last, First, Middle) <b>PETRILLO, RICHARD NICHOLAS</b>	Alias	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>03/31/1994</b>
---	-------	------------------	-----------------	------------------------------------

forms were signed and later placed into Records. Zebart did not sustain any injuries. Zebart requested for Robinson and Petrillo to be trespass warned from the bar/restaurant. Barone then proceeded to issue both subjects a trespass warning. Petrillo sustained minor lacerations to his nose/mouth and left knee while being restrained by witnesses/victim. DFHD responded (Run #20-14190) and treated Petrillo for the injuries.

It should be noted that throughout the incident and even before police arrival, several passersby stopped due to the commotion and started recording the interaction. Both Petrillo and Robinson were later transported to DBPD THF for processing by Ofc. Hernandez and myself respectively. While Ofc. Hernandez categorized Robinson's property for PBCJ, he located a small clear ziptop baggie with two pieces of green rectangle tablets later identified as Alprazolam, a Schedule IV controlled substance. Ofc. Hernandez also located two different identifications and a Social Security Card in Robinson's wallet: a Virginia DL belonging to Claire Martin and, a New York DL and SSC belonging to Christina Favilla. The drugs and cards were later placed into Evidence by Ofc. Hernandez.

Based on the above stated facts, Probable Cause exists to charge defendant Richard Petrillo with one count of Disorderly Intoxication in violation of FSS 856.011.

NOT A CERTIFIED COPY

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME	
	<b>RUSCZYK, JONATHAN N</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
	<b>12/01/2020</b> DATE	<b>PIMENTEL, LOISE A (1094)</b> NAME OF OFFICER (PLEASE PRINT)
		<b>12/01/2020</b> DATE



**Palm Beach County Sheriff's Office – Arrests Only**

	X	Florida State Statute	Description	Page Number(s)
I/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"/>			
Other	<input type="checkbox"/>	119.0712 (2)	Other: Personal information contained in a motor vehicle record	
	<input type="checkbox"/>	119.071(2)(j)	Other: MARSY'S LAW PROTECTED INFORMATION REGARDING VICTIM(S).	

**REVIEW COMPLETED BY**

Booking Number: 2020028057	Date: 12/01/2020
	Specialist Name/ID: M. Tooks #8557