

2020 CF 004179 AX

ARREST / NOTICE TO APPEAR  
Juvenile Referral Report

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

ADMINISTRATIVE	OBTS Number		Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number (N.T.A.'s only) <b>06- 20-068346</b>	
	Charge Type: Check as many as apply: <input 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 checked="" type="checkbox"/> 6. Other		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator <b>3</b>			
	Location of Arrest (Including Name of Business)				Location of Offense (Business Name, Address)			

DEFENDANT	Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle <b>Not Applicable</b>					
	Name (Last, First, Middle) <b>Gornitzky Steven Charles</b>												Alias (Name, DOB, Soc. Sec. #, Etc.)					
	Race W - White 1 - American Indian B - Black 0 - Oriental/Asian		Sex <b>M</b>		Date of Birth <b>2/13/1965</b>		Height <b>5'10"</b>		Weight <b>210</b>		Eye Color <b>Blue</b>		Hair Color <b>Brown</b>		Complexion <b>Light</b>		Build <b>Medium</b>	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>None Observed</b>								Marital Status <b>Single</b>		Religion <b>NONE</b>		Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk. <input checked="" type="checkbox"/> Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk. <input checked="" type="checkbox"/>					
	Local Address (Street, Apt. Number) <b>505 Saxony K</b>				(City) <b>Delray Beach</b>		(State) <b>Florida</b>		(Zip) <b>33446</b>		Phone <b>( )</b>		Residence Type: 1. City 3. Florida 2. County 4. Out of State <b>2</b>					

CO-DEF	Permanent Address (Street, Apt. Number) <b>At Large</b>		(City)		(State)		(Zip)		Phone <b>( )</b>		Address Source <b>D.A.V.I.D.</b>			
	Business Address (Name, Street)		(City)		(State)		(Zip)		Phone <b>( )</b>		Occupation <b>Unemployed</b>			
	D/L Number, State <b>6653-783-65-053-1, Florida</b>		Soc. Sec. Number <b>[REDACTED]</b>		INS Number		Place of Birth (City, State) <b>New Jersey, New Jersey</b>		Citizenship <b>USA</b>					

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	
	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 <input type="checkbox"/> Other:		Name (Last) (First) (Middle)		Residence Phone <b>( )</b>									
	Address (Street, Apt. Number)				(City)		(State)		(Zip)		Business Phone <b>( )</b>			

CODE	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

CHARGE	The above address 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 (Phone 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															
	Drug Activity		S Sell N. N/A P. Possess		R. Smuggle D. Deliver E. Use		K. Dispense/ 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/deriv.		P. Paraphernalia/ Equipment S. Synthetics		U. Unknown Z. Other	
	Charge Description <b>Sexual Battery (mentally disabled adult)</b>		Counts <b>3</b>		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number <b>FSS 794.011(4) es</b>				Violation of ORD #											
	Drug Activity <b>N</b>		Drug Type <b>N</b>		Amount / Unit		Offense # <b>20-068346</b>		Warrant / Capias Number				Bond									
	Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number				Violation of ORD #											

NOTICE TO APPEAR	Location (Court, Room Number, Address)											
	Court Date and Time Month Day Year Time AM PM											
	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: <input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:		Signature of Arresting Officer <b>[Signature]</b>		Name Verification (Printed by Arrestee) <b>[Signature]</b>				
	Intake Deputy		I.D. #		Pouch #		Name of Arresting Officer (Print) <b>Detective Christopher Wilson 9055</b>		I.D. # <b>9055</b>

20 MAY 15 PM 12:01  
CLERK  
CRIMINAL

OBTS Number		<b>PROBABLE CAUSE AFFIDAVIT</b>			1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	3	Juvenile	N
Agency ORI Number <b>FLO 5 0 0 0 0 0</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>			Agency Report Number <b>06 - 20-068346</b>			
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) <b>Gornitzky, Steven Charles</b>					Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>2/13/1965</b>	
Charge Description <b>Sexual Battery (mentally disabled adult) FSS 794.011(4a)&amp;e5</b>					Charge Description )			
Charge Description					Charge Description			
Victim's Name (Last, First, Middle) [REDACTED]					Race <b>White</b>	Sex <b>Male</b>	Date of Birth <b>1/12/2003</b>	
Victim's Local Address (Street, Apt. Number) [REDACTED]			(City) [REDACTED]	(State) [REDACTED]	(Zip) [REDACTED]	Phone [REDACTED]	Address Source <b>PBSO Dispatch</b>	
Victim's Business Address (Name, Street) [REDACTED]			(City) [REDACTED]	(State) [REDACTED]	(Zip) [REDACTED]	Phone [REDACTED]	Occupation <b>Unknown</b>	
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 _____ that he/she saw the arrested person commit the below acts.					
<input checked="" 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 14 <sup>th</sup> day of May, 2020 at 1:00 am <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).								

**NARRATIVE:**

On Thursday, May 14th 2020, at approximately 1245 hours, I responded to the Child Protection Team (CPT) Office located at 5305 Greenwood Avenue, Suite 101, within the City limits of West Palm Beach, Florida 33407, in reference to conducting two forensic interviews. The first with the seventeen year old victim [REDACTED] and the second with [REDACTED] and witness thirteen year old [REDACTED].

Seventeen year old [REDACTED] had been diagnosed with Autism, although high functioning. [REDACTED] stated [REDACTED] functions like a six year old child. [REDACTED] continued explaining he was working a night shift job when he received a phone call from his [REDACTED]. [REDACTED] alerted him to her observations of [REDACTED] Steven sexually battering [REDACTED] [REDACTED] also explained [REDACTED] Steven Gornitzky's lives with [REDACTED] and both [REDACTED]. At the time of the reported criminal activity, Steven was the acting adult/parent in the home while [REDACTED] and [REDACTED] slept. [REDACTED] added [REDACTED] was out for the evening and was unaware of what took place.

CPT Case Coordinator (CC) V. O'Steen subsequently began her forensic interview with [REDACTED]. The following paraphrased information was learned from the forensic interview and documented as follows:

[REDACTED] described two incidents regarding [REDACTED] Steven Gornitzky's criminal sexual behavior. [REDACTED] explained he was sleeping on the living room couch, where he normally sleeps. During the night, [REDACTED] was awoken by [REDACTED] Steven using hand sanitizer to "jack him off" which [REDACTED] described as a clear liquid. Steven then began performing oral sex on him.

## NARRATIVE CONTINUATION

█████ mimicked Steven's actions utilizing his hands clenched up into fists, moving them in an up and downward motion imitating Steven's masturbatory movements, in his crotch area. █████ stated █████ "caught him right handed" referring to catching Steven performing unwanted oral sexual acts on him. █████ continued disclosing he and █████ "stopped him and got him off of me" while reenacting his motions pushing his hands in an upward motion in the air.

█████ also described two other unwanted sexually related incidents which weren't witnessed by a third person. █████ explained Steven was standing face to face in front of him in their kitchen when no one was around. Steven subsequently pulled █████ pants down and began performing oral sex on him. █████ then disclosed around a month ago sometime in April, Steven forced him to perform oral sex on him by grabbing the back of his head and moving his head back and forth with Steven's penis in his mouth. █████ mimicked Steven's actions by putting his own hand behind his head and moving his head in a forward and backward motion. █████ has also been forced to watch Steven masturbate in his presence on purpose.

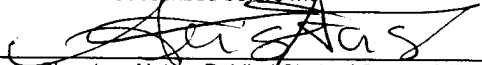
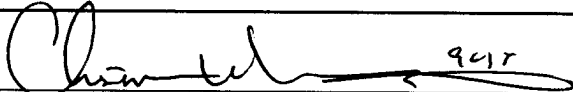
CC V. O'Steen concluded her interview with █████ and subsequently began her forensic interview with █████. █████ said she was preparing to go to bed and decided to check on █████ before retiring for the night. She looked into the living room and noticed █████ was sleeping on his back on one of the two couches positioned against the walls forming an "L" shape. She observed █████ laying on his back with both his arms behind his head.

█████ described █████ pants were pulled down exposing his penis which she was uncertain if it was erect or flaccid. █████ Steven was seated on the edge of the couch next to █████, hunched over with his face down towards █████ penis and or crotch area. Steven and her made eye contact before she went into the bedroom to call █████. After alerting █████ regarding Steven performing oral sex on █████, she was instructed to tell Steven to stop and leave the home before █████ got home. █████ came out of the bedroom and began yelling and screaming at Steven who fled the residence shortly after she confronted him about what he was doing to █████. She then informed CC O'Steen, █████ told her Steven put his mouth on his penis.

During the interview █████ adamantly stated he prefers girls and didn't want Steven to touch him sexually or in any intimate way. █████ also described himself as Autistic and feared he did something wrong.

Based on my investigation probable cause was established to charge Steven Charles Gornitzky, a person 18 years or older, did unlawfully commit sexual battery upon █████, a person 12 years of age or older but younger than 18 years of age, without the consent of █████ by performing oral sex on █████ and forcing him to do the same to Steven, while █████ suffered from a mental defect and Steven Charles Gornitzky had reason to know or had actual knowledge of said mental defect, pursuant to Florida Statute 794.011(4)(a) and (e)5.

NARRATIVE CONTINUATION

Sworn and Subscribed before me	
	
Signature Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Signature of Arresting / Investigating Officer
Alison Harris	Detective Christopher Wilson # 9055
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Name of Officer (Please Print)
5/15/2020	5/15/2020
Date	Date

ALISON HARRIS  
MY COMMISSION # GG 007637  
EXPIRES: July 30, 2020  
Bonded Thru Budget Notary Services



NOT A CERTIFIED COPY