0531711

2022CF 4012 AMA 38466

☐ Marsy's Law invoked - CVI present

ARREST / NOTICE TO APPEAR

O. On-View 3. Request for Warrant S. Summons T. Taken into Custody — **T** — JUVENILE ☐

ADMINISTRATION

OBTS Number			
Agency ORI Number: 0500800	Agency Name: West Palm Beach Police Department	Agency Report Number (N.T.A.'s only): 9 4 2022-0006674	

Charge Type: Check as many as apply: ☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

If Weapon Seized — Enter Type: UNARMED — Multiple Clearance Indicator

Location of Arrest (Including Name of Business): 600-BLK OKEECHOBEE BLVD, WPB, FL 33401

Location of Offense (Business Name, Address): 400 BANYAN BLVD, WEST PALM BEACH, FL 33401

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
05/18/2022	18:35	05/18/2022	18:45			

DEFENDANT

Name (Last, First, Middle): GIAMATT, CHRISTOPHER VINCENT — Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

Race (W - White, B - Black, I - American Indian, A - Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	06/24/2001	6'00	170	BLUE	BLACK	LIGHT	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): TATT RIGH ARM / SLEEVE

Marital Status: S — Religion: CHRISTIAN

Indication of: Alcohol Influence Yes ☐ No ☒ Unk. ☐ — Drug Influence Yes ☐ No ☒ Unk. ☐

Local Address (Street, Apt. Number) (City) (State) (Zip): 233 PARK RD N, WEST PALM BEACH, FL 33411

Home Phone: (561) 512-7268

Residence Type: 1. City 2. County 3. Florida 4. Out of State — 1

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 233 PARK RD N, WEST PALM BEACH, FL 33411

Mobile Phone:

Address Source: DL

Business Address (Name, Street) (City) (State) (Zip): CLEMATIS SOCIAL, 219 CLEMATIS ST

Work Phone: — Occupation: Doorman

D/L Number, State: G530118012241 / FL — Soc. Sec. Number: [redacted] — INS Number: — Place of Birth (City, State): WEST PALM BEACH, — Citizenship: US

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
				☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
				☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Other: ☐ Legal Custodian — 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 ☐ defendant and/or ☐ 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.

☐ Yes, by: ☐ No:

School Attended — Grade

Property Crime? ☐ Yes ☒ No — Description of Property — Value of Property

CODE

Drug Activity: N. N/A P. Possess S. Sell B. Buy T. Traffic R. Smuggle D. Deliver E. Use K. Disperse/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. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
BATTERY - LICENSED SECURITY OFFICER	784.07(2B)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N			1	☐ Y ☒ N		3,000

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
					☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
					☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant — Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain:

Check which applies: ☐ Released O.R. ☐ Posted Bond ☐ Released to Parent/Guardian ☐ South County Mental Health ☐ T.O.T. County Jail — PROPERTY - Received By — Released By — Released To

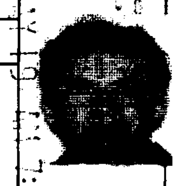
Transported By — Date Transported — Time Transported — Other

NOTICE TO APPEAR

☐ INSTRUCTION NO. 1 - Mandatory appearance in court

☒ 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.

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. (561) 512-7268 — INITIAL

ADMIN

HOLD for Other Agency: No Detainer

☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other

Intake Deputy — I.D. #: 32105

Signature of Arresting Officer: #2221

Name of Arresting Officer (Print): FORGIONE, ANTHONY — I.D. #: 02221

Transporting Officer: A. FORGIONE — I.D. #: 2221 — Agency: WPBPD

Name Verification (Printed by Arrestee) — (PRINT) — MAY 18 PM 9:20

Witness here if subject signed with an "X".

PAGE 1 OF 1

SCANNED MAY 19 2022

PROBABLE CAUSE AFFIDAVIT

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

T JUVENILE

ADMIN

OBTS Number

Agency ORI Number: FL FL0500800

Agency Name: WEST PALM BEACH POLICE DEPARTMENT

Agency Report Number: 9 | 4 | 2022-0006674

Charge Type: Check as many as apply. ☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
GIAMATT, CHRISTOPHER VINCENT		W	M	06/24/2001

CHARGES

Charge Description	Charge Description
784.07(2B) | SECUIRTY BATTERY - LICENSED SECURITY	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
PIERRE, EMILE	B	M	5/21/1983

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
2308 TIMBER FOREST DR WPB, FL 33415	561-827-2088	
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**

PROBABLE CAUSE STATEMENT

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 committ 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 9 day of May, 2022 at 16:57 (Specifically include facts constituting cause for arrest.)

On Sunday, May 8, 2022, I responded to the 200 block of Banyan Blvd to investigate a battery that occurred earlier this morning. Upon arrival, I met with the victim identified as Emile Pierre [B/M 05/21/1983] who reported he was involved in an altercation inside the City Center garage at approximately 4:15 AM this morning [05/08/2022].

Pierre reported he is employed by Cameron J. Ellis Security [CJE Security] which is contracted by the City of West Palm Beach to provide security to the city`s parking garages. During today`s investigation, Pierre reported he was working in capacity as a security officer at the City Center Garage located at 400 Banyan Blvd. Pierre advised he was working the entrance/exit gate on the S Dixie side of the garage. At approximately 4:10 AM, Pierre noticed a subject who was previously trespassed from the downtown parking garages stemming from an earlier incident in April of 2022.

This subject walked into the garage where Pierre was stationed to retrieve his vehicle. As the he walked past Pierre, Pierre told him he was trespassed from the parking garages and was not allowed on the property. The subject responded by raising his middle finger towards Pierre indicating "Fuck You" and kept walking past Pierre.

Approximately five minutes later the subject attempted to drive out of the garage where Pierre was stationed. Pierre reminded the subject he was not allowed inside the garage and he could not return. The subject exited his vehicle and began a verbal argument with Pierre. He then enters his vehicle and continues yelling at Pierre with his car door open. Pierre opens the gate in order for the subject to leave. Once the gate opens, the suspect spat on Pierre`s face with the saliva landing on this lower, right bottom lip and spit from the suspect also showered the right side of his cheek. Pierre also advised some of the spit landed in his mouth.

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

TORRES, PAMELA
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/09/2022
DATE

1975
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

TREU, BRENT (01975)
NAME OF OFFICER (PLEASE PRINT)

05/09/2022
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Copies	T	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE DEPARTMENT	9 | 4 | 2022-0006674

Charge Type: Check as many as apply. ☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
GIAMATT, CHRISTOPHER VINCENT		W	M	06/24/2001

PROBABLE CAUSE STATEMENT

I spoke with JCE Security Supervisor James Brunache [B/M 09/01/1982.] Brunache was able to obtain video footage of this event from the security cameras of the parking garage. Due to the placement of the camera, Pierre is just out of view. However, the video shows the suspect inside his vehicle with the door open. There is clear view of this person spitting in the direction where Pierre is standing. The subject then drives out of the garage at a high rate of speed.

Pierre described the subject as a young, white male with short black hair. Pierre took a photograph of the suspect standing outside of his vehicle and the vehicle itself. The tag attached to the car is IV2 3FC which is registered to a 2004 Chevrolet Impala in Royal Palm Beach Florida. The registered owner, Michael Giamatt [04/05/1960], does not match the description provided by Pierre. However, the vehicle`s owner`s (possible) son is Christopher Giamatt [W/M 6-24-2001]. His information was discovered after checking Michael`s last name with RMS. Christopher`s photograph from his driver`s license matches the description of the subject provided by Pierre and looks like the person in the photograph taken by Pierre.

Immediately after the suspect left the garage, Pierre contacted Brunache and another security guard who met with Pierre inside the garage. Approximately ten minutes later, the same subject came back to the garage with two other male subjects on foot. Pierre advised the three began yelling at him and his colleagues and wanted to fight. Once they realized Pierre was not alone, they left the garage walking south.

Brunache followed the subjects who walked inside of Clematis Social located at 219 Clematis Street (approximately two blocks east where the garage is located). Brunache surmised the subjects worked at Clematis Social as he could see them inside drinking alcoholic beverages. The business was closed at this time. Brunache spoke with the manager of the establishment and stated one of the employees spat on one of the security guard`s face. According to Pierre who was also present, the manager offered Pierre various amounts of money in an attempt to make this situation "go away". Pierre refused stating he had already called police and wanted to press charges. Pierre was offered up to $500 but refused to take the money.

On 5-9-2022 Officer Lopez met with the victim of the battery incident, Emile Pierre, to administer a photo lineup to Pierre in an attempt to identify the suspect who spat in his face. It should be noted Officer Lopez has no knowledge of the case nor does he have any information pertaining to who the suspect is. Upon receiving the photographic lineup, Pierre immediately identified the person in position number five as the one who spit on his face. The person in position number five is Christopher Giamatt. Based on the facts of the case and the positive identification from Pierre, probable cause exists for the arrest of Christopher Giamatt for violation of Florida State Statute: 784.07(2B) - Battery on a licensed Security Officer.

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

TORRES, PAMELA #2257
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/09/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

TREU, BRENT (01975)
NAME OF OFFICER (PLEASE PRINT)

05/09/2022
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

PALM BEACH COUNTY
SHERIFF'S OFFICE
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	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)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022013022	**Date:** 5/19/2022
	Specialist Name/ID: Chantel Daniels/30347