

J# 0533052 22CF5615 PH 399

ARREST / NOTICE TO APPEAR		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		JUVENILE	
Agency ORI Number 0500400		Agency Name Delray Beach Police Department		Agency Report Number (N.T.A.'s only) 4 0 22-009089					
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 1					
Location of Arrest (Including Name of Business) 316 SW 11TH AVE DELRAY BEACH FL 33444		Location of Offense (Business Name, Address) 316 SW 11TH AVE, DELRAY BEACH, FL 33444							
Date of Arrest 07/16/2022	Time of Arrest 00:31	Booking Date 07/16/2022	Booking Time 00:41	Jail Date // ::	Jail Time	Location of Vehicle			
Name (Last, First, Middle) FITZGERALD, GERALD R		Alias:		Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black O - Oriental/Asian	Sex M	Date of Birth 04/10/1959	Height 5'10	Weight 250	Eye Color BROWN	Hair Color BROWN	Complexion LIGHT	Build MEDIUM	
Local Address (Street, Apt. Number) 332 NORMANDY G, DELRAY BEACH, FL 33484		(City) FL		(State) FL		(Zip) 33484		Phone (848) 466-3616	
Permanent Address (Street, Apt. Number) 332 NORMANDY G, DELRAY BEACH, FL 33484		(City) FL		(State) FL		(Zip) 33484		Phone (848) 466-3616	
Business Address (Name, Street) DL		(City) FL		(State) FL		(Zip) 33484		Occupation DL	
D/L Number, State F326296591300 / FL		Soc. Sec. Number [REDACTED]		INS Number		Place of Birth (City, State) NEWARK, NJ, United		Citizenship US	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
☐ Parent ☐ Legal Custodian		Name (Last, First, Middle)		Residence Phone					
Address (Street, Apt. Number)		(City)		(State)		(Zip)			
Notified by: (Name)		Relationship		Date		Time			
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.		School Attended		Grade					
☐ Yes, by: ☐ No		Property Crime?		☐ Yes ☒ No		Description of Property			
Drug Activity N N/A P Possess		S Sell B Buy T Traffic		R Smuggle D Deliver E Use		K Dispose/Distribute		M Manufacture/Produce/Cultivate	
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 Description POSSESSION OF COCAINE		Statute Violation Number 893.13 (6A)		Violation of ORD #					
Drug Activity N		Drug Type N		Amount / Unit /		Offense #		Counts 1	
Domestic Violence ☐ Y ☒ N		Warrant / Capias Number		Bond					
Charge Description		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts	
Domestic Violence ☐ Y ☒ N		Warrant / Capias Number		Bond					
Charge Description		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts	
Domestic Violence ☐ Y ☒ N		Warrant / Capias Number		Bond					
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 ☒ T.O.T. County Jail		PROPERTY - Received By		Released By			
Transported By		Date Transported		Time Transported		Other			
☐ 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) South County 200 W Atlantic Ave Delray Beach, FL 33444		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 CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed		No Photo Available			
HOLD for Other Agency		Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee) SCANNED		ID # 1190			
☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other		Name of Arresting Officer PENAGOS, CARLOS		ID # 1190			
Inmate Deposit [Signature]		ID # [Signature]		Pouch #		Agency DBPD			
Witness here if subject signed with an "X"		JUL 16 2022		PAGE 1 OF 1					

☐ COURT ☐ STATE ATTORNEY ☐ AGENCY ☒ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P.I.D. ☐ DEFENDANT

OBT Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number FL 0500400		Agency Name DELRAY BEACH POLICE DEPARTMENT		Agency Report Number 4 0 22-009089				
	Charge Type: ☒ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☐ 4. Traffic Misdemeanor ☐ 6. Other					Special Notes:			
D E F	Name (Last, First, Middle) FITZGERALD, GERALD R				Race W		Sex M		Date of Birth 04/10/1959
	Alias								
C H A R G E S	Charge Description 893.13 (6 A) POSSESSION OF COCAINE				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		
B U S I N E S S	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. ☐ confessed to _____ admitting to the below facts. ☐ was observed by _____ who told _____ 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 <u>16</u> day of <u>July</u>, <u>2022</u> at <u>00:36</u> (Specifically include facts constituting cause for arrest.)								
P R O B A B L E C A U S E	The following incident occurred in the City of Delray Beach, Palm Beach County, FL. On Saturday, July 16, 2022, I responded to 316 SW 11th Avenue in reference to a noise complaint. The RTI caller advised that there were people in her/his residence making loud noises refusing to leave. Upon arrival, I observed a white male, later identified as Gerald Fitzgerald, sitting in the driver seat of a 2004 Nissan Sentra NJ tag# 163441T parked in the driveway. As I made contact with Fitzgerald in plain view, I observed a small clear baggie containing small white rocks that, based on my training knowledge and experience, I suspected to be crack cocaine resting in his lap. The white rocks were later field tested, which yielded positive for the presence of cocaine. I read Fitzgerald his Miranda Warnings from a pre-printed card which he verbally stated that he understood. Post-Miranda, Fitzgerald stated that he did not want to speak to me and that he wanted a lawyer present.								
	Based on the above facts, Probable Cause exists to charge the defendant Gerald Fitzgerald with one count of Possession of Cocaine per F.S.S. 893.13(6A).								
S T A T E M E N T	SWORN AND SUBSCRIBED BEFORE ME RUSCZYK, JONATHAN N NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10) <u>07/16/2022</u> DATE SIGNATURE OF ARRESTING / INVESTIGATING OFFICER PENAGOS, CARLOS (1190) NAME OF OFFICER (PLEASE PRINT) <u>07/16/2022</u> DATE								
	SCANNED JUL 16 2022								
A D M I N I S T R A T I V E	PAGE 1 OF 1								
	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: 2022018239	Date: 7/16/2022
	Specialist Name/ID: Chantel Daniels/30347

SCANNED

III 16 2022