0534676 22CF7575AMB

ARREST / NOTICE TO APPEAR

2072

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

ADMINISTRATION

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number (N T A's only)
	0500400	Delray Beach Police Department	40 22-011778

Charge Type (Check as many as apply): [X] 1 Felony [ ] 3 Misdemeanor [ ] 5 Ordinance [ ] 2 Traffic Felony [ ] 4 Traffic Misdemeanor [ ] 6 Other

If Weapon Seized, Enter Type: UNARMED | Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business)	Location of Offense / Business Name / Address
2593 HAMPTON CIRCLE S, DELRAY BEACH, FL	100 NW 1ST AVE, DELRAY BEACH, FL 33444

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
09/18/2022	12:09	09/18/2022	12:19			

DEFENDANT

Name (Last, First, Middle): CARSON, NEIL JAY — Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	10/19/1969	6'04	222	BROWN	BROWN	FAIR	~~HEAVY~~ MEDIUM

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): | Marital Status: M | Religion: | Indication of Alcohol Influence / Drug Influence: [ ] Yes [ ] No [X] Unk

Local Address (Street, Apt. Number, City, State, Zip)	Phone	Residence Type (1 City, 2 County, 3 Florida, 4 Out of State)
2593 HAMPTON CIR S, DELRAY BEACH, FL 33445	(561) 843-3020	1

Permanent Address (Street, Apt. Number, City, State, Zip)	Phone	Address Source
2593 HAMPTON CIR S, DELRAY BEACH, FL 33445	(561) 843-3020	FL/DV

Business Address (Name, Street, City, State, Zip)	Phone	Occupation
		Real Estate

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
C625630693790 / FL	[redacted]		MT. IASO NY.	US

CO-DEFENDANT

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

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 [X] 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 Disperses/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/Derv, P Paraphernalia/Equipment, S Synthetic, U Unknown, Z Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
PERJURY -IN AN OFFICIAL PROCEEDING	837.02 (1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	[ ] Y [X] 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		

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 [ ] Released to Parent/Guardian [X] T O T County Jail [ ] Posted Bond [ ] South County Mental Health

PROPERTY - Received By	Released By	Released To

Transported By	Date Transported	Time Transported	Other
	/ /	: :	

NOTICE TO APPEAR

[ ] INSTRUCTION NO. 1 - Mandatory appearance in court
[X] 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: SEP 18 PM 3:55

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

Signature of Defendant (or Juvenile and Parent/Custodian): | Date Signed:

ADMIN

HOLD for Other Agencies	Signature of Arresting Officer	Name Verification (Printed by Arrestee)
[ ] Dangerous [ ] Wanted Arrest [ ] Suicidal [ ] Other	Name of Arresting Officer (Print): SAINT MARTIN, NORMILE — ID #: 1103	(PRINT) SCANNED
Intake Deputy: — ID #: — Pouch #:	Transporting Officer: Lopez 1226 — ID #: — Agency: DPBD	SEP 19 2022
		Witness here if subject signed with an "X"

PAGE 1 OF 1

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PROBABLE CAUSE AFFIDAVIT

DBTS Number:

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

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0500400	DELRAY BEACH POLICE DEPARTMENT	4 0 22-011778

Charge Type (Check as many as apply): [X] 1 Felony [ ] 2 Traffic Felony [ ] 3 Misdemeanor [ ] 4 Traffic Misdemeanor [ ] 5 Ordinance [ ] 6 Other

Special Notes:

DEC

Name (Last First Middle)	Alias	Race	Sex	Date of Birth
CARSON, NEIL JAY		W	M	10/19/1969

CHARGES

Charge Description	Charge Description
(1) 837.02 PERJURY -IN AN OFFICIAL PROCEEDING	
Charge Description	Charge Description

VICTIM

Victim's Name (Last First Middle)	Race	Sex	Date of Birth
MOORE, TERRENCE R	B	M	04/15/1970

Local Address (Street Apt Number) (City) (State) (Zip)	Phone	Address Source
100 NW 1ST AVE, DELRAY BEACH, FL 33444		
Business Address (Name Street) (City) (State) (Zip)	**Phone**	**Occupation**

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable 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 [X] was found to have committed the below acts resulting from my (described) investigation.

On the 18 day of September, 2022 at 12:09 (Specifically include facts constituting cause for arrest.)

The following incident occurred in the City of Delray Beach, Palm Beach County, FL:

On August 9, 2022, a City of Delray Beach Regular Commission Meeting occurred at 1600 hours, taking place inside City Hall, located at 100 NW 1st Avenue. The commission meeting was attended by the City Manager, Mayor, City Commissioners, City Clerk, other city representatives, and civilians. During a certain section of the meeting, which is described as a quasi-judicial proceeding, certain items are presented for discussion. Civilians and representatives are then allowed to provide statements and testimonies about those certain items. At the beginning of every quasi-judicial proceeding, Mayor Petrolia advises that the meeting is a quasi-judicial proceeding. City Clerk Katerri Johnson then asks everyone who wishes to provide a statement in the room to stand up and raise his/her right hand to confirm that he/she is under oath. In addition, anyone who wishes to provide a statement must acknowledge that they have been sworn-in once he/she takes the podium to speak.

The commission meetings are video recorded and later uploaded to the official YouTube channel for the City of Delray Beach (www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/about).

During this commission meeting and on the agenda, there was a discussion reference Item #7B: RESOLUTION NO. 122-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A MASTER DEVELOPMENT PLAN AND GRANTING FOUR RELATED WAIVER REQUESTS TO THE LAND DEVELOPMENT REGULATIONS FOR DELRAY CENTRAL LOCATED AT 1615 AND 1625 SOUTH CONGRESS AVENUE AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

"Delray Central" is located at 1615 & 1625 South Congress Avenue, associated with the addition of an eight-story building containing 1,095 square feet of non-restaurant,

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

SKEBERIS, LUIS
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)

09/18/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SAINT MARTIN, NORMILE (1103)
NAME OF OFFICER (PLEASE PRINT)

09/18/2022
DATE

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

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

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
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Special Notes

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
CARSON, NEIL JAY		W	M	10/19/1969

PROBABLE CAUSE STATEMENT

commercial use and 271 residential units, including amenities and an attached seven-level parking structure.

During the meeting at 3:25:52 (time stamp on the recording), a white male subject who identified himself as "Neil Carson" approached the podium and stated that he "I am the president of the Andover HOA" (homeowner`s association). "Andover" is a gated residential community, consisting of approximately 150 single family residences located at 2300 Hampton Bridge Road; 0.6 miles from the future site of "Delray Central" (per google maps).

The Andover Association, Inc., is represented by the law firm Sachs Sax Caplan of Boca Raton. On August 12, 2022, Attorney Leonard Wilder of Sachs, Sax, and Caplan, drafted a letter to the Mayor and City Commissioners of Delray Beach advising of the fact that Mr. Carson misrepresented himself during the commission meeting and in fact, is not the president of Andover or even on the Board of Directors of Andover.

On this date September 12, 2022, at approximately 1045 hours, I contacted Attorney Wilder via telephone, and he informed me that his law firm has been representing Andover Association since 2010 and confirmed that Mr. Carson is not the current president of the Andover HOA. Further, Attorney Wilder informed me that he had never heard of Mr. Carson. Attorney Wilder provided me with a current list of the HOA president and Board of Directors and Mr. Carson is not listed as the president nor is he on the list of directors.

On this date September 12, 2022, at approximately 1500 hours, I made contact with Delray Beach`s City Manager Terrence Moore at City Hall who provided a recorded sworn statement (the following is a synopsis, refer to BWC for complete statement): Mr. Moore confirmed that he was present at the above-mentioned commission meeting and recalls Mr. Carson representing himself as the president of Andover HOA. In addition, Mr. Moore testified that the City received a letter from Sachs, Sax, and Caplan affirming that Mr. Carson was not the president of Andover HOA. Mr. Moore stated that the City wished to pursue charges against Mr. Carson for making untruthful statements while under oath.

On September 13, 2022, at approximately 1030 hours, I made contact with Delray Beach`s City Clerk Katerri Johnson who provided a recorded sworn statement (the following is a synopsis, refer to BWC to complete statement): Ms. Johnson confirmed that she was present at the meeting as the City Clerk and recalls swearing in individuals in the room who provided statements about items #7A and #7B of the quasi-judicial hearing. Ms. Johnson testified that in addition to swearing in individuals as a group before the quasi-judicial hearing, the Mayor also asks individuals who come to the podium to acknowledge being sworn before making a statement during the hearing.

Let it be noted that because the meeting is video recorded, there is video footage that

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SWORN AND SUBSCRIBED BEFORE ME

SKEBERIS, LUIS
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

09/18/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SAINT MARTIN, NORMILE (1103)
NAME OF OFFICER (PLEASE PRINT)

09/18/2022
DATE

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

ADMIN

OBTS Number:

PROBABLE CAUSE AFFIDAVIT SUPPLEMENT

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0500400	DELRAY BEACH POLICE DEPARTMENT	4 | 0 | 22-011778

Charge Type (Check as many as apply): [X] 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
CARSON, NEIL JAY		W	M	10/19/1969

PROBABLE CAUSE STATEMENT

showed both Mr. Moore and Ms. Johnson at the meeting. Video footage from the meeting showed Ms. Johnson swearing in individuals wishing to make statements on agenda items #7A and #7B (time stamp: 1:38:00). In addition, Mr. Carson is observed on video at the meeting and at the podium acknowledging that he was in fact under oath before making the untruthful statements (time stamp: 3:25:52).

Using law enforcement databases, I located a W/M Neil Jay Carson, DOB: 10/19/1969, with an address of 2593 Hampton Cir S., Delray Beach, which is the same address that Mr. Carson provided as his residence while he was introducing himself to the commission (time stamp: 3:25:58). The most current FL Driver License`s (FL: C625-630-69-379-0) photo from the DAVID database dated 8/2/2019 matched nearly identical the white male subject identifying himself as Mr. Carson on the video footage at the commission meeting.

On September 18, 2022, I made contact with Mr. Carson at his residence at 2593 Hampton Cir S and he was placed under arrest. I read Mr. Carson his Miranda Warnings (to which he stated he understood and waived). Post Miranda, (the following is a synopsis, refer to recorded interview for complete statement). Mr. Carson admitted to being present at the commission meeting on August 9, 2022, and remembers making a statement. He also stated that he remembers being sworn in by the City Clerk and he understood that he was under oath. Mr. Carson stated that he made a mistake when he presented himself as the president of Andover HOA. Mr. Carson stated that it was his first commission meeting and he was nervous about going in front of the commission and speaking in public. In addition, Mr. Carson stated that he was tired because he had a long day. Mr. Carson stated that he was in the process of drafting a letter to the City Commission and Andover HOA to apologize for his mistake.

Based on the above stated facts, Probable Cause exists to charge Neil Jay Carson with Perjury in Official Proceedings, as Neil Carson did make a false statement to wit: stating he was the President of the Andover Homeowner`s Association, which he did not believe to be true, under oath in an official proceeding in regard to any material matter, contrary to Florida Statute 837.02(1).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

SKEBERIS, LUIS
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)

09/18/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SAINT MARTIN, NORMILE (1103)
NAME OF OFFICER (PLEASE PRINT)

09/18/2022
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:	

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REVIEW COMPLETED BY

Booking Number: 2022024494	**Date:** 09/19/2022
	Specialist Name/ID: T.Howard/7185