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848

Rough Arrest Only

ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report				1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		Jugendile			
OBTS Number		Agency ORI Number <b>FLO500600</b>				Agency Name <b>PALM BEACH POLICE DEPARTMENT</b>				Agency Report Number <b>76-23-000978</b>	
Charge Type: Check as many as apply.		<input checked="" 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 type="checkbox"/> 6 Other		Weapon Seized/Type <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Multiple Clearance Indicator <b>U K</b>	
Location of Arrest (Including Name of Business) <b>101 Seminole Avenue, Palm Beach, FL 33480</b>						Location of Offense (Business Name, Address) <b>101 Seminole Avenue, Palm Beach, FL 33480</b>					
Date of Arrest <b>08/04/2023</b>		Time of Arrest <b>2144</b>		Booking Date		Booking Time		Jail Date		Jail Time	
Name (Last, First, Middle) <b>Stoia, Barbara, Susan</b>											
Alias (Name, DOB, Soc. Sec. #, Etc.)											
Race W - White 1 - American Indian B - Black 0 - Oriental/Asian <b>W</b>		Sex <b>F</b>		Date of Birth <b>01/31/1965</b>		Height <b>5'9"</b>		Weight <b>130</b>		Eye Color <b>Blu</b>	
Hair Color <b>Bro</b>		Complexion <b>Light</b>		Build <b>Slim</b>		Marital Status <b>UNK</b>		Religion <b>None</b>		Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)											
Local Address (Street, Apt. Number) <b>101 Seminole Avenue</b>				(City) <b>Palm Beach</b>		(State) <b>Florida</b>		(Zip) <b>33480</b>		Phone ( ) ( ) ( )	
Permanent Address (Street, Apt. Number)				(City)		(State)		(Zip)		Phone ( ) ( ) ( )	
Business Address (Street, Apt. Number)				(City)		(State)		(Zip)		Phone ( ) ( ) ( )	
D/L Number, State <b>S300-077-65-531-1</b> Florida		Soc. Sec. Number		INS Number		Place of Birth <b>United States, Miami, FL</b>		Citizenship <b>US Citizen</b>			
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 ( ) ( ) ( )					
Address (Street, Apt. Number)				(City)		(State)		(Zip)		Business Phone ( ) ( ) ( )	
Notified by (Name)				Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRSCYF 3. Incarcerated <input checked="" type="checkbox"/>			
Released To (Name)				Relationship		FCIC/NCIC		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 informed of any change of address: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)						School Attended		Grade			
Recovery Information 0 N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8. Other <input checked="" type="checkbox"/>											
Drug Activity		S. Sell N. N/A P. Possess		R. Smuggle D. Deliver T. Traffic		K. Dispense/Distribute		M. Manufacture/Produce/Cultivate		Z. Other	
Drug Type		N. N/A		A. Amphetamine		B. Barbituate C. Cocaine		E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv. P. Paraphernalia/Equipment S. Synthetic U. Unknown Z. Other	
Charge Description <b>Marine Animals Regulation, Protection of Turtles</b>				Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number <b>379.2431 (FS)</b>		Violation of ORD # <b>165 P.M.</b>	
Drug Activity <b>N/A</b>		Drug Type <b>N/A</b>		Amount/Unit		Offense # <b>23-000978</b>		Warrant/Capias Number		Bond <b>3000</b>	
Charge Description				Counts		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number		Violation of ORD #	
Drug Activity <b>N/A</b>		Drug Type <b>N/A</b>		Amount/Unit		Offense #		Warrant/Capias Number		Bond	
Charge Description				Counts		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number		Violation of ORD #	
Drug Activity <b>N/A</b>		Drug Type <b>N/A</b>		Amount/Unit		Offense #		Warrant/Capias Number		Bond	
Charge Description				Counts		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number		Violation of ORD #	
Drug Activity <b>N/A</b>		Drug Type <b>N/A</b>		Amount/Unit		Offense #		Warrant/Capias Number		Bond	
Instruction No. 1 Mandatory Appearance in Court						Location (Court, Room Number, Address)					
Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side.						Court Date and Time Month <input type="checkbox"/> Day <input type="checkbox"/> Year <input type="checkbox"/> Time <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
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					
HOLD for other Agency Name				Signature of Arresting Officer <b>X</b>				Name Verification (Printed by Arrestee) <b>SCANNED</b>			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Molester/Deputy		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) <b>Detective Buscemi</b>				I.D.# <b>0066</b>			
Transporting Officer <b>BIS Thomas</b>		Pouch #		Transporting Officer <b>P. Miller</b>				I.D.# <b>0155</b>			
Agency <b>FB</b>		Agency <b>PB</b>		Witness here if subject signed with an				Date Signed <b>AUG 05 2023</b>			

Mulham # 085

to

**Probable Cause Affidavit**  
**Palm Beach Police Department**  
Agency ORI #FLO 500600

**Defendant: Barbara Stoia**

**Race/Sex: W/F**

**Victim: State of Florida**

**Charges:**

**1 count of Marine Animals Regulation**

**Police Case: 23-000978**

**DOB: 01/31/1965**

**F.S.S. 379.2431 (E)(5)**

On August 3<sup>rd</sup>, 2023, Your Affiant found probable cause to arrest Barbara Stoia (W/F, DOB: 01/31/1965) for Marine Animals Regulation pursuant to F.S.S. 379.2431 (E)(5). The details are as follows:

The Palm Beach Police Department has received numerous complaints since the start of the 2023 Sea Turtle Nesting Season which has also drawn public outcry specifically along the beachfront areas of Root Trail, Seminole, Dunbar, Wells Road. Additionally, the Palm Beach Police Department has received information from Turtle Monitors licensed by the Florida Department of Fish and Wildlife Conservation that sea turtle nests in the above locations, particularly in the area of 101 Seminole Avenue, have been disturbed by human interaction. In addition, On July 25, 2023, the police department received an email which was sent by Jimmy Zisson stating that sea turtles in danger in wealthy enclave of Palm Beach, group says along with a link to the Palm Beach Daily News. Zisson adds that this article would also make for an interesting "Palm Beach Story" for the NY Times, Barbara Meister has done the most work on this, but I've also been very involved. It's illegal and it's wrong.

On May 29<sup>th</sup>, 2023, the Palm Beach Police Department Communications received the following phone call from Barbara Stoia on a recorded line where she made the following statements regarding unknown subjects on the beach:

"Hey, you got 5 people on the beach."

"Root Trail, like usual. You guys got to get these people off the beach. None of them are residents and now they're harassing the sea turtles. I have a video - I'm looking at it right now."

"They (Officers) have to do their job; this is criminal what's going on."

"We have a problem because now they're harassing sea turtles."

"These people don't even live here."

"They are literally touching - I'm watching them right now, these two people it's so sick. This is so sad what's going on."

**The foregoing instrument was sworn to or affirmed  
Before me this 3<sup>rd</sup> day of August, 2023  
By, Detective Buscemi,  
Who is personally known to me**

\_\_\_\_\_  
Signature of Police Officer (F.S.S.117.10)

**State of Florida  
County of Palm Beach**

\_\_\_\_\_  
Signature/Arresting Officer

SCANNED

AUG 05 2023

**Probable Cause Affidavit**  
**Palm Beach Police Department**  
Agency ORI #FLO 500600

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“It really makes the Town of Palm Beach look – it’s the worst turtle program, they have to be protected these sea turtles, they are endangered, and you allow these people on the beach.”

“It’s one thing if it’s residents, it’s even worse to these animals.”

“I beg you guys all the time; I’m passing as the crazy person here but I’m not because I have everything on video of what these people are doing.”

“They chased this turtle back into the ocean, he’s still there.”

On May 31<sup>st</sup>, 2023, the Palm Beach Police Department Communications received the following phone call from Barbara Stoia on a recorded line where she made the following statements regarding unknown subjects on the beach:

“Can you send an officer out to 101 Seminole, there are two people on the beach harassing a sea turtle and a nest, shining lights.”

“Please have them (Officers) do something it’s criminal what they are doing.”

On July 3<sup>rd</sup>, 2023, the Palm Beach Police Department Communications received the following phone call from Barbara Stoia on a recorded line where she made the following statements regarding unknown subjects on the beach:

“We have two people at 101 Seminole harassing a sea turtle on the beach right now.”

“Tell them (Officers) not to shine a flashlight, it’s going to make it worse.”

On July 4, 2023, the Palm Beach Police Department Communications received the following phone call from Barbara Stoia on a recorded line where she made the following statements regarding unknown subjects on the beach:

“There is a person on Root Trail beach harassing a sea turtle right now - nesting. There were two more, but I chased them away.”

“White guy with a backpack. He is shining lights and he is right up close to it bothering it.”

“It’s Root Trail. This has been going on all night long by the way.”

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**Before me this 3<sup>rd</sup> day of August, 2023**  
**By, Detective Buscemi,**  
**Who is personally known to me**

\_\_\_\_\_  
Signature of Police Officer (F.S.S.117.10)

---

**State of Florida**  
**County of Palm Beach**

\_\_\_\_\_  
Signature/Arresting Officer

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**Palm Beach Police Department**

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On July 24th, 2023, the Palm Beach Police Department was forwarded a complaint by the Florida Wildlife Commission (FWC). The complaint was submitted by an employee of DB Ecological Services, Inc., a company that marks and documents turtle nests in the Town of Palm Beach and operates under a FWC permit. The information provided the following details and observations:

"I'm sending on photos taking this morning at approximately 9:26 AM. These photos are of hand scrapes at an emerged nest and shoe prints throughout the same emerged nest site on Palm Beach. This is a marked nest for the BMA and was documented on this morning's survey as emerged. The nest stake for this marked nest is not captured in the photos provided but is directly west of the emergence shown in the photos. These are the same shoe prints that we have provided images of for this activity previously. We believe based on our field observations of the sand displacement with hand and finger scrape marks that the individual leaving this shoe print design is removing pre-emergent hatchlings from nest site locations.

This morning as my staff approached the area from the south observed a female dressed in white in the water up to her knees looking at something in the water then appeared to raise her hands over her head, then she returned to shore. This activity was directly east of the emerged nest site location. The female exited the water where the photo 4097 was taken with the shoe print in question throughout. There was also a male with her while this was occurring, but he stayed on the beach appearing to be watching the female. When the female exited the water both people walked off the beach at the residence at 101 Seminole Palm Beach. The male upon exiting the beach moved a stack of no trespass cones to allow their exit from the beach at 101 Seminole. The female observed by my staff exiting the water is known to them as Barbara Meister who resides at 101 Seminole and the male is known to be her assistant. There is a surveillance camera located west of this nest site that likely would have any footage of this area.

We had a last-minute change to our daily survey routine and were approaching this location from a different direction and time today. We would not have been expected when we were in the area this morning.

We have found the male assistant to be apologetic for his employers conduct and activities on previous occasions so he may be willing to provide information on what occurred this morning if he is interviewed by himself. The assistant is late 20s or early 30s, he is average height and muscular build.

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Before me this 3<sup>rd</sup> day of August, 2023  
By, Detective Buscemi,  
Who is personally known to me

  
Signature of Police Officer (F.S.S.117.10)

State of Florida  
County of Palm Beach

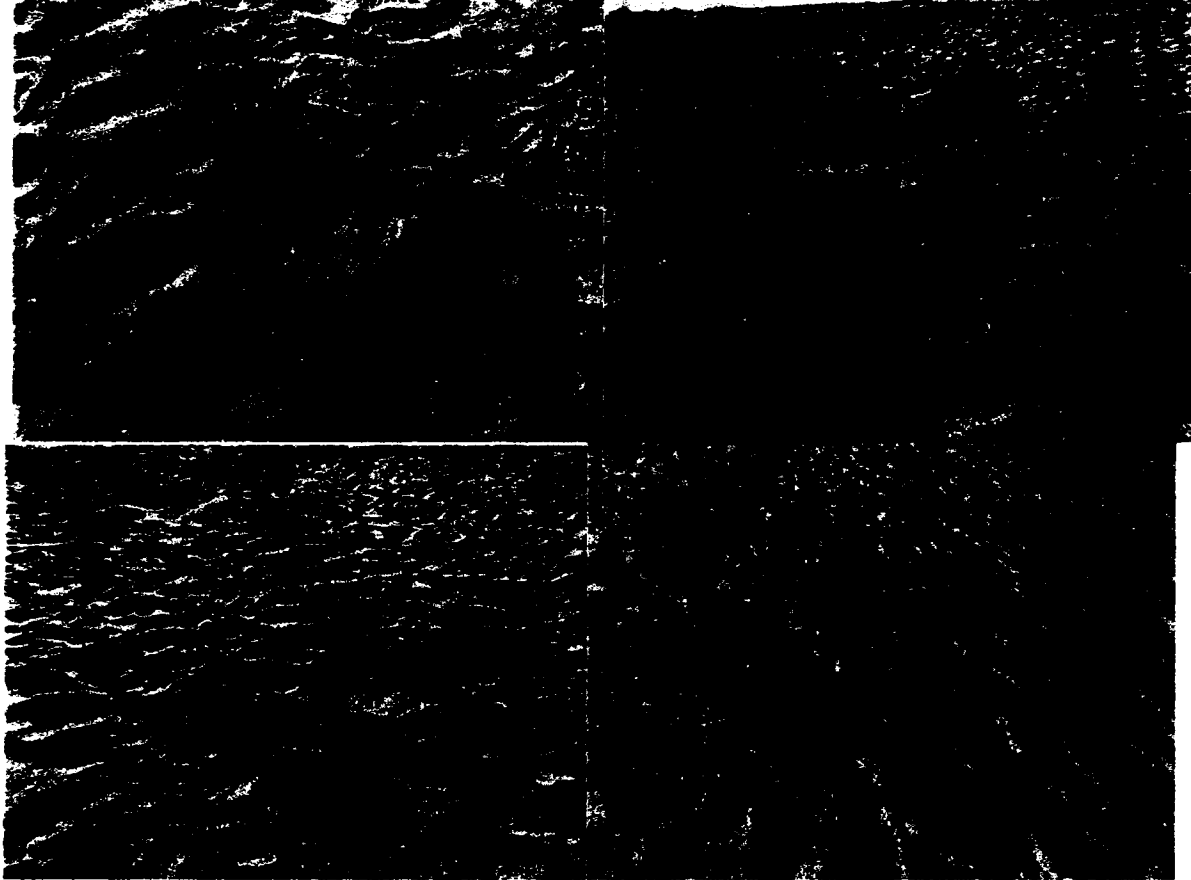
  
Signature/Arresting Officer

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We hope that you can have LE investigate this matter and put a stop to the emergence site destruction and hatching interactions that appear to be continuing at this location. We established a perimeter around the disturbed emergence area with stakes and flagging tape in the event an officer responds to the area so that the shoe prints and handprints present were not walked upon.”



NOT F

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Who is personally known to me

Signature of Police Officer (F.S.S.117.10)

State of Florida  
County of Palm Beach

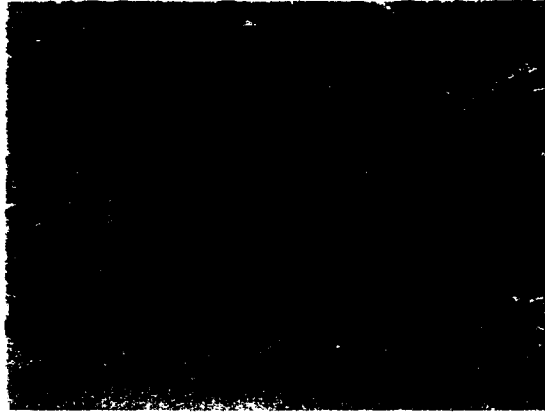
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Photos Taken by DB Ecological on July 24th, 2023

Furthermore, the email contained an Instagram account titled: wildlife\_conservation\_33480. This Affiant viewed the Instagram handle and observed 47 posts starting from April 28<sup>th</sup>, 2023, with the most recent post being on July 22<sup>nd</sup>, 2023. It should be noted that this page is not private and is open to the public for viewing. A majority of the videos consist of turtle hatchlings or a sea turtle related video on the beach of 101 Seminole in the same vicinity of the reported disrupted nests. Also based on Your Affiant's training and experience which consists of being a part of the Town of Palm Beach camera committee, license plate camera certified and a valid FAA Drone Operator the videos posted on "wildlife\_conservation\_33480" appear to be filmed from a private PTZ camera located on the beach house of 101 Seminole Avenue and a private cellular device.

On July 27<sup>th</sup>, 2023, undercover OCVAN detectives conducted surveillance of the beach in the area of Seminole Avenue in response to the above report that Barbara Stoia, who resides at 101 Seminole Avenue, Palm Beach, who was suspected to be handling sea turtles without the proper state permit.

On July 27<sup>th</sup>, 2023, based upon the above information, community outcry including Barbara Stoia, as well as the published article dated July 26<sup>th</sup>, 2023, in the Palm Beach Daily News titled "Unleashed dogs called danger to turtle eggs, hatchlings in Palm Beach," OCVAN detectives established Operation Me "Sea" Turtle and conducted surveillance in an undisclosed location at approximately 0530 hours. They were equipped with a BWC in the event any violations were observed.

On July 27<sup>th</sup>, 2023, at approximately 0545 hours, OCVAN detectives observed a white Mercedes Benz being driven by an unknown male who was later identified via FL DL as Frank Herz driving southbound on North Ocean Boulevard passing Root Trail. The white Mercedes turned

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Signature of Police Officer (F.S.S.117.10)

**State of Florida**  
**County of Palm Beach**

\_\_\_\_\_  
Signature/Arresting Officer

SCANNED

AUG 05 2023

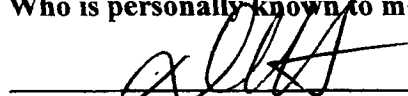
**Probable Cause Affidavit**  
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around and then traveled northbound on North Ocean Boulevard and then turned into the 100 block of Seminole Avenue. Detectives left their surveillance location and then observed that the white Mercedes was parked in the public street directly in front of 101 Seminole Avenue.

On July 27<sup>th</sup>, 2023, Detectives then observed Herz walk across North Ocean Boulevard onto the oceanside private property of 101 Seminole ultimately gaining beach access. Herz then began walking around the beach above the median high tide mark. The male was observed walking north along the dune line. A short time later, a female known to both Detectives as Barbara Stoia walked onto the beach. It should be noted that only Stoia and Herz were on the beach at this time. As Detectives continued to surveil, it appeared that both Stoia and Herz were searching the beach and stopping at sea turtle nests. Stoia had walked north of her property and onto the private beach of her neighbors. Herz was in the area of 101 Seminole when he was observed bending down and picking up a small object. Herz appeared to examine it and then began walking towards the shoreline. Believing that Herz had just picked up a sea turtle hatchling and was in the process of transporting a sea turtle hatchling from the nest to the shoreline, Detectives began to walk towards Herz in an effort to investigate if in fact he was in possession of a sea turtle hatchling. A PBPB BWC was activated as they approached Herz who had placed what detectives confirmed as a sea turtle hatchling onto the sand. They inquired about what it was to Herz who was recording with his cellphone at which point he stated: a sea turtle. Detectives stated to Herz that they observed him pick up the turtle and transport it to the shoreline. Herz admitted that he had picked up the turtle. Detectives then identified themselves as the Police and asked Herz for his Florida driver's license and if he had a FWC permit to transport sea turtle hatchlings. Herz stated that he did not possess a FWC Permit. Detectives began to escort Herz off the beach at which time he was informed that he was being detained. Herz was read his Miranda Rights which he confirmed that he understood. During this time, Herz received a call, and the contact of Barbara Stoia was displayed on his phone. Herz stated that he was a resident of Seminole and that he walks the beach everyday with his dogs. Detectives documented Herz information along with the BWC pending further investigation.

On July 27<sup>th</sup>, 2023, Your Affiant obtained a sworn statement from the property manager of 101 Seminole Avenue, Eduan Morales at the Palm Beach Police Station. During the interview, Morales was advised that we believed he was a witness and not a target in response to a complaint originally sent to FWC by turtle monitors. Morales admitted to speaking with the marine biologists. At which time he was shown the accompanying photographs of shoe imprints around sea turtle's nests. Morales agreed that the shoe prints were consistently the same. Morales stated that Barbara Stoia wears Hoka brand shoes. When asked about what occurred earlier in the morning on July 27<sup>th</sup>, 2023, Morales confirmed that Barbara Stoia was out on the beach.

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**Before me this 3<sup>rd</sup> day of August, 2023**  
**By, Detective Buscemi,**  
**Who is personally known to me**

  
\_\_\_\_\_  
Signature of Police Officer (F.S.S.117.10)

**State of Florida**  
**County of Palm Beach**

  
\_\_\_\_\_  
Signature/Arresting Officer

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Morales stated that Barbara walks the beach across her neighbor's private property and goes from turtle nest to turtle nest. Morales was asked about the white Mercedes belonging to Herz which was parked in front of 101 Seminole in the public street. Morales stated it was Herz' car. Morales was asked if Herz walks thru the Meister property to gain beach access. Morales stated "Yeah." Morales was asked if Barbara gives him permission to go on the beach and he answered "yes." detectives confirmed if Barbara knew Herz in which he stated yes and that he is there almost every day. Morales was asked if Herz had a dog and he replied that Herz has a small white dog.

Detectives then read the email to Morales and asked him if he agrees that Barbara Stoia touches sea turtles and Morales answered, "not in front of me." Morales was asked if Barbara Stoia has ever dug up a turtle nest and he answered, "not in front of me." Morales was asked if we obtain a search warrant for the video surveillance system, or her social media will it show Barbara Stoia with a turtle? Morales stated that Barbara Stoia posts a lot to social media. Morales was asked about the Instagram handle "Wildlife\_Conservation\_33480" in which Morales stated that's not hers and but agreed that videos and pictures posted to this Instagram page were from Barbara Stoia Morales was asked if Barbara Stoia hand scraps or digs in the turtles' nests. Morales stated that Barbara Stoia gets on the floor (sand) and rolls all around to get these videos. Morales then advised that when he arrived at work today, Barbara Stoia instructed him to help her look for turtles. Morales was asked about what Barbara Stoia said in regard to Frank (Herz)? Morales stated that Frank was there, and that Barbara Stoia tried calling him when he was with the police but he didn't answer. Ultimately, Frank (Herz) told Barbara Stoia that he got arrested. Morales then stated that he left because they are going too far with this. Morales stated that "he didn't know it was Frank's car at the house this morning because it would have been a problem (if anyone else parked on the public street)- You Know That."

Prior to ending the interview with Morales, he was offered an opportunity to ensure that the statement he was providing was true and accurate. Morales was truthful throughout the interview but hesitant at times and advised detectives that he was concerned about his employment and that he had a family. Morales then stated "Yes, she (Barbara Stoia) has helped the turtles out of the nests."

On July 27th, 2023, based on the previous information obtained, Your Affiant requested a search warrant for the Axis Hard Drive located at 101 Seminole Avenue. The search warrant was later approved and signed by the Honorable Judge Kathleen Kroll on July 27<sup>th</sup>, 2023, and documented under PB\_2023\_000050.

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Signature of Police Officer (F.S.S.117.10)

**State of Florida**  
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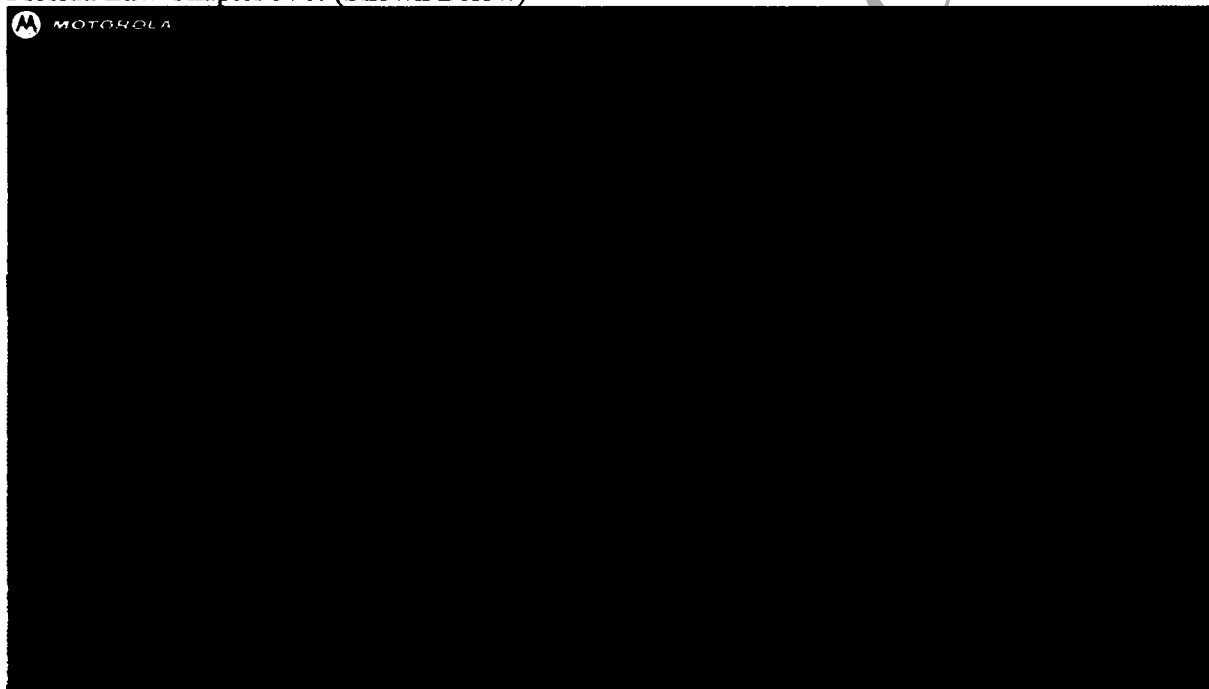
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On July 27th, 2023, the Palm Beach Police Departments, Organized Crime, Vice and Narcotics Unit held a briefing at the Palm Beach Police Station in anticipation of executing the search warrant. At 1947 hours the Palm Beach Police executed the search warrant on 101 Seminole Avenue.

During the search the following item was collected:

1. Axis Communication Hard drive/ storage unit (S/N HW030HZZBWC3) in a closet located in the garage.

While conducting the search warrant, it should be noted that while in the garage in plain view a white laundry basket was observed containing approximately ten wooden stakes with "Do Not Disturb Sea Turtle Nest" signs attached. The signs were yellow and white in color and cited Florida Law Chapter 370. (Shown Below)



On July 30th, 2023, the Palm Beach Police Department received additional information from FWC in reference to a sea turtle nest being hand dug in the same area. Below is the information received:

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**Before me this 3<sup>rd</sup> day of August, 2023**  
**By, Detective Buscemi,**  
**Who is personally known to me**

\_\_\_\_\_  
Signature of Police Officer (F.S.S.117.10)

**State of Florida**  
**County of Palm Beach**

\_\_\_\_\_  
Signature/Arresting Officer

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“I wanted to share photos of the event yesterday that occurred at the beach area at the north end of the Breakers Seawall area. We believe this is yet another emerged nest that was excavated by unauthorized individual(s) to possibly remove hatchling sea turtles. We believe this occurred within a few minutes after my crew completed the daily sea turtle survey in this area and moved to the beach south. I received a call from the Breakers staff Sunday morning at 9:55 AM, about a hole on the beach and that a beach patron reported seeing hatchling sea turtles at the hole. I sent my staff back to check the area after the call from the Breakers. We found a completely excavated sea turtle nest with the nest contents on the sand surface. We reported this incident to FWC and collected data and photos as instructed. There were several dead hatchlings at the surface of the nest. We do not know if these hatchlings were dead in the nest (which can happen naturally) and dug out by the individual or if they died due to the unauthorized activity.

In the attached photo you can clearly see human hand and knee prints around the excavated nest.

I asked my staff about the sea turtle signs the officer described finding in the residence when he called me. We have photos of what may be the same signs and stakes as described. The stakes and signs were placed around the beach area in previous years. My staff has very clear recollection of the stakes and signs and the individual who was placing those on the beach. A previous event with the signs and stakes deployed was photographed on 12 July 2021. I am not aware of the staking with signage activity occurring at this time unless it is occurring after we leave the beach. The cones on the beach continue and we have recorded several nesting sea turtles making contact with the cones while attempting to nest. The cones that are left in place overnight are located at Dunbar Road.”

On August 3<sup>rd</sup>, 2023, Your Affiant reviewed stored video from the seized Axis hard drive on the date of July 24<sup>th</sup>, 2023. It should be noted that the Axis hard drive contains two camera angles of the beach. One angle is a 180-degree camera that is not able to be zoomed in or moved around. The second camera is a PTZ (Pan, Tilt, Zoom) camera that can be moved from a remote location. Your Affiant discovered the following evidence on the 180-degree camera:

0712 hours - Barbara Stoa enters the view of the camera on the beach.

0717 hours – Frank Herz enters the beach utilizing the private beach access at 101 Seminole Avenue.

0755 hours – Barbara Stoa begins to harass and molest a turtle nest and hatchlings inside the nest, the same nest described in the above email dated July 24, 2023.

0800 hours - Barbara Stoa begins to harass and molest the same turtle nest and hatchlings again.

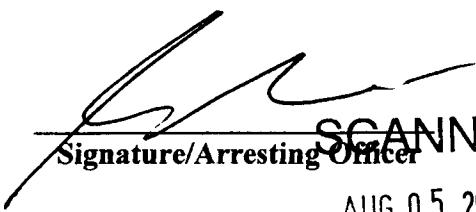
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**The foregoing instrument was sworn to or affirmed  
Before me this 3<sup>rd</sup> day of August, 2023**

**By, Detective Buscemi,  
Who is personally known to me**

  
\_\_\_\_\_  
Signature of Police Officer (F.S.S.117.10)

**State of Florida  
County of Palm Beach**

  
\_\_\_\_\_  
Signature/Arresting Officer

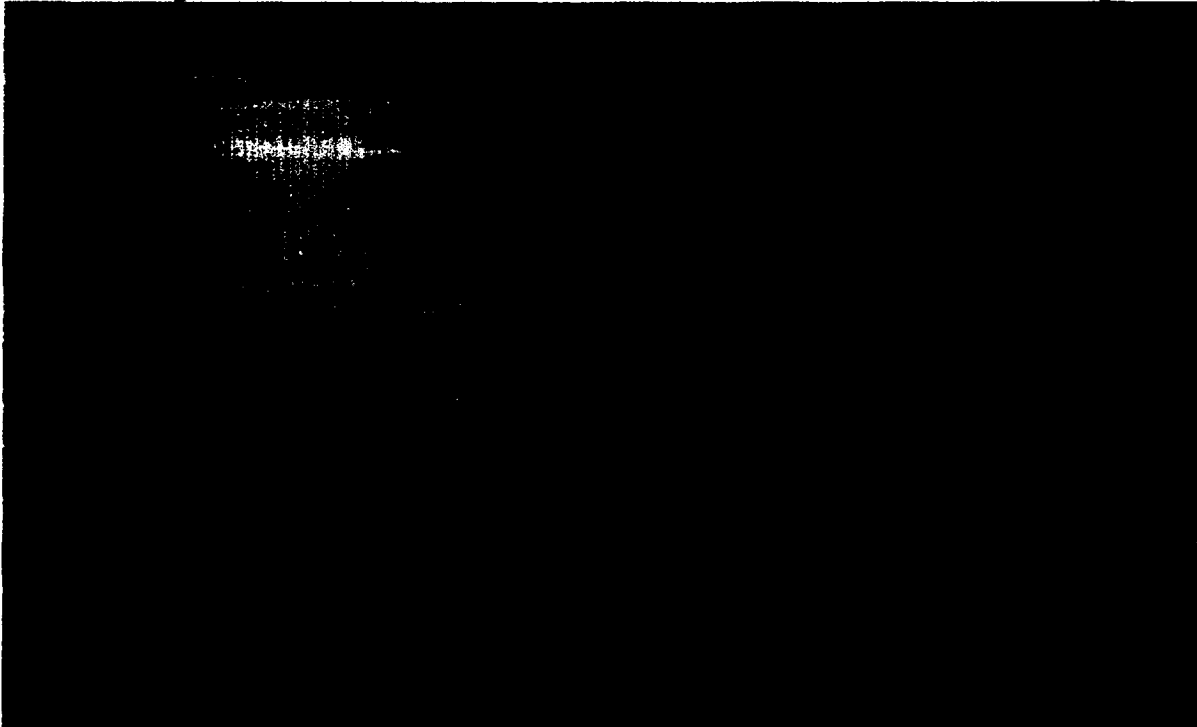
SCANNED

AUG 05 2023

**Probable Cause Affidavit**  
**Palm Beach Police Department**

Agency ORI #FLO 500600

0804 hours – Barbara Stoia again harasses and molest the turtle nest and hatchlings inside.  
0806 hours – Barbara Stoia again harasses and molests the turtle nest and hatchlings this time transporting a hatchling out of the nest and begins to crawl on her hands and knees with her phone recording the hatchling moving in a west to east direction for approximately 40 minutes.  
0845 hours – 0919 hours - Barbara Stoia returns to the nest and molests and harasses several other hatchlings inside the nest and then while on her hands and knees, films the hatchlings.



It should be noted that during this time, Barbara Stoia’s property manager, Eduan Morales, was on and off the beach. Morales at one point brings out a stack of “No Trespassing” white cones that Barbara Stoia routinely lines up on the beach each morning.

At this point in time (0919 hours), the PTZ camera begins to move around and zooms in at a location south of the beach from 101 Seminole Avenue on an employee of DB Ecological, Sea Turtle Monitor. The Turtle Monitor that provided the above email and is permitted to stake turtle nests in the Town of Palm Beach. While the Turtle Monitor is walking northbound on the beach towards 101 Seminole Avenue the PTZ camera begins to follow her. Below is the next occurrence of events:

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**Before me this 3<sup>rd</sup> day of August, 2023**  
**By, Detective Buscemi,**  
**Who is personally known to me**

\_\_\_\_\_  
Signature of Police Officer (F.S.S.117.10)

State of Florida  
County of Palm Beach

\_\_\_\_\_  
Signature/Arresting Officer

**SCANNED**

AUG 05 2023

**Probable Cause Affidavit**  
**Palm Beach Police Department**

Agency ORI #FLO 500600

0922 hours – It appears that Barbara Stoia is alerted of the presence of the sea turtle monitor walking in her direction. Barbara Stoia and Eduan Morales then quickly gather their belongings including the stack of no trespassing cones and leave the beach through the private access point at 101 Seminole.



0926 hours – The turtle monitor approaches the exact same spot Barbara Stoia was seen harassing and molesting the turtle nest and hatchlings and begins to photograph the disrupted nest. While doing so the turtle monitor's every move is being followed by the PTZ camera that has now zoomed in to the sand to see the disrupted nest.

NOT A COPY

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Before me this 3<sup>rd</sup> day of August, 2023  
By, Detective Buscemi,  
Who is personally known to me

Signature of Police Officer (F.S.S.117.10)

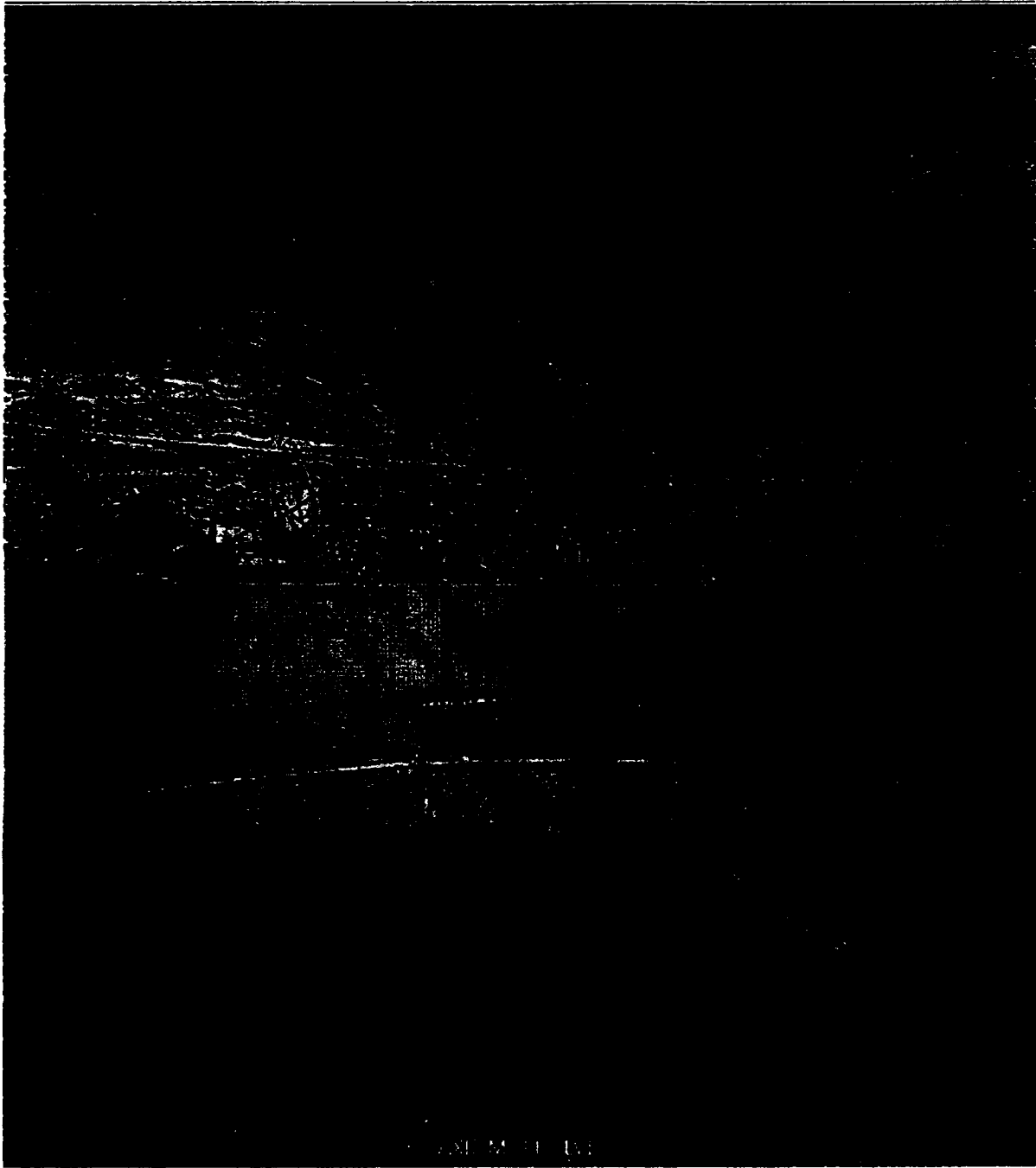
State of Florida  
County of Palm Beach

Signature/Arresting Officer

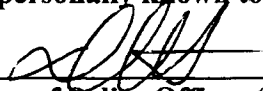
SCANNED

AUG 05 2023


*Probable Cause Affidavit*  
**Palm Beach Police Department**  
Agency ORI #FLO 500600



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Before me this 3<sup>rd</sup> day of August, 2023  
By, Detective Buscemi,  
Who is personally known to me

  
\_\_\_\_\_  
Signature of Police Officer (F.S.S.117.10)

State of Florida  
County of Palm Beach

  
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**Probable Cause Affidavit**  
**Palm Beach Police Department**  
Agency ORI #FLO 500600

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Overall, for approximately 85 minutes Barbara Stoia is on the beach harassing the turtle nest and hatchlings as they crawl from the top of the beach to the ocean. Throughout this time, Eduan Morales even attempts to cover the nest hand pry marks and shoes prints by sifting through the sand. Furthermore, when the turtle monitor is spotted on the PTZ camera Barbara Stoia and Eduan Morales are alerted and quickly exit the beach. Once Stoia is off camera, the video appears to remain focused on the actions of the turtle monitor which is commonly referred to as counter surveillance, this is accomplished by utilizing the PTZ camera begins to film the turtle monitors every move.

At this point in time, the turtle monitor ropes off the disturbed area to preserve the shoe prints and hand marks that were later sent to FWC and the Palm Beach Police Department. Upon reviewing the videos, Your Affiant knows and can positively identify that the female depicted in the video as Barbara Stoia (DOB: 01/31/1965 /FLDL #S300-077-65-531-1) and the two males observed on the video as Frank Herz (W/M DOB: 05/17/1971 / FLDL #H620-266-71-177-0) and Eduan Morales (H/M DOB: 09/07/1984 / FLDL #M642-200-84-327-0).

Based on the above facts, Your Affiant found Probable Cause to arrest and charge Barbara Stoia for violating the Florida "Marine Turtle Protection Act" as outlined in Marine Animals Regulation pursuant to F.S.S. 379.2431 (E)(5).

---

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Before me this 3<sup>rd</sup> day of August, 2023  
By, Detective Buscemi,  
Who is personally known to me

  
\_\_\_\_\_  
Signature of Police Officer (F.S.S.117.10)

State of Florida  
County of Palm Beach

  
\_\_\_\_\_  
Signature/Arresting Officer

SCANNED

AUG 05 2023



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

	X	Florida State Statute	Description	Page Number(s)
L/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"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>	FL CONSTITUTION ARTICLE 1,16(b)	Other: MARSY'S LAW	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2023020287	Date: 8/5/2023
	Specialist Name/ID: Pinkneya/7796

SCANNED

AUG 05 2023