

Marsy's Law invoked - CVI present

0542079

ARREST / NOTICE TO APPEAR

23MM - 6033 AM 3199

O. On-View 3. Request for Warrant
S. Suspicious T. Taken into Custody

JUVENILE

ADMI NIST RATI ON	OBTS Number	Agency ORI Number 0500800	Agency Name West Palm Beach Police Department	Agency Report Number (N.T.A.' only) 9, 4 2023-0012762	Date of Arrest 07/22/2023		Time of Arrest 22:27		Booking Date 07/22/2023		Booking Time 22:37		Jail Date	Jail Time	Location of Vehicle 3507 N AUSTRALIAN AVE, WEST PALM BEACH, FL 33407				
DEF END ANT	Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type UNARMED		Multiple Clearance Indicator		Location of Arrest (Including Name of Business) 3507 N AUSTRALIAN AVE WPB FL 33407												
	Name (Last, First, Middle) MURPHY, BRETT SCOTT		Alias:		Alias (Name, DOB, Soc. Sec. #, Etc.)														
C O D E F	Race W - White B - Black A - Asian I - American Indian	Sex M	Date of Birth 10/15/1969	Height 5'10	Weight 215	Eye Color BLUE	Hair Color GRAY OR	Complexion FAIR	Build Medium	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status S	Religion	Indication of: Alcohol Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>					
	Local Address (Street, Apt. Number) 5094 MARION PL, WEST PALM BEACH, FL 33407		(City)	(State)	(Zip)	Home Phone (561) 350-2560		Residence Type: 1. City 3. Florida 2. County 4. Out of State 1		Permanent Address (Street, Apt. Number) 5094 MARION PL, WEST PALM BEACH, FL 33407									
	Business Address (Name, Street)		(City)	(State)	(Zip)	Work Phone		Occupation VERBAL		D/L Number, State M610077693750 / FL									
	Soc. Sec. Number		FNS Number		Place of Birth (City, State) CHICAGO, IL		Citizenship US		Co-Defendant Name (Last, First, Middle)										
J U V E N I L E	Parent <input type="checkbox"/> Other: _____		Name (Last, First, Middle)		Residence Phone		Legal Custodian		Address (Street, Apt. Number)		(City)	(State)	(Zip)	Business Phone					
	Notified by: (Name)		Date	Time	JUVENTILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated		Released To: (Name)		Relationship	Date	Time	School Attended		Grade					
	The above address was 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's Office (Phone 355-2526) informed of any change of address.		Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property		Drug Activity N. N/A P. Possess		S. Sell E. Buy T. Traffic	R. Seaggle 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
C H A R G E	Charge Description BATTERY - SIMPLE BATTERY		Statute Violation Number 784.03(1A1)		Violation of ORD #		Drug Activity		Drug Type N	Amount / Unit	Offense #	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond			
	Charge Description		Statute Violation Number		Violation of ORD #		Drug Activity		Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number		Bond			
	Charge Description		Statute Violation Number		Violation of ORD #		Drug Activity		Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number		Bond			
I N T A K E	Health / Apparent Physical Condition of Defendant		Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		Explain:		Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail		PROPERTY - Received By		Released By	Released To							
	Transported By		Date Transported	Time Transported	Other														
N O T I C E T O A P P E A R	<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input checked="" type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		Location (Court, Room) 3228 Gun Club Rd		Court Date and Time 08/22/23 08:30 AM		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		INITIAL		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) 350-2560		FILED PBC - GUN CLUB								
A D M I N	HOLD for Other Agency		Signature of Arresting Officer #2232		Name Verification (Printed by Arrestee) 23 JUL 23 AM 7:20		<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other		Name of Arresting Officer (Print) GARIC, NIKOLA		I.D.# 02232								
	Intake Deputy Spaw 8101		Fouch #		Transporting Officer N. GARIC		I.D.# 2232		Agency WPBPD		PAGE 1 OF 1								

SCANNED JUL 23 2023

Marsy's Law invoked - CVI present

PROBABLE CAUSE AFFIDAVIT

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

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JUVENILE

OBTS Number		
Agency ORI Number FL FLO500800	Agency Name WEST PALM BEACH POLICE DEPARTMENT	Agency Report Number 9 4 2023-0012762
Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony	<input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other
Name (Last, First, Middle) MURPHY, BRETT SCOTT		Special Notes: Race: W Sex: M Date of Birth: 10/15/1969
Charge Description 784.03(1A1) BATTERY- SIMPLE BATTERY	Charge Description	
Charge Description	Charge Description	

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 **HILL, DACK** who told

confessed to _____

OFFICERS that he/she saw the arrested person commit the below acts.

admitting to the below facts.

was found to have committed the below acts, resulting from my (described) investigation.

On the **22** day of **July**, **2023** at **21:53** (Specifically include facts constituting cause for arrest.)

On Saturday, July 22nd, 2023, at approximately 2015 hours, while working in a uniformed capacity while assigned to the road patrol division as 2B10, I responded to 2507 N Australian Ave. in reference to a fight with a mention of a possible knife.

Upon arrival, the victim, [REDACTED] was outside holding a large gray knife in his right hand while holding a cell phone in his left hand, in a face to face verbal altercation with Brett Murphy (W/M, 10/15/69). Murphy was inside of the residence in the doorway, while [REDACTED] was outside on the pool patio approximately 15 ft away. Parties were separated and spoken to individually.

Murphy advised that he and [REDACTED] have been friends for an extended period of time, and they have been having issues as [REDACTED] has not been upholding his end of the rent. Murphy advised that there was a verbal altercation between the two however, it never became physical. Murphy advised that he was yelling, and [REDACTED] armed himself with a large metal knife. Murphy advised that [REDACTED] never made an attempt to attack him with the knife, and that [REDACTED] is afraid of Murphy. For a full and verbatim account of the statement, please refer to BWC recording.

Let it be known Murphy berated and cussed at [REDACTED] from across the yard throughout the investigation.

[REDACTED] advised officers that Murphy had been drinking, and when he drinks, Murphy becomes very aggressive. [REDACTED] advised that he and Murphy were involved in a verbal disagreement when Murphy became erratic and began to destroy things in their shared bedroom. [REDACTED] advised he called his [REDACTED] via telephone and went outside and got another tenant from the building in case things escalated. [REDACTED] advised that while he was outside, Murphy came outside and struck him in the right side of his face. [REDACTED] advised that he had the metal knife in his hand down at his side for protection prior

SWORN AND SUBSCRIBED BEFORE ME

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

DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

GARIC, NIKOLA (02232)
NAME OF OFFICER (PLEASE PRINT)

07/22/2023
DATE

PAGE
1 OF 2

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

SCANNED
JUL 23 2023

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

0 JUVENILE

OBTS Number	Agency ORI Number FL FLO500800		Agency Name WEST PALM BEACH POLICE DEPARTMENT	Agency Report Number 9 4 2023-0012762
Charge Type: Check as many as apply				Special Note:
<input type="checkbox"/> 1. Felony	<input checked="" type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance		
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Name (Last, First, Middle) MURPHY, BRETT SCOTT	Alias	Race W	Sex M	Date of Birth 10/15/1969
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to being struck in the face. It should be noted that [REDACTED] advised he is fearful of Murphy due to previous disturbances most recently where Murphy climbed on top of him and began to choke him while he slept, which was unreported, as [REDACTED] and Murphy are long time friends. For a full account of the statement please refer to BWC.

Dack Hill (B/M, 09/21/50) also resides in the residence, but lives in the East building that is separated by a wall from the residence [REDACTED] and Murphy reside in. Hill advised [REDACTED]. asked him to pay attention and he observed [REDACTED]. outside. Hill advised Murphy used a closed right hand fist to strike [REDACTED]. one time in the face, causing [REDACTED]. to stumble but not fall completely down.

Fox [REDACTED] had what appeared to be minor redness and marking near his lower right cheek/lip area.

Based on the totality of circumstances, the witness statement, and the injuries consistent with a strike from a larger male, I find probable cause to charge Brett Murphy, (W/M, 10/15/69) with one count of Battery - Simple Battery, for violation of FSS. 784.03 (1A1).

[REDACTED]. advised he would like to invoke his right to Marsey's law.

SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING/INVESTIGATING OFFICER
<i>[Signature]</i> #2148	<i>[Signature]</i> #2232
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	GARIC, NIKOLA (02232)
7/22/2023	NAME OF OFFICER (PLEASE PRINT)
DATE	07/22/2023
	DATE



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"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2023019088	Date: 7/23/2023
	Specialist Name/ID: Chantel Daniels/30347

SCANNED
JUL 23 2023