

50-2024-MM-007138AMB

0307445

MARSY'S LAW INVOKED

Confidential Info Contained

3522

ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1 Juvenile N	
OBTS Number		Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-24-011902	
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		Multiple Clearance Indicator	
Location of Arrest (Including Name of Business) 9 FARNWORTH DR Boynton Beach, FL		Location of Offense (Business Name, Address) 9 FARNWORTH DR Boynton Beach, FL		Date of Arrest 08/19/2024		Time of Arrest 0119	
Name (Last, First, Middle) RUBIN, DAVID NEIL		Alias (Name, DOB, Soc. Sec. #, Etc)		Booking Date		Booking Time	
W - White I - American Indian B - Black O - Oriental / Asian		Race W Sex M Date of Birth 05-10-1970 Height 6'0 Weight 225 Eye Color BLU Hair Color BROWN Complexion FAIR Build LARGE		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status SINGLE Religion NONE	
Local Address (Street, Apt. Number) 9 FARNWORTH DR Boynton Beach, FL 33436		(City) (State) (Zip)		Phone (561)350-8715		Indication of: Alcohol Influence ☐ Y ☐ N ☐ Unk. Drug Influence ☐ Y ☐ N ☐ Unk.	
Permanent Address (Street, Apt. Number)		(City) (State) (Zip)		Phone () - ()		Residence Type 1. City 3. Florida 2. County 4. Out of State	
Business Address (Street, Apt. Number)		(City) (State) (Zip)		Phone () - ()		Address Source ELVIS Occupation CONTRACTOR	
D/L Number, State R150174701700, FL		Soc. Sec. Number		INS Number		Place of Birth NEW YORK, NY	
Co-Defendant Name (Last, First, Middle)		Race Sex Date of Birth		☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor		Citizenship USA	
Co-Defendant Name (Last, First, Middle)		Race Sex Date of Birth		☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor			
☐ Parent Name (Last) (First) (Middle)		Residence Phone		☐ Legal Custodian			
☐ Other		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 HRS/DYS 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 561-355-2526) informed of any change of address. ☐ Yes, By: (Name) ☐ No: (Reason)		School Attended		Grade			
Property Crime? Yes ☐ No ☐		Description of Property		Value of Property			
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic R. Smuggle D. Deliver E. Use 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 SIMPLE BATTERY (DATING VIOLENCE)		Counts 1		Domestic Violence ☒ Yes ☐ No		Statute Violation Number 784.03 (1)(A)(1)	
Drug Activity N		Drug Type N		Amount/Unit N		Offense # 24-011902	
Charge Description		Counts		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444		Court Date and Time Month Day Year Time		Date Signed	
Instruction No. 2 You need not appear in Court but must comply with instruction on reverse side.		Signature of Defendant (or Juvenile and Parent/Custodian)		Name Verification (Printed by Arrestee) (PRINT)		Page 1 OF 1	
HOLD for other Agency Name:		Signature of Arresting Officer V. COLON		I.D. # 1156		Agency BBPD	
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other		Name of Arresting Officer (Print) V. COLON		I.D. # 1156		Agency BBPD	
Intake Deputy 6.96		Pouch #		Witness here is subject Signed with an "X".			

AUG 19 AM 2:53



**DOMESTIC VIOLENCE PROBABLE CAUSE AFFIDAVIT
PALM BEACH COUNTY**



On the 19th day of AUGUST 2024 at 0031
Subject: RUBIN, DAVID NEIL DOB: 05-10-1970 Case #: 24-011902
Charge Description: SIMPLE BATTERY (DATING VIOLENCE) Statute #: 784.03 (1)(A)(1)
Victim: SOUTHARD, KARA D DOB: [REDACTED]
Local Address: [REDACTED]
Personal Contact: [REDACTED]

Narrative:

On August 19, 2024 at approximately 0031 hours I responded to Boynton Lakes park in reference to a possible battery at a residence.

Upon arrival, I met with W/F Kara Southard who provided a sworn statement advising that she went to her friend's house (later identified as W/M David Rubin) and brought him food from her job for the both of them to enjoy while they hang out and enjoy each other's company. Southard advised that Rubin and herself have been on and off intimate with each for the last 6 months or so but do not live together. Southard goes on to say that she was notifying Rubin that she has a Doctor's appointment later in the morning and that is when Rubin became upset and began to yell and raise his voice at her and told her to leave the residence. Southard also states that Rubin told her "he doesn't want to talk to her and for her to get out" of his residence and began to mush her face utilizing his right hand with an open palm and pushed her right cheek forcing her out of the residence and closing the door. Southard advised that is when she walked away and called BBPD Communications to meet officers at the park to advise of the incident that just took place. Southard's face (right cheek) was very red compared to the other side and pictures were taken via Capture phone and uploaded to evidence.com.

I then met with Rubin at his residence, and he advised that Southard came to the residence possibly drunk or under the influence of alcohol and every time she arrives at his residence in that state of mind, she causes issues. It should be noted that, Rubin advised both him and Southard are intimate with each other about 3-4 times a week and have been for about a year and she does usually stay the night when she comes over. Rubin goes on to say that Southard went in the residence and the two of them were eating, but then she pulled out an alcoholic beverage and he advised he did not want the beverage inside his residence and that is what started the argument. Rubin then advised that Southard left the residence without incident but then soon returns approximately 15 minutes later and she was being obnoxious and causing a scene and he was asking her to leave but she refused. Initially Rubin advises that he then pushes Southard "guiding her" out of the residence softly (while demonstrating with both his hands in a pushing matter) and then closed the door on her. After being interviewed a second time, Rubin advised he didn't push her he just used the door to push her out of the residence and closed the door and that was the end of the incident.

It should be noted that there were no witnesses to this event nor any video surveillance. Southard refused any medical treatment. A Records check was conducted for Rubin for any wants/warrants which yielded negative results via FCIC/NCIC/PALMS.

Based on the aforementioned, I find probable cause to charge David Rubin with Simple Battery (dating violence) pursuant to F.S.S. 784.03 (1)(A)(1). Rubin was placed in handcuffs (D/L and checked for tightness) and then transported to BBPD for processing.

Defendant's Statement: Taped Victim's Statement: Taped

Observation Of Victim (Physical and Emotional):

REDNESS ON RIGHT CHEEK AND VERY EMOTIONAL

Relationship Between Victim and Suspect:

INTIMATE PARTNERS 3-4 TIMES A WEEK ON AND OFF SINCE THE LAST YEAR.

MARSHY'S LAW INVOKED
Confidential Info Contained

Photographs: Scene: ☒ Yes ☐ No
Victim: ☒ Yes ☐ No
911 Call: ☒ Yes ☐ No Caller: VICTIM
Tape Requested: ☒ Yes ☐ No
Weapon Used: ☐ Yes ☒ No Type: _____
Witnesses: ☐ Yes ☒ No
Injuries: ☒ Yes ☐ No
Medical Treatment: ☐ Yes ☒ No
At Scene ☐ Yes ☒ No Paramedics: _____
At Hospital ☐ Yes ☒ No Physician(s): _____
Hospital: _____

Act Committed In Presence Of Minor(s): ☐ Yes ☒ No

Name: _____ Age: _____

Name: _____ Age: _____

F.D.C.F. Notified: ☐ Yes ☒ No

Victim Pregnant: ☐ Yes ☒ No

Violation Of Restraining Order: ☐ Yes ☒ No

Case #: _____

Prior History Of Domestic Violence: ☐ Yes ☒ No

Alcohol Or Drugs Involved: ☐ Yes ☒ No ☐ Unknown

Victim Contact Information:

Phone Home: _____ Work: _____

Employer: _____

Relative Name: _____ Phone: _____

Address: _____

City/State: _____

State Of Florida

County Of Palm Beach

Appeared before me, OFC V. COLON, (print name) personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true.

Signature Of Arresting Officer

Sworn to and subscribed to me before this 19 day of AUGUST, 2024

Notary/Clerk Of Court/Officer (F.S.S. 117 10)



PARSY'S LAW INVOKED
EXEMPTION FROM PUBLIC RECORDS DISCLOSURE

Boynton Beach Police Department Case Number: 24-011902

This form is a request for exemption of certain information from public records disclosure involving victims of the following crimes:

- | | |
|------------------------|------------------------------------|
| A. Sexual Battery | E. Harassment |
| B. Aggravated Stalking | <u>F. Domestic/Dating Violence</u> |
| C. Aggravated Battery | G. Elder Abuse |
| D. Child Abuse | |

Pursuant to Florida Statute 119.07(1), I hereby request that information which reveals: my identity, home or employment telephone number, home or employment address, or information about my personal assets, not be released or revealed through any public records disclosure by the Boynton Beach Police Department.

Signature: _____

Date: 9/11/24

Officer Name and I.D.: V. Colon 1156

VICTIM NOTIFICATION FORM

This form must be filled out in a case involving one of the following crimes:

- **Homicide (Ch. 782)**
- **Attempted Murder**
- **Stalking (S. 784.084)**

- **Sexual Offense (Ch. 794)**
- **Attempted Sexual Offense**

- **Domestic Violence** (This includes any *Assault, Agg. Assault, Battery, Agg. Battery, Sexual Assault, Sexual Battery, Stalking, Agg. Stalking* or any criminal offense resulting in physical injury or death of one family member or household member by another, who is or was residing in the same dwelling)

Upon completion, this form must accompany the booking paperwork. If applying for a warrant, attach this form to the filing packet.

- Incident Report #: 24-011902 Agency: Boynton Beach Police Department
Offense: SIMPLE BATTERY (DATING VIOLENCE)
Suspect/Offender: RUBIN, DAVID NEIL
DOB: 05-10-1970 Race: W Sex: M
- Warrant # (s): _____
- Complete one (1) of the following:
 - Victim's Name: SOUTHARD, KARA D
 - Victim's Next of Kin: _____
Address: _____
City: _____ State: _____ Zip: _____
Home #: _____ Work #: _____ Other: _____
 - Victim's designated contact other than next of kin (for example: a friend or neighbor):
Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Home #: _____ Work #: _____ Other: _____
- Relevant identification or case numbers assigned to the case (please specify):

WAIVER: I CHOOSE NOT TO COMPLETE THIS VICTIM NOTIFICATION FORM, AND UNDERSTAND THAT I AM WAIVING MY RIGHT TO BE NOTIFIED OF THE RELEASE OF THE SUSPECT/OFFENDER.

Signature of Victim: _____

Printed Name of Victim: SOUTHARD, KARA D

Officer's Name: OFC V. COLON I.D.# 1156 Date: 08/19/2024

MARSY'S LAW INVOKED
Confidential Info Contained

SUSPECT/OFFENDER:

RUBIN, DAVID NEIL

COURT CASE/ WARRANT #:
(FOR WARRANTS USE ONLY)



2100 High Ridge Road
Boynton Beach, FL 33426
561.742.6100

Joe DeGiulio
Chief of Police

Jack Dale
Assistant Chief

Matthew Zeller
Assistant Chief



A CLE Accredited
Law Enforcement Agency

BOYNTON BEACH POLICE DEPARTMENT

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 01/19/24 BY 60322 UCBAW

Boynton Beach Police Department Marsy's Law (effective January 8, 2019), FL Constitution, Article 1, §16(b) Victims' Right to Confidentiality Form

Boynton Beach Police Department Case Number: 24-011902

Florida Constitution, Article 1, Section 16(b)(5): Every victim is entitled to the following right, beginning at the time of his or her victimization: "The right to prevent disclosure of information or records that could be used to locate or harass the victim or the victim's family, or which could disclose confidential or privileged information of the victim."

I, Kara Southard, as the victim, hereby

(Circle one: invoke / do not invoke)

my right to prevent disclosure of information or records that could be used to locate or harass the victim or the victims' family, or which could disclose confidential or privileged information of the victim.

I HAVE READ AND UNDERSTOOD THE ABOVE PARAGRAPH. I HAVE BEEN INFORMED OF MY RIGHT TO NOT HAVE MY PERSONAL INFORMATION BECOME A MATTER OF PUBLIC RECORD.

Victim Signature: [Signature] Date: 9/19/24
(If the victim is under age 18, a parent or guardian's signature should be obtained)

Parent/Guardian Name: _____ Date: _____

Parent/Guardian Signature: _____

Witness (print/signature): Ofc. J. Colon [Signature] 1156

I.D. # 1156
(Law Enforcement Officer Informing victim)

FILED PBC - GUN CLUB
'24 AUG 19 AM 6:56

Professionalism * Respect * Integrity * Dedication * Excellence

www.bbpd.org



Palm Beach County Sheriff's Office

Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(4)(c)	Undercover personnel	
	☐	119.071(2)(e)	Confession	
Public Info. Exemptions	☐	FL Const. Art. I, s. 16(b)(5)	Marsy's Law – victim information shall be redacted. The term "victim" also includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim. The term "victim" does not include the accused (ref. page 99 of the CRTM for additional information)	
	☐	119.071(2)(j)	Home/employment telephone number, home/employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence	
	☐	119.0712(2)	Personal information contained in a motor vehicle record	
	☐	316.650(11)	Driver information contained in a uniform traffic citation	
	☐	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
Florida Rules of Judicial Administration 2.420	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	☐	(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	☐			
	☐			
	☐			
	☐			

REVIEW COMPLETED BY

Booking Number: 2024022331	Date: 8/19/2024
	Specialist Name/ID#: MTools #8557