

Rough Arrest Only

ARREST / NOTICE TO APPEAR Juvenile Referral Report

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

ADMINISTRATION	OBTS Number		Agency ORI Number FL0500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06-17-053335						
	Charge Type: Check as many as apply.		Weapon Seized/Type 1. Yes 2. No		Multiple Clearance Indicator 02								
	<input checked="" 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								
	Location of Arrest (Including Name of Business)				Location of Offense (Business Name, Address)								
Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle	

DEFENDANT	Name (Last, First, Middle) Newby, Douglas, C												Alias (Name, DOB, Soc. Sec. #, Etc.)											
	Race		Sex		Date of Birth		Height		Weight		Eye Color		Hair Color		Complexion		Build							
	W - White B - Black		I - American Indian O - Oriental/Asian		W		M		07/12/1958		5'09"		180		Brn		Brn		Med		Med			
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)												Marital Status Single		Religion		Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk.							
	Local Address (Street, Apt. Number)				(City)				(State)		(Zip)		Phone		Residence Type 1. City 3. Florida 2. County 4. Out of State 1									
	325 S. Lakeside Ct.				West Palm Beach				FL		33407		(561) 305-3296		Address Source Verbal									
	Permanent Address (Street, Apt. Number)				(City)				(State)		(Zip)		Phone		Occupation Painter									
Same																								
Business Address (Street, Apt. Number)				(City)				(State)		(Zip)		Phone		Occupation Painter										
None																								
D/L Number, State				Soc. Sec. Number				INS Number				Place of Birth				Citizenship								
N100163582520 FL												CA				US								

CO-DEF	Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile	
											<input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor	
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile		
										<input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor		

JUVENILE	<input type="checkbox"/> Parent		Name (Last)		(First)		(Middle)		Residence Phone							
	<input type="checkbox"/> Legal Custodian															
	<input type="checkbox"/> 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/CYF 3. Incarcerated						
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				

CODE	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																				
	Drug Activity		S. Sell		R. Smuggle		K. Dispense/Distribute		M. Manufacture/Produce/Cultivate		Z. Other		Drug Type		B. Barbituate		H. Hallucinogen		P. Paraphernalia/Equipment		U. Unknown
N. N/A		B. Buy		D. Deliver								N. N/A		C. Cocaine		M. Marijuana		S. Synthetic		Z. Other	
P. Possess		T. Traffic		E. Use								A. Amphetamine		E. Heroin		O. Opium/Deriv.					

CHARGE	Charge Description Sexual Battery on a Child				Counts 1		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number 794.011(2)(a)				Violation of ORD #	
	Drug Activity N		Drug Type N		Amount/Unit N/A		Offense # 17-053335		Warrant/Capias Number				Bond	

CHARGE	Charge Description Simple Battery				Counts 1		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number 784.03(1)(a)(1)				Violation of ORD #	
	Drug Activity N		Drug Type N		Amount/Unit N/A		Offense # 17-053335		Warrant/Capias Number				Bond	

CHARGE	Charge Description				Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number				Violation of ORD #	
	Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number				Bond	

CHARGE	Charge Description				Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number				Violation of ORD #	
	Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number				Bond	

NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address)									
	<input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side.		Court Date and Time Month _____ Day _____ Year _____ Time _____ A.M. _____ P.M.									
	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						

ADMIN.	HOLD for other Agency				Signature of Arresting Officer X				Name Verification (Printed by Arrestee) (PRINT)				
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) Det. A. Terwilliger				I.D. # 6654				
	Intake Deputy		I.D. #		Pouch #		Transporting Officer		I.D. #		Agency		PAGE 1 OF 1

OBTS Number		PROBABLE CAUSE AFFIDAVIT			3	Juvenile	N
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number 06 - 17-053335		
Charge Type: <input checked="" type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance Check as many <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other as apply.		Special Notes:					
Defendant's Name (Last, First, Middle) Newby, Douglas, C				Race W	Sex M	Date of Birth 07/12/1958	
Charge Description Sexual Battery on a Child			Charge Description Simple Battery				
Charge Description			Charge Description				
Victim's Name (Last, First, Middle) [REDACTED]				Race W	Sex M	Date of Birth 02/13/2012	
Victim's Local Address (Street, Apt. Number) (City) (State) (Zip)			Phone		Address Source Verbal		
Victim's Business Address (Name, Street) (City) (State) (Zip)			Phone N/A		Occupation N/A		
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...							
<input type="checkbox"/> committed the below acts in my presence.		<input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.					
<input type="checkbox"/> confessed to _____ admitting to the below facts.		<input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.					
On the 21 day of March, 2017 at <input type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).							

NARRATIVE:

I was assigned this case after receiving a child safety review database form from Deputy Cimoch ID #16044. While five year old [REDACTED] was in the car with his parents he disclosed that Douglas Newby touched his buttocks with his finger, and kissed him on the mouth. Newby is the [REDACTED] of [REDACTED] mother, [REDACTED]

On March 29, 2017 [REDACTED] was interviewed at the Child Protection Team (CPT) by Case Coordinator Vannessa O'Steen. [REDACTED] demonstrated he knows the difference between the truth and a lie. When asked why he was here today, [REDACTED] responded because of "[REDACTED] Doug". Doug played a "tongue touch" game with [REDACTED]. [REDACTED] Doug kisses [REDACTED] tongue, and moves his tongue around. The game is Doug's idea and he tells [REDACTED] to keep it a secret and not tell his parents. This occurred at [REDACTED] home and at the park across the street from [REDACTED] home. [REDACTED] also disclosed that on his birthday he was at Doug's home. Doug told [REDACTED] he had candy for him upstairs. [REDACTED] went upstairs with Doug and they were in Doug's bedroom. Doug kissed [REDACTED] on his tongue, and gave him candy. Doug told [REDACTED] to keep the game a secret or he would not give [REDACTED] anymore candy or presents.

Case Coordinator O'Steen showed [REDACTED] a gingerbread drawing. [REDACTED] identified body parts on the drawing including the "pee pee" and "butt". [REDACTED] disclosed that Doug touched his "butt" when he was in the bath. Doug "stuck his finger all the way in" and told [REDACTED] not to tell anyone or he won't give him candy. This occurred at [REDACTED] home, [REDACTED] [REDACTED] was asked if he is afraid of [REDACTED] Doug. [REDACTED] drew a picture of a mouth. I later collected the

NARRATIVE CONTINUATION

gingerbread drawing and picture from Case Coordinator O'Steen. The interview with [REDACTED] was video recorded and copied to a DVD.

[REDACTED] had a medical exam at CPT by Doctor William Rosenstein. I later received a copy of the Medical Reporting Form completed by Doctor Rosenstein. In the overall medical assessment it stated "1) Positive findings for sexual abuse- The child had a normal anogenital exam today. Although the photograph taken in the exam room was not in focus, I was able to clearly visualize the anogenital region during the exam. I reviewed the DCF history that stated the child was sexually abused by [REDACTED], Douglas Newby (The [REDACTED]). The child disclosed two occurrences, while in the car with his brother and parents, when the [REDACTED] played the "tongue touching" game and when the [REDACTED] put his finger inside his anus while the child was playing in the bathtub. The child stated that the [REDACTED] told [REDACTED] it was a secret and not to tell anyone and that if he does he will not get any candy. I discussed the interview results with Case Coordinator Vanessa O'Steen. The child gave a consistent and credible history of the two occurrences with his [REDACTED]. After reviewing the history, physical, and discussing the interview with Vanessa O'Steen the finding are positive for sexual abuse".

On March 30, 2017 at approximately 4:30pm I responded to [REDACTED] and met with [REDACTED]. According to [REDACTED] while in the car a couple of weeks ago [REDACTED] and his brother, six year old [REDACTED] were talking about playing a "tongue touching" game with "[REDACTED] Doug". Doug is [REDACTED], Douglas Newby. When [REDACTED] asked [REDACTED] what he was talking about, [REDACTED] said he plays the game with [REDACTED] Doug for candy. The next day [REDACTED] was going to confront Douglas and wanted to speak with [REDACTED] further. [REDACTED] told her [REDACTED] Doug's tongue touches his tongue to get candy. [REDACTED] was told by [REDACTED] Doug not to tell anyone and to keep it a secret. [REDACTED] was "alarmed" about what [REDACTED] was telling her and got a toy bear and asked [REDACTED] if Douglas has touched him anywhere else. [REDACTED] pointed to the bear's mouth then flipped the bear over and pointed to the "butt". [REDACTED] asked how Douglas touches his "butt" and asked if it was his "butt hole". [REDACTED] said yes and that Douglas poked it gently with his finger and his finger went in and out. Douglas tells [REDACTED] he can't tell anyone and to keep it a secret. Douglas put his finger inside [REDACTED] buttocks at their home in the bathroom when he gave [REDACTED] a bath. [REDACTED] was alone with Douglas in the bathroom when this occurred. [REDACTED] said he remembered the sound of Douglas's flip flops when he walked up behind him in the bathroom. [REDACTED] said the only time Douglas watched the children at the home alone was on December 7, 2017. [REDACTED] and her husband went to the hospital on that day to see her mother in law who was on life support. [REDACTED] remembered Douglas calling her that night saying he was going to give the children a bath.

[REDACTED] told her the tongue touching game happened approximately twelve times with Douglas. One incident happened on [REDACTED] birthday February 13, 2017 in Douglas's

NARRATIVE CONTINUATION

bedroom. Douglas was [REDACTED] at [REDACTED] father in laws home, [REDACTED]. [REDACTED] Douglas told [REDACTED] he can't play the tongue touching game with anyone else. [REDACTED] asked [REDACTED] to never leave him alone with [REDACTED] Doug. [REDACTED] spoke to her six year old son [REDACTED]. [REDACTED] told her that he told [REDACTED] Doug "no" when Douglas asked him to play the tongue touching game. [REDACTED] has never accused anyone else of touching him inappropriately. [REDACTED] called Douglas on the phone and asked him about the allegations made by [REDACTED]. [REDACTED] recorded the conversation on her cell phone. [REDACTED] said she was alone when she called Douglas and he made admissions to touching [REDACTED] tongue with his tongue. Douglas told [REDACTED] that [REDACTED] had a piece of candy in his mouth and stuck out his tongue. [REDACTED] told Douglas to lick the candy, which he did. Douglas said this happened one time and he described it as a "childish game". Douglas said it happened at his house. Douglas denied touching [REDACTED] buttocks. Douglas told [REDACTED] the allegation may be from him giving [REDACTED] a bath or changing his diaper, but also stated his has never changed [REDACTED] diaper.

After [REDACTED] provided a statement at the home she attempted a controlled phone call to Douglas. Douglas did not answer the call. At approximately 5:10pm [REDACTED] received a phone call from Douglas's sister, Deborah Newby, who lives in California. Deborah told [REDACTED] she had not heard from Douglas in five days. According to Deborah, Douglas admitted to the "tongue touch" with her but denied putting his finger in [REDACTED] buttocks.

On May 24, 2017 at approximately 4:00pm I responded to [REDACTED] and met with [REDACTED]. [REDACTED] and her family moved to this address. [REDACTED] attempted a controlled phone call to Douglas which went to his voicemail. [REDACTED] sent Douglas a text message asking him to call her back. At approximately 4:21pm Douglas called [REDACTED] and I recorded the conversation with a digital recorder. Douglas admitted to kissing [REDACTED] tongue and described it as "harmless" and "inappropriate" and said they were playing a game. Douglas said "I just stuck out my tongue with a piece of candy on it". Douglas denied touching [REDACTED] buttocks with his finger. There is no further information in regards to the phone call with Douglas.

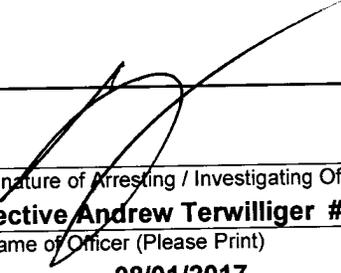
[REDACTED] emailed me the phone call she had recorded with Douglas prior to [REDACTED] interview at the Child Protection Team. That phone call is approximately twenty one minutes. Based on the conversation between [REDACTED] and Douglas it appeared Douglas was aware of the allegations against him prior to this phone call and told [REDACTED] he has been thinking about this for the past four days. During the call Douglas tells [REDACTED] he remembers [REDACTED] being in his bedroom and they had candy. [REDACTED] stuck out his tongue with candy on it. Douglas told [REDACTED] "like a dumb ass I tasted it". Douglas said he "might have" told [REDACTED] not to say anything about the incident because he knew it was inappropriate. Douglas told [REDACTED] he gets "childlike" with the kids. Douglas denied touching [REDACTED] buttocks with his

NARRATIVE CONTINUATION

finger. Douglas told [REDACTED] he would speak to a counselor or police and take a "lie detector" to show he didn't touch [REDACTED] buttocks.

[REDACTED] did not have a current address for Douglas and believes he is still residing in an unknown hotel. On June 10, 2017 at approximately 7:45pm I located Douglas Newby at the Palm Beach Kennel Club, 1111 N. Congress Ave. West Palm Beach. I spoke with Douglas outside of the business. Douglas was identified by his Florida Identification Card. Douglas refused to go to Palm Beach County Sheriff's Office to provide a statement. Douglas denied the allegation that he put his finger inside [REDACTED] buttocks. I gave Douglas my business card and contact information and he advised he would come to Palm Beach County Sheriff's Office on June 11, 2017 at approximately 1:00pm. My conversation with Douglas was digitally recorded and later copied to a CD. On June 11, 2017 at approximately 1:10pm I called and left a voice message for Douglas. At approximately 1:30pm Douglas called me advising is not going to provide a statement.

Probable cause exists to charge Douglas Newby with Sexual Battery on a child and Simple Battery.

Sworn and Subscribed Before me	
<i>Lawrence J King #5487</i>	
Signature Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Signature of Arresting / Investigating Officer
Det. King ID #5487	Detective Andrew Terwilliger #6654
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Name of Officer (Please Print)
08/01/2017	08/01/2017
Date	Date

NOT A CERTIFIED COPY