U3U4244

ARREST / NOTICE TO APPEAR

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 5. Juvenile Referral — 1

JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number: 0500200

Agency Name: Boca Raton Police Department

Agency Report Number (N.T.A.'s only): 3 2 2019-000220

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: Hands, Feet, Fist, Teeth

Multiple Clearance Indicator: 01

Location of Arrest (Including Name of Business): 404 PLAZA REAL BOCA RATON, FL 33432

Location of Offense (Business Name, Address): 404 PLAZA REAL, BOCA RATON, FL 33432

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
01/04/2019	21:30	01/04/2019	21:40			

DEFENDANT

Name (Last, First, Middle): BERMAN, JERRY CLAIR

Alias (Name, DOB, Soc. Sec. #, Etc.): 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	11/14/1953	5'07	200	GREEN	WHITE	LIGHT	MED

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): N/A

Marital Status: S — Religion: None — Indication of Alcohol Influence: ☐ Yes ☐ No ☒ Unk. — Drug Influence: ☐ ☒ ☐

Local Address (Street, Apt. Number) (City) (State) (Zip): 1010 SOUTH OCEAN BLVD 1506, POMPANO BEACH, FL 33062 — Phone: 954 937 6444 — Residence Type: 1. City 3. Florida 2. County 4. Out of State: 3

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 1010 SOUTH OCEAN BLVD 1506, POMPANO BEACH, FL 33062 — Phone: — Address Source: Defendant

Business Address (Name, Street) (City) (State) (Zip): — Phone: — Occupation: Self

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
B655423534140 / FL	[redacted]		Pembroke Ontario Canada	US

CO-DEF

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): No Bond — 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 ☒ 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. Dispenses/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, U. Unknown, Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
BATTERY	784.03(1A1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☒ 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		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
		JAN 5 2019

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant: IN GOOD HEALTH

Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☒ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By — Released By — Released To: PBCJ

Transported By: DEEN — Date Transported: / / — Time Transported: : — Other

NOTICE TO APPEAR

☐ INSTRUCTION NO. 1 - Mandatory appearance in court

☒ 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:

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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

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

No Photo Available

ADMIN

HOLD for Other Agency: ☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Signature of Arresting Officer: 783

Name of Arresting Officer (Print): CALHOUN, K. — I.D. #: 783

Name Verification (Printed by Arrestee) (PRINT)

Intake Deputy — I.D. # — Pouch #

Transporting Officer: DEEN — I.D. #: 768 — Agency: BOCA

Witness here if subject signed with an "X"

PAGE

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SCANNED

PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

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

JUVENILE:

Agency ORI Number: **FL 0500200**

Agency Name: **BOCA RATON POLICE DEPARTMENT**

Agency Report Number: **3 | 2 2019-000220**

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
BERMAN, JERRY CLAIR		**W**	**M**	**11/14/1953**

CHARGES

Charge Description	Charge Description
784.03(1A1) BATTERY	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
SIMON, LINDA	**W**	**F**	**06/03/1957**

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
1010 S OCEAN BLVD 1506, POMPANO BEACH, FL 33062	**(954) 937-6444**	**QUEBEC DL**
Business Address (Name, Street) (City) (State) (Zip)	Phone	Occupation
RETIRED		

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.
- [ ] confessed to _____ admitting to the below facts.
- [ ] was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.
- [X] was found to have committed the below acts, resulting from my (described) investigation.

On the **4** day of **January**, **2019** at **21:30** (Specifically include facts constituting cause for arrest.)

On 01-04-2019 at approximately 1813 hours, I responded to 404 Plaza Real in reference to a domestic disturbance. Upon my arrival to the scene I met with the victim, Linda Simon, and a witness, Robert Boyd.

Simon stated that while walking through Mizner Park, she saw her boyfriend, Jerry Berman, with an unknown female (later identified as Debbie Feldman) also in Mizner Park. Simon approached Berman and Feldman to address her and Berman`s current relationship status. Simon and Berman then got into a verbal argument regarding Berman being unfaithful to Simon and how he had lied to her for multiple years. During an ensuing struggle, Berman grabbed Simon`s laptop bag and attempted to throw it to the ground but Simon was able to grab a hold of it. Berman then continued to grab and shove Simon while Simon began screaming for help prompting Boyd to intervene and restraining Berman.

I then met with Boyd who stated that he witnessed Berman grab Simon and threw her up against Feldman`s vehicle that was parked along the curb. Boyd then rushed over and restrained Berman multiple times. At that point a witness, who wished to remain anonymous, called 911 while Berman entered Feldman`s vehicle and drove off northbound on North Federal Highway. Boyd stated that at no time did he see another female besides Simon and that he has never met Berman or Simon. Boyd stated that the person driving the car never exited the car at any point in time.

I attempted to call Berman (310-855-2642) multiple times until and an unknown female answered the phone and stated that I called the wrong number. I then stated to the unknown female that I was a Boca Raton police officer calling to speak to Berman in regards to an incident that occurred. The female stated that I had the wrong number and disconnected the phone call. I attempted to call back but there was no answer.

Around approximately 2046 hours, Feldman arrived at the Boca Raton police

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

WOLLSCHLAGER, ANTHONY J
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

01/04/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

CALHOUN, KEVIN (783)
NAME OF OFFICER (PLEASE PRINT)

01/04/2019
DATE

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

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

Agency ORI Number: FL 0500200
Agency Name: BOCA RATON POLICE DEPARTMENT
Agency Report Number: 3 | 2 | 2019-000220

Charge Type: Check as many as apply.
☐ 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
BERMAN, JERRY CLAIR		W	M	11/14/1953

PROBABLE CAUSE STATEMENT

department (100 NW 2nd Ave) to provide her account of the incident. According to Feldman, she and Berman were sitting in her vehicle when Simon had approached Berman. Feldman then stated that Simon had "jumped" Berman and began hitting him on his head and back area. Feldman stated that Simon then began attacking her punching her on her head and ear. Feldman had yelled out to Berman asking him to get into her car before leaving the area. According to Feldman, she then drove Berman to Publix (1001 S Federal Hwy) where she claims that they parted ways for the remainder of the evening. Feldman stated that after a few hours, she decided to go to the Boca Raton police department to report the incident. Feldman did not have injuries consistent with her story and declined medical attention.

At approximately 2120 hours, I met with Berman at the O`Brien`s Irish Pub (51 SE 1st Ave) where he stated that Simon had attacked him first while he was with Feldman and then attacked Feldman. Berman stated that Simon began hitting him in the back of his head with her computer bag until Feldman was able to get him into the car fleeing the area. Berman advised that he and Feldman then went to Flanigan`s Bar (45 S Federal Hwy) where they hung out for approximately an hour and a half. Berman stated that Feldman had answered his phone and stated that it was the police but did not state why she disconnected the call. According to Berman, Feldman then dropped him off at the Publix (1001 S Federal Hwy) before driving to the Boca Raton Police Department. Berman did not have any visible injuries consistent with his story and declined medical attention.

Subsequent my investigation, I determined Berman to be the primary aggressor due to the fact that Boyd was identified as an independent witness and that Berman and Feldman did not have injuries that were consistent with there statements. At 2130 hours, Jerry Berman was placed into custody for simple battery F.S.S. 784.03(1A1). Berman was transported to the Boca Raton booking facility where he was processed before being transported to the Palm Beach County Jail.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

WOLLSCHLAGER, ANTHONY J
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

01/04/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

CALHOUN, KEVIN (783)
NAME OF OFFICER (PLEASE PRINT)

01/04/2019
DATE

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

VICTIM NOTIFICATION FORM

This form must be completed when one of the following crime(s) has been committed:

- Homicide (Ch. 782)
- Attempted Murder
- Stalking (F.S. 784.048)
- Sexual Offense (Ch. 794)
- Attempted Sexual Offense
- Domestic Violence - (This includes any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated 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 single dwelling.)

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

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

1. Incident Report#: 2019-220 Agency: Boca Raton
Offense: Simple Battery Domestic
Suspect/Offender: Jerry Berman
D.O.B. 11-14-53 Race: W Sex: M

2. Warrant#(s): _____

3.a. Victim's name: Linda Simon D.O.B. 6-3-57 Race: W Sex: F
Address: 1010 S Ocean Blvd Apt 1506
City: Pompano Beach State: FL Zip: 33062
Home#: 954 939 4106 Work#: 9549332075 Other: _____

b. Victim's next of kin, friend or neighbor: _____
Address: _____
City: _____ State: _____ Zip: _____
Home#: _____ Work#: _____ Other: _____

NOTE: PURSUANT TO F.S. 119.07, THE CONTENTS OF THIS FORM MAY BE SUBJECT TO CONFIDENTIALITY.

Victim/Relation Notification Waiver and Confidential Information Request.

(check applicable boxes)

☐ Waiver: I choose not to be notified when the arrestee is released from custody.

☐ Confidential: Pursuant to F.S.119.07 (3)(S)1, I request that the address and telephone number on this form be kept confidential (applicable only to sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence cases).
Other confidentiality provisions of Florida State Statutes may also be applicable

Signature of person waiving notification: _____

Printed name of person waiving notification: _____

Officer's Name: Calhoun I.D.# 193 Date: 1-5-19

White/Corrections or State Attorney (Warrant Application) Yellow/Warrants Section Pink/Central Records

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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: 2019000538	**Date:** 01/06/2019
	Specialist Name/ID: AM/31562