

0233504

ARREST / NOTICE TO APPEAR
Juvenile Referral Report1. Arrest 3. Request For Warrant
2. N.T.A. 4. Request For Capias

1 Juvenile N

OBTS Number

Agency ORI Number FLO 500000			Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number 06		17041570			
Charge Type: Check as many as apply			<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other			If Weapon Seized Enter Type		Multiple Clearance Indicator 0 2			
Location			Location								
Date of Arrest Feb 18, 2017		Time of Arrest 21:15HRS		Booking Date		Booking Time		Jail Date			
								Jail Time			
								Location of Vehicle N/A			
Name (Last, First, Middle) GARCIA JOSE ANTHONY ✓											
Race W-White I- American Indian B- Black O- Oriental/Asian		Sex W M		Date of Birth 06/21/1977		Height 5'11		Weight 188		Eye Color BROWN	
Marital Status MARRIED		Religion UNK		Indication of: Alcohol Influence <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Drug Influence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N							
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE											
Local Address (Street, Apt. Number) 63 PHEASANT RUN BLVD			City WEST PALM BEACH		State FL		Zip 33415		Phone 561 856 9796		
Permanent Address (Street, Apt. Number)			City		State		Zip		Phone		
Business Address (Street, Apt. Number)			City		State		Zip		Phone		
D/L Number, State G-620-421-77-221-0, FL			Social Security No.		INB Number		Place of Birth		Citizenship U.S.		
Co-Defendant Name (Last, First, Middle)					Race		Sex		Date of Birth		
Co-Defendant Name (Last, First, Middle)					Race		Sex		Date of Birth		
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other		Name (Last, First, Middle)						Phone			
Address (Street, Apt. No.)			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			
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 561 355-2526) informed of any address change <input type="checkbox"/> Yes, by (Name) <input type="checkbox"/> No: (Reason)											
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> 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 L. Manufacture/ Produce M. Cultivate		Z. Other			
Drug Type N/A		Drug Type N/A		Amount/Unit N/A		Offense # 17041570		Drug Type B. Barbiturate C. Cocaine A. Amphetamine E. Heroin			
Charge Description (DOMESTIC) SEXUAL BATTERY				Counts 1		Domestic Violence <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number 794.011(5)(b) LE			
Drug Activity N/A		Drug Type N/A		Amount/Unit N/A		Offense # 17041570		Warrant/Capias Number			
Charge Description (DOMESTIC) SIMPLE BATTERY				Counts 1		Domestic Violence <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number 784.03(1)(a)(1)			
Drug Activity N/A		Drug Type N/A		Amount/Unit N/A		Offense # 17041570		Warrant/Capias Number			
Charge Description				Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number			
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number			
Charge Description				Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number			
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number			
Location (Court, Address, Room Number)											
Court Date and Time											
Month	Day	Year	Time		AM		PM				
I AGREE TO APPEAR AT THE ABOVE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT I SHOULD 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				Signature of Arresting Officer				Name Verification (Printed by Arrestee)			
Name				Name of Arresting Officer D/S L. EDWARDS				ID # 16217			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal				<input checked="" type="checkbox"/> Resisted Arrest <input checked="" type="checkbox"/> Other				(PRINT) FEB 19 AM 12:29			
Intake Deputy Thomas				ID #		Pouch #		Transporting Officer ID # EDWARDS 16217		Agency PBSO	

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Juvenile

N

Agency ORI Number FLO 5 0 0 0 0 0	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 06	17041570		
Charge Type: Check as many as apply 1. Felony <input checked="" type="checkbox"/> 3. Misdemeanor 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor 5. Ordinance 6. Other _____		Special Notes			
Defendant Name (Last, First, Middle) GARCIA JOSE ANTHONY		Race W	Sex M	Date of Birth 06/21/1977	
Charge (DOMESTIC) SEXUAL BATTERY		Charge (DOMESTIC) SIMPLE BATTERY			
Charge		Charge			
Victim		H	Sex M	Date of Birth 06/24/1995	
Loca		Address Source VERBAL			
Business Address (Street, Apt. Number)		City	State	Zip	Phone
					Occupation UNK
The undersigned 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 (described) investigation.					
On the 18th day of FEBRUARY 20 17 at 08:35 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM					

On February 18, 2017 at 20:35hrs, I was dispatched to [REDACTED] In reference to a domestic in progress. Upon my arrival, I made contact with [REDACTED] who stated [REDACTED] Jose Anthony Garcia, battered her.

[REDACTED] advised that Jose aggressively kicked [REDACTED] door in. He then charged at [REDACTED] and pushed her near her clavicle area. The push then caused [REDACTED] to fall backwards. [REDACTED] stated [REDACTED] later told her she was in fear because [REDACTED] always goes into rages. [REDACTED] stated Jose was last upset because she got a tattoo last week. [REDACTED] stated [REDACTED] started screaming which is when her [REDACTED] entreated her room. [REDACTED] stated [REDACTED] then saw [REDACTED] standing over [REDACTED] yelling at her and pointing in her face. [REDACTED] stated [REDACTED] tried defending [REDACTED] and asked Jose to step back. [REDACTED] advised [REDACTED] and [REDACTED] then exchanged many derogatory words which escalated into a physical altercation. [REDACTED] stated she observed Jose push [REDACTED] into a corner and stated "you are a faggot, you are going to jail where they are going to rape you." [REDACTED] stated Jose then cut the cords which shut off the power to the house. He continued this rage into [REDACTED] bedroom. [REDACTED] stated Jose then grabbed [REDACTED] "balls and his penis" and called him a faggot again. [REDACTED] stated she was shocked and in fear of Jose's outlandish behavior. She stated he is Bipolar and has not taken his medications.

[REDACTED] stated she then started recording Jose on her phone as evidence. I observed the recording and saw Jose taunting and yelling at [REDACTED], [REDACTED], and [REDACTED]. [REDACTED] and Jose started bickering back and forth about [REDACTED]. This is when Jose was observed pushing [REDACTED] into a dark corner of the hallway. The video screen then went dark and all I could hear from there was [REDACTED] yelling for Jose to "stop." I then overheard [REDACTED] state "I am not going to hit you" [REDACTED]

[REDACTED] stated she then turned the video recording off to help [REDACTED]. [REDACTED] stated she ran into the room with her phone after Jose stated "stop recording me, give me that phone." She tucked the phone against her chest and jumped onto the bed. Jose then jumped on top of her demanding the cell phone. She began yelling "I can't breathe." Jose was trying to grab the phone from [REDACTED] when he cut her left arm with his nails. [REDACTED] stated she yelled for him to get off her again and again. Jose then bit her lower back area. I observed a tooth mark on the right portion of [REDACTED] lower back. She stated she still held onto her phone. [REDACTED] saw and heard the commotion and ran into the bedroom to help [REDACTED]. This is when [REDACTED] yelled at [REDACTED] for the third time to call police. Once Jose heard that [REDACTED] was calling the police, he ran out of the house and left in a vehicle.

[REDACTED] stated the following: He observed [REDACTED] standing over [REDACTED] in her bedroom as she was screaming. He then asked [REDACTED] to leave [REDACTED] alone. [REDACTED] turned towards him and started to yell at him. [REDACTED] pushed him and scratched his person. [REDACTED] stated he is on his way to [REDACTED]

becoming a lawyer so he did not want to hit [REDACTED]. He stated he restrained himself from attacking [REDACTED]. Therefore, when [REDACTED] pulled his pants down and grabbed him by the genitalia, he just asked him to stop. He stated he did not give [REDACTED] permission to commit this sexual battery. While [REDACTED] grabbed his genitalia, [REDACTED] was stating, "you are a faggot, you are going to get raped. I am going to rape you." [REDACTED] stated he was in fear and did not appreciate [REDACTED] speaking to him in that discourteous manner.

I observed multiple red, fresh scratches on [REDACTED] person. He had 2-4 scratches on his right wrist, a red bruise on his top left shoulder and a bruise on the inner left arm. Jose was then observed walking back into the residence. Before he did so, I asked him to speak with me so that I may hear his side of the story. Jose was apparently in distraught. He stated he is Bipolar and has not been taking his medications. He advised he was upset at [REDACTED] for getting a tattoo. He started telling her that she was [REDACTED] and she should not have her phone. He asked her for her phone and she refused to give it to him. He then tried to get the phone from [REDACTED] came and [REDACTED] entered the room. He was upset that his [REDACTED] does not "back him up" when he is trying to [REDACTED]. He grew even more upset when the [REDACTED] did not defend him in wanting to [REDACTED]. He stated [REDACTED] then approached him and pushed him. He advised [REDACTED] was recording him and it made him really upset. Jose stated he tried to get the phone from [REDACTED] which is when [REDACTED] started pulling on his shirt. He stated he never bit [REDACTED] nor did he push [REDACTED].

I took photos of all parties and the scene of the incident. Deputy Cisson issued [REDACTED] and [REDACTED] a victim packet. All parties conducted a sworn recorded statement attesting to their said allegations. At this time, based on the statements, Jose being the pre-dominant aggressor, observed injuries, and video recording evidence, probable cause exists for Domestic Simple Battery and Sexual Battery against, Defendant Jose A. Garcia. He was arrested and placed into handcuffs. Jose then complained of chest pains. EMS (17019761) was called and transported Jose to Wellington Regional Hospital where he was medically cleared. Jose was then transported to the County Jail for the above mentioned charges.

I took photos of all parties and the scene of the incident. Deputy Cisson issued [REDACTED] and [REDACTED] a victim packet. All parties conducted a sworn recorded statement attesting to their said allegations. At this time, based on the statements, Jose being the pre-dominant aggressor, observed injuries, and video recording evidence, probable cause exists for Domestic Simple Battery and Sexual Battery against, Defendant Jose A. Garcia.

The foregoing instrument was sworn to and affirmed before me this		18	day of	FEBRUARY	20	17	by:
<i>OKC Cisson 24/02/17</i>				D/S L. EDWARDS		16217	
Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)		Name of Arresting/Investigating Officer					
<i>[Signature]</i>		Signature of Arresting/Investigating Officer					
Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)							

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Defendant Name (Last, First, Middle) GARCIA	JOSE	ANTHONY	Race W	Sex M	Date of Birth 06/21/1977
Charge (DOMESTIC) SEXUAL BATTERY	Charge (DOMESTIC) SIMPLE BATTERY				
Charge	Charge				
Victim Name (Last, First, Middle)		Race H	Sex M	Date of Birth 02/25/1980	
Local Address (Street, Apt. Number)	City	City	Pho	Address Source VERBAL	
Business Address (Street, Apt. Number)	City	State	Zip	Phone	Occupation UNK
The undersigned 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"/> confessed to admitting to the below facts. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.					
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The foregoing instrument was sworn to and affirmed before me this		18	day of	FEBRUARY	20	17	by:
<u>D/S Cisson J 24091</u>				D/S L. EDWARDS		16217	
Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)				Name of Arresting/Investigating Officer			
<u>[Signature]</u>				Signature of Arresting/Investigating Officer			
Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)							
Page <u>2</u> of <u>2</u>							

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VICTIM NOTIFICATION FORM

SUSPECT/OFFENDER

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**
- **Dating Violence**

- 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.

1. Incident Report #: 17041570 Agency: PBSO
Offense: Domestic Battery
Suspect/Offender: Anthony J. Garcia
D.O.B. 06/24/1977 Race: W Sex: m

2. Warrant #(s):

06/24/95 W m
D.O.B. 2/25/80 Race: W Sex: F
[REDACTED]

b. Victim's next of kin, friend or neighbor: N/A

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: I request the information on this form be kept confidential (applicable only to sexual battery, stalking, child abuse, harassment or domestic violence cases).

Signature of person waiving notification: _____

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Printed name of person waiving notification: _____

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Deputy's Name: Cisson J I.D. # 24091 Date: 02/18/2017

(FOR WARRANTS USE ONLY)

COURT CASE/WARRANT #:

PALM BEACH COUNTY SHERIFF'S OFFICE
DOMESTIC VIOLENCE PROBABLE CAUSE SUPPLEMENTAL FORM
(SUBMIT WITH STATE ATTORNEY'S COPY OF PROBABLE CAUSE AFFIDAVIT)

CASE NUMBER: 17041570

DEFENDANT'S NAME: Anthony J. Garcia

DEFENDANT'S STATEMENT: YES NO (IF YES: WRITTEN TAPED ORAL)

SYNOPSIS: He was [REDACTED] for a tattoo she had.
[REDACTED] pushed him and they began to fight. [REDACTED] does not
"back him up" when he is [REDACTED] He did not want [REDACTED]
recording him so they took her phone. He stated he never beat her
[REDACTED]

VICTIM'S NAME: [REDACTED]

VICTIM'S STATEMENTS: YES NO (IF YES: WRITTEN TAPED ORAL)

OBSERVATIONS OF VICTIM: (PHYSICAL & EMOTIONAL) Stated Jose pushed [REDACTED]

He then pushed /scratched [REDACTED] He grabbed [REDACTED] genitalia
and yelled at [REDACTED] Jose is Bipolar. Jose jumped on [REDACTED]
scratched her, and bit her lower back.

RELATIONSHIP BETWEEN VICTIM AND SUSPECT: [REDACTED]

PHOTOGRAPHS: SCENE: YES NO VICTIM(S): YES NO

911 CALL: YES NO WHO CALLED: [REDACTED]

WEAPON USED: YES NO TYPE: n/a

MEDICAL TREATMENT: YES NO

AT SCENE: YES NO PARAMEDICS:

PHYSICIAN:

AT HOSPITAL: YES NO HOSPITAL:

ARE CHILDREN LIVING IN HOME: YES NO

NAME: [REDACTED] DOB: 6/27/1999

NAME: [REDACTED] DOB: _____

NAME: [REDACTED] DOB: _____

NAME: [REDACTED] DOB: _____

WAS ACT(S) COMMITTED IN PRESENCE OF MINOR(S): YES NO (IF YES SAME AS ABOVE OR SPECIFY)

NAME: [REDACTED] DOB: 6/27/1999

NAME: [REDACTED] DOB: _____

NAME: [REDACTED] DOB: _____

NAME: [REDACTED] DOB: _____

DCF NOTIFIED: (IF CHILD ABUSE) YES NO

VICTIM PREGNANT: YES NO

PRIOR HISTORY OF DOMESTIC VIOLENCE: YES NO

ALCOHOL OR DRUGS INVOLVED: YES NO

VIOLATION OF RESTRAINING ORDER: YES NO CASE #: _____

ALTERNATE VICTIM CONTACT INFORMATION: (IF VICTIM DECIDES TO LEAVE RESIDENCE)

RELATIVE/FRIEND NAME: n/a SCANNED PHONE: _____

RELATIVE/FRIEND ADDRESS: _____

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PBSO #0004A REV. 01/01