Jct # 0502353 18 MM 012139 Cn # 007

ARREST / NOTICE TO APPEAR

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias

1 JUVENILE

ADMINISTRATION

Agency ORI Number	Agency Name	Agency Report Number (NTA's only)
0500400	Delray Beach Police Department	18-015599

Charge Type (Check as many as apply): ☐ 1 Felony ☒ 3 Misdemeanor ☐ 5 Ordinance ☐ 2 Traffic Felony ☐ 4 Traffic Misdemeanor ☐ 6 Other

If Weapon Seized — Type: None/not Applicable

Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
32 SE 2ND AVE, DELRAY BEACH, FL 33444	32 SE 2ND AVE, DELRAY BEACH, FL 33444

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
10/19/2018	02:18	10/19/2018	02:28			N/A

DEFENDANT

Name (Last, First, Middle): PORTOGHESE, JOSEPH C Alias:

Race	Sex	DOB	Height	Weight	Eyes	Hair	Build	Complexion
W	M	03/26/1992	6'00	195	BLUE	BROWN	FAIR	LARGE

Scars, Marks, Tattoos, Other Distinguishing Features: S

Habitual Offender: ☐ Yes ☒ No — Drug Influence: ☐ Yes ☒ No

Local Address (Street, Apt Number, City, State, Zip)	Phone	Residence Type
7 STARDOM CT, SAINT JAMES, NY 11780	(631) 219-5377	4

Permanent Address (Street, Apt Number, City, State)	Phone	Alias Source
7 STARDOM CT, SAINT JAMES, NY 11780	(631) 219-5377	NYDL

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

DLN / State	SS No.	DAVID No.	Place of Birth (City, State)	Country of Citizenship
857791105 / NY	[redacted]		SAINT JAMES, NY	US

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) — 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 ☐ No

School Attended — Grade

Property Found? ☒ Yes ☐ No — Description of Property: CHAIR, BENCH, GLASS DOORS — Value of Property: $500

CODE

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 Barbiturate; C Cocaine; E Heroin; H Hallucinogen; O Opium/Deriv; M Marijuana; S Synthetic; P Paraphernalia/Equipment; Z Other; U Unknown

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
CRIMINAL MISCHIEF-OVER $200 UNDER $1000	806.13(1B2)	

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

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 #

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

FILED
OCT 20 2018
SHARON R. BOCK
Clerk & Comptroller

INTAKE

Health / Apparent Physical Condition of Defendant — Any Knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☒ Injuries

Explain: MEDICAL CLEARANCE

Check which applies: ☐ Released OR ☐ Released to Parent/Guardian ☒ To Custody ☐ Posted Bond ☐ South County Mental Health

PROPERTY Received By — Released By — Released To

Transported By — 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: 11/08/2018 08:30:00

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

NON-COMPLIANT — 10/19/18

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

No Photo Available

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Issuing Deputy — ID # — Pouch #

Signature of Arresting Officer: 1094

Name of Arresting Officer (Print): PIMENTEL, LOISE A — ID #: 1094

Transporting Officer: PIMENTEL — ID #: 1094 — Agency: DBPD

Name Verification (Printed by Arrestee) (PRINT): [illegible]

Witness here if subject refused to sign: OCT 23 2018

PAGE 1 or 1

☐ COURT ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P. I. O. ☐ DEFENDANT

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1.04

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias: 1

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0500400	DELRAY BEACH POLICE DEPARTMENT	4 | 0 | 18-015599

Charge Type (Check as many as apply): ☐ 1 Felony ☒ 3 Misdemeanor ☐ 5 Ordinance ☐ 2 Traffic Felony ☐ 4 Traffic Misdemeanor ☐ 6 Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
PORTOGHESE, JOSEPH C		W	M	03/26/1992

CHARGES

Charge Description	Charge Description
806.13(1B2) CRIMINAL MISCHIEF-OVER $200 UNDER $1000	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
SALT 7,			

Local Address (Street, Apt Number) (City) (State) (Zip)	Phone	Address Source
32 SE 2ND AVE, DELRAY BEACH, FL 33444		
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**
	(561) 274-7258	

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 OFC. GORDON who told THIS OFFICER that he/she saw the arrested person commit the below acts.

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

On the 19 day of October, 2018 at 02:18 (Specifically include facts constituting cause for arrest.)

This incident occurred in the City of Delray Beach, Palm Beach County, FL.

On 10/19/18, at approximately 0154 hours, officers responded to 32 SE 2nd Ave (Salt 7) regarding a fight. Reporting party and manager, Miles Vazquez, contacted law enforcement after observing approximately 12 unknown subjects start a fight in front of the business. Vazquez stated in a sworn recorded statement the following: after the fight started, he observed as many of the subjects left and two stayed behind. One of the subjects, later identified as Joseph Portoghese, grabbed one of the gray tall chairs from the business` patio and started beating two glass doors belonging to the business. After the chair broke in multiple pieces, Joseph then grabbed one of the business` outside benches and started beating the glass doors with it. The business` glass doors were scratched up and damaged as a result of Joseph`s actions.

The following should be noted: there is video surveillance of the incident. Ofc. Gordon witnessed as Joseph was actively smashing items against the glass doors after most of the subjects involved in the fight had already left. The only subjects that were involved in the fight that were still on premises were Joseph and his brother Anthony Portoghese. Photographs of the scene, Joseph and Anthony were taken. The video surveillance and photographs were placed into Evidence.com.

Based on the above stated facts, Probable Cause exists to charge Joseph Portoghese with one charge of Criminal Mischief - Over $200 Under $1000 in violation of FSS 806.13(1B2).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

TABARES MEDEROS, JESUS R
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F S S 117 10)

10/19/2018
DATE

1094
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

PIMENTEL, LOISE A (1094)
NAME OF OFFICER (PLEASE PRINT)

10/19/2018
DATE

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

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: 2018034969	**Date:** 10/20/2018
	Specialist Name/ID: AM/31562