19-7094

ARREST / NOTICE TO APPEAR

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

3 JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number: 0501700

Agency Name: Jupiter Police Department

Agency Report Number (N.T.A.'s only): 5 4 18-006168

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: Blunt Object (other)

Multiple Clearance Indicator

Location of Arrest (Including Name of Business)

Location of Offense (Business Name, Address): 1111 LOVE ST, JUPITER, FL 33477

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle

DEFENDANT

Name (Last, First, Middle): MCDOW, KELLY PATRICK

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	06/18/1996	5'11	162	BLUE	BROWN	LIGHT	Small

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description)

Marital Status: S

Religion: OTHER

Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk. ☐ Drug Influence

Local Address (Street, Apt. Number) (City) (State) (Zip): 410 CIRCLE CIR E, JUPITER, FL 33458

Phone: (561) 315-5299

Residence Type: 1. City 2. County 3. Florida 4. Out of State: 1

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 410 CIRCLE CIR E, JUPITER, FL 33458

Phone: (561) 315-5299

Address Source: DL

Business Address (Name, Street) (City) (State) (Zip): JUPITER H/S,

Phone:

Occupation: Student

D/L Number, State: M230515962180 / FL [redacted]

INS Number:

Place of Birth (City, State): JUPITER, FL, United

Citizenship: 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
				☐ 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, 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. Disperses/ 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: ASSAULT - AGGRAVATED W/ DEADLY WEAPON W/O INTENT TO KILL

Statute Violation Number: 784.021(1)(A)

Violation of ORD #

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 #

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

INTAKE

Health / Apparent Physical Condition of Defendant

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

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)

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.

No Photo Available

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

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Signature of Arresting Officer 312

Name of Arresting Officer (Print): ZESUT, BRANDEN I.D. #: 1190

Name Verification (Printed by Arrestee) (PRINT)

Intake Deputy I.D. # Pouch #

Transporting Officer I.D. # Agency

Witness here if subject signed with an "X".

PAGE 1 OF 1

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

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 4 18-006168

Charge Type: Check as many as apply. [X] 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
MCDOW, KELLY PATRICK		W	M	06/18/1996

CHARGES

Charge Description	Charge Description
784.021(1)(A) ASSAULT - AGGRAVATED W/ DEADLY WEAPON	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
STERN, JEFFREY ROBERT	W	M	02/03/1985

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
17909 THELMA AVE, JUPITER, FL 33458	(561) 345-1621	

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

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.

[ ] was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

[ ] confessed to _____ admitting to the below facts.

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

On the 24 day of December, 2018 at 00:10 (Specifically include facts constituting cause for arrest.)

On 12/24/2018 at 0005 hours I was dispatched to the Square Grouper Bar at 1111 Love St. Jupiter FL 33457 in reference to a fight. Northcom dispatch advised that a fight occurred between bar patrons and bouncers.

Upon arrival I made contact with bar patron W/M Kelly P. Mcdow (6/18/1996) in the parking lot near the entrance to the bar. He was lying on his back, with blood on his face. He was conscious however he had trouble communicating and appeared to be very intoxicated. He later got up on his own and sat on a bench. I asked him what happened but his speech became belligerent, and he was unable to answer my questions. McDow`s friend [redacted] was also in the parking lot, shirtless, and stated that he was involved in the incident. I observed scrapes and bruises on his body.

I then made contact with Square Grouper bouncer W/M Jeffrey R. Stern (2/3/1985). I observed redness and bruising on the left side of his face, and his glasses were broken. Stern told me the following: Mcdow [redacted] became very intoxicated inside the bar and were acting rude towards other customers. After they were told to leave the bar, a verbal dispute occurred between [redacted] Stern near the entrance. [redacted] spat into Stern`s face, and the two then engaged in a physical fight. Punches were thrown by both parties. Stern was punched in the face by [redacted] causing bruising and his glasses to be broken. While Stern was engaged in the fight with [redacted], Mcdow came towards Stern with a glass bottle and raised it as if he was going to strike him with it. Fellow bouncer W/M John T. Colucci (2/26/1984) stepped in and struck Mcdow in the face with a closed fist strike to prevent the attack with the bottle. [redacted] then disengaged from the fight with Stern and police were called.

I spoke with Colucci, and he told me that he struck Mcdow in the face to prevent him from hitting Stern with the bottle. Colucci was not injured.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/24/2018
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ZESUT, BRANDEN (1190)
NAME OF OFFICER (PLEASE PRINT)

12/24/2018
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	3	JUVENILE

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Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
MCDOW, KELLY PATRICK		W	M	06/18/1996

PROBABLE CAUSE STATEMENT

I then spoke with [redacted] in the parking lot. He appeared to be intoxicated and was very upset. He was belligerent and unable to focus on the questions I asked him about the incident. He stated that he did not spit on Stern, and did not start the fight. I tried to speak with Mcdow about the incident a second time but he began shouting at me and stated that he did nothing wrong, and was attacked by the bouncers.

Square Grouper management advised that there were no security cameras at the front parking lot area. There were no independent witnesses to the fight.

Based upon McDow [redacted] intoxicated and belligerent state, Stern`s facial injury and broken glasses, I determined that McDow [redacted] were the primary aggressors of the altercation. Stern stated that he did not wish to press charges against [redacted] for the simple battery and criminal mischief (broken glasses valued at approximately $100) or against McDow for the aggravated assault. He completed a sworn statement via body worn camera and signed waivers of prosecution.

McDow was transported to the Jupiter Medical Center for his facial injury. McDow and [redacted] were trespassed from Square grouper indefinitely. Photos of the injuries were taken and placed into the Jupiter Police Dept. evidence facility.

On 12/30/2018 at 1715 hours I went to the Square Grouper Bar at 1111 Love St. Jupiter, FL to review possible security camera footage of the fight that occurred on 12/24/2018 around midnight.
The camera positioned near the front entrance to the bar was obstructed by a large door, and the fight occurred outside of the bar near the parking lot. The subjects involved in the fight were in the video until all parties exited the bar and began fighting in the parking lot, where the camera angle was largely obstructed by the door, and outside of the range of the camera.

Manager Danielle advised she would email a copy of the footage so it may be placed into the Juipter Police Dept. evidence facility. Body worn camera was used during this officer follow up.

On 12/31/2018 at 1700 hours, W/M Jeffrey Stern (2/3/1985) came to the Jupiter Police Dept. in reference to case 18-006168 where he was the victim of a simple battery, aggravated assault, and criminal mischief. Stern initially signed a waiver of prosecution against the suspects [redacted] W/M Kelly P. Mcdow (6/18/1996). He stated that the eye injury he sustained during the fight is serious, and he will have to see a specialist. He now wishes to press charges against [redacted] Mcdow. Stern completed a sworn statement via body worn camera I advised him that charges would be filed with the State Attorney`s Office.

Body worn camera was used for the duration of this incident. The above listed events are

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/24/2018
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ZESUT, BRANDEN (1190)
NAME OF OFFICER (PLEASE PRINT)

12/24/2018
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	3	JUVENILE

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Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
MCDOW, KELLY PATRICK		W	M	06/18/1996

PROBABLE CAUSE STATEMENT

a summary of the body worn camera footage, and are not purported to be verbatim.

Based on the above aforementioned facts I find probable cause to charge Kelly Mcdow with the following:

Florida Statute 784.021(1)(a) AGGRAVATED ASSAULT: as Mcdow raised a beer bottle up in an effort to strike Jeffrey Stern while he was engaged in a fight with Mcdow's friend [redacted]

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/24/2018
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ZESUT, BRANDEN (1190)
NAME OF OFFICER (PLEASE PRINT)

12/24/2018
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