

ARREST / NOTICE TO APPEAR

OBTS Number \_\_\_\_\_ Agency ORI Number **0500200** Agency Name **Boca Raton Police Department** Agency Report Number (N.T.A.'s only) **3 2 2017-017498**

Charge Type:  1. Felony  2. Traffic Felony  3. Misdemeanor  4. Traffic Misdemeanor  5. Ordinance  6. Other \_\_\_\_\_

Location of Arrest (Including Name of Business) **5700 W GLADES RD (MACYS)** Location of Offense (Business Name, Address) **5700 W GLADES RD, BOCA RATON, FL 33431**

Date of Arrest **12/20/2017** Time of Arrest **21:52** Booking Date **12/20/2017** Booking Time **22:02** Jail Date **12/20/2017** Jail Time **00:00** Location of Vehicle **LEFT ON SCENE**

Name (Last, First, Middle) **HERRERA MARTINEZ, KIMBERLI** Alias: \_\_\_\_\_

Race **W** Sex **F** Date of Birth **08/29/1998** Height **5'01** Weight **125** Eye Color **BROWN** Hair Color **BROWN** Complexion **LIGHT** Build **Small**

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) **TATT R ANKLE / ARBIC** Marital Status **S** Religion **CATHOLIC** Indication of: Alcohol Influence  Yes  No  Unk  Drug Influence  Yes  No  Unk

Local Address (Street, Apt. Number) (City) (State) (Zip) Phone **(561) 900-8410** Residence Type: 1. City  3. Florida  2. County  4. Out of State  1

Permanent Address (Street, Apt. Number) (City) (State) (Zip) Phone **(561) 900-8410** Address Source **OFFENDER**

Business Address (Name, Street) (City) (State) (Zip) Phone \_\_\_\_\_ Occupation **Student**

D/L Number, State **H665500988090 / FL** INS Number \_\_\_\_\_ Place of Birth (City, State) **OAXACA, MX, Mexico** Citizenship **US**

Co-Defendant Name (Last, First, Middle) \_\_\_\_\_ Race **W** Sex **F** Date of Birth **09/14/2000**  1. Arrested  3. Felony  5. Juvenile  2. At Large  4. Misdemeanor

Co-Defendant Name (Last, First, Middle) \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Date of Birth \_\_\_\_\_  1. Arrested  3. Felony  5. Juvenile  2. At Large  4. Misdemeanor

Parent  Other: \_\_\_\_\_ Name (Last, First, Middle) \_\_\_\_\_ Residence Phone \_\_\_\_\_

Legal Custodian \_\_\_\_\_ 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: \_\_\_\_\_

Property Crime?  Yes  No Description of Property **CLOTHING** Value of Property **\$702**

Drug Activity: S. Sell, R. Smuggle, K. Disperse/Distribute, M. Manufacture/Produce/Cultivate, Z. Other, N. N/A, P. Possess, B. Buy, D. Deliver, E. Use

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 Description **GRAND THEFT \$300-\$20,000** Statute Violation Number **812.014(2C1)** Violation of ORD # \_\_\_\_\_

Drug Activity \_\_\_\_\_ Drug Type **N** Amount / Unit \_\_\_\_\_ Offense # **2017-017498** Counts **1** Domestic Violence  Y  N Warrant / Capias Number \_\_\_\_\_ Bond **3000**

Charge Description \_\_\_\_\_ Statute Violation Number \_\_\_\_\_ Violation of ORD # \_\_\_\_\_

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

Charge Description \_\_\_\_\_ Statute Violation Number \_\_\_\_\_ Violation of ORD # \_\_\_\_\_

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

Health / Apparent Physical Condition of Defendant **OK** 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

Transported By \_\_\_\_\_ PROPERTY - Received By **ALVINO** Released By **ALVINO** Released To **PBCJ**

Date Transported \_\_\_\_\_ Time Transported \_\_\_\_\_ Other \_\_\_\_\_

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 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 **ALVINO, RYAN P.** Name Verification (Printed by Arrestee) **DEC 21 AM 2:35**

Dangerous  Resisted Arrest  Suicidal  Other \_\_\_\_\_ Name of Arresting Officer (Print) **ALVINO, RYAN P.** I.D. # **755** (PRINT) \_\_\_\_\_

Intake Deputy **D/S J. THOMAS #7956** Pouch # \_\_\_\_\_ Transporing Officer **D. Graham 773** I.D. # \_\_\_\_\_ Agency **BRPD** \_\_\_\_\_

Witness here if subject signed with an "X" \_\_\_\_\_

0494297

SCANNED DEC 21 2017

PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

OBTS Number	Agency ORI Number <b>FL 0500200</b>		Agency Name <b>BOCA RATON POLICE DEPARTMENT</b>	Agency Report Number <b>3 2 2017-017498</b>
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Charge Type: Check as many as apply.	<input checked="" type="checkbox"/> 1. Felony	<input type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Special Notes:
	<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	

Name (Last, First, Middle) <b>HERRERA MARTINEZ, KIMBERLI</b>	Alias	Race <b>W</b>	Sex <b>F</b>	Date of Birth <b>08/29/1998</b>
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Charge Description <b>812.014(2C1) GRAND THEFT \$300-\$20,000</b>	Charge Description
Charge Description	Charge Description

Victim's Name (Last, First, Middle) <b>MACYS,</b>	Race	Sex	Date of Birth
Local Address (Street, Apt. Number) (City) (State) (Zip) <b>5700 W GLADES RD, BOCA RATON, FL 33431</b>	Phone <b>(561) 393-4213</b>	Address Source	
Business Address (Name, Street) (City) (State) (Zip) <b>MACYS</b>	Phone <b>(561) 393-4213</b>	Occupation	

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 ...

committed the below acts in my presence.  was observed by **RISPOLI** who told **OFC ALVINO** that he/she saw the arrested person commit the below acts.

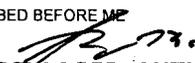
confessed to **OFC ALVINO** admitting to the below facts.  was found to have committed the below acts, resulting from my (described) investigation.

On the **20** day of **December**, **2017** at **21:52** (Specifically include facts constituting cause for arrest.)

On 12/20/17 at approximately 2125 hours, I responded to Macy's which is located at 5700 W. Glades Rd. I met with Macy's Asset Protection officer Luca Rispoli in reference to a juvenile female and an adult female in custody for shoplifting.

The detained female juvenile was 17 year old [REDACTED]. The detained adult female was Kimberli Martinez. Rispoli told me that while walking the sales floor at approximately 2000 hours, he observed Martinez carrying a medium sized cross body handbag along with what appeared to be an empty bag and three shopping bags. She was accompanied by [REDACTED] who was also carrying a medium sized handbag and a Sears shopping bag. Martinez and [REDACTED] made their way to the young men's department and selected several items. Martinez selected and removed the hangers from a navy blue shirt and a Tommy Hilfiger hooded sweatshirt. Rispoli observed [REDACTED] select a black and white shirt and a white Armani Exchange shirt. They exited the department and entered the elevator and proceeded to the second floor.

Rispoli returned to the Loss Prevention office and Asset Protection Manager Mary Quintero went out to the sales floor to observe Martinez and [REDACTED]. Quintero and Rispoli maintained surveillance on Martinez and [REDACTED] who were observed entering and exiting several departments within the store including Last Act, Women's Guess, Women's Levi's, and the Juniors department. They entered the fitting room and upon exiting, their bags were visibly larger, indicating that they had possibly been filled with merchandise. Martinez and [REDACTED] then made their way to the third floor and selected several pieces of merchandise from the Women's Intimate Apparel department and the Kids department. [REDACTED] selected a three piece infant outfit set and entered the fitting room with Martinez. Upon exiting the fitting room, their bags were visibly larger once again. Quintero checked the fitting room and none of the selected merchandise was found inside. Martinez and [REDACTED] then took the escalator down to the first floor. They walked towards the front of the store and passed all points of sale without attempting

SWORN AND SUBSCRIBED BEFORE ME  <b>WOLLSCHLAGER, ANTHONY J</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <b>12/21/2017</b> DATE	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER <b>ALVINO, RYAN PATRICK (755)</b> NAME OF OFFICER (PLEASE PRINT) <b>12/21/2017</b> DATE	PAGE <b>1 OF 2</b>
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PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

1 JUVENILE

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to purchase the concealed items. They exited the store and walked into the mall where Rispoli and Quintero made contact with them and detained them. Rispoli and Quintero escorted Martinez and [REDACTED] back to the Loss Prevention office then called for police assistance. All of the stolen merchandise was recovered by Rispoli and Quintero. Rispoli completed a sworn written statement which was entered into evidence at the BRPD. Both Rispoli and Quintero told me that Martinez and [REDACTED] had worked together to conceal all of the items and had switched bags several times. Video surveillance footage of the incident was not available at the writing of this report. I will follow up with Rispoli to acquire the footage on my next shift.

I then made contact with Martinez inside of the loss prevention office. Before speaking with Martinez about the incident, I read her Constitutional Warnings from an agency approved card. Martinez advised that she understood her rights and wished to speak with me. I asked Martinez about the incident. She told me that "we took the stuff". I asked Martinez why she had come to Sears with [REDACTED] and she stated that she wanted to steal items so that she could give them to family members for Christmas. Martinez specifically mentioned that she wanted to get gifts for her sister, mother, and grandmother.

I then made contact with [REDACTED] inside of the loss prevention office. Before speaking with [REDACTED] about the incident, I read her Constitutional Warnings from an agency approved juvenile card [REDACTED] advised that she understood her rights and wished to speak with me. I asked [REDACTED] about the incident. She told me that she and Martinez had gone to Sears first, where Martinez bought a shirt. They then came to Macy's so that Martinez could steal items to give as Christmas gifts. [REDACTED] told me that she stole shirts that she liked for herself.

Rispoli provided me with a receipt for the stolen items from Macy's. The items are described in detail in the property section of this report. The total value of the miscellaneous clothing that was stolen was \$702.61. The receipt of the items was placed into evidence at the Boca Raton Police Department. Photographs were taken of all stolen items and were also placed into evidence.

Based on my investigation of this incident, I placed Martinez and [REDACTED] under arrest for Grand Theft under Florida State Statute 812.014(2C1). Martinez and [REDACTED] took possession of and carried away merchandise with intent to deprive the merchant of possession, use, benefit, and full retail value. Both subjects were transported to the Boca Raton Police Department booking facility for processing. [REDACTED] was then delivered to the Palm Beach County Juvenile Assessment Center for final disposition. Martinez was delivered to the Palm Beach County Jail for final disposition.

SWORN AND SUBSCRIBED BEFORE ME

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

**12/21/2017**  
DATE

*[Signature]*  
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

**ALVINO, RYAN PATRICK (755)**  
NAME OF OFFICER (PLEASE PRINT)

**12/21/2017**  
DATE

SCANNED  
DEC 21 2017