

0496528

469

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report				1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	N	Juvenile				
ADMINISTRATION	Agency ORI Number FL 0500300	Agency Name BOYNTON BEACH POLICE DEPT.				Agency Report Number 34-18-014473										
	Charge Type: Check as many as Apply. <input type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other					If Weapon Seized Enter Type N/A		Multiple Clearance Indicator 01								
	Location of Arrest (Including Name of Business) 130 HARBORS WAY, BOYNTON BEACH, FL 33435					Location of Offense (Business Name, Address) 130 HARBORS WAY, BOYNTON BEACH, FL 33435										
DEFENDANT	Date of Arrest 03/13/2018	Time of Arrest 0124	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle									
	Name (Last, First, Middle) MOSCHETTO, MARK JOSEPH				Alias (Name, DOB, Soc. Sec. #, Etc)											
	W - White B - Black	I - American Indian O - Oriental / Asian	Race W	Sex M	Date of Birth 05-15-1970	Height 5'8"	Weight 160	Eye Color HAZEL	Hair Color BROWN	Complexion LIGHT	Build MEDIUM					
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE VISIBLE						Marital Status MARRIED	Religion NONE	Indication of: Alcohol Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>							
	Local Address (Street, Apt. Number) (City) (State) (Zip) 130 HARBORS WAY, BOYNTON BEACH, FL 33435					Phone (312) 909-8672		Residence Type 1. City 3. Florida 2. County 4. Out of State 1								
	Permanent Address (Street, Apt. Number) (City) (State) (Zip)					Phone		Address Source VERBAL								
	Business Address (Street, Apt. Number) (City) (State) (Zip)					Phone		Occupation UNEMPLOYED								
	D/L Number, State M230-540-701-75-0 / FL			Soc. Sec. Number		INS Number		Place of Birth PORT JEFF, NY		Citizenship USA						
	CO-DEF	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor						
		Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor						
JUVENILE	<input type="checkbox"/> Parent Name (Last) (First) (Middle)				VICTIM NOTIFICATION REQUIRED				Residence Phone							
	<input type="checkbox"/> Legal Custodian															
	<input type="checkbox"/> Other															
	Address (Street, Apt. Number) (City) (State) (Zip)								Business Phone							
CHARGE	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				Time							
	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 change of address: <input type="checkbox"/> Yes, By: (Name) <input type="checkbox"/> No: (Reason)						School Attended		Grade							
	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property				Value of Property									
CHARGE	Drug Activity N		S. Sell R. Smuggle B. Buy D. Deliver T. Traffic E. Use		K. Dispense/Distribute		M. Manufacture/Produce/Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine B. Barbituate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv. S. Synthetic		W. Weapons X. Unknown Z. Other	
	Charge Description SIMPLE DOMESTIC BATTERY				Counts 1		Domestic Violence <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number 784.03(1A1)		Violation of ORD#					
CHARGE	Drug Activity N		Drug Type N		Amount/Unit N/A		Offense # 18-014473		Warrant/Capias Number		Bond NONE					
	Charge Description				Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#					
CHARGE	Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond					
	Charge Description				Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#					
CHARGE	Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond					
	Charge Description				Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#					
NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444													
	<input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Court Date and Time Month _____ Day _____ Year _____ 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						
ADMIN.	HOLD for other Agency Name:				Signature of Arresting Officer <i>[Signature]</i>				Name Verification (Printed by Arrestee) (PRINT)							
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) OFC. PIRES				I.D. # 996		BU# 110761					
	Intake Deputy <i>[Signature]</i>		Pouch #		Transporting Officer OFC. PIRES				I.D. # 996		Agency BBPD					
Witness here is subject Signed with an "X".										Page 1 OF 1						

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STATUTE 318.03
2018 MAR 13 PM 8:35
BOYNTON BEACH POLICE



**DOMESTIC VIOLENCE PROBABLE CAUSE AFFIDAVIT
PALM BEACH COUNTY**



On the 13TH day of MARCH 2018 at 0015 HOURS
 Subject: MOSCHETTO, MARK JOSEPH DOB: 05-15-1970 Case #: 18-014473
 Charge Description: SIMPLE DOMESTIC BATTERY Statute #: 784.03(1A1)
 Victim: MOSCHETTO, LISA MONAE DOB: 11-17-1970 Race: BLACK Sex: FEMALE
 Local Address: 130 HARBORS WAY, BOYNTON BCH, FL, 33435
 Personal Contact: _____

Narrative:

I responded to 130 Harbors Way, Boynton Beach, FL in reference to a domestic battery in progress. BBPD communications received a call from B/F Lisa Moschetto (DOB 11-17-1970) stating that her husband, W/M Mark Moschetto (DOB 05-15-1970), had just struck her "with fists".

Upon my arrival, I made contact with Lisa outside the residence, who was crying and displayed a welt on her left eyebrow and redness to her left eye. Lisa was not able to provide me with a statement right away as she was in emotional distress and guided me towards her residence, where Mark was located. Mark then met me on the residence's front door, where he was read his Miranda rights, while Officers stood by with Lisa. Mark stated he understood his rights and provided me with a sworn statement. According to Mark, Lisa is unhappy as he is having an affair with W/F Amber Schaar (DOB 05-29-1992). Mark stated he was sitting on a futon located on the residence's third floor while talking to Amber on the phone. At that point, Mark stated he was confronted by Lisa, who grabbed him by his neck and slapped the phone out of his hands. Mark added that Lisa then pinned him down by straddling both legs over him, at which point she scratched his arms, neck and bit his pelvis area. Mark displayed multiple small scratches and redness on both arms, left knuckle and a bite mark to his left pelvis area. Mark was unable to provide me with a clear play by play of the incident and stated that the scratch to his left knuckle was sustained on a hunting trip the day prior. Mark was also unable to elaborate exactly how and the circumstances on how Lisa bit him. When asked if he struck Lisa, Mark denied and stated she sustained the injuries and marks on her face from a prior incident. Mark did, however, state that he push Lisa away from him in a self-defense manner as he was being attacked. Mark concluded by stating he then walked away from her and ceased all contact with Lisa.

I then made contact with Lisa once again, who was also read her Miranda rights and stated she understood them. Lisa then proceeded to provide me with a sworn statement. According to Lisa, Mark was arguing with Amber earlier and due to this has been acting aggressively with her all day. After having dinner with Mark, Lisa stated they both went back to their residence, at which time she did in fact observe Mark sitting on the futon talking on the phone with Amber. Lisa stated she became upset and pulled the cell phone away from Mark's hands. Lisa added that in the process of taking the phone away from Mark, she never made physical contact with him, and if she did, was by accident. Lisa then walked down to the residence's second floor, at which time she stated Mark followed her and started attacking her. Lisa stated that Mark delivered a punch to her face, at which time they both fell on the ground and Mark began pushing her head into the ground repeatedly. According to Lisa, Mark then proceeded to punch her on the face three times with a closed fist. Lisa stated that the scratches Mark sustained are defensive wounds left by her by accident in an attempt to defend herself. Lisa then stated that the other injuries on Mark are from him arguing with Amber, including the bite mark on his left pelvis. Lisa denied grabbing Mark by the neck when taking the cell phone from his hands. After being attacked, Lisa stated that Mark told her to not call 911, therefore she remained on the second floor, where she eventually called when Mark walked away. It should be noted that Mark never attempted to stop Lisa from calling 911, he simply asked her to not call.

While concluding my investigation, Amber arrived on scene, at which time I made contact with her and obtained a sworn statement. Amber denied being recently involved in a physical altercation with Mark and stated that Mark and Lisa are in the process of getting divorced, therefore there has been a lot of tension between both of them. Amber did corroborate that the scratch on Mark's left knuckle was in fact sustained on an unrelated incident and not on this date. Amber added that Mark reported to her earlier on 03-12-2018 via phone that Lisa had struck him, however, he did not wish to report to police. Amber was not able to elaborate on that incident. Amber also stated that Lisa is known to bite as she always bites Mark when they have an argument.

At this time, I am able to substantiate a crime having occurred based on the presence of injuries and confession of both parties, however, due to inconsistent stories and lack of independent witnesses, I am unable to establish one specific person as the primary aggressor. Based on the above facts and circumstances, along with both parties being mutual combatants, at this time I find probable cause to charge both Mark and Lisa with one count of Simple Domestic Battery, pursuant to FSS 784.03(1A1). A FCIC/NCIC/PALMS check for active warrants was conducted on both parties, yielding negative results. Both Mark and Lisa were transported to BBPD headquarters for processing and subsequently TOT PBCJ without incident. Both parties were offered medical assistance on scene, however, both refused treatment. Photos of injuries on both Mark and Lisa were captured. Nothing further at this time.

Defendant's Statement: Taped

Victim's Statement: Taped

Observation Of Victim (Physical and Emotional):

Lisa - welt on left eyebrow and redness to left eye. Mark - scratches and a bite mark to his left pelvis area.

Relationship Between Victim and Suspect:

Husband and wife.

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Photographs: Scene: Yes No
 Victim: Yes No
 911 Call: Yes No Caller: Lisa Moschetto
 Tape Requested: Yes No
 Weapon Used: Yes No Type: N/A
 Witnesses: Yes No
 Injuries: Yes No
 Medical Treatment: Yes No
 At Scene Yes No Paramedics: N/A
 At Hospital Yes No Physician(s): N/A
 Hospital: N/A

Act Committed In Presence Of Minor(s): Yes No
 Name: N/A Age: N/A
 Name: N/A Age: N/A

F.D.C.F. Notified: Yes No Victim Pregnant: Yes No
 Violation Of Restraining Order: Yes No Case #: N/A
 Prior History Of Domestic Violence: Yes No
 Alcohol Or Drugs Involved: Yes No Unknown

Victim Contact Information:

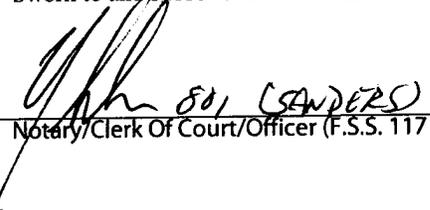
Phone Home: 561-445-9470 Work: _____
 Employer: _____
 Relative Name: _____ Phone: _____
 Address: _____
 City/State: _____

State Of Florida
 County Of Palm Beach
 Appeared before me, OFC. PIRES, (print name) personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true.



 Signature Of Arresting Officer

Sworn to and subscribed to me before this 13th day of March, 2018



 Notary/Clerk Of Court/Officer (F.S.S. 117 10)