J# 0500733

P# 3

N/R

ARREST/NOTICE TO APPEAR
Juvenile Referral Report

Check if Supplement is Attached
1. Arrest 3. Request for Warrant
2. N.T.A. 4. Request for Capias

1 | Juvenile: N

ADMINISTRATIVE

OBTS Number:

Agency ORI Number: FL0 5 0 0 6 0 0 | Agency Name: PALM BEACH POLICE DEPARTMENT | Agency Report Number (N.T.A.'s Only): 7 6 - 1 8 - 0 0 1 1 1 3 ( )

Charge Type: Check as many as apply: [X] 1. Felony [ ] 2. Traffic Felony [X] 3. Misdemeanor [ ] 4. Traffic Misdemeanor [ ] 5. Ordinance [ ] 6. Other

If Weapon Seized — Enter Type:

Multiple Clearance Indicator: U, K

Location of Arrest (Including Name of Business): Brazilian Ave / S Ocean Blvd, Palm Beach, FL

Location of Offense (Business Name, Address): Brazilian Ave / S Ocean Blvd, Palm Beach, FL

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
0 8 / 1 7 / 1 8	1 9 2 0					

DEFENDANT

Name (Last, First, Middle): Spinelli Philip Vincent

Alias (Name, DOB, Soc. Sec. #, Etc.):

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	0 5 / 0 8 / 5 5	503	140	BROWN	BLK	Light	Thin

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): Fugit on left arm

Marital Status: S | Religion: UK | Indication of: Alcohol Influence [ ] Y [ ] N [ ] Unk; Drug Influence [X] Y [ ] N [ ] Unk

Legal Address (Street, Apt. Number): 780 S Spadilla Ave #306 (City): WPB (State): FL (Zip): 33401 | Phone: 561-329-4417 | Residence Type: 1. City 2. County 3. Florida 4. Out of State: 2

Permanent Address (Street, Apt. Number): 780 S Spadilla Ave #306 (City): WPB (State): FL (Zip): 33401 | Phone ( ) | Address Source: FL DL

Business Name (Name, Street) (City) (State) (Zip) | Phone ( ) | Occupation: General Contractor

DL Number, State: S154 678 55 168 0 [redacted] | INS Number | Place of Birth (City, State): Yonkers, NY | Citizenship: US

CO-DEF

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

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

JUVENILE

[ ] Parent [ ] Legal Custodian [ ] Other | 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 Dept. and Released 2. TOTAL HOURS/DAYS 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: (Name) [ ] No (Reason)

School Attended | Grade

Property Crime? [ ] Yes [ ] No | Description of Property | Value of Property

AUG 17 PM 10:25

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

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Poss of marijuana less than 20g	1	[ ] Y [X] N	893.13 (6b)	OP

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
P	M	0.4 gm	18-001113		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Poss of marijuana more than 20g	1	[ ] Y [X] N	893.13 (6a)	300

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
P	M		18-001113		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		[ ] Y [ ] N		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		[ ] Y [ ] N		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

NOTICE TO APPEAR

Location (Court, Room Number, Address)

Court Date and Time: Month Day Year Time A.M. P.M.

I AGREE TO APPEAR AT THE 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.

FILED
AUG 18 2018
SHARON R. BOCK
Clerk & Comptroller

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

ADMIN

HOLD for other agency | Signature of Arresting Officer: X [signature] | Name Verification (Printed by Arrestee) (PRINT)

[ ] Dangerous [ ] Suicidal [ ] Resisted Arrest [ ] Other

9130 PBPD

Intake Detail | ID # | Pouch # | Transporting Officer: Dean Morea | I.D. #: 9130 | Agency: PBPD | Witness here if subject signed with an "X"

PAGE 1 OF 1

PBPD #0148 REV. 03/15 DISTRIBUTION: White - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - JAIL GOLD - DEFENDANT (N.T.A's Only)

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

F JUVENILE

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0500600	PALM BEACH POLICE DEPARTMENT	7 6 18-001113

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
SPINELLI, PHILIP V		W	M	05/08/1955

CHARGES

Charge Description	Charge Description
893.13(6A) POSSESSION OF MARIJUANA OVER 20 GRAMS	893.13(6B) POSSESS MARIJUANA NOT MORE THAN 20 GRAM
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
State Of Florida			

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source

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

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 _____ who told _____ that he/she saw the arrested person committ the below acts.
☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 17 day of August, 2018 at 19:20 (Specifically include facts constituting cause for arrest.)

While driving southbound in the 300 block of S Ocean Blvd, I smelled a strong odor of marijuana emanating from the beach at Brazilian Ave and S Ocean Blvd. I conducted a foot patrol in the area and observed a male sitting with a female on the beach smoking a marijuana cigarette. I made contact with the male subject who dropped the marijuana cigarette onto the sand and attempted to conceal it with his foot. I advised the subject to hand me the marijuana cigarette. The male was identified via his FL driver`s license as, Philip Vincent Spinelli (W/M, DOB: 05/08/55). The female was identified to me verbally as, Barbara A Arnold (W/F, DOB: 01/09/46).

I brought Spinelli to my patrol vehicle which was parked behind his blue 2004 Ford Mustang bearing FL Tag: PH8. I asked Spinelli if he had any other marijuana inside of his vehicle. Spinelli stated that he did not have any other marijuana inside of his vehicle and gave me consent to search his vehicle. Located inside of the center console of the vehicle was a black vape pen containing what appeared to be; based on my experience and training, Hashish Oil. Spinelli spontaneously stated aloud that the vape pen did contain Hashish Oil and that he had brought the vape pen back from Colorado. Spinelli also spontaneously stated that he had a prescription card for the marijuana but did not have it on him. It should be noted that Post Miranda, Spinelli retracted his statement in regards to having a marijuana prescription card. Spinelli also asked me if he would have still been placed under arrest if he had a prescription for the marijuana.

Upon returning to the Palm Beach Police Department the marijuana cigarette and the Hashish Oil tested positive for the presence of THC using a Duquenois Reagent test kit #8. The marijuana cigarette weighed 0.42 grams and was submitted into CSEU as evidence.

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

8912 AUBER
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

08/17/2018
DATE

9130
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

MOREA, DEAN (0291300)
NAME OF OFFICER (PLEASE PRINT)

08/17/2018
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: 2018027521	**Date:** 08/18/2018
	Specialist Name/ID: AM/31562