

Rough Arrest Only

# ARREST / NOTICE TO APPEAR Juvenile Referral Report

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

Juvenile

ADMINISTRATION	OBT Number		Agency ORI Number		Agency Name <b>PALM BEACH COUNTY ANIMAL CARE &amp; CONTROL</b>		Agency Report Number <b>A17-006373</b>															
	Charge Type: Check as many as apply.		<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized/Type 1. Yes 2. No		Multiple Clearance Indicator															
	Location of Arrest (Including Name of Business)				Location of Offense (Business Name, Address)																	
Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle										
DEFENDANT	Name (Last, First, Middle) <b>POLI ROBERTO</b>						Alias (Name, DOB, Soc. Sec. #, Etc.)															
	Race <input checked="" type="checkbox"/> White <input type="checkbox"/> Black		Sex <b>M</b>		Date of Birth <b>6/4/1994</b>		Height <b>5'10</b>		Weight <b>170</b>		Eye Color <b>GRAY</b>		Hair Color <b>GRAY</b>									
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status		Religion		Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.		Residence Type 1. City 3. Florida 2. County 4. Out of State		Address Source											
	Local Address (Street, Apt. Number) <b>5536 BOYNTON PL.</b>		(City) <b>BOYNTON BEACH</b>		(State) <b>FL.</b>		(Zip) <b>33437</b>		Phone <b>(561) 738-0855</b>													
	Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone													
	Business Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone				Occupation									
	D/L Number, State <b>FL 1400720542040</b>		Soc. Sec. Number		INS Number		Place of Birth		Citizenship													
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile													
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile													
	JUVENILE	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> 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. TOT HRS/CYF 3. Incarcerated																
Released To: (Name)		Relationship		FCIC/NCIC		Date		Time														
CHARGE	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 informed of any change of address: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)												School Attended		Grade							
	Recovery Information 0. N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8. Other																					
	Drug Activity		S. Sell		R. Smuggle		K. Dispense/Distribute		M. Manufacture/Produce/Cultivate		Z. Other		Drug Type		B. Barbituate		H. Hallucinogen		P. Paraphernalia/Equipment		U. Unknown	
	N: N/A		B. Buy		D. Deliver								N: N/A		C. Cocaine		M. Marijuana		S. Synthetic			
	P. Possess		T. Traffic		E. Use								A. Amphetamine		E. Heroin		O. Opium/Deriv.					
	Charge Description <b>CRUELTY TO ANIMALS</b>		Counts <b>2</b>		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number <b>828.12</b>		Violation of ORD #													
	Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond											
	Charge Description		Counts		Domestic Violence		Statute Violation Number		Violation of ORD #													
	Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond											
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Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond												
Charge Description		Counts		Domestic Violence		Statute Violation Number		Violation of ORD #														
CHARGE	Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond											
	Charge Description		Counts		Domestic Violence		Statute Violation Number		Violation of ORD #													
NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court <input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side.		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 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.																					
ADMIN	Signature of Defendant (or Juvenile and Parent/Custodian)												Date Signed									
	HOLD for other Agency		Signature of Arresting Officer		Name Verification (Printed by Arrestee)																	
	Name:		X		(PRINT)																	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print)		I.D. #								PAGE									
Intake Deputy		I.D. #		Pouch #		Transporting Officer		I.D. #		Agency		Witness here is subject signed with an "X".		1 OF 1								

**PALM BEACH COUNTY ANIMAL CARE AND CONTROL  
PROBABLE CAUSE AFFIDAVIT**

Charge Type [ 3 ]      1. Arrest                      3. Request for Warrant \_  
   2. N.T.A.                      4. Request for Capias

Agency Report A17-006373.1

Charge Type [x] Felony                      [x] Misdemeanor                      [ ] Ordinance  
   [ ] Traffic Felony                      [ ] Traffic Misdemeanor [ ] Other

**Special Notes**

Defendant: Poli, Roberto

Local Address: 5536 Boynton Place

Local City: Boynton Beach, FL. 33437

Local Phone: (561)738-0855

Business Address: N/A

Business Phone:

Alias:

Race White Male DOB 06/04/1954

**Charge(s)**

1. 828.12 Cruelty to animals. AID #A1872855
2. 828.13 Cruelty to animals. AID #A1872855
3. 828.12 Cruelty to animals. AID #A1872856
4. 828.13 Cruelty to animals. AID #A1872856

Victim: STATE OF FLORIDA

Local Address: N/A

Local City: N/A

Local Phone: N/A

Business Address: same as above

Business Phone: N/A      Address Source: VICTIM

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.

[ ] confessed to admitting to the above acts.

[ ] was observed by \_\_\_\_\_ who told \_\_\_\_\_ that he/she saw the arrested person commit the below acts.

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

On 5/21/17 at 1314 hours Officer Susan Eisenreich responded to activity A17-006353.1 located at 5543 Boynton Place in Boynton Beach, Florida in regards to picking up three kittens that had reportedly scratched the complainant named Bonnie Lackey.

Officer Eisenreich made contact with Bonnie Lackey who mentioned that her neighbor located at 5536 Boynton Place had a long haired dog that was currently outside in the backyard and nobody was home with the animal. Due to the weather Officer Eisenreich decided to look into the information as the neighbor's backyard appeared to be in full sun.

As Officer Eisenreich approached 5536 Boynton Place she could hear what sounded like a kitten crying. Through slotting in the defendant's fence Officer Eisenreich observed a gray plastic bucket with a blue recycle bin turned upside down on top of the bucket. Officer Eisenreich believed the kitten was located in the bucket.

According to the website Weather Underground ([www.wunderground.com](http://www.wunderground.com)) the temperature outside at 12:53pm was 84.9 with a heat index of 88.2. Officer Eisenreich advised in her report that she read 85 degrees as the outside temperature on her cell phone's weather application.

Officer Eisenreich made contact with Roberto Poli at the front door of his residence located at 5536 Boynton Place. After Officer Eisenreich asked Roberto Poli about the kitten inside of the bucket, Mr. Poli admitted to placing two kittens into the bucket. Roberto Poli stated that he was tired of cats coming onto his property as it had been happening for years.

Roberto Poli advised that he had observed two kittens in his driveway earlier in the morning and moved them back to Bonnie Lackey's property. The kittens then reportedly returned to Mr. Poli's property so he placed them in a bucket. When Officer Eisenreich asked Roberto Poli what time he had placed them in the bucket, Mr. Poli advised Officer Eisenreich that it was 4:30am.

Roberto Poli escorted Officer Eisenreich to the backyard of his property. Officer Eisenreich detailed in her report that after entering Mr. Poli's backyard she observed the recycle bin on top of a bucket. Mr. Poli removed the recycle bin and a plastic lid was observed on the bucket. Once the lid was removed two kittens were observed laying in the bottom of the bucket.

Officer Eisenreich described the two kittens as appearing wet and breathing heavily with open mouths. The smaller kitten appeared too weak to move and was lying flat. Roberto Poli reportedly tried cooling the kittens down with water before Officer Eisenreich removed the animals.

Both kittens (1872855 female kitten and 1872856 male kitten), were transported back to ACC by Officer Eisenreich for on staff veterinarian Dr. Dacia Oprisanu to evaluate. Dr. Dacia Oprisanu advised that the female kitten was minimally responsive at its arrival at ACC with wet fur and severe dehydration. The female kitten had a body temperature of 91.3 degrees Fahrenheit. A normal temperature for the kitten would have been between 99-101 degrees Fahrenheit. Due to the kittens presented state and lack of response to treatment, Dr. Oprisanu elected to have the female kitten humanely euthanized to prevent further suffering.

The male kitten appeared in better health and had a body temperature of 100.3 (within normal range). Dr. Oprisanu notated that the male kitten had a decreased appetite for the first week of its care while at ACC and did not start eating on its own until 5/30/17.

Dr. Oprisanu wrote the following in her animal cruelty report: "Heat stroke can occur in animals left in closed spaces without protection from high environmental temperatures and those that are debilitated have been found to be more susceptible to its effects.

Methods by which heat can be dissipated from a body include convection, where air flow will remove much of the heat, conduction, which refers to the exchange of heat between two bodies that are in contact with each other, radiation in which heat is lost through infrared rays, and evaporation.

In this case where the two kittens were found in a covered bucket there would be minimal, if any, air flow occurring so the built-up heat would have no way of escaping.

Responses to this would include panting or open-mouth breathing (noted by the Animal Control Officer on scene), postural changes to assist in heat liberation from the individual, an increase in respiratory rate, vasodilation of vessels in the skin, and a lack of appetite".

When most reasonable people would have contacted ACC and secured an unwanted kitten somewhere safe, Roberto Poli opted to do neither. Roberto Poli admitted to placing both kittens inside of a bucket because he was tired of cats coming on his property. Officer Eisenreich observed the kittens in distress with open mouth breathing. One kitten had to be euthanized due to its condition and the other did not begin eating on its own for 9 days, which are consistent with heat stroke. Based on the above facts; probable cause exists to charge Roberto Poli with two counts of animal cruelty F.S.S. 828.12 and two counts of animal cruelty F.S.S. 828.13 Confinement of animals without sufficient food, water, or exercise; abandonment of animals.

State of Florida

County of Palm Beach

The foregoing instrument was SWORN TO OR AFFIRMED AND SUBSCRIBED  
BEFORE ME this 6/16/2017

By Sgt Adam Moulton who is personally known to me.

Yleana I Arias

Notary Public/Clerk of

Court/Officer (F.S.S. 117.10)

Adam Moulton

Signature of Arresting/Investigating Officer

Name of Officer: Sgt. A Moulton 2112



NOT A CERTIFIED COPY