

PCW 183

D/S. C. GILYARD #7392

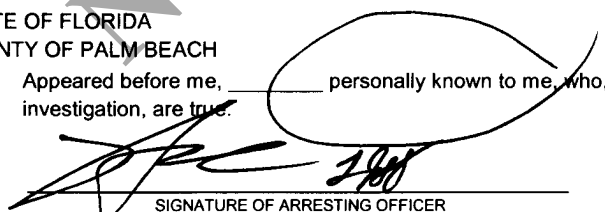
CRIME ANALYSIS
SCANNED

AUG 18 2017

DOMESTIC VIOLENCE PROBABLE CAUSE

AFFIDAVIT

Palm Beach County

A D M I N	Date / Time 08/17/2017 20:07	Agency ORI Number FL 0500800		Agency Name WEST PALM BEACH POLICE DEPARTMENT	Agency Report Number 9 4 2017-0015811		
	Name (Last, First, Middle) WISTNER, STEVEN				Alias	Race W	Sex M
C R I M E	Charge Description 784.03(1) BATTERY - BATTERY (SIMPLE)						
	Victim's Name (Last, First, Middle) [REDACTED]				Race W	Sex F	Date of Birth 03/17/1977
V I C T I M	Local Address (Street, Apt. Number) (City) (State) (Zip)				Phone		Address Source
	Business Address (Name, Street) (City) (State) (Zip)				Phone		Occupation
A D D I T I O N A L	Written <input type="checkbox"/> Taped <input checked="" type="checkbox"/> Oral <input type="checkbox"/> DEFENDANT'S STATEMENTS: VICTIM'S STATEMENTS:			OBSERVATIONS OF VICTIM (PHYSICAL & EMOTIONAL):			
	RELATIONSHIP BETWEEN VICTIM & SUSPECT CHILD IN COMMON						
I N F O R M A T I O N	PHOTOGRAPHS: Scene: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Victim: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 911 CALL: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO CALLER: VICTIM WEAPON USED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO TYPE: WITNESSES: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If YES, attach witness list) INJURIES: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO MEDICAL TREATMENT: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO AT: Scene: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PARAMEDICS: Hospital: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PHYSICIAN(S) / HOSPITAL:			ACT COMMITTED IN PRESENCE OF MINOR(S): <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NAMES/AGES: [REDACTED] 2YOA H. R. S. NOTIFIED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VICTIM PREGNANT: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VIOLATION OF RESTRAINING ORDER: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO CASE #: PRIOR HISTORY OF DOMESTIC VIOLENCE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO ALCOHOL OR DRUGS INVOLVED: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
	On 08/17/2017 at approximately 1822 hours, Myself and Officer Fuchsman responded to [REDACTED] in reference to a domestic disturbance. Both myself and Officer Fuchsman were working in a uniformed capacity assigned to the patrol division, driving a unmarked West Palm Beach Police Vehicle with red/blue shining lights and sirens. Upon arrival, units made contact with complainant [REDACTED] (w/f 03/17/1977) who						
N O T A R Y	STATE OF FLORIDA COUNTY OF PALM BEACH Appeared before me, _____ 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 before me this <u>17</u> day of <u>August</u> , <u>2017</u> . FUCHSMAN, DANIEL NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)						

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.J.O.

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Narrative Continuation

A D M I N	Date / Time 08/17/2017 20:07	Agency Name WEST PALM BEACH POLICE DEPARTMENT		Agency Report Number 9 4 2017-0015811
	Agency ORI Number FL 0500800			

advised her and her boyfriend Steven Kelly Wistner (w/m 07/19/1970) were engaged in a physical altercation.

█████ said that Wistner has been driving heavily for the last week for a unknown reason. During this week, she advised that Wistner has been belligerent and hostile, especially while intoxicated. Earlier in the week, █████ said Wistner grabbed her arm with such great force that it left several bruises on her arm. She also said he constantly threw household items at her during arguments. Shortly before units arrived, █████ said Wistner attempted to kick her out of the apartment. While Wistner was yelling at █████ attempting to kick her out, he used a open hand to grab █████ on the chest to physically remove her from the residence which left several abrasions. █████ said that she did not want Wistner to go to jail, hence the reason why she did not call earlier in the week, but that today's incident left her with no further options. It should be noted that I observed several abrasions and bruises on █████ consistent with her statement and other bruises and abrasions that █████ did not speak to police about. When police asked █████ about the injuries she advised they were from Wistner.

█████ had several small abrasions on her chest, a large bruise on her left arm, a small abrasion on her right cheek and several small abrasions on her hands.

Units then went inside of the residence to make contact with Wistner. When units entered the residence, a pungent smell of vomit and feces was immediately noticed by myself and Officer Fuchsman. The apartment was in disarray, with used baby diapers and dirty dishes on the counter and common household items thrown across the floor.

Wistner was inside of the bathroom, it appeared as if he just finished vomiting. Once units made contact with Wistner, I immediately could smell a sweet pungent odor that I know to be alcohol emitting from him, mixed with the smell of vomit. Wistner had difficulty standing and walking, trying several times to place his flip flops on. We asked Wistner to take a seat on the couch so that we could ask him what occurred. Wistner advised that he attempted to kick █████ out of the apartment because she was not on the lease. I advised Wistner that he would have to have her evicted and that she has established residency at the apartment. I asked Wistner if any physical altercations occurred, in which he responded "no." I noticed several abrasions on his hands and blood on his shorts. He advised that the blood and cuts on his hands were from work. When asked if he had been drinking, he advised he has been drinking beer throughout the day.

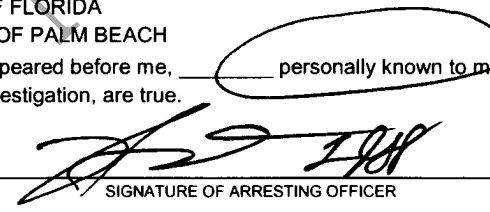
At this time, probable cause existed to place Wistner under arrest for violation of Florida State Statute 784.03(1A1) Simple Battery. Wistner was placed in handcuffs secured for proper fit and double locked per agency policy and placed in the rear of Officer Rosario's marked police vehicle. Wistner was transported to the West Palm Beach Police Department headquarters for processing.

Photos of █████ injuries were taken using a department issued camera. Photos of Wistner were taken using a department issued camera. █████ was given a domestic violence victims rights packet and signed an officers copy acknowledging she received one. It should be noted that the couple has a child together, █████ (w/m 04/28/2015) who was present during the incident. A copy of this report was faxed to the Department of Children and Families. A victim notification form was given the Palm Beach County Jail. It should be noted that department issued body worn cameras were utilized during this incident.

After Wistner was processed at the West Palm Beach Police Department Headquarters, he was transported to the Palm Beach County Jail without incident. At this time, there is nothing further to report.

STATE OF FLORIDA
COUNTY OF PALM BEACH

Appeared before me, _____ 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 before me this 17 day of August, 2017.

FUCHSMAN, DANIEL
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.46)

SCANNED
AUG 18 2017

VICTIM NOTIFICATION FORM

This form must be filled out in a case involving one of the following crimes.

- **Homicide** (Ch 782)

- **Sexual Offense** (Ch. 794)

- **Attempted Murder**

- **Attempted Sexual Offense**

- **Stalking** (S. 784.048)

- **Domestic Violence** - (This includes any assault, agg. assault, battery, agg. battery, sexual assault, sexual battery, stalking, agg. stalking or any criminal offense resulting in physical injury or death of one family member or household member by another, who is or was residing in the same single dwelling.)

Upon completion, this form must accompany the booking paperwork. If applying for a warrant, attach this form to the filing packet.

1. Incident Report #. 17-15811 Agency: WPBPD
Offense: Domestic Battery
Suspect/Offender: Kelly Witsner
D.O.B. 7/19/70 Race: W Sex: M
2. Warrant #(s) _____
3. Complete one (1) of the following:
 - a. Victim's name: _____
Address: _____
City: _____ State: _____ Zip: _____
Home #: _____ Work#: _____ Other: _____
 - b. Victim's next of kin: _____
Address: _____
City: _____ State: _____ Zip: _____
Home #: _____ Work#: _____ Other: _____
 - c. Victim's designated contact other than next of kin (for example: a friend or neighbor):
Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Home #: _____ Work#: _____ Other: _____
4. Relevant identification or case numbers assigned to the case (please specify).

WAIVER: I CHOOSE NOT TO COMPLETE THIS VICTIM NOTIFICATION FORM, AND UNDERSTAND THAT I AM WAIVING MY RIGHT TO BE NOTIFIED OF THE RELEASE OF THE SUSPECT/OFFENDER.

Signature of person waiving notification: _____

Printed name of person waiving notification: _____

Officer's Name: Viale I.D.: 1988 Date: 8/17/17 **SCANNED** **AUG 18 2017**