

JKT#0490686

PCH#183

ARREST / NOTICE TO APPEAR

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

1 JUVENILE

OBTS Number		ARREST / NOTICE TO APPEAR											
Agency ORI Number 0500800		Agency Name West Palm Beach Police Department		Agency Report Number (N.T.A.'s only) 9 4 2017-0015811									
Charge Type: Check as many as apply. 1. Felony 3. Misdemeanor 2. Traffic Felony 4. Traffic Misdemeanor		5. Ordinance 6. Other		If Weapon Seized Enter Type Hands/feet/teeth		Multiple Clearance Indicator							
Location of Arrest (Including Name of Business) [REDACTED]													
Date of Arrest 08/17/2017		Time of Arrest 20:12		Booking Date 08/17/2017		Booking Time 20:22		Jail Date		Jail Time			
Location of Offense (Business Name, Address) [REDACTED]													
Name (Last, First, Middle) WISTNER, STEVEN													
Alias: Alias:													
Race W - White I - American Indian B - Black O - Oriental/Asian		Sex W M		Date of Birth 07/19/1970		Height 6'03		Weight 210		Eye Color GREEN		Hair Color BROWN	
Complexion FAIR													
Build Medium													
Scars, Marks, Unique Physical Features (Location, Type, Description)													
Marital Status S Religion													
Indication of: Alcohol Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/> Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>													
Local Address (Street, Apt. Number) 7415 74TH WAY, WEST PALM BEACH, FL 33401		(City)		(State)		(Zip)		Phone (561) 301-3490		Residence Type: 1. City 3. Florida 2. County 4. Out of State			
Permanent Address (Street, Apt. Number) 7415 74TH WAY, WEST PALM BEACH, FL 33401		(City)		(State)		(Zip)		Phone (561) 301-3490		Address Source VERBAL			
Business Address (Name, Street)		(City)		(State)		(Zip)		Phone		Occupation			
D/L Number, State /		Soc. Sec. Number [REDACTED]		INS Number		Place of Birth (City, State) PORT ARTHUR, TX,		Citizenship US					
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					
<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____		Name (Last, First, Middle)											
<input type="checkbox"/> Legal Custodian		Residence Phone											
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 <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 355-2526) informed of any change of address.						School Attended		Grade					
<input type="checkbox"/> Yes, by: <input type="checkbox"/> No:		Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property				Value of Property					
Drug Activity S. Sell R. Smuggle K. Disperses/ N. N/A B. Buy D. Deliver Distribute M. Manufacture/ P. Possess T. Traffic E. Use Produce/ Cultivate		Z. Other		Drug Type N. N/A B. Barbiturate C. Cocaine H. Hallucinogen A. Amphetamine E. Heroin P. Paraphernalia/ O. Opium/Deriv. S. Synthetic		U. Unknown Z. Other							
Charge Description BATTERY - BATTERY (SIMPLE)						Statute Violation Number 784.03(1)A1		Violation of ORD #					
Drug Activity N		Drug Type /		Amount / Unit /		Offense # 2017-0015811		Counts 1		Domestic Violence <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			
Warrant / Capias Number		Statute Violation Number		Violation of ORD #									
Bond <i>None</i>													
Charge Description						Statute Violation Number		Violation of ORD #					
Drug Activity /		Drug Type /		Amount / Unit /		Offense # /		Counts /		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
Warrant / Capias Number		Statute Violation Number		Violation of ORD #									
Bond													
Charge Description						Statute Violation Number		Violation of ORD #					
Drug Activity /		Drug Type /		Amount / Unit /		Offense # /		Counts /		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
Warrant / Capias Number		Statute Violation Number		Violation of ORD #									
Bond													
Health / Apparent Physical Condition of Defendant		Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries Explain:											
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond		<input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> South County Mental Health		<input type="checkbox"/> T.O.T. County Jail		PROPERTY Received By		Released By		Released To			
Transported By				Date Transported / / : :		Time Transported		Other					
<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court		Location (Court, Room)											
<input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		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 COMTEMPT 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		Signature of Arresting Officer (Print)		Name Verification (Printed by Arrestee) THOMAS		Name Verification (Printed by Arrestee) THOMAS					
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		I.D. # 01988		(PRINT)							
Intake Deputy		I.D. # VIALE		Pouch #		Transporting Officer		I.D. # 1988		Agency WPBPD			
Witness here if subject signed with an "X".													

DIS. C. GILYARD #7392

COURT STATE ATTORNEY AGENCY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O. DEFENDANT

SCANNED

AUG 18 2017

No
Photo
AvailablePAGE
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DOMESTIC VIOLENCE PROBABLE CAUSE

AFFIDAVIT

Palm Beach County

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
D E F	Name (Last, First, Middle) WISTNER, STEVEN	Alias	Race W	Sex M	Date of Birth 07/19/1970
C H R G	Charge Description 784.03(1)(b) BATTERY - BATTERY (SIMPLE)				
V I C T I M	Victim's Name (Last, First, Middle) [REDACTED]	Race W	Sex F	Date of Birth 03/17/1977	
Local Address (Street, Apt. Number) [REDACTED]		(City) [REDACTED]	(State) [REDACTED]	(Zip) [REDACTED]	Phone [REDACTED]
Business Address (Name, Street) [REDACTED]		(City) [REDACTED]	(State) [REDACTED]	(Zip) [REDACTED]	Phone [REDACTED]
DEFENDANT'S STATEMENTS:		Written <input type="checkbox"/>	Taped <input checked="" type="checkbox"/>	Oral <input type="checkbox"/>	OBSERVATIONS OF VICTIM (PHYSICAL & EMOTIONAL):
VICTIM'S STATEMENTS:		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RELATIONSHIP BETWEEN VICTIM & SUSPECT CHILD IN COMMON					
A D D I T I O N A L I N F O R M A T I O N	PHOTOGRAPHS:	Scene: <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
	Victim:	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	911 CALL:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CALLER: VICTIM	
	WEAPON USED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TYPE:	
	WITNESSES:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	(If YES, attach witness list)	
	INJURIES:	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
	MEDICAL TREATMENT:	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
	AT:	Scene: <input type="checkbox"/>	<input checked="" type="checkbox"/>	PARAMEDICS:	
	Hospital:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PHYSICIAN(S) / HOSPITAL:	
	ACT COMMITTED IN PRESENCE OF MINOR(S):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NAMES/AGES: [REDACTED]	2YOA
H. R. S. NOTIFIED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
VICTIM PREGNANT:	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
VIOLATION OF RESTRAINING ORDER:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CASE #:		
PRIOR HISTORY OF DOMESTIC VIOLENCE:	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
ALCOHOL OR DRUGS INVOLVED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
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					
STATE OF FLORIDA COUNTY OF PALM BEACH Appeared before me, [REDACTED] personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true.					
[Signature of Arresting Officer] [Signature of Notary Public / Clerk of Court / Officer (F.S.S. #10)] 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. #10)					

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.

SCANNED

AUG 18 2017

DOMESTIC VIOLENCE PROBABLE CAUSE

* AFFIDAVIT

Palm Beach County

Narrative Continuation

A	Date / Time
D	08/17/2017 20:07
M	Agency ORI Number
I	FL 0500800
N	

Agency Name	Agency Report Number
WEST PALM BEACH POLICE DEPARTMENT	9 4 2017-0015811

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 Headquaters, 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. 17-140)

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