

Jkt# 0513153

190611349

PC# 2958

ARREST / NOTICE TO APPEAR
Juvenile Referral Report☐ Check if Supplement is Attached1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for Capias

Juvenile

N

OBT Number		Agency ORI Number FLO 5 0 0 3 0 0		Agency Name BOYNTON BEACH POLICE DEPARTMENT		Agency Report Number (N.T.A.'s only) 3 4 1 1 9 0 6 7 9 3 4	
Charge Type: Check as many as apply: ☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator			
Location of Arrest (Including Name of Business) 1911 N. CONGRESS AVE (KOHLS) BOYNTON BEACH				Location of Offense (Business Name, Address) 1901 N. CONGRESS AVE (KOHLS) BOYNTON BEACH, FL			
Date of Arrest 1 2 0 7 1 9		Time of Arrest 1 7 0 9		Booking Date		Booking Time	
Jail Date		Jail Time		Location of Vehicle			
Name (Last, First, Middle) FUMIGLO, YAMILA FUENTES				Alias (Name, DOB, Soc. Sec. #, Etc.)			
Race W - White B - Black I - American Indian O - Oriental/Asian		Sex M F		Date of Birth 0 3 2 3 7 9		Height 5 0 5"	
Weight 1 3 5		Eye Color BRN		Hair Color BRN		Complexion FAIR	
Build MAD		Scars, Marks, Tattoos, Unique Physical Features, Location, Type, Description MOON ON RIGHT FOREARM / ALSO		Marital Status MARRIED		Religion N/A	
Indication of: Alcohol Influence Drug Influence		Y N		Unk N			
Local Address (Street, Apt. Number) 3715 LAKEWOOD RD.		(City) CAPE WORTH, FL		(State) FL		(Zip) 3 3 4 6 1	
Phone (360) 812 7255		Residence Type: 1. City 2. County 3. Florida 4. Out of State		Address Source FL D/L			
Permanent Address (Street, Apt. Number) 421 KIRK RD.		(City) DAVENPORT, FL		(State) FL		(Zip) 3 3 4 6 1	
Phone (360) 812 7255		Business Address (Name, Street) ()		(City) ()		(State) ()	
(Zip) ()		Phone ()		Occupation ()			
D/I Number, State ES61-960-79-603-0		Sec. Sec. Number ()		INS Number ()		Place of Birth (City, State) HAVANA, CUBA	
Citizenship Resident		Co-Defendant (Last, First, Middle) SALGADO, YAMILIS FUENTES		Race W		Sex F	
Date of Birth 0 1 2 1 8 8		Arrested ☒ 1. Arrested ☐ 2. At Large		Felony ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile			
Co-Defendant (Last, First, Middle) ()		Race ()		Sex ()		Date of Birth ()	
Arrested ☐ 1. Arrested ☐ 2. At Large		Felony ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile					
☐ Parent ☐ Legal Custodian ☐ Other: Name (Last) (First) (Middle) Address (Street, Apt. Number) (City) (State) (Zip) Notified by: (Name) (Date) (Time) 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 355-2520) informed of any change of address. ☐ Yes, by: (Name) ☐ No (Reason) Property Crime? ☐ Yes ☐ No Description of Property Value of Property		School Attended ()		Grade ()			
Drug Activity N/A S. Sell B. Buy P. Possess T. Traffic R. Smuggle D. Deliver E. Use K. Dispense/ Distribute M. Manufacture/ Produce/ Cultivate Z. Other Drug Type N/A A. Amphetamine B. Barbiturate C. Cocaine E. Heroin H. Hallucinogen M. Marijuana O. Opium/Deriv. P. Paraphernalia/ Equipment S. Synthetic U. Unknown Z. Other		Charge Description KIDNAP THREAT Counts (1) Domestic Violence ☐ Y ☒ N Statute Violation Number 8 1 2 1 0 1 4 1 0 3 A Violation of ORD # ()		Warrant / Capias Number N/A		Bond ()	
Charge Description ANTI THREAT DEVICE Counts (1) Domestic Violence ☐ Y ☒ N Statute Violation Number 8 1 2 1 0 1 5 1 0 7 Violation of ORD # ()		Warrant / Capias Number N/A		Bond ()			
Charge Description ()		Counts ()		Domestic Violence ☐ Y ☒ N Statute Violation Number ()		Violation of ORD # ()	
Warrant / Capias Number ()		Bond ()					
Charge Description ()		Counts ()		Domestic Violence ☐ Y ☒ N Statute Violation Number ()		Violation of ORD # ()	
Warrant / Capias Number ()		Bond ()					
Location (Court, Room Number, Address) South County Courthouse - 200 W. Atlantic Avenue, Delray Beach, FL 33444							
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							
Signature of Defendant (or Juvenile and Parent/Custodian) ()				Date Signed ()			
HOLD for other agency ☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other: Intake Deputy D/S B. SHATARA #7523		Signature of Arresting Officer () Name of Arresting Officer (Print) N. WILSON 839		Name Verification (Printed by Arrestee) (PRINT) ()		PAGE 1 OF 1	
Transporting Officer N. WILSON 839		ID # ()		Witness here if subject signed with an "X" ()			

OBT Number		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA		3 Request for Warrant 4 Request for Capias		1		Juvenile		N	
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.				Agency Report Number 34 -19-067934							
Charge Type Check all that Apply		☒ 1 Felony ☐ 2 Traffic Felony		☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor		☐ 5 Ordinance ☐ 6 Other		Special Notes					
Name (Last, First, Middle) Fumero, Yamile Fuentes						Race W		Sex F		Date of Birth 03/23/1979			
Charge Description Retail Theft						Charge Description Anti-shoplifting device							
Charge Description						Charge Description							
Victim's Name (Last, First, Middle) Kohls						Race		Sex		Date of Birth			
Local Address (Street, Apt Number) 1901 N. Congress Ave.						(City) Boynton Bch, FL		(State) FL		(Zip) 33436		Phone 561-369-4299	
Business Address (Name, Street) 1901 N. Congress Ave.						(City) Boynton Bch, FL		(State) FL		(Zip) 33436		Phone 561-369-4299	
Occupation Retail Establishment													
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. ☒ Was observed by Arthur Pezek Who told Ofc Winland That he/she saw the arrested person commit the below acts. ☐ Confessed to Admitting the below facts ☐ Was found to have committed the below acts, resulting from my (described) investigation. On The 7th Day Of December 20 19 At 4:45 ☐ A.M. ☒ P.M.													

On Saturday the 7th day of December, 2019, at approximately 1645hrs I arrived at Kohls (1901 N. Congress Ave.) in reference to a call for service regarding a retail theft. Upon my arrival I met with the business's loss prevention specialist (Arthur Pezek) who advised he observed two females, later identified as Yamelis Fuentes Salgado and Yamile Fuentes Fumero, stealing from the business; to be noted that at the time of my arrival, both Yamellis and Yamile were still within the dressing room.

Arthur provided me with a sworn verbal statement which was captured on my AXON body worn camera; captured at the approximate 21min mark of the cameras recording. In this statement, Arthur advised that he wanted to press charges on behalf of the business (Kohls) and would be willing to testify in court if given the opportunity.

Arthur went on to say that he observed the females within the Mens Athletic Department selecting numerous articles of clothing and wrapping them up before placing them in the shopping cart they were sharing. Arthur advised that this behavior is indicative of someone preparing to steal as it conceals the items within the cart. After clearing the Mens Athletic Department, both Yamelis and Yamile then went to the Kids Shoe Department where they removed children shoes from the boxes, then placing the shoes in the cart and leaving the boxes behind; there would be no way to ring the shoes up at the register as the barcodes and price tags are affixed to the box and not the shoes.

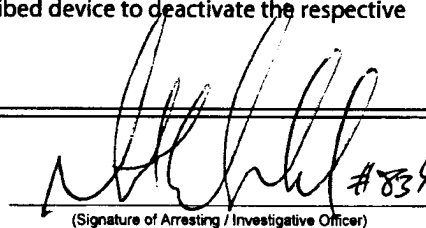
After leaving the Kids Shoe Department, both Yamelis and Yamile then made their way to the Intimate Departments dressing room; I arrived just after Yamelis and Yamile both entered the SAME dressing room. Upon their departure I asked them to wait for a moment while Arthur checked the fitting rooms at which time he found numerous defeated security devices and tags that had been discarded within. Yamelis and Yamile were then escorted to the loss prevention office where the items they had previously selected were now recovered from within their respective purses.

Yamelis had \$207.99 worth of merchandise (clothing) within her purse while Yamile had \$201.00 worth of merchandise (clothing) within her purse; all of which was recovered at no loss to the business. An itemized copy of the receipt was obtained and will be submitted with this report. To be noted, that while recovering the merchandise from Yamelis's purse a retail anti-shoplifting device, a large circular device used to deactivate the security tags, was located in her purse. Also to be noted that Yamelis and Yamile BOTH had concealed items on their person that required the use of this described device to deactivate the respective security measures.

The foregoing instrument was sworn to or affirmed and subscribed before me


Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

12/07/2019
Date

 #839
(Signature of Arresting / Investigative Officer)

N. Winland #839
(Print name of Arresting/Investigative Officer)

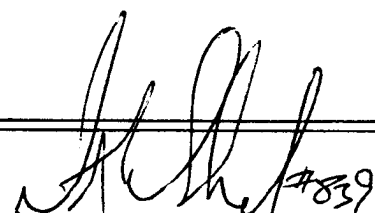
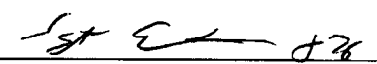
12/07/2019
Date

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Name (Last, First, Middle) Fumero, Yamile Fuentes						Alias		Race W		Sex F		Date of Birth 03/23/1979	
Charge Description Retail Theft				Charge Description Anti-shoplifting device									
Charge Description				Charge Description									
Victim's Name (Last, First, Middle) Kohls						Race		Sex		Date of Birth			
Local Address (Street, Apt Number)				(City)		(State)		(Zip)		Phone		Address Source	
Business Address (Name, Street)				(City)		(State)		(Zip)		Phone		Occupation	
1901 N. Congress Ave.				Boynton Bch, FL		33436		561-369-4299		Retail Establishment			
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. ☒ Was observed by Arthur Pezek Who told Ofc Winland That he/she saw the arrested person commit the below acts. ☐ Confessed to Admitting the below facts ☒ Was found to have committed the below acts, resulting from my (described) investigation.													
On The 7th Day Of December 20 19 At 4:45 ☐ A.M. ☒ P.M.													

Based on the above facts, I find it more probable than not that both Yamelis and Yamile were depriving the business (Kohls) of the full retail value of the merchandise concealed. I find probable cause to charge BOTH Yamelis and Yamile with Retail Theft in accordance with F.S.S. 812.015 as well as Possession / Use of the Anti-Shoplifting Device in accordance with F.S.S. 812.015 (7). After being cleared of having any active warrants or warrants, Yamelis and Yamile were both transported to the B.B.P.D. for processing and their care and custody was later turned over to the Palm Beach County Jail. A digital copy of the video surveillance was obtained and will be submitted into the B.B.P.D. digital evidence database (A.D.A.M.S.) via the remote program digital acquire.

Prior to leaving the business, Yamelis and Yamile were both trespass warned by Arthur, this occurring at the approximate 30min mark of my AXON body cameras recording. Yamelis and Yamile both stated that they understood that if they are to return to the business within a period of one year that they will be subject to arrest for trespassing after warning. The anti-shoplifting device recovered will be submitted into B.B.P.D. Evidence as such.

The foregoing instrument was sworn to or affirmed and subscribed before me		 (Signature of Arresting / Investigative Officer)	
 Notary Public, Clerk of Court, Officer (F.S.S. 117.10)		N. Winland #839 (Print name of Arresting/Investigative Officer)	
12/07/2019 Date		12/07/2019 Date	
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**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:	

REVIEW COMPLETED BY

Booking Number: 2019039159

Date: 12/08/2019

Specialist Name/ID: AM/31562