

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

ARTHUR C. JOHNSON, Ph.D.,
as Superintendent of Schools,

Petitioner,

vs.

Case No. 04/05-X-026



Respondent.

FINAL ORDER

THIS MATTER came to be heard by the School Board of Palm Beach County, Florida, ("School Board") for the purpose of entering a Final Order in the above-styled cause. In consideration of the Recommendation of the Superintendent and the attached exhibits, the School Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's parent was notified by the Principal of Boca Raton Community High School that the Respondent was being recommended for expulsion on November 1, 2004. The Recommendation for Expulsion is incorporated by reference and made a part hereof as (Exhibit A).
2. Respondent's parent was notified by the Superintendent of the School District of Palm Beach County, Florida ("School District") on January 12, 2005, via certified and regular mail, that the Respondent would be recommended to the School Board to be expelled from the School District. The Notice of Recommendation for Expulsion is incorporated by reference and made a part hereof as (Exhibit B).
3. Said notice advised Respondent's parent of their right to an administrative hearing to contest the charges contained therein provided they requested a hearing within ten (10) days of receipt of same.
4. An expulsion hearing was requested by the parent and an expulsion hearing was held on December 22, 2004. The recommended order, dated December 24, 2004, is incorporated by reference and made a part hereof as (Exhibit C).

CONCLUSIONS OF LAW

1. The School Board has jurisdiction over the subject matter and the parties hereto.
2. The School Board finds that the Respondent is guilty of the acts alleged by the Superintendent in the letter dated January 12, 2005, to wit:

Possession of marijuana with the intent to sell and/or distribute and possession of drug paraphernalia while on the campus of Boca Raton Community High School on October 28, 2004.

ORDERED AND ADJUDGED by the School Board in regular session that the recommendation of the Superintendent be accepted and confirmed. [REDACTED] is hereby expelled from the School District for one calendar year from November 12, 2004. Your son may choose to continue educational services during his expulsion period at the ACS site. However, if your son is dismissed from that program by ACS, no further educational services will be offered by the District until the expulsion period is ended.

This Order may be appealed within thirty (30) days by filing a notice of appeal with the District Court of Appeal. Except in cases of indigence, the Court will require a filing fee and payment for preparing the record on appeal. For further explanation of the right to appeal, refer to § 120.68, Fla. Stat., and the Florida Rules of Appellate Procedure.

Dated this 16th day of February, 2005.

SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

BY: _____
Thomas Lynch, Chairman

Attest: _____
Arthur C. Johnson, Ph.D., Secretary

(SEAL)

Filed with the Clerk of the School Board this ____ day of _____, 2005.

Alicia Palmer, Clerk

Boca Raton Community High School

1501 Northwest 15 Court, Boca Raton, Florida 33486

Phone: (561) 338-1400 Facsimile: (561) 338-1440

Principal Geoff M^cKee, Ph.D.

Regular & Certified Mail: 7001 2510 0008 6090 4092 (Return Receipt Requested)

November 1, 2004

Regarding: [REDACTED]

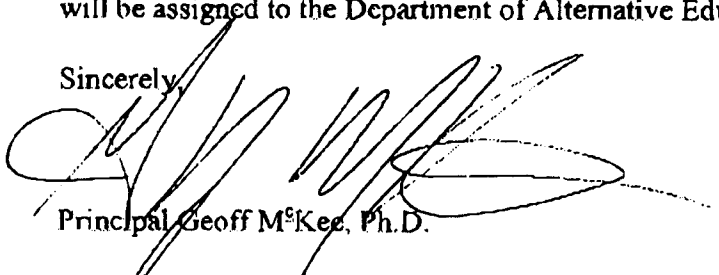
Dear [REDACTED]

On October 28, 2004, [REDACTED] was rendered a ten-day suspension, as documented by my letter to you (copy attached). Pursuant to Florida Statute § 230.23(6)©, which authorizes the School Board to decide cases recommended for expulsion. I have, in accordance with our District's discipline matrix recommended to the Expulsion Screening Committee that the School Board expel [REDACTED] from the School District of Palm Beach County.

My recommendation is based on substantial evidence available to me supporting the following serious misconduct (Police Case Number 04-3316): Officer Vizey of the school police reported that the drug-sniffing dog alerted to a car that was later identified as [REDACTED] car. Officer Vizey, Officer Golden (School police officer assigned to Boca High), and Mr. O'Leath (Boca High Dean) escorted [REDACTED] to his car. A search of the car led to the discovery of two bags of marijuana, empty plastic bags, a scale, and a pipe. The weight of the marijuana exceeded 20 grams.

Pursuant to Florida Statute § 230.33(8), the Superintendent may extend the ten-day suspension until the date of the School Board Meeting when the School Board will act on this expulsion recommendation. If you choose to have [REDACTED] enrolled in the School District of Palm Beach County, he will be assigned to the Department of Alternative Education when his suspension ends.

Sincerely,

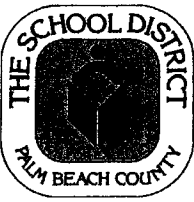

Principal Geoff M^cKee, Ph.D.

Copy: Area Superintendent
Chief Academic Officer
Director of Alternative Education
School Police

EXHIBIT

A

An Equal Opportunity Employer



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

CHIEF ACADEMIC OFFICE
3300 FOREST HILL BLVD., C-316
WEST PALM BEACH, FL 33406-5813

Ph: 561-649-6888 Fx: 561-649-6837

www.PalmBeachSchool.org

ANN KILLETS
CHIEF ACADEMIC OFFICER

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT OF SCHOOLS

FILE COPY

~~December 6, 2004~~
Jan 12, 2005

CERTIFIED AND REGULAR MAIL
RETURN RECEIPT REQUESTED

700 3 2260 0001 9364 0 847

NOTICE OF RECOMMENDATION FOR EXPULSION

Dear Ms. [REDACTED]

Based upon the recommendation of Dr. Geoff McKee, Principal of Boca Raton Community High School, and in accordance with **Florida Statute § 1006.07**, and Palm Beach County **School Board Policy 5.1813**, I will request that the School Board of Palm Beach County, Florida, expel your son, [REDACTED] from the Palm Beach County School District. This decision is based upon the following action:

Possession of marijuana with the intent to sell and/or distribute and possession of drug paraphernalia while on the campus of Boca Raton Community High School on October 28, 2004.

Pursuant to **Florida Statute § 120.569**, you have the right to an administrative hearing. Your request must be received by the Office of the Chief Academic Officer within ten (10) days of the date of this letter. If you request a hearing, a hearing officer will be appointed pursuant to **Florida Statute § 120.81(1)(e)**. If you do not request a hearing, this recommendation will become final.

Your son may receive educational services at the ACS Transition Program during this expulsion due process. If you have any questions regarding the expulsion due process or the educational services available at the ACS Intensive Site, please contact the Office of the Chief Academic Officer at 561-649-6888.

Sincerely,

Arthur C. Johnson, Ph.D.
Superintendent

ACJ:AK:JRA:LEP:ci

cc: Principal, Boca Raton Community High School
South Area Superintendent
Chief Academic Officer
Director of Alternative Education

EXHIBIT

B

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY

CASE NO: 04/05-X-206

ARTHUR C. JOHNSON, As
Superintendent of Schools,

Petitioner

Vs.

[REDACTED]
Respondent

Laura Pincus, Esquire for Petitioner

Respondent represented by mother

RECOMMENDED ORDER

A Final Hearing was held in this matter in Boca Raton, Florida on December 22, 2004. The issue is whether to expel [REDACTED] who is a student and is presently enrolled in the Boca Raton Community High School, from the Palm Beach County School System pursuant to the provisions of Sections, 120.57(2), 228.041(26), 230.03, 230.23(6)(c)(1), 232.25, 232.26, Florida Statutes, as well as with regard to Palm Beach County School Board Policies 5.18 and 5.1813.

FINDINGS OF FACT

1. [REDACTED] is a student within the Palm Beach County School System enrolled at Boca Raton Community High School located in Boca Raton, Palm Beach County, Florida.
2. It is alleged that on October 28, 2004, [REDACTED] was in possession of marijuana with the intent to distribute and in possession of drug paraphernalia while on the campus of his High School. If the allegations are true, then the student committed an act in violation of School Board Policies 5.18 and 5.1813, which subjects a student to disciplinary action, including expulsion.

The mother of the student was notified of the allegations and requested a hearing. At the time of the hearing, the student and his mother [REDACTED] were present.

EXHIBIT

C

The School Board called one witness and introduced 1 document into evidence. The student testified in his own behalf. Set forth below is a synopsis of the testimony given by the witnesses.

P/O KENNETH VIZY. The officer and his K-9 partner were checking cars in the parking lot of the school when the dog alerted the officer of narcotics in an El Camino auto. While attempting to ascertain the owner, the student approached the car. When the officer attempted to question the student, he became uncooperative and would not identify himself. When the officer asked the student to come to the office, he resisted and was placed in handcuffs and brought to the office. P/O Golden and Assistant Principal Robert O'Leath were summoned and the student was read his Miranda rights. He signed the Miranda warning and a consent form to search his car. He told the officer that he had a pipe in his car. When the officer and the student got to the car, the student told the officer how to remove a portion of the dashboard which revealed a pipe that appeared to contain marijuana residue. In the glove compartment there were two bags of suspected marijuana weighing 28.10 grams and a small digital scale. A field test was conducted which indicated positive for marijuana. The student told the officer that he could have sold the marijuana for \$1200.00.

Robert O'Leath was not called as a witness but it was stipulated that his testimony would be the same as P/O Vizy.

The student testified in his own behalf. They would not let me call my lawyer or my mother. I told them not to search my car. They would not let me see the student handbook. The officer lied to me about searching my car. I never said \$1200.00; I said \$300.00 is a more reasonable amount. I did not intend to sell the marijuana and when I bought the two bags, the scale came with it.

The witness for the School Board was credible and his credibility was not impeached. His demeanor was consistent with his sincere effort to relate the facts to the best of his ability without trying to enhance or exaggerate his testimony.

In reviewing the testimony, I find that the Palm Beach County School Board did prove by a preponderance of the believable evidence that the respondent, [REDACTED] while on the school campus of Boca Raton Community High School, did possess with the intent to sell/distribute a controlled substance (marijuana) and that he did have in his possession drug paraphernalia.

CONCLUSIONS OF LAW

Every student of Palm Beach County has a right and obligation to attend a public school. Expulsion is the removal of these rights and obligations. These rights and obligations can be revoked under conditions set by the School Board. Florida Statutes Section 228.041(26).

The principal of a school or his designated representative, may recommend to the Superintendent of a school system the expulsion of any student who has committed a serious breach of conduct, including but not limited to possession of and or selling/distributing a controlled substance (marijuana) on a school campus or any other act which substantially disrupts the orderly conduct of the school. Florida Statutes Section 232.26(1)©.

The Superintendent may then recommend expulsion to the School Board setting forth the charges against the pupil and advising the pupil and his parent or guardian of his right to due process as prescribed by Florida Statute 120.57(2), and Florida Statute Section 230.33(8)©.

Palm Beach County School Board Policy 5.1813, incident code 74 requires mandatory recommendation for expulsion.

RECOMMENDATION

Based on the foregoing findings of fact and conclusions of law, the undersigned Hearing Officer recommends that the respondent, [REDACTED] be expelled from the Palm Beach County School System. The Hearing Office finds that the evidence supports a conclusion that the Respondent was in possession of a controlled substance (marijuana) with the intent to sell/distribute and that he was in possession of drug paraphernalia. These are serious deeds of misconduct and have the potential for serious bodily harm to the respondent, to other students and to members of the staff. These charges are substantial.

They were proven by a preponderance of the evidence. There is only one rational conclusion and that is a recommendation of expulsion.

RECOMMENDED this 24th day of December 2004.


JACK GOLD, ESQUIRE

Enclosure

SUMMARY OF INCIDENT

Student Name	[REDACTED]
Student #	[REDACTED]
Violation and Code	Possession w/Intent to sell 75 + 73 Possession of drug paraphernalia 74 Resisting Arrest
School	Boca Raton High School
Principal	Dr. Geoff McKee
Area Superintendent	Carole Shetler
Grade	11
Sex	M
Age	16
Language	English
ESE?	No
504?	No
Police Report Charge, if known	
Persons Involved And Witnesses to Testify	Robert O'Leath
Additional Information (use additional page, if necessary)	OFFICER VIZY informed me that the drug dog made a positive hit on [REDACTED] car. I escorted [REDACTED] to his car along with officer Vizy and officer Golden. [REDACTED] opened the car door and the car was searched. Two bags of mar.juana, a marijuana pipe, plastic bags and a scale were all found in his car.

I have reviewed the above information and recommend this child for expulsion.

Principal's Signature

[Signature]

THE SCHOOL DISTRICT OF PALM BEACH COUNTY

DIRECTIONS: Write in the appropriate code number or letter in the corresponding boxes.

Student Discipline Referral

STUDENT NAME [REDACTED]	STUDENT NUMBER [REDACTED]	GRADE 11	ESE / 504 <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE 10/28/04	TIME 11:30
LOCATION BK - Bookstore BS - Bus Stop BU - School Bus/Transportation CA - Cafeteria CL - Clinic CS - Regular Classroom GR - School Grounds GY - Gymnasium HA - Hallway IS - Alternative to Suspension Room LA - Laboratory LI - Library/Media Center OF - Office OG - Off School Grounds OT - Other PG - Playground/Track PK - Parking Lot RE - Restroom RT - Returning Home TO - Field Trip/Activity Off Campus TR - To School	REPORTED BY GPR	STAFF ID NUMBER 025	INTERVENTIONS BY TEACHER BEFORE REFERRAL <input type="checkbox"/> Conference with student <input type="checkbox"/> Telephone call to parent <input type="checkbox"/> Referral to CORE team <input type="checkbox"/> Conference with counselor <input type="checkbox"/> Letter to parent <input type="checkbox"/> Parent Conference <input type="checkbox"/> Problem solving techniques <input type="checkbox"/> Mediation <input type="checkbox"/> Teacher detention <input type="checkbox"/> Other	NATURE OF PROBLEM (Be Specific) OFFICER VIZY CAME TO ME AND SAID THAT HIS DOG HAD HIT AN A GRAY EL CARMINO UPON SEARCHING CAR WE FOUND 2 LARGE BAGS OF MARIJUANA A MARIJUANA PIPE, A DIGITAL SCALE AND PLASTIC BAGS (empty).	

ADMINISTRATIVE USE ONLY BELOW THIS LINE

DISTRICT NUMBER DISTRICT 50 If not District 50, provide District number	WHEN EVENT OCCURRED (circle one) 1 - DURING SCHOOL HOURS 2 - Outside school hours, school sponsored activity 3 - Outside school hours, non-school sponsored activity 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) 1 - SCHOOL GROUNDS / ON CAMPUS 2 - School sponsored activity / off campus 3 - School sponsored transportation (includes bus stops)	INVOLVEMENT TYPE (circle one) S - STUDENT N - Non-student B - Both student and non-student U - Unknown	RELATED ISSUES (circle all that apply) G - Gang related W - Weapon related A - Alcohol related H - Hate related D - Drug related
SCHOOL NO HOME SCHOOL If not Home School, provide School Number	ADMINISTRATOR'S NAME S. King	ADMINISTRATION ID 036	EVENT NUMBER	DATE 10/28/04
WHAT KIND OF WEAPON USED (if appropriate) K - Knife H - Handgun F - Firearm/Explosive device R - Rifle/Shotgun O - Other Weapon U - Unknown	INCIDENT CODES (see code sheets) 75 93 74	COMMENTS 10 days OSS		
DURATION How many days 10 Begin Date 10/27/04 Return Date 11/2/04	ACTION CODE (see code sheets) 44 90 RL EX	SIGNATURE OF PARENT DATE		
CASE NUMBER/AGENCY	CRT / TEAM INTERVENTION <input type="checkbox"/> Yes <input type="checkbox"/> No	TRESPASSING NOTICE: I, the student, am aware that I may not be on school grounds and may not attend any school functions or school activities on or off school grounds of any Palm Beach County School District facility during the dates of my suspension.		

OFFENSE-INCIDENT REPORT

.mile in report ☐ Juvenile Warn/Dismiss ☐ 1. Original ☐ 2. Supplement ☒

ADM.		Date of Supplement		PALM BEACH COUNTY SCHOOL BOARD		Agency Report Number					
Original Day Reported		Date		Time (mil)		Time Dispatched (mil)		Time Arrived (mil)		Time Completed (mil)	
THU		10/28/2004		1047							
Incident Type		3. Misdemeanor		5. Ordinance		Incident: Day		Date		Time (mil)	
1. Felony		4. Traffic Misdemeanor		9. Other		From		THU		10/28/2004	
2. Traffic Felony										1047	
OFF/INC # 1		Type 1		Description		A-Attempted		C-Committed		Statute Violation Number	
										893	
OFF/INC # 2		Type 3		Description		A-Attempted		C-Committed		Statute Violation Number	
				DRUG EQUIP						893	
										147	
Incident Location (Street, Apt. Number)		City		Zip		District		Grid		Area	
961		BOCA RATON		33486							
Business Name/Area Identifier		Forced Entry		Occupancy							
BOCA RATON HS		0. N/A 1. Yes		0. N/A 1. Occupied						2. Unoccupied 3. Abandoned	
Location Type		01. Residence Single		06. Gas Station		11. Specialty Store		16. Storage		21. Airport	
02. Apartment/Condo		07. Liquor Sales		12. Drug Store/Hospital		17. Gov't/Public Bldg.		22. Bus/Rail Terminal		26. Highway/Roadway	
03. Residence-Other		08. Bar/Nightclub		13. Bank/Financial Inst.		18. School/University		23. Construction Site		27. Park/Woodlands/Field	
04. Hotel/Motel		09. Supermarket		14. Commercial/Office Bldg.		19. Jail/Prison		24. Other Structure		28. Lake/Waterway	
05. Convenience Store		10. Dept/Discount Store		15. Industrial/Mfg.		20. Religious Bldg.		25. Parking Lot/Garage		29. Motor Vehicle	
										30. Other Mobile	
# OFF/INC.		# Victims		# Offenders		# Prem. Ent.		# Veh. Stolen		Type of Weapon	
03		01		01		00		00		00. N/A 01. Handgun	
V/W Code		Victim Type		Race		Sex		Residence Type		Residence Status	
V-Victim		0. N/A		N-N/A		N-N/A		0. N/A		0. N/A	
P-Proprietor		4. Business		I-American Indian		M-Male		3. Florida		1. Full Year	
W-Witness		1. Juvenile		W-White		F-Female		1. City		2. Part Year	
Z-Other		5. Government		B-Black		U-Unknown		4. Out-of-State		3. Non-Resident	
C-Reporting Person		2. L.E. Officer		U-Unknown						17. Friend	
		3. Adult								18. Neighbor	
Injury Type		03. Laceration		07. Loss of Teeth		Victim Relationship To Offender		08. Parent		10. Step-Child	
00. N/A		04. Unconscious		08. Burns		00. N/A		03. Spouse		11. In-Law	
01. Gunshot		05. Poss. Broken Bones		09. Abrasions/Bruises		01. Undetermined		04. Ex-Spouse		12. Other Family	
02. Stabbed		06. Poss. Internal Injury		99. Other		02. Stranger		05. Co-Habitant		13. Student	
OFF/INC Indicator		V/W Code		V. Type		Name (Last, First, Middle or Business)		Residence Phone			
1. #1 2. #2		1 O		01 2		GOLDEN, ADAM					
Address (Street, Apt. Number)		City		State		Zip		Business Phone			
1501 NW 15TH COURT		BOA RATON		FL		33486		561-4348700			
Other Contact Info. (Time Available, Interpreter, ect.)		Synopsis of Involvement									
If V/W Code		Race		Sex		Date of Birth or Age		Res. Type		Res. Status	
V, W or P		W		M		35		1		00 00	
OFF/INC Indicator		V/W Code		V. Type		Name (Last, First, Middle or Business)		Residence Phone			
1. #1 2. #2		1 O		02 3		O'LEATH, ROBERT					
Address (Street, Apt. Number)		City		State		Zip		Business Phone			
1501 NW 15TH COURT		BOCA RATON		FL		33406					
Other Contact Info. (Time Available, Interpreter, etc.)		Synopsis of Involvement									
If V/W Code		Race		Sex		Date of Birth or Age		Res. Type		Res. Status	
V, W or P		W		M		35		1		00 00	
OFF/INC Indicator		Suspect Code		Code #		Juvenile		Name (Last, First, Middle)			
1. #1 2. #2		S-Suspect		E-Escapee							
		A-Arrestee		Z-Other							
Maiden Name		Nickname/Street Name		Place of Birth		Residence Phone					
Last Known Address (Street, Apt. Number)		City		State		Zip		Business Phone			
Occupation		Employer/School		Address		Social Security Number					
Driver's License State/Number		Immigration and Naturalization Number		Other I.D. Number		OBTS Number (Arrested)		FCIC/NCIC			
Clothing (Describe)		Scars/Marks/Tattoos (Location/Describe)									
Race		Sex		Date of Birth or Age		Height		Weight		Eye Color	
Complexion		Build		Facial Hair		Teeth		Speech/Voice		Special Identifiers	
SEE ATTACHED NARRATIVE											
Person/Unit Notified		Time		Related Report Number(s)							
Officer(s) Reporting		I.D. Number		Routed To		Referred		Assigned To		By	
VIZY		788						OEF		JW	
Officer Reviewing (If Applicable)		I.D. Number		Routed To		Referred		Assigned To		By	
Case Status		Clearance Type		A-Adult		Date Cleared		Jail Number		Number Arrested	
CA		1. Arrest		J-Juvenile		11/05/2004				01	
Exception Type		2. Exceptional		3. Unfounded		4. Open Pend.		5. Prosecution Declined		6. Juvenile Custody	
1. Extradition		2. Arrest on Primary		3. Death of Offender		4. V/W Refused to		OBTS Number		Page	
Declined		Offense Secondary Offense		Cooperate				043316		of	

PERSON(S) REPORT		Juvenile <input type="checkbox"/> In Report	1. Original <input checked="" type="checkbox"/> 2. Supplement
Date of Supplement		Agency report Number 043316	
Original Date Reported 10/28/2004		Primary Offense Description MARCOTICS	
Victim #1 Name STATE OF FLORIDA			
V/W Code V-Victim W-Witness C-Reporting Person		Victim Type 0. N/A 1. Juvenile 2. L.E. Officer 3. Adult	
Race N-N/A W-White B-Black		Sex N-N/A M-Male F-Female U-Unknown	
Residence Type 0. N/A 1. City 2. County		Residence Status 0. N/A 1. Full Year 2. Part Year 3. Non-Resident	
Extent of Injury 0. None 1. Minor 2. Serious 3. Fatal			
Injury Type 00. N/A 01. Gunshot 02. Stabbed		03. Laceration 04. Unconscious 05. Poss. Broken Bones 06. Poss. Internal Injury	
07. Loss of Teeth 08. Burns 09. Abrasions/Bruires 99. Other		Victim Relationship To Offender 00. N/A 01. Undetermined 02. Stranger	
06. Parent 07. Brother/Sister 08. Child 09. Step-Parent		10. Step-Child 11. In-Law 12. Other Family 13. Student	
14. Teacher 15. Child of Boy/Girl 16. Boy/Girl Friend		17. Friend 18. Neighbor 19. Sitter/Day Care 20. Employee	
21. Employer 22. Landlord/Tenant 23. Acquaintance 99. Other Known			
OFF/INC Indicator 1. #1 2. #2 3. Both		V/W Code # 1 V 01	
V. Type 9		Name (Last, First, Middle or Business) STATE OF FLORIDA	
Address (Street, Apt. Number)		City WEST PALM BEACH FL	
		State 33406	
Other Contact Info. (Time Available, Interpreter, etc)		Synopsis of Involvement	
If Victim Type 1, 2, or 3		Race N	
Sex N		Date of Birth or Age	
Res. Type		Res. Status	
Extent of Injury		Injury Type(s) 00 00	
Relationship		Ethnicity	
Will victim prefer charges ? Yes <input type="checkbox"/> No <input type="checkbox"/>			
OFF/INC Indicator 1. #1 2. #2 3. Both		V/W Code #	
V. Type		Name (Last, First, Middle or Business)	
Address (Street, Apt. Number)		City	
		State	
Other Contact Info. (Time Available, Interpreter, etc)		Synopsis of Involvement	
If Victim Type 1, 2, or 3		Race	
Sex		Date of Birth or Age	
Res. Type		Res. Status	
Extent of Injury		Injury Type(s)	
Relationship		Ethnicity	
Will victim prefer charges ? Yes <input type="checkbox"/> No <input type="checkbox"/>			
OFF/INC Indicator 1. #1 2. #2 3. Both		Suspect Code S-Suspect A-Arrestee	
E-Escapee M-Missing Z-other		Code #	
Juvenile		Name (Last, First, Middle)	
Maiden Name		Nickname/Street Name	
Last Known Address (Street, Apt. Number)		Place of Birth	
		City	
		State	
Occupation		Employer/School	
Address		Social Security Number	
Driver's License State/Number		Immigration and Naturalization Number	
Other ID. Number		OBTS Number	
FCIC/NCIC			
Clothing (Describe)		Scars/Marks/Tattoos (Location/Describe)	
Race		Sex	
Date of Birth or Age		Height	
Weight		Eye Color	
Hair Color		Hair Length	
Hair Style			
Complexion		Build	
Facial Hair		Teeth	
Speech/Voice		Special Identifiers	
OFF/INC Indicator 1. #1 2. #2 3. Both		Suspect Code S-Suspect A-Arrestee	
E-Escapee M-Missing Z-other		Code #	
Juvenile		Name (Last, First, Middle)	
Maiden Name		Nickname/Street Name	
Last Known Address (Street, Apt. Number)		Place of Birth	
		City	
		State	
Occupation		Employer/School	
Address		Social Security Number	
Driver's License State/Number		Immigration and Naturalization Number	
Other ID. Number		OBTS Number	
FCIC/NCIC			
Clothing (Describe)		Scars/Marks/Tattoos (Location/Describe)	
Race		Sex	
Date of Birth or Age		Height	
Weight		Eye Color	
Hair Color		Hair Length	
Hair Style			
Complexion		Build	
Facial Hair		Teeth	
Speech/Voice		Special Identifiers	
Incident Type 1. Runaway 2. Parental 3. Involuntary 4. Disabled 5. Endangered		6. Disaster 7. Victim 8. Adult 9. Unknown	
Foul Play Suspected ? 1. Yes 2. No		Missing Before ? 1. Yes 2. No 8. Unknown	
Fingerprints Available ? 1. Yes 2. No 8. Unknown		Photo Available ? 1. Yes 2. No 8. Unknown	
Dental Record Available ? 1. Yes 2. No 8. Unknown		MCIC Form Provided ? 1. Yes 2. No	
Date Last Seen		Time Last Seen	
Location Last Seen (Address, City, St)		Accompanied By	
Mental/Physical Condition		Medication Required/Type	
Doctor/Dentist (Name, Phone Number)			
Property Carried		ID. Type/Number	
ID. Type/Number			
Probable Destination		Name/Address	
Transportation Mode			
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 9. Other			
Officer(s) Reporting VIZ		ID. Number(s)/Locator code 788	
Unit		Date	
Officer Reviewing (If Applicable)		ID. Number	
Routed To		Referred To	
Assigned To OEF		By JW	
Date			
Page		Page	

PALM BEACH COUNTY SCHOOL BOARD

CHARGES	Activity	Type	Counts	STATUTE	D.V.	<input type="checkbox"/> AC <input type="checkbox"/> CAPIAS <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> CIT#	VIOlation OF SECT.
1. DRUG	S	M	01	893.13.1	2	1	
2. DRUG EQUIP	P	P	01	893.147.	2	1	
3. OBSTRUCT	N	N	01	843.02.	2	1	
4.						1	OF THE CODE OF

The undersigned certifies and swears that he has just and reasonable grounds to believe, and does believe that the above named Defendant

On the _____ day of _____, _____, At _____ (Time) ☐ A.M. ☐ P.M.

(Location, include name of business)

committed the following violation of law: Narrative: (Be specific)

SEE ATTACHED NARRATIVE

Page ____ of ____

Hold for Other Agency

Agency _____ Verified by _____

I swear that the above Statement is correct and true to the best of my knowledge and belief.

☐ HOLD FOR BOND HEARING. DO NOT
BOND OUT (Officer Must Appear at Bond
Hearing)

Sworn to and subscribed before me, the undersigned authority, this _____

☐ 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. Furthermore, I agree that notice concerning the time, date, and place of all court hearings should be sent to the above address. I agree that it is my responsibility to notify the Clerk of the Court (Juveniles notify Family Division Juvenile Section) anytime that my address changes.

☐ You need not appear in court, but must comply with the instructions on the reverse side hereof.

VIZY

Officer's Name

Officer's Signature

Deputy of the Court or Notary Public

Department Name

Court ID Number/Loc.Code

Signature of Defendant / Juvenile and Parent or Guardian

COURT COPY

PROPERTY REPORT

1. Original
2. Supplement

1

PALM BEACH COUNTY SCHOOL BOARD

Agency Report Number

043316

ADM	Date of Supplement		Original Date Reported		Primary Offense Description		Victim #1 Name	
			10/28/2004		NARCOTICS		STATE OF FLORIDA	
CODES	Person code V-Victim S-Suspect		P-Proprietor A-Arrestee Z-Other		Status Code 1. Stolen 2. Recovered		3. Stolen and Recovered 4. Recovered for Other Jurisdiction	
							5. Lost 6. Found 7. Safekeeping	
PROPERTY	Damage Code 0. N/A 1. Arson		2. Criminal Mischief 3. During other Offense 9. Other		Property Type		Model Name/Number	
PROPERTY	Person Code #		Item #		Status		Damage	
	V 01		01		8		D	
PROPERTY	Serial Number		Owner Applied Number		Description (Size, Color, Caliber, Barrel Length, Etc.)		Value	
					(2) suspected marijuana in plastic bag approx. 23.07 grams/approx. 5.03 grams suspected residue		\$ 485	
PROPERTY	Value		Value Recovered		Date Recovered		FCIC/NCIC	
	\$		\$		10/28/2004			
PROPERTY	Person Code #		Item #		Status		Damage	
PROPERTY	Serial Number		Owner Applied Number		Description (Size, Color, Caliber, Barrel Length, Etc.)		Value	
							\$	
PROPERTY	Value		Value Recovered		Date Recovered		FCIC/NCIC	
	\$		\$					
PROPERTY	Person Code #		Item #		Status		Damage	
PROPERTY	Serial Number		Owner Applied Number		Description (Size, Color, Caliber, Barrel Length, Etc.)		Value	
							\$	
PROPERTY	Value		Value Recovered		Date Recovered		FCIC/NCIC	
	\$		\$					
PROPERTY	Person Code #		Item #		Status		Damage	
PROPERTY	Serial Number		Owner Applied Number		Description (Size, Color, Caliber, Barrel Length, Etc.)		Value	
							\$	
PROPERTY	Value		Value Recovered		Date Recovered		FCIC/NCIC	
	\$		\$					
TOTALS	Property Stolen		Property Recovered		Change in Property Stolen Value		Change in Property Recovered Value	
	\$		\$485		\$		\$	
CODES	Activity		Type		Unit		Estimated Street Value	
	P. Possess S. Sell B. Buy T. Traffic R. Smuggle		D. Deliver E. Use K. Dispense/Distribute M. Manufacture/Produce/ Cultivate		Z. Other		\$	
DRUGS	Activity		Type		Unit		Estimated Street Value	
							\$	
PROPERTY DETAIL NARRATIVE	Activity		Type		Unit		Estimated Street Value	
							\$	
ADMINISTRATIVE	Officer(s) Reporting		ID. Number(s)/Locator Code		Unit		Date	
	VIZY		788		OEF		JW	
Officer Reviewing (if applicable)		ID. Number		Routed To		Assigned To		
Page		Page		Page		Page		

NARRATIVE CONTINUATION

FLO 504200

PALM BEACH COUNTY SCHOOL DISTRICT POLICE

Case: 04-3316
Investigator: K. Vizy #788
Reported Date: 10/28/04 - 1047 Hours

ON OCTOBER 28, 2004, ON APPROXIMATELY 1047 HOURS, WHILE AT BOCA RATON HIGH SCHOOL (1501 N.W. 15TH COURT, BOCA RATON, FL), WHILE CONDUCTING A SEARCH OF THE TEACHERS' PARKING LOT, SCHOOL DISTRICT OF PALM BEACH COUNTY NARCOTIC DETECTION K-9 "BOSCO" GAVE AN ABNORMAL RESPONSE TO THE PASSENGER SIDE DOOR OF A 1984 CHEVY "EL CAMINO" SILVER-IN-COLOR (LICENSE NUMBER [REDACTED] FL). WHILE IN THE AREA, I ASKED A STUDENT (LATER IDENTIFIED AS [REDACTED] WHO WAS WALKING IN THE AREA, WHERE HE WAS GOING; HE ADVISED THAT HE WAS GOING TO HIS CAR. HE IDENTIFIED HIS VEHICLE AS AN "EL CAMINO". I ASKED HIM HIS NAME; HE REFUSED TO IDENTIFY HIMSELF. I THEN ASKED HIM TO REPORT WITH ME TO THE OFFICE. I EXPLAINED THAT HE NEEDED TO IDENTIFY HIMSELF. HE GAVE THE NAME [REDACTED] AND DID NOT ADVISE FURTHER (MUMBLING AND SHAKING HIS HEAD). I INSTRUCTED HIM TO STAY SEATED IN THE FRONT OFFICE; THAT IF HE CONTINUED NOT TO FOLLOW MY DIRECTIONS HE WOULD BE PLACED IN HANDCUFFS AND NOT TO MOVE. HE THEN BEGAN TO OPERATE HIS CELLPHONE. I ADVISED HIM NOT TO. HE CONTINUED AND AS I BEGAN TO ATTEMPT TO TAKE THE PHONE (TO STOP THE OPERATION) HE BECAME RESISTIVE, PULLING AWAY FROM MY PERSON. HE WAS ADVISED THAT HE WAS BEING PLACED IN HANDCUFFS. HE CONTINUED TO STRUGGLE, ATTEMPTING TO BREAK HOLD OF ME. AT ONE POINT HE WAS STANDING ON THE BENCH HE WAS SITING ON AND I WAS THEN ABLE TO PLACE HIM IN HANDCUFFS.

DURING THE INVESTIGATION, [REDACTED] WAS ADVISED OF HIS CONSTITUTIONAL RIGHTS AFTER WHICH HE A FIRST REFUSED TO COOPERATE (ADVISING THAT HE WANTED HIS ATTORNEY). HE LATER SIGNED THE MIRANDA RIGHTS FORM AS WELL AS A CONSENT TO SEARCH FORM AND ADVISED THAT HE HAD SOMETHING IN HIS VEHICLE. HE VOLUNTARILY AGREED TO ESCORT OFFICER GOLDEN, ROBERT O'LEATH AND MYSELF TO HIS VEHICLE TO SHOW US. WHILE EN ROUTE, HE ADVISED THAT HE HAD A PIPE IN HIS VEHICLE.

[REDACTED] ASSISTED AND DIRECTED TO THE CENTER SHIFT CONSOLE OF THE VEHICLE WHICH WHEN OPENED WAS DISCOVERED WHAT APPEARED TO BE A GLASS PIPE CONTAINING WHAT APPEARED TO BE MARIJUANA IN A FABRIC CASE. FURTHER DISCOVERED IN THE VEHICLE, WAS WHAT APPEARED TO BE A PLASTIC BAG CONTAINING WHAT APPEARED TO BE SUSPECTED MARIJUANA FROM THE CENTER CONSOLE, ONE "DIGI WEIGHT SCALE" DIGITAL SCALE AND PLASTIC BAG CONTAINING SUSPECTED MARIJUANA FROM THE GLOVE BOX, ONE OPENED BOX OF PLASTIC SANDWICH BAGS.

A SAMPLE OF ONE OF THE SUSPECTED MARIJUANA "ROACHES" WAS FIELD TESTED USING A "SIRCHIE NARK #8 DUQUENOIS REGENT MARIHUANA - HASHISH - THC TEST KIT", WHICH YIELDED POSITIVE RESULTS.

THE GLASS PIPE CONTAINED WHAT APPEARED TO BE MARIJUANA RESIDUE IN A FABRIC CASE (ESTIMATED VALUE \$25.00). FURTHER DISCOVERED IN THE VEHICLE WAS WHAT APPEARED TO BE A PLASTIC BAG CONTAINING WHAT APPEARED TO BE SUSPECTED MARIJUANA (APPROXIMATELY 23.07 GRAMS ESTIMATED VALUE \$350.00)

Case: 04-3316
Investigator: K. Vizy #788
Reported Date: 10/28/04 - 1047 Hours

FROM THE CENTER CONSOLE, ONE "DIGI WEIGHT SCALE" DIGITAL SCALE (ESTIMATED VALUE \$60.00) AND PLASTIC BAG CONTAINING SUSPECTED MARIJUANA (APPROXIMATELY 5.03 ESTIMATED VALUE \$50.00) AND FROM THE GLOVE BOX, ONE OPENED BOX OF PLASTIC SANDWICH BAGS (ESTIMATED VALUE \$0.25) WERE PLACED INTO EVIDENCE.

[REDACTED] WAS PLACED UNDER ARREST AND CHARGED WITH OBSTRUCTION AND OPPOSING/RESISTING ARREST WITH OUT VIOLENCE, POSSESSION OF DRUG PARAPERNALIA AND POSSESSION OF MARIJUANA WITH INTENT TO SELL ON SCHOOL GROUNDS. PARENTAL CONTACT WAS MADE AND ADVISED.

MAY IT BE NOTED THAT SUSPECTED MARIJUANA RESIDUE FROM THE SUSPECT VEHICLE WAS DISCOVERED AND PLACED INTO A PLASTIC "SANDWICH-TYPE" BAG ALSO OBTAINED FROM INSIDE THE VEHICLE, WHICH WAS PLACED INTO EVIDENCE.

NO FURTHER AT THIS TIME.

THE SCHOOL DISTRICT OF PALM BEACH COUNTY
SCHOOL POLICE DEPARTMENT

Miranda Rights

Case No.

04-3316

Date

October 28 2004

Time

1100

I am required to warn you before you make any statement that you have the following constitutional rights...

1. You have the right to remain silent and not answer any questions.
2. Any statement you make must be freely and voluntarily given.
3. You have the right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford an attorney, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

I have been advised of my Miranda Rights and I understand them.

Me han avisado de mis derechos Miranda y los entiendo.

Yo te ban m eksplikasyon sba dya Miranda mwen genyen, epi mwen konprann yo.

SIGNATURE
FIRMA
SIYATI

DATE
FECHA
DAT

Police Officer Ken Vizey
Policia
Ofisye Polis

I.D. No 788
Nº de Identidad
Nimewo Idantite

Location School Police Office of the Boca Raton Community High School
Lugar de entrevista
Kote konvèsasyon an te fet

Witness
Testigo
Temwen

Witness
Testigo
Temwen



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
SCHOOL POLICE DEPARTMENT

Consent to Search

04-3316

Read everything on this page BEFORE you sign it. Be sure you understand it.

Your Right: You have the Constitutional right to refuse a search of your property for evidence by Law Enforcement officers unless they have a valid search warrant.

Search date 10/28/2004 Location Boca Raton Community High School 1501 NW 15th Ct, Boca Raton, FL

I, [REDACTED], having been informed of my Constitutional right not to have a search made of the premises, (automobile) or (other) _____ (circle correct one and cross through others), hereinafter mentioned, without a search warrant and of my right to refuse to consent to such a search, hereby authorize OFF. K. VIZY and RELATES Law Enforcement officers of the School Board of Palm Beach County to conduct a complete search of my premises, (automobile) (other) _____ which is described as CHEVY "EL CAMINO" and which is located at BOCA RATON H.S.

These Law Enforcement officers are authorized by me to take from my premises, (automobile) (other) CONTRABAND AND RELATED, and furnish me with a receipt for, any letters, papers, materials, or other property taken into custody by them which they believe is criminal evidence or evidence associated with the commission of a criminal offense. This written permission is being given by me to the above named Law Enforcement Officers voluntarily and without threats or promises of any kind. I understand that I can refuse them permission to search unless they have a proper search warrant.

SIGNATURE

DATE

Witnesses

Property Receipt

04-3316

[illegible]

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as an investigator.

SIGNATURE

SIGNATOR

RECEIVED BY

REASON

DATE & TIME

Off. K. VIZY TURNED INTO EVIDENCE

T.O.T. Evidence Sheet

10/28/04 1730

Final Disposition

Authority

Date & Time

Case No.

04-3316

Property Receipt

Date 10/28/04	Time 1200	School No. 0961	Type Case Poss. w/INTENT TO SELL / POSS. PARA	Regist. AREA Boca Raton	Bin No.
<input type="checkbox"/> Property of Deceased <input type="checkbox"/> Found Property <input checked="" type="checkbox"/> Stolen/Recovered <input type="checkbox"/> Trial <input type="checkbox"/> Laboratory <input type="checkbox"/> Destroy					
Release After Processing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		To Whom			
Address Where Property Impounded BOCA RATON HIGH SCHOOL 1501 N.W. 15th CT. BOCA RATON					
NAME		ADDRESS		TELEPHONE	
Discovered By OFF. K. JIZY, AVE. GOLDEN, MA OLEATH				() -	
Owner [REDACTED]		[REDACTED]		() -	
Victim STATE OF FLORIDA				() -	
Suspect(s) Include DOB [REDACTED]		[REDACTED]		() -	

[illegible]

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

SIGNATURE

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as an investigator.

SIGNATURE

RECEIVED BY	REASON	DATE & TIME
REC. K. VIZY FOR EVIDENCE	TO: EVIDENCE DROP	10/28/04 1730

Final Disposition:	Authority:	Date & Time:
--------------------	------------	--------------

PANEL: _____ A23. SPECIAL PROGRAMS YEAR: 05
Monday November 15, 2004 3:45 pm
STDT: [REDACTED] SCHL: 0961 GR: 11 ST: I
PRIM IEP IEP DUE REEVAL MATIX MOD FUND AA SUM MC T ESY RR LSS WAV C 504 ST
DATE T IND _____ Z Z _____
011604 D 120 A DROPOUT PREVENTION PROGRAM 0 I

	FNRT	HSCT	FCAT	FW
MATHEMATICS	_____	_____	_____	
COMMUNICATIONS	_____	_____	_____	_____

PF1=HELP 3=EXIT 7=BKWD 8=FWD 9=NXT PAGE 12=ESCAPE
NO ADDITIONAL PAGES...NEXT?

TERML: Z12F

PANEL: _____

A03. DEMOGRAPHICS

YEAR: 05

Monday November 15, 2004 3:45 pm

STDT: [REDACTED]

LAST APP FIRST MIDDLE AKA FORMER

RES NBR DR STREET TYPE PD APT/BLDG CITY ST ZIP+4

MLG NBR DR STREET TYPE PD APT/BLDG CITY ST ZIP+4

SEX RACE DOB BIRTH CITY ST VER PHONE PUB SUMMER ORIG SAC SCHL2
M W [REDACTED] [REDACTED] [REDACTED] 1 [REDACTED] N [REDACTED] 081402 304 [REDACTED]ENT DATE SCHL GR OD CL AT W/D DATE PR PF SSN EXTRNL NBR PC PS PD
R03 102704 0961 11 [REDACTED] 01 Y W02 110404 [REDACTED] [REDACTED] US FL 50LNG PGL COB SURVEY STAT CAT LEP RES EN:DS SCHL C1:B-H-M-N CH2 EHA D/B ST:C M EX
EN EN US 042402 [REDACTED] ZZ 3 [REDACTED] N N N N N N N N N N Z

PF1=HELP 3=EXIT 7=BKWD 8=FWD 12=ESCAPE

RECORD IS DISPLAYED...NEXT?

TERML: Z12F

A05. CONTACT INFORMATION SUMMARY

YEAR: 05

Monday November 15, 2004 3:45 pm

STDT: [REDACTED] SCHL: 0961 GR: 11 ST: I

[illegible]

HEALTH CONDITIONS:

```
PF1=HELP 3=EXIT 9=ADD 12=ESCAPE
RECORDS ARE DISPLAYED
```

TERML: Z12F



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
SCHOOL POLICE DEPARTMENT
Felony Filing Packet

SECTION 1: Filing Receipt

Case number 04-~~1732~~ 3316

Agency Palm Beach County School Police

Arrest date 10/28/2004

Received with reference to **DEFENDANT**

[REDACTED]
Last Name

[REDACTED]
First Name

[REDACTED]
MI

DOB [REDACTED]

The following in the above style case (check)

- ☒ 1. Police Reports
- ☐ 2. Witness Lists
- ☒ 3. Evidence List
- ☒ 4. Probable Cause
- ☒ 5. Rough Arrest
- ☐ 6. Criminal History
- ☐ 7. _____
- ☐ 8. _____
- ☐ 9. _____
- ☐ 10. _____

Charged by Officer with

OBSTRUCTION AND OPPOSING / RESISTING ARREST WITH OUT VIOLENCE, POSSESSION OF DRUG
PARAPHERNALIA, AND POSSESSION OF MARIJUANA WITH INTENT TO SELL ON SCHOOL GROUNDS

Charges filed by Assistant State Attorney _____

Officer's Name K.VIZY

ID number 788

This _____ day of _____,

By _____

ASSISTANT STATE ATTORNEY

SECTION 2: State Attorney's Office Filing InformationDEFENDANT [REDACTED]AIKIA [REDACTED]Co-Defendants (if any) N/AVictim related/acquainted with defendant? ☐ Yes ☐ No ☒ N/AArrest date 10/28/2004 Agency case number 04-1732Arresting/lead officer: K.VIZY ID number: 788Agency PALM BEACH COUNTY SCHOOL POLICE Phone Number (561) 434 - 8300Current shift hours to Days off Saturday and SundayLeave/shift change information

Was arrest made for, or in conjunction with another agency and if so, what agency?

N/A Phone no. () - Sentencing recommendations MAX.Additional comments (if any) **Filing documents attached**

- ☒ 1. Rough Arrest
- ☒ 2. P.C. Affidavit (sworn original)
- ☐ 3. Sworn Statement of Material Witnesses
- ☒ 4. Witness/Evidence List
- ☒ 5. Offense Reports (all)
- ☐ 6. Accident Reports (all)
- ☐ 7. Witness Statements (all)
- ☐ 8. FCIC/NCIC Criminal History

Other attachments Include

- 9.
- 10.
- 11.

**Please note requirements of sworn statement(s) of material witnesses
required by supreme court for filing (rule 3.140(9) Rcrp)**

SECTION 3: Defendant/Evidence List

Defendant [REDACTED] [REDACTED] [REDACTED] Circuit Court case #

Arresting/lead officer	<u>K.VIZY</u>	ID number	788
------------------------	---------------	-----------	-----

Filing Officer (if different from arresting)

A. Names, addresses and phone number of all persons who may have information which may be relevant to the offense charged or any defense thereto, are provided beginning on page 6.

B. Are there any victim/witness statements available? ☐ Yes ☒ No

☐ Written ☐ Taped ☐ Oral (*Check only if statement was written down when person said it*)

Copy of transcript provided? ☐ Yes ☒ No

C. Written, recorded, and/or oral statements of defendant (*use additional pages if necessary*).

1. Person to whom made _____

Date of statement / / ☐ Written ☐ Taped ☐ Oral

If oral, what did he/she say?

2. Person to whom made _____

Date of statement / / ☐ Written ☐ Taped ☐ Oral

If oral, what did he/she say?

SECTION 3: Defendant/Evidence List continued**D. Written, recorded, and/or oral statements of co-defendant (use additional pages if necessary).**

1. Person to whom made _____

Date of statement / / ☐ Written ☐ Taped ☐ Oral

If oral, what did he/she say?

2. Person to whom made _____

Date of statement / / ☐ Written ☐ Taped ☐ Oral

If oral, what did he/she say?

E. Grand Jury Testimony ☐ Yes ☐ NoF. Confidential Information ☐ Yes ☐ NoG. Electronic Surveillance ☐ Yes ☐ NoH. Search and/or Seizure ☐ Yes ☐ NoI. Reports of Experts ☐ Yes ☐ No

Name of expert _____

Nature of testimony _____

J. Papers or objects belonging to or obtained from defendant.

ITEMS	CUSTODIAN	CHAIN OF CUSTODY
1. SUSPECTED MARIJUANA PLASTIC BAG		PLACED IN EVIDENCE
2. SUSPECTED MARIJUANA PLASTIC BAG		PLACED IN EVIDENCE
3. SUSPECTED MARIJUANA RESIDUE PLASTIC BAG		PLACED IN EVIDENCE
4. PLASTIC "SANDWICH" TYPE BAGS		PLACED IN EVIDENCE
5. "DIGI WEIGHT SCALE"		PLACED IN EVIDENCE
6. GLASS PIPE WITH RESIDUE/ FABRIC BAG		PLACED IN EVIDENCE
7.		
8.		
9.		
10.		
11.		
12.		

SECTION 3: Defendant/Evidence List continued**K. Other evidence**

ITEMS	CUSTODIAN	CHAIN OF CUSTODY
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		

L. Anything showing the defendant may not be guilty

Source

Describe information

M. Information or evidence to be supplied later

Item

Date will be furnished.

Why not supplied at filing

NOTE: It is the responsibility of the officer filing the case to insure the forgoing list is completed and correct.

SIGNATURE OF FILING OFFICER

DATE (MM/DD/YYYY)

SECTION 4: Victim/Witness List

Victim FLORIDA, STATE OF D.O.B. _____

Address (W) _____
 Street/Apt. Number City State Zip Code

(H)

Street/Apt. Number	City	State	Zip Code
--------------------	------	-------	----------

Work phone number () - Home phone number () -

If no phone, then name, address and phone number of person who may be contacted to accept message:

Name _____ Phone number () _____

Address			
Street/Apt. Number	City	State	Zip Code

Can testify to

Arresting officer K.VIZY ID number 788

Department Palm Beach County School Police

Address	3330 Forest Hill Boulevard, B-127	West Palm Beach	FL	33406
	<i>Street/Apt. Number</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Phone number (561) 434 - 8300

Can testify to

FACTS OF CASE

Name OFC. A. GOLDEN **D.O.B.** _____

Address (W)	3330 FOREST HILL BLVD. SUITE B-127	WEST PALM BEACH	FL	
	<i>Street/Apt. Number</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

(H) _____

<i>Street/Apt. Number</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
---------------------------	-------------	--------------	-----------------

Work phone number (561) 434 - 8700 Home phone number () -

Can testify to

ASSISTING WITH INVESTIGATION

**NOTE: Civilian witness- give home and business address and phone numbers.
Officer - give business address and work phone only.**

SECTION 4: Victim/Witness List continued

Name	ROBERT O'LEATH	D.O.B.
-------------	----------------	---------------

Address (W) BOCA RATON H.S. 1501 N.W. 15TH CT. BOCA RATON FL.

(H) _____

<i>Street/Apt. Number</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
---------------------------	-------------	--------------	-----------------

Work phone number (561) - Home phone number () -

Can testify to
PRESENT DURING PARTS OF INVESTIGATION

Name	D.O.B.
------	--------

Address (W) _____

Street/Apt. Number City State Zip Code

(H) _____

Street/Apt. Number	City	State	Zip Code
--------------------	------	-------	----------

Work phone number () - Home phone number () -

Can testify to

Name	D.O.B.
------	--------

Address (W) _____
 Street/Apt. Number City State Zip Code

(H) _____

Street/Apt. Number	City	State	Zip Code

Work phone number () - Home phone number () -

Can testify to

04-3316

100-000

10 BY

1000

1000



50 SGAB
FOR EASY HANDLING
WITH EMERGENCY TOP
Hazardous Waste Bags

Digital Scapes
Digital Scapes

		ARREST / NOTICE TO APPEAR Juvenile Referral Report										1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias				1 Juvenile																
ADMINISTRATIVE	OBTS Number											Agency ORI Number FLO 5 0 4 2 0 0				Agency Name PALM BEACH COUNTY SCHOOL DISTRICT POLICE										Agency Report Number 9 9 - 0 4 - 3 3 1 6						
	Change Type Check as many as apply	<input checked="" type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other										Weapon Seized/Type <input type="checkbox"/> 1. Yes <input checked="" type="checkbox"/> 2. No				Multiple Clearance Indicator																
	Location of Arrest (Including Name of Business) BOCA RATON H.S. 1501 N.W. 15 TH. CT. BOCA RATON										Location of Offense (Business Name, Address) BOCA RATON H.S. 1501 N.W. 15 TH. CT. BOCA RATON																					
	Date of Arrest 1 0 2 8 0 4				Time of Arrest 1 0 4 9				Booking Date				Booking Time				Jail Date				Jail Time				Location of Vehicle							
DEFENDANT	Name (Last, First, Middle)										Alias (Name, DOB, Social Security #, Etc.)																					
	Race W - White B - Black		1 - American Indian O - Oriental/Asian		Sex W M		Date of Birth		Height 508		Weight 120		Eye Color BLU		Hair Color BLOND		Complexion LT.		Build THN													
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE NOTED										Marital Status SINGLE				Religion CHRIST				Indication of: Unk. <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> Alcohol Influence <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>													
	Local Address (Street, Apt. Number) (City) (State) (Zip)										Phone				Residence Type: 1. City 3. Florida 2. County 4. Out of State 2																	
	Permanent Address (Street, Apt. Number) (City) (State) (Zip)										Phone				Address Source RECORD/ VERBAL																	
	Business Address (Name, Street) (City) (State) (Zip)										Phone				Occupation																	
	D/I Number, State				Social Security Number				INS Number				Place of Birth				Citizenship USA															
	Co-Defendant Name (Last, First, Middle)										Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 2. At Large <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"/> 3. Felony <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile															
	JUVENILE	<input checked="" type="checkbox"/> Parent Name (Last) (First) (Middle) <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:										Residence Phone																				
Address (Street, Apt. Number) (City) (State) (Zip)										Business Phone																						
Notified by: (Name) OFC. K. VIZY										Date 10/28/2004		Time 1225		Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/CYF 3. Incarcerated 2																		
Released To: (Name)										Relationship				Date		Time																
The above address was provided by <input type="checkbox"/> defendant and / or <input checked="" 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. <input checked="" type="checkbox"/> Yes, by: (Name) OFC. K. VIZY <input type="checkbox"/> No: (Reason)										School Attended BOCA RATON H.S. Grade 11																						
CHARGE	Drug Activity S. Sell R. Smuggle K. Dispense/ M. Manufacture/ Z. Other N. N/A B. Buy D. Deliver Distribute Produce/ Cultivate P. Possess T. Traffic E. Use										Drug Type B. Barbiturate H. Hallucinogen P. Paraphernalia U. Unknown N. N/A C. Cocaine M. Marijuana Equipment Z. Other A. Amphetamine E. Heroin O. Opium/Deriv. S. Synthetic																					
	Charge Description POSS. OF MARIJUANA WITH INTENT TO SELL ON SCHOOL GROUNDS										Counts 1		<input checked="" type="checkbox"/> FSS <input type="checkbox"/> ORD		Statute Violation Number 8 9 3 - 1 3 1 (C)				Violation of ORD #													
	Drug Activity P/S		Drug Type M		Amount / Unit APPROX. 29 GRAM		Offense # 04-3316		Warrant / Capias Number				Bond																			
	Charge Description POSSESSION OF DRUG PARA										Counts 3		<input checked="" type="checkbox"/> FSS <input type="checkbox"/> ORD		Statute Violation Number 8 9 3 - 1 4 7 ()				Violation of ORD #													
	Drug Activity		Drug Type		Amount / Unit		Offense # 04-3316		Warrant / Capias Number				Bond																			
	Charge Description OPPOSING AND OBSTRUCTION / RESISTING ARREST WITHOUT VIOLENCE										Counts 1		<input checked="" type="checkbox"/> FSS <input type="checkbox"/> ORD		Statute Violation Number 8 4 3 - 0 2 ()				Violation of ORD #													
	Drug Activity		Drug Type		Amount / Unit		Offense # 04-3316		Warrant / Capias Number				Bond																			
NTA	<input type="checkbox"/> Mandatory Appearance in Court										Location (Court, Room Number, Address)																					
											Month Day Year Time <input type="checkbox"/> A.M. <input type="checkbox"/>																					
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNED 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																						
ADMINISTRATIVE	Hold for other Agency Name:										Signature of Arresting Officer X										Name Verification (Printed by Arrested) (PRINT)											
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:										Name of Arresting Officer (Print) K. VIZY ID # 788										Witness here if subject signed with an "X" PAGE											
	Intake Deputy ID #										Transporting Officer ID # Agency										OF											

OBTS Number: [] PROBABLE CAUSE AFFIDAVIT 1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias [1] Juvenile [X] Agency ORI Number: FLO 5 0 4 2 0 0 Agency Name: PALM BEACH COUNTY SCHOOL DISTRICT POLICE Agency Report Number: 9 9 - 0 4 - 3 3 1 6 Change Type: [X] 1. Felony [X] 3. Misdemeanor [] 5. Ordinance [] 2. Traffic Felony [] 4. Traffic Misdemeanor [] 6. Other Special Notes:

DEF Name (Last, First, Middle): [REDACTED] Alias: JON Race: W Sex: M Date of Birth: [REDACTED]

CHARGE Charge Description: POSS. OF MARIJUANA WITH INTENT TO SELL ON SCHOOL GROUNDS Charge Description: CHARGE AND OBSTRUCTION / RESISTING ARREST WITHOUT VIOLENCE Charge Description: POSSESSION OF DRUG PARA Charge Description:

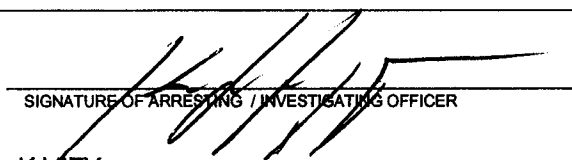
VICTIM Victim's Name (Last, First, Middle): [REDACTED] Race: W Sex: M Date of Birth: [REDACTED] Local Address (Street, Apt. Number): [REDACTED] (City): [REDACTED] (State): [REDACTED] (Zip): [REDACTED] Phone: [REDACTED] Address Source: RECORD / VERBAL Business Address (Name, Street): [REDACTED] (City): [REDACTED] (State): [REDACTED] (Zip): [REDACTED] Phone: [REDACTED] Occupation: STUDENT

PROBABLE CAUSE STATEMENT 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... [X] committed the below acts in my presence. [] was observed by [] who told [] that he/she saw the arrested person commit the below acts. [] confessed to admitting to the below facts. [X] was found to have committed the below acts, resulting from my (described) investigation. On the 28th day of Oct 2004 at 1047 A.M. [X] P.M. (Specifically include facts constituting cause for arrest.) WHILE AT BOCA RATON H.S. WHILE CONDUCTING A SEARCH OF THE TEACHERS PARKING LOT S.D.P.B.C.P.D. NARCOTIC DETECTION K-9 "BOSCO" GAVE AN ABNORMAL RESPONSE THE PASSENGER SIDE DOOR OF A 1984 CHEVY "EL CAMINO" SILVER IN COLOR (LICENSE NUMBER [REDACTED] WHILE IN THE AREA I ASKED A STUDENT (LATER IDENTIFIED AS [REDACTED] WHO WAS WALKING IN THE AREA WHERE HE WAS GOING. HE ADVISED THAT HE WAS GOING TO HIS CAR. HE IDENTIFIED HIS VEHICLE A "EL CAMINO". I ASKED HIM HIS NAME HE REFUSED TO IDENTIFY HIMSELF. I THE ASKED HIM TO REPORT WITH ME TO THE OFFICE. I EXPLAINED THAT HE NEEDED TO IDENTIFY HIMSELF HE GAVE THE MAE [REDACTED] AND DID NOT ADVISE FURTHER . I INSTRUCTED HIM TO STAY SEATED IN THE FRONT OFFICE THAT IF HE CONTINUED NOT TO FOLLOW MY DIRECTIONS HE WOULD BE PLACED IN HANDCUFFS AND NOT TO MOVE. HE THEN BEGAN TO OPERATE HIS CELL PHONE , I ADVISED HIM NOT TO, HE CONTINUED AS I BEGAN TO ATTEMPT TO TAKE THE PHONE HE BECAME RESISTIVE , PULLING AWAY FROM MY PERSON. HE AS ADVISED THAT HE WAS BEING PLACED IN HANDCUFFS, HE CONTINUED TO STRUGGLE, ATTEMPTING TO BREAK HOLD OF ME, AT ONE POINT HE WAS STANDING ON THE BENCH HE WAS SITING ON, I WAS THEN ABLE TO PLACE HIM IN HANDCUFFS. DURING THE INVESTIGATION [REDACTED] WAS ADVISED OF HIS CONSTITIONAL RIGHTS AFTER WHICH HE A FIRST REFUSED TO COOPERATE. HE LATER SIGNED THE MIRANDA RIGHTS FORM AS WELL AS A CONSENT TO SEARCH FORM AND ADVISED THAT HE HAD SOME THING IN HIS VEHICLE. HE VOLUNTARILY AGREED TO ESCORT MYSELF , OFC. . GOLDEN, ROBERT O'LEATH TO HIS VEHICLE TO SHOW US. WHILE IN ROUTE HE ADVISED THAT HE HAD A PIPE IN HIS VEHICLE.

ADMINISTRATIVE SWORN AND SUBSCRIBED BEFORE ME [Signature] NOTARY PUBLIC / CLERK OF COURT / POLICE OFFICER (F.S.S. 117.10) 102804 DATE: 102804 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER: [Signature] K. VIZY NAME OF OFFICER (PLEASE PRINT) 102804 DATE: 102804 PAGE 1 OF 2

ADM	Agency OPI Number FLO 5 0 4 2 0 0	THE SCHOOL DIST OF PALM BEACH COUNTY SCHOOL POLICE	<input checked="" type="checkbox"/> Juvr <input type="checkbox"/> Adult	<input checked="" type="checkbox"/> 1 - Original <input type="checkbox"/> 2 - Suppl.	<input checked="" type="checkbox"/> 1 - Offense <input type="checkbox"/> 2 - Arrest	Case Number 04-3316
	Probable Cause Narrative Continuation					
Original Date Reported 10 28 2004		Offense POSS. OF MARIJUANA WITH INTENT TO SELL ON SCHOOL GROUNDS				

NARRATIVE CONTINUATION	<p> [REDACTED] ASSISTED AND DIRECTED TO THE CENTER SHIFT CONSOLE OF THE VEHICLE WHICH WHEN OPENED WAS DISCOVERED WHAT APPEARED TO BE A GLASS PIPE CONTAINING WHAT APPEARED TO BE MARIJUANA IN A FABRIC CASE. FURTHER DISCOVERED IN THE VEHICLE WAS WHAT APPEARED TO BE A PLASTIC BAG CONTAINING WHAT APPEARED THE BE SUSPECTED MARIJUANA FROM THE CENTER CONSOLE, ONE "DIGI WEIGHT SCALE" DIGITAL SCALE AND PLASTIC BAG CONTAINING SUSPECTED MARIJUANA FROM THE GLOVE BOX, ONE BOX (OPENED) OF PLASTIC SANDWICH BAGS. </p> <p> A SAMPLE OF ONE OF THE SUSPECTED MARIJUANA "ROACHES" WAS FIELD TESTED USING A "SIRCHIE NARK #8 DUQUENOIS REGENT MARIHUANA- HASHISH- THC TEST" WHICH YIELDED POSITIVE RESULTS. </p> <p> THE GLASS PIPE CONTAINED WHAT APPEARED TO BE MARIJUANA RESIDUE, IN A FABRIC CASE (ESTIMATED VALUE \$25.00). FURTHER DISCOVERED IN THE VEHICLE WAS WHAT APPEARED TO BE A PLASTIC BAG CONTAINING WHAT APPEARED THE BE SUSPECTED MARIJUANA (APPROXIMATELY 23.07 G. ESTIMATED VALUE \$350.00)) FROM THE CENTER CONSOLE , ONE "DIGI WEIGHT SCALE" DIGITAL SCALE (ESTIMATED VALUE \$60.00) AND PLASTIC BAG CONTAINING SUSPECTED MARIJUANA (APPROX. 5.03 ESTIMATED VALUE \$50.00) FROM THE GLOVE BOX, ONE BOX (OPENED) OF PLASTIC SANDWICH BAGS (ESTIMATED VALUE \$0.25). WAS PLACED INTO EVIDENCE. </p> <p> [REDACTED] WAS PLACED UNDER ARREST AND CHARGED WITH OBSTRUCTION AND OPPOSING / RESISTING ARREST WITH OUT VIOLENCE, POSSESSION OF DRUG PARA, AND POSSESSION OF MARIJUANA WITH INTENT TO SELL ON SCHOOL GROUNDS. PARENT CONTACT WAS MADE AND ADVISED. </p>

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME	
	179111 215 NOTARY PUBLIC / CLERK OF COURT / POLICE OFFICER (F.S.S. 117.10)	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  K. VIZY NAME OF OFFICER (PLEASE PRINT)
	10 28 04 DATE	10 28 04 DATE
	PAGE OF	



7 7554-DXA 7 X
7

FLORIDA UNIFORM TRAFFIC CITATION

COUNTY OF PALM BEACH (1) F.H.P. (2) P.D. (3) S.O. (4) OTHER
CITY (IF APPLICABLE) P.B.C. SCHOOL AGENCY 98

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON
DAY OF WEEK THUR MONTH 10 DAY 28 YEAR 2004 TIME 1049 PM
COMPLAINT (RETAINED BY COURT)

STATE FL ZIP CODE 33408
TELEPHONE NUMBER [REDACTED] DATE OF BIRTH [REDACTED] SEX M HEIGHT 5'08
DRIVER LICENSE NUMBER [REDACTED] CLASS E COLOR SILVER IF PLACARDED HAZARDOUS MATERIAL "X" HERE NO
VEHICLE 84 CHEVY RV TRAILER TAG NO. FL 2005 IF COMPACTION CITATIONS "X" HERE NO
LOCATION NAME BOCA RATON A.S. 1501 N.W. 15 THCT. BOCA RATON

FT. 0 MILES 0 S 0 E 0 W 0 OF MOORE
DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK ONLY ONE OFFENSE EACH CITATION.
UNLAWFUL SPEED _____ MPH SPEED APPLICABLE
INTERSTATE NO 4-LANE HWY WITH 20 FT. MEDIAN OUTSIDE BUS. OR RES. DIST. NO
CARELESS DRIVING NO SAFETY BELT VIOLATION NO EXPIRED DRIVER LICENSE NO
VIOLATION OF TRAFFIC CONTROL DEVICE NO IMPROPER OR UNSAFE EQUIPMENT NO FOUR (4) MONTHS OR LESS NO
VIOLATION OF RIGHT-OF-WAY NO EXPIRED TAG NO MORE THAN FOUR (4) MONTHS NO
IMPROPER CHANGE OF LANE OR COURSE NO SIX (6) MONTHS OR LESS NO NO VALID DRIVER LICENSE NO
IMPROPER PASSING NO MORE THAN SIX (6) MONTHS NO DRIVING WHILE LICENSE SUSPENDED OR REVOKED NO
CHILD RESTRAINT NO NO PROOF OF INSURANCE NO
DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCES, DRIVING ACTUAL PHYSICAL CONTROL WHILE IMPAIRED, OR DRIVING ACTUAL PHYSICAL CONTROL WITH UNLAWFUL BLOOD/URINE ALCOHOL LEVEL .04 NO

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE:
WITH INTENT TO SELL POSSESSION OF MARIJUANA
AGGRESSIVE DRIVING IN VIOLATION OF STATE STATUTE 893 SECTION 13
CRASH NO YES NO PROPERTY DAMAGE NO YES NO INJURY TO ANOTHER NO YES NO SERIOUS BODILY INJURY TO ANOTHER NO YES NO FATAL NO YES NO
CRIMINAL VIOLATION COURT APPEARANCE REQUIRED, AS INDICATED BELOW. NO
INFRACTION COURT APPEARANCE REQUIRED, AS INDICATED BELOW. NO
INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT. NO

COURT INFORMATION
DATE _____ TIME _____
COURT _____
LOCATION _____

PANEL: _____ A03. DEMOGRAPHICS YEAR: 05
 Thursday November 18, 2004 2:56 pm

STDT: [REDACTED]

LAST [REDACTED] APP FIRST [REDACTED] MIDDLE [REDACTED] AKA _____ FORMER _____

RES NBR DR STREET TYPE PD APT/BLDG CITY ST ZIP+4
 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

MLG NBR DR STREET TYPE PD APT/BLDG CITY ST ZIP+4

SEX RACE DOB BIRTH CITY ST VER PHONE PUB SUMMER ORIG SAC SCHL2
 M W [REDACTED] 1 [REDACTED] N [REDACTED] 081402 304 _____

DATE SCHL GR OD CL AT W/D DATE PR PF SSN EXTRNL NBR PC PS PD
 R03 102704 0961 11 01 Y W02 110404 [REDACTED] [REDACTED] US FL 50

LNG PGL COB SURVEY STAT CAT LEP RES EN:DS SCHL C1:B-H-M-N CH2 EHA D/B ST:C M EX
 EN EN US 042402 ZZ 3 N N N N N N N N N Z

PF1=HELP 3=EXIT 7=BKWD 8=FWD 12=ESCAPE

RECORD IS DISPLAYED...NEXT?

TERML: Z32B