

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-048

Respondent.

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**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 John F. Kennedy Middle Magnet School that the Respondent was being recommended for expulsion on December 2, 2005. 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. No hearing request has been received in the Office of the Chief Academic Officer.

**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:

Committed inappropriate, lewd or obscene act and called in a bomb threat while on the campus of John F. Kennedy Middle Magnet School on November 30, 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 December 15, 2005. 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 16<sup>th</sup> day of February, 2005.

**SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA**

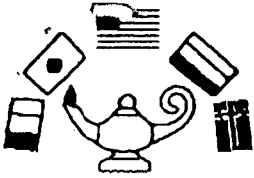
BY: \_\_\_\_\_  
Thomas Lynch, Chairman

Attest: \_\_\_\_\_  
Arthur C. Johnson, Ph.D., Secretary

(SEAL)

Filed with the Clerk of the School Board this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Alicia Palmer, Clerk



# JOHN F. KENNEDY MIDDLE MAGNET SCHOOL

1901 Avenue "S" - Riviera Beach - Florida 33404

Office: 561-845-4500 - Fax: 561-845-4537

www.jfkmiddleschool.com

"Where KNOWLEDGE is the Main Attraction"



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ETHEL L. RANDOLPH  
Principal

December 2, 2004

CERTIFIED AND REGULAR MAIL  
RETURN RECEIPT REQUESTED  
(Certified #7002 2030 0006 4505 1193)

To the Parent/Guardian of



Re: Recommendation for Expulsion Study of [REDACTED] (Student # [REDACTED])

Dear Parent/Guardian:

On November 30, 2004, your son was rendered a ten (10) day suspension as documented by my letter to you, a copy of which is attached.

Pursuant to Florida Statute § 230.26(6)(c), which authorizes the School Board to decide cases recommended for expulsion, I have this date recommended to the Expulsion Screening Committee that the School Board expel [REDACTED] from the public schools of Palm Beach County, Florida. My recommendation is based on substantial evidence available to me supporting the following serious misconduct:

- Out of assigned area
- Severe/Rep Inappropriate activity
- Bomb Threat
- Police Report #04-3805
- Inappropriate/lewd act
- Police Report #04-3815
- See attached summary of incident

Pursuant to § 230.33(8), the Superintendent may extend the ten (10) day suspension until the date of the School Board meeting at which time the School Board will act on the expulsion. As of December 15, 2004 [REDACTED] is assigned to the Department of Alternative Education.

Sincerely,

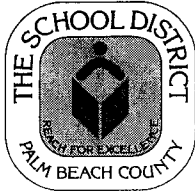
George Lockhart  
Principal's Designee

cc: North Area Superintendent  
Chief Academic Officer  
Director of Alternative Education  
School Police  
Legal Department

EXHIBIT

A





THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FLORIDA

**ANN KILLETS**  
CHIEF ACADEMIC OFFICER

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

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

December 20, 2004

CERTIFIED AND REGULAR MAIL  
RETURN RECEIPT REQUESTED

[REDACTED]

**NOTICE OF RECOMMENDATION FOR EXPULSION**

[REDACTED]

Dear Ms. [REDACTED]

Based upon the recommendation of Ethel Randolph, Principal of John F. Kennedy Middle Magnet 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:

Committed inappropriate, lewd or obscene act and called in a bomb threat while on the campus of John F. Kennedy Middle Magnet School on November 30, 3004.

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

cc: Principal, John F. Kennedy Middle Magnet School  
North Area Superintendent  
Chief Academic Officer  
Director of Alternative Education

EXHIBIT

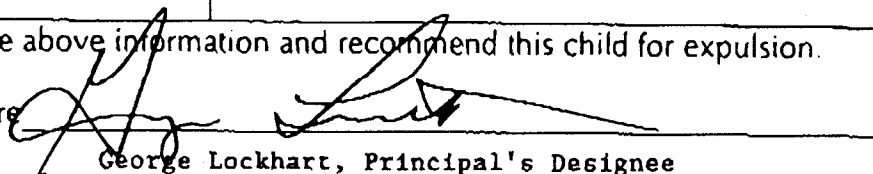
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**SUMMARY OF INCIDENT**

Student Name	[REDACTED]
Student #	[REDACTED]
Violation and Code	03 - Out of assigned area 47 - Severe/Rep Inappropriate Activity 83 - Bomb threat 84 - Inappropriate lewd act
School	John F. Kennedy Middle Magnet School
Principal	Ethel L. Randolph
Area Superintendent	Marisol Ferrer
Grade	8
Sex	M
Age	15
Language	English
ESE?	No
504?	No
Police Report Charge, if known	04-3805 Bomb threat, disruption of school function 04-3815 Lewd and lascivious act, exposure of sexual organ
Persons Involved And Witnesses to Testify	Jacqueline Smith, Teacher
Additional Information (use additional page, if necessary)	Student was witnessed by teacher exposing himself to two girls.  Student called 911 on his cell phone (recovered by School Police) to report a bomb threat at John F. Kennedy Middle Magnet School.

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

Principal's Signature



George Lockhart, Principal's Designee

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 8	ESE / 504 <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE 11/30/04	TIME 11:55
LOCATION GR	REPORTED BY [REDACTED]	SCHOOL John F. Kennedy Middle	BUS CODE		
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 TR - To School	STAFF ID NUMBER 057	REPORTED BY (CODE) (Use number below for those persons without a staff ID.)			
WHEN EVENT OCCURRED (circle one)		WHERE EVENT OCCURRED (circle one)			
1 DURING SCHOOL HOURS		1 SCHOOL GROUNDS / ON CAMPUS			
2 OUTSIDE SCHOOL HOURS, SCHOOL SPONSORED ACTIVITY		2 SCHOOL SPONSORED ACTIVITY / off campus			
3 OUTSIDE SCHOOL HOURS, NON-SCHOOL SPONSORED ACTIVITY		3 SCHOOL SPONSORED TRANSPORTATION (includes bus stops)			
4 UNRELATED EVENT OR UNKNOWN		INVOLVEMENT TYPE (circle one)			
		5 STUDENT N - Non-student B - Both student and non-student U - Unknown			
WHEN EVENT OCCURRED (circle one)		RELATED ISSUES (circle all that apply)			
		G - Gang related W - Weapon related A - Alcohol related H - Hate related D - Drug related			
NATURE OF PROBLEM (Be Specific) Teacher saw [REDACTED] exposing his private parts to a group of girls.					

#### ADMINISTRATIVE USE ONLY BELOW THIS LINE

DISTRICT NUMBER DISTRICT 50 If not District 50, provide District number	WHEN EVENT OCCURRED (circle one)	WHERE EVENT OCCURRED (circle one)	INVOLVEMENT TYPE (circle one)	RELATED ISSUES (circle all that apply)
0251	1 DURING SCHOOL HOURS	1 SCHOOL GROUNDS / ON CAMPUS	5 STUDENT	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.	WHEN EVENT OCCURRED (circle one)	WHERE EVENT OCCURRED (circle one)	INVOLVEMENT TYPE (circle one)	RELATED ISSUES (circle all that apply)
0251	1 DURING SCHOOL HOURS	1 SCHOOL GROUNDS / ON CAMPUS	5 STUDENT	G - Gang related W - Weapon related A - Alcohol related H - Hate related D - Drug related
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)	ADMINISTRATOR'S NAME George Kollert	ADMINISTRATION ID 066	EVENT NUMBER 10779400
	03 47 83 84	NO contact w/parent discussed w/ student conference w/ student	066	113004
DURATION How many days Begin Date Return Date	ACTION CODE (see code sheets)	ADMINISTRATOR'S SIGNATURE George Kollert	SIGNATURE OF PARENT	DATE
	9D 09 01 09			
CASE NUMBER/AGENCY	CRT / TEAM INTERVENTION	ADMINISTRATOR'S SIGNATURE	SIGNATURE OF STUDENT	DATE
	<input type="checkbox"/> Yes <input checked="" 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

Reported Day <b>TUESDAY</b>	Date 11   30   04	Time (mil) 0930 a.m.	Time Dispatched (mil)	Time Arrived (mil)	Time Completed (mil)	
Incident Day FROM <b>TUESDAY</b>	Date 11   30   04	Time (mil) 0930 a.m.	Incident Day TO <b>TUESDAY</b>	Date 11   30   04	Time (mil)	
<b>CODES</b>	Offense Type	Description and Florida State Statute			A/C	NCIC/UCR Code
Type: 1-Felony	#1   1	BOMB THREAT 790.163			C	9000
3-Misdemeanor	#2   3	DISRUPTION SCHOOL FUNCTIONS 877.13			C	9000
9-Other	#3					
	#4					

Incident Location (Street, Apt. Number) <b>JOHN F. KENNEDY MIDDLE SCHOOL</b>		City <b>FL</b>	State <b>33404</b>	Zip Code <b>0201</b>	Geographic Indicator
Business Name/Area Identifier <b>1901 "S" Avenue RIVIERA BEACH FL 33404</b>			Forced Entry 0-N/A 2-No 1-Yes	Occupancy 0-N/A 2-Unoccupied 1-Occupied 3-Abandoned	0
<b>Location Type</b> 01- Residence-Single    06- Gas Station    11- Speciality Store    16- Storage    21- Airport    26- Highway/Roadway    99- Other 02- Apartment/Condo    07- Liquor Sales    12- Drug Store/Hospital    17- Gov't/Public Bldg.    22- Bus/Rail Terminal    27- Park/Woodlands/Field 03- Residence-Other    08- Bar/Nightclub    13- Bank/Financial Inst.    18- School/University    23- Construction Site    28- Lake/Waterway 04- Hotel/Motel    09- Supermarket    14- Commercial/Office Bldg.    19- Jail/Prison    24- Other Structure    29- Motor Vehicle 05- Convenience Store    10- Dept./Discount Store    15- Industrial/Mfg.    20- Religious Bldg.    25- Parking Lot/Garage    30- Other Mobile					
# Offenses <b>2</b>	# Victims <b>1</b>	# Offenders <b>1</b>	# Prem. Ent. <b>0</b>	# Veh. Stolen <b>0</b>	Type Weapon    02- Rifle    05- Knife/Cutting    07- Hands/Fist/Feet    10- Fire/Incendary    13- Drugs 00- N/A    03- Shotgun    Instrument    08- Poison    11- Threat/Intimidation    88- Unknown 01- Handgun    04- Firearm    06- Blunt Object    09- Explosives    12- Simulated Weapon    99- Other

<b>V/W Code</b>	<b>V/W Type</b>	<b>Race</b>	<b>Sex</b>	<b>Residential Type</b>	<b>Residential Status</b>	<b>Extent of Injury</b>	<b>Injury Type</b>	05- Poss. Broken Bones
V- Victim	0- N/A	N- N/A	N- N/A	0- N/A	0- N/A	0- None	00- N/A	06- Poss. Internal Injury
W- Witness	1- Juvenile	W- White	M- Male	1- City	1- Full Year	1- Minor	01- Gunshot	07- Loss of Teeth
C- Reporting Person	2- L.E. Officer	B- Black	F- Female	2- County	2- Part Year	2- Serious	02- Stabbed	08- Burns
P- Proprietor	3- Adult	I- American Indian	U- Unknown	3- Florida	3- Non-Resident	3- Fatal	03- Laceration	09- Abrasions/Bruises
Z- Other	4- Business	O- Oriental/Asian		4- Out-of-State			04- Unconscious	99- Other
<b>Victim Relationship to Offender</b>		04- Ex-Spouse	07- Brother/Sister	10- Step-Child	13- Student	16- Boy/Girl Friend	19- Sitter/Day Care	22- Landlord/Tenant
00- N/A		02- Stranger	05- Co-Habit	08- Child	11- In-Law	14- Teacher	17- Friend	20- Employee
01- Undetermined		03- Spouse	06- Parent	09- Step-Parent	12- Other Family	15- Child of Boy/Girl Friend	18- Neighbor	21- Employer

Offense Indicator (circle)	V/W Code #	V/W Type	Name (Last, First, Middle or Business)		Residence Phone
① 2 3 4	V 1	5	<b>JOHN F. KENNEDY MIDDLE SCHOOL</b>		( 561 ) 845 - 4500
Address (Street/Apt. Number)			City	State	Zip
<b>1901 "S" Avenue</b>			<b>RIVIERA BEACH</b>	<b>FL</b>	<b>33404</b>
Other Contact Info. (Time Available, Interpreter, etc.)			Synopsis of Involvement		
Race	Sex	Date of Birth	Res. Type	Res. Status	Extent of Injury

Offense Indicator (circle)	Suspect Code #	Juvenile	Name (last, First, Middle)		
① 2 3 4	S 1	Yes	[REDACTED]		
Maiden Name		Nickname/Street Name		Place of Birth	Residence Phone
				<b>WEST PALM BEACH</b>	( [REDACTED] ) [REDACTED] - [REDACTED]
Last Known Address (Street, Apt. Number)					Business Phone
[REDACTED]					( [REDACTED] ) [REDACTED]
Occupation	Employer/School	Address		Social Security No.	
<b>STUDENT</b>	<b>JOHN F. KENNEDY</b>	<b>1901 "S" Avenue</b>			
Driver's License State/Number	Immigration and Naturalization Number	Other I.D. Number		FCIC/NCIC	
Clothing (described)			Scars/Marks/Tatoos (Location/Describe)		
<b>BLACK SHIRT BLACK JEANS</b>					
Race	Sex	Date of Birth	Height	Weight	Eye Color
<b>B</b>	<b>M</b>	<b>11-27-89</b>	<b>5'0</b>	<b>95</b>	<b>BRO</b>
					Hair Color
					<b>BLK</b>
					Hair Length
					<b>Short</b>
					Hair Style
					<b>Natural</b>
Complexion	Build	Facial Hair	Teeth	Speech/Voice	Special Identifiers
<b>DRK</b>	<b>THN</b>	<b>Clean/Shaven</b>	<b>Normal</b>	<b>Stutter</b>	

Officer Reporting <b>OFC. SENKIER 919</b>	I.D. Number <b>919</b>	Date	Related Case No./Agency		
Lieutenant Reviewing <b>LT. ARROYO</b>	I.D. Number <b>214</b>	Date <b>11-30-04</b>	Captain Reviewing	I.D. Number	Date
Case Status <b>Cleared</b>	Clearance Type 1-Arrest 3-Unfounded 2-Exceptional	1	A-Adult J-Juvenile	J	Date Cleared
Exception Type 1-Extradition Declined 2-Arrest on Primary Offense Without Prosecution			3-Death of Offender	5-Prosecution Declined	6-Juvenile/No Custody
OBTS/Arrest Number				Page 1 of	

ADM	Agency ORI Number FLO 5 0 4 2 0 0	THE SCHOOL DISTRICT OF PALM BEACH COUNTY SCHOOL POLICE	<input checked="" type="checkbox"/> Juvenile <input type="checkbox"/> 1 - Original	Case Number
	Original Date Reported 11 30 04	Offense BOMB THREAT/DISRUPTION OF A SCHOOL FUNCTION	<input type="checkbox"/> Adult <input checked="" type="checkbox"/> 2 - Supplement	04-3805

## Victim/Witness Report

CODES	<b>V/W Code</b> V- Victim W- Witness C- Reporting Person P- Proprietor Z- Other	<b>V/W Type</b> 0- N/A 1- Juvenile 2- L.E. Officer 3- Adult 4- Business	5- Government 6- Church 9- Other	<b>Race</b> N- N/A W- White B- Black I- American Indian O- Oriental/Asian U- Unknown	<b>Sex</b> N- N/A M- Male F- Female U- Unknown	<b>Residential Type</b> 0- N/A 1- City 2- County 3- Florida 4- Out-of-State	<b>Residential Status</b> 0- N/A 1- Full Year 2- Part Year 3- Non-Resident	<b>Extent of Injury</b> 0- None 1- Minor 2- Serious 3- Fatal	<b>Injury Type</b> 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/Bruises 99- Other
	<b>Victim Relationship to Offender</b>									
00- N/A    02- Stranger    04- Ex-Spouse    07- Brother/Sister    10- Step-Child    13- Student    16- Boy/Girl Friend    19- Sitter/Day Care    22- Landlord/Tenant										
01- Undetermined    03- Spouse    05- Co-Habit    08- Child    11- In-Law    14- Teacher    17- Friend    20- Employee    23- Acquaintance										
06- Parent    09- Step-Parent    12- Other Family    15- Child of Boy/Girl Friend    18- Neighbor    21- Employer    99- Other										

VICTIM / WITNESS	Offense Indicator (circle) 2 3 4	V/W Code # C 1	V/W Type 3	Name (Last, First, Middle or Business) [REDACTED]				Residence Phone [REDACTED]	
	Address (Street/Apt. Number) [REDACTED]				City [REDACTED]		State Zip [REDACTED]		Business Phone [REDACTED]
Other Contact Info. (Time Available, Interpreter, etc.)				Synopsis of Involvement					
Race	Sex	Date of Birth		Res. Type	Res. Status	Extent of Injury	Injury Type(s)	Relationship	Ethnicity
B	M	[REDACTED]		1	0	0	00	00	

VICTIM / WITNESS	Offense Indicator (circle) 2 3 4	V/W Code #	V/W Type	Name (Last, First, Middle or Business)				Residence Phone	
	Address (Street/Apt. Number)				City		State Zip		Business Phone
Other Contact Info. (Time Available, Interpreter, etc.)				Synopsis of Involvement					
Race	Sex	Date of Birth		Res. Type	Res. Status	Extent of Injury	Injury Type(s)	Relationship	Ethnicity

VICTIM / WITNESS	Offense Indicator (circle) 2 3 4	V/W Code #	V/W Type	Name (Last, First, Middle or Business)				Residence Phone	
	Address (Street/Apt. Number)				City		State Zip		Business Phone
Other Contact Info. (Time Available, Interpreter, etc.)				Synopsis of Involvement					
Race	Sex	Date of Birth		Res. Type	Res. Status	Extent of Injury	Injury Type(s)	Relationship	Ethnicity

VICTIM / WITNESS	Offense Indicator (circle) 2 3 4	V/W Code #	V/W Type	Name (Last, First, Middle or Business)				Residence Phone	
	Address (Street/Apt. Number)				City		State Zip		Business Phone
Other Contact Info. (Time Available, Interpreter, etc.)				Synopsis of Involvement					
Race	Sex	Date of Birth		Res. Type	Res. Status	Extent of Injury	Injury Type(s)	Relationship	Ethnicity

ADMINISTRATIVE	Officer Reporting OFC. SENKIER 919	I.D. Number 919	Date	Lieutenant Reviewing LT. ARROYO	I.D. Number 214	Date	
	Captain Reviewing [Signature]	I.D. Number 106	Date 12/10/04	Forward to		Date	
	Case Status Cleared	Clearance Type 1-Arrest 2-Exceptional 3-Unfounded	1	A-Adult J-Juvenile	Date Cleared	Recommended Youth Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Number Arrested 1
	Exception Type 1-Extradition Declined 2-Arrest on Primary Offense Without Prosecution	3-Death of Offender 4-V/W Refused to Cooperate	5-Prosecution Declined 6-Juvenile/No Custody		OBTS/Arrest Number	Page	of



ADM	Agency ORI Number FL0 5 0 4 2 0 0	THE SCHOOL DISTRICT OF PALM BEACH COUNTY SCHOOL POLICE	<input checked="" type="checkbox"/> Juvenile <input type="checkbox"/> Adult	<input type="checkbox"/> 1 - Original <input checked="" type="checkbox"/> 2 - Suppl.	<input type="checkbox"/> 1 - Offense <input checked="" type="checkbox"/> 2 - Arrest	Case Number 04-3805
	Original Date Reported 11   30   04	Offense BOMB THREAT/DISRUPTION OF A SCHOOL FUNCTION				

On November 30, 2004 at approximately 0915 a.m. A bomb threat was called into the Riviera Beach Police Department (case # 04-1130105) informing that a bomb was set to go off under the portables located at John F. Kennedy Middle School. The school was placed in lock down, and the portable area (22 portable classrooms) was searched by police bomb dog units. Students were forced to relocate, which caused all classroom instruction to come to a halt for over one hour in a half.

While searching the portable area with K-9 Officer Reed , I observed freshly moved dirt pushed into a pile underneath one of the portables. A closer look at the mound, revealed a Nokia cell phone ( phone was missing the battery) model #5165. I recovered and placed the cell phone in my office in order to compare with various other cell phones previously reported stolen.

On this same day, while investigating another situation involving student [REDACTED] and student [REDACTED] our Volunteer Aide [REDACTED] brought to my attention that [REDACTED] had just stated that he knew he was being taken to the office because [REDACTED] had called 911 twice and made a Bomb threat. Also, that he had told them that it was going to blow up in 45 minutes, and that the second time he called, he said "Fuck the Police."

I spoke to [REDACTED] and asked him what he knew anything about the Bomb Threat. He stated that [REDACTED] had made two phone calls from his cell phone to the police department, telling them that there was a bomb and it would go off in 45 minutes. I asked him who else had heard this conversation he said, [REDACTED] and [REDACTED]. [REDACTED] was contacted and stated, [REDACTED] said lets make a bomb threat." He made the bomb threat the first time he called, the second time he called he said "fuck the police." [REDACTED] was contacted and stated, he saw [REDACTED] with a cell phone. [REDACTED] was contacted and stated , "I was standing there when [REDACTED] made the 911 call, he said "Fuck the police Bitch."

I asked each of the students if they could tell me what the cell phone looked like. They each told me that it was blue and [REDACTED] thought it was a Nokia. I showed them the phone, they all identified the phone as being [REDACTED]. A battery to the cell phone was located, and upon activation, two 911 calls appeared, along with [REDACTED] grandmother s phone number [REDACTED]. The cell phone was then taken into custody, placed into evidence and transported to the property locker by this officer.

NARRATIVE CONTINUATION

ADMINISTRATIVE	Officer Reporting OFC. SENKIER 919	I.D. Number 919	Date	Lieutenant Reviewing LT. ARROYO	I.D. Number 214	Date	
	Captain Reviewing	I.D. Number	Date	Forward to		Date	
	Case Status Cleared	Clearance Type 1-Arrest 3-Unfounded 2-Exceptional	1	A-Adult J-Juvenile	J	Date Cleared	Recommended Youth Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Exception Type 1-Extradition Declined 2-Arrest on Primary Offense Without Prosecution	3-Death of Offender 4-V/W Refused to Cooperate	5-Prosecution Declined 6-Juvenile/No Custody	OBTS/Arrest Number	Number Arrested 1	Page of	

ADM	Agency ORI Number FLO 5 0 4 2 0 0	THE SCHOOL DISTRICT OF PALM BEACH COUNTY SCHOOL POLICE	<input checked="" type="checkbox"/> Juvenile <input type="checkbox"/> Adult	<input type="checkbox"/> 1 - Original <input checked="" type="checkbox"/> 2 - Suppl.	<input checked="" type="checkbox"/> 1 - Offense <input type="checkbox"/> 2 - Arrest	Case Number 04-3805
	Original Date Reported 11 30 04	Offense BOMB THREAT/DISRUPTION OF A SCHOOL FUNCTION				

██████████ was escorted to my office and read his Miranda. I asked ██████████ if he understood his rights, he said yes. ██████████ declined to write a statement.

Upon the conclusion of the above investigation, I find probable cause to charge ██████████ with Florida State Statute 790.163 Bomb Threat and 877.13 Disruption of a School Function for ██████████ knowingly and willingly called 911 from his cell phone cause complete disarray upon the John F. Kennedy campus on this day .

██████████ was processed and transported to the Juvenile Assessment Center.

Attempted to make contact with a family member to inform them of the charges. All phones were disconnected. I did make contact with the grandfather and left a message.

NARRATIVE CONTINUATION

ADMINISTRATIVE	Officer Reporting OFC. SENKIER 919	I.D. Number 919	Date	Lieutenant Reviewing LT. ARROYO	I.D. Number 214	Date	
	Captain Reviewing	I.D. Number	Date	Forward to		Date	
	Case Status Cleared	Clearance Type 1-Arrest 2-Exceptional	3-Unfounded 1	A-Adult J-Juvenile J	Date Cleared	Recommended Youth Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Number Arrested 1
	Exception Type 1-Extradition Declined 2-Arrest on Primary Offense Without Prosecution	3-Death of Offender 4-V/W Refused to Cooperate	5-Prosecution Declined 6-Juvenile/No Custody		OBTS/Arrest Number	Page	of

<b>ADM</b>	Agency ORI Number	THE SCHOOL DISTRICT OF PALM BEACH COUNTY SCHOOL POL...	<input checked="" type="checkbox"/> Juvenile	<input type="checkbox"/> 1 - Original	Case Number
	FLO 5 0 4 2 0 0	<b>Property/Drug Report</b>	<input type="checkbox"/> Adult	<input checked="" type="checkbox"/> 2 - Suppl.	04-3805
Original Date Reported		Offense			
11 30 2004		<b>BOMB THREAT/DISRUPTION OF A SCHOOL FUNCTION</b>			

<b>THEFT</b>	<b>Type Theft</b>								
	00- N/A	02- Robbery	04- Pocket Picking	06- Embezzlement	08- From Public Access Bldg.	10- Extortion	12- Fraud		
01- Burglary		03- Shopping	05- Purse Snatching	07- From Coin Oper. Machine	09- From Vehicle	11- By Computer	99-Other	<b>99</b>	

<b>CODES</b>	<b>Person Code</b>			<b>Status Code</b>				<b>Damage Code</b>		
	V- Victim	P- Proprietor	Z- Other	1- Stolen	3- Stolen and Recovered	5- Lost	7- Safekeeping	9- Other	0- N/A	2- Criminal Mischief
<b>Property Type</b>			2- Recovered		4- Recovered for Other Jurisdiction		6- Found		8- Evidence/Seized	
A- Auto Accessory/Part			E- Equipment/Tool		I- Plant/Citrus		M- Musical Instrument		Q- Computer Equipment	
B- Bicycle			F- Food/Liquor/Consumable		J- Jewelry/Precious Metal		N- Construction Machinery		R- Radio/Stereo	
C- Camera/Photo Equipment			G- Gun		K- Clothing/Fur		O- Office Equipment		S- Sports Equipment	
D- Drug			H- Household Appliance/Goods		L- Livestock		P- Art/Collection		T- TV/Video/VCR	
									U- Currency/Negotiable	
									V- Credit	
									W- Boat Motor	
									X- Structure	
									Y- Farm Equipment	
									Z- Miscellaneous	
									9- Other	

<b>PROPERTY</b>	Person Code #	Item #	Status	Damage	Prop. Type	Quantity	Name	Brand	Model Name/Number
	S 1	1	8	0	Z	1	NOKIA CELL PHONE		5165
Serial Number		Owner Applied Number			Description (Size, Color, Caliber, Barrel Length, Etc.)				
ESN08305164705					CLUE CELL PHONE				
Value		Value Recovered		Date Recovered		Entered Into FCIC/NCIC			
\$20.00				11-30-04 tuesday		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Date			
<b>PROPERTY</b>	Person Code #	Item #	Status	Damage	Prop. Type	Quantity	Name	Brand	Model Name/Number
Serial Number		Owner Applied Number			Description (Size, Color, Caliber, Barrel Length, Etc.)				
Value		Value Recovered		Date Recovered		Entered Into FCIC/NCIC			
						<input type="checkbox"/> No <input type="checkbox"/> Yes Date			
<b>PROPERTY</b>	Person Code #	Item #	Status	Damage	Prop. Type	Quantity	Name	Brand	Model Name/Number
Serial Number		Owner Applied Number			Description (Size, Color, Caliber, Barrel Length, Etc.)				
Value		Value Recovered		Date Recovered		Entered Into FCIC/NCIC			
						<input type="checkbox"/> No <input type="checkbox"/> Yes Date			
<b>PROPERTY</b>	Person Code #	Item #	Status	Damage	Prop. Type	Quantity	Name	Brand	Model Name/Number
Serial Number		Owner Applied Number			Description (Size, Color, Caliber, Barrel Length, Etc.)				
Value		Value Recovered		Date Recovered		Entered Into FCIC/NCIC			
						<input type="checkbox"/> No <input type="checkbox"/> Yes Date			
<b>PROPERTY</b>	Person Code #	Item #	Status	Damage	Prop. Type	Quantity	Name	Brand	Model Name/Number
Serial Number		Owner Applied Number			Description (Size, Color, Caliber, Barrel Length, Etc.)				
Value		Value Recovered		Date Recovered		Entered Into FCIC/NCIC			
						<input type="checkbox"/> No <input type="checkbox"/> Yes Date			
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Serial Number		Owner Applied Number			Description (Size, Color, Caliber, Barrel Length, Etc.)				
Value		Value Recovered		Date Recovered		Entered Into FCIC/NCIC			
						<input type="checkbox"/> No <input type="checkbox"/> Yes Date			

<b>CODES</b>	<b>Activity</b>				<b>Type</b>				<b>Unit</b>		
	P- Possess	T- Traffic	E- Use	z- Other	A- Amphetamine	E- Heroin	O- Opium/Derivative	U- Unknown	1- Gram	4- Ounce	7- Liter
S- Sell	R- Smuggle	K- Dispense/Distribute		B- Barbiturate	H- Hallucinagen	P- Paraphernalia/Equipment	Z- Other	2- Milligram	5- Pound	8- Milliliter	
B- Buy	D- Deliver	M- Manufacture/Produce/Cultivate		C- Cocaine	M- Marijuana	S- Synthetic		3- Kilogram	6- Ton	9- Dose Unit/Item	

<b>DRUGS</b>	Activity	Type	Description	Quantity	Unit	Estimated Street Value

<b>ADM</b>	Officer Reporting	I.D. Number	Date	Lieutenant Reviewing	I.D. Number	Date
	OFC. SENKIER 919	919		LT. ARROYO	214	
Captain Reviewing			I.D. Number	Date	Forward To	Date
					Page	Pages
					of	

THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

**Miranda Rights**

Case No:	04- 3805
Date:	November 30, 2004
Time:	2:30

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 sou dwa Miranda mwen genyen, epi mwen konprann yo.*

X   
SIGNATURE  
FIRMA  
SIYATI

11/30/2004  
DATE  
FECHA  
DAT

Police Officer: OFFICER SENKIER I.D. No: 919  
Policia: N° de Identidad:  
Ofisye Polis: Nimewo Idantite:

Location: 1901 "S" Avenue RIVIERA BEACH FL 33404

Lugar de entrevista:  
Kote konvèsasyon an te fet:  
Witness:   
Testigo:  
Temwen:

Witness:  
Testigo:  
Temwen:

THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

**Sworn/Affirmed Statement**

WITNESS     VICTIM     SUSPECT     OTHER

Case No.	04-3815
Date	11/30/04
Time	9:30pm

I, (print full name) [REDACTED] BIRTH DATE [REDACTED]

HOME STREET ADDRESS \_\_\_\_\_ HOME TELEPHONE NO. \_\_\_\_\_

CITY \_\_\_\_\_ ZIP CODE \_\_\_\_\_ WORK TELEPHONE NO. (561) 617-8124

voluntarily furnish this sworn/affirmed statement to: \_\_\_\_\_ OFFICER \_\_\_\_\_ ID NO. \_\_\_\_\_

**VICTIM ONLY:** I am requesting criminal charges be pressed in this case. Victim's Initials: T [REDACTED]

[REDACTED] around 8:50am [REDACTED] got kicked out of class and then [REDACTED] had a cell phone and called 911 and said f--- the police then he called again and said there is a bomb under the portable and said you have 45 min. to come. Then he was trying to call the police again but he didn't have a phone. Then he showed me and [REDACTED] a guy with gun clips and shotgun bullets.

SIGNATURE, PERSON MAKING STATEMENT (sign every page) \_\_\_\_\_ DATE \_\_\_\_\_

[REDACTED] 11/30/04  
WITNESS SIGNATURE (sign every page) \_\_\_\_\_ DATE \_\_\_\_\_

WITNESS SIGNATURE (sign every page) \_\_\_\_\_ DATE \_\_\_\_\_

Sworn to and subscribed this	30	day of	November	, 20	04
Notary Public, State of Florida	[Signature]			919	ID No.

THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

**Sworn/Affirmed Statement**

Case No. 04-3805  
Date 11/30/04  
Time 2:30 pm

WITNESS     VICTIM     SUSPECT     OTHER

I, (print full name) [REDACTED] \_\_\_\_\_ BIRTH DATE [REDACTED]  
\_\_\_\_\_ HOME STREET ADDRESS \_\_\_\_\_ HOME TELEPHONE NO. [REDACTED]  
\_\_\_\_\_ CITY \_\_\_\_\_ ZIP CODE \_\_\_\_\_ WORK TELEPHONE NO. \_\_\_\_\_

voluntarily furnish this sworn/affirmed statement to: \_\_\_\_\_ OFFICER \_\_\_\_\_ ID NO. \_\_\_\_\_

**VICTIM ONLY:** I am requesting criminal charges be pressed in this case. Victim's Initials: \_\_\_\_\_

Officer SENKIER Asked me to Assist her by bringing another student by the name of [REDACTED] to her at the time [REDACTED] asked me what this was for? I told him I didn't know He then said If Its about [REDACTED] he had told him not to do it, I asked him what, He said [REDACTED] called in the Bomb threat, I asked him how he knew, he said [REDACTED] called 911 twice from a Blue Nokia and said that there was a bomb under the portable and it was going to blow in 45 min. That was the first time, The second time he said fuck the police, He then said he hid it under a portable and took the battery. I then informed officer SENKIER about what I had heard

\_\_\_\_\_  
SIGNATURE, PERSON MAKING STATEMENT (sign every page)      DATE 11-30-04  
\_\_\_\_\_  
WITNESS SIGNATURE (sign every page)      DATE \_\_\_\_\_  
\_\_\_\_\_  
WITNESS SIGNATURE (sign every page)      DATE \_\_\_\_\_

Sworn to and subscribed this 30 day of November, 20 04.  
\_\_\_\_\_  
Notary Public, State of Florida      IBR Law Enforcement Officer      919 ID No.

THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

**Sworn/Affirmed Statement**

WITNESS    VICTIM    SUSPECT    OTHER

Case No.	04-38 <sup>95</sup> <del>87</del>
Date	11/30/04
Time	0230pm

I, (print full name) \_\_\_\_\_ BIRTH DATE \_\_\_\_\_

\_\_\_\_\_ HOME STREET ADDRESS \_\_\_\_\_ HOME TELEPHONE NO. \_\_\_\_\_

\_\_\_\_\_ CITY \_\_\_\_\_ ZIP CODE \_\_\_\_\_ WORK TELEPHONE NO. \_\_\_\_\_

voluntarily furnish this sworn/affirmed statement to: \_\_\_\_\_ OFFICER \_\_\_\_\_ ID NO. \_\_\_\_\_

**VICTIM ONLY:** I am requesting criminal charges be pressed in this case. Victim's Initials: \_\_\_\_\_

I me \_\_\_\_\_ got  
 kick out of class \_\_\_\_\_ was over  
 the and he had a whole bunch of  
 stuff in his backpack and he had  
 a telephone and he said lets make  
 a bomb threat and said fuck  
 the police and he said thers a  
 bomb under the portable and it was  
 going to blow in 45 minutes.

\_\_\_\_\_  
SIGNATURE, PERSON MAKING STATEMENT (sign every page)      DATE 11/30/04

\_\_\_\_\_  
WITNESS SIGNATURE (sign every page)      DATE

\_\_\_\_\_  
WITNESS SIGNATURE (sign every page)      DATE

Sworn to and subscribed this _____ day of _____, 20 04
Notary Public, State of Florida      Law Enforcement Officer <i>B.S.M.</i> ID No. 919

THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

Sworn/Affirmed Statement

Case No. 04-3805  
Date 11/30/04  
Time Morning 9:30am

WITNESS     VICTIM     SUSPECT     OTHER

I, (print full name) [REDACTED] BIRTH DATE [REDACTED]  
[REDACTED] HOME STREET ADDRESS [REDACTED] HOME TELEPHONE NO. [REDACTED]  
[REDACTED] CITY [REDACTED] ZIP CODE [REDACTED] WORK TELEPHONE NO. [REDACTED]

voluntarily furnish this sworn/affirmed statement to: \_\_\_\_\_ OFFICER \_\_\_\_\_ ID NO. \_\_\_\_\_

VICTIM ONLY: I am requesting criminal charges be pressed in this case. Victim's Initials: \_\_\_\_\_

I [REDACTED] was put out of class and was seen with a cell phone [REDACTED]

[REDACTED] SIGNATURE, PERSON MAKING STATEMENT (sign every page) DATE \_\_\_\_\_

WITNESS SIGNATURE (sign every page) DATE \_\_\_\_\_

WITNESS SIGNATURE (sign every page) DATE \_\_\_\_\_

Sworn to and subscribed this 30 day of November, 20 04.  
Notary Public, State of Florida      Law Enforcement Officer [Signature]      ID No. \_\_\_\_\_



2

THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
SCHOOL POLICE DEPARTMENT

**Sworn/Affirmed Statement**

Case No.	04-3805
Date	11/30/04
Time	2:30 pm

WITNESS     VICTIM     SUSPECT     OTHER

I, (print full name) \_\_\_\_\_ BIRTH DATE \_\_\_\_\_

\_\_\_\_\_ HOME STREET ADDRESS \_\_\_\_\_ HOME TELEPHONE NO. \_\_\_\_\_

\_\_\_\_\_ CITY \_\_\_\_\_ ZIP CODE \_\_\_\_\_ WORK TELEPHONE NO. \_\_\_\_\_

voluntarily furnish this sworn/affirmed statement to: \_\_\_\_\_ OFFICER \_\_\_\_\_ ID NO. \_\_\_\_\_


**VICTIM ONLY:** I am requesting criminal charges be pressed in this case. Victim's Initials:   J  

\_\_\_\_\_ around 8:50 We was waiting  
on our teacher and we seen the suspect  
did ~~it~~ 911 and he said fuck you BXXXH  
and then he hung up.

\_\_\_\_\_  
SIGNATURE, PERSON MAKING STATEMENT (sign every page) DATE \_\_\_\_\_

\_\_\_\_\_  
WITNESS SIGNATURE (sign every page) DATE \_\_\_\_\_

\_\_\_\_\_  
WITNESS SIGNATURE (sign every page) DATE \_\_\_\_\_

Sworn to and subscribed this	<u>  30  </u>	day of	<u>  November  </u>	, 20 <u>  04  </u>
Notary Public, State of Florida	 Law Enforcement Officer			<u>  919  </u> ID No.