

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

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

Petitioner,

vs.

Case No. 05/06-X-014

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 parents were notified by the Principal of Jeaga Middle School that the Respondent was being recommended for expulsion on September 20, 2005. The Recommendation for Expulsion is incorporated by reference and made a part hereof as (Exhibit A).
2. Respondent's parents were notified by the Superintendent of the School District of Palm Beach County, Florida ("School District") on October 6, 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 parents 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 October 6, 2005, to wit:

Possession of drugs/imitation/prescription with the intent to sell and/or distribute while on the campus of Jeaga Middle School on September 20, 2005.

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 October 6, 2005. The Respondent may choose to continue educational services during her

expulsion period at the ACS site. However, if the Respondent 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 _____ day of _____, 2005.

SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

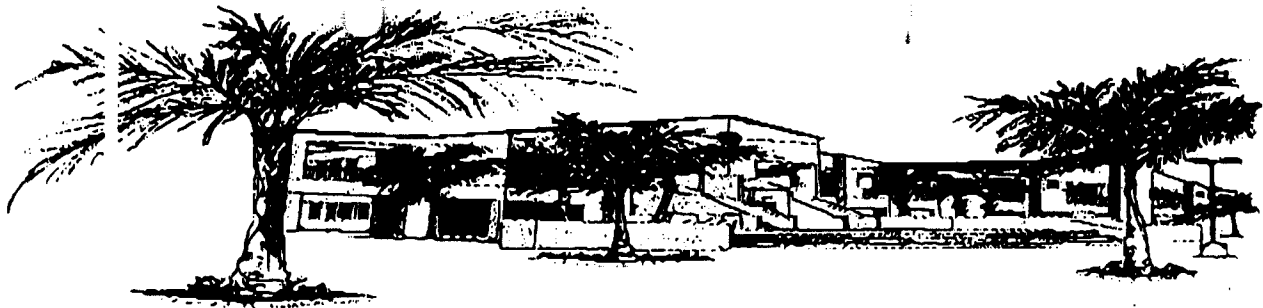
BY: _____
Thomas Lynch, Chairman

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

(SEAL)

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

Alicia Palmer, Clerk



Jeaga Middle School

Regular and Certified Mail

Return Receipt Requested

Date 09/20/2005

Student Number [REDACTED]

[REDACTED]

Custodian: Parent/Guardian of:

[REDACTED]

Dear Custodial Parent/Guardian:

On 09/21/2005 your son/daughter/ward was rendered a ten (10) day suspension as documented by my letter to you, a copy of which is attached.

Pursuant to Florida Statute § 230.23(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 your son/daughter/ward from the public schools of Palm Beach County. My recommendation is based on substantial evidence available to me supporting the following serious misconduct.

Your daughter admitted to bringing at least 10 grams of marijuana on campus for the purpose of distributing it to other students. She has been charged with Possession of Marijuana on School Property with case number 05-2698.

Pursuant to Florida Statute § 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 10/6/2005, your son/daughter/ward is assigned to the Department of Alternative Education.

Sincerely,

John W. Stevens
John W. Stevens
Principal

cc: Area Superintendent
Chief Academic Officer
Director of Alternative Education
School Office

JOHN W. STEVENS, PRINCIPAL





THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

ANN KILLETTS
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

FILE COPY

October 6, 2005

CERTIFIED AND REGULAR MAIL
RETURN RECEIPT REQUESTED

7003 2260 0001 9364 5675

NOTICE OF RECOMMENDATION FOR EXPULSION

Dear Mr. and Mrs. [REDACTED]

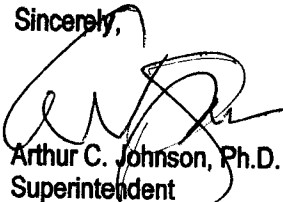
Based upon the recommendation of John Stevens, Principal of Jeaga Middle School, and in accordance with Florida Statute § 1006.07, and Palm Beach County School Board Policy 5.1813, I will request that the School Board of Palm Beach County, Florida, expel your daughter, [REDACTED] from the Palm Beach County School District. This decision is based upon the following action:

Possession of drugs/imitation/prescription with the intent to sell and/or distribute while on the campus of Jeaga Middle School on September 20, 2005.

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 daughter 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:ITM:mjp

cc: Principal, Jeaga Middle School
North Area Superintendent
Chief Academic Officer
Director of Alternative Education

SUMMARY OF INCIDENT	
Student Name	[REDACTED]
Student ID #	[REDACTED]
School	Teaga Middle School
Principal	John W. Stevens
Area Supt.	Marisol Ferrer
Grade	[REDACTED]
Sex	[REDACTED]
Date of birth & age	[REDACTED]
Language	English
ESE/504	ESE: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 504: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Date of Incident	09/20/05
Violation & Code	75 - Possession/Use of Drugs 93 - Sale/Distribution of Drugs
If weapons infraction or other assault, did student allege weapon was brought for protection?	n/a Yes <input type="checkbox"/> No <input type="checkbox"/> (Please check one box only)
If so, has School Board Policy 5.001 been followed?	n/a Yes <input type="checkbox"/> No <input type="checkbox"/> (Please check one box only)
Police report charge & number	Possession of Marijuana on School Property 05-2698
Persons involved & witnesses to testify	[REDACTED] (student), [REDACTED] (student), Officer Michael Leatherman and William Feaman (School)
Student's Explanation of Incident (Use additional page if necessary)	
Additional Information (Use additional page if necessary)	

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

John W. Stevens
Principal's Signature

9-22-05
Date

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 [REDACTED]	ESE / 504 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DATE 9/20/05	TIME 8:45am
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 [Signature]	SCHOOL Jesse Mill School	INTERVENTIONS BY TEACHER BEFORE REFERRAL <input type="checkbox"/> Conference with student <input type="checkbox"/> Referral to CORE team <input type="checkbox"/> Telephone call to parent <input type="checkbox"/> Conference with counselor <input type="checkbox"/> Other	INVOLEMENT TYPE (circle one) <input checked="" type="radio"/> 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
STAFF ID NUMBER	REPORTED BY (CODE) (Use number below for those persons without a staff ID.) 975 - Paraprofessional 976 - Bus Driver 977 - Clerical 978 - Crossing Guard 979 - Custodian 980 - Food Service Staff 981 - Law Enforcement Officer 982 - Parent/Guardian 983 - Student 984 - Substitute Teacher 985 - School Volunteer 999 - Other	NATURE OF PROBLEM (Be Specific) Possession of marijuana. Student brought the marijuana on campus to give to another student (9/21/05 - Mr. Leatherman and Mr. Feaman conducted investigation on 9/20/05) Over 10 grams found.	ADMINISTRATION ID 0643	EVENT NUMBER 10831644	DATE 9/20/05

ADMINISTRATIVE USE ONLY BELOW THIS LINE

DISTRICT NUMBER 50	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
SCHOOL NO. 2701	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
WHAT KIND OF WEAPON USED (if appropriate) <input type="checkbox"/> K - Knife <input type="checkbox"/> H - Handgun <input type="checkbox"/> F - Firearm/Explosive device <input type="checkbox"/> R - Rifle/Shotgun <input type="checkbox"/> O - Other Weapon <input type="checkbox"/> U - Unknown	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
DURATION 11/11/05	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
Begin Date 9/21/05	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
Return Date 10/6/05	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
CASE NUMBER/AGENCY 05-2698	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
CRIT / TEAM INTERVENTION <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
RELEASED BY [Signature]	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]
RELEASED BY [Signature]	WHEN EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - DURING SCHOOL HOURS <input type="radio"/> 2 - Outside school hours, school sponsored activity <input type="radio"/> 3 - Outside school hours, non-school sponsored activity <input type="radio"/> 4 - Unrelated event or unknown	WHERE EVENT OCCURRED (circle one) <input checked="" type="radio"/> 1 - SCHOOL GROUNDS / ON CAMPUS <input type="radio"/> 2 - School sponsored activity / off campus <input type="radio"/> 3 - School sponsored transportation (includes bus stops)	ADMINISTRATOR NAME [Signature]

DISCLAIMER: 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.

DATE: 9/20/05

COPIES: ORIGINAL - Administration (1), COPY - Parent (1), COPY - Originator (1), COPY - Guidance Counselor / ESE Confidant (1)



THE SCHOOL DISTRICT OF PALM BEACH COUNTY

STUDENT NUMBER [REDACTED]

Conference Record

This form may be used for regular education, 504, or ESE purposes. If more space is required for discussion, conclusion and/or recommendations continue on PBSO 1051A.

STUDENT NAME (first, middle, initial) [REDACTED]	DATE OF BIRTH [REDACTED]	SEX [REDACTED]
SCHOOL Jeaga Middle School	GRADE [REDACTED]	CURRENT DATE 09 / 20 / 2005

PURPOSE OF MEETING

- School Based Team/CST
- 504 Plan/Modifications
- Educational Planning
- Parent Conference
- Individual Education Plan, IEP (ESE)
- Other: Conference with student regarding incident which occurred 09/20/05
- Eligibility: ESE 504
- Phone Conference

PARTICIPANT (signature and title)

Student _____

Mrs. M. Wiley (A.P.) _____

DISCUSSION


After the initial investigation by school police, I sat down with [REDACTED] and discussed the incident with her. She told me many different stories.

1.) A boy from Palm Beach Central High School gave her the marijuana to give to [REDACTED]. Once Mr. Feaman came in the room and told her that he was going to call P. B. Central, she changed her story.

2.) She told me that a boy named [REDACTED] in either the 7th or 8th grade gave it to her to give to the above student. She told me that [REDACTED] had class with her last year. When I searched the mainframe for the FY05 schedules and informed her that none of the students had a class with her, she changed her story.

3.) She then told me that the student's nickname was [REDACTED] (See next page)

CONCLUSION. RECOMMENDATIONS



SIGNATURE OF RECORDING OFFICER

9/20/05

DATE



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Conference Record Continuation

STUDENT NUMBER
[REDACTED]

Continuation of discussion, closure and recommendation narrative. Attach to page 1 of the Conference Record (PBSD 1051).

DISCUSSION

Even though he told many versions of the incident, [REDACTED] admitted to having the marijuana and giving it to [REDACTED] and [REDACTED] ([REDACTED]).

[Lined area for discussion text]

CONCLUSION /RECOMMENDATIONS

- 1. Mother and father came in to discuss the situation
- 2. 10-days out of-school suspension
- 3. Possible alternative placement
- 4. Possible expulsion

PANEL: _____

A24. STUDENT DISCIPLINE SUMMARY

YEAR: 05

Wednesday September 28, 2005 9:56 am

STDT: [REDACTED], [REDACTED]

SCHL: 2701 GR: 07 ST: A

SPEC:

YTD-ISS: 000 OSS: 010

SY	EVENT	DATE	TIME	SCHL	LOC	CODE
05						

X C TAKEN DUR

05	10820254	02102005	1330	2701	CS	E 051 MORRIS, DEBORAH
						I 19 LYING/MISREPRES
						A 01 CONF W/STDT/WRN

02172005

PF1=HELP 3=EXIT 5=REFRESH 7=BKWD 8=FWD 9=NXT PAGE 12=ESCAPE
NO ADDITIONAL PAGES...NEXT?

TERML: Z664

PANEL: _____

A24. STUDENT DISCIPLINE SUMMARY

YEAR: 06

Wednesday September 28, 2005 9:57 am

STDT: [REDACTED]

SCHL: 2701 GR: 07 ST: A

SPEC:

YTD-ISS: 000 OSS: 010

SY	EVENT	DATE	TIME	SCHL	LOC	CODE	X	C	TAKEN	DUR
----	-------	------	------	------	-----	------	---	---	-------	-----

06	10831644	09202005	1300	2701	CS	E 063 WILEY, MONIKA				
						I 93 SALE/INTENT DRU	*			
						I 75 POSS/USE DRUGS	*			
						A 90 O/S MAND 10 DAY	*		09202005	010
						A 25 REF CORE TEAM			09202005	
						A 09 PAR/GRD CONTCT			09202005	
						A 01 CONF W/STDT/WRN			09202005	
						A FA FUTURE ACTION	*	*	09202005	

PF1=HELP 3=EXIT 5=REFRESH 7=BKWD 8=FWD 9=NXT PAGE 12=ESCAPE
NO ADDITIONAL PAGES...NEXT?

TERML: Z664

PANEL: _____

A03. DEMOGRAPHICS

YEAR: 06

Friday September 23, 2005 9:13 am

STDT: [REDACTED]

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

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

S R	DOB	BIRTH CITY	ST	VER	PHONE	PUB MIL	SUMMER	ORIG	SAC	SCHL2
F W	[REDACTED]	[REDACTED]	[REDACTED]	1	[REDACTED]	N		082196	138	

ENT	DATE	SCHL	GR	OD	CL	AT	W/D	DATE	PR	PF	SSN	EXTRNL	NBR	PC	PS	PD
E01	081005	2701	07		01	N					[REDACTED]	[REDACTED]		US	FL	50

LNG	PLG	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	060596			ZZ	3			NNNN	NN	N	N	N	N	NZ

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

RECORD IS DISPLAYED...NEXT?

TERML: Z334

PROBABLE CAUSE AFFIDAVIT

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

Agency ORI Number: FLO 5 0 4 2 0 0 Agency Name: PALM BEACH COUNTY SCHOOL DISTRICT POLICE Agency Report Number: 9 9 - 0 5 - 2 6 9 8

Name (Last, First, Middle): [Redacted] Race: [Redacted] Sex: [Redacted] Date of Birth: [Redacted]

Charge Description: Possession of Marijuana Less 20 Grams 893.13(6b)

Victim's Name (Last, First, Middle): State of Florida Local Address (Street, Apt Number): (City) (State) (Zip) Phone: () - ()

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. I was observed by William Feamen who told Ofc. Leatherman that he/she saw the arrested person commit the below acts.

On Tuesday, September 20, 2005 at approximately 1330 hours, while employed as a Police Officer for the School District of Palm Beach County Police Department assigned to (3777 North Jog Road West Palm Beach, FL 33411) Jega Middle School, I was contacted by William Feamen, a Safe School Administrator for the Palm Beach County School District. Mr Feamen informed me that he witness a student identified as [Redacted] hand an unknown substance wrapped in a white piece of paper to another student identified as [Redacted].

At this time I located [Redacted] student [Redacted] (dob [Redacted]), who was brought to the school police office and read her constitutional Miranda rights in the presence of her mother [Redacted]. Afterward she waved her rights and gave me the following statement: "In 3rd hour [Redacted] gave me some of the weed that she was going to give [Redacted]. She gave [Redacted] weed in lunch, [Redacted] accepted it and she said to [Redacted] that she was going to give some more to him tomorrow. After lunch I went up to [Redacted] and told her I had some and she said, lets give it to [Redacted] when [Redacted] said that he wanted it. So, we gave it to him. I don't know anyone else who has anything to do with it".

SWORN AND SUBSCRIBED BEFORE ME. NOTARY PUBLIC / CLERK OF COURT / POLICE OFFICER (F.S.S. 117.10) DATE: 9/22/05 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER: Michael Leatherman #831 DATE: September 20, 2005

Agency ORI Number FLD 5 0 4 2 0 0	THE SCHOOL DISTRICT OF PALM BEACH COUNTY SCHOOL POLICE Probable Cause Narrative Continuation	<input checked="" type="checkbox"/> Juvenile <input type="checkbox"/> Adult	<input checked="" type="checkbox"/> 1 - Original <input type="checkbox"/> 2 - Suppl.	<input type="checkbox"/> 1 - Offense <input checked="" type="checkbox"/> 2 - Arrest	Case Number 05-2698
Original Date Reported 09 20 05	Offense Possession of Marijuana Less 20 Grams				

Mr. Feamen and I then located [redacted], Mr. Feamen as a school district administrator with reasonable suspicion that an illegal substance was in the possession of [redacted] (aka [redacted]) asked [redacted] if he has any illegal drug in his possession. In my presence [redacted] stated 'yes, in my book bag'. Mr. Feamen then searched [redacted] book bag and located a black in color eye glass case. Inside the case was approximately 6.5 grams of suspected marijuana, two brown cigar rolling papers. [redacted] at this time was placed under arrest for possession of Marijuana less than 20 grams. Search incident to arrest discovered trace amounts of suspect marijuana in [redacted] front right pocket. The suspect Marijuana was field tested using a Narcotics Analysis Reagent Kit #8 that test positive for marijuana or its derivative.

[redacted] was escorted to the school police office and read his constitutional miranda right warning. His mother was contacted and responded to the school. Afterwards, [redacted] gave the following sworn statement: " Today in lunch [redacted] said [redacted] come here. So I went then she said hold my glasses because I have no pockets, but give it to me in the courtyard. She wasn't there so I was looking for her in the court yard. She wasn't there so I went to class Mr Feamen and Officer Leatherman came and got me. I never went to [redacted] before I just seen her with [redacted] and I say Hi. Then when Officer Leatherman me I was holding my pen and ID. Then I put it in my right pocket and put my pen and ID in there. All I know is that [redacted] gave [redacted] some on Friday and some other days before that. And then the day before today [redacted] said that she sells weed and she said 'yes' I don't care and then later that day she said 'no' she doesn't " [redacted] was unlawfully and knowingly in actual or constructive possession of less than 20 grams of a material, compound, mixture or preparation which contained cannabis, commonly known as marijuana, a controlled substance, contrary to Florida Statute 893.13(6)(b)

Mr. Feamen and I then located [redacted] (dob [redacted]) [redacted] was escorted to the School Police Office. Once inside the office Woods was read her constitutional Miranda Rights Warning. Her mother was contacted and afterwards she waved her rights and gave the following written statement; Today at the bus loop some boy came up to me at the bus loop and opened a bag full of bags of marijuana, and gave me a bag to give to a boy named [redacted]. So today at lunch I called [redacted] to the table and gave it to him." It should be noted that [redacted] went through several different versions of how she came into contact with a large brown paper bag full of marijuana, before and after she gave the written statement. At no time would [redacted] divulge you gave her the bag or who is possession of it at this time. By [redacted] on statement after Miranda she admitted in front of me and her parents that she was unlawfully and knowingly in actual or constructive possession of less than 20 grams of a material, compound, mixture or preparation which contained cannabis, commonly known as marijuana, a controlled substance, contrary to Florida Statute 893.13(6)(b) She was arrested and charged for possession of marijuana less than 20 grams.

All student were released to there parents after processing through the school police office located on Jega Middle School. The suspect marijuana was field test using a Narcotics Analysis Reagent Test Kit #8, with positive results. The suspect

SWORN AND SUBSCRIBED BEFORE ME

ADMINISTRATIVE


SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

Michael Leatherman #831
NAME OF OFFICER (PLEASE PRINT)


NOTARY PUBLIC / CLERK OF COURT / POLICE OFFICER (F.S. 117.10)

September 20, 2005
DATE

DATE

9/22/05



PAGE
2 OF 3

Agency ORI Number FLO 5 0 4 2 0 0	THE SCHOOL DISTRICT OF PALM BEACH COUNTY SCHOOL POLICE Probable Cause Narrative Continuation	<input checked="" type="checkbox"/> Juvenile <input type="checkbox"/> Adult	<input checked="" type="checkbox"/> 1 - Original <input type="checkbox"/> 2 - Suppl	<input type="checkbox"/> 1 - Offense <input checked="" type="checkbox"/> 2 - Arrest	Case Number 05-2698
Original Date Reported 09 20 05	Offense Possession of Marijuana Less 20 Grams				

marijuana was then placed into a sealed evidence bag and turned over to School police Officer Wayne Inman for transport to the School Police Department Evidence Room.

Case Closed by Arrest

NARRATIVE CONTINUATION

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME		
		SIGNATURE OF ARRESTING / INVESTIGATING OFFICER	
		Michael Leatherman	
	NOTARY PUBLIC / CLERK OF COURT / POLICE OFFICER (F.S.S. 117.10)	NAME OF OFFICER (PLEASE PRINT)	
	9/22/05	September 20, 2005	
	DATE	DATE	PAGE 3 OF 3

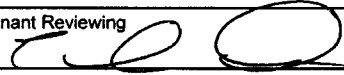
ADM	Agency ORI Number FLO 5 0 4 2 0 0	THE SCHOOL DISTRICT OF PALM BEACH COUNTY SCHOOL POLICE	<input checked="" type="checkbox"/> Juvenile <input type="checkbox"/> 1 - Original <input type="checkbox"/> 1 - Offense	Case Number 05-2698
	Original Date Reported 09 20 05	Offense Narrative Continuation	<input type="checkbox"/> Adult <input checked="" type="checkbox"/> 2 - Suppl. <input checked="" type="checkbox"/> 2 - Arrest	
		Offense Possession of Marijuana less than 20 grams		

On Thursday, October 6, 2005 at approximately 0830 hours, while employed as a Police Officer for the School District of Palm Beach County Police Department assigned to (3777 North Jog Road West Palm Beach, FL 33411) Jeaga Middle School, I was contacted by Iola Mosley, in reference to this case. Mrs. Mosley asked me to explain why I did not charge [redacted] student [redacted] (dob [redacted]) and [redacted] student [redacted] (dob [redacted]) with Possession of Marijuana with intent to Sell.

In reference to [redacted], I did have a witness statement from [redacted] (dob [redacted]) stating that he received suspected marijuana from [redacted] who advised him to give her \$5.00 dollars for the Marijuana on the following day. Immediately following the exchange of Marijuana, [redacted] gave the marijuana over to Safe School's Administrator William Feamen. Upon talking with [redacted] after she had been properly read her Constitutional Miranda Rights she admitted to telling [redacted] to give her five dollars on the following day, but that she said it in jest. No money had changed hands and no money was every going to given for the Marijuana. Since I had a sworn confession to the Possession of Marijuana and the fact that no money had changed hands I used officer discretion and charged [redacted] with Possession of Marijuana less than 20 grams.

In reference to student [redacted] (dob [redacted]), in my investigation it appeared that she was the person who first brought the suspected marijuana to Jeaga Middle School. This could only be determined through suspect accusations and the ongoing investigation. Upon talking with [redacted] after she had been properly read her Constitutional Miranda Rights she admitted to receiving a bag (approximately a half of a McDonald's size paper bag) of suspected marijuana to hold. She admitted to taking possession of the Marijuana willing, with full knowledge to what was inside it. The identity of the person who gave her the Marijuana changed several times throughout the investigation, to the point that it could not be determined that she herself did not bring the bag onto school property and was lying about receiving it from another person. Since [redacted] admitted to being in possession of marijuana and admitted to knowingly and willingly distribute the marijuana to other student without the exchange of money, I again used officer discretion and charged her with Possession of Marijuana less than 20 grams. It should be noted that only less than 20 grams of Marijuana could be located on the campus but from suspect statements the bulk of the marijuana was never located, do to [redacted] refusal to cooperate with the investigation.

Later that same day I received a phone call from her father advise me that she was still was changing the identity of the person you had possession of the marijuana. It should be noted that per Jeaga Assistant Principal Monika Wiley the school administration searched at least fifteen students for possession of Marijuana because of [redacted]s false allegations.

ADMINISTRATIVE	Officer Reporting Michael Leatherman	I.D. Number 831	Date 10/06/05	Lieutenant Reviewing 	I.D. Number 205	Date 10/06/05
	Captain Reviewing	I.D. Number	Date	Forward to		Date
Case Status Cleared	Clearance Type 1-Arrest 3-Unfounded 1 2-Exceptional		A-Adult J-Juvenile J	Date Cleared 09/20/05	Recommended Youth Court <input type="checkbox"/> Yes <input type="checkbox"/> No	Number Arrested
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 1 of 1