

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest	3. Request for Warrant	1	Juvenile
Agency ORI Number FLO 501200		Agency Name GREENACRES DEPT. OF PUBLIC SAFETY		2. N.T.A.	4. Request for Capias		<input type="checkbox"/>
Charge Type: Check as many as apply.		<input checked="" type="checkbox"/> 1. Felony	<input checked="" type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Special Notes:		
		<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other			
Name (Last, First, Middle) GALLION, MARVIN		Alias		Race B	Sex M	Date of Birth 1/9/69	
Charge Description SEXUAL BATTERY IN POSITION OF CONTROL		Charge Description CONTRIBUTING TO THE DELINQUENCY OF A MINOR					
Charge Description		Charge Description					
[REDACTED]		Alias		Race W	Sex F	Date of Birth 8/17/98	
		(State)	(Zip)	[REDACTED]		Address Source VICTIM	
Business Address (Street, Apt, Number)		(City)	(State)	(Zip)	Phone	Occupation STUDENT	
<p>The undersigned certifies and swears that he/she has just and reasonable grounds, and does believe the above named Defendant committed the following violation of law. The person taken into custody....</p> <p><input type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the acts below.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below acts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the 28 day of JANUARY 2015 at 0115 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p> <p style="text-align: center;">(PROBABLE CAUSE STATEMENT)</p> <p>On 1/28/15 I was advised of a sexual battery that occurred on 1/27/15 at approximately 0115 hours. Upon learning of the circumstances of the allegations from the responding officers (Ofc. Lembo and Ofc. J. Miller), I responded to Safe Harbor (3335 Forest Hill Boulevard) for information. I responded there first due to the allegations were that a male staff member Marvin Gallion (1/9/69) sexually battered [REDACTED] (8/17/98), a female client at Safe Harbor.</p> <p>Upon arrival to Safe Harbor I made contact with Director Nefretiri McGriff, Manager Michelle Galloway and Shift Leader Altonetta Martin. While speaking to them, I was told that on 1/26/15 at approximately 2300 hours, [REDACTED] was transported to Wellington Hospital in regards to a panic attack. At approximately 0030 hours on 1/27/15, Safe Harbor was contacted to retrieve [REDACTED] from the emergency room. During this time, Gallion was off shift but heard that [REDACTED] needed to be picked up. I was told by McGriff that Gallion volunteered to retrieve [REDACTED] from the hospital. I requested to see the log book for Safe Harbor that document the date and times individuals arrive and leave. I clearly showed the time [REDACTED] was transported to the hospital and the time Gallion left. Additionally the log book showed the time on 1/27/15 they both arrived to Safe Harbor from the hospital. Their arrival time was 0210 hours. I called Ofc. Lembo, who was still present with [REDACTED] at the hospital and requested for him to find out what time [REDACTED] was discharged on 1/27/15. He advised that according to hospital records, she was discharged at approximately 0104 hours.</p> <p>There was a sixty six (66) minute transport time that occurred from Wellington Hospital to Safe Harbor. It should be noted that Google Maps indicates that the distance between the two places is 7.5 miles and an estimated travel time of approximately fifteen (15) minutes. Both businesses are located on Forest Hill Boulevard and no turns are required to reach either from one another. Also based on the traffic in the area when I was traveling to Wellington Hospital at approximately 2300 hours it took only ten (10) minutes to arrive at the hospital from Safe Harbor.</p>							
STATE OF FLORIDA COUNTY OF PALM BEACH							
Signature of Arresting/Investigating Officer _____							
The foregoing instrument was sworn to or affirmed and subscribed before me this 4 February 2015, by _____ (Print name of Arresting/Investigating Officer), who is personally known to me and/or produced identification.							
Type of identification produced _____							
Notary Public, Clerk of Court, Officer (F.S.S. 114.10)							

ADMINISTRATIVE	OBTS Number		Arrest / Notice to Appear Juvenile Referral Report				1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		Juvenile		
	Agency ORI Number FLO 501200		Agency Name GREENACRES DEPT. OF PUBLIC SAFETY			Agency Report Number 42-15-01493 ()					
	Charge Type: Check as many as apply.		<input checked="" type="checkbox"/> 1. Felony		<input checked="" type="checkbox"/> 3. Misdemeanor		<input type="checkbox"/> 5. Ordinance		Weapon Seized / Type N/A		
			<input type="checkbox"/> 2. Traffic/Felony		<input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 6. Other		Multiple Clearance Indicator		
DEFENDANT	Location of Arrest (Including Business Name) 745 APT 103 VENETO DR, LAKE PARK FL 33403					Location of Offense (Business Name/ Address) 6482 Forest Hill Blvd, Greenacres FL 33415					
	Date of Arrest 2/4/15	Time of Arrest 1945	Booking Date 2/4/15	Booking Time	Jail Date 2/4/15	Jail Time	Location of Vehicle n/a				
	Name (Last, First, Middle) Gallion, Marvin					Alias					
	Race: W - White B - Black	I - American Indian O - Oriental/Asian	Sex M	Date of Birth 1/9/69	Height 6'1"	Weight 265	Eye Color Bro	Hair Color Blk	Complexion Dark	Build Lrg	
Scars, Marks, Tattoos, Unique Physical features (Location, Type, Description) Scar R. knee and thigh					Marital Status Married	Religion Christ	Indication Of	Alcohol Influence Drug Influence	No No		
Local Address (Street, Apt, Number) (City) (State) (Zip)					Phone		Residence Type: 1 City 3 Florida 2 County 4 Out of State				
Permanent Address (Street, Apt, Number) (City) (State) (Zip) 745 APT 103 VENETO DR, LAKE PARK FL 33403					Phone 561-291-1756		Address Source Defendant				
Business Address (Street, Apt, Number) (City) (State) (Zip)					Phone		Occupation Youth Care Worker				
D/L Number, State G450-592-69-009-0			INS Number		Place of Birth (City, State) Belle Glade, FL			Citizenship US			
CO-DEF	Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor				
	Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor				
JUVENILE	<input type="checkbox"/> Parent <input type="checkbox"/> Other <input type="checkbox"/> Legal Custodian		Name (Last, First, Middle)			Residence Phone					
	Local Address (Street, Apt, Number) (City) (State) (Zip)					Business Phone					
	Notified by: (Name)		Date	Time	Juvenile	Disposition: 1. Handled/Processed within Dept. and Released		2. TOT HRS/DYS 3. Incarcerated			
	Released To: (Name)		Relationship			Date	Time				
The above address was provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes by: (name) <input type="checkbox"/> No:							School Attended		Grade		
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property					Value of Property				
CODE	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 SEXUAL BATTERY WHILE IN POSITION OF CONTROL			Counts 01	Domestic Violence N/A	Statute Violation Number 794.011(4)(G)		Violation of ORD #			
CHARGE	Drug Activity N	Drug Type N	Amount / Unit N/A	Offense Number 15-01493		Warrant / Capias Number		Bond			
	Charge Description CONTRIBUTING DELINQUENCY CHILD			Counts 01	Domestic Violence N/A	Statute Violation Number 827.04(1)(A)		Violation of ORD #			
CHARGE	Drug Activity N	Drug Type N	Amount / Unit N/A	Offense Number 15-01493		Warrant / Capias Number		Bond			
	Charge Description			Counts	Domestic Violence	Statute Violation Number		Violation of ORD #			
CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense Number		Warrant / Capias Number		Bond			
	Charge Description			Counts	Domestic Violence	Statute Violation Number		Violation of ORD #			
CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense Number		Warrant / Capias Number		Bond			
	Charge Description			Counts	Domestic Violence	Statute Violation Number		Violation of ORD #			
NOTICE TO	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court			Location (Court, Room Number, Address) TO BE SET BY JUDGE							
	<input type="checkbox"/> Instruction No. 2. You need not appear in Court but must comply with instructions on Reverse side.			Court Date and Time		Month: Day: Year: Time: <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.					
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.											
Signature of Defendant (or Juvenile and Parent / Custodian)					Date Signed						
ADMIN	HOLD for other agency Name:			Signature of Arresting Officer X			Name Verification (Printed by Arrestee)				
	<input checked="" type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input checked="" type="checkbox"/> Suicidal <input type="checkbox"/> Other		Name of arresting Officer (Print) LEVINE			I.D.# 1689		(PRINT)			
	Intake Deputy	I.D.#	Pouch #	Transporting Officer: Vick		I.D.# 1016	Agency GPS		Page 1 Of 1		
	Witness here if subject signed with X										

PROBABLE CAUSE CONTINUATION

Defendant: GALLION, MARVIN

Agency Report Number: 42- 15-01493

Safe Harbor staff continued to tell me that they had discussed the incident with [REDACTED] prior to being transported. They told me that after the sexual battery occurred, [REDACTED] came back to her room and packaged her clothing in a plastic bag and took a shower. It was learned that the plastic bag was hidden in the room so Gallion would not be able to recover them. Additionally the staff members told me that [REDACTED]'s roommate, [REDACTED] (2/20/97) aka [REDACTED] had run away from Safe Harbor on 1/28/15 at approximately 0030 hours. When she ran away, [REDACTED] took the clothing with her and left a note in its place reading "got the rape clothes." It was later found out that [REDACTED] took the clothes so Gallion could not get them. A search of [REDACTED]'s room revealed several papers with poems and one paper with Gallion's email and phone number on it. Also, staff presented me with a black cell phone that [REDACTED] gave them after she stated that Gallion provided it to her earlier that day. Copies of the log book and cell phone were later placed into Greenacres evidence. I had also requested incident reports from the staff I had made contact with and the security video from Safe Harbor, which was collected a few days later.

While en route to Wellington Hospital, I was advised by Ofc. Lembo that the on call DCF investigator arrived and left, the victim's advocate had responded and that [REDACTED] was being seen by the SANE nurse and the sexual assault kit had been started by her.

As I arrived, the SANE nurse was completing her exam. While she was doing this, Det. Torres and I went to the Chevrolet van that the incident occurred in, coincidentally this is the same van that Safe Harbor employee Tamara Cleveland drove to Wellington Hospital to retrieve [REDACTED] when she was finished. The van was photographed and processed for DNA before being turned back over to Cleveland.

Shortly after photographing the van, [REDACTED] was brought to the Butterfly House in Wellington Hospital and an interview was conducted:

[REDACTED] advised that she was originally brought to Wellington Hospital for a panic attack by an EMS ambulance. As she was being discharged from the hospital, she was picked up by Gallion. As [REDACTED] entered the Chevrolet van, they proceeded on Forest Hill Boulevard back towards Safe Harbor. While en route, Gallion asked [REDACTED] if she would like to smoke a "black and mild" cigar. She responded "if that would calm me down." [REDACTED] advised that she was nervous after being discharged and her legs were shaking. She stated that they stopped at the Mobil Gas Station (6482 Forest Hill Boulevard) to purchase the black and mild. [REDACTED] said that Gallion stopped the van under the awning next to the front doors of the business and both of them entered. [REDACTED] said that she went into the business with Gallion and he purchased one black and mild with cash.

After exiting the business, both entered the van again. Gallion entered the driver's seat and [REDACTED] entered the front passenger seat. Once in the van, Gallion drove to the rear of the business by the trash dumpsters and vacuum area. Gallion [REDACTED] the van in this area instead of heading back to Safe Harbor. While sitting in the van and smoking the black and mild, Gallion began complimenting [REDACTED] on how she looked and asked her personal sexual questions. At this time, [REDACTED] felt that the situation became "weird." Gallion began saying that she was beautiful, a strong person and eventually leaned over to kiss [REDACTED] on her lips. After doing so, Gallion motioned for [REDACTED] to sit on his lap in the driver's seat. When she did so, she sat on the side of his leg and also began "accidentally" pushing the horn of the car in attempt to get someone's attention. Each time she honked the horn, she blamed it on clumsiness.

While sitting on his lap, [REDACTED] said that Gallion began to rub her back and then moved to the front of her body grabbing her breasts. He then lifted her shirt and kissed her bare breast. After doing this, [REDACTED] said Gallion stated

STATE OF FLORIDA
COUNTY OF PALM BEACH

Signature of Arresting/Investigating Officer

The foregoing statement was sworn to or affirmed and subscribed before me this 4 February 2015, by [REDACTED] (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification.

Type of identification produced

Notary Public, Clerk of Court, Officer (F.S.S. 114.10)

PROBABLE CAUSE CONTINUATION

Defendant: GALLION, MARVIN

Agency Report Number: 42- 15-01493

"Mr. Marvin knows how to treat a woman right." After saying this, Gallion un-buttoned [redacted] pants and started to rub her inner thigh. From there, Gallion digitally penetrated [redacted]'s vagina. [redacted] said she became afraid to say anything because she was alone with him. She eventually got off of Gallion's lap and sat back in the front passenger seat. Upon doing so, Gallion removed [redacted]'s pants and began to perform oral sex on her in the front passenger seat. [redacted] said that while doing this, he digitally penetrated her again with his fingers.

After approximately five minutes of oral sex, Gallion sat back in the driver's seat and removed his penis from his pants. As he did this, he grabbed [redacted] by the ankle and began to pull her over towards him. Gallion positioned her on his lap for a few minutes before he inserted his penis into her vagina. [redacted] said she again attempted to get help by honking the horn of the car but no one responded. [redacted] told me that Gallion was trying to get her to move up and down on top of him but she just remained seated with her legs shaking. Minutes later, [redacted] said that what was going on was wrong and she wanted to be taken back to Safe Harbor. As she said this, Gallion picked her off of his lap and she sat back in the front passenger seat. [redacted] said that Gallion proceeded to put his penis back inside of his pants and turn the radio's music on as they drove back to Safe Harbor.

Upon returning to Safe Harbor, [redacted] said that Gallion told her to say that the discharge paperwork took a long time and that is why it took so long to get back. [redacted] stated that Gallion began stating this to employee's as soon as they entered the building. Once inside the building, [redacted] proceeded directly to her room. While inside, she packaged up the clothes and underwear she was wearing and began to shower because she felt dirty. While she was in her room telling [redacted] what occurred, Gallion opened the door to their room several times, even though he should have been off the clock and on his way home.

After [redacted] explained what occurred, she told me that the next day she demanded that Gallion provide her with a cell phone so she could call her family. Gallion is believed to have gone to Walmart to purchase a Trac-fone for [redacted], which he gave to her at the Forest Hill Library. [redacted] said she left school to go to the library in attempt to contact her aunt on Facebook. [redacted] said she believes the phone was purchased at a Walmart due to the bag that she saw.

On 1/28/15 at approximately 1130 hours I responded to the Mobil Gas Station in attempt to recover security video. Upon viewing the video, I observed what [redacted] had described. I watched as she and Gallion entered the business and he proceeded to the clerk asking for a single black and mild, which he paid with cash. In the video, a sticker resembling the Wellington Hospital visitor pass was on Gallion's chest. I recovered a copy of the receipts transaction. According to the receipt the purchase occurred at 0113 hours on 1/27/15. The security video, which is off by approximately 2-3 minutes shows the transaction and has audio of Gallion asking for the item. After getting the black and mild, I watched as they both enter the van and drive towards the back of the building. I was unable to see if they had left or where the vehicle was located, but did not observe it leave. The video recovered is until 0205 hours and the van is not seen leaving the north or west exits.

Later that day, I also received Safe Harbor's security camera video and watched as Gallion entered [redacted]'s room as she described as well. All video and the receipt were later placed into Greenacres evidence. While there, I learned that Gallion had called, sometime after being placed on administrative leave and spoke to Whenchy Poinson. Poinson stated that seemed odd Gallion was calling since he had never done so before. The phone call seemed strange when Gallion told Poinson that [redacted] had run away just after he left the other night. Poinson told me that it seemed as if Gallion was "fishing" for information about what was being said in the building by coworkers. I was also informed by McGriff that the afternoon after the sexual battery occurred, Gallion approached her and stated that he thought some of the clients at the

STATE OF FLORIDA
COUNTY OF PALM BEACH

Signature of Arresting and Signaling Officer

The foregoing instrument was sworn to or affirmed and subscribed before me this 4 February 2015, by [redacted] (Print name of Arresting Investigative Officer), who is personally known to me and/or produced identification.
Type of identification produced [redacted]

Notary Public, Clerk of Court, Officer (F.S.S. 114.10)

PROBABLE CAUSE CONTINUATION

Defendant: GALLION, MARVIN

Agency Report Number: 42- 15-01493

facility were going to extort him. McGriff advised him to document the matter with Galloway. When Gallion went to do so, he only discussed about having information that a client may be planning to run away.

While at the facility I requested [redacted] file in attempt to get information to locate her and recover the clothing. Safe Harbor provided me with her "mentor" Rich's phone number. When I called him, he advised that he had spoke to [redacted] earlier but did not know where she was. Sometime later, Rich called me and provided a phone number where [redacted] could be reached. As I was about to dial the number, I observed an incoming phone call on my office phone with that number. When I answered a female voice wanted to know who she was calling and then hung up. I called the number back and the female answered stating her name was [redacted]. I immediately called her out as [redacted], at which time she stated [redacted] and [redacted] are in Miami before hanging up again. I then decided to contact [redacted] mother in Georgia and gave her the phone number to speak with [redacted] in attempt to get her to cooperate with me. After her mother called, I spoke to [redacted] and she advised that she still had [redacted]'s underwear but left the other clothing in a "friends" car. I asked where she was so I could get her, but she refused to tell me. [redacted] told me that she would come to the Greenacres Police Station but I later learned this was a farce. After some time went by I called the number again and a male by the name of Josh answered. He stated that [redacted] approached him at the Homming Inn (2821 S. Federal Hwy, Boynton Bch) parking lot and asked to use his phone. That was all the involvement he had with [redacted] before he checked out of the hotel.

After learning this, I proceeded to the hotel but was met with negative results in locating [redacted].

On 2/2/15 I contacted [redacted] and learned that she made contact with [redacted] at the same hotel on Friday and recovered the missing underwear. [redacted] said that her aunt drove her to the hotel after learning it they were there. She did not know what room [redacted] was in since she met them in the parking lot. I responded to [redacted] Ft. Lauderdale to retrieve the underwear. While at the residence, [redacted] had questions of what was occurring. While asking questions, I learned that [redacted] had used a douche while she showered after returning to Safe Harbor from the hospital. [redacted] said that [redacted] gave it to her when she was in the shower. When I asked [redacted] where [redacted] got the douche from, she replied [redacted] had asked Gallion to get it for her when he went to the pharmacy. The underwear was later placed into Greenacres evidence.

On 2/4/15 I responded to Gallion's residence at 745 Venito Drive Apt 103, Lake Park Florida in regards to him making a statement. I requested that Gallion come to Greenacres Police Department and I would transport him. At that time he requested his attorney be present and I told him to call before we leave. Gallion called and left a message for his attorney before entering the front passenger seat of my vehicle. Gallion was not placed in handcuffs at this time and was voluntarily being brought to the Greenacres Police Department. Upon arrival and while being video and audio recorded, Gallion requested his attorney again be present prior to being read his Miranda Warnings.

At that time, the interview was concluded and Gallion was processed at Greenacres Police Department prior to being transported to the Palm Beach County Jail.

STATE OF FLORIDA
COUNTY OF PALM BEACH

Signature of Arresting/Investigative Officer

The foregoing instrument was sworn to or affirmed and subscribed before me this 4 February 2015, by R. Lurie
(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification.

Type of identification produced

[Signature]
Notary Public, Clerk of Court, Officer (F.S.S. 114.10)