



Crestview Police Department
Arrest Report

Arrest #: 16-496-AR
Call #: 16-17315
Incident #: 16-1779-OF

Date/Time Reported: 07/04/2016 @ 2125
Arrest Date/Time: 07/05/2016 @ 2245
Booking Date/Time: 07/05/2016 @ 2255

OBTS #:

Reporting Officer: Patrol Officer JOHN COOK
Approving Officer: Sergeant MICHAEL MCCALLUM

Signature: _____
Signature: _____

Table with columns: #, DEFENDANT(S), SEX, RACE, AGE, SSN, PHONE. Row 1: SMITH, JUSTIN RAY, M, W, 26, [REDACTED], [REDACTED]

Military Active Duty: N
BODY: NOT AVAIL.
DOB: [REDACTED]
LICENSE NUMBER: FL S530436901321
COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) 850-682-8110

[APPEARANCE]

GLASSES WORN: NO
EMPLOYER/SCHOOL: SUPER 8 MOTEL

Table with columns: #, OFFENSE(S), ATTEMPTED, TYPE

LOCATION TYPE: Field/Woods Zone: ZONE 2
TWIN HILLS PARK - CITY OF CRESTVIEW
100 HATHAWAY -S ST
CRESTVIEW FL 32536
1 BATTERY-TOUCH OR STRIKE N Misdemeanor
1319 784.03 1A1
OCCURRED: 07/04/2016 2100
SUSPECTED OF USING: Not Applicable
CRIMINAL ACTIVITY: None/Unknown
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)
BIAS AGAINST: No Bias

**Crestview Police Department
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Incident #: 16-1779-OF**

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	DALE, MARQUELL A 698 GRIFFITH -W AVE CRESTVIEW FL 32536 DOB: [REDACTED] EMPLOYER: UNKNOWN · 850-UNK-NOWN INJURIES: Apparent Minor Injury ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident TAKEN TO: NORTH OKALOOSA MEDICAL CENTER TAKEN BY: OKALOOSA COUNTY EMS TREATED DATE: 07/04/2016 @ 2130 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO: SMITH JUSTIN	M	B	18	[REDACTED]	[REDACTED]
						Otherwise Known

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	CONN, KAYLA E 664 LONG DR CRESTVIEW FL 32536 DOB: [REDACTED] EMPLOYER: UNKNOWN · 850-UNK-NOWN	PARTICIPANT	F	W	26	[REDACTED]	[REDACTED]
2	LUCARI, TERESA S 5591 GALAXY DR CRESTVIEW FL 32539 DOB: [REDACTED] EMPLOYER: CRESTVIEW PARKS & REC. · 850-682-4715	WITNESS	F	W	33	[REDACTED]	
3	COLEMAN, ANTRRYUN 261 RAYBURN -S ST CRESTVIEW FL 32536 DOB: [REDACTED]	WITNESS	M	B	22	NOT AVAIL	[REDACTED]

NARRATIVE FOR PATROL OFFICER JOHN J COOK

Ref: 16-496-AR

Entered: 07/05/2016 @ 0034 Entry ID: JJC
Modified: 07/05/2016 @ 0034 Modified ID: JJC
Approved: 07/05/2016 @ 0121 Approval ID: MBM

OFFENSE/INCIDENT NARRATIVE
Patrol Officer JOHN J COOK ID #: 017

INCIDENT SUMMARY

On July 04, 2016, at approximately 2120 hours, I was leaving the scene of a traffic crash at Twin Hills Park, located at 100 Hathaway Street. I was then flagged down by City of Crestview Parks and Recreation employee, Teresa Lucari, who advised me of a fight which involved multiple participants in front of the gymnasium.

As I travelled around to the front of the gymnasium, I observed multiple people gathered in the area. I exited my vehicle and radioed for other officers to assist. I then attempted to disperse the gathering and locate the involved participants. I was then advised of a black male who was knocked unconscious during the altercation. I observed him seated on the tailgate of a truck parked in the parking lot. While speaking with the male, identified as Marquell Dale, I noticed he was extremely disoriented. I did not observe any visible injury to his person upon initial contact. I then requested Okaloosa County EMS respond to medically assess him for possible injuries. I was then advised the person who struck Dale, identified as Justin Smith was located on the opposite side of the parking lot. As other officers arrived, the gathered parties were dispersed and an investigation was initiated.

In summary, prior to Police arrival, several unidentified persons were shooting fireworks at or by individuals in the immediate area. Kayla Conn stated she believed Marquell Dale pointed one of the fireworks towards her direction. She then walked over to Dale and confronted him about the incident, and the two then entered into a verbal altercation. Justin Smith, who is Kayla Conn's boyfriend, then ran over to Marquell Dale and struck him in the side of the head, causing him to fall to the ground unconscious. Multiple unidentified parties then jumped on Smith and struck him several times.

Marquell Dale completed a sworn Affidavit of Complaint stating he entered into a verbal altercation with Kayla Conn after she confronted him about throwing fireworks at her; which he did not recall. During the verbal altercation, Dale was struck on the side of his head by Smith and knocked unconscious. Dale only recalled waking up after the incident and being informed of the events which occurred by witnesses at the scene. Dale was then transported to North Okaloosa Medical Center, where he then provided his sworn written statement to Investigator Williams.

I also viewed video footage gained from a surveillance camera mounted on the front of the gymnasium area, where the incident occurred. The footage shows Dale and Conn enter into a verbal altercation. Smith is then seen running towards Dale and then strikes Dale in the side of his head, causing Dale to fall to the ground unconscious. Several bystanders then jump on Dale and strike him several times. At no time did I observe Dale or anyone else have any physical contact with Conn prior to Smith striking Dale. I requested the video footage be transferred to a compact disc for retrieval.

Sworn witness statements were also provided by City of Crestview employee Teresa Lucari and by a bystander, identified as Antrryun Coleman. Both stated that after Conn and Dale entered into a verbal dispute, Smith ran over and struck Dale in the head, causing him to fall to the ground unconscious.

Smith and Conn initially stated Dale pushed Conn prior to Smith striking Dale. However, after being advised of what the video footage showed, the two were unsure. While speaking with Smith, I did observe swelling and bleeding around his nose. I advised him the subjects which struck him were not located or identified.

Conn maintained that Dale aimed a firework in her direction, which caused her to confront him. Smith and Conn declined completing written statements. Smith was then advised he was under arrest for Battery and transported to Okaloosa County Jail. Smith advised me he was remorseful and said he was truly sorry for striking Dale.

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FLORIDA STATUTE VIOLATION(S)

F.S.S. - 784.03(1A1)

ARRESTS

Justin Ray Smith ([REDACTED]).

CASE STATUS

Case Closed By Arrest.

CRESTVIEW POLICE DEPARTMENT

CASE NUMBER: 15-1779-OF

DEFENDANT: Justin Ray Smith

ADDENDUM OF PROBABLE CAUSE

On July 04, 2016, at approximately 2120 hours, the above named Defendant did commit the offense of Battery-Touch or Strike. This is evidenced by a sworn Affidavit of Complaint by the victim, Marquell Dale who stated he entered into a verbal altercation with the Defendant's girlfriend, Kayla Conn after she confronted him about throwing fireworks at her; which he did not recall. During the verbal altercation, the Victim was struck on the side of his head by the Defendant and knocked unconscious. The Victim only recalled waking up after the incident and being informed of the events which occurred by witnesses at the scene. The Victim was then transported to North Okaloosa Medical Center, where he provided his sworn written statement to Investigator Williams.

This is also evidenced by video footage gained from a surveillance camera mounted on the front of the gymnasium area, where the incident occurred. The footage shows the Victim and Kayla Conn enter into a verbal altercation. The Defendant is then seen running towards the Victim and then strikes the Victim in the side of his head, causing the Victim to fall to the ground unconscious. Several bystanders then jump on the Defendant and strike him several times.

This is also evidenced by sworn witness statements provided by City of Crestview employee Teresa Lucari and bystander, Antrryun Coleman. Both stated that after Kayla Conn and the Victim entered into a verbal dispute, the Defendant ran over and struck the Victim in the head, causing him to fall to the ground unconscious.

The Defendant and Kayla Conn initially stated the Victim pushed Conn prior to the Defendant striking the Victim. However, after being advised of what the video footage showed, the two were unsure. Kayla Conn maintained that the Victim aimed a firework in her direction, which caused her to confront him. The Defendant and Kayla Conn declined completing written statements. The Defendant was remorseful and stated he was truly sorry for striking the Victim.

This offense did occur in Okaloosa County, within the city limits of Crestview, Florida where I am a sworn Law Enforcement Officer.