

18CF8146

Rough Arrest Only

ARREST / NOTICE TO APPEAR Juvenile Referral Report

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

ADMINISTRATION	OBTS Number		Agency ORI Number FL0500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06-18-109848	
	Charge Type: Check as many as apply.		Weapon Seized/Type 1 1. Yes 2. No Shotgun		Multiple Clearance Indicator 05			
	Location of Arrest (Including Name of Business)		Location of Offense (Business Name, Address) 804 Federal Highway Suite #8 (Just Fishing and Tackle)					
	Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle	

DEFENDANT	Name (Last, First, Middle) Friedman, Naomi										Alias (Name, DOB, Soc. Sec. #, Etc.)									
	Race	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build	Marital Status		Religion		Incarceration of Alcohol/Influences		Drug Influence		Residence Type		
	W - White B - Black	1 - American Indian O - Oriental/Asian	W	F	05-13-1957	5'5"	175	Green	Brown	Light	Med	Married	Unknown	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	1. City 2. County 4. Out of State	1	Address Source FLDL	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Unknown										Business Address (Street, Apt. Number) 945 Tropic Blvd		(City) Delray Beach	(State) FL	(Zip) 33483	Phone (954) 448-6312	Occupation Self-Employed			
	Permanent Address (Street, Apt. Number) 945 Tropic Blvd										(City) Delray Beach	(State) FL	(Zip) 33483	Phone ()	D/L Number, State F635-620-57-673-0 Florida		Soc. Sec. Number [REDACTED]	INS Number [REDACTED]	Place of Birth NY, NY	Citizenship US
	Business Address (Street, Apt. Number) 804 Federal Highway Suite #8										(City) Lake Park	(State) FL	(Zip) 33403	Phone (561) 863-3328						

CO-DEF	Co-Defendant Name (Last, First, Middle) Friedman, Daniel, L				Race W	Sex M	Date of Birth 06-27-1967	<input type="checkbox"/> 1. Arrested <input checked="" type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
	Co-Defendant Name (Last, First, Middle) Kellener, Marc, Ashley				Race W	Sex M	Date of Birth 09-04-1965	<input type="checkbox"/> 1. Arrested <input checked="" type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile

JUVENILE	Parent Name (Last) (First) (Middle)		Residence Phone			
	Legal Custodian		Business Phone			
	Other					
	Address (Street, Apt. Number) (City) (State) (Zip)					
Notified by: (Name)		Date	Time	Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/CYF 3. Incarcerated		
Released To: (Name)		Relationship	FCIC/NCIC	Date	Time	
The above address was provided by defendant and/or defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office informed of any change of address: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)				School Attended		Grade

CODE	Recovery Information 0. N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8. Other										
	Drug Activity	S. Sell	R. Smuggle	K. Dispense/Distribute	M. Manufacture/Producer/Cultivate	Z. Other	Drug Type	B. Barbiturate	H. Hallucinogen	P. Paraphernalia/Equipment	U. Unknown/Other
N. N/A		B. Buy	D. Deliver	E. Use	A. Amphetamine		C. Cocaine	M. Marijuana	O. Opium/Deriv.	S. Synthetic	
P. Possess		T. Traffic									

CHARGE	Charge Description		Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
	Robbery with a Firearm		02	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	812.13 (2)(a)	
Drug Activity		Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
				18-109848		
CHARGE	Charge Description		Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
	Tampering with Evidence		01	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	918.13(1)	
Drug Activity		Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
				18-109848		
CHARGE	Charge Description		Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
	False Imprisonment		02	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	787.02 (1)(a)	
Drug Activity		Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
				18-109848		
CHARGE	Charge Description		Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Drug Activity		Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address)			
	<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
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		Signature of Arresting Officer X		Name Verification (Printed by Arrestee) (PRINT)	
	Names: <input type="checkbox"/> Dangerous <input type="checkbox"/> Restricted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:		Name of Arresting Officer (Print) Det. J. Lawless		I.D. # 12469	
	Intake Deputy I.D. #		Transporting Officer I.D. #		Agency PBSO	
		Pouch #		Witness here is subject signed with an "X".		PAGE 1 OF 1

PROBABLE CAUSE AFFIDAVIT						3	Juvenile	N
1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias								
OBTS Number		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06 - 18-109848		
Agency ORI Number FLO 5 0 0 0 0 0		Charge Type: <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance Check as many <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other as apply.				Special Notes:		
Defendant's Name (Last, First, Middle) Friedman, Naomi					Race White	Sex Female	Date of Birth 05-13-1957	
Charge Description Robbery with a Firearm				Charge Description Tampering with Evidence				
Charge Description False Imprisonment				Charge Description				
Victim's Name (Last, First, Middle) Mitchell, Duncan					Race White	Sex Male	Date of Birth 09-21-1994	
Victim's Local Address (Street, Apt. Number) 1370 NE 23rd Ct		(City) Pompano Beach	(State) FL	(Zip) 33064	Phone 954 605-1150	Address Source Verbal		
Victim's Business Address (Name, Street) N/A		(City)	(State)	(Zip)	Phone	Occupation		
The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The Person taken into custody...								
<input type="checkbox"/> committed the below acts in my presence.		<input type="checkbox"/> was observed by _____ who told _____		<input type="checkbox"/> that he/she saw the arrested person commit the below acts.				
<input type="checkbox"/> confessed to _____		<input type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.						
admitting to the below facts.								
On the _____ day of _____, 200____ at _____ <input type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).								

NARRATIVE:

On Thursday, August 16th, 2018 at approximately 1644 hours, deputies of the Palm Beach County Sheriff's Office responded to the 'Just Fishing' Tackle and Consignment store located at 804 Federal Hwy in the town of Lake Park in reference to a shoplifting complainant. Upon arrival at the scene, first responding unit PBSO Deputy Sheriff Maduri #9151 entered the business where he made contact with the alleged suspect, Gerry Thompson, who was laying on the ground, surrendering to law enforcement. D/S Maduri proceeded to the rear of the business where the owner of the business, Daniel Friedman was holding a chrome-colored shotgun and standing over alleged suspect two, Duncan Mitchell. Mitchell had lacerations and swelling to his face, lacerations to his arms and back sustained while the owner detained both Thompson and Mitchell.

During the fact-finding stages of the call, PBSO D/S Maduri learned that the suspects are known to the owners of the business, Daniel Friedman, Eric Friedman, and Naomi Friedman. Employees informed D/S Maduri that on August 8th, 2018 Mitchell and another unknown male came to the business and stole a fishing reel worth approximately \$480. At no time did the Friedman's or the employees notify law enforcement to report the crime. D/S Maduri advised that on today's date, August 16, 2018, Daniel Friedman and his son Eric, called Mitchell as a rouse/ploy to get them to come to the business to purchase an item, with the intent to confront Mitchell about the stolen fishing reel. Thompson and Mitchell arrived at the business, shortly before 16:30 hours according to Mitchell and Thompson but they could not be sure. Upon entering the store Eric Friedman confronted Mitchell about the theft. D/S Maduri advised the employees indicated Mitchell and Daniel Friedman began to fight where Daniel Friedman produced a shotgun. While in the rear of the business, Mitchell was held against his will at gunpoint by the Daniel Friedman and was unable to leave, while Thompson was held by the front door. Daniel Friedman, his wife, Naomi Friedman and their son, Eric Friedman, then held Thompson and Mitchell for an unknown amount of time then called PBSO at approximately 16:44 hours. As D/S Maduri was gathering this information, he attempted to speak with Eric and Naomi, who was standing at store surveillance camera system. D/S Maduri attempted to view the video where it was learned the camera system, which was functional and recording, had been turned off on 8/16/18 at 1455 hours. The video resumed at 1636 hours. Once the video came back on, both

NARRATIVE CONTINUATION

alleged suspects appeared to have been battered with employees and the Friedman's standing over them.

As PBSO Deputies began to question all parties, it was learned that during the portion when the video was turned off, the alleged suspects, Thompson and Mitchell, were held against their will and battered by the owner, Daniel Friedman, who struck Mitchell with the shotgun. Mitchell alleged that he was struck multiple times with unknown blunt objects while attempting to flee. Both Thompson and Mitchell told Deputies that they were attacked and forced at gunpoint to hand over their cell phones, \$1180 in cash and their wallets. After learning this information, Daniel Friedman and family then became confrontational with Deputies regarding the alleged robbery of Thompson and Mitchell; the family denied Deputies access to the business.

In a sworn statement with Duncan Mitchell, he advised that on 8/16/18, he was contacted by Eric Friedman in regards to the fishing equipment he had for sale. Once at the business, Mitchell was attacked by Eric, Daniel, and Marc, who struck him with a "blackjack" on his legs, and punched and kicked him in the face and body and struck him in the face with a shotgun. Daniel Friedman placed the shotgun to his face and yelled: "do you want to die today!" Mitchell stated he was dragged to the back room of the business by Eric, Daniel, and Marc, where he was beaten for several minutes while Eric threatened to kill his family multiple times. Mitchell advised the employees ordered him to give them everything. Mitchell advised that the suspects entered his pockets and stole his two cellphones from his front pocket (Apple iPhone X and Samsung Galaxy), his driver's license and \$1180 in US Currency. Mitchell advised he watched Eric give the money to his mother, Naomi Friedman. Eric showed Mitchell the video of Mitchell holding a \$400 reel on 8/8/18, which Eric accusing Mitchell of stealing. He was then brought back to the front of the business, at which time he overheard Eric telling another employee to "delete the video," where he observed Naomi walk to the rear of the business.

In a sworn statement with Thompson, he corroborated Mitchell's accounts. Thompson stated that once he and Mitchell walked in, they were confronted about the theft. Thompson advised Daniel Friedman then shoved him and ordered him to put his hands on the wall. Thompson stated he attempted to go towards the front door where he learned the front door was now locked. Thompson was then shoved to the ground where he felt the barrel of a shotgun being placed on the back of his head, where the employees told him he was going to die. While on the ground, an unknown employee then entered his front pocket and removed his Apple iPhone 6. Thompson watched as Mitchell was dragged into the rear of the store, and he heard Mitchell being battered and crying for help. Thompson continuously heard Mitchell pleading for who he was with to call the police. After approximately 10 minutes, Mitchell was again brought back to the front of the business where the employees were saying to call the police.

Audio-recorded interviews were conducted with all parties on the scene. Due to the allegations by all parties, each individual was read their Miranda warnings from a preprinted PBSO Miranda Card. At approximately 20:55 hours, an audio-recorded interview was conducted with Naomi Friedman. After reading Naomi, her constitutional protections, she invoked her right to counsel and refused to provide a statement.

While on the scene, Det. Rebholz authored a search warrant for the business located at 804 Federal Hwy, Lake Park, FL, 33403. The warrant was approved and signed by the honorable Judge J. Keyser. The warrant was executed at approximately 22:18 hours. During the search of the business, PBSO Detectives, along with PBSO crime Scene located the victims' stolen cell phones, the 12-gauge chrome colored shotgun, two blunt weapons (baton and a weighted leather impact weapon commonly referred to as a leather sap.), and the store's video DVR system.

A later review of the store's DVR system revealed the date and time to be accurate. There are several cameras angles which capture the interior and exterior of the store. The cameras are motion-activated and record when there is motion. The DVR holds several days' worth of video, and Detectives were able to retrieve and review video from days prior. The DVR system was in excellent

NARRATIVE CONTINUATION

working order. On 8/16/18, the DVR records what appears to be a normal business within the store the time the store opened until 02:40:46 pm, where the video cuts off abruptly. At that time store employee, Marc Kellener is observed walking towards the area where the DVR system is located. The DVR immediately stops recording and is believed to have been unplugged. There were no other people in the area where the DVR is located at this time. The next video files contained on the DVR start at 04:35:51 hours on 08-16-2018.

At this time, victim Gerry Thompson is seen lying on the ground next to the front door. His hands are out to his side in the surrender position. Employee Glenn Morton is seen standing near him. The victim, Duncan Mitchell, is seen seated in a chair in the rear office portion of the store. Duncan appears scared and is at times seen visibly crying. Eric Friedman is seen yelling at Mitchell. Daniel Friedman is standing next to Mitchell holding a chrome-colored shotgun. Naomi Friedman is seen placing a large sum of cash into a white envelope, then placing the envelope in a larger mailing envelope and places it into a desk drawer. Employee, Marco Pinto, is seen attempting to operate the store DVR system. At 04:36:19 hours (video time), Mitchell is seen trying to stand up. Daniel Friedman, while still holding the shotgun in his right hand, grabs Mitchell around his neck and pushes him back down into the chair with his left hand. Marco Pinto is seen watching this occur along with a store employee, Eduardo Pinto. Daniel Friedman is then seen holding Mitchell down with his left hand on top of Mitchell's neck/collar area. At 04:36:28 hours, employee Marc Kellener is seen walking into the rear office through the north doorway. He immediately turns his attention towards Mitchell and punches Mitchell in the face twice. Several employees are in the rear office at this time, along with Daniel, Eric and Naomi Friedman. Shortly after, Naomi Friedman is seen speaking with Mitchell, while Daniel Friedman is still standing over him with the shotgun in his hand. Mitchell reaches into his pocket and removes his wallet. Eric Friedman is seen angrily pointing his finger in Mitchell's face. Mitchell hands Naomi his driver's license, and she walks away. At 04:37:05 hours, Eric Friedman walks away from Mitchell, and Mitchell leans forward in his chair. Daniel Friedman immediately steps in front of Mitchell and pulls back his arm as if to strike Mitchell but does not. Each time Mitchell repositions himself within the chair, Daniel Friedman moves towards him to prevent him from moving. At 04:40:45 hours, Daniel Friedman forcefully strikes Mitchell in the left side of his head with the buttstock of the shotgun. Naomi Friedman, Eric Friedman, Marc Kellener, and Eduardo Pinto were present inside the room when this occurs.

At 04:42:04 hours, Marc Kellener is seen entering the rear office area and kicking Mitchell.

At 04:43:28 hours, Eric Friedman is seen spitting in Mitchell's face and again at 04:43:35 hours, which he wipes off with his T-Shirt.

At 04:44:27 hours, Naomi Friedman is seen carrying the business telephone, consistent with the 911 call PBSO received at 16:44 hours.

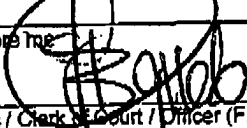
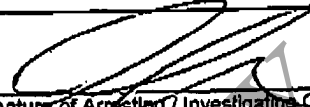
At 04:46:23 hours, Naomi Friedman is seen removing the mailing envelope containing the large sum of cash and placing it into a black purse, consistent with Mitchell's account of his money being stolen. Naomi ultimately removes the envelope from the purse and hands it to employee Marco Pinto, along with her vehicle keys. Pinto is seen walking to Naomi's vehicle with the envelope and then returning without the envelope.

At 04:48:20 hours, PBSO D/S Maduri is seen entering the rear office.

At 05:05:07 hours, Naomi Friedman is seen attempting to operate the store DVR system. Two minutes later, Eric Friedman joins her, and the two are seen operating the DVR. At 05:09:34 hours, both Marco and Eduardo Pinto enter the rear office, and Marco Pinto is seen now operating the DVR system. At 05:18:27 hours, Marco Pinto is seen operating the DVR system for PBSO deputies. Throughout the video, Eric Friedman, Daniel Friedman, Naomi Friedman and Marc Kellener are seen continually yelling at Mitchell who is seen cowering in fear and, at times, visibly crying. Additionally, Eric, Naomi, and Marco are seen attempting to operate the DVR system. Each time Marc Kellener enters the rear office, he is seen yelling at Mitchell.

NARRATIVE CONTINUATION

Based on my described investigation, the victims' statements, my observations of the store's DVR recordings which clearly show Naomi Friedman's involvement, I find Probable cause exists to charge Naomi Friedman with violation of FSS 812.13 (2)(a) Robbery with a Firearm (2 counts), FSS 787.02 (1)(a) False Imprisonment (2 counts), and FSS 918.13(1) Tampering with Evidence.

Sworn and Subscribed before me	
	
Signature Notary Public / Clerk of Court / Officer (F.S.S 117.10) Det. T Rebholz #9166	Signature of Arresting / Investigating Officer Det. J Lawless #12469
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10) 8/22/18	Name of Officer (Please Print) 8/22/18
Date	Date

NOT A CERTIFIED COPY