

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATION
OBTS Number
Agency ORI Number: FL0500000
Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE
Agency Report Number: 06-23-250152
Charge Type: 1. Felony [X] 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other
Weapon Seized/Type: 1. Yes 2. No 2
Multiple Clearance Indicator: 02
Location of Arrest (Including Name of Business):
Location of Offense (Business Name, Address): 309 Evergreen Dr. Lake Worth, FL 33461
Date of Arrest Time of Arrest Booking Date Booking Time Jail Date Jail Time Location of Vehicle

DEFENDANT
Name (Last, First, Middle): Penttila, Mark, Matthew
Alias (Name, DOB, Soc. Sec. #, Etc.):
Race: W - White 1 - American Indian W Sex: M Date of Birth: 05/28/1955 Height: 6'1" Weight: 180 Eye Color: Hazel Hair Color: Blonde Complexion: LIGHT AVERAGE Build: AVERAGE
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description):
Marital Status: Religion:
Indication of Alcohol Influence: Y N Unk. [] [] []
Indication of Drug Influence: Y N Unk. [] [] []
Local Address (Street, Apt. Number) (City) (State) (Zip): 309 Evergreen Dr. Lake Worth FL 33461 Phone (561) 540-8258
Permanent Address (Street, Apt. Number) (City) (State) (Zip): Same as Local
Business Address (Street, Apt. Number) (City) (State) (Zip):
D/L Number, State: P534-553-55-188-0 Sec. # [REDACTED] INS Number: Place of Birth: Citizenship: U.S.

CO-DEFENDANT
Co-Defendant Name (Last, First, Middle) Race Sex Date of Birth [] 1. Arrested [] 3. Felony [] 5. Juvenile
[] 2. At Large [] 4. Misdemeanor
Co-Defendant Name (Last, First, Middle) Race Sex Date of Birth [] 1. Arrested [] 3. Felony [] 5. Juvenile
[] 2. At Large [] 4. Misdemeanor

JUVENILE
Parent Name (Last) (First) (Middle) Residence Phone
Legal Custodian
Other
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/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.
[] Yes, by (Name) [] No: (Reason) School Attended Grade

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. Disperse/ M. Manufacture Z. Other Drug Type B. Barbituate H. Hallucinogen P. Possess T. Traffic E. Use Distribute Produce/ Cultivate N. N/A A. Amphetamine E. Heroin O. Opium/Deriv. M. Marijuana U. Unk. Equip. Z. Other Synthetic

CHARGE
Charge Description: Possession of Sexual Performance by a Child Counts: 10 Domestic Violence: [] Yes [X] No Statute Violation Number: 827.071(5)(a) Violation of ORD #
Drug Activity: N Drug Type: N Amount/Unit: Offense #: 23-250152 Warrant/Capias Number: Bond:
Charge Description: Counts: Domestic Violence: [] Yes [] No Statute Violation Number: Violation of ORD #
Drug Activity: N Drug Type: N Amount/Unit: Offense #: 23-250152 Warrant/Capias Number: Bond:
Charge Description: Counts: Domestic Violence: [] Yes [] No Statute Violation Number: Violation of ORD #
Drug Activity: N Drug Type: N Amount/Unit: Offense #: 23-250152 Warrant/Capias Number: Bond:
Charge Description: Counts: Domestic Violence: [] Yes [] No Statute Violation Number: Violation of ORD #
Drug Activity: N Drug Type: N Amount/Unit: Offense #: 23-250152 Warrant/Capias Number: Bond:

NOTICE TO APPEAR
Instruction No. 1: Mandatory Appearance in Court
Instruction No. 2: You need not appear in Court but must comply with instructions on reverse side.
Location (Court, Room Number, Address): Criminal Justice Complex, 3228 Gun Club Road, West Palm Beach, FL 33406 - Ph: (561) 688-4600
Court Date and Time: Month Day Year Time A.M. 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
Signature of Arresting Officer: X
Name Verification (Printed by Arrestee) (PRINT)
Name of Arresting Officer (Print): M. Wildove I.D. #: 20525
Intake Deputy: I.D. # Pouch # Transporting Officer: I.D. #: PBSO
Witness here is subject signed with an "X".
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PROBABLE CAUSE AFFIDAVIT

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

OBTS Number		3		N	
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06 - 23-250152	
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) Pentila, Mark, Matthew				Race w	Sex M
Date of Birth 05/28/1955					
Charge Description Possession of Sexual Performance by a Child		Charge Description			
Charge Description		Charge Description			
Victim's Name (Last, First, Middle) STATE OF FLORIDA				Race	Sex
Date of Birth					
Victim's Local Address (Street, Apt. Number) (City) (State) (Zip)		Phone		Address Source	
Victim's Business Address (Name, Street) (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"/> confessed to _____ admitting to the below facts.		that he/she saw the arrested person commit the below acts.			
<input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.					
On the 27 th day of January, 2024 at 2:24 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).					

Marsy's Law CVI FL. Const. Art.1 § 16(b)

NARRATIVE:

On 08/01/2023, I received National Center for Missing and Exploited Children (NCMEC) Cyber Tip Report #168335161 from the Broward County Sheriff's Office (BSO) South Florida ICAC task force. The Cybertip was reported by Microsoft BingImage in reference to one of their users who uploaded (4) files which depicted child sexual abuse material.

BingImage provided the following information:

Incident Type: Child Pornography (possession, manufacture, and distribution)

Incident Time: 07-31-2023 07:45:59 UTC

Description of Incident Time: Incident Time reflects when first image/video in the series was scanned

Peer-to-Peer Client: BingImage

IP Address: 2601:58b:b7e:2620:ccaf:b654:2f72:d98f at 07-31-2023 07:46:16 UTC

Peer to Peer Filenames: 1346bda4-2e47-41f3-8ece-b2a474fd6346.jpg

Peer-to-Peer Client: BingImage

IP Address: 2601:58b:b7e:2620:ccaf:b654:2f72:d98f at 07-31-2023 07:46:07 UTC

Peer to Peer Filenames: 065dc790-ee23-441e-bf54-45bcd0457f35.jpg

Peer-to-Peer Client: BingImage

IP Address: 2601:58b:b7e:2620:ccaf:b654:2f72:d98f at 07-31-2023 07:45:59 UTC

Peer to Peer Filenames: 6a829355-6411-476a-88c6-d34ef1939874.jpg

NARRATIVE CONTINUATION

Peer-to-Peer Client: BingImage

IP Address: 2601:58b:b7e:2620:ccaf:b654:2f72:d98f at 07-31-2023 07:46:28 UTC

Peer to Peer Filenames: ad1ce057-2a66-4097-bf2e-2c0a5acfe9b7.jpg

Suspect

IP Address: 2601:58b:b7e:2620:ccaf:b654:2f72:d98f

07-31-2023 07:46:16 UTC

IP Address: 2601:58b:b7e:2620:ccaf:b654:2f72:d98f

07-31-2023 07:46:07 UTC

IP Address: 2601:58b:b7e:2620:ccaf:b654:2f72:d98f

07-31-2023 07:45:59 UTC

IP Address: 2601:58b:b7e:2620:ccaf:b654:2f72:d98f

07-31-2023 07:46:28 UTC

Uploaded File Information

Number of uploaded files: 4

Uploaded File Information:

Filename: 1346bda4-2e47-41f3-8ece-b2a474fd6346.jpg

MD5: 3b84019b4cb54a237793e64ec2e4fb1b

Type Value Event Date/Time

IP Address 2601:58b:b7e:2620:ccaf:b654:2f72:d98f 07-31-2023 07:46:16 UTC

Uploaded File Information

Filename: 065dc790-ee23-441e-bf54-45bcd0457f35.jpg

MD5: 3b84019b4cb54a237793e64ec2e4fb1b

Type Value Event Date/Time

IP Address 2601:58b:b7e:2620:ccaf:b654:2f72:d98f 07-31-2023 07:46:07 UTC

Uploaded File Information

Filename: 6a829355-6411-476a-88c6-d34ef1939874.jpg

MD5: 3b84019b4cb54a237793e64ec2e4fb1b

Did Reporting ESP view entire contents of uploaded file? No

Type Value Event Date/Time

IP Address 2601:58b:b7e:2620:ccaf:b654:2f72:d98f 07-31-2023 07:45:59 UTC

Uploaded File Information

Filename: ad1ce057-2a66-4097-bf2e-2c0a5acfe9b7.jpg

MD5: 3b84019b4cb54a237793e64ec2e4fb1b

Type Value Event Date/Time

IP Address 2601:58b:b7e:2620:ccaf:b654:2f72:d98f 07-31-2023 07:46:28 UTC

On 08/01/2023, I reviewed the images uploaded by the suspect. The (4) images are identical and depict an identifiable white prepubescent female who is nude, she is lying on her back on top of a bed. The female's legs are being pushed

NARRATIVE CONTINUATION

back are her knees. Her thighs are pressed against her hands. The child's bare vagina is exposed; the adult make is performing oral sex on her. The child appears to be approximately 3 to 4 years of age. The male's face is not exposed but based on the size of his body in relation to the female's, it is clear he is an adult.

On 08/09/2023, a subpoena was served to Comcast Internet Services to obtain basic subscriber information for the suspect's account. On 08/23/2023, Comcast Internet Services provided the following subpoena results:

Subscriber Name: MARK PENTTIOA
Service Address: 309 EVERGREEN DR
LAKE WORTH, FL 33461
Billing Address: 309 EVERGREEN DR
LAKE WORTH, FL 33461
Telephone #: (561) 540-8258
Identified Service: Internet
Other Current Services: Voice
Account Number: [REDACTED]
Start of Service: 04/08/2020
Account Status: Active
IP Assignment: Dynamically Assigned
Private Network
IP History: See Enclosed
E-mail User Ids: Spirit8258@comcast.net

On the same date, the subscriber address was queried within the DAVID database. The database confirmed WM Mark Matthew Penttila DOB 05/28/1955 resides at 309 Evergreen Drive, Lake Worth, FL 33461.

On 12/13/2024, the Palm Beach County Sheriff's Office received a new Cybertip Report (#202250018) from the National Center for Missing and Exploited Children. Bing made the report, in reference to a user who uploaded child sexual abuse material.

Bing reported the user searched for like images of a sexually explicit image of a child on 11-11-2024 at 20:00:13 UTC hours.

Bing provided the following information:

Peer to Peer

Peer-to-Peer Client: Visual Search

IP Address: 2601:58b:b7e:2620:4945:40bf:2a3:988e at 11-11-2024 20:00:13 UTC

Peer to Peer Filenames: fecb0982-80a6-400d-b08c-0e8e3b6fde9a.jpg

Suspect

IP Address: 2601:58b:b7e:2620:4945:40bf:2a3:988e

11-11-2024 20:00:12 UTC

IP Address: 2601:58b:b7e:2620:4945:40bf:2a3:988e

11-11-2024 20:00:13 UTC

Uploaded File Information

Number of uploaded files: 2

NARRATIVE CONTINUATION

Filename: d71d2644-4600-412c-84e1-747411f17599.jpg

MD5: 0cb62312d385ce0cafeaf1ce380bba9a

IP Address 2601:58b:b7e:2620:4945:40bf:2a3:988e 11-11-2024 20:00:12 UTC

Filename: fecb0982-80a6-400d-b08c-0e8e3b6fde9a.jpg

MD5: 0cb62312d385ce0cafeaf1ce380bba9a

IP Address 2601:58b:b7e:2620:4945:40bf:2a3:988e 11-11-2024 20:00:13 UTC

Both images were reviewed. The image depicts an identifiable white female lying on her back on top of a bed. The female is wearing a red long sleeve shirt, which is pulled up to her chest; she is nude from the waist down. The female's knees are pulled back and her legs are spread apart. The female's vagina and anus are exposed. The female appears to be approximately 7 to 9 years of age. The suspect uploaded this image twice looking for similar images.

On or about December 13, 2024 a subpoena was served to Comcast Internet Services to obtain basic subscriber information for the IP address utilized by the suspect. Comcast provided the following subpoena results:

Subscriber Name: MARK PENTTIOA
Service Address: 309 EVERGREEN DR
LAKE WORTH, FL 33461-4223
Billing Address: 309 EVERGREEN DR
LAKE WORTH, FL 33461-4223
Telephone #: (561) 540-8258 (Comcast Provided)
(000) 000-0000 (Contact Number)
Identified Service: Internet
Other Current Services: Voice
Account Number: [REDACTED]
Start of Service: 04/08/2020
Account Status: Active
IP Assignment: Dynamically Assigned
Private Network
IP History: See enclosed
E-mail User Ids: Spirit8258

On 01/21/2025, Honorable Judge August Bonavita approved a residential search warrant for the target's residence located at 309 Evergreen Drive, Lake Worth 33461. On 01/24/2025, members of the PBSO SWAT team and HEAT Unit met to be briefed and review the pending execution of the search warrant. Shortly after, PBSO's SWAT team executed the search warrant. This Detective made contact with Mark Penttila outside of his residence. Penttila agreed to speak with Detective Pherson and myself in PBSO's interview van.

Prior to my interview with Penttila, he was read his Miranda rights from a preprinted Miranda rights card. Penttila verbally acknowledged he understood each right that was read to him.

Penttila is 69-years-old, he has lived at 309 Evergreen Drive in Lake Worth, for the last 7 years. He stated he lives alone and does not have any children. Penttila has been a substitute teacher for the Palm Beach County School District for the past 28 years. He primarily teaches at middle school throughout Palm Beach County as needed.

NARRATIVE CONTINUATION

Penttila provided me his phone number 561-540-8258 that is for his landline phone, he does not have a cell phone. Penttila provided his email address spirit8258@aol.com; this email address is listed as the email user ID on the Comcast account. Penttila has a Lenovo computer, which located is in his bedroom next to his bed. The password to access his computer is OWL*#660. Penttila does not own any other electronic devices. Penttila stated he uses Comcast Internet services for the internet in his residence; the account is in his name.

I asked Penttila if he watches pornography and if so what type he prefers, he stated he watches Japanese and girls. When I asked Penttila if there was pornography he found disturbing he replied, "I only watch pornography that involves girls. I'll put it to you that way." HE could not tell me the websites he visits to view pornography. When I asked what age range he prefers to view he stated "younger people" when I asked him to be more specific about the age range he stated 18 to 35.

I asked him what is his definition of child pornography, he replied, "Uhh I don't think I would be able to answer that question because I don't deal with child pornography" then stated, "It would be pornography involving children. Penttila stated he believed the age range of a child to be up to age 12. Penttila stated he uses his computer to view pornography.

At this point of the interview, I explained to him the National Center for Missing and Exploited Children received two Cybertips reported by Bing Image that indicated he had child sexual abuse material in his possession and that he uploaded the material into their search engine to locate similar images. Penttila, nodded his head and asked, "August of 23? That was a long time ago. I don't remember August of 23." I explained I received a second Cybertip report that indicated he uploaded the material to the Bing search engine on November 11, 2024. He replied, "I can't comment on that, I just search through the internet I don't put in search, I don't search child porn." When we would asked Penttila a questions he was intentionally evasive in his responses.

Penttila was shown the images he uploaded but they were sanitized. He was shown the sanitized image from the most recent from the most recent Cybertip report [REDACTED] he stated, "Geez, I don't remember anything like that. I don't think that's mine." He was then shown the image reported in Cybertip [REDACTED] from August of 2023, he looked at it for a minute, scratched his nose, smirked and stated, "Uhhh, it's possible I've seen something like that. You just click on something and an image comes up. I haven't requested anything like that." He stated, "I might of unknowingly clicked on to that site and whatever image came up" and "I don't save them or use them." I asked him when he views the images does he masturbate and then deletes the images. He replied, "I might find them, I might briefly look at them cuz I don't, they are probably a part of a larger website and you just click on something and something comes up but I don't save them or use them." When I asked him the same question again, he nervously wiped his leg with his hand and stated, "I can't tell you anything like that. I don't acknowledge anything like that."

Penttila provided an admission of guilt, "You wanted to know why I would look at something like that, it's because I am curious about it. It's just curiosity and wondering what the, uh, what's what people are doing."

When I stated to him that he actually has viewed child pornography, he replied, "I don't know that is child pornography. There's no proof to me" and "there are no labels on that." I asked, do you need a label when you see the image of the 3 to 4-year-old to know it is child pornography? He replied, "Well you haven't proven that I looked at that stuff really. I told you I don't like to look at that." Then Pentilla stated he looked at the material to see if he recognized the people in the image and to know if they were in his community.

Later Pentilla went on to say, I am interested in the problem of child pornography that is for sure. I am interested in all children's problems. You know, that's one of the things teachers do is they make themselves aware of any dangers

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in the community.” I asked Penttila, why he has not reported what he has come across on the internet, he stated, “I don’t believe that’s child pornography” and “I don’t think it enables child pornographers”.

When I refer to the first image Penttila uploaded in August of 2023, he stated, “That’s an interesting thing that they can get a girl that age to do something like that.” When I reminded him, an adult male is holding down the child, does he think she wants to do that? He replied, “Well it doesn’t look like she’s crying.”

Throughout the interview, Penttila continued to make inconsistent statements for example, he stated he did not know what the Bing search engine is but then later stated he did and used it by clicking on a URL (link). Penttila eventually admitted he might have clicked on the URL link within Bing to find similar images out of “normal curiosity that anybody has nothing abnormal about that.”

Penttila denied getting sexual gratification when viewing child pornography. When I asked him how long he has viewed child pornography, he replied, “This is only the first few years I’ve ever found anything. Probably the years you have listed there. Hmmm. It is just by accident. I don’t search it out.”

Penttila’s Lenovo desktop computer was seized and taken to PBSO’s Forensic lab for forensic examination to locate evidence of the crime. The forensic examination could not be done on scene, therefore Penttila was released for the time being.

On 01/27/2025, Sergeant L’Etoile from PBSO’s forensic unit provided me the report from the forensic examination of Penttila’s computer. Several files of child sexual abuse material were located in unallocated space within his computer. A few of the files are described below:

MD5 Hash: 0df7c8099041fab33344da85aef897d0

This is a video of a nude white pubescent female on all fours. A nude white male is behind her and inserts his penis in the female’s vagina. The female appears to be 9 to 12 years of age.

MD5 Hash: 05c5041237253d57476dc622bae7e8a0

This is an image of a prepubescent white child performing oral sex on an adult male. I cannot clearly identify if the child is a male or a female. The child appears to be 4 to 5 years of age.

MD5 Hash: 29c3caebbe588058c450246ea993b928

This is an image of a prepubescent nude white female who is squatting on the ground. A dog is licking her vagina. The child appears to be approximately 5 to 7 years of age.

MD5 Hash: 8fee17c977f3eac7b82fca5bafef9ef7

This is an image of a white nude adult male lying on her back. A nude white prepubescent female is on top of the male in the sexual position known as (69). The male is performing oral sex on the female and the female is performing oral sex on the adult male. The female appears to be approximately 4 to 6 years of age.

MD5 Hash: 80d7975ec39073be1d1223eef1b2e18b

This is a picture of a pubescent white female performing oral sex on a male. The female appears to be approximately 12 to 13 years of age.

MD5 Hash: 2db6f0535573607b9773171fe144f5fc

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This is an image of a prepubescent white female who is nude and is lying on her back. The female's legs are spread apart and her knees are pulled back. The camera is focus on her vagina and anus. The female appears to be 3 to 4 years of age.

MD5 Hash: e99ddda8942a8433cfe5376dd0b2c575

This is an image of a nude white pubescent female lying on her back on top of a bed. The female's top is pulled up to expose her chest. The female is nude from the waist down and her legs are spread apart, her vagina is exposed. The female is wearing knee high stockings. An adult male is standing next to the bed and has his fingers touching his mouth. The female appears to be approximately 9 to 11 years of age.

MD5 Hash: 066390c830c6ad8ca1fd9aa19784f4b7

This is an image of a prepubescent white female performing oral sex on an adult male. The female appears to be approximately 7 to 9 years of age.

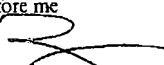
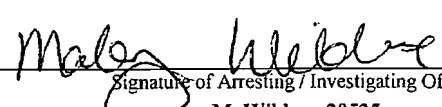
MD5 Hash: 5928b79961572aa758ae2db104c18947

This is an image of a nude prepubescent white female who is straddling an adult male's erect penis. The male is lying on his back on top of a couch. The female appears to be 4 to 5 years of age.

MD5 Hash: 3005491c444dbb1748d7d77b7a5fd31d

This is an image of an adult male attempting to force his erect penis into a nude prepubescent female's vagina. The female appears to be approximately 2 to 3 years of age based on the size of her body in relation to the adult male's penis.

Based on my investigation, the suspect did knowingly possess (10) files of sexual performance by a child in violation of Florida State Statute 827.071(5)(a)

Sworn and Subscribed before me	
	
Signature Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Signature of Arresting / Investigating Officer
<u>Lat J. Lopez 95820</u>	<u>M. Wildove 20525</u>
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Name of Officer (Please Print)
<u>01/27/2025</u>	<u>01/27/2025</u>
Date	Date