

Crestview Police Department
Incident Report

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01/27/2010

Incident #: 09-3169-OF
Call #: 09-78875

Date/Time Reported: 12/17/2009 2020
Report Date/Time: 12/18/2009 0007
Status: Incident Closed By Arrest
Reporting Officer: Patrol WAYNE NEIDIG
Approving Officer: Sergeant RAYMOND HARP

Signature: _____
Additional Cases: 10-57-AR

Signature: _____

#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
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1 MAGADIA, AEZA MARI

Military Active Duty: Y
DOB:
STATE ID:
LICENSE NUMBER:

PLACE OF BIRTH: NOT AVAIL.
FBI ID:
ETHNICITY:

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Residence/Home/Apt./Condo Zone: ZONE 4
402 PLATE DR
CRESTVIEW FL 32536

1 CONSERVATION-ANIMALS-TORMENT DEPRIVE MUTILATE KILL N Misdemeanor
6201 828.12 1
OCCURRED: 12/17/2009 2020

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1 "ROSCO"

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1 CHISM, COREY A OTHER

DOB:

2 CARR, ROBERT OTHER NOT AVAIL

DOB:

EMPLOYER:

3 DUNHAM, DARREN OTHER NOT AVAIL

DOB: NOT AVAIL

EMPLOYER:.

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#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
4	OREZZOLI, RENZO	OTHER				NOT AVAIL	
	DOB: NOT AVAIL						
5	KIICK, TSGT.	OTHER				NOT AVAIL	
	DOB: NOT AVAIL						
	EMPLOYER:						
#	OTHER PROPERTIES	PROPERTY #	STATUS				
1	CD CONTAINING PHOTOGRAPHS	09-3374-PR	Evidence (Not Nibrs Reportable)				
	QUANTITY: 1	VALUE: \$0.50					
	SERIAL #: NOT AVAIL						
	DATE: 12/18/2009						

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NARRATIVE FOR PATROL WAYNE NEIDIG

Ref: 09-3169-OF

Entered: 12/18/2009 @ 0014 Entry ID: GWN
Modified: 12/22/2009 @ 0316 Modified ID: RCH
Approved: 12/18/2009 @ 0438 Approval ID: RCH

OFFENSE/INCIDENT REPORT

RESPONSE

On 12-17-2009 I was dispatched to 402 Plate Drive in regards to an alarm call. Dispatch advised the alarm was to the front door of the residence.

OBSERVATION

Upon my arrival there were not any vehicles parked in the driveway of the residence or on the street in front of the residence. I approached the front door and saw the door was slightly ajar. There were not any signs of forced entry. I could not hear any movement from inside of the residence. There were bags of trash on the ground near the front door. The bags had food in them and appeared to have been torn open by an animal. While checking the interior of the house, Sgt. Harp found a dog in the garage. The dog was severely malnourished, and emaciated. All of its bones were showing through its skin. The garage floor was covered in dog feces. There were two empty bags of dog food on the floor. There was not any food or water in the garage for the dog.

NARRATIVE

While Sgt. Harp was attempting to locate a contact phone number for Magadia inside of her house, I contacted one of her neighbors (Chism) at 404 Plate Drive. Chism stated he saw Magadia's vehicle in her driveway today at approximately 1700 hours. Chism stated he seldom sees Magadia or her vehicle at her house. Chism stated he did not know Magadia had a dog.

Sgt. Harp was able to eventually make contact with Magadia by phone. Sgt. Harp advised she would be enroute to the residence. Magadia arrived a short time later. I read Magadia her Miranda Rights from a Rights Form. Magadia signed stating she understood her rights and wished to waive them.

Magadia stated this past June she saw an ad on Craigs List for a free dog. She drove to Destin and meet a female by the name of Trudy. Trudy had a male boxer dog she was giving away for free. Magadia had not made up her mind, when Trudy just handed her the dog and left. Magadia took the dog home at that time. The dog was approximately 1 year old and appeared to be healthy at that time. Magadia stated her daughter was staying with her at that time, and the dog would sometimes growl at her daughter. The dog was pretty hyper, and would chew on the corners of the cabinets. Magadia was afraid the dog might hurt her daughter, so she started putting the dog in the garage.

Magadia stated in November, her daughter left to go live with her ex- husband. She decided to leave the dog in the garage, as she was not home most of the day. Magadia stated when she would open the door to the garage, the dog would growl at her. She became afraid of the dog and when she would feed the dog, she would just open the door and throw the food on the floor. Magadia stated she last bought dog food in October, and began feeding him left overs from when she would eat. She would open the door and throw the food on the floor. Magadia stated she would fill a bowl with water and leave it on the floor. Magadia stated she is active duty military and works at Eglin AFB. Magadia stated she would often stay the night at a friends house closer to the base. Magadia stated she would sometimes not come home for a day, but thought the dog had enough food and water until she would be able to come home. Magadia stated once her daughter left in November she thought she might be able to care for the dog better. Magadia stated she noticed the dog was getting skinnier but thought he was ok.

Magadia stated she also had another dog when she first brought the Boxer dog home. That dog, a Yorkie was pregnant and had puppies. Magadia stated she originally thought there were 4 puppies, but was not sure of the number. All of the dogs were being kept in the garage. A few days later after the puppies were born, she opened the garage door and saw a fur ball. She thought it was one of the puppies that was dead, and closed the garage door. Magadia stated she didn't do anything about it and a few days later went into the garage and

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the fur ball was gone. Magadia stated she didn't know what happened to it. Magadia stated she gave her smaller dog and the puppies away, but decided to keep the boxer.

ACTION TAKEN

Officers made entry into the house to check for any residents in distress or any possible suspects. No residents or suspects were located.

I contacted a neighbor (Chism) at 404 Plate Drive to see if he could provide any information in regards to Magadia.

Sgt. Harp located a work phone number for the resident (Magadia, Aeza) on a work roster that was lying on the kitchen counter, and attempted to contact her by phone. Magadia did not answer his phone call. Sgt. Harp then located a work phone number for Magadia and contacted her supervisor. Her supervisor contacted her and told her she needed to respond to her residence to talk to the police. Magadia arrived at the residence at approximately 2202 hours.

Photographs were taken of the dog and of the exterior and interior of the residence. Animal control responded to the resident and took possession of the dog.

I advised Magadia of her Miranda Rights per the Statement of Rights form. Magadia stated she understood them and signed the form. Magadia completed and signed the voluntary statement.

I completed a warrant request to be forwarded to the States Attorney's Office for review.

MISCELLANEOUS

N/A

MODUS OPERANDI

The suspect (Magadia) violated F.S. 828.12 (1), cruelty to animals. This violation did occur within the city limits of Crestview Florida.

PROPERTY

CD with photographs of the dog and of the residence.

ARRESTED

N/A

CASE STATUS

This case is open. Forward to the States Attorneys office for review.

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SUPPLEMENTAL NARRATIVE FOR PATROL PIERRE M BATISTE

Ref: 09-3169-OF

Entered: 01/15/2010 @ 2156 Entry ID: PMB
Modified: 01/18/2010 @ 0327 Modified ID: PMB

SUPPLEMENTAL NARRATIVE

On 01/15/10 I received information from the Crestview Police Department warrants list that Aeza M. Magadia held an active arrest warrant for cruelty to animals 09-323-WA. I went to 402 Plate Drive in attempt to locate Aeza M. Magadia. Upon arrival contact was made with an Asian female at the front door. I asked the Asian female what her name was and she stated, Aeza M. Magadia. I then asked to a form of identification and she provided me with a Florida driver's license and a military identification card which both read Aeza M. Magadia. I advised Magadia of the possible warrant and provided her information to dispatch.

Shortly after dispatch advised me Magadia held an active warrant in hand for cruelty to animals. Magadia was then arrested and searched incident to arrest by Officer Barnett. Magadia was then secured in the rear of Officer Barnett's patrol vehicle. Magadia was transported to the Okaloosa County Jail without further incident. As Officer Barnett transported Magadia to the County Jail I retrieved the arrest warrant from the Crestview Police Dispatch Center. Upon retrieving the warrant packet I noticed there was a CD-R attached with case number 09-3169-OF written on it. The CD-R was entered into evidence 09-3374-PR.

Upon arriving at the Okaloosa County Jail contact was made with OCSO D/S Ginny Johnson who signed of on the arrest warrant.

This concludes my involvement in this case.

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SUPPLEMENTAL NARRATIVE FOR PATROL WANDA H HULION

Ref: 09-3169-OF

Entered: 12/18/2009 @ 0247 Entry ID: WHH
Modified: 12/22/2009 @ 0309 Modified ID: RCH
Approved: 12/18/2009 @ 0438 Approval ID: RCH

SUPPLEMENTAL NARRATIVE

On 12-17-09 I responded to 402 Plate Drive to assist Officer Neidig with a call for service for an alarm to a residence. Upon my arrival, Officer Neidig was on scene and found the front door of the residence open. Sergeant Harp arrived on scene and assisted Officer Neidig with clearing the residence. Officer Neidig and Sergeant Harp did not find anyone inside the residence, however, they found a dog in the garage of the home. Sergeant Harp requested dispatch make contact with Animal Control and requested I retrieve the camera from my patrol car. I provided the camera to Sergeant Harp, who began taking photos of the dog and the residence.

I entered the residence and observed a light brown, large dog inside the garage of the residence. It was immediately apparent the dog had not been taken care of. The dog was very emaciated, you could see all of the dog's bones under its skin. There was a large amount of dog feces all over the garage floor. There were three(3) empty dog food bags scattered around the floor, but there was no food. There was also no water in the garage for the dog to drink. There was a small dog kennel located in the area, but it was too small for this dog. There was a small dog bed next to the kennel which the dog was lying on, but this was also too small for the dog. The stench in the garage was very strong. I did not find any dog food anywhere in the residence.

I took further photos of the residence. I observed a garbage bag on the front porch, which appeared to have been torn open by an animal. There was miscellaneous food on the porch which had been in the garbage bag. I observed a dog bed in the corner of the living room which did not appear to have been used. A garbage container in the garage contained empty dog food bags and a brown dog bed.

I spoke with Renzo Orezzaoli, who resides at 401 Plate Drive, directly across the street from the residence in question. Renzo said he saw the resident's vehicle in the driveway of the home at approximately 0615 hours, as he left for work.

Robert Carr, an employee of Animal Control, arrived on scene. Robert provided some dog food to the dog and the dog ate the food quickly. Sergeant Harp provided the dog with some fresh water also. Robert took possession of the dog.

Sergeant Harp made contact with the resident by phone and she advised she would be enroute to the home from Fort Walton Beach, Florida. When the resident arrived, Officer Neidig spoke with her.

I placed the photos which were taken on scene onto a disc and provided the disc to Officer Neidig.

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SUPPLEMENTAL NARRATIVE FOR SERGEANT RAYMOND C HARP

Ref: 09-3169-OF

Entered: 12/18/2009 @ 0123 Entry ID: RCH
Modified: 12/22/2009 @ 0334 Modified ID: GWN
Approved: 12/18/2009 @ 0438 Approval ID: RCH

SUPPLEMENTAL NARRATIVE

On December 17, 2009, Officer Neidig was dispatched to 402 Plate Drive reference to a Burglary Alarm to a residence. The alarm indicated front door burglary. I responded to assist Officer Neidig. Upon arrival I noted a cigarette lighter from a vehicle lying in the driveway. I also noted what I first thought was a grocery bag on the front porch. I later realized it was a garbage bag and it appeared an animal had torn the bag open. I could see what appeared to be several toaster waffles and miscellaneous garbage had been in the bag. I noted there was fast food containers as well in that garbage.

Officer Neidig stated the front door was ajar. I had Officer Hulton who was on scene check the rear of the residence. Officer Hulton indicated the rear of the residence was secure. Officer Neidig and I cleared the residence. I opened the door to the garage and noted what appeared to be a tan colored Boxer dog in the garage. I noted the dog appeared to be under nourished and there was a substantial amount of feces covering the floor of the garage. I closed the door and finished clearing the residence. While clearing the residence it appeared that may not of been using the residence full time.

Once the residence was secured and we verified that there was no one in the residence, I returned to check on the dog. I opened the door and verified what I had originally observed. I noted a tan Boxer dog that appeared to be extremely under nourished. I could see all the ribs, hip, back bone through the skin. The dog growled initially, but I spoke to the dog and he came directly over to me and was very friendly. I noted there were several bowls in the garage which may have been used for food and water. All of the bowls were dry and empty. I noted approximately three empty bags of dog food lying around the garage. There was no food or water sources for the dog. There was a smaller crate and pillow and a small dog bed. The floor was spotted with a lot of dog feces. I noted the dog feces was in numerous stages of decay. The actual concrete floor appeared to be stained from urine and feces. The smell was very powerful and pungent. Officer Hulton and I took photos of the residence and the dog. I noted human food in the refrigerator and pantry but did not note any dog food. I also noted a plan for a "Christmas Diner," lying on the dining room table, which stated "Glazed Ham" and "Baked Salmon."

I called dispatch and had them contact animal control to come and take custody of the dog. I then had them attempt contact with the resident. Dispatch advised they were unable to make contact. I had noted mail in the residence for an Aeza Magadia. I found what appeared to be a recall roster for her duty section on the counter with phone number for a Sra. Magadia. I attempted contact and received no answer. I contacted my supervisor, Lt. Schneider, and advised him of the situation. I advised him there was a phone number for a Tsgt. Kiick on the roster above Sra. Magadia's name. Lt. Schneider advised to attempt and contact the Tsgt.

I called Tsgt. Kiick and advised him of the situation. I advised him I needed to get in touch with Sra. Magadia in reference to the dog and to also verify her well being. Tsgt. Kiick gave me a phone number for Sra. Magadia. I advised him that was the same number I had already tried. Tsgt. Kiick then advised me he had a phone number for her First Sgt., Msgr. Dunham. Tsgt. Kiick advised Msgr. Dunham would know how to get in touch with her and she would answer his phone call. I called Msgr. Darren Dunham and gave him a synopsis of the situation. Msgr. Dunham stated he would call Sra. Magadia and then call me back. Msgr. Dunham called me back and advised he had made contact with Sra. Magadia and she would answer my phone call this time. Msgr. Dunham stated she had basically admitted to him that she had not been caring for the dog as she should have. Msgr. Dunham stated he believed she was in Ft. Walton Beach when he was speaking to her.

I called the number for Sra. Magadia and made contact with her. Sra. Magadia asked me what I wanted her to do. I advised her I needed to speak with her and she could make contact with me at her residence. Sra. Magadia advised she would be enroute. I advised Officer Neidig that it was his case and he could get a post miranda statement from Sra. Magadia.

Crestview Police Department**Page: 2****SUPPLEMENTAL NARRATIVE FOR SERGEANT RAYMOND C HARP****Ref: 09-3169-OF**

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Animal Control Officer Robert Carr, arrived and took possession of the dog. Robert Carr then transported the dog to Animal Control while we waited for Sra. Magadia to return. Robert Carr returned before Sra. Magadia arrived at the residence. Officer Hulion advised me the neighbors did not know she had a Boxer Dog. Officer Hulion said they had only seen a small dog. I relayed the information to Robert Carr. Robert advised we should find out where the other dog is located. I had noted a leash and collar for a small dog outside in the driveway. I also noted feces which appeared to be from a small dog inside the garage. I did not see any other evidence of a small dog.

Sra. Magadia arrived. I identified myself as well as the others present. I explained to her why we were originally at the residence. I also explained how we found the dog. I advised Sra. Magadia that Officer Neidig would need to speak with her reference the dog. Officer Neidig read Sra. Magadia her miranda rights from a rights form. Sra. Magadia acknowledged understanding her rights and signed saying she wished to speak with us. Sra. Magadia admitted to having the dog for approximately six months. Sra. Magadia said the dog was "hyper" and his temperament was unpredictable around her daughter. Sra. Magadia said her daughter had left around November 20, 2009, to stay in California. Sra. Magadia stated she would give the dog her scraps. Sra. Magadia pointed to an open loaf of bread on the counter and said the dog had ate the bread. I asked Sra. Magadia when was the last time she bought "Dog Food" for the dog. Sra. Magadia stated, "A while." Officer Neidig asked her when was the last time the garage was cleaned. Sra. Magadia stated, "At least two months ago." Sra. Magadia stated her "Yorkie" had given birth to four puppies. Sra. Magadia stated she opened the garage door one day and noted a "Fur Ball" and thought something may have happened to one of the puppies. Sra. Magadia stated when the dog did not come when she opened the door after that she knew something had happened to the dog. Sra. Magadia was asked what she did with the dead puppy. Sra. Magadia said she did not know what happened to it but it is not in the garage anymore. I did note several pieces of dog feces that appeared to have long fur in them.

I spoke with Lt. Schneider again. I advised him that based on the condition of the dog it would be impossible to not know it was not normal and was starving to death. I also advised him that the living condition with the amount of feces on the floor and no drainage for the urine and a lack of wholesome food and water should be enough for animal cruelty. I informed Lt. Schneider of her leaving the dead puppy in the garage, not disposing of it properly, and the Boxer possibly may have eaten the remains. Lt. Schneider advised to do a warrant for Sra. Magadia for animal cruelty. I advised Officer Neidig of the plan to do a warrant. I left the scene at that time.