

REQUEST CAPIAS

CASE INFORMATION	CIRCUIT 18TH JUDICIAL CIRCUIT		REPORTING AGENCY MELBOURNE POLICE DEPARTMENT				REPORT DATE 10/21/2021		
	REPORTING AGENCY ORI # FL0050700		ARRESTING AGENCY ORI # FL0050700		SUBMITTING AGENCY ORI # FL0050700		BOOKING AGENCY ORI # FL0050700		
	AGENCY CASE # MP210038034		ARREST # OR COURT CASE #		JUVENILE? NO	TYPE OF ARREST			
	OBTS #		EVIDENCE CONFISCATED			EVIDENCE CONFISCATED DESCRIPTION			
	<input checked="" type="checkbox"/> 1. FELONY <input type="checkbox"/> 2. TRAFFIC FELONY <input type="checkbox"/> 3. MISDEMEANOR <input type="checkbox"/> 4. TRAFFIC MISDEMEANOR <input type="checkbox"/> 5. ORDINANCE <input type="checkbox"/> 6. OTHER/CAPIAS								
LOCATION OF ARREST	ARREST		BOOKING			JAIL			
	DATE		DATE		DATE		DATE		
	TIME		TIME		TIME		TIME		
LOCATION OF OFFENSE	AT BUSINESS? YES		COMPANY NAME HRMC CENTER FOR CHILD DEVELOPMENT						
	STREET # 611	PRE DIRECTION EAST	STREET NAME SHERIDAN			POST DIRECTION	STREET CATEGORY CODE ROAD	APT/UNIT #	
	CITY MELBOURNE		STATE FL	ZIP 32901	AT LATITUDE		AND LONGITUDE		
ARRESTEE	PERSON # 1	COARRESTEE STATUS	JUVENILE? NO	PARENTS CONTACTED?	RELATIONSHIP TO SUBJECT			NTA ? NO	
	BUSINESS/GOVERNMENT NAME				VICTIM TO SUBJECT RELATIONSHIP				
	FIRST NAME JAYMIE		MIDDLE NAME SANTACROCE		LAST NAME GAUCHER		SUFFIX	DATE OF BIRTH 3/13/1970	AGE 51
	GENDER F	HEIGHT 5'08"	RACE W	ETHNICITY UNKNOWN		ALIAS / MAIDEN		ALT NAME DESC.	COMPLEXION FAIR
	BUILD HEAVY		WEIGHT 200 LBS	EYE COLOR BRO	HAIR COLOR BRO	PHYSICAL FEATURE			
SCARS/MARKS/TATOOS (LOCATION / DESCRIBE) NOT KNOWN									
DUT INDICATOR NONE		SPEAKS ENGLISH? YES	THREAT? NO	PROBATION? NO	GANG AFF? NO	SEX OFFENDER? NO	MENTAL HEALTH NO	HOMELESS? NO	
IDENTIFICATION									
DRIVER LICENSE # G260437705930			DL STATE FL	DL CLASS E	PLACE OF BIRTH NY	COUNTRY OF CITIZENSHIP US			
SOC. SEC. # [REDACTED]		INS #	FBI #	FCIC/NCIC #	BOOKING #	SPN #	DOC #	OTHER ID #	
PERMANENT ADDRESS									
STREET # 4995		STREET NAME APOLLO				STREET CATEGORY CODE AVENUE	APT/UNIT #		
CITY ST. CLOUD			STATE FL	ZIP CODE 34773	ADDRESS SOURCE DL				
PERSON RESIDENCE CODE RESIDENT				PHONE #		E-MAIL			

MARSY'S LAW	Did the victim, or the victim's family, request that their personal information remain confidential pursuant to Article 1 section 16 of the Florida Constitution?	Was the victim notified of the right to be informed, to be present, and to be heard when relevant, at all crucial stages of criminal proceedings, to the extent that these rights do not interfere with the constitutional rights of the accused?	Does the victim wish to be notified if an arrest has been made?	Does the victim wish to be notified if the defendant is released?

CHARGE INFORMATION	CHARGE #	VICTIM PERSON #	OFFENSE START DATE	OFFENSE END DATE	INCIDENT START DATE	INCIDENT END DATE
	1	2	06/02/2021	06/02/2021	06/02/2021	06/02/2021
	JUVENILE REFERRAL					
	CHARGE TYPE	CHARGE SEVERITY	ORDINANCE #	STATE STATUTE		
FSS	FELONY		39.205(1)			
STATUTE DESCRIPTION					COUNTS	INCREASED PENALTY
FAIL TO REPORT KNOWN OR SUSPECTED CHILD ABUSE					1	39.205(1)
DRUG ACTIVITY	DRUG TYPE	DRUG AMOUNT	BAIL BOND TYPE	BOND DATE	BOND AMOUNT	WARRANT #
N/A						

VICTIM STATE OF FLORIDA	PERSON #	COARRESTEE STATUS	JUVENILE?	PARENTS CONTACTED?	RELATIONSHIP TO SUBJECT	NTA ?	
	2						
	BUSINESS/GOVERNMENT NAME			VICTIM TO SUBJECT RELATIONSHIP			
	STATE OF FLORIDA						
	FIRST NAME	MIDDLE NAME	LAST NAME		SUFFIX	DATE OF BIRTH	AGE
	GENDER	HEIGHT	RACE	ETHNICITY	ALIAS / MAIDEN	ALT NAME DESC.	COMPLEXION
	BUILD	WEIGHT	EYE COLOR	HAIR COLOR	PHYSICAL FEATURE		
SCARS/MARKS/TATOOS (LOCATION / DESCRIBE)							
DUI INDICATOR	SPEAKS ENGLISH?	THREAT?	PROBATION?	GANG AFF?	SEX OFFENDER?	MENTAL HEALTH	HOMELESS?
IDENTIFICATION							
DRIVER LICENSE #		DL STATE	DL CLASS	PLACE OF BIRTH	COUNTRY OF CITIZENSHIP		
SOC. SEC. #	INS #	FBI #	FCIC/NCIC #	BOOKING #	SPN #	DOC #	OTHER ID #
PERMANENT ADDRESS							
STREET #		STREET NAME			STREET CATEGORY CODE	APT/UNIT #	
CITY		STATE	ZIP CODE	ADDRESS SOURCE			
PERSON RESIDENCE CODE			PHONE #	E-MAIL			

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ENFORCEMENT OFFICIAL	FIRST NAME	LAST NAME	BADGE #	RANK	SIGNATURE METHOD
	JASON	MCKINNEY	2946	DETECTIVE	
I SWEAR/AFFIRM THE ABOVE ATTACHED STATEMENTS ARE TRUE AND CORRECT ON			OFFICER SIGNATURE		
10-21-21 at 16:00 H					

AFFIRMING OFFICIAL	AFFIRMING OFFICIAL NAME	BADGE #	AFFIRMING AGENCY ORI #	SIGNATURE METHOD	AFFIRMING OFFICIAL SIGNATURE
	Sgt. Evan Wenz #2924	2924	FL0050700		Sgt. Evan Wenz #2924
SUBSCRIBED AND AFFIRMED TO BEFORE ME ON 10/21/21 AT 16:00 H BY JASON MCKINNEY					
WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION. <input checked="" type="checkbox"/> LEO/CO (FSS 117.10)					

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named defendant committed the following violation of law:

On 06/02/2021, at 12:00 (Specifically include facts constituting cause for arrest.)

On 8/3/2021, I, DETECTIVE JASON MCKINNEY #2946, was assigned this case for investigation by DETECTIVE SERGEANT EVAN WELLS #2924. This case was brought to the attention of the MELBOURNE POLICE DEPARTMENT by ASSISTANT STATE ATTORNEY JULIA LYNCH.

On 6/11/2021, the WEST MELBOURNE POLICE DEPARTMENT initiated an investigation into the death of [REDACTED] a child (see WMPD case number: 202100022330; lead investigator DETECTIVE ADAM CAMPOS). On 6/14/2021, the FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES was brought into the investigation by WMPD. DCF CHILD PROTECTIVE INVESTIGATOR JAMI FARRISH (then JAMI WHITE) was assigned by DCF to work alongside WMPD.

In the same time frame, DCF became aware [REDACTED] attended his daycare on 6/2/2021. The daycare was HEALTH FIRST CENTER FOR CHILD DEVELOPMENT (611 E. SHERIDAN RD, MELBOURNE, FLORIDA). This portion of the DCF investigation revealed [REDACTED] had been observed with multiple bruises on his head and face, including an abrasion on one ear, by staff at the daycare; no reports of suspected child abuse were ever received between 6/2/2021 and 6/11/2021, the date of [REDACTED] death.

My contacts with DCF for the investigation were:

- 1. TIMOTHY SHANE DEBOARD, regional counsel for DCF.
- 2. JAMI FARRISH, CPI assigned to investigating egregious child injuries, including deaths.
- 3. THOMAS LOVELAND, program manager (at the time) for JAMI FARRISH'S region
- 4. BRENDA BENNS, records technician, dispenses cases to CPIs for assignment
- 5. TIFFANY ORNDOFF, CPI supervisor under LOVELAND.

Suspects in the investigation were:

- 1. DALLAS JASPER, CPI (at the time), present at daycare on 6/2/2021.
- 2. JAYMIE GAUCHER, director of daycare, approached JASPER on 6/2/2021.
- 3. ELIZABETH FOWLER, lead teacher at daycare, first to see [REDACTED] on 6/2/2021.
- 4. KRISTAL SAMUEL, teacher at daycare, observed [REDACTED] with GAUCHER on 6/2/2021.

PROBABLE CAUSE STATEMENT

P.C. Exists for Charge(s): YES NO

Judge's Signature Date

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. SIGNING THIS NOTICE TO APPEAR IS NOT AN ADMISSION OF GUILT. YOUR SIGNATURE ACKNOWLEDGES RECEIPT OF THE INFORMATION LISTED HEREON.

DEFENDANT/JUVENILE SIGNATURE

PARENT/GUARDIAN SIGNATURE

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named defendant committed the following violation of law:

On 06/02/2021, at 12:00 (Specifically include facts constituting cause for arrest.)

Based on the original information provided to me, my investigation sought to discover if criminal wrongdoing, to wit: FAILURE TO REPORT SUSPECTED CHILD ABUSE, had occurred, contrary to CHAPTER 39.205(1) FLORIDA STATUTES. The investigation found probable cause to believe the above-named suspects did act in violation of CH. 39.205(1), FLORIDA STATUTES. Probable cause was established in evidence and sworn statements, to wit:

On 6/2/2021, [redacted] was brought to the daycare at 0653 hours (6:53 AM) by [redacted] Lead teacher ELIZABETH FOWLER (as explained in a typed statement by FOWLER, provided to me via FARRISH) received [redacted] from [redacted] that morning and initially observed "yellow in color" bruises on [redacted] forehead, left temple, ear, and jawline. She described the top of [redacted] left ear at red and scabbed.

[redacted] removed [redacted] mask (COVID-19 preventive-type) and FOWLER observed the bruising on [redacted] forehead extended down to the bridge of his nose. FOWLER observed additional bruising on his right cheek. FOWLER described a "very large yellowish green bruise as well as a scrape that has scabbed" on [redacted] right jawline. A faint scratch was stated as being on [redacted] nose, too.

[redacted] told FOWLER the injuries on [redacted] face, head, and ear were the result of a duck attacking him while they were at a lake (later known to be the lake on the property of GRAND OAKS AT THE LAKE apartment complex; 325 LAGO CIRCLE, WEST MELBOURNE, FLORIDA). The injury to [redacted] left ear was stated to be from the duck biting him.

[redacted] told FOWLER later in the day he was bitten on the ear by the duck and pushed into the water. Then, [redacted] provided FOWLER another version, stating he was wearing a floaty (presumably a swimming flotation device) in the lake and he fell in the water. [redacted] told FOWLER the scratch on his nose was from the duck's nails. FOWLER did not provide clarification in her statement to DCF why [redacted] stated distinctly he was both in the lake and also fell in the lake in the same phrase.

The typed statement was concluded: "Elizabeth Fowler, Elizabeth.Fowler@hf.org, Lead Teacher; Center for Child Development."

From 6/2/2021 through 6/11/2021, the day of [redacted] death, FOWLER did not initiate any report of suspected child abuse via the DCF hotline. FOWLER was a mandated reporter.

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During the business hours of the daycare on 6/2/2021, daycare director JAYMIE GAUCHER came to know of the injuries visible in [REDACTED]. According to FARRISH, nine digital images of [REDACTED] injuries were taken by GAUCHER (provided to me by DEBOARD and submitted as evidence via Evidence.com). GAUCHER, according to FARRISH'S case notes provided to me by DEBOARD, spoke with [REDACTED] privately in the presence of another teacher, KRISTAL SAMUEL, in GAUCHER'S office.

GAUCHER gave [REDACTED] a beverage and a snack and inquired with him about the nature and origin of his face, head, and ear trauma. In FARRISH'S case notes for 6/14/2021, the day FARRISH interviewed GAUCHER, GAUCHER is stated as saying (paraphrased, full case notes available in my case file):

[REDACTED] stated he was outside with [REDACTED] and JOSH (later known to be JOSHUA MANNS) cooking out by the pond when a duck attacked him. [REDACTED] stated he then rolled down a hill into the pond and MANNS pulled him out of the water. [REDACTED] later altered his story and stated [REDACTED] pulled him out of the water, with the other details remaining the same.

It is notable [REDACTED] is not reported by GAUCHER as having mentioned being in his floaty in the water, nor being bitten or scratched by the duck as originally stated to FOWLER by [REDACTED]

In FARRISH'S notes, she reports SAMUEL was the employee who spoke with [REDACTED] at the end of the day when she came to pick up [REDACTED]. [REDACTED] is stated to have "confirmed" the duck attack story to SAMUEL. SAMUEL did not explain to FARRISH how [REDACTED] confirmed the story, nor what version of the story SAMUEL was told.

GAUCHER explained to FARRISH a DCF CPI was present at the daycare on 6/2/2021: DALLAS JASPER. JASPER was at the daycare for an unrelated matter (per DEBOARD, she was at the daycare at approximately noon, 6/2/2021). GAUCHER stated to FARRISH she showed JASPER the images and told her the duck attack story. According to GAUCHER, she asked JASPER if she should make a report to DCF. JASPER is alleged to have told GAUCHER if the child's and [REDACTED] story regarding the injuries were consistent with one-another, there was not much DCF could do.

It is notable GAUCHER did not specify to FARRISH if JASPER told her yes or no regarding making a report to the DCF hotline. Instead, GAUCHER only provided FARRISH the dismissive answer given by JASPER.

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Speaking to BENNS on 8/18/2021, I learned JASPER had come to BENNS about what she heard from GAUCHER at the daycare. JASPER had occasion to speak with BENNS the same day (6/2/2021) when she returned to the office. BENNS explained her role as a records technician is to assign cases to CPIs when the Hotline disseminates cases to the Palm Bay, FL office. BENNS does not know details of the cases.

JASPER approached BENNS and stated there might be a case coming in from the daycare about a child being bitten by a duck. JASPER wanted to know which CPI was assigned the case when it came in so she could speak to the assigned CPI.

BENNS stated if a report of suspected abuse had been reported by the daycare, the case would have come to her for assignment to a CPI. BENNS stated she did not receive any reports of suspected child abuse from or about the daycare from 6/2/2021 through 6/11/2021.

BENNS provided a short typed statement to LOVELAND via email. The email was provided to me by DEBOARD and it was placed in my case file.

JASPER'S actions at the daycare on 6/2/2021 were investigated internally by DCF via LOVELAND and ORNOFF, initially. A typed synopsis of their interview with JASPER was provided to me by DEBOARD.

LOVELAND and ORNOFF held a conversation with JASPER on 6/15/2021 at approximately 4:00 PM, per the narrative. In the synopsis, JASPER is said to have been "fully aware of the purpose of the meeting." BENNS had told JASPER in the hours preceding the meeting [REDACTED] death was being investigated by the DCF CAC unit (Child Advocacy Center). JASPER was made aware their meeting was reference her presence at the daycare on 6/2/2021.

JASPER was shown the nine digital images of [REDACTED] during the conversation with LOVELAND and ORNOFF and confirmed they were the same images she had seen on 6/2/2021 via GAUCHER. Per LOVELAND, in the narrative, the daycare had made allegations JASPER advised them DCF would not take action due to an animal attack not being neglect or abuse. JASPER'S explanation of that statement was she had only seen the first image of the scratch on [REDACTED] nose when she said it.

JASPER stated further to LOVELAND and ORNOFF she viewed the remaining eight images and explained to GAUCHER a report needed to be made if one had not already been done.

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JASPER contacted her supervisor, NAKEETA JENKINS, to give her an update on her assigned case for that day and during the same conversation told JENKINS, "the director will be calling in an intake on another child at the daycare because he was allegedly bit by a duck." However, JASPER did not explain to JENKINS she had seen images of [REDACTED] injury or the severity of the injury she observed in those images. JASPER confirmed to LOVELAND and ORNOFF her lack of communication of information to JENKINS about the severity of injury.

On 9/20/2021, I spoke to JENKINS via phone in a recorded interview. She explained being an acting supervisor on 6/2/2021 and received a call from JASPER regarding the daycare. After summarizing her assigned reason for being there, JASPER stated the daycare would be calling in a report for the duck bite and that [REDACTED] had a mark on his ear.

JENKINS stated JASPER never explained to her the severity of the injuries she had seen in the images that day. Further, JENKINS was not told by JASPER there were images of the injuries whatsoever. JENKINS explained it wasn't until after [REDACTED] death was reported on 6/11/2021 she learned of the images. JENKINS stated to me had she been told about the types of injuries and the severity, she would have instructed JASPER to remain with the child until action could be taken by DCF.

In conversations with FARRISH, I learned JASPER at no time observed [REDACTED] injuries in person. This in spite of the fact JASPER was present at the daycare when [REDACTED] was there. Moreover, neither JASPER nor the daycare staff intervened for the welfare and safety of [REDACTED]. GAUCHER and SAMUEL allowed [REDACTED] to take [REDACTED] at the end of the day; neither called in a report to DCF for suspected child abuse. [REDACTED] never returned to the daycare and was reported dead on 6/11/2021 in the WMPD case.

In FARRISH'S case notes, she reported GAUCHER and SAMUEL both expressed concern for [REDACTED] by way of a history of prolonged daycare absences and coming to the daycare with mysterious injuries.

It is notable that in contradiction to their expressed concerns for [REDACTED] neither GAUCHER nor SAMUEL made a report to DCF via the hotline based on their supposed cumulative concerns for [REDACTED] in addition to the severe injury he came with to the daycare on 6/2/2021.

On 8/3/2021, I spoke with DEBOARD via phone upon being assigned this case. I received several documents from him which were added to my case file. Among these was the dismissal letter served to JASPER from DCF which outlined cause for terminating her employment.

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The dismissal document included specific reference to Rule 60L-36.005(3)(b), F.A.C., Negligence. The rule states employees shall exercise due care and reasonable diligence in performance of job duties. In addition to negligence, DCF found JASPER had also acted contrary to Rule 60L-36.005(3)(e), F.A.C., Violation of Law or Agency Rules.

JASPER had been made aware of [redacted] egregious injury by the daycare, was present at the daycare at the same time as [redacted] but did not visit [redacted] in person, failed to report suspected child abuse per CHAPTER 39.205(1) FLORIDA STATUTES, and never intervened.

GAUCHER, SAMUEL, and FOWLER were all personally aware of [redacted] egregious injury when he was presented at the daycare by [redacted] on the morning of 6/2/2021. They had seen fit to photograph the injuries and reach out to JASPER when she arrived at the daycare at approximately noon that day, but none called the Hotline to report suspected child abuse.

Furthermore, GAUCHER and staff failed to follow up in the days following 6/2/2021, and the images of [redacted] injuries were not transmitted to any other entity which may have intervened on [redacted] behalf, including DCF or Law Enforcement.

Probable cause is found to charge:

- DALLAS RAY GONDRINGER JASPER;
- JAYMIE SANTACROCE GAUCHER;
- KRISTAL JANEEN SAMUEL;
- ELIZABETH MARIE FOWLER;

With Failure to Report Known or Suspected Child Abuse, contrary to Chapter 39.205(1) Florida Statutes for having knowingly and willfully failing to do so as required in Chapter 39 Florida Statutes as mandated reporters.

At the request of ASA Julie Lynch, this case was forwarded to her office for review as Capias Requests.

PROBABLE CAUSE STATEMENT

P.C. Exists for Charge(s): YES NO

Judge's Signature Date

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