

IN THE CIRCUIT/COUNTY COURT IN THE SIXTEENTH JUDICIAL CIRCUIT IN AND FOR
MONROE COUNTY, FLORIDA

ARREST REPORT

MONROE COUNTY SHERIFFS OFFICE

REPORT NO: MCS014ARR001635

Jail Booking No	Offense No	Other No	OBTS
MCS014JBN001498	MCS014OFF002273	MCS014CAD041489	

[SUSPECT]

Last	First	Middle	Title	Race	Sex	DOB	Age	Hgt	Wgt
ARROYO	HENRY	FLORENTINO	JR	W	M	5/6/1972	43	5'05"	0
Eyes	Hair	MNI Number	SSN	I.D. No.	St	Type	OCA/Agency ID		
BRO	BRO	MCS078MNI200898		A600386721660	FL	E			

(Law Enforcement Official, Former, Spouse, or Child of LEO)
Information Private.

[INCIDENT INFORMATION]

Occurred Date Range: 3/24/2014 09:46 to 3/24/2014 09:46 Lat/Long 24.577 / -81.7516
No. Di Street Apt/Lot City ST Zip (GEO)
5501 COLLEGE RD STOCK ISLAND FL 33040 1 - 1 - 0200 -

[CHARGES]

800.04.5b

LEWD LASCY BEHAVIOR

MOLEST VIC LESS 12 YOA OFFENDER 18 YOA OR OLDER

Counts	Level	Degree	GOC	UCR	NCIC	AON	Bond Amount
1	Felony	Life	Not Applicable	110C		3612	

800.04.7b

LEWD LASCY BEHAVIOR

OFFENDER 18 YOA OLDER VICTIM LESS 16 YOA

Counts	Level	Degree	GOC	UCR	NCIC	AON	Bond Amount
1	Felony	Second	Not Applicable	110C		3612	

[STATEMENT OF PROBABLE CAUSE / NARRATIVE]

Suspect ARROYO, HENRY, was arrested on a Monroe County Warrant, Warrant #MCS014ARR001635. FDLE CASE NUMBER KW-20-0008, Reference, with an underlying charge of

CT. 1) 800.04(5)(A)(B) LEWD OR LASCIVIOUS MOLESTATION BOND SET AT \$50,000.00
CT. 2) 800.04(7)(A)(2) LEWD OR LASCIVIOUS EXHIBITION BOND SET AT \$50,000.00

Signed by Judge FOWLER on March 21, 2014. Defendant currently in custody at the Monroe County Detention Center, Key West, Florida.

Check one

1. Monroe County XXX
2. Out of County County Of
3. K.W.P.D.
4. S.A.O.
Out of State State of

I hereby swear (or affirm) that the facts established on this affidavit are true and correct to the best of my knowledge and belief.

Signature (Arresting Officer) _____ MCCLOUD, DARLENE
Name

D616
ID/SSN

MONROE COUNTY SHERIFFS OFFICE

Subscribed and sworn to (or affirmed) before me this 8 day of June A.D., 2015 by

who is personally known to me or has produced _____ as identification.

Signature

____ Notary Public ____ LEO ____ CO

Commission No: _____ My Commission Expires _____

[PHYSICAL EVIDENCE] [NO PHYSICAL EVIDENCE LISTED]

[ARREST INFORMATION]

Arrested	Residency	Injured	Extent of Injury	Resist
3/24/2014 09:46	Within jurisdiction			
		Arrested Prior	Arrest Jurisdiction	Alcohol
				Drugs

No.	Di	Street	A/L	City	ST	Zip	Lat / Long
5501		COLLEGE RD		STOCK ISLAND	FL	33040	24.577 / -81.7516
Arresting Officer			Unit	(GEO)	1 -	1 - 0200 -	Officer Type
D616		MC CLOUD, DARLENE		MCSO\KEY WEST CORRECTIONS "C" WATCH			
Reporting Officer			Unit	Original Offense Jurisdiction			
D616		MC CLOUD, DARLENE		MCSO\KEY WEST CORRECTIONS "C" WATCH			MCSO

Forward to for approval
MCSO/KEY WEST CORRECTIONS "C" WATCH

Bond Set by LEO at Time of Arrest & Booking: \$0.00

() None
() ROR
() Cash
() Pro

Bond Set by Judge ☐ None ☐ ROR/Sign
☐ Cash ☐ PTR
☐ Any
☐ Pro
☐ PtrIQ

()Purge
()SC

Return Court: _____ Date: _____ Time: _____
Instructions: _____

[DISPOSITION]

<u>Disposition Type</u>	<u>Release Type</u>	<u>Other Desc</u>
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<u>Release Date</u>	<u>Release Time</u>	<u>Release Officer</u>	<u>Printed</u> <u>No</u>	<u>Printed By</u>
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Released To

IN THE CIRCUIT/COUNTY COURT IN THE SIXTEENTH JUDICIAL CIRCUIT IN AND FOR
MONROE COUNTY, FLORIDA

ARREST REPORT

MONROE COUNTY SHERIFFS OFFICE

REPORT NO: MCS014ARR001635

Court Disposition Type

Court Disposition Description

[ADDITIONAL PERSONS]

COURT DISPOSITION:

(right index)

☐ No Bill / Petition ☐ Issue Warrant ☐ Prosecution Approved

Signature of Assistant State Attorney

Date

Appended by AS DM
3/20/14

IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
IN AND FOR MONROE COUNTY, STATE OF FLORIDA
LOWER KEYS CRIMINAL DIVISION

STATE OF FLORIDA
Plaintiff,

vs.

Henry Florentino Arroyo
Defendant.

Case Number: _____
FDLE Case Number: KW-20-0008

Race: H Sex: M

Date of Birth: 05/06/1972

ARREST WARRANT

CHARGE(s):

Ct-1 800.04(5)(A)(B) LEWD OR LASCIVIOUS MOLESTATION
Ct-2 800.04(7)(A)(2) LEWD OR LASCIVIOUS EXHIBITION

In the name of the State of Florida, to all and Singular, the Sheriff's of the State of Florida, and State Attorney's Investigators of the State of Florida:

Florida Department of law Enforcement Special Agent Mike Langston has this day made oath that in Monroe County Florida, one Henry Florentino Arroyo did then and there:

Your affiant, after careful investigation, has determined that during the period of approximately March 2010 through May 2011 Henry Arroyo Jr. did intentionally force L.D., who was under the age of 12 to touch his genitals or genital area in a lewd or lascivious manner and also touched her breasts or the clothing covering them in a lewd and lascivious manner thus violating Florida State Statute 800.04(5)(b). Additionally, in December 2013, Henry Arroyo Jr. did intentionally expose his penis to L.D. in a lewd or lascivious manner in violation of Florida Statute 800.04(7)(a)(2).

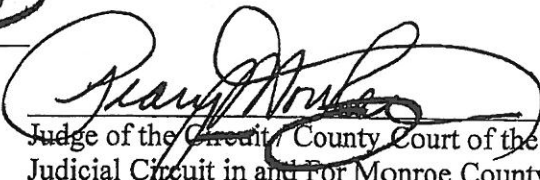
These acts are contrary to the Florida Statutes and against the peace and dignity of the State of Florida. You are, therefore, **ORDERED TO ARREST INSTANTER** the said Henry Florentino Arroyo and bring him to me to be dealt with according to law.

GIVEN UNDER MY HAND AND SEAL THIS 21st DAY OF March 2014.

BOND Ct-1:

BOND Ct-2:

\$50,000.00
\$50,000.00


Judge of the Circuit Court of the Sixteenth
Judicial Circuit in and For Monroe County Florida

*no contact with alleged victim, L.D.
surrender passport*

AFFIDAVIT

FDLE Case Number: KW-20-0008

Charges: Ct-1 § 800.04(5)(B) LEWD OR LASCIVIOUS MOLESTATION
Ct-2 § 800.04(7)(A)(2) LEWD OR LASCIVIOUS EXHIBITION

In the Court, 16th Judicial Circuit, County of Monroe, State of Florida.

State of Florida

vs

Henry Florentino Arroyo

Description of Defendant:

Race: H Sex: M

DOB: 05/06/1972

DL: FLA600-386-72-166-0

BEFORE ME, the undersigned authority, personally appeared Special Agent (SA) Michael B. Langston of the Florida Department of Law Enforcement who, being first duly sworn deposes and says:

Your affiant has been a sworn law enforcement officer for twenty five years, the last nine as a Special Agent with the Florida Department of Law Enforcement (FDLE). Your affiant has conducted numerous investigations regarding criminal sexual conduct. Your affiant is knowledgeable in these areas, and based upon his experience, and training, has determined the following information:

Summary

The 14 year old victim (LD) reported that she was a victim of sexual abuse by her stepfather, Henry Arroyo Jr. The victim reported the abuse began when she was 10 years of age and occurred multiple times for over a year. The victim said Henry Arroyo Jr. would enter her bed at night and force her to touch his penis and masturbate him, sometimes to orgasm. The victim also reported that Henry Arroyo Jr. touched the victim's breast and attempted to touch her vagina.

INITIAL REPORT

Megan Faust

Your affiant interviewed Megan Faust at the Sigsbee Charter School in Key West, Florida. Dean Faust was the initial reporter of abuse concerning LD, and is the Behavior Specialist, and Dean of Students, at the Sigsbee Charter School.

Dean Faust said on December 17, 2013 LD was attending a Physical Education (PE) class in school and requested to speak with Dean Faust. Dean Faust took LD to a private room where LD became emotional and told Dean Faust that she "had information that she wanted to tell, but was afraid to tell."

LD then told Dean Faust that her step-father, (Henry Arroyo Jr.) on multiple occasions in the past, had forced her (LD) to place her hand on his (Arroyo's) penis. Dean Faust said LD was emotionally upset and reluctant to provide details of the incidents. Dean Faust said LD was afraid to give details because she did not want to damage her mother's () relationship with her step-father (Arroyo).

Dean Faust said she immediately reported the alleged abuse to the abuse hotline (1-800-96-ABUSE) and the school's principal, Elisa Jannes.

DEPARTMENT OF CHILDREN AND FAMILIES (DCF)

Protective Investigator (PI) Elvin Quinones

On Thursday, December 19, 2013 your affiant met with Florida Department of Children and Families (DCF) Protective Investigator (PI) Elvin Quinones. PI Quinones provided SA Langston with a copy of the DCF "Chronological Notes Report" detailing DCF involvement.

Your affiant noted the following report filed by Investigator Quinones regarding an interview he conducted with LD on December 17, 2013.

(sic) Commencement, present for the interview was the PI and Detective Scott Standerwick, KWPd. Victim Child (VC) interviewed; child was aware of the purpose for the interview. She said that she does not want anyone to get into trouble. She said that she does not want her mother to get hurt because her mom loves her step-dad.

At the age of 10, the family was living in an apartment on . VC shared a bedroom with her younger brother. Mom and step-dad had their own bedroom. VC slept on her own bed. She described the incident as something that was ongoing for about a year, perhaps every other week. Her step-dad would come into the bedroom while she and her brother were sleeping and he wake her.

Her step-dad grabbed her hand and forced her to touch his penis. She described step-dad's penis as aroused. She did not give any further details to the PI because she felt uncomfortable. On one occasion step-dad tried to touch her in her private parts. She fought him off by punching him in the face and stomach. Her brother never was awakened during those incidences. She never said anything to her step-dad when he was forcing her to touch him. She described her emotion as confused and not knowing what to say.

Last Saturday, while she was in the living room watching TV, at approximately 06:00pm the Step-dad came into the living room and sat down on the couch next to her. He placed a towel over his head as though he was going to take a nap. VC realized that step-dad exposed his penis to her. She described the exposure as his penis protruding out from the side of his shorts. He had a shirt on and the shorts are pant shorts, not boxers. VC felt uncomfortable and went to her bedroom. Step-dad stayed in the living room. Her mother came home at approximately 06:30 pm. Her brother was not home.

CHILD PROTECTION TEAM (CPT)

Case Coordinator (CC) Annette Treto

On Tuesday, December 17, 2013 your affiant spoke with Case Coordinator (CC) Annette Treto of the Child Protection Team (CPT) and requested CC Treto conduct a forensic interview with the LD.

On Thursday, January 2, 2014, an interview of LD was conducted at "Christina's Courage" in Key West by CC Treto. Your affiant was present and witnessed LD make the following statements (in summary) to CC Treto concerning sexual abuse committed on her by suspect Henry Arroyo Jr:

LD said that her step-father Henry Arroyo Jr. has been in her life about three or four years, since she was about 10 years old. When asked by CC Treto to explain the reason for the interview LD said "when I was 10 Henry would come into my room, lay down in bed and force me to touch him." She said she thought that it happened "every week, once a week".

She said that the first time it happened she was about 10 years old and remembered because it was towards the end of fourth grade going into fifth grade and there was end of the year testing going on. LD said the incidents happened when she was living in an apartment on _____ in Key West. She said the incidents happened at night while she was sleeping in her bed.

She said she shared a room with her brother _____ with separate beds. She said her brother was asleep during the incidents. She said her mother _____ was asleep in another room during the incidents.

LD was asked by CC Treto to describe the first incident, LD said, "He came in, laid down on my bed, grabbed my hand and, yeah, forced it into his pants, forced it onto his thing, his penis". LD became emotionally upset and was given a break. Upon her return, LD continued by saying "I tried to take back my hand and he just forced it, on his penis, he forced my hand up and down to his penis, I told him to leave and after a while he did."

LD also said that "white and sappy" stuff came out of Arroyo's penis. She said that it got all over her hand. LD denied that Arroyo ever threatened her about disclosure of the incidents, but said "he told me not to tell anyone after the first time".

CC Treto asked LD to explain how many times this type of incident happened and she replied "I don't know, every week, once a week." LD said during the first incident Arroyo did not try to touch her on her body, but on another occasion, he did, she stated, "He tried to touch my chest and I would push his hand away, I guess on my vagina." She clarified that he tried to touch her on both her chest and her vagina, but he was unable because she would push him away. However, she said on one occasion Arroyo did touch her chest with his hands.

CC Treto asked LD to explain in more detail about what happened when Arroyo touched her chest, LD said "I don't know exactly when, but it was at night, he tried to touch me and I pushed him away. Once he touched it (chest) and then I pushed him away before anything can happen." LD said that Arroyo did touch her chest, however denied that Arroyo ever touched any other part of her body other than her chest and hand. CC Treto asked LD if the "white and sappy stuff" ever came out again after the first time and she replied "Yeah, like four or five times."

LD said she was sleeping when Arroyo would enter her bed and awake her, she denied screaming, and said that her brother never woke up. When asked if Arroyo made any noises during the incidents LD said Arroyo would "grunt", however, said he was not loud and she didn't think anyone heard them.

LD said she was uncomfortable living in the house with Arroyo and she didn't like being in the same room with him. LD said she had "trust issues". LD said the most recent incident happened "on a Sunday in December (2013)" when Arroyo and LD were alone at their house. LD said she and Arroyo were sitting on the couch and said Arroyo exposed his penis to her.

CC Treto asked LD to describe the incident, LD said Arroyo was wearing gym shorts, and pulled them up, and to the side, thus exposing his penis to her. LD said she left and went to her room upstairs. LD said she didn't tell her mother about the most recent incident until DCF's involvement.

Interview of Jose Diaz Sr. (father of LD)

On Thursday, January 30, 2014 your affiant conducted a sworn, taped interview, of _____ at the State Attorney's Office in Key West, Florida. _____ is the biological father of LD.

_____ said that sometime in 2011 Henry Arroyo, _____ and her biological children LD and _____ moved to Tampa, Florida. _____ was confident of the year because he recalled it was the summer before LD 's entrance into the 6th grade.

_____ said around December 2011, _____ Henry Arroyo and both children and LD moved back to the Florida Keys from the Tampa area. The children stayed with _____ and attended Sugarloaf school until the end of the school year, which would have been June 2012. _____ said that _____ and Henry Arroyo moved into Henry's relatives house while they waiting for their home to be ready. This is the current reported residence for Henry Arroyo, which is located at _____

Sometime after June 2012, both children moved in permanently with their mother _____ and her present husband Henry Arroyo.

_____ provided the following information in relation to the first incident:

said that sometime in March/April 2013, he received a call from described as distraught and upset. said that is never upset and "rarely lets it out". did not tell him why she was upset but she said, "I need to talk to you." was visiting his spouse when he received the call. met in the parking of the Adult Superstore on Rockland Key.

Prior to the meeting, dropped both children at family home on in Big Coppitt. said when they met, told him that LD said she (LD) had seen Henry's penis. told, 'hat "LD 's hand ended up on Henry's penis." said that did not elaborate, offered no other information, and did not speak about time, place or frequency. feeling was that was speaking in the past tense and the incident or incidents occurred in the past. When asked why he felt that way, said it was just a feeling.

said that he left his car in the parking lot and rode with in her car to his house to speak with LD. said his memory of the event is fuzzy and the discussion involved all of them, and then just him and LD, and then the three of them again. LD did tell her father at one point that "maybe Henry made a mistake". LD did not elaborate on that statement. said the discussion was emotionally charged and LD had shut down offering only head-shaking answers to specific questions.

According to LD never used the word penis and never used the word erect. LD did gesture in the affirmative to the question of, "was his penis erect?" She gestured in the negative to, "did he ever ejaculate?" said his daughter was in a posture where her legs were pulled up to her chest and she was holding a pillow up to her chin and throat area only showing her eyes and the nose area of her face. The discussion between LD, and stopped shortly thereafter. said LD had "shut down" emotionally and he never had a discussion with her about this again.

himself never confronted Arroyo about the allegations and was not sure what to think about any of it. and discussed the disclosure by LD and after several days both and LD moved back into the family home on said that was keeping a very close watch on Arroyo and Arroyo's contact with LD. said that LD felt comfortable enough to say that Henry (Arroyo) would not hurt her and she was not afraid of him. said that after this period everything seemed to return to normal.

provided the following information in relation to the second incident:

On December 17, 2013, Henry Arroyo called and told him that the police were at his house and that he (Arroyo) was not allowed to be around the children and to please come and get them. went to and found (9yoa) playing video games and LD (14 yoa) asleep in her bedroom. No one else was at the house. had no idea what had happened but took both and LD back to his house on asked LD what had happened, and she said "the same thing as before." She did not elaborate to, when asked. said that was in Miami when this occurred and she spoke to on the phone. said that did not know what happened.

Later that evening, [redacted] said that he received a phone call from DCF Investigator Elvin Quinones, who said that [redacted] reported something at school and asked him ([redacted]) not to talk to LD about it. [redacted] did not have any other information as to the statements made by LD or offered any personal insight into the allegations.

Interview of

On Thursday, February 27, 2014 at approximately 10:30 am, your affiant conducted a sworn, taped interview, of [redacted] at the State Attorney's Office in Key West, Florida. [redacted] was served with an investigative subpoena through her attorney requiring her attendance for interview.

Initial report to

In March of 2013, [redacted] said she, LD(age 13), [redacted], and Arroyo were preparing to go to dinner at Arroyo's parent's house ([redacted]). [redacted] said "moping" and in a depressed mood. [redacted] said Arroyo was on the back porch area while she, LD and [redacted] were in the living room. [redacted] asked was wrong, LD started crying and said "she didn't want to be around Henry anymore" and "she didn't want to go to Henry's parent's house for dinner". [redacted] said it "freaked me out" and that she had "never seen her (LD) act like that".

[redacted] said she was concerned and told Arroyo there was something wrong with LD . [redacted] drove LD and [redacted] to [redacted] house without Arroyo. [redacted] said she left the children at [redacted] house, then drove to Big Coppitt Key where she met with [redacted] and told him "something is wrong with LD ". [redacted] said she began to cry because she knew "something wasn't right with my child".

They drove back together to [redacted] house on Big Coppitt where they privately questioned LD . LD told them that she and Arroyo "were laying in bed together upstairs, and she (LD) looked up his (Arroyo's) pants and could see his (Arroyo's) penis". [redacted] believed this happened in [redacted] bedroom at their [redacted] residence. [redacted] was not sure if [redacted] was present during the incident.

[redacted] said she became emotional, and said she "didn't want the first penis LD saw to be her husbands". [redacted] said she left the room and [redacted] continued to question LD . [redacted] later told [redacted] that LD said "she looked at his (Arroyo's) penis and he (Arroyo) grabbed her (LD 's) hand and put it on his penis." [redacted] said she believed her daughters allegations, and believed something sexual in nature had occurred between LD and Arroyo.

[redacted] said she was emotional and contacted Arroyo's mother (Frances Arroyo) and told her that she "better go to him (Arroyo), before she [redacted] kills him". A short time later [redacted] drove alone to the [redacted] residence to confront Arroyo with the allegations. Upon her arrival, [redacted] said she found Arroyo sitting on the couch with his father (Henry Arroyo, Sr.).

[redacted] said she told Arroyo about LD 's allegations and asked him what had happened, and if it had happened. [redacted] said Arroyo would not say "yes or no" and "started crying". [redacted] said Arroyo "would not say anything", she told Arroyo that "it was over between them", and returned to [redacted] residence.

said she spoke with Arroyo on the phone multiple times during her stay at residence. ... said Arroyo told her that LD may have made up the allegations in retaliation for his pressuring her about her school grades.

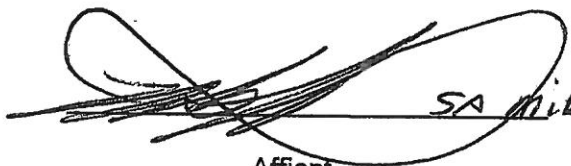
said she and the children moved back in to the residence with Arroyo. ... said she was very "stressed" and watched Henry and LD "like a hawk" for approximately 3 months.

Second incident:

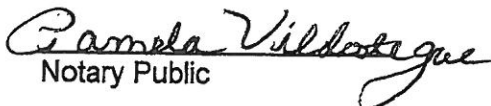
said on December 17, 2013 she was contacted by investigator Elvin Quinones from "DCF" (Department of Children and Families) who told her that "seen Henry's (Arroyo's) penis and that touched it on two occasions". ... said Quinones told her that on Sunday, December 15, 2013 Arroyo had "exposed" his penis to LD.

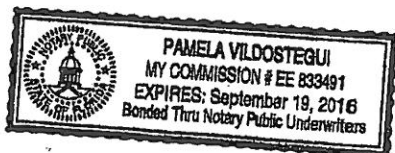
CONCLUSION

Your affiant, after careful investigation, has determined that during the period of approximately March 2010 through May 2011 Henry Arroyo Jr. did intentionally force L.D., who was under the age of 12 to touch his genitals or genital area in a lewd or lascivious manner and also touched her breasts or the clothing covering them in a lewd and lascivious manner thus violating Florida State Statute 800.04(5)(b). Additionally, in December 2013, Henry Arroyo Jr. did intentionally expose his penis to L.D. in a lewd or lascivious manner in violation of Florida Statute 800.04(7)(a)(2).


SA Mike Conston
Affiant

Sworn to and subscribed
Before me this
21 day of March 2014.


Notary Public



Approved by ASAC Colleen McDaniel 3/21/14