

Orange County

ICJIS Arrest Affidavit

Arrested At-Large JRA

Document #: 654127

Division #:

Document Date: 03/24/2015

Court Case #:

Location of Defendant Vehicle: Date-Time Booked: 03/24/2015 06:38 Agency Case Number: OR270206

(ORI): FL0481100 Agency Name: Florida Department of Law Enforcement - Orlando - Orange FCIC/NCIC Check: Date-Time of Arrest: 03/24/2015 06:28

Address of Arrest:

DEFENDANT Adult Juvenile Jacket Number: Inmate Number: 15010352 Language: ENGLISH

NAME (L,F,M): DELIO, PETER ROCCO A.K.A.: Race: W Sex: M DOB: Age: 30

Height: 6'04" Weight: 240 Hair: BRO Eyes: BRO POB City: POB State: FL Country: US

RES Street#: 100 S HUGHEY AVE Citizenship: US

City: ORLANDO State: FL Zip: 32801 Home Phone: Other Phone:

Scars/Tattoos: Ethnicity: NON HISPANIC

Driver's License/ State ID No: State: Year Expires: SSN #:

Business and Occupation: ORLANDO POLICE P.D. Bus Phone:

Bus Street#: 100 S HUGHEY AVE City: ORLANDO State: FL Zip: 32801

Next of Kin Name: Phone:

Next of Kin Street #: City: State: Zip:

AGGRAVATORS: Firearm Weapon Mask Vest Convicted Sex Batterer Hate Crime Special Victim: Domestic Violence? N

OFFENSES: Felony Misd. ORD. Traffic Out of County Court Location: CIRCUIT Originating State/Country: /FLORIDA/ORANGE

Table with 10 columns: No., GOC Code, Description, Count, Bond Amt \$ / Status, FSS/ORD, FDLE Rec#, Drug Name, Citation Number. Row 1: 1, BATTERY - COMMIT FELONY BATTERY, 784.041-2, 1, 2,500.00, 784.041.1, 6894, ,

DCF Notified? By Whom? On Probation? Miranda Warning? By Whom? Invoked?

Sworn to and subscribed before me, this 24 day of March year 2015

Notary Public Law Enforcement or Corrections Officer

Personally Known Produced Identification

Type of Identification

Notary Signature

NOTARY PUBLIC STATE OF FLORIDA

I swear or affirm the above statements are correct and true

(407) 245-0085

Officer's Signature

Officer's Bus. Phone No. GILL, DANIELLE / 1239

Officer's Name/ID

Notice to Defendant Regarding Social Security Number: This Law Enforcement Agency has collected your social security number (SSN) as required by FSS 119.071. This agency will use it for the purpose of confirming your identity, and sharing it with other governmental agencies to identify records linked to that SSN. This collection and use of your SSN is required by this agency to fulfill its lawful duties and responsibilities.

HILBERT, DARNELL

DD959536 / 03/01/2018

Notary Name

Notary Commission # / Exp. Date

Orange County

ICJIS Arrest Affidavit (continued)

Arrested At-Large JRA

Document #: 654127

Division #:

Document Date: 03/24/2015

Court Case #:

Defendant's Name DELIO, PETER ROCCO

Agency Case Number: OR270206

NARRATIVE: The undersigned has probable cause to believe the above-named defendant on the 24 of March 2015 at 5:00 at [redacted] (Zone: [redacted]) in Orange County did

On December 22, 2014, the Orlando Police Department (OPD) requested the Florida Department of Law Enforcement (FDLE) conduct an investigation into the use of force by Officer Peter Delio, which resulted in injuries to Robert Raymond Liese III. The incident occurred at 46 W Washington Street Orlando, Florida on August 12, 2014. (OPD Case Number: 2014-00336240)

On August 12, 2014, at 2154 hours, Liese was arrested by Officer Delio at 19 S Orange Avenue in Orlando and transported to an OPD substation located at 46 W Washington Street in Orlando.

Liese was handcuffed with his hands behind his back and placed into a holding cell. Liese became agitated while in the holding cell. Officer Delio entered the holding cell and delivered a knee strike to Liese's abdomen. Liese was later transported to the hospital by the fire department. While at the hospital, Liese subsequently had surgery to [redacted]

An internal investigation into the incident was initiated by OPD. It was later determined that a criminal investigation was warranted, and the case was turned over to the FDLE. Special Agent (SA) Danielle Gill was assigned to investigate the circumstances surrounding the incident.

Surveillance Video Analysis:

SA Gill was provided a CD that contained surveillance video from three camera views inside the OPD substation located at 46 W Washington Street Orlando, Florida. The surveillance video began on August 12, 2014 at 2129 hours, and ended on August 12, 2014 at 2343 hours. A brief summary of the video reflects the following; however it is not inclusive of the entire video:

At 21:37:13 hours, on camera 2, Liese banged his head on the "Interview Processing Room" door, which caused the safety glass to break. An unidentified person off camera stated that Liese "head-butted the door."

At 21:37:22 hours, on camera 2, Officer Delio opened the "Interview Processing Room" door as Liese walked back to the bench. Liese stated, "I'm gonna sit down" just before Officer Delio entered. Upon entering the "Interview Processing Room," Liese's back was facing Officer Delio, and Liese was handcuffed with his hands behind his back.

At 21:37:24 hours, as Liese was in the process of sitting onto the bench, he began to turn around and again stated that he was "gonna sit down." Officer Delio placed his left hand on Liese's right elbow and delivered a knee strike to Liese's abdominal area with his right knee. As a result, Liese's back and hands went up against the wall, and he then sat on the bench. Liese leaned forward to his right and made an audible "oaf" type noise. Officer Delio stated, "Let me help ya," and then Officer Bradley Bakeman entered. Officer Delio placed his right hand under Liese's left arm, and placed his left hand under Liese's left leg. Officer Delio picked Liese up from the bench and stated, "Stop resisting, asshole." Liese replied, "I'm not resisting," Officer Delio replied, "Yeah ya are," as he placed Liese on the floor face down.

Officer Bakeman stated to Officer Delio that they could not leave Liese in the room. Officer Delio replied, "You're right, he broke the fucking door." Officer Delio picked Liese up by his left arm and stood him up while he stated, "Get up scumbag, you wanna be a tough guy, breaking shit for no fucking reason, let's go." Officer Delio placed his left hand under Liese's left elbow, and his right hand under Liese's right elbow and walked him out of the "Interview Processing Room."

At 21:38:03 hours, on camera 1, the second holding cell door opened and then shut. Officer Delio yelled, "Went from a bullshit misdemeanor to three felonies. Enjoy, you fucking asshole."

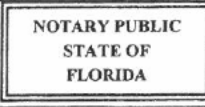
At 21:38:09 hours, on camera 1, Liese walked into the holding cell. Liese was placed sitting upright onto the bench by Officer Delio. Liese

Sworn to and subscribed before me, this 24 day of March year 2015. Notary Public [checked] Law Enforcement or Corrections Officer [unchecked]. Personally Known [unchecked] Produced Identification [unchecked]. Type of Identification

I swear or affirm the above statements are correct and true (407) 245-0085 Officer's Bus. Phone No. GILL, DANIELLE / 1239 Officer's Name/ID

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Notary Signature [Signature]



HILBERT, DARNELL DD959536 / 03/01/2018 Notary Name Notary Commission # / Exp. Date

Arrested At-Large JRA

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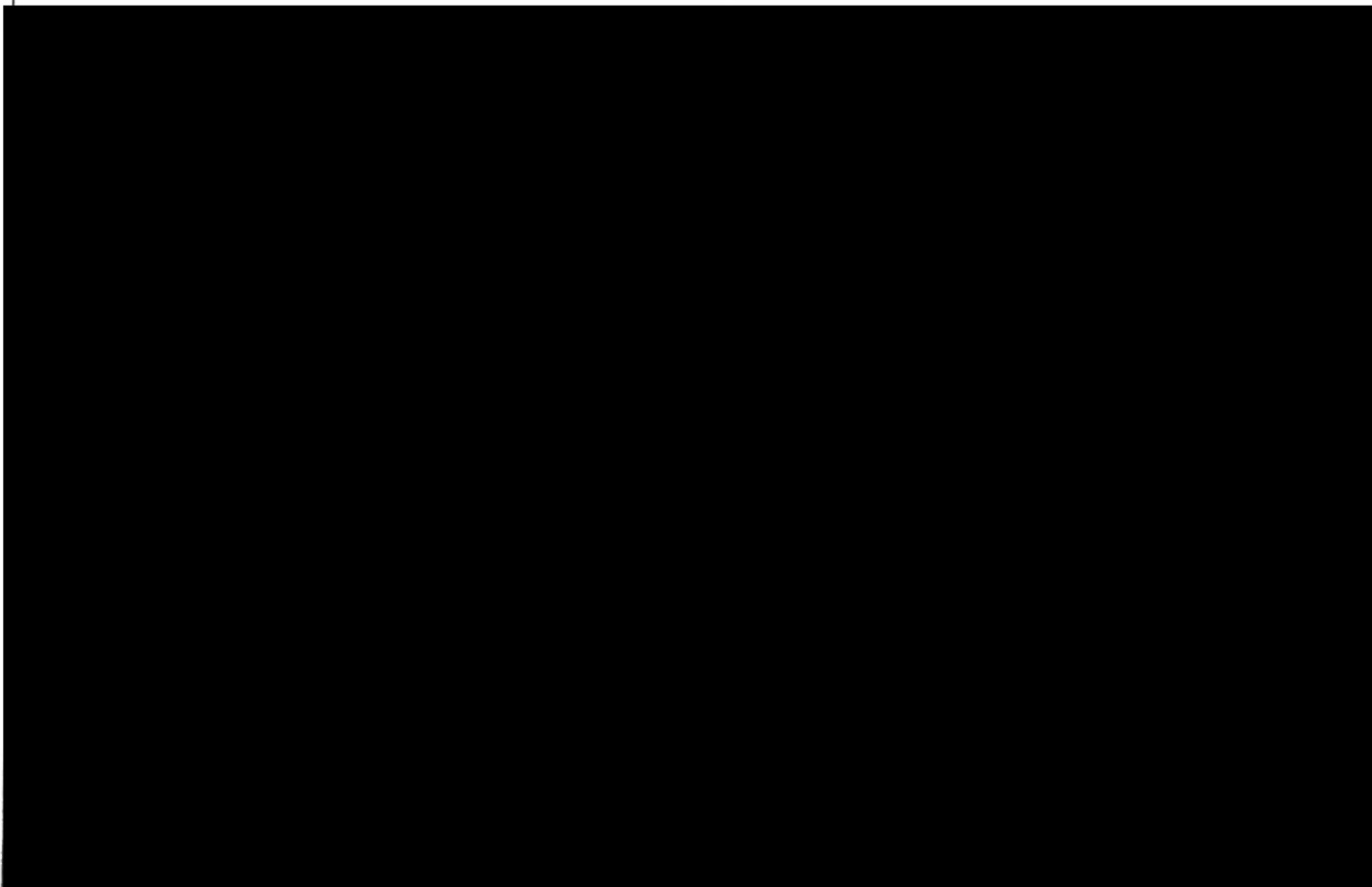
leaned over and laid on the bench. Officer Delio stated off camera, "Gotta be some shithead fuck off."

At 21:38:29 hours, Officer Delio went into the holding cell and stated, "Nope, sit your ass up bro," and he sat Liese upright on the bench. Officer Delio tied Liese's feet together while Officer Bakeman watched. Officer Delio stated, "Understand if you stand up you will fall, we will not retrieve you."

At 23:27:54 hours, on camera 1, the fire department went into the holding cell and examined Liese. Liese told the fire department that his chest (in the "center") and his abdomen hurt. Liese was subsequently removed on a stretcher by the fire department around 23:38:29 hours.

Interview with Liese:

On January 05, 2014, at 1140 hours, SA Gill and SA Alphonso Williams conducted a voluntary, recorded, sworn statement of Liese. Liese's attorney, William Ruffier, was also present. A brief synopsis of the statement follows; however, it is not inclusive of the entire statement:



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Notary Public Law Enforcement or Corrections Officer Personally Known Produced Identification

Type of Identification

Notary Signature

NOTARY PUBLIC STATE OF FLORIDA

I swear or affirm the above statements are correct and true

Officer's Signature

(407) 245-0085 Officer's Bus. Phone No. GILL, DANIELLE / 1239 Officer's Name/ID

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HILBERT, DARNELL Notary Name

DD959536 / 03/01/2018 Notary Commission # / Exp. Date

Orange County

ICJIS Arrest Affidavit (continued)

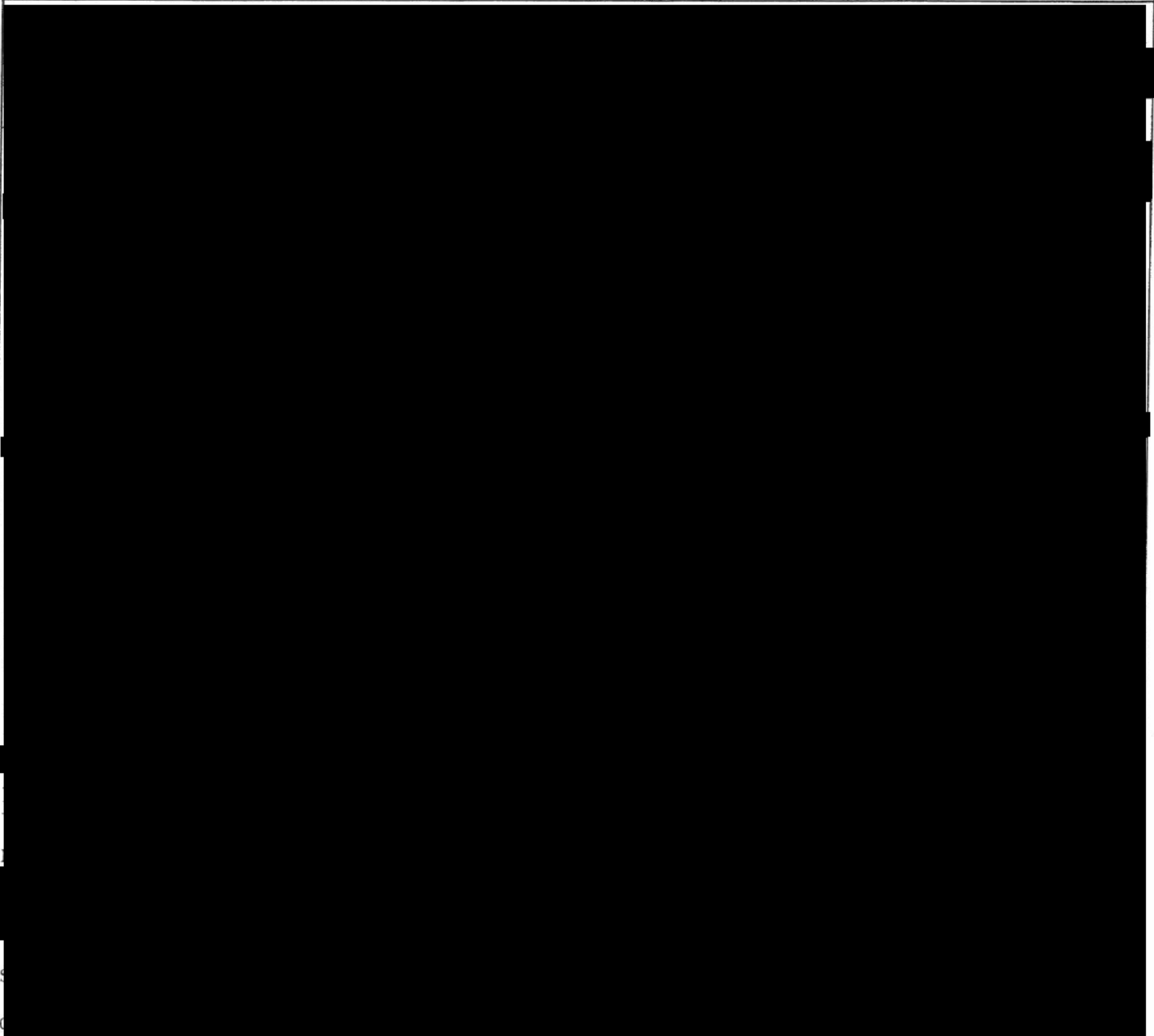
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Conclusion:

After a comprehensive investigation into the aforementioned allegations of the incident, the evidence shows:

- Upon review of the substation surveillance video, Officer Delio delivered a knee strike to Liese's abdominal area. Officer Delio entered the room, and immediately approached Liese when he delivered the knee strike. The knee strike occurred as Liese was in the process of sitting down, and verbally stated twice that he was doing so. Officer Delio referred to Liese as an "asshole," "scumbag," and "shithead" during the incident. Sergeant Michael Faulkner "disapproved" of Officer Delio's "techniques and tactics" during this incident, and concluded that the use of force by Officer Delio was not in compliance with OPD guidelines and training.

On March 10, 2015, Florida Department of Law Enforcement (FDLE) Special Agent Danielle Gill submitted the applicable criminal investigative case package to the Office of the State Attorney Ninth Judicial Circuit for the purpose of review. On March 19, 2015, the FDLE was contacted by State Attorney (SA) Jeffrey Ashton and Chief Investigator Eric Edwards. SA Ashton expressed that based on the information collected during the course of the criminal investigation it is his intention to charge Mr. Peter Delio with one count of Felony Battery F.S.S. 784.041.

On March 24, 2015, Officer Delio agreed to turn himself in to the FDLE at the Orange County Jail.

Sworn to and subscribed before me,
 this 24 day of March year 2015
 Notary Public Law Enforcement or Corrections Officer
 Personally Known Produced Identification
 Type of Identification _____

I swear or affirm the above statements are correct and true _____ (407) 245-0085
 Officer's Bus. Phone No.
 Officer's Signature GILL, DANIELLE / 1239
 Officer's Name/ID

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Notary Signature
 NOTARY PUBLIC
 STATE OF
 FLORIDA

HILBERT, DARNELL
 Notary Name
 DD959536 / 03/01/2018
 Notary Commission # / Exp. Date

Witness Form

Defendant Name: DELIO, PETER ROCCO						Document ID: 654127		
Officer Name: GILL, DANIELLE				Officer ID: 1239		Court Case #:		
Agency Name: Florida Department of Law Enforcement - Orlando - Orange				ORI: FL0481100		Agency Case #: OR270206		
WITNESSES		V - Victim		R - Reporter		W - Witness		
V	Name (L, F, M): LIESE, ROBERT			Language: ENGLISH	Sex: M	Race: W	DOB: 01/29/1974	Age: 41
	Resident Address:		Apt#:	City:	State:	Zip:	Home Phone:	
	Business/School:						Officer ID:	
Business/School Address:			Suite#	City:	State:	Zip:	Bus Phone:	
Testimony:								