

Bay County Sheriff Offense / Incident Report
Casenumbr: 2009-013823

Event Information

Reported On: 03/06/2009 @ 08:15	Incident Occurred Between: 03/06/2009 @ 08:15 and 03/06/2009 @ 08:15		
Time Arrived: 08:15	Zone: 05		
Offense #1: SEX OFFENSE / EXPOSURE OF SEXUAL ORGANS	Com/Att: C	Statute #: 800.03	
Offense #2:	Com/Att:	Statute #:	
Location: 4242 C.R.2321 PANAMA CITY, FL 32409			
# Offenses: 01	# Victims: 01	# Offenders: 02	# Premises Entered: 00
Business Name: MCCALL/EVERITT PARK			
# Vehicles Stolen: 00	Forced Entry ?: No	Location Type: Park / Woodlands / Field	Weapon Type:

Clearance Information

Officer Reporting: L. GRAINGER	Id #: 00448	Division: FSD
Supervisor: AP Error 01-00065	Clearance Type: Arrest	Date Cleared: 03/06/2009
# Arrested: 02	# Offenses Cleared By Arrest: 01	Adult/Juvenile:
Case assigned To:		Exception Type:
		Date Assigned:

Complainant

Code: C	Offense Code: 1	Person # 02	Person Type: L.E. Officer
Name: GRAINGER, DEPUTY, LARRY			
Home Address: LAW ENFORCEMENT OFFICER, ,			
Work Address: , ,			
Mail Address: , ,			
Home Telephone:		Work Telephone:	Mobile Telephone:
Email Address :			
SSN:	Race:	Sex:	Date Of
Resident Type	Resident Status:	Extent Of Injury	Injury Type(s): ,
Relationship To Offender		Domestic Violence Related: No	Hate Crime Related: No
Testimony: DID SEE BOTH DEFENDANTS WITH THEIR PENIS'S EXPOSED.			

Victim

Code: V	Offense Code: 1	Person # 01	Person Type: Society/Other
Name: STATE OF FLORIDA, BAY COUNTY			
Home Address: 3421 N HWY 77, PANAMA CITY, FL 32405			
Work Address: , ,			
Mail Address: , ,			
Home Telephone: (850) 747-4700		Work Telephone:	Mobile Telephone:
Email Address :			
SSN:	Race: U	Sex: U	Date Of
Resident Type Florida	Resident Status: Full Year	Extent Of Injury None	Injury Type(s): N/A, N/A
Relationship To Offender Other-Unknown		Domestic Violence Related: No	Hate Crime Related: No
Testimony:			

Other Person

Code: Z	Offense Code: 1	Person # 03	Person Type: Adult
Name: GARRETT, JOHN, W			
Home Address: 3725 DOE RUN, SOUTHPORT, FL 32409			
Work Address: , ,			
Mail Address: , ,			
Home Telephone:		Work Telephone:	Mobile Telephone:
Email Address :			

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Other Person (cont..)

SSN:	Race: W	Sex: M	Date Of 01/30/1946	Age: 63
Resident Type	Resident Status:	Extent Of Injury	Injury Type(s): ,	
Relationship To Offender	Domestic Violence Related:	No	Hate Crime Related:	No
Testimony:				

Arrest

Code: A	Subject #: 01	Offense #: Offense 1 Only	Juvenile: No
Name:	THARP, CALVIN, ALLEN		
Address:	3821 BUNYON DR, CHIPLEY, FL 32428		
Work Address:	, ,		
Mail Address:	, ,		
Home Telephone: (850) 773-8283	Work Telephone:	Mobile Telephone:	
Email Address :			
Employer: WASHINGTON CI	Occupation: CORRECTION OFFI		
SSN: xxx-xx-xxxx	Drivers License #: T610101444590	Drivers License State: FL	
Race: W	Sex: M	Height: 5'08"	Weight: 212
Date Of Birth: 12/19/1944	Age: 64	Eman Date: 12/19/1962	
Eyes: Error	Hair Color: Grey	Hair Style: Straight	Hair Length: Balding
Build: Medium	Complexion: Medium	Scars/Marks: UNK	
Alias :	Place Of Birth :		
Vehicle Make:	Type:	Model:	Year:
Vehicle Color:	Vehicle Tag #:	Vehicle Tag State:	Vehicle Tag Year:
Miranda Warnings Given : No	Given Verbally: No	Given From Printed Form: No	Was Miranda Waived : No
Miranda Given By:	Miranda Date :		Miranda Time :
Arrest Location: 4242 C.R. 2321	Arresting Officer: L GRAINGER		
Charge: INDECENT EXPOSURE IN PUBLIC	Statute #: 800.03	Date: 03/06/2009	Time: 08:15

Arrest

Code: A	Subject #: 02	Offense #: Offense 1 Only	Juvenile: No
Name:	PHILLIPS, DAVID, HARRY		
Address:	9112 SUNSHINE DR, YOUNGSTOWN, FL 32466		
Work Address:	, ,		
Mail Address:	, ,		
Home Telephone: (850) 722-5059	Work Telephone:	Mobile Telephone:	
Email Address :			
Employer: BAY MEDICAL CENTER	Occupation: NURSE		
SSN: xxx-xx-xxxx	Drivers License #: P412-168-57-132-0	Drivers License State: FL	
Race: W	Sex: M	Height: 6'02"	Weight: 295
Date Of Birth: 04/12/1957	Age: 51	Eman Date: 04/12/1975	
Eyes: Error	Hair Color: Brown	Hair Style: Straight	Hair Length: Balding
Build: Heavy	Complexion: Medium	Scars/Marks: UNK	
Alias :	Place Of Birth :		
Vehicle Make:	Type:	Model:	Year:
Vehicle Color:	Vehicle Tag #:	Vehicle Tag State:	Vehicle Tag Year:
Miranda Warnings Given : No	Given Verbally: No	Given From Printed Form: No	Was Miranda Waived : No
Miranda Given By:	Miranda Date :		Miranda Time :
Arrest Location: 4242 C.R. 2321	Arresting Officer: L GRAINGER		
Charge: INDECENT EXPOSURE IN PUBLIC	Statute #: 800.03	Date: 03/06/2009	Time: 08:15

Included Attachments

01: Complaint Affidavit	: Consent to Search
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Included Attachments (cont..)

: Declaration of Intent	: Domestic Violence
: Supplemental Narrative	: M.E. Death Investigation Form
: Victim Statement	: Deceased Inventory
: Witness Statement	02: Booking Sheet Copy
: Suspect Statement	: Traffic Citation
: Waiver of Rights Form	03 : Tresspass Warning
: Evidence Form	: F.I. Card
: Vehicle Impound Form	: Other Non Listed Form
: Property Receipt	()

Narrative

ON THE LISTED DATE WHILE ON PATROL IN THE AREA OF THE DEER POINT DAM,I DEPUTY LARRY GRAINGER OBSERVED A BLUE CHEVY VAN PARKED NEAR THE PLAYGROUND AREA OF THE MCALL/EVERITT PARK. PAST INVESTIGATIONS HAVE REVEALED THIS TO BE A HIGH CRIME AREA.

I ADVISED DISPATCH I WOULD BE OUT WITH THE SUSPICIOUS VEHICLE. HOWEVER, THERE WAS NO ONE PRESENT WITH THE VEHICLE. I ALSO OBSERVED SEVERAL OTHER VEHICLES PARKED NEAR THE BOAT LAUNCH. I ONLY OBSERVED ONE INDIVIDUAL FISHING FROM THE DOCK. WHICH LED ME TO BELIEVE THE DRIVERS OF THE UNATTENDED VEHICLES WERE IN THE WOODED AREA OF THE PARK.

AT THIS TIME DEPUTY T STANFORD ARRIVED ON THE SCENE, FOR BACK-UP.

STANFORD AND I FOLLOWED THE TRAILS INTO THE WOODS. IN AN ATTEMPT TO LOCATE THE DRIVERS OF SAID VEHICLES. AS I ENTERED THE WOODED AREA ADJACENT TO THE PLAYGROUND, I OBSERVED THREE WHITE MALES STANDING IN A CIRCLE, FACING ONE ANOTHER APPROXIMATLY 1-2 FEET FROM ONE ANOTHER. THEY WERE LATER IDENTIFIED AS DAVID H PHILLIPS, CALVIN A THARP, AND JOHN W GARRETT. AS I APPROACHED THEM, I OBSERVED PHILLIPS PANTS AND UNDERWEAR WERE DOWN, AROUND HIS ANKLES. THARP'S PANTS WERE STILL UP. HOWEVER, HIS ZIPPER WAS DOWN AND HIS PENIS WAS EXPOSED OUT OF THE ZIPPER. THIS DEPUTY VISUALLY OBSERVED BOTH DEFENDANTS EXPOSING THEMSELVES. THARP AND PHILLIPS WERE ALSO FONDELING ONE ANOTHER.

THE THIRD MALE GARRETT WAS STANDING BY OBSERVING THE ACTIONS OF HIS FREINDS. HOWEVER, GARRETT WAS NOT EXPOSING HIMSELF.

I ANNOUNCED MY PRESENCE FROM APPROXIMATLY 20 FEET AWAY. AT WHICH TIME THARP AND PHILLIPS BOTH TURNED AWAY, THARP PUT HIS PENIS BACK IN HIS PANTS AND ZIPPED HIS ZIPPER. PHILLIPS QUICKLY PULLED HIS PANTS UP.

AT THIS TIME DEPUTY STANFORD ARRIVED FROM THE OTHER SIDE OF THE WOODS. I ADVISED STANFORD ON WHAT I HAD OBSERVED, AND REQUESTED HE PLACE THARP IN HANDCUFFS, AT WHICH TIME I PLACED HANDCUFFS ON PHILLIPS.

GARRETT STATED HE WAS WALKING IN THE WOODS AND WALKED UP ON THARP

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Narrative

AND PHILLIPS, SO HE STOPPED TO WATCH. GARRETT'S VEHICLE HAS BEEN OBSERVED IN THE PARK FREQUENTLY.

GARRETT WAS ISSUED A TRESPASS WARNING, AND ADVISED TO LEAVE THE AREA IMMEDIATLY.

THARP ADVISED ME HE IS A CORRECTIONS OFFICER WITH THE RANK OF SGT. EMPLOYEED BY WASHINGTON CORRECTIONAL INSTITUTE. THARP REQUESTED THAT I NOT ARREST HIM DUE TO HIS JOB. I REMINDED THARP HE WAS EXPOSING HIMSELF IN A PARK WHERE CHILDREN FREQUENLTY PLAY. THEREFORE, I DO NOT HAVE THE LIBERTY TO IGNORE HIS ACTIONS. THARP STATED HE HAD JUST WALKED INTO THE WOODS TO URINATE. AT THAT TIME HE OBSERVED PHILLIPS WHO WAS ALREADY IN THE WOODS. AND "ONE THING LED TO ANOTHER". IT SHOULD BE NOTED THERE IS A PORTABLE RESTROOM LOCATED IN THE PARKING LOT NEAR THARPS VEHICLE.

PHILLIPS STATED HE WAS JUST WALKING IN THE WOODS AND WALKED UP ON THARP WHO WAS ALREADY MASTURBATING, SO HE JOINED IN.

THARP AND PHILLIPS WERE ARRESTED FOR INDECENT EXPOSURE IN THE PUBLIC/EXPOSURE OF SEXUAL ORGANS F.S.S. 800.03

TRESPASS WARNINGS WERE ALSO ISSUED TO THARP AND PHILLIPS FOR THE MCCALL/EVERITT PARK.

BOTH SUBJECTS WERE TRANSPORTED TO THE BAY COUNTY JAIL WITHOUT FURTHER INCIDENT.