

Sheriff



Larry Ashley, Okaloosa County Sheriff

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December 21, 2013

CRESTVIEW MAN FACING CHARGES OF CHILD MOLESTATION



The Okaloosa County Sheriff's Office has charged a Crestview man with lewd or lascivious molestation of two female victims under the age of 16 and attempting to molest a third.

Deputies arrested 58-year old Donald Vernon Kelley of 3535 Woodcliff Drive Friday evening (December 19th).

During the course of the investigation, they found evidence Kelley had touched or fondled two girls under the age of sixteen, and given at least one of the victims alcohol and marijuana. He is also accused of attempting to fondle a third young girl. In addition, investigators found Kelley had violated an injunction for protection.

Kelley is charged with three counts of contributing the delinquency of a minor, five counts of interfering with the custody of a minor, two counts of lewd or lascivious molestation of a child, one count of attempted lewd or lascivious molestation, and possession of a firearm by a convicted felon.

Investigators say there could be other victims in the local area and ask anyone with additional information to contact OCSO Investigator Ralph Garrett at 850-689-5659.

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The Okaloosa County Sheriff's Office is accredited by the Commission for Florida Law Enforcement Accreditation.

"The Okaloosa County Sheriff's Office provides equal access and equal opportunity in employment and services and does not discriminate"

IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

COPY

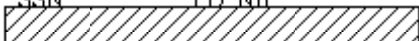
OKALOOSA CO SHERIFF'S OFFICE

WARRANT/OTTIC SERVED

REPORT NO: OCSO13ARR012887

Jail Booking No	Offense No OCSO13OFF009228	Other No OCSO13CAD135607	OBTS
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[SUSPECT]

Last First Middle Title Race Sex DOB Age Hgt Wgt
KELLEY **DONALD** **VERNON** **W** **M** **2/4/1955** **58** **5'08"** **210**
Eyes Hair MNI Number SSN LD No St Type OCA/Agency ID
BLU **GRY** **OCSO12MNI018825**  **FL** **FL**

Birth Location: City: County: State: ALABAMA Nation: Citizenship: US Address

3535 WOODCLIFF DR CRESTVIEW FL 32539

Occupations (Current/Last Known is Listed First)

Business: RETIRED, Job Title: , Entered: 11/28/2012

Aliases (Last, First Middle Title DOB)

KELLEY, DONALD V

Street Names

* none found in MNI *

[INCIDENT INFORMATION]

Occurred Date Range: **12/24/2011 00:00 to 8/20/2013 20:09** Lat / Long **30.79961 / -86.49639**
 No. Di Street Apt/Lot City ST Zip (GEO)
3535 **WOODCLIFF DR** **CRESTVIEW** **FL** **32539** **1 - 2 - -**

[CHARGES]

787.03.

KIDNAP MINOR

INTERFERE WITH CUSTODY

<u>Counts</u>	<u>Level</u>	<u>Degree</u>	<u>GOC</u>	<u>UCR</u>	<u>NCIC</u>	<u>AON</u>	<u>Bond Amount</u>
5	Felony	Third	Facilitate	9000		1005	

790.23.1a

POSSESS OF WEAPON

OR AMMO BY CONVICTED FLA FELON

<u>Counts</u>	<u>Level</u>	<u>Degree</u>	<u>GOC</u>	<u>UCR</u>	<u>NCIC</u>	<u>AON</u>	<u>Bond Amount</u>
1	Felony	Second	Facilitate	9000		5212	

800.04.5C2

SEX OFF-LEWD OR LASCIVIOUS MOLESTATION

OFFENDER 18 YRS OR OLDER, VICTIM 12 YRS OR OLDER BUT <16 YRS

<u>Counts</u>	<u>Level</u>	<u>Degree</u>	<u>GOC</u>	<u>UCR</u>	<u>NCIC</u>	<u>AON</u>	<u>Bond Amount</u>
2	Felony	Second	Facilitate	3600			

800.04.5C2

SEX OFF-LEWD OR LASCIVIOUS MOLESTATION

OFFENDER 18 YRS OR OLDER, VICTIM 12 YRS OR OLDER BUT <16 YRS

<u>Counts</u>	<u>Level</u>	<u>Degree</u>	<u>GOC</u>	<u>UCR</u>	<u>NCIC</u>	<u>AON</u>	<u>Bond Amount</u>
1	Felony	Second	Attempt	3600			

827.04.1

CONTRIB DELINQ MINOR

OR DEPENDENCY OF

<u>Counts</u>	<u>Level</u>	<u>Degree</u>	<u>GOC</u>	<u>UCR</u>	<u>NCIC</u>	<u>AON</u>	<u>Bond Amount</u>
3	Misdemeanor	First	Facilitate	9000		3805	

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[STATEMENT OF PROBABLE CAUSE / NARRATIVE]

Based on a sworn affidavit of complaint, forensic interviews, and sworn statements from witnesses stating the following:

██████████ victims ██████████ met the defendant, Donald Kelley, on or about 2009 while they were living in Crestview, Florida, Okaloosa County. Shortly after meeting the children, Kelley began purchasing gifts and clothing for the them. On or about December 24, 2011, an allegation was made that Kelley was being inappropriate, in a sexual manner, with some of the children, at which time ██████████ told Kelley to leave her children alone and stay away from them.

Kelley then began having the children go to one of their neighbor's residence who lived near the children. He would pick them up and take them to his residence at 3535 Woodcliff Drive in Crestview, Florida, Okaloosa County; or have the children's neighbor, ██████████ bring them to his residence. While at his residence they would have cookouts and he would allow them to swim in his swimming pool. Kelley introduced himself to ██████████ as being the children's grandfather. Kelley would also let the girls spend the night at his residence, and sometimes the boys. He would have the children tell their mother they were spending the night with friends. Kelley continued to purchase gifts for the children, such as keyboards, guitars, Kindle Fire's, clothing, computers, bicycles and other items.

██████████ told Kelley on several different occasions to leave her children alone and stay away from them, and Kelley refused to listen to her. ██████████ filed an Injunction for Protection against Kelley in November of 2012 and during the hearing Judge Ketchel refused to grant the Injunction, but did warn Kelley to leave the children alone because it could lead to his arrest. After the hearing, Kelley continued with making contact with the children.

In September of 2013 ██████████ filed another Injunction for Protection against Kelley and during that hearing Judge Ketchel granted the Injunction. Even with the Injunction in effect, Kelley continued to make contact with ██████████ and ██████████. He gave them cell phones and used the cell phones to talk to them every day.

During an interview with Kelley, after being advised of his rights, he advised that he didn't care and would do it again and again in reference to making contact with them. He further advised it doesn't matter what the judge said. He advised he did purchase a phone for ██████████ and stated that he has picked the children up and has taken them to his house. Kelley admitted to picking up the kids up from school without their mother's knowledge and or permission.

Further, another victim ██████████ was going to Kelley's residence to swim during the summer of 2013. Kelley would pick her up and take her to his residence. On the week of July 28, 2013, ██████████ was at Kelley's residence and was in a swimsuit. Kelly looked at her and told her that her breast look nice when she wears her swimsuit. On or about the 4th week of August she was swimming in the pool and Kelley swam up behind her, pulled her underwater and touched/grabbed her breast. During her interview ██████████ advised there was no doubt in her mind that Kelley grabbed her breast intentionally. On at least one occasion, Kelley purchased cigarettes for ██████████ and gave them to her to smoke.

Further, in June of 2013, victim ██████████ began going to Kelley's residence nearly every day to swim. Sometime during the month of July, Kelly had to take some friends home and ask her to ride with them because he needed her help at the store. After dropping his friends off, ██████████ was by herself in the truck with Kelley and they did go to the Dollar General Store. After leaving the store, he ask ██████████ she knew where he used to live and she told him, "No". Kelley turned onto E. Dogwood Drive in Crestview, Florida, Okaloosa County and drove .7 of a mile to a dead end, cul-de-sac, and stopped the truck. Kelley got out of the truck and told ██████████ to get out and she refused, and he got back in. He then told her she was growing up and he wanted to show her how it felt to be touched. Kelley then tried touching her vaginal area. ██████████ had to tell Kelley to stop twice before he stopped, and he then told her, "Don't take it too serious" and also told her he would get her anything she wants, which included a two piece swimsuit, candy, and food. On more than one occasion while at his house, Kelley offered marijuana and beer to ██████████ which she refused.

Also, another victim ██████████ met Kelley in June of 2013. She would go swimming at Kelley's residence with ██████████. Kelley would buy ██████████ candy "Starburst" and she liked them. On one occasion while swimming in the pool, Kelley pulled her underwater and grabbed her breast and attempted to grab her vagina, but she didn't let him. On or about the 4th of July weekend, ██████████ was riding in the truck with Kelley by herself and while driving, he reached over and fondled her vaginal area and ██████████ told him to stop and don't touch her. Kelley then turned onto E. Dogwood

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Drive in Crestview, Florida, Okaloosa County and drove to the dead end, cul-de-sac, and stopped. He lit a marijuana cigarette and allowed [redacted] to smoke it and also allowed her to drink beer. Kelley grabbed the back of her head and kissed her and told her she was a good kisser. He then grabbed/fondled her breast and asked her more than once if she wanted to have sex and she would say no. Kelley also told [redacted] if he was younger and she was older, he would date her. [redacted] then told him she needed to go home and at her house, Kelley told her to hug him and she did, at which put his hand on her breast again, and grabbed her head and kissed her again. Kelley told her not to say anything because he didn't want to be in trouble. He later called [redacted] on the phone and told her he was sorry and he "wasn't himself".

On another occasion, while at Kelley's house, he told [redacted] to hug him and when she did, her breast touched his arm and he told her that her "boob" (breast) was touching his arm and he liked that.

On one occasion and during this time frame, Kelley was at his residence smoking marijuana and drinking Tequila and made the comments in front of at least two witnesses that the best oral sex he had ever had was from a 16 year old. He told one of the witnesses about a 14 year old that he could get if he wanted.

Another witness became upset with Kelley, on September 25, 2013, and called him a "pig" and a "child molester". Kelley yelled at the witness and stated, "Yes I am a child molester and I am a damn good one". He also yelled and asked the witness if they had children because he would "fuck them too".

Kelley made admissions to being alone in his truck with [redacted] at 9:00pm or 10:00pm. He advised that he didn't remember taking [redacted] anywhere and being alone with her. Per witness statements, Donald was alone in his truck on more than one occasion with [redacted]

During this investigation and on or about the week of September 1, 2013, Kelley took into his possession four firearms, a 20ga. Shotgun, two 22cal. Semi automatic rifles, and a 22cal. Revolver. He took the firearms to an acquaintance and sold them for \$300.00. Kelley is a convicted Felon in the State of Florida and confirmation from the Office of Executive Clemency proves Kelley does not have restoration of his civil rights.

During an interview with Kelley, after being advised of his rights, he admitted to being a convicted felon and being in possession of, and selling the firearms mentioned.

I have reason to believe and do believe that Donald Kelley did violate Florida Statutes 827.04(1); Contributing to the delinquency of a minor (3cts), 787.03; Interference with custody of a minor child (5cts), 800.04(5c2); Attempted lewd or lascivious molestation; 800.04(5c2); Lewd or lascivious molestation (2cts), and 790.23(1a); Possession of a firearm by a convicted felon, in Okaloosa County, Florida.

RDG

Signature (Arresting Officer) _____ MCFALL, CHARLES B _____ 298
Name ID/SSN

Subscribed and sworn to (or affirmed) before me this 21 day of December A.D., 2013 by _____
who is personally known to me or has produced _____ as identification.

Signature _____ Notary Public _____ LEO _____ CO

Commission No: _____ My Commission Expires _____

Supervisor Signature _____ Date _____ Supervisor Name (Please Print) _____ Rank _____

COPY

IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

COPY

OKALOOSA CO SHERIFF'S OFFICE

WARRANT/OTTIC SERVED

REPORT NO: OCSO13ARR012887

[PHYSICAL EVIDENCE] [NO PHYSICAL EVIDENCE LISTED]

[ARREST INFORMATION]

Arrested	Residency	Injured	Extent of Injury	Resist
12/20/2013 20:27	Within jurisdiction	None	N/A	No
		Arrested Prior	Arrest Jurisdiction	Alcohol
		Yes	Within jurisdiction	No
No.	Di	Street	A/L	City
1200	E	JAMES LEE BLVD		CRESTVIEW
				ST
				FL
				Zip
				32536
Arresting Officer		Unit	(GEO)	1 - 5 - -
298	MCFALL, CHARLES B			Officer Type
Reporting Officer		Unit		Original Offense Jurisdiction
061	GARRETT, RALPH D	OCSO/FSV/INV/CID		OCSO
Forward to for approval				
OCSO/FSV/INV/CID				

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

- None
- ROR
- Cash
- Pro

Bond Set by Judge	<input checked="" type="checkbox"/> None	<input type="checkbox"/> ROR/Sign
	<input type="checkbox"/> Cash	<input type="checkbox"/> PTR
	<input type="checkbox"/> Any	
	<input type="checkbox"/> Pro	
	<input type="checkbox"/> Pt:IQ	

Purge TRANSMITTAL

SC _____

Return Court: CIRCUIT COURT: FELONY Date: 1/21/2014 Time: 13:30

Instructions: 101 E JAMES LEE BLVD

[COURT INFORMATION]

Court	Judge	Date
Sent		
Rcvd	CIRCUIT	WARD
		12/20/2013
Court Case Number	13-9228	

Assigned To:

[DISPOSITION]

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

COPY

IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

COPY

OKALOOSA CO SHERIFF'S OFFICE

WARRANT/OTTIC SERVED

REPORT NO: OCSO13ARR012887

Court DispositionType

Court Disposition Description

[ADDITIONAL PERSONS]

COURT DISPOSITION: _____

(right index)

- No Bill / Petition Issue Warrant Prosecution Approved

Signature of Assistant State Attorney

Date

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