

Adult Def PC Arrest
 Juvenile Def Application for
Warrant/Capias

AFFIDAVIT – COMPLAINT

Clerk's Case No. _____
SA Case No.(s) _____

PAGE 01 of 3

Agency ORI # **FL037275C**

1. Agency Name: Florida Department of Corrections		2. Agency Report Number: 21-01506		3. Charge Type: <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Misdemeanor w/associated felony		3a. Ordinance Type: (if applicable) <input type="checkbox"/> Municipal <input type="checkbox"/> County	
4. Date/Time of Offense: January 25, 2021 @ 1:50 a.m. CST		5. Date/Time of Arrest: January 29, 2021 @ 6:00 a.m.		6. Arresting Officer: Senior Inspector Jerry Basford		7. Investigating Officer: Senior Inspector Jerry Basford	


8. Defendant's Name: (Last) Nicolas			(First) Francois			(Middle)			ALIAS			9. OBTS:			
10. Race/Sex: B/M		11. Date of Birth: 01/05/1992		12. Residence Type: <input type="checkbox"/> City <input type="checkbox"/> County <input checked="" type="checkbox"/> Florida <input type="checkbox"/> Out of State			13. Weapon Seized <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			14. Controlled Substance Seized: TYPE & QUANTITY: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No n/a					
15. Height: 5-10		16. Weight: 130		17. Eye Color: Brown		18. Hair Color: Black		19. Scars, marks, tattoos, unique physical features: (Location, type & description) Muliple							
20. Driver's License Number/State: DC# X80913 / FDLE# 07783734				21. Social Security Number:				22. Residential Telephone:				23. Business Telephone:			
24. Address: (Street, Apartment Number) 4455 Sam Mitchell Drive				(City) Chipley				(State) Florida				(Zip) 32428			

25. Defendant's Name: (Last)			(First)			(Middle)			ALIAS			26. OBTS:			
27. Race/Sex:		28. Date of Birth:		29. Residence Type: <input type="checkbox"/> City <input checked="" type="checkbox"/> County <input type="checkbox"/> Florida <input type="checkbox"/> Out of State			30. Weapon Seized <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			31. Controlled Substance Seized: TYPE & QUANTITY: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No n/a					
32. Height:		33. Weight:		34. Eye Color:		35. Hair Color:		36. Scars, marks, tattoos, unique physical features: (Location, type & description)							
37. Driver's License Number/State:				38. Social Security Number:				39. Residential Telephone:				40. Business Telephone:			
41. Address: (Street, Apartment Number)				(City)				(State)				(Zip)			

42. Defendant's Name: (Last)			(First)			(Middle)			ALIAS			43. OBTS:			
44. Race/Sex:		45. Date of Birth:		46. Residence Type: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Florida <input type="checkbox"/> Out of State			47. Weapon Seized <input type="checkbox"/> Yes <input type="checkbox"/> No			48. Controlled Substance Seized: TYPE & QUANTITY: <input type="checkbox"/> Yes <input type="checkbox"/> No					
49. Height:		50. Weight:		51. Eye Color:		52. Hair Color:		53. Scars, marks, tattoos, unique physical features: (Location, type & description)							
54. Driver's License Number/State:				55. Social Security Number:				56. Residential Telephone:				57. Business Telephone:			
58. Address: (Street, Apartment Number)				(City)				(State)				(Zip)			

59. Charge Description: (# 1) Battery of Law Enforcement Officer					60. Statute or Ordinance Number: 784.07 (2) (b)					<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord.				
61. Charge Description: (# 1)					62. Statute or Ordinance Number:					<input type="checkbox"/> F.S. <input type="checkbox"/> Ord.				
63. Charge Description: (# 1)					64. Statute or Ordinance Number:					<input type="checkbox"/> F.S. <input type="checkbox"/> Ord.				

65. Victim's Name: (If business, list legal business name) (Last)			(First)			(Middle)			66. Race/Sex			67. Date of Birth:			68. Telephone Number:				
69. Contact Person if victim is deceased, a minor child, or business: (Last)			(First)			(Middle)			70. Race/Sex			71. Date of Birth:			72. Telephone Number:				
73. Address: (Street, Apartment Number) 4455 Sam Mitchell Drive				(City) Chipley				(State) Florida				(Zip) 32428				74. Secondary Phone Number:			
75. Victim Notification of Arrest: NOTIFIED BY: _____ DATE: _____ TIME: _____									76. Information Given: Victim <input type="checkbox"/> Rights Card <input type="checkbox"/> App. Info <input type="checkbox"/>						Arrest Info <input type="checkbox"/> Domestic <input type="checkbox"/> Viol. Info <input type="checkbox"/>				

77. Physical Evidence collected in this case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			78. Witness Statements taken in this case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			79. I certify that all of the above information is true and correct to the best of my knowledge and is page 01 of a 02 page affidavit/complaint.								
Evidence Custodian's			Person responsible			 Senior Inspector Jerry Basford								

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AFFIDAVIT – COMPLAINT (PROBABLE CAUSE NARRATIVE)

Clerk's Case No. _____
SA Case No.(s) _____

Agency ORI # FL037275C

80. Agency Name: Florida Department of Corrections	81. Agency Report Number: 21-01506	82. Date/Time of Arrest: January 29, 2021 @ 6:00 a.m.	83. Investigating Officer: Senior Inspector Jerry Basford
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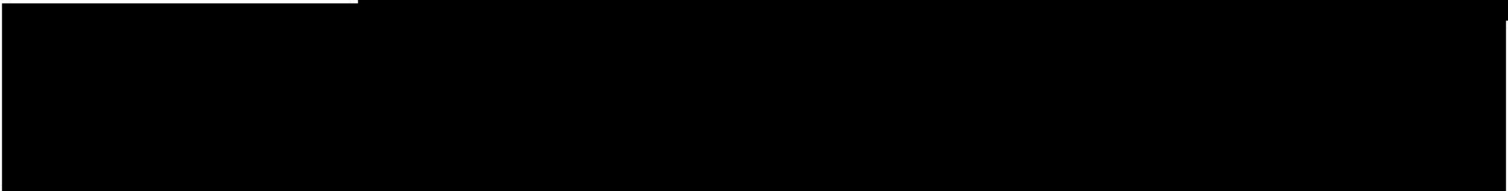
84. NARRATIVE OF THE FACTUAL BASIS FOR PROBABLE CAUSE: The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the heretofore named defendant did commit the violations of law as stated above and the factual basis for this belief is as follows:

Your Affiant is Senior Inspector Jerry Basford of the Office of the Inspector General, Florida Department of Corrections.

Your Affiant has probable cause to believe on January 25, 2021, Inmate Francois Nicolas (DC X80913) in the County of Washington and the State of Florida, did commit the offence of Battery of a Law Enforcement Officer, in violation of s. 784.07 (2)(b), Fla., Statute, when Inmate Nicolas did actually and intentionally touch or strike Correctional Officer [REDACTED] against the will of Officer [REDACTED] while Officer [REDACTED] was clothed in a correctional officer's uniform and engaged in the lawful performance of her duties and while Inmate Nicolas knew Officer [REDACTED] was a correctional officer.

On the aforementioned date, at approximately 1:57 a.m., Officer [REDACTED] was making rounds in D1-dormitory at Northwest Florida Reception Center (NWFRFC), waking up food service inmates to report for their job assignments. At approximately 1:58 a.m., Officer [REDACTED] passed by Inmate Nicolas as he appears to be making his bed. As Officer [REDACTED] walked past Inmate Nicolas, there was no interaction between Inmate Nicolas and Officer [REDACTED]. After Officer [REDACTED] walked past Inmate Nicolas, Inmate Nicolas followed Officer [REDACTED] for several steps. Inmate Nicolas grasped Officer [REDACTED] around her neck with his right arm in a choke hold and wrestled her forward to the ground. After a brief struggle on the floor, another inmate intervened separating Inmate Nicolas from Officer [REDACTED].

In a sworn interview Officer [REDACTED]



In a post-Miranda sworn interview, Inmate Nicolas indicated he works evening shift in food service. After he returned to the dormitory on the evening of January 24, 2021, he showered and at some point smoked synthetic cannabinoids and went to sleep. Inmate Nicolas recalled evening count occurring on January 24th prior to him falling asleep. When he awoke some time later and saw Officer [REDACTED] walking through the dormitory he thought she was conducting count again. Something told Inmate Nicolas he needed to grab Officer [REDACTED]. When Officer [REDACTED] walked past him, [REDACTED]. During the incident Inmate Nicolas and Officer [REDACTED]. During Inmate Nicolas' interview he had no concept of the timeframes between the evening of January 24, 2021 and the morning of January 25, 2021.

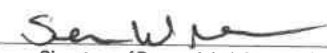
The incident was captured on fixed wing video recording. The video of the incident supports the statements provided during this investigation.

Your Affiant respectfully submits probable cause has been established that Inmate FRANCOIS NICOLAS did commit the criminal violation of Battery on a Law Enforcement Officer in violation of 784.07 (2)(b), Florida Statute, by his actions, directed at Correctional Officer [REDACTED] at Northwest Florida Reception Center, Chipley, Washington County, Florida.

85. The undersigned, being duly sworn, states that the foregoing information contained in an affidavit consisting of 3 pages is true and correct to the best of his/her knowledge

Sworn to and subscribed before me this 29 day of Jan, 2021


Signature of Officer/Complainant


Signature of Person Administering Oath

Personally Known Other Identification LEO
ID Type

Seal

J Basford
Officer/Complainant's Name (Printed)

84100A
ID Number

87. Adult's Relation to Juvenile Defendant: <input type="checkbox"/> Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other	88. Adult's Name: (Last) _____ (First) _____ (Middle) _____
89. Address: (Street, Apartment Number) _____ (City) _____ (State) _____ (Zip) _____	90. Residential Phone: _____ 91. Business Phone _____
92. Notified By: (Name) _____	93. Date/Time: _____ 94. Notification Method: _____

			<input type="checkbox"/> Person	<input type="checkbox"/> Telephone
95. Law Enforcement Disposition of Juvenile Contact: (Check one and complete release data)	Transferred to <input type="checkbox"/> Secure Detention	Released to <input type="checkbox"/> HRS Intake Officer, not detained	Processed within the agency and released <input type="checkbox"/> to other than HRS	
Release Date: _____	Release Time: _____	Released to (Name): _____		