

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 17-80102-CR-Rosenberg/Hopkins

18 U.S.C. § 242
18 U.S.C. § 1519
18 U.S.C. § 1512(b)(3)

UNITED STATES OF AMERICA

v.

MICHAEL C. BROWN,
JUSTIN R. HARRIS,
RONALD F. RYAN, Jr.,
and
PHILIP N. ANTICO,

Defendants.

FILED BY KJZ

Jun 8, 2017

STEVEN M. LARIMORE
CLERK U.S. DISTRICT CT.
S.D. OF FLA, West Palm Beach

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this indictment:

1. Defendants MICHAEL C. BROWN, JUSTIN R. HARRIS, and RONALD F. RYAN, Jr. were employed as police officers with the Boynton Beach Police Department.
2. While on duty and in their official capacity as police officers, defendants MICHAEL C. BROWN, JUSTIN R. HARRIS, and RONALD F. RYAN, Jr.

stopped a vehicle on August 20, 2014, in the Southern District of Florida, and participated in the arrest of J.B., a civilian, and occupant of the vehicle.

3. Defendant **PHILIP N. ANTICO** was employed as a police officer with the Boynton Beach Police Department, and was the supervising sergeant on duty on August 20, 2014.

COUNT ONE
Deprivation of Rights Under Color of Law
(18 U.S.C. § 242)

Paragraphs 1 and 2 of the General Allegations Section of this Indictment are realleged and incorporated as though fully set forth herein.

On or about August 20, 2014, in Palm Beach County, within the Southern District of Florida, the defendants,

**MICHAEL C. BROWN,
JUSTIN R. HARRIS, and
RONALD F. RYAN, Jr.,**

while acting under color of law and aiding and abetting one another, assaulted J.B. during a traffic stop, by kicking and repeatedly striking J.B. with a closed fist, and by electroshocking J.B. with an X26 Taser, a dangerous weapon; all of which resulted in bodily injury, and thereby willfully deprived J.B. of the right, secured and protected by the Constitution and laws of the United States, to be free from unreasonable seizures by one acting under color of law, in violation of Title 18, United States Code, Sections 242 and 2.

COUNT TWO
Falsification of Records
(18 U.S.C. § 1519)

Paragraphs 1 and 2 of the General Allegations Section of this Indictment are realleged and incorporated as though fully set forth herein.

On or about August 20, 2014, in Palm Beach County, within the Southern District of Florida, the defendant,

MICHAEL C. BROWN,

in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly concealed, covered up, falsified, and made a false entry in a record with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within federal jurisdiction. Specifically, in an Officer Report submitted on August 20, 2014, defendant **MICHAEL C. BROWN** made an entry, knowing it to be false, by omitting that he: (1) used the front of his patrol vehicle to intentionally strike another vehicle; (2) kicked the front-seat passenger [J.B.]; and (3) repeatedly used a closed fist to strike the front-seat passenger [J.B.].

All in violation of Title 18, United States Code, Section 1519.

COUNT THREE
Falsification of Records
(18 U.S.C. § 1519)

Paragraphs 1 and 2 of the General Allegations Section of this Indictment are realleged and incorporated as though fully set forth herein.

On or about August 20, 2014, in Palm Beach County, within the Southern District of Florida, the defendant,

JUSTIN R. HARRIS,

in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly concealed, covered up, falsified, and made a false entry in a record with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within federal jurisdiction. Specifically, in an Officer Report submitted on August 20, 2014, defendant **JUSTIN R. HARRIS** made an entry, knowing it to be false, by omitting that he: (1) repeatedly struck front-seat passenger [J.B.] while [J.B.] was lying on the ground and restrained in handcuffs.

All in violation of Title 18, United States Code, Section 1519.

COUNT FOUR
Falsification of Records
(18 U.S.C. § 1519)

Paragraphs 1 and 2 of the General Allegations Section of this Indictment are realleged and incorporated as though fully set forth herein.

On or about August 20, 2014, in Palm Beach County, within the Southern District of Florida, the defendant,

RONALD F. RYAN, Jr.,

in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly concealed, covered up, falsified, and made a false entry in a record with the intent to impede, obstruct, and

influence the investigation and proper administration of a matter within federal jurisdiction. Specifically, in an Officer Report submitted on August 20, 2014, defendant **RONALD F. RYAN, Jr.** made an entry, knowing it to be false, by omitting that he: (1) used his knee to repeatedly strike front-seat passenger [J.B.].

All in violation of Title 18, United States Code, Section 1519.

COUNT FIVE
Falsification of Records
(18 U.S.C. § 1519)

Paragraphs 1 through 3 of the General Allegations Section of this Indictment are realleged and incorporated as though fully set forth herein.

On or about August 29, 2014, in Palm Beach County, within the Southern District of Florida, the defendants,

JUSTIN R. HARRIS and
PHILIP N. ANTICO,

while aiding and abetting one another, in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly concealed, covered up, falsified, and made a false entry in a record with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within federal jurisdiction. Specifically, in an Officer Report submitted on August 29, 2014, defendant **JUSTIN R. HARRIS** made the following entry with the assistance of **PHILIP N. ANTICO**, knowing it to be false: "I then went over to the suspect in order to determine if he was secured. However, while doing so the subject attempted to turnover (sic) and roll his hands away from me. Verbal commands

went unnoticed, thus I struck the suspect about 3 times in the meaty part of the shoulder which gained compliance."

All in violation of Title 18, United States Code, Sections 1519 and 2.

COUNT SIX
Obstruction of Justice
(18 U.S.C. § 1512(b)(3))

Paragraphs 1 through 3 of the General Allegations Section of this Indictment are realleged and incorporated as though fully set forth herein.

On or about February 19, 2015, in Palm Beach County, within the Southern District of Florida, the defendant,

PHILIP N. ANTICO,

knowingly engaged in misleading conduct toward another person with intent to hinder, delay, and prevent the communication to a law enforcement officer of the United States of information relating to the commission and possible commission of a federal offense in the Southern District of Florida, namely, the offenses of Deprivation of Rights under Color of Law and Falsification of Records, as alleged in Counts ONE through FIVE. Specifically, defendant **PHILIP N. ANTICO** made false and misleading statements to agents of the Federal Bureau of Investigation that the Boynton Beach Police Department Officer Reports dated August 20, 2014 had been written by the officers on that date, and had not been altered or changed. In truth and in fact, as defendant **PHILIP N. ANTICO** well knew, after viewing a video recording of the arrest of J.B. on or about August 27, 2014, defendant **PHILIP N. ANTICO** allowed officers over a period of several days to subsequently make significant and material changes to the Officer

Reports, by claiming assaultive and physically resistant behavior by J.B., which the officers had not alleged prior to being made aware of the video recording of the arrest.

All in violation of Title 18, United States Code, Section 1512(b)(3).

A TRUE BILL.

FOREPERSON

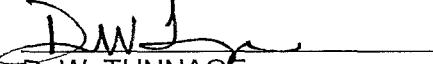

BENJAMIN G. GREENBERG

Acting United States Attorney

TOM WHEELER
Acting Assistant Attorney General
United States Department of Justice
Civil Rights Division


SUSAN RHEE OSBORNE

Assistant United States Attorney


D. W. TUNNAGE

Trial Attorney
Civil Rights Division