

PROBABLE CAUSE AFFIDAVIT

OBTS #		1. Arrest Affidavit 2. Notice to Appear	3. Complaint Affidavit 4. Request for Capias 5. Teen Court Referral	4	Juvenile	N
ORI #	FL037275C	Office of Inspector General - DC		Report #	21-01904	
Location of Offense Suwannee Correctional Institution 5964 US Highway 90, Live Oak FL 32060				Date of Offense	02/03/2021	
Name: Joshua Orlando Sosa						
Race W - White B - Black	I - Indian American O - Oriental Asian	W	Sex M	DOB or Age	Height 5'09"	Weight
					Eye Color Bro	Hair Color BRO
					Complexion MED	Build MED
Address (Street, Apt, Number)			(City)	(State)	Phone () -	
LKA: [REDACTED]			[REDACTED]	[REDACTED]	[REDACTED]	
<input type="checkbox"/> 1. Parent <input type="checkbox"/> 2. Legal Custodian <input type="checkbox"/> 3. Other			Name of Parent or Custodian (Last, First, Middle)			Residence Phone () -
Address (Street, Apt, Number)			(City)	(State)	Business Phone () -	
Notified By: (Name)		Date	Time	Juvenile Disposition 1. Handled / Processed within Dept and Released 2. Turned over to DOH/C&F 3. Incarcerated (County Jail)		
Released to: (Name)			Relationship	Date	Time	
Activity: N. N/A P. Posses	S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense / Distribute	M. Manufacture / Produce / Cultivate	Z. Other	Type: N. N/A A. Amphetamine
						B. Barbiturate C. Cocaine E. Heroin
						H. Hallucinogen M. Marijuana O. Opium / Deriv
						P. Paraphernalia / Equipment S. Synthetic
						U. Unknown Z. Other
Charge Description Official Misconduct			Counts 1	<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord	State Violation Number: 838.022 (1)(a)	
Violation of Section (ORD)						
Activity	Type	Amount / Unit		State Attorney Number		Court Number
<input checked="" type="checkbox"/> PC #	<input type="checkbox"/> Capias <input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU	<input type="checkbox"/> Citation	Date Issued
						Writt. Att. #
Charge Description Malicious Battery			Counts 1	<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord	State Violation Number: 944.35 (3)(a)1	
Violation of Section (ORD)						
Activity	Drug Type	Amount / Unit		State Attorney Number		Court Number
<input type="checkbox"/> PC #	<input type="checkbox"/> Capias <input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU	<input type="checkbox"/> Citation	Date Issued
						Writt. Att. #
Charge Description			Counts	<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord	State Violation Number:	
Violation of Section (ORD)						
Activity	Drug Type	Amount / Unit		State Attorney Number		Court Number
<input type="checkbox"/> PC #	<input type="checkbox"/> Capias <input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU	<input type="checkbox"/> Citation	Date Issued
						Writt. Att. #

The Undersigned Certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above-named Defendant committed the following Violation of the law:
 On the 3rd day of February 2021, at 07:40 AM PM (Specially include facts constituting cause for arrest)

Your Affiant is Inspector Heather Whitfield with the Office of Inspector General for the Florida Department of Corrections. The defendant is Officer Joshua Sosa. Your affiant has investigated Official Misconduct, Malicious Battery, and False Report, while Officer Sosa was working at Suwannee Correctional Institution (SWCI).

Fixed wing video was reviewed by your affiant, of an interaction between Officer Sosa and Inmate [REDACTED]. Your affiant observed Officer Sosa wrap his arms around the upper torso of Inmate [REDACTED] lift him off the ground, and slam him head first onto the concrete floor. Inmate [REDACTED] hands were already restrained behind his back. Inmate [REDACTED] appears to pull his right arm away from the custodial grasp of Officer Sosa, who responded by lifting and slamming Inmate [REDACTED] to the concrete floor. Inmate [REDACTED] of the incident, [REDACTED]

Officer Sosa submitted an incident report documenting the justification for forced used on Inmate [REDACTED]. Officer Sosa wrote in the report, Inmate [REDACTED] was attempting to attack another inmate and continued to thrash his body around after being verbally ordered to stop. The report also states that Inmate [REDACTED] inadvertently hit his head while being taken to the ground. Inmate [REDACTED] was restrained with wrist restraints behind his back.

The fixed wing video along with witness testimony refute the account that Inmate [REDACTED] was attempting to attack another inmate and that Inmate [REDACTED] was thrashing around. There was no minimal amount of forced used by Officer Sosa before escalating to throwing Inmate [REDACTED] to the ground head first.

Your Affiant respectfully submits probable cause has been established indicating Officer Joshua Sosa did commit the violation of Official Misconduct 838.022 (1)(a) and Malicious Battery 944.35 (3)(a)1 in Suwannee

County, Suwannee Correctional Institution on February 3, 2021. All supporting documents referred to in this affidavit will be available for judicial review and will be further explained in your affiant's report of investigation.

PC. Exists for Charge(s)		Judge's Signature	Date			
<input type="checkbox"/> Miranda Warning	Hold for Agency Name:	Verified By:	Date:	Bond Charge #	Bond Charge #	Bond Charge #
Adults Only Hold for First Appearance <input type="checkbox"/> Do not Bond Out Reason:			Bond Type 1. ROR 2. Cash	3. Surety 4. Bail / Bond	5. Cert 6. Other	Type
I swear/Affirm the above and attached statements are true and correct		Sworn to And subscribed before me, undersigned authority this day of <u>Jan</u> 20 <u>21</u>	Returnable Court Date	Returnable Court Time <input type="checkbox"/> AM <input type="checkbox"/> PM		
<i>Heather Whitfield</i> Inspector's / Complainant's Signature		Name/Title of Person Authorized to Administer Oath <i>Sonisa Fairclor</i>	Release Date	Release Time <input type="checkbox"/> AM <input type="checkbox"/> PM		
Heather Whitfield Name (Printed)		116156 ID# / Dist	Releasing Officer			Page 2 of 2