

ARREST WARRANT
Broward Sheriff's Office
Case # 12-1907-003225

19-11102 FB

19-0627-AF10

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff, :

Vs.

WARRANT TO ARREST

Engrid Thurston
(B/F 01/31/1973)

Defendant, :

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR
THE SHERIFFS AND CONSTABLES OF THE STATE OF FLORIDA

WHEREAS Detective John Curcio, of the Broward Sheriff's Office, County of Broward, State of Florida, has this 06 day of September, A.D. 2019, made application via electronic, pursuant to F.S. 901.02(3) means this Arrest Warrant, said application being supported by the General Affidavit for an Arrest Warrant, wherein it is alleged that the Affiant has reason to believe and does believe that, one Engrid Thurston B/F 01/31/1973, did then and there:

COUNT I:
Aggravated Manslaughter

On 07/29/2019 did then and there unlawfully and by Engrid Thurston's own act, procurement or culpable negligence, kill Noah Sneed age 2 by leaving the victim unattended in a parked vehicle, without lawful justification and under circumstances not constituting excusable homicide or murder, contrary to F.S. 782.07, (L7).

The offense set forth in the foregoing Warrant is contrary to the statute in such case made and provided, and against the peace and dignity of the State of Florida. Attached hereto and made a part hereof by incorporation is the affidavit executed by Detective John Curcio 16048, Affiant herein.

THESE ARE, THEREFORE, to command you forthwith to arrest the said Engrid Thurston (B/F 01/31/1973) and bring her before me to be dealt with according to law.

Given under my hand and seal the 6th day of Sept. A.D. 2019.



JUDGE Bernard I. Bober
Honorable Judge of the Circuit Court

19-0627-AF10

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RECEIVED the Warrant on the _____

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

Day of _____, 2019
and executed the same on the _____
Day of _____, 2019 by arresting the
within-named Defendant and having her
now before the Court

STATE OF FLORIDA

Vs.

Engrid Thurston (B/F 01/31/1973)

DEFENDANT

ARREST: _____

RETURN: _____

MILEAGE: _____

COMMITMENT: _____

RECOMMITMENT: _____

RELEASE: _____

TOTAL: _____

SHERIFF

WARRANT TO ARREST

BOND as to Count 1 is hereby fixed at \$ 25,000

RETURN DATE on this Warrant to be not later
than the Day of 6th, 20 20.


JUDGE Bernard I. Bober
Honorable Judge of the Circuit Court

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**IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY, FLORIDA**

STATE OF FLORIDA,

Plaintiff, :

Vs.

AFFIDAVIT TO ARREST

**Engrid Thurston
(B/F 01/31/1973)**

Defendant,:

BEFORE ME, Bernard J. Bober, Judge of the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, State of Florida, the affidavit & warrant are hereby electronically submitted, pursuant to F.S. 901.02(3) by Detective **John Curcio**, of the Broward Sheriff's Office, who after being duly sworn, deposes and says that on or about the 29 day of July, A.D. 2019, in the County and State aforesaid, one **Engrid Thurston (B/F 01/31/1973)** did then and there:

COUNT I:

Aggravated Manslaughter

On 07/29/2019 did then and there unlawfully and by Engrid Thurston's own act, procurement or culpable negligence, kill Noah Sneed age 2 by leaving the victim unattended in a parked vehicle, without lawful justification and under circumstances not constituting excusable homicide or murder, contrary to F.S. 782.07, (L7).

GROUND FOR ISSUANCE

The following grounds constitute this Affiant's reason for her belief that the laws of the State of Florida were violated as stated above and the facts establishing the grounds for this affidavit and the probable cause for believing that such facts exist are as follows:

AFFIANT'S QUALIFICATIONS

Your Affiant, Detective John Curcio, has been a sworn Law Enforcement Officer in the State of Florida for over forty (40) years, (30) years with the Fort Lauderdale Police Department and (10) years with the Broward County Sheriff's Office. Your Affiant is currently assigned to the Broward Sheriff's Office Homicide Unit.

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Your Affiant has participated in hundreds of investigations into numerous types of criminal activities including death investigations and homicide investigations the interviewing of subjects and witnesses, and the planning and execution of search, arrest and seizure warrants.

PROBABLE CAUSE

On Monday July 29, 2019 at approximately 3:22 p.m., BSO Deputies and Oakland Park Fire Rescue responded to the Ceressa Enrichment & Empowerment Academy, at 3140 NW 21st Avenue, Oakland Park, Florida in reference to an unresponsive infant inside a van.

Upon arrival Oakland Park Fire Rescue Supervisor Kevin O'Connor found the victim slumped over seated in a van parked in front of Ceressa Enrichment & Empowerment Academy. The victim was seated in the first row of seats behind the driver's compartment and located in the seat directly behind the front passenger seat. The van had a logo for the business Ceressa Enrichment & Empowerment Academy on the side of the van. Fire Rescue Supervisor Connor determined the victim did not have any vital signs and he pronounced the victim deceased on scene at 3:23 p.m.

The victim was identified as two year old Noah Sneed. When found the victim was fully clothed and was in slight rigor mortis with purging coming from his nose and mouth.

It was determined that several staff members were working at Ceressa Enrichment & Empowerment Academy at the time of the incident, they included "Lead Teacher" Emma Thomas, "Teacher/ Van Driver" Engrid Thurston and "Facility Director" Lakiela Harris. Three other volunteer "Foster Grandparents" were also found working at Ceressa Enrichment & Empowerment Academy at the time of the incident. They included volunteer,

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Flori Scott, volunteer Willie Mae Porter, and volunteer Lillie Lafavor.

These volunteer **"Foster Grandparents"** are provided and trained by the South Florida Institute on Aging in conjunction with Federal Foster Grandparent Program.

All the listed employees and volunteers agreed to give voluntarily sworn statements to this detective and where escorted to the Public Safety Building.

Investigation determined that the victim Noah Sneed was picked up from his mother custody by the Ceressa Enrichment & Empowerment Academy transportation van at 920 NW 7 Avenue, also known as the HIC (Homeless Assistance Center) in Fort Lauderdale at 8:02 a.m. Noah Sneed had been enrolled in the day care center for several weeks.

At the time of the pick-up Engrid Thurston was the driver of the Ceressa Enrichment & Empowerment Academy transportation van and as well as the only employee and adult in the van.

Engrid Thurston stated that she had been the driver of the transportation van for Ceressa Enrichment & Empowerment Academy for around six or seven months. As part of the business procedure Engrid Thurston stated that she carried a child roster sheet inside the van and would note the time of each child she picked up to drive to the Ceressa Enrichment & Empowerment Academy.

After picking up additional children from various locations and arriving at the front of Ceressa Enrichment & Empowerment Academy, Engrid Thurston advised that she called by phone inside the business to have other employees come out of the business to assist her in removing the children from the van in order to take the children into the Ceressa Enrichment & Empowerment Academy.

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The subjects who assisted in the task was Ceressa Enrichment & Empowerment Academy employee Emma Thomas and volunteer **"Foster Grandparent"** Lillie Lafavor.

Engrid Thurston stated that after removing all the children and their bags from the van she entered into the Ceressa Enrichment & Empowerment Academy employee to begin her teaching and child care for the day.

It should be noted that the Ceressa Enrichment & Empowerment Academy transportation van is equipped with a safety alarm system. This safety alarm system was mandated by Broward County in 2013 as a safety feature to ensure that no child is left behind in a vehicle by staff members. The safety alarm system is located at the rear interior of the van and the engine ignition of the van will not start the van unless the safety alarm system is turned on. Once the van engine ignition is turned off, the safety alarm only allows a short period of time for the van operator to enter into the van and go to the rear to turn off the safety alarm before the safety alarm activates. The purpose of this safety alarm location is to ensure that after all the children have been removed from the van that the driver has to physically enter into the van to turn off the safety alarm and go by each seat to get to the safety alarm at the rear of the van to ensure that **"no child has been left behind"** in the vehicle.

When asked about the use of the safety alarm system in the van, Engrid Thurston advised that first thing in the morning she picked up the Ceressa Enrichment & Empowerment Academy transportation van at Linda Harris's (the owner of Ceressa Enrichment & Empowerment Academy) house. Engrid Thurston stated that after picking up the victim, Noah Sneed and other children, she arrived at Ceressa Enrichment & Empowerment Academy to unload the children.

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Engrid Thurston stated that before she had any of the children exit the van she turned off the van's engine ignition and then climbed to the rear of the van to turn off the vans safety alarm system bypassing its purpose and safety features.

Engrid Thurston stated that the victim Noah Sneed was seated in the second row from the rear of the van (his normal seat). Engrid Thurston stated that Sneed was awake and had his eyes open and that she took off Sneed's seat belt off of him as she passed by him.

Once she had turned off the van's safety alarm system, Engrid Thurston advised that she and the others staff members removed the children and their bags from the van and entered the day care center.

Once this detective explained to Engrid Thurston that turning off the van's safety alarm system before removing the children defeated the purpose of the safety alarm system being installed in the van, she advised that she had never been given instructions as to the order of events to turn off the safety alarm system.

Engrid Thurston stated that after removing the children and bags from the van she nor any other staff member ever re-entered the van to check to see if any children were still inside but just looked inside the van from outside the van. Engrid Thurston stated that on this date she didn't re-enter the van to check to see if any child was left behind because her "knees and joints were aching".

Engrid Thurston stated that later in the day (around 3:00 p.m.) coworker Emma Thomas found Noah Sneed's book bag and asked her why Noah Sneed's book bag was at the day care center and that he was not.

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It was at that point that Thurston stated that she went out to the van and realized that she had left Noah Sneed inside the van.

"Facility Director" Lakiela Harris was interviewed and she advised that she has been the director for Ceressa Enrichment & Empowerment Academy for eleven years and has a certificate as an advanced director through the State of Florida.

When questioned about the procedure for using the transportation safety alarm system she as well did not know the proper procedure for unloading the children being transported from the van first before turning off the van engine and safety alarm system.

When Lakiela Harris was asked about the procedure for when to turn off the van safety alarm system in relation to the removal of the children on the van, she and like Thurston stated that the van's engine ignition and safety alarm system are turned off before removing the children from the van.

Like Engrid Thurston, once this detective explained to Lakiela Harris that turning off the van's safety alarm system before removing the children defeated the purpose of the safety alarm system being installed in the van, she advised that she had never been mandated instructions as to the order of events to turn off the safety alarm system.

Lakiela Harris was asked if per policy employees were assigned to double check the van after the children were unloaded, to which she stated that someone normally was supposed to check the unloaded van and sometimes they would have the older children being transported that day check the van to make sure no child was left inside.

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The owner of Ceressa Enrichment & Empowerment Academy Linda Harris, was interviewed and when asked about the procedure for when to turn off the van safety alarm system in relation to the removal of the children on the van, she stated that all the children should be removed before the van safety alarm was turned off. Linda Harris stated that she had explained the proper procedure to employees and that there was not a second person assigned to check the van after the driver checked the van after unloading the children at Ceressa Enrichment & Empowerment Academy.

Teacher Emma Thomas in her statement confirmed that she assisted unloading the children who were taken off the transportation van and did a daily roll sheet of students who entered the Ceressa Enrichment & Empowerment Academy. Emma Thomas stated that the attendance roll sheet that she prepared was never compared to the van roll sheet prepared by van driver Engrid Thurston on the date of the incident.

Director Lakeila Harris stated that she always ask Engrid Thurston every day when she got to the Ceressa Enrichment & Empowerment Academy how many children were on the bus that morning so she would compare that to the roll sheet of Emma Thomas.

Director Lakeila Harris stated further that if she had done that on this day like she always did this never would have happened. She said she just didn't do it that day.

Volunteer "Foster Grandparent" Lillie Lafavor was interviewed and confirmed that she assisted Engrid Thurston and Emma Thomas unload the transportation van after it arrived at the Ceressa Enrichment & Empowerment Academy. Lillie Lafavor stated that she did not see anyone re-enter the transportation van to check after the children and bags were removed from the

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vehicle.

A sworn statement was taken from Ellen Pincus who worked as a Licensing Specialist for Broward County Child Care Licensing and Enforcement and routinely inspected Ceressa Enrichment & Empowerment Academy.

Ellen Pincus advised that staff of Ceressa Enrichment & Empowerment Academy had been provided training through a written DCF handbook (emailed to Lakiela Harris in April 2018) and personal delivered by Pincus in reference to the proper procedure for both double checking the business van after unloading the children and the use of the van safety alarm system.

Per the Florida Department of Children and Families Child Care Facility Handbook (dated October 2017) under **Section 2.5.2 Transportation Log**:

A) A log must be maintained for all children being transported in a vehicle or on foot away from the premises of the child care facility. The log must be retained on file at the facility for a minimum of 12 months and available for review by the licensing authority. The log must include:

1. Each child's name,
2. The date and time of departure,
3. Time of arrival at the destination,
4. The signature of the driver (or in the case of travelling on foot, the signature of the child care personnel), and
5. The signature of a second staff member or person(s) authorized by the provider to verify the transportation log and that all children have arrived safely and left the vehicle (if applicable).

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B) Prior to transporting children, the transportation log must be recorded, signed, and dated immediately, verifying that all children were accounted for and that the log is complete.

C) Upon arrival at the destination by vehicle or by foot, the child care personnel must record, sign and date the transportation log immediately, verifying that all children were accounted for. The same must occur immediately upon returning to the facility premises.

D) Upon arrival at the destination by vehicle, the driver of the vehicle must:

- 1. Mark each child off the log as the child departs the vehicle;**
- 2. Conduct a physical inspection and visual sweep of the vehicle interior to ensure that no child is left in the vehicle; and**
- 3. Record, sign, and date the transportation log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.**
- 4. Ensure that a second staff member signs and dates the transportation Log verifying that all children were accounted for, and that the log is complete.**

E) Upon arrival at the destination by vehicle, a second and different staff member must:

- 1. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and**
- 2. Sign, date and record the transportation log immediately, verifying that all children were accounted for, and that the log is complete.**

Violations of these same safety procedures are a violation of Florida State Statue 402.305 (10) under licensing Standards for Child Care Facilities and Broward County Ordinance Section 7-9 which states that the driver must check each seat before turning off the safety alarm and leaving the vehicle.

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A search warrant was authored for both the Ceressa Enrichment & Empowerment Academy and the van that the victim was found deceased inside. Inside the van was the log sheet prepared by Engrid Thurston.

The only log filled out on the day of the incident was the parent log sheet which parents signed when they dropped off their kids in and out of bus at end of day but the log required by the driver to be filled out and signed off on by a secondary person was totally blank and never filled out on the day of the incident day.

This log sheet contained only the child passenger name and time that the child was picked up from the parent. The log sheet did not contain any of the other items required under the Florida Department of Children and Families Child Care Facility Handbook **Section 2.5.2**.

Records for the employees from the Ceressa Enrichment & Empowerment Academy present on the date of the incident were also located inside the business. These records showed that several of the employee's present the day of the incident attended the DCF six hour training course titled: "**Child Care**

Facility Rules and Regulations"

The curriculum for that course was obtained and under the section: **Transportation Requirements: Transportation Log** the following was cited:

In order to ensure that all children who are being transported either in a vehicle or on foot by a child care program are safe and not left unsupervised in a vehicle or left at a location, each program is required to complete a transportation log every time children are transported. The transportation log must be retained on file at the program for 12 months and available for review by the licensing authority.

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The transportation log must contain the following information:

Name of each child

Date and time of departure

Date and time of arrival

Signature of the driver; or child care personnel in charge, if walking

Signature of second staff member or authorized personnel

All elements of the transportation log must be completed prior to transporting the children, verifying that all children are accounted for—including verification signatures.

The same steps must be taken when departing the location and returning to the child care program.

Upon arrival to the destination, the log must be completed immediately by:

Marking each child on the log as the child departs the vehicle.

Conducting a physical inspection and visual sweep of the vehicle interior to ensure no child is left in the vehicle and then record, sign, and date the transportation log stating physical inspection and visual sweep was done and no children remain in the vehicle.

Having a second staff member, who must sign and date the transportation log verifying no children remain in the vehicle

Certificates showed that three of the four staff members present on the day of the incident attended the class "Child Care Facility Rules and Regulations" on the following dates.

Linda Harris, certificate number 3037088 (08/06/2011)

Lakiela Harris, certificate number 3122218 (10/17/2009)

Engrid Thurston, certificate number 5493067 (12/06/2017)

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On the day of the incident there were ten children including the victim being transported by Engrid Thurston in the Ceressa Enrichment & Empowerment Academy van.

In 2013 under a Grant Broward County purchased and provided Ceressa Enrichment & Empowerment Academy a van safety alarm under Ordinance 2004 02 Transportation Section Amendment -Facilities and Substantially Compliant Programs. Chapter 7, Section 7-9, Transportation which according to paperwork provided stated.

Sec. 7-9. Transportation.

- (1) Effective July 1, 2013, any vehicle designed or used to transport six (6) or more passengers and one (1) driver must have a child safety alarm device installed. The alarm device must be periodically tested and properly maintained in working order at all times.
- (2) The alarm device must be designed to automatically activate when the vehicle's ignition is turned on. Alarm devices that are activated manually are prohibited.
- (3) The alarm device must be designed so that the vehicle horn, siren, or other type of audible alarm will sound within one (1) minute if the driver, or a child care facility staff member, does not go to the rear or back seat of the vehicle, or, in the case of a passenger van, does not open the side entry door of the vehicle, to manually shut off the alarm prior to leaving the vehicle. The alarm must be audible from a distance of five hundred (500) feet from the vehicle.
- (4) The alarm device must be installed so that the driver, or a child care facility staff member, is able to observe the rearmost seats of the vehicle and reach the switch that turns off the alarm prior to leaving the vehicle. The driver, or a child care facility staff member, must physically inspect each seat before turning off the alarm and leaving the vehicle.

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On 08/07/2019 this detective took a sworn statement from Lasona Woodard the previous van driver Ceressa Enrichment & Empowerment Academy. Woodard advised that she drove the transportation van for two years through November 2016 and received no procedural information from either Linda or Lakiela Harris as to how to operate the van's safety alarm system other than to turn off the alarm "quickly" before the alarm went off.

Woodard stated that Lakiela Harris prepared the van's transportation log but did not do it every day and some days when she drove she had no log at all. When questioned as to a second employee double checking to make sure the transportation van was empty of children after arriving at Ceressa Enrichment & Empowerment Academy, Woodard stated that double checking procedure was never done on the van while she worked at Ceressa Enrichment & Empowerment Academy.

The side windows for the Ceressa Enrichment & Empowerment Academy were tested and had a light transmittance of 17% in the visible light range which made it illegal under Florida State Statute 316.2953. This window tinting would have hampered a passerby from seeing the victim inside the van during the incident.

Staff members of the Homeless Assistance Center (HAC) advised that once a parent takes residence at the HAC they suggest that the parent go onto the Early Learning Center of Broward County website to select a daycare center to use.

It was determined that the victim's mother Chanese Sneed had chosen the Ceressa Enrichment & Empowerment Academy as a Day Care Center while at the HAC since she had used them in the past when the victim Noah Sneed was only months old.

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Chanese Sneed stated that she took a tour of the Ceressa Enrichment & Empowerment Academy when the victim first attended Day Care and that she spoke to Linda Harris who seemed like a "smart person". Chanese Sneed could not remember any other details of the tour or what she was told by Linda Harris.

The day of the incident the victim was transported to the Broward Medical Examiner's Office for a post-mortem examination. Broward County Medical Examiner Pathologist Teddi Tubre travelled to the scene location and on 08/30/2019 determined that the victim Noah Sneed died from hyperthermia from being left in the van for an extended period of time unsupervised.

Based on the listed facts there is probable cause for the charge of Aggravated Manslaughter based on the actions of Engrid Thurston, which caused the death of Noah Sneed through their culpable negligence without lawful justification based on the victim's age.

STATUTE BEING VIOLATED

COUNT I:

Aggravated Manslaughter

On 07/29/2019 did then and there unlawfully and by Engrid Thurston's own act, procurement or culpable negligence, kill Noah Sneed age 2 by leaving the victim unattended in a parked vehicle, without lawful justification and under circumstances not constituting excusable homicide or murder, contrary to F.S. 782.07, (L7).

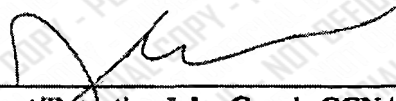
As a result, the undersigned Affiant has probable cause to believe that **Engrid Thurston (B/F 01/31/1973)** committed **Aggravated Manslaughter** contrary to F.S. 782.07.

The offense set forth in the foregoing Affidavit is contrary to the statute in such case made and provided, and against the peace and dignity of the State of Florida.

This affidavit is hereby submitted bearing your Affiant's signature supported by oath or affirmation in compliance with F.S. 901.02.

I, Detective John Curcio, having been duly sworn, say that the facts contained herein, are true and correct to the best of my knowledge, information and belief.

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Affiant/Detective **John Curcio** CCN #16048
Broward Sheriff's Office

State of Florida, County of Broward

Sworn to (or Affirmed) and subscribed
before me this 6 day of
9 2019 by

(name
and title), who is personally known to me
or who has produced
as

identification.


Title/Rank and CCN