

Issue Capias Returnable Instanter Bond Amount \$5000.00

Clerk Number _____ SA Number: 1711CF001017A Agency # 270056 FDLE

RACE: * SEX: * DOB: SS#:

ADDRESS OF DEFENDANT: ZACHARY VERNON MCARTHUR, 1700 W LEONARD STREET , PENSACOLA, FL

- 1) FELONY BATTERY BY CAUSING GREAT BODILY HARM, PERMANENT DISABILITY OR PERMANENT DISFIGUREMENT (1351)

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA IN THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

ZACHARY VERNON MCARTHUR,

WILLIAM EDDINS, STATE ATTORNEY FOR THE FIRST JUDICIAL CIRCUIT OF FLORIDA, PROSECUTING FOR THE STATE OF FLORIDA, CHARGES THAT ZACHARY VERNON MCARTHUR, on or about December 9, 2010, at and in Escambia County, Florida, did unlawfully commit battery upon JUSTIN DANIEL JOHNSON by actually and intentionally touching or striking said person against said person's will, and caused great bodily harm, permanent disability, or permanent disfigurement to the said JUSTIN DANIEL JOHNSON, in violation of Section 784.041, Florida Statutes. (F3-L6)

STATE OF FLORIDA COUNTY OF ESCAMBIA

Before me personally appeared the undersigned designated Assistant State Attorney for the First Judicial Circuit of Florida, being personally known to me, and who first being duly sworn, says that the allegations set forth in the foregoing information are based on facts that have been sworn as true, and which if true, would constitute the offense there charged, that said Assistant State Attorney has received testimony under oath from a material witness or witnesses for the offense and that this prosecution is instituted in good faith.

Christi Hankins
ASSISTANT STATE ATTORNEY
CHRISTI HANKINS
6495 CAROLINE STREET SUITE S
MILTON, FL 32570
PHONE NO.: (850) 981-5508
FLORIDA BAR NO.: 0483321



Sworn to and subscribed before me this 1 day of February, 2011.

Carolyn Connors
Notary Public

AFFIDAVIT

On January 26, 2011, Justin Johnson was interviewed by Assistant State Attorney James Parker and Investigator Richard Furmaniuk of the Office of State Attorney. Justin Johnson was placed under oath by Mr. Parker at 3:05 p.m. The interview was in reference to an incident that occurred at the Escambia County Sheriff's Office on December 9th, 2010, involving Justin Johnson and Deputy Zachary McArthur.

Justin Johnson stated he went to Chan's Nightclub in Pensacola, Florida, a week prior to this incident where an incident occurred between him and an African American male. Justin Johnson stated he was told to leave. Johnson went on to say he does not remember being told that he could not come back. He told them at that time he would be back next week.

Justin Johnson stated he went back to Chan's Nightclub on December 8th, 2010, with a friend, Miranda Turner. They arrived between 8:30 p.m. and 9:00 p.m. According to Justin Johnson, the person who told him to leave the week before was standing at the entrance door when he entered Chan's and never said anything to him. Johnson stated he did not see any Officers when he arrived at Chan's. Justin Johnson was in the club for about 4 - 5 hours, ordering drinks from the bar, and never told to leave, when he said he was snatched from his seat by the Officer and the bouncer, and taken outside. He said he was told outside that he could not be at Chan's. He was then handcuffed and placed in the back of the police vehicle. According to Justin Johnson, he was never told he was under arrest. Justin Johnson went on to say when he arrived at the jail, he remembers his head getting slammed into something, as he entered the building. The next thing he remembers is blood coming down the side of his face. Justin Johnson said he still does not know why he was arrested. Justin Johnson stated while he was in the booking area, he made the statement that he wanted to kill himself just so someone would get him medical attention. Justin Johnson stated he received 11 stitches to close the injury above his eye.

Your Affiant viewed the video of the booking area at the time of Justin Johnson's arrival. It depicts a person being brought into the jail by an Escambia County Deputy. The identification of these two individuals was later determined to be Justin Johnson wearing a yellow shirt and handcuffed behind his back and Deputy Zachary McArthur. Also, in the video in the booking area is a black male, and three other deputies to include a sergeant.

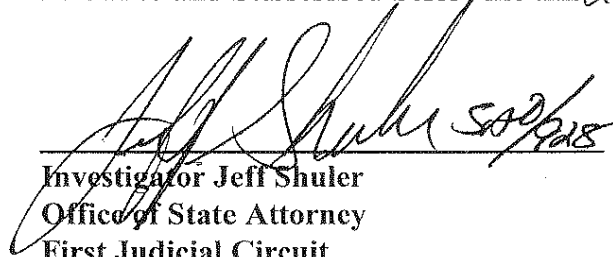
The video depicts Justin Johnson being led into the Escambia County Jail by Deputy McArthur and as they entered the booking area, Deputy McArthur using his upper body, throwing Justin Johnson on the floor. Deputy McArthur then grabs Justin Johnson by the handcuffs and drags him about 3 - 4 feet and leaves him lying on the floor bleeding. After Justin Johnson is dragged to the front of the bench, you can see the trail of blood on the floor, from Justin Johnson's face. Justin Johnson is left on the floor for four minutes with no medical attention from Deputy McArthur or any of the Deputies in the booking area.

I SWEAR/AFFIRM THE ABOVE TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

 SA00/929

Investigator Richard Furmaniuk
Office of State Attorney
First Judicial Circuit

Sworn to and Subscribed before me this 27th Day of January 2011.

 SA00/928

Investigator Jeff Shuler
Office of State Attorney
First Judicial Circuit
F. S. S. 117.10