

## Palm Beach County Sheriff's deputy charged with aggravated...

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A Palm Beach County Sheriff's deputy was arrested last week after allegedly battering a 5-year-old boy, leaving the child with hemorrhaging around the eyes and a swollen lip, according to a police report.

Roger Aaron Kirby, 37, was arrested Thursday and booked into the Palm Beach County Jail. Court records show Kirby was released Friday after posting \$25,000 bond. Kirby is on paid administrative leave from PBSO pending an investigation.

The child, whose relationship to Kirby could not be verified, was admitted into the pediatric intensive care unit at Palms West Hospital on April 22 for what doctors diagnosed as petechial hemorrhaging that resulted from "manual asphyxiation," the report said.

According to a medical report, the "most likely possibilities" for the boy's injuries were that "he was smothered over the mouth and nose while he struggled to breathe or that he had 'fallen' off the bed and his face was forcibly pressed against the floor impeding his ability to breathe freely."

After spending several days in the hospital, the boy was discharged. He was interviewed by a member of PBSO's Child Protection Team but "was timid and reluctant to speak," about what happened.

On May 22, a member of the Child Protection Team met with the boy, who said he was in the hospital because Kirby had choked him and hurt his eyes. The boy said he was in his bedroom when Kirby went into his room, whispered something then covered his mouth and nose. The report said the boy demonstrated a "choke hold" while re-enacting what happened to him. When he tried to get away, the boy said, Kirby squeezed him harder.

The boy indicated to the detective the alleged abuse has been ongoing. He said Kirby had become angry and disciplined him harshly after the boy wet the bed. The boy said Kirby has made him stand in the bathroom for "hours" and also made him jump up and down in front of the toilet. He's forced to spend so much time in the bathroom that he falls asleep, which angers Kirby and causes him to hit the boy, the report said.

On one occasion, the child said, Kirby shoved a wet diaper into his face after a wetting accident. Kirby also "punches" him, including in the face, the boy said. Kirby is listed on his arrest report as 6-foot-4 and 250 pounds.

An unidentified person in the home cries and begs Kirby not to hurt the boy, the report said.

Kirby, a Wellington resident, joined the sheriff's office in 2004 and works in the training division, a sheriff's spokeswoman said.

In February 2012, Kirby was arrested after he allegedly slammed his girlfriend against an aluminum bi-fold door during an argument. Kirby told deputies that he and his girlfriend had argued about his 2-year-old daughter. The girlfriend, whose name was not released, said they had argued over Kirby's drug use, according to the arrest report.

Court records show that the state attorney's office did not file a charge of battery against Kirby.

Kirby is the second sheriff's deputy arrested in less than a week.

Joaquin Fonseca, an undercover agent, was arrested and booked into the Palm Beach County Jail on May 20. He faces charges of official misconduct, possession of cocaine and false statements to a law enforcement officer during an investigation.

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