

Affidavit of Probable Cause

During the week of January 22, 2024, mental health training for students was held at Atlantic City High School. At the end of each session, students were provided with "exit tickets." On the front of the "exit ticket" three faces were present: happy, neutral, and sad. Each student was asked to circle one face. The ticket allowed a student a discreet way to send a request about speaking with someone at the school.

J.S., the 16-year-old juvenile daughter of Marty Small, Sr. and La'Quetta Small, was provided an exit ticket on January 22, 2024. J.S. circled the neutral face and wrote on the back of the ticket, "abuse" and would "like a counselor." Atlantic County Prosecutor's Office detectives obtained a copy of this ticket at a later date.

An employee at the high school was given J.S.'s ticket by one of the mental health trainers the same day. The employee told detectives that at approximately 10:00 a.m., he approached J.S. and pulled her from her classroom to speak with her. He stated this was the first time he met with J.S. and spoke with her for approximately two to three minutes in the hallway. He stated it seemed like J.S. wanted to talk and told him she had been hit with a broom and passed out. He asked if this was ongoing, and J.S. told him "No." J.S. told him that her dad was a big guy, and she wanted to continue on with her life. J.S. told him that she had already spoken with Principal Chapman about some choices.

The employee stated that later that same day he and another school employee discussed the matter with Principal Constance Days-Chapman. He stated they spoke with Chapman in person, and he told her what J.S. had told him. He stated Chapman told him J.S. never mentioned the abuse to her, but that she would report the abuse to DCP&P. One of the employees told Chapman that she would make the notification to DCP&P, but Chapman insisted she would make the notification. Chapman was provided a copy of the exit ticket from J.S. from one of the employees.

On the same day, later in the evening, J.S., during a telehealth consultation, disclosed to a therapist that she was being physically and emotionally abused by both of her parents. The report indicated that the abuse began in the beginning of December 2023 when "a situation had happened December 7th and it was a minor situation, it got escalated to where they put hands on me."

J.S. explained that sometime in the beginning of December 2023, Marty Small, Sr., during an argument, punched her in the legs and La'Quetta Small had her knee on J.S.'s chest.

J.S. explained that also in the beginning of December 2023, La'Quetta Small, during an argument, "was punching on me and hitting me and stuff."

J.S. explained in the middle of December 2023, La'Quetta Small, during an argument, put all her weight on J.S. and smacked her multiple times in the face.

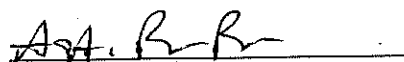
J.S. explained that on January 13, 2024, Marty Small, Sr., during an argument, threw her into the shower, slammed her, and choked her. He was choking her and throwing her around everywhere. She stated that he was "trying to pick me up - you know how people be picking up basketballs?" He hit her on the head with a broom. She stated she passed out when he hit her on the head with the broom and she collapsed on the floor. She stated that she had a scratch and bruises all on her neck.

J.S. stated that, "Every time they hit me, I always had bruises on my body."

J.S. reported to the therapist that she had informed the school, and the school would be contacting the State to make a report regarding the above events.

J.S. reported to the therapist that "I was really stressed, I was crying a lot, I wasn't mentally stable, I wasn't comfortable around them, I just didn't feel safe."

J.S. disclosed this abuse to the therapist outside the presence of both Marty and La'Quetta Small.


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The therapist also spoke with La'Quetta Small that night. La'Quetta explained that J.S. was experiencing some personal issues with her parents due to a relationship with a young man they don't approve of, and it had caused some tensions in the home. She stated that J.S. was defiant at home and they told her not to talk to the young man, but she continued to sneak around and continue the relationship with him after they told her not to.

The director of the medical facility reported the above incidents of abuse to the NJ Department of Children and Families on January 24, 2024. During the recorded telephone conversation between the director and a representative of the NJ Department of Children and Families the director told the representative that a member of the school should've already made the notification but that he was just following up. The representative stated that no one from the school had notified the NJ Department of Children and Families. The representative continued to do a search on their system for a school disclosure while talking to the director. No disclosure from the school was located. The NJ Department of Children and Families notified the Atlantic County Prosecutor's Office the same day.

Later that night, January 24, 2024, a member of DCP&P interviewed J.S. and her brother, M.S. These interviews took place at the Small residence. DCP&P stated that when they arrived to speak with J.S. both Marty and La'Quetta were home and were present during the interviews. According to DCP&P, La'Quetta Small knew DCP&P would be reporting to her residence to speak with J.S. because La'Quetta Small's good friend told La'Quetta about DCP&P involvement. During their interviews, both J.S. and M.S. denied the abuse allegations. DCP&P stated J.S. told them that she made the allegations up because she was mad at her parents for taking her phone away and neither parent agreed with the relationship J.S. had with her boyfriend. J.S. denied disclosing physical abuse to anyone at the high school two days prior. J.S. stated the first person she disclosed to was the therapist on January 23, 2024. La'Quetta Small was unaware J.S. made a disclosure to the therapist on January 23, 2024.

On January 25, 2024, detectives from the Atlantic County Prosecutor's Office reported to the Atlantic City High School to interview J.S. During the interview, J.S. told them she knew why they were at the school to speak with her. She told them she was mad at her parents for not allowing her to go to Crab Du Jour, via Uber, with her friend, a few weeks ago. She stated she made the allegations up because of this and stated no physical abuse occurred. J.S. was asked if she was ever hit by her parents and she stated no.

J.S. stated the first person she talked to about the physical abuse was her therapist. J.S. denied disclosing to anyone at school about these allegations. She stated when she disclosed the abuse, she was on a Zoom meeting with her therapist in her bedroom. J.S. stated no one else was in her room when she disclosed this to her therapist.

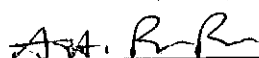
J.S. was asked if she spoke with DCP&P on January 24, 2024, and she stated yes. J.S. stated when DCP&P arrived at her home she was out with her aunt. J.S. stated her aunt received a phone call, she didn't know who called her aunt, and later told her she needed to get home because DCP&P was there to speak with her. J.S. told DCP&P she made the allegations up and she was not physically assaulted.

Detectives told J.S. that they spoke with DCP&P prior to speaking with her. They asked her about her relationship with a juvenile male with the initials E.L. and if her parents took her phone away due to some concerning text messages found. J.S. denied her parents took her phone away and continued to say her parents are okay with her relationship with E.L. She stated the last time she spoke with E.L. was yesterday and it was through Instagram.

On Friday, January 26, 2024, detectives met and interviewed E.L. He stated he had been dating J.S. for approximately nine months and had a good relationship with J.S.'s parents until early December 2023.

E.L. stated the last time he saw J.S. in person was early December of 2023. He stated sometime in early December 2023, J.S.'s parents went through her cellular telephone and found out details about their relationship, which led to her cellphone being taken away from her. E.L. advised her parents were against this and did not approve of their relationship.

E.L. stated J.S. was able to continue her communications with him via another cellular device she owned without her parents' knowledge. E.L. stated this communication with J.S. was mainly via video chat like Facetime, Instagram, etc. E.L. stated J.S. was being verbally, mentally, and physically abused by her parents. E.L. stated during the week of December 10, 2023, he witnessed over the video chat on different occasions how her father screamed at her and was


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physically abusive specifically by choking her. He described J.S.'s clothing being ripped, and her body bruised after the abuse incidents.

E.L. stated on January 13, 2024, there was a scheduled event early in the morning called a "Peace Walk," in which Marty Small, Sr. was to attend. E.L. stated J.S. did not want to attend, but her father became physically violent specifically by beating her with a broom. E.L. stated J.S. showed him via video chat the long grayish colored broom handle used to beat her. E.L. stated the broom handle was bent.

E.L. stated he has in his cellular devices and an iPad several recordings of many of those incidents mentioned above. Some of those recordings were video/audio and photographs showing J.S.'s injuries.

E.L. showed the detectives, utilizing his cellular device, several photographs of J.S.'s injuries. The photographs showed different body parts with what appeared to be swelling, scratches, bruising, and hair loss.

E.L. told detectives that he told his mother sometime in December 2023 about J.S.'s parents being abusive towards her.

On January 26, 2024, detectives spoke with E.L.'s mother. She told them E.L. disclosed to her a few weeks ago that J.S.'s parents initially were verbally and physically abusive towards J.S. E.L. told detectives J.S.'s parents did not know she was on video call with E.L. when she was being abused.

On January 27, 2024, detectives extracted the contents of E.L.'s cellular phone and confirmed that those same images shown to detectives by E.L. during his interview on January 26, 2024, showing J.S.'s injuries were found in the extraction report of his cellular phone.

On January 28, 2024, detectives extracted the contents of E.L.'s iPad. Three (3) images dated January 14, 2024, containing text messages between J.S. and E.L. were located capturing the following text message conversation:

J.S.: I didn't wan wake up so she kicked up and I fell on my face. Like my body is sore from head to toe.
E.L.: Off ya bed.
J.S. And I have bruises on my shoulders. Yes. From my dad. On each side.

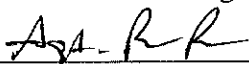
Detectives located numerous video clips during the iPad extraction. These recordings appeared to be made from a screen video recording application or saved utilizing one of the devices from the video chat. The videos show a 50/50 split screen, each showing their live view of the video chat from their respective devices.

Several of the video clips capture an incident around January 3, 2024, between Marty Small, Sr. ("M.S.") and J.S. A portion of that incident is detailed below:

M.S.: She's the problem!
J.S.: (Whispering to E.L. over video) I'm scared.
M.S.: (J.S.'s name), don't make me hurt you.
J.S.: Hurt me, that's all you do!
M.S.: Don't make me hurt you.
J.S.: That's all you do. That's all you do anyway. . .

Moments later the argument continued:

M.S.: Sit down. I said sit down!
J.S.: Stop pushing me!
M.S.: I'm telling you, you're going to do harm to yourself if you get in my space again.
J.S.: You always harm me anyway. Hurt me.
M.S.: I'm gonna hurt you.
J.S.: Hurt me. Hurt me.
M.S.: I'm gonna hurt you. Okay.


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J.S.: Hurt me. . . 'Go to school, What happened?'
M.S.: Okay, tell them. I don't care. What they gonna do to me? What they gonna do to me?
J.S.: Can you please move so I can go to school? Stop pushing me! You keep pushing me. Stop!
M.S.: Sit down. I'll smack that weave out ya head.
J.S.: Please stop pushing me in my chest.
M.S.: I don't care where I push you at . . . I'm going to earth slam her down the steps! Come past this line and I'm gonna grab you by the head and throw you on the ground! Nothing is gonna happen to me!

Several of the video clips capture an incident around January 7, 2024, between La'Quetta Small ("L.S."), J.S.'s grandmother, Sharnice Frazier ("S.F."), and J.S. A portion of that incident is detailed below:

L.S.: You're still talking!
J.S.: Get off of me! Get off of my neck!
L.S.: You still talking little girl!
J.S.: Get off me, you hit me.
S.F.: A little punch in the eye ain't gonna stop her.
J.S.: You punched me in my mouth . . . Get off of me!
L.S.: Who you telling to get off of you girl! You don't run me. You don't run me. And I'm gonna touch you whenever I wanna touch you.

Several text messages between J.S. and E.L. were also recovered from E.L.'s iPad extraction. On January 14, 2024, at approximately 4:11 a.m., the early morning after the alleged broom incident the day before, J.S. texted E.L. photographs of injuries to her forehead and cheek. She also texted E.L. a photograph of a gray broom head.

On January 24, 2024, at approximately 3:30 p.m., the same day DCP&P went to interview her at her home, J.S. texted E.L. that she also disclosed the abuse to "the lady in the teen center . . . dr.davis . . . & she's also reporting it."

Prior to the DCP&P interview, at approximately 9:00 p.m., J.S. texted E.L. that her parents got mad at her because of "difvice or whatever." DCP&P was formerly known as DYFS, with the common pronunciation as "DYE-fuss."

She continued to send a series of text messages stating that she is going to be sent "outta state in a foster home . . . with no contact with nobody" and that "davinee took me to her house cs (because) I was arguing w (with) my dad. And that "my dad keep blaming me, said everything is my fault." She texted, "I'm scared what about if I get sent away. I just want it all to blow over and go away." E.L. then sent J.S. a series of 10 photographs depicting injuries sustained by J.S. E.L. then texted, "And show when she pulled ya hair out."

On January 30, 2024, detectives received the medical records for J.S. when she was admitted to the hospital on Tuesday, January 16, 2024, for a head injury. Video surveillance from the hospital was also obtained. The video showed J.S. and Marty Small, Sr. arriving in what appeared to be a black SUV and then both entering the hospital at approximately 10:40 a.m. Video also showed La'Quetta Small later join Marty Small, Sr. and J.S. at the hospital.

The medical report stated J.S. went to the hospital for a head injury she suffered three (3) days prior. Three days prior would be January 13, 2024, the same day J.S. told her therapist that she was knocked unconscious by her father after he hit her with a broom. J.S. told the treating nurse at the hospital that she hit her head on a window and passed out when she was playing with her younger brother. Marty Small, Sr. was present and confirmed this version of events to the nurse. Her diagnosis from the hospital was a head injury and syncope (loss of consciousness).

On January 31, 2024, detectives reinterviewed J.S. after reviewing the text messages, photos, and videos between her and E.L. During this video recorded interview, J.S. disclosed being physically abused by her father and mother on multiple occasions during the months of December 2023 to January 2024, while inside their residence at 116 N. Presbyterian Avenue, Atlantic City, NJ 08401.


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J.S. stated during one of the incidents, her father hit her approximately three times on her face using a broom and as a result of this, she passed out. J.S. advised that due to losing consciousness and sustaining injuries to her face not long after this incident her parents took her to the ARMC-City Division Hospital in Atlantic City, NJ, to be treated.

J.S. stated on another occasion, in December of 2023, her mother punched her on her chest multiple times leaving marks by her breast area as well as being struck using her (mother's) hands. J.S. showed detectives photos of these injuries.

J.S. stated her boyfriend, E.L, had food delivered to her residence and her mother found out. J.S. stated her mother then threw the food outside her residence and the situation escalated. J.S. stated her mother dragged her out of her bedroom into her grandmother's bedroom by pulling on her hair extensions. J.S. stated she lost hair because of the pulling. In addition, J.S. stated her mother used a belt to strike her on her shoulders leaving some welts. J.S. stated she was wearing a tank top during this incident. J.S. said there were photos of these injuries on her phone.

Detectives played the video clip of the incident between J.S. and La'Quetta Small from January 7, 2024. J.S. told detectives that her mother hit her in the face three to five times during that incident.

J.S. stated on another occasion her father hit her on her legs with his hands leaving bruising in that area of her body while she was sitting on a barstool. This incident occurred in her father's "mancave." J.S. showed detectives a photograph of her injuries using her cellular telephone.

J.S. stated the videos found on E.L.'s iPad were recordings of some of those incidents mentioned above in which can be heard the voices of her father, mother, grandmother, and at times her younger brother.

J.S. stated she not only text messaged E.L. using her current cellphone, but also shared with him via text multiple photos showing her injuries from the abuse. As J.S. was showing images to detectives, the phone lost battery power.

J.S. stated prior to her telehealth video chat on January 23, 2023, she disclosed the abuse to ACHS "Employee 1".

Detectives retrieved J.S.'s cellular phone for a forensic examination.

Instant messages between J.S. starting from January 23, 2024, at approximately 9:41 p.m., showed E.L. writing "Choking u," "Slamming u," "And u got video evidence," and "photos," and "They tryna put u on drugs." Then the messages continued with E.L. writing, "Get off y'all phone," and "stay muted," while J.S. replied with, "I think he coming upstairs."

On February 1, 2024, detectives met with J.S. at ACHS to return her cellphone and speak to her for clarification from her previous interview. J.S. provided a more detailed video recorded sequence of events that lead to her becoming unconscious on or around January 13, 2024, as a result of her father striking her multiple times on her head/face area with a broom. J.S. stated her father found the broom in her bedroom because it was left when she was cleaning her bedroom. J.S. stated she was inside her bedroom when being physically abused. J.S. stated when she regained consciousness, her father, mother, and younger brother were standing over her. J.S. stated she heard someone saying to bring water and then in a recriminatory tone her mother told her father, "You need to stop, you are doing too much," in reference to hitting her and that it was wrong what he was doing to J.S.

On February 5, 2024, detectives interviewed Toria Young. Ms. Young works as a main office secretary at ACHS. Ms. Young is also J.S.'s older cousin. Ms. Young stated that J.S. was dealing with some major issues that have caused a conflict between her personal life, school, and her boyfriend. She confirmed that there is a lot of contention between J.S. and her parents due to their disapproval of her boyfriend.

Ms. Young stated that J.S. disclosed to her that she had been beaten by her father. Ms. Young witnessed an injury to J.S.'s face in mid-January 2024. She had also seen bruises on J.S.'s arm. She stated J.S. and her parents have been having problems "like this" for the past two months.

On February 16, 2024, detectives from the Atlantic County Prosecutor's Office interviewed Director Andrea Davis, LCSW of the AtlantiCare Teen Center. The Teen Center is located inside ACHS and provides support services to students.


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Dr. Davis explained that J.S. had been receiving services from the Teen Center within the last few months. She stated recently she had come in on a few occasions for wellness check-ins to process some of the things she had been going through. Dr. Davis stated that in late January 2024, J.S. told Dr. Davis that she was having problems with her parents, specifically interactions with her father. J.S. told Dr. Davis that she had been hit by her father at home that left a mark on her face. J.S. did not go into other details about the incident. J.S. told Dr. Davis that she disclosed this information to ACHS "Employee 1". Dr. Davis stated that if J.S. had not already told someone else about the abuse then she would've made a report to DCP&P.

On February 21, 2024, detectives reviewed the Instagram social media account records for J.S.

On December 8, 2023, J.S. had a direct message conversation on Instagram with a person later identified as a juvenile with the initials M.C. That message is below:

J.S.: can i stay w you wherever you go?, cs im not staying home.
M.C.: i'm going w my sister bf or to the movies they can get trouble for that... just ask to come over.
J.S.: okay well im not going home if they ask don't tell them
M.C.: do you not know who ur father is ?
J.S.: idgaf if he was the president... shit don't phase me
J.S.: (later in the conversation): i live in a house not a home...my dad called me a nobody
M.C.: omg
J.S.: cs im not cheering...like they physically mentally and emotionally abuse me.

On December 13, 2023, J.S. and M.C. had another direct message conversation on Instagram:

M.C.: who phone you on ...that's a mark on ya arm bru ?
J.S.: old phone im sneaking it gotta take ts to school tmr..
J.S.: bruise..
M.C.: from?!
J.S.: mother.

On March 25, 2024, detectives obtained a sworn recorded statement from M.C. During the statement, M.C. confirmed the Instagram messages as being between her and J.S.

On December 21, 2023, J.S. had a direct message on Instagram with another user. A portion of that direct message is below:

J.S.: siyaa you said you wanted to ttm but i'm on punishment cs i snuck my boyfriend in the house but they only found out cs my mom went threw my phone when i was sleep and they was abusing me idc they dda was then didn't go to school for like 3 days had doctors appointments testing me for everything in the book my mom don't fw neither my dad they keep bashing me and im tired of it like they need to leave me alone . . . but my mom keep calling me a loser and a disappointment because of it . . .

On December 22, 2023, J.S. had a direct message on Instagram with another user. A portion of that direct message is below:

J.S.: hey sister , so if you been trying to text me i haven't had my phone so basically my mom went through my phone when I was sleep and found out I snuck chummy in my house yea I was wrong for it they told me to stop talking to him and I didn't want to because he is literally my safe person and I feel safe and comfortable and happy with him so he order food cs I haven't ate and she threw it in the street then she abused me her and my dad like beat me bruises all over had some many appointments lots of name calling they called the cops on me literally said can I go leave get away so recently I got suspended for defending myself cs this girl came up to me popping shit and they are blaming chummy for it and it's not his fault I just want to leave honestly don't want to stay here like I can't I don't feel safe like I've been mentally emotionally verbally and physically abused and it's alot and I'm overwhelmed and I keep cryijg every


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night having headaches they calling me mental and crazy saying ima dissapointment all this stuff sis I need help my bags is packed I'm so ready to leave just wanted to let you know what was going on . . . and its like all the pictures and stuff but they are never there for me mentally and physically like didn't even have thanksgiving together like this is not a family at all and ima say whatever ima say to them however they take it cs idc atp like take it how they want urb . . . they took me to the doctor . . . ran all these tests . . . took mad blood out . . . they the pediatrician saying ion love myself and I'm crazy all this other stuff . . . tryn put me on meds . . . saying im dumb ima zombie im a disappointment . . . my dad said he wants another daughter cut me off multiple times

On January 4, 2024, J.S. had a direct message on Instagram with another user (S.M.). A portion of that direct message is below:

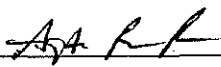
S.M.: Excuse me why ian see you

J.S.: didn't want my dad to take me to school so we was arguing . . . shit aint sweet w him

S.M.: What happened

J.S.: cs he said im taking you to school and I said no , I'm taking the bus then he was standing by my door and I kept pushing him so he can move and then he pushed me and I said ion wan be w you and he said im a nasty disgusting person and ima drop out and he called me dumb and he gon send me away all this bs like then he said he was gon throw me down the steps well "earth slam" and he said Im not taking you and I changed my clothes and layed down . . . yup ain't playing w him at all

On March 28, 2024, detectives conducted a court approved search of the residence of Marty Small, Sr. and La'Quetta Small. Detectives located a handwritten letter dated December 21, 2023, from J.S. to her parents behind clothing in La'Quetta Small's bedroom closet. The beginning of that letter stated, "Honestly, I'm going for peace, I keep disappointing you all, I'm just going to go. Must hate me for not being perfect. Getting called dumb, crazy, mental and sick hurts but that's okay, I guess I'm the biggest disappointment for defending myself."


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