



# Sarasota Police Department

## PUBLIC RECORDS EXEMPTIONS



PUBLIC RECORDS REQUESTED: 23-061478 (PCA)

DATE: 01/02/24 SPD ID #: 1493

***The following information has been withheld as exempt or confidential under applicable state and federal law (check all that apply);***

- 911 Calls- §365.171(12), Fla. Stat.
- Active Internal Affairs Investigations (IA)- §119.071(2)(k), Fla. Stat.
- Active Criminal Investigation- §119.071(2)(c) & 119.011 (3), Fla. Stat.
- Bank Account, Debit/Credit Card Information- §119.071(5)(b), Fla. Stat
- Battery/Domestic Violence, Agg Child Abuse, Agg Stalking, Harassment, Victims- §119.071(2)(j), Fla. Stat.
- Child Abuse/Neglect- §794.024, Fla. Stat
- Confessions / Post Miranda- §119.071(2)(e), AGO84-33, Fla. Stat
- Confidential Informants / Sources (Crime Stoppers)- §119.071(2)(f), 901 So.2d 881 and 661 So.2d 926, Fla. Stat.
- Crash Reports/Traffic Citations- §316.066(2)(b), §316.650(11)(b)(1), Fla. Stat. along with 18 U.S.C. §2721(c).
- Criminal History/Justice Information- §943.053(2) & 943.046, Fla. Stat.
- David Information - §322-142(4), Fla. Stat.
- Department of Children and Families Information- §39.202 and §39.205, Fla. Stat.
- Public Officer and Employee Personal Information - §119.071(4), Fla. Stat.
- Medical Information- §112.08(7), §119.071(4)(b), §394.4615, §395.3025, §397.501(7), §401.30, and §455.229, Fla. Stat.
- Misdemeanor Juvenile Delinquency Information - §985.04, Fla. Stat.
- Body Worn Camera Footage-Private Location- §119.071(2)(1)(2), Fla. Stat.
- Security System Records (Private or Business) - §119.071(3)(a) and §281.301, Fla. Stat.
- Social Security Numbers- §119.071(5)(a), Fla. Stat.
- Surveillance Techniques/Procedures/Personnel - §119.071(2)(d), Fla. Stat.
- Undercover Personnel- §119.071(4)
- Victims of Crimes, Marsy's Law- Article 1, §16(b)(11), Fla. Const.
- Other-

**ORIGINAL**

**PROBABLE CAUSE AFFIDAVIT  
Sarasota County**

2023 CF 012736 NC

Affix label here

AGENCY  SSO  SPD  FHP  VPD  NPPD  LBPD  OTHER  ORIGINAL  SUPPLEMENTAL

|                                    |                         |        |          |
|------------------------------------|-------------------------|--------|----------|
| SSO CASE #                         | SSO BK# <b>23-12035</b> | OBTS # | ARREST # |
| AGENCY CASE # <b>2023-00061478</b> | SAO #                   | FDLE # | UTC #    |

|  |  |           |                                   |              |                               |            |  |              |
|--|--|-----------|-----------------------------------|--------------|-------------------------------|------------|--|--------------|
| <b>D<br/>E<br/>F<br/>E<br/>N<br/>D<br/>A<br/>N<br/>T</b> | <input checked="" type="checkbox"/> ADULT - ARREST |           | <input type="checkbox"/> JUVENILE |              | On-View                       |            |  |              |
|  | (LAST, FIRST, MIDDLE INITIAL)                      |           |                                   |              | (LAST, FIRST, MIDDLE INITIAL) |            |  |              |
|  | DEFENDANT <b>RUSH, BERNARD L Jr</b>                |           |                                   |              | ALIAS                         |            |  |              |
|  | DOB  | AGE       | SEX                               | RACE         | HGT                           | WGT        | COLOR HAIR   | COLOR EYES   |
|  | <b>11/09/1990</b>                                  | <b>33</b> | <b>Male</b>                       | <b>Black</b> | <b>5'9"</b>                   | <b>170</b> | <b>Black</b>   | <b>Brown</b> |
|  | ADDRESS <b>1400 10TH ST SARASOTA, FL 34236</b>     |           |                                   |              |                               |            |  |              |
|  | PHONE #  |           | SCARS/MARKS/TATTOOS               |              |                               | OCCUPATION |  |              |
|  | <b>(917)603-1793</b>                               |           |                                   |              |                               |            |  |              |
|  | DL#  | ST        | SOCIAL SEC#                       |              | CITY                          |            | STATE  |              |
|  | <b>845697998</b>                                   | <b>FL</b> | <b>--</b>                         |              | <b>Brooklyn, NY</b>           |            | <b>NY</b>  |              |
| LICENSE PLATE/STATE                                      |  |           |                                   |              |                               |            |  |              |
| EMPLOYER NAME & ADDRESS                                  |  |           |                                   |              |                               |            |  |              |
| PHONE #  |  |           |                                   |              |                               |            |  |              |
| CITIZENSHIP  | IMMIGRATION STATUS                                 |           | RESIDENCE TYPE                    |              | RESIDENCE STATUS              |            | INFLUENCE OF DRUGS/ALCOHOL   |              |
| <b>U.S.</b>  |  |           | <b>City</b>                       |              | <b>Homeless</b>               |            | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK<br><input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK |              |

|   |   |  |  |  |            |      |
|---|---|--|--|--|------------|------|
| <b>C<br/>R<br/>I<br/>M<br/>E<br/>S</b>  | DATE & TIME OF CRIME                    | CRIME LOCATION                                 |  | LOC TYPE   | ZONE       | GRID |
|   | <b>12/19/2023 16:33</b>                 | <b>47TH ST / N TAMIAMI TRL</b>                 |  | <b>Highway/Road/Alley</b>  | <b>1</b>   |      |
|   | F.S./ORD #                              | CHARGE   |  | <input checked="" type="checkbox"/> FELONY <input type="checkbox"/> MISD | BOND       |      |
|   | <b>827.03(2)(d)</b>                     | <b>Child Neglect without Great Bodily Harm</b> |  |  | <b>0</b>   |      |
|   | F.S./ORD #                              | CHARGE   |  | <input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISD | BOND       |      |
|   | <b>796.07(2)(b)</b>                     | <b>Offer/Agree to Secure Prostitution</b>      |  |  | <b>120</b> |      |
| F.S./ORD #  | CHARGE                                  |  | <input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISD | BOND   |            |      |
| <b>893.147(1)</b>   | <b>Possession of Drug Paraphernalia</b> |  |  | <b>500</b>   |            |      |
| INVESTIGATING L.E.O.  | ID#                                     |  |  |  |            |      |
| <b>Laquidara</b>  | <b>1901</b>                             |  |  |  |            |      |
| DRUG UNIT   | DRUG TYPE                               |  | DRUG ACTIVITY  |  |            |      |
| <b>SEIZED</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |   |  |  |  |            |      |
| TYPE WEAPON   | CALIBER GAUGE                           |  | FINISH WEAPON  |  |            |      |
|   |   |  |  |  |            |      |

|  |   |                                 |                           |                                     |          |      |
|--|---|---------------------------------|---------------------------|-------------------------------------|----------|------|
| <b>A<br/>R<br/>R<br/>E<br/>S<br/>T</b> | DATE & TIME OF ARREST   | ARREST L.E.O./ID#               |                           | ASST L.E.O./ID#                     |          |      |
|  | <b>12/19/2023 16:34</b>   | <b>Laquidara 1901</b>           |                           | <b>Morrison 1713</b>                |          |      |
|  | RESISTANCE ENCOUNTERED  | HANDCUFFING/GAUGING OFFICER/ID# |                           | HANDCUFF DOUBLE LOCKING OFFICER/ID# |          |      |
|  | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | <b>LAQUIDARA / 1901</b>         |                           | <b>LAQUIDARA / 1901</b>             |          |      |
|  | ARREST LOCATION <b>4703 N TAMIAMI TRL</b>                           |                                 |                           |                                     | ZONE     | GRID |
|  | <b>Sarasota, FL 34234</b>   |                                 |                           |                                     | <b>1</b> |      |
| CAPIAS/WARRANT #                       |   |                                 | COUNTY & STATE OF WARRANT |                                     |          |      |
|  |   |                                 | <b>Sarasota</b>           |                                     |          |      |
| DATE BOOKED                            | TIME BOOKED   | RETURNABLE DATE                 | BOOKING OFFICER           |                                     |          |      |
|  |   | <b>2/2/24</b>                   |                           |                                     |          |      |
| RELEASED BY                            |   | RELEASED TO                     | DATE/TIME RELEASED        |                                     |          |      |
|  |   |                                 |                           |                                     |          |      |

|  |                               |  |  |              |  |           |
|--|-------------------------------|--|--|--------------|--|-----------|
| <b>V<br/>I<br/>C<br/>T<br/>I<br/>M</b> | (LAST, FIRST, MIDDLE INITIAL) |  |  |              | HOME PHONE #   |           |
|  | VICTIM NAME [REDACTED]        |  |  |              | BUS PHONE #  |           |
|  | ADDRESS [REDACTED]            |  |  |              | CITY   | STATE ZIP |
|  | DOB [REDACTED]                |  |  |              | AGE  | SEX       |
|  |                               |  |  | <b>4</b>     | <b>Male</b>  |           |
|  |                               |  |  | RACE         | NOTIFIED   |           |
|  |                               |  |  | <b>Black</b> | <input type="checkbox"/> YES <input type="checkbox"/> NO |           |
|  |                               |  |  | TIME         |  |           |

PROBABLE CAUSE AFFIDAVIT  
Sarasota County

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SUPPLEMENTAL - PAGE \_\_\_\_\_ of \_\_\_\_\_

|                                 |          |                                |
|---------------------------------|----------|--------------------------------|
| DEFENDANT<br>RUSH, BERNARD L Jr | SSO BK # | AGENCY CASE #<br>2023-00061478 |
|---------------------------------|----------|--------------------------------|

ADULT CASE       JUVENILE CASE

STATE IN DETAIL WHAT THE DEFENDANT DID THAT YOU ALLEGE WAS ILLEGAL. INCLUDE EVENTS THAT LEAD UP TO THE INCIDENT; ALSO INCLUDE WHY DEFENDANT ACTED AS HE DID IF THIS IS KNOWN. HEARSAY IS PERMISSIBLE AND RELEVANT COMMENTS OF THE DEFENDANT OR WITNESSES INVOLVED SHOULD BE SUMMARIZED. (INCLUDE WHO, WHAT, WHERE, WHY, WHEN, HOW)

During a preplanned operation with the Strategic Investigations Unit of the Sarasota Police Department, Bernard L Rush Jr contacted an undercover police officer and offered U.S. currency in exchange for a sexual act.

At 1633 hours, a 2016 black Honda Civic bearing temporary Georgia tag #S1478034 driven by Bernard L Rush Jr, stopped in the area of 47<sup>th</sup> Street and North Tamiami Trail. The driver, Rush, engaged in conversation with an undercover police officer. During the conversation, Rush offered the undercover detective \$10 dollars in exchange for "head", which is a slang term for oral sex.

Rush had his 4-year-old child, [REDACTED], in the backseat of the vehicle. Rush was also operating the vehicle on an expired NY driver's license, which expired on 11/9/23. When the undercover officer asked what Rush would do with his child when he came to her room at the Flamingo Inn, Rush advised that he would leave him in the vehicle while he received oral sex inside of the room. Rush was also in possession of a marijuana grinder with residue in it inside of the vehicle.

Based on my training and experience, engaging in street level prostitution often involves or ends in a robbery, injury, or violence to the occupants of the vehicle/the solicitor of the prostitute. It is to be noted that this was apparent as Rush was armed with both a pocket knife, and a sword concealed as a walking cane in the door jam of the vehicle.

Probable Cause exists to charge Bernard L Rush Jr in violation of F.S.S. 827.03(2)(d) – Child Neglect, F.S.S. 796.07(2)(B) – Offer/Agree to Secure Prostitution, and F.S.S. 893.147(1) – Possession of Drug Paraphernalia. Rush was arrested and transported to SSO Jail. The above crimes occurred in the City of Sarasota, Florida.

DCF was contacted and Ofc Lynn spoke with operator Tricia ID #068.

[REDACTED] were operating as the undercover Police Officers for this operation.

[REDACTED] was the operating technician for the operation.

ADDITIONAL PAGES - ATTACHED AND INCORPORATED HEREIN

SIGNATURE OF L.E.O./AFFIANT [Signature] ID# 1901

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 19<sup>th</sup> DAY OF December, 2023 BY N. Laquidara  WHO IS PERSONALLY KNOWN OR  WHO PRODUCED THE FOLLOWING  
(PRINT L.E.O./AFFIANT NAME)

IDENTIFICATION \_\_\_\_\_

SUPERVISOR SIGNATURE \_\_\_\_\_

SIGNATURE [Signature]  
 L.E.O. ID # 2606  NOTARY  
PRINT NAME [Signature]

\_\_\_\_\_ ID# \_\_\_\_\_

PROBABLE CAUSE AFFIDAVIT  
Sarasota County

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|                                 |          |                                |
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See [REDACTED] report on this case for further information."

ADDITIONAL PAGES - ATTACHED AND INCORPORATED HEREIN

SIGNATURE OF L.E.O./AFFIANT

*[Signature]*

ID#

1901

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 19th DAY OF December, 2023 BY

N. Laguarda

(PRINT L.E.O./AFFIANT NAME)

WHO IS PERSONALLY KNOWN OR  WHO PRODUCED THE FOLLOWING

IDENTIFICATION \_\_\_\_\_

SUPERVISOR SIGNATURE \_\_\_\_\_

SIGNATURE

*[Signature]*

L.E.O. ID #

2606

NOTARY

PRINT NAME

*[Signature]*

ID# \_\_\_\_\_