

ORIGINAL

1/5

2019 MM007491 NC
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PROBABLE CAUSE AFFIDAVIT
Sarasota County

AGENCY SSO SPD FHP VPD NPPD LBPD OTHER ORIGINAL SUPPLEMENTAL

SSO CASE #	SSO BK# 19-5834	OBTS # 5801266719	ARREST #
AGENCY CASE # 2019-00033348	SAO #	FDLE #	UTC #

<input checked="" type="checkbox"/> ADULT - ARREST	<input type="checkbox"/> JUVENILE	On-View	
(LAST, FIRST, MIDDLE INITIAL)		(LAST, FIRST, MIDDLE INITIAL)	
DEFENDANT BAILEY, MARK ALEXANDER		ALIAS	
DOB	AGE	SEX	RACE
01/11/1983	36	Male	White
HGT	WGT	COLOR HAIR	COLOR EYES
5'11	170	Brown	Brown
ADDRESS 65 Central AVE 330 SARASOTA, FL 34236		CITY	STATE
PHONE #	SCARS/MARKS/TATTOOS	OCCUPATION	
(941)504-2309			
DL#	ST	SOCIAL SEC#	CITY
B400541830110	FL	[REDACTED]	LONDON, ENGLAND
LICENSE PLATE/STATE		PLACE OF BIRTH	
EMPLOYER NAME & ADDRESS		PHONE #	
CITIZENSHIP	IMMIGRATION STATUS	RESIDENCE TYPE	RESIDENCE STATUS
USA		City	Resident
INFLUENCE OF DRUGS/ALCOHOL		INFLUENCE OF DRUGS/ALCOHOL	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNK		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK	

DATE & TIME OF CRIME	CRIME LOCATION	LOC TYPE	ZONE	GRID
06/02/2019 00:04	2 Marina Plaza	Lake/Waterway	5	
F.S./ORD #	CHARGE	<input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISD	BOND	
327.35 (1)	BOATING UNDER INFLUENCE		120	
F.S./ORD #	CHARGE	<input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISD	BOND	
843.02	RESIST LEO W/OUT VIOLENCE		500	
F.S./ORD #	CHARGE	<input type="checkbox"/> FELONY <input type="checkbox"/> MISD	BOND	
INVESTIGATING L.E.O.	ID#			
Chapman	1850			
DRUG UNIT	DRUG TYPE	DRUG ACTIVITY		
TYPE WEAPON SEIZED	CALIBER GAUGE	FINISH WEAPON		
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				

DATE & TIME OF ARREST	ARREST L.E.O./ID#	ASST L.E.O./ID#
06/02/2019 03:40	Chapman 1850	Chapman 1850
RESISTANCE ENCOUNTERED	HANDCUFFING/GAUGING OFFICER/ID#	HANDCUFF DOUBLE LOCKING OFFICER/ID#
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Christie/1836	Christie/1836
ARREST LOCATION	ZONE	GRID
2 Marina Plaza Sarasota, FL 34236	5	
CAPIAS/WARRANT #	COUNTY & STATE OF WARRANT	
	Sarasota	
DATE BOOKED	TIME BOOKED	RETURNABLE DATE
BOOKING OFFICER	DATE/TIME RELEASED	
RELEASED BY	RELEASED TO	

VICTIM NAME	(LAST, FIRST, MIDDLE INITIAL)		HOME PHONE #
ADDRESS	CITY	STATE	ZIP
DOB	AGE	SEX	RACE
NOTIFIED	<input type="checkbox"/> YES <input type="checkbox"/> NO		
	TIME		

PROBABLE CAUSE AFFIDAVIT
Sarasota County

ORIGINAL - PAGE 2 of 5

SUPPLEMENTAL - PAGE _____ of _____

DEFENDANT BAILEY, MARK ALEXANDER	SSO BK #	AGENCY CASE # 2019-00033348
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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)

On Sunday June 2nd, 2019 I was dispatched to 2 Marina Plaza in regards to an intoxicated male subject that was chartering a boat. The dispatch notes advised us that the captain was refusing to bring the passengers back to shore and had fired off rounds from a handgun.

Upon arriving on scene, I checked the docks for the mentioned vessel but it was determined that it was still on its way back to shore. A US Coast Guard Vessel was also in the area attempting to locate the boat. I then observed the vessel operating in the Sarasota Bay just Southwest of Marina Jacks. The boat was being steered/maneuvered by a subject on the upper level (later identified as Mark Bailey). Bailey backed his boat into the docks at the above address and upon the vessel being secured to the dock I made contact with him. Bailey was given verbal commands to come down the ladder of the boat in order for us to detain him for investigatory purposes and for passenger's safety since the allegation was made a firearm was discharged in their presence. Bailey exited the vessel with no further issue and secured in handcuffs by Officer J. Christie #1836.

While Bailey was detained and in the presence of Officers J. Christie and E. Urbain #1855 I spoke with multiple witnesses that were aboard the vessel with Bailey. I spoke with Devin Kissell who was the first mate. Kissell stated that he observed Bailey drinking an unknown number of beers while driving the boat. Kissell stated he was unsure how many beers Bailey had on the ride in. Kissell filled out a written statement about his observations while on the boat.

I then spoke with Carlo Lopepano who was a passenger on the vessel that Bailey was operating. Lopepano stated that he observed Bailey drinking multiple beers to the point of being intoxicated. Lopepano also stated that he observed Bailey getting high from cocaine. Lopepano gave me a written statement of his observations while on the boat.

I made contact with another passenger on the boat Jason H Rialmo. Rialmo also stated that Bailey got

ADDITIONAL PAGES - ATTACHED AND INCORPORATED HEREIN

SIGNATURE OF L.E.O./AFFIANT

James G...

ID#

1850

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 2 DAY OF JUNE, 2019 BY

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

WHO IS PERSONALLY KNOWN OR WHO PRODUCED THE FOLLOWING

IDENTIFICATION

BADGE IDENTIFICATION

SIGNATURE

J. A. U...

1855

L.E.O. ID #

1855

NOTARY

SUPERVISOR SIGNATURE

PRINT NAME

E. A. URBAIN

ID#

3/5

Arrest

(Narrative Continued)

drunk during the boat trip. Rialmo also stated that Bailey got into an argument with another passenger on the boat. Shortly after the argument Rialmo stated he observed Bailey drinking more beer while operating the boat. Rialmo gave me a written statement in regards to what he observed.

I then spoke to another passenger on the boat, Jason Rialmo. Rialmo stated that he observed Bailey drinking Captain Morgan along with multiple different beers throughout the day. Rialmo stated he was unsure how many drinks he consumed during the day. Rialmo gave me a written statement of his observations while on the boat.

I then spoke with Christopher Giuffre, another passenger on the boat with Bailey. Giuffre stated he observed Bailey drinking rum from the bottle after an argument occurred on the boat with another passenger. Giuffre stated Bailey continued to drink rum and start using cocaine. Giuffre gave me a written statement of his observations of Bailey while on the boat.

United States Coast Guard Officers were on scene assisting in determining what crimes took place and the jurisdiction of each. It was determined that anything observed in Sarasota Police presence would be handled by myself and any allegations of criminal violations of law outside of our jurisdiction would be investigated by the US Coast Guard. I returned to the area where Bailey was detained by officers to observe him again. Bailey presented with watery bloodshot eyes and slurred speech at times. Bailey was seated but upon standing up to be escorted to a nearby cruiser he appeared unsteady on his feet. During all times of interaction with myself and other officers a strong odor of alcoholic beverage was emanating from his person. Upon speaking with him at any length it was determined the odor of alcoholic beverage was coming from Bailey's breath.

Ronald Gleason (Chief Warrant Officer/Investigator) who was on scene offered Bailey to complete field sobriety exercises, but Bailey refused. Gleason directed Bailey to submit to a breathalyzer at the jail and Bailey refused that as well. US Coast Guard Officers read Bailey their refusal paperwork. After Bailey asked to speak with Gleason another time he agreed to consent to the breathalyzer at the jail.

Bailey was subsequently advised he was under arrest for suspicious of boating while under the influence and was being transported to the Sarasota County Jail. Bailey again demanded to speak with a supervisor on scene and kicked the rear patrol door of Sarasota Police Cruiser #185 while handcuffed inside. Officer Urbain opened the rear door to ensure Bailey was OK at which time Bailey smiled and laughed. Upon attempting to resecure Bailey inside the vehicle Bailey placed his hands in the rear window of the cruiser, preventing it from being closed. Bailey was ordered two times by Officer Urbain to remove his hands and comply with lawful orders to cooperate and be secured. Bailey refused this order but upon a third order while other officers were approaching to assist Bailey finally complied.

Bailey was transported without incident and once at the jail was placed under observation prior to a breathalyzer at 0352 hours. Bailey was taken back by Sarasota County Deputies to perform the breath test, but he refused once the information was entered into the machine.

Bailey was charged with Boating Under the Influence as well as Resisting Without Violence and transferred into the custody of jail deputies. The probable cause for Boating under the influence was my observations of watery bloodshot eyes, slurred speech, being unsteady on his feet as well as the odor of alcoholic beverage coming from his breath. Bailey was observed operating a vessel in the jurisdictional waters of the Sarasota Bay by your affiant.


1850
1855

4/5

Arrest

(Narrative Continued)

Probable cause for the resisting without violence charge is as follows: Bailey was lawfully detained and being placed under arrest when he resisted and obstructed being secured into a police cruiser and kicked said door of police cruiser.

All of the above facts took place in my presence and within my jurisdiction of the City of Sarasota, Florida.

End of Report.

Grand Jury 1850
U 1855