

2020CF4891

| | | ARREST / NOTICE TO APPEAR Juvenile Referral Report | | 1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias | | 3 | | Juvenile | | N | | | | | | | |
|---|---|---|--|---|--|--|--|--|--|--|--|--|------------------------------------|--|---|--|--------------------------------------|
| ADMINISTRATION | OBTS Number | Agency ORI Number FLO500600 | | Agency Name PALM BEACH POLICE DEPARTMENT | | Agency Report Number 76-20-000535 | | | | | | | | | | | |
| | Charge Type: | <input type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 2. Traffic Felony | | <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor | | <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other | | Weapon Seized/Type <input type="checkbox"/> Yes <input type="checkbox"/> No | | Multiple Clearance Indicator UNK | | | | | | | |
| | Location of Arrest (Including Name of Business) | | | | Location of Offense (Business Name, Address) | | | | | | | | | | | | |
| DEFENDANT | 399 ROYAL POINCIANA WAY | | | | 399 ROYAL POINCIANA WAY | | | | | | | | | | | | |
| | Date of Arrest 05/07/2020 | | Time of Arrest | | Booking Date | | Booking Time | | Jail Date | | Jail Time | | | | | | |
| | Name (Last, First, Middle) RUSTOLO, TIMOTHY SCOTT | | | | | | | | | | | | | | | | |
| | Alias (Name, DOB, Soc. Sec. #, Etc.) | | | | | | | | | | | | | | | | |
| | Race W - White 1 - American Indian B - Black O - Oriental/Asian | | Sex M | | Date of Birth 12/22/1965 | | Height 603 | | Weight | | Eye Color | | | | | | |
| | Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) | | Marital Status | | Religion | | Complexion FAIR | | Build MEDIUM | | Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk. | | | | | | |
| | Local Address (Street, Apt. Number) 3400 S OCEAN BLVD | | | | (City) HIGHLAND BEACH | | (State) Florida | | (Zip) 33487 | | Phone () | | | | | | |
| | Permanent Address (Street, Apt. Number) | | | | (City) | | (State) | | (Zip) | | Residence Type 1. City 3. Florida 2. County 4. Out of State 2 | | | | | | |
| | Business Address (Street, Apt. Number) | | | | (City) | | (State) | | (Zip) | | Address Source FL DL Occupation | | | | | | |
| | CO-DEF | D/L Number, State R340817 65 4620 FL | | Soc. Sec. Number | | INS Number | | Place of Birth (City/State) | | Citizenship | | | | | | | |
| Co-Defendant Name (Last, First, Middle) | | | | Race | | Sex | | Date of Birth | | <input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor | | | | | | | |
| JUVENILE | Co-Defendant Name (Last, First, Middle) | | | | Race | | Sex | | Date of Birth | | <input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor | | | | | | |
| | <input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other | | Name (Last) (First) (Middle) | | | | Residence Phone () | | | | | | | | | | |
| | Address (Street, Apt. Number) | | | | (City) | | (State) | | (Zip) | | Business Phone () | | | | | | |
| | Notified by: (Name) | | | | Date | | Time | | Juvenile Disposition 1. Arrested/Processed within Dept. and Released 2. TOT HRS/CYF 3. Incarcerated | | | | | | | | |
| | Released To: (Name) | | | | Relationship | | FCIC/NCIC | | Date | | Time | | | | | | |
| CODE | The above address was provided by defendant and/or defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office informed of any change of address: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason) | | | | | | | | | | School Attended | | Grade | | | | |
| | Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No | | Description of Property | | | | Value of Property | | | | | | | | | | |
| | Recovery Information 0. N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8. Other | | | | | | | | | | | | | | | | |
| | Drug Activity N. N/A B. Buy P. Possess | | S. Sell R. Smuggle D. Deliver E. Use | | K. Dispense/ Distribute | | M. Manufacture/ Produce/ Cultivate | | Z. Other | | Drug Type N. N/A A. Amphetamine | | B. Barbituate C. Cocaine E. Heroin | | H. Hallucinogen M. Marijuana O. Opium/Deriv. S. Synthetic | | R. Paraphernalia U. Unknown Z. Other |
| CHARGE | Charge Description FLEEING & AND ELUDING | | | | Counts 1 | | Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | Statute Violation Number 316.1935 | | Violation of ORD # 0 | | | | | | |
| | Drug Activity N/A | | Drug Type N/A | | Amount/Unit | | Offense # 20-000535 | | Warrant/Capias Number | | Bond | | | | | | |
| CHARGE | Charge Description VIOLATION OF EXECUTIVE ORDER | | | | Counts 1 | | Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | Statute Violation Number 252.50 | | Violation of ORD # | | | | | | |
| | Drug Activity N/A | | Drug Type N/A | | Amount/Unit | | Offense # 20-000535 | | Warrant/Capias Number | | Bond | | | | | | |
| CHARGE | Charge Description | | | | Counts | | Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No | | Statute Violation Number | | Violation of ORD # | | | | | | |
| | Drug Activity N/A | | Drug Type N/A | | Amount/Unit | | Offense # | | Warrant/Capias Number | | Bond | | | | | | |
| CHARGE | Charge Description | | | | Counts | | Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No | | Statute Violation Number | | Violation of ORD # | | | | | | |
| | Drug Activity N/A | | Drug Type N/A | | Amount/Unit | | Offense # | | Warrant/Capias Number | | Bond | | | | | | |
| NOTICE TO APPEAR | <input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court | | Location (Court, Room Number, Address) | | | | | | | | | | | | | | |
| | <input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side. | | Court Date and Time Month _____ Day _____ Year _____ Time _____ | | | | | | | | | | | | | | |
| I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED. | | | | | | | | | | | | | | | | | |
| Signature of Defendant (or Juvenile and Parent/Custodian) | | | | | | | | | | Date Signed | | | | | | | |
| ADMIN. | HOLD for other Agency Name: | | Signature of Arresting Officer X <i>[Signature]</i> | | | | Name Verification (Printed by Arrestee) (PRINT) | | | | | | | | | | |
| | <input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other: | | Number of Arresting Officer (Print) A. AUGUSTEN | | | | I.D. # 0003 | | PAGE 1 OF 1 | | | | | | | | |
| | Intake Deputy | | I.D. # | | Pouch # | | Transporting Officer | | I.D. # | | Agency | | | | | | |

NOT A CERTIFIED COPY

3000
MAY 10 2020
MAY 10 2020
MAY 10 2020

PROBABLE CAUSE AFFIDAVIT

Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias

3 JUVENILE

| | | | | | |
|-------------|--|--|--|--|--|
| OBTs Number | Agency ORI Number FL 0500600 | | Agency Name PALM BEACH POLICE DEPARTMENT | Agency Report Number 7 6 20-000535 | |
|-------------|--|--|--|--|--|

| | | | | |
|---|---|--|---------------------------------------|----------------|
| Charge Type: Check as many as apply. | <input type="checkbox"/> 1. Felony | <input checked="" type="checkbox"/> 3. Misdemeanor | <input type="checkbox"/> 5. Ordinance | Special Notes: |
| | <input checked="" type="checkbox"/> 2. Traffic Felony | <input type="checkbox"/> 4. Traffic Misdemeanor | <input type="checkbox"/> 6. Other | |

| | | | | |
|---|-------|------------------|-----------------|------------------------------------|
| Name (Last, First, Middle) RUOTOLO, TIMOTHY SCOTT | Alias | Race W | Sex M | Date of Birth 12/22/1965 |
|---|-------|------------------|-----------------|------------------------------------|

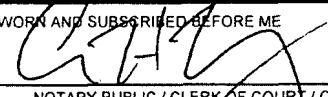

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|--|--|
| Charge Description 316.1935(1) FLEE/ELUDE AN OFFICER FAILURE TO OBEY AND | Charge Description 252.50 VIOLATION OF EMERGENCY ORDINANCE |
|--|--|

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|--|-------|----------------|---------------|
| Victim's Name (Last, First, Middle) State Of Florida | Race | Sex | Date of Birth |
| Local Address (Street, Apt. Number) (City) (State) (Zip) | Phone | Address Source | |
| Business Address (Name, Street) (City) (State) (Zip) | Phone | Occupation | |

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.
 The Person taken into custody . . .
 committed the below acts in my presence. was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.
 confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.
 On the 3 day of May, 2020 at 22:58 (Specifically include facts constituting cause for arrest.)

On March 9, 2020, Governor Ron DeSantis declared a State of Emergency in the State of Florida regarding the COVID-19 pandemic, and on March 20, 2020, he also issued Executive Order 20-70, which provided that individual municipalities were free to impose more stringent standards within their jurisdictions. On March 17, 2020, the Police Chief of the Town of Palm Beach made a declaration of a State of Emergency, which was subsequently extended to May 12, 2020, by the Town Council on March 19, 2020. This declaration of a State of Emergency was made pursuant to FSS 252.38 and Town Ordinance 58-41, and a curfew was temporarily implemented at that time. This curfew restricts travel to everyone except Town residents, Town ID holders and medical personnel from 2100 hours to 0600 hours daily. From the date of March 17, 2020, the Town of Palm Beach has been continually notifying the public of the above mentioned emergency measures through electronic message boards at all of the entrances to the Town of Palm Beach and through various news outlets.

On Sunday May 3, 2020 at approximately 2256 hours, while in an unmarked capacity, I observed a dark blue Mazda SUV bearing FL tag #NMAC60 traveling westbound in the 300 block of Royal Poinciana Way at approximately 10 mph with its hazard lights flashing. I conducted a traffic stop on the vehicle on the Flagler Memorial Bridge using my vehicle's emergency lights and siren to determine if the driver was in violation of the town curfew, and the Mazda pulled over to the right and came to a complete stop. I exited my vehicle and made contact with the driver, a balding, white male who appeared to be between 50-60 years of age. It should be noted that my uniform consists of the word "POLICE" in bold white lettering and a Town of Palm Beach Police badge on the front of my vest. I introduced myself as Officer Augustin of the Palm Beach Police Department and advised the driver that the traffic stop was being recorded. Prior to me asking the driver for his license, registration, and proof of insurance, he stated he had recently drove past Mar-A-Lago to speak to a security guard about an incident that occurred

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| SWORN AND SUBSCRIBED BEFORE ME  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <u>05/04/2020</u> DATE |  SIGNATURE OF ARRESTING INVESTIGATING OFFICER AUGUSTIN, ANDUCCHI M (1100003) NAME OF OFFICER (PLEASE PRINT) <u>05/04/2020</u> DATE |
|--|--|

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

Arrest
2. N.T.A.

3. Request for Warrant
4. Request for Capias

3

JUVENILE

| | | | | |
|-------------|--|--|--|--|
| OBTS Number | Agency ORI Number FL 0500600 | | Agency Name PALM BEACH POLICE DEPARTMENT | Agency Report Number 7 6 20-000535 |
|-------------|--|--|--|--|

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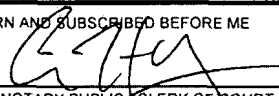
| | | | | |
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| Name (Last, First, Middle) RUOTOLO, TIMOTHY SCOTT | Alias | Race W | Sex M | Date of Birth 12/22/1965 |
|---|-------|------------------|-----------------|------------------------------------|

prior to today. He also informed me that he made contact with multiple other law enforcement agencies in regards to the issue. As he made this statement, he made gestures pointing towards me, which indicated that he was aware that I was a law enforcement officer. Ofc. Guardascione arrived on scene as back-up in a marked patrol vehicle. As Ofc. Guardascione was walking towards the vehicle, the driver grabbed his gear shift, and I advised him to put the vehicle in park. The driver then willfully shifted the vehicle to drive and fled the scene traveling westbound over the Flagler Memorial Bridge at a high rate of speed. Afterward, I was shown a photo lineup prepared by Sgt. Newby which included the registered owner of the blue Mazda, Timothy Scott Ruotolo (W/M DOB: 12/22/1965). I was able to pick out Ruotolo from the lineup as the driver of the vehicle.

Based on the facts that Ruotolo, willfully entered and continued driving through the Town of Palm Beach in violation of the emergency curfew put into place by the Chief of Police which was posted at each Town entrance, and due to Ruotolo having knowledge that he was stopped by a duly authorized law enforcement officer and did willfully flee in an attempt to elude said officer, Probable Cause exists to charge Timothy Scott Ruotolo (W/M DOB: 12/22/1965) with Violation of Executive Order pursuant to F.S.S. 252.50, and Fleeing and Eluding pursuant to F.S.S. 316.1935(1).

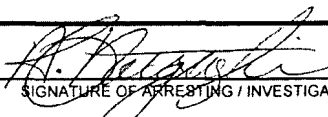
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SWORN AND SUBSCRIBED BEFORE ME



NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/04/2020
DATE



SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

AUGUSTIN, ANDUCCHI M (1100003)
NAME OF OFFICER (PLEASE PRINT)

05/04/2020
DATE