ARREST REPORT

Altamonte Springs Police Department

Region: **A**
CSA: **A07** GRID **30**
Agency ORI#: **FL0590100**
OBTS#: 5902271944
For the Public: **Yes**
Juvenile: **No**
Agency Report #: **201910003061**

ORIGINAL

Weapon Seized: **No** Weapon Type: **NA**
Arrest Location: **901 W SR 436, ALTAMONTE SPRINGS, FL 32714**
Offense Location: **W SR 436 & S SR 434, ALTAMONTE SPRINGS, FL 32714**
Arrest Date/Time: **12/20/2019 2:21** Booked Date/Time: **12/20/2019 0:00** Jail Date/Time: **12/20/2019 2:49** Fingerprinted: **Y**
Jail#: 13282 Local#: FDLE#: DOC#:

DEFENDANT

19MM10508A

Name: **SCHOLL, TODD PATRICK** Race: **W** Sex: **M** DOB: **7/14/1976** Or Age:
Height: **602** Weight: **260** Eyes: **BRO** Hair: **BLK** Alcohol Related: **Y** Drug Related: **U** Court Translator: **N** Language:
Local Address: **55 W Church St #1615, Orlando, FL 32801** Phone: Residence: **State**
Next of Kin: **NONE** Relationship: NOK Phone: ~~Religion: NONE GIVEN~~
Business Name: Business Address:
Job: **LAWYER** Business Phone:
DL#: **S400815762540** DL State: **FL** SSN: [redacted] Marital: **S** Place of Birth: **FL**
GPS monitored: **N** Citizenship: **United States of America** If not a U.S. citizen, contact embassy consulate

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Alias Name(s):
Person Identifier(s): **BUILD LARGE BUILD LARGE**

Co-Defendant(s):

Name	Race	Sex	DOB	or Age

CHARGE(S)

Counts	Charge Description	Statute#	Ordinance	Attempt/Commit	Reason#	Type
1	**DUI-UNLAW BLD ALCH DUI ALCOHOL OR DRUGS - 2ND OFFENSE ($1000 BOND)**	**316.193 1**	**No**	**Commit**		**Probable Cause**
	Drug Activity: **N/A** Drug Type: **N/A**				Drug Qty:	**0.00**
1	**DUI-UNLAW BLD ALCH REFUSE TO SUBMIT DUI TEST AFTER LICENSE SUSPENDED ($500 BOND)**	**316.1939**	**No**	**Commit**		**Probable Cause**
	Drug Activity: **N/A** Drug Type: **N/A**				Drug Qty:	**0.00**

P.C.

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:

On the **20** of **December 2019** at **2:21 AM** (Specifically include facts constituting cause for arrest.) | BOND: 1,500.00

P.C. Exists for Charge(s): | Judges's Signature: | Date:

On 12/20/2019, at approximately 0140 hours, Ofc Belt was conducting stationary traffic enforcement in the area of SR 436 and San Sebastian Trail Head when he observed a dark Jeep traveling westbound on SR 436 at what he estimated to be 60 mph in 45 mph zone. Ofc Belt activated his Genesis Directional Handheld radar (S/N 08149) and received a digital read out of 62 mph in a 45 mph zone with an audio Doppler tone consistent with the speed.

Ofc Belt got behind the Jeep, which was bearing FL tag EGVV83; he activated his emergency lights on his marked patrol vehicle to initiate a traffic stop. Upon approaching the vehicle, he made contact with the driver and sole occupant of the vehicle, Todd Scholl. Ofc Belt explained to Scholl the reason for the stop, and requested his license, registration, and proof of insurance. Scholl provided his license and then eventually said he did not have the remaining items. While Ofc Belt spoke with Scholl, he said he could smell an odor of alcohol impurities emitting from his breath.

Upon my arrival, Ofc Belt explained to me the above-mentioned items, and then turned over the stop to me. I approached the vehicle to speak with Scholl, as I approached the driver door I noticed Scholl was slumped over to his right and I observed him for a few seconds until he noticed I was there. Scholl then said his shoulder was in pain, but did not think he needed medical attention and could still move his arm.

Scholl said he had left the AMC Movie Theater located at 433 E Altamonte Drive. Scholl said he was there to watch the movie bombshell that started around 2200 hours. Scholl said he consumed two IPA beers prior to the movie starting at the bar located within the theater. When I asked Scholl if he went anywhere after the movie he said no. This appeared odd to me because the traffic stop was initiated around 0140 hours, and I did not believe that movie was almost 4 hours long. I was able to verify the movie was in fact only 1 hour and 48 minutes long, meaning the movie realistically should have let out around midnight.

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I asked Scholl where he was driving at the time of the stop. Scholl said he was driving home, which is located at the 55 West building in Downtown Orlando. Scholl was stopped in an area that would not typically be anywhere near the path to drive home. When Scholl left the AMC movie theater, he would have had to go over I-4, which would have been the quickest path for Scholl to go home. I attempted to ask Scholl which way he would normally take home, but he instead kept talking in circles and saying the same thing in different way without actually answering the question. Scholl then said that the I-4 Bridge on SR 436 is usually very confusing, but it should be noted that there was no construction ongoing in that area nor were any on/off ramps blocked. I asked Scholl if it was possible that he simply did not realize he passed I-4, and he then said that was most likely what happened and he was intending to turn around.

I asked Scholl if he took any kind of prescription medication, and he said he took Dayquil around 1400 hours. Scholl denied using any kind of recreational drugs. I asked Scholl to rate himself on a scale 1-10; 1 being completely sober and 10 being completely drunk/high. Scholl rated himself at a two. I then asked if he believed he was good to drive, and he said yes. Throughout the time, I spoke with Scholl I noticed a strong odor of alcohol impurities emitting from his breath, which grew stronger whenever he spoke to me. Furthermore, Scholl seemed very surprised when I told him I could smell it, which I believe, was because he was chewing on a fresh piece of gum. Scholl also had bloodshot, watery, glassy eyes, dry mouth, and slurred speech.

I asked Scholl to exit his vehicle, and I explained to him all the indicators of impairment I mentioned above, and that I had reasonable suspicion to believe he was under the influence of drugs and/or alcohol. I asked Scholl if he would be willing to partake in a series of field sobriety exercises, and he said yes. Prior to beginning the exercises, I asked Scholl if he had any kind of medical condition that would affect his eyes, ability to walk in a straight line, or stand on one leg. Scholl said no.

The exercises done were HGN, LOC, walk and turn, one leg stand, finger to nose, and modified Romberg. The exercise were done in the parking lot of the 7/11 located at 901 W SR 436. The area was well lit, fairly level, and clear of any debris. A solid neon orange duct tapeline was used for the walk and turn. Ofc Belt's body camera and my body camera recorded the exercises.

On HGN Scholl lacked smooth pursuit, had distinct and sustained nystagmus at maximum deviation, and had onset nystagmus prior to 45 degrees. Scholl repeatedly kept moving his head, would stop looking at the top of my pen, and was swaying continually.

On the walk and turn, we were initially going to use a large/long crack in the concrete, which was straight and level. Scholl initially said himself that the line was fairly level and clear of debris, but when it came time to start the exercise, he suddenly changed his mind. As a result, I created a straight line utilizing orange duct tape away from all the cracks in the concrete. Scholl lost his balance holding the starting position seven times, and started the exercise two times prior to being told to begin. On the first 9 steps, Scholl did not touch heel to toe on the majority of the steps nor did he count out loud, and he took 11 steps. Scholl did not turn in the manner I described nor demonstrated. On the second 9 steps, Scholl stepped off the line on step 4, did not touch heel to toe on the majority of steps, did not count his steps, and took 11 steps. Throughout the exercise Scholl used his arms for balance.

On the one leg stand, Scholl raised his right leg, and stood on his left leg. Scholl put his foot down two times, used his arms for balance, was swaying throughout the entire exercise, his foot was way higher than six inches, his toe was pointed up instead of straight, and he did not count in the manner I explained and described.
On the Finger-to-Nose, Scholl was told to use the tip of his pointer finger and touch the tip of his nose. After touching his nose, he was instructed to bring his arm back down to his side. Scholl was instructed to use his L, R, L, R, R, L. The Results were as follows:

Left: Middle of finger to tip of nose
Right: Tip of finger to right top of nose near cheekbone
Left: Pad of finger to tip of nose
Right: Tip of finger to tip of nose
Right: Pad of finger to tip of nose
Left: Pad of finger to tip of nose

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For the Modified Romberg exercise Scholl was told to keep his head, tilted back and eyes closed, and when told to begin he would count the passage of 30 seconds in his head. Once he believed 30 seconds had passed, he was told to look forward, open his eyes, and say stop. 30 seconds had passed in the period of time Scholl believed 30 seconds had passed. Scholl counted using the "1, 2, 3" method. Scholl was swaying throughout the exercise

Due to what was stated above, I found probable cause to arrest Scholl for DUI. Scholl was placed in handcuffs, which were checked for proper fit and double locked. Scholl was transported to the Seminole County Jail for processing.

Once at the jail Seminole County Breath Tech Stephanie Berrios lawfully requested Scholl, take a breath test. Scholl refused. Berrios proceeded to read Scholl implied consent, and he still refused.

It should be noted that Scholl was arrested previously for DUI on 12/16/17, at which time he also refused a breath test. As a result, this is Scholl's second refusal to submit to a lawful test and I found probable cause to charge him with violating FSS 316.1939 refuse to submit to lawful test.

Scholl is being issued citations for unlawful speed, failure to display registration, no proof of insurance, failure to change address on license, refusing to submit to breath test, and DUI citation 5782-XFG.

Statements made by defendant prior to, during, and after arrest as related to each charge:

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Scholl stated he had consumed two beers, concurrently, and that on a scale of 1(being the most sober) and 10(being the most intoxicated), he was a two.

ADMINISTRATIVE SECTION

Miranda Warning ☐	HOLD FOR OTHER AGENCY Name:	Verified By:	BOND INFO	Date / Bond: Charge # / Bond: Charge #	
☐ ADULTS ONLY!! *Hold for First Appearance* DO NOT BOND	Reason:	Sworn to and subscribed before me, the undersigned authority, this 20 day of December. in the year 2019.		Bond Type: 1. R.O.R. 2. Cash 3.Surety 4. Bail/ Bond 5. Cert. 6. Other / Type: / Type:	
I swear/affirm the above and reversed and attached statements are true and correct. Officer's/Complaintant's Signature				Returnable Court Date: / Returnable Court Date:	
TORRES, JOSUE 658 **Name(Printed) and Employee#**		Name/Title of Person Authorized to Adminster Oath.		Release Date: / Release Time:	
				Releasing Officer:	

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