



**Response to Resistance Report**  
**Chief of Police – Anthony W. Rosa**

<b>Case Number</b>	42-2201-000935		
<b>Incident Date</b>	<b>Incident Time</b>	<b>Report Date</b>	<b>Report Time</b>
01/08/2022	00:40	01/09/2022	21:00
<b>Location</b> (Address)			
100 N. Flamingo Rd. Sunrise, FL, 33323			
200 NW 27th Av, Fort Lauderdale, FL, 33311			
<b>Initial Call/Incident</b> Type of initial call or incident			
DUI Traffic Stop			
<b>Subject's Resistance</b> Type of resistance used by subject		<b>Officer's Response</b> Type of response – select all that apply	
Passive Resistance: Refused lawful commands, forcing Officer to enact physical control of subject.		ASP <input type="checkbox"/>	Taser <input type="checkbox"/>
Active Resistance: Braced, tensed, pushed and pulled away from Officer.		Chemical Spray <input type="checkbox"/>	Nunchucks <input type="checkbox"/>
		K-9 <input type="checkbox"/>	
		<b>Firearms</b>	
		N/A	
		<b>Other</b>	
		N/A	
		<b>Weaponless Striking</b>	
		Leg sweep	
<b>Reporting Officer – Not Involved</b>	<b>Rank/Title</b>	<b>First Name</b>	<b>Last Name</b>
<b>IBM</b>	<b>Current Assignment</b>	<b>Assignment at Time of Incident</b>	



## Response to Resistance Report Continued

<b>Case Number</b>		42-2201-000935	
<b>Reporting Officer - Involved</b>	<b>Rank/Title</b> Police Officer		
	<b>First Name</b> [REDACTED]		<b>Last Name</b> [REDACTED]
	<b>Race</b> [REDACTED]	<b>Sex</b> Male <input checked="" type="checkbox"/> Female <input type="checkbox"/>	<b>Height</b> 6'0
			<b>Weight</b> [REDACTED]
<b>IBM</b> [REDACTED]	<b>Current Assignment</b> Uniform Division		<b>Assignment at Time of Incident</b> Alpha 0701
<b>Injured</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Description of Injury</b> N/A		
<b>Medical Treatment</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Explain Treatment Refused</b> N/A		
<b>Treated by</b> N/A	<b>Transported By</b> N/A		<b>Transported to</b> N/A
<b>Weapon Collected</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
<b>Involved Officer</b>	<b>Rank/Title</b>		<b>IBM</b>
	<b>First Name</b>		<b>Last Name</b>
<b>Involved Officer</b>	<b>Rank/Title</b>		<b>IBM</b>
	<b>First Name</b>		<b>Last Name</b>
<b>Involved Officer</b>	<b>Rank/Title</b>		<b>IBM</b>
	<b>First Name</b>		<b>Last Name</b>
<b>Involved Officer</b>	<b>Rank/Title</b>		<b>IBM</b>
	<b>First Name</b>		<b>Last Name</b>



## Response to Resistance Report Continued

<b>Case Number</b>		42-2201-000935 <span style="color: blue;">(M)</span>		
<b>Subject</b>	<b>Number</b>	<b>Name (Last, First, Middle, Suffix)</b>		<b>DOB/Age</b>
	1	Leiner, Brandy		12/11/1993 (28)
	<b>Race</b>	<b>Sex</b>	<b>Height</b>	<b>Weight</b>
	White	Female	5'6	250
<b>Address</b> 20323 Monteverdi Circle, Boca Raton, FL, 33498				
<b>Injured</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		<b>Description of Injury</b> N/A		
<b>Medical Treatment</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		<b>Explain Treatment Refused</b> N/A		
<b>Treated by</b> N/A		<b>Transported By</b> N/A		<b>Transported to</b> N/A
<b>Alcohol Involved</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>		<b>Drugs Involved</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input checked="" type="checkbox"/>		<b>Emotionally Disturbed</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown <input type="checkbox"/>
<b>Describe Subject Prior to Physical Encounter</b> Bloodshot eyes, inebriated, crying, screaming, bracing.				
<b>Weapon Type</b> Personal Weapons (Hands)				<b>Weapon Recovered</b> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Subject</b>	<b>Number</b>	<b>Name (Last, First, Middle, Suffix)</b>		<b>DOB/Age</b>
	<b>Race</b>	<b>Sex</b>	<b>Height</b>	<b>Weight</b>
<b>Address</b>				
<b>Injured</b> Yes <input type="checkbox"/> No <input type="checkbox"/>		<b>Description of Injury</b>		
<b>Medical Treatment</b> Yes <input type="checkbox"/> No <input type="checkbox"/>		<b>Explain Treatment Refused</b>		
<b>Treated by</b>		<b>Transported By</b>		<b>Transported to</b>
<b>Alcohol Involved</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>		<b>Drugs Involved</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>		<b>Emotionally Disturbed</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>
<b>Describe Subject Prior to Physical Encounter</b>				
<b>Weapon Type</b>				<b>Weapon Recovered</b> Yes <input type="checkbox"/> No <input type="checkbox"/>



## Response to Resistance Report Continued

<b>Case Number</b>	42-2201-000935 <span style="color: blue; font-family: cursive;">CN</span>		
<b>Witness</b>	<b>Number</b>	<b>Name (Last, First, Middle, Suffix)</b>	
	1	Police Officer Carter #1817, Fort Lauderdale Police	
<b>Address (Street, Unit#, City, State, Zip)</b>			
1300 W. Broward Blvd, Fort Lauderdale, FL, 33312			
<b>Home Phone</b>		<b>Work Phone</b>	<b>Cell Phone</b>
		(954) 828-5700	
<b>Witness</b>	<b>Number</b>	<b>Name (Last, First, Middle, Suffix)</b>	
<b>Address (Street, Unit#, City, State, Zip)</b>			
<b>Home Phone</b>		<b>Work Phone</b>	<b>Cell Phone</b>
<b>Witness</b>	<b>Number</b>	<b>Name (Last, First, Middle, Suffix)</b>	
<b>Address (Street, Unit#, City, State, Zip)</b>			
<b>Home Phone</b>		<b>Work Phone</b>	<b>Cell Phone</b>
<b>Narrative</b>			
<p>The subject was placed under arrest for DUI. When instructed to exit my marked unit so she could be searched by a female Officer on scene, she refused to exit and braced her body inside of the backseat. I was forced to pull her out of my unit by her arms so she could be searched prior to transport. At BSO BAT, the subject resisted going inside the facility and would stop periodically in the parking lot, refusing to walk on her own. Once inside the BAT, the subject continued to scream and yell at me and other personnel, stating that she would not take any test. I proceeded to release the subject from handcuffs so she could utilize a restroom. When she emerged from the restroom, I attempted to place her back in handcuffs. The subject refused and stated she would not be handcuffed again. I then attempted to grab the subject's left arm to place handcuffs on her. She responded by snatching her arm away from me. The subject then braced both of her hands behind her back and backed up to the restroom door in an effort to keep me from gaining control of her arms. I gave her loud, verbal commands to stop but to no avail. The subject then used her right arm to push me away against my ballistic vest. In response to this active resistance, I used both of my hands to grab the subject by her upper torso while using my right leg to leg sweep her to the ground. I then followed her to the ground. Once we were both on the ground, the subject began to flail her legs and pull and push with her arms. Officer Carter #1817 of Fort Lauderdale Police</p>			



## Response to Resistance Report Continued

Case Number 42-2201-000935 *(signature)*

### Narrative - continued

entered shortly afterwards and assisted in placing the subject back into handcuffs. I then stood the subject up to her feet and tried to escort her out to my unit as she continuously pulled away from me. Once near my unit, the subject resisted getting into the backseat and would post herself between the door. I began to push the subject with my hands in an effort to get her inside of my unit. She then turned her head towards me while she was screaming. Fearing she would spit in my face, I pushed her head away with both of my hands in an attempt to redirect her face away from me. She also braced herself in between the door and frame and would refused to sit down. At one point she lied down on my back seat, then stood herself up and pushed back against me. I was forced to use my arm to push her away again. It should be noted that there was another Police vehicle parked closely behind me which created a very tight space for me to work in as I tried to gain control of the subject. It was also dark outside which contributed to the difficulty in trying to control the subject as she would brace her body and use my vehicle to push back. The subject was eventually placed in my unit without further incident. The subject nor myself suffered any injuries as a result of her resisting or Battery on my person.



# Response to Resistance Report Continued

Case Number	42-2201-000935 (2)		
Reporting Officer	Name/IBM [REDACTED]	Signature 	Date 1/15/22
Immediate Supervisor	Name/IBM #3699 SERGEANT TIM McHEVERN	Signature 	Date 1/15/22
Comments			
<p>A REVIEW OF THE INCIDENT REVEALED THAT THE RESPONSE TO RESISTANCE USED BY OFFICER [REDACTED] WAS IN ACCORDANCE WITH POLICY AND PROCEDURE CHAPTER 35. I HAVE REVIEWED THE PROBABLE CAUSE AFFIDAVIT AND OFFENSE INCIDENT REPORT WHICH ARE COMPLETE AND ACCURATE. I ADDITIONALLY HAVE REVIEWED THE BWC FOOTAGE WHICH HAS BEEN UPLOADED TO EVIDENCE.COM. NO ISSUES OR CONCERNS OBSERVED.</p>			
Immediate Supervisor	Name/IBM Greg Lee 3575	Signature 	Date 1-15-22
Comments			
<p>Officer [REDACTED] was in compliance with policy and procedure reference the response to resistance and BWC.</p>			
Division Commander	Name/IBM Brooke LeBel 3610	Signature 	Date 1/27/22
Internal Affairs	Name/IBM Darwin Arroyo 3663	Signature 	Date 2/16/22
Deputy Chief	Name/IBM Sean Visnes 3577	Signature 	Date 2/17/22
Chief	Name/IBM Anthony [REDACTED] 3527	Signature 	Date 2/17/22

COMPLAINT AFFIDAVIT  
SHADED FIELDS MUST BE ANSWERED IF DEFENDANT NOT IN CUSTODY

ARREST FORM

BROWARD COUNTY  
ARREST # SN-15

OBTS #

Filing Agency <b>SUNRISE PD</b>		Offense Report <b>42-2201-000935</b>		Local ID #	FDLE	FBI	SS #	
Defendant's Last Name <b>LEINER</b>			First <b>BRANDY</b>	Middle	SUF	Alias/Street Name Citizenship		
Race <b>W</b>	Sex <b>F</b>	Hgt <b>5'06</b>	Wgt <b>250</b>	Hair <b>BLACK</b>	Eyes <b>BROW</b>	Comp <b>LIGHT</b>	Age <b>28</b>	
Permanent Address <b>20323 MONTEVERDI CIR, BOCA RATON, FL 33498</b>		Local Address: <b>20323 MONTEVERDI CIR, BOCA RATON, FL 33498</b>		DOB <b>12/11/1993</b>		Birth Place		
Residence Type: (1) City (2) County (3) Florida (4) Out of State		Place of Employment		Length				
How long defendant in Broward County: <b>0 Y</b>		Breathalyser By/CCN	Reading	Place of Arrest <b>100 N FLAMINGO RD</b>		Date/Time Arrested <b>01/08/2022 01:02</b>	Arresting Officer(s) CCN	
Officer Injured: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Unit <b>PATR</b>	Zone <b>4212</b>	Beat	Shift	Trans. Unit	PMD: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Transporting Officer/CCN	
Pick-up Time	Time Arrived/BSO							
TYPE / ACTIVITY: <b>1</b>		Type: N-N/A A-Amphetamine B-Barbiturate C-Cocaine	E-Heroin H-Hallucinogen M-Marijuana O-Opium/Deriv.	P-Paraphernalia/ Equipment S-Synthetic U-Unknown Z-Other	Activity: N-N/A P-Possess S-Sell B-Buy	T-Traffic A-Smuggle D-Deliver E-Use	M-Manufacture/ Produce/Cultivate K-Dispense/ Distribute Z-Other	Indication of: Alcohol Influence <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>

Attach Defendant's Photo

Defendant's Vehicle Make: **NISS** Type: **01** Year: **2012** Color: **WHV** VIN # **JN8AS5MT3CW259538**  
 Vehicle Towed To: **Westway Towing** Tag # **4JREW56** Other identifiers or remarks:

Name of victim(s) (if corporation, exact legal name and state of incorporation):  
**State Of Florida**

Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
1	BATTERY ON OFFICER FIREFIGHTER EMT ETC		784.07-2B
1	POSSESSION OF THC		893.13-6a(1C34)
1	POSSESSION OF CANNABIS NOT MORE THAN 20 GRAMS		893.13-6b
1	POSSESS AND/OR USE DRUG PARAPHERNALIA		893.147-1
1	DUI ALCOHOL OR DRUGS 1ST OFFENSE	541XGP	316.193-2A2A

**Probable Cause Affidavit**

Before me this date personally appeared [redacted] who being first duly sworn deposes and says that on 8 day of January (year) 2022 at 1201 N FLAMINGO RD, SUNRISE, FL 33323 (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

The above-named defendant did knowingly, intentionally and unlawfully commit DUI FIRST OFFENSE, BATTERY ON A POLICE OFFICER, RESIST AN OFFICER WITHOUT VIOLENCE (2X), RESIST AN OFFICER WITH VIOLENCE, POSSESSION OF THC, POSSESSION OF CANNABIS UNDER 20 GRAMS, POSSESSION DRUG PARAPHENLIA, UNLAWFUL SPEED, EXPIRED TAG LESS THAN SIX MONTHS, IMPROPER LANE CHANGE To wit:

\* \* \* Continued \* \* \*

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.

Officer/Affiant's Signature: [redacted] Officer's Name/CCN: [redacted] Officer's Division: **Patrol**

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 8 day of January, 2022 (year), by [redacted] (name and title), who is personally known to me or has produced [redacted] as identification.

Notary Public, Deputy Clerk of the Court, or Assistant State Attorney: SERGEANT / 3670 Title/Rank and CCN

**RODRIGUEZ, DANIEL**  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida  
BSO DB-#2 (Revised 05/00)

FIRST APPEARANCE/ARREST FORM

(SHOULD ADDITIONAL SPACE BE NEEDED, USE THE PROBABLE CAUSE AFFIDAVIT CONTINUATION (BSO DB#2a))

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

**COURT COPY**









COMPLAINT AFFIDAVIT  
PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

BROWARD COUNTY  
ARREST # SN-15

OBTS #

Filing Agency <b>SUNRISE PD</b>	Offense Report <b>42-2201-000935</b>	Local ID #	FDLE	FBI	SS #
Defendant's Last Name <b>LEINER</b>	First <b>BRANDY</b>	Middle	SUF	Alias/Street Name	Citizenship
Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	
	<b>*** SEE PAGE 1 ***</b>				

**Probable Cause Affidavit**

Before me this date personally appeared \_\_\_\_\_ who being first duly sworn deposes and says that on 8 day of January, (year) 2022 at 1201 N FLAMINGO RD, SUNRISE, FL 33323 (crime location)

the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

arrest. Once inside, the defendant had to be escorted to the observation room. She became very belligerent and loud stating that she would not submit to any breath test at 01:39 hours. This failure to comply was taken as a refusal based on her uncooperative demeanor. The defendant noted that she had to urinate. At this time, I removed the handcuffs inside of the BAT facility so she could utilize a restroom. When she exited the restroom, she refused to place her arms behind her back and backed up to the bathroom door. When I reached for her left arm, she braced her arms behind her in an effort to prevent me from placing handcuffs on her again. She also used her right arm to push me on my ballistic vest. This actual and intentional touch was done against my will. She was given loud, verbal commands to stop resisting to which she refused. I proceeded to take the defendant to the ground where she continued to resist. During the course of her resisting, the defendant flailed her legs and pushed her arms against me. Fort Lauderdale Police Officer Carter #1817 entered the room and assisted me in placing the defendant back into handcuffs. She was then escorted outside back into my marked unit all while pulling away from me the entire time and screaming. While I was trying to place her inside of the backseat, the defendant braced her body and pushed back on me as I tried to push her into the backseat. The defendant then turned her head towards my direction while screaming. Fearing she would spit in my face, I placed my hands around her head and redirected her face away from while trying to get her into my unit. She then got up again and pushed towards me. I was forced to push her away again while other Officers assisted in pulling her into the backseat of my vehicle, all while she was screaming at Officers. This constitutes a separate count of Resisting an Officer with Violence, Battery on an Officer, and another count of Resisting an Officer without Violence.

\* \* \* Continued \* \* \*

I swear the above \_\_\_\_\_ is true to the best of my knowledge and belief.

Officer/Affiant's Signature

Officer's Name/CCN

Officer's Division  
Patrol

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 8 day of January, 2022 (year),  
by \_\_\_\_\_ (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

SERGEANT / 3670  
Title/Rank and CCN

RODRIGUEZ, DANIEL  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

**COURT COPY**

Orig - Court  
2nd - State Attorney  
3rd - Filing Agency  
4th - Arresting Agency

COMPLAINT AFFIDAVIT  
PROBABLE CAUSE AFFIDAVIT CONTINUATION

BROWARD COUNTY  
ARREST # SN-15

ARREST FORM

CBTS #

Filing Agency <b>SUNRISE PD</b>	Offense Report <b>42-2201-000935</b>	Local ID #	FDLE	FBI	SS #	
Defendant's Last Name <b>LEINER</b>	First <b>BRANDY</b>	Middle	SUF	Alias/Street Name	Citizenship	
Name of victim(s) (if corporation, exact legal name and state of incorporation):						
Count #	Offenses Charged	WC# / Citation# (if applicable)		FS or Capias/Warrant #		
	<b>*** SEE PAGE 1 ***</b>					

**Probable Cause Affidavit**

Before me this date personally appeared \_\_\_\_\_ who being first duly sworn deposes and says that on 8 day of January, (year) 2022 at 1201 N FLAMINGO RD, SUNRISE, FL 33323 (crime location)

the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

It should be noted that while in the backseat of my unit, the defendant slipped her handcuffs and had to be placed in handcuffs again.

While conducting a tow inventory on scene, Officers found a vial containing suspected THC oil in the center console (approx. 13.13 grams). This tested positive for the presence of THC per chemical field test and using a NIK Public Safety test kit. They also found a bag containing a green leafy substance (approx. 6.48 grams) and a scale with suspected Cannabis residue and Cannabis grinder with suspected Cannabis inside. All were found in the center console and Field Tested Positive for the presence of Cannabis per chemical field test and using a NIK Public Safety test kit. Three unknown substance pills were also found inside the vehicle. All were submitted into Sunrise Police Evidence for further analysis. It should be noted that the defendant was operating the vehicle which is registered in her name, and the contraband was all within her wingspan where she exercised physical control and constructive possession of it all. There was also an open container of High Noon Black Cherry (alc/vol 4.5%) and an open case of the same in the backseat of the vehicle. All were documented via BWC.

The defendant was later transported to BSO Main Jail for further processing. She was cited for Unlawful Speed, Improper Lane Change and Expired Tag Less than Six Months.

I swear the above \_\_\_\_\_ is true to the best of my knowledge and belief.

\_\_\_\_\_  
Officer/Affiant's Signature

\_\_\_\_\_  
Officer's Name/CCN

Patrol  
\_\_\_\_\_  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 8 day of January, 2022 (year),  
by \_\_\_\_\_ (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

SERGEANT / 3670  
\_\_\_\_\_  
Title/Rank and CCN

RODRIGUEZ, DANIEL  
\_\_\_\_\_  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

BSO DB #2a (Revised 05/00)

**COURT COPY**

Orig - Court  
2nd - State Attorney  
3rd - Filing Agency  
4th - Arresting Agency

IN THE CIRCUIT/COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT,  
IN AND FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA,  
Plaintiff

AGENCY: SUNRISE PD

vs.

AGENCY CASE NO.: 42-2201-000935

LEINER, BRANDY  
Defendant

**NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING**

Pursuant to Florida Rule of Judicial Administration 2.420(d)(2), I hereby certify:

That I am filing a Probable Cause Affidavit that contains confidential information as described in Rule 2.420(d)(1)(B) and that the confidential information is contained within this document.

Indicate the applicable confidentiality provision(s) below from Rule 2.420(d)(1)(B) and specify the location within the document on the space provided:

\_\_\_\_\_ Prevent the disclosure of information or records that could locate or harass a victim or a victim's family, or which could disclose confidential or privileged information of a victim. Art. I, Section 16(b)(5), of the Florida Constitution.

\_\_\_\_\_ Social Security, bank account, charge, debit, and credit card numbers. § 119.0714(1)(i)-(j), (2)(a)-(e), Fla. Stat. (Unless redaction is requested pursuant to § 119.0714(2), this information is exempt only as of January 1, 2011).

\_\_\_\_\_ Victim's address in domestic violence action on petitioner's request. § 741.30(3)(b), Fla. Stat.

\_\_\_\_\_ Information identifying victims of sexual offenses, including child sexual abuse. §§ 119.071(2)(h), 119.0714(1)(h), Fla. Stat.

I HEREBY CERTIFY that a true copy hereof has been furnished to the Clerk of Court, through the Broward Sheriff's Office this *8th* day of *January, 2022*.

Officer Name: \_\_\_\_\_

Officer Signature: \_\_\_\_\_



Incident Report Additional Offense List

Sunrise Police Department

OCA: 42-2201-000935

Offense List (Continued)

Page 2

Counter	Offense Description	Fel/Misd	Statute	Completed/Attempted
# 4	RESIST ARREST		RESI	Com

# INCIDENT/INVESTIGATION REPORT

Sunrise Police Department

Case # 42-2201-000935

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S						

Assisting Officers

Suspect Hate / Bias Motivated:

NARRATIVE



**REPORTING OFFICER NARRATIVE**

*Sunrise Police Department*

		OCA 42-2201-000935
Victim <i>Society</i>	Offense <i>BATTERY</i>	Date / Time Reported <i>Sat 01/08/22 00:40</i>

- Cnt 1: BATTERY ON OFFICER, FIREFIGHTER, EMT ETC.- FSS 784.07-2B (FELONY)
- Cnt 2: POSSESSION OF THC- FSS 893.13-6a(THC) (FELONY)
- Cnt 3: POSS CANNABIS 20 GRAMS LESS/ SYNTH CANN 3 GMS LESS- FSS 893.13-6b (MISDEMEANOR)
- Cnt 4: DRUG PARAPHERNALIA-POSSESS AND OR USE- FSS 893.147-1 (MISDEMEANOR)
- Cnt 5: DUI ALCOHOL OR DRUGS 1ST OFFENSE- FSS 316.193-2A2A (MISDEMEANOR)
- Cnt 6: RESIST OFFICER-OBSTRUCT WITHOUT VIOLENCE- FSS 843.02 (MISDEMEANOR)
- Cnt 7: RESIST OFFICER-OBSTRUCT WITHOUT VIOLENCE- FSS 843.02 (MISDEMEANOR)
- Cnt 8: RESIST OFFICER-OBSTRUCT WITH VIOLENCE- FSS 843.01 (FELONY)
- Cnt 9: UNLAWFUL SPEED POSTED MUNICIPAL/STATE RD- FSS 316.189
- Cnt 10: EXPIRED TAG LESS THAN 6 MOS- FSS 320.07-3A
- Cnt 11: IMPROPER CHANGE OF LANES- FSS 316.085(2)

1201 N. Flamingo Rd  
42-2201-000935  
BWC Active

On January 8th, 2022 at approximately 00:40 hours, I arrived at the 100 block of N. Flamingo Rd to assist Officer Deweese #3695 and Officer Honig #3734 on a traffic stop of a white Nissan (FL/JREW56).

Officer Deweese and Honig advised me that while conducting stationary traffic enforcement via speed LASER device and observing southbound traffic at the 1200 block of N. Flamingo Rd, within the City of Sunrise, County of Broward, State of Florida, they observed the vehicle traveling at 83 MPH in a posted 45 MPH zone in the outside through lane by way of a Pro LASER 3 (S/N: PL20393) being operated by Officer Deweese. When they mobilized to affect a traffic stop, they observed the vehicle quickly switch to the middle lane and then back to the outside lane to pass another vehicle. Officer Honig stated that he observed the vehicle over-correct when it first passed it, and then over-corrected again when they initiated a traffic stop. When contacted was made with the adult offender, identified by Florida Driver's License photo as Brandy LEINER, she was still in the driver's seat and in actual physical control of the vehicle. The front-seat passenger, identified as Thaiss Ospino, was asleep. Ospino appeared to have vomited on herself. Officer Honig noted that he could smell the odor of an alcoholic beverage emanating from the vehicle.

I contacted LEINER while she was still in the driver's seat. I could immediately smell the odor of an alcoholic beverage emanating from her breath at conversational distance. She also had red, watery eyes. She stated that she was coming from Brew Fish Bar and Grill in Pompano Beach. She stated that she was taking Ospino to her home in Pompano Beach. LEINER was traveling far away from her alleged destination, as she had left Pompano Beach and drove all the way to the City of Sunrise. It should be noted that LEINER currently resides in Boca Raton. She believed that she was currently in the City of Oakland Park. LEINER stated that she had two (2) drinks, both vodka and cranberry cocktails. She also believed that time was 22:30 hours when it was actually 00:45 hours.

Based on my observations, I asked LEINER to participate in Standardized Field Sobriety Exercises, to which she complied. She stated that she did not have any medical conditions which would affect the exercises.

The first exercise conducted was the Horizontal Gaze Nystagmus. The stimulus used was a Streamlight stylus pen with an illuminated red tip. I observed the lack of smooth pursuit in both eyes, distinct and sustained Nystagmus at maximum deviation in both eyes and the onset of Nystagmus prior to 45 degrees. LEINER also swayed orbital while standing. I observed six out of six indicators of possible impairment.

REPORTING OFFICER NARRATIVE

Sunrise Police Department

OCA
42-2201-000935
Date / Time Reported
Sat 01/08/22 00:40

Victim
Society

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BATTERY

The next exercise conducted was the Walk and Turn. The line used was a delineated white fog line painted on the roadway. LEINER wished to remain in her shoes for this exercise. LEINER broke the starting position prior to beginning. Once the exercise began, LEINER missed heel-to-toe on steps #1-9. She stepped off the line on step #7 and took a total of 10 steps rather than 9 as instructed. She completed an improper turn. She then missed heel-to-toe on steps #1-9. She stepped off the line on steps #4,5 and 7. She also took a total of 11 steps on the return. She used her arms for balance and stopped while walking. I observed seven out of eight indicators of possible impairment.

The final exercise conducted was the One-Leg Stand. It should be noted that at this time, LEINER stated that she had knee surgery in 2017. I observed LEINER ambulate prior to this time without complaining of any injury. She also did not state this when I asked if had any trouble walking a straight line or balancing on one leg, to which she said she did not. During the instructions, LEINER stated that she couldn't "balance whether I'm sober or not". LEINER raised her left foot for the exercise. She did not extend it out as instructed and bent her knee instead. She placed her foot down six separated times prior to completing the exercise. She then switched and raised her right foot to finish the exercise. She used her arms for balance and swayed while balancing. I observed three out of four indicators of possible impairment.

Based on my observations, I placed LEINER under arrest at 00:59 hours. I proceeded to place LEINER in the backseat of my marked unit while I awaited a female Officer to arrive to conduct a female search. Once Officer Dejean arrived, LEINER refused to exit my marked unit so she could be search prior to transport. I gave LEINER multiple commands to exit the vehicle, to which she refused to comply. I was forced to physically remove LEINER from vehicle. She refused to exit and had to be removed by myself. She willingly and knowingly refused lawful commands to comply which obstructed the course of my investigation. She also did not want to sit back down in the vehicle, and posted herself in between the door and frame. Officers had to physically sit her down. LEINER's actions at this time constitute a separate offense of Resisting an Officer without Violence.

At the Broward Sheriff's Office (BSO) Breath Alcohol Testing facility (BAT), LEINER did not want to walk inside of the facility so she could be afforded the opportunity to submit to a lawful sample of her breath for the purpose of determining its alcohol content. In the parking lot, she stated that she was not "drunk enough" to be taken in. She also exclaimed that she was sure that "your dick is big enough". She would walk towards the door to enter, then she would stop and refute the arrest. Once inside, LEINER had to be escorted to the observation room as she continuously stated that I did not have probable cause to effect an arrest and that I would lose my job. She became very belligerent and loud, stating that she would not submit to any breath test at 01:39 hours (see BWC). This failure to comply was taken as a refusal based on her uncooperative and extremely belligerent demeanor.

LEINER noted that she had to urinate. At this time, I removed the handcuffs inside of the BAT facility so she could utilize a restroom. When she exited the restroom, she refused to place her arms behind her back and backed up to the bathroom door. When I reached for her left arm, she pulled away from me and braced her arms behind her in an effort to prevent me from placing handcuffs on her again. She also used her right arm to physically push me away on my ballistic vest (see BWC). This actual and intentional touch done by LEINER was done against my will. She was given loud, verbal commands to stop resisting to which she refused. I proceeded to leg sweep LEINER and took her to the ground where she continued to resist. During the course of her actively resisting, LEINER flailed her legs and pushed her arms against me as I struggled to gain control of her. Fort Lauderdale Police Officer Carter #1817 entered the room and assisted me in placing LEINER back into handcuffs. She was then escorted outside back into my marked unit all while pulling away from me the entire time and screaming. While I was trying to place her inside of the backseat, LEINER braced her body and pushed back on me as I tried to push her into the backseat. LEINER then turned her head towards my direction while screaming. Fearing she would spit in my face, I placed my hands

REPORTING OFFICER NARRATIVE

Sunrise Police Department

OCA 42-2201-000935
Date / Time Reported Sat 01/08/22 00:40

Victim Society	Offense BATTERY
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around her head and redirected her face away from while trying to get her into my unit. She then got up again and pushed towards me as she refused to sit down. I was forced to push her away again while other Officers assisted in pulling her into the backseat of my vehicle, all while she was screaming at Officers. The aforementioned acts committed by LEINER constitute a separate count of Resisting an Officer with Violence, Battery on a Law Enforcement Officer and a second count of Resisting an Officer without Violence.

It should be noted that while in the backseat of my unit, LEINER slipped her handcuffs and had to be placed in handcuffs again. She stated that her shoulder was hurting her due to being handcuffed. I placed two handcuffs on her to ease her claims of being uncomfortable. LEINER continued to claim that her shoulder hurt. It should be noted that LEINER would continuously move around and pull against the handcuffs in an apparent attempt to try and slip them again.

While conducting a tow inventory on scene, Officers found a vial containing suspected THC oil in the center console (approx. 13.13 grams). This tested positive for the presence of THC per chemical field test and using a NIK Public Safety test kit. They also found a bag containing a green leafy substance (approx. 6.48 grams) and a scale with suspected Cannabis residue and Cannabis grinder with suspected Cannabis inside. All were found in the center console and Field Tested Positive for the presence of Cannabis per chemical field test and using a NIK Public Safety test kit. Three unknown substance pills were also found inside the vehicle. All were submitted into Sunrise Police Evidence for further analysis. It should be noted that LEINER was operating the vehicle which is registered in her name, and the contraband was all within her wingspan where she exercised physical control and constructive possession of it all. There was also an open container of High Noon Black Cherry (Alc/Vol 4.5%) and an open case of the same in the backseat of the vehicle. All were documented via BWC.

LEINER was later transported to BSO Main Jail for further processing. She was cited for Unlawful Speed, Improper Lane Change and Expired Tag Less than Six Months.

Under penalties of perjury, I declare I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief based on the information provided to me by all parties involved. Electronically signed by: [Redacted] Date: 01/09/2022 06:50 hours

# Incident Report Suspect List

Sunrise Police Department

OCA: 42-2201-000935

<b>1</b>	Name (Last, First, Middle) <b>LEINER, BRANDY</b>					Also Known As					Home Address <b>20323 MONTEVERDI CIR BOCA RATON, FL 33498</b>				
	Business Address														
DOB <b>12/11/93</b>		Age <b>28</b>	Race <b>W</b>	Sex <b>F</b>	Eth <b>U</b>	Hgt <b>506</b>	Wgt <b>250</b>	Hair <b>BLK</b>	Eye <b>BRO</b>	Skin <b>LGT</b>	Driver's License / State. <b>L560060939510 FL</b>				
Scars, Marks, Tattoos, or other distinguishing features															
<b>Reported Suspect Detail</b>															
Suspect Age		Race	Sex	Eth	Height		Weight			SSN					
Weapon, Type	Feature		Make		Model			Color	Caliber	Dir of Travel		Mode of Travel			
VehYr/Make/Model			Drs	Style		Color		Lic/St			VIN				
Notes										Physical Char					

## Incident Report Related Vehicle List

Sunrise Police Department

OCA: 42-2201-000935

<b>1</b>	VehYr/Make/Model <i>2012 NISS, Rogue</i>		Style <i>UT</i>		Color <i>WHI/</i>		Lic/Lis /Decal <i>JREW56 FL 2021, 10148788</i>		VIN <i>JN8AS5MT3CW259538</i>		
IBR Status <i>Other</i>			Date <i>01/08/22</i>		Location <i>1201 N FLAMINGO RD, SUNRISE FL</i>						
Condition		Value <i>\$0.00</i>		Offense Code <i>90D</i>		Jurisdiction <i>Locally</i>		State #		NIC #	
Name (Last, First, Middle) <i>Leiner, Brandy</i>					Also Known As			Home Address <i>20323 MONTEVERDI CIR BOCA RATON, FL 33498</i>			
Business Address											
DOB <i>12/11/93</i>	Age <i>28</i>	Race <i>W</i>	Sex <i>F</i>	Hgt <i>506</i>	Wgt	Scars, Marks, Tattoos, or other distinguishing features					

Notes

**CASE SUPPLEMENTAL REPORT**  
*NOT SUPERVISOR APPROVED*

Printed: 01/10/22 00:44

OCA: 422201000935

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Investigator: *DEWEESE, M. L.*

Date / Time: *01/08/22 20:11:22, Saturday*

Supervisor:

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *Assisting Officer*

Supplement  
BWC in Use

On 1/8/22, while conducting stationary traffic enforcement via speed laser, device Pro Laser3, at the 1200 block of N. Flamingo Rd, I observed a SUV traveling South in the outside through lane. I activated my department issued Pro Laser 3 (Serial # PL20393) and acquired a reading of 83 MPH. It should be noted that the speed limit of N Flamingo Rd is 45 MPH. After passing my location the vehicle continued to travel South on N Flamingo Rd in the outside lane. At that point officers mobilized in an attempt to conduct a traffic stop for the observed infraction. While officers were catching up to the vehicle, the vehicle was observed abruptly switching to the middle lane and then back into the outside lane to pass another vehicle. Officer Honig and Ofc Krumenacker jr. observed the vehicle over-correcting while making the lane changes almost causing the vehicle to loose control. A traffic stop was ultimately conducted at the 100 block of N Flamingo Rd. There contact was made with the driver, identified via Florida Driver's License photo as Brandy Leiner. Brandy was in the driver's seat and in actual physical control of the vehicle. Brandy also had a passenger in the front seat, later identified as Thaiss Ospino, who was asleep at the time. Ospino appeared to have vomited on herself. A strong odor an alcoholic beverage was detected emanating from the vehicle. When asked if she had been drinking, Brandy advised that she had, had two drinks.

Based on observations made by officer's on scene, it was suspected that Brandy was possibly driving under the influence. Officer [REDACTED] responded to conduct a DUI investigation. Brandy was ultimately placed under arrest and transported to BSO BAT.

An inventory of the vehicle was conducted due to the vehicle being towed from the roadway. While inventorying the vehicle a green leafy substance in a plastic bag (suspected cannabis) was discovered within the center console inside a cylindrical container. Also, within the center console was a dark grey metal grinder and small digital scale, both with the same type green leafy substance residue on them. The green leafy substance weighed 6.48 gm with the plastic bag and field tested positive with the NIK test kit.

While continuing the inventory of the vehicle a small black box containing a vile filled with liquid was discovered in the center console. The vile was suspected to contain THC. The liquid was tested using a NIK test kit, and tested positive for THC.

On the front passenger floor board, a Tupperware container was found. Within the container was three clear capsules containing an unknown cut up plant material. A grey metal grinder was also in the container with the same plant material residue on it. The plant material was suspected to be possibly be shrooms/ psilocybin mushrooms. The substance was sent to BSO Lab for testing.

All of the above mentioned contraband was submitted into Sunrise Evidence for further analysis.

Ultimately the vehicle was removed from the scene by westway towing.

**CASE SUPPLEMENTAL REPORT**  
*NOT SUPERVISOR APPROVED*

Printed: 01/10/22 00:44

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It should be noted prior to clearing the scene, Thaiss Ospino had to be transported by Sunrise Fire Rescue due to her level intoxication.

No further action at this time. See Officer [REDACTED] report for further.

Under penalties of perjury I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.

Electronically signed by: (IBM 3695) M. Deweese Date: 1/9/22 2100 hrs.