

SECOND JUDICIAL CIRCUIT ARREST/PROBABLE CAUSE AFFIDAVIT

1/4

<input checked="" type="checkbox"/> Adult	Arrest Datetime	Arrest Location	Agency Report#	OBTS#	SPN#	Court Case#			
<input type="checkbox"/> Juvenile	12/28/17 23:56	2806 S MONROE ST	0017043673		253352				
Defendant's Full Name (Last, First, Mid., Suffix)			D.O.B.	Race	Sex	Height	Weight	Hair	Eye
EDWARD, BIVINS LAMAR JR			03/22/1991	B	M	510	150	BLK	BRO
Aliases		DL Number	DL State	SSN.#	Place of Birth		Patrol Zone		
		B152-232-91-102-0	FL	██████████	FL				
Local Address			Local Home#	Local Work#	Occupation/Employer/School				
Permanent Address			Permnt. Home#	Scars, Tattoos, Unique Physical Features					
5340 WELLINGTON PARK DR ORLANDO, FL 32839			(321)230.5141						

#	Co-Defendant's Full Name	D.O.B.	Sex	Race	Arrested	Offense Level
1
2
3
4

#	FDLE Statute Ref#	L/D	Domestic Violence?	Charge Literal	Bond	Am	Cnts	Wrrnt	Capias
1	790.01 2	2616	FT	CARRYING CONCEALED WEAPON UNLICENSED FIREARM	.	1	[]	[]	[]
2	948.06	3848	NN	VIOLATION OF PROBATION - CARRYING CONCEALED FIREARM	.	1	[]	[]	[]
3
4
5
6
7
8
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12
13
14

If Release is Approved, Defendant Should be Electronically Monitored? NO

If YES, Why?

Affiant Signature	Arresting Officer Name/Id#	Arresting Agency/ORI#
12/29/2017 08:34	FARMER G 635	TALLAHASSEE POLICE DEPARTMENT FL0370300

JAIL USE ONLY

Courthouse
 State Attorney
 County Jail
 Defendant

**SECOND JUDICIAL CIRCUIT
ARREST/PROBABLE CAUSE AFFIDAVIT**

Defendant's Name	Race	Sex	D.O.B.	Agency Report#
EDWARD, BIVINS LAMAR JR	B	M	03/22/1991	0017043673

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant on , at approximately , at did the following violation of law:

PROBABLE CAUSE TEMPLATE - ORIGINAL REPORT

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TIME OF ARREST (ARRESTEE IN PHYSICAL CUSTODY): 2356

DEFENDANT NAME: Edward L. Bivins Jr.

DOB: 03/22/1991

FACTS TO SUPPORT ABOVE CHARGE(S):

On December 28, 2017 at approximately 2345 hours I was traveling southbound on South Monroe Street in the area of Putnam Drive when I observed a silver Chevrolet 2-door bearing Georgia tag PQH2705 traveling southbound in front of me. The vehicle had an inoperable tag light, and the license plate was not visible from 50 feet back.

Based on the equipment violation, I activated the emergency lights on my patrol vehicle to initiate a traffic stop. As I was traveling behind the vehicle, I could see the sole occupant reach down once, then across the seats. The vehicle pulled into the parking lot of Taco Bell, located at 2806 South Monroe Street. I exited my patrol car and made contact with the operator, later identified as Edward Bivins. While speaking to Bivins I saw a backpack with marijuana leaves all over it in the passenger seat. I also saw a Crown Royal bag in the center console. Through my training and experience as a law enforcement officer, I know that narcotics are regularly stored in Crown Royal bags. Officer Chatham #599 arrived on scene.

I then summoned a canine officer while Bivins was attempting to locate his registration and insurance. Due to the backpack with marijuana leaves on it and the Crown Royal bag, I determined there was sufficient reasonable suspicion to believe there were narcotics in the vehicle Bivins was driving.

While waiting for the canine officer, I ran Bivins through NCIC/FCIC. I found that Bivins was on probation for possessing a concealed firearm. A short time later, canine Officer Alcorn #387 arrived on scene. Bivins was instructed to step out of the vehicle. Officer Alcorn had his canine partner conduct a free air sniff of the vehicle. Officer Alcorn informed me his canine positively alerted for the odor of narcotics in the vehicle. Bivins was then detained in wrist restraints pending a search of the vehicle.

During the search of the vehicle I found an AK-47 style pistol in the backpack with three magazines worth of ammunition. There was also a pill bottle with Bivins' name on it in the backpack, showing that the backpack was Bivins. Officer Chatham then found a Glock pistol under the driver seat where Bivins was sitting. The Glock was not securely encased, and was just on the floorboard under the seat.

A further search of the vehicle yielded no further contraband. I then returned to my patrol car and advised Bivins of his Miranda rights from a department issued Miranda card. Bivins [REDACTED]

[REDACTED] I asked Bivins [REDACTED] Bivins stated [REDACTED]

[REDACTED]

[REDACTED]

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Next I contacted Teletype for a criminal history on Bivins, as I saw he was on felony probation for carrying a concealed firearm. Teletype stated the charge showed as "filed." I then called the Florida Department of Corrections hotline, who confirmed Bivins was on felony probation. Next I looked on the Orange County Clerk of Court website, as this is where the felony probation originated. I found the probation order for Bivins' charge on their website. The conditions of Bivins' probation was that he was not to commit any other crimes, nor is he to possess any firearms.

Based on Bivins being the only occupant of the vehicle, his reaching around the bottom of the seat when I activated my emergency lights, the Glock pistol being under his seat, and his not having a valid concealed weapons license, I found there was sufficient probable cause to charge Bivins with possessing a concealed firearm. The firearm was not securely encased per Florida Statute.

Based on the conditions of Bivins' probation being that he not be arrested for another offense, nor possess a firearm, I found there was sufficient probable cause to violate his probation as he did possess the Glock pistol and the AK-47 style pistol in his backpack.

During the search of Bivins' person, Officers Buis #575 and Chatham found a large stack of U.S. currency on his person. Officer Buis, Officer Chatham, and Sergeant Clayton #257 counted the currency and completed a property receipt, which I brought to the Leon County Jail. The firearms were seized as evidence, as was the pill bottle, and these were later impounded. The firearms were run on Teletype by Officer Chatham. No record was found on either of the firearms.

I then searched Bivins again and found no further contraband. Bivins' girlfriend would later come retrieve her vehicle. I transported Bivins to the Leon County Jail without incident.

PLACE AN "X" IN FRONT OF ALL THAT APPLY:

Supplemental Reports Submitted

Victim Statement Submitted

Witness Statement(s) Submitted

Suspect/Arrestee Statement Impounded

X Property Impounded

Vehicle Towed

Affiant Signature	Arresting Officer Name/Id# FARMER G 635	Arresting Agency TALLAHASSEE POLICE DEPARTMENT FL0370300
Sworn to and subscribed before me this Friday of December 29TH 2017		Certifying Officer
Detention facility Leon County Jail 535 Appleyard Drive, Tallahassee, FL 32304		Arrest Date/Time 12/28/17 23:56
Booking Officer	Bond Amount	Aggravating Factors

**SECOND JUDICIAL CIRCUIT
VICTIM INFORMATION**

#	FDLE Statute	Victim's Name	Victim's Address	Home#	Work#
1	790.01 2	FLORIDA STATE OF	THE CAPITOL, 400 S. MONROE ST., TALLAHASSEE FL 32399	.	.
2	948.06	FLORIDA STATE OF	THE CAPITOL, 400 S. MONROE ST., TALLAHASSEE FL 32399	.	.
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Affiant Signature	Arresting Officer Name/Id# FARMER G 635	Arresting Agency TALLAHASSEE POLICE DEPARTMENT FL0370300 Agency Report#: 0017043673
Detention facility Leon County Jail 535 Appleyard Drive, Tallahassee, FL 32304	Arrest Date/Time 12/28/17 23:56	
Booking Officer	Bond Amount	Aggravating Factors