

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

v.

CASE NO.: 2024 CF 004973 NC

DARRYL BERNARD BROOKINS,
Defendant.

ORDER FOR PRETRIAL DETENTION AFTER FINAL HEARING

This cause came before the Court on May 24, 2024, for a hearing on the Motion of the Office of the State Attorney for the Pretrial Detention of the Defendant pursuant to § 907.041(5)(d), Fla. Stat. Defendant was arrested for Attempted Murder, a dangerous crime, as defined in § 907.041(5)(a), Fla. Stat. The crimes for which Defendant has been arrested in this case and in 2024CF4968 are punishable by up to life in prison.

The First Appearance judge determined there was probable cause to believe the Defendant committed the offense, and the Defendant was detained in custody pending a final hearing on the State's Motion for Pretrial Detention.

Having conducted the hearing, the undersigned finds a substantial probability that Defendant committed the offense and, having considered the following, finds that no conditions of release or bail will reasonably protect the community from risk of physical harm, ensure the presence of the Defendant at trial, or assure the integrity of the judicial process:

1. Defendant's past and present patterns of behavior: The Defendant is a five-time convicted felon, who was on bond [\$125,000] in Manatee County, Florida for two pending felony cases, in which the Defendant was arrested for sexual battery. While on bond, he was arrested for Attempted Murder in this case, as well as the charges of Homicide, Attempted Murder, and Possession of Firearm by a Convicted felon in the companion case # 2024CF4968.
2. Consideration of the criteria in § 903.046, Fla. Stat:
 - a. Nature and circumstance of charged offense: Surveillance video established that the Defendant withdrew a gun and fire approximately 11 or 12 shots at the Battie brothers, who were approximately 2 to 3 feet away from the Defendant. One brother immediately fell to the ground and was later pronounced deceased at the scene. A gun battle ensued, resulting in a total of 6 persons receiving gunshot wounds. The other Battie brother remains in critical condition, with the prognosis of permanent paralysis if he survives.

- b. Weight of the evidence against Defendant: The weight of the evidence is great where the shootings were captured on multiple surveillance videos.
- c. Defendant's family ties, length of residence in the community, employment history, financial resources, and mental condition: The Defendant has significant ties to the community and the support of his family, who are willing to provide the financial resources to post bond.
- d. Defendant's past and present conduct, including convictions, previous flight to avoid prosecution, or failure to appear at court proceedings: The Defendant is currently on bond in Manatee County for the dangerous crime of sexually battering a physically helpless child and for felony battery of prior convictions. After on bond for approximately one and half months in the community, the above-described crimes occurred at approximately 3:30am in Sarasota County on May 18, 2024. Detective Mattis testified there were approximately 200 people in the parking lot where the shootings occurred. The Defendant fled the scene and deactivated his phone and all social media accounts. The Defendant was not apprehended until May 22, 2024.
- e. Nature and probability of danger which Defendant's release poses to the community: The Defendant's release poses a great risk of physical harm to the community, as evidenced by his status on bond for a dangerous crime when he was arrested for four additional dangerous crimes that involved a firearm. The Defendant's alleged conduct resulted in the death of one individual and serious bodily injury to another, as well as gunshot wounds to two innocent bystanders. The Defendant's alleged initiation of this gun battle also resulted in the Defendant receiving a gunshot wound to his ear. Thus, the Court finds a high probability of continued danger to the community should the Defendant be released.
- f. Source of funds used to post bail or procure appearance bond: The Defendant's family is willing to provide funds to post his bail.
- g. Whether Defendant is already on release pending resolution of another criminal proceeding or on probation, parole, or other release pending completion of a sentence: On March 1, 2024, the Defendant was released on a \$100,000 bond for the charge of sexual battery of victim physically helpless to resist while Defendant was 18yrs or older and victim was 12yrs or older but less than 18yrs and a \$25,000 bond for the charge of Felony Battery, second or subsequent offense in Manatee County, cases 2024CF595 and 2024CF538. While on bond he was arrested for Homicide, two counts of Attempted Murder, and Possession of a firearm by a convicted felon, which occurred in Sarasota County on May 18, 2024.
- h. Street value of any drug or controlled substance connected to or involved in the charge: n/a

- i. Nature and probability of intimidation and danger to victims: There is a high probability of danger and intimidation to the victims and witnesses involved. Detective Mattis testified that the witnesses, who were in the parking lot near the Defendant at the time of the shootings, were unwilling to cooperate with law enforcement's investigation and would not provide their names or a statement as to what occurred.
- j. Probable cause to believe that Defendant committed a new crime while on pretrial release: Probable cause has been established that the Defendant committed four danger felony offenses while on bond for a felony and another dangerous felony as described above.
- k. Other relevant facts: n/a

It is, accordingly, ORDERED AND ADJUDGED that the State's Motion for Pretrial Detention pursuant to section 907.041(5)(d), Fla. Stat., is granted. The Defendant shall be held in the custody of the Sarasota County Jail on zero bond for the charge of Attempted Murder until further order of this Court.

DONE AND ORDERED in open court in Sarasota County, Sarasota Florida on the 24th day of May, 2024.



Dana Moss, Circuit Court Judge

Copies to:
Office of the State Attorney
Jacob Grollman, Esq.