Adult Def □ PC Arrest

Clerk's Case No	
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Inspector Brian K. Stagner
Type or print Complainant name

Major PAGE	□ Juvenile D	ef ⊠ Application	n for		AFFIC	PAVIT –	COMPL	AINT	1	SA Case No.(s)			
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Officer/Complainant Signature

□ Adult Def □ PC Arrest
□ Juvenile Def ☑ Application for
 Warrant/Capias
PAGE 02 of 03

AFFIDAVIT – COMPLAINT (PROBABLE CAUSE NARRATIVE)

SA Case No.(s)

Clerk's Case No.

Agency ORI # FL037275C

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80. Agency Name:	81. Agency Report	82. Date/Time of Arrest:	83. Investigating Officer:		
Office of Inspector General - FDC	Number: 23-04604	3/11/2023 4:45	Inspector Brian K. Stagner		
		P.M.			

84. NARRATIVE OF THE FACTUAL BASIS FOR PROBABLE CAUSE: The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the heretofore named defendant did commit the violations of law as stated above and the factual basis for this belief is as follows:

Your Affiant is Law Enforcement Inspector Brian K. Stagner (Inspector Stagner) of the Florida Department of Corrections, Office of the Inspector General.

Your Affiant has probable cause to believe Correctional Officer Thomas Jacob Kern (Officer Kern), did commit the criminal offense of Introduction of Contraband into a State Correctional Facility, to wit tobacco (90 count) in violation of FS 944.47(1)(a)(4) into Apalachee Correctional Institution (ACI), a state prison operated by the Florida Department of Corrections in Jackson County, Florida.

On March 11, 2023, Inspector Stagner was present at ACI when I was contacted via cellular phone by Duty Warden Jeffery Mayhann (DW Mayhann). DW Mayhann indicated Officer Kern was found to be in possession of contraband while attempting to enter into ACI West Unit. DW Mayhann indicated Captain Dernolus White (Captain White) had Officer Thomas in his office counseling with him. Inspector Stagner immediately responded to ACI West Unit.

Upon my arrival at ACI West Unit, I made contact with Captain White. Captain White stated Correctional Officer Justin Thomas (Officer Thomas) was pat searching Officer Kern prior to his shift and found some contraband. As I entered the Captains Office, Officer Kern looked at this inspector and stated, "I fucked up, Stag." Inspector Stagner attempted to take a sworn post-Miranda statement from Officer Kern, but he refused. Inspector Stagner told Officer Kern he was under arrest and not free to leave.

Officer Thomas indicated he was assigned to conduct pat searches for employees entering the Institution and while searching Officer Kern, he felt a hard object attached to the inner thigh of Officer Kern. Officer Kern told Officer Thomas it was a knife and tried to go outside to get rid of it. Officer Thomas and Captain White followed Officer Kern outside and Officer Kern gave Officer Thomas two (2) black tape bundled objects from his inner thigh area.

Inspector Stagner requested the Sneads Police Department to transport Officer Kern from ACI West Unit to ACI East Unit.

Inspector Stagner watched the fixed video camera and observed Officer Kern reporting for duty. Officer Kern cleared the x-ray machine. During the pat search, Inspector Stagner observed Officer Thomas patting the thighs of Officer Kern and then stopping. Both officers began talking and Officer Kern attempted to leave. Officer Thomas, Captain White and additional security staff followed Officer Kern outside. A few moments later, Officer Kern, Officer Thomas and Captain White returned inside. Officer Kern and Officer Thomas went to the strip room. When they departed, Officer Kern followed Captain White into the Institution.

Inspector Stagner searched Officer Kern's vehicle after the arrest. In the passenger seat there were plastic "Hefty" storage bags and black electrical tape. In the center console there was another black taped bundle packaged like those found on Officer Kern.

Upon arrival at ACI East Unit, Inspector Stagner opened the three (3) bundles. Each bundle contained commercially rolled cigarettes totaling ninety (90) in count.

Officer Kern was transported to Jackson County Jail by the Jackson County Sheriff's Office.

All items were collected and secured in the ACI temporary storage locker.

Your Affiant respectfully submits that probable cause has been established that Officer Thomas Jacob Kern did commit the criminal violation of Introduction of Contraband into a State Correctional Facility in violation of FS. 944.47(1)(a)(4), Fla. Stat., by introducing tobacco into the secure perimeter of ACI West Unit.

All supporting documents referred to in this affidavit will be available for judicial review and will be further explained in your affiant's report of investigation.

AFFIDAVIT – COMPLAINT

	Clerk's Case No.
	SA Case No.(s)
Agency ORI # FL037275C	

85. The undersigned, being duly sworn, states that the foregoing information contained in an affidavit consisting of 02 pages is true and correct to the best of his/her knowledge			Sworn to and subscribed before me this day of, 20					
Signature of Officer/Complainant Inspector Brian K. Stagner #			Signature of Person Administering Oath Personally Known Other Identification ID Type Seal					
Officer/Complainant's Name (Printed)	ID Number							
87. Adult's Relation to Juvenile Defendant:		00 A	dult's Name: (Last)	/E:	irst)		(Middle)	
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95. Law Enforcement Disposition of Juvenile Contact: Transferred to (Check one and complete release data)			Released to IRS Intake Officer, not deta		vithin the agen han HRS	cy and release	d	
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