

CA's Office Hands Off DUI Case

Daily News-Record (Harrisonburg, VA) - June 10, 2014

- Author/Byline: PETE DeLEA
- Section: News (Local)

HARRISONBURG - A special prosecutor will handle the drinking-and-driving case against a former Harrisonburg police officer because the Rockingham County Commonwealth's Attorney's Office recused itself, according to court documents.

Page County Assistant Commonwealth's Attorney Bob Downs will prosecute Bryan Horowitz, 36, who resigned as a corporal with the Harrisonburg Police Department on Friday.

Horowitz was charged with misdemeanor DUI and misdemeanor refusing a Breathalyzer test following a traffic stop on May 3 in Broadway.

During a hearing Monday in Rockingham County General District Court, Judge Richard Claybrook scheduled Horowitz's trial for Aug. 8.

It's unclear which judge will preside over the case, but it will likely be a judge from outside Harrisonburg because Claybrook handled cases involving defendants that Horowitz arrested.

Horowitz was not present for Monday's hearing.

At the time of his arrest, Horowitz oversaw CHARGE, the Combined Harrisonburg And Rockingham Gang Enforcement task force.

Following his arrest, he was placed on administrative leave with pay by HPD before stepping down last week.

According to a criminal complaint, a Broadway police officer was traveling west on Lee Street when an eastbound vehicle drove by going 52 mph in a 35 mph zone.

The complaint states that the Broadway officer turned around and saw the car turn right onto Main Street and pull into the Backstage Video parking lot.

"I could see the male driver was getting out of the driver's side and a female getting out of the passenger [side] and attempting to switch places," the officer wrote.

The officer stated he smelled alcohol on the driver, later identified as Horowitz. The officer also alleges that Horowitz slurred his speech.

"I asked him if he had anything to drink and he did not answer me," the complaint states.

The officer wrote in the report that an open Corona beer bottle was in the front cup holder.

Horowitz refused to take field sobriety tests, the criminal complaint alleges.

He was booked and released on his own recognizance from Rockingham County Jail.

He has hired attorney John Holloran, according to court records.

Contact Pete DeLea at 574-6278 or pdelea@dnronline.com

- Record: c547eb9a1964c9577b502f84423f6fbfcbce1
- Copyright: Copyright (c) 2014, Byrd Newspapers, All Rights Reserved.