

0513 914

2020MM-369

29

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report				1 Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	Juvenile	N
Agency ORI Number <b>FL 0500300</b>		Agency Name <b>BOYNTON BEACH POLICE DEPT.</b>			Agency Report Number <b>34-20-001686</b>					
Charge Type: Check as many as Apply.		<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator
Location of Arrest (Including Name of Business) <b>2000 N. SR 9, BOYNTON BEACH, FLORIDA, 33435</b>					Location of Offense (Business Name, Address) <b>500 W GATEWAY BLVD, BOYNTON BEACH, FL, 33426</b>					
Date of Arrest <b>01/10/2020</b>		Time of Arrest <b>0207</b>		Booking Date		Booking Time		Jail Date		Jail Time
Name (Last, First, Middle) <b>QUE, BRANDON MICHAEL SY</b>										
W - White B - Black										
1 - American Indian O - Oriental / Asian										
Race <b>W</b> Sex <b>M</b> Date of Birth <b>07/31/1999</b> Height <b>505</b> Weight <b>110</b> Eye Color <b>BRO</b> Hair Color <b>BRO</b> Complexion <b>LIGHT</b> Build <b>SMALL</b>										
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>NONE</b>										
Local Address (Street, Apt. Number) (City) (State) (Zip) Phone ( ) - ( ) - ( ) <b>4691 PINEMORE LN, LAKE WORTH, FLORIDA, 33463</b>										
Permanent Address (Street, Apt. Number) (City) (State) (Zip) Phone ( ) - ( ) - ( ) <b>FL DL</b>										
Business Address (Street, Apt. Number) (City) (State) (Zip) Phone ( ) - ( ) - ( ) <b>BAR TENDER</b>										
D/L Number, State <b>Q000060992710 / FL</b> Soc. Sec. Number [REDACTED] INS Number [REDACTED] Place of Birth <b>MANILA, PH</b> Citizenship <b>YES</b>										
Co-Defendant Name (Last, First, Middle) Race Sex Date of Birth <input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile										
Co-Defendant Name (Last, First, Middle) Race Sex Date of Birth <input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile										
<input type="checkbox"/> Parent Name (Last) (First) (Middle) Residence Phone										
<input type="checkbox"/> Legal Custodian										
<input type="checkbox"/> Other										
Address (Street, Apt. Number) (City) (State) (Zip) Business Phone										
Notified by: (Name) (Date) (Time) Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/DYS 3. Incarcerated										
Released To: (Name) Relationship Date Time										
The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 561-365-2528) informed of any change of address: <input type="checkbox"/> Yes, By: (Name) <input type="checkbox"/> No: (Reason)										
Property Crime? Description of Property Value of Property										
Drug Activity S. Sell R. Smuggle K. Dispense/ M. Manufacture Z. Other Drug Type B. Barbituate H. Hallucinogen P. Paraphernalia/ U. Unknown N. N/A B. Buy D. Deliver Distribute Produce/ A. Amphetamine C. Cocaine M. Marijuana Equipment P. Possess T. Traffic E. Use Cultivate O. Opium/Deriv. S. Synthetic										
Charge Description Counts Domestic Violence Statute Violation Number Violation of ORD# <b>DUI 1 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 316.193.1</b>										
Drug Activity Drug Type Amount/Unit Offense # Warrant/Capias Number Bond <b>20-001686</b>										
Charge Description Counts Domestic Violence Statute Violation Number Violation of ORD# <b>POSSESSION OF ALCOHOL BY PERSON &lt; 21YO 1 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 562.111.1</b>										
Drug Activity Drug Type Amount/Unit Offense # Warrant/Capias Number Bond <b>20-001686</b>										
Charge Description Counts Domestic Violence Statute Violation Number Violation of ORD#										
Drug Activity Drug Type Amount/Unit Offense # Warrant/Capias Number Bond										
Charge Description Counts Domestic Violence Statute Violation Number Violation of ORD#										
Drug Activity Drug Type Amount/Unit Offense # Warrant/Capias Number Bond										
<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court <input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.										
Location (Court, Room Number, Address) <b>South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444</b>										
Court Date and Time Month <b>02</b> Day <b>03</b> Year <b>2020</b> Time <b>0830</b> <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.										
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.										
Signature of Defendant (or Juvenile and Parent/Custodian) Date Signed										
Signature of Arresting Officer Name Verification (Printed by Arrestee) <b>OFFICER CASTRO BU#</b>										
Name of Arresting Officer (Print) I.D. # <b>OFFICER CASTRO 905</b>										
Name of Transporting Officer I.D. # Agency <b>OFFICER CASTRO 905 BBPD</b>										
Witness here is subject Signed with an "X".										

SCANNED  
JAN 11 2020

JAN 10 AM 5:10

**D.U.I. PROBABLE CAUSE AFFIDAVIT**

ON THE 10 DAY OF January 2020 AT 0141  A.M  P.M.

CASE #: 20-001686 DEFENDANT: QUE, BRANDON MICHAEL SY

**PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:**

While at the red traffic control device at the intersection of Gateway Blvd and SR 9 (I-95), facing east, I observed a Black 2020 Telsa Model 3 bearing Florida temp tag CPZ6662 approaching the same intersection traveling eastbound in the westbound lanes. This incident occurred within the City of Boynton Beach, Palm Beach County, Florida.

As the vehicle approached the intersection it made a sharp left turn to travel northbound in the south entrance ramp from SR 9. I quickly proceeded behind the vehicle and advised Boynton Beach Police Communications of the incident so that they can inform FHP. The vehicle drove down the ramp the wrong way at a high rate of speed. Once at the bottom of the ramp the vehicle then made a u-turn in front of a semi-truck that was traveling southbound on SR 9. The semi-truck applied its brakes to avoid a collision. I continued behind the vehicle with my emergency equipment activated, attempting to stop the vehicle. The vehicle failed to quickly yield but eventually did in the 2000 block of N. SR 9.

I made contact with the driver/sole occupant of the vehicle W/M Que, Brandon (07/31/99). I quickly checked on Que's welfare, which he stated he was okay. As I requested Que to turn off the vehicle he began to exit the vehicle. I had to repeat to Que numerous times to shut of the vehicle and not to exit the vehicle. Que advised that he was on his way home in Lake Worth. Que advised that he was coming from Lake Worth and was heading to Lake Worth. Inside of Que's vehicle I noticed that his cell phone had the GPS program activated and appeared that Que was attempting to follow it. Que then advised that he was coming from his place of work, which is a bar/county club in Delray Beach. Que advised that he was working till 2230hrs. When asked what he has been doing since he got off of work, due to that fact that now it is approximately 3 hours after, Que advised "working". Que's statements were in consisted and difficult to follow. While speaking with Que I noticed that his speech was thick and slurred. I detected an odor of an unknown alcoholic beverage emanating from his breath, which intensified as he spoke. Que's eyes were also glassy. Que was not aware that he entered SR 9 the wrong way. Que advised that he had consumed one beer and that he has been trying to "figure it out" due to not being a "big drinker". Que advised that he is trying to get home.

Based on my investigation at this time I requested Que to exit the vehicle and walk towards the front of my fully marked patrol vehicle. While walking Que placed his hands in his pockets and swayed side to side. I advised Que that the investigation was being

SCANNED  
JAN 11 2020

audio/video recording, which he stated that he understood. Que further advised that he had two Corona Beers and that he is not a big drinker. I then requested Que to submit to a series of Standardized Field Sobriety Task, which he agreed to. Prior to beginning I asked Que if he had any injuries and/or disabilities I should be aware of, which he stated that he stated no. See the following:

Pen Exercise: During the task Que swayed side to side, numerous times. Que moved his head during the task and there were times Que failed to follow the pen as instructed.

**HORIZONTAL GAZE NYSTAGMUS:**

- |  |   |
|--|---|
| <input type="checkbox"/> Left eye does not follow smoothly                 | <input type="checkbox"/> Right eye does not follow smoothly                 |
| <input type="checkbox"/> Left eye prior to 45 degrees                      | <input type="checkbox"/> Right eye prior to 45 degrees                      |
| <input type="checkbox"/> Distinct jerking in left eye at maximum deviation | <input type="checkbox"/> Distinct jerking in right eye at maximum deviation |
| <input type="checkbox"/> Vertical Nystagmus in left eye                    | <input type="checkbox"/> Vertical Nystagmus in right eye                    |

**WALK AND TURN:**

The following task was demonstrated and explained to Que, which he stated that he understood. During the instructional stage, Que swayed side to side and lost his balance numerous times. Que had a difficult time following and understanding the instructions. During the walking stage, Que took 10 steps forward, missing heel to toe and stepping off the straight path. Once Que took 10 steps he paused and just stared at me. I had to repeat to Que that he needed to turn around and continue. Que then took 10 steps back, missing heel to toe and stepping off the straight path. Que had his hands behind his back as he walked.

**ONE LEG STAND:**

The following task was demonstrated and explained to Que, which he stated that he understood. During the instructional stage, Que swayed side to side. During the balancing stage, Que swayed. Que raised his right leg and counting in a normal manner. Que asked if he could place his foot down prior to the 30 seconds were completed.

**FINGER TO NOSE:**

The following task was demonstrated and explained to Que, which he stated that he understood. During the instructional stage Que swayed. During the exercise stage Que missed the tip of his nose on the first and second RIGHT command and the third LEFT command. The task had to be repeated to Que. Que failed to return his arm back to his side after every command. Que sway during the task.

**ROMBERG/ALPHABET:**

The following task was demonstrated and explained to Que, which he stated that he understood. During the instructional stage Que swayed. During the exercise stage Que recited the alphabet incorrect, even after he advised that he did not have an issue reciting the English alphabet. Que then advised that was not from here. Therefore I had Que count from 26-51. Que counted improperly and ended at 56.

Based on the above facts, Que was placed into custody under suspicion of DUI (D/L and Spaced). Que was then placed in the back seat of my vehicle and transported to the Palm Beach County BAT facility. I arrived at the facility at 0220hrs, started my 20 minutes observations at 0223hrs and completed it at 0243hrs. Upon completion I requested Que to provide a sample of his breath to determine the alcohol content, which he agreed to. Que provided a sample of .161 and .157. I then read Que his Miranda Warnings, which he stated that he understood. Q&As were completed. During the questions Que advised that he was coming from Bar Louie, which is located at the intersection of Congress Ave and Gateway Blvd. Que advised that he had consumed the alcohol there.

Based on the above facts I've established Probable Cause to arrest Que with 1M count of DUI pursuant with F.S.S. 316.193.1. and POSSESSION OF ALCOHOL BY PERSON < 21yo pursuant with F.S.S. 562.111.1. Que was processed and later TOT PBCJ.


Copy of the SFST and photos were later entered into the Boynton Beach Police Evidence Department. Incident was captured via BWC as well. Que's vehicle was removed from scene by Beck's Towing. While conducted the tow inventory Officer Eichorst noticed that both the front and rear left wheel to Que's vehicle had fresh curb damage.

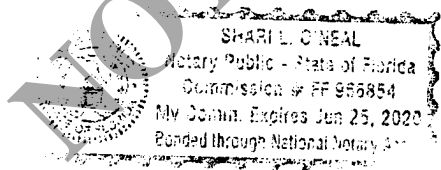
Nothing Further.

The following instrument was sworn to before me this 10 day of January 2020

By: PERSONALLY KNOWN / OFFICER CASTRO #905

  
\_\_\_\_\_  
Notary/Police Officer (F.S.S. 117.10)

  
\_\_\_\_\_  
Signature of Arresting Officer



FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
ALCOHOL TESTING PROGRAM  
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000  
Instrument Registered To: PALM BEACH CO SO  
Instrument Serial Number: 80-006239 Software: 8100.27  
Date of Test: 01/10/2020

Date of Last Agency Inspection: 12/06/2019  
Observation Period Began: 02:23  
Subject's Name: BRANDON MICHAEL SY QUE DOB: 07/31/1999 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	02:47
	Air Blank	0.000	02:48
	Control Test	0.080	02:48
	Air Blank	0.000	02:49
	Subject Sample #1	0.161	02:49
	Air Blank	0.000	02:50
	Air Blank	0.000	02:52
	Subject Sample #2	0.157	02:52
	Air Blank	0.000	02:53
	Control Test	0.080	02:53
	Air Blank	0.000	02:53
	Diagnostics Check	OK	02:54

Cylinder Lot: 17919080A1  
Exp: 08/05/2021

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who  is personally known to me or  produced \_\_\_\_\_ as identification, and who after being placed under oath, states:

I SHARI L O'NEAL, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: S. O'neal Date: 01-10-20  
Signature

Sworn to (or affirmed) before me this 10 day of January, 2020

[Signature] OFC. Castro #905  
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
ALCOHOL TESTING PROGRAM  
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000  
Instrument Registered To: PALM BEACH CO SO  
Instrument Serial Number: 80-006239 Software: 8100.27  
Date of Test: 01/10/2020

Date of Last Agency Inspection: 12/06/2019  
Observation Period Began: 02:23  
Subject's Name: BRANDON MICHAEL SY QUE DOB: 07/31/1999 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	02:47
	Air Blank	0.000	02:48
	Control Test	0.080	02:48
	Air Blank	0.000	02:49
	Subject Sample #1	0.151	02:49
	Air Blank	0.000	02:50
	Air Blank	0.000	02:52
	Subject Sample #2	0.157	02:52
	Air Blank	0.000	02:53
	Control Test	0.080	02:53
	Air Blank	0.000	02:53
	Diagnostics Check	OK	02:54

Cylinder Lot: 17919080A1  
Exp: 08/05/2021

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who () is personally known to me or () produced \_\_\_\_\_ as identification, and who after being placed under oath, states:

I SHARI L O'NEAL, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: [Signature] Date: 01-10-20  
Signature

Sworn to (or affirmed) before me this 10 day of January, 2020

[Signature] Signature of Notary Public-State of Florida Ofc. Castro #905 Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

# TESTING FACILITY TASK REPORT

AGENCY: BBPD ofc. Castro #905  
SUBJECT: Que, Brandon M. SY CASE NUMBER: 20-024425  
DATE: 01-10-20 VIDEO TAPE NUMBER: /  
BEGINNING TIME: 0245hrs ENDING TIME: 0259hrs  
BREATH TESTS RESULTS: 1) .161 TIME 0249 A.M./P.M. 2) .157 TIME 0252 A.M./P.M.  
3) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M. 4) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M.

BREATH OPERATOR: S. O'Neal #6212

MAINTENANCE TECHNICIAN: J. Kuclecke #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: —

ATTITUDE: Calm, Cooperative, Polite

CLOTHING: Shirt- Light Red Pants- Black Jeans

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: Eyes: Red, Glossy

Odor of unknown alcoholic beverage.

COMMENTS: 20 min. observation done by A/O Castro #905

A/O requested the breath test.

D submitted to the breath test.

D completed the test correctly.

C/W read on camera.

Q&A conducted

CASE #: 20-001686

DEFENDANT: QUE, BRANDON MICHAEL SY

Arresting Officer: CASTRO #905

Address: 209 N. SEACREST BLVD, BOYNTON BEACH, FLORIDA, 33435

Phone Numbers: Home: \_\_\_\_\_ Work: (561) 742-6100

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

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

SUBJECT: QUE, BRANDON MICHAEL CASE NUMBER: 20-001686

## QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OF, ALL OF, OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? YES

WHERE WERE YOU GOING? HOME

WHAT STREET OR HIGHWAY WERE YOU ON? I 95

DIRECTION OF TRAVEL? try to travel north WHERE DID YOU START? from Delray

WHAT TIME DID YOU START? 1130 WHAT TIME IS IT NOW? I don't know

WHAT IS TODAY'S DATE? Jan 9th WHAT DAY OF THE WEEK IS IT? Thursday

WHAT COUNTY AND CITY ARE YOU IN NOW? LAKE WORTH

WHEN DID YOU LAST EAT? 10 o'clock WHAT DID YOU EAT? Fish chips

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? sleeping then Bar Louie

HOW MUCH DO YOU WEIGH? 110 HAVE YOU BEEN DRINKING? YES WHAT? Beers

HOW MUCH? 2 WHERE? Bar Louie WITH WHOM? COUPLE OF FRIENDS

WHEN DID YOU HAVE YOUR FIRST DRINK? 1030 AND YOUR LAST DRINK? 11-1130

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? SLOW

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? YES ARE YOU UNDER THE INFLUENCE? a while ago

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? No HOW MUCH? -

WHAT? - WHERE? - WHEN? -

WHAT LINE OF WORK ARE YOU IN? Bar tender WHEN DID YOU LAST WORK? today

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? no WHAT? -

ARE YOU SICK OR INJURED? no WHAT'S WRONG? -

DO YOU LIMP? no DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? no

WERE YOU IN AN ACCIDENT TODAY? no

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? no WHEN? -

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? no WHO? - WHY? -

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? no WHAT? - WHEN? -

DO YOU HAVE:

EPILEPSY?	<u>NO</u>
GLASS EYE?	<u>NO</u>
FALSE TEETH?	<u>NO</u>
EAR INFECTION?	<u>NO</u>
INNER EAR TROUBLE?	<u>NO</u>
DIABETES?	<u>NO</u>

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? NO

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? -

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? no WHERE? -

INTERVIEWER: DFC CASTRO 905

SUBJECT: QUE, BRANDON Michael sy CASE NUMBER: 20-001686

## IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

I am now requesting that you submit to a lawful test of your BREATH for the purpose of determining its alcohol content.

-OR-

I am now requesting that you submit to a lawful test of your URINE for the purpose of detecting the presence of chemical or controlled substances.

-OR-

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of detecting its alcohol content and the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am \_\_\_\_\_ of the \_\_\_\_\_.

If you fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a first refusal, or eighteen (18) months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

SUBJECT'S SIGNATURE: (X) \_\_\_\_\_

## CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: (X) READ ON VIDEO



# PALM BEACH COUNTY SHERIFF'S OFFICE

Florida State Statute Exemption Sheet

## Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2020001009	Date: 01/11/2020
	Specialist Name/ID: AM/31562