

21 CT 18602ANB

ARREST / NOTICE TO APPEAR

1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for Capias

1

JUVENILE

A D M I N I S T R A T I O N	OBT Number		Agency ORI Number 0502300		Agency Name North Palm Beach Police Department		Agency Report Number (N.T.A.'s only) 7, 0 21-000617	
	Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input 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 UNARMED	
	Location of Arrest (Including Name of Business) 1200-BLK US HIGHWAY 1, 1200 US HIGHWAY 1 BLK, NORTH						Location of Offense (Business Name, Address) 1200 US HIGHWAY 1 BLK, NORTH PALM BEACH, FL 33408	
	Date of Arrest 11/03/2021		Time of Arrest 23:40		Booking Date 11/03/2021		Booking Time 23:53	
D E F E N D A N T	Name (Last, First, Middle) BOYD, BRENT HOWARD							
	Alias:							
	Race W - White A - American Indian B - Black O - Oriental/Asian		Sex M		Date of Birth 03/26/1994		Height 5'10	
	Weight 130		Eye Color BLUE		Hair Color BLONDE /		Complexion FAIR	
	Build Medium		Marital Status S		Religion CHRISTIAN		Indication of Alcohol Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>	
	Local Address (Street, Apt. Number) 136 BANYAN CIR, JUPITER, FL 33458		(City) JUPITER		(State) FL		(Zip) 33458	
	Permanent Address (Street, Apt. Number) 136 BANYAN CIR, JUPITER, FL 33458		(City) JUPITER		(State) FL		(Zip) 33458	
	Business Address (Name, Street) FLDL		(City) FLDL		(State) FL		(Zip) 33458	
	DL Number, State B300068941060 / FL		Sec. Sec. Number [REDACTED]		INS Number [REDACTED]		Place of Birth (City, State) PALM BEACH, FL	
	Citizenship US		Residence Type: 1. City 2. County 3. Florida 4. Out of State 5. Juvenile 2					
C O D E D	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Name (Last, First, Middle)		Residence Phone		Business Phone			
	Address (Street, Apt. Number)		(City)		(State)		(Zip)	
	Notified by: (Name)		Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 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 355-2526) informed of any change of address.		School Attended		Grade			
	Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property			
	Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Struggle D. Deliver E. Use		K. Disperse/ Distribute	
	M. Manufacture/ Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin	
H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment		S. Synthetic		U. Unknown Z. Other		
C H A R G E	Charge Description DUI - NORMAL FACULTIES IMPAIRED		Statute Violation Number 316.193(1)(A)		Violation of ORD #			
	Drug Activity N		Drug Type N		Amount / Unit /		Offense # 1	
	Counts 1		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond	
	Charge Description		Statute Violation Number		Violation of ORD #			
	Drug Activity		Drug Type		Amount / Unit		Offense #	
	Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond	
	Charge Description		Statute Violation Number		Violation of ORD #			
	Drug Activity		Drug Type		Amount / Unit		Offense #	
	Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond	
	Health / Apparent Physical Condition of Defendant		Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		Explain:			
I N T A K E	Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail <input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health		PROPERTY - Received By		Released By		Released To	
	Transported By		Date Transported		Time Transported		Other	
	INSTRUCTION NO. 1 - Mandatory appearance in court		INSTRUCTION NO. 2 - You need not appear in Court		but must comply with instructions on Page 2.			
	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.		Location (Court, Room) North County PALM BEACH GARD		Court Date and Time 12/01/2021 10:00:00			
	Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed		No Photo Available			
	HOLD for Other Agency		Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee)			
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) SOUTHER, A.			
	ID # 9907		ID # 9907		Agency NPBPD			
	Fingerprint # 101 HUNTER L...		Fingerprint # 101 HUNTER L...		Fingerprint # 101 HUNTER L...			

0527074

3200V 04.2021

OBS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number FL 0502300		Agency Name NORTH PALM BEACH POLICE		Agency Report Number 7 0 21-000617				
	Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes:		
D E F E N D A N T	Name (Last, First, Middle) BOYD, BRENT HOWARD				Race W		Sex M		Date of Birth 03/26/1994
	Charge Description 316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED				Charge Description				
C H A R G E S	Charge Description				Charge Description				
	Charge Description				Charge Description				
V I C T I M	Victim's Name (Last, First, Middle) STATE OF FLORIDA,				Race		Sex		Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (Zip)				Phone		Address Source		
P R O B A B L E	Business Address (Name, Street) (City) (State) (Zip)				Phone		Occupation		
<p>The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.</p> <p>The Person taken into custody...</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>4</u> day of <u>November</u>, <u>2021</u> at <u>03:38</u> (Specifically include facts constituting cause for arrest.)</p>									
<p>On Wednesday, November 3rd, 2021 at 2313 hours, I was dispatched to Police Sergeant Council's traffic stop as a backup officer that occurred in the 1200-blk of US Highway 1 in North Palm Beach, FL 33408.</p> <p>Upon arriving on scene, Police Sergeant Council notified me that the driver, Brent Howard Boyd (W/M 03/26/1994), was showing signs of impairment. I introduced myself to Boyd and asked if he would be willing to complete several Standardized Field Sobriety Tasks (SFSTs) and he responded yes. I asked Boyd if he had any medical conditions or physical defects and he stated no. Boyd had droopy watery eyes and Boyd's speech was slow and slurred.</p> <p>I explained the first SFST, Horizontal Gaze Nystagmus (HGN), to Boyd and he stated he understood. I placed the stimulus (a black pen) in front of Boyd and advised him to follow the pen with his eyes only. Boyd swayed from left to right while I was explaining the task. As I began to move the pen, Boyd turned his head to follow the pen. I had to remind Boyd to follow the pen with his eyes only, a total of Five (5) times. Boyd was eventually able to follow the pen, and his eyes showed the following signs: A Lack of Smooth Pursuit in both the right and left eyes, Distinct Nystagmus at Maximum Deviation in both the right and left eyes, and Onset of Nystagmus Prior to 45 degrees in both the right and left eyes.</p> <p>I explained the second SFST, Walk and Turn, to Boyd and he stated he understood after I demonstrated the task. I instructed Boyd to get into the proper starting position (left foot on line with right foot in front, touching heel to toe), and he broke out of this position a total of one (1) time. Boyd Started the task a total of three (3) times before being instructed to begin. Boyd missed heel to toe between steps six (6) and seven (7). Boyd stepped of the line one (1) time in the beginning of instructions. Throughout the task Boyd used both arms to remain balanced. In my observations Boyd swayed throughout the entire task.</p>									
A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME				SIGNATURE OF ARRESTING / INVESTIGATING OFFICER				
	BUSSEK, DANIEL NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <u>11/04/2021</u> DATE				SOUTHER, AUSTIN (9907) NAME OF OFFICER (PLEASE PRINT) <u>11/04/2021</u> DATE				
<div style="display: flex; justify-content: space-between;"> COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P.I.O. </div> <div style="text-align: center; margin-top: 20px;"> SCANNED NOV 04 2021 </div>									

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Name (Last, First, Middle) BOYD, BRENT HOWARD		Alias		Race W	Sex M	Date of Birth 03/26/1994			
<p>I explained the third SFST, One Leg Stand, and Boyd stated he understood after I demonstrated the task. Boyd swayed from left to right during the instruction stage. Boyd raised his right arm throughout the task for balance. Boyd never looked down at his elevated foot. Boyd did not count by 1001, 1002, and so on; he counted by 1,2,3.</p> <p>I explained the Romberg Alphabet to Boyd he stated he understood. Boyd recited the Alphabet as follows: A B C D E F G H I J K L M N O P R Q R S, a brief pause, L M N O P W X Y Z.</p> <p>I explained and demonstrated the Finger to Nose to Boyd and he stated he understood. On the first right (R1), Boyd brought his finger to the left side of his nose. On the first left (L1), Boyd brought his finger to the right side of his nose. On the second right (R2), Boyd completed the task correctly. On the second left (L2), Boyd brought his finger to the bridge of his nose. On the third left (L3), Boyd began to bring his right hand up then he switched to his left. He then brought his left finger and touched the right side of his nose. On the third right (R3), Boyd brought his finger to the bridge of his nose.</p> <p>After the completion of the Finger to Nose, Boyd was placed under arrest for suspicion of driving under the influence of drugs and/or alcohol. Boyd was handcuffed, which were double locked and checked for fit. Boyd was searched before being placed into my patrol vehicle. Boyd was wearing a blue shirt, Khaki shorts and white shoes.</p> <p>I transported Boyd to PBSO Breath Alcohol Testing Center (BAT) without incident. Boyd was observed for 20 minutes starting at 0035 hours on 11/04/2021; he did not consume or regurgitate anything.</p> <p>I asked Boyd to provide a Breath Sample and he requested an attorney. Boyd was read implied consent, and still refused to provide mw with a sample of his breath.</p> <p>Based on the results of the investigation, this Officer has probable cause to prove that Brent Boyd operated a motor vehicle, in the state of Florida, while under the influence to the extent his normal faculties were impaired, in violation of FSS 316.193(1)(A). Boyd was issued citations for the following: Unlawful speed (ADZ3VOE), and Driving under the Influence (ADZ3VPE).</p> <p>Boyd vehicle was towed off scene by All Florida Towing. While conducting an inventory search of the vehicle, Police K9 Bussek located a Springfield 9mm firearm SN- BY599258 with nine (9) rounds in the magazine along with a hard holster. The firearm along with the ammo, magazine and holster were taken and turned into the North Palm Beach Police Department Evidence for safekeeping. Boyd was provided with a North Palm Beach Police Department property receipt.</p> <p>**See Police Sergeant Council's supplemental report**</p> <p>Boyd was turned over to Palm Beach County Jail Personnel without incident.</p> <p>No further information.</p>									
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p style="text-align: center;">BUSSEK, DANIEL</p> <p style="text-align: center;">NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p style="text-align: center;">11/04/2021</p> <p style="text-align: center;">DATE</p> </div> <div style="width: 45%;"> <p style="text-align: center;">SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p style="text-align: center;">SOUTHER, AUSTIN (9907)</p> <p style="text-align: center;">NAME OF OFFICER (PLEASE PRINT)</p> <p style="text-align: center;">11/04/2021</p> <p style="text-align: center;">DATE</p> </div> </div>									
								PAGE 2 OF 3	

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.

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NOV 04 2021

A D M I N I S T R A T I V E	OBT Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Copies		1	JUVENILE
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<div style="position: relative; width: 100%; height: 100%;"> NOT A CERTIFIED COPY </div>										
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><u>BUSSEK, DANIEL</u> <i>DB 9868</i></p> <p>NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p><u>11/04/2021</u></p> <p>DATE</p> </div> <div style="width: 45%;"> <p><i>cew</i> <i>SA</i></p> <p>SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p><u>SOUTHER, AUSTIN (9907)</u></p> <p>NAME OF OFFICER (PLEASE PRINT)</p> <p><u>11/04/2021</u></p> <p>DATE</p> </div> </div>										
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COURT

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V I C T I M	Victim's Name (Last, First, Middle)					Race	Sex	Date of Birth	
	Local Address (Street, Apt. Number) (City) (State) (Zip)					Phone		Address Source	
P R O B A B L E	Business Address (Name, Street) (City) (State) (Zip)					Phone		Occupation	
	<p>The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.</p> <p>The Person taken into custody...</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>4</u> day of <u>November</u>, <u>2021</u> at <u>00:02</u> (Specifically include facts constituting cause for arrest.)</p>								
C A U S E	<p>On 11/03/2021 at approximately 11:07pm, I was conducting traffic enforcement in the 700 block of US Highway 1, North Palm Beach, Florida 33408, when I observed a black 2021 BMW four-door, Florida tag QBLC61 traveling northbound at a high rate of speed. I visually estimated the speed of the vehicle to be in excess of 85 mph in a marked 35 mph zone. I activated my vehicle-mounted radar speed measurement device and received an actual speed of 88 mph. I caught up to the vehicle at US Highway 1 and Water Club Way and activated my emergency lights and siren to conduct a traffic stop. The vehicle slowed down but continued to drive northbound for approximately 1/3 mile, passing several available driveways and parking lots in which it could have pulled into, before stopping at the red light at US Highway 1 and PGA Boulevard.</p>								
	<p>I made contact with the driver and informed him of the reason for the traffic stop. I requested his driver's license. The driver then handed me four insurance cards. I again requested his driver's license and he retrieved it. The driver was identified by his Florida driver's license as W/M Brent H Boyd(03/26/94). While speaking with Boyd, I detected a strong odor of an unknown alcoholic beverage on his breath as he spoke. I also observed that his eyes were red and glassy and his speech was slurred. I asked Boyd where he was coming from and he stated the Breakers Resort in Palm Beach. I asked Boyd if he had consumed any alcohol and he stated, "not really." I also observed an open Bud Light beer in the front seat cup holder.</p>								
S T A T E M E N T	<p>Based on Boyd's driving pattern, obvious signs of impairment, and an open container of alcohol, I requested Police Officer Souther respond to the scene to conduct a driving under the influence investigation. I briefed Police Officer Souther on my observations and the subsequent investigation was turned over to him. I issued Boyd a citation for speed(88 mph in a 35mph zone) - Citation AD23V0E.</p>								
	<p>SWORN AND SUBSCRIBED BEFORE ME</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><u>SOUTHER, AUSTIN AS</u> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p><u>11/04/2021</u> DATE</p> </div> <div style="width: 45%;"> <p><u>[Signature]</u> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p><u>COUNCIL, ANDREW (9794)</u> NAME OF OFFICER (PLEASE PRINT)</p> <p><u>11/04/2021</u> DATE</p> </div> </div>								
A D M I N I S T R A T I V E	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><u>11/04/2021</u> DATE</p> </div> <div style="width: 45%;"> <p><u>11/04/2021</u> DATE</p> </div> </div>								
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COURT

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P.I.O.

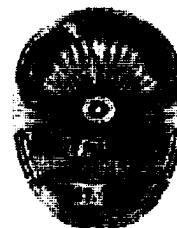
SCANNED

NOV 04 2021

PAGE
1 OF 1



PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET



PBSO CASE # _____ PBSO ZONE 3-13

AGENCY CASE # 21000617 CRASH CASE # _____

TIME OF STOP/CRASH 2308 DATE 08/21/2021 DAY Wednesday

SUBJECT'S NAME Boyd Brent Howard RACE W SEX M
LAST FIRST MID

HGT 5'10 WGT 170 DOB 03/26/1994

LOCATION 1200-Blk US Highway 1, NPB, FL 33408

ARRESTING OFFICER'S NAME & ID Souther 9907 AGENCY NPBPD

DIVISION: Patrol

NOTIFIED BY COMMO _____

ARRIVAL AT FACILITY 1235

ARREST TIME 01:01

BREATH RESULTS:

- 1) Refused
- 2) Refused
- 3) _____
- 4) _____

BREATH TEST OPERATOR: 6212

SCANNED
NOV 04 2021

D.U.I. PROBABLE CAUSE AFFIDAVIT



ON THE 3rd DAY OF November 20 21 AT 2308 AM PM ✓

SUBJECT: Boyd, Brent, Howard CASE NUMBER: 21000617

AGENCY: NORTH PALM BEACH POLICE DEPARTMENT ARRESTING OFFICER: Souther

9907

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

+PC for Stop: **See Police Sergeant Council's supplemental report**

+Manner of Stop:

+APC:

+Witness Statements:

+Wheel Witness:

OBSERVATION OF DRIVER:

+Appearance of Vehicle:

+Appearance of Driver:

+Face/Eyes:

+Clothing Condition:

+Exit Sequence:

DRIVER'S STATEMENTS:

+In Car:

+Roadsides:

+BAT:

+Taylor Warnings Read:

+Implied Consent Read: Yes

ODORS:

GENERAL OBSERVATIONS

SPEECH: slurred

ATTITUDE: Cooperative

CLOTHING:

MEDICAL/OTHER: In Vehicle:
Roadsides:
BAT:

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 4th day of November 20 21 by Souther

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

D. BUSSEK 9868

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

SCANNED
NOV 04 2021

SUBJECT: Boyd, Brent, Howard

CASE NUMBER 21000617

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:



LT EYE-LACK OF SMOOTH PURSUIT



RT EYE-LACK OF SMOOTH PURSUIT



LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION



RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION



LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES



RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Condition of Eyes: Droopy, watery, glassy
Observations: Swayed during instructions

WALK & TURN:

- *Lost Balance- broke starting position one (1) time
- *Started Before Instructed- Three (3) times
- *Missed Heel to Toe- Going back he missed between six (6) and seven(7)
- *Stepped Off Line- In the beginning of instructions
- *Used Arms for Balance- Used both his arms throughout
- *Wrong Number of Steps
- *Stopped While Performing Task
- *Improper Turn

Other Observations: Swayed throughout

ONE LEG STAND:

- *Put Foot Down- no
- *Used Arms for Balance- raised right arm for balance throughout
- *Swayed- Swayed
- *Hopped- no

Other Observations: Did not look down at foot, Did not count as instructed; counted as 1,2,3,4,5,6,7,8,9,10,11,12,13,14 and not 1001 ETC

ROMBERG ALPHABET:

Subject recited the alphabet as follows: A B C D E F G H I J K L M N O P Q R S, brief pause L M N O P W X Y Z

FINGER TO NOSE:

- R1- Left side of nose
- L1- Right side of nose
- R2- Completed task correctly
- L2- Bridge of nose
- L3- started to bring up right hand, then switched to left
- R3- Bridge of nose

BREATH TEST RESULTS:

1) Refused

2) Refused

3)

4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 4th day of November, 20 21 by Souther

(Print name of Arresting/Investigative Officer) who is personally known to me and/or produced identification. Type of identification produced Personally Known

D. BUSSEK #9868

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

SCANNED
NOV 04 2021

**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST**

I, Souther, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of North Palm Beach Police Department, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 4th day of November, 20 21, at 01:01 ☐ P.M. ☒ A.M.

DRIVER Brent Howard Boyd
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# B300-068-94-106-0, state of FL, was placed under lawful arrest for
the offense of DUI- Normal Faculties Impaired by Souther and
issued Citation # ADZ3VPE
(Name of Arresting Officer)

That on or about the 4th day of November, 20 21, at 01:18 ☐ P.M. ☒ A.M.
in PALM BEACH County,

I requested that the driver submit to a ☒ breath and/or ☐ urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.


Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

The foregoing instrument was sworn and subscribed before me:


Signature of Attesting Officer

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this 4th day of November, 20 21,

by Souther,

who is personally known to me or who has produced

Personally Known as identification

Notary Public _____

Title Officer

Date 11/04/2021

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

TESTING FACILITY TASK REPORT

AGENCY: NPPD OFC. SOUTHER #9907

SUBJECT: BOYD, BRENT H.

CASE NUMBER: 21-124287

DATE: 11-04-21

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 01:01 HRS

ENDING TIME: 01:18 HRS

BREATH TESTS RESULTS:

1) 11:08

A.M. ☒ P.M. ☐

2) TIME A.M. ☐ P.M. ☐

3) TIME

A.M. ☐ P.M. ☐

4) TIME A.M. ☐ P.M. ☐

REFUSED

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: PRONOUNCED

ATTITUDE: CALM, COOPERATIVE, TALKATIVE, POLITE, HYPER, INDECISIVE

CLOTHING: SHIRT- BLUE SHORTS- KHAKI

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: RED, GLASSY

PREVIOUS SCRAPES ON LEFT LEG FROM SKY DIVING INCIDENT.

COMMENTS:

20 MIN. OBSERVATION CONDUCTED BY A/O SOUTHER #9907
A/O REQUESTED THE BREATH TEST.
D STATED HE WOULD LIKE TO SPEAK WITH HIS ATTORNEY.
A/O READ THE IMPLIED CONSENT ON CAMERA 2X'S.
I/C WAS BROKEN DOWN TO THE D.
D WAS INDECISIVE ABOUT THE TEST, TAKEN AS A REFUSAL.
C/W READ ON CAMERA.
D ANSWERED Q&A.

SCANNED
NOV 04 2021

DUI WITNESS LIST

21000617

Arresting Officer: Souther 9907 Email: asouther@village-npb.orgAgency Address: 560 US Highway 1 NPB, FL 33408 Phone: 561-799-4445Can Testify To: Events of the caseBackup Officer(s): Police Sergeant CouncilAgency Address: 560 US Highway 1 NPB, FL 33408 Phone: 561-848-2525Can Testify To: PC for stopBreathalyzer Technician: O'Neal ID# 6212 Agency: PBSO

DRE: _____ Agency Case #: _____

Agency Address: _____ Phone: _____ Email: _____

Name: Police K9 Bussek 9868 Involvement: FTOAddress: 560 US Highway 1 NPB, FL 33408 Phone: 561-848-2525Can Testify To: Facts of the case ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness**SCANNED**

NOV 04 2021



**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"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021027748

Date: 11/4/21

Specialist Name/ID: A. Pinkney/7796

SCANNED
NOV 04 2021