

22CT3228 NB

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

OBTS Number	Agency ORI Number 0502300		Agency Name North Palm Beach Police Department		Agency Report Number (N.T.A.'s only) 7 0 22-000146	
Charge Type Check as many as apply	1. Felony ☐ 2. Traffic Felony ☐		3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐		5. Ordinance ☐ 6. Other ☐	
Location of Arrest (Including Name of Business) 950 NORTHLAKE BLVD/PROSPERITY FARMS RD, 950				Location of Offense (Business Name, Address) 950 NORTHLAKE BLVD/PROSPERITY FARMS RD, PBSO, FL		
Date of Arrest 02/26/2022	Time of Arrest 01:08	Booking Date 02/26/2022	Booking Time 01:18	Jail Date	Jail Time	Location of Vehicle
Name (Last, First, Middle) CHARLES JAMES, CARLENE				Alias (Name, DOB, Soc. Sec. #, Etc.)		
Race W - White B - Black W				Sex F	Date of Birth 08/16/1974	Height 5'04
Weight 174				Eye Color BROWN	Hair Color BLACK	Complexion MEDIUM
Build Medium				Marital Status M	Religion	Indication of Alcohol Influence Yes ☐ No ☒ Unk ☐
Local Address (Street, Apt. Number) 734 FAIRHAVEN DRIVE, NORTH PALM BEACH, FL 33408				Phone (301) 775-0149		Residence Type 1. City 3. Florida 2. County 4. Out of State 1
Permanent Address (Street, Apt. Number) 734 FAIRHAVEN DRIVE, NORTH PALM BEACH, FL 33408				Phone (301) 775-0149		Address Source
Business Address (Name, Street)				Phone		Occupation
D/L Number, State C642100747960 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) TRINIDAD
Citizenship US		Co-Defendant Name (Last, First, Middle)				
Race		Sex		Date of Birth		☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile
Co-Defendant Name (Last, First, Middle)		Race		Sex		☐ 2. At Large ☐ 4. Misdemeanor
Name (Last, First, Middle)		Relationship		Date		☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile
Address (Street, Apt. Number)		(City)		(State)		☐ 2. At Large ☐ 4. Misdemeanor
Notified by: (Name)		Date		Time		Residence Phone
Released to: (Name)		Relationship		Date		Business Phone
The above address was provided by ☐ defendant and/or ☐ defendant's parents.		School Attended		Grade		
The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.		Property Crime? ☐ Yes ☒ No		Description of Property		Value of Property
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ 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
Charge Description DUI - DAMAGE TO PERSON/PROPERTY				Statute Violation Number 316.193(3)(C)(I)		Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence ☐ Y ☒ N	Warrant / Capias Number
Charge Description				Statute Violation Number		Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence ☐ Y ☒ N	Warrant / Capias Number
Charge Description				Statute Violation Number		Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence ☐ Y ☒ N	Warrant / Capias Number
Health / Apparent Physical Condition of Defendant				Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries		
Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health				PROPERTY - Received By		
Transported By				Date Transported		Time Transported
INSTRUCTION NO. 1 - Mandatory appearance in court INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.				Location (Court, Room) North County PALM BEACH GARD		Court Date and Time 03/24/2022 10:00:00
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 FOR MY ARREST SHALL BE ISSUED.				No Photo Available		
Signature of Defendant (or Juvenile and Parent/Custodian)				Date Signed		
HOLD for Other Agency				Signature of Arresting Officer		Name Verification (Printed by Arrestee)
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other				Name of Arresting Officer (Print) SOUTHER, A.		LD. # 9907
Take Deputy Bomillo				Transporting Officer A SOUTHER		LD. # 9907
Pouch # 18342				Agency NPBPD		Witness here if subject signed with an "X"

☐ COPIES ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P.I.O. ☐ DEFENDANT

0529752

3553

OBTS 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 FL0502300		Agency Name NORTH PALM BEACH POLICE		Agency Report Number 7 0 22-000146				
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony		☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Special Notes:		
D E F	Name (Last, First, Middle) CHARLES-JAMES, CARLENE					Race U	Sex F	Date of Birth 08/16/1974	
	Charge Description 316.193(3)(C)(1)					Charge Description 316.193(3)(C)(1)			
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	
	Business Address (Name, Street) (City) (State) (Zip)					Phone		Occupation	
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. The Person taken into custody ... ☐ committed the below acts in my presence. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☐ confessed to _____ admitting to the below facts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the 26 day of February, 2022 at 00:20 (Specifically include facts constituting cause for arrest.) On February 26, 2022 at 0001 hours, Police Officers were dispatched to the intersection of Northlake Blvd/Prosperity Farms Rd, North Palm Beach, FL 33408, in reference to a crash that occurred, with injuries. ***See case number 22-000146 for crash report*** Upon arriving on scene, after Police Officer Steade conducted his crash investigation, Carlene Charles-James (o/f 08/16/1974) driver of vehicle one crashed into the back of vehicle two while he was stopped at a red light. The passenger of vehicle two was injured and transported to Saint Mary's Medical Center. After Police Officer Steade completed his investigation of the crash I advised Charles-James of the changing of the hat and I am now conducting a driving under the influence (DUI) investigation. Charles-James stated, she was on her way home from Frigates Restaurant. When talking with Charles-James, I smelled a strong odor of an unknown alcoholic beverage. Charles-James also said she only consumed three beers and one shot. I asked Charles-James if she would be willing to complete several Standardized Field Sobriety Tasks (SFSTs) and she responded yes. I asked Charles-James if she had any medical conditions or physical defects and she stated no. Charles-James had droopy, watery, and glassy eyes and Charles-James speech was slurred. I explained the first SFST, Horizontal Gaze Nystagmus (HGN), to Charles-James and she stated she understood. I placed the stimulus (a black pen) in front of Charles-James and advised her to follow the pen with her eyes only. Charles-James swayed from left to right while I was explaining the task. As I began to move the pen, Charles-James turned her head a total number of three (3) times to follow the pen. I had to remind Charles-James to follow the pen with her eyes only, a total of three (3) times. Charles-James was eventually able to follow the pen, and her eyes showed the following signs: A Lack of Smooth Pursuit in both the right and left eyes, Distinct Nystagmus at									
SWORN AND SUBSCRIBED BEFORE ME STEADE, RODERICK NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 02/26/2022 DATE  SIGNATURE OF ARRESTING / INVESTIGATING OFFICER SOUTHER, AUSTIN (9907) NAME OF OFFICER (PLEASE PRINT) 02/26/2022 DATE PAGE 1 OF 3									

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.

OBT5 Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		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 FL0502300		Agency Name NORTH PALM BEACH POLICE		Agency Report Number 7 0 22-000146		
	Charge Type: Check as many as apply ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:				
Name (Last, First, Middle) CHARLES-JAMES, CARLENE				Alias	Race U	Sex F	Date of Birth 08/16/1974
Maximum Deviation in both the right and left eyes, and Onset of Nystagmus Prior to 45 degrees in both the right and left eyes. Charles-James swayed throughout the task. I explained the second SFST, Walk and Turn, to Charles-James and she stated she understood after I demonstrated the task. I instructed Charles-James to get into the proper starting position (left foot on line with right foot in front, touching heel to toe). Charles-James broke starting position a total of three (3) times. Charles-James started the task one (1) time before being instructed to begin. Charles-James missed heel to toe on the first nine between steps one (1) through five (5), and on the way back one (1) through eight (8). Throughout the task Charles-James used both arms to remain balanced. In my observations Charles-James swayed throughout the entire task. Charles-James took five (5) steps on the first nine, then eight (8) steps on the way back. Charles-James did not count as instructed. Charles-James took a big step to turn around. I explained the third SFST, One Leg Stand, and Charles-James stated she understood after I demonstrated the task. Charles-James swayed from left to right during the instruction stage. Charles-James raised both of her arms throughout the task for balance. Charles-James never looked down at her elevated foot. Charles-James put her foot down after two (2) seconds, a total of four (4) times. Charles-James did not count as instructed. Charles-James picked up her foot and put it behind her other leg the fourth time. I explained the Romberg Alphabet to Charles-James and she stated she understood. Charles-James recited the Alphabet as follows: A B C D E F G L M N O P Q R S T U V W R S R M Z W Y Z T M Z. I explained and demonstrated the Finger to Nose to Charles-James and she stated she understood. On the first left (L1), Charles-James brought her finger to the left side of her nose. On the first right (R1), Charles-James brought her finger to the bottom of her nose. On the second left (L2), Charles-James brought her finger to the left side of her cheek. On the second right (R2), Charles-James brought her finger to the right side of her nose. On the third right (R3), Charles-James brought her left finger to the left side of her nose. On the third left (L3), Charles-James started to bring her right finger up and then switched to her left finger bringing it to the left side of her nose. After the completion of the Finger to Nose, Charles-James was placed under arrest for driving under the influence of drugs and/or alcohol. Charles-James was handcuffed, which were double locked and checked for proper fit. I requested a female from Palm Beach Gardens Police Department, who conducted a thorough search of Charles-James before being placed into my patrol vehicle. Charles-James was wearing a blue shirt, blue jeans and brown sandals.							
SWORN AND SUBSCRIBED BEFORE ME STEADE, RODERICK NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 02/26/2022 DATE  SIGNATURE OF ARRESTING / INVESTIGATING OFFICER SOUTHER, AUSTIN (9907) NAME OF OFFICER (PLEASE PRINT) 02/26/2022 DATE							

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26th DAY OF February 20 22, AT 0020 ☒ AM ☐ PM
SUBJECT: Charles-James, Carlene, CASE NUMBER: 22000146

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: Crash
+Manner of Stop:
+APC:
+Witness Statements:
+Wheel Witness: Was sitting in the driver's seat upon arrival.

OBSERVATION OF DRIVER:

+Appearance of Vehicle: front end damage
+Appearance of Driver:
+Face/Eyes: Red, glossy eyes
+Clothing Condition:
+Exit Sequence: Stumbled

DRIVER'S STATEMENTS:

+In Car:
+Roadsides:
+BAT:
+Taylor Warnings Read:
+Implied Consent Read: Yes

ODORS:

Strong odor of an unknown alcoholic beverage.

GENERAL OBSERVATIONS

SPEECH: slurred

ATTITUDE: Cooperative

CLOTHING:

MEDICAL/OTHER: In Vehicle:
Roadsides:
BAT:

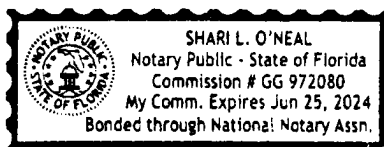
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of February 2022 by Souther

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

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



SUBJECT: Charles-James, Carlene,

CASE NUMBER 22000146

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 three (2) times
 - *Started Before Instructed- one (1) time
 - *Missed Heel to Toe- On the first nine, she missed steps one (1) through five (5) and then going back, she missed steps one (1) through eight (8).
 - *Stepped Off Line- In the beginning of instructions
 - *Used Arms for Balance- Used both his arms throughout
 - *Wrong Number of Steps: Counted to five (5) going forward and eight (8) going back.
 - *Stopped While Performing Task
 - *Improper Turn: took a big step to turn around.
- Other Observations: **Swayed throughout**

ONE LEG STAND:

- *Put Foot Down- Four (4) times.
 - *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. Lifted her foot and put it behind her other leg.**

ROMBERG ALPHABET:

Subject recited the alphabet as follows: **A B C D E F G L M N O P Q R S T U V W R S R M Z W Y Z T M Z.**

FINGER TO NOSE:

- L1- Left side of nose
- R1- bottom of nose
- L2- left cheek
- R2- right side of nose
- R3- brought up her left finger to the left side of her nose.
- L3- started to bring her right finger up, then switched to left, touching the left side of her nose.

BREATH TEST RESULTS:

1) Refuse

2) Refuse

3)

4)

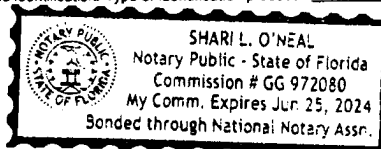
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of February, 2022, by Souther

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

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



DUI WITNESS LIST

22000146



Arresting Officer: Souther 9907 Email: asouther@village-npb.org

Agency Address: 560 US Highway 1 NPB, FL 33408 Phone: 561-848-2525

Can Testify To: Events of the case

Backup Officer(s): Police Sergeant Council

Agency Address: 560 US Highway 1 NPB, FL 33408 Phone: 561-848-2525

Can Testify To: Facts of the case

Breathalyzer Technician: O'Neal ID# 6212 Agency: PBSO

DRE: _____ Agency Case #: _____

Agency Address: _____ Phone: _____ Email: _____

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

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

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 26th day of February, 20 22, at 00:20 ☐ P.M. ☒ A.M.

DRIVER Carlene Charles-James
 (Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# C642-100-74-796-0, state of FL, was placed under lawful arrest for

the offense of DUI- Damage to person/property by Souther and
 (Name of Arresting Officer)

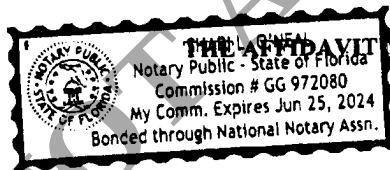
issued Citation # AG3URSE,AG3URTE

That on or about the 26th day of February, 20 22, at 00:20 ☐ 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]
 Signature of Law Enforcement Officer or
 Correctional Officer



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this 26th day of February, 20 22,

by Souther,

who is personally known to me or who has produced

Personally Known as identification

Notary Public [Signature]

HSMV-BAR1001 (REV. 10/2016)

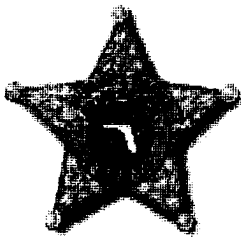
The foregoing instrument was sworn and subscribed before me:

[Signature]
 Signature of Attesting Officer

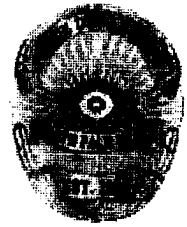
Title Officer

Date 02/26/2022

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.



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



PBSO CASE # 22-040457 PBSO ZONE 3-13

AGENCY CASE # 22000146 CRASH CASE # 22000146

TIME OF STOP/CRASH 2358 DATE 02/26/2022 DAY Friday

SUBJECT'S NAME Charles-James Carlene RACE O SEX F
LAST FIRST MID

HGT 5'04 WGT 174 DOB 08/16/1974

LOCATION Northlake Blvd/Prosperity Farms Rd

ARRESTING OFFICER'S NAME & ID Souther 9907 AGENCY NPBPD

DIVISION: Patrol

NOTIFIED BY COMMO ✓

ARRIVAL AT FACILITY 0106

ARREST TIME 00:20

BREATH RESULTS:

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

REFUSED

NOT A CERTIFIED COPY

BREATH TEST OPERATOR: 6212

TESTING FACILITY TASK REPORT

AGENCY: NPPD OFC. SOUTHER #9907

SUBJECT: CHARLES-JAMES, CARLENE

CASE NUMBER: 22-040457

DATE: 02-26-22

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 01:32 HRS

ENDING TIME: 01:51 HRS

BREATH TESTS RESULTS:

REFUSED

1) TIME 01:41

A.M. ☒ P.M. ☐

2) TIME 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. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: LOW, SLURRED

ATTITUDE: CALM, COOPERATIVE, POLITE, INDECISIVE, CONFUSED, APOLOGETIC

CLOTHING: SHIRT- BLUE PANTS- DRK BLUE JEANS

MEDICAL CONDITIONS: NONE, DIABETES ON CAMERA

MEDICATIONS: UNKNOWN MEDS. ON CAMERA

OTHER:

EYES: VERY RED, GLASSY

DEXTERITY: SLOW, SLUGGISH, UNSTEADY

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O SOUTHER #9907

A/O REQUESTED THE BREATH TEST.

D REFUSED THE BREATH REQUEST AT FIRST.

A/O READ THE IMPLIED CONSENT ON CAMERA.

I/C BROKEN DOWN TO THE D.

D DECIDED TO SUBMIT AFTER THE I/C WAS READ TO HER.

AS I WAS EXPLAINING THE BREATH TEST PROCEDURES TO THE D, SHE BECAME INDECISIVE ABOUT THE TEST.

D EVENTUALLY DECIDED TO REFUSE THE BREATH TEST AGAIN.

C/W READ ON CAMERA, Q&A CONDUCTED.

TESTING FACILITY TASK REPORT

AGENCY: NPPD OFC. SOUTHER #9907

SUBJECT: CHARLES-JAMES, CARLENE

CASE NUMBER: 22-040457

DATE: 02-26-22

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 01:32 HRS

ENDING TIME: 01:51 HRS

BREATH TESTS RESULTS:

REFUSED

1) TIME 01:41

A.M. ☒ P.M. ☐

2)

TIME

A.M. ☐ P.M. ☐

3)

TIME

A.M. ☐ P.M. ☐

4)

TIME

A.M. ☐ P.M. ☐

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: LOW, SLURRED

ATTITUDE: CALM, COOPERATIVE, POLITE, INDECISIVE, CONFUSED, APOLOGETIC

CLOTHING: SHIRT- BLUE PANTS- DRK BLUE JEANS

MEDICAL CONDITIONS: NONE, DIABETES ON CAMERA

MEDICATIONS: UNKNOWN MEDS. ON CAMERA

OTHER:

EYES: VERY RED, GLASSY

DEXTERITY: SLOW, SLUGGISH, UNSTEADY

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O SOUTHER #9907

A/O REQUESTED THE BREATH TEST.

D REFUSED THE BREATH REQUEST AT FIRST.

A/O READ THE IMPLIED CONSENT ON CAMERA.

I/C BROKEN DOWN TO THE D.

D DECIDED TO SUBMIT AFTER THE I/C WAS READ TO HER.

AS I WAS EXPLAINING THE BREATH TEST PROCEDURES TO THE D, SHE BECAME INDECISIVE ABOUT THE TEST.

D EVENTUALLY DECIDED TO REFUSE THE BREATH TEST AGAIN.

C/W READ ON CAMERA, Q&A CONDUCTED.

CASE NUMBER:

GOLD - JAIL

SUBJECT: Charles (C.D.) CASE NUMBER: 22-10-10

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)



**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	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	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)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022005288	Date: 2/27/2022
	Specialist Name/ID: M. Tookes #8557