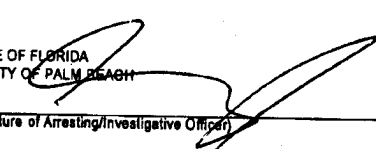



J 0457187

20CT 15158 SB

D#1451

ADMINISTRATIVE		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile		N	
OBT Number		Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number (N.T.A.'s only) <b>06-20-129348</b>							
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		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator 01									
Location of Arrest (Including Name of Business) <b>9500 blk State Road 7, Bonyton Beach, FL 33472</b>		Location of Offense (Business Name, Address) <b>9500 blk State Road 7, Lake Worth, FL 33467</b>											
Date of Arrest <b>11/22/2020</b>		Time of Arrest <b>0317</b>		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle <b>Gardens Towing</b>	
Name (Last, First, Middle) <b>Pelchat, Charles, Dylan</b>		Alias (Name, DOB, Soc. Sec. #, Etc.)											
Race W - White I - American Indian B - Black O - Oriental/Asian <b>W</b>		Sex <b>M</b>		Date of Birth <b>11/7/1970</b>		Height <b>5'08</b>		Weight <b>190</b>		Eye Color <b>Blu</b>		Hair Color <b>Bro</b>	
Complexion <b>Light</b>		Build <b>Med</b>		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status <b>Divorce</b>		Religion <b>Catholic</b>		Indication of Alcohol Influence Drug Influence Y <input type="checkbox"/> N <input type="checkbox"/> U <input type="checkbox"/>			
Local Address (Street, Apt. Number) <b>4381 Violet Cir, Lake Worth, FL 33461</b>		(City) <b>(City)</b>		(State) <b>(State)</b>		(Zip) <b>(Zip)</b>		Phone <b>(561) 329-4486</b>		Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>2</b>			
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone		Address Source <b>FL DL</b>			
Business Address (Name, Street)		(City)		(State)		(Zip)		Phone		Occupation <b>Delivery Driver</b>			
D/L Number, State <b>P423144704870, FL</b>		Soc. Sec. Number		INS Number		Place of Birth (City, State) <b>Miami, FL</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			
Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other		Name (Last)		(First)		(Middle)		Residence Phone					
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 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 (Phone 355-2528) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)		School Attended		Grade									
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> 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. Synthetics		U. Unknown Z. Other							
Charge Description <b>Driving Under The Influence</b>		Counts <b>01</b>		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number <b>316.193(1A)</b>		Warrant / Capias Number		Violation of ORD #			
Drug Activity <b>N</b>		Drug Type <b>N</b>		Amount / Unit		Offense # <b>20-129348</b>		Warrant / Capias Number		Bond			
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		Warrant / Capias Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		Warrant / Capias Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		Warrant / Capias Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
Location (Court, Room Number, Address) <b>South County Courthouse, Courtroom #1, 200 W. Atlantic Ave., Delray Beach, FL 33444 - Ph: (561) 355-2996</b>													
Court Date and Time <b>Month December Day 21 Year 2020 Time 8:30 AM X PM</b>													
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) <i>[Signature]</i>		Date Signed <b>11/22/2020</b>											
HOLD for other Agency Name:		Signature of Arresting Officer <i>[Signature]</i>		Name Verification (Printed by Arrestee) <b>NOV 22 AM 6:37</b>									
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:		Name of Arresting Officer (Print) <b>Cpl. Christopher Ward # 16305 16305</b>		I.D. #									
Intake Deputy <i>[Signature]</i>		Transporting Officer <b>Cpl. C. Ward 16305 16305</b>		ID # <b>16305</b>		Agency <b>PBSO</b>		Witness here if subject signed with an "X"					
DISTRIBUTION: WHITE - COURT COPY		GREEN - STATE ATTORNEY		YELLOW - AGENCY		PINK - AGENCY		GOLD - DEFENDANT (N.T.A.'s ONLY)					

OBTS Number		<b>PROBABLE CAUSE AFFIDAVIT</b>		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	N	
ADMIN	Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number <b>06-20-129348</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		Special Notes:					
DEF	Name (Last, First, Middle) <b>Pelchat, Charles, Dylan</b>				Alias		Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>11/7/1970</b>	
	Charge Description <b>Driving Under The Influence</b>				Charge Description <b>316.193(1A)</b>					
CHARGES	Charge Description				Charge Description					
	Charge Description				Charge Description					
VICTIM	Victim's Name (Last, First, Middle) <b>State of Florida,</b>				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			
<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><input 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>22</u> day of <u>November</u> 20<u>20</u> at <u>0250</u> <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p>										
<p><b>Pen Light Task (Horizontal Gaze Nystagmus [HGN]):</b></p> <p>The defendant was placed with their feet together and hands down by their side. The defendant was instructed to await the completion of the instructions prior to beginning the task. The defendant acknowledged that they clearly understood my instructions. I then instructed the defendant on the task. The defendant stated that they clearly understood my instructions for the task. I asked the defendant what color the stimulus was to which they answered. "gold." I asked the defendant to touch the tip of the stimulus with his finger which the defendant did without issue. Upon commencing the Pen Light Task (HGN) the defendant moved their head side to side instead of following with their eyes only. I had to reinstruct the defendant during the task to follow the stimulus with their eyes only. During the task, I observed that the defendant had equal pupil size and did not exhibit resting nystagmus. The defendant's eyes tracked equally.</p> <p>I then checked the defendant for Vertical Gaze Nystagmus (VGN). I saw distinct and sustained nystagmus at maximum deviation in both of the defendant's left and right eyes.</p> <p>I then checked the defendant for a Lack of Convergence (LOC). I saw both eyes traveled in a circle without issues. I did not see a LOC in the defendants Left or Right Eye.</p> <p>An inventory search of the vehicle was conducted prior to tow per PBSO policy. I located the noting to mention inside the vehicle. The vehicle was towed by rotation by Gardens Towing to their impound lot.</p>										
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH  (Signature of Arresting/Investigative Officer)				Cpl. Christopher Ward					
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>22</u> day of <u>November</u> 20 <u>20</u> by <u>Cpl C. Ward 16305</u> (Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced <u>Known LEO</u> )									
	Notary Public, Clerk of Court, Officer (F.S.S. 117.10) 				JOSHUA BELL MY COMMISSION #GG346008 EXPIRES: JUN 18, 2023 Bonded through 1st State Insurance					
					PAGE 1 OF 1					

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 22 DAY OF November 2020, AT 0250 AM PM

SUBJECT: Pelchat, Charles, Dylan

CASE NUMBER: 20-129348

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Cpl. Christopher Ward # [REDACTED]

## PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

I was dispatched to the area of State Road 7 (US 441) and Hagen Ranch Rd in reference to a complainant of a reckless driver. The complainant advised dispatch that they saw a Blue GMC Pick Up truck FL tag QBCM16 that was swerving back and forth. The complainant stated that he vehicle kept u-turning.

Upon my arrival in the area, I located the defendant's vehicle, a Blue GMC pick up FL tag QBCM16, which was driving south bound on State Road 7 from the Hypoluxo Rd area. The truck was swerving side to side within its lane. The tag light on the truck was not illuminating the license plate in violation of Florida State Statute 316.221(2). I activated my overhead emergency lights, stopping the vehicle in the 9500 block of State Road 7.

The witness advised me that they say the defendant's vehicle sitting in the middle of Haverhill and Lantana. The defendant stated that hte vehicle stayed at the intersection for 10-15 minutes before heading east. The witness stated that the pickup made numerous u-turns and was swerving side to side on the road. He stated that the driver of the vehicle pulled into a neighborhood and got out and peed behind his truck. The witness completed a written sworn statement.

## OBSERVATION OF DRIVER:

I made contact with the defendant, later identified by their FL DL as, Charles Pelchat I observed that the defendant had red, watery, bloodshot eyes. The defendant had slurred, slowed, speech. I asked the defendant if they had any medical problems defendant said no. I asked how much they had had to drink and the defendant stated that he hadn't had any drinks. When I asked for his License, Registration, and insurance he fumbled through his wallet and had a hard time locating his license. His movements were slowed and clumsy. The zipper on the defendant's shorts were in the down position.

I asked the defendant to exit the vehicle. The defendant swayed while standing and while walking.

I asked the defendant to perform voluntary roadside tasks to which the defendant consented.

## DRIVER'S STATEMENTS:

Pre Miranda/Sponetenous Utterance: While inside the vehicle the defendant stated that he had no medical issues and that he did not need an ambulance. He stated that he had not had anything to drink. He stated that he had not taken any drugs. He stated that he was almost home which was at Lake Worth Rd and Melaluca Rd. He could not tell me what road he was on but stated that he was going Northbound.

When the defendant stepped out of the car I asked he had and medical issues. He stated that he did not. I asked him if he had taken any medications or drugs and he stated that he ha dont. I asked him if he had anything to drink and he stated that he had a couple of drinks.

Post Miranda/Enroute to Bat: The defendant stated that he had three beers.

## ODORS:

I did not smell anything to mention at this time.

## GENERAL OBSERVATIONS

SPEECH: slurred and slowed

ATTITUDE: in Car Calm, After arrest pleading, enroute to jail and at jail calm followed by aggitated

CLOTHING: Black Shirt, Black Shorts, Black Sneaker

MEDICAL/OTHER [REDACTED]

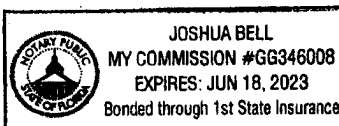
STATE OF FLORIDA  
COUNTY OF PALM BEACH

Cpl. Christopher Ward # [REDACTED]  
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 22 day of November 2020 by Cpl. Christopher Ward # 16305

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

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



SUBJECT: Pelchat, Charles, Dylan

CASE NUMBER 20-129348

## ROADSIDE TASKS

### HORIZONTAL GAZE NYSTAGMUS:

- |                                                                                             |                                                                                             |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT                           | <input checked="" type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT                           |
| <input checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | <input checked="" type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| <input checked="" type="checkbox"/> LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES          | <input checked="" type="checkbox"/> RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES          |

### Other Observations:

See P.C.

### WALK & TURN:

I had the defendant used a white fog line that was painted on the ground. I had the defendant place their left foot on the line with their right foot in front of the left, heel to toe. I instructed the defendant to remain in the position throughout my instructions and demonstration. The defendant was instructed not to start the task prior to me telling them to begin. The defendant acknowledged and stated they completely understood my instructions. The defendant was then instructed on the task which I also demonstrated. The defendant swayed during my instructions. The defendant came out of the stance and started the task prior to me telling them to begin. Once the defendant began the task they missed heel to toe, stepped off the line, used their arms for balance, and walked the incorrect number of steps. The defendant made an improper turn, and walked the incorrect number of steps back. The defendant counted his steps on the walk out but did not count out loud on the walk back. The defendant swayed throughout completing the task.

### ONE LEG STAND:

The defendant was instructed to stand with their feet together and their hands down by their side. They were then instructed to remain in the position throughout the instructions and demonstration until instructed to begin. The defendant acknowledged and stated that they clearly understood the instructions. The defendant swayed while in the instructional position. The defendant came out of the instructional position prior to being told to begin. After being told to begin the defendant put their foot down prior to being told to stop, used their arms for balance, and swayed. The defendant then stated that he felt he would do better with his other leg. The defendant attempted the task a second time. The defendant put his foot down, used his arms for balance and swayed. The defendant did not count in the manner instructed. The defendant did not look as their toe as instructed after even after being instructed to do so.

### FINGER TO NOSE:

The defendant was instructed to stand with their feet together and their hands down by their side. The defendant was then instructed to remain in the position throughout the instructions and demonstration until instructed to begin. The defendant acknowledged and stated that they clearly understood these instructions. The defendant swayed while in the instructional position. The defendant mimicked me by tilting their head back prior to being told to start. I instructed the defendant on the task and demonstrated the task. The defendant acknowledged the instructions stating that they clearly understood them. The defendant did not tip their head back or close his eyes when told to begin as instructed. The defendant proceeded to miss/search for the tip of their nose with the tip of their finger on some attempts, started with the wrong hand on right three, and did not bring their hand immediately bring back as instructed after numerous reminders to do so. The defendant did not keep their head tilted back during the task. The defendant swayed throughout the task.

### ROMBERG ALPHABET:

When asked for his highest level of education the defendant stated that he had gone to college. When he was asked if he knew his english alphabet he stated that he did not know it well. When asked if he could count from 1-100 he stated that he could. The defendant was instructed to stand with their feet together and their hands down by their side. The defendant was then instructed to remain in the position throughout the instructions and demonstration until instructed to begin. The defendant acknowledged and stated that they clearly understood these instructions. The defendant swayed while in the instructional position. After being told to begin the defendant did not keep his eyes closed even with reminders to do so. The defendant count from 1-20 and then skipped to 30. He miscounted to forty.

BREATH TEST RESULTS: 1) Refusal 2) 3) 4)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Cpl. Christopher Ward # 5

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 22 day of November, 2020 by Cpl. Christopher Ward # 5

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

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



JOSHUA BELL  
MY COMMISSION #GG346008  
EXPIRES: JUN 18, 2023  
Bonded through 1st State Insurance

☒ WITNESS    ☐ VICTIM    ☐ OTHER

PRSO#0134 REV. 12/11

## WITNESS LIST

CASE NUMBER: 20-129348

ARRESTING OFFICER: Cpl. Christopher Ward # 5

ADDRESS: 3228 Gun Club Rd, West Palm Beach, FL 33415

PHONE NUMBERS (HOME): 561-688-3000 (WORK) 561-688-3000

CAN TESTIFY TO: DUI Investigation

NAME: D/S S. Anderson # 32400

ADDRESS: 3228 Gun Club Rd, West Palm Beach, FL 33415

PHONE NUMBERS (HOME) 561-688-3000 (WORK) \_\_\_\_\_

CAN TESTIFY TO: Back Up Officer/Tow

NAME: Marlon Carrasco

ADDRESS 6205 Willoughby Cir, Lake Worth, FL 33463

PHONE NUMBERS (HOME) 561-401-5405 (WORK) \_\_\_\_\_

CAN TESTIFY TO: Wheel Witness

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) 0

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: \_\_\_\_\_

# TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: PELCHAT, CHARLES DYLAN

CASE NUMBER: 20-129348

DATE: Nov 22, 2020

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0419

ENDING TIME: 0430

BREATH TESTS RESULTS: 1) R TIME 0429 A.M. ☒ P.M. ☐ 2) N/A TIME XX A.M. ☐ P.M. ☐  
3) N/A TIME XX A.M. ☐ P.M. ☐ 4) N/A TIME XX A.M. ☐ P.M. ☐

**REFUSED**

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: TALKATIVE, REPETITIVE

CLOTHING: BLACK TEE SHIRT, BLACK SHORTS, BLACK SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

## OTHER:

EYES: GLASSY

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BRATH

## COMMENTS:

ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0358 HOURS

SUBJECT STATED HE WOULD NOT TAKE BREATH TEST

A/O READ I.C 2 TIMES AND EXPLAINED

SUBJECT ACKNOWLEDGED HE UNDERSTOOD I.C AND AFTER ABOUT 9 MINS SUBJECT WOULD NOT GIVE A DEFINITIVE ANSWER TO WHEATHER OR NOT HE WOULD PROVIDE A BREATH SAMPLE

A/O CALLED A REFUSAL DUE TO SUBJECT NON ANSWER

A/O READ RIGHTS ON SCENE

SUBJECT ASKED FOR A LAWYER BEFORE QUESTIONING

**REFUSED**

SUBJECT: Pelchat, Charles D CASE NUMBER: 20-129348

## 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) Read on camera

## 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 camera on scene



SUBJECT: Pelchut, Charles D CASE NUMBER: 20-129348

## 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? \_\_\_\_\_

WHERE WERE YOU GOING? \_\_\_\_\_

WHAT STREET OR HIGHWAY WERE YOU ON? \_\_\_\_\_

DIRECTION OF TRAVEL? \_\_\_\_\_ WHERE DID YOU START? \_\_\_\_\_

WHAT TIME DID YOU START? \_\_\_\_\_ WHAT TIME IS IT NOW? \_\_\_\_\_

WHAT IS TODAY'S DATE? \_\_\_\_\_ WHAT DAY OF THE WEEK IS IT? \_\_\_\_\_

WHAT COUNTY AND CITY ARE YOU IN NOW? \_\_\_\_\_

WHEN DID YOU LAST EAT? \_\_\_\_\_ WHAT DID YOU EAT? \_\_\_\_\_

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? \_\_\_\_\_

HOW MUCH DO YOU WEIGH? \_\_\_\_\_ HAVE YOU BEEN DRINKING? \_\_\_\_\_ WHAT? \_\_\_\_\_

HOW MUCH? \_\_\_\_\_ WHERE? \_\_\_\_\_ WITH WHOM? \_\_\_\_\_

WHEN DID YOU HAVE YOUR FIRST DRINK? \_\_\_\_\_ AND YOUR LAST DRINK? \_\_\_\_\_

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? \_\_\_\_\_

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? \_\_\_\_\_ ARE YOU UNDER THE INFLUENCE? \_\_\_\_\_

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? \_\_\_\_\_ HOW MUCH? \_\_\_\_\_

WHAT? \_\_\_\_\_ WHERE? \_\_\_\_\_ WHEN? \_\_\_\_\_

WHAT LINE OF WORK ARE YOU IN? \_\_\_\_\_ WHEN DID YOU LAST WORK? \_\_\_\_\_

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? \_\_\_\_\_ WHAT? \_\_\_\_\_

ARE YOU SICK OR INJURED? \_\_\_\_\_ WHAT'S WRONG? \_\_\_\_\_

DO YOU LIMP? \_\_\_\_\_ DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? \_\_\_\_\_

WERE YOU IN AN ACCIDENT TODAY? \_\_\_\_\_

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? \_\_\_\_\_ WHEN? \_\_\_\_\_

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? \_\_\_\_\_ WHO? \_\_\_\_\_ WHY? \_\_\_\_\_

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? \_\_\_\_\_ WHAT? \_\_\_\_\_ WHEN? \_\_\_\_\_

DO YOU HAVE: 

EPILEPSY?	_____
GLASS EYE?	_____
FALSE TEETH?	_____
EAR INFECTION?	_____
INNER EAR TROUBLE?	_____
DIABETES?	_____

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? \_\_\_\_\_

DO YOU TAKE INSULIN? \_\_\_\_\_ IF SO, WHEN WAS YOUR LAST INJECTION? \_\_\_\_\_

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? \_\_\_\_\_ WHERE? \_\_\_\_\_

INTERVIEWER: CPL. C. Ward #16305

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

20-129348

I, Cpl. Christopher Ward # 5, a duly certified Law Enforcement Officer or Correctional Officer,  
(Name of Officer reading Implied Consent Warning)

am a member of Palm Beach County Sheriff's Office, and I do swear  
(Name of law enforcement agency)

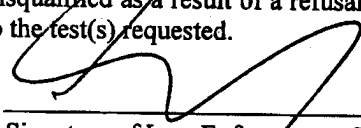
or affirm that on or about the 22 day of November, 20 20, at 0317 ☐ P.M. ☐ A.M.

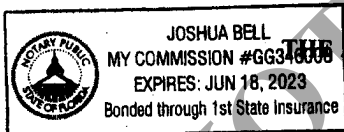
DRIVER Charles Dylan Pelchat  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# P423144704070, state of Florida, was placed under lawful arrest for  
the offense of Driving Under The Influence by Cpl. Christopher Ward # 5 and  
issued Citation # A2GCNKP  
(Name of Arresting Officer)

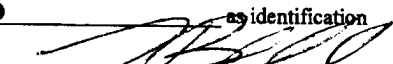
That on or about the 22 day of November, 20 20, at 0429 ☐ P.M. ☒ A.M.  
in Palm Beach County,

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



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before  
me this 22 day of November, 20 20,  
by Cpl. Christopher Ward # 5,  
who is personally known to me or who has produced  
Known LEO as identification  
Notary Public 

HSMV-BAR1001 (REV. 10/2016)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title \_\_\_\_\_

Date \_\_\_\_\_

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**  
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"/>	415.107(1)	Other: Elderly Abuse	
	<input type="checkbox"/>	119.071(2)(j)	Other: MARSY'S LAW PROTECTED INFORMATION REGARDING VICTIM(S).	

**REVIEW COMPLETED BY**

Booking Number: 2020027487

Date: 11/23/2020

Specialist Name/ID: M. Tooks #8557