

21CT15606SB

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 FL0500300			Agency Name BOYNTON BEACH POLICE DEPT.			Agency Report Number 34-21-040947					
Charge Type: Check as many as Apply.		1. Felony <input type="checkbox"/>		3. Misdemeanor <input type="checkbox"/>		5. Ordinance <input type="checkbox"/>		If Weapons Seized Enter Type		Multiple Clearance Indicator	
2. Traffic Felony <input type="checkbox"/>		4. Traffic Misdemeanor <input checked="" type="checkbox"/>		6. Other <input type="checkbox"/>							
Location of Arrest (Including Name of Business) 1005 W GATEWAY BLVD BOYNTON BEACH, FL 33426 (Publix)						Location of Offense (Business Name, Address) PUBLIX 1005 W Gateway Blvd BOYNTON BEACH, FL 33426					
Date of Arrest 9/18/2021		Time of Arrest 2:49:00 AM		Booking Date		Booking Time		Jail Date		Jail Time	
Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time	
Name (Last, First Middle) MASON, CHRISTOPHER MICHAEL						Alias Name, Alias DOB, Alias SSN					
Race White		Sex M		Date of Birth 8/19/1987		Height 5' 9"		Weight 160		Eye Color Brown	
Hair Color Black		Complexion Light		Build Medium		Marital Status Single		Religion Other		Indication of: Alcohol Influence Drug Influence	
Scars, Marks, Tattoos		Address Information H 6281 PINE DR LAKE WORTH, FL 33462		Phone Information		Residence Type Resident		Occupation Real Estate		Citizenship United States of America	
DL Number, State m250113872990, Florida		Soc. Sec. Number		INS Number		Place of Birth Boynton Beach					
Co-Defendant Name (Last, First Middle)		Race		Sex		Date of Birth		Detail			
Parent <input type="checkbox"/>		Name (Last, First Middle)		Residence Phone		Legal Custodian <input type="checkbox"/>		Address Information		Business Phone	
Other <input type="checkbox"/>		Address Information		Business Phone		Notified by:		Date		Time	
JUVENILE		JUVENILE		JUVENILE		JUVENILE		JUVENILE		JUVENILE	
Released to		Relationship		Date		Time		JUVENILE Disposition 1. Handled/Processed within Dept. and Released		2. TOT HRS/DYS 3. Incarcerated	
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 561-355-2526) informed of any change of address:		School Attended		Grade		Property Crime? Yes <input type="checkbox"/> No <input type="checkbox"/>		Description of Property		Value of Property	
Yes, By: (Name)		No: (Reason)		Property Crime?		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		M. Manufacture Produce/ Cultivate		z. Other		Drug Type N. N/A A. Amphetamine	
B. Barbituate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Oplum/Deriv.		P. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other		Charge Description 316.193(1) - DUI - UNDER INFLUENCE OF ALCOHOL OR CHEMICAL SUBSTANCE: FACULTIES IMPAIRED		Counts 1	
Domestic Violence N - No		Statute Violation Number 316.193(1)A		Violation of ORD#		Drug Activity N		Drug Type N		Amount/Unit	
Offense # 21-040947		Warrant/Capias Number		Bond		Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444		Court Date 11/1/2021	
Instruction No. 2 You need not appear in court but must comply with instruction on reverse side		Court Date 11/1/2021		Court Time 8:30:00 AM		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 09/18/2021	
HOLD for other Agency Name:		Signature of Arresting Officer		Name Verification (Printed by Arrestee) (PRINT)		Name of Arresting Officer (Print)		I.D. #		BU #	
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest		Zeplin, Eric		1125		<input type="checkbox"/> Suicidal <input checked="" type="checkbox"/> Other:		Intake Deputy Diana G... I.D. #		Transporting Officer Zeplin, Eric I.D. # 1125	
Agency BBPD		Witness here is subject Signed with an 'X'.									

0449769

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SEP 18 AM 8:30

Agency ORI Number FL0500300	D.U.I. PROBABLE CAUSE AFFIDAVIT		Agency Name BOYNTON BEACH POLICE DEPT.
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Date of Occurrence 9/18/2021	Time of Occurrence 2:20:00 AM	Case Number 21-040947	Defendant MASON, CHRISTOPHER MICHAEL
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PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER

On Saturday September 18th, 2021 I responded to 1005 W. Gateway Blvd (Publix) in reference to a traffic stop conducted by Officer Sohn. This incident was within the City of Boynton Beach, Palm Beach County, Florida.

Upon arrival, I made contact with Ofc. Sohn who stated the following: "On Saturday, September 18, 2021 at approximately 0220 hours, I was on patrol and stopped at the red light on Gateway Blvd. facing east at I-95, looking at the north bound exit ramp. I heard and then saw a Gray Ford F-150 (FL. Tag 671EL a 2012 Ford F-150) exiting I-95 north bound and turning west onto Gateway Blvd. I heard the tires from the truck/vehicle squealing his tires and accelerating as he was turning west from I-95 onto Gateway Blvd. This drew my attention. I could hear the engine accelerating as the driver drove past me while I was stopped at the light.

I made a U-turn and began to get behind the vehicle, he, the driver traveled west on Gateway Blvd. in the left lane. The driver, changed lanes from the left to the center lane and then into the right lane, never using his turn signal. The driver approached 1035 W. Gateway Blvd., the traffic light to the shopping plaza of Publix. He then got into the turn lane and entered into the plaza. The drivers left front tire struck the curbed median when entering the plaza. This was also heard and observed by K-9 Officer C. Schalk who happened to be in the plaza for a call for service.

I activated my emergency lights (red/blue) in order to conduct a traffic stop and investigated the traffic infractions in which I observed. The driver, later identified as Christopher Mason by his Florida Driver's License. Mason continued to driver another 300-400 feet and at one point accelerated. Mason brought his vehicle to a stop along the northeast side of the Publix plaza. Just as I was about to exit my vehicle, Mason began to drive again, about another 100-200 feet with lights and sirens activated.

Once stopped, I contacted Mason at the open drivers' side window and discovered he was the sole occupant of the vehicle. I could immediately smell the odor of an alcoholic beverage emanating from the vehicle. Mason had blood shot, watery and red eyes. Mason was speaking slow with slurred speech. Based on these observations and his driving pattern, I suspected that Mason was operating a motor vehicle under the influence of an unknown alcoholic beverage.

I asked Mason for his Driver's License, insurance and vehicle registration. Mason held the vehicle registration in his hand for a minute or more before I requested it again. Mason provided his DL, and was not able to find the insurance after looking for several minutes. I had Mason exit the vehicle and saw his zipper to his pants was in a down position, he was unsteady on his feet, and swayed. As Mason was standing towards the rear left tire, I still could smell the odor of an alcoholic beverage emanating from his person and breathe.

Mason stated he contracted COVID-19 about two weeks ago and has been in a fog since. Mason denied drinking alcohol when ask. He stated he was coming from a friend's house in Delray and was at the "Office" which is restaurant located in Delray along E. Atlantic Ave. around 7pm for appetizers but did not drink. However, Mason could not explain the odor of the alcoholic beverage in which I was smelling/detecting."

Based on the above facts and investigation I asked Mason to exit his vehicle to which he complied. While exiting his vehicle, officers observed Mason stumble to gain his balance. I was overwhelmed with the odor of an unknown alcoholic beverage when Mason exited his vehicle. I continued to detect the odor of an unknown alcoholic beverage while Mason was away from his vehicle. I asked Mason if he had been drinking to which he replied that he had not been drinking but was out with friends downtown in Delray. I then asked Mason if he would comply with completing field sobriety tasks to which he replied, after a brief pause, that he would complete the tasks.

Prior to beginning the tasks I asked Mason if he had any disabilities or anything that would hinder his performance during the field sobriety tasks to which he responded that he tested positive for COVID-19 two weeks prior and has been in a fog ever since. Mason stated that he would complete the roadside tasks.

Pen task: Officers described the task to Mason to which he stated he understood. Mason could not maintain the instructional stance while I explained the directions. Mason stood with his feet apart and hands in front of his legs. I had to demonstrate the position multiple times before Mason understood. During the exercise phase, Mason's eyes appeared glossy and Mason kept slightly moving his head to follow the stimuli. Mason was reminded to follow the tip of the pen to which he stated he understood. Mason continuously blinked while tracking the stimuli and seemed delayed in his tracking.


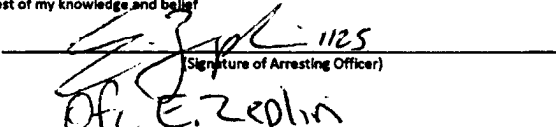
HORIZONTAL GAZE NYSTAGMUS			
<input type="checkbox"/> Left eye does not follow smoothly	<input type="checkbox"/> Right eye does not follow smoothly	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Left eye prior to 45 degrees	<input type="checkbox"/> Right eye prior to 45 degrees	<input type="checkbox"/>	<input type="checkbox"/>
<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"/>	<input type="checkbox"/>
<input type="checkbox"/> Vertical Nystagmus in left eye	<input type="checkbox"/> Vertical Nystagmus in right eye	<input type="checkbox"/>	<input type="checkbox"/>

WALK AND TURN

Task was explained and demonstrated to Mason to which he stated he understood. During the instructional phase Mason could not maintain the stance, keeping his feet opposite to the instructions. Mason had his right foot behind his left foot and was corrected multiple times until he was able to stand in the ready position. Mason started the task too soon and had to be corrected to wait for officers to instruct him on when to begin. Mason asked if he should continue after making his turn and paused his steps until he looked at me and I stated "I explained the instructions already". On the return 9 steps, Mason stepped off the line on step number 2 and on step number 4. Mason missed his heel and toe between his 1st and 2nd step and between his 3rd and 4th step.

ONE LEG STAND

Task was explained and demonstrated to Mason to which he stated he understood. During the instructional phase Mason was swaying and could not maintain

<p>The foregoing instrument was sworn to or affirmed and subscribed before me</p> <p> Notary Public, Clerk of Court, Officer (F.S.S. 117.10)</p> <p>09 18 2021 Date</p>	<p>Under penalties of perjury, I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief</p> <p> Signature of Arresting Officer)</p> <p>Ofc E. Zepher (Print name of Arresting Officer)</p> <p>09 18 2021 Date</p>
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standing with his feet together and hands at his side. During the exercise phase Mason chose to raise his left leg. Mason failed to lift his leg 6 inches and had a bent leg. Mason hopped multiple times and swayed while completing the task. Mason counted out loud for the entirety of the task.

FINGER TO NOSE

Task was explained and demonstrated to Mason to which he stated he understood. During the instructional phase Mason swayed to regain his balance. Mason failed to maintain the position of his feet together and hands at his side. Mason stated he knew his left and right, and demonstrated to officers which had was which. During the exercise phase, Mason failed to bring his pointed finger down to the side immediately and was instructed to do so. After one correction, Mason continued to keep his fingertip at his nose until I called the next hand. When I called the last "Right" Mason stated "I already have my hand up to my nose". Mason completed the task but failed to tilt his head back for the entirety of the task.

ROMBERG/ALPHABET

Task was explained and demonstrated to Mason to which he stated he understood. During the instructional phase officers asked Mason if he knew his English alphabet and numbers from 0-100 to which he stated that he had trouble with his alphabet but was more comfortable with his numbers. I instructed Mason to count from 26-51 to which he stated he understood. Mason began counting from 26 correctly to 51 but continued after a brief pause to number 52 and stopped to look at me.

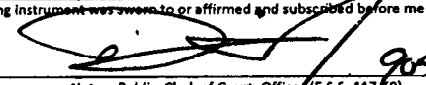
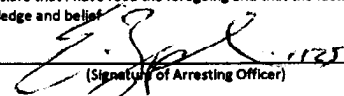
Based on the above investigation I placed Mason under arrest for suspicion of DUI FSS 316.193(1)A. I placed Mason in handcuffs (DL, inspected for tightness) and placed him in the rear of Ofc. Castro's vehicle #4734. Due to the fact that Mason stated that he tested positive for COVID-19, a breath sample would be rendered unreasonable and unsafe for spreading of the virus. Therefore, Mason was asked to provide a sample of his blood for the purpose to determine any alcohol content and/or presence of chemical or controlled substance, to which he stated he refused. Implied Consent was read to Mason to which he stated he understood. A second request was given to which Mason refused again.

During the Implied Consent, Mason advised that he was recently arrested for a BUI and during the investigation he refused to provide a breath sample. A DAVID check was conducted on Mason revealing no information of the arrest.

Mason was then transported to BBPD for processing and later TOT to PBCJ.

Mason's vehicle was towed by Becks Towing. Incident captured via BWC. Nothing Further.

NOT A CERTIFIED COPY

<p>The foregoing instrument was sworn to or affirmed and subscribed before me</p> <p> _____ Notary Public, Clerk of Court, Office (F.S.S. 117.10)</p> <p>09/18/2021 _____ Date</p>	<p>Under penalties of perjury, I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief</p> <p> _____ (Signature of Arresting Officer)</p> <p>Ofc. E. Zepher _____ (Print name of Arresting Officer)</p> <p>09/18/2021 _____ Date</p>
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**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST**

I, Ofc. E Zeplin, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

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

or affirm that on or about the 18 day of September, 20 21, at 0249 P.M. A.M.

DRIVER Christopher Michael Mason,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# M250-113-87-299-0, state of Florida, was placed under lawful arrest for

the offense of Suspicion of DUI, FSS 316.193(1)A by Ofc. E Zeplin and
(Name of Arresting Officer)

issued Citation # AE1545E.

That on or about the 18 day of September, 20 21, at 0304 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

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

The foregoing instrument was sworn and subscribed before me:

[Signature]
Signature of Attesting Officer

Title OFFICER

Date 09/18/2021

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this _____ day of _____, 20 _____,

by Ofc. E Zeplin,

who is personally known to me or who has produced
_____ as identification

Notary Public _____

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.

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

I, Ofc. E Zeplin, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

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

or affirm that on or about the 18 day of September, 20 21, at 0249 P.M. A.M.

DRIVER Christopher Michael Mason
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# M250-113-87-299-0, state of Florida, was placed under lawful arrest for

the offense of Suspicion of DUI, FSS 316.193(1)A by Ofc. E Zeplin and
(Name of Arresting Officer)

issued Citation # AE1545E

That on or about the 18 day of September, 20 21, at 0304 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

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

The foregoing instrument was sworn and subscribed before me:

[Signature]
Signature of Attesting Officer

Title OFFICER

Date 09/18/2021

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this _____ day of _____, 20 _____,

by Ofc. E Zeplin,

who is personally known to me or who has produced

_____ as identification

Notary Public _____

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.

CASE #: 21-040947

DEFENDANT: Mason, Christopher

Arresting Officer: E. Zeplin

Address: 2100 High Ridge Road, Boynton Beach FL, 33426

Phone Numbers: Home: _____ Work: (561) 742-6100

Name: Ofc. Castro

Address: 2100 High Ridge Road, Boynton Beach FL, 33426

Phone Numbers: Home: _____ Work: (561)742-6100

Can testify to: DUI investigation, Field sobriety tasks

Name: Ofc. Sohn

Address: 2100 High Ridge Road, Boynton Beach FL, 33426

Phone Numbers: Home: _____ Work: (561)742-6100

Can testify to: Initial traffic stop, observations of driver.

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: _____



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: 2021023325	Date: 9/19/21
	Specialist Name/ID: A. Pinkney/7796