

0412762

22 CT 7324 NB

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

AD M I N I S T R A T I O N	OSTB Number 0502300	Agency ORI Number North Palm Beach Police Department	Agency Name North Palm Beach Police Department	Agency Report Number (N.T.A.'s only) 7, 0 22-000335	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE
D E F E N D A N T	Charge Type: ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other	Location of Arrest (Including Name of Business) 741 EAGLE WAY, NPB, FL 33408, 741 EAGLE WAY, NORTH	Location of Offense (Business Name, Address) 741 EAGLE WAY, NORTH PALM BEACH, FL 33408	Enter Type UNARMED	Multiple Charges Indicator		
	Date of Arrest 05/06/2022	Time of Arrest 18:26	Booking Date 05/06/2022	Booking Time 18:36	Jail Date //	Jail Time //	Location of Vehicle
	Name (Last, First, Middle) BROWN, DAKOTA JOHN						
	Alias: Alias (Name, DOB, Soc. Sec. #, Etc.)						
C O D E F E N D E N T	Race W - White B - Black O - Oriental/Asian	Sex M	Date of Birth 08/01/1990	Height 6'01	Weight 190	Eyes Color BLUE	Hair Color BROWN
	Complexion LIGHT			Build Medium		Indication of Alcohol Influence Yes ☐ No ☐ Unk. ☐	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)			Marital Status S		Religion UNKNOWN	
	Local Address (Street, Apt. Number) 801 HUMMINGBIRD WAY, NORTH PALM BEACH, FL 33408			Phone (910) 257-3942		Residence Type 1. City 3. Florida 2. County 4. Out of State 1	
	Permanent Address (Street, Apt. Number) 801 HUMMINGBIRD WAY, NORTH PALM BEACH, FL 33408			Phone (910) 257-3942		Address Source FL DL	
	Business Address (Name, Street) UNKNOWN,			Phone (910) 257-3942		Occupation Unknown	
	DL Number, State B650170902810 / FL			Soc. Sec. Number [REDACTED]		INB Number	
	Co-Defendant Name (Last, First, Middle)			Race		Sex	
	Co-Defendant Name (Last, First, Middle)			Race		Sex	
	Co-Defendant Name (Last, First, Middle)			Race		Sex	
J U V E N I L E	Parent ☐ Other ☐ Legal Custodian ☐			Name (Last, First, Middle)			Residence Phone
	Address (Street, Apt. Number)			(City) (State) (Zip)			Business Phone
	Notified by: (Name)			Date			Time
	Relationship			Date			Time
	Released To: (Name)			Date			Time
	The above address was provided by ☐ defendant and/or ☐ 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? ☐ Yes ☒ No			Description of Property			Value of Property
	Drug Activity N. N/A P. Possess			Drug Type N. N/A A. Amphetamine			B. Barbiturate C. Cocaine E. Heroin
	S. Sell B. Buy T. Traffic			R. Smuggle D. Deliver E. Use			K. Disperse/ Distribute
	M. Manufacture/ Produce/ Cultivate			Z. Other			H. Hallucinogen M. Marijuana O. Opium/Deriv.
C H A R G E	Charge Description DUI - NORMAL FACULTIES IMPAIRED			Statute Violation Number 316.193(1)(A)			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 ☐ Deformation ☐ Injuries			
	Check which applies: ☐ Released O.R. ☐ Posted Bond			PROPERTY - Received By			
	Transported By			Date Transported			
	N O T I C E T O A P P E A R	☒ 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		
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				
HOLD for Other Agency			Signature of Arresting Officer 9907			Name Verification (Printed by Arrestee)	
☐ Dangerous ☒ Suicidal			Name of Arresting Officer (Print) SOUTHER, A.			(PRINT)	
Intake Date 05/04			Transporting Officer A.SOUTHER			LD. # 9907	
Pouch #			Agency NBPDP			Witness here if subject signed with an "X".	
Page			1 OF 1				

MAY - 7 2022

OBS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capture		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 22-000335				
	Charge Type: Check as many as apply. ☐ 1. Felony ☒ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☐ 4. Traffic Misdemeanor ☐ 6. Other					Special Notes:			
D E F	Name (Last, First, Middle) BROWN, DAKOTA JOHN				Race W		Sex M		Date of Birth 08/01/1990
	Alias								
C H A R G E S	Charge Description 316.193(1)(A)				Charge Description				
	Charge Description				Charge Description				
V I C T I M	Victim's Name (Last, First, Middle)				Race		Sex		Date of Birth
C I T I Z E N	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. ☐ confessed to _____ admitting to the below facts. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the <u>6</u> day of <u>May</u>, <u>2022</u> at <u>21:16</u> (Specifically include facts constituting cause for arrest.)									
On May 6, 2022 at approximately 1757 hours, I was dispatched to Prosperity Farms Rd and Northlake Blvd, North Palm Beach, FL 33408, in reference to a BOLO for a reckless driver. As I was heading in that direction, two other calls came out saying the vehicle pulled in front of 741 Eagle Way, North Palm Beach, FL 33408 and the driver was passed out behind the wheel with the driver's door open. At approximately 1808 hours I made contact with the vehicle in the middle of the street and observed the driver passed out behind the wheel. Before awakening the male, I placed his vehicle in park and turned off the vehicle. I introduced myself to the driver, who was identified by his Florida Driver's License as Dakota J Brown (w/m 08/01/1990). As I was talking to Brown I could smell a very strong odor of an unknown alcoholic beverage coming off him. I also observed an opened empty bottle of Jose Cuervo Tequila in the center console of the vehicle. Brown's speech was slow, slurred, and Brown had droopy, watery, and glassy eyes. I asked Brown where he was coming from and where he was going. Brown stated he was coming from a friend's house in North Palm Beach and now going home. When I asked Brown where he lived, he said at 801 Hummingbird Way, North Palm Beach, FL 33408. Brown stated he just moved in there yesterday. Brown was asked to step out of the vehicle, so I could have him complete several Standardized Field Sobriety Tasks (SFSTs). When Brown stepped out of the vehicle he could barely stand and immediately fell back into his vehicle. I had to assist Brown to the front bumper of my marked vehicle until backup arrived. Brown was wearing his right sandal on his left foot and his left sandal on his right foot. When backup arrived, I attempted to have Brown complete several Standardized Field Sobriety Tasks (SFSTs), but was unable to do so for his safety. Brown almost fell several times while I was trying to explain the first task.									
A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME				 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER				
	WRIGHT, JAMES				SOUTHER, AUSTIN (9907)				
	NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)				NAME OF OFFICER (PLEASE PRINT)				
	<u>05/06/2022</u> DATE				<u>05/06/2022</u> DATE				

OFTS 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	Agency ORI Number	Agency Name		Agency Report Number					
	FL FL0502300	NORTH PALM BEACH POLICE		7 0 22-000335					
D E F	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)		Alias		Race	Sex	Date of Birth		
BROWN, DAKOTA JOHN				W	M	08/01/1990			
P R O B A B L E C A U S E S T A T E M E N T	Brown was placed under arrest for suspicion of driving under the influence of drugs and or alcohol. Brown was handcuffed, which were double locked and checked for proper fit. Brown was properly searched before being placed into the back of my marked patrol vehicle. Brown was wearing a gray and black long sleeve shirt, gray sweat pants, and blue sandals. I transported Brown to the Palm Beach County Sheriff's Office (PBSO) Breath and Alcohol Testing Center (BAT) without incident. Brown was observed for 20 minutes starting at 1859 hours on 05/06/2022; he did not consume or regurgitate anything. I asked brown to provide a sample of his breath and he stated he would. Brown failed several times at giving a sample of his breath, before refusing to continue. Brown was read implied consent, and still refused to continue to provide a sample of his breath. Based on the results of the investigation, this Officer has probable cause to prove that Dakota J Brown 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). Brown was turned over to the Palm Beach County Jail without incident. Brown's vehicle was towed off by All Florida Towing. An inventory search of the vehicle, I found another empty bottle of Tequila on his passenger side floor board. The two alcohol bottles were collected and placed into evidence and entered into PMI. Pictures were taken and submitted to Records. Nothing further to report.								
	SWORN AND SUBSCRIBED BEFORE ME WRIGHT, JAMES NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 05/06/2022 DATE  SIGNATURE OF ARRESTING / INVESTIGATING OFFICER SOUTHER, AUSTIN (9907) NAME OF OFFICER (PLEASE PRINT) 05/06/2022 DATE								
	PAGE 2 OF 2								

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

SCANNED
CRIME ANALYSIS

P.I.O.

MAY - 7 2022

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 6th DAY OF May 20 22 AT 1826 AM PM 
SUBJECT: Brown, Dakota, John CASE NUMBER: 22000335

AGENCY: NORTH PALM BEACH POLICE DEPARTMENT ARRESTING OFFICER: A Souther 9907
PERSONAL CONTACT

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

+PC for Stop: Received a call of a male passed out behind the wheel of his vehicle.
+Manner of Stop:
+APC:
+Witness Statements:
+Wheel Witness:

OBSERVATION OF DRIVER:

+Appearance of Vehicle: Had two empty
+Appearance of Driver: Had his right sandal on his left foot and his left sandal on his right foot.
+Face/Eyes: Droopy, watery, and glassy
+Clothing Condition:
+Exit Sequence: Fell back into his vehicle when he got out.

DRIVER'S STATEMENTS:

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

ODORS:

GENERAL OBSERVATIONS

SPEECH: slurred

ATTITUDE: Uncooperative

CLOTHING:

MEDICAL/OTHER: In Vehicle:
Roadsides:
BAT:

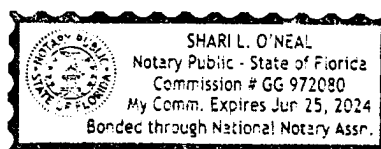
STATE OF FLORIDA
COUNTY OF PALM BEACH


(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 6th day of May 20 22 by A 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)



SCANNED

MAY - 7 2022

SUBJECT: Brown, Dakota, John

CASE NUMBER 22000335

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: Almost fell during instructions

WALK & TURN:

Unable to perform.

ONE LEG STAND:

Unable to perform.

ROMBERG ALPHABET:

Unable to perform.

FINGER TO NOSE:

Unable to perform.

BREATH TEST RESULTS:

1) Refused

2) Refused

3)

4)

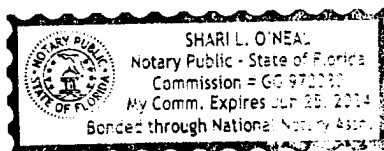
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 6th day of May 20 22 by A 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)



SCANNED

MAY - 7 2022

SUBJECT: _____ CASE NUMBER: _____

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?	_____

SCANNED

MAY - 7 2022

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: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT:

Dorothy Jean Brown

CASE NUMBER:

22-0000

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 determining the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.I am Officer A. Smith of the North St. Police

If you refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your **breath, urine** or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,

If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

SUBJECTS 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.

SCANNED

SUSPECT'S SIGNATURE: (X) _____

MAY - 7 2022

DUI WITNESS LIST

22000335

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

Agency Address: 560 US Highway 1 NPB, FL 33408 Phone: 561-799-4445

Can Testify To: Events of the case

Backup Officer(s): J Wright

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

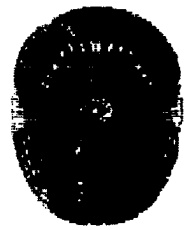
Name: _____ Involvement: SCANNED

Address: _____ Phone: _____ MAY 7 2022

Can Testify To: _____ ☐ Wheel Witness



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



PBSO CASE # 22-064746 PBSO ZONE 3-13

AGENCY CASE # 22000335 CRASH CASE # _____

TIME OF STOP/CRASH 1808 DATE 05/06/2022 DAY Friday

SUBJECT'S NAME Brown Dakota John RACE W SEX M
LAST FIRST MID

HGT 6'01 WGT 190 DOB 08/01/1990

LOCATION 741 Eagle Way, North Palm Beach, FL 33408

ARRESTING OFFICER'S NAME & ID Souther 9907 AGENCY NPBPD

DIVISION: Patrol

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 1859

ARREST TIME 18:26

BREATH RESULTS:

1) *VNM.263

2) _____

3) _____

REFUSED

BREATH TEST OPERATOR: 6212

SCANNED

MAY - 7 2022

TESTING FACILITY TASK REPORT

AGENCY: NPPD OFC. SOUTHER #9907

SUBJECT: BROWN, DAKOTA J,

CASE NUMBER: 22-064746

DATE: 05-06-22

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 19:31 HRS

ENDING TIME: 19:44 HRS

BREATH TESTS RESULTS: 1) .263 V* TIME 19:39 A.M. ☐ P.M. ☒ 2) R TIME 19:42 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: SLURRED, MUMBLING

ATTITUDE: MOODSWINGS, RAMBLING, SARCASTIC, OBNOXIOUS, PROFANE, UNCOOPERATIVE, ARGUMENTATIVE

CLOTHING: SHIRT- BLACK & GRAY PANTS- GRAY

MEDICAL CONDITIONS: D WOULD NOT ANSWER

MEDICATIONS: D WOULD NOT ANSWER

OTHER:

EYES: VERY RED, GLASSY

FACE: FLUSHED DEXTERITY: NEEDED ASSISTANCE

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE.

COMMENTS:

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

A/ REQUESTED THE BREATH TEST.

D SUBMITTED TO THE BREATH REQUEST.

D WAS NOT BLOWING CORRECTLY, HE WAS BLOWING AND STOPPING.

D WAS ARGUING AND WOULD NOT BLOW AS INSTRUCTED.

D REFUSE TO CONTINUE BLOWING.

A/O READ THE IMPLIED CONSENT ON CAMERA.

D REFUSED TO CONTINUE AFTER THE I/C WAS READ TO HIM.

C/W READ ON CAMERA, D REFUSED THE Q&A.

SCANNED

MAY - 7 2022

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

I, A 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 6th day of May, 20 22, at 18:26 ☐ P.M. ☒ A.M.

DRIVER Dakota John Brown
 (Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# B650-170-90-281-0, state of FL, was placed under lawful arrest for

the offense of DUI- Normal Faculties Impaired by A Souther and
 (Name of Arresting Officer)

issued Citation # AG3VBEE

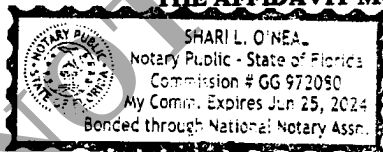
That on or about the 6th day of May, 20 22, at 19:42 ☐ P.M. ☒ A.M.

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)



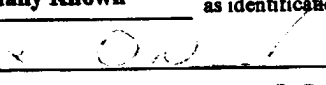
The foregoing instrument was sworn and subscribed before

me this 6th day of May, 20 22,

by A Souther,

who is personally known to me or who has produced

Personally Known as identification

Notary Public 

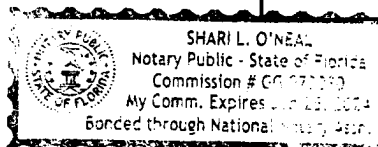
The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title Police Officer

Date 05/06/2022

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.



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

I, A 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 6th day of May, 20 22, at 18:26 ☐ P.M. ☒ A.M.

DRIVER Dakota John Brown
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# B650-170-90-281-0, state of FL, was placed under lawful arrest for

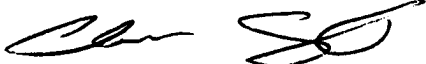
the offense of DUI- Normal Faculties Impaired by A Souther and
(Name of Arresting Officer)

issued Citation # AG3VBEE

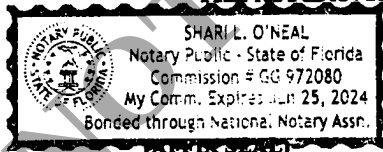
That on or about the 6th day of May, 20 22, at 19:42 ☐ P.M. ☒ A.M.

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 this 6th day of May, 20 22,

by A Souther,

who is personally known to me or who has produced

Personally Known as identification

Notary Public [Signature]

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title Police Officer

Date 05/06/2022

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.

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006238 Software: 8100.27
Date of Test: 05/06/2022

Date of Last Agency Inspection: 04/08/2022

Observation Period Began: 18:59

Subject's Name: DAKOTA J BROWN

DOB: 08/01/1990 Sex: M

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

Results:	Test	g/210L	Time
	Diagnostics Check	OK	19:35
	Air Blank	0.000	19:35
	Control Test	0.080	19:36
	Air Blank	0.000	19:36
	Subject Sample #1	VNM*	19:39
	Air Blank	0.000	19:40
	Air Blank	0.000	19:42
	Subject Sample #2	REF**	19:42
	Air Blank	0.000	19:43
	Control Test	0.076	19:43
	Air Blank	0.000	19:43
	Diagnostics Check	OK	19:43

*Volume Not Met (0.263 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**Subject Test Refused

Cylinder Lot: 29821080A4
Exp: 12/05/2023

State of Florida, County of Palm Beach

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

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

Breath Test Operator: _____ Date: 05-06-22
Signature

Sworn to (or affirmed) before me this 06 day of May, 2022
aw sb 9907 Ofc. Souther #9907
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 22.255 F.S.



**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: 2022011932

Date: 5/7/2022

Specialist Name/ID: Chantel Daniels/30347

SCANNED

MAY - 7 2022