

0527847

21CT20252

254

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 FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-21-134975							
Charge Type: Check as many as apply		1. Felony <input type="checkbox"/>		3. Misdemeanor <input type="checkbox"/>		5. Ordinance <input type="checkbox"/>		Weapon Seized / Type 2. Yes 1. No		Multiple Clearance Indicator 1	
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) LAKE WORTH RD AND S MILITARY TRAIL PALM SPRINGS FL						Location of Offense (Business Name, Address) LAKE WORTH ROAD AND S MILITARY TRAIL, PALM SPRINGS FL 33406					
Date of Arrest 12/06/2021		Time of Arrest 0137		Booking Date		Booking Time		Jail Date		Jail Time	
										Location of Vehicle TOT TINA VINGERALLE	
Name (Last, First, Middle) CLARK III, DONALD, EDWARD						Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White I - American Indian B - Black O - Oriental/Asian		Sex W M		Date of Birth 7/1/1984		Height 510		Weight 240		Eye Color BLU	
										Hair Color BRO	
										Complexion MED	
										Build MED	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) TAT CALF BOTH CALFS						Mental Status Single		Religion CATHOLIC		Indication of: Alcohol Influence Drug Influence Y <input type="checkbox"/> N <input type="checkbox"/> Unk. <input type="checkbox"/>	
Local Address (Street, Apt. Number) 1525 16TH AVENUE N, LAKE WORTH FL 33460						(City)		(State)		(Zip)	
Permanent Address (Street, Apt. Number)						(City)		(State)		(Zip)	
Business Address (Name, Street) 607 RIDGE RD LANTANA FL 33462						(City)		(State)		(Zip)	
D/L Number, State C462185842410,						Soc. Sec. Number		INS Number		Place of Birth (City, State) ORLANDO FL	
Citizenship US											
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth	
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth	
Parent Legal Custodian 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 defendant and / or defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) 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		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number 316.193(1)A	
N		N/A		21-134975		1				Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	
										Bond	
										Violation of ORD #	

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Copies		Jvenile	
ADMIN	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 21-134975				
	Charge Type: Check as many as apply.		1. Felony 2. Traffic Felony		3. Misdemeanor 4. Traffic Misdemeanor		5. Ordinance 6. Other		Special Notes:
CHARGES	Name (Last, First, Middle) Clark, Donald, Edward				Alias		Race W	Sex M	Date of Birth 7/1/1984
	Charge Description				Charge Description				
VICTIM	Charge Description				Charge Description				
	Victim's Name (Last, First, Middle) 75				Race		Sex	Date of Birth	
PROBABLE CAUSE STATEMENT	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. The Person taken into custody</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ <input type="checkbox"/> confessed to _____ that he/she saw the arrested person commit the below acts. <input type="checkbox"/> admitting to the below facts. <input type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the 6th day of December 20 21 at 0130 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p> <p>I observed a blue Ram truck bearing FL tag 62GMM traveling westbound in the 3900 block of Lake Worth Rd. The posted speed limit on Lake Worth Rd is 40 MPH, I observed the blue Ram truck speed up and paced it approximately quarter of a mile using my calibrated patrol vehicle. I paced the vehicle traveling 53 mph in a 40mph road.</p> <p>I initiated a traffic stop on the blue Ram truck bearing FL tag 62GMM by the intersection of Lake Worth Rd and Military Trail. I made contact with the driver and sole occupant positively identified via FL DL as Donald Clark (W/M DOB 07/01/1984). I advised Clark the reason for the stop. I asked Clark why he was speeding, to which he replied " I was talking to my girlfriend". Clark's speech was slurred and his eyes were droopy. As I spoke to Clark, smell of an unknown alcoholic beverage emanated from his breath. Clark provided me with his driver's license however when asked for his registration and insurance, he first looked in the glovebox, then the center console, then his pocket and briefly stopped. I once again asked if he had his registration and insurance, and he went back into the center console and provided me with the documents.</p> <p>Based on my observation and experience, I believed Clark was driving under the influence and requested for a DUI unit. Investigator E White 7209 arrived on scene and the investigation was turned over to him.</p> <p>This concludes my involvement in this case.</p>									
ADMINISTRATIVE	<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p>(Signature of Arresting/Investigative Officer) _____</p> <p>The foregoing instrument was sworn to or affirmed and subscribed before me this 6 day of December 20 21 by INS Y Agao ³⁷⁹⁸⁶</p> <p>(Print name of Arresting/Investigative Officer) who is personally known to me and/or produces identification. Type of identification produced _____</p> <p>INV. E.K. WHITE 7209</p> <p>Notary Public, Clerk of Court, Officer (F.S.S. 117.10)</p>								
	<p>PAGE _____ OF _____</p>								

DEC 07 2021

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	Juvenile	N
ADMIN	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 21-134975					
	Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes			
CHARGES / DEF	Name (Last, First, Middle) CLARK III, DONALD, EDWARD				Alias		Race W	Sex M	Date of Birth 7/1/1984	
	Charge Description DUI				316.193(1)A		Charge Description			
VICTIM	Victim's Name (Last, First, Middle)				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>The Person taken into custody</p> <p><input type="checkbox"/> committed the below acts in my presence.</p> <p><input type="checkbox"/> confessed to _____</p> <p>admitting to the below facts.</p> <p><input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>6</u> day of <u>DECEMBER</u> 20 <u>21</u> at <u>0119</u> <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p>										
<p>On Monday, December 6, 2021 at approximately 0140 hours, I responded to Lake Worth Road and South Military Trail, Palm Springs (Palm Beach County) Florida to assist Deputy Yasemin Agaoglu with a traffic stop that involved a possible impaired driver. Upon my arrival I noticed a blue Dodge Ram, bearing current Florida license plate "62 GMM", stopped in the El Bodegon plaza facing north. D/S Agaoglu's patrol vehicle was stopped behind it with her emergency lights activated. A white male subject was seated in the driver seat of pick up. He was the sole occupant. I made contact with D/S Agaoglu who told me the following regarding her encounter with the driver: I observed a blue Ram truck bearing FL tag 62GMM traveling westbound in the 3900 block of Lake Worth Rd. The posted speed limit on Lake Worth Rd is 40 MPH, I observed the blue Ram truck speed up and paced it approximately quarter of a mile using my calibrated patrol vehicle. I paced the vehicle traveling 53 mph in a 40mph road.</p> <p>I initiated a traffic stop on the blue Ram truck bearing FL tag 62GMM by the intersection of Lake Worth Rd and Military Trail. I made contact with the driver and sole occupant positively identified via FL DL as Donald Clark (W/M DOB 07/01/1984). I advised Clark the reason for the stop. I asked Clark why he was speeding, to which he replied " I was talking to my girlfriend". Clark's speech was slurred and his eyes were droopy. As I spoke to Clark, smell of an unknown alcoholic beverage emanated from his breath. Clark provided me with his driver's license however when asked for his registration and insurance, he first looked in the glovebox, then the center console, then his pocket and briefly stopped. I once again asked if he had his registration and insurance, and he went back into the center console and provided me with the documents. Based on my observation and experience, I believed Clark was driving under the influence and requested for a DUI unit. Investigator E White 7209 arrived on scene and the investigation was turned over to him. This concludes my involvement in this case: She wrote a sworn witness statement on a probable cause affidavit.</p> <p>I made contact with the driver who was currently sitting in the driver seat of the previously mentioned vehicle. He was later identified as Donald Edward Clark III by his Florida driver license. He stared straight ahead. I asked him to look at me. When he did I noticed his eyes were red, watery and glossy. His cheeks were flushed, mouth dry, and he slurred his speech while speaking. His movements were slow, calculated and lethargic. I could smell a strong odor of an unknown alcoholic beverage emanating from the inside of his vehicle.</p>										
<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p style="text-align: right;">INV E. K. WHITE</p> <p>(Signature of Arresting Investigative Officer)</p> <p>The foregoing instrument was sworn to or affirmed and subscribed before me this <u>6</u> day of <u>DECEMBER</u> 20 <u>21</u> by <u>INV E. K. WHITE</u></p> <p>(Print name of Arresting Investigative Officer), who is personally known to me and is duly qualified to administer oaths.</p> <p>Notary Public, Clerk of Court, Officer (F.S.S. 117.10)</p>										
<p style="text-align: center;">SHARI L. O'NEAL Notary Public - State of Florida Commission # GG 972080 My Comm. Expires Jun 25, 2024</p>										

SCANNED
DEC 07 2021

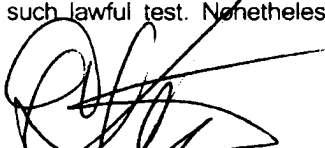
OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	Juvenile	N	
ADMIN	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 21-134975						
	Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes				
DEE	Name (Last, First, Middle) CLARK III, DONALD, EDWARD				Alias		Race W	Sex M	Date of Birth 7/1/1984		
	Charge Description DUI				316.193(1)A		Charge Description				
CHARGES	Charge Description				Charge Description						
	Charge Description				Charge Description						
VICTIM	Victim's Name (Last, First, Middle)						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
PROBABLE CAUSE STATEMENT	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 <input type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> confessed to _____ admitting to the below facts. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.										
	On the <u>6</u> day of <u>DECEMBER</u> , 20 <u>21</u> at <u>0119</u> <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)										
<p>He was wearing a ball cap with his sun glasses on top of the cap. He wore blue shorts, a black shirt and black sneakers. I told Mr. Clark he was stopped for exceeding the posted speed limit. After the deputy made contact with him she suspected him to had been drinking alcoholic beverages. I was asked to respond to the scene to assess him further for possibly being impaired. I told him I also had a suspicion that he had been drinking an unspecified amount of alcoholic beverages. He admitted to drinking. He further explained he had just left the Rum Shack and was going to visit his girlfriend. Based on my suspicion I asked if he would consent to performing Standardized Field Sobriety Evaluations (SFSTs) for the purpose of determining if he was impaired while operating a motor vehicle. He initially agreed to performing the tasks, but recanted when I attempted to administer HGN. He asked if it was mandatory for him to perform the tasks. I explained Taylor Warning informing the defendant that the SFSTs were voluntary and he did not have to perform them, however in the absence of his performance I would be only left with the physical evidence of impairment before me which could be strong basis for being placed under arrest for DUI. I also told him his refusal could be used against him in court. I asked if he understood the warnings. He said he understood but did not wish to perform the tasks. Thus, based on the deputy's observation of the defendant's vehicle in motion, to include her seeing signs of impairment on the driver after the stop, coupled with my observation of personal indicators of impairment exhibited by the defendant, probable cause was established for DUI. I told the defendant he was being placed under lawful arrest for DUI. He was searched and handcuffed (double locked and checked for tightness) prior to being seated into the rear of my patrol car. His girlfriend responded to the scene and took custody of his vehicle. Meanwhile I began transport to the main jail breath analysis facility for further processing. Upon our arrival I escorted the defendant into the facility and began a 20 minute observation period. During this time the defendant did not ingest anything into his body orally or otherwise. Neither did he regurgitate. I escorted him into the testing room and asked him to provide breath samples for the purpose of determining his alcohol content. He refused. I read him implied consent to his acknowledgment. I asked if he would reconsider and provide breath samples. He refused again and was deemed a "refusal". I advised him of his Miranda Rights and he told me he understood them. He declined to be interviewed. The defendant was cited for speeding by the stopping deputy and booked into the main jail for DUI.</p>											
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH				INV E. K. WHITE						
	(Signature of Arresting/Investigative Officer)										
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>6</u> day of <u>DECEMBER</u> , 20 <u>21</u> by <u>INV E. K. WHITE</u> (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced to me by _____ KNOWN										
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)				SHARI L. O'NEAL Notary Public - State of Florida Commission # GG 972080 My Comm. Expires JUN 25, 2024							

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

I, **Investigator LE EDWARD WHITE**, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)
am a member of **Palm Beach County Sheriffs Office**, and I do swear
(Name of enforcement agency)
or affirm that on or about the **SIXTH** day of **December**, **2021**, at **1:37 AM**
DRIVER **DONALD EDWARD CLARK**
(Type or Print) FIRST MIDDLE OR MAIDEN LAST
DL # **C462185842410**, state of **FL**, was placed under lawful arrest for
the offense of **DUI** by **Investigator LE EDWARD WHITE** and
(Name of Arresting Officer)
issued Citation # **AEA7WWE**

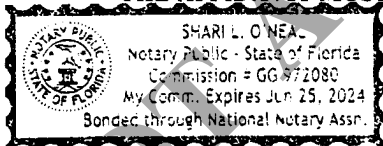
That on or about the **SIXTH** day of **December**, **2021**, at **2:44 AM**
in **Palm Beach** County,

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 (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)



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this **06** day of **December**, 20 **21**
by _____

who is personally known to me or who has produced
_____ 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.

SCANNED
DEC 07 2021

SUBJECT: Donald E. Clark III CASE NUMBER: 21-1172

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.

SCANNED
DEC 07 2021

SUSPECT'S SIGNATURE: (X) _____

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? _____ WHEN? _____ 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
DEC 07 2021

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: _____



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

PBSO CASE # 21-134975 PBSO ZONE PS 1-32
AGENCY CASE # _____ CRASH CASE # _____
TIME OF STOP/CRASH 0119 DATE 12/06/2021 DAY Monday
SUBJECT'S NAME CLARK III, DONALD, EDWARD RACE W SEX M
HGT 510 WGT 240 DOB 7/1/1984
LOCATION LAKE WORTH RD AND S MILITARY TRAIL PALM SPRINGS FL
ARRESTING OFFICER'S NAME & ID INV E. K. WHITE (7209) AGENCY Palm Beach County Sheriff's Office
DIVISION: CID/DUI NOTIFIED BY COMMO YES
ARRIVAL AT FACILITY 0220 HRS
ARREST TIME 0137

BREATH RESULTS:

1)	
2)	
3)	
4)	

REFUSED

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # /

SCANNED
DEC 07 2021

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 6 DAY OF DECEMBER 20 21, AT 0119 AM PM

SUBJECT: CLARK III, DONALD, EDWARD CASE NUMBER: 21-134975

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV E. K. WHITE

PERSONAL CONTACT

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

SEE PC AFFIDAVIT

OBSERVATION OF DRIVER:

SEE PC AFFIDAVIT

DRIVER'S STATEMENTS:

ADMITTED TO DRINKING AT THE RUM SHACK

ODORS:

STRONG ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE EMANATING FROM SUBJECT'S BREATH

GENERAL OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: NON COOPERATIVE, LETHARGY

CLOTHING: UNTIDY

MEDICAL/OTHER: KNEE ISSUE FROM A YEAR AGO

STATE OF FLORIDA
COUNTY OF PALM BEACH

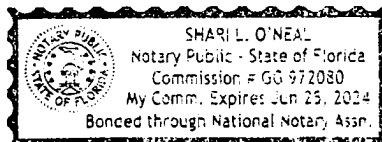
INV E. K. WHITE

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 6 day of DECEMBER 20 21 by INV E. K. WHITE

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

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



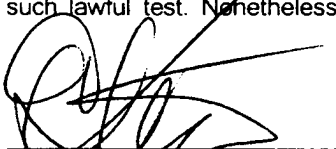
SCANNED
DEC 07 2021

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

I, **Investigator LE EDWARD WHITE**, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)
am a member of **Palm Beach County Sheriffs Office**, and I do swear
(Name of enforcement agency)
or affirm that on or about the **SIXTH** day of **December**, **2021**, at **1:37 AM**
DRIVER **DONALD EDWARD CLARK**
(Type or Print) **FIRST MIDDLE OR MAIDEN LAST**
DL # **C462185842410**, state of **FL**, was placed under lawful arrest for
the offense of **DUI** by **Investigator LE EDWARD WHITE** and
(Name of Arresting Officer)
issued Citation # **AEA7WWE**

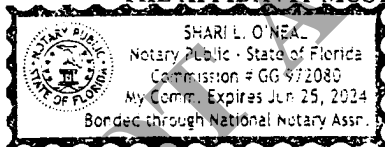
That on or about the **SIXTH** day of **December**, **2021**, at **2:44 AM**
in **Palm Beach** County,

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 (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)



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this **06** day of **December**, **20 21**
by _____

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

Notary Public Shari L. O'Neal

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.

SCANNED
DEC 07 2021

SUBJECT: CLARK III, DONALD, EDWARD CASE NUMBER 21-134975

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

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

Other Observations:

REFUSED TO PERFORM ALL TASKS

WALK & TURN:
REFUSED

ONE LEG STAND:
REFUSED

FINGER TO NOSE:
REFUSED

ROMBERG ALPHABET:
REFUSED

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

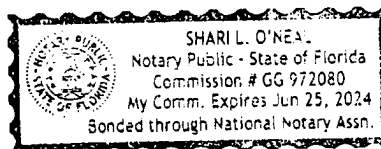
INV E. K. WHITE

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 6 day of DECEMBER, 2021 by INV E. K. WHITE

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

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



SCANNED
DEC 07 2021

WITNESS LIST

CASE NUMBER: 21-134975

ARRESTING OFFICER: INV E. K. WHITE

ADDRESS: HQ

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

CAN TESTIFY TO: FACTS

NAME: D/S YASAMIN AGAOGU

ADDRESS: DIST 1

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

CAN TESTIFY TO: STOPPING THE VEHICLE

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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: _____

SCANNED

DEC 07 2021

TESTING FACILITY TASK REPORT

AGENCY: PBSO INV. WHITE #7209

SUBJECT: CLARK III, DONALD E.

CASE NUMBER: 21-134975

DATE: 12-06-21

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 02:42 HRS

ENDING TIME: 02:45 HRS

BREATH TESTS RESULTS: 1) TIME 02:44 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: MUMBLED

ATTITUDE: CALM, QUIET, COOPERATIVE

CLOTHING: SHIRT- BLACK SHORTS-BLUE

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: RED, GLASSY

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O WHITE #7209
A/O REQUESTED THE BREATH TEST.
D REFUSED THE BREATH REQUEST.
A/O READ THE IMPLIED CONSENT ON CAMERA.
D UNDERSTOOD THE I/C AS READ.
D STILL REFUSED THE BREATH REQUEST AFTER THE I/C WAS READ TO HIM.
C/W READ ON CAMERA, D REFUSED Q&A.

SCANNED

DEC 07 2021



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021030644	Date: 12/7/2021
	Specialist Name/ID: A. Pinkney/7796

SCANNED
DEC 07 2021