

200715366

ARREST / NOTICE TO APPEAR  
Juvenile Referral Report

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

1  
Juvenile  N

OBTS Number	Agency ORI Number <b>FLO 502600</b>		Agency Name <b>PALM BEACH GARDENS POLICE DEPARTMENT</b>		Agency Report Number (N.T.A.'s only) <b>78- 20005313</b>	
Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator
Location of Arrest (Including Name of Business) <b>ALT A1A/RCA BLVD, PBG, FL</b>			Location of Offense (Business Name, Address) <b>RCA BLVD/ALT A1A, PBG, FL</b>			
Date of Arrest <b>11/28/2020</b>	Time of Arrest <b>00:39</b>	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle <b>KAUFF'S TOWING &amp; RECOVERY 4301 East Avenue, West Palm Beach, FL 33405</b>

Name (Last, First, Middle) <b>PAGANO, DONALD, JOSEPH</b>						Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White I - American Indian B - Black O - Oriental/Asian	Sex <b>M</b>	Date of Birth <b>04/06/1955</b>	Height <b>5'9</b>	Weight <b>230</b>	Eye Color <b>BRO</b>	Hair Color <b>BLD</b>	Complexion <b>LGT</b>	Build <b>LARGE</b>			
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>TAT LEFT SHOULDER</b>						Marital Status <b>SINGLE</b>	Religion <b>CHRISTIAN</b>	Indication of Alcohol Influence Drug Influence Y <input checked="" type="checkbox"/> N <input type="checkbox"/> Unk. <input type="checkbox"/>			
Local Address (Street, Apt. Number) (City) (State) (Zip) <b>743 SANCTUARY COVE DR NORTH PALM BEACH, FL 33410</b>			Phone <b>(954) 592-0542</b>			Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>2</b>					
Permanent Address (Street, Apt. Number) (City) (State) (Zip) <b>743 SANCTUARY COVE DR NORTH PALM BEACH, FL 33410</b>			Phone <b>( )</b>			Address Source <b>VERBAL</b>					
Business Address (Name, Street) (City) (State) (Zip) <b>( )</b>			Phone <b>( )</b>			Occupation					
D/L Number, State <b>P250190551260 FL</b>		INS Number		Place of Birth (City, State) <b>NEWARK, NJ</b>		Citizenship <b>US</b>					

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile

<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:	Name (Last) (First) (Middle)	Residence Phone
Address (Street, Apt. Number) (City) (State) (Zip)	Business Phone	
Notified by: (Name)	Date	Time
Released To: (Name)	Relationship	Date
The above address provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)		School Attended
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 T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetics	U. Unknown Z. Other
Charge Description <b>DRIVING UNDER THE INFLUENCE</b>		Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number <b>316.193(1)(A)</b>		Violation of ORD #				
Drug Activity <b>N</b>	Drug Type <b>N</b>	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				

Location (Court Room Number, Address) <b>NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700</b>					
Court Date and Time Month <b>DECEMBER</b> Day <b>30</b> Year <b>2020</b> Time <b>10:00</b> AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>					
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 <b>11/28/2020</b>	

HOLD for other Agency Name:	Signature of Arresting Officer <b>Andrew Flink 514</b>	Name Verification (Printed by Arrestee) <b>NOV 28 AM 4:37</b>
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:	(PRINT)
Arresting Officer <b>ANDREW FLINK</b>	ID # <b>514</b>	Agency <b>PBPGD</b>
Witness here if subject signed with an 'X'	1 OF 1	

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)

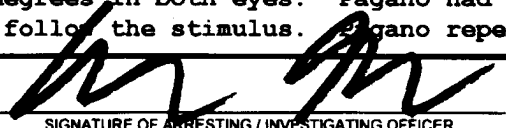
J# 0479013

PH 1472

PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

A D M I N I S T R A T I V E	OBTS Number		Agency ORI Number <b>FL 0502600</b>		Agency Name <b>PALM BEACH GARDENS POLICE</b>		Agency Report Number <b>7 8 20-005313</b>		
	Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes:		Name (Last, First, Middle) <b>PAGANO, DONALD JOSEPH</b>		Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>04/06/1955</b>
C H A R G E S	Charge Description <b>316.193(1)(A) DUI - DRIVING UNDER THE INFLUENCE/NORMAL</b>		Charge Description		Victim's Name (Last, First, Middle) <b>State Of Florida</b>		Race	Sex	Date of Birth
	Charge Description		Charge Description		Local Address (Street, Apt. Number) (City) (State) (Zip)		Phone	Address Source	
V I C T I M	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 checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>28</u> day of <u>November</u>, <u>2020</u> at <u>00:35</u> (Specifically include facts constituting cause for arrest.)</p> <p>On 11/28/2020 at approximately 0035 hours this Officer arrived in the area of Alt A1A and RCA Blvd, PBG, FL to assist Ofc Koegel 456 with a traffic stop. Body worn camera in car video were used.</p> <p>Ofc Koegel said he observed an individual unconscious behind the wheel of a vehicle, a Hyundai sedan (HPIF67/FL) in the east bound lanes of RCA Blvd just west of the train tracks adjacent to Alt A1A, PBG, FL. Ofc Koegel said the traffic light cycled, then eventually the vehicle went in motion north bound on Alt A1A from the intersection. Ofc Koegel initiated a traffic stop on the vehicle just south of Legacy Av on Alt A1A, PBG, FL. This Officer made contact with the driver and sole occupant of the vehicle, identified via Florida Driver License photo, Donald Pagano (SU), while he was still in actual physical control of the vehicle.</p> <p>Pagano had bloodshot watery eyes, slow slurred speech, flushed red face and the strong obvious odor of an unknown alcoholic beverage emanating from his breath at conversational distance. The odor increased in intensity as Pagano spoke with this Officer. Pagano said he was coming from "By Singer Island". When asked how much he's had to drink tonight, he replied "just a couple, I am tired".</p> <p>Based on this Officer's observation's, Pagano was asked to participate in Standardized Field Sobriety Exercises, to which he complied. Pagano said he did not have any medical conditions which would affect the exercises performed.</p> <p>The first exercise conducted, was the Horizontal Gaze Nystagmus. The stimulus used, was a Streamlight Stylus. This Officer observed lack of smooth pursuit in both eyes. This Officer also observed sustained involuntary jerking in both eyes at maximum deviation, as well as the onset of Nystagmus prior to 45 degrees in both eyes. Pagano had to be told multiple times to keep his head still and follow the stimulus. Pagano repeatedly</p>								
A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME		SIGNATURE OF ARRESTING / INVESTIGATING OFFICER		NAME OF OFFICER (PLEASE PRINT)		DATE		PAGE 1 OF 2
	<b>CESARK, KIM</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <u>11/28/2020</u> DATE		 <b>FLINK, ANDREW S (514)</b>		<b>11/28/2020</b> DATE				

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

1 JUVENILE

OBTS Number		
Agency ORI Number	Agency Name	Agency Report Number
<b>FL 0502600</b>	<b>PALM BEACH GARDENS POLICE</b>	<b>7 8 20-005313</b>
Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	Special Notes:

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
<b>PAGANO, DONALD JOSEPH</b>		<b>W</b>	<b>M</b>	<b>04/06/1955</b>

looked at this Officer rather than the stimulus. All observations were made while Pagano was following instructions.


The next exercise conducted, was the Walk and Turn. The line used, was a strip of yellow tape placed upon the sidewalk by this Officer. During the first set of steps, Pagano missed heel-to-toe on multiple steps. During the turnaround, Pagano pivoted on both feet then lost his balance and stumbled backward almost falling to the sidewalk. During the return set of steps, Pagano again missed heel-to-toe on multiple steps and took seven steps rather than nine. After the seventh step, Pagano stumbled to his left off the line.

The next exercise conducted, was the One-Leg Stand. During the exercise, Pagano raised his right foot then asked for further instructions. Pagano placed his foot down multiple times and raised his arms more than six inches from his sides. Through the exercise, Pagano was not counting aloud nor looking down at the raised foot.

Based on this Officer's observations, Pagano was placed under arrest at 0039 hours. During a search of Pagano's person, incident-to-arrest, this Officer discovered five receipts in both of Pagano's front pockets. Two of the receipts were from "Improv/Copper Blues" in West Palm Beach, for two "Titos Rocks Pour" totaling \$13.91, on 11/27/2020 at 2303 hours. The accompanying receipt from the location was a proof of payment receipt from a credit card bearing Pagano's name. Two other receipts were from "City Cellar Wine Bar & Grill", on 11/27/2020 at 1947 hours, for three Tito Vodka and a food item, totaling \$57.25. The accompanying receipt from the location was a proof of payment receipt bearing the same credit card number as the Improv receipt. The fifth receipt was only a proof of payment receipt from Twisted Trunk at 1804 hours for unknown items totaling \$4.50. These receipts were seized as evidence related to this case and booked into property.

At the PBSO BAT, this Officer requested Pagano to provide a breath sample for the purpose of determining its alcohol content, to which he requested legal counsel. This Officer read Florida Implied Consent to Pagano, to which he talked over this Officer and claimed to not understand without legal representation. This Officer read Florida Implied Consent to Pagano again, to which he did the same thing. This Officer then attempted to explain Florida Implied Consent to Pagano, to which he still argued. This Officer accepted the lack of cooperation as a refusal at 0146 hours.

Based on the results of the investigation, this Officer has probable cause to prove Bradley Williams knowingly operated a motor vehicle, in the state of Florida, while under the influence of alcohol, in violation of FSS 316.193(1)(C).

SWORN AND SUBSCRIBED BEFORE ME	
<b>CESARK, KIM</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
<b>11/28/2020</b> DATE	<b>FLINK, ANDREW S (514)</b> NAME OF OFFICER (PLEASE PRINT)
	<b>11/28/2020</b> DATE

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 28TH DAY OF NOVEMBER 20 20, AT 0017  AM  PM

SUBJECT: PAGANO, DONALD, JOSEPH CASE NUMBER: 20005313

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. ANDREW FLINK 514

## PERSONAL CONTACT

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

Ofc Koegel 456 said he observed an individual unconscious behind the wheel of a vehicle, a Hyundai sedan (HPIF67/FL) in the east bound lanes of RCA Blvd just west of the train tracks adjacent to Alt A1A, PBG, FL. Ofc Koegel said the traffic light cycled, then eventually the vehicle went in motion north bound on Alt A1A from the intersection. Ofc Koegel initiated a traffic stop on the vehicle just south of Legacy Av on Alt A1A, PBG, FL. This Officer made contact with the driver and sole occupant of the vehicle, identified via Florida Driver License photo, Donald Pagano, while he was still in actual physical control of the vehicle.

## OBSERVATION OF DRIVER:

Pagano had bloodshot watery eyes, slow slurred speech, flushed red face and the strong obvious odor of an unknown alcoholic beverage emanating from his breath at conversational distance. The odor increased in intensity as Pagano spoke with this Officer.

## DRIVER'S STATEMENTS:

Pagano said he was coming from "By Singer Island". When asked how much he's had to drink tonight, he replied "just a couple, I am tired".

## ODORS:

Unknown alcoholic beverage

## GENERAL OBSERVATIONS

**SPEECH:** Slow slurred

**ATTITUDE:** Mood swings, argumentative

**CLOTHING:** Red shirt, blue jeans, black sneakers

**MEDICAL/OTHER:** High blood pressure

STATE OF FLORIDA  
COUNTY OF PALM BEACH

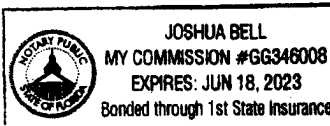
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 28th day of November 20 20 by Ofc. ANDREW FLINK

(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)



**ROADSIDE TASKS**

**HORIZONTAL GAZE NYSTAGMUS:**

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

**Other Observations:**

**Pagano had to be told multiple times to keep his head still and follow the stimulus. Pagano repeatedly looked at this Officer rather than the stimulus. All observations were made while Pagano was following instructions.**

**WALK & TURN:**

**During the first set of steps, Pagano missed heel-to-toe on multiple steps. During the turnaround, Pagano pivoted on both feet then lost his balance and stumbled backward almost falling to the sidewalk. During the return set of steps, Pagano again missed heel-to-toe on multiple steps and took seven steps rather than nine. After the seventh step, Pagano stumbled to his left off the line.**

**ONE LEG STAND:**

**During the exercise, Pagano raised his right foot then asked for further instructions. Pagano placed his foot down multiple times and raised his arms more than six inches from his sides. Through the exercise, Pagano was not counting aloud nor looking down at the raised foot.**

**ROMBERG ALPHABET:**

**Not conducted**

**FINGER TO NOSE:**

**Not conducted**

**BREATH TEST RESULTS:** 1) REF 2) REF 3) - 4) -

STATE OF FLORIDA  
COUNTY OF MIAMI BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 28th day of November 2020 by Ofc. ANDREW FLINK

(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)



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



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

PBSO CASE # 20-131192 PBSO ZONE 3-13

AGENCY CASE # 20005313 CRASH CASE # \_\_\_\_\_

TIME OF STOP/CRASH 0017 DATE 11/28/2020 DAY SATURDAY

SUBJECT'S NAME PAGANO DONALD JOSEPH RACE W SEX M  
LAST FIRST MID

HGT 5'9 WGT 230 DOB 04/06/1955

LOCATION ALT A1A/RCA BLVD, PBG, FL

ARRESTING OFFICER'S NAME & ID Ofc. ANDREW FLINK 514 AGENCY PBGPD

DIVISION: TRAFFIC UNIT

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 0118

ARREST TIME 00:39

BREATH RESULTS:

**REFUSED**

3) - \_\_\_\_\_

4) - \_\_\_\_\_

NOT A CERTIFIED COPY

BREATH TEST OPERATOR: 8656

# TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: PAGANO, DONALD JOSEPH

CASE NUMBER: 20-131192

DATE: Nov 28, 2020

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0143

ENDING TIME: 0146

BREATH TESTS RESULTS: 1) R TIME 146 A.M.  P.M.  2) N/A TIME XX A.M.  P.M.

**REFUSED**

3) N/A TIME XX A.M.  P.M.  4) N/A TIME XX A.M.  P.M.

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: ARGUMENTATIVE

CLOTHING: RED LONG SLEEVE SHIRT, BLUE JEANS, BLACK SNEAKERS

MEDICAL CONDITIONS: HIGH BLOOD PRESSURE, ELBOW ISSUE

MEDICATIONS: ANTI INFLAMATORY, BLOOD PRESSURE MEDICATION, ANTIBIOTICS

## OTHER:

EYES: BLODDSHOT, GLASSY  
ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

## COMMENTS:

ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0118 HOURS

SUBJECT STATED HE WOULD NOT TAKE BREATH TEST

A/O READ I.C 2 TIMES AND EXPLAINED  
SUBJECT STATED HE NEVER HEARD OF SUCH A THING AND AGAIN STATED HE WOULD NOT TAKE A BREATH TEST

A/O CALLED A REFUSAL AT 0146

A/O DID NOT READ RIGHTS SUBJECT ASKED FOR A LAWYER

Q AND A NOT CONDUCTED

**REFUSED**

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

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

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

or affirm that on or about the 28TH day of NOVEMBER, 20 20, at 00:39 P.M. A.M.

DRIVER DONALD JOSEPH PAGANO
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# P250190551260, state of FL, was placed under lawful arrest for
the offense of DRIVING UNDER THE INFLUENCE by Ofc. ANDREW FLINK and
issued Citation # A56HEYE
(Name of Arresting Officer)

That on or about the 28TH day of NOVEMBER, 20 20, at 0146 P.M. A.M.
in PALM BEACH County,

I requested that the driver submit to a X 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:

Signature of Attesting Officer

Title

Date 11/28/2020

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this 28th day of November, 20 20,

by Ofc. ANDREW FLINK,

who is personally known to me or who has produced

Personally Known 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.

SUBJECT: Pagnano, Donald Joseph CASE NUMBER: 20005313

**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 FINE of the TRUST

If you fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a first refusal, or eighteen (18) months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

SUBJECT'S SIGNATURE: (X) Read on camera Ref 0146

**CONSTITUTIONAL WARNINGS**

**I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:**

1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: (X) Read on camera

SUBJECT: Pagano, Donald Joseph CASE NUMBER: 20005313

### QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OF, ALL OF, OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DO YOU HAVE:     EPILEPSY?     \_\_\_\_\_

                      GLASS EYE?     \_\_\_\_\_

                      FALSE TEETH?    \_\_\_\_\_

                      EAR INFECTION?    \_\_\_\_\_

                      INNER EAR TROUBLE? \_\_\_\_\_

                      DIABETES?        \_\_\_\_\_

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

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

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

INTERVIEWER: OFC. A. Flink #514



# 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: 2020027858

Date: 11/29/2020

Specialist Name/ID: B Evans / 23649