

0522564

21CT5870

338

NH

AD M I N I S T R A T I O N	OBTS Number		ARREST / NOTICE TO APPEAR		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	Agency ORI Number <b>0500400</b>		Agency Name <b>Delray Beach Police Department</b>		Agency Report Number (N.T.A.'s only) <b>4, 0   21-004472</b>							
	Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type: <b>None/not Applicable</b>		Multiple Clearance Indicator: <b>1</b>							
	Location of Arrest (Including Name of Business) <b>622 SE 6TH AVE DELRAY BEACH, FL 33483</b>				Location of Offense (Business Name, Address) <b>622 SE 6TH AVE, DELRAY BEACH, FL 33483</b>							
	Date of Arrest <b>04/09/2021</b>	Time of Arrest <b>00:02</b>	Booking Date <b>04/09/2021</b>	Booking Time <b>00:12</b>	Jail Date <b>04/09/2021</b>	Jail Time <b>02:50</b>	Location of Vehicle <b>622 SE 6TH AVE DELRAY</b>					
	Name (Last, First, Middle) <b>KELSO, DRAKE PATRICK LEWIS</b>				Alias: _____							
	Race W - White B - Black O - Oriental/Asian <b>W</b>				Sex <b>M</b>	Date of Birth <b>04/28/1992</b>	Height <b>6'00</b>	Weight <b>210</b>	Eye Color <b>BLUE</b>	Hair Color <b>BROWN</b>	Complexion <b>LIGHT</b>	Build <b>LARGE</b>
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status <b>M</b>	Religion <b>NON-DENOMI</b>	Indication of: Alcohol Influence Drug Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>					
	Local Address (Street, Apt. Number) <b>7481 ROSEWOOD CIR, BOCA RATON, FL 33487</b>				(City)	(State)	(Zip)	Phone <b>(561) 703-2171</b>	Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>2</b>			
	Permanent Address (Street, Apt. Number) <b>7481 ROSEWOOD CIR, BOCA RATON, FL 33487</b>				(City)	(State)	(Zip)	Phone <b>(561) 703-2171</b>	Address Source <b>FL DL</b>			
	Business Address (Name, Street) _____				(City)	(State)	(Zip)	Phone _____	Occupation <b>Golf Instructor</b>			
DL Number, State <b>K420175921480 / FL</b>		Social Security Number _____		INS Number _____		Place of Birth (City, State) <b>KNOXVILLE, TN,</b>		Citizenship <b>US</b>				
C O D E F	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				
	Name (Last, First, Middle) _____				Residence Phone _____				Business Phone _____			
	Address (Street, Apt. Number) _____				(City)	(State)	(Zip)	Notified by: (Name) _____				
	Released To: (Name) _____				Relationship <b>(11) OK</b>	Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated				
	The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.				School Attended _____				Grade _____			
	Property Crime? <input type="checkbox"/> Yes <input checked="" 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. Disperse/ 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. Pseudoephedrine/ Equipment S. Synthetic U. Unknown Z. Other				Statute Violation Number <b>316.193(1A)</b>			
	Charge Description <b>DRIVING WHILE UNDER INFLUENCE</b>				Statute Violation Number <b>316.193(1A)</b>				Violation of ORD # _____			
	Drug Activity <b>N</b>				Drug Type <b>N</b>	Amount / Unit <b>/</b>	Offense # _____	Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number _____		
C H A R G E	Charge Description _____				Statute Violation Number _____				Violation of ORD # _____			
	Drug Activity _____				Drug Type _____	Amount / Unit _____	Offense # _____	Counts _____	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number _____		
	Charge Description _____				Statute Violation Number _____				Violation of ORD # _____			
	Drug Activity _____				Drug Type _____	Amount / Unit _____	Offense # _____	Counts _____	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number _____		
	Health / Apparent Physical Condition of Defendant _____				Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries Explain: _____							
	Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input checked="" type="checkbox"/> T.O.T. County Jail <input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health				PROPERTY - Received By _____				Released By _____			
	Transported By _____				Date Transported _____				Time Transported _____			
	INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.				Location (Court, Room) <b>South County 200 W Atlantic Ave Delray Beach, FL 33444</b>				Court Date and Time <b>05/06/2021 08:30:00</b>			
	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.				Signature of Defendant (or Juvenile and Parent/Custodian) _____				Date Signed _____			
	A D M I N	HOLD for Other Agency				Signature of Arresting Officer <b>WINDSOR, NICHOLAS</b>				Name Verification (Printed by Arrestee) _____		
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other				Name of Arresting Officer (Print) <b>WINDSOR, NICHOLAS</b>				(PRINT) _____				
Fouch # <b>7206</b>				ID # <b>1029</b>				PAGE <b>1 OF 1</b>				

☐ COURT ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ DEFENDANT

APR 09 2021

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 8TH DAY OF APRIL 20 21 AT 2324 PM  
SUBJECT: KELSO, DRAKE PATRICK LEWIS CASE NUMBER: 21-004472  
AGENCY: DELRAY BEACH PD ARRESTING OFFICER: WINDSOR #1029

## PERSONAL CONTACT

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

The following occurred in the City of Delray Beach, County of Palm Beach, FL.

On 04/08/21 at 2324hrs a report of a possible impaired driver was made to DBPD Dispatch. The complainant/witness (Hyndman) stated he spoke with a male near the Acura Dealership (655 NE 6th Ave., Delray Beach, FL 33483). Hyndman stated the male was intoxicated and entered a gray Jeep Wrangler. Hyndman followed the Jeep southbound on NE/SE 5th Ave. Hyndman stated the Jeep made a U-turn in the 1200 block of S. Federal Hwy. and traveled northbound. Hyndman followed the Jeep northbound and witnessed the Jeep enter the parking lot at 622 SE 6th Ave. I met with Hyndman in the 500 block SE 6th St. Hyndman pointed out the parking lot the Jeep was in and I entered the parking lot. I observed a gray Jeep Wrangler (FL Tag #Z29BHL) with no lights on and parked in a handicap parking space. I observed a white male driver who was attempting to untangle a phone charge cable. There was nobody else inside the Jeep. The Jeep's engine was running and vehicle key fob was inside the vehicle. I identified the white male driver by his FL DL as Drake Patrick Lewis Kelso.

## OBSERVATION OF DRIVER:

When I met with Kelso, I immediately smelled an odor of an unknown alcoholic beverage coming from Kelso. Kelso was attempting to untangle a phone charge cable and seemed to be having difficulty accomplishing this task. When I requested Kelso's identification, Kelso had difficulty removing his DL from his wallet and almost dropped his DL while handing it to me. Kelso's eyes were red and had a glassy appearance. Kelso's pupils had a slow reaction to changes in light. Kelso's speech was slurred and he mumbled his words. After exiting the Jeep, Kelso stumbled under his own power. Kelso swayed in a circular motion while standing still.

## DRIVER'S STATEMENTS:

Kelso stated he started driving in the area of "Okeechobee Blvd. and Federal Hwy." Kelso stated he teaches golf and when his shift was over, he started to consume beers. Kelso stated he started drinking beer around 1730hrs and he finished his last beer two to three hours prior to the traffic stop. I asked Kelso if he knew what time it was and he replied 2130hrs or 2200hrs. Kelso stated he consumed seven to eight draft beers prior to driving. I asked Kelso if he knew where he was and he replied "West Palm Beach near Belvedere and Federal". I asked Kelso why he was stopped in a parking lot of a closed business and he replied he was on his way home to Boca Raton, FL when he realized he was drunk. Kelso stated he is prescribed Adderall and last took this medication in the morning. Kelso stated Adderall does not affect his ability to operate a motor vehicle and he had no medical conditions. When Kelso was looking for his DL in his wallet, I observed a FL CCW ID card and asked Kelso if he had a weapon on him or in the vehicle. Kelso stated a handgun was in the glove compartment. I attempted to locate the handgun for safety concerns and there was no handgun located in the Jeep. I asked Kelso when he last saw his handgun and he replied "two to three years ago". I asked Kelso what color his handgun was and he replied "I don't remember".

## ODORS:

Kelso had an odor of an unknown alcoholic beverage coming from his person.

## GENERAL OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Polite and Respectful

CLOTHING: Pink Shirt, Blue Shorts, White Shoes

MEDICAL/OTHER: None Stated / Prescribed Adderall

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

9th

day of

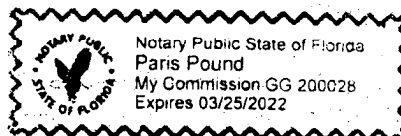
April

20

by Ofc. Windsor #1029

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

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



SCANNED

APR 09 2021

SUBJECT: KELSO, DRAKE PATRICK LEWIS CASE NUMBER DBPD #21-004472

**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:**

Kelso swayed while standing still. Kelso moved his head and had to be instructed to keep his head still.

**WALK & TURN:**

Kelso swayed while standing still. Kelso lost his balance after being placed in the instructional phase position. Kelso started to walk without counting. Kelso did not touch heel to tow on several steps. Kelso took more than nine steps on each series of steps. Kelso used his arms for balance.

**ONE LEG STAND:**

Kelso swayed while standing still. Kelso put his foot down several times. Kelso used his arms for balance. Kelso counted improperly and out of sequence.

**FINGER TO NOSE:**

Kelso swayed while standing still. On my first command, Kelso raised the correct finger but did not attempt to touch his nose. Kelso opened his eyes and asked if he was supposed to touch his nose. Kelso missed touching the tip of his nose several times.

**ROMBERG ALPHABET:**

Kelso swayed while standing still. Kelso did not recite the alphabet in a nonrhythmic manner as instructed.

**BREATH TEST RESULTS:** (1) Refused (2) (3) (4)

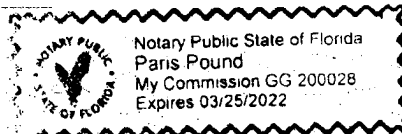
STATE OF FLORIDA  
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 9th day of April, 2021 by Ofc. Windsor #1029

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

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



SCANNED  
APR 09 2021

## WITNESS LIST

CASE NUMBER: DBPD #21-004472

ARRESTING OFFICER: OFC. WINDSOR #1029 DELRAY BEACH POLICE DEPARTMENT

ADDRESS: 300 W ATLANTIC AVE DELRAY BEACH, FL 33444

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) 561-243-7800

CAN TESTIFY TO: DUI PC AND TRAFFIC STOP

NAME: OFC. MASI #1134 DELRAY BEACH POLICE DEPARTMENT

ADDRESS: 300 W ATLANTIC AVE. DELRAY BEACH, FL 33444

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) 561-243-7800

CAN TESTIFY TO: BACKUP OFFICER AND VEHICLE TOW

NAME: OFC. KITZEROW #1091 DELRAY BEACH POLICE DEPARTMENT

ADDRESS: 300 W ATLANTIC AVE DELRAY BEACH, FL 33444

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) 561-243-7800

CAN TESTIFY TO: BACKUP OFFICER

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: \_\_\_\_\_

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

ADDRESS \_\_\_\_\_

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

CAN TESTIFY TO: \_\_\_\_\_

SCANNED

APR 09 2021

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

I, Nicholas Windsor, a duly certified Law Enforcement Officer or Correctional Officer,  
(Name of Officer reading Implied Consent Warning)

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

or affirm that on or about the 9th day of April, 20 21, at 0002 ☐ P.M. ☒ A.M.

DRIVER Drake Patrick Lewis Kelso  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

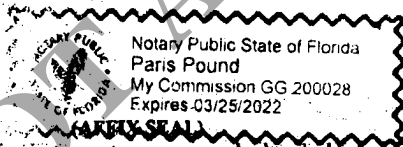
DL# K420175921480, state of Florida, was placed under lawful arrest for  
the offense of Driving Under the Influence by Ofc. Windsor #1029 and  
issued Citation # A1UR9BE  
(Name of Arresting Officer)

That on or about the 9th day of April, 20 21, at 0057 ☐ P.M. ☒ A.M.  
in Palm Beach County.

I requested that the driver submit to a ☒ breath and/or ☐ urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

[Signature]  
Signature of Law Enforcement Officer or  
Correctional Officer

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



The foregoing instrument was sworn and subscribed before

me this 9 day of April, 20 21

by \_\_\_\_\_

who is personally known to me or who has produced

\_\_\_\_\_ as identification

Notary Public [Signature]

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

APR 09 2021



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

PBSO CASE # 21-053563 PBSO ZONE 4-11  
AGENCY CASE # 21-004472 CRASH CASE # N/A  
TIME OF STOP/CRASH 2324 DATE 04/08/21 DAY THURSDAY  
SUBJECT'S NAME KELSO, DRAKE PATRICK LEWIS RACE W SEX M  
HGT 6'00" WGT 210 DOB 04/28/92  
LOCATION 622 SE 6TH AVE., DELRAY BEACH, FL  
ARRESTING OFFICER'S NAME & ID WINDSOR #1029 AGENCY DELRAY BEACH PD  
DIVISION: CRD NOTIFIED BY COMMO YES  
ARRIVAL AT FACILITY 0030  
BREATH RESULTS: ARREST TIME 0002  
1) \_\_\_\_\_  
2) \_\_\_\_\_  
3) \_\_\_\_\_  
4) \_\_\_\_\_  
TESTING OFFICER'S ID 24639 PBSO VIDEOTAPE # N/A

SCANNED

APR 09 2021

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: 80-006029 Software: 8100.27  
Date of Test: 04/09/2021

Date of Last Agency Inspection: 03/12/2021

Observation Period Began: 00:30

Subject's Name: DRAKE P KELSO

DOB: 04/28/1992 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	00:55
	Air Blank	0.000	00:56
	Control Test	0.079	00:56
	Air Blank	0.000	00:57
	Subject Sample #1	REF*	00:57
	Air Blank	0.000	00:57
	Control Test	0.079	00:58
	Air Blank	0.000	00:58
	Diagnostics Check	OK	00:58

\*Subject Test Refused

Cylinder Lot: 14020080A1  
Exp: 07/05/2022

State of Florida, County of Palm Beach

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

I PARIS D POUND, 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:                                 

Signature

Date: 04/09/21

Sworn to (or affirmed) before me this 9th day of April, 2021

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 322.2615, F.S.

# TESTING FACILITY TASK REPORT

AGENCY: DBPD

SUBJECT: KELSO, DRAKE P

CASE NUMBER: 21-053563

DATE: Apr 9, 2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:52

ENDING TIME: 00:58

BREATH TESTS RESULTS: 1) R TIME 00:57 A.M. ☒ P.M. ☐ 2) N/A TIME N/A A.M. ☐ P.M. ☐  
3) N/A TIME N/A A.M. ☐ P.M. ☐ 4) N/A TIME N/A A.M. ☐ P.M. ☐

BREATH OPERATOR: P.POUND #24639

MAINTENANCE TECHNICIAN: J. KARLECKE# 6467

## TESTING OFFICER'S OBSERVATIONS

**REFUSED**

SPEECH: SLURRED

ATTITUDE: CALM, TALKATIVE

CLOTHING: BLUE SHORTS, PINK SHIRT, WHITE SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

## OTHER:

EYES: GLASSY AND BLOODSHOT

## COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 00:30 HRS.

SUBJECT: AGREED TO TAKE TEST

TECH: STARTED GIVING INSTRUCTIONS SUBJECT ASKED WHAT HAPPENS IF HE DO NOT TAKE TEST.

A/O: READ I/C

SUBJECT: STATED HE UNDERSTOOD I/C AND REFUSED TO TAKE TEST

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

A/O: ATTEMPTED Q&A

SUBJECT: REFUSED QUESTIONS

SCANNED

APR 09 2021

**REFUSED**



SUBJECT: ALCOHOL DRUG P CASE NUMBER: DBPD 21-114472

## 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 ALCOHOL DRUG P of the DBPD 21-114472

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

APR 09 2021

SUSPECT'S SIGNATURE: (X) \_\_\_\_\_

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

SUBJECT: Accident involving CASE NUMBER: DISPD 21-104472

## 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: OFF LINDSAY #1029 DISPD

WHITE - STATE ATTY.      YELLOW - DHSMV      PINK - CENTRAL RECORDS      GOLD - JAIL



**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: 2021008557	Date: 04/09/2021
	Specialist Name/ID: T Howard/7185

SCANNED  
APR 09 2021