

0522535

50-2021-CT-005720-ANB  
ARREST / NOTICE TO APPEAR

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

|  |  |   |  |   |  |  |
|--|--|---|--|---|--|--|
| OBTS Number  | Agency ORI Number<br><b>0501700</b>  |   | Agency Name<br><b>Jupiter Police Department</b>  |   | Agency Report Number (N.T.A.'s only)<br><b>514 21-001201</b> |  |
| Charge Type:<br>Check as many as apply   | <input type="checkbox"/> 1. Felony<br><input type="checkbox"/> 2. Traffic Felony | <input type="checkbox"/> 3. Misdemeanor<br><input checked="" type="checkbox"/> 4. Traffic Misdemeanor | <input type="checkbox"/> 5. Ordinance<br><input type="checkbox"/> 6. Other                             | If Weapon Seized<br>Enter Type <b>UNARMED</b> |  | Multiple Clearance Indicator<br><b>1</b> |
| Location of Arrest (Including Name of Business)<br><b>7449 W INDIANTOWN RD JUPITER, FL 33458</b> |  |   | Location of Offense (Business Name, Address)<br><b>7449 W INDIANTOWN RD/INTERSTATE 95, JUPITER, FL</b> |   |  |  |
| Date of Arrest<br><b>04/07/2021</b>  | Time of Arrest<br><b>22:46</b>   | Booking Date<br><b>04/07/2021</b>   | Booking Time<br><b>22:56</b>   | Jail Date                                     | Jail Time  | Location of Vehicle                      |

|   |  |                             |  |   |                                |
|---|--|-----------------------------|--|---|--------------------------------|
| Name (Last, First, Middle)<br><b>BREWER, JASON WILLIAM</b>                          |  | Alias:                      |  | Alias (Name, DOB, Soc. Sec. #, Etc.)                      |                                |
| Race<br><b>W - White</b>  | I - American Indian<br><b>O - Oriental/Asian</b> | Sex<br><b>M</b>             | Date of Birth<br><b>11/22/1979</b>   | Height<br><b>5'09</b>                                     | Weight<br><b>250</b>           |
| Eye Color<br><b>BROWN</b>   | Hair Color<br><b>BROWN</b>                       | Complexion<br><b>MEDIUM</b> | Build<br><b>Large</b>  | Marital Status<br><b>D</b>                                |                                |
| Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)       |  | Religion<br><b>OTHER</b>    | Indication of Alcohol Influence<br>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/> |   |                                |
| Local Address (Street, Apt. Number)<br><b>17696 118TH TRL N, PDBO, FL 33478</b>     |  | (City)<br><b>Jupiter</b>    | (State)  | (Zip)   | Phone<br><b>(561) 222-4646</b> |
| Permanent Address (Street, Apt. Number)<br><b>17696 118TH TRL N, PDBO, FL 33478</b> |  | (City)<br><b>Jupiter</b>    | (State)  | (Zip)   | Phone<br><b>(561) 222-4646</b> |
| Business Address (Name, Street)<br><b>BEST ROOFING,</b>                             |  | (City)                      | (State)  | (Zip)   | Phone                          |
| D/L Number, State<br><b>B660439794220 / FL</b>                                      |  | Sec. Sec. Number            | INS Number   | Place of Birth (City, State)<br><b>OSWEGO, NY, United</b> | Citizenship<br><b>US</b>       |

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

|  |                            |                   |
|--|----------------------------|-------------------|
| <input type="checkbox"/> Parent<br><input type="checkbox"/> Legal Custodian  | Name (Last, First, Middle) | Residence Phone   |
| Address (Street, Apt. Number)  |                            | Business Phone    |
| Notified by: (Name)  | Date                       | Time              |
| Released To: (Name)  | Relationship               | Date              |
| The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parents.<br>The child and/or parent was told to keep the Juvenile Court Clerk's Office<br>(Phone 355-2526) informed of any change of address. |                            | School Attended   |
| <input type="checkbox"/> Yes, by: <input type="checkbox"/> No:   |                            | Grade             |
| Property Crime?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   | Description of Property    | Value of Property |

|                                       |                                 |                                    |                            |  |          |                                       |   |  |  |                        |
|---------------------------------------|---------------------------------|------------------------------------|----------------------------|--|----------|---------------------------------------|---|--|--|------------------------|
| Drug Activity<br>N. N/A<br>P. Possess | S. Sell<br>B. Buy<br>T. Traffic | R. Smuggle<br>D. Deliver<br>E. Use | K. Disperse/<br>Distribute | M. Manufacture/<br>Produce/<br>Cultivate | Z. Other | Drug Type<br>N. N/A<br>A. Amphetamine | B. Barbiturate<br>C. Cocaine<br>E. Heroin | H. Hallucinogen<br>M. Marijuana<br>O. Opium/Deriv. | P. Paraphernalia/<br>Equipment<br>S. Synthetic | U. Unknown<br>Z. Other |
|---------------------------------------|---------------------------------|------------------------------------|----------------------------|--|----------|---------------------------------------|---|--|--|------------------------|

|  |   |   |
|--|---|---|
| Charge Description<br><b>DUI - BAC/BRAC OVER .15 -OR- MINOR IN VEHICLE</b> | Statute Violation Number<br><b>316.193(4)</b> | Violation of ORD #  |
| Drug Activity<br><b>N</b>  | Drug Type                                     | Amount / Unit   |
| Offense #<br><b>21-001201</b>  | Counts<br><b>1</b>                            | Domestic Violence<br><input type="checkbox"/> Y <input checked="" type="checkbox"/> N |
| Warrant / Capias Number  | Bond  |   |

|  |  |
|--|--|
| Health / Apparent Physical Condition of Defendant  | Any knowledge of the following:<br><input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries |
| Check which applies:<br><input type="checkbox"/> Released O.R.<br><input type="checkbox"/> Posted Bond | <input type="checkbox"/> Released to Parent/Guardian<br><input type="checkbox"/> South County Mental Health  |
| Transported By   | Date Transported   |

|   |   |
|---|---|
| <input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court   | Location (Court, Room)<br><b>North County PALM BEACH GARD</b> |
| <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.  | Court Date and Time<br><b>05/12/2021 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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED. |   |
| Signature of Defendant (or Juvenile and Parent/Custodian)   | Date Signed   |

|   |   |   |
|---|---|---|
| HOLD for Other Agency   | Signature of Arresting Officer<br><b>[Signature]</b>      | Name Verification (Printed by Arrestee) |
| <input type="checkbox"/> Dangerous<br><input type="checkbox"/> Suicidal | Name of Arresting Officer (Print)<br><b>YOCHUM, CRAIG</b> | (PRINT)                                 |
| Transporting Officer<br><b>OFC. I. STAN</b>                             | I.D. #<br><b>309</b>                                      | Agency<br><b>JPD</b>                    |
| Witness here if subject signed with an "X".                             | PAGE<br><b>1 OF 1</b>                                     |   |

PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

|  |   |   |  |
|--|---|---|--|
| OBTs Number<br><br>Agency ORI Number<br><b>FL 0501700</b><br><br>Charge Type:<br>Check as many as apply.<br><input type="checkbox"/> 1. Felony<br><input type="checkbox"/> 2. Traffic Felony<br><input type="checkbox"/> 3. Misdemeanor<br><input checked="" type="checkbox"/> 4. Traffic Misdemeanor<br><input type="checkbox"/> 5. Ordinance<br><input type="checkbox"/> 6. Other  | Agency Name<br><b>JUPITER POLICE DEPARTMENT</b><br><br>Agency Report Number<br><b>5   4   21-001201</b><br><br>Name (Last, First, Middle)<br><b>BREWER, JASON WILLIAM</b><br>Alias<br><br>Charge Description<br><b>316.193(4) DUI - BAC/BRAC OVER .15 -OR- MINOR IN VEHICLE</b><br><br>Victim's Name (Last, First, Middle)<br><b>State Of Florida</b><br>Local Address (Street, Apt. Number) (City) (State) (Zip) Phone Address Source<br>Business Address (Name, Street) (City) (State) (Zip) Phone Occupation | Race<br><b>W</b><br>Sex<br><b>M</b><br>Date of Birth<br><b>11/22/1979</b> | Special Notes:<br><br>Race<br>Sex<br>Date of Birth |
| 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.<br>The Person taken into custody...<br><input checked="" type="checkbox"/> committed the below acts in my presence.<br><input type="checkbox"/> confessed to _____ admitting to the below facts.<br><input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.<br><input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.<br>On the <u>7</u> day of <u>April</u> , <u>2021</u> at <u>22:46</u> (Specifically include facts constituting cause for arrest.)   |   |   |  |
| P<br>R<br>O<br>B<br>A<br>B<br>L<br>E<br><br>C<br>A<br>U<br>S<br>E<br><br>S<br>T<br>A<br>T<br>E<br>M<br>E<br>N<br>T<br><br>On 04/07/2021 at approximately 2210 hours, I was conducting speed enforcement in the area of 9060 W Indiantown Rd. (Riverbend Park) in the Town of Jupiter, Palm Beach County, FL. At the time, I was stationary in the median (facing east) in my unmarked Jupiter Police Department patrol vehicle (vehicle 1308), I was wearing a JPD uniform clearly identifying myself as a Jupiter Police Officer, and I was wearing my department-issued Axon body camera.<br><br>I observed a black 2017 Toyota Tundra bearing FL tag # IELT64 traveling eastbound on S.R. 706 (W Indiantown Rd.), approaching me from the rear. When the vehicle passed the passenger side of my patrol vehicle, I observed it traveling away from me at a speed which I believed to be in excess of the posted 55 MPH speed limit. I activated the front antenna of my vehicle-mounted Applied Concepts Stalker DSR2X (S/N DP004005) radar unit in stationary, same direction mode and received a steadily increasing speed readout which peaked at 85 MPH. In addition to the speed readout, my radar unit emitted a clear, constant audio Doppler tone consistent with a vehicle traveling the aforementioned speed.<br><br>I immediately activated my patrol vehicle's emergency interior lighting equipment and attempted to catch up to the vehicle. While catching up to the vehicle, I switched my the front antenna of my radar unit to same-direction moving mode to monitor the vehicle's speed. Although my emergency lighting equipment was activated, the vehicle continued eastbound passing the intersection with the Florida's Turnpike giving no indication the driver of the vehicle noticed my patrol vehicle behind it. The truck traveled a distance of approximately one mile in the outside eastbound lane of S.R. 706 before the driver applied the brakes.<br><br>When we approached the southbound ramp of Interstate 95, the pickup activated the right turn signal and changed lanes from the outside eastbound lane to the center eastbound |   |   |  |
| A<br>D<br>M<br>I<br>N<br>I<br>S<br>T<br>R<br>A<br>T<br>I<br>V<br>E<br><br>SWORN AND SUBSCRIBED BEFORE ME<br>_____<br>NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)<br><u>04/08/2021</u><br>DATE   |   |   |  |
| _____<br>SIGNATURE OF ARRESTING/INVESTIGATING OFFICER<br><b>YOCHUM, CRAIG (1185)</b><br>NAME OF OFFICER (PLEASE PRINT)<br><u>04/08/2021</u><br>DATE  |   |   |  |
|  |   |   | PAGE<br>1 OF 4                                     |

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

1 JUVENILE

|                   |                           |                      |
|-------------------|---------------------------|----------------------|
| OBTS Number       |                           |                      |
| Agency ORI Number | Agency Name               | Agency Report Number |
| FL 0501700        | JUPITER POLICE DEPARTMENT | 5   4   21-001201    |

|   |  |  |                                       |                |
|---|--|--|---------------------------------------|----------------|
| Charge Type:<br>Check as many as apply. | <input type="checkbox"/> 1. Felony         | <input type="checkbox"/> 3. Misdemeanor                    | <input type="checkbox"/> 5. Ordinance | Special Notes: |
|   | <input type="checkbox"/> 2. Traffic Felony | <input checked="" type="checkbox"/> 4. Traffic Misdemeanor | <input type="checkbox"/> 6. Other     |                |

|                            |       |      |     |               |
|----------------------------|-------|------|-----|---------------|
| Name (Last, First, Middle) | Alias | Race | Sex | Date of Birth |
| BREWER, JASON WILLIAM      |       | W    | M   | 11/22/1979    |

lane (lane change to the left) and continued over the overpass to Florida's Turnpike. The vehicle ultimately came to a stop (facing east) on the south shoulder of the roadway, on the downgrade of the overpass.

I approached the vehicle on the driver side and made contact with the driver. I identified the driver of the vehicle by his name and date of birth to be Jason Brewer (w/m; 11/22/1979). I immediately observed Brewer had glassy/bloodshot eyes and a flushed face. As I spoke with Brewer, I could smell the odor of an unknown alcoholic beverage coming from his breath, through my two-layer cotton mask, which intensified as he spoke. I also noted Brewer had slurred speech.

I asked Brewer to produce his driver license, registration, and insurance and he stopped his search several times - placing his hands above his head. Brewer handed me an empty envelope with the words "Insurance Card" handwritten on it, then attempted to hand me a stack of papers he removed from the glove box, advising the information I requested was somewhere within the stack. I advised Brewer to look through the documents and he ultimately produced his registration and insurance card.



Brewer advised he left his wallet at home and was heading to his brother's house. When I advised Brewer of his speed, he became argumentative advising he was not traveling that fast. Brewer initially advised he had not been drinking and advised the odor of alcohol I was smelling was "years" old.

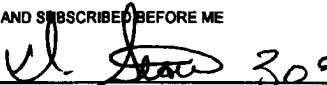

I requested Brewer exit his vehicle and he agreed but did not exit the vehicle. I asked several more times and Brewer asked me if it was OK for him to exit. Brewer exited and I advised him to walk to the rear of his vehicle. While Brewer walked, he lost his balance (to the left) and brushed his left arm against the driver side of his truck.

I gain asked Brewer how much he had to drink and he advised not much. He was evasive in answering the question and never provided a clear answer. I advised Brewer that based on my investigation so far, I was concerned he was driving under the influence and requested he perform Standardized Field Sobriety Tasks. Brewer was adamant that the tasks were designed for him to "fail" and was apprehensive about completing them at first. I advised Brewer that the SFSTs have been scientifically validated by the National Highway Traffic Safety Administration and were absolutely were not designed for non-impaired individuals to perform poorly on.

Due to the fact that Brewer stopped his vehicle on a downgrade, I advised him I wanted to transport him to a more flat area suitable for SFSTs. Brewer agreed, advised we were on a "thirty-eight degree" slope, and stated he wanted to do SFSTs where we were. Brewer ultimately agreed to be transported to a more suitable area for SFSTs.

I transported Brewer (unrestrained) to the eastbound left turn lane to northbound

|                |   |   |
|----------------|---|---|
| ADMINISTRATIVE | SWORN AND SUBSCRIBED BEFORE ME  | SIGNATURE OF ARRESTING INVESTIGATING OFFICER  |
|                |  |  |
|                | NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)                            | YOCHUM, CRAIG (1185)  |
|                | 04/08/2021<br>DATE  | 04/08/2021<br>DATE  |

|   |  |                        |   |                 |                                    |
|---|--|------------------------|---|-----------------|------------------------------------|
| OBTS Number<br>Agency ORI Number<br><b>FL 0501700</b>   | <b>PROBABLE CAUSE AFFIDAVIT<br/>SUPPLEMENT</b>   | 1. Arrest<br>2. N.T.A. | 3. Request for Warrant<br>4. Request for Copies | <b>1</b>        | JUVENILE                           |
| Agency Name<br><b>JUPITER POLICE DEPARTMENT</b>   | Agency Report Number<br><b>5   4   21-001201</b> |                        |   |                 |                                    |
| Charge Type: Check as many as apply.<br><input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance<br><input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other   |  |                        |   |                 | Special Notes:                     |
| Name (Last, First, Middle)<br><b>BREWER, JASON WILLIAM</b>  |  |                        | Race<br><b>W</b>                                | Sex<br><b>M</b> | Date of Birth<br><b>11/22/1979</b> |
| <p>Interstate 95, took him out of the vehicle, read him his Miranda Warnings, and confirmed he was still willing to perform SFSTs. I then utilized cones to block off approximately thirty feet in front of my patrol vehicle to cordon off a safe space to conduct SFSTs.</p> <p>Brewer advised he has a bad back but that his back did not hurt him any more than it normally did at the start of SFSTs. Brewer advised he did not take any medication. Brewer advised he probably should wear glasses or contacts but does not.</p> <p>I first conducted the Horizontal Gaze Nystagmus Task. I am a certified Drug Recognition Expert (IACP # 32395) and I conducted this task in accordance with my training. Brewer had pupils of equal approximate size, did not display resting nystagmus, and was able to track a horizontally-moving stimulus equally. I observed Lack of Smooth Pursuit, Distinct and Sustained Nystagmus at Maximum Deviation, and the Onset of Nystagmus prior to 45 Degrees in both Brewer's eyes. Vertical Gaze Nystagmus was present.</p> <p>I next conducted the Walk and Turn task. I utilized a blue tape line one-inch in width which I previously confirmed was at least 9 steps in length prior to starting this task. Brewer had difficulty standing with his left foot on the line, right foot in front without walking. I explained the starting position several times to Brewer before he appropriately stood in the starting position during the Instruction Stage. I provided the full instructions, Brewer indicated his understanding, and did not have any questions. Brewer missed heel-to-toe on steps 1, 2, 3, 4, 5, 7, and 9. Brewer stepped off the line (to the left) on step 2. Brewer correctly took 9 steps before turning. Brewer turned appropriately. After turning, Brewer missed heel-to-toe on steps 2, 3, 4, 6, and 9. Brewer stepped off the line (to the left) on steps 3 and 6. Brewer raised his arms to balance on step 3. Brewer again appropriately took 9 steps back down the line after turning.</p> <p>I then conducted the One Leg Stand Task. I provided Brewer the instructions and he indicated his understanding. Brewer advised his left leg was bad so I advised him it may be in his best interest to raise that leg and stand planted on his right. When told to begin, Brewer lifted his left leg off the ground approximately one inch and stared at the ground in front of his elevated foot. Brewer swayed during the task and placed his foot down once. Brewer stopped counting aloud at his count of five. The task was terminated at the conclusion of a timed 30 second period.</p> <p>Prior to administering the Finger to Nose Task, Brewer appropriately indicated knowledge of his left and right hands. I provided Brewer with the instructions and he indicated his understanding. When told to begin, Brewer tilted his head back slightly and closed his eyes. The cadence for this task was: Left, Right, Left, Right, Right, Left. On the first call of left, Brewer touched the middle pad of his left index finger to the tip of his nose. On the first call of right and second call of left, Brewer appropriately touched finger-to-nose. On the second and final calls of right, Brewer touched the pad</p> |  |                        |   |                 |                                    |
| SWORN AND SUBSCRIBED BEFORE ME<br><div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <br/>           NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)<br/> <b>04/08/2021</b><br/>           DATE         </div> <div style="width: 45%; text-align: center;"> <br/>           SIGNATURE OF ARRESTING / INVESTIGATING OFFICER<br/> <b>YUCHUM, CRAIG (1185)</b><br/>           NAME OF OFFICER (PLEASE PRINT)<br/> <b>04/08/2021</b><br/>           DATE         </div> </div>  |  |                        |   |                 |                                    |
|   |  |                        |   |                 | PAGE<br><b>3</b> OF 4              |

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

1 JUVENILE

|  |  |  |  |   |  |
|--|--|--|--|---|--|
| A<br>D<br>M<br>I<br>N<br>I<br>S<br>T<br>R<br>A<br>T<br>I<br>V<br>E | OBTS Number  | Agency ORI Number<br><b>FL 0501700</b> |  | Agency Name<br><b>JUPITER POLICE DEPARTMENT</b> | Agency Report Number<br><b>5   4   21-001201</b>           |
|  | Charge Type:<br>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 |
| D<br>E<br>F  | Name (Last, First, Middle)<br><b>BREWER, JASON WILLIAM</b> |  |  |   | Alias  |
|  |  | Race<br><b>W</b>                       | Sex<br><b>M</b>                            | Date of Birth<br><b>11/22/1979</b>              |  |

of his right index finger to the tip of his nose. On the final call of left, Brewer appropriately touched finger-to-nose.

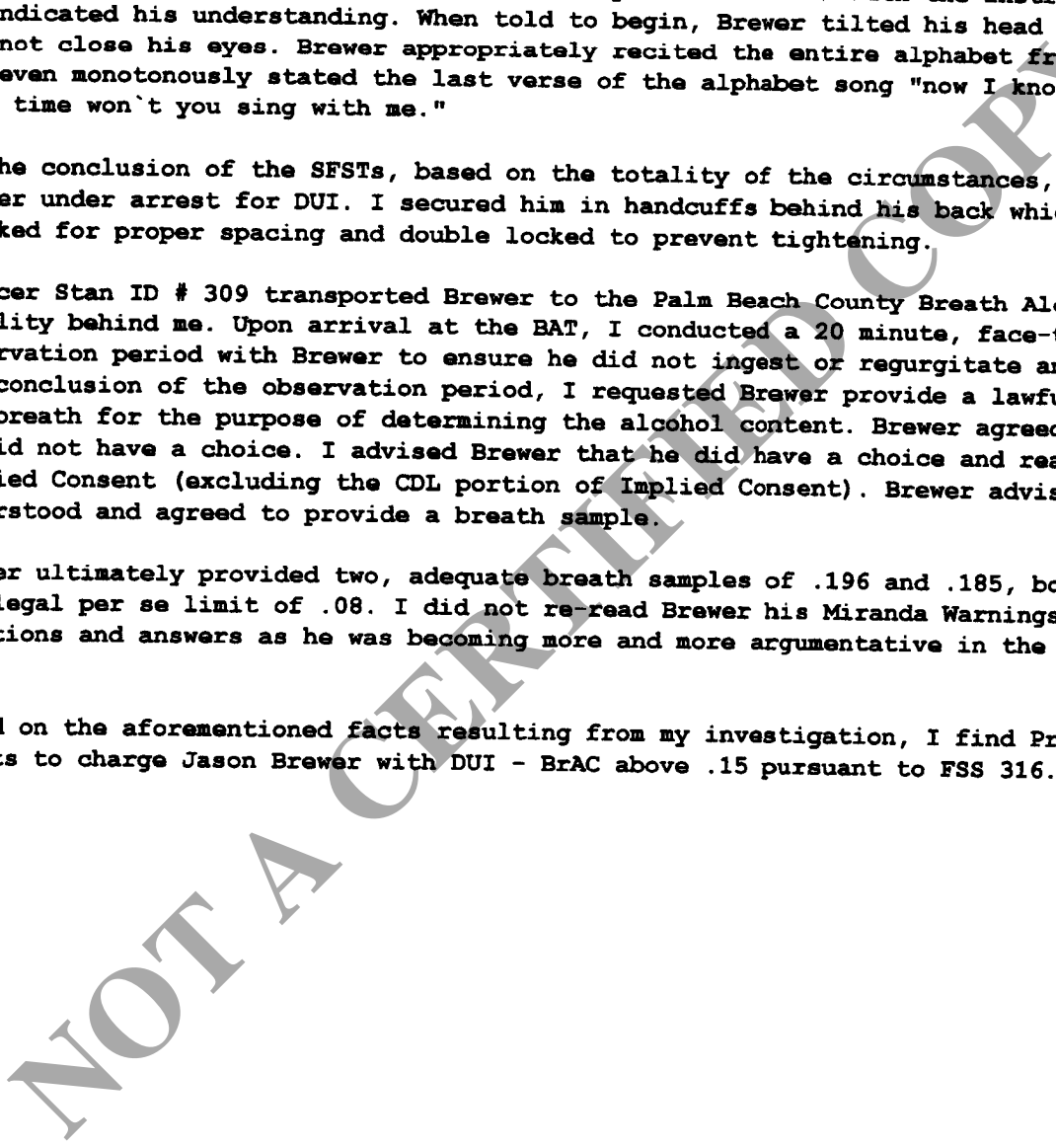
Brewer advised his highest level of education was ninth grade and that he was comfortable with the alphabet from A to Z. I provided Brewer with the instructions and he indicated his understanding. When told to begin, Brewer tilted his head backwards but did not close his eyes. Brewer appropriately recited the entire alphabet from A to Z and even monotonously stated the last verse of the alphabet song "now I know my ABCs, next time won't you sing with me."



At the conclusion of the SFSTs, based on the totality of the circumstances, I placed Brewer under arrest for DUI. I secured him in handcuffs behind his back which were checked for proper spacing and double locked to prevent tightening.

Officer Stan ID # 309 transported Brewer to the Palm Beach County Breath Alcohol Testing Facility behind me. Upon arrival at the BAT, I conducted a 20 minute, face-to-face observation period with Brewer to ensure he did not ingest or regurgitate anything. At the conclusion of the observation period, I requested Brewer provide a lawful sample of his breath for the purpose of determining the alcohol content. Brewer agreed and advised he did not have a choice. I advised Brewer that he did have a choice and read him Implied Consent (excluding the CDL portion of Implied Consent). Brewer advised he understood and agreed to provide a breath sample.

Brewer ultimately provided two, adequate breath samples of .196 and .185, both exceeding the legal per se limit of .08. I did not re-read Brewer his Miranda Warnings or conduct questions and answers as he was becoming more and more argumentative in the testing room.

Based on the aforementioned facts resulting from my investigation, I find Probable Cause exists to charge Jason Brewer with DUI - BrAC above .15 pursuant to FSS 316.193(4).



|  |   |  |
|--|---|--|
| A<br>D<br>M<br>I<br>N<br>I<br>S<br>T<br>R<br>A<br>T<br>I<br>V<br>E | SWORN AND SUBSCRIBED BEFORE ME  |  |
|  |  |  |
|  | NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)                            | SIGNATURE OF ARRESTING / INVESTIGATING OFFICER                                       |
|  | <b>04/08/2021</b><br>DATE   | <b>YCHUM, CRAIG (1185)</b><br>NAME OF OFFICER (PLEASE PRINT)                         |
|  | <b>04/08/2021</b><br>DATE   | PAGE<br><b>4 OF 4</b>  |

# WITNESS LIST

CASE NUMBER: \_\_\_\_\_

ARRESTING OFFICER: **Craig Yochum**

ADDRESS: **196 Military Trl. Jupiter, FL 33458**

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) **(561) 746-6201**

CAN TESTIFY TO: **PC**

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: \_\_\_\_\_

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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: \_\_\_\_\_

NOT A CERTIFIED COPY

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: 04/07/2021

Date of Last Agency Inspection: 03/12/2021  
Observation Period Began: 23:18  
Subject's Name: JASON W BREWER

DOB: 11/22/1979 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     | 23:46 |
|          | Air Blank         | 0.000  | 23:46 |
|          | Control Test      | 0.080  | 23:46 |
|          | Air Blank         | 0.000  | 23:47 |
|          | Subject Sample #1 | 0.196  | 23:49 |
|          | Air Blank         | 0.000  | 23:50 |
|          | Air Blank         | 0.000  | 23:51 |
|          | Subject Sample #2 | 0.185  | 23:53 |
|          | Air Blank         | 0.000  | 23:54 |
|          | Control Test      | 0.077  | 23:54 |
|          | Air Blank         | 0.000  | 23:55 |
|          | Diagnostics Check | OK     | 23:55 |

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

State of Florida, County of Palm Beach

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

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

Breath Test Operator: \_\_\_\_\_ Date: 04/07/21  
Signature

Sworn to (or affirmed) before me this 07 day of April, 2021

Signature of Notary Public-State of Florida JRS Printed Name of Notary Public-State of Florida Ofc. C. Yochem #383

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.



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

PBSO CASE # 21-053190      PBSO ZONE 3-14

AGENCY CASE # 21-001201      CRASH CASE # \_\_\_\_\_

TIME OF STOP/CRASH 2210      DATE 04/07/2021      DAY Wednesday

SUBJECT'S NAME Brewer Jason W      RACE W      SEX m  
LAST      FIRST      MID

HGT 509      WGT 250      DOB 11/22/1979

LOCATION W Indiantown Rd/Interstate 95 Jupiter, FL 33458

ARRESTING OFFICER'S NAME & ID Craig Yochum #383      AGENCY Jupiter PD

DIVISION: Nights 1 Traffic

NOTIFIED BY COMMO Yes

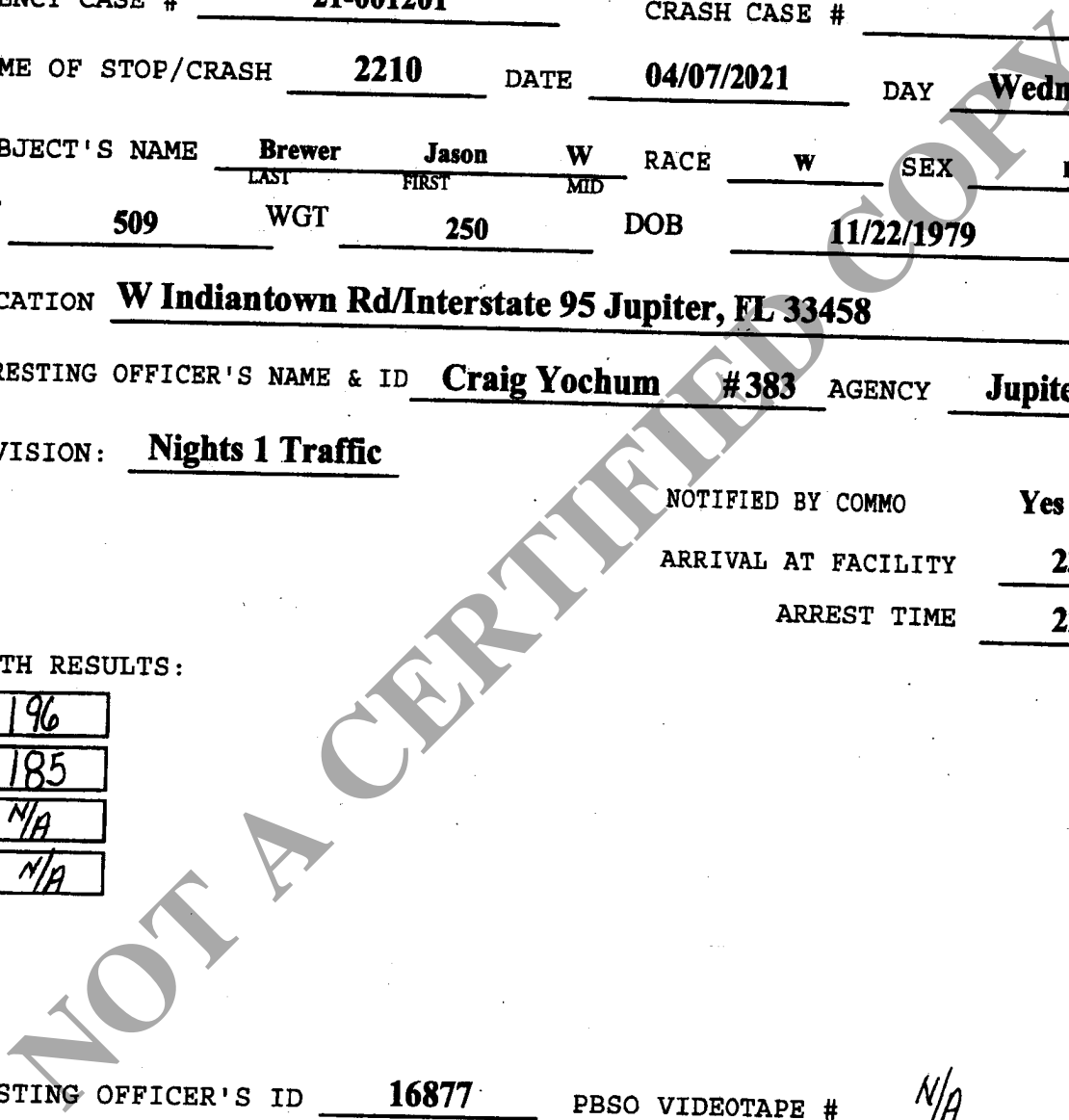
ARRIVAL AT FACILITY 2318

ARREST TIME 2246

**BREATH RESULTS:**

- 1) .196
- 2) .185
- 3) N/A
- 4) N/A

TESTING OFFICER'S ID 16877      PBSO VIDEOTAPE # N/A



SUBJECT: Brewer, Jason W. CASE NUMBER: 21-001701

**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 Det Craig Yochum of the Jupiter Police Dept

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.

SUSPECT'S SIGNATURE: (X) David Calhoun Stone

SUBJECT: Drewler, Jason W. CASE NUMBER: 21-001201

### 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: De Craig Kellum # 383

# TESTING FACILITY TASK REPORT

AGENCY: JPD  
SUBJECT: Brewer, Jason W.  
DATE: Apr 7, 2021  
BEGINNING TIME: 23:42

CASE NUMBER: 21-053190  
VIDEO DVD NUMBER: N/A  
ENDING TIME: 23:56

BREATH TESTS RESULTS: 1) .196 TIME 23:49 A.M.  P.M.  2) .185 TIME 23:53 A.M.  P.M.   
3) N/A TIME ----- A.M.  P.M.  4) N/A TIME ----- A.M.  P.M.

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICAN: Jason Karlecke #6467

### TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Talkative, rud, argumentative

CLOTHING: Dark blue shorts, gray t-shirt, No shoes

MEDICAL CONDITIONS: None

MEDICATIONS: None

### OTHER:

Eyes are glassy & bloodshot  
odor of unknown alcoholic beverage on breath  
Ofc.I Stan ID# 309

### COMMENTS:

Arrived at center A/O started 20 minute observation period at 23:18 hrs.  
Subject agreed to perform breath test.  
Subject stated he had no choice.  
A/O read I/C.  
Subject agreed.  
Tech read breath test results.  
Subject stated he understood breath test results.  
A/O stated he read rights on scene.  
No Q&A conducted.



**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),<br>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),<br>(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),<br>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: 2021008455 | Date: 4/08/21                    |
|                            | Specialist Name/ID: J. Beck/9007 |