

20CT14529

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

OBTS Number	Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5, 4 20-003832	
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	If Weapon Seized Enter Type NONE		Multiple Clearance Indicator 02	
Location of Arrest (Including Name of Business) 9250 W INDIANTOWN RD, JUPITER 33458			Location of Offense (Business Name, Address) 9060 W INDIANTOWN RD, JUPITER, FL 33478			
Date of Arrest 11/12/2020	Time of Arrest 23:05	Booking Date 11/12/2020	Booking Time 23:15	Jail Date	Jail Time	Location of Vehicle
Name (Last, First, Middle) GIANCATERINO, JOHN DAVID			Alias (Name, DOB, Soc. Sec. #, Etc.) Alias:			
Race W - White B - Black O - Oriental/Asian	Sex M	Date of Birth 11/25/1983	Height 5'07	Weight 145	Eye Color BLUE	Hair Color BLONDE /
Complexion LIG		Build Medium		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status
Local Address (Street, Apt. Number) 300 PROSPERITY FARMS RD STE C, NORTH PALM BEACH, FL 33408		(City) NORTH PALM BEACH, FL		(State) FL		(Zip) 33408
Permanent Address (Street, Apt. Number) 300 PROSPERITY FARMS RD STE C, NORTH PALM BEACH, FL 33408		(City) NORTH PALM BEACH, FL		(State) FL		(Zip) 33408
Business Address (Name, Street) WELLINGTON HIGH SCHOOL,		(City) WELLINGTON, FL		(State) FL		(Zip) 33414
D/L Number, State G523464834250 / FL		INS Number [REDACTED]		Place of Birth (City, State) PBG FL		Citizenship US
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth		<input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____ Name (Last, First, Middle)		Residence Phone				
<input type="checkbox"/> Legal Custodian		Business Phone				
Address (Street, Apt. Number)		(City)	(State)	(Zip)		
Notified by: (Name)		Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated		
Released To: (Name)		Relationship	Date	Time		
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
<input type="checkbox"/> Yes, by: _____ <input type="checkbox"/> No		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. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other
Charge Description DUI - BAC/BRAC OVER .15 -OR- MINOR IN VEHICLE			Statute Violation Number 316.193(4)		Violation of ORD #	
Drug Activity	Drug Type N	Amount / Unit	Offense #	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number
Charge Description DUI - REFUSAL TO SUBMIT WITH A PRIOR REFUSAL			Statute Violation Number 316.1939(1)		Violation of ORD #	
Drug Activity	Drug Type N	Amount / Unit	Offense #	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" 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		
Check which applies: <input type="checkbox"/> Released OR <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail				PROPERTY - Received By		Released By
<input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health				Date Transported		Time Transported
Transported By				Date Transported 11/13/2020		Time Transported
<input checked="" type="checkbox"/> 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) North County PALM BEACH GARD		No Photo Available	
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.			Court Date and Time 12/16/2020 08:30:00			
Signature of Defendant (or Juvenile and Parent/Custodian)				Date Signed 11/13/2020		
HOLD for Other Agency		Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee)		
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest		Name of Arresting Officer (Print) BORROWS, ANDREW		(PRINT)		
<input type="checkbox"/> Suicidal <input type="checkbox"/> Other		I.D. # 1138		PAGE 1 OF 1		
Pouch #		Transporting Officer OFC BORROWS		I.D. # 380		
Agency JPD		Witness here if subject signed with an "X".				

COURT STATE ATTORNEY AGENCY CENTRAL RECORDS JAIL CRIME ANALYSIS P.I.O. DEFENDANT

0283625

3644

PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

X

A D M I N I S T R A T I V E	OBTS Number	Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 20-003832
	Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other				

D E F E N D E N T	Name (Last, First, Middle) GIANCATERINO, JOHN DAVID			Alias	Race W	Sex M	Date of Birth 11/25/1983
---	---	--	--	-------	------------------	-----------------	------------------------------------

C H A R G E S	Charge Description DUI DRIVING UNDER THE INFLUENCE	Charge Description DUI REFUSAL
	Charge Description	Charge Description

V I C T I M	Victim's Name (Last, First, Middle) State Of Florida			Race	Sex	Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (Zip)			Phone		Address Source
	Business Address (Name, Street) (City) (State) (Zip)			Phone		Occupation

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.

The Person taken into custody ...

committed the below acts in my presence. was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.

confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.

On the 12 day of November, 2020 at 22:37 (Specifically include facts constituting cause for arrest.)

On 11/12/2020 at approximately 2237 hours, I was on routine patrol in an unmarked police vehicle in the area of West Indiantown Road and Florida's Turnpike in the Town of Jupiter, Palm Beach County, Florida.

I was traveling west. The roadways were wet from earlier rain and traffic was relatively light. As I approached the intersection, I saw the light was red. There were three vehicles, one in each of the three lanes on the road in front of me stopped at the light. As the light turned to green, I observed the vehicle in the middle lane, a black Ram truck bearing a temporary North Carolina paper license plate, accelerate very quickly. The area immediately west of the intersection where the vehicle was traveling is a posted 55 mile per hour speed zone. I visually estimated the vehicle's speed at 70 miles per hour and accelerating. I activated my in car Stalker Dual SL radar (sn DD005051) in same direction moving mode, using the front antenna. The only vehicle visible in front of me was the truck. The patrol speed indicated matched my certified speedometer. The target speed indicated a speed of 70 miles per hour, quickly increasing to 100 miles per hour, which matched my visual observation. I activated my lights and sirens in order to more safely catch up to the vehicle. The vehicle pulled into the shopping plaza at 9600 West Indiantown Road.

I walked up to the driver's side door. I saw the driver, later identified to me as John Giancaterino, digging through the center console. I gave Giancaterino commands to stop digging around in the car. Giancaterino was slow to comply with my repeated directions. I noticed Giancaterino had two juveniles in the back seat of the car. These juveniles were later identified to me as his children, Riley Giancaterino (5/27/2009) and Gabriella Giancaterino (12/16/2010). I obtained Giancaterino's license and temporary registration and returned to my car. Giancaterino denied drinking when I asked him.

A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER <i>[Signature]</i>	
	NOTARY PUBLIC / CLERK OF COURT / OFFICER (S.S. 117.10)	NAME OF OFFICER (PLEASE PRINT) BORROWS, ANDREW (1138)	
	DATE 11/13/2020	DATE 11/13/2020	



Agency ORI Number **FL 0501700** Agency Name **JUPITER POLICE DEPARTMENT** Agency Report Number **5 | 4 | 20-003832**

Charge Type: 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other Special Notes: _____

Name (Last, First, Middle) **GIANCATERINO, JOHN DAVID** Alias _____ Race **W** Sex **M** Date of Birth **11/25/1983**

At that time I did not have reason based on my initial observations to suspect impaired driving and returned to my vehicle. I conducted routine checks of Giancaterino's license and considered charging and arrest decisions regarding reckless driving. At that point, I decided to issue a citation to Giancaterino for 100 in a 55 mile per hour zone with a mandatory court date. I completed my paperwork and then asked Giancaterino to exit his vehicle so I could speak frankly to him about his dangerous driving (out of earshot of his children), which Giancaterino was apparently sanguine about. When Giancaterino exited his vehicle, a bottle (non-alcoholic) fell off his lap onto the ground. Giancaterino bent over to pick it up in a vaguely awkward manner. As we reached my car, Giancaterino, to my surprise, started to complain about the way I had acted (which incidentally had been calm, polite and firm) before I could say a word about his shocking driving. I noticed while Giancaterino was speaking that he had the odor of an unknown alcoholic beverage on his breath, which I could smell through my three layered cloth mask. I also noticed Giancaterino's eyes were bloodshot and glassy. After overcoming my initial surprise at the unexpected reversal of roles, I interrupted Giancaterino's rambling dressing down of me to ask how much he'd had to drink. Giancaterino admitted then to one glass of wine.

Based primarily on my observations of Giancaterino's driving, his abnormal behavior when speaking to me, his lack of apparent concern about his plainly dangerous driving with juveniles in the car, the odor of an unknown alcoholic beverage on his breath, the fact he appeared to have lied about not having had anything to drink followed by an admission of one drink, and his bloodshot, glassy eyes, I decided then that I had reasonable suspicion to conduct a DUI investigation.

As soon as Giancaterino admitted to drinking, he volunteered that I could "do whatever you want with me" which in context I took to mean he was volunteering to complete roadside tasks. Giancaterino eagerly came with me to a nearby parking space. I asked Giancaterino if he had any medical conditions or took any medicine. Giancaterino stated he did not.

I first conducted Horizontal Gaze Nystagmus. I am a certified Drug Recognition Expert (IACP 26842) and completed the task in a manner consistent with my training. Giancaterino immediately became mocking towards me, another inappropriate and unusual behavior during those kind of circumstances. Giancaterino had difficulty keeping his head still as instructed. I observed lack of smooth pursuit in both of Giancaterino's eyes. I observed distinct and sustained nystagmus in both of Giancaterino's eyes. I observed onset of nystagmus prior to 45 degrees in both of Giancaterino's eyes.

I then conducted the Walk and Turn task. Giancaterino had difficulty maintaining the starting position and was becoming increasingly argumentative. Giancaterino declared this was his "family hood" and his "lively hood." Giancaterino insisted he wanted to use a different parking line and intentionally wanted to be in sight of his juvenile

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC CLERK OF COURT / OFFICER (F.S. 217.19) My Commission GG 006418 Expires 03/05/2024

Notary Public State of Florida
Renee Ragin

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
BORROWS, ANDREW (1138)

NAME OF OFFICER (PLEASE PRINT)
BORROWS, ANDREW (1138)

DATE **11/13/2020** DATE **11/13/2020**

PAGE **2** OF **4**

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1 JUVENILE X

OBTS Number	Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 20-003832
-------------	--	--	---	--

Charge Type: 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) GIANCATERINO, JOHN DAVID	Alias	Race W	Sex M	Date of Birth 11/25/1983
---	-------	------------------	-----------------	------------------------------------


daughters in the truck. I chose not to argue with Giancaterino as he was becoming belligerent. I told Giancaterino to select a line of his choosing to walk on. Giancaterino selected a nearby line. Giancaterino started early several times and had difficulty attaining and maintaining the starting position. Giancaterino continued to have difficulty controlling his emotions, as his mood started swinging clearly to anger. Giancaterino was continually crossing his arms, looking up, speaking over me, and sighing loudly. Eventually I was able to complete my instructions to Giancaterino. Giancaterino started the task. He stopped after the first two steps. Giancaterino missed heel to toe on the third step, using his arms for balance and shifting his back foot to the left in order to keep his balance. Giancaterino stepped off the line to the right on the fourth step. Giancaterino said something about "failing" the task. He then touched heel to toe, but lost his balance to the rear and used his arms for balance again. Giancaterino used his arms for balance on the eighth step. On the 9th step, Giancaterino said "How many is that, seven?" Giancaterino took a total of 12 steps, stopping between each remaining step. Giancaterino then spun around on one foot to turn around. Giancaterino then stepped off the line and used his arms for balance. Giancaterino used his arms for balance for most of the return leg. Giancaterino took 13 steps on the return. Giancaterino did not count any steps out loud.

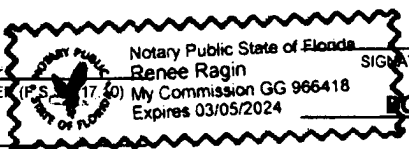

I then conducted the One Leg Stand test. Giancaterino continued to be impatient and generally rude during the instructional phase, with barely controlled emotions. Giancaterino counted improperly. Giancaterino started by raising his left foot. Giancaterino used his arms for balance at "6." At "9" Giancaterino started swinging his leg around, counting increasingly loudly until he put his foot down at "12" after using his arms for balance. He then declared "I'm not fucking drunk." He then raised his right foot, used his arms for balance, was unable to maintain his balance, swayed back and forth and put his foot back down. Giancaterino stopped the task. I reminded him to continue and terminated a short time later.

I then conducted Finger to Nose. I observed the following: L1: Giancaterino touched his right nostril with the pad of his finger. R2: Giancaterino touched his nose under his left nostril. L3: Giancaterino touched his nose as instructed. R4: Giancaterino touched his nose under his left nostril with the side of his finger. R5: Giancaterino used the wrong hand switched, and brought his right hand near his nose but did not touch it. L6: Giancaterino touched his face under his right nostril. Giancaterino was swaying visibly during the task.

I then conducted the Romberg and Alphabet task. Giancaterino stated he has a Bachelor's Degree and is comfortable with the alphabet. Giancaterino stated the alphabet as follows: A B C D E F G H I J K L M N O P Q R S T U I V X Y Z.

I then placed Giancaterino under arrest for DUI and advised him. On the way to the Palm Beach County Breath Alcohol Testing Center, Giancaterino became very insulting.

SWORN AND SUBSCRIBED BEFORE ME		SIGNATURE OF ARRESTING / INVESTIGATING OFFICER <i>[Signature]</i>
NOTARY PUBLIC / CLERK OF COURT / OFFICE DATE 11/13/2020		BORROWS, ANDREW (1138) NAME OF OFFICER (PLEASE PRINT) DATE 11/13/2020

OBTS Number Agency ORI Number FL 0501700	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE X
Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 20-003832			
Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other			Special Notes:	
Name (Last, First, Middle) GIANCATERINO, JOHN DAVID		Race W	Sex M	Date of Birth 11/25/1983
<p>Giancaterino took zero responsibility for his actions and blamed me for all of his woes.</p> <p>Upon arrival at the Breath Alcohol Testing facility, I conducted a 20 minute observation period facing Giancaterino. I then requested Giancaterino provide a sample of his breath. Giancaterino declined. I read Implied Consent from a prepared text. Giancaterino stated he understood and again declined. Giancaterino subsequently invoked his Miranda Rights. I secured Giancaterino in a holding cell while I completed my paperwork.</p> <p>I checked Giancaterino's driving record through DAVID. It indicated he has two prior DUI convictions (the first in 2003) and his DHSMV return indicated he had a prior refusal to submit to a lawful test of breath, urine or blood. Upon completion of my paperwork I booked Giancaterino into the Palm Beach County Jail where I charged him with the following offenses per Florida State Statute: DUI (enhanced children in car) per FSS 316.193(4) and DUI Refusal with Prior Refusal per FSS 316.1939(1).</p> <p>My on scene investigation was captured on my issued body worn camera.</p>				
PROBABLE CAUSE STATEMENT	NOT A CERTIFIED COPY			
SWORN AND SUBSCRIBED BEFORE ME NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 17.40) 11/13/2020 DATE			SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  BORROWS, ANDREW (1138) NAME OF OFFICER (PLEASE PRINT)	
			11/13/2020 DATE	
ADMINISTRATIVE				PAGE 4 OF 4

SUBJECT: Granaterino, John D. CASE NUMBER: 7-1-30382

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: J. A. Borner TEP/1/30

SUBJECT: Giancaterino, John D. CASE NUMBER: _____

IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

I am now requesting that you submit to a lawful test of your BREATH for the purpose of determining its alcohol content.

-OR-

I am now requesting that you submit to a lawful test of your URINE for the purpose of detecting the presence of chemical or controlled substances.

-OR-

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of detecting its alcohol content and the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am _____ of the _____

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

SUBJECT'S SIGNATURE: (X) Read on Camera

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



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

PBSO CASE # _____ PBSO ZONE _____

AGENCY CASE # 20-003832 CRASH CASE # _____

TIME OF STOP/CRASH 2237 DATE 11/12/2020 DAY Thursday

SUBJECT'S NAME Giancaterino John David RACE W SEX M
LAST FIRST MID

HGT 5/07 WGT 165 DOB 11/25/1983

LOCATION 9000 blk West Indiantown Road

ARRESTING OFFICER'S NAME & ID Ofc. A. Borrows 380 /1138 AGENCY Jupiter PD

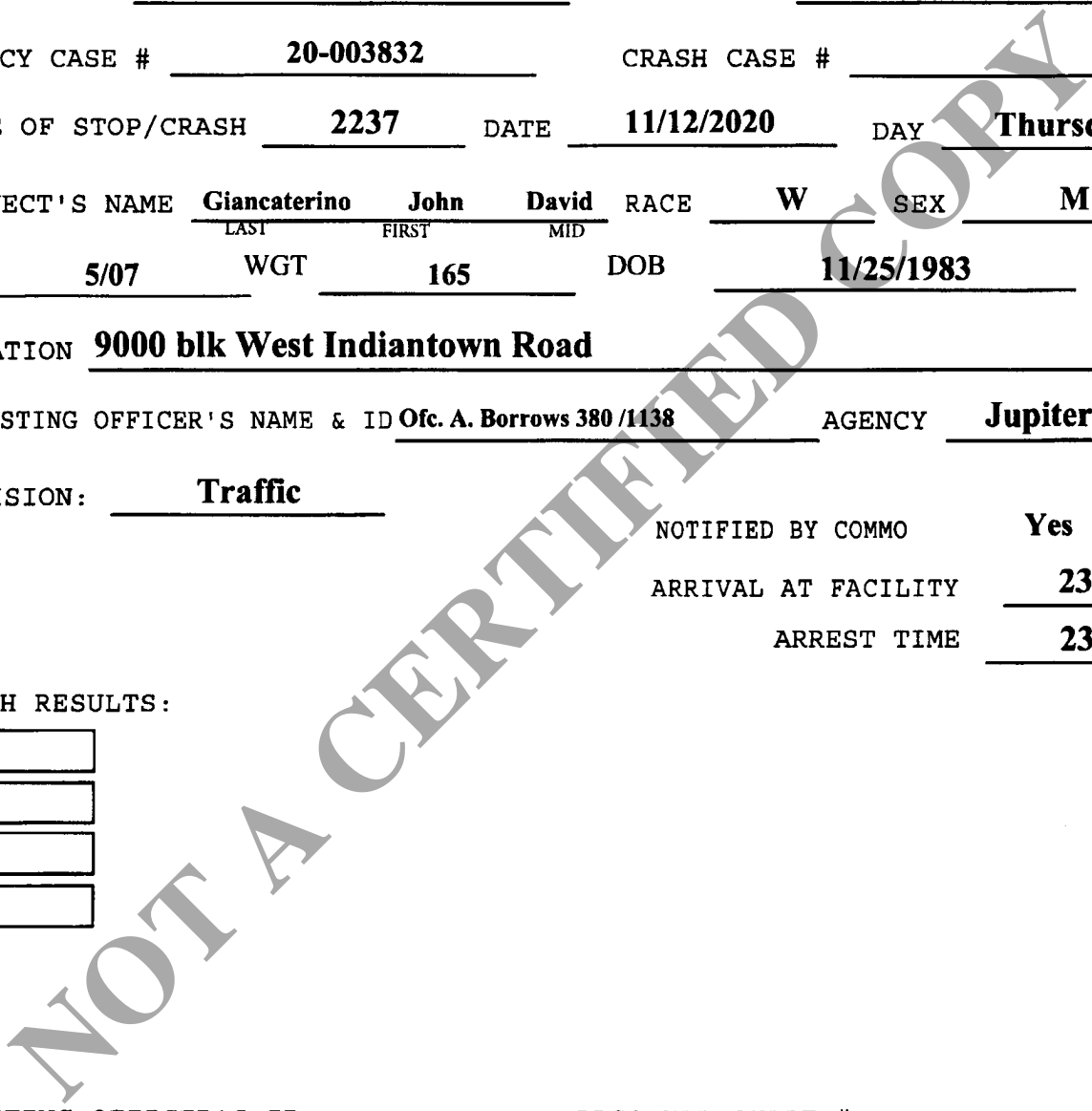
DIVISION: Traffic

NOTIFIED BY COMMO Yes
 ARRIVAL AT FACILITY 2332
 ARREST TIME 2305

BREATH RESULTS:

- 1)
- 2)
- 3)
- 4)

TESTING OFFICER'S ID _____ PBSO VIDEOTAPE # _____



TESTING FACILITY TASK REPORT

AGENCY: JPD

SUBJECT: Giancaterino, John D.

CASE NUMBER: 20-126411

DATE: Nov 12, 2020

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 23:54

ENDING TIME: 23:56

BREATH TESTS RESULTS: 1) Refusal TIME 23:55 A.M. P.M. 2) N/A TIME _____ 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 TECHNICIAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Upset, talkative, crying

CLOTHING: Gray pants, gray LS shirt, white sneakers

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER:

Eyes bloodshot
Odor of unknown alcoholic beverage on breath.

REFUSED

COMMENTS:

Arrived at center A/O started 20 minute observation period at 23:32 hrs.

Subject refused to take breath test.

A/O read I/C and subject stated he understood I/C.

Subject refused to take test.

A/O read rights.

Subject stated he understood rights.

A/O attempted Q&A.

Subject invoke right to counsel.

REFUSED

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

I, Ofc. A. Borrows 380 /1138, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

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

or affirm that on or about the 12th day of November, 20 20, at 2305 P.M. A.M.

DRIVER John David Giancaterino
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# G-523-464-83-425-0, state of Florida, was placed under lawful arrest for

the offense of DUI by Ofc. A. Borrows 380 /1138 and
(Name of Arresting Officer)

issued Citation # ADB9AFE

That on or about the 12th day of November, 20 20, at 2355 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)



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this 13th day of November, 20 20,

by Ofc. A. Borrows 380 /1138,

who is personally known to me or who has produced

Personally Known as identification

Notary Public

HSMV-BAR1001 (REV. 10/2016)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title

Date

Note: Mail or hand deliver to the designated
Bureau of Administrative Reviews office,
Department of Highway Safety and Motor
Vehicles, with the driver's license, the
appropriate copy of the UTC, and the
probable cause affidavit.



**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: 2020026710	Date: 11/13/2020
	Specialist Name/ID: T Howard/7185