

J# 0521458 21CT-2530 3514

| | | | | | | | | | | | |
|---|--|---|--|--|------------------------|---|---|--|---|--|---|
| OBTS Number | | ARREST / NOTICE TO APPEAR Juvenile Referral Report | | | 1. Arrest 2. N.T.A. | | 3. Request for Warrant 4. Request for Capias | | 1 | Juvenile | N |
| Agency ORI Number FLO 5 0 2 6 0 0 | | | Agency Name PALM BEACH GARDENS POLICE DEPARTMENT | | | Agency Report Number 78 - 21000732 | | | | | |
| Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other | | | | | | | | | | | |
| Location of Arrest (Including Name of Business) 2525 PGA BLVD, PALM BEACH GARDENS, FL 33410 | | | | | | | | | | | |
| Location of Offense (Business Name, Address) 2525 PGA BLVD, PALM BEACH GARDENS, FL 33410 | | | | | | | | | | | |
| Date of Arrest 02/16/2021 | | Time of Arrest 23:47 | | Booking Date | | Booking Time | | Jail Date | | Jail Time | |
| Location of Vehicle KAUFF'S TOWING YARD 4701 EAST AVENUE, WEST PALM BEACH, FL 33401 | | | | | | | | | | | |
| Name (Last, First, Middle) KANG, KYUNGSUN, | | | | | | Alias (Name, DOB, Soc. Sec. #, Etc.) "SUNNY" | | | | | |
| Race W - White I - American Indian B - Black O - Oriental/Asian | | Sex F | | Date of Birth 06/09/1983 | | Height 505 | | Weight 120 | | Eye Color BRO | |
| Hair Color RED | | Complexion LGT | | Build SMALL | | | | | | | |
| Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE | | | | | | Marital Status DIVORCED | | Religion NONE | | Indication of Alcohol/Influence/Drug Intoxication <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. | |
| Local Address (Street, Apt. Number) (City) (State) (Zip) | | | | | | Phone | | | Residence Type: 1. City 2. County 3. Florida 4. Out of State | | |
| Permanent Address (Street, Apt. Number) (City) (State) (Zip) 24172 AMARANTH LOOP, HAYWARD, CA 94541 | | | | | | Phone (213) 760-9897 | | | Address Source SELF | | |
| Business Address (Name, Street) (City) (State) (Zip) AMERICAN AIRLINES | | | | | | Phone | | | Occupation FLIGHT ATTENDANT | | |
| DL Number, State F3563335 CA | | INS Number | | Place of Birth (City, State) SOUTH KOREA | | Citizenship S. KOREA | | | | | |
| CO-DEFENDANT | | | | | | | | | | | |
| Co-Defendant Name (Last, First, Middle) | | | | | | Race | | Sex | | Date of Birth | |
| Co-Defendant Name (Last, First, Middle) | | | | | | Race | | Sex | | Date of Birth | |
| JUVENILE | | | | | | | | | | | |
| <input type="checkbox"/> Parent | | Name (Last) (First) (Middle) | | Address (Street, Apt. Number) (City) (State) (Zip) | | Residence Phone | | | | | |
| <input type="checkbox"/> Legal Custodian | | | | | | | | | | | |
| <input type="checkbox"/> Other | | | | | | | | | | | |
| Notified by: (Name) <i>ok</i> | | | | | | Date | | Time | | Juvenile Disposition: 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated | |
| Released To: (Name) | | | | | | Relationship | | Date | | Time | |
| The above address provided by <input checked="" type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. | | | | | | School Attended | | Grade | | | |
| <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No. (Reason) | | | | | | | | | | | |
| Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No | | Description of Property | | | | Value of Property | | | | | |
| CHARGE | | | | | | | | | | | |
| Drug Activity N. N/A P. Possess | | S. Sell B. Buy T. Traffic | | R. Smuggle D. Deliver E. Use | | K. Dispense/ Distribute | | M. Manufacture/ Produce/ Cultivate | | Z. Other | |
| Drug Type N. N/A A. Amphetamine | | B. Barbiturate C. Cocaine E. Heroin | | H. Hallucinogen M. Marijuana O. Opium/Deriv. | | P. Paraphernalia/ Equipment S. Synthetics | | U. Unknown Z. Other | | | |
| Charge Description DUI - NORMAL FACULTIES IMPAIRED | | | | Counts 1 | | Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | | Statute Violation Number 316.193(1)(A) | | Violation of ORD # | |
| Drug Activity | | Drug Type | | Amount / Unit | | Offense # | | Warrant / Capias Number | | Bond OR | |
| CHARGE | | | | | | | | | | | |
| Charge Description | | | | Counts | | Domestic Violence | | Statute Violation Number | | Violation of ORD # | |
| Drug Activity | | Drug Type | | Amount / Unit | | Offense # | | Warrant / Capias Number | | Bond | |
| CHARGE | | | | | | | | | | | |
| Charge Description | | | | Counts | | Domestic Violence | | Statute Violation Number | | Violation of ORD # | |
| Drug Activity | | Drug Type | | Amount / Unit | | Offense # | | Warrant / Capias Number | | Bond | |
| CHARGE | | | | | | | | | | | |
| Charge Description | | | | Counts | | Domestic Violence | | Statute Violation Number | | Violation of ORD # | |
| Drug Activity | | Drug Type | | Amount / Unit | | Offense # | | Warrant / Capias Number | | Bond | |
| NOTICE TO APPEAR | | | | | | | | | | | |
| Location (Court Room Number, Address) NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700 | | | | | | | | | | | |
| Court Date and Time | | Month MARCH | | Day 24 | | Year 2021 | | Time 10:00 | | AM <input checked="" type="checkbox"/> PM | |
| 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 FULLY 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 (dr Juvenile and Parent /Custodian) | | | | | | Date Signed 02/16/2021 | | | | | |
| HOLD for other Agency Name: | | Signature of Arresting Officer <i>[Signature]</i> | | | | Name Verification (Printed by Arresting Officer) | | | | | |
| <input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other: | | Name of Arresting Officer (Print) OFC. CAMERON CARVER | | | | I.D. # 471 | | (PRINT) | | | |
| Intake Deputy <i>Spani [Signature]</i> | | I.D. # | | Pouch # | | Transporting Officer OFC. C. CARVER | | ID # 471 | | Agency PBGPD | |
| Witness here if subject signed with "X" | | | | | | PAGE | | | | | |

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

SCANNED
FEB 17 2021

D.U.I. PROBABLE CAUSE AFFIDAVIT

On the 16 day of FEBRUARY 2021 at 22:51 ADM PM

Subject: KANG, KYUNGSUN, Case Number: 21000732

Agency: PALM BEACH GARDENS POLICE DEPARTMENT Arresting Officer: OFC. CAMERON CARVER 471

PERSONAL CONTACT

DRIVING PATTERN: (Actual Physical Control; Physical Evidence or Statements Putting Defendant Behind Wheel of Vehicle)

RP advised he was traveling WB on PGA Blvd and the gray Ford bearing FL tag NFPR30 was straddling the #1 and #2 lane then made a turn and stopped on the sidewalk/curb in front of the BOA, 2525 PGA BLVD. Upon arrival, driver Kyungson Kang was in the driver's seat, vehicle was still on and in park. Kang was identified via her California Driver's License.

OBSERVATION OF DRIVER:

Unsteady on her feet. Unable to maintain balance after removing high heels. Bloodshot, glassy eyes. Spoke with an accent, in a low and slurred manner. Was confused and laughing.

DRIVER STATEMENTS:

Stated she was looking for a place to stay, then stated she was staying at the Double Tree Hotel. Claimed she stopped in that manner, on the side walk, because she was talking with a guy on a dating app and she was waiting for his response. Claims she did not drink alcohol.

ODORS: Strong odor of unknown alcoholic beverage coming from breath.

GENERAL OBSERVATIONS

SPEECH: Slurred, Accent, Low

ATTITUDE: Mood swings, Carefree, confused, cooperative, emotional, indifferent, uncooperative

CLOTHING: BLUE FLOWERY SUNDRESS, BLUE RIPPED JEANS, SLIDES

MEDICAL/OTHER: NONE

STATE OF FLORIDA
COUNTY OF PALM BEACH


SIGNATURE OF ATTESTING OFFICER

The forgoing instrument was sworn to or affirmed and subscribed before me this 17 day of FEBRUARY 2021 by OFC. CAMERON CARVER 471 who is personally known to me or produced


Notary Public, Clerk of Court, Officer (FSS 117.10)



JOSHUA BELL
MY COMMISSION #6G348008
EXPIRES: JUN 18, 2023
Bonded through 1st State Insurance

STAMP

SCANNED
FEB 17 2021

D.U.I. PROBABLE CAUSE AFFIDAVIT Cont.

Subject: KANG, KYUNGSUN,

Case Number: 21000732

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

LEFT EYE

- Lack of Smooth Pursuit
- Distinct & Sust. Nystag. at Max. Deviation
- Onset of Nystagmus Prior to 45 Degrees

RIGHT EYE

- Lack of Smooth Pursuit
- Distinct & Sust. Nystag. at Max. Deviation
- Onset of Nystagmus Prior to 45 Degrees

Other Observations:

BLOODSHOT, GLASSY EYES; VGN PRESENT

WALK AND TURN

- STEPPED OUT OF POSITION.
- STARTED TOO SOON.
- STOPPED WALKING.
- MISSED HEEL TO TOE
- STEPPED OFF THE LINE.
- USED ARMS FOR BALANCE.
- IMPROPER TURN.
- INCORRECT NUMBER OF STEPS.
- **INSTRUCTIONS GIVEN MULTIPLE TIMES. DID NOT FOLLOW INSTRUCTIONS.

ONE LEG STAND

- SWAYED
- USES ARMS TO BALANCE
- PUTS FOOT DOWN
- **STARTED PRIOR
- **DID NOT COUNT ALOUD

ROMBERG NUMBERS

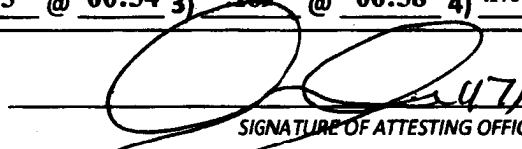
STATED COULD DO THE ALPHABET IN ENGLISH; THEN STATED WANTED TO COUNT. STATED COULD COUNT IN ENGLISH; ATTEMPTED AND STARTED, HUNG UP ON 15, 18 AND 20. THEN STATED SHE WANTED TO COUNT IN HER NATIVE LANGUAGE. MOVED ON.

FINGER TO NOSE


- L- SIDE TO TIP
- R- TIP TO TIP (HEAD)
- L- PAD TO TIP
- R- TIP TO UNDERNOSE
- R- PAD TO TIP
- L- PAD TO TIP


BREATH RESULTS: 1) .243 VNM @ 00:50 2) .225 @ 00:54 3) 189 @ 00:58 4) .176 VNM @ 01:06

STATE OF FLORIDA
COUNTY OF PALM BEACH


SIGNATURE OF ATTESTING OFFICER

The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of FEBRUARY 20 21 by OFC. CAMERON CARVER 471 who is personally known to me or produced


Notary Public, Clerk of Court, Officer (FSS 117.10)

 JOSHUA BELL
MY COMMISSION #GG348008
EXPIRES: JUN 18, 2023
Bonded through 1st State Insurance

SCANNED
FEB 17 2021

STAMP

DUI WITNESS LIST

Arresting Officer: OFC. CAMERON CARVER 471 Email: ccarver@pbgfl.com

Agency Address: 10500 N Military Trl., Palm Beach Gardens, FL 33410 Phone: (561) 799-4445

Can Testify To: FACTS OF CASE

Backup Officers: OFC. WARREN #463 / OFC. KEEL #508

Agency Address: 10500 N Military Trl., Palm Beach Gardens, FL 33410 Phone: (561) 799-4445

Can Testify To: SCENE SAFETY

Crash Investigator: _____ Email: _____

Agency Address: _____ Phone: _____

Breathalyzer Technician: BELL ID: 8656 Agency: PBSO

DRE: _____ ID# _____ Agency Case #: _____

Agency Address: _____ Phone: _____ Email: _____

Name: JONATHAN GOMEZ Involvement: WITNESS/CALLER

Address: 2555 PGA BLVD LOT 321, PALM BEACH GARDENS, FL, 33410 Phone: (561) 306-4502

Can Testify To: DRIVING PATTERN Wheel Witness

Name: YARLENIS PERAZA Involvement: WITNESS

Address: 2555 PGA BLVD LOT 321, PALM BEACH GARDENS, FL, 33410 Phone: (561) 457-9486

Can Testify To: DRIVING PATTERN Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ Wheel Witness



**PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET**



PBSO Case #: 21-036300 PBSO Zone: 3-13

Agency Case #: 21000732 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 22:51 Date of Incident: 02/16/2021 Day: TUESDAY

Location of Incident: 2525 PGA BLVD, PALM BEACH GARDENS, FL 33410

Arrest Information:

Time of Arrest: 23:47 Date of Arrest: 02/16/2021 Day: TUESDAY

Location of Arrest: 2525 PGA BLVD, PALM BEACH GARDENS, FL 33410

Subject's Name: KANG, KYUNGSUN DOB: 06/09/1983

Race: W Sex: F Height: 505 Weight: 120

Arresting Officer's Name: OFC. CAMERON CARVER ID#: 471

Agency: PBGPD Division: TRAFFIC - DUI

--BAT Use--

BAT Notified: YES

Arrival Time at BAT: 00:15

Subject Arrest Time: 23:47

Breath Results

- 1) .243 ^{VNM} at 00:50 hrs.
- 2) .225 at 00:54 hrs.
- 3) .189 at 00:58 hrs.
- 4) .176 ^{VNM} at 01:06 hrs.

5) **REFUSED**

Breath Test Operator: 8656

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: KANG, KYUNGSUN

CASE NUMBER: 21-036300

DATE: Feb 17, 2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0042

ENDING TIME: 0111

REFUSED

BREATH TESTS RESULTS: 1) .243vng TIME 0050 A.M. P.M. 2) .225 TIME 0054 A.M. P.M.
3) .189 TIME 0058 A.M. P.M. 4) .176vng TIME 0106 A.M. P.M.

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED, MUMBLED

ATTITUDE: UNCOOPERATIVE, ARGUMENTATIVE, EMOTIONAL, CRYING

CLOTHING: BLUE FLORAL SHIRT, BLUE JEANS, BLACK FLIP FLOPS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: BLOODSHOT

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0015 HOURS

SUBJECT STATED SHE WOULD TAKE BREATH TEST

SUBJECT FAILED TO MAINTAIN STEADY TONE, STOPPED BLOWING BEFORE BEING TOLD

A/O READ I.C AND EXPLAINED

SUBJECT STATED SHE UNDERSTOOD I.C AND AGREED TO CONTINUE BREATH TEST

SUBJECT DID NOT FOLLOW BREATH TEST INSTRUCTIONS. AGAIN STOPPED BLOWING BEFORE BEING TOLD, WHILE BLOWING PULLED HER HEAD BACK OUT OF REACH AND STATED SHE COULD NOT BLOW ANY LONGER

A/O CALLED A REFUSAL AT 0110 HOURS

A/O READ RIGHTS AND EXPLAINED

SUBJECT STATED SHE DID NOT UNDERSTAND

Q AND A NOT CONDUCTED

REFUSED

SCANNED

FEB 17 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: 80-006478 Software: 8100.27
Date of Test: 02/17/2021

Date of Last Agency Inspection: 02/12/2021
Observation Period Began: 00:15
Subject's Name: KYUNGSUN KANG DOB: 06/09/1983 Sex: F

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 | 00:46 |
| | Air Blank | 0.000 | 00:47 |
| | Control Test | 0.078 | 00:47 |
| | Air Blank | 0.000 | 00:47 |
| | Subject Sample #1 | VNM* | 00:50 |
| | Air Blank | 0.000 | 00:51 |
| | Air Blank | 0.000 | 00:53 |
| | Subject Sample #2 | 0.225** | 00:54 |
| | Air Blank | 0.000 | 00:55 |
| | Air Blank | 0.000 | 00:57 |
| | Subject Sample #3 | 0.189** | 00:58 |
| | Air Blank | 0.000 | 00:59 |
| | Control Test | 0.076 | 00:59 |
| | Air Blank | 0.000 | 01:00 |
| | Diagnostics Check | OK | 01:00 |

*Volume Not Met (0.243 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**No .020 agreement

Cylinder Lot: 22620080A2
Exp: 10/05/2022

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 JOSHUA J BELL, 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: 2/17/21
Signature

Sworn to (or affirmed) before me this 17 day of February, 2021
[Signature] Ofc. C. Carver #471
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.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

2

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006478 Software: 8100.27
Date of Test: 02/17/2021

Date of Last Agency Inspection: 02/12/2021
Observation Period Began: 00:15
Subject's Name: KYUNGSUN KANG DOB: 06/09/1983 Sex: F

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 | 01:02 |
| | Air Blank | 0.000 | 01:02 |
| | Control Test | 0.076 | 01:03 |
| | Air Blank | 0.000 | 01:03 |
| | Subject Sample #1 | VNM* | 01:06 |
| | Air Blank | 0.000 | 01:07 |
| | Air Blank | 0.000 | 01:09 |
| | Subject Sample #2 | REF** | 01:10 |
| | Air Blank | 0.000 | 01:11 |
| | Control Test | 0.074*** | 01:11 |
| | Air Blank | 0.000 | 01:12 |

*Volume Not Met (0.176 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**Subject Test Refused
***Control Outside Tolerance

Cylinder Lot: 22620080A2
Exp: 10/05/2022

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 JOSHUA J BELL, 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: 2/17/21
Signature

Sworn to (or affirmed) before me this 17 day of February, 2021

Signature of Notary Public-State of Florida  Printed Name of Notary Public-State of Florida Ofc. C. Carver #471

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.

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

I, OFC. CAMERON CARVER, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of PALM BEACH GARDENS POLICE DEPARTMENT, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 16 day of FEBRUARY, 20 21, at 23:47 P.M. A.M.

DRIVER KYUNGSUN KANG
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# F3563335, state of CA, was placed under lawful arrest for

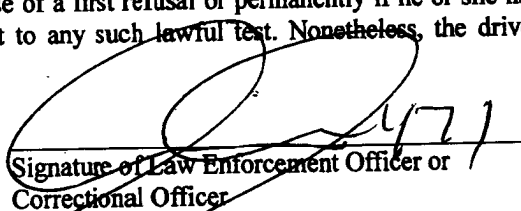
the offense of DUI - NORMAL FACULTIES IMPAIRED by OFC. CAMERON CARVER and
(Name of Arresting Officer)

issued Citation # A56HGXE

That on or about the 17 day of FEBRUARY, 20 21, at 01:10 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 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:

(AFFIX SEAL)
The foregoing instrument was sworn and subscribed before
me this 17 day of FEBRUARY, 20 21,
by OFC. CAMERON CARVER,

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

Notary Public Joshua Bell

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.

SUBJECT: Kang, Kyungson CASE NUMBER: 21000732

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 Off C. Caner 471 of the Palm Beach Gardens PD

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

SCANNED
FEB 17 2021



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

Palm Beach County Sheriff's Office – Arrests Only

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

REVIEW COMPLETED BY

| | |
|----------------------------|-----------------------------------|
| Booking Number: 2021003974 | Date: 02/17/2021 |
| | Specialist Name/ID: T Howard/7185 |

SCANNED
FEB 17 2021