

Arrest Report 0525895

P# 3488

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

21 CT 15392

Report Date / Time 9/12/2021 05:04 AM	Report Number FHP99ARR832517	Case Number/Cad Number FHPL21OFF059770 / LWRC21CAD165132	Reporting Officer Name MASTERSON, MONIQUE
Originating Agency ORI	Occur Date Time Range 09/12/2021 03:11:17 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description INTERSTATE 95 (SR9)			
Street Number	Street S CONGRESS AVE	Apt/Lot/Bldg	City BOCA RATON	State FL	Zip Code 33487

Defendant

First Name LOUIS	Middle Name ANTHONY	Last Name KUHN	Suffix	Race OTHER	Sex MALE	Height 601	Weight 300	Hair BRO	Eyes BRO
MNI #	SSN	Date of Birth 04/21/1977	Age 44	ID Type E	Drivers License or other ID K500521771410	State FL	OCA / Agency ID		
Place of Birth:	BROOKLYN NY USA								
Address * RESIDENCE / 15809 CORINTHA TER , DELRAY BEACH, FL 33446 /									

Arrest

Arrest Date/Time 9/12/2021 4:53:51 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description INTERSTATE 95 (S9R)				
Street Number	Street S CONGRESS AVE	Apt/Lot/Bldg	County PALM BEACH	City BOCA RATON	State FL	Zip Code 33487

Charge : S

Counts 1	Charge 316.193.3c1	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree F	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI AND DAMAGE PROPERTY			
Is Arrestee Juvenile?			No
Type of Arrest			On-View Arrest (apprehension without a warrant or previous incident report)

Bond Set by Court

Bond Amount	<input type="checkbox"/> No Bond
Bond Type(s)	

Probable Cause

On 9/12/2021 I Trooper Masterson was dispatched to a crash southbound on

Arrest Report

SEP 12 AM 8:30

DS Hanks 6760

SCANNED
SEP 14 2021

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Interstate 95 (State Road 9) on the exit ramp to Congress Avenue. Dispatch advised me that Boca Raton Police Department was on scene of the crash and was waiting for my arrival. The crash was called in at approximately 3:13AM. I arrived on scene at approximately 3:42AM. I observed a black Mercedes sedan bearing the Florid tag of "28JSM" facing westbound in the traveling lanes of the eastbound entrance lanes to northbound Interstate 95. Officer Javier Casas with Boca Raton Police Department was first on the crash scene. Officer Casas informed me of his observations as the first responder on scene. Officer Casas informed me that he did not witness the crash nor was the driver in the vehicle when he arrived on scene. Officer Casas advised me that there was no other person in the surrounding area of the crash when he arrived, and the driver had the keys to the vehicle in his pocket. Upon further investigation it was later determined that the driver is also the registered owner of the vehicle and only the driver seatbelt was used during the crash.

The driver of the vehicle was identified by his Florida driver license as Louis Anthony Kuhn (K500-521-77-141-0). I observed Mr. Kuhn to have an obvious orbital sway as I approached him during the crash investigation. Upon approaching him I could start to begin to smell an obvious odor of an unknown alcoholic beverage. Mr. Kuhn had red and glossy eyes with a flushed face. When I questioned Mr. Kuhn about the crash, Mr. Kuhn had a slight slur to his speech and a slow cadence. Mr. Kuhn had a carefree and lackadaisical attitude toward the crash investigation. Mr. Kuhn had a strong odor of an unknown alcoholic beverage omitting from his breath when he spoke. I had to repeat several questions when conducting the crash investigation due to Mr. Kuhn forgetting to respond or him forgetting that he already asked a question.

Mr. Kuhn crash was severe enough to completely break the control arm of the left front tire. Mr. Kuhn vehicle was the only vehicle involved in the crash. Mr. Kuhn failed to make a safe and complete right turn from southbound Interstate to Congress Ave. Mr. Kuhn's vehicle collided with the center median curb. Mr. Kuhn's vehicle travel through and over the curb and into the eastbound travel lanes. Mr. Kuhn then maneuvered the vehicle to the right just before it would have collided with the outside concrete barrier. Mr. Kuhn's vehicle then traveled up onto the

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center median curb again. Mr. Kuhn's vehicle's final rest was facing westbound in the eastbound travel lanes and in contact with the center median curb. Mr. Kuhn's vehicle was towed from the scene due to it being completely disabled and blocking a lane of traffic. West way towing towed the vehicle off scene.

Before finishing the crash investigation, I turned on my MVR to my patrol vehicle to record the ending and the start of the DUI investigation. I explained to Mr. Kuhn the driver exchange, the tow sheet, and the citation he would be receiving for the crash. I asked Mr. Kuhn if he understood each document. Mr. Kuhn stated he understood the documents and the crash investigation. I asked Mr. Kuhn if he had any questions about the crash investigation in general. Mr. Kuhn stated no. I then continued into a DUI investigation. I notified Mr. Kuhn that I was no longer conducting a crash investigation and I was doing a DUI investigation. I asked Mr. Kuhn if he understood that. Mr. Kuhn stated he understood. I asked Mr. Kuhn if he understood what a DUI investigation was. Mr. Kuhn stated he did know what a DUI investigation is and that he understood I was doing one. I notified Mr. Kuhn that I was conducting a DUI investigation due to the smell of an unknown alcoholic beverage omitting from his breath, red glossy eyes, flushed face, and manner of crash. Mr. Kuhn stated he understood the indicators. I read Mr. Kuhn his Miranda right on camera at this moment. Mr. Kuhn stated he understood his right. I asked Mr. Kuhn if he was driving his vehicle. Mr. Kuhn stated he was driving the vehicle from Atlantic Ave to his home and then crashed his car. I asked Mr. Kuhn if he had any occupants in the vehicle during the time of the crash. Mr. Kuhn stated he was the only person in the car. I asked Mr. Kuhn if he had any alcoholic beverages prior to the crash. Mr. Kuhn stated he had 1 tequila shot at approximately 5pm. I asked Mr. Kuhn if he would like to perform voluntary Field Sobriety Exercises (SFST). Mr. Kuhn asked what would happen if he refused. I explained to Mr. Kuhn that the SFST were an opportunity to demonstrate his level of sobriety to me and denying himself the opportunity would force me to base an arrest off the indicators that I listed for him that I observed. Mr. Kuhn agreed to do SFST. I transported Mr. Kuhn to a flat surface and safe surface on the roadway. I asked Mr. Kuhn some medically based questions to ensure a fair judgement based on performance. I asked Mr. Kuhn if he suffered from diabetes, strokes, seizures, recent crash, or injures. Mr. Kuhn said no,

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besides his right knee. I asked what was wrong with his right knee. Mr. Kuhn stated he had fallen on his right knee recently and that it hurt. Mr. Kuhn stated he had recently seen a doctor for his knee. I asked Mr. Kuhn if he had any balance issues. Mr. Kuhn stated no. I asked Mr. Kuhn if he felt ill or in pain. Mr. Kuhn stated no, besides his right knee and left shoulder. I asked Mr. Kuhn about his left shoulder. Mr. Kuhn stated he hurt his left shoulder approximately a month ago and has seen a doctor for it already. I asked Mr. Kuhn if he had been to the doctors recently or surgery. Mr. Kuhn stated no besides the doctor looking at his knee and said no to any surgeries. I asked Mr. Kuhn if he felt healthy. Mr. Kuhn stated yes. I asked Mr. Kuhn if he thought he would be able to do the exercises. Mr. Kuhn said he would do his best. I asked Mr. Kuhn if he needed contacts or glasses. Mr. Kuhn stated he does need contacts and or glasses to see normally. I asked Mr. Kuhn if he could see the line fine and he stated he could.

The first exercise was the Horizontal Gaze Nystagmus. Mr. Kuhn was placed in the starting position of standing up straight with feet together and arms by his side. I instructed Mr. Kuhn to keep his head and body still during the entirety of the first exercise. I explained to Mr. Kuhn that I would move my pen from side to side and for him to move his eyes only. I asked Mr. Kuhn if he understood the instructions. Mr. Kuhn stated that he understood. Mr. Kuhn had a lack of smooth pursuit in both eyes, distinct and sustained Nystagmus at maximum deviation in both eyes, and onset of Nystagmus prior to 45 degrees in both eyes. Vertical Gaze Nystagmus was not tested. Mr. Kuhn moved his head multiple times. Mr. Kuhn anticipated the pens movement repetitively. Mr. Kuhn swayed heavily in an orbital manner. Mr. Kuhn did not follow the pen at times.

The second exercise was the Walk and Turn. I instructed and demonstrated Mr. Kuhn to place his left foot on the parking line followed by his right foot in front of his left foot touching heel to toe. I explained and demonstrated to Mr. Kuhn that his arms are to stay by his side and not to raise at any point during this exercise. I instructed and demonstrated Mr. Kuhn to stay in that position (the starting position) while I give the rest of the instruction to the test. I specifically instructed Mr. Kuhn to not begin the exercise until told to do so. I explained and demonstrated to Mr. Kuhn, when I tell him to begin that his first step will be with his

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left foot. I instructed and demonstrated to Mr. Kuhn that he will take nine heels to toe steps and to count out loud what number step he was on while looking at his step. I instructed and demonstrated the turn portion of the exercise that comes after the ninth step. I explained to Mr. Kuhn the turn will consist of him keeping his lead foot on the ground and pivoting off it with a series of small steps using his other foot. I asked Mr. Kuhn if he understood the instructions throughout giving the instructions. Mr. Sangha stated he did understand the instructions. Mr. Kuhn failed to stay in the ready position during the period of instruction. Mr. Kuhn did not walk heel to toe. Mr. Kuhn stepped off the line. Mr. Kuhn performed an improper turn. Mr. Kuhn stopped during the exercise. Mr. Kuhn used his arms for balance. Mr. Kuhn did not remember the instructions half way through the exercise and asked what he was supposed to do after taking the first 9 steps. Mr. Kuhn stated he did not remember me explain or demonstrating a turn in the instructions or to take 9 heel to toe steps back down the line.

The third exercise was the One Leg Stand. I instructed and demonstrated Mr. Kuhn to stand with feet together and arms by his side; the same as the first exercise. I specifically informed Mr. Kuhn to not begin the exercise until told to do so. I explained and demonstrated to Mr. Kuhn that he will pick up any leg of choice and raise it above the ground approximately six inches and to look at his foot until told to place his foot back on the ground. I instructed Mr. Kuhn to count out loud the seconds that pass by while his foot is raised above the ground. I informed Mr. Kuhn to not place his foot on the ground unless he felt they were going to fall. I asked Mr. Kuhn if he understood the instructions throughout giving the instructions. Mr. Kuhn stated he understood. Mr. Kuhn swayed. Mr. Kuhn put his foot down. Mr. Kuhn bent his knee to put his foot perpendicular with the ground. Mr. Kuhn used his arms for balance. Mr. Kuhn hopped during the exercise. Mr. Kuhn requested to do this exercise several times. Each time he demonstrated all the above clues and indicators. Mr. Kuhn could not keep his balance for more than approximately 5 seconds. Mr. Kuhn tried with both feet multiple times.

I placed Mr. Kuhn under arrest for DUI 316.193.c1 at 4:53AM. Mr. Kuhn stated he understood he was under arrest. Mr. Kuhn was searched and placed in the back

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of my patrol vehicle. Mr. Kuhn was transported to the BAT facility. Mr. Kuhn underwent a 20 minute observation. I requested a breath sample from Mr. Kuhn. Mr. Kuhn agreed to give a breath sample. Mr. Kuhn gave two valid breath samples of .129 and .135. Mr. Kuhn was Mirandized on camera in the BAT facility after providing breath samples. I asked Mr. Kuhn if he wanted to answer the interview questions. Mr. Kuhn stated yes. I interviewed Mr. Kuhn verbatim from the interview sheet. I transported Mr. Kuhn to the Good Smartian Emergency Hospital located on Okeechobee Blvd and Haverhill road to be medically cleared for the jail. Once the doctor at the Hospital medically cleared Mr. Kuhn, I transported him back to the PBSO jail. I walked Mr. Kuhn to the PBSO jail. I released custody of Mr. Kuhn to PBSO corrections. There were no further incidences with Mr. Kuhn. All above events occurred in Palm Beach County. All video was recorded on in car camera FHP1388.

Jail Booking Facility

Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

Court

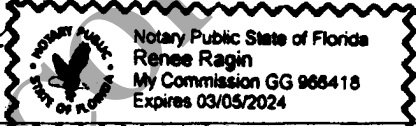
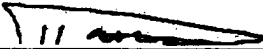
Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994	Court Appearance Date / Time 10/21/2021 8:30AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
CASAS, JAVIER OFFICER	OTHER	BOCA RATON POLICE DEPARTMENT BOCA RATON
MASTERSON, MONIQUE TPR 4467	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPLLRCC\PALM BEACH\SR804 JSOF SR702

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The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name MASTERSON, MONIQUE	Office Rank TPR	Officer ID No 4467	Sworn and subscribed before me, the undersigned authority This the <u>12</u> day of <u>Sept</u> , <u>2021</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature 			

No Bill / Petition
 Issue Warrant
 Prosecution Approved

Signature of Assistant State Attorney _____ Date _____

NOT A CERTIFIED COPY



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

PBSO CASE # 21-105773

AGENCY CASE# FHPL21OFF059770

AGENCY ZONE TROOP L ZONE 1 1-32

CRASH CASE # FHPL21OFF059770

TIME OF STOP/CRASH 3:05AM DATE 9/12/2021 DAY SUNDAY

SUBJECT'S NAME Louis Anthony Kuhn RACE OTHER SEX MALE

HGT 601 WGT 300LBS DOB 04/21/1977

LOCATION SOUTHBOUND INTERSTATE 95 (SR9) EXIT RAMP TO CONGRESS AVE

ARRESTING OFFICER'S NAME & ID TPR MASTERSON, MONIQUE 4467 AGENCY FHP

DIVISION: _____

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 5:19

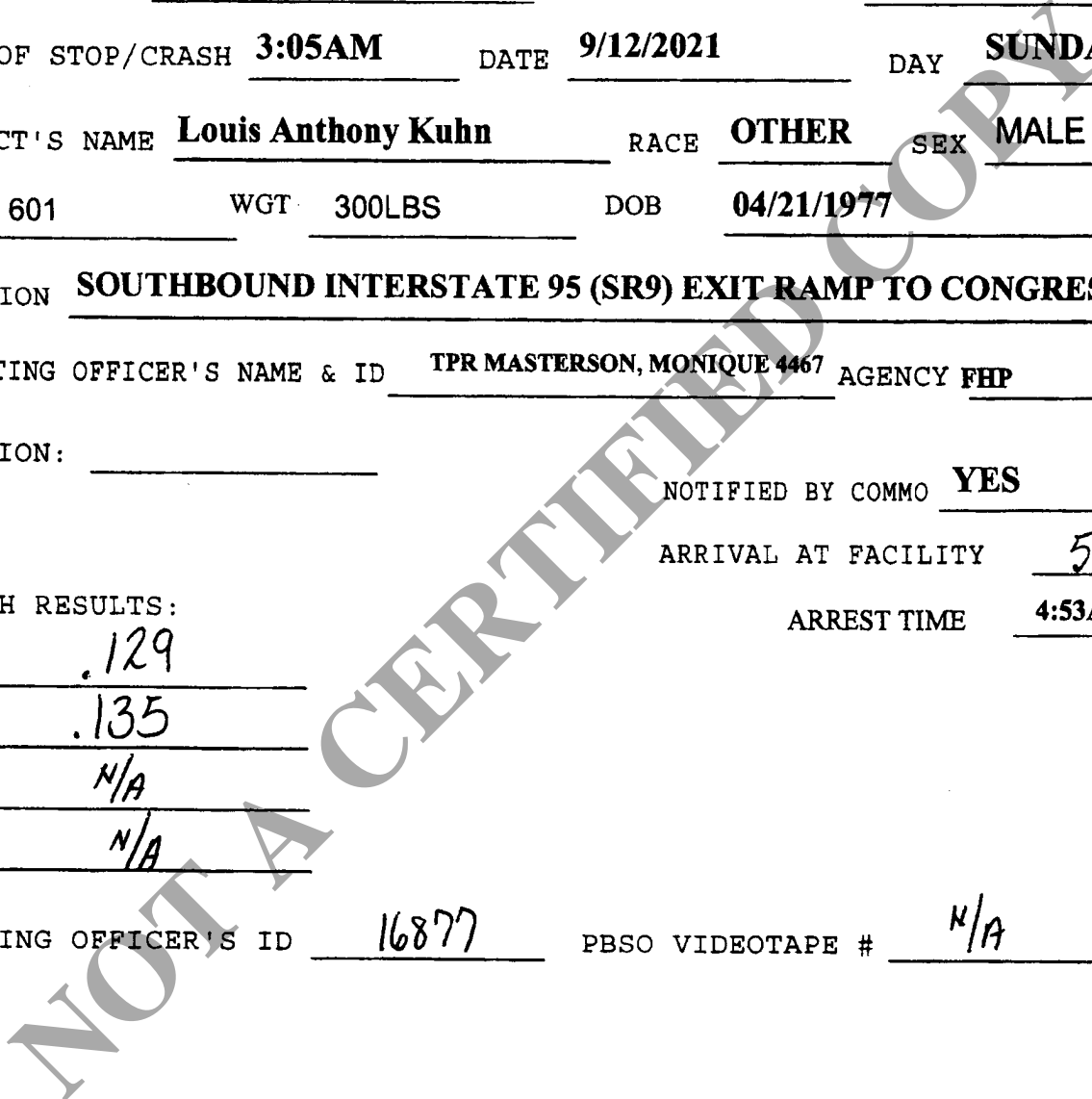
BREATH RESULTS:

ARREST TIME 4:53AM

- 1. .129
- 2. .135
- 3. N/A
- 4. N/A

TESTING OFFICER'S ID 16877

PBSO VIDEOTAPE # N/A



**SCANNED
SEP 14 2021**

TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: Kuhn, Louis A.

CASE NUMBER: 21-105773

DATE: Sep 12, 2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 05:41

ENDING TIME: 05:57

BREATH TESTS RESULTS: 1) .129 TIME 05:45 A.M. P.M. 2) .135 TIME 05:48 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: Calm, cooperative

CLOTHING: White shorts, black t-shirt, black sneakers

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER:

Eyes are glassy & red
Odor of unknown alcoholic beverage on breath

COMMENTS:

Arrived at center A/O started 20 minute observation period at 05:19 hrs.

Subject agreed to perform breath test.

A/O read rights.
Subject stated he understood rights.

Tech read breath test results.
Subject stated he understood breath test results.

A/O conducted Q&A.
Subject answered Q&A.

SCANNED
SEP 14 2021



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"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021022783	Date: 09/13/2021
	Specialist Name/ID: T Howard/7185

SCANNED
SEP 14 2021