

21CT4255ASB

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AKP

#2989

ARREST / NOTICE TO APPEAR

1 Arrest (No Warrant) 3 Request for Warrant
6 Arrest (Warrant) 4 Request for Capias
2 N.T.A. 5 Juvenile Referral

1

JUVENILE

AD M I N I S T R A T I O N	OBTS Number		Agency ORI Number 0500200		Agency Name Boca Raton Police Department		Agency Report Number (N.T.A.'s only) 3 2 2021-003232		Enter Type None/not Applicable		Multiple Clearance Indicator							
D E F E N D A N T	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		Location of Arrest (Including Name of Business) 2000 W GLADES RD BOCA RATON, FL 33431, 2000 W GLADES		Location of Arrest (Business Name, Address) 2000 W GLADES RD, BOCA RATON, FL 33431							
	Date of Arrest 03/16/2021	Time of Arrest 16:52	Booking Date 03/16/2021	Booking Time 16:52	Jail Date 03/16/2021	Jail Time 16:52	Location of Vehicle TOWED FROM SCENE											
	Name (Last, First, Middle) ROGERS, MICHAEL JOSEPH		Alias:		Alias (Name, DOB, Soc Sec #, Etc.)													
C O D E D	Race W - White B - Black		Sex M		Date of Birth 03/23/1990		Height 5'11		Weight 165		Eye Color BLUE		Hair Color BROWN		Complexion LIGHT		Build Medium	
	Local Address (Street, Apt. Number) 5761 STATE RT 156, WATERLOO, IL 62298		City Waterloo, IL		State IL		Zip 62298		Phone (618) 292-9119		Religion ATHEIST		Indication of Alcohol Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>		Indication of Drug Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>		Residence Type: 1 City 3 Florida 4 Out of State 4	
	Permanent Address (Street, Apt. Number) 5761 STATE RT 156, WATERLOO, IL 62298		City Waterloo, IL		State IL		Zip 62298		Phone (618) 292-9119		Address Source DEF		Occupation Unemployed					
	Business Address (Name, Street)		City		State		Zip		Phone									
J U V E N I L E	DL Number, State R262550901030 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) SPRINGFIELD, IL		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		<input type="checkbox"/> 2 At Large <input type="checkbox"/> 4 Misdemeanor							
C H A R G E	Charge Description DUI		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number 316.193(1)A		Violation of ORD #		Bond			
	Charge Description		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Warrant / Capias Number		Violation of ORD #		Bond			
	Charge Description		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Warrant / Capias Number		Violation of ORD #		Bond			
	Charge Description		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Warrant / Capias Number		Violation of ORD #		Bond			
I N T A K E	Health / Apparent Physical Condition of Defendant INTOXICATED		Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		Explain:		PROPERTY - Received By HORNE		Released By HORNE		Released To COUNTY JAIL							
	Check which applies: <input type="checkbox"/> Released O R <input type="checkbox"/> Posted Bond		<input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> South County Mental Health		<input checked="" type="checkbox"/> T.O.T. County Jail		Date Transported 03/16/2021		Time Transported 16:52		Other N/A							
N O T I C E T O A P P E A R	<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court		<input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court		Location (Court, Room) South County 200 W Atlantic Ave Delray Beach, FL 33444		Court Date and Time 4/19/21 0830 AM											
	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		Signature of Defendant (or Juvenile and Parent/Custodian) X [Signature]		Date Signed 3/16/21												No Photo Available	
A D M I N	HOLD for Other Agency		Signature of Arresting Officer [Signature]		Name of Arresting Officer (Print) HORNE, A.		ID # 791		Name Verification (Printed by Arrestee)									
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Transporting Officer A. HORNE		ID # 791		Agency BOCA		Witness here if subject signed with all []						PAGE 1 OF 1	

SCANNED 7/12

PROBABLE CAUSE AFFIDAVIT

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

1 Juvenile N

OBTS Number, Agency ORI Number, Agency Name: Boca Raton Police Dept., Agency Report Number: 21-3232

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

Name (Last, First, Middle): Rogers, Michael, Joseph. Alias, Race: White, Sex: Male, Date of Birth: 03/23/90

Victim's Name (Last, First, Middle): Boca Raton Police Dept. Local Address (Street, Apt. Number): 100 NW 2nd Ave, Boca Raton, FL 33432. Phone: (561) 738-1234. Address Source: Business.

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. On the 16th day of March 20 21 at 1652 A.M. P.M. (Specifically include facts constituting cause for arrest.) On 03/16/21 at approximately 1612 hours, I responded to the 2000 W Glades Road regarding a traffic crash investigation. Boca Raton Telecommunication Center received a call from witness black female, Nadia Holder, who stated that she was involved in a car crash and the suspect was attempting to leave the area. Holder followed the suspect, who was the sole occupant of a black Chevy Cruze bearing Illinois tag G78-7107, which stop at the abovementioned location. According to Holder, she was stopped at the traffic light at Butts Road and N Military Trail. While stopped at that location, Holder advised that she was struck from behind. Holder stated the vehicle did not stop, so she immediately called BRPD. At approximately 1628 hours, I arrived on the scene and met with Crash Investigator Madotta. According to Madotta, he was conducting a crash investigation, and the driver, white male Michael Rogers appeared to be under the influence by the way he was talking and his demeanor. While on the scene, I observed a black Chevy Cruze in the middle of the parking lot with heavy front-end damage. I then conducted a DUI investigation based on Holder's and Madotta's observations. I then approached Rogers, who was standing outside of his vehicle. While standing in front of Rogers, I could smell a strong unknown alcoholic beverage emanating from his person. Rogers appeared to be lethargic and had trouble keeping his eyes open. While speaking to Rogers, I noticed that his eyes were watery and bloodshot and sweating. I then explained to Rogers that I was conducting a DUI investigation based on the following facts: he was involved in a crash investigation, Holder's statements, and Officer Madotta's observation, coupled with the smell of alcohol coming from his person. I then asked Rogers if he would submit to roadside sobriety tasks to dispel my alarm that he was under the influence. Rogers stated "no" I then explained to him his Taylor Warning, at which point he agreed to conduct the sobriety task. I then escorted him over to the front of my marked patrol unit. Rogers was unable to keep his balance and was swaying as he was walking. I then asked Rogers if he had any medical or physical issues that would prevent him from doing physical movements, at which point he stated no. First, Rogers conducted the Horizontal Gaze Nystagmus task, and he advised he understood my instructions. Rogers displayed a lack of smooth pursuit in the right and left eye. Rogers displayed distinct nystagmus at maximum deviation and onset of nystagmus prior to forty-five degrees in both right and left eyes. Rogers was also unable to keep his balance during the instructional stage and had trouble tracking the pen with his eyes. Rogers was unable to maintain the instructional phase. I then asked Rogers to conduct the Walk and Turn task. Rogers was unable to maintain the instructional position. Rogers failed to keep his balance and started the task before telling him to do so several times. I attempted to reiterate the instructions, and Rogers started to argue with me. Several times, I asked Rogers to listen, but he refused to listen and continued to argue with me instead of conducting the task. Due to his inability to listen, the task was not conducted fully. During the One Leg Stand, Rogers could not maintain the starting position; his feet were spread apart and not together. Rogers then proceeded to start the task without my instructions. Rogers continued to argue with me and not listen to my instructions. Rogers did not keep his hands at his side during this task. Rogers then started that task, lifted his left leg toward his back incorrectly, and then raised his arms for balance. At that point, I discontinued all remaining tasks due to his inability to follow directions. Based on my investigation, I placed Rogers under arrest for DUI. I then transported Rogers to the BAT facility located at the Palm Beach County Jail. S Owen ID #3184 acted as my breath operator. S.Owen and I conducted the twenty-minute observation. During the observation period, Rogers was disobeying my verbal commands and got up from his chair times. After the observational period was conducted, I took Rogers into the BAT room, where he refused to provide a sample. I then read him his Constitutional Rights, which he advised he understood. Rogers advised he did not wish to speak, so I ended the interview. See DUI influence report for further. All footage pertaining to this case was marked and classified. Rogers was issued one citation regarding the DUI and several others pertaining to the crash investigation, which Officer Madotta conducted. Westway Towing impounded Rogers' vehicle. Officer Posset assisted within this case; see his supplement for his actions.

STATE OF FLORIDA COUNTY OF PALM BEACH Officer A. Horne (Signature of Arresting/Investigative Officer) 16 day of March 20 21 by Officer A. Horne. Notary Public, Beverly Sue Owen, My Commission # GG 188278, Expires: May 30, 2022.

DUI PROGRAM CASE AFFIDAVIT

ON THE 16th day of March 2021 at 1652

County of Boca Raton, State of Florida, Case No. 21-3232

Arrested by: [Redacted] Arrestee Name: Michael J Rogers Home ID 791

PERSONAL CONTACT

OBSERVATION BY OFFICER:

The subject had glassy, bloodshot watery eyes sweating profusely, and had difficulty keeping his eyes open. While speaking with the subject, he had a strong unknown alcoholic beverage emanating from his person.

OFFICER'S STATEMENT:

While on the scene, I explained to the subject that I was conducting a DUI Investigation based on witness statements, a crash investigation, and my observations. Based on my finding, I asked I, Roger to perform the SFST's, but he refused. I explain to Rogers his "Taylor Warnings" and asked him again perform the SFST's at which point he agreed.

Odor of an unknown alcoholic beverage coming from Rogers breath

GENERAL OBSERVATIONS

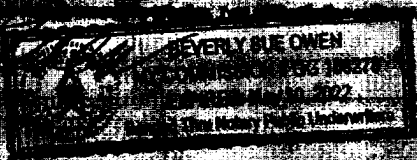
Speech: Thick

Mood: Agitated, argumentative, upset, insulting, vulgar, profane

Clothing: navy t-shirt, black gym shorts, black socks

MISCALOGUES:

Signature of Officer: [Signature] #794
Date: March 20, 2021
Signature of Arrestee: Ashton Horne



WITNESS LIST

CASE NUMBER: 21-3232

REPORTING OFFICER: A. Horne ID 791

ADDRESS: 100 NW 2nd Ave Boca Raton, FL 33432

PHONE NUMBER (HOME): 561-338-1234

CAN TESTIFY TO: Investigation

NAME: Officer Posset

ADDRESS: 100 NW 2nd Ave Boca Raton, FL 33432

PHONE NUMBER (HOME): 561-338-1234

CAN TESTIFY TO: DUI INVESTIGATION: DRIVERS DEMEANOR

NAME: CSO Madoffa

ADDRESS: 100 NW 2nd Ave Boca Raton, FL 33432

PHONE NUMBER (HOME): 561-338-1234

CAN TESTIFY TO: Crash Investigation

NAME:

ADDRESS:

PHONE NUMBER (HOME):

CAN TESTIFY TO:

NAME:

ADDRESS:

PHONE NUMBER (HOME):

CAN TESTIFY TO:

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PHONE NUMBER (HOME):

CAN TESTIFY TO:

TESTING FACILITY TASK REPORT

AGENCY: BOCA RATON P.D.

SUBJECT: ROGERS, MICHAEL JOSEPH

CASE NUMBER: 21045583

DATE: 03/16/2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 1842

ENDING TIME: 1851

BREATH TESTS RESULTS: 1) Refused TIME 1849 A.M. P.M. 2) TIME A.M. P.M.
3) TIME A.M. P.M. 4) TIME A.M. P.M.

BREATH OPERATOR: S. Owen #3184

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: ARGUMENTATIVE

CLOTHING: BLACK SOCKS, BLACK SHORTS, BLUE SHIRT

MEDICAL CONDITIONS: ANXIETY, DEPRESSION

MEDICATIONS: ANTIDEPRESSANT

OTHER:

D/L # R262 550 90 103 0 F1 (D/L NOT CARRIED)

COMMENTS:

A/O AND DEFENDANT ARRIVED AT 1820 HOURS. A/O OBSERVED 20 MINUTES. A/O REQUESTED BREATH TEST, DEFENDANT REFUSED. A/O READ I/C TWICE AT DEFENDANT'S ORDERS, UNDERSTOOD AND STILL REFUSED. A/O READ C/W DEFENDANT UNDERSTOOD RIGHTS. ASKED FOR AN ATTORNEY SO NO Q & A WAS DONE.

DUI INFLUENCE REPORT



BOCA RATON POLICE SERVICES DEPARTMENT
100 NW 2nd Avenue
Boca Raton, FL 33432



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

PBSO CASE # 21045583 PBSO ZONE 7-33
AGENCY CASE # 21-3232 CRASH CASE # _____
TIME OF STOP/CRASH 1605 DATE 3/16/21 DAY Tuesday
SUBJECT'S NAME Michael J. Rogers RACE W SEX M
HGT 5'11 WGT 163 DOB 3/23/90
LOCATION 2000 W Glades Rd Boca Raton FL, 33431
ARRESTING OFFICER'S NAME & ID A. Horne 791 AGENCY Boca Raton
DIVISION: Bravo Odds /F/s

NOTIFIED BY COMMO yes
ARRIVAL AT FACILITY 1820
Arrest Time 1652

BREATH RESULTS

REFUSED

- 1. _____
- 2. _____
- 3. _____
- 4. _____

TESTING OFFICER'S ID 3184

SUBJECT: _____ 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) _____

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) _____

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

SUBJECT: _____ CASE NUMBER: _____

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: _____



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"/>	119.0712(2)	Other: Personal information contained in a motor vehicle record	
	<input type="checkbox"/>	119.071(2)(J)	Other: MARSY'S LAW PROTECTED INFORMATION REGARDING VICTIM(S).	

REVIEW COMPLETED BY

Booking Number: 2021006475	Date: 3/17/2021
	Specialist Name/ID: M. Tooks #8557