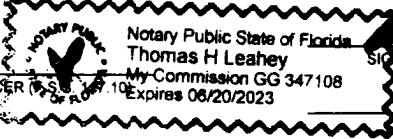


22CF3730AMB

0425656

1973

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 - 22002312					
Charge Type: Check as many as apply. ☒ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Weapon Seized / Type 2 1 Yes 2 No		Multiple Clearance Indicator			
Location of Arrest (Including Name of Business) FLORIDA BLVD/ALT AIA, PALM BEACH GARDENS, FL, 33410						Location of Offense (Business Name, Address) 13500-BLOCK ALT AIA, PALM BEACH GARDENS, FL, 33410					
Date of Arrest 05/09/2022		Time of Arrest 02:17		Booking Date		Booking Time		Jail Date		Jail Time	
Location of Vehicle KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407											
Name (Last, First, Middle) VANDERPOL, MONTGOMERY, JOHN MAJOR											
Alias (Name, DOB, Soc Sec #, Etc.)											
Race W - White 1 - American Indian B - Black 0 - Oriental/Asian		Sex W		Date of Birth 02/27/1984		Height 5 10		Weight 170		Eye Color BROWN	
										Hair Color BROWN	
										Complexion LIGHT	
										Build MEDIUM	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)						Marital Status ☒ OTHER		Religion ☒ OTHER		Indication of Alcohol Influence Y ☒ N ☐ Unk. ☐	
Local Address (Street, Apt. Number) 12257 HILLMAN CIR, PALM BEACH GARDENS, FL, 33410						Phone (561) 373-4765		Residence Type 1. City 2. County 3. Florida 4. Out of State 1			
Permanent Address (Street, Apt. Number) 12257 HILLMAN CIR, PALM BEACH GARDENS, FL 33410						Phone		Address Source VERBAL			
Business Address (Name, Street) (City) (State) (Zip)						Phone		Occupation			
D/L Number, State V-536-550-84-067-0 FL		Soc Sec. Number [REDACTED]		INS Number		Place of Birth (City, State) PARIS, FRANCE		Citizenship US			
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth	
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth	
Parent Legal Custodian Other						Name (Last)		(First)		(Middle)	
Address (Street, Apt. Number)						(City)		(State)		(Zip)	
Notified by: (Name)						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 ☐ defendant and / or ☐ 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. ☐ Yes, by (Name) ☐ No (Reason)						School Attended		Grade			
Property Crime? ☐ Yes ☐ 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. 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/Derv.		P. Paraphernalia/ Equipment S. Synthetics		U. Unknown Z. Other			
Charge Description DRIVING UNDER THE INFLUENCE		Counts 1		Domestic Violence ☐ Y ☒ N		Statute Violation Number 316.193(1)(A)		Violation of ORD # 22			
Drug Activity N		Drug Type N		Amount / Unit		Offense #		Warrant / Capias Number		Bond 0	
Charge Description POSSESSION OF Alprazolam		Counts 1		Domestic Violence ☐ Y ☒ N		Statute Violation Number 893.13(6)(A)		Violation of ORD # 5			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond 0	
Charge Description POSSESSION OF Amphetamine/dextroamphetamine		Counts 1		Domestic Violence ☐ Y ☒ N		Statute Violation Number 893.13(6)(A)		Violation of ORD # 5			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond 0	
Charge Description		Counts		Domestic Violence ☐ Y ☒ N		Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond	
TO BE SET											
Court Date and Time Month Day Year Time AM 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 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											
05/09/2022											
Signature of Defendant (or Juvenile and Parent /Custodian)											
Date Signed											
HOLD for other Agency Name		Signature of Arresting Officer A. FLINK		Name Verification (Printed by Arrestee) MAY 9 AM 5:09		(PRINT) SCANNED		PAGE 1		OF 1	
☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other		Name of Arresting Officer (Print) A. FLINK		I.D. # 514		Agency PBGPD		Witness here if subject signed with an "X"	
Intake Deputy [Signature]		I.D. #		Pouch #		Transporting Officer A. FLINK		I.D. # 514		MAY 09 2022	

OETS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
Agency ORI Number FL FLO502600		Agency Name Palm Beach Gardens Police Department		Agency Report Number 7 8 22-002312					
Charge Type: Check as many as apply.		☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:					
Name (Last, First, Middle) VANDERPOL, MONTGOMERY JOHN MAJOR		Alias NONE		Race W		Sex M		Date of Birth 02/27/1984	
Charge Description 316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED		Charge Description 893.13(6)(A) POSSESSION OF ALPRAZOLAM							
Charge Description 893.13(6)(A) POSSESSION OF AMPHETAMINE/DEXTROAMPHET									
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 <u>9</u> day of <u>May</u>, <u>2022</u> at <u>02:07</u> (Specifically include facts constituting cause for arrest.)									
On 05/09/2022 at approximately 0207 hours, this Officer arrived in the area of Florida Blvd and Alt A1A, PBG, FL, to assist Ofc Lovett 523 on a traffic stop. Body worn camera and in car video were used. Ofc Lovett said he observed the vehicle, a Toyota Camry (RWE5157/GA) traveling 65 MPH in a posted 50 MPH zone, in the area of the 13500-block of Alt A1A, PBG, FL. Ofc Lovett stopped the vehicle at the location. This Officer made contact with the driver and sole occupant of the vehicle, identified via Florida Driver License photo, Montgomery Vanderpol (OF), while he was still in actual physical control of same. Vanderpol had flushed red face, red watery eyes, low droopy eye lids, low slurred speech, and the strong obvious odor of an unknown alcoholic beverage emanating from his breath at conversational distance. Vanderpol appeared very nervous and uneasy. Vanderpol said he was coming from a friends house and was on his way home which was in the neighborhood near our location. Vanderpol admitted consuming "a few" alcoholic beverages over an extended period of time. Based on this Officers observations, Vanderpol was asked to exit the vehicle to participate in Standardized Field Sobriety Exercises, to which he complied. Vanderpol said he did not have any medical conditions which would affect the exercises performed. The first exercise conducted, was the Horizontal Gaze Nystagmus. The stimulus used, was a Toxoptix X3. This Officer observed lack of smooth pursuit in both eyes and sustained involuntary jerking in both eyes at maximum deviation. Vanderpol also had the onset of Nystagmus in both eyes, prior to 45 degrees. Vanderpol had to be repeatedly told to properly follow the stimulus. The second exercise conducted, was the Walk and Turn. The line used was a strip of yellow tape placed upon the pavement by this Officer. During the instructions Vanderpol									
SWORN AND SUBSCRIBED BEFORE ME		 Notary Public State of Florida Thomas H. Leahey My Commission GG 347108 Expires 06/20/2023 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER FLINK, ANDREW S (514) NAME OF OFFICER (PLEASE PRINT)							
<u>05/09/2022</u> DATE		<u>05/09/2022</u> DATE							
		PAGE 1 OF 2							

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

OBT Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
Agency ORI Number FL FL0502600		Agency Name Palm Beach Gardens Police Department		Agency Report Number 7 8 22-002312					
Charge Type: Check as many as apply.		☒ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Special Notes:	
Name (Last, First, Middle) VANDERPOL, MONTGOMERY JOHN MAJOR				Alias NONE		Race W		Sex M	
						Date of Birth 02/27/1984			
exited the starting position several times and had to be told to re-enter the position before the exercise continued. Vanderpol started the exercise prior to being told to do so. During the first set of steps, Vanderpol raised his arms more than six inches from his sides and missed heel-to-toe one time. Vanderpol took eight steps rather than nine. Vanderpol conducted an improper turnaround by way of not taking a series of small steps, rather pivoting on his rear foot. During the return set of steps, Vanderpol again raised his arms more than six inches from his sides and again took eight steps rather than nine. The third exercise conducted, was the One-Leg Stand. During the exercise Vanderpol raised his right foot. Vanderpol swayed throughout the exercises and raised his arms more than six inches from his sides. Due to a miscommunication, with back-up Officers, the exercise was ended early. It should be noted, despite the exercise being ended early, this Officer did have sufficient probable cause for Vanderpols arrest. Based on this Officers observations, Vanderpol was placed under arrest at 0217 hours. During a tow inventory of the vehicle, Ofc Lovett discovered contraband. In the driver door pocket, Ofc Lovett located a silver-gray key chain, which appeared to be a metallic cylinder for carrying small items. Inside the cylinder were two pills, one was a blue oval pill stamped "g3721", which was later identified as Alprazolam 1mg and an orange oval pill stamped "b 973 20", which was later identified as Amphetamine/dextroamphetamine 20mg. The contraband was booked into evidence by Ofc Kahn 545. At PBSO BAT, this Officer requested Vanderpol to provide a breath sample for the purpose of determining its alcohol content, to which he asked for options. This Officer read the updated Florida Implied Consent to Vanderpol, to which he initiated a long drawn out discussion about providing breath and not providing breath and asking similar questions multiple times. Vanderpol eventually acknowledged Implied Consent and agreed to provide a breath sample. At 0329 hours, he blew .077 and 0332 hours, he blew .075. These breath samples were taken more than one hour after the arrest. This Officer then requested Vanderpol to provide a urine sample for the purpose of determining the presence of controlled or chemical substance(s). Vanderpol again initiated a conversation about the urine test. This Officer accepted Vanderpols refusal to take a urine test at 0339 hours. Based on the results of the investigation, this Officer has probable cause to prove Montgomery Vanderpol operated a motor vehicle, while under the influence, to the extent his normal faculties were impaired, in violation of FSS 316.193(1)(A). Vanderpol was in possession of two banned substances without proper prescription, in violation of FSS 893.13(6)(A).									
SWORN AND SUBSCRIBED BEFORE ME <i>T Leahey</i> NOTARY PUBLIC / CLERK OF COURT / OFFICE OF RECORDS 05/09/2022 DATE Notary Public State of Florida Thomas H Leahey My Commission GG 347108 Expires 06/20/2023 <i>[Signature]</i> SIGNATURE OF ARRESTING INVESTIGATING OFFICER FLINK, ANDREW S (514) NAME OF OFFICER (PLEASE PRINT) 05/09/2022 DATE									
								PAGE 2 OF 2	

COURT

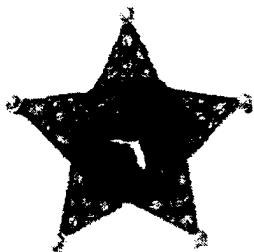
STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.



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



PBSO Case #: 22-065403 PBSO Zone: 3-13

Agency Case #: 22002312 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 02:03 Date of Incident: 05/09/2022 Day: MONDAY

Location of Incident: 13500-BLOCK ALT A1A, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 02:17 Date of Arrest: 05/09/2022 Day: MONDAY

Location of Arrest: FLORIDA BLVD/ALT A1A, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) VANDERPOL, (F) MONTGOMERY, (M) JOHN MAJOR

DOB: 02/27/1984 Race: W Sex: M Height: 5 10 Weight: 170 Hair BROWN Eye BROWN

Address: 12257 HILLMAN CIR, PALM BEACH GARDENS, FL, 33410 Phone: (561) 373-4765

Arresting Officer's Name: A. FLINK ID#: 514

Agency: PBGPD Division: TRAFFIC UNIT

Breath Results

- 1) .077 at 0329 hrs.
2) .075 at 0332 hrs.
3) **FUSED** at 0339 hrs.
4) _____ at _____ hrs.

---BAT Use---

BAT Notified: YES
Arrival Time at BAT: 0253
Subject Arrest Time: 02:17

Breath Test Operator: 19183
PBSO

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: Vanderpol, Montgomery J

CASE NUMBER: 22-065403

DATE: May 9, 2022

VIDEO DVD NUMBER: n/a

BEGINNING TIME: 0315

ENDING TIME: 0340

BREATH TESTS RESULTS: 1) .077 TIME 0329 A.M. ☒ P.M. ☐ 2) .075 TIME 0332 A.M. ☒ P.M. ☐
3) n/a TIME 0 A.M. ☐ P.M. ☐ 4) n/a TIME 0 A.M. ☐ P.M. ☐

BREATH OPERATOR: Thomas H Leahey #19183

MAINTENANCE TECHNICIAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: slurred, thick

ATTITUDE: compliant, talkative, repetitive

CLOTHING: blue jeans, black t-shirt, black sneakers

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER:

eyes were glassy & bloodshot
odor of unknown alcoholic beverage on breath

COMMENTS:

arrived at center A/O conducted 20 observation period at 0253 hrs
subject refused to perform breath test - subject stated he was unsure
A/O read I/C & A/O explained I/C 3X & subject understood I/C
subject agreed to perform breath test
subject completed breath test
tech read breath test results & subject understood breath test results
A/O requested urine sample @ 0335
subject refused to provide urine sample @ 0335 subject stated he was unsure
A/O asked if subject remembered I/C & subject understood I/C
subject refused to provide urine sample @ 0339
A/O read rights & subject understood rights
A/O attempted Q&A
subject declined to answer questions

REFUSED

**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: 80-006240 Software: 8100.27
Date of Test: 05/09/2022

Date of Last Agency Inspection: 04/08/2022

Observation Period Began: 02:53

Subject's Name: MONTGOMERY J VANDERPOL

DOB: 02/27/1984 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	03:26
	Air Blank	0.000	03:26
	Control Test	0.080	03:27
	Air Blank	0.000	03:27
	Subject Sample #1	0.077	03:29
	Air Blank	0.000	03:30
	Air Blank	0.000	03:31
	Subject Sample #2	0.075	03:32
	Air Blank	0.000	03:32
	Control Test	0.081	03:33
	Air Blank	0.000	03:33
	Diagnostics Check	OK	03:33

Cylinder Lot: 29821080A4
Exp: 12/05/2023

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 THOMAS H LEAHY, 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: T. Leahy Date: 05/09/2022
Signature

Sworn to & affirmed) before me this 09 day of May, 2022
[Signature] Off A Flink #514

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.

**STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
URINE TEST**

I, **A. FLINK**, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of **PALM BEACH GARDENS POLICE DEPARTMENT**, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the **9TH** day of **MAY**, 20**22**, at **02:17** ☐ P.M. ☒ A.M.

DRIVER **MONTGOMERY** **JOHN MAJOR** **VANDERPOL**
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # **V-536-550-84-067-0**, state of **FL**, was placed under lawful arrest for

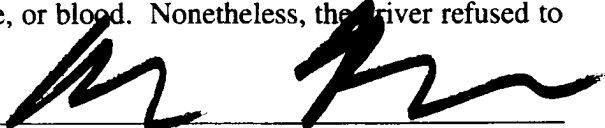
the offense of **DRIVING UNDER THE INFLUENCE** by **A. FLINK** and
(Name of Arresting Officer)

issued citation # **AECS1HE**

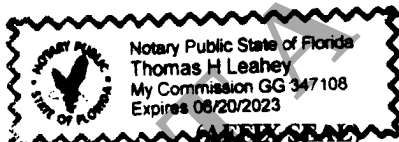
That on or about the **9TH** day of **MAY**, 20**22**, at **0339** ☐ P.M. ☒ A.M.

in **PALM BEACH** County,

I requested that the driver submit to a URINE test for the purpose of determining the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test 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, or if he or she had been previously fined under s. 327.35215, F.S., 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, or if he or she has been previously fined under s. 327.35215, F.S., for refusal to submit to a lawful test of his or her breath, urine, or blood. Nonetheless, the driver refused to submit to the test requested.


Signature of Law Enforcement Officer or Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (s. 117.10, F.S.)



The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

The foregoing instrument was sworn and subscribed before me
this **9TH** day of **MAY**, 20**22**,
by **A. FLINK**, who is
personally known to me or who has produced
Quinn as identification.

Notary Public **T. Leahey**

Title _____
Date **05/09/2022**

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: _____ 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: _____

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 determining 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 refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your **breath, urine** or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,

If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

SUBJECTS 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) _____



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	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	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)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☒		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022012056	Date: 05/09/2022
	Specialist Name/ID: T Howard/7185