

0514938 20CT3041 NB 2230

OBTS Number ARREST / NOTICE TO APPEAR 1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 1 Juvenile N

Agency ORI Number FLO 502600 Agency Name PALM BEACH GARDENS POLICE DEPARTMENT Agency Report Number (N.T.A.'s only) 78-20001114

Charge Type: 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other 2 Weapon Seized / Type 1. Yes 2. No Multiple Clearance Indicator

Location of Arrest (Including Name of Business) BURNS RD/ALT A1A, PBG, FL Location of Offense (Business Name, Address) 9800 ALT A1A, PBG, FL

Date of Arrest 02/20/2020 Time of Arrest 01:54 Booking Date Booking Time Jail Date Jail Time Location of Vehicle KAUFF'S TOWING & RECOVERY 4301 East Avenue, West Palm Beach, FL 33405

Name (Last, First, Middle) BOCCIA, PASQUALE, Alias (Name, DOB, Soc. Sec. #, Etc.) Race W - White I - American Indian B - Black O - Oriental/Asian W M Sex M Date of Birth 10/05/1961 Height 5'11 Weight 190 Eye Color BRO Hair Color BRO Complexion LIGHT Build MEDIUM

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Na Marital Status SINGLE Religion CHRISTIAN Indication of Alcohol Influence Drug Influence Y N Unk. 2 2

Local Address (Street, Apt. Number) (City) (State) (Zip) Phone (561) 329-0726 Residence Type: 1. City 2. County 3. Florida 4. Out of State 2

Permanent Address (Street, Apt. Number) (City) (State) (Zip) Phone () Address Source VERBAL Business Address (Name, Street) (City) (State) (Zip) Phone () Occupation COMPUTER TECH

D/L Number, State B200660613650 FL Soc. Sec. Number [REDACTED] INS Number [REDACTED] Place of Birth (City, State) BROOKLYN, NY Citizenship US

Co-Defendant Name (Last, First, Middle) Race Sex Date of Birth 1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile

Parent Legal Custodian Other Name (Last) (First) (Middle) Residence Phone Address (Street, Apt. Number) (City) (State) (Zip) Business Phone

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.

Property Crime? Yes No Description of Property Value of Property School Attended Grade

Drug Activity N. N/A 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. Parapharmaceutical Equipment S. Synthetics U. Unknown Z. Other

Charge Description DRIVING UNDER THE INFLUENCE OVER .08 Counts 1 Domestic Violence Y N Statute Violation Number 316.193(1)(B) Violation of ORD #

Charge Description Counts Domestic Violence Y N Statute Violation Number Violation of ORD # Warrant / Capias Number Bond

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NOTICE TO APPEAR NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700 Court Date and Time Month MARCH Day 25 Year 2020 Time 10:00 AM X 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

Signature of Defendant (or Juvenile and Parent /Custodian) Date Signed 02/20/2020

HOLD for other Agency Name: Signature of Arresting Officer Name Verification (Printed by Arrestee) FEB 20 2020

Dangerous Suicidal Reisted Arrest Other: Name of Arresting Officer (Print) Ofc. ANDREW FLINK 514 I.D. # (PRINT)

Transporting Officer ANDREW FLINK ID # 514 Agency PBGPD Witness here if subject signed with me 1 OF 1

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

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 20TH DAY OF FEBRUARY 2020, AT 0140 AM PM

SUBJECT: BOCCIA, PASQUALE, CASE NUMBER: 20001114

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. ANDREW FLINK 514
PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

Ofc Butzbach 507 said he observed the vehicle, a silver in color Toyota Camry (Y69EMW/FL) traveling at an increased rate of speed South bound on Alt A1A passing Burns Rd, PBG, FL. Ofc Butzbach further stated he paced the vehicle, with his marked unit #13412, at 80 MPH in a posted 45 MPH zone. Ofc Butzbach also said he observed the vehicle riding over the center dividing line for approximately a quarter of a mile. I made contact with the driver of the vehicle, identified via Florida Driver License photo, Pasquale Boccia, while he was still in actual physical control of the vehicle.

OBSERVATION OF DRIVER:

Boccia had a flushed red face, bloodshot watery eyes, heavy droopy eyelids, slurred speech and the obvious odor of an unknown alcoholic beverage emanating from his breath at conversational distance. The odor would increase in intensity as Boccia spoke with this Officer.

DRIVER'S STATEMENTS:

Boccia said he was coming from "double roads tavern" and had consumed three beers on this evening. Boccia later admitted, Post-Miranda, to consuming two shots of tequila in addition to the three beers.

ODORS:

Unknown alcoholic beverage

GENERAL OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Compliant, upset

CLOTHING: Black shirt, blue jeans, brown shoes.

MEDICAL/OTHER: One leg shorter than the other, torn rotator cuff, burn on right leg from coffee, intermittent ankle issues.

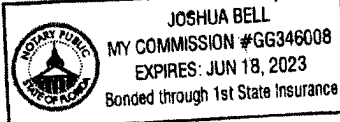
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 20th day of February 2020 by Ofc. ANDREW FLINK

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



Personally ~~SCANNED~~

FEB 20 2020

SUBJECT: BOCCIA, PASQUALE,

CASE NUMBER 20001114

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

LT EYE-LACK OF SMOOTH PURSUIT

RT EYE-LACK OF SMOOTH PURSUIT

LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Vertical Gaze Nystagmus was also observed in both eyes. Boccia was swaying back and forth while balancing. Boccia also had to be told multiple times to follow the stimulus and keep his head still. This Officer observed six out of six indicators of impairment during the exercise.

WALK & TURN:

While in the starting position, Boccia was unable to maintain his balance. He several times stepped out of the starting position and also placed his left hand upon the police vehicle next to him, to maintain balance. During the exercise, Boccia missed heel-to-toe several times and also stepped off the line several times. Boccia also raised his arms well past six inches from his sides for the duration of the exercise. Boccia took 13 steps rather than nine as instructed. Boccia did not even attempt the turnaround, rather Boccia came off the line and requested further instruction from this Officer. During the return, Boccia again missed heel-to-toe and stepped off the line multiple times. Boccia also paused to steady himself multiple times through out the entire exercise. This Officer observed seven out of eight indicators of impairment during the exercise.

ONE LEG STAND:

During the exercise, Boccia was delayed in starting the exercise, as he said he was determining which foot to raise. Boccia swayed while balancing and raised his arms more than six inches from his sides. Boccia also placed his foot down multiple times prior to being told to do so. Boccia also hopped multiple times during the exercise. This Officer observed all four indicators of impairment during the exercise.

ROMBERG ALPHABET:

Not conducted.

FINGER TO NOSE:

Not conducted.

BREATH TEST RESULTS:

1) .140

2) .142

3) -

4) -

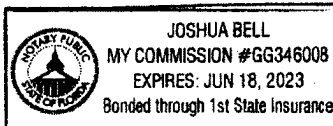
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 20th day of February 2020 by Ofc. ANDREW FLINK

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

Notary Public, Clerk of Court, Officer (F.S.S 117.10)



SCANNED
FEB 20 2020



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

PBSO CASE # 20-040189 PBSO ZONE 3-13

AGENCY CASE # 20001114 CRASH CASE # _____

TIME OF STOP/CRASH 0140 DATE 02/20/2020 DAY THURSDAY

SUBJECT'S NAME BOCCIA PASQUALE RACE W SEX M
LAST FIRST MID

HGT 5'11 WGT 190 DOB 10/05/1961

LOCATION BURNS RD/ALT A1A, PBG, FL

ARRESTING OFFICER'S NAME & ID Ofc. ANDREW FLINK 514 AGENCY PBGPD

DIVISION: TRAFFIC UNIT

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 0220

ARREST TIME 01:54

BREATH RESULTS:

- 1) .140
- 2) .142
- 3) - N/A
- 4) - N/A

BREATH TEST OPERATOR: Bell 8656

SCANNED
FEB 20 2020

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: 80-006238 Software: 8100.27
Date of Test: 02/20/2020

Date of Last Agency Inspection: 02/14/2020

Observation Period Began: 02:20

Subject's Name: PASQUALE BOCCIA

DOB: 10/05/1961 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		02:45
Air Blank	0.000	02:45
Control Test	0.081	02:46
Air Blank	0.000	02:46
Subject Sample #1	0.140	02:47
Air Blank	0.000	02:48
Air Blank	0.000	02:49
Subject Sample #2	0.142	02:50
Air Blank	0.000	02:51
Control Test	0.079	02:51
Air Blank	0.000	02:52
Diagnostics Check OK		02:52

Cylinder Lot: 00919080A3
Exp: 03/05/2021

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: 02/20/20

Sworn to (or affirmed) before me this 20 day of February, 2020

OF. 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.

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: BOCCIA, PASQUALE

CASE NUMBER: 20-040189

DATE: 02/20/20

VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 0243

ENDING TIME: 0259

BREATH TESTS RESULTS: 1) .140 TIME 0247 A.M./P.M. 2) .142 TIME 0250 A.M./P.M.
3) N/A TIME XX A.M./P.M. 4) N/A TIME XX A.M./P.M.

BREATH OPERATOR: J. BELL #8656

MAINTENANCE TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: TALKATIVE, COOPERATIVE

CLOTHING: BLACK TEE SHIRT, BLUE JEANS, BROWN DRESS SHOES

MEDICAL CONDITIONS: ONE LEG SHORTER THAN THE OTHER, BAD ANKLE, TORN ROTATOR CUFF

MEDICATIONS: NONE

OTHER: EYES: GLASSY

ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

SUBJECT STATED HE DRANK 3 BEERS AND 2 TEQUILA ON THE ROCKS (Q AND A)

COMMENTS: ARRIVED AT CENTER A/O BEGAN 20 MIN OBSERVATION AT 0220 HRS

SUBJECT STATED HE WOULD TAKE BREATH TEST

A/O READ RIGHTS

SUBJECT STATED HE UNDERSTOOD HIS RIGHTS

TECH READ BREATH TEST RESULTS AND EXPLAINED

SUBJECT ASKED WHY SECOND SAMPLE WAS HIGHER

A/O CONDUCTED Q AND A

SUBJECT ANSWERED QUESTIONS

SCANNED

FEB 20 2020

SUBJECT: Borcia, Pasquale CASE NUMBER: 20001114

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.

SCANNED
FEB 20 2020

SUSPECT'S SIGNATURE: (X) Read on camera

SUBJECT: Boccia, Pasquale CASE NUMBER: 20001114

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? Yes

WHERE WERE YOU GOING? Wendy's then home

WHAT STREET OR HIGHWAY WERE YOU ON? Unknown

DIRECTION OF TRAVEL? N WHERE DID YOU START? From Wendy's

WHAT TIME DID YOU START? 1:00 WHAT TIME IS IT NOW? 2:00

WHAT IS TODAY'S DATE? 20th Feb. WHAT DAY OF THE WEEK IS IT? Thursday

WHAT COUNTY AND CITY ARE YOU IN NOW? The WB

WHEN DID YOU LAST EAT? 1 pm WHAT DID YOU EAT? Wendy's

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Listening to radio, driving, talking

HOW MUCH DO YOU WEIGH? 160 HAVE YOU BEEN DRINKING? Yes WHAT? Beer

HOW MUCH? 2-3 WHERE? Wendy's WITH WHOM? My friends

WHEN DID YOU HAVE YOUR FIRST DRINK? 2:00 AND YOUR LAST DRINK? 2:30

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Beer and fog on the rocks

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? Yes ARE YOU UNDER THE INFLUENCE? Yes

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? No HOW MUCH? No

WHAT? No WHERE? No WHEN? No

WHAT LINE OF WORK ARE YOU IN? Engineer WHEN DID YOU LAST WORK? Yesterday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? No

ARE YOU SICK OR INJURED? No WHAT'S WRONG? No

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE YOU IN AN ACCIDENT TODAY? No

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? No WHEN? No

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? No WHO? No WHY? No

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? No WHEN? No

- DO YOU HAVE: EPILEPSY? No
- GLASS EYE? No
- FALSE TEETH? No
- EAR INFECTION? No
- INNER EAR TROUBLE? No
- DIABETES? No

SCANNED
FEB 20 2020

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? No

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? Yes WHERE? PA, NJ, MD

INTERVIEWER: OFC. Flink #5111



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: 2020005718	Date: 02/2/2020
	Specialist Name/ID: T Howard/7185

SCANNED
 FEB 2 0 2020