

# ARREST AFFIDAVIT

CIRCUIT <b>15TH JUDICIAL CIRCUIT</b>		REPORTING AGENCY <b>FLORIDA ATLANTIC UNIVERSITY POLICE DEPARTMENT</b>				REPORT DATE <b>01/30/2021</b>
REPORTING AGENCY ORI # <b>FL0503700</b>	ARRESTING AGENCY ORI # <b>FL0503700</b>	SUBMITTING AGENCY ORI # <b>FL0503700</b>	BOOKING AGENCY ORI # <b>FL0370700</b>			
AGENCY CASE # <b>21-0049</b>	ARREST # OR COURT CASE # <b>21-0049</b>	JUVENILE? <b>NO</b>	TYPE OF ARREST <b>TAKEN INTO CUSTODY</b>			
OBTs #	EVIDENCE CONFISCATED		EVIDENCE CONFISCATED DESCRIPTION			
<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/CAPTAS						
DATE <b>01/30/2021</b>	TIME <b>02:42 AM</b>	DATE <b>01/30/2021</b>	TIME	DATE	TIME	
AT BUSINESS? <b>YES</b>	COMPANY NAME <b>FLORIDA ATLANTIC UNIVERSITY</b>					
STREET # <b>777</b>	PRE DIRECTION	STREET NAME <b>GLADES RD</b>		POST DIRECTION	STREET CATEGORY CODE <b>ROAD</b>	APT/UNIT #
CITY <b>BOCA RATON</b>	STATE <b>FL</b>	ZIP <b>33431</b>	LATITUDE		LONGITUDE	
AT BUSINESS? <b>YES</b>	COMPANY NAME <b>FLORIDA ATLANTIC UNIVERSITY</b>					
STREET # <b>777</b>	PRE DIRECTION	STREET NAME <b>E. UNIVERSITY DR. AND ARTS AVE</b>		POST DIRECTION	STREET CATEGORY CODE <b>DRIVE</b>	APT/UNIT #
CITY <b>BOCA RATON</b>	STATE <b>FL</b>	ZIP <b>33431</b>	LATITUDE		LONGITUDE	
PERSON # <b>1</b>	COARRESTEE STATUS	JUVENILE? <b>NO</b>	PARENTS CONTACTED?	RELATIONSHIP TO SUBJECT		NTA? <b>NO</b>
BUSINESS/GOVERNMENT NAME			VICTIM TO SUBJECT RELATIONSHIP			
FIRST NAME <b>PHILIP</b>	MIDDLE NAME <b>MORRIS</b>	LAST NAME <b>KNEER</b>		SUFFIX	DATE OF BIRTH <b>6/1/1998</b>	AGE <b>23</b>
GENDER <b>M</b>	HEIGHT <b>5'10"</b>	RACE <b>W</b>	ETHNICITY <b>NOT HISPANIC OR LATINA</b>		ALIAS / MAIDEN	ALT NAME DESC.
COMPLEXION <b>FAIR</b>	BUILD <b>SLIM</b>	WEIGHT <b>175 LBS</b>	EYE COLOR <b>BRO</b>	HAIR COLOR <b>BRO</b>	PHYSICAL FEATURE	
SCARS/MARKS/TATOOS (LOCATION / DESCRIBE)						
DUI INDICATOR <b>ALCOHOL</b>	SPEAKS ENGLISH? <b>YES</b>	THREAT? <b>NO</b>	PROBATION? <b>NO</b>	GANG AFF? <b>NO</b>	SEX OFFENDER? <b>NO</b>	MENTAL HEALTH/INMATE? <b>NO</b>
DRIVER LICENSE # <b>K560673982010</b>	DL STATE <b>FL</b>	DL CLASS <b>E</b>	PLACE OF BIRTH <b>US</b>	COUNTRY OF CITIZENSHIP <b>US</b>		
SOC. SEC. #	INS #	FBI #	FCIC/NCIC #	BOOKING #	SPN #	DOC #
OTHER ID #						
STREET # <b>5503</b>	STREET NAME <b>N. MILITARY</b>			STREET CATEGORY CODE <b>TRAIL</b>	APT/UNIT # <b>201</b>	

052/091

2011

JAN 30 2021 7:18  
 PALM BEACH COUNTY  
 CLERK OF COURT

FILED

CITY <b>BOCA RATON</b>		STATE <b>FL</b>	ZIP CODE <b>33496</b>	ADDRESS SOURCE <b>SUBJECT</b>	
PERSON RESIDENCE CODE <b>RESIDENT</b>		PHONE # <b>(317) 752-7609</b>		E-MAIL <b>THICLBERTKNERR@ICLOU</b>	
Did the victim, or the victim's family, request that their personal information remain confidential pursuant to Article 1 section 16 of the Florida Constitution?		Was the victim notified of the right to be informed, to be present, and to be heard when relevant, at all crucial stages of criminal proceedings, to the extent that these rights do not interfere with the constitutional rights of the accused?		Does the victim wish to be notified if an arrest has been made?	
CHARGE # <b>1</b>	VICTIM PERSON # <b>STATE OF FLORIDA</b>	OFFENSE START DATE <b>01/30/2021</b>	OFFENSE END DATE <b>01/30/2021</b>	INCIDENT START DATE <b>01/30/2021</b>	INCIDENT END DATE <b>01/30/2021</b>
JUVENILE REFERRAL					
CHARGE TYPE <b>FSS</b>	CHARGE SEVERITY <b>MISDEMEANOR</b>	ORDINANCE #	STATE STATUTE <b>316.102(1A)</b>		
STATUTE DESCRIPTION <b>POSSESSION OF ALCOHOL OR DRUGS</b>				COUNTS <b>1</b>	INCREASED PENALTY
DRUG ACTIVITY <b>N/A</b>	DRUG TYPE	QUANTITY AMOUNT	BAIL BOND TYPE	BOND DATE	BOND AMOUNT WARRANT #
FIRST NAME <b>RICKEY</b>		LAST NAME <b>RICKEY</b>		BADGE # <b>0468</b>	OFFICER <b>OFFICER</b>
SIGNATURE METHOD <b>ELECTRONIC</b>	OFFICER SIGNATURE <i>Abby Rickey Jr</i>			SIGNATURE DATE <b>01/30/2021</b>	SIGNATURE TIME <b>04:35</b>
AFFIRMING OFFICIAL NAME <b>DANIELLE LUCIANO</b>				BADGE # <b>493</b>	AFFIRMING AGENCY ORI # <b>FLO503700</b>
SIGNATURE METHOD <b>ELECTRONIC</b>	AFFIRMING OFFICIAL SIGNATURE <i>[Signature]</i>			SIGNATURE DATE <b>01/30/2021</b>	SIGNATURE TIME <b>04:37</b>

NOT A CERTIFICATE

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named defendant committed the following violation of law:

On **01/30/2021** , at **02:20** (Specifically include facts constituting cause for arrest.)

On the above date and time, I was conducting traffic enforcement on Art Ave. and East University Dr. I witnessed a grey in color Audi A3 (FL Tag: QDBR06) run a stop sign located at the intersection heading northbound on E. University Dr. I then conducted a traffic stop on the vehicle which stopped at the corner of NW 8th Ave and PBSC Dr. Philip M. Knerr was the driver of the vehicle and was identified as so with his Florida Driver's License (K560673982010.) During my traffic stop I could smell a strong odor of alcohol emanating from the vehicle. I wrote Knerr a warning (00485FAU) and proceeded to have him step out of the vehicle to conduct the Standardized Field Sobriety Exercises (SFSE.)

During the SFSE, I had Knerr move off the side of the road onto a sidewalk on a flat surface. I noticed that Knerr had glassy eyes and his pupils were dilated. Knerr was wearing flat shoes and advised me that he had no conditions that prevent him from participating in the SFSE. I first performed the Horizontal Gaze Nystagmus (HGN) I had Knerr removed his glasses, place his feet together, and advised him to look at the stimulus that was being used (pen with flashlight illuminating it.) During the Exercises I checked for equal tracking, pupil size and resting nystagmus. I then conducting HGN exercise. Knerr had a lack of smooth pursuit in both his left and right eyes. During the distinct and sustained nystagmus, he showed impairment in both eyes. During the onset of nystagmus prior to 45 degrees Knerr showed in both eyes as well. It should be noted that he did not have a vertical nystagmus. Knerr showed 6 out of the 7 cues during these exercises.

Next Knerr performed the walk and turn. I had Knerr place his feet in the starting position with his hands at his sides. I then read the instructions from my notebook and demonstrated how to conduct the exercise and how to turn with the small steps. During the instructions Knerr was swaying from left to right. During the exercises, Knerr missed several heel-to-toe steps, stepped off the imaginary line that was given to him on the sidewalk that was lit my flashlight. Knerr also took a 10th step and did a sharp turn rather than the small steps as instructed. Knerr showed 5 out of the 8 cues during this exercise.

Finally, I had Knerr perform the One-leg Stand. During the one-leg-stand, Knerr was able to complete the exercise with out any cues however, he had to be reminded multiple times to raise his foot 6 feet off the ground.

At this time, I determined through the SFSE's that Knerr was possibly under the influence of an unknown alcoholic substance and was placed in handcuffs, checked for tightness and double locked. I advised Knerr that he was being arrested for the suspicion of Driving Under the Influence (D.U.I.) F.S.S 316.193(1). Knerr was then placed in Officer Luciano's (ID # 493) squad car (unit 1162) for transported to Palm Beach County Main Jail.

Once I arrived at the jail, Knerr was placed in a seat and Officer Luciano observed him for his 20-minute observation phase. Once his observation phase was complete, Knerr was read his Miranda rights and acknowledge them. Knerr consented to him doing the breathalyzer and provided the Breath tech (Deputy Bell #8656) with 2 separate samples. The results of the test came back as 0.154 and 0.153. Bell then advised Knerr of his test results after the machine had completed the test. I then attempted to question Knerr using the form that the jail had provided however, she declined to answer any questions. I then completed my arrest paperwork, and the D.U.I. Citation, and walked Knerr to the prisoner intake.

A misdemeanor DUI court date was set for February 25, 2021 at 0830 hours. A filing packet will be completed and sent to the State Attorney's Office.

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. SIGNING THIS NOTICE TO APPEAR IS NOT AN ADMISSION OF GUILT. YOUR SIGNATURE ACKNOWLEDGES RECEIPT OF THE INFORMATION LISTED HEREON.

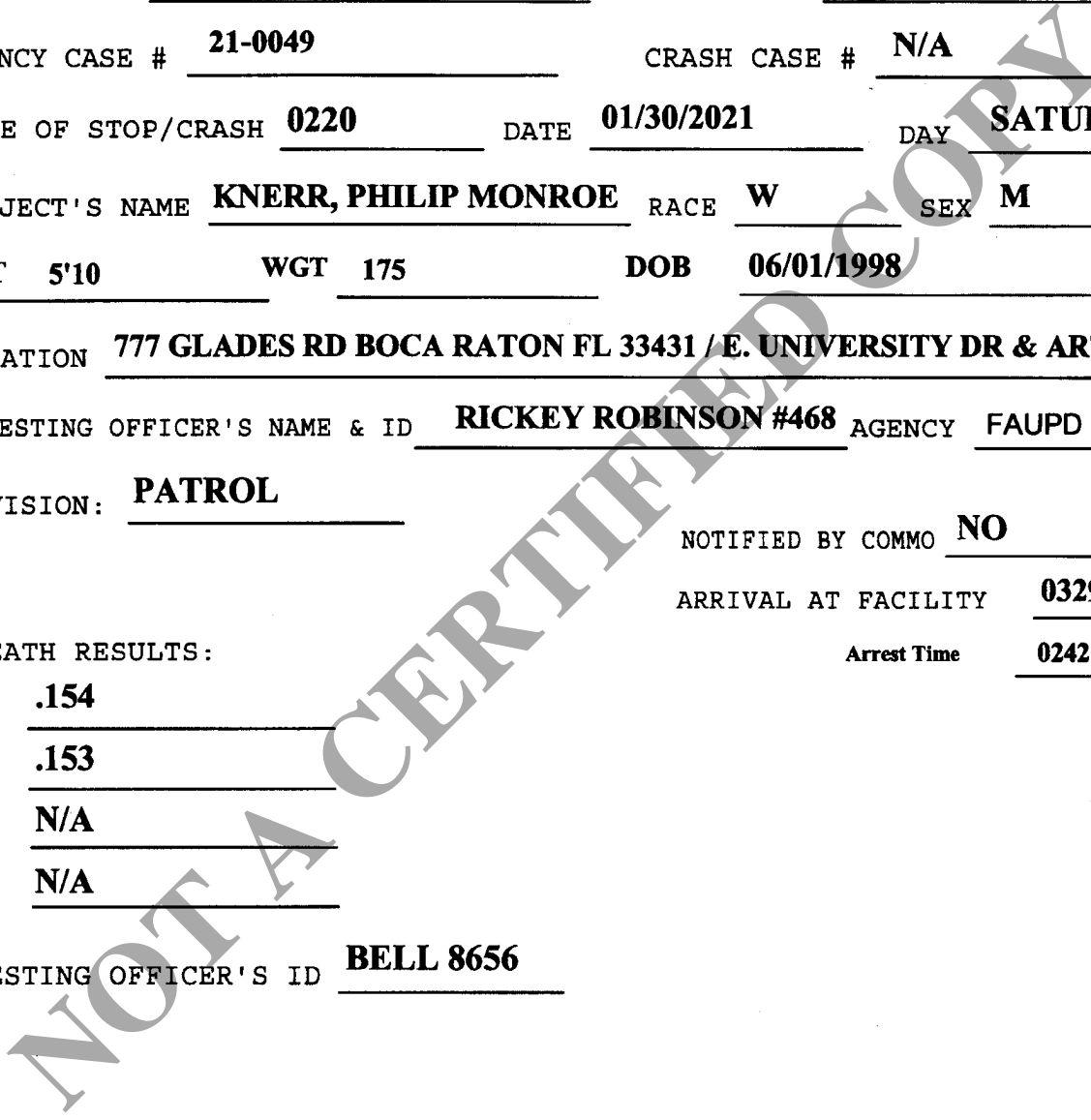
DEFENDANT/JUVENILE SIGNATURE

PARENT/GUARDIAN SIGNATURE



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

PBSO CASE # 21-030531 PBSO ZONE 7-11  
AGENCY CASE # 21-0049 CRASH CASE # N/A  
TIME OF STOP/CRASH 0220 DATE 01/30/2021 DAY SATURDAY  
SUBJECT'S NAME KNERR, PHILIP MONROE RACE W SEX M  
HGT 5'10 WGT 175 DOB 06/01/1998  
LOCATION 777 GLADES RD BOCA RATON FL 33431 / E. UNIVERSITY DR & ARTS AVE  
ARRESTING OFFICER'S NAME & ID RICKEY ROBINSON #468 AGENCY FAUPD  
DIVISION: PATROL NOTIFIED BY COMMO NO  
ARRIVAL AT FACILITY 0329  
BREATH RESULTS: Arrest Time 0242  
1. .154  
2. .153  
3. N/A  
4. N/A  
TESTING OFFICER'S ID BELL 8656



# TESTING FACILITY TASK REPORT

AGENCY: FAUPD

SUBJECT: KNERR, PHILIP MONROE

CASE NUMBER: 21-030528

DATE: Jan 30, 2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0357

ENDING TIME: 0409

BREATH TESTS RESULTS: 1) .154 TIME 0402 A.M.  P.M.  2) .153 TIME 0405 A.M.  P.M.   
3) N/A TIME XX A.M.  P.M.  4) N/A TIME XX A.M.  P.M.

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: TALKATIVE, INQUISITIVE, COOPERATIVE,

CLOTHING: GREEN PLAID JACKET, BLACK TEE SHIRT, BLACK PANTS, BLACK SHOES

MEDICAL CONDITIONS: MENTAL CONDITION

MEDICATIONS: REXULTI

## OTHER:

EYES: GLASSY

## COMMENTS:

ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0329 HOURS

SUBJECT STATED HE WOULD TAKE BREATH TEST

TECH READ BREATH TEST RESULTS

SUBJECT STATED HE UNDERSTOOD BREATH TEST RESULTS

A/O READ RIGHTS

SUBJECT STATED HE UNDERSTOOD HIS RIGHTS

SUBJECT DECLINED TO ANSWER Q AND A

SUBJECT: YONGE, Philip M

CASE NUMBER: 21-6649

### REQUIRED CONSENT FOR DUI IN A MOTOR VEHICLE

THIS FORM IS TO BE COMPLETED AND APPLICABLE TO THE TYPE OF TEST REQUESTED

I am now requesting that you submit a sample of your BREATH for the purpose of detecting the presence of chemical or controlled substances.

OR

I am now requesting that you submit to a sample 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 sample of your BLOOD for the purpose of detecting the presence of chemical or controlled substances.

**NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.**

I, \_\_\_\_\_ of the \_\_\_\_\_

do hereby request that you submit to the test I have requested within your privilege to operate a motor vehicle with a license to drive (A) for a period of ninety (90) days if your privilege has been suspended for a period of ninety (90) days or a period of one hundred (100) days if your privilege has been previously suspended for a period of ninety (90) days or a period of one hundred (100) days if your privilege has been previously suspended for a period of one hundred (100) days. Refusal to submit to the test requested may result in the suspension of your privilege to operate a motor vehicle.

SUBJECT'S SIGNATURE: (X) \_\_\_\_\_

### CONSTITUTIONAL WARNINGS

**PLEASE READ THESE RIGHTS BEFORE YOU MAKE ANY STATEMENTS THAT WILL BE USED AGAINST YOU IN COURT.**

1. You have the right to remain silent and not answer any questions.
2. Any statement made by you may be used against you in court.
3. You have the right to the presence of a lawyer of your choice before you make any statements in response to questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements in response to questioning.
5. If at any time you decide to stop answering questions, you do not wish to answer any questions, or you wish to stop answering questions, you may stop answering questions at any time.
6. I can advise you of your rights and I will advise you to make a statement. This is your choice.
7. Anything you say can be used against you in a court of law.

Signature of \_\_\_\_\_

Knerr, Philip M

CASE NUMBER: 71-6049

# QUESTIONS AND ANSWERS

I AM ABOUT TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OR ALL OF THEM OR YOU MAY STOP AT ANY TIME. YOU MAY STOP AT ANY TIME IF YOU WANT TO STOP.

WERE YOU DRIVING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT?

WHAT TYPE OF VEHICLE?

WHERE WERE YOU DRIVING AT THE TIME OF THE STOP/ACCIDENT?

WHAT TIME DID YOU START? WHAT TIME IS IT NOW?

WHAT DAY OF THE WEEK IS IT?

WHAT DID YOU EAT?

WHAT DID YOU DRINK THE LAST THREE HOURS?

HAVE YOU BEEN DRINKING? WHAT?

WITH WHOM?

AND YOUR LAST DRINK?

HOW MANY DRINKS?

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

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? WHAT? WHERE?

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 REAR END STRUCK?

HAVE YOU TAKEN ANY PILLS OR SMOKE ANY MARIJUANA TODAY? WHEN?

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? WHO? WHY?

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? WHAT? WHEN?

DO YOU WEAR CONTACT LENSES?

DO YOU WEAR GLASSES?

DO YOU WEAR HEARING AIDS?

DO YOU WEAR A PROSTHESIS?

DO YOU WEAR A BRACE?

DO YOU WEAR A HAT?

Off. R. Robinson 463

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: 01/30/2021

Date of Last Agency Inspection: 01/15/2021  
Observation Period Began: 03:29  
Subject's Name: PHILIP M KNERR

DOB: 06/01/1998 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	04:00
	Air Blank	0.000	04:00
	Control Test	0.080	04:00
	Air Blank	0.000	04:01
	Subject Sample #1	0.154	04:02
	Air Blank	0.000	04:02
	Air Blank	0.000	04:04
	Subject Sample #2	0.153	04:05
	Air Blank	0.000	04:05
	Control Test	0.079	04:06
	Air Blank	0.000	04:06
	Diagnostics Check	OK	04:06

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: 1/30/21

Sworn to (or affirmed) before me this 30 day of January, 2021

Signature of Notary Public-State of Florida

Off. R. Robinson #468

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.



**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: 2021002515	Date: 01/31/2021
	Specialist Name/ID: T Howard/7185