



Arrest Report

J-0516645

P-3805

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

2020 CT006701 ANB

Report Date / Time 5/25/2020 07:00 PM	Report Number FHP99ARR815986	Case Number/Cad Number FHPL20OFF027828 / LWRC20CAD074670	Reporting Officer Name PRADO, JOSEPH
Originating Agency ORI	Occur Date Time Range 05/25/2020 18:09:25 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description SOUTHBOUND STATE ROAD 9 NORTH FROM STATE ROAD 794			
Street Number 1-95	Street S YAMATO ROAD	Apt/Lot/Bldg BOCA RATON	City BOCA RATON	State FL	Zip Code 33487

Defendant

First Name RICHARD	Middle Name CHARLES	Last Name LETT	Suffix	Race WHITE	Sex MALE	Height 508	Weight 200	Hair BRO	Eyes HAZ
MNI #	SSN [REDACTED]	Date of Birth 10/02/1982	Age 37	Place of Birth DELRAY BEACH FL US	Drivers License or other ID L300743823620	State FL	ID Type E	Address * RESIDENCE / 13103 MAHOGANY DR, BOYNTON BEACH, FL 33436 /	

Arrest

Arrest Date/Time 5/25/2020 7:02:11 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description SOUTHBOUND STATE ROAD 9 NORTH FROM STATE ROAD 794				
Street Number	Street	Apt/Lot/Bldg	County PALM BEACH	City BOCA RATON	State FL	Zip Code 33487

Charge : S

Counts 1	Charge 316.193.1A	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree N	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI ALCOHOL OR DRUGS			

Bond Set by Court

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

Probable Cause

On Monday, May 25th, 2020 at approximately 06:00 pm, I, Trooper Joseph Prado ID# 1710, arrived at a vehicle crash southbound State Road 9 (Interstate 95) north of State Road 794 (Yamato Road). Once I arrive on scene I identified the male driver who was at fault for the accident who was later identified by Florida

Arrest Report

Dunning G/ls

126 AM 6:45

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Driver's License #L300-743-82-362-0 as Richard Charles Lett. When I approached Richard Charles Lett, I observed a strong odor usually associated with an unknown alcoholic beverage emitting from his facial area. I also observed bloodshot and watery red eyes. I instructed Richard Charles Lett that I will be conducting a crash investigation. I then approached the male driver of the other vehicle who was later identified by Florida Driver's License #F-260-821-84-452-0 as Thomas Andrew Fiser, He stated "the driver crashed into the rear of my vehicle and upon stopping he tumbled upon exiting the vehicle." Once I finished the crash investigation, I explained to Thomas Andrew Fiser that I was going to conduct a criminal investigation for D.U.I. (Driving Under the Influence) on the at-fault driver Richard Charles Lett.

At approximately 06:40 pm, I advised Richard Charles Lett that the crash investigation is now completed. I read Richard Charles Lett his Miranda Rights and advised him that I am now conducting a criminal investigation for D.U.I. (Driving Under the Influence). I requested that he perform Standardized Field Sobriety Exercises (SFSE's) to which he stated "Yes".

Prior to starting SFSE's I asked Richard Charles Lett if he has any medical or physical disabilities that may prevent him from performing the SFSE's, He stated "No".

At approximately 7:00 pm I began Standardized Field Sobriety Exercises.

Horizontal Gaze Nystagmus (HGN): During the HGN exercise, I observed all 6 clues in the defendant's eyes. I observed lack of smooth pursuit in the defendant's left, and right eye. I also observed distinct and sustained Nystagmus at maximum deviation in both the defendant's left, and right eye. The defendant also had onset of Nystagmus prior to 45 degrees, in both the defendant's left and right eye. I observed the Nystagmus at approximately 25-30 degrees. I did observe Vertical Gaze Nystagmus (VGN) in the defendant's eyes.

Walk and Turn (WAT): Prior to starting the WAT exercise, I explained if he was willing to perform the WAT exercise on the slightly wet surface on the paved

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shoulder to whom he stated "yes". I explained and demonstrated the start position to the defendant. Once the defendant was in the start position, I began to explain the exercise. The defendant raised his arms, parallel to the ground to help with his balance. Once the defendant was in the start position, I resumed explaining the exercise to the defendant. After I had explained the exercise, the defendant advised me that he understood, and I advised him that he could begin. During the exercise, I observed 6 out of the possible 8 clues. The defendant was unable to maintain his balance while listening to the instructional period. While the defendant was walking on the line, the defendant missed the heel-to-toe steps. The defendant also lost his balance and stepped off the line on multiple steps. The defendant did raise his arms, parallel to the ground, and he made an improper turn. Lastly, he told me he was willing to perform the exercise again with no shoes. I continued to observe the same 6 out of the possible 8 clues upon his second attempt.

One Leg Stand (OLS): After completing the WAT exercise, I asked the defendant to stand back in the area where we performed the HGN exercise. I asked the defendant to get into the start position and I demonstrated the exercise to him. Once the defendant began the exercise, he placed his foot down multiple times and could not maintain his balance.

The defendant was placed in handcuffs and advised that he was being placed under arrest for D.U.I, this occurred at approximately 06:57 pm on May 25th, 2020. The defendant was briefly patted down and placed in rear passenger cage of my marked Florida Highway Patrol car with the camera on.

At Approximately 7:10 pm, I transported the defendant to the Palm Beach County Jail 3228 Gun Club Rd, West Palm Beach, FL 33406. At approximately 7:40 pm I arrived at the Palm Beach County Jail and began my 20-minute observation period for the dependent to have the opportunity to provide a breath sample for determining the alcohol content. During the observation period, I did not allow the defendant to place his hands in his mouth, drink water, or leave my sight.

At Approximately 8:00 pm, once the defendant's 20-minute observation

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period ended the defendant was escorted to the breath test room. The defendant was read his Miranda Rights at approximately 8:00 pm for a second time on camera, the defendant agreed to provide a breath sample.

The defendant's first breath sample was a 0.207 at approximately 8:07 pm. The defendant's second breath sample was a 0.192 at approximately 08:10 pm

The defendant was booked in Palm Beach County Jail 3228 Gun Club Rd, West Palm Beach, FL 33406

The above incident occurred in Palm Beach County, Florida, on the dates and approximate times listed above.

Jail Bookin Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone Number
0.0000	PALM BEACH	PALM BEACH COUNTY CORRECTIONS	(561) 688-4400

Booking Facility Location Booking Number

3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406

Booking Comments

Court

Court County	Court Location		
PALM BEACH	3188 PGA BLVD. PALM BEACH GARDENS, FL 33410		
Court	Court Phone	Court Appearance Date / Time	Court Fine
PALM BEACH NORTH COUNTY COURTHOUSE	561-624-6608	07/20/2020 1:30PM	
Comments			

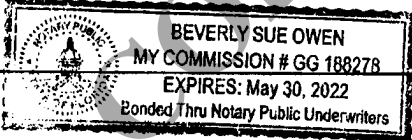
Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
PRADO, JOSEPH TPR 4629	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPLLWRCCLP/ALM BEACH/BROW LN TO SR804

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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 PRADO, JOSEPH	Office Rank TPR	Officer ID No 4629	Sworn and subscribed before me, the undersigned authority This the <u>25th</u> day of <u>May</u> , <u>2020</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL	<i>Joseph</i>		
Officer Signature	<i>Joseph</i>		



NOT A CERTIFIED

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: 80-006476 Software: 8100.27
Date of Test: 05/25/2020

Date of Last Agency Inspection: 05/15/2020
Observation Period Began: 19:40
Subject's Name: RICHARD C LETT

DOB: 10/02/1982 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	20:05
Air Blank	0.000	20:05
Control Test	0.079	20:06
Air Blank	0.000	20:06
Subject Sample #1	0.207	20:07
Air Blank	0.000	20:08
Air Blank	0.000	20:10
Subject Sample #2	0.192	20:10
Air Blank	0.000	20:11
Control Test	0.078	20:12
Air Blank	0.000	20:12
Diagnostics Check	OK	20:12

Cylinder Lot: 28719080A1
Exp: 12/05/2021

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 SUE OWEN, 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: _____

Sue Owen
Signature

Date: 05/25/2020

Sworn to (or affirmed) before me this 25th day of May, 2020

Signature of Notary Public-State of Florida

JOSEPH PRADO
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: FHP-L
SUBJECT: LETT, RICHARD CHARLES
CASE NUMBER: 20071817
DATE: 05/25/2020
VIDEO DVD NUMBER: N/A
BEGINNING TIME: 2000
ENDING TIME: 2014

BREATH TESTS RESULTS: 1) .207 TIME 2007 A.M. P.M. 2) .192 TIME 2010 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: NORMAL

ATTITUDE: CO-OPERATIVE

CLOTHING: BLUE BATHING SHORTS, BLACK T-SHIRT

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

Defendant went to bathroom during observation observed by A/O

COMMENTS:

A/O AND DEFENDANT ARRIVED AT 1940 HOURS

TEMPERATURE TAKEN AND QUESTIONS ASKED

A/O OBSERVED DEFENDANT FOR 20 MINUTES

A/O REQUESTED BREATH TEST, DEFENDANT REFUSED.

A/O READ I/C, DEFENDANT UNDERSTOOD AND AGREED TO TAKE TEST.

NO PROBLEM WITH TEST, TECH EXPLAINED RESULTS.

A/O READ C/W, DEFENDANT UNDERSTOOD RIGHTS AND REFUSED TO ANSWER Q AND A



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

PBSO CASE # 20-071817

AGENCY CASE# FHPL20OFF027828

AGENCY ZONE 7-31

CRASH CASE # FHPL20OFF027828

TIME OF STOP/CRASH 6:09 PM

DATE 5/22/2020

DAY MONDAY

SUBJECT'S NAME RICHARD CHARLES LETT

RACE WHITE

SEX MALE

HGT 508

WGT 200LBS

DOB 10/02/1982

LOCATION SOUTHBOUND STATE ROAD 9 NORTH FROM STATE ROAD 794

ARRESTING OFFICER'S NAME & ID JOSEPH PRADO #4629

AGENCY FLORIDA HIGHWAY PATROL

DIVISION: _____

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 1940

ARREST TIME 06:57 PM

BREATH RESULTS:

- 1. .207
- 2. .192
- 3. /
- 4. /

TESTING OFFICER'S ID 3184

PBSO VIDEOTAPE # N/A

NOT A CERTIFIED COPY

SUBJECT: Le IT, Richard Charles CASE NUMBER: FHPL 200FF027828

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: _____

NO ANSWERS TO QUESTIONS

SUBJECT: LETT, Richard Charles CASE NUMBER: FHP L 200 FF027828

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 Trooper PRADO of the FHP-L

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) _____

Read on Camera

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) _____

Read on Camera



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: 2020013492	Date: 05/26/2020
	Specialist Name/ID: AM/31562