

0524345

#198

Arrest Report

21MM4828SB

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

Report Date / Time 7/3/2021 04:44 AM	Report Number FHP99ARR835190	Case Number/Cad Number FHPL21OFF043027 / LWRC21CAD120503	Reporting Officer Name GUERRIER, JEFFERSON
Originating Agency ORI	Occur Date Time Range 07/03/2021 01:02:06 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type	Location Description
Street Number I-95 NB	Apt/Lot/Bldg	City BOYNTON BEACH
State FL	Zip Code 33435	

Defendant

First Name RILEYJOHN	Middle Name WALTER	Last Name GRACE	Suffix	Race WHITE	Sex MALE	Height 604	Weight 290	Hair BRO	Eyes BRO
MNI #	SSN	Date of Birth 08/12/1975	Age 45	ID Type E	Drivers License or other ID G620739752920	State FL	OCA / Agency ID		
Place of Birth:	Hollywood, FL								
Address * / 2102 SW 13TH CT., DELRAY BEACH, FL 33445 /									

Arrest

Arrest Date/Time 7/3/2021 1:35:13 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description I95 NORTHBOUND BOYNTON BEACH BLVD EXT RMP
Street Number I-95 NB	Apt/Lot/Bldg	County PALM BEACH
City BOYNTON BEACH	State FL	Zip Code 33435

Charge : S

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

Charge : S

Counts 1	Charge 843.02	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree F	Charge Level MISDEMEANOR	General Offense Code RESIST OFFICER	
Charge Description OBSTRUCT WO VIOLENCE			
Is Arrestee Juvenile?		No	

Arrest Report

SCANNED
JUL 04 20212021 JUL -4 AM 9:31
JOSEPH ABRUZZO, CLERK
PALM BEACH COUNTY, FL
GUN CLUB
Page 1 of 4

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Type of Arrest	On-View Arrest (apprehension without a warrant or previous incident report)
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Bond Set by Court

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

Probable Cause

On July 3, 2021 at approximately 0114 I was monitoring northbound traffic on Interstate 95 north of Atlantic Avenue (State Road 9). I observed a Blue SUV bearing the license plate (North Carolina) HKA4901 traveling in the inside lane with no headlights traveling at a high rate of speed. I proceeded behind the vehicle and while pace clocking the vehicle the vehicle overtook several vehicles cutting in and out of traffic at 105 Miles Per Hour in a 65 Miles Per Hour zone. I activated my emergency equipment and conducted a traffic stop on the northbound exit ramp of Boynton Beach Boulevard.

I approached the passenger's side of the vehicle and observed Riley John Walter Grace later identified by Florida Driver's License # G620739752920. I introduced myself and explained the reason for the stop to Mr. Grace and requested his Driver's License, registration, and proof of insurance. The reason for the stop was for speed and driving without headlights. During the initial interaction, I observed a strong unknown alcoholic beverage emitting from inside the vehicle. I also observed glassy eyes, lethargic speech, and dry mouth from Mr. Grace. At the time of the stop Mr. Grace repeatedly advised that he was almost home. After providing me with the documents I issued Mr. Grace a citation for speed and driving without headlights. Based on the indicators of driving impaired, I requested that Mr. Grace step outside the vehicle. After the stepping out the vehicle, I asked Mr. Grace to perform voluntary Standard Field Sobriety Exercises and Mr. Grace agreed. Mr. Grace incoherently mumbled many things. While outside the vehicle I smelled an unknown alcoholic beverage coming off Mr. Grace. Before the exercises, I asked Mr. Grace if he had any physical injuries or any neurological problems I had to be aware of. Mr. Grace explained that he was uncoordinated and had back problems from a prior job.

Horizontal Gaze Nystagmus: I observed equal pupil size and equal tracking. I observed a lack of smooth pursuit in both eyes and distinct and sustained nystagmus at maximum deviation. I also observed an onset of nystagmus prior to 45 degrees with both eyes. After horizontal gaze nystagmus I checked or Vertical Gaze Nystagmus and did not observe nystagmus. During the exercise Mr. Grace had difficulty following the stimulus with his eyes only by moving his head. During the exercise Mr. Grace swayed back and forth. While looking for Vertical Gaze Nystagmus Mr. Grace complained about his position on the shoulder and requested to standing facing north instead of west on the interstate.

Walk and Turn: Before the exercise, Mr. Grace complained about his footwear, so I asked him if he wanted to take off his shoes. He advised yes. During the instruction phase, Mr. Grace was given verbal instruction to maintain the starting position while I demonstrated the exercise and immediately had difficulty maintaining his balance. Mr. Grace fell out of position several times during the instructional

Arrest Report

Page 2 of 4

SCANNED
JUL 04 2021

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phase. Mr. Grace missed all nine heel to toe steps and step off the line. Mr. Grace also executed an improper turn and took the incorrect number of steps back.

One Leg Stand: I explained and demonstrated the exercise to Mr. Grace. During the exercise Mr. Grace used his left foot and put his left foot down. Mr. Grace was unable to keep balance, hopped, and used his arms for balance.

Based on the totality of circumstances, there was probable cause to arrest Mr. Grace for Driving Under the Influence. I then placed Mr. Grace under arrest.

Mr. Grace was transported to Palm Beach County Jail and during the ride to the jail Mr. Grace was very talkative and apologetic. I arrived at the BAT at 2:00 AM. During the 20 Minute Observation period Mr. Grace had to be told to sit down in the chair multiple times. Mr. Grace complained about the handcuffs being too tight and I provided him an extra pair of handcuffs and loosened the handcuffs. At the BAT Mr. Grace was very discourteous to the BAT technician and repeatedly failed to follow procedures and protocol. After the observation period, Mr. Grace was read implied consent and refused to provide breath to determine the alcohol content. I advised Mr. Grace of the consequences if he refused and Mr. Grace again refused to provide breath.

Mr. Grace was then booked in the Palm Beach County Jail

All events occurred in Palm Beach County

Jail Booking Facility

Booking Date/Time 7/3/2021 04:49 AM	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406		Booking Number	
Booking Comments			

Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 07/29/2021 1:00 PM	Court Fine
Comments			


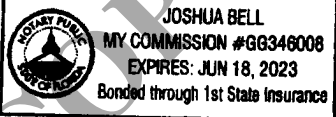

Officer Name Rank / ID # GUERRIER, JEFFERSON TPR 4788	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA HIGHWAY PATROL FHPL/LWRCC/PALM BEACH/BROW LN TO SR804
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SCANNED
JUL 04 2021

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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 GUERRIER, JEFFERSON	Office Rank TPR	Officer ID No 4788	Sworn and subscribed before me, the undersigned authority This the <u>03</u> day of <u>July</u> , <u>2021</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL	 		
Officer Signature 			

<input type="radio"/> No Bill / Petition <input type="radio"/> Issue Warrant <input type="radio"/> Prosecution Approved	Signature of Assistant State Attorney _____	Date _____
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SCANNED
JUL 04 2021



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

PBSO CASE # 21-081995 PBSO ZONE 6-12
AGENCY CASE # FHPL21OFF043027 CRASH CASE # N/A
TIME OF STOP/CRASH 0102 DATE 07/03/21 DAY SATURDAY
SUBJECT'S NAME GRACE, RILEY JOHN WALTER RACE W SEX M
HGT 6'4 WGT 290 DOB 08/12/1975
LOCATION I-95 NB EXIT RAMP TO BOYNTON BEACH BLVD
ARRESTING OFFICER'S NAME & ID TPR. J. GUERRIER #4788 AGENCY FHP
DIVISION: PALM BEACH NOTIFIED BY COMMO YES
ARRIVAL AT FACILITY 0210
BREATH RESULTS: Arrest Time 0135
1. REFUSED
2. REFUSED
3. REFUSED
4. REFUSED
TESTING OFFICER'S ID BELL 8656

SCANNED
JUL 04 2021

TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: GRACE, RILEY JOHN WALTER

CASE NUMBER: 21-081995

DATE: Jul 3, 2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0247

ENDING TIME: 0251

BREATH TESTS RESULTS: 1) R TIME 0249 A.M. ☒ P.M. ☐ 2) N/A TIME XX 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 TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: UNCOOPERATIVE, YELLING, ARGUMENTATIVE

CLOTHING: WHITE LONG SLEEVE BUTTON UP SHIRT, BLACK JEANS, GREY SHOES

MEDICAL CONDITIONS: UNKNOWN

MEDICATIONS: UNKNOWN

OTHER:

EYES: BLOODSHOT, GLASSY

COMMENTS:

ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0210 HOURS

SUBJECT STATED HE WOULD NOT TAKE BREATH TEST

A/O READ I.C

SUBJECT ACKNOWLEDGED HE UNDERSTOOD I.C

SUBJECT STATED AGAIN HE WOULD NOT TAKE BREATH TEST

REFUSAL TIME 0249 HOURS

A/O READ RIGHTS

SUBJECT WOULD NOT STATE WHEATHER OR NOT HE UNDERSTOOD HIS RIGHTS

Q AND A NOT CONDUCTED

SCANNED
JUL 04 2021

REFUSED

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, GUERRIER, JEFFERSON, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of FLORIDA HIGHWAY PATROL, and I do swear

(Name of law enforcement agency)
or affirm that on or about the 3rd day of July, 2021, at 1:35 ☐ P.M. ☒ A.M.

DRIVER RILEY JOHN WALTER GRACE
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME
DL# G620739752920, state of FL, was placed under lawful arrest for

316.193(1)
the offense of D.U.I. - ALCOHOL OR DRUGS (MISDEMEANOR) by GUERRIER, JEFFERSON and
(Name of Arresting Officer)

issued Citation # A770CWE

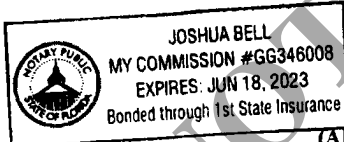
That on or about the 3rd day of July, 2021, at 2:49 ☐ P.M. ☒ A.M.
in Palm Beach County,

I requested that the driver submit to a ☒ **breath and/or** ☐ **urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) 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 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 for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

[Signature]
Signature of Law Enforcement Officer or
Correctional Officer

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

The foregoing instrument was sworn and subscribed before me:



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this 03 day of July, 2021,

by 1 PR, Guerrier,

who is personally known to me or who has produced

Known as identification.

Notary Public [Signature]

HSMV-BAR1001 (REV. 10/2016)

Signature of Attesting Officer

Title

Date

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.

SCANNED
JUL 04 2021

SUBJECT: Grace, Riley John Walter

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) _____

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

SCANNED
JUL 04 2021

SUBJECT: Grace, Riley John Walter 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: TPR. J. Guverrier #4788

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

BRON 001200 REV 0/00

SCANNED
JUL 04 2021