



Arrest Report

20CT16591ANB

3535

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

0590336

Report Date / Time 12/20/2020 09:30 PM	Report Number FHP99ARR830716	Case Number/Cad Number FHPL20OFF072896 / LWRC20CAD196441	Reporting Officer Name SAGET, HORLKINS
Originating Agency ORI	Occur Date Time Range 12/20/2020 00:00:00 - 12/21/2020 00:00:00	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description SB XT RAMP L/S PALM BEACH LAKE BLVD
Street Number SR-9 SB	Apt/Lot/Bldg	City WEST PALM BEACH
State FL	Zip Code 33407	

Defendant

First Name RUDRANATH	Middle Name	Last Name BHAGAN	Suffix	Race OTHER	Sex MALE	Height 506	Weight 135	Hair BLACK	Eyes BRO
MNI #	SSN	Date of Birth 3/26/1960	Age 60	ID Type B	Drivers License or other ID B250720601060	State FL	OCA / Agency ID		
Place of Birth:	Trinidad								
Address * RESIDENCE / 4417 COTSWOLD HILLS DR , LAKE WORTH, FL 33461 /									

Arrest

Arrest Date/Time 12/20/2020 9:30:24 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description EXIT RAMP TO PALM BEACH LAKES BLVD
Street Number SR-9 SB	Apt/Lot/Bldg	County PALM BEACH
City WEST PALM BEACH	State FL	Zip Code 33407

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			
Is Arrestee Juvenile?			No
Type of Arrest			On-View Arrest (apprehension without a warrant or previous incident report)

Bond Set by Court

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

Probable Cause

Arrest Report

DUNN 6/8/20

SCANNED
DEC 21 2020

DEC 21 7:45 AM
DEC 21 AM 3:25

Report Date / Time 12/20/2020 09:30 PM	Report Number FHP99ARR830716	Case Number/Cad Number FHPL20OFF072896 / LWRC20CAD198441	Reporting Officer Name SAGET, HORLKINS
Originating Agency ORI	Occur Date Time Range 12/20/2020 00:00:00 - 12/21/2020 00:00:00	Jurisdiction	Clearance

On December 20, 2020 at approximately 9:20pm while on routine patrol. I was dispatched to a be on the lookout (BOLO) for vehicle traveling at slow rate of speed and swerving all over the road from Lake worth Regional Communication center (LWRCC). The BOLO started on southbound State Road 9 (Interstate 95), approaching Donald Ross Road. The vehicle continued to travel southbound on State Road 9 and the vehicle was about to exit at Palm Beach lakes Blvd. As the vehicle was about to exit on Palm Beach Lakes Blvd, I observed the white Chevrolet passenger vehicle ahead traveling at a slow rate of speed. I got directly behind the white Chevrolet vehicle. I activated my emergency lights and sirens and conducted a traffic stop on the vehicle to do a well-being check on the driver. The vehicle stopped in the left lane on the exit ramp to Palm Beach Lakes Blvd. Upon talking to Mr. Rudranath, I smelled an odor of an unknown alcoholic beverage emitting from his breath. I also observed that his eyes were bloodshot and very watery. Mr. Rudranath speech was noticeably slurred. I ask him how many drinks he had tonight. He stated that he did not have anything to drink tonight. I asked Mr. Rudranath to exit the vehicle and spoke to him in front of my marked patrol vehicle. As Mr. Rudranath exited the vehicle, he had trouble standing up and was using the vehicle for balance. I then asked Mr. Rudranath if he had weapons for officer safety considerations. As I spoke to Mr. Rudranath outside of his vehicle, I continued to smell a strong odor of an alcoholic beverage coming from his breath as he spoke. I asked him again if he had anything to drink and he confirmed that he did not have anything to drink tonight. I confirmed that he did not have any medical conditions or injuries. Exercise was explained and demonstrated prior to Mr. Rudranath attempting to perform the exercises. The results of those exercises are summarized below. (Note: The below summary is not intended to be a verbatim account of all the events that took place during the administration of the standardized field sobriety exercises. Video footage and audio of the exercises is available upon request.)

Horizontal Gaze Nystagmus (HGN): during the HGN, exercise, I advised the subject to stop moving his head multiple times. I observed 4 clues in the defendant's eyes. I observed lack of smooth pursuit in 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. Also had onset of Nystagmus prior to 45 degrees, in both the defendants' left and right eye. I did observe Vertical Gaze

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Nystagmus (VGN) in the defendant's eyes.

Walk and turn (WAT): prior to starting the WAT exercise, I explained and demonstrated the starting position to the defendant. I began to explain the exercise to the defendant. The defendant was not in the starting position while demonstrating the WAT. Once the defendant was in the starting position. I explain the exercise to the defendant again. The defendant then advised he understood. I advised him that he could begin. During the exercise, I observed 5 out 8 clues. The defendant stepped off the line. The defendant did raise his arms out to the sides. The defendant missed two heel-to-toes steps. The defendant was unable to maintain is balance, while the defendant was walking on the line. The defendant did not turn like I instructed direction prior to turning around.

One Leg Stand (OLS): after completing the WAT exercise, I asked the defendant to get into the starting position and I demonstrated the exercise to him. I asked the defendant to get into the starting position. I advised him he could begin. I observed 2 clues out 4. The defendant raises his arms at his sides. The defendant put his foot down during exercise. Based upon the above information and the totality of the circumstances I believe that Mr. Rudranath committed the offense of driving under the influence. Mr. Rudranath was placed under arrest and charged with F.S 316.193.1a DUI-UNLAW BLD ALCH, F.S 784.03.1a1. I transported Mr. Rudranath to the Palm Beach County Breath Alcohol Testing (BAT) facility. After 20-minute observation period was conducted, Mr. Rudranath did not take anything by mouth or regurgitate (mouth was confirmed to be empty prior to the start of the observation period). After reading him the Implied Consent Warning, Mr. Rudranath refused to provide a breath sample. I asked him if he was willing to provide a breath test sample to test for the alcoholic content of his breath. He stated no. I then read him his implied consent 3 times and he stated that he did not understand what I was saying. He wanted a lawyer. Then, he was then taken to a holding cell and the handcuffs were removed. After I completed my probable cause affidavit, I removed Mr. Rudranath from the holding cell and handcuff him behind his back once again. He was issued a DUI citation. He was then booked into the Palm Beach County Jail.

All the events above took place in Palm Beach County.

Note: My patrol vehicle is equipped with in car video and audio that is available.

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Jail Booking Facility

Booking Date/Time	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 3188 PGA BLVD. PALM BEACH GARDENS, FL 33410		
Court PALM BEACH NORTH COUNTY COURTHOUSE	Court Phone 561-624-6608	Court Appearance Date / Time 01/25/2021 8:30AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
SAGET, HORLKINS TPR 4772	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL1LWRCC\PALM BEACH\BROW LN TO SR804

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 SAGET, HORLKINS	Office Rank TPR	Officer ID No 4772	Sworn and subscribed before me, the undersigned authority This the <u>21</u> day of <u>December</u> , <u>2020</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature <i>Holkens Saget</i>			<i>[Signature]</i> #7M

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

PBSO CASE # 20-138835 PBSO ZONE 3-22

AGENCY CASE # FHPL20OFF022896 CRASH CASE # _____

TIME OF (STOP)/CRASH 9:26 PM DATE 12/20/2020 DAY Sunday

SUBJECT'S NAME RUDRANATH, BHAGAN RACE _____ SEX M

HGT 506 WGT 135 DOB 03/26/1960

LOCATION SB SR-9 Exit Ramp to palm Beach Lake Blvd

ARRESTING OFFICER'S NAME & ID Trooper Horlkins Sogot AGENCY FHP
1D1843

DIVISION: _____ NOTIFIED BY COMMO Y

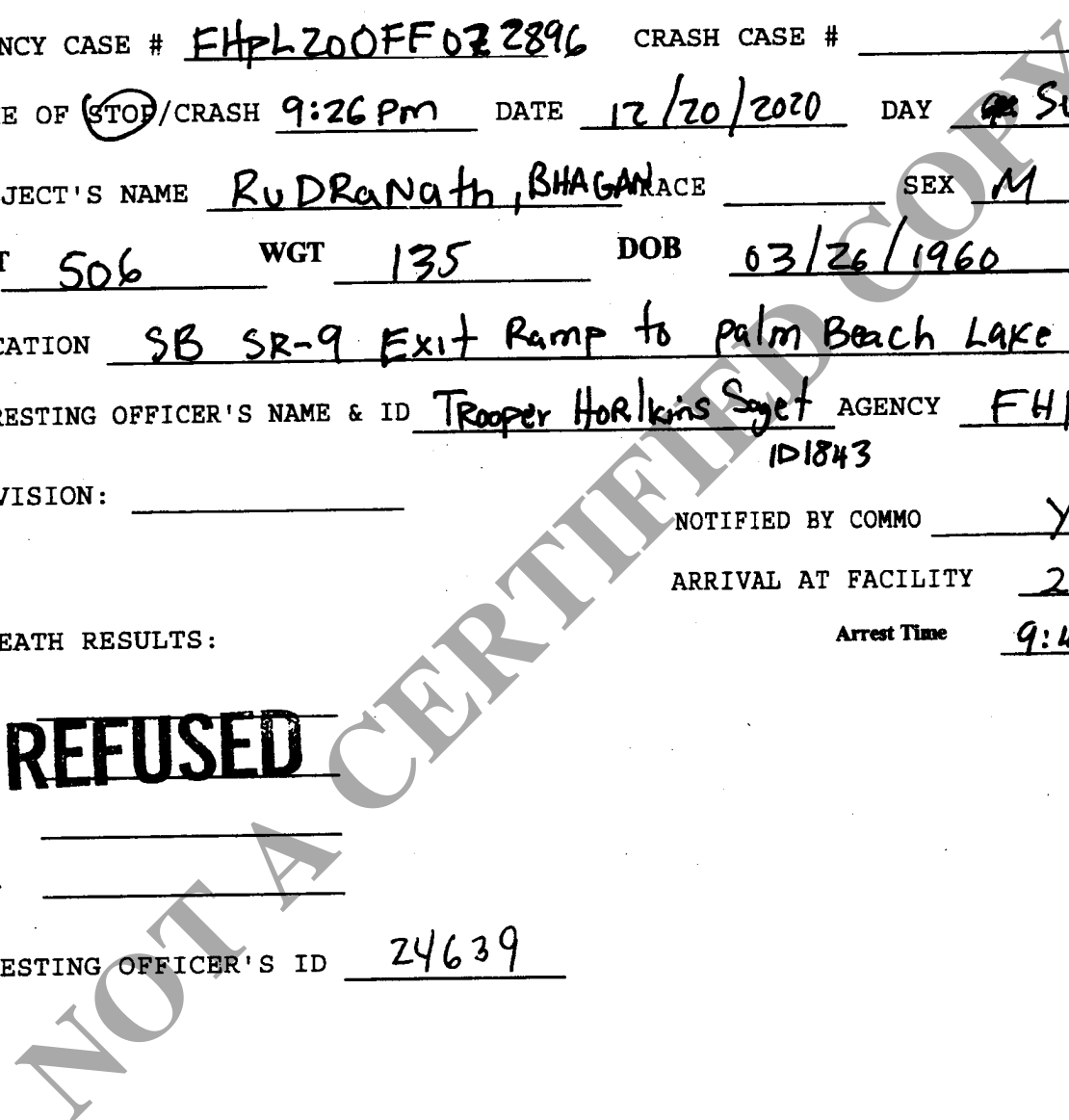
ARRIVAL AT FACILITY 22:04

BREATH RESULTS:

Arrest Time 9:40 PM

- 1. _____
- 2. **REFUSED**
- 3. _____
- 4. _____

TESTING OFFICER'S ID 24639



TESTING FACILITY TASK REPORT

AGENCY: FHP
SUBJECT: BHAGAN, RUDRANATH
CASE NUMBER: 20-138835
DATE: Dec 20, 2020
VIDEO DVD NUMBER: N/A
BEGINNING TIME: 22:42
ENDING TIME: 22:51

BREATH TESTS RESULTS: 1) R TIME 22:49 A.M. P.M. 2) N/A TIME N/A A.M. P.M.
3) N/A TIME N/A A.M. P.M. 4) N/A TIME N/A A.M. P.M.

BREATH OPERATOR: P.POUND #24639

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: ACCENT

ATTITUDE: CALM, QUIET

CLOTHING: BLACK JEANS, BLACK SHIRT, BLACK SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

REFUSED

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 22:04 HRS.
SUBJECT: REFUSED TO TAKE TEST
A/O: READ I/C THREE TIMES, ALSO EXPLAINED I/C
SUBJECT: REFUSED TO ANSWER IF HE UNDERSTOOD I/C STATED HE DOES NOT UNDERSTAND I/C
A/O: CALLED REFUSAL
A/O: READ RIGHTS
SUBJECT: INVOKED HIS RIGHTS TO COUNSEL
NO Q&A CONDUCTED

REFUSED

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

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

am a member of FHP, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 20 day of December, 20 20, at 22:56 P.M. A.M.

DRIVER RUDRA NATH BHAGAN
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# B250-720-60-106-0, state of FLORIDA, was placed under lawful arrest for

the offense of DUI by Tpr. Horkins Saget and
(Name of Arresting Officer)

issued Citation # A76YU0E

That on or about the 20 day of December, 20 20, at 22:56 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.

Horkins Saget
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:

[Signature] #701
Signature of Attesting Officer

Title Officer

Date 12/21/20

(AFFIX SEAL)
The foregoing instrument was sworn and subscribed before
me this _____ day of _____, 20____,
by _____,
who is personally known to me or who has produced
_____ as identification

Notary Public _____

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: BHAGAN, RUDRANATH 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.

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.

If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.

I can make no threats or promises to induce you to make a statement. This must be of your own free will. Any statement can and will be used against you in a court of law.

SUBJECT'S SIGNATURE: (X) READ ON CAMERA

SUBJECT: BHAC 1711 CASE NUMBER: _____

QUESTIONS AND ANSWERS

WHERE DID YOU SEE THE SIGN/SCHEMATIC?

HOW DID YOU GET THERE?

LOCATION OF SIGN? WHERE DID YOU START?

HOW LONG HAS IT BEEN THERE? HOW LONG IS IT NOW?

WHAT DAY OF THE WEEK IS IT?

WHAT DID YOU SAY? WHAT DID YOU SAY?

WHAT WERE YOU DOING FOR THE LAST THREE HOURS?

HAVE YOU BEEN DRINKING? HAVE YOU BEEN DRINKING?

WHERE? WITH WHOM?

AND WHEN LAST TIME?

ARE YOU UNDER THE SIGN/SCHEMATIC?

ARE YOU UNDER THE SIGN/SCHEMATIC?

HAVE YOU BEEN IN ANY ACCIDENTS? HOW MANY?

WHAT? WHAT?

WHAT DID YOU DO? WHAT?

DO YOU HAVE ANY PHYSICAL INJURIES OR DAMAGES? WHAT?

ARE YOU SICK OR DRUNK? WHAT'S WRONG?

DO YOU HAVE ANY PAIN IN THE HEAD OR NECK?

WERE YOU IN AN ACCIDENT BEFORE?

HAVE YOU HAD ANY OTHER ACCIDENTS TODAY? WHAT?

WHAT? WHAT?

WHAT? WHAT?

DO YOU HAVE ANY OTHER INFORMATION THAT ARE NOT COVERED BY THESE QUESTIONS?

DO YOU TAKE ANY MEDICATION? WHAT?

WHERE? WHERE?



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"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2020029825	Date: 12/21/2020
	Specialist Name/ID: B. Evans #23649