

50.2022-CT-004066-AMB

Arrest Report

DS30071

2010

210

FLORIDA HIGHWAY PATROL
P.O. BOX 16007, LAKE WORTH, FL 33416

Report Date / Time 3/12/2022 02:57 AM	Report Number FHP99ARR816188	Case Number/Cad Number FHP22ON0123429 / RCC22IN0182235	Reporting Officer Name J. WHITE
Originating Agency ORI FL0509000	Occur Date Time Range 03/12/2022 01:42:21 -	Jurisdiction	
OBTS Number	Other Number	Clearance	

Location of Occurrence

County PALM BEACH	Location Type OTHER	Location Description MM85	
Street Number	Street FLORIDA'S TPKE SB	Apt/Lot/Bldg	City BOYNTON BEACH
		State FL	Zip Code 33437

Defendant

First Name VALENTIN	Middle Name	Last Name CABAL	Suffix	Race HISPANIC	Sex MALE	Height 506	Weight 165	Hair BRO	Eyes BRO
MNI #	SSN	Date of Birth 09/23/1975	Age 46	ID Type E	Drivers License or other ID C140860753431	State FL	OCA / Agency ID		
Place of Birth:		Colombia							
Address * RESIDENCE / 569 TALAVERA RD , WESTON, FL 33326 /									

Arrest

Arrest Date/Time 3/12/2022 2:15:21 AM	Arrest Location Type OTHER	Arrest Location Description SB FLORIDA'S TURNPIKE (SR91) SOF MM 85.5	
Street Number	Street FLORIDA'S TPKE SB	Apt/Lot/Bldg	City BOYNTON BEACH
		County PALM BEACH	State FL
		Zip Code 33437	

Charge : S

Counts 1	Charge 316.193.1a	Bond Amount \$0.00	☐ No Bond
Charge Degree S	Charge Level MISDEMEANOR		
General Offense Code	Arrest Offense Code DUI-UNLAW BLD ALCH		
Charge Description DUI INFLUENCE OF ALCOHOL OR DRUGS			

Bond Set by Court

Bond Amount	☐ No Bond
Bond Type(s)	

Probable Cause

Arrest Report

Borullo 16342

Report Date / Time 3/12/2022 02:57 AM	Report Number FHP99ARR816188	Case Number/Cad Number FHP22ON0123429 / RCC22IN0182235	Reporting Officer Name J. WHITE
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On March 12, 2022 at approximately 1:40 AM while on routine patrol in my marked patrol vehicle southbound on Florida's Turnpike (State Road 91) I observed a red Nissan Rogue bearing a Florida tag GEAL02 weaving within the outside travel lane near the Lake Worth Service Plaza. I activated my in-car camera to observe a driving pattern. While driving south, the driver of the red Nissan continued to weave within his lane, break checked twice, and straddled the center and outside travel lanes four times. The driver's speeds varied from 58 mph to 70 mph in a posted 65 mph zone. After observing an unsteady driving pattern, while other drivers were on the highway, I decided to conduct a welfare check on the driver. I looked for a safe location to conduct a traffic stop southbound on Florida's Turnpike south of Mile Marker 85.5. The driver pulled to the right shoulder.

As I approached the passenger side window of the vehicle, I observed a Hispanic male (later identified by his Florida's driver's license C-140-860-75-343-1 as Valentin Cabal) in the driver's seat. I identified myself and asked Mr. Cabal for his driver's license. I then advised that I pull him over for straddling the travel lanes and weaving within his travel lane. I then asked him if everything is ok, he stated "yes I was talking to my wife on the phone." I asked him if he was talking on the phone, or texting? He stated, "he was texting." Although I did not observe Mr. Cabal texting, I advised him that it is illegal to text and drive. I asked him if his address on his driver's license was current and he stated "yes." I asked him where he was headed to, he stated "home." I asked him where he was coming from, he stated "Coral Springs." I asked him if he knew what county he was in, and he did not know. I observed Mr. Cabal eyes to be glassy and bloodshot. His speech was slurred and mumbled. I asked Mr. Cabal to shut the engine off of his vehicle and asked where the key fob was located. Mr. Cabal reached into his front right pant pocket, pulled out the key fob and handed it to me.

Trooper Romaine Clarke ID # arrived on scene, spoke with Mr. Cabal and advised me that he detected an odor of an alcoholic beverage emitting from his breath. I asked Mr. Cabal if he would conduct Standardized Field Sobriety Tasks (SFST) to see if he was ok to drive. He stated "yes." As Mr. Cabal exited his vehicle, he stumbled and swayed to the right. I patted down Mr. Cabal for safety, placed him in

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my patrol vehicle and moved to a safe location to conduct (SFST).

The area for the following roadside exercises were level and free of debris. Subject agreed to use white strait line tape to preform the walk and turn.

Horizontal Gaze Nystagmus:

LT EYE- LACK OF SMOOTH PURSUIT

RT EYE- LACK OF SMOOTH PURSUIT

LT EYE-DISTINCT AND SUSTAINED NYSTAGMUS AT MAX DEVIATION

RT EYE-DISTINCT AND SUSTAINED NYSTAGMUS AT MAX DEVIATION

LT EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

RT EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Walk and Turn Exercise:

This exercise was demonstrated to the subject. The subject advised that he will be able to perform the exercise. Subject advised he had prior injuries to his ankles that would not affect the exercise. Subject advised he understood instructions and did not have any questions.

Subject was stepped off line, did not do heel to toe, improper turn and took 10 steps back.

One Leg Stand:

This exercise was demonstrated to the subject. The subject advised that he will be able to perform the exercise. Subject advised he had prior injuries to his ankles that would not affect the exercise. Subject advised he understood instructions and did not have any questions.

Subject used hands for balance, put foot down twice and did not keep foot approximately six inches above the ground.

Based on the totality of the circumstances, Mr. Cabal was placed under arrest in handcuffs, double locked for safety for DUI pursuant to Florida Statute 316.193 (1)

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at 2:11 AM. Mr. Cabal was further searched and placed in the back of my patrol vehicle and transported to the Palm Beach County Jail in which he arrived at 2:58 AM. After the defendants 20-minute observation, the defendant was then given the opportunity to provide a sample of his breath which he consented and provided. The defendants first breath was given at 3:25 AM and resulted in a 0.231. The defendants second breath was given at 3:28 AM which resulted in a 0.215.

Video of the traffic stop, roadside and transport are available through the FHP custodian.

Jail Booking Facility

Booking Date/Time 3/12/2022 03:15 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

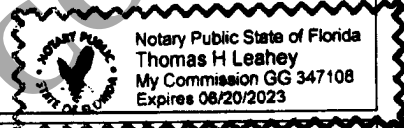
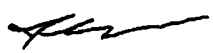
Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994	Court Apperance Date / Time 04/14/2022 8:30AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
J. WHITE TPR 4084	PRIMARY / REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPK\LRCC\WPB\SR91 88-103
R. CLARKE TPR 4431	ASSISTING	FLORIDA HIGHWAY PATROL FHPK\LRCC\WPB\SR91 88-103

Report Date / Time 3/12/2022 02:57 AM	Report Number FHP99ARR816188	Case Number/Cad Number FHP22ON0123429 / RCC22IN0182235	Reporting Officer Name J. WHITE
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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 J. WHITE	Office Rank TPR	Officer ID No 4084	Sworn and subscribed before me, the undersigned authority This the <u>12</u> day of <u>March</u> , <u>2022</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature 			

☐ No Bill / Petition
 ☐ Issue Warrant
 ☐ Prosecution Approved

Signature of Assistant State Attorney

Date

Bio Data	Employer Address	Warrants	National Rapsheet	Electronic Rapsheet	RISC
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Electronic Rapsheet

FC FL050002305689387 CTXID#130500039#24862076
--FLORIDA CCH RESPONSE--
FC DLE/05689387.PUR/C.ATN/TXID#130500039#24862076
SID NUMBER: 05689387 PURPOSE CODE: Criminal Justice

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Because additions or deletions may be made at any time, a new copy should be requested when needed for future use.

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- Florida Criminal History -

===== IDENTITY SECTION =====

State ID
05689387

FBI Number DOC Number
884848WB0

Electronic Prints Palm Prints
Yes

DNA Indicator
No

===== DEMOGRAPHICS =====

Name Date of Birth Social Security Number
ORTIZ, VALENTIN CABAL 09/23/1975

Sex Race Place of Birth
Male White Colombia, Republic of

Height Weight Ethnicity
5' 06" 160 lbs

Hair Color Eye Color
Black Brown

Address
1200 NE MIAMI GARDEN, MIAMI, Florida

===== Cycle 1 =====

OBTS 1303066319
Arrest

Date of Arrest 08/08/2002
Charge 001
Arresting Agency ORI FL0139000
Arresting Agency Name Florida Highway Patrol - Miami-Dade - Miami
Agency Case Number 0814423
AON Description Traffic Offense

Statute Level Degree
 Unknown Unknown

Offense Literal DRIVING UNDER THE INFLUENCE
Charge Count 1

Charge 002
Arresting Agency ORI FL0139000
Arresting Agency Name Florida Highway Patrol - Miami-Dade - Miami
Agency Case Number 0814423
AON Description Traffic Offense

Statute Level Degree
 Unknown Unknown

Offense Literal DUI W DAMAGE TO PROPERTY OF PERSON
Charge Count 1

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This is a single-source offender record.

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This record contains Florida information only. When explanation of a charge or disposition is needed, communicate directly with the agency that contributed the record information.

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This record may only be used for the purpose requested as defined by the Code of Federal Regulations and/or Florida Statute.

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End of record

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--END--

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: 80-006029 Software: 8100.27
Date of Test: 03/12/2022

Date of Last Agency Inspection: 02/04/2022

Observation Period Began: 02:58

Subject's Name: VALENTIN CABAL

DOB: 09/23/1975 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	03:22
	Air Blank	0.000	03:23
	Control Test	0.079	03:23
	Air Blank	0.000	03:24
	Subject Sample #1	0.231	03:25
	Air Blank	0.000	03:26
	Air Blank	0.000	03:27
	Subject Sample #2	0.215	03:28
	Air Blank	0.000	03:29
	Control Test	0.078	03:30
	Air Blank	0.000	03:30
	Diagnostics Check	OK	03:30

Cylinder Lot: 19021080A2
Exp: 09/05/2023

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 THOMAS H. LEANEY, 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: T. Leaney

Signature

Date: 03/12/2022

Sworn to (or affirmed) before me this 12 day of March, 2022

[Signature]
Signature of Notary Public-State of Florida

Trp. J White # 4084
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
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 22-045339 PBSO ZONE 6-52

AGENCY CASE # FHP220N0123429 CRASH CASE # N/A

TIME OF STOP/CRASH 1:45 AM DATE 03/12/2022 DAY Saturday

SUBJECT'S NAME Valentin Cabal RACE W/H SEX Male

HGT 5 06 WGT 165 DOB 09/23/1975

LOCATION SB SR 91 / 50f MM 83.5

ARRESTING OFFICER'S NAME & ID Jennifer White AGENCY FHP-K

DIVISION: _____ NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 2:58 AM

BREATH RESULTS:

Arrest Time 2/1 am

1. .231

2. .215

3. N/A

4. N/A

TESTING OFFICER'S ID 19183

TESTING FACILITY TASK REPORT

AGENCY: FHP-K

SUBJECT: Cabal, Valentin

CASE NUMBER: 22-045339

DATE: Mar 12, 2022

VIDEO DVD NUMBER: n/a

BEGINNING TIME: 0320

ENDING TIME: 0339

BREATH TESTS RESULTS: 1) .231 TIME 0325 A.M. ☒ P.M. ☐ 2) .215 TIME 0328 A.M. ☒ P.M. ☐
3) n/a TIME 0 A.M. ☐ P.M. ☐ 4) n/a TIME 0 A.M. ☐ P.M. ☐

BREATH OPERATOR: Thomas H Leahey #19183

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: thick

ATTITUDE: calm, cooperative

CLOTHING: blue jeans, blue l/s shirt, brown shoes

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER:

eyes are glassy & bloodshot
odor of unknown of alcoholic beverage on breath
subject stated he drank 3-4 beers @ office party - Q&A

COMMENTS:

arrived at center A/O conducted 20 minute observation period at 0258 hrs
subject agreed to perform breath test
subject completed breath test
A/O read rights & subject understood rights
tech read breath test results & subject understood breath test results
A/O conducted Q&A
subject answered questions

SUBJECT: Cabel, Valentin CASE NUMBER: FHP 220N0123429

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.

SUSPECT'S SIGNATURE: (X) Read on camera

SUBJECT: Cabal, ValentinCASE NUMBER: FHP22ON0123429

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? YesWHERE WERE YOU GOING? HomeWHAT STREET OR HIGHWAY WERE YOU ON? Sunrise ExpresswayDIRECTION OF TRAVEL? S WHERE DID YOU START? Palm BeachWHAT TIME DID YOU START? 11 pm WHAT TIME IS IT NOW? NowWHAT IS TODAY'S DATE? 10th WHAT DAY OF THE WEEK IS IT? FridayWHAT COUNTY AND CITY ARE YOU IN NOW? Palm BeachWHEN DID YOU LAST EAT? Today WHAT DID YOU EAT? TacosWHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? off a Party having drinksHOW MUCH DO YOU WEIGH? 165 HAVE YOU BEEN DRINKING? Yes WHAT? BeerHOW MUCH? 3-4 WHERE? Average WITH WHOM? Co workersWHEN DID YOU HAVE YOUR FIRST DRINK? 8 pm AND YOUR LAST DRINK? 9:30 pmHOW DID YOU CONSUME YOUR LAST TWO DRINKS? Regular ConsumpCAN YOU FEEL THE EFFECTS OF THE ALCOHOL? Yes ARE YOU UNDER THE INFLUENCE? NOHAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? N/A HOW MUCH? WHAT? WHERE? WHEN? WHAT LINE OF WORK ARE YOU IN? Acquisition Manager WHEN DID YOU LAST WORK? TodayDO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No/Is WHAT? Back NeckARE YOU SICK OR INJURED? NO WHAT'S WRONG? DO YOU LIMP? Yes DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NOWERE YOU IN AN ACCIDENT TODAY? NOHAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? WHY? ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? WHEN?

DO YOU HAVE:	EPILEPSY?	<u>NO</u>
	GLASS EYE?	<u>NO</u>
	FALSE TEETH?	<u>NO</u>
	EAR INFECTION?	<u>NO</u>
	INNER EAR TROUBLE?	<u>NO</u>
	DIABETES?	<u>NO</u>

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? NODO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? INTERVIEWER: Tracy J. White 4084



**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	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	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)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022006550

Date: 03/13/2022

Specialist Name/ID: T Howard/7185