

02C71639 NR

OBTS Number		<b>ARREST / NOTICE TO APPEAR</b>		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile		N									
Agency ORI Number <b>FLO 5 0 2 6 0 0</b>		Agency Name <b>PALM BEACH GARDENS POLICE DEPARTMENT</b>				Agency Report Number <b>78 - 22000504</b>															
Charge Type: Check as many as apply		<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		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator											
Location of Arrest (Including Name of Business) <b>PROSPERITY FARMS RD/PGA BLVD, PBG, FL</b>						Location of Offense (Business Name, Address) <b>PGA BLVD/MINSK GARDENS BLVD, PBG, FL</b>															
Date of Arrest <b>02/01/2022</b>		Time of Arrest <b>02:25</b>		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle <b>KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407</b>									
Name (Last, First, Middle) <b>BARNETT, YVETTE,</b>												Alias (Name, DOB, Soc. Sec. #, Etc.)									
Race W - White 1 - American Indian B - Black 0 - Oriental/Asian		Sex <b>W</b>		Date of Birth <b>06/17/1965</b>		Height <b>5'4</b>		Weight <b>125</b>		Eye Color <b>GRN</b>		Hair Color <b>BLN</b>		Complexion <b>LGT</b>		Build <b>SMALL</b>					
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)										Marital Status <b>SINGLE</b>		Religion <b>NOT STATED</b>		Indication of Alcohol Influence Y <input checked="" type="checkbox"/> N <input type="checkbox"/> Unk. <input type="checkbox"/>							
Local Address (Street, Apt. Number) <b>5105 THYME DR,</b>				(City) <b>PALM BEACH GARDENS, FL 33418</b>				(Zip) <b>(561) 452-6100</b>				Residence Type: 1. City 2. County 3. Florida 4. Out of State									
Permanent Address (Street, Apt. Number) <b>5105 THYME DR,</b>				(City) <b>PALM BEACH GARDENS, FL 33418</b>				(Zip) <b>(561) 452-6100</b>				Address Source <b>VERBAL</b>									
Business Address (Name, Street)				(City) <b>(State)</b>				(Zip) <b>(State)</b>				Occupation									
D/L Number, State <b>B653960657170 FL</b>				Soc. Sec. Number				INS Number				Place of Birth (City, State) <b>WEST PALM BEACH, FL</b>				Citizenship <b>US</b>					
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile							
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile							
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:		Name (Last)		First		(Middle)		Residence Phone													
Address (Street, Apt. Number)		(City)		(State)		(Zip)		Business Phone													
Notified by: (Name)		Date		Time		Juvenile Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated		1													
Released To: (Name)		Relationship		Date		Time															
The above address provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)										School Attended		Grade									
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property						Value of Property													
Drug Activity N. N/A P. Possess		S. Sell T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetics		U. Unknown Z. Other	
Charge Description <b>DRIVING UNDER THE INFLUENCE</b>		Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number <b>316.193(1)(A)</b>		Violation of ORD #													
Drug Activity <b>N</b>		Drug Type <b>N</b>		Amount / Unit		Offense #		Warrant / Capias Number						Bond							
Charge Description <b>DUI REFUSAL W/ PRIOR REFUSAL</b>		Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number <b>316.1939(1)</b>		Violation of ORD #													
Drug Activity <b>N</b>		Drug Type <b>N</b>		Amount / Unit		Offense #		Warrant / Capias Number						Bond							
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		Violation of ORD #													
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number						Bond							
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		Violation of ORD #													
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number						Bond							
Location (Court Room Number, Address) <b>NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700</b>												Court Date and Time Month <b>MARCH</b> Day <b>2nd</b> Year <b>2022</b> Time <b>10:00</b> AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>									
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.												Signature of Defendant (or Juvenile and Parent /Custodian) <b>[Signature]</b>		Date Signed <b>02/01/2022</b>							
HOLD for other Agency Name:		Signature of [Name]		Name Verification (Printed by Arrestee)																	
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) <b>OFC. A.FLINK</b>		I.D. # <b>514</b>		(PRINT)													
Intake Deputy <b>[Signature]</b>		I.D. #		Pouch #		Transporting Officer <b>OFC. A. FLINK</b>		ID # <b>514</b>		Agency <b>PBPGD</b>		Witness here if subject signed with an "X"		1 OF 1							

DISTRIBUTION: WHITE - COURT COPY

GREEN - STATE ATTORNEY

YELLOW - AGENCY

PINK - AGENCY

GOLD - DEFENDANT (N.T.A.'s ONLY)

J# 0155885

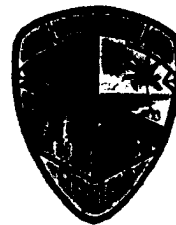
P# 3501

OBT Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		<b>1</b>	JUVENILE	
Agency ORI Number <b>FL FL0502600</b>		Agency Name <b>Palm Beach Gardens Police Department</b>		Agency Report Number <b>7   8   22-000504</b>						
Charge Type: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other								Special Notes:		
Name (Last, First, Middle) <b>BARNETT, YVETTE</b>								Race <b>W</b>	Sex <b>F</b>	Date of Birth <b>06/17/1965</b>
Charge Description <b>316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED</b>				Charge Description <b>316.1939(1) DUI - REFUSAL TO SUBMIT WITH A PRIOR R</b>						
Victim's Name (Last, First, Middle) <b>State Of Florida</b>								Race	Sex	Date of Birth
Local Address (Street, Apt. Number) (City) (State) (Zip)				Phone		Address Source				
Business Address (Name, Street) (City) (State) (Zip)				Phone		Occupation				
<p>The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.</p> <p>The Person taken into custody . . .</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>1</u> day of <u>February</u>, <u>2022</u> at <u>02:09</u> (Specifically include facts constituting cause for arrest.)</p> <p>On 02/01/2022 at approximately 0209 hours, this Officer arrived in the area of Prosperity Farms Rd and PGA Blvd, PBG, FL, to assist Ofc Komara 511 on a traffic stop. Body worn camera and in car video were used.</p> <p>Ofc Komara said he observed the vehicle, a Lexus sedan (Z12HTY/FL) failing to drive in a single lane and make a right hand turn from a through lane when a turn lane was available and unobstructed. This Officer made contact with the driver and sole occupant, identified via Florida Driver License photo, Yvette Barnett (OF) while she was still in actual physical control of the vehicle. Barnett had red watery eyes, slurred speech and the obvious odor of an unknown alcoholic beverage emanating from her breath at conversational distance. Barnett said she was coming from a friend's house and had consumed a "couple drinks", then said she was on her way home.</p> <p>Based on this Officer's observations, Barnett was asked to exit the vehicle to participate in Standardized Field Sobriety Exercises, to which she complied. Barnett said she did not have any medical conditions which would affect the exercises conducted.</p> <p>The first exercise conducted, was the Horizontal Gaze Nystagmus. The stimulus used, was a Toxoptix X3. Prior to the exercise starting, Barnett said she was scared and that she was concerned Officers were going to take her dog away from her. This Officer then advised Barnett of her Taylor Warnings, to which she acknowledged and agreed to continue. This Officer observed lack of smooth pursuit in both eyes. This Officer also observed sustained involuntary jerking in both eyes at maximum deviation and the onset of Nystagmus prior to 45 degrees in both eyes. Throughout the exercise, Barnett was swaying back and forth to the extent she exited the exercise position to maintain her balance.</p> <p>The second exercise conducted, was the Walk and Turn. The line used, was a strip of</p>										
NOTARY PUBLIC / CLERK OF COURT / OFFICE (F.S. 117.10) <b>02/01/2022</b> DATE				SIGNATURE OF ARRESTING / INVESTIGATING OFFICER <b>FLINK, ANDREW S (514)</b> NAME OF OFFICER (PLEASE PRINT)						

OBT Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
A	Agency ORI Number	Agency Name		Agency Report Number					
M	<b>FL FL0502600</b>	<b>Palm Beach Gardens Police Department</b>		<b>7   8   22-000504</b>					
I	Charge Type: Check as many as apply.			Special Notes:					
N	<input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other								
D	Name (Last, First, Middle)			Alias		Race	Sex	Date of Birth	
E	<b>BARNETT, YVETTE</b>					<b>W</b>	<b>F</b>	<b>06/17/1965</b>	
<p>yellow tape placed upon the pavement by this Officer. Prior to the instructions, Barnett had great difficulty placing her foot onto the line. Barnett placed her right foot onto the line, when told to place her left foot onto the line. Barnett had to be told multiple times to enter the starting position and to remain in same while the instructions were explained. As Barnett would enter the starting position, she took small steps forward until told to go back to the beginning of the line. Barnett also lost her balance and stepped off the line while attempting to enter the starting position. Barnett was also afforded the opportunity to take off her footwear to do the exercise, to which she declined. During the first set of steps, Barnett missed heel-to-toe on each step. Barnett stepped off the line four times, including stumbling further off the line after having already stepped off the line. Barnett then paused to regain balance and compose herself before continuing. Barnett kept her arms raised more than six inches from her sides through the attempt and took 13 steps rather than nine. Barnett conducting an improper turnaround by way of pivoting on both feet with her arms raised. During the return set of steps, took 12 steps rather than nine, missed heel-to-toe on each step and kept her arms raised more than six inches from her sides.</p> <p>The third and final exercise conducted, was the One-Leg Stand. During the exercise Barnett raised her right foot. Barnett swayed and placed her foot down. Barnett then started a discussion, which was dismissed and she was told to continue, as the 30 seconds was running at this point. Barnett raised her foot again, swayed, raised her arms more than six inches from her sides and placed her foot down two more times before the exercise was ended.</p> <p>Based on this Officer's observations, Barnett was placed under arrest 0225 hours. At the PBSO BAT, this Officer requested Bieber to provide a breath sample, for the purpose of determining its alcohol content, to which she agreed to do so. During the breath test, Barnett did not follow the instructions causing this Officer to read Florida Implied Consent to Barnett, to which she acknowledged and again attempted the exercise. The second attempt, Barnett continued to not follow instructions and a refusal was taken at 0342 hours, due to Barnett being unable and/or unwilling to provide valid breath samples.</p> <p>A DAVID check of Barnett revealed a prior DUI Conviction dated: 09/09/1985 and a prior Refusal to Submit to a Sobriety Test dated: 10/30/2003.</p> <p>Based on the results of the investigation, this Officer has probable cause to prove Yvette Barnett operated a motor vehicle, in the state of Florida, while under the influence to the extent her normal faculties were impaired, in violation of FSS 316.193(1)(A). Barnett failed to submit to a lawful sobriety test, with a prior refusal, in violation of FSS 316.1939.</p>									
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<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><i>[Signature]</i></p> <p>NOTARY PUBLIC / CLERK OF COURT / OFFICER</p> <p><b>02/01/2022</b></p> <p>DATE</p> </div> <div style="width: 45%; text-align: center;"> <p>Notary Public State of Florida</p> <p>Paris Pound</p> <p>My Commission GG 200028</p> <p>Expires 03/25/2022</p> </div> <div style="width: 45%;"> <p><i>[Signature]</i></p> <p>SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p><b>FLINK, ANDREW S (514)</b></p> <p>NAME OF OFFICER (PLEASE PRINT)</p> <p><b>02/01/2022</b></p> <p>DATE</p> </div> </div>									
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**PALM BEACH GARDENS POLICE DEPARTMENT  
DUI TESTING FACILITY INFORMATION SHEET**



PBSO Case #: 22 - 03 / 313 PBSO Zone: 3-13

Agency Case #: 22000504 Crash Case #: \_\_\_\_\_

**Incident Information:**

Time of Stop/Crash: 0205 Date of Incident: 02/01/2022 Day: TUESDAY

Location of Incident: PGA BLVD/MINSK GARDENS BLVD, PBG, FL

**Arrest Information:**

Time of Arrest: 02:25 Date of Arrest: 02/01/2022 Day: TUESDAY

Location of Arrest: PROSPERITY FARMS RD/PGA BLVD, PBG, FL

Subject's Name: (L) BARNETT, (F) YVETTE, (M) \_\_\_\_\_

DOB: 06/17/1965 Race: W Sex: F Height: 5'4 Weight: 125 Hair BLN Eye GRN

Address: 5105 THYME DR, PALM BEACH GARDENS, FL 33418 Phone: (561) 452-6100

Arresting Officer's Name: OFC. A.FLINK ID#: 514

Agency: PBGPD Division: TRAFFIC - DUI

**Breath Results**

- 1) VNM.165 at 03:36 hrs.
- 2) VNM.176 at 03:42 hrs.
- 3) REFUSED at \_\_\_\_\_ hrs.
- 4) \_\_\_\_\_ at \_\_\_\_\_ hrs.

**---BAT Use---**

BAT Notified: YES  
Arrival Time at BAT: 0306  
Subject Arrest Time: 02:25

Breath Test Operator: POUND, PARIS 24639  
PBSO

**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: 02/01/2022

Date of Last Agency Inspection: 01/14/2022  
Observation Period Began: 03:06  
Subject's Name: YVETTE BARNETT

DOB: 06/17/1965 Sex: F

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	03:32
	Air Blank	0.000	03:32
	Control Test	0.080	03:33
	Air Blank	0.000	03:33
	Subject Sample #1	VNM*	03:36
	Air Blank	0.000	03:37
	Air Blank	0.000	03:39
	Subject Sample #2	VNM**	03:42
	Air Blank	0.000	03:43
	Control Test	0.076	03:43
	Air Blank	0.000	03:44
	Diagnostics Check	OK	03:44

\*Volume Not Met (0.165 - Breath Sample Not Reliable to Determine Breath Alcohol Level)  
\*\*Volume Not Met (0.176 - Breath Sample Not Reliable to Determine Breath Alcohol Level)

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 PARIS D POUND, 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: \_\_\_\_\_ Date: 02/01/22  
Signature

Sworn to (or affirmed) before me this 1ST day of FEBRUARY 2022

Signature of Notary Public-State of Florida \_\_\_\_\_  
Printed Name of Notary Public-State of Florida OFF. A. FLINK

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.

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

I, **OFC. A.FLINK**, a duly certified Law Enforcement Officer or Correctional Officer,  
 (Name of Officer reading Implied Consent Warning)

am a member of **PALM BEACH GARDENS POLICE DEPARTMENT**, and I do swear  
 (Name of law enforcement agency)

or affirm that on or about the **1ST** day of **FEBRUARY**, 20 **22**, at **02:25** ☐ P.M. ☒ A.M.

DRIVER **YVETTE** **BARNETT**  
 (Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# **B653960657170**, state of **FL**, was placed under lawful arrest for

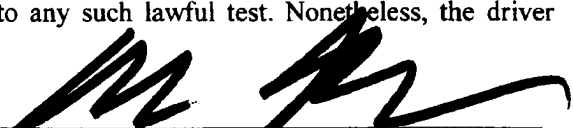
the offense of **DRIVING UNDER THE INFLUENCE** by **OFC. A.FLINK** and  
 (Name of Arresting Officer)

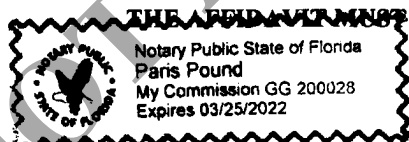
issued Citation # **AECR0JE**

That on or about the **1ST** day of **FEBRUARY**, 20 **22**, at **0342** ☐ 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 of Law Enforcement Officer or  
 Correctional Officer



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this **1ST** day of **FEBRUARY**, 20 **22**,

by **OFC. A.FLINK**,

who is personally known to me or who has produced

as identification

Notary Public 

HSMV-BAR1001 (REV. 10/2016)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title

Date **02/01/2022**

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.

# TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: BARNETT, YVETTE

CASE NUMBER: 22-031313

DATE: Feb 1, 2022

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 03:29

ENDING TIME: 03:46

BREATH TESTS RESULTS: 1) VNM TIME 03:36 A.M. ☒ P.M. ☐ 2) VNM TIME 03:42 A.M. ☒ P.M. ☐  
3) R TIME 03:42 A.M. ☒ P.M. ☐ 4) N/A TIME N/A A.M. ☐ P.M. ☐

BREATH OPERATOR: P.POUND #24639

MAINTENANCE TECHNICIAN: J. KARLECKE# 6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM, QUIET

CLOTHING: BLUE JEANS, BLACK SWEATER, BLACK BOOTS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

## OTHER:

1. VNM .165 2. VNM .176  
ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON BREATH

## COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 03:06 HRS.

SUBJECT: AGREED TO TAKE TEST

SUBJECT: REFUSED TO FOLLOW TECH INSTRUCTIONS KEPT BLOWING AND STOPPING, ALSO REFUSED TO MAKE A TIGHT SEAL

A/O: READ I/C

SUBJECT: STATED SHE UNDERSTOOD I/C AN WOULD TAKE TEST

SUBJECT: REFUSED TO FOLLOW TECH INSTRUCTIONS AGAIN KEPT BLOWING AND STOPPING, ALSO REFUSED TO MAKE A TIGHT SEAL. A/O CALLED REFUSAL

A/O: READ RIGHTS

SUBJECT: STATED SHE UNDERSTOOD RIGHTS

A/O: CONDUCTED Q&A

SUBJECT: ANSWER QUESTIONS

REFUSED

REFUSED

**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 CL. H. H. H. of the PLAT

**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)**



SUBJECT: \_\_\_\_\_ 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? YES

WHERE WERE YOU GOING? Home

WHAT STREET OR HIGHWAY WERE YOU ON? W. 5th

DIRECTION OF TRAVEL? S WHERE DID YOU START? North

WHAT TIME DID YOU START? 1:50 WHAT TIME IS IT NOW? 2:00

WHAT IS TODAY'S DATE? 5/1 WHAT DAY OF THE WEEK IS IT? Monday

WHAT COUNTY AND CITY ARE YOU IN NOW? PBC

WHEN DID YOU LAST EAT? \_\_\_\_\_ WHAT DID YOU EAT? \_\_\_\_\_

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? At a restaurant

HOW MUCH DO YOU WEIGH? 175 HAVE YOU BEEN DRINKING? Yes WHAT? Wine

HOW MUCH? 1 glass 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? No 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? Legal WHEN DID YOU LAST WORK? \_\_\_\_\_

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? \_\_\_\_\_

ARE YOU SICK OR INJURED? No WHAT'S WRONG? \_\_\_\_\_

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE YOU IN AN ACCIDENT TODAY? No

HAVE 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?	_____
GLASS EYE?	_____
FALSE TEETH?	_____
EAR INFECTION?	_____
INNER EAR TROUBLE?	_____
DIABETES?	_____

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? \_\_\_\_\_ IF SO, WHEN WAS YOUR LAST INJECTION? \_\_\_\_\_

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE? \_\_\_\_\_

INTERVIEWER: SE 12:14 PM



**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)
<b>L/E Exemptions</b>	<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.	
<b>Public Info. Exemptions</b>	<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.	
<b>Florida Rules of Judicial Administration 2.420 (Rule of 23)</b>	<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"/>			
<b>Other</b>	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

**REVIEW COMPLETED BY**

**Booking Number:** 2022002906

**Date:** 2/1/2022

**Specialist Name/ID:** S.Evans/23872