

0534507 50-2022-CT-015223ANB 3730
Arrest Report

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

Report Date / Time 9/11/2022 03:52 PM	Report Number FHP99ARR859648	Case Number/Cad Number FHP22ON0464880 / RCC22IN0687889	Reporting Officer Name JEANBAPTISTE, S
Originating Agency ORI FL0509000	Occur Date Time Range 09/11/2022 14:35:07 -	Jurisdiction	
OBTS Number	Other Number	Clearance	

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description EXIT TO CONGRESS AVE			
Street Number S SR-9 SB	Street	Apt/Lot/Bldg	City BOCA RATON	State FL	Zip Code 33487

Defendant

First Name DAVID	Middle Name S	Last Name SCHNEGELBERGE R	Suffix	Race WHITE	Sex MALE	Height 508	Weight 186	Hair Brown	Eyes Brown
MNI #	SSN	Date of Birth 01/13/1965	Age 57	ID Type E	Drivers License or other ID S524177650130	State FL	OCA / Agency ID		
Place of Birth:		WACO TX US							
Address		BOCA RATON							
* RESIDENCE / 17291 LAKE PARK RD , FL 33487 /									

Arrest

Arrest Date/Time 9/11/2022 3:21:00 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description I-95 SB ENTRANCE RAMP TO CONGRESS AVE UNUE				
Street Number	Street	Apt/Lot/Bldg	County PALM BEACH	City BOCA RATON	State FL	Zip Code

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

Page 1 of 4

SEP 11 PM 10:40

Report Date / Time 9/11/2022 03:52 PM	Report Number FHP99ARR859648	Case Number/Cad Number FHP22ON0464880 / RCC22IN0687889	Reporting Officer Name JEANBAPTISTE, S
Originating Agency ORI FL0509000	Occur Date Time Range 09/11/2022 14:35:07 -		Jurisdiction
OBTS Number	Other Number	Clearance	

On 9/11/2022 at approximately 2:42PM I was dispatched to a reported single vehicle collision in the area of the Interstate 95 southbound exit ramp to Congress Avenue. Upon my arrival I observed a black Ford Escape (attached Florida tag: 16BKXM) at a complete stop facing southeast direction on the entrance ramp outside shoulder to Congress Avenue. As I arrived on scene, I observed a white male leaning against the inside shoulder concrete wall. I spoke to Captain Jeff Lazzeri of the Boca Raton Fire Department Engine 4, who advised me that as Engine 4 arrived on scene, they saw an independent witness female standing next to the vehicle and after question the female, she stated she stopped to help and witness the black Ford Escape colliding with the median and traveled from the westbound lanes onto the eastbound lanes coming to a complete stop at the southbound entrance ramp to Congress Avenue. Captain Jeff Lazzeri also stated that the female vehicle was approximately 200 feet behind Engine 4 as soon as Boca Raton Fire arrived on scene. Captain Lazzeri stated that the independent witness left prior to my arrival and advised that the white male denied any injury but was unsteady on his feet and fell on his face while walking. This white male was later identified as the driver of the black Ford Escape. The driver was identified by his Florida drivers license as David S. Schnegelberger (FL DL: S524177650130).

I then, question Mr. Schnegelberger and asked him for his driver license as he attempt to retrieve it from his vehicle. He tried using his vehicle to balance. Mr. Schnegelberger fumbled through his driver license and handed me his Bank of America Debit Card. The second time I asked Mr. Schnegelberger for his driver license, he handed me his Jet Blue Master Card. After the third time, he then gave me his actual driver license. I smelled the strong odor of an unknown alcoholic beverage coming from Mr. Schnegelberger breath as he spoke. I also observed that his eyes were red and glassy. The key fob was later discovered inside the vehicle.

After completion of my crash investigation I informed Mr. Schnegelberger that the crash investigation had ended and I was beginning a criminal investigation for driving under the influence (DUI). I read him his Miranda Rights from a Florida Highway Patrol Miranda Warning printout. He stated that he understood his rights and refuse to speak with me unless his lawyer was present. Mr Schnegelberger was asked if he was willing to perform voluntary field sobriety roadside exercises and he refused to perform the exercises. Mr. Schnegelberger was then advised of his Taylor Warning and advised him that his refusal to do the exercises could be used against him and that I would have to make a decision based upon my observations. He still refused to perform the exercises. Based upon the above information and the totality of the circumstances I determined that there was probable cause to believe that David S Schnegelberger committed the offense of driving under the influence by being in actual physical control/operating a motor vehicle while under the influence of alcoholic beverages, any chemical substance per Florida State Statute 877.111, or any controlled substance per Chapter 893, while their normal faculties were impaired. He was placed under arrest for the above offense and handcuffed behind his back. As I walked Mr. Schnegelberger to my patrol vehicle, he almost fell several time. Mr. Schnegelberger was later transported to the Palm Beach County Breath Alcohol Testing (BAT) Facility. At the BAT facility a 20 minute observation period was conducted where the defendant did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to the beginning of the observation period). He was then asked to provide a breath test sample to test for the alcoholic content of his breath. He initially refused to provide a breath test sample. He was then

Report Date / Time 9/11/2022 03:52 PM	Report Number FHP99ARR859648	Case Number/Cad Number FHP22ON0484880 / RCC22IN0687889	Reporting Officer Name JEANBAPTISTE, S
Originating Agency ORI FL0509000	Occur Date Time Range 09/11/2022 14:35:07 -	Jurisdiction	
OBTS Number	Other Number	Clearance	

read the Florida Implied Consent and he still refused to provide the breath test sample. A refusal time of 4:35pm was notated. See BAT video footage for a complete account of the interaction. Mr. Schnegelberger was issued a DUI citation along with a uniform traffic citations for careless driving. After being medically cleared at JFK Medical Center he was transported back to the Palm Beach County Jail and booked without incident. The vehicle would be towed from the scene by WestWay Towing. All of the above events occurred in Palm Beach County, FL.

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

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 33408			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 09/26/2022 8:30AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
JEANBAPTISTE, S TPR 5011	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPLILWRCCIPALM 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 JEANBAPTISTE, S	Office Rank TPR	Officer ID No 5011	Sworn and subscribed before me, the undersigned authority This the <u>11</u> day of <u>September</u> , <u>2022</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			Officer Signature 

Arrest Report

Page 3 of 4

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
--------------------	---------------	------------------------	------------------------

09/11/2022 03:52 PM	FHP99ARR859648	FHP22ON0464880 / RCC22IN0687889	JEANBAPTISTE, S
Originating Agency ORI FL000000	Occur Date Time Range 09/11/2022 14:35:07 -	Jurisdiction	
File Number	Other Number	Clearance	
☐ Bill / Petition ☐ Issue Warrant ☐ Prosecution Approved			
Signature of Assistant State Attorney			Date

NOT A CERTIFIED COPY



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

PBSO CASE # 22-107915 PBSO ZONE 4-22

AGENCY CASE # FHP220N0464880 CRASH CASE # _____

TIME OF STOP/CRASH 2:35pm DATE 9/11/22 DAY Sunday

SUBJECT'S NAME David S Schmeigel RACE _____ SEX Male

HGT 5'8 WGT 186 DOB 01/13/1965

LOCATION Interstate 95 Southbound Exit Ramp to Congress Av.

ARRESTING OFFICER'S NAME & ID Trp Samuel Jeanbaptiste AGENCY FHP
#5011

DIVISION: Troop L - Lake Worth

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 4:09

BREATH RESULTS:

Arrest Time 3:21pm

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

TESTING OFFICER'S ID 24639

SUBJECT: CHANCELLER, DAVID S 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 determining 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 refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

Do you understand what I have just read to you? YES ☒ NO ☐ Do you still refuse to submit to this test? YES ☒ NO ☐

NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,

If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

Do you understand what I have just read to you? YES ☒ NO ☐ Do you still refuse to submit to this test? YES ☒ NO ☐

SUBJECTS 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

SUBJECT: SCHNEIDER, DAVID S 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: _____

PBSO #0120C REV. 9/03 WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

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

I, Trooper S. Jeanbaptiste ID# 5011, 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 11 day of SEPTEMBER, 20 22, at 4:37PM ☒ P.M. ☐ A.M.

DRIVER David S Schnegelberger,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# S-524-177-65-013-0, state of FLORIDA, was placed under lawful arrest for

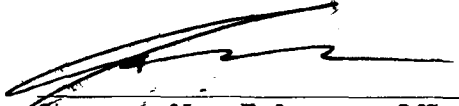
the offense of DUI by Trooper S. Jeanbaptiste ID# 5011 and
(Name of Arresting Officer)

issued Citation # A77485E

That on or about the 11 day of SEPTEMBER, 20 22, at 5:19PM ☒ P.M. ☐ A.M.

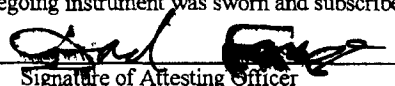
in PALM BEACH COUNTY County,

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

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

The foregoing instrument was sworn and subscribed before me:


Signature of Attesting Officer

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this 11 day of September, 20 22,

by David Fanego,

who is personally known to me or who has produced

as identification

Notary Public _____

Title Trooper

Date 9/11/2022

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: FHP-L

SUBJECT: SCHNEGELBERGER, DAVID S

CASE NUMBER: 22-107915

DATE: Sep 11, 2022

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 16:32

ENDING TIME: 16:37

BREATH TESTS RESULTS: 1) R TIME 16:35 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: SLURRED

ATTITUDE: TALKATIVE

CLOTHING: BLACK SHORTS , BLACK / WHITE SHIRT , BLACK / WHITE SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 16:09 HRS.

SUBJECT: REFUSED TO TAKE TEST

A/O: READ I/C

SUBJECT: STATED HE UNDERSTOOD I/C AND REFUSED TO TAKE TEST

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

NO Q&A CONDUCTED

SUBJECT: INVOKED HIS RIGHTS TO COUNSEL

REFUSED



**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: 2022023847	Date: 9/12/2022
	Specialist Name/ID: M. Tooks #8557