

50-2022-CT-020995ASB

0536794

1530

ADMI NOTICE TO APPEAR		ARREST / NOTICE TO APPEAR		1. Arrest (No Warrant) 3. Request for Warrant 6. Arrest (Warrant) 4. Request for Capias 2. N.T.A. 5. Juvenile Referral		1 JUVENILE	
OBTS Number		Agency ORI Number 0500200		Agency Name Boca Raton Police Department		Agency Report Number (N.T.A.'s only) 3, 2 2022-016183	
Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		If Weapon Seized Enter Type UNARMED		Multiple Clearance Indicator			
Location of Arrest (Including Name of Business) 1 S DIXIE HWY, BOCA RATON, FL 33432		Location of Offense (Business Name, Address) 1 S DIXIE HWY, BOCA RATON, FL 33432					
Date of Arrest 12/18/2022	Time of Arrest 20:03	Booking Date 12/18/2022	Booking Time 20:13	Jail Date 12/18/2022	Jail Time 22:47	Location of Vehicle NONE	
Name (Last, First, Middle) KONE, EDWARD JEFFREY		Alias (Name, DOB, Soc. Sec. #, Etc.) Alias:					
Race W - White B - Black O - Oriental/Asian W	Sex M	Date of Birth 08/18/1962	Height 5'11	Weight 170	Eye Color HAZEL	Hair Color BLACK	Complexion M
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) None		Marital Status M		Religion		Indication of Alcohol Influence Yes ☒ No ☐ Unk ☐	
Local Address (Street, Apt. Number) 9545 PARKVIEW AVE, BOCA RATON, FL 33428		(City) BOCA RATON		(State) FL		(Zip) 33428	
Permanent Address (Street, Apt. Number) 9545 PARKVIEW AVE, BOCA RATON, FL 33428		(City) BOCA RATON		(State) FL		(Zip) 33428	
Business Address (Name, Street) EDWARD KONE PA, 1900 W. GLADES RD. STE240, BOCA RATON, FL 33431		(City) BOCA RATON		(State) FL		(Zip) 33431	
D/L Number, State K500230622980 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) HARTFORD, CT	
Citizenship U.S.							
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
☐ Parent ☐ Other		Name (Last, First, Middle)		Residence Phone			
☐ Legal Custodian		Address (Street, Apt. Number)		(City)		(State) (Zip)	
Notified by: (Name)		Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incorporated	
Released To: (Name)		Relationship		Date		Time	
The above address was provided by ☐ defendant and/or ☐ defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.		School Attended		Grade			
☐ Yes, by: ☐ No		Property Crime? ☐ Yes ☒ No		Description of Property		Value of Property	
Drug Activity S. Sell N/A P. Possess		S. Sell B. Buy D. Deliver E. Use		K. Dispense Distribute		M. Manufacture Produce Cultivate	
Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium Derv.		P. Paraphernalia Equipment S. Synthetic	
U. Unknown Z. Other							
Charge Description DUI - PROPERTY DAMAGE		Statute Violation Number 316.193(3C1)		Violation of ORD #			
Drug Activity	Drug Type	Amount	Unit	Offense #	Counts	Domestic Violence	Warrant Capias Number
	N				1	☐ Y ☒ N	
Charge Description		Statute Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount	Unit	Offense #	Counts	Domestic Violence	Warrant Capias Number
						☐ Y ☐ N	
Charge Description		Statute Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount	Unit	Offense #	Counts	Domestic Violence	Warrant Capias Number
						☐ Y ☐ N	
Health / Apparent Physical Condition of Defendant GOOD		Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries					
Check which apply: ☐ Released O.R. ☐ Posted Bond		☐ Released to Parent/Guardian ☐ South County Mental Health		☒ T.O.T. County Jail		PROPERTY - Received By 868	
Transported By		Date Transported 12/18/2022		Time Transported 22:47		Released By 868	
INSTRUCTION NO. 1 - Mandatory appearance in court INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		Location (Court, Room) South County 200 W Atlantic Ave Delray Beach, FL 33444		Court Date and Time 01/16/2023 08:30:00			
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)		Date Signed			
HOLD for Other Agency		Signature of Arresting Officer		Name Verification (Printed by Arrestee)			
☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other		(PRINT)			
Intake Deputy Williams		ID # 868		Agency BOCA			
Pouch #		Transporting Officer Williams		ID # 868			
Witness here if subject signed with an "X"							

2022 DEC 19 6:50 PM
RECEIVED
JUVENILE
FILED

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number FL FL0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2022-016183				
	Charge Type: Check as many as apply ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:						
D E F	Name (Last, First, Middle) KONE, EDWARD JEFFREY				Race W		Sex M		Date of Birth 08/18/1962
	Charge Description 316.193(3C1) DUI CRASH				Charge Description				
C H A R G E S	Charge Description				Charge Description				
	Charge Description				Charge Description				
V I C T I M	Victim's Name (Last, First, Middle) STATE OF FLORIDA,				Race U		Sex U		Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (Zip) 100 NW 2ND AVE, BOCA RATON, FL 33432				Phone (561) 338-1234		Address Source		
B U S I N E S S	Business Address (Name, Street) (City) (State) (Zip)				Phone (561)		Occupation		
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. The Person taken into custody ... ☐ committed the below acts in my presence. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☐ confessed to _____ admitting to the below facts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the 18 day of December, 2022 at 20:03 (Specifically include facts constituting cause for arrest.) On 12/18/2022, at 1927 hours, I was dispatched to 201 SW 1st St in reference to a crash. Upon arrival, I spoke with both parties who advised they were involved in a collision at the intersection of Dixie Hwy and Palmetto Park Rd. The driver Vehicle 2 advised he was making a left turn from, Dixie Hwy onto, Palmetto Park Rd, WB lanes, when the car that was in the inside lane failed to maintain the lane and struck his vehicle. I asked the driver of Vehicle 1, who was identified by his FL DL as Edward Kone, if those were the sequence of events and Kone confirmed that is what happened. Based on available information it was clear that Kone was at fault for the crash. While collecting crash information from Kone, I observed him leaning on his vehicle. I asked multiple times for proof of insurance. The first time he provided me with an expired card and the second time he provided me a notice of increased premium, both times failing to provide what I was asking for. While speaking with both parties, I was able to smell the odor of alcohol and also the odor of a mint. It turns out that the driver of Vehicle 2 was the one chewing a mint. I separated Kone from the other driver and I was able to clearly smell the odor of alcohol emanating from his breath. Additionally, I observed Kone's eyes to be extremely bloodshot/watery. Once I completed my crash investigation, I informed Kone of my findings and made sure he understood that I was no longer conducting a crash investigation and would now be investigating the crime of DUI. Immediately thereafter I read Kone his Miranda Warnings and confirmed he understood. Post Miranda, Kone advised prior to the accident he was driving from a restaurant called Flanigan's where he consumed "Two beers". Kone advised he drank the beers about 30 minutes prior to the accident. Based upon my personal contact with Kone combined with his self-admissions of alcohol consumption I requested Kone participate in Field Sobriety Exercises (FSEs). Kone advised he was not willing to participate and as such, I explained to him that his failure to participate can be used as evidence against him and that I would be forced to make an arrest decision based solely upon my observations up and until this point. After acknowledging he understood									
S W O R N	SWORN AND SUBSCRIBED BEFORE ME				SIGNATURE OF ARRESTING / INVESTIGATING OFFICER				
	ROSEN, STEPHEN JEFFREY NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 12/18/2022 DATE				WILLIAMS, DAVID (868) NAME OF OFFICER (PLEASE PRINT) 12/18/2022 DATE				
				PAGE 1 OF 2					

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number	Agency Name	Agency Report Number						
	FL FL0500200	BOCA RATON POLICE DEPARTMENT	3 2 2022-016183						
	Charge Type: Check as many as apply.		☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Special Notes:
	Name (Last, First, Middle)		Alias		Race	Sex	Date of Birth		
	KONE, EDWARD JEFFREY				W	M	08/18/1962		
	everything, Kone again refused to participate. Due to the totality of the circumstances and my training/experience, I felt the defendant is too impaired to operate a motor vehicle safely. The defendant was placed under arrest at 2003 hours, for driving under the influence. Kone was placed in handcuffs that were checked for tightness and double-locked. The vehicle was locked and left on the scene per Kone's request Kone was transported to the BRPD DUI room. I conducted the initial 20-minute observation period at 2039 after confirming he had no foreign objects in his mouth. I read Kone his Implied Consent Warnings and confirmed he understood. Kone again refused to provide a sample, however, I waited the entire collection period for both samples to give him every opportunity to provide one. After receiving two (NSP), No sample provided codes, It was clear Kone was refusing. Kone was transported to the Boca Raton Regional Hospital for medical clearance. Kone was then transported to the Palm Beach County Jail.								
	SWORN AND SUBSCRIBED BEFORE ME ROSEN, STEPHEN JEFFREY NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 12/18/2022 DATE SIGNATURE OF ARRESTING / INVESTIGATING OFFICER WILLIAMS, DAVID (868) NAME OF OFFICER (PLEASE PRINT) 12/18/2022 DATE								
									PAGE 2 OF 2

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

Qm ~~XXXXXXXX~~

XIS 22-16183

XIS 20.03

Ob 2039

DUI INFLUENCE REPORT



BOCA RATON POLICE SERVICES DEPARTMENT
100 NW 2nd Avenue
Boca Raton, FL 33432



BOCA RATON POLICE SERVICES DEPARTMENT
DUI INFLUENCE REPORT - PART I

On the 18th day of December, at 2003 AM/PM:

Subject: Edward Nune Case Number: 22-16183

PERSONAL CONTACT

Driving Pattern: _____

CPC

Observation of Driver: _____

CPC

Driver's Statement: _____

CPC

Odors: _____

GENERAL OBSERVATIONS

Speech: _____

Attitude: _____

Clothing: _____

CPC

Medical Problems: _____

Medications: _____

Other: _____

Horizontal Gaze Nystagmus:

- | | |
|--|---|
| ☐ Left eye does not follow smoothly | ☐ Right eye does not follow smoothly |
| ☐ Left eye jerks at 45 degrees angle or less | ☐ Right eye jerks at 45 degrees angle or less |
| ☐ Distinct jerking left eye maximum deviation | ☐ Distinct jerking right eye maximum deviation |

Can not do, Why? _____

Walk and turn: _____

Can not do, Why? _____

One leg stand: _____

Can not do, Why? _____

Finger to nose: _____

Can not do, Why? _____

Alphabet (speech pattern): _____

Can not do, Why? _____

Breath/Blood test results: _____

State of Florida, County of Palm Beach,
Sworn and subscribed before me this

12/18/22 (date) by J. ROSARIO 862

Notary/Clerk of Court/ Officer (FSS 117.10)

12/18/22
Date

Signature of Arresting Officer

David Williams
Name of Officer (print)

ARRESTING OFFICER: David Williams

Name: David Williams Phone # _____ Work # _____

Address: _____

Can testify to: BT

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____



BOCA RATON POLICE SERVICES DEPARTMENT
DUI INFLUENCE REPORT - PART II

To be filled out at testing facility

Agency Case # 2022-016183

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is Sunday, December, 18, 2022
(day) (month) (date) (year)

B. The time is now approximately 2114 AM/PM PM

C. The following is in reference to case number 22-16183

D. Present at this time is David Williams of the Boca Raton Police Department.
(Officer's Name)

E. Officer Williams, have you arrested Edward Kone in violation of
Florida State Statute 316.193? (Defendant's name)

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida? Yes

G. Mr/Mrs./Ms. Kone, I am required to inform you these
proceedings are being video recorded.

Operator Note: Video record breath request, breath sample, and interview.

II. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

- A. I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.
- B. 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.
- C. I am now requesting that you submit to a lawful test of your **BLOOD** for the purpose of determining its alcohol content and the presence of chemical or controlled substances.

IMPLIED CONSENT WARNINGS

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 Signature: _____

Note: Also read for CDL holders:

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

Note: After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr./Mrs./Ms. _____ has refused to submit to a breath test.

The date is _____, _____, _____ and the time is _____ AM/PM.
(month) (day) (year)

A refusal form will be completed by the arresting officer.



BOCA RATON POLICE SERVICES DEPARTMENT
JUVENILE CONSTITUTIONAL WARNINGS

Rights of suspects prior to custodial questioning.

Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

-) You have the right to remain silent and not answer any questions. *Tell me in your own words what you think this means.*
(You do not have to talk to me or answer any questions about this offense. You can be quiet if you want.)
-) Any statement you make must be freely and voluntarily given. *Tell me in your own words what you think this means.*
(If you do talk to me it has to be because you want to and not because anyone is forcing you to speak.)
-) You have a right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning. *Tell me in your own words what you think this means.*
(You can talk to a lawyer before we ask you any questions and you can have him/her with you now, during our questioning.)
-) If you cannot afford a lawyer, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning. *Tell me in your own words what you think this means*
(If you do not have money for a lawyer and you want one, a lawyer will be given to you for free.)
-) If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. *Tell me in your own words what you think this means.*
(If you decide to talk to me then change your mind, you can stop answering my questions at any time.)
-) I can make no threats or promises to induce you to make a statement. This must be of your own free will. *Tell me in your own words what you think this means*
(I am not allowed to threaten you or make you any promises to get you to talk to me. If you decide to talk, it must be because you want to.)
-) Any statement can be and will be used against you in a court of law. *Tell me in your own words what you think this means*
(Anything you say to me can and will be told to the judge or a jury in court. A judge is a person who decides if you have done something wrong. Sometimes a group of people called a jury decide this, but the Judge is the person who decides what punishment you get.)
-) Do you understand these rights as I have read them to you, and do you wish to speak to me?

igned: _____

Date: _____

Time: _____



BOCA RATON POLICE SERVICES DEPARTMENT
TESTING FACILITY TASK REPORT

SUBJECT: Edward Kane

CASE #: 22-16183 DATE: 12/18/22

BREATH TEST RESULTS

1) TIME _____ AM/PM 2) TIME _____ AM/PM

3) TIME _____ AM/PM 4) TIME _____ AM/PM

BREATH OPERATOR: David Williams 868

MAINTENANCE TECHNICIAN: Crawford

TESTING OFFICER'S OBSERVATIONS

SPEECH: _____

ATTITUDE: _____

CLOTHING: _____

MEDICAL CONDITION: _____

OTHER: _____

COMMENTS: _____

Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

- (1) You have the right to remain silent and not answer any questions.
- (2) Any statement you make must be freely and voluntarily given.
- (3) You have a right to the presence and representation 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 and representation of a court appointed lawyer before you make any statement 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 be and will be used against you in a court of law.
- (8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____

Date: 12/18/22

Time: _____

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? yes

Where were you going? Home

What street or highway were you on? Armette

Direction of travel? West

Where did you start driving from? frangus

What city (county) were you stopped in? Boca Raton, Palm Beach

What time did you start? 1930 AM/PM What time is it now? 2100

What is today's date? 12/18 What day of the week is it? Sunday

When did you last eat? 1200 What did you eat? Prokan Bar

What have you been doing the past three hours prior to this stop/accident? yes

How much do you weigh? 170 Have you been drinking? yes What were you drinking? Beer

How much? 2 Where? frangus With whom were you drinking? Self

When did you have your first drink? 1900 AM/PM When did you stop drinking? 1900 AM/PM

How did you consume your last two drinks? Sip

Are you under the influence of alcohol now? ☐ Yes ☒ No

Can you feel the effects of alcohol? ☐ Yes ☒ No

Have you consumed alcohol since the accident? ☐ Yes ☒ No

Can you feel the effects of alcohol? ☐ Yes ☒ No

Have you consumed alcohol since the accident? ☐ Yes ☒ No How much? 1

What? 1 Where? 1

What line of work are you in? Lawyer

When did you last work? Today

Do you have any physical defects or injuries? ☐ Yes ☒ No If yes, explain:

Are you sick or injured? ☐ Yes ☒ No If yes, explain:

Do you limp? ☐ Yes ☒ No Did you get a bump on the head? ☐ Yes ☒ No

Were you in an accident today? Yes

Have you taken any drugs or smoked marijuana today? No

What? 1 When? 1

Have you seen a doctor or dentist today? ☐ Yes ☒ No Who? 1

Are you taking any prescription medications? ☒ Yes ☒ No What? 1 When? Thy

Do you have: Epilepsy? ☐ Yes ☒ No Inner ear trouble? ☐ Yes ☒ No

Glass eye? ☐ Yes ☒ No Ear infection? ☐ Yes ☒ No

False teeth? ☐ Yes ☒ No Diabetes? ☐ Yes ☒ No

Any problems not correctable by glasses or contact lenses? No

Do you take insulin? ☒ Yes ☒ No If yes, when was your last injection? CC

Have you ever had a driver's license in any other state? No

I am now ending this video recording. The time is now approximately 2135 AM/PM.

The date is December, 18, 2022
(month) (day) (year)

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

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

am a member of Boca Raton Police, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 18 day of December, 2022, at 2003 ☒ P.M. ☐ A.M.

DRIVER Edward Jeffrey Rone,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# K50023062980, state of Florida, was placed under lawful arrest for

the offense of DUI by David Williams and
(Name of Arresting Officer)

issued Citation # ABLRKRE

That on or about the 18 day of December, 2022, at 2117 ☒ 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

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

The foregoing instrument was sworn and subscribed before me:

Jonathan Rosard 862
Signature of Attesting Officer

(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 _____

Title OFFICER

Date 12-18-22

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.

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT**

Instrument Type: Intoxilyzer 8000
Instrument Registered To: BOCA RATON PD
Instrument Serial Number: 80-006622 Software: 8100.27
Date of Test: 12/18/2022

Date of Last Agency Inspection: 12/15/2022
Observation Period Began: 20:39
Subject's Name: EDWARD J KONE

DOB: 08/18/1962 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	21:17
	Air Blank	0.000	21:18
	Control Test	0.079	21:18
	Air Blank	0.000	21:18
	Subject Sample #1	NSP*	21:22
	Air Blank	0.000	21:22
	Air Blank	0.000	21:24
	Subject Sample #2	NSP*	21:27
	Air Blank	0.000	21:28
	Control Test	0.081	21:28
	Air Blank	0.000	21:28
	Diagnostics Check	OK	21:29

*No Sample Provided

Cylinder Lot: 02422080A1
Exp: 02/05/2024

State of Florida, County of Palm Beach.

Personally appeared before me the undersigned authority, who (X) is personally known to me or () produced _____ as identification, and who after being placed under oath, states:

I, DAVID R. VILLALBA, 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: _____

Signature

Date: 12/18/20

Sworn to (or affirmed) before me this 18 day of December, 2022

Signature of Notary Public State of Florida

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**
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.	
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Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022032658	Date: 12/19/2022
	Specialist Name/ID: M. Took #8557