22C18354

ARREST / NOTICE TO APPEAR

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias | 1 | JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number: 0502300

Agency Name: North Palm Beach Police Department

Agency Report Number (N.T.A.'s only): 7 0 22-000382

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): US HIGHWAY 1/ PGA BLVD, PBG, FL 33410, 12000 US

Location of Offense (Business Name, Address): 800 US HIGHWAY 1, NORTH PALM BEACH, FL 33408

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
05/26/2022	00:40	05/26/2022	00:50			

DEFENDANT

Name (Last, First, Middle): ROACH, JUSTIN ALDEN

Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	06/24/1985	6'05	300	HAZEL	BROWN	LIGHT	Large

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: M — Religion: ATHEIST

Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk. — Drug Influence

Local Address (Street, Apt. Number) (City) (State) (Zip): 8780 AZALEA CT 203, TAMARAC, FL 33321 — Phone: (954) 709-6679 — Residence Type: 1. City 3. Florida 2. County 4. Out of State: 3

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 8780 AZALEA CT 203, TAMARAC, FL 33321 — Phone: (954) 709-6679 — Address Source: FL DL

Business Address (Name, Street) (City) (State) (Zip): — Phone: — Occupation: Roofing

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
R200421852240 / FL	[redacted]		BROWARD COUNTY, FL	US

CO-DEF

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Other: ☐ Legal Custodian — 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 Department and Released 2. TOT JAC 3. Incarcerated

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.
☐ Yes, by: ☐ No:

School Attended — Grade

Property Crime? ☐ Yes ☒ No — Description of Property — Value of Property

CODE

Drug Activity: N. N/A, P. Possess, S. Sell, B. Buy, T. Traffic, R. Smuggle, D. Deliver, E. Use, K. Disperse/ 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. Synthetic, U. Unknown, Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI - NORMAL FACULTIES IMPAIRED	316.193(1)(A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

1.

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant — Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By — Released By — Released To

Transported By — Date Transported / / — Time Transported : : — Other

NOTICE TO APPEAR

☒ 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): North County PALM BEACH GARD

Court Date and Time: 06/21/2022 13:00:00

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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/Custodian) — Date Signed

No Photo Available

SCAN MAY

INNES MAY 26 2022

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy: Borrello — I.D.: 6244 — Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): SOUTHER, A. — I.D. #: 9907

Transporting Officer: A SOUTHER — I.D. #: 9907 — Agency: NPBPD

Name Verification (Printed by Arrestee) (PRINT) MAY 26 AM 3:50

Witness here if subject signed with an "X"

PAGE 1 OF 1

☐ COURT ☐ DA/PD ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ DRIVER ASSESSMENT ☐ OTHER

J#0531854 P#3217

PROBABLE CAUSE AFFIDAVIT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias | 1 | JUVENILE

ADMIN

OBTS Number			

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502300	NORTH PALM BEACH POLICE	7 0 22-000382

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance ☒ 4. Traffic Misdemeanor ☐ 2. Traffic Felony ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
ROACH, JUSTIN ALDEN		W	M	06/24/1985

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	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

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable 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.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 26 day of May, 2022 at 00:53 (Specifically include facts constituting cause for arrest.)

On 05/26/2022 at approximately 12:20am, I was conducting traffic enforcement in the 800 block of US Highway 1, North Palm Beach, FL 33408. I observed a black 2016 Chevy utility, FL tag IJTE20, traveling northbound at a high rate of speed. I visually estimated the speed of the vehicle to be approximately 65 mph in a marked 35 mph zone. I activated the rear antenna on my vehicle-mounted radar speed measurement device and received an actual speed reading of 66 mph. While I was behind the vehicle, I observed it drift approximately 3 feet into the center lane from the left lane and then back into the left lane. I then activated my emergency lights and conducted a traffic stop on the vehicle at US Highway 1 and PGA Blvd.

I made contact with the driver and explained the reason for the traffic stop. I requested his driver license and he was identified by his Florida driver license as W/M Justin A Roach(06/24/85). I asked Roach where he was coming from and he stated Respectable Street, which is a nightclub in West Palm Beach. I asked Roach where he was headed now and he stated, "home in Tamarac." It should be noted that the location of the traffic stop was approximately 10 miles north of Respectable Street in West Palm Beach, and his stated destination of Tamarac is south, which is the opposite direction. While speaking with Roach, I detected a strong odor of an unknown alcoholic beverage on his breath. I also observed that his eyes were red and glassy and his speech was slurred. I asked Roach how much he had to drink at Respectable Street and he stated "a few beers."

Based on Roach`s driving pattern, admission to consuming alcohol, and his obvious signs of impairment, I requested Police Officer Souther to respond to conduct a driving under the influence investigation. I briefed Police Officer Souther on my observations and the subsequent investigation was turned over to him. Roach was issued a traffic citation for speed(66mph in a 35mph zone) - Citation AG3VGYE.

SCF

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

SOUTHER, AUSTIN
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/26/2022
DATE

9794
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

COUNCIL, ANDREW (9794)
NAME OF OFFICER (PLEASE PRINT)

05/26/2022
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

PROBABLE CAUSE AFFIDAVIT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias | 1 | JUVENILE

ADMIN

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number
	FL FL0502300	NORTH PALM BEACH POLICE	7 0 22-000382

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
ROACH, JUSTIN ALDEN		W	M	06/24/1985

CHARGES

Charge Description	Charge Description
316.193(1)(A)	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	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**

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable 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.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 26 day of May, 2022 at 02:53 (Specifically include facts constituting cause for arrest.)

On May 26, 2022 at approximately 0020 hours, I responded to Police Sergeant Council`s traffic stop as a backup officer that occurred in the 800 Blk of US Highway 1 in North Palm Beach, FL 33408.

Upon arriving on scene, Police Sergeant Council notified me that the driver, Justin A Roach (w/m 06/24/1985) was showing signs of impairment. I introduced myself to Roach and asked if he would be willing to complete several Standardized Field Sobriety Tasks (SFSTs) and he responded yes. I asked Roach if he had any medical conditions or physical defects and he stated no. Roach had droopy, watery, red, glassy eyes and Roach`s speech was slow and slurred.

I explained the first SFST, Horizontal Gaze Nystagmus (HGN), to Roach and he stated he understood. I placed the stimulus (a black pen) in front of Roach and advised him to follow the pen with his eyes only. Roach swayed from left to right while I was explaining the task. As I began to move the pen, Roach turned his head to follow the pen. I had to remind Roach to follow the pen with his eyes only, a total of six (6) times. Roach was eventually able to follow the pen, and his eyes showed the following signs: A Lack of Smooth Pursuit in both the right and left eyes, Distinct Nystagmus at Maximum Deviation in both the right and left eyes, and Onset of Nystagmus Prior to 45 degrees in both the right and left eyes. Roach swayed throughout the task.

I explained the second SFST, Walk and Turn, to Roach and he stated he understood after I demonstrated the task. I instructed Roach to get into the proper starting position (left foot on line with right foot in front, touching heel to toe). Roach broke the starting position total of one (1) time before being instructed to begin. Roach missed heel to toe between steps three (3), four (4), and five (5) going forward and steps two (2), three (3), and four (4) going back. Roach stepped of the line a total of ten (10) times throughout the task. Throughout the task Roach used both arms to remain balanced.

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

COUNCIL, ANDREW
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/26/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SOUTHER, AUSTIN (9907)
NAME OF OFFICER (PLEASE PRINT)

05/26/2022
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OSTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502300	NORTH PALM BEACH POLICE	7 0 22-000382

Charge Type: Check as many as apply.
☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
ROACH, JUSTIN ALDEN		W	M	06/24/1985

PROBABLE CAUSE STATEMENT

In my observations Roach swayed throughout the entire task.

I explained the third SFST, One Leg Stand, and Roach stated he understood after I demonstrated the task. Roach swayed from left to right during the instruction stage. Roach raised both arms throughout the task for balance. Roach put his foot down a total of three (3) times after 30 seconds each time during the task.

I explained the Romberg Alphabet to Roach he stated he understood. Roach recited the Alphabet as follows: A B C D E F G H I J K L L M N O P Q R S T U V W X Y, And Z. Roach did not have his head tilted 45 degrees.

I explained and demonstrated the Finger to Nose to Roach and he stated he understood. On the first left (L1), Roach touched the bottom of his nose. On the first right (R1), touched his finger to the left side of his nose. On the second left (L2), Roach completed the task correctly. On the second right (R2), Roach touched the bottom of his nose. On the third right (R3), Roach completed the task correctly. On the third left (L3), Roach touched the bottom of his nose.

After the completion of the Finger to Nose, Roach was placed under arrest for suspicion of driving under the influence of drugs and/or alcohol. Roach was handcuffed, which were double locked and checked for proper fit. Roach was searched before being placed into my patrol vehicle. Roach was wearing a black shirt, khaki cargo shorts and black shoes.

I transported Roach to PBSO Breath Alcohol Testing Center (BAT) without incident. Roach was observed for 20 minutes starting at 0121 hours on 05/26/2022; he did not consume or regurgitate anything.

I asked Roach to provide a Breath Sample and he stated no. Roach was read implied consent, and still refused to provide me with a sample of his breath.

Based on the results of the investigation, this Officer has probable cause to believe that Justin Roach operated a motor vehicle, in the state of Florida, while under the influence to the extent his normal faculties were impaired, in violation of FSS 316.193(1)(A).

Roach was issued citations for the following: Unlawful speed (AG3VGYE), and Driving under the Influence (AG3VH0E).

Roach`s vehicle was towed and impounded by Gardens towing.

See Police Sergeant Council`s supplemental report

Roach was turned over to Palm Beach County Jail Personnel without incident.

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

COUNCIL, ANDREW
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/26/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SOUTHER, AUSTIN (9907)
NAME OF OFFICER (PLEASE PRINT)

05/26/2022
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P.I.O.

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502300	NORTH PALM BEACH POLICE	7 0 22-000382

Charge Type: Check as many as apply.
☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
ROACH, JUSTIN ALDEN		W	M	06/24/1985

PROBABLE CAUSE STATEMENT

No further information.

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

COUNCIL, ANDREW
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/26/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SOUTHER, AUSTIN (9907)
NAME OF OFFICER (PLEASE PRINT)

05/26/2022
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26th DAY OF May 20 22, AT 0020 ✓ AM ✓ PM

SUBJECT: Roach, Justin, Alden CASE NUMBER: 22000382

AGENCY: NORTH PALM BEACH POLICE DEPARTMENT ARRESTING OFFICER: Souther 9907

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

+PC for Stop: **See Police Sergeant Council's supplemental report**
+Manner of Stop:
+APC:
+Witness Statements:
+Wheel Witness:

OBSERVATION OF DRIVER:

+Appearance of Vehicle:
+Appearance of Driver:
+Face/Eyes: Droopy, red, watery, glassy
+Clothing Condition:
+Exit Sequence: Had to lean up against his car

DRIVER'S STATEMENTS:

+In Car:
+Roadsides:
+BAT:
+Taylor Warnings Read:
+Implied Consent Read: Yes

ODORS:

GENERAL OBSERVATIONS

SPEECH: slurred

ATTITUDE: Cooperative

CLOTHING:

MEDICAL/OTHER: In Vehicle:
Roadsides:
BAT:

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of May 20 22 by Souther

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

Notary Public, Clerk of Court, Officer (F.S.S 117.10)

SHARI [illegible]
Notary Public - State [illegible]
Commission # GG [illegible]
My Comm. Expires [illegible]
Bonded through [illegible]

SUBJECT: Roach, Justin, Alden CASE NUMBER 22000382

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- [x] LT EYE-LACK OF SMOOTH PURSUIT
- [x] RT EYE-LACK OF SMOOTH PURSUIT
- [x] LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- [x] RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Condition of Eyes: Droopy, watery, glassy, red
Observations: Swayed during instructions, leaned against his car for balance

WALK & TURN:

***Lost Balance- broke starting position one (1) time**
***Started Before Instructed-**
***Missed Heel to Toe- Between steps three (3), four (4), and five (5) going forward and two (2), three (3), and four (4) going back**
***Stepped Off Line- a total of ten (10) times**
***Used Arms for Balance- Used both his arms throughout**
***Wrong Number of Steps**
***Stopped While Performing Task**
***Improper Turn**
Other Observations: Swayed throughout

ONE LEG STAND:

***Put Foot Down- three (3) times**
***Used Arms for Balance- used both arms for balance throughout**
***Swayed- Swayed**
***Hopped- no**
Other Observations:

ROMBERG ALPHABET:

Subject recited the alphabet as follows: A B C D E F G H I J K L L M N O P Q R S T U V W X Y, AND Z. Did not have his head tilted 45 degrees.

FINGER TO NOSE:

L1- Bottom of nose
R1- Left side of nose
L2- Completed task correctly
R2- Bottom of nose
R3- Completed task correctly
L3- Bottom of nose

BREATH TEST RESULTS: 1) Refused 2) Refused 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of May 2022 by Souther

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

Notary Public, Clerk of Court, Officer (F S S 117.10)

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # GG 2[illegible]
My Comm. Expires Jun 15, 2024
Bonded through National Notary Assn.

22000382

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

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

am a member of **North Palm Beach Police Department** (Name of law enforcement agency), and I do swear

or affirm that on or about the **26th** day of **May**, 20 **22**, at **00:40** ☐ P.M ☑ A.M.

DRIVER **Justin** (FIRST NAME) **Alden** (MIDDLE OR MAIDEN NAME) **Roach** (LAST NAME) (Type or Print),

DL# **R200-421-85-224-0**, state of **FL**, was placed under lawful arrest for

the offense of **DUI- Normal Faculties Impaired** by **Souther** (Name of Arresting Officer) and

issued Citation # AG3VH0E.

That on or about the **26th** day of **May**, 20 **22**, at **01:18** ☐ 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)

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this **26th** day of **May**, 20 **22**, by **Souther**, who is personally known to me or who has produced **Personally Known** as identification.

Notary Public

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title **Officer**

Date **05/26/2022**

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.

HSMV-BAR1001 (REV. 10/2016)

SUBJECT: K. H. Jr. CASE NUMBER: 22-006382

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 <or> NO Do you still refuse to submit to this test? YES <or> 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 <or> NO Do you still refuse to submit to this test? YES <or> NO

SUBJECTS 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)_____

WHITE: STATE ATTY. YELLOW: DHSMV PINK: CENTRAL RECORDS GOLD: JAIL

PBSO #0129BU REV 04/22

SUBJECT: _____ CASE NUMBER: 22 003BC

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: _____

TESTING FACILITY TASK REPORT

AGENCY: NPPD

SUBJECT: ROACH, JUSTIN A

CASE NUMBER: 22-071232

DATE: May 26, 2022

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 01:43

ENDING TIME: 01:47

BREATH TESTS RESULTS: 1) R TIME 01:45 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: UPSET , CALM

REFUSED

CLOTHING: BROWN SHORTS, BLACK / WHITE T- SHIRT , BLACK / WHITE SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: GLASSY AND BLOODSHOT

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 01:21 HRS.

SUBJECT: REFUSD TO TAKE TEST

A/O: READ I/C

SUBJECT: STATED HE UNDERSTOOD I/C AND REFUSED TEST

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

REFUSED

A/O: ATTEMPTED Q&A

SUBJECT: REFUSED QUESTIONS

TESTING FACILITY TASK REPORT

AGENCY: NPPD

SUBJECT: ROACH, JUSTIN A

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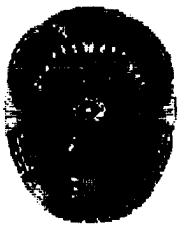
SUBJECT: STATED HE UNDERSTOOD RIGHTS

REFUSED

A/O: ATTEMPTED Q&A

SUBJECT: REFUSED QUESTIONS

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



PBSO CASE # 22-071232 PBSO ZONE 3-13

AGENCY CASE # 22000382 CRASH CASE #

TIME OF STOP/CRASH 0020 DATE 05/26/2022 DAY Thursday

SUBJECT'S NAME Roach (LAST) Justin (FIRST) Alden (MID) RACE W SEX M

HGT 6'05 WGT 300 DOB 06/24/1985

LOCATION 800-Blk US Highway 1, NPB, FL 33408

ARRESTING OFFICER'S NAME & ID Souther 9907 AGENCY NPBPD

DIVISION: Patrol

NOTIFIED BY COMMO

ARRIVAL AT FACILITY 0121

ARREST TIME 00:40

BREATH RESULTS:

1) REFUSED

2)

3)

4)

BREATH TEST OPERATOR: 24639

22000382

DUI WITNESS LIST

Arresting Officer: Souther 9907 Email: asouther @village-npb.org

Agency Address: 560 US Highway 1 NPB,FL 33408 Phone: 561-848-2525

Can Testify To: Events of the case

Backup Officer(s): Police Sergeant Council

Agency Address: 560 US Highway 1 NPB,FL 33408 Phone: 561-848-2525

Can Testify To: PC for stop

Breathalyzer Technician: Pound ID# 24639 Agency: PBSO

DRE: _____ Agency Case #: _____

Agency Address: _____ Phone: _____ Email: _____

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

SCA MAY 2

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____

Address: _____ Phone: _____

Can Testify To: _____ ☐ Wheel Witness

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: 2022013566	**Date:** 05/26/2022
	Specialist Name/ID: T Howard/7185