

0533204

22CT11874SB

397

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1	Juvenile	N
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-22-008199				
Charge Type: Check as many as Apply.		☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Multiple Clearance Indicator
Location of Arrest (Including Name of Business) 1800 N Seacrest Blvd, Boynton Beach, FL, 33436				Location of Offense (Business Name, Address) 1800 N Seacrest Blvd, Boynton Beach, FL, 33436				
Date of Arrest 07/22/2022		Time of Arrest 16:02		Booking Date		Booking Time		Jail Date
Jail Time		Location of Vehicle Becks' Towing						
Name (Last, First, Middle) Roski, Michele Marie				Alias (Name, DOB, Soc. Sec. #, Etc)				
W - White B - Black		I - American Indian O - Oriental / Asian		Race W	Sex F	Date of Birth 01/17/1971	Height 5'02	Weight 125
Eye Color Blue		Hair Color Blonde/Str		Complexion Fair		Build Medium		
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Mental Status Single		Religion Unk		Indication of: Alcohol Influence Drug Influence
Local Address (Street, Apt. Number) Sun		(City)		(State)		(Zip)		Phone () -
Permanent Address (Street, Apt. Number) 3710 Max Pl Apt, 102, Boynton Beach, FL, 33436		(City)		(State)		(Zip)		Phone (561)713-9992
Business Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone () -
DL Number, State R200-553-71-517-0/ fl		INS Number		Place of Birth Chicago, IL		Citizenship USA		
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
☐ Parent ☐ Legal Custodian ☐ 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		
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 561-355-2526) informed of any change of address: ☐ Yes, By: (Name) ☐ No: (Reason)				School Attended		Grade		
Property Crime? Yes ☐ No ☐		Description of Property				Value of Property		
Drug Activity N. N/A P. Possess		S. Sell B. Buy 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. Synthetic
U. Unknown Z. Other		Charge Description DUI		Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.193.1.A
Drug Activity		Drug Type		Amount/Unit		Offense # 22-008199		Warrant/Capias Number
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number		Violation of ORD#
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number		Violation of ORD#
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number		Violation of ORD#
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number
Instruction No. 1 Mandatory Appearance in Court		Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444				
Court Date and Time Month September Day 12 Year 2022 Time 08:30		A.M. ☒ P.M. ☐						
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) 7/22/22 Date Signed								
HOLD for other Agency Name:		Signature of Arresting Officer 1105		Name Verification (Printed by Arrestee) (PRINT)		BU#		
☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other:		Name of Transporting Officer (Print) Alexis		I.D. # 1105		Page 1 OF 1
Intake Deputy		I.D. #		Pouch #		Transporting Officer Alexis		I.D. # 1105
Agency BBPD		Witness here is subject Signed with an "X".						

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JUL 23 2022 KSO

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 22nd DAY OF July 2022 AT 1545 ☐ A.M. ☒ P.M.

CASE #: 22-008199

DEFENDANT: Roski, Michele Marie

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

I was traveling Eastbound on W Gateway Blvd in the City of Boynton Beach, Palm Beach County, FL, 33435, when I observed a White Jeep bearing FL Tag: JABS25, traveling in front of me, approaching the intersection of N Seacrest Blvd.

As the above vehicle arrived at the intersection, in the right turning lane, the vehicle came to a full stop and did not move for approximately Five (5) seconds; let it be noted that the traffic light was solid green. The vehicle then made wide turn, and proceeded to travel southbound on N Seacrest Blvd. I was directly behind the above vehicle when I observed the following driving pattern:

From Gateway Blvd, the vehicle was straddling the center line between both southbound lanes, occupying both lanes of travel, while moving at less than 20 miles per hours (Speed limit in the area is 35 Miles per hour). The vehicle kept switching between both lanes of travel several times, and at times, the vehicle almost drove into incoming traffic; Still traveling at less than 20 miles per hours.

I continued to observed the vehicle's driving pattern, until the vehicle reached the 1800 block of N Seacrest, at which time I activated my Vehicle (4962) emergency equipment to conduct a traffic stop. The vehicle came to a full stop in the 1700 block of N Seacrest.

The following infractions were observed: Vehicle shall be driven entirely in a single lane: FSS 316.089(1)
Careless driving: 316.1925(1).

I then approached the vehicle, at which point I made contact with the driver and sole occupant, later identified via her FL Driver License as W/F Michele Marie Roski. After I asked Roski for her driver license, I informed her of my reason for the stop to which she answered "ok". While speaking to Roski I detected a strong odor of alcoholic beverages emitting from her breath. I also observed Roski's eyes to be glassy and her pupil dilated. However, Roski denied to have consumed any alcohol beverage.

Based on my probable cause that Roski was operating her vehicle while under the influence of alcohol, I asked Roski to exit the vehicle. Roski became extremely argumentative and kept refusing to exit the vehicle. I asked Roski several times to exit her vehicle, to which she kept refusing, at which point I opened the driver's door and had her exit the vehicle. As Roski walked to the rear of her vehicle, she was unable to maintained her balance and had to lean against her vehicle for support.

Based on the above facts, I asked Roski to perform the SFST's (Standardized Field Sobriety Task) to which she refused at first. I then informed Roski of her Taylor Warning to which she said she understood. I asked Roski a second time to perform the SFST's, to which she agreed too.

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For the first Task, which was the Walk and Turn, I explained and demonstrated the exercise to Roski to which she stated she understood. When I asked Roski to perform the task, she was unable too after several attempts. Roski was unable to stand or maintain her balance and Other officer had to stand behind her to prevent her from falling. After several attempts, and based my observation, I determined that Roski was unable to perform the tasks and stopped it for her safety.

Unable to perform SFST's

HORIZONTAL GAZE NYSTAGMUS:

- ☐ Left eye does not follow smoothly
- ☐ Left eye prior to 45 degrees
- ☐ Distinct jerking in left eye at maximum deviation
- ☐ Vertical Nystagmus in left eye

- ☐ Right eye does not follow smoothly
- ☐ Right eye prior to 45 degrees
- ☐ Distinct jerking in right eye at maximum deviation
- ☐ Vertical Nystagmus in right eye

WALK AND TURN:

ONE LEG STAND:

FINGER TO NOSE:

ROMBERG/ALPHABET:

Based on my observation of Roski's physical state, and evidence that she was operating her vehicle while intoxicated (strong odor of alcohol, glassy eyes, unable to maintain her balance and confrontational behavior), Roski was detained (Handcuffed, D/L and check for spacing) and was arrested for suspicion of driving under the influence of Alcohol.

Roski was then placed in my vehicle (4962) and was transported to the Palm Beach County BAT facility. I arrived at the BAT, begun my 20-minute observation at 17:37 hrs, and completed it at 17:57 hours. Upon completion, I requested Roski to provide a sample of her breath to determine the alcohol content, which she refused. Implied Consent was then read and explained to Roski several times, after she kept saying that she did not understand. After she said she understood the implied consent, I asked Roski a second time to provide a breath sample, and she refused a second time. Q&A's were not completed because Roski asked for her lawyer.

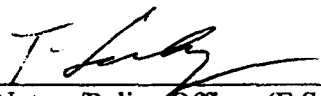
Based on the above facts, Roski, Michele Marie was charged with Driving Under the Influence pursuant with F.S.S. 316. 193.1.A. Roski was processed and later TOT PBCJ.

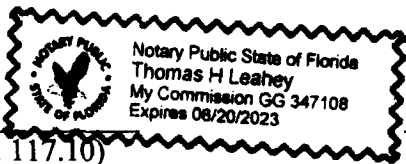
The following instrument was sworn to before me this

22 day of July 2022

By: Ofc Alexis

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Notary/Police Officer (F.S.S. 117.10)



 1105
Signature of Arresting Officer

NOT A CERTIFIED COPY

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JUL 23 2022



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

PBSO CASE # 22-090655 PBSO ZONE 6-12

AGENCY CASE # BBPD 22-028199 CRASH CASE # _____

TIME OF STOP/CRASH 15:45 DATE 7/22/2022 DAY Friday

SUBJECT'S NAME Roski, Michele Marie RACE W SEX F

HGT 5'02 WGT 125 DOB 01/17/1971

LOCATION 1800 N SeaCrest Blvd, Brynton Beach, FL 33436

ARRESTING OFFICER'S NAME & ID Alexis, 1105 AGENCY BBPD

DIVISION: RP

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 17:37

BREATH RESULTS:

Arrest Time 16:02

1. **REFUSED**

2. _____

3. _____

4. _____

TESTING OFFICER'S ID 19183

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JUL 23 2022

CASE #: 22-008199

DEFENDANT: Roski, Michele Marie

Arresting Officer: Alexis 1105

Address: 100 E. Boynton Beach Boulevard Boynton Beach, Fl. 33435

Phone Numbers: Home: Work: (561) 742-6100

Name:

Address:

Phone Numbers: Home: Work:

Can testify to:

Name:

Address:

Phone Numbers: Home: Work:

Can testify to:

Name:

Address:

Phone Numbers: Home: Work:

Can testify to:

Name:

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Phone Numbers: Home: Work:

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Can testify to:

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Phone Numbers: Home: Work:

Can testify to:

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JUL 23 2022

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

I, OFC Alexis, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of Brynton Beach Police Department, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the 22 day of July, 20 22, at 1545 ☒ P.M. ☐ A.M.

DRIVER Michele Marie Roski
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # R200553715170, state of FL, was placed under lawful arrest for

the offense of DUI by OFC Alexis and
(Name of Arresting Officer)

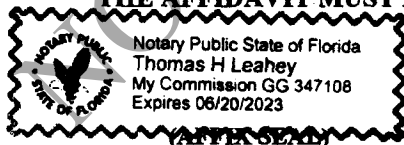
issued citation # AE1571E.

That on or about the 22 day of July, 20 22, at 1759 ☒ 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, or if he or she had been previously fined under s. 327.35215, F.S., 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, or if he or she has been previously fined under s. 327.35215, F.S., 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 Commercial Driver's License (CDL), or was operating a commercial motor vehicle, refusal will result in the disqualification of the CDL 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 (s. 117.10, F.S.)



The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

The foregoing instrument was sworn and subscribed before me this 22 day of July, 20 22, by OFC Alexis Roski, who is personally known to me or who has produced Khan as identification.

Notary Public T. Leahey

HSMV-BAR1001 (REV. 09/2021)

Title

Date

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.

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III 23 2022

TESTING FACILITY TASK REPORT

AGENCY: BBPD

SUBJECT: Roski, Michelle M

CASE NUMBER: 22-090655

DATE: Jul 22, 2022

VIDEO DVD NUMBER: n/a

BEGINNING TIME: 1759

ENDING TIME: 1806

BREATH TESTS RESULTS: 1) R TIME 1806 A.M. ☐ P.M. ☒ 2) n/a TIME 0 A.M. ☐ P.M. ☐
3) n/a TIME 0 A.M. ☐ P.M. ☐ 4) n/a TIME 0 A.M. ☐ P.M. ☐

BREATH OPERATOR: Thomas H Leahey #19183

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: thick, slurred

ATTITUDE: lethargic, sleeping, crying

CLOTHING: blue jean shorts, gray tank top, black flip flops

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER:

eyes were glassy & bloodshot
odor of unknown alcoholic beverage on breath

REFUSED

COMMENTS:

arrived at center A/O conducted 20 observation period at 1737 hrs

subject refused to perform breath test - I want my lawyer

A/O read I/C 2X & tech explained I/C 2X & subject understood I/C "babe y..."

subject refused to perform breath test

A/O called refusal @ 1806

A/O did not read rights - due to subject asking for attorney

A/O did conduct Q&A

subject invoked right to counsel

REFUSED

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III 23 2022

SUBJECT: Loski, Michelle m

CASE NUMBER: 22-008199

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) Did not Read on Camera

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III 23 2022

WHITE: STATE ATTY.

YELLOW: DHSMV

PINK: CENTRAL RECORDS

GOLD: JAIL

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? _____

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? **SCANNED**

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: _____



**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: 2022018904

Date: 07/23/2022

Specialist Name/ID: C. Smith/39657

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JUL 23 2022