0534641 22cf7548mb 3680

☐ Marsy's Law invoked - CVI present

ARREST / NOTICE TO APPEAR

O. On-View 3. Request for Warrant S. Summons T. Taken into Custody | O | JUVENILE ☐

ADMINISTRATION

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
	0500800	West Palm Beach Police Department	9 | 4 | 2022-0014539

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)	Location of Offense (Business Name, Address)
4499 OKEECHOBEE BLVD/N MILITARY TRL, WPB	4499 OKEECHOBEE BLVD/N MILITARY TRL, WEST PALM

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
09/17/2022	01:14	09/17/2022	01:24	/ / : :		

DEFENDANT

Name (Last, First, Middle): NORMANDIN, PATRICK JAMES — Alias: — Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White, B - Black, I - American Indian, A - Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	06/28/1997	5'08	140	BLUE	BLOND OR	FAIR	Small

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description) | Marital Status: S | Religion | Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk. ☐ Drug Influence ☐

Local Address (Street, Apt. Number) (City) (State) (Zip)	Home Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
970 COTTON BAY DR E, WEST PALM BEACH, FL 33406	(315) 244-3727	1

Permanent Address (Street, Apt. Number) (City) (State) (Zip)	Mobile Phone	Address Source
970 COTTON BAY DR E, WEST PALM BEACH, FL 33406		FL DL

Business Address (Name, Street) (City) (State) (Zip)	Work Phone	Occupation

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
N655670972280 / FL	[redacted]		SYRACUSE, NY, United	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., S. Synthetic, P. Paraphernalia/Equipment, U. Unknown, Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI INFLUENCE OF ALCOHOL OR DRUGS	316.193(1A)	

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

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
FLEEING OR ATTEMPTING TO ELUDE (HIGH SPEED RECKLESS)	316.1935(3A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ 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 ☐ Ported 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) — Court Date and Time

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

I CONSENT TO RECEIVE REMINDERS OF COURT DATE(S) AND TIMES FOR THIS CASE BY TEXT MESSAGE TO THE NUMBER IDENTIFIED HERE. I UNDERSTAND THAT STANDARD TEXT MESSAGE RATES MAY APPLY AND THAT I MAY REVOKE THIS CONSENT VIA THE TEXT MESSAGE SYSTEM IF I CHOOSE. (315) 244-3727 — INITIAL

No Photo Available

ADMIN

HOLD for Other Agency	Signature of Arresting Officer	Name Verification (Printed by Arrestee)
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other	Name of Arresting Officer (Print) I.D. # GITTENS, THOMAS 02263	(PRINT) SEP 17 AM 4:06
Intake Deputy I.D.# Pouch #	Transporting Officer I.D. # Agency GITTENS 2263 WPBPD	Witness here if subject signed with an "X".

PAGE 1 OF 1

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☐ Marsy's Law invoked - CVI present

PROBABLE CAUSE AFFIDAVIT

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

ADMIN

OBTS Number			O	JUVENILE
Agency ORI Number	Agency Name	Agency Report Number		
FL FL0500800	WEST PALM BEACH POLICE DEPARTMENT	9 | 4	2022-0014539	

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
NORMANDIN, PATRICK JAMES		W	M	06/28/1997

CHARGES

Charge Description	Charge Description
316.1935(3A) FLEEING OR ATTEMPTING TO ELUDE (HIGH SPEED	
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 OFFICER PANIAGUA who told ME 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 17 day of September, 2022 at 01:32 (Specifically include facts constituting cause for arrest.)

On September 16, 2022, at approximately 2220 I responded to a traffic accident (Palm Beach Sheriff`s Office Case #22-109801) at Okeechobee Blvd/N Military Trail. Officer Paniagua notified me a vehicle that a recently fled from him had crashed and he suspected the driver of being intoxicated.

Upon my arrival to the scene, I spoke with Officer Paniagua who informed me "On September 16, 2022 at approximately 2212 hours while working in an official capacity, I was traveling northbound on the 500 blk of Village Blvd when I observed a black in color Toyota traveling in the wrong direction almost colliding with this officer. I proceeded to turn my emergency blue and red lights on in my marked patrol vehicle (X2121) and observed the driver a W/M wearing a black ball cap and orange shirt initially slow down but then maneuver his vehicle around mine still traveling in the wrong direction. I proceeded to conduct a U-turn and observed the vehicle now weaving between traffic and making a westbound turn onto Palm Beach Lakes Blvd almost causing a collision with another vehicle while attempting to elude me. I followed the vehicle to the intersection of Palm Beach Lakes and Okeechobee Blvd but lost it in the traffic. I proceeded to initiate a traffic stop on a black Toyota in the area bearing Fl Tag QGPU37. The driver of the vehicle a W/F identified as Melanie Steixner (05/08/1997) stated that she observed the vehicle in question weaving around traffic and almost strike her and stated that the vehicle continued westbound on Okeechobee Blvd. I proceeded to clear that traffic stop and noticed that a Palm Beach County Sheriff`s Office marked patrol vehicle was out with two vehicles that were involved in a crash just before the Okeechobee Blvd and Military Trail intersection on the west bound lanes. I proceeded to approach the unit and noticed that one of the vehicles involved was a black in color Toyota Camry matching the vehicle from the original traffic stop. I proceeded to activate my emergency lights and make contact with the driver of the vehicle. The driver later identified as Patrick James Normandin (06/28/1997) was positively identified by this officer and the same operator of the vehicle that committed the infraction and failed to

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

DATE 9/17/22

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

GITTENS, THOMAS (02263)
NAME OF OFFICER (PLEASE PRINT)

09/17/2022
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	O	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE DEPARTMENT	9 | 4 | 2022-0014539

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
NORMANDIN, PATRICK JAMES		W	M	06/28/1997

PROBABLE CAUSE STATEMENT

stop earlier. Normandin was observed still wearing the orange shirt and black ballcap and had a admittance bracelet from Renegades on his right wrist. It should be noted that Renegades is located in the area of the original infraction (600 Village Blvd). I proceeded to stand by until Ofc. Gittens arrived on scene and conducted his DUI investigation."

After speaking with Officer Paniagua, I made contact with Patrick. I observed Patrick`s eyes were bloodshot and glassy. Patrick had a moderate odor of alcohol emanating from his breath that became stronger as he spoke to me. Patrick`s speech was slurred. I explained to Patrick Deputy Foster #12413 had finished with the accident investigation. I told Patrick I would now be conducting a DUI investigation and read Patrick his Maranda Warnings. Patrick admitted to driving and being involved in the accident. Patrick stated the car in front of him stopped to quickly and he hit the in the rear bumper. Patrick stated he was driving home from work. Patrick said he had one Budweiser beer two hours prior to driving. Patrick advised he not had any prescription medication or controlled substances prior to driving. Patrick stated he was the only person to drive the vehicle he was in control of that night and Patrick was the sole occupant of the vehicle.

I explained that I wanted to conduct some evaluations to see if he was safe to drive. Patrick stated he would conduct SFSTs. I asked Patrick if he had any medical conditions, I should be aware of, and he said he didn`t. I asked Patrick if he had diabetes and he stated he did. Patrick advised he had taken his insulin about an hour and a half prior. Patrick also stated he was not having a diabetic episode nor was he having any medical emergency. I asked Patrick if he had epilepsy or history of seizures and he stated he did not. I asked Patrick if he had any head, neck, or back injuries. Patrick advised he had a previous neck injury that was not causing him any problems at the present time. When I asked Patrick to walk over to my patrol vehicle, he was unsteady as he stood/walked.

I asked Patrick if he had any medical issues with his eyes and he stated he wore glasses/contacts. However, Patrick advised he was not where them at the present time. I explained to Patrick I would be checking his eyes and gave him instructions to follow my finger with his eyes and only his eyes. I held up my left index finger and told Patrick to look at the tip of my finger. I told Patrick to keep his head still. Patrick stated he understood. I checked Patrick`s eyes for equal pupil size and resting nystagmus. Patrick had equal pupil size and did not have resting nystagmus. I told Patrick with his eyes and only his eyes only to follow the tip of my finger. I started passes with my finger from center to maximum deviation then back to center on each eye to check Patrick`s eyes for equal tracking. Patrick`s eyes tracked equally.

After medically qualifying Patrick I immediately started passes on each eye from center to maximum deviation then back to center to check for lack of smooth pursuit. During the

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

9/17/22
DATE

2263
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

GITTENS, THOMAS (02263)
NAME OF OFFICER (PLEASE PRINT)

09/17/2022
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	O	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE DEPARTMENT	9 | 4 | 2022-0014539

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
NORMANDIN, PATRICK JAMES		W	M	06/28/1997

PROBABLE CAUSE STATEMENT

passes I saw nystagmus in each eye.

After checking for lack of smooth pursuit I immediately started passes on each eye to check for distinct and sustained nystagmus at maximum deviation. I moved my finger from center to maximum deviation, holding at maximum deviation for approximately eight seconds then back to center for both eyes. During the passes I saw distinct and sustained nystagmus at maximum deviation for each eye.

I started passes on each eye to check for onset of nystagmus prior to 45 degrees. I saw nystagmus prior to 45 degrees in each eye. After checking for onset of nystagmus prior to 45 degrees, I started two passes for vertical nystagmus and saw nystagmus in each eye. Patrick also had a slight sway while conducting the evaluation.

I instructed Patrick to stand with his feet together and his arms down by his side. I asked Patrick to put his right heel touching his left toe along a line (traffic stripe) extending straight off his left toe and to remain standing in that position until I told him to begin the evaluation. I asked Patrick if he understood those instruction and he said he did. I instructed Patrick when I told him to, he would take nine heel to toe steps along the line in front of him. I told Patrick that on his ninth step he would leave his lead foot on the line and make a series of small steps around and make nine heel to toe steps back along the same line. I told Patrick that it would look exactly like this and demonstrated the evaluation for him. I demonstrated the evaluation for Patrick. I told Patrick there were four things I wanted him to keep in mind while completing the evaluation. I told him to look at his feet at all times, count his steps out loud, keep his arms at his side at all times, and to not stop until he had completed the evaluation. Patrick stated he understood all the instructions. Patrick failed to maintain balance with receiving instructions. While conducting the evaluation Patrick displayed five of six clues (stops while walking, incorrect number of steps, missed heel to toe, steps offline, and incorrect turn).

I asked Patrick to stand with his feet together and his arms down by his side and I would tell him when to begin. I told Patrick when I told him to, I wanted him raise either one of his feet approximately six inches off the ground, parallel to the ground, and count out loud in the manner of "one thousand one, one thousand two, one thousand three" and so on until I told him to stop. I told Patrick it would look exactly like this and demonstrated it for him. I told Patrick there were four things I wanted him to keep in mind while performing the evaluation. I told Patrick to look at his raised foot at all times, count out loud, keep his arms at his side at all times, and to not put his foot down until I told him to stop. I asked Patrick if he understood these instructions and he stated he did. While conducting the evaluation Patrick displayed two of the four clues (sways and puts foot down).

I told Patrick to stand with his feet together and his arms by his side. I asked Patrick

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

DATE 9/17/22

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER 2263

GITTENS, THOMAS (02263)
NAME OF OFFICER (PLEASE PRINT)

09/17/2022
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

O

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE DEPARTMENT	9 | 4 | 2022-0014539

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
NORMANDIN, PATRICK JAMES		W	M	06/28/1997

PROBABLE CAUSE STATEMENT

if he knew his right from his left and he demonstrated he did. I had Patrick extend his index fingers while making a fist. I had Patrick face his palms toward me with his arms by his side. I told Patrick when I told him to, I wanted him to close his eyes and tilt his head back. I advised Patrick when I instructed him to, I would tell him either left or right. I told Patrick if I said right, I wanted him to touch the tip of his right finger to his nose and then return his hand back to his side. I told Patrick if I said left, I wanted him to touch the tip of his left finger to his nose and then return his hand back to his side. I told Patrick I wanted him to touch tip to tip. I asked Patrick if he understood, and he stated he did. During the evaluation Patrick missed touching tip to tip on five of six commands. Patrick`s body had a slight sway while conducting the evaluation, had to be reminded to put his arm down after the first command, and failed to keep his head tilted back.

I told Patrick to stand with his feet together and his arms by his side. I told Patrick when I instructed him to, I wanted him to tilt his head back and close his eyes. I told Patrick I wanted him to approximate thirty seconds in his head. I told Patrick when he finished to look at me and tell me he was done. I asked Patrick if he understood those instructions and he stated he did. While conducting the evaluation Patrick`s body had a slight sway and he failed to keep his head tilted back. Patrick told me he was finished after approximately 30 seconds.

Based on the clues exhibited during the SFSTs and the totality of the circumstances, probable cause existed that Patrick had committed the offense of DUI impairing his normal faculties. Also based on the positive identification and statement from Officer Paniagua probable cause existed that Patrick had committed the offense of Fleeing or attempting to elude by willfully fleeing or attempting to elude a law enforcement officer in an authorized law enforcement patrol vehicle, with agency insignia and other jurisdictional markings prominently displayed on the vehicle, with siren and lights activated, and during the course of the fleeing or attempted eluding driving at high speed, or in any manner which demonstrates a wanton disregard for the safety of persons or property.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

#1741

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

9/17/22
DATE

2263
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

GITTENS, THOMAS (02263)
NAME OF OFFICER (PLEASE PRINT)

09/17/2022
DATE

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

DUI PROBABLE CAUSE AFFIDAVIT

On the 16th Day of September at 2320 A.M. P.M.

Subject: Patrick J. Normandin Case Number: 20220014539

Agency: West Palm Beach Police Department Arresting Officer: Gittens #2263

Personal Contact

Driving Pattern Actual physical control (physical evidence putting the driver behind the wheel)

Upon my arrival to the scene Officer Paniagua informed me "On September 16, 2022 at approximately 2212 hours while working in an official capacity, I was traveling northbound on the 500 blk of Village Blvd when I observed a black in color Toyota traveling in the wrong direction almost colliding with this officer. I proceeded to turn my emergency blue and red lights on in my marked patrol vehicle (X2121) and observed the driver a W/M wearing a black ball cap and orange shirt initially slow down but then maneuver his vehicle around mine still traveling in the wrong direction. I proceeded to conduct a U-turn and observed the vehicle now weaving between traffic and making a westbound turn onto Palm Beach Lakes Blvd almost causing a collision with another vehicle while attempting to elude me. I followed the vehicle to the intersection of Palm Beach Lakes and Okeechobee Blvd but lost it in the traffic. I proceeded to initiate a traffic stop on a black Toyota in the area bearing Fl Tag QGPU37. The driver of the vehicle a W/F identified as Melanie Steixner (05/08/1997) stated that she observed the vehicle in question weaving around traffic and almost strike her and stated that the vehicle continued westbound on Okeechobee Blvd. I proceeded to clear that traffic stop and noticed that a Palm Beach County Sheriff's Office marked patrol vehicle was out with two vehicles that were involved in a crash just before the Okeechobee Blvd and Military Trail intersection on the west bound lanes. I proceeded to approach the unit and noticed that one of the vehicles involved was a black in color Toyota Camry matching the vehicle from the original traffic stop. I proceeded to activate my emergency lights and make contact with the driver of the vehicle. The driver later identified as Patrick James Normandin (06/28/1997) was positively identified by this officer and the same operator of the vehicle that committed the infraction and failed to stop earlier. Normandin was observed still wearing the orange shirt and black ballcap and had a admittance bracelet from Renegades on his right wrist. It should be noted that Renegades is located in the area of the original infraction (600 Village Blvd). I proceeded to stand by until Ofc. Gittens arrived on scene and conducted his DUI investigation." Also after being read his Miranda Warnings, Patrick admitted to driving and being involved in the automobile accident.

Observation of Driver

I observed Patrick's eyes were bloodshot and glassy. Patrick had a moderate odor of alcohol emanating from his breath that became stronger as he spoke to me. Patrick's speech was slurred. When I asked Patrick to walk over to my patrol vehicle, he was unsteady as he stood/walked.

Drivers Statements:

Patrick admitted to driving and striking a vehicle in the rear bumper. Patrick stated he was driving home from work. Patrick said he had one Budweiser beer two hours prior to driving. Patrick stated he was the only person to drive the vehicle he was in control of that night.

Odors:

Patrick had a moderate odor of alcohol emanating from his breath that became stronger as he spoke to me.

General Observations

Speech: Slurred

Attitude: Cooperative

Clothing: Orange shirt and blue jeans

Medical Problems/Medications: Diabetes

Other: I transported Patrick to the WPBPD BAT where Patrick was asked if he would provide a breath sample for the stated approved test. Patrick refused to give a breath sample and I read him implied consent. After being read implied consent, Patrick again refused to provide a sample.

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DUI PROBABLE CAUSE AFFIDAVIT

Subject: Patrick J. Normandin **Case Number:** 20220014539

Roadside Tasks

Horizontal Gaze Nystagmus

- ☒ Left Eye Does Not Follow Smoothly
- ☒ Left Eye Jerks at 45 Degree Angle or Less
- ☒ Distinct Jerking Left Eye at Maximum Deviation
- ☒ Right Eye Does Not Follow Smoothly
- ☒ Right Eye Jerks at 45 Degree Angle or Less
- ☒ Distinct Jerking Right Eye at Maximum Deviation

I explained to Patrick I would be checking his eyes and gave him instructions to follow my finger with his eyes and only his eyes. I held up my left index finger and told Patrick to look at the tip of my finger. I told Patrick to keep his head still Patrick stated he understood. I checked Patrick's eyes for equal pupil size and resting nystagmus. Patrick had equal pupil size and did not have resting nystagmus. I told Patrick with his eyes and only his eyes only to follow the tip of my finger. I started passes with my finger from center to maximum deviation then back to center on each eye to check Patrick's eyes for equal tracking. Patrick's eyes tracked equally. After medically qualifying Patrick I immediately started passes on each eye from center to maximum deviation then back to center to check for lack of smooth pursuit. During the passes I saw nystagmus in each eye. After checking for lack of smooth pursuit I immediately started passes on each eye to check for distinct and sustained nystagmus at maximum deviation. I moved my finger from center to maximum deviation, holding at maximum deviation for approximately eight seconds then back to center for both eyes. During the passes I saw distinct and sustained nystagmus at maximum deviation for each eye. I started passes on each eye to check for onset of nystagmus prior to 45 degrees. I saw nystagmus prior to 45 degrees in each eye. After checking for onset of nystagmus prior to 45 degrees, I started two passes for vertical nystagmus and saw nystagmus in each eye. Patrick also had a slight sway while conducting the evaluation.

Walk and Turn Task

I instructed Patrick to stand with his feet together and his arms down by his side. I asked Patrick to put his right heel touching his left toe along a line (traffic stripe) extending straight off his left toe and to remain standing in that position until I told him to begin the evaluation. I asked Patrick if he understood those instruction and he said he did. I instructed Patrick when I told him to, he would take nine heel to toe steps along the line in front of him. I told Patrick that on his ninth step he would leave his lead foot on the line and make a series of small steps around and make nine heel to toe steps back along the same line. I told Patrick that it would look exactly like this and demonstrated the evaluation for him. I demonstrated the evaluation for Patrick. I told Patrick there were four things I wanted him to keep in mind while completing the evaluation. I told him to look at his feet at all times, count his steps out loud, keep his arms at his side at all times, and to not stop until he had completed the evaluation. Patrick stated he understood all the instructions. Patrick failed to maintain balance with receiving instructions. While conducting the evaluation Patrick displayed five of six clues (stops while walking, incorrect number of steps, missed heel to toe, steps offline, and incorrect turn).

One Leg Stand

I asked Patrick to stand with his feet together and his arms down by his side and I would tell him when to begin. I told Patrick when I told him to, I wanted him raise either one of his feet approximately six inches off the ground, parallel to the ground, and count out loud in the manner of "one thousand one, one thousand two, one thousand three" and so on until I told him to stop. I told Patrick it would look exactly like this and demonstrated it for him. I told Patrick there were four things I wanted him to keep in mind while performing the evaluation. I told Patrick to look at his raised foot at all times, count out loud, keep his arms at his side at all times, and to not put his foot down until I told him to stop. I asked Patrick if he understood these instructions and he stated he did. While conducting the evaluation Patrick displayed two of the four clues (sways and puts foot down).

Finger To Nose

I told Patrick to stand with his feet together and his arms by his side. I asked Patrick if he knew his right from his left and he demonstrated he did. I had Patrick extend his index fingers while making a fist. I had Patrick face his palms toward me with his arms by his side. I told Patrick when I told him to, I wanted him to close his eyes and tilt his head back. I advised Patrick when I instructed him to, I would tell him either left or right. I told Patrick if I said right, I wanted him to touch the tip of his right finger to his nose and then return his hand back to his side. I told Patrick if I said left, I wanted him to touch the tip of his left finger to his nose and then return his hand back to his side. I told Patrick I wanted him to touch tip to tip. I asked Patrick if he understood, and he stated he did. During the evaluation Patrick missed touching tip to tip on five of six commands. Patrick's body had a slight sway while conducting the evaluation, had to be reminded to put his arm down after the first command, and failed to keep his head tilted back.

Romberg Balance

I told Patrick to stand with his feet together and his arms by his side. I told Patrick when I instructed him to, I wanted him to tilt his head back and close his eyes. I told Patrick I wanted him to approximate thirty seconds in his head. I told Patrick when he finished to look at me and tell me he was done. I asked Patrick if he understood those instructions and he stated he did. While conducting the evaluation Patrick's body had a slight sway and he failed to keep his head tilted back. Patrick told me he was finished after approximately 30 seconds.

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Breath Results from Instrument

1st Result	2nd Result	3rd Result (If Applicable)
Refused		

State of Florida

County of Palm Beach

The Following Instrument was notorized or sworn before me this _____ (DATE)

☐ Personaly Known ☐ Produced Identification ☐ Notary Public

B1748 3/17/22 2263

Notary / Clerk of Courts / Officer (FSS: 117.10) *Signature of Arresting Officer*

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

ALCOHOL TESTING PROGRAM

BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: WEST PALM BEACH PD
Instrument Serial Number: 80-001235 Software: 8100.27
Date of Test: 09/16/2022

Date of Last Agency Inspection: 08/26/2022
Observation Period Began: 22:54
Subject As Name: PATRICK J NORMANDIN DOB: 06/28/1997 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	23:27
Air Blank	0.000	23:28
Control Test	0.081	23:28
Air Blank	0.000	23:29
Subject Sample #1	REF*	23:29
Air Blank	0.000	23:29
Control Test	0.081	23:30
Air Blank	0.000	23:30
Diagnostics Check	OK	23:30

*Subject Test Refused

Cylinder Lot: 1356262
Exp: 08/03/2023

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 MORRIS J AMBESE, 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: _____ 1478 Date: 9/16/2022
Signature

Sworn to (or affirmed) before me this 16th day of Sept, 2022

_____ G. Hans, T.B. #2203
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.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

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SUBJECT: _____ CASE NUMBER: 22-14539

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.

OR

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

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am _____ of the West Palm Beach Police Department. 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, or if you have been previously fined under F.S.S. 327.35215 for refusing 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, or you have been previously fined under F.S.S. 327.35215 for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor, in addition to any other penalites which can be imposed by law. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

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.

SUBJECTS SIGNATURE: Read on camera

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

CONSTITUTIONAL WARNINGS

1. You have the right to remain silent and not answer any questions
2. Any statement must be freely and voluntailry 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 can not 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.

SUBJECTS SIGNATURE: Read on camera

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STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, Gittens, T.B. #2263, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)
member of WPBPD, and I do swear
(Name of Law Enforcement Agency)
or affirm that on or about the 16th day of Sept., 2022, at 2254 ☑P.M. ☐A.M.
DRIVER Patrick James Normandin,
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME
DL # N655670972290, state of FL, was placed under lawful arrest for
the offense of DUI by Gittens, T.B. #2263 and
(Name of Arresting Officer)
issued citation # AGV0PKE.
That on or about the 16th day of Sept., 2022, at 2329 ☑P.M. ☐A.M.
in Palm Beach County,

I requested that the driver submit to a **BREATH** test for the purpose of determining its alcohol content. I informed the driver that the refusal to submit to such test 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. Nonetheless, the driver refused to submit to the test requested.

2203
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:
1418
Signature of Attesting Officer
Title Police Officer
Date 9-16-2022

(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 _____

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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EFFECTIVE OCTOBER 1, 2021

West Palm Beach Police Department

Breath Testing Facility Report

Defendant: Normandin, Patrick James **Case #:** 2022-14539

Arresting Officer: Ofc T. Gittens 2263 **Date:** 9/16/2022

Breath Test Resutls:

Refused	g/210L	2329	Time	---	g/210L	---	Time
---	g/210L	---	Time	---	g/210L	---	Time

Note: Times are in Military Time

Breath Operator: Ofc Morris J Annese 1418

Maintenance Technician Inv J Ingrassia #1857

Testing Officer Observations:

Speech: Normal

Attitude: Cooperative

Clothing: Blue jeans, red t-shirt, brown boots

Medical Conditions: Diabetes

Medications: Insulin

Other:

Arrival Time at Facility/ Time Twenty (20) Minute Observation Started: 2254 hours

Comments:

The defendant was observed by Ofc Gittens during the 20 minute observation period.

I noticed the defendant had blood shot glassy eyes. He had a slight odor of unknown alcoholic beverages on his breath.

The defendant was asked to submit to a breath test and refused. He was read the Implied Consent by Ofc Gittens and asked again to submit to the breath test. He again refused to submit to the test.

The defendant was read his Miranda Warnings by Ofc Gittens and refused to answer any questions.

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SUBJECT: _____ CASE NUMBER: 2 1 [illegible] 9

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: _____

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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:	

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REVIEW COMPLETED BY

Booking Number: 2022024390	**Date:** 9/18/2022
	Specialist Name/ID: M. Tooks #8557