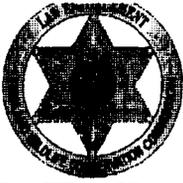


0526505  
**Arrest Report**

3469



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
8535 NORTHLAKE BLVD  
WEST PALM BEACH, FL.

|   |  |   |   |
|---|--|---|---|
| Report Date / Time<br>9/2/2023 06:56 PM | Report Number<br>C-5094AB                      | Case Number/Cad Number<br>FWC23ON0083817 /<br>FWCS23IN0045894 | Reporting Officer Name<br>SPIRITO, GEORGE |
| Originating Agency ORI<br>FL0508000     | Occur Date Time Range<br>09/02/2023 17:24:07 - | Jurisdiction  |   |
| OBTS Number                             | Other Number                                   | Clearance   |   |

**Location of Occurrence**

|                      |                               |  |                 |             |                   |
|----------------------|-------------------------------|--|-----------------|-------------|-------------------|
| County<br>PALM BEACH | Location Type<br>PUBLIC PLACE | Location Description<br>BRIDGE CATO'S BRIDGE |                 |             |                   |
| Street Number        | Street<br>BEACH RD            | Apt/Lot/Bldg                                 | City<br>JUPITER | State<br>FL | Zip Code<br>33469 |

**Defendant**

|   |                                     |                             |           |               |  |                 |                 |             |              |
|---|-------------------------------------|-----------------------------|-----------|---------------|--|-----------------|-----------------|-------------|--------------|
| First Name<br>ANDREW  | Middle Name<br>WILLIAM              | Last Name<br>RUSSO          | Suffix    | Race<br>WHITE | Sex<br>MALE                                  | Height<br>6'02" | Weight<br>180   | Hair<br>RED | Eyes<br>BLUE |
| MNI #   | SSN                                 | Date of Birth<br>10/10/2000 | Age<br>22 | ID Type<br>E  | Drivers License or other ID<br>R200019003700 | State<br>FL     | OCA / Agency ID |             |              |
| Place of Birth:   | WONT ANSWER WONT ANSWER ORLANDO, FL |                             |           |               |  |                 |                 |             |              |
| Address<br>* RESIDENCE / 1304 PENINSULAR RD , JUPITER, FL 33469 / |                                     |                             |           |               |  |                 |                 |             |              |

**Arrest**

|   |                                      |   |                      |                 |             |                   |
|---|--------------------------------------|---|----------------------|-----------------|-------------|-------------------|
| Arrest Date/Time<br>9/2/2023 5:43:50 PM | Arrest Location Type<br>PUBLIC PLACE | Arrest Location Description<br>ICW AND CATOS BRIDGE |                      |                 |             |                   |
| Street Number                           | Street<br>BEACH RD                   | Apt/Lot/Bldg  | County<br>PALM BEACH | City<br>JUPITER | State<br>FL | Zip Code<br>33469 |

**Charge : STATE STATUTE**

|  |   |                       |                                  |
|--|---|-----------------------|----------------------------------|
| Counts<br>1  | Charge<br>327.35(1)(a)                    | Bond Amount<br>\$0.00 | <input type="checkbox"/> No Bond |
| Charge Degree<br>SECOND DEGREE   | Charge Level<br>MISDEMEANOR               |                       |                                  |
| General Offense Code   | Arrest Offense Code<br>DUI-UNLAW BLD ALCH |                       |                                  |
| Charge Description<br>OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED |   |                       |                                  |
| Administrative Code - Description<br>-                                   |   |                       |                                  |

**Bond Set by Officer**

|              |                                  |
|--------------|----------------------------------|
| Bond Amount  | <input type="checkbox"/> No Bond |
| Bond Type(s) |                                  |

FILED PBC - GUN CLUB-  
23 SEP 3 AM 7:40

|   |  |  |   |
|---|--|--|---|
| Report Date / Time<br>9/2/2023 06:56 PM | Report Number<br>C-5094AB                      | Case Number / Case Number<br>FWC23ON0083817 /<br>FWCS23IN0045894 | Reporting Officer Name<br>SPIRITO, GEORGE |
| Originating Agency ORI<br>FL0508000     | Occur Date Time Range<br>09/02/2023 17:24:07 - | Jurisdiction   |   |
| OBTS Number                             | Other Number                                   | Clearance  |   |

**Probable Cause**

- I. WHAT: BUI
- II. WHEN: September 2, 2023, 17:24
- III. WHERE: Palm beach County, Jupiter, ICW and Cato's Bridge
- IV. WHO: Andrew William Russo III 1304 Peninsular Rd Jupiter FL, 33469

V. Other information Relating to BUI  
 FL Vessel Registration FL 2264 PL  
 FL license number R200019003700

**VI. DETAILS OF DUI/BUI**

On September 2, 2023, I Officer George Spirito along with Officer Jarred Stiltner both of the Florida Fish and Wildlife Conservation Commission (FWC) were on marked vessel patrol on the Intra Costal Waterway (ICW) in the area of Cato's Bridge located in Palm Beach County FL. We observed a vessel traveling south with approximately 9 individuals onboard (FL 2264 PL) and stopped the vessel for the purposes of a vessel safety inspection. The vessel was operated by a male later identified as Andrew Russo. Russo Pulled his vessel to the dock and at the JIB Club and passengers secured his vessel to the dock. Once we pulled up to the vessel, I could immediately smell an overwhelming smell of an alcoholic beverage and I could see empty alcoholic beverage containers on the deck of the vessel.

I asked Russo to provide me with his registration which he provided. I then asked Russo to provide his vessels safety equipment and he had some trouble doing this. He stumbled about, hit his head, and had to kneel down and hold onto parts of the vessel to keep his balance. When I could see Russo's eyes, I could see that they were glassy. I asked Russo if he had anything to drink on this date and he said no and that he had nothing to drink.

Due to the sign of impairment I saw from Russo I asked him if he would put on a lifejacket and come onto my vessel so that I could administer SFST's to determine his sobriety. Russo had some trouble putting on his lifejacket. Russo stated that he did not want to come onto my boat and take tasks. I advised Russo of his Taylor warnings and explained to him how I would have to make my decision on his sobriety if he did not come onto my boat and take the tasks. After a conversation he agreed to get onto my vessel. I again asked him if he would perform the tasks and he agreed. Once on my vessel separated from his vessel, I could smell an overwhelming odor of an alcoholic beverage emanating from his person. His eyes were glassy and his speak was slurred at times.

**SFST's**

I read Russo his general instruction and asked if he understood, he said he did. I then asked him a second time to sit at the front edge of his seat as I had asked. The second time I asked he complied. Russo answered "No" to all of his per task questions.

Horizontal Gaze Nystagmus

|   |  |  |   |
|---|--|--|---|
| Report Date / Time<br>9/2/2023 06:56 PM | Report Number<br>C-5094AB                      | Case Number/Case Number<br>FWC23ON0083817 /<br>FWCS23IN0045894 | Reporting Officer Name<br>SPIRITO, GEORGE |
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| OBTS Number                             | Other Number                                   | Clearance  |   |

Russo had lack of smooth pursuit in both eyes, distinct and sustained nystagmus at max deviation in both eyes and onset of nystagmus prior to 45 degrees.

Total Clues: 6. Total Clues needed: 4.

#### Finger to Nose

Russo was unable to follow instruction and did not immediately tilt his head back and close his eyes. He moved his head more than 1" during the task, hesitated several times, searched on almost every try, did not use fingertip multiple times and missed the tip of his nose multiple times.

Total Clues: 17. Total Clues needed: 9.

#### Palm Pat

Russo was unable to follow instructions and did not increase his speed as he was told to. I kept saying speed up, speed up and he would not listen. He would not speed up on his own and never sped up, he kept going slow and was unable to listen and take the task.

Would not take task.

#### Hand Coordination

Russo was unable to follow instructions and told me that I could not perform the task. He also did not count on task 2 and had improper count and touch on the third task.

Total Clues: 4. Total Clues needed 3.

#### Arrest and Transport

At this time due to my observations of Russo and his SFST tasks it was my determination from my training and experience that Russo was highly intoxicated by alcohol. Russo was placed under arrest and charged with BUI, operating a vessel with normal faculties impaired. His vessel was left tied to the dock at the JIB club. Russo was transported by vessel to Dubois Park where he was searched and placed into the rear of my marked state patrol truck. Russo was transported to Palm Beach Jail at Gun Club by me. In my vehicle I could smell a very strong odor of an alcoholic beverage which was emanating from Russo.

While we were driving Russo kept making jokes and statement regarding my weight which he found to be funny.

During SFST's I traded body cameras with Officer Stiltner because mine had a low battery warning. We switched back for the ride to jail.

At the jail Russo was read his implied consent warnings and refused a breath test. He also refused to answer any questions.

Russo also refused to submit to a breath test on 10/10/2021 and issued a citation (V652241) by FWC Officer AJ

|  |   |   |  |
|--|---|---|--|
| Report Date / Time<br><b>9/2/2023 06:58 PM</b> | Report Number<br><b>C-5094AB</b>                      | Case Number/Cad Number<br><b>FWC23ON0083817 / FWCS23IN0045894</b> | Reporting Officer Name<br><b>SPIRITO, GEORGE</b> |
| Originating Agency ORI<br><b>FL0508000</b>     | Occur Date Time Range<br><b>09/02/2023 17:24:07 -</b> | Jurisdiction  |  |
| OBTS Number                                    | Other Number  | Clearance   |  |

Harris. Due to this he will be charged with a second offense.

Russo was charged with the following:

327.35(1)(a) BUI operating a vessel while normal faculties impaired.

327.359(5) BUI refusal to submit to 2ND or subsequent (breath test)

**Jail Booking Facility**

|  |                                     |  |   |
|--|-------------------------------------|--|---|
| Booking Date/Time<br><b>9/2/2023 07:03 PM</b>  | Booking County<br><b>PALM BEACH</b> | Booking Facility<br><b>MAIN DETENTION CENTER</b> | Booking Facility Phone<br><b>(561) 996-1699</b> |
| Booking Facility Location<br><b>3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406-3001</b> |                                     |  | Booking Number                                  |
| Booking Comments   |                                     |  |   |

**Court**

|   |   |  |            |
|---|---|--|------------|
| Court County<br><b>PALM BEACH</b>                   | Court Location<br><b>3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406</b> |  |            |
| Court<br><b>PALM BEACH COUNTY COURT AT GUN CLUB</b> | Court Phone   | Court Appearance Date / Time<br><b>10/04/2023 01:00 PM</b> | Court Fine |
| Comments  |   |  |            |

|  |   |   |
|--|---|---|
| Officer Name<br>Rank / ID #              | Involvement On Report /<br>Reporting Role | Officer Agency<br>Org/Unit  |
| <b>SPIRITO, GEORGE<br/>OFFICER WP366</b> | <b>REPORTING OFFICER</b>                  | <b>FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION<br/>FWCS\ISO REGION A\PALM BEACH</b> |

|   |  |  |   |
|---|--|--|---|
| Report Date / Time<br>9/2/2023 06:56 PM | Report Number<br>C-5094AB                      | Case Number/Case Number<br>FWC23ON0083817 /<br>FWCS23IN0045894 | Reporting Officer Name<br>SPIRITO, GEORGE |
| Originating Agency ORI<br>FL0508000     | Occur Date Time Range<br>09/02/2023 17:24:07 - | Jurisdiction   |   |
| OBTS Number                             | Other Number                                   | Clearance  |   |

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

**Reporting Officer**

|  |                        |  |   |
|--|------------------------|--|---|
| Officer Name<br>SPIRITO, GEORGE  | Office Rank<br>OFFICER | Officer ID No<br>WP366   | Sworn and subscribed before me, the undersigned authority<br>This the <u>2</u> day of <u>Sept</u> , <u>2023</u><br>DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT |
| Officer Agency<br>FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION                                    |                        |  |   |
| Officer Signature<br> |                        |  ALSWAICK #572, P86 PD |   |

No Bill / Petition   
 Issue Warrant   
 Prosecution Approved

Signature of Assistant State Attorney \_\_\_\_\_ Date \_\_\_\_\_

NOT A CERTIFIED COPY



**STATE OF FLORIDA  
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
DIVISION OF LAW ENFORCEMENT**



**REFUSAL TO SUBMIT TO BREATH, URINE OR BLOOD TESTING**

In the County Court of the 15th Judicial  
Circuit in and for Palm Beach County, Florida

STATE OF FLORIDA  
(PLAINTIFF)

Uniform Boating Citation No.

V686039

Andrew Russo  
DEFENDANT

**AFFIDAVIT**

I, George Spinto, a law enforcement officer, who having been duly sworn, certify and state the following:

1. That on Saturday, 9/2, 2023 at 8:15  AM  PM probable

cause existed to arrest the above named Defendant for a violation of section 327.35, Florida Statutes, as set forth in the attached narrative which is incorporated by reference as if set forth fully herein.

2. That on that date and that time:

The Defendant was under lawful arrest for an offense committed while the Defendant was operating a vessel while under the influence of alcoholic beverages, chemical substances, or controlled substances, and the Defendant was requested to submit to a  breath test,  urine test, or  both a breath and a urine test; or  The Defendant had appeared for treatment at a hospital, clinic, or other medical facility, the administration of a breath or urine test was impractical or impossible, and the Defendant was requested to submit to a blood test.

3. The Defendant was advised of both the penalties for a failure to submit to the blood, breath or urine test and the procedure for requesting a hearing.

4. The Defendant refused to submit to the  blood,  breath, or  urine test(s).

**FURTHER AFFIANT SAYETH NOT.**

[Signature] 7366  
Officer's Signature ID No

FWL  
Law Enforcement Agency  
1300 Marchesi Rd

Jupiter FL 33477  
City State Zip Code

|                                     |   |
|-------------------------------------|---|
| SWORN TO AND SUBSCRIBED             |   |
| BEFORE ME THIS                      | <u>2</u> DAY                                  |
| OF                                  | <u>September, 20 23</u>                       |
|                                     | <u>ALSHAN OR #572</u><br><u>PB:JPD</u>        |
| Notary Public or Attesting Officer  |   |
| <input type="checkbox"/>            | Personally known to me                        |
| <input checked="" type="checkbox"/> | Produced <u>SWORN LE</u><br>as Identification |

SUBJECT: Russo, Andrew W 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~~ <sup>VESSEL</sup> AT THE TIME OF THE STOP/ACCIDENT? \_\_\_\_\_

WHERE WERE YOU GOING? \_\_\_\_\_

WHAT ~~STREET OR HIGHWAY~~ <sup>WATERWAYS</sup> 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: \_\_\_\_\_

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

# TESTING FACILITY TASK REPORT

AGENCY: FWC

SUBJECT: RUSSO, ANDREW WILLIAM III

DATE: Sep 2, 2023

BEGINNING TIME: 19:15

CASE NUMBER: 23-106191

VIDEO DVD NUMBER: N/A

ENDING TIME: 19:18

BREATH TESTS RESULTS: 1) R TIME 19:17 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: M. GONZALEZ #40577

MAINTENANCE TECHNICIAN: J. KARLECKE# 6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM, QUIET

CLOTHING: GREY SHORTS, LIGHT TURQUOISE, NO SHOES

MEDICAL CONDITIONS: REFUSED

MEDICATIONS: REFUSED

OTHER:

## COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 18:46 HRS.

SUBJECT: REFUSED TO ANSWER FORMAT QUESTIONS  
SUBJECT: REFUSED TO TAKE TEST

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

A/O: READ RIGHTS  
SUBJECT: WOULD NOT ANSWERED IF HE UNDERSTOOD RIGHTS.

A/O: ATTEMPTED Q & A  
SUBJECT: WOULD NOT ACKNOWLEDGE OR ANSWER

**REFUSED**



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

PBSO CASE # 23-106191 PBSO ZONE 3-11

AGENCY CASE # FWC 230N0083817 CRASH CASE # \_\_\_\_\_

TIME OF STOP/CRASH 17:24 DATE \_\_\_\_\_ DAY \_\_\_\_\_

SUBJECT'S NAME RUSO Andrew W RACE W SEX M  
LAST FIRST MID

HGT 6'02" WGT not answer DOB 10/10/2000

LOCATION ICW at Cafos Bridge

ARRESTING OFFICER'S NAME & ID SPINATO P366 AGENCY FWC

DIVISION: LG

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 18:46

ARREST TIME 17:43

**BREATH RESULTS:**

- 1)
- 2)
- 3)
- 4)

TESTING OFFICER'S ID 40577 PBSO VIDEOTAPE # N/A

NOT A CERTIFIED COPY



**FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
DIVISION OF LAW ENFORCEMENT  
OPERATOR APPRAISAL & INTERVIEW**



DEFENDANT'S NAME: Andrew Russo CASE NO. FWC 230N0083817

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.
5. If you consent to answer questions now, without a lawyer present, you will still have the right to stop answering at anytime.

1. Do you understand each of these rights?  YES  NO
2. With these rights in mind, do you wish to talk to us now?  YES  NO

*Wont answer*

Defendant's Signature: \_\_\_\_\_

|  |  |   |
|--|--|---|
| Were you operating a vehicle/vessel?   |  | Where were you going?   |
| Was the vehicle/vessel in good condition? If No, →                                     |  | What is wrong with it?  |
| What road/waterway were you on?  |  | Where were you coming from?   |
| What time did you leave there?   |  | Without looking at a watch or clock, what time is it now?<br>Actual Time: |
| What is today's date?<br>Actual Date:  |  | What day of the week is it?<br>Actual Day:                                |
| When did you last eat?   | What did you eat?                              | Where did you last eat?   |
| What have you been drinking?   | How much have you been drinking?               | Where have you been drinking?   |
| Who were you drinking with and were they drinking?                                     |  | What time did you start drinking?   |
| What time did you stop drinking?   | Do you feel the effects of alcohol (or drugs)? | Do you feel that you are impaired?  |
| Were you involved in an accident today?  | When did you last sleep?                       | How much sleep did you get?   |
| Are you currently under the care of a doctor or dentist? For what?                     |  |   |
| Have you used any type of drugs recently, prescription, non-prescription or otherwise? |  |   |
| If so, what kind of drug did you take? What was your last dose and when?               |  |   |
| Do you think you should have been operating a vehicle/vessel?                          |  | If yes, Why?  |

*Andrew Russo* 7364  
Interviewing Officer's Signature

*George Soto*  
Interviewing Officer's Name (Printed)



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
DIVISION OF LAW ENFORCEMENT

IMPLIED CONSENT WARNING FOR BREATH (BUI)

DEFENDANT'S NAME: Andrew Russo CASE NO: FWC230N0083817

I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.

Will you take the test? YES  NO

**NOTE: READ THE BELOW ONLY IF THE ANSWER TO THE ABOVE IS "NO."** If the answer to the above is "YES," move to and complete the signatures section of this document.

If you refuse to submit to the test I have requested of you, it will result in a civil penalty of \$500. Additionally, if you refuse to submit to the test I have requested of you and you have been previously fined under section 327.35215, Florida Statutes, or if your driving privilege has been previously suspended for 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.

**In ADDITION to the above, read this statement ONLY if the person is under the age of 21:**

Furthermore, if you refuse to submit to this test, you will be required to complete 50 hours of community service and your privilege to operate a vessel will be suspended until the community service is performed.

Do you understand what I have just read to you? YES  NO   
Do you still refuse to submit to this test? YES  NO  1117

**SIGNATURES**

Date read: 9/2/23 Time read: 19:17 Location read: Palau Beach Jail Gen Clerk's  
OFFICER'S NAME (printed): George Spinito  
OFFICER'S SIGNATURE: [Signature] 7364