

# 0344081

24 CT 4680 NB

# 363

ARREST / NOTICE TO APPEAR

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

Agency ORI Number <b>0501700</b>	Agency Name <b>Jupiter Police Department</b>	Agency Report Number (N.T.A.'s only) <b>5, 4 24-001057</b>
Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Misdemeanor	<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	If Weapon Seized Enter Type <b>UNARMED</b>
Location of Arrest (Including Name of Business) <b>1095 MILITARY TRL JUPITER FL 33458</b>		Location of Offense (Business Name, Address) <b>1095 MILITARY TRL, JUPITER, FL 33458</b>
Date of Arrest <b>03/14/2024</b>	Time of Arrest <b>02:53</b>	Booking Time <b>03:03</b>

Name (Last, First, Middle) <b>ROSS, BENJAMIN ELMER</b>		Alias (Name, DOB, Soc. Sec. #, Etc.)	
Race W - White B - Black <b>W</b>	Sex M <b>M</b>	Date of Birth <b>09/16/1987</b>	Height <b>5'10</b>
Weight <b>190</b>	Eye Color <b>BROWN</b>	Hair Color <b>BROWN</b>	Complexion <b>LIGHT</b>
Build <b>Medium</b>	Marital Status <b>S</b>	Religion <b>CHRISTIAN</b>	Indication of Alcohol Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>TATT BOTH WRIST</b>		Local Address (Street, Apt. Number) <b>770 SE HOLLAHAN AVE, PORT SAINT LUCIE, FL 34983</b>	Phone <b>(561) 339-2166</b>
Permanent Address (Street, Apt. Number) <b>770 SE HOLLAHAN AVE, PORT SAINT LUCIE, FL 34983</b>	Phone <b>(561) 339-2166</b>	Address Source <b>FL DL</b>	
Business Address (Name, Street) <b>PALM BEACH COUNTY,</b>	Phone	Occupation	
D/L Number, State <b>R200065873360 / FL</b>	Soc. Sec. Number	INS Number	Place of Birth (City, State) <b>CORAL SPRINGS, FL,</b>
			Citizenship <b>US</b>

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor	<input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor	<input type="checkbox"/> 5. Juvenile

<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian	Name (Last, First, Middle)	Residence Phone
Address (Street, Apt. Number)	(City) (State) (Zip)	Business Phone
Notified by: (Name)	Date	Time
Released To: (Name)	Relationship	Date
The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> 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.		Grade
Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. 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
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Charge Description <b>DUI - NORMAL FACULTIES IMPAIRED</b>	Statute Violation Number <b>316.193(1)(A)</b>	Violation of ORD #
Drug Activity	Drug Type <b>N</b>	Amount / Unit
Offense #	Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Warrant / Capias Number	Bond	Violation of ORD #

Health / Apparent Physical Condition of Defendant	Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input checked="" type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond	<input checked="" type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> South County Mental Health
Transported By	Date Transported <b>04/17/2024</b>

<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court	Location (Court, Room) <b>North County PALM BEACH GARD</b>	No Photo Available
<input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in court but must comply with instructions on Page 2.	Court Date and Time <b>04/17/2024 08:30:00</b>	
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		
Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed

HOLD for Other Agency	Signature of Arresting Officer <b>PICARD, RONNIE</b>	Name Verification (Printed by Arrestee) <b>PICARD, RONNIE</b>
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suidical	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other	I.D. # <b>1240</b>
Infanta Deputy <b>1240</b>	Pouch #	Agency <b>JUPITE</b>
Witness here if subject signed with arrestee		PAGE 1 OF 1

SCANNED

PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

A D M I N I S T R A T I V E	OBTS Number		Agency ORI Number <b>FL 0501700</b>		Agency Name <b>JUPITER POLICE DEPARTMENT</b>		Agency Report Number <b>5   4   24-001057</b>		
	Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other						Special Notes		
D E F E N D A N T	Name (Last, First, Middle) <b>ROSS, BENJAMIN ELMER</b>						Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>09/16/1987</b>
	Charge Description <b>316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED</b>			Charge Description					
V I C T I M	Victim's Name (Last, First, Middle) <b>State Of Florida</b>						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			
<p>The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.</p> <p>The Person taken into custody . . .</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <b>14</b> day of <b>March</b>, <b>2024</b> at <b>05:02</b> (Specifically include facts constituting cause for arrest.)</p>									
P R O B A B L E	<p>At approximately 02:47 hours on 03/14/2024, I was conducting patrol at 1150 W Indiantown Rd. I observed a dark-colored sedan with the left headlight out traveling eastbound on W Indiantown Rd. As I attempted to catch up to the vehicle to conduct a traffic stop I noticed more and more space was increasing between us. Based on my visual observation of the vehicle it was apparent to me the vehicle was traveling approximately 80MPH in a 45MPH zone. The dark-colored sedan then began traveling southbound on Military while reaching an approximate speed of 65MPH in a posted 40MPH zone. I initiated a traffic stop on the aforementioned vehicle, a Kia bearing FL tag BD14LV at 975 Military Trail and it did not come to a stop until 1095 Military Trail, passing many safe places to stop.</p>								
	<p>I approached the driver and later found to be offender, Benjamin Elmer Ross; W/M; 09/16/1987, who was the sole occupant of the vehicle. I immediately noticed Ross had droopy bloodshot glossy eyes and I smelled an odor of an unknown alcoholic beverage coming from inside the vehicle.</p>								
	<p>I went back to my vehicle and when I approached the Kia again I asked Ross to step out of the vehicle. Ross told me no and after a short conversation Ross complied. I noticed Ross had started chewing minty gum, he was not chewing gum the first time I approached his vehicle. When Ross stepped out of the vehicle I noticed his pants zipper was down. I began asking Ross questions about where he was coming from tonight, without prompt Ross then told me he does not drink and he does not do drugs.</p>								
C A U S E	<p>Based on my observations, I asked Ross if he would perform Standardized Field Sobriety Tasks so I know he would be safe to drive home. He said no. I read Ross Taylor Warnings and he said he understood. Ross then refused to perform Standardized Field Sobriety Task again.</p>								
	<p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><b>ZAINO, JACOB</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p><b>03/14/2024</b> DATE</p>				<p><i>[Signature]</i> 1240 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p><b>PICARD, RONNIE (1240)</b> NAME OF OFFICER (PLEASE PRINT)</p> <p><b>03/14/2024</b> DATE</p>				
					<p>PAGE <b>1</b> OF <b>2</b></p>				

SCANNED  
MAR 15 2024

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

**1** JUVENILE

OBTS Number	Agency ORI Number <b>FL 0501700</b>		Agency Name <b>JUPITER POLICE DEPARTMENT</b>	Agency Report Number <b>5   4   24-001057</b>
Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other				Special Notes

Name (Last, First, Middle) <b>ROSS, BENJAMIN ELMER</b>	Alias	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>09/16/1987</b>
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I placed Ross under arrest, placed handcuffs on him, checked for proper spacing, and double-locked them. I then placed Ross in the back right seat of my patrol vehicle.

After placing Ross under arrest, I requested at roadside that he provide a lawful sample of his breath for the purpose of determining the alcohol content. Ross refused to provide a sample of his breath. I advised Ross of Implied Consent, and he would not answer me if he understood. Ross would not answer me if he was willing to provide a sample of his breath and I eventually determined a refusal at 03:03 hours.

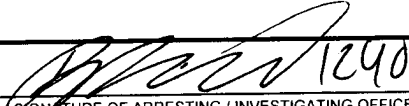
Ross was transported to The Jupiter Police Department for booking and processing.

While at The Jupiter Police Department, I read CDL Implied Consent to Ross, he refused to submit at 04:36 hours.

He was then transported to Palm Beach County Jail without incident.

My department-issued Axon BWC was activated during the above investigation.

NOT A CERTIFIED COPY

SWORN AND SUBSCRIBED BEFORE ME  <b>ZAINO, JACOB</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)  <b>03/14/2024</b> DATE	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  <b>PICARD, RONNIE (1240)</b> NAME OF OFFICER (PLEASE PRINT)  <b>03/14/2024</b> DATE	PAGE <b>2 OF 2</b>
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COURT    STATE ATTORNEY    CENTRAL RECORDS    JAIL    CRIME ANALYSIS    **SCANNED** P.I.O.

MAR 15 2024

SUBJECT: **Ross, Benjamin E**

CASE NUMBER: 24-001057

**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 detecting 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 detecting its alcohol content and the presence o chemical or controlled substances.

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

I am Officer Picard of the Jupiter Police Department

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.

SUBJECT'S SIGNATURE: Read on Camea Ross, Benjamin E

**CONSTITUTIONAL WARNINGS**

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

You have the right to remain silent and not answer any questions.

Any statement must be freely and voluntarily given.

You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.

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.

If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.

I can make no threats or promises to induce you to make a statement. This must be of your own free will.

Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: ~~\_\_\_\_\_~~

Ross, Benjamin E **SCANNED**

MAR 15 2024

STATE OF FLORIDA  
AFFIDAVIT OF REFUSAL TO SUBMIT TO  
**BREATH TEST (Commercial Driver's License)**

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

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

or affirm that on or about the 14th day of March, 20 24, at 02:53  P.M.  A.M.

DRIVER Benjamin Elmer Ross  
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # R-200-065-87-336-0, state of Florida, was placed under lawful arrest for

the offense of DUI by Officer Picard and  
(Name of Arresting Officer)

issued citation # AHDGRWE.

That on or about the 14th day of March, 20 24, at 04:36  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. 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 requested.

[Signature] 1240  
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] 1294  
Signature of Attesting Officer

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, by Officer R. Picard 1240, who is personally known to me or who has produced Personally Known as identification.  
Notary Public \_\_\_\_\_

Title Officer  
Date 3/14/24

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.

\*\*EFFECTIVE OCTOBER 1, 2021\*\*

SCANNED

MAR 15 2024

# WITNESS LIST

CASE NUMBER: 24-001057

ARRESTING OFFICER: R. Picard

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) (561) 746-6201

CAN TESTIFY TO: PC

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

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NAME: \_\_\_\_\_

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NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

**SCANNED**

MAR 15 2024



# Palm Beach County Sheriff's Office

Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel	
	<input type="checkbox"/>	119.071(2)(e)	Confession	
Public Info. Exemptions	<input type="checkbox"/>	FL Const. Art. I, s. 16(b)(5)	Marsy's Law – victim information shall be redacted. The term "victim" also includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim. The term "victim" does not include the accused (ref. page 99 of the CRTM for additional information)	
	<input type="checkbox"/>	119.071(2)(j)	Home/employment telephone number, home/employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence	
	<input type="checkbox"/>	119.0712(2)	Personal information contained in a motor vehicle record	
	<input type="checkbox"/>	316.650(11)	Driver information contained in a uniform traffic citation	
	<input type="checkbox"/>	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
Florida Rules of Judicial Administration 2.420	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			

REVIEW COMPLETED BY

Booking Number: 2024006944	Date: 3/15/2024
	Specialist Name/ID#: T.HOWARD/7185

SCANNED

MAR 15 2024