

23 CT 14322

Marsy's Law CVI FL Const. Art.1 § 16(b)

Check if Supplement is Attached

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE	OBTS Number	Agency ORI Number FLO: 5, 0, 0, 0, 0, 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 0 6 - 23098741	
	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	If Weapon Seized	Multiple Clearance Indicator 0 1	
	Location of Arrest (including Name of Business) 5353 Lake Worth RD, Greenacres FL 33463				Location of Offense (Business Name, Address) 5353 Lake Worth Rd, Greenacres FL 33463		

DEFENDANT	Name (Last, First, Middle) Burke, Dana, Rachele								Alias (Name, DOB, Soc. Sec. #, Etc.)				
	Race W - White B - Black	I - American Indian O - Oriental/Asian	Sex W F	Date of Birth 7/5/1989	Height 5'03	Weight 120	Eye Color blue	Hair Color brn	Complexion ligh	Build small			
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) several						Marital Status m	Religion NONE	Indication of: Alcohol Influence Drug Influence			Y N Unk	
	Local Address (Street, Apt. Number) 1601 16th Ave N, Lake Worth, FL 33460				(City)	(State)	(Zip)	Mobile Phone ()	Residence Type: 1. City 2. County 3. Florida 4. Out of State			2	
	Permanent Address (Street, Apt. Number)				(City)	(State)	(Zip)	Phone ()	Address Source				

CO-DEF	D/L Number, State B620176897450, FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) New Jersey, NJ		Citizenship USA	
	Co-Defendant (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	

JUVENILE	Parent Name (Last)		(First)		(Middle)		Residence Phone ()	
	Legal Custodian		Other		Address (Street, Apt. Number)		(City)	(State) (Zip)
	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		

CHARGE	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 (561) 355-6511) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No (Reason)										School Attended		Grade
	Property Crime? <input type="checkbox"/> Yes <input 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. 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 01	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 316.193 (1A)		Warrant / Capias Number		Violation of ORD #				
	Drug Activity N	Drug Type N	Amount / Unit N/A	Offense # 23098741		Warrant / Capias Number		Bond					

NOTICE TO APPEAR	Location (Court, Room Number, Address) Criminal Justice Center, 3228 Gun Club Road, West Palm Beach, FL 33406 - Ph: (561) 688-4600									
	Court Date and Time Month <u>September</u> Day <u>7</u> Year <u>2023</u> Time <u>0830</u> A.M. <input checked="" type="checkbox"/> P.M. <input type="checkbox"/>									
	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 <u>Dana Burke</u> Signature of Defendant (or Juvenile and Parent/Custodian) 08/11/2023 Date Signed									

ADMIN	I consent to receive text reminders of court date(s) and times for this case by automated technology to the mobile number identified above. I understand that standard text message rates may apply, and that I may revoke this consent via the text message system if I choose.		Signature	
	HOLD for other agency		Signature of Arresting Officer x	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other	

		PROBABLE CAUSE AFFIDAVIT		1 Arrest	3 Request for Warrant	Juvenile
				2 N T A	4 Request for Capias	I
OBTs Number			Agency ORI Number		Agency Name	
ADMIN	FLO 500000		PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 23-098741	
CHARGES	Charge Type Check as many as apply		Special Notes			
DEF	<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other					
VICTIM	Name (Last, First, Middle) Burke Dana R		Alias		Race W	Sex F
				Date of Birth 07/05/1989		
PROBABLE CAUSE STATEMENT	D.U.I.		316.193(1)			
				Victim's Name (Last, First, Middle) State of Florida		Date of Birth
				Local Address (Street, Apt Number) 3228 Gun Club Road		Address Source
				(City) West Palm Beach,		(State) (zip) FL 33406
				Phone 561-688-3000		Occupation
				Business Address (Name, Street)		
				(City)		(State) (zip)
				Phone		
<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 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 <u>11th</u> day of <u>August</u>, 20<u>23</u> at <u>2225hrs</u> <input type="checkbox"/> A M <input checked="" type="checkbox"/> P M (Specifically include facts constituting cause for arrest)</p> <p><input type="checkbox"/> <u>Mary's Law Firm</u> FL Const. Art 1 § 18(b)</p> <p>On Friday, August 11th, 2023 at approximately 2220hrs, I was in the area of Lake Worth Road and S Haverhill Road in reference to a possible a vehicle driving recklessly and the driver nodding off behind the vehicle. The vehicle was described as a black jeep bearing FL tag of Y771NN and being driven by a white female driver.</p> <p>While enroute to the area, I was informed that the vehicle had pulled into the Greenacres Nissan parking lot which is located at 5353 Lake Worth Road. I pulled into the parking and located the vehicle parked on the east side of the property. The vehicle was still on and the driver and sole occupant, who was later identified as W/F Dana Burke, was behind the wheel.</p> <p>Upon approaching the vehicle, the driver, Ms. Burke, appeared to be nodding off and did not even realize I was there. Immediately upon making contact with her, I detected a strong odor of alcohol coming from within the vehicle. In addition, I observed an open can a Four Locos in the center console which was later determined to be half full. I asked Ms. Burke if she knew where she was currently at, and she had to look around to then tell me she was in the Nissan parking lot.</p> <p>D/S Torres #24971 arrived on scene shortly afterwards and I informed him of my observations. D/S Torres then took over and conducted a DUI investigation. I stood-by as the backup deputy and scene security.</p> <p>This concludes my involvement with this case.</p>						
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH D. Cardec <i>D. Cardec</i> (ID #: 24979)					
				The foregoing instrument was sworn to or affirmed and subscribed before me this <u>11th</u> day of <u>August</u> , 20 <u>23</u> by <u>D. Cardec</u> <u>24979</u>		
				(Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced <u>KNOWN</u>)		
				Notary Public, Clerk of Court, Officer (F.S.S. 117.10)		
				PAGE 1 OF 1		

PROBABLE CAUSE AFFIDAVIT

1 Arrest 3 Request for Warrant 4 Request for Captives

1 Juvenile N

Agency ORI Number: FLO 5 0 0 0 0 0 Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE Agency Report Number: 23098741

Name (Last, First, Middle): Burke, Dana, Rachele Race: W Sex: F Date of Birth: 7/5/1989

Charge Description: DUI 316.193 (1A)

Victim's Name (Last, First, Middle): STATE OF Florida, Local Address (Street, Apt Number), Business Address (Name, Street)

The undersigned certifies and swears that I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) of law. On the 11 day of August 20 23 at 2258 P.M

Marsy's Law CVI FL. Const. Art.1 § 18(b) On 08/11/2023 I D/S F. Torres was called to respond to the area of 4975 Lake Worth Rd Greensacres Palm Beach County FL, reference an injured person. I observed the female driver later identified as Dana Burke. She was sitting in the driver's seat sweating profusely. I introduced myself and asked if she was sick and she said she was ok. I asked for her license insurance and registration and she protested that she did not want to be shot. She had a strong smell of an alcoholic beverage that intensified as she spoke. She had dilated pupils and blood shot eyes. I also observed an open blue Four Loco alcohol 24oz can in the center console. Greenacres EMS responded and she was asked to step out of her vehicle to receive a medical evaluation due to the possibility of her being ill. She opened the vehicle door and used it to exit the same. I observed her pants and clothing to be disheveled, and worn. She was emotional and continued to speak repetitively about her domestic violence issues with her husband, demanding to know if he had been served. I was my assumption that the mean a restraining order. After she had culminated her evaluation with EMS I observed her staggering off the medical rig asking to use the hand rails to help her stability. Per EMS she was not sick or injured. I then had her stand with me outside of the vehicle and I asked additional medical questions and vehicle questions. I noticed that the smell of an alcoholic beverage was not just emanating from the vehicle but also from her breath as she spoke. As he spoke I noticed she repeated a lot while speaking. She again advised that she was not sick or injured. I asked why did she smell of alcohol and she said that she had one Four Loco. I asked if she would consent to doing SFST's and she refused. I read to her Taylor Warnings which she said she understood. I began my evaluations and completed the HGN. The defendant was placed in the instructional stance for the Walk and Turn. She was not able to keep her balance for the instructional stance nor did she allow me to provide the instructions. She continued to interrupt the process. She was reminded of her Taylor warnings and she still challenged the task. She would not state she did not want to perform the task but would not perform the tasks. She continued to say she wanted her attorney called and would not do the tasks so it was deemed a refusal. I advised her she was being arrested for DUI. I began the transport to the main jail breath analysis facility for further processing. Upon our arrival I escorted the defendant into the facility and began a 20 minute observation period. During this time the defendant did not ingest anything into her body orally or otherwise. Neither did she regurgitate. I escorted her into the testing room and asked her to provide breath samples for the purpose of determining its alcohol content. She refused to give the samples. I read her implied consent which she said she understood but still refused to complete the test asking for her attorney. The refusal time was documented as 08/12/2023 at 0006hrs. I find that there is Probable Cause for the arrest of Dana Rachele Burke for driving under the influence, who was in material possession of a functional vehicle. She was subsequently booked into the Palm Beach County Jail for DUI and cited for having an open container.

STATE OF FLORIDA COUNTY OF PALM BEACH F. Torres 24971 (Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11 day of August 20 23 by F. Torres

(Print name of Arresting/Investigative Officer, who is personally known to me and produced Personally known Shari O'Neal (#6212) Notary Public, Clerk of Court, Officer (P.S.S.) 11 7. 1 0 SHARI L. O'NEAL Notary Public - State of Florida Commission # GG 972080 My Comm. Expires Jun 25, 2024

SUBJECT: Burke, Dana, Rachele

CASE NUMBER 23098741

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

LT EYE-LACK OF SMOOTH PURSUIT

RT EYE-LACK OF SMOOTH PURSUIT

LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Subject was asked to stand with her feet together and place her hands by her side. She was asked to follow the stimulus with her eyes only. She identified it as a red light. Lastly she was told not to move her head. Subject showed equal pupil size that tracked equally. The eyes lacked smooth pursuit. I saw distinct and sustained Nystagmus at maximum deviation, prior to 45 degrees. Her eyes lacked convergence. Subject swayed while performing this task. She also anticipated the stimulus and could not stop moving her head.

WALK & TURN:

{The defendant was placed in the instructional stance for the Walk and Turn. She was not able to keep her balance for the instructional stance nor did she allow me to provide the instructions. She continued to interrupt the process. She was reminded of her Taylor warnings and she still challenged the task. She would not state she did not want to perform the task but would not perform the tasks. She continued to say she wanted her attorney called and would not do the tasks so it was deemed a refusal.

ONE LEG STAND:

Refused

ROMBERG ALPHABET:

Refused

ROMBERG ALPHABET:

Refused

BREATH TEST RESULTS:

1) Refusal	2) Refusal	3)	4)
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STATE OF FLORIDA
COUNTY OF PALM BEACH

F. Torres 24971

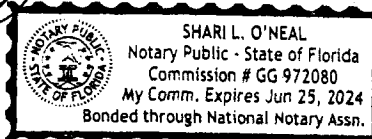
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11 day of August 2023 by F. Torres 24971

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

Shari O'Neal (#6212)

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



D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 11 DAY OF August 2023, AT 2258 AM PM

SUBJECT: Burke, Dana, Rachele CASE NUMBER: 23098741

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: F. Torres 24971

PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

SEE ATTACHED PROBABLE CAUSE AFFIDAVIT

OBSERVATION OF DRIVER:

SEE ATTACHED PROBABLE CAUSE AFFIDAVIT

DRIVER'S STATEMENTS:

Said she had one four loco alcoholic beverage

ODORS:

Strong sent of an alcoholic beverage that intensified as she spoke.

GENERAL OBSERVATIONS

SPEECH: **Repetitive**

ATTITUDE: **emotional,**

CLOTHING: **Disheveled and worn**

MEDICAL/OTHER: **Said he was not hurt or injured. was examined by Greenacres EMS due to the medical call found to be in good health.**

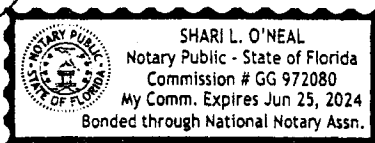
STATE OF FLORIDA
COUNTY OF PALM BEACH

F. Torres 24971
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11 day of August 2023 by F. Torres 24971

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

Shari O'Neal (#6212)
Notary Public, Clerk of Court, Officer (F.S.S 117.10)



STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, Deputy FELIX TORRES, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)
 am a member of Palm Beach County Sheriffs Office, and I do swear

or affirm that on or about the TWELFTH day of August, 2023, at 1:48 AM

DRIVER DANA RACHELE BURKE
(Type or Print) FIRST MIDDLE OR MAIDEN LAST

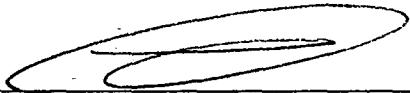
DL # B620176897450, state of FL, was placed under lawful arrest for

the offense of DUI by Deputy FELIX TORRES and
(Name of Arresting Officer)

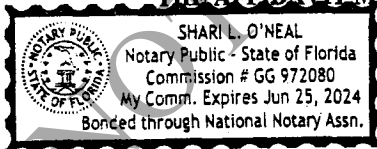
issued Citation # AHACRVE.

That on or about the ELEVENTH day of August, 2023, at 12:06 AM
 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.


 Signature of Law Enforcement Officer or Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (s. 117.10, F.S.)



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
 me this 12 day of August, 2023
 by _____

who is personally known to me or who has produced
 _____ as identification.
 Notary Public S. O'Neal

The foregoing instrument was sworn and subscribed before me:

 Signature of Attesting Officer

 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.

SUBJECT: _____ CASE NUMBER: _____

IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

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

OR

I am now requesting that you submit to a lawful test of your **URINE** for the purpose of determining the presence of chemical or controlled substances.

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

I am _____ of the _____

If you refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your **breath, urine** or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

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

NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,

If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

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

SUBJECTS SIGNATURE: (X) _____

CONSTITUTIONAL WARNINGS

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

1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: (X) _____

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? _____

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
DUI TESTING FACILITY
INFORMATION SHEET**

PBSO CASE # 23098741 PBSO ZONE 16-21

AGENCY CASE # _____ CRASH CASE # _____

TIME OF STOP/CRASH _____ DATE _____ DAY _____

SUBJECT'S NAME Burke, Dana, Rachele RACE W SEX F

HGT 5'03 WGT 120 DOB 7/5/1989

LOCATION 5353 Lake Worth RD, Greenacres FL 33463

ARRESTING OFFICER'S NAME & ID F. Torres 24971 (24971) AGENCY Palm Beach County Sheriff's Office

DIVISION: P

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 2342

ARREST TIME 2258

BREATH RESULTS:

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

REFUSED

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # _____

WITNESS LIST

CASE NUMBER: 23098741

ARRESTING OFFICER: F. Torres 24971

ADDRESS: 3228 Gun Club Rd, WPB FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 561-668-3000

CAN TESTIFY TO: DUI investigation

NAME: D/S D. Cardec

ADDRESS: 3228 Gun Club Rd, WPB FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 561-668-3000

CAN TESTIFY TO: first on scene

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: _____

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: _____

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: _____

NOT A CERTIFIED COPY

TESTING FACILITY TASK REPORT

AGENCY: PBSO D/S TORRES #24971

SUBJECT: BURKE, DANA R.

CASE NUMBER: 23-098741

DATE: 08-11-23/08-12-23

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:03 HRS

ENDING TIME: 00:07 HRS

BREATH TESTS RESULTS: 1) R TIME 00:06 A.M. P.M. 2) TIME A.M. P.M.
3) TIME A.M. P.M. 4) TIME A.M. P.M.

BREATH OPERATOR: S. O'NEAL #6212

MAINTENANCE TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED, PRONOUNCED, LOUD AT TIMES, ARGUMENTATIVE

ATTITUDE: AGITATED, TALKATIVE, OBNOXIOUS, DEMANDING

CLOTHING: SHIRT- LIGHT GREEN PANTS PANTS- DRK BLUE JEANS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: BLOODSHOT, GLASSY, WATERY FROM CRYING

COMMENTS:

20 MIN. OBSERVATION CONDUCTED BY A/O TORRES #24971

A/O REQUESTED THE BREATH TEST.
D REFUSED THE REQUEST.
A/O READ THE IMPLIED CONSENT ON CAMERA.
D UNDERSTOOD THE I/C AS READ.
D KEPT STATING CONTACT MY ATTORNEY.
A/O TOOK IT AS A REFUSAL.
NO Q&A CONDUCTED



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	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	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)	<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"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<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"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>	FL CONSTITUTION ARTICLE 1,16(b)	Other: MARSY'S LAW	
	<input checked="" type="checkbox"/>	316.650(b)	Other: Driver information contained in a uniform traffic citation	6-7

REVIEW COMPLETED BY

Booking Number: 2023020961	Date: 8/12/2023
	Specialist Name/ID: Pinkneya/7796