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23 CT9495

3595

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1 Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1 Juvenile N	
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-23-022193			
Charge Type: Check as many as Apply.		☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other	
Location of Arrest (Including Name of Business) 600 W GATEWAY BLVD, BOYNTON BEACH, FL, 33435		Location of Offense (Business Name, Address) 600 W GATEWAY BLVD, BOYNTON BEACH, FL, 33435		If Weapon Seized Enter Type N/A		Multiple Clearance Indicator N/A	
Date of Arrest 05/26/2023		Time of Arrest 1912		Booking Date		Booking Time	
Jail Date		Jail Time		Location of Vehicle			
Name (Last, First, Middle) Anderson, Eric Richard		Alias (Name, DOB, Soc. Sec. #, Etc)					
W - White B - Black		I - American Indian O - Oriental / Asian		Race M		Sex M	
Date of Birth 02/24/1969		Height 5'10		Weight 200		Eye Color Brown	
Hair Color Brown		Complexion LIGHT		Build LARGE			
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status SINGLE		Religion N/A		Indication of: Alcohol Influence ☐ Y ☐ N ☐ Unk. Drug Influence ☐ Y ☐ N ☐ Unk.	
Local Address (Street, Apt. Number) 5114 MARK DR, BOYNTON BEACH, FL, 33472		(City) FL, 33472		(State) FL		(Zip) 33472	
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)	
Business Address (Street, Apt. Number)		(City)		(State)		(Zip)	
MA Number State		Soc. Sec. Number		INS Number		Citizenship MASSACHUSETTS USA	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
☐ Parent ☐ Legal Custodian ☐ Other		Name (Last)		(First)		(Middle)	
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	
The above address was provided by ☐ defendant and/or ☐ defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 561-355-2526) informed of any change of address. ☐ Yes, By: (Name) ☐ No (Reason)		School Attended		Grade			
Property Crime? ☐ Yes ☐ No		Description of Property		Value of Property			
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute	
M. Manufacture Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbituate C. Cocaine E. Heroin	
H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other			
Charge Description DUI		Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.193(1)(A)	
Drug Activity N		Drug Type N		Amount/Unit N		Offense # 23-022193	
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444					
Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Court Date and Time Month JUNE Day 26 Year 2023 Time 0830 ☒ A.M. ☐ P.M.					
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.							
Signature of Defendant (or Juvenile and Parent/Custodian)							
Date Signed							
HOLD for Police Agency Name NO DETAINER		Signature of Arresting Officer		Name Verification (Printed by Arrestee) (PRINT)			
☐ Dangerous ☐ Suicidal ☐ Intake Deputy		☐ Resisted Arrest ☐ Other		Name of Arresting Officer (Print) CARTER			
I.D. # 1143		Agency BBPD		Witness here is subject Signed with an "X".			

FILED PBC GUN CLUB
23 MAY 27 AM 7:28

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26 DAY OF May AT 1900 ☐ A.M. ☒ P.M.

CASE #: 23-022193

DEFENDANT: Anderson, Eric

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

Contact was made with Lindsee Amsden who provided a statement advising that while she was stopped at the red light on Gateway Blvd and High Ridge Rd she observed Eric Anderson as the sole occupant and operator of a Black Kia Forte bearing FL tag GTV-P85. Amsden stated that Anderson had struck into the rear of her gray Mazda CX-5 bearing FL tag QHX-V61.

I was able to observe Eric Anderson slumped over in the driver's seat of a Black Kia Forte displaying FL tag GTV-P85. I observed said vehicle disabled from the damages caused from the accident in the roadway. Upon approaching the driver's side door Officers were immediately able to detect the odor of an unknown alcoholic beverage emanating from within the vehicle

I then informed Anderson that I had completed my crash investigation and moved onto a DUI investigation. I then informed Anderson of his Miranda rights to which he stated that he understood. After stepping out I was able to observe that Anderson was swaying side to side and unable to maintain balance while speaking with me. When asked how many drinks Anderson consumed he advised that he consumed (4) 8oz beer beverages.

Based on the above obtained information and the evidence in which I observed, I asked Anderson if he was willing to submit to a series of road side sobriety tasks in order to dispel my fears that he is unable to safely drive his vehicle. Anderson then agreed to go perform the tasks.

Based on the above, Anderson was placed under arrest (handcuffed D/L and checked for tightness) at 1912 hrs. Once at PBCJ, I began a required 20 min. observation period at 1933 hrs. After completing this, I requested Anderson submit to a lawful sample of his breath for the purpose of determining its alcohol content.

Anderson submitted his first valid breath sample breathalyzer read at .283. Anderson provided a second sample and the breathalyzer read at .279. I then read Anderson his Miraranda Rights and he stated that he understood. Next, I asked Anderson if he would like to answers some question and he refused. This was completed at 2055 hours.

Based on the above I find probable cause to charge Anderson, Eric with DUI pursuant to FSS # 316.193(1)(A). Anderson was then transported to Good Samaritan Hospital for medical clearance and later processed and turned over to the quality care and control of the PBCJ.

HORIZONTAL GAZE NYSTAGMUS:

- ☒ Left eye does not follow smoothly
- ☐ Left eye prior to 45 degrees
- ☒ Distinct jerking in left eye at

- ☒ Right eye does not follow smoothly
- ☐ Right eye prior to 45 degrees
- ☒ Distinct jerking in right eye at

maximum deviation
☐ Vertical Nystagmus in left eye

maximum deviation
☐ Vertical Nystagmus in right eye

WALK AND TURN:

During the instructional phase of this task Anderson was unable to maintain the instructional position as he could not maintain balance. After I explained and demonstrated the task Anderson advised he understood the instructions. Anderson then proceeded to walk forward attempting to complete the task after his first step Anderson was unable to maintain balance and almost fell. Anderson stated that he could not complete this task and that it would be impossible. I then gave Anderson another opportunity to start over and complete the task and he refused and wished to move on to the next task.

ONE LEG STAND:

During the instructional phase of this task I advised Anderson that he would be able to utilize either leg to balance on. When I was competing with explaining the instructions of the task I demonstrated how it was to be performed. Anderson stated that the task was going to be impossible for him and he refused to attempt the one leg stand.

FINGER TO NOSE:

I explained and demonstrated this task to which Anderson stated that he understood. Upon beginning this task Anderson swayed from front to back, during this task Anderson waited till the next instruction to bring his hand back down to his side. Before the end of this task Anderson also opened his eyes.

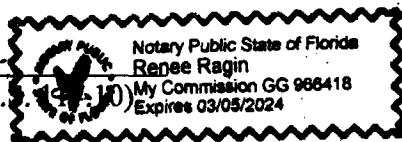
ROMBERG/ALPHABET:

At this point it was unsafe to perform any further tasks as Anderson was failing to maintain balance and was requiring the assistance of another officer and Boynton Beach Fire Rescue to hold him up.

The following instrument was sworn to before me this 26 day of May 1900

By: _____

Notary/Police Officer (F.S. _____)



Signature of Arresting Officer _____

CASE #: 23-022193

DEFENDANT: Anderson, Eric R

Arresting Officer: Carter

Address: 2100 HIGH RIDGE ROAD, BOYNTON BEACH, FL 33426

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

Name: Lindsee Amsden

Address: 2652 NE 4TH CT, Boynton Beach, FL, 33435

Phone Numbers: Home: 561-774-0741 Work: _____

Can testify to: Witness

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

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Can testify to: _____

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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: _____

TESTING FACILITY TASK REPORT

AGENCY: BBPD

SUBJECT: Anderson, Eric R.

CASE NUMBER: 23-072371

DATE: May 26, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 20:42

ENDING TIME: 20:53

BREATH TESTS RESULTS: 1) .283 TIME 20:47 A.M. ☐ P.M. ☒ 2) .279 TIME 20:50 A.M. ☐ P.M. ☐
3) N/A TIME A.M. ☐ P.M. ☐ 4) N/A TIME A.M. ☐ P.M. ☐

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICIAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Calm, cooperative

CLOTHING: Gray shorts, blue t-shirt, black sneakers

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER:

Eyes are glassy & bloodshot
odor of unknown alcoholic beverage on breath

COMMENTS:

Arrived at center A/O started 20 minute observation period at 19:33 hrs.

Subject agreed to perform breath test.

Tech read breath test results.

Subject stated he understood breath test results.

A/O read rights.

Subject stated he understood rights.

A/O attempted Q&A.

Subject refused to answered Q&A.



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

PBSO CASE # 23-072371 PBSO ZONE 6.32
AGENCY CASE # 23-022193 CRASH CASE # _____
TIME OF STOP/CRASH 18:46 DATE 5/26/23 DAY _____
SUBJECT'S NAME Anderson, Eric Richard RACE white SEX Male
HGT 5'10 WGT 210 DOB 2/24/69
LOCATION 600 W Gateway BLVD, Boynton Beach, FL
ARRESTING OFFICER'S NAME & ID Carter 1143 AGENCY BOPD
DIVISION: _____
NOTIFIED BY COMMO Y
ARRIVAL AT FACILITY 1933
ARREST TIME 1912

BREATH RESULTS:

1)	.283
2)	.279
3)	
4)	

TESTING OFFICER'S ID 16877 PBSO VIDEOTAPE # N/A

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: Alcohol, Etc. K.

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: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2023013905	Date: 5/27/2023
	Specialist Name/ID: Chantel Daniels/30347