

C156406

23 CP 21967

317

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 34-23-061223																			
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		Multiple Clearance Indicator																			
Location of Arrest (Including Name of Business) 46 Baytree Cir, Boynton Beach, FL, 33436				Location of Offense (Business Name, Address) Meadows Blvd and Wellesly Rd, Boynton Bach, FL, 3343																			
Date of Arrest 12/08/2023		Time of Arrest 01:00		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle Becks Towing											
Name (Last, First, Middle) GUIONNAUD, ERIC TODD												Alias (Name, DOB, Soc. Sec. #, Etc)											
W - White B - Black		I - American Indian O - Oriental / Asian		Race W		Sex M		Date of Birth 03/30/1977		Height 6'2"		Weight 220		Eye Color Blue		Hair Color Black		Complexion Fair		Build Medium			
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)												Marital Status Single		Religion Unk		Indication of: Alcohol Influence ☐ Y ☐ N ☐ Unk ☐ Drug Influence ☐ Y ☐ N ☐ Unk ☐		Residence Type 1. City 3. Florida 2. County 4. Out of State		1			
Local Address (Street, Apt. Number) 42 BAYTREE CIR, BOYNTON BEACH, FL, 33436												(City)		(State)		(Zip)		Phone (561)254-1405		Address Source DAVID		1	
Permanent Address (Street, Apt. Number)												(City)		(State)		(Zip)		Phone () -		Address Source DAVID		1	
Business Address (Street, Apt. Number)												(City)		(State)		(Zip)		Phone () -		Occupation UNK		1	
D/L Number, State G530218771100 / FL				Soc. Sec. Number [REDACTED]				INS Number				Place of Birth West Palm Beach, FL				Citizenship YES							
Co-Defendant Name (Last, First, Middle)				Race				Sex		Date of Birth		☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor											
Co-Defendant Name (Last, First, Middle)				Race				Sex		Date of Birth		☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor											
☐ Parent Name (Last) (First) (Middle) ☐ Legal Custodian ☐ Other												Residence Phone											
Address (Street, Apt. Number) (City) (State) (Zip)												Business Phone											
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 S. Sell R. Smuggle K. Dispense/ M. Manufacture Z. Other P. Possess T. Traffic E. Use Distribute Produce/ Cultivate												Drug Type N. N/A B. Barbituate H. Hallucinogen P. Paraphernalia/ U. Unknown A. Amphetamine C. Cocaine M. Marijuana Equipment Z. Other E. Heroin O. Opium/Deriv. S. Synthetic											
Charge Description DUI Crash W/ Property Damage												Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.193(3)(C)1.				Violation of ORD#			
Drug Activity Drug Type Amount/Unit												Offense # 23-061223		Warrant/Capias Number				Bond					
Charge Description DUI .150 or higher												Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.193(4)				Violation of ORD#			
Drug Activity Drug Type Amount/Unit												Offense # 23-061223		Warrant/Capias Number				Bond					
Charge Description Leaving the scene with property Damage												Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.061 (1)				Violation of ORD#			
Drug Activity Drug Type Amount/Unit												Offense # 23-061223		Warrant/Capias Number				Bond					
Charge Description												Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number				Violation of ORD#			
Drug Activity Drug Type Amount/Unit												Offense #		Warrant/Capias Number				Bond					
☐ Instruction No. 1 ☐ Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.												Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444											
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 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.												Court Date and Time Month January Day 22 Year 2023 Time 08:30											
Signature of Defendant (or Juvenile and Parent/Custodian)												Date Signed											
Name [REDACTED]												Name Verification (Printed by Arrestee) (PRINT)											
☐ Dangerous ☐ Resisted Arrest ☐ Other												Name of Arresting Officer (Print) ALEXIS											
Initials [REDACTED]												I.D. # BBPD											
Pouch # 18342												Transporting Officer ALEXIS											
I.D. # 1105												Agency BBPD											
Witness here is subject Signed with an 'X'.												Page OF											

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 8TH DAY OF December 2023 AT 00:19 ☒ A.M ☐ P.M.

CASE #: 23-061223

DEFENDANT: GUIONNAUD, ERIC TODD

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and time, I responded to the area of Meadows Blvd and Wellesley Rd, City of Boynton Beach, Palm Beach County, FL, 33436, in reference to a report of a vehicle crash against a tree. The caller advised that a dark-colored pickup truck struck a tree in the area, and the driver was attempting to leave. Another caller provided the same information and stated that the driver of the pickup truck appeared intoxicated.

BBPD Officer Winland was the first on the scene and observed the pickup truck still in the crash area. Officer Winland advised over the radio that the vehicle was up on the curb and then started traveling west on Meadows Blvd. Officer Winland provided the tag for the vehicle, a Black Ford F150 bearing, FL tag: QEIJ74, which was registered to W/M ERIC TODD GUIONNAUD. Officer Winland followed the vehicle and conducted a traffic stop on the vehicle in front of 42 Baytree Cir, Boynton Beach, FL.

I arrived at the area of the crash, at which time I observed a tall Palm tree, completely unrooted and lying across the eastbound lanes of Meadows Blvd. There was another tree on the median that was also damaged and was supported by support beams. The dirt and grassy areas on the raised median were also damaged, with large tire tracks. Pictures taken as evidence.

Officers made contact with two passersby/ witnesses, both stated that, although they did not witness the initial crash, they did observe the black pickup Truck on the median against the trees. Both witnesses stated that the vehicle backed up and struck the second tree before Officer Winland arrived in the area. Both witnesses stated that the vehicle drove westbound, and Officer Winland followed it. There were no other vehicles or pedestrians involved.

I responded to the area of the traffic stop by Officer Winland and also made contact with Officer Donnino, who responded as a backup officer. Officer Donnino provided me the driver's license and another document for the driver of the black pickup truck, identified as W/M ERIC TODD GUIONNAUD; Eric was still sitting inside his vehicle.

Officer Donnino advised that, when he asked Eric for his driver's license and other vehicle documents, Eric provided him a credit card and his medical marijuana card. Officer Donnino advised that Eric was incoherent and had an extremely slurred speech.

I approached Eric's pickup truck and noticed fresh damages to the right front bumper. There was dirt and green grass still stuck on the front bumper. Eric was asked if his vehicle was involved in a recent crash and said no. Eric denied crashing against the trees on Meadow Blvd. BBFD responded to check on Eric, and he declined medical services.

Based on the crash investigation, the vehicle, a black pickup truck driven by ERIC TODD GUIONNAUD, was traveling west on Meadows Blvd, approximately 90 feet east of Wellesley Rd. The vehicle mounted the curb in the center median, collided with a tall palm tree, and completely unrooted it. The vehicle struck a second palm tree before leaving the scene and heading west on Meadows Blvd.

While speaking to Eric, I immediately detected the odor of alcoholic beverages on his breath. Eric's eyes were red and glassy, and he had a thick, slurred speech; at times, Eric was incoherent. Based on suspicion that Eric was operating his vehicle while possibly under the influence of alcohol, I asked Eric to exit his vehicle when I noticed he was unable to maintain his balance. I informed Eric that the crash investigation was completed and that I was conducting a DUI investigation.

Post Miranda Warnings, Eric stated that he was on his way home from the "HIVE" restaurant, where he had two glasses of "Titos" Vodka. Eric stated he had been at the restaurant since 17:30 hours. Eric's speech was extremely slurred, and he was talkative. However, he had difficulty putting together sentences consistently. I asked Eric if he felt intoxicated and how much on a scale of 1-10, and he stated he was at a "7". I asked if he would agree to do the standardized field sobriety exercises, and he said yes. Eric declined medical services and stated he did not have any injuries that would prevent him from doing the SFST.

HGN: Instructions were provided, and Eric stated he understood. During the exercise, Eric swayed back and forth and moved his head to follow the penlight.

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|---|--|
| ☒ Left eye does not follow smoothly | ☒ Right eye does not follow smoothly |
| ☒ Left eye prior to 45 degrees | ☒ Right eye prior to 45 degrees |
| ☒ Distinct jerking in left eye at maximum deviation | ☒ Distinct jerking in right eye at maximum deviation |
| ☐ Vertical Nystagmus in left eye | ☐ Vertical Nystagmus in right eye |

WALK AND TURN:

Instructions were provided and demonstrated to Eric, and he stated he understood. During the instruction phase, Eric could not maintain his balance or place his foot on the line. Eric started the exercise too soon and had to be told four times to remain on the line and follow instructions. On the fifth attempt, Eric did not place his foot on the line and did not stand from heel to toe.

In the walking phase, Eric missed heel to toe, used his arms for balance, and took an incorrect number of steps. Eric then began walking backward, then walked entirely off the line, and started doing squats.

ONE LEG STAND:

Instructions were provided and demonstrated to Eric and he stated he understood. Eric was unable to remain in the manner instructed. During the exercise, Eric was swaying while balancing

Used his arms for balance, put his foot down and was hopping. Eric never counted in the manner instructed.

FINGER TO NOSE:

Instructions were provided and demonstrated to Eric and he stated he understood. Eric never touched the tip of his nose and did not return his arms to his side. When right was called consecutively, Eric raised his left arm and raised his right arm when left was called.

ROMBERG/ALPHABET:

Eric was asked to recite the English alphabet; he started with A, then skipped to Z, then went back to A and the remaining letters, not in order.

Based on my investigation, Eric was arrested for driving under the influence of Alcohol. Eric was transported to BBPD station, where I arrived and started a 20 minutes observation at 01:16 hours. At 01:37 hours, I asked if he would to provide samples of his breath for the purpose of determining the alcohol content and he agreed.

Eric provided the first breath sample at 01:46 hours of .192 g/210 L of breath. The second sample was provided at 01:49 hours of .167 g/210 L. The intoxilyzer instrument requested a third sample, and Eric provided the third sample at 01:53 hours, for .202 g/210 L of breath. Q/as not completed

Probable cause exist to charge Eric with DUI crash with property damage pursuant to FSS 316.193(3)©1. Eric was also charge with DUI .150 or higher per FSS 316.193(4) and Leaving the scene of a crash with property damage per FSS 316.061(1).

Eric was processed, medically cleared and was booked at the Palm Beach County Jail.

The following instrument was sworn to before me this 8 day of December 2023

By: V.Alexis.

Sgt S. James 943
Notary Police Officer (F.S.S. 117.10)

1105
Signature of Arresting Officer

NOT A CERTIFIED COPY

CASE #: 23-061223

DEFENDANT: GUIONNAUD, ERIC TODD

Arresting Officer: Alexis

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

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

Name: Ofc. Thelisme

Address: Boynton Beach Police Department

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:

TESTING FACILITY TASK REPORT

CASE #: 23-061223

DEFENDANT: GUIONNAUD, ERIC TODD

Date: 12/8/23

Video Tape #: 23-061223

BREATH TEST RESULTS:

1. .192 g/210L Time 01:46 ☒ a.m. ☐ p.m.

2. .167 g/210L Time 01:49 ☒ a.m. ☐ p.m.

3. .202 g/210L Time 01:53 ☒ a.m. ☐ p.m.

4. g/210L Time ☐ a.m. ☐ p.m.

BREATH OPERATOR: Ofc Vladimir Alexis

MAINTENANCE TECHNICIAN: Ofc. B Drury

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred, Talkative, incoherent

ATTITUDE:

CLOTHING: Black hoodir, white T-shirt , Blue Jeans

MEDICAL CONDITIONS: Advised back surgery last year

MEDICATIONS: none

OTHER: Stong odor of alcohol, red glassy eyes, admitted to be drinking Titos Vodka

COMMENTS:

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: BOYNTON BEACH PD
Instrument Serial Number: 80-001190 Software: 8100.27
Date of Test: 12/08/2023

Date of Last Agency Inspection: 11/29/2023

Observation Period Began: 01:16

Subject's Name: ERIC T GUIONNAUD

DOB: 03/30/1977 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	01:42
	Air Blank	0.000	01:42
	Control Test	0.082	01:43
	Air Blank	0.000	01:43
	Subject Sample #1	0.192	01:46
	Air Blank	0.000	01:46
	Air Blank	0.000	01:48
	Subject Sample #2	0.167	01:49
	Air Blank	0.000	01:50
	Air Blank	0.000	01:52
	Subject Sample #3	0.202	01:53
	Air Blank	0.000	01:54
	Control Test	0.082	01:54
	Air Blank	0.000	01:55
	Diagnostics Check	OK	01:55

Cylinder Lot: 402357111
Exp: 02/10/2025

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who (☒) is personally known to me or (☐) produced _____ as identification, and who after being placed under oath, states:

I VLADIMIR ALEXIS, 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: _____

Signature

Date: 12/08/23

Sworn to (or affirmed) before me this _____ day of _____

Signature of Notary Public-State of Florida 943

Printed Name of Notary Public-State of Florida SERGEANT SHAWN JAMES

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.

22-061223

SUBJECT: , ,

CASE NUMBER: ~~22-061223~~

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.

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) on Sane

WHITE: STATE ATTY.

YELLOW: DHSMV

PINK: CENTRAL RECORDS

GOLD: JAIL

CASE #: 23-061223

DEFENDANT: GUIONNAUD, ERIC TODD

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.

Where you operating a motor vehicle at the time of the stop/Accident? _____

Where were you going? _____

What Street or Highway were you on? _____

What was you direction of travel? _____

Where did you start from? _____

What time did you start? _____

What time is it now? _____

What is today's date? _____

What day of the week is it? _____

What City and County 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 have you been drinking? _____

How much? _____

With whom? _____

When did you have your first drink? _____

When did you have your last drink? _____

Can you feel the effects of the alcohol? _____

Are you under the influence? _____

Have you consumed any alcohol since the stop/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? _____

Where 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 you 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

Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(4)(c)	Undercover personnel	
	☐	119.071(2)(e)	Confession	
Public Info. Exemptions	☐	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)	
	☐	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	
	☐	119.0712(2)	Personal information contained in a motor vehicle record	
	☐	316.650(11)	Driver information contained in a uniform traffic citation	
	☐	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
Florida Rules of Judicial Administration 2.420	☐	(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	☐			
	☐			
	☐			
	☐			

REVIEW COMPLETED BY

Booking Number: 2023032191

Date: 12/8/2023

Specialist Name/ID#: Suzie Pierre / 8759