0538176 2023CT-2764ANB 318

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 2 6 0 0	PALM BEACH GARDENS POLICE DEPARTMENT	78 - 23000835

Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Weapon Seized / Type: 2 (1. Yes 2. No) | Multiple Clearance Indicator:

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
NORTHLAKE BLVD JWO BEELINE HWY, WPB, FL, 33410	7001 BEELINE HWY, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
02/11/2023	23:21					TOT WIFE AND FRIEND

DEFENDANT

Name (Last, First, Middle): JOSHI, HEMAL, KAUSHIKKUMAR | Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	05/24/1985	5'8	162	BRO	BLK	MED	MED

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description) | Marital Status: MARRIED | Religion | Indication of: Alcohol Influence Y ☑ N ☐ Unk. ☐; Drug Influence Y ☐ N ☐ Unk. ☑

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type (1. City 2. County 3. Florida 4. Out of State)
1264 LAKE BREEZE DR,	WELLINGTON, FL 33414			(561) 714-4201	2

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
1264 LAKE BREEZE DR,	WELLINGTON, FL 33414				VERBAL

Business Address (Name, Street) | (City) | (State) | (Zip) | Phone | Occupation

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
J200-331-85-184-1 FL	[redacted]		HARROW, ENGL	US

CO-DEF

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1. Arrested ☐ 2. At Large | ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1. Arrested ☐ 2. At Large | ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other: | Name (Last) (First) (Middle) | 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 provided by ☐ defendant and / or ☐ defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 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

CODE

Drug Activity: N. N/A P. Possess S. Sell B. Buy T. Traffic 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/Derv. P. Paraphernalia/ Equipment S. Synthetics U. Unknown Z. Other

CHARGE (1)

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DRIVING UNDER THE INFLUENCE	1	☐Y ☒N	316.193(1)(A)	

Drug Activity | Drug Type | Amount / Unit | Offense # | Warrant I Capias Number | Bond

CHARGE

Charge Description | Counts | Domestic Violence ☐Y ☐N | Statute Violation Number | Violation of ORD #

Drug Activity | Drug Type | Amount / Unit | Offense # | Warrant / Capias Number | Bond

CHARGE

Charge Description | Counts | Domestic Violence ☐Y ☐N | Statute Violation Number | Violation of ORD #

Drug Activity | Drug Type | Amount / Unit | Offense # | Warrant / Capias Number | Bond

CHARGE

Charge Description | Counts | Domestic Violence ☐Y ☐N | Statute Violation Number | Violation of ORD #

Drug Activity | Drug Type | Amount / Unit | Offense # | Warrant / Capias Number | Bond

NOTICE TO APPEAR

Location (Court, Room Number, Address)

NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700

Court Date and Time: Month MARCH Day 15 Year 2023 Time 10:00 AM X PM

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: 02/11/2023

ADMIN

HOLD for other Agency Name: | Signature of Arresting Officer: X [signature] 514 | Name Verification (Printed by Arrestee): 7:00

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other: | Name of Arresting Officer (Print): A. FLINK | I.D. #: 514 | (PRINT)

Intake Deputy: [signature] I.D. #: 8342 | Pouch # | Transporting Officer: A. FLINK | ID #: 514 | Agency: PBGPD | Witness here if subject signed with an X

SCANNED FEB 12 2023

PAGE 1 OF 1

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-000835

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 3. Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
JOSHI, HEMAL KAUSHIKKUMAR		W	M	05/24/1985

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
State Of Florida			

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

PROBABLE CAUSE STATEMENT

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 . . .

☒ committed the below acts in my presence.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 11 day of February, 2023 at 23:00 (Specifically include facts constituting cause for arrest.)

On 02/11/2023 at approximately 2300 hours, this Officer was conducting speed measurement in the area of the 7001-block of Beeline Hwy, PBG, FL, when a vehicle was observed traveling at an increased rate of speed south bound in the inside through lane. Body worn camera and in car video were used.

This Officer`s initial visual estimation of the vehicle, was approximately 80 MPH in a posted 55 MPH zone. Using RADAR Stalker DSR2X (DB001317), front antenna (KC086606) this Officer received a steady tone and reading of 82 MPH. The RADAR calibration was last checked on 12/28/2022 and was due on 06/28/2023. Prior to this tour of duty on this date, this Officer ensured the RADAR was in working order, to confirm the accuracy of the unit. At the end of this tour of duty, this Officer did the same. This Officer received RADAR/LIDAR certification on 05/31/2008, in Cannon AFB, NM. This Officer entered the lane behind the vehicle, an Audi utility (CDVN85/FL) and observed same quickly decelerate as it conducted a left-hand turn onto Northlake Blvd.

This Officer initiated a traffic stop on the vehicle on Northlake Blvd, just west of the Beeline Hwy train tracks, in West Palm Beach, FL. This Officer made contact with the driver, identified via Florida Driver License photo, Hemal Joshi (OF), while he was still in actual physical control of the vehicle. Joshi had red watery eyes, slurred speech and the very strong odor of an unknown alcoholic beverage emanating from his breath at conversational distance. Joshi said he was coming from Okeechobee and admitted to consuming one alcoholic beverage on this night.

Based on this Officer`s observations, Joshi was asked to exit the vehicle to ensure he was not under the influence. Joshi said he did not have any medical conditions which would affect the exercises performed.

The first exercise conducted, was the Horizontal Gaze Nystagmus. The stimulus used was

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)

02/12/2023
DATE

SHARLL O'NEAL
Notary Public - State of Florida
Commission # GG 972080
My Comm. Expires Jun 25, 2024
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FLINK, ANDREW S (514)
NAME OF OFFICER (PLEASE PRINT)

02/12/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

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FEB 12 2023

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-000835

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
JOSHI, HEMAL KAUSHIKKUMAR		W	M	05/24/1985

PROBABLE CAUSE STATEMENT

a Stylus Streamlight with an illuminated red tip. This Officer observed a lack of smooth pursuit in both eyes and sustained involuntary jerking in both eyes at maximum deviation. This Officer observed the onset of Nystagmus prior to 45 degrees in Joshi`s left eye only.

The second exercise conducted, was the Walk and Turn. The line used was a strip of yellow tape placed upon the pavement by this Officer. During the instructions, Joshi stepped out of the starting position at least three times and raised his arms from his sides. During the first set of steps, Joshi lost his balance on step two and stepped off the line while raising his arms well over six inches from his sides. On step three, Joshi stepped off the line with his rear foot. Joshi also missed heel-to-toe twice. Joshi conducted an improper turnaround by walking around rather than taking a series of small steps. During the return set of steps, Joshi missed heel-to-toe five times and took nine steps but counted 10.

The third exercise conducted, was the One-Leg Stand. During the exercise Joshi raised his left foot. Joshi had to be told four times to look down at his foot and also had to be told to count aloud. Joshi swayed side-to-side during the exercise and raised his arms well over six inches from his sides. Joshi also had difficulty counting, Joshi counted "1009, 1009, 1010, 1012, 1011, 1012".

The fourth exercise conducted, was the Modified Rhomberg Balance. Joshi estimated the passage of 30 seconds in approximately 35 seconds. Joshi also did not remain in the exercise position. Joshi raised his hands from his side and put his hands in front of his body.

The final exercise conducted, was the Rhomberg Alphabet. Joshi recited the alphabet properly, briefly pausing before the letter Z. Joshi also tilted his head forward and up during the exercise.

Based on this Officer`s observations, Joshi was placed under arrest at 2321 hours. Joshi`s wife Neesha Joshi (IO) uttered to Ofc Rigney 333 the two were coming from a wedding. At PBSO BAT, this Officer requested Joshi provide a breath sample for the purpose of determining its alcohol content, to which he asked for further information. This Officer read Florida Implied Consent to Joshi, which started a 19 minute back and forth discussion whether he should consent or not. Joshi ultimately consented. At 0030 hours, Joshi blew .062 and at 0033 hours, he blew .056, these results were 90 minutes after contact. This Officer requested Joshi provide a urine sample for the purpose of detecting the presence of chemical or controlled substance, to which Joshi said he did not understand why. This Officer again read Florida Implied Consent to Joshi to which he acknowledged and consented. At 0105 hours, he provided a urine sample.

Based on the results of the investigation, this Officer has probable cause to prove

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)

02/12/2023
DATE

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # GG 972080
My Comm. Expires Jun 25, 2024
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FLINK, ANDREW S (514)
NAME OF OFFICER (PLEASE PRINT)

02/12/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYST P. I. O.

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FEB 12 2023

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ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 23-000835

Charge Type: Check as many as apply.
☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
JOSHI, HEMAL KAUSHIKKUMAR		W	M	05/24/1985

PROBABLE CAUSE STATEMENT

Hemal Joshi operated a motor vehicle, in the count of Palm Beach, in the state of Florida, while under the influence to the extent his normal faculties were impaired, in violation of FSS 316.193(1)(A).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

02/12/2023
DATE

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NAME OF OFFICER (PLEASE PRINT)

02/12/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

SCANNED
FEB 12 2023



PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET



PBSO Case #: 23-035704 PBSO Zone: 3-13

Agency Case #: 23000835 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 2306 Date of Incident: 02/11/2023 Day: SATURDAY

Location of Incident: 7001 BEELINE HWY, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 23:21 Date of Arrest: 02/11/2023 Day: SATURDAY

Location of Arrest: NORTHLAKE BLVD JWO BEELINE HWY, WPB, FL, 33410

Subject's Name: (L) JOSHI, (F) HEMAL, (M) KAUSHIKKUMAR

DOB: 05/24/1985 Race: W Sex: M Height: 5'8 Weight: 162 Hair BLK Eye BRO

Address: 1264 LAKE BREEZE DR, WELLINGTON, FL 33414 Phone: (561) 714-4201

Arresting Officer's Name: A. FLINK ID#: 514

Agency: PBGPD Division: TRAFFIC UNIT

Breath Results

1) .062 at 00:30 hrs.
2) .056 at 00:33 hrs.
3) Urine at Pending hrs.
4) _____ at _____ hrs.

---BAT Use---

BAT Notified:	YES
Arrival Time at BAT:	2345
Subject Arrest Time:	23:21

Breath Test Operator: ONEAL 6212
PBSO

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FEB 12 2023

TESTING FACILITY TASK REPORT

AGENCY: PBG OFC. FLINK #514

SUBJECT: JOSHI, HEMAL K.

CASE NUMBER: 23-035704

DATE: 02-11-23/02-12-23

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:08 HRS

ENDING TIME: 00:38 HRS

BREATH TESTS RESULTS: 1) .062 TIME 00:30 A.M. ☒ P.M. ☐ 2) .056 TIME 00:33 HRS A.M. ☒ P.M. ☐

3) TIME A.M. ☐ P.M. ☐ 4) TIME A.M. ☐ P.M. ☐

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: CALM, COOPERATIVE, INDECISIVE

CLOTHING: SHIRT-BLACK SHORTS- KHAKI

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: VERY RED, GLASSY

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COMMENTS:

20 MIN. OBSERVATION DONE BY A/O FLINK #514
A/O REQUESTED THE BREATH TEST ON CAMERA.
D ASKED WHAT HAPPENED IF HE REFUSED.
A/O READ THE IMPLIED CONSENT ON CAMERA TO THE D.
A/O BROKE THE I/C DOWN TO THE D.
D UNDERSTOOD THEI/C.
D WAS INDECISIVE ABOUT THE BREATH REQUEST.
D DECIDED TO SUBMIT AFTER GOING BACK AND FORTH.
D BECAME INDECISIVE AGAIN AS I THE TECH. WAS EXPLAINING THE BREATH PROCEDURE.
D DECIDED TO SUBMIT AGAIN.
D COMPLETED THE TEST CORRECTLY.
EXPLAINED THE BREATH RESULTS TO THE D.
A/O REQUESTED URINE ON CAMERA. D SUBMITTED TO THE REQUEST. IMPLIED CONSENT READ ON CAMERA AGAIN.
NO Q&A CONDUCTED.
URINE GIVING @01:05 HRS

SCANNED
FEB 12 2023

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006029 Software: 8100.27
Date of Test: 02/12/2023

Date of Last Agency Inspection: 02/10/2023
Observation Period Began: 23:45
Subject's Name: HEMAL K JOSHI DOB: 05/24/1985 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	00:28
Air Blank	0.000	00:28
Control Test	0.081	00:28
Air Blank	0.000	00:29
Subject Sample #1	0.062	00:30
Air Blank	0.000	00:30
Air Blank	0.000	00:32
Subject Sample #2	0.056	00:33
Air Blank	0.000	00:33
Control Test	0.081	00:34
Air Blank	0.000	00:34
Diagnostics Check	OK	00:34

Cylinder Lot: 29122080A1
Exp: 12/05/2024

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 SHARI L O'NEAL, 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: S. O'Neal Date: 02-12-23
Signature

Sworn to (or affirmed) before me this 12 day of February 2023

Signature of Notary Public-State of Florida

Ofc. Flink #514
Printed Name of Notary Public-State of Florida

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.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

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SCANNED FEB 12 2023

PALM BEACH COUNTY
SHERIFF'S OFFICE
RIC L. BRADSHAW, SHERIFF

TOXICOLOGY ANALYSIS REQUEST

This Form Must Be Included With the Property Receipt and Accompany the Evidence Submitted for Toxicology Analysis
PRINT LEGIBLY OR TYPE

Agency: PALM BEACH GARDENS POLICE DEPARTMENT Case #: 23000835

Officer: A. FLINK ID#: 514 Email: AFLINK@PBGFL.COM

Specimen Collected By: A. FLINK Date: February 12, 2023 Time: 0105

Specimen Collected From: JOSHI, HEMAL, KAUSHIKKUMAR Age: 37 Sex: M Hgt: 5'8 Wgt: 162

Specimen Type: ☐ Blood ☑ Urine ☐ Beverage ☐ Other-Describe

Type of Case: ☐ Traffic Crash ☐ Fatality ☑ DWI/DUI ☐ Other Date: 2/11/23 Time: 2321

Potential Felony? ☐ Yes ☑ No

Was any medication administered by medical personnel prior to sample being drawn: ☐ Yes ☑ No

If yes, name of Medication(s): N/A

Subject Arrested: ☑ **Yes** ☐ **No**

Breath Test Performed? ☑ Yes ☐ No Results: .062 .056

Tests requested: ☐ Blood Alcohol ☐ Blood Drug Screen ☑ Urine Drug Screen

NOTE: Blood Alcohol analysis is performed on all DUI blood specimens. Requested Blood Drug Screen may not be performed based on the laboratory protocol. If you have any questions, please contact the Toxicology Unit at 561-688-4814 or toxicologyrequest@pbso.org.

DRE exam performed: ☐ Yes ☑ No DRE Officer: N/A Agency:

DRE Opinion: DRE Email:

Drug History and Signs of Impairment (Please list any drugs, medications, or prescriptions the subject may have taken or were in his/her possession.)

RED WATERY EYES, SLURRED SPEECH, STRONG ODOR OF ALCOHOL

JOSHI HAD DIFFICULTY WITH BALANCE AND FOLLOWING INSTRUCTIONS. JOSHI EXHIBITED MANY INDICATORS OF IMPAIRMENT DURING ROADSIDE EXERCISES, INCLUDING BUT NOT LIMITED TO DELAYED TIME PRECEPTION.

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SCANNED
FEB 12 2023

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)_____

NOT A CERTIFIED COPY

SCANNED
FEB 12 2023

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: _____

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FEB 12 2023

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:	

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REVIEW COMPLETED BY

Booking Number: 2023004045	**Date:** 2/12/2023
	Specialist Name/ID: R.Castro/40259

SCANNED
FEB 12 2023