0541234

23-CT-10675-SB

214

Arrest Report

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
6/15/2023 02:29 AM	FHP99ARR863767	FHP23ON0310940 / RCC23IN0469185	ZIMMERMAN, JONATHAN

Originating Agency ORI	Occur Date Time Range	Jurisdiction
	06/14/2023 23:07:58 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	EB GLADES RD (SR808) JWOF I95 (SR9)

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	EB GLADES RD		BOCA RATON	FL	33431

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
JOHN	DOUGLAS	CHAMBERS		WHITE	MALE	602	185	BRO	BLUe

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	04/18/1973	50	C	A65968739	VA	

Place of Birth:	TAMPA FL

Address
* RESIDENCE / 21062 21062 HOODED CROW DR , LEESBURG , VA 20175- /

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
6/14/2023 11:44:08 PM	PUBLIC PLACE	EB GLADES RD (SR808) JWOF I95 (SR9)

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
	EB GLADES RD		PALM BEACH	BOCA RATON	FL	33431

Charge : S

Counts	Charge	Bond Amount	
1	316.193.1a	$0.00	☐ No Bond

Charge Degree	Charge Level
S	MISDEMEANOR

General Offense Code	Arrest Offense Code
	DUI-UNLAW BLD ALCH

Charge Description
DUI INFLUENCE OF ALCOHOL OR DRUGS

Administrative Code - Description
-

FILED PSC - GUN CLUB
'23 JUN 15 AM 7:55

Bond Set by Court

Bond Amount	
	☐ No Bond

Bond Type(s)

SCANNED
JUN 15 2023

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Ofl Hoyleen 7200

60

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Probable Cause

On Wednesday June 14thth, 2023 at approximately 11:07am I was dispatched to eastbound Glades Rd. (State Road 808) just west of Interstate 95 (State Road 9). I responded in my fully marked Florida Highway Patrol vehicle (#0555/ Vin #2C3DXAT9KH609108).

Sergeant Alarcon (Badge#3254) was working an Off-Duty detail while sitting stationary in his fully marked Florida Highway Patrol vehicle in the eastbound traffic lane #1 and #2 which were closed off due to ongoing construction. Only the outside lane #3 was open for travel. Sgt. Alarcon observed a dark colored SUV exit south from the Wyndham Plaza and make a right turn eastbound on State Road 808. The vehicle drove out of the closed outside lane, through the traffic cones that designated the construction zone, and continued east in the center lane #2. Sgt. Alarcon conducted a traffic stop on the vehicle and requested for another unit to respond.

Upon arriving on scene, I observed a dark SUV stopped in the #2 lane facing east, Sgt. Alarcon's vehicle was facing southwest blocking the #2 and #1 lane. I approached Sgt. Alarcon who was standing at the driver's door of the dark colored SUV, he handed me the vehicle registration as well as the driver's license. I returned to my patrol vehicle to verify the gathered information. I identified the driver of the dark colored SUV by Virginia driver's license as John Douglas Chambers (DL: A65968739, W/M, DOB: 4/18/1973). The SUV was bearing a Massachusetts tag #3BVJ89 which was entered in NCIC/FCIC and came back to a black 2021 Jeep Grand Cherokee (rental vehicle). Before returning to my vehicle I was advised by Sgt. Alarcon of his observation, I continued to approach the Jeep on the driver's side door to speak with Mr. Chambers and conduct an investigation. See Sgt. Alarcon's supplemental report which will be found attached to the incident report.

Once at the driver's door, I began speaking with Mr. Chambers and could immediately smell a strong odor of an unknown alcoholic beverage emanating from within the vehicle. Mr. Chambers seemed lethargic and rather slow in his responses. I observed bloodshot and glassy eyes. I asked Mr. Chambers if he could explain what happened up until I began speaking with him. He was unable to give any clear articulable answer other than that he was heading home. I asked him what road he was coming from and how he ended up in the construction zone and if he was currently even aware that he was in a construction. Mr. Chambers did not know which road he was on or which road he was coming from or that that he had just turned out of the shopping plaza located directly behind him. With the current situation progressing, Mr. Chambers was still unaware that he was currently in a construction zone. I asked Mr. Chambers if he had anything to drink and he advised that he had 1 beer. I continued to ask Mr. where he was coming from originally and he said work, so I elaborated asking if he normally has a drink at work. He advised no, that he was out with coworkers celebrating. So, I asked if he was at work or a bar, he advised that he was at a bar. Mr. Chambers answers where slow, he seemed to have a difficult time recalling any of the events that occurred leading up to him being stopped inside of a construction zone. I advised Mr. Chambers to step out of his vehicle and walk back to the front of my patrol vehicle so that I could further speak with him. While Mr. Chambers was walking, I observed that

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he was unable to walk in a straight light and appeared to have an issue with his balance.

Once in front of my patrol vehicle while speaking with Mr. Chambers I could still smell a strong odor of an unknown alcoholic beverage emitting from his breath. I asked Mr. Chambers if he had any medical conditions or currently took any medications, he replied no. I asked if he had any current injuries or past injuries that would affect his ability to walk, he said no and advised he had none. I explained that based on the totality circumstances (also explained them) that I have reason to believe that he may be under the influence of alcohol or a controlled substance. I offered Mr. Chambers the opportunity to take voluntary Field Side Sobriety exercises to help me better determine his level of intoxication, Mr. Chambers agreed. I asked Mr. Chambers if he would feel comfortable performing these exercises at our current location, he advised yes. I advised and so did Sgt. Alarcon that perhaps regardless of Mr. Chambers agreeing that the ground surface would suffice, I could back up my patrol vehicle roughly 50ft to a smoother area of the road. Mr. Chambers was asked again, if he felt comfortable with the ground surface, he stated yes.

Prior to administering the voluntary exercises in front of my patrol vehicle, I advised Mr. Chambers to stand in the starting position with his feet together and his hands at his sides. I asked Mr. Chambers if he wore contacts or glasses, he replied yes that he has contacts in now. I asked if he could clearly see the black tip of my pen along with the tip of my finger, he stated yes. I asked him again if he had any medical conditions, was on any medications or had current injuries, he stated no. Each exercise was explained and demonstrated prior to Mr. Chambers attempting to perform them. Video and audio footage are available upon request. The summary below is not intended to be a verbatim account of all the events that took place during the administration of the standardized field sobriety exercises.

Horizontal Gaze Nystagmus Exercise

A black ballpoint pen with a black tip was used as a contrasting stimulus. Mr. Chambers stated that he could clearly see the tip of the stimulus as well as the tip of my finger. The exercise was explained and demonstrated, Mr. Chambers stated that he understood the directions. his hands on his hips. Mr. Chambers failed to keep with head straight numerous times and had to be advised to follow the stimulus with eyes only constantly. Mr. Chambers had to be reminded to maintain the current standing position. I observed that Mr. Chambers had an orbital sway while in the correct standing position.

-I checked for resting nystagmus which was observed in both eyes.
-I checked for equal pupil size and equal tracking; Both pupils were equal in size but both eyes did not track the stimulus equally.
-I observed a lack of smooth pursuit in both eyes.
-I observed horizontal gaze nystagmus at maximum deviation in both eyes.

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-I observed horizontal gaze nystagmus prior to 45 degrees in both eyes.
-I did not observed vertical gaze nystagmus in both eyes.

Walk and Turn Exercise

Yellow tape was placed at an angle in front of my patrol vehicle. Mr. Chambers agreed that ground surface was level and that he could perform the exercise. The exercise was explained and demonstrated, Mr. Chambers stated that he understood the directions. Mr. Chambers started to soon and was unable to maintain the starting position at all. Mr. Chamber's balance was so bad that he appeared to come close to stumbling over a few times.

-Started to soon
-Unable to maintain starting position
-Used arms to balance
-Did not count out loud
-Stepped off the line numerous times
-Did not touch heel to toe

One Leg Stand Exercise

The exercise was explained and demonstrated, Mr. Chambers stated that he understood the directions, however I had to explain them to him again.

-Swayed
-Put foot down (consistently)
-Hopped
-Foot was not parallel with the ground
-Unable to maintain balance

Based upon the performance of the above exercises and the totality of the circumstances I determined that there was probable cause to believe that John Douglas Chambers committed the offense of driving under the influence by being in actual physical control/operating a motor vehicle while under the influence of alcoholic beverages, any chemical substance per Florida State Statute 877.111,

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or any controlled substance per Chapter 893, while their normal faculties were impaired. He was placed under arrest at approximately 11:44PM for the above offense. He was handcuffed behind his back in the front of my patrol vehicle and placed in the rear right seat. Prior to placing Mr. Chambers in my patrol vehicle, I conducted a search of his person which yielded no results. A vehicle inventory was also conducted which yielded no results.

I transported Mr. Chambers to Palm Beach County Breathe Alcohol Testing (BAT) facility with no further incidents. Mr. Chambers underwent a 20-minute observation period at approximately 12:20AM where he did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning the observation period. At approximately 12:42AM Mr. Chambers consented to breath testing. The first breath sample provided had a result of 0.198. The second breath sample provided had a result of 0.200. Mr. Chambers was read Florida Miranda Warning. (See BAT video footage for a complete account of the question and answering segment). Mr. Chambers was then booked into Palm Beach county jail with no further incident.

All events occurred in Palm Beach County, State of Florida.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
	PALM BEACH	PALM BEACH COUNTY CORRECTIONS	(561) 688-4400

Booking Facility Location	Booking Number
3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	

Booking Comments

Court

Court County	Court Location
PALM BEACH	200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444

Court	Court Phone	Court Appereance Date / Time	Court Fine
PALM BEACH SOUTH COUNTY COURTHOUSE	561-274-1530	07/19/2023 8:30AM	

Comments

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency / Org/Unit
ZIMMERMAN, JONATHAN TPR 5061	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\BROW LN TO SR804

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The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Office Rank	Officer ID No
ZIMMERMAN, JONATHAN	TPR	5061

Officer Agency

FLORIDA HIGHWAY PATROL

Officer Signature

Sworn and subscribed before me, the undersigned authority

This the 15 day of June, 2023

DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

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

S. O'Neal

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

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

PBSO CASE # 23-078838 PBSO ZONE J-11

AGENCY CASE # FHP23ONØ310940 CRASH CASE #

TIME OF STOP/CRASH 23:07 DATE 6/14/2023 DAY Wednesday

SUBJECT'S NAME Chambers John Douglas (LAST FIRST MID) RACE W SEX M

HGT 602 WGT 185Lbs DOB 4/18/1973

LOCATION EB Glades Rd (SR808) JWOF Interstate 95 (SR9)

ARRESTING OFFICER'S NAME & ID Jonathan Zimmerman 5061 AGENCY FHP

DIVISION: Troop L

NOTIFIED BY COMMO No

ARRIVAL AT FACILITY 00:20

ARREST TIME 23:44

BREATH RESULTS:

1) .198
2) .200
3)
4)

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # N/A

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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: 80-006238 Software: 8100.27
Date of Test: 06/15/2023

Date of Last Agency Inspection: 05/19/2023
Observation Period Began: 00:20
Subject's Name: JOHN D CHAMBERS DOB: 04/18/1973 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	00:45
Air Blank	0.000	00:46
Control Test	0.080	00:46
Air Blank	0.000	00:47
Subject Sample #1	0.198	00:47
Air Blank	0.000	00:48
Air Blank	0.000	00:50
Subject Sample #2	0.200	00:50
Air Blank	0.000	00:51
Control Test	0.079	00:51
Air Blank	0.000	00:51
Diagnostics Check	OK	00:52

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: 06-15-23
Signature

Sworn to (or affirmed) before me this 15 day of June, 2023

Signature of Notary Public-State of Florida

Trp. Zimmerman #5061
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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TESTING FACILITY TASK REPORT

AGENCY: FHP-L TRP. ZIMMERMAN #5061

SUBJECT: CHAMBERS, JOHN D.

CASE NUMBER: 23-078838

DATE: 06-15-23

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:42 HRS

ENDING TIME: 01:03 HRS

BREATH TESTS RESULTS: 1) .198 TIME 00:47 A.M. ☒ P.M. ☐ 2) .200 TIME 00:50 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

CLOTHING: SHIRT-BLUE, WHITE & PINK/PLAID PRINT PANTS-DRK BLUE JEANS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: VERY RED, GLASSY
ODOR OF UNKNOWN ALCOHOLIC BEVERAGE.

COMMENTS:

20 MIN. OBSERVATION CONDUCTED BY A/O ZIMMERMAN #5061

A/O REQUESTED THE BREATH TEST.
D SUBMITTED TO THE BREATH REQUEST.
D COMPLETED THE TEST CORRECTLY.
EXPLAINED THE BREATH RESULTS TO THE D.
C/W READ ON CAMERA, Q&A CONDUCTED.

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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? yes

WHERE WERE YOU GOING? 261 deer creek blvd, deerfield AIRBNB

WHAT STREET OR HIGHWAY WERE YOU ON? 95.

DIRECTION OF TRAVEL? SB WHERE DID YOU START? bar in delray beach.

WHAT TIME DID YOU START? 730/8:00pm WHAT TIME IS IT NOW? close to midnight

WHAT IS TODAY'S DATE? june 15 WHAT DAY OF THE WEEK IS IT? thursday

WHAT COUNTY AND CITY ARE YOU IN NOW? palm beach county / boca

WHEN DID YOU LAST EAT? around noon WHAT DID YOU EAT? salmon / chicken and rice

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? spending time with coworkers

HOW MUCH DO YOU WEIGH? 185lbs HAVE YOU BEEN DRINKING? yes WHAT? 1 taquila 1 beer

HOW MUCH? _____ WHERE? bar in delray WITH WHOM? coworkas

WHEN DID YOU HAVE YOUR FIRST DRINK? 730/800pm AND YOUR LAST DRINK? 730/900pm

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? sip

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? tired not inebriated ARE YOU UNDER THE INFLUENCE? n/a

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? no HOW MUCH? n/a

WHAT? n/a WHERE? n/a WHEN? n/a

WHAT LINE OF WORK ARE YOU IN? biologics (biotech) WHEN DID YOU LAST WORK? 730am

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? no WHAT? n/a

ARE YOU SICK OR INJURED? no WHAT'S WRONG? n/a

DO YOU LIMP? no DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? no

WERE YOU IN AN ACCIDENT TODAY? no

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? no WHEN? n/a

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? no WHO? n/a WHY? n/a

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? no WHAT? n/a WHEN? n/a

DO YOU HAVE:

EPILEPSY?	no
GLASS EYE?	no
FALSE TEETH?	no
EAR INFECTION?	no
INNER EAR TROUBLE?	no (clogged ear)
DIABETES?	no

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? no

DO YOU TAKE INSULIN? no IF SO, WHEN WAS YOUR LAST INJECTION? n/a

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? florida WHERE? yes. / north carolina.

INTERVIEWER: _____

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

PBSO #0129C REV. 9/93

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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)_____

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WHITE: STATE ATTY. YELLOW: DHSMV PINK: CENTRAL RECORDS GOLD: JAIL