05453236 23C116159 96

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

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number
	FLO 5 0 2 6 0 0	PALM BEACH GARDENS POLICE DEPARTMENT	78 - 23004536

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)
2373 PGA BLVD, PALM BEACH GARDENS, FL, 33410	2373 PGA BLVD, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle RIVER HOUSE
09/07/2023	18:46					2373 PGA BLVD, PBG, FL

DEFENDANT

Name (Last, First, Middle): [redacted] Alias (Name, DOB, Soc. Sec. #, Etc.): Humpage, Kathleen M

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	08/08/1966	509	170	BRO	BLN	LGT	MED

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description):

Marital Status: SINGLE | Religion: OTHER | 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
12794 PACKWOOD RD, NORTH PALM BEACH, FL 33408	(561) 818-9977	2

Permanent Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
12794 PACKWOOD RD, NORTH PALM BEACH, FL 33408		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
H512-513-66-788-0 FL	[redacted]		CLEVELAND, OH	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 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/Denv. P. Paraphernalia/ Equipment S. Synthetics U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DRIVING UNDER THE INFLUENCE Over .08	1	☐Y ☒N	316.193(1)(C)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	.258	23004536		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI OVER .15	1	☐Y ☒N	316.193(4)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	.258	23004536		

CHARGE

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

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

CHARGE

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

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

FILED PBC - GUN CLUB
'23 SEP 8 AM 7:42

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 OCTOBER Day 11 Year 2023 Time 1000 AM ☒ 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

SCANNED 09/07/2023

Signature of Defendant (or Juvenile and Parent /Custodian) | Date Signed: 09/07/2023

ADMIN

HOLD for Other Agency: ☐ Name: | Signature of Arresting Officer: x

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Name of Arresting Officer (Print): A. FLINK | I.D. #: 514

Name Verification (Printed by Arrestee) (PRINT)

Intake Deputy | I.D. # | Pouch #

Transporting Officer: OFC. FLINK | ID #: 514 | Agency: PBGPD

Witness here if subject signed with an -X"

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 | 23-004536

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
HUMPAGE, KATHLEEN M		W	F	08/08/1966

CHARGES

Charge Description	Charge Description
316.193(1)(C) DUI - BREATH .08 OR ABOVE	316.193(4) DUI - BRAC ABOVE .15
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 resonable 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 KARA DECKER who told OFC KOMARA 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 7 day of September, 2023 at 18:15 (Specifically include facts constituting cause for arrest.)

On 09/07/2023 at approximately 1815 hours, Officers were dispatched to River House, 2373 PGA Blvd, PBG, FL, regarding a dispute. Body worn camera and in car video were used.

Kathleen Humpage (OF) called 911 to report the valet he did not receive a ticket for her vehicle and they could not find her vehicle. Dispatch further advised Humpage was slurring her words on the phone. Humpage identified her vehicle as a blue Range Rover. The restaurant manager, Kara Decker (WI) then called dispatched and said Humpage was possibly intoxicated and was worried about her driving. Decker further advised Humpage was in her vehicle now and staff had offered to call an Uber for Humpage. Lastly, Decker advised Humpage almost drove over the curb and staff was trying to prevent her from driving.

Ofc Komara 511 made contact with Decker who said valet was refusing to provide Humpage with the keys due to her condition. Decker further stated Humpage must have had a second key to the vehicle, because she entered the vehicle, a Range Rover (NRAM02/FL) and attempted to exit through the valet entrance. When Humpage had difficulty making the turn, she reversed the vehicle and almost struck a parked, unoccupied Bentley sedan. Humpage was then instructed by staff to park the vehicle. This Officer later spoke with Decker who provided the same account of the incident.

This Officer observed Humpage at the front of Ofc Komara`s marked unit looking for her driver license in her purse. This Officer observed an open bottle of "Tito`s vodka" in Humpage`s purse with a small amount of the clear liquid missing. Humpage had glassy watery eyes, slurred speech and the strong odor of an unknown alcoholic beverage emanating from her breath at conversational distance. Humpage was unable to locate her driver license, which was later found in her wallet, which was in her purse. Humpage also had her glasses on the top of her head at an angle. Humpage said she had gotten her hair done, then went to the restaurant to have sushi and a cocktail. Humpage

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 92.50)

09/07/2023
DATE

Notary Public State of Florida
Renee Ragin
My Commission GG 966418
Expires 03/05/2024

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

09/07/2023
DATE

SCANNED SEP 08 2023

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

ADMIN	OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Caplas	1	JUVENILE
	Agency ORI Number: FL FL0502600	Agency Name: Palm Beach Gardens Police Department	Agency Report Number: 7 | 8 | 23-004536		
	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
	HUMPAGE, KATHLEEN M		W	F	08/08/1966

PROBABLE CAUSE STATEMENT

further stated the bottle of vodka was for her husband. Humpage then stated she had two cocktails in River House.

When asked how she was feeling, she replied "pissed", but denied being sick. This Officer expressed concern to Humpage of her driving under the influence, to which she began to argue. Humpage said "I did not drive that car" then immediately "I drove that car". Humpage then continued to argue about not driving the vehicle and attempted to leave during the investigation. This Officer asked Humpage to participate in Standardized Field Sobriety Exercises, to which she complied. Humpage only mentioned a shoulder injury on her right side.

The first exercise conducted, was the Horizontal Gaze Nystagmus. The stimulus used was a Streamlight Stylus with an illuminated red tip. Humpage had a lack of smooth pursuit in both eyes and sustained involuntary jerking in both eyes at maximum deviation. Humpage also had the onset of Nystagmus in both eyes prior to 45 degrees. Throughout the exercise, this Officer had to remind Humpage to properly follow the instructions. Humpage was swaying back and forth during the exercise.

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. Humpage had difficulty getting into and remaining in the starting position. Humpage continuously started prior to being told to do so. After multiple attempts, Humpage said "can you just fucking arrest me". This Officer advised Humpage of her Taylor Warnings, to which she said she did not understand. This Officer explained the Taylor Warnings to Humpage, to which she agreed to continue. Humpage continued to have difficulties getting into the starting position, thus this Officer determined Humpage was most likely too impaired to understand and be able to participate.

The third exercise to be conducted, was the Rhomberg Alphabet. Humpage then attempted the Walk and Turn again, and then said "just arrest me". Humpage was immediately placed under arrest at 1846 hours. While this Officer spoke with Decker after the arrest, she advised once Humpage parked the vehicle, she grabbed a bottle which could`ve been alcohol. It should be noted the bottle of Vodka in Humpage`s possession was missing a very small amount of liquid.

At PBSO BAT, this Officer conducted the 20 minute observation period, noting no issues. This Officer requested Humpage provide a breath sample for the purpose of determining its alcohol content, to which she consented. At 1947 hours, she blew .244 and at 1950 hours, she blew .258.

Based on the results of the investigation and all the facts and circumstances, this Officer has probable cause to charge Kathleen Humpage with driving under the influence, with an unlawful breath alcohol content, in violation of FSS 316.193(1)(C). The degree

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER [illegible] 117.10

09/07/2023
DATE

Notary Public State of Florida
Renee Ragin
My Commission GG 966418
Expires 03/05/2024

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

09/07/2023
DATE

SCANNED SEP 08 2023

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

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: FL FL0502600	Agency Name: Palm Beach Gardens Police Department	Agency Report Number: 7 | 8 | 23-004536		
	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
	HUMPAGE, KATHLEEN M		W	F	08/08/1966

PROBABLE CAUSE STATEMENT

to which Humpage was impaired by alcohol, was in violation of FSS 316.193(4).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

09/07/2023
DATE

Notary Public State of Florida
Renee Ragin
My Commission GG 966418
Expires 03/05/2024

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

09/07/2023
DATE

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

PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 23-107937 PBSO Zone: 3-13

Agency Case #: 23004536 Crash Case #: N/A

Incident Information:

Time of Stop/Crash: 1815 Date of Incident: 09/07/2023 Day: THURSDAY

Location of Incident: 2373 PGA BLVD, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 18:46 Date of Arrest: 09/07/2023 Day: THURSDAY

Location of Arrest: 2373 PGA BLVD, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) HUMPAGE, (F) KATHLEEN, (M) M

DOB: 08/08/1966 Race: W Sex: F Height: 509 Weight: 170 Hair BLN Eye BRO

Address: 12794 PACKWOOD RD, NORTH PALM BEACH, FL 33408 Phone: (561) 818-9977

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

Agency: PBGPD Division: TRAFFIC UNIT ☐ Marcy's Law CVI FL. Const. Art. 1 § 16(b)

Breath Results

1) .244 at 19:47 hrs.
2) .258 at 19:50 hrs.
3) _____ at _____ hrs.
4) _____ at _____ hrs.

---BAT Use---

BAT Notified: YES

Arrival Time at BAT: 1920

Subject Arrest Time: 18:46

Breath Test Operator: RAGIN 16877
PBSO

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SCANNED SEP 08 2023

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: Humpage, Kathleen M.

CASE NUMBER: 23-107937

DATE: Sep 7, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 19:43

ENDING TIME: 19:54

BREATH TESTS RESULTS: 1) .244 TIME 19:47 A.M.☐ P.M.☒ 2) .258 TIME 19:50 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 TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Talkative, crying, whining, repetitive

CLOTHING: Blue pants, blue LS shirts, blue shoes

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER:

Eyes are glassy
odor of unknown alcoholic beverage on breath

COMMENTS:

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

Subject agreed to perform breath test.

A/O read rights.

Subject invoked the right to counsel.

Tech read breath test results and explained test results.

NO Q&A conducted.

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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: 80-006478 Software: 8100.27
Date of Test: 09/07/2023

Date of Last Agency Inspection: 08/11/2023
Observation Period Began: 19:20
Subject's Name: KATHLEEN M HUMPAGE DOB: 08/08/1966 Sex: F

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	19:45
Air Blank	0.000	19:45
Control Test	0.079	19:46
Air Blank	0.000	19:46
Subject Sample #1	0.244	19:47
Air Blank	0.000	19:48
Air Blank	0.000	19:49
Subject Sample #2	0.258	19:50
Air Blank	0.000	19:51
Control Test	0.078	19:51
Air Blank	0.000	19:51
Diagnostics Check	OK	19:52

Cylinder Lot: 08622080A1
Exp: 06/05/2024

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 RENEE M RAGIN, 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: _____ Date: 09/07/23
Signature

Sworn to (✓) affirmed before me this 07 day of Sept., 2023

_____ Ofc. A. Flink # 514
Signature of Notary Public-State of Florida 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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SUBJECT: H . . . . . 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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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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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: 2023023598	**Date:** 9/8/2023
	Specialist Name/ID: Chantel Daniels/30347