23CT5437ANB

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: FLO 5 0 2 6 0 0

Agency Name: PALM BEACH GARDENS POLICE DEPARTMENT

Agency Report Number: 78 - 23001636

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): DONALD ROSS RD JEO N MILITARY TRL, PALM BEACH GARDENS, FL, 33410

Location of Offense (Business Name, Address): N MILITARY TRL/HERITAGE DR,PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
03/23/2023	22:45					KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): EDWARDS, KELLY, SCOTT

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	F	09/17/1975	5'6	125	HAZ	BRO	LGT	SML

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

Marital Status: SINGLE

Religion: NOT STATED

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)
1065 DAKOTA DR APT 304,	JUPITER,	FL	33458	(561) 389-9480	2

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
1065 DAKOTA DR APT 304,	JUPITER,	FL	33458		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
E-363-517-75-837-0 FL	[redacted]		CHARLOTTE, NC	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/Deriv. 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	1	☐Y ☒N	316.193(1)(A)	

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

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

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

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

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

NOTICE TO APPEAR

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

Court Date and Time: Month APRIL Day 26 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: 03/23/2023

ADMIN

HOLD for other Agency Name:

Signature of Arresting Officer: X

Name Verification (Printed by Arrestee) (PRINT)

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

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

Intake Deputy I.D. # Pouch #

Transporting Officer: A. FLINK ID # 514 Agency PBGPD

Witness here if subject signed with an X

SCANNED MAR 24 2023

PAGE 1 OF 1

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FILED PBG - GUN CLUB 03/24/2023 08:51

PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

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 | 23-001636

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
EDWARDS, KELLY SCOTT		W	F	09/17/1975

CHARGES

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

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.

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

☐ confessed to _____ admitting to the below facts.

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

On the 23 day of March, 2023 at 22:25 (Specifically include facts constituting cause for arrest.)

On 03/23/2023 at approximately 2225 hours, this Officer was conducting speed measurement in the area of N Military Trl and Heritage Dr, PBG, FL, when a vehicle was observed traveling at an increased rate of speed north bound in the outside through lane. Body worn camera and in car video were used.

This Officer`s initial visual estimation of the vehicle, was approximately 65 MPH in a posted 45 MPH zone. Using RADAR Stalker DSR2X (DB001317), front antenna (KC086606) this Officer received a steady tone and reading of 66 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 same lane as the vehicle, a Honda sedan (EDIW38/FL) and observed same drifting in the lane. The vehicle then slowly entered the right-hand turn lane just prior to the intersection of Donald Ross Rd. The vehicle conducted a right-hand turn as this Officer initiated a traffic stop on same just east of the intersection.

This Officer approached the driver side and made contact with the driver and sole occupant, identified via Florida Driver License photo, Kelly Edwards (OF), while she was still in actual physical control of same. Edwards displayed indicators of impairment, including: glassy watery eyes, slurred speech and the obvious odor of an unknown alcoholic beverage emanating from her breath at conversational distance. While speaking with this Officer, Edwards appeared to have difficulty dividing her attention. Edwards initially was unaware she was speeding, rather said she was trying to locate her son on a GPS app on her phone. Edwards said she was coming from a meeting in West Palm Beach and was on her way home. Edwards further stated she hadn`t been out in extended time, when asked where she went out to, she said "in Bamboo", but not a particular location. Edwards would look in her phone for her insurance, then when spoken to, stop what she

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

S. O'Neal

NOTARY PUBLIC / CLERK OF COURT / OFFICER (FL S.A. only)

03/24/2023

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)

03/24/2023

DATE

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	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-001636

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Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
EDWARDS, KELLY SCOTT		W	F	09/17/1975

PROBABLE CAUSE STATEMENT

was doing and put her phone down. This Officer would have to remind Edwards to pull up the insurance. Edwards eventually furnished an expired insurance card in her Apple Wallet. Edwards denied consuming alcohol, narcotics and/or Cannabis on this night.

This Officer expressed the concern Edwards may be driving under the influence and asked her to exit the vehicle, to which she complied. Edwards said she 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 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. Edwards was restless during the exercise, between moving and making faces as this Officer was making passes across her face.

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. Prior to getting into the instruction position, Edwards removed her footwear. During the instructions, Edwards exited the starting position, came off the line and asked if she could sign something instead. This Officer then advised Edwards of her Taylor Warnings to which she acknowledged and agreed to continue. While this Officer was explaining the exercises again, Edwards again removed her right foot from the line. During the first set of steps, Edwards missed heel-to-toe on steps two and four. On the seventh step, she lost her balance, raised her arms more than six inches from her sides and leaned to the left. Edwards then paused to regain her balance. Edwards took eight steps rather than nine. Edwards conducted an improper turnaround by way of swinging her foot wide and spinning around rather than taking a series of small steps. During the return set of steps, Edwards took eight steps rather than nine and raised her arms more than six inches from her sides.
2nd htt, 4htt, 7 lost bal raised arms leaned to left, paused to steady, eight steps,

The third exercise conducted, was the One-Leg Stand. During the exercise, Edwards raised her right foot. Edwards swayed side-to-side and raised her arms more than six inches from her sides. Edwards placed her foot down prior to being told to do so. Edwards also had to be told to look down at her raised foot.

The fourth exercise conducted, was the Finger to Nose. During the instructions, Edwards began to cry. During the exercise the following observations were made: First command of Left, she raised her hand quick then hesitated before double touching her nose with the pad of her finger. Edwards opened her eyes and had to be told to lower her hand. First command of Right, Edwards again brought her hand up quickly then hesitated as she touched the tip of her nose with the pad of her finger. Edwards again opened her eyes and had to be told to lower her hand. The second command of Left, she again raised her hand quickly and hesitated as she touched the tip of her nose with the pad of her

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

S. O'Neal

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

03/24/2023
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)

03/24/2023
DATE

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

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Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
EDWARDS, KELLY SCOTT		W	F	09/17/1975

PROBABLE CAUSE STATEMENT

finger. Again, Edwards opened her eyes and was told to lower her hand. Second command of Right, Edwards touched the tip of her nose with the pad of her finger and had to be told to lower her hand. Final command of Right, Edwards touched her nose with her left hand, then corrected herself, tilted her head foward, used the pad of her finger to touch the tip of her nose and had to be told to lower her hand. Final command of Left, Edwards touched the tip of her nose with the pad of her finger and had to be told to lower her hand.

Based on this Officer`s observations, Edwards was placed under arrest at 2245 hours. At PBSO BAT, this Officer requested Edwards provide a breath sample for the purpose of determining its alcohol content, to which she consented. At 2341 hours she blew .049 and at 2345 hours she blew .046. This Officer then requested Edwards provide a urine sample for the purpose of determining the presence of chemical or controlled substances, to which she mentioned passing the breath test. This Officer read Florida Implied Consent to Edwards to which she acknowledged and consented. While providing the urine sample Edwards uttered taking Adderall. Edwards provided the urine sample at 2351 hours. Urine sample was booked into evidence by this Officer.

Based on the results of the investigation, this Officer has probable cause to prove Kelly Edwards operated a motor vehicle, in the county of Palm Beach, in the state of Florida, while under the influence to the extent her normal faculties were impaired, in violation of FSS 316.193(1)(A).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

S. O'Neal

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) SHARI L. O'NEAL

03/24/2023

DATE

SHARI L. O'NEAL NOTARY PUBLIC STATE OF FLORIDA 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)

03/24/2023

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- 049662 PBSO Zone: 3-13

Agency Case #: 23001636 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 2228 Date of Incident: 03/23/2023 Day: THURSDAY

Location of Incident: N MILITARY TRL/HERITAGE DR,PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 22:45 Date of Arrest: 03/23/2023 Day: THURSDAY

Location of Arrest: DONALD ROSS RD JEO N MILITARY TRL, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) EDWARDS, (F) KELLY, (M) SCOTT

DOB: 09/17/1975 Race: W Sex: F Height: 5'6 Weight: 125 Hair BRO Eye HAZ

Address: 1065 DAKOTA DR APT 304, JUPITER, FL 33458 Phone: (561) 389-9480

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

Agency: PBGPD Division: TRAFFIC UNIT

Breath Results

1) .049 at 23:41 hrs.
2) .046 at 23:45 hrs.
3) _____ at _____ hrs.
4) _____ at _____ hrs.

---BAT Use---

BAT Notified: YES

Arrival Time at BAT: 23:13

Subject Arrest Time: 22:45

Breath Test Operator: ONEAL 6212

PBSO

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TESTING FACILITY TASK REPORT

AGENCY: PBG OFC. FLINK #514

SUBJECT: EDWARDS, KELLY S.

CASE NUMBER: 23-049662

DATE: Mar 23, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 23:35 HRS

ENDING TIME: 23:49 HRS

BREATH TESTS RESULTS: 1) .049 TIME 23:41 A.M.☐ P.M.☒ 2) .046 TIME 23:45 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: LOW

ATTITUDE: CALM, COOPERATIVE, EMOTIONAL

CLOTHING: JACKET- NAVY BLUE SHIRT- NAVY BLUE PANTS- BLUE JEANS

MEDICAL CONDITIONS: NONE

MEDICATIONS: ATTEROL

OTHER:

EYES: RED, WATERY FROM CRYING

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O FLINK #514

A/O REQUESTED THE BREATH TEST.
D SUBMITTED TO THE BREATH REQUEST.
D HAD A LITTLE DIFFICULTY, BUT EVENTUALLY BLEW CORRECTLY AND COMPLETED THE TEST.
A/O REQUESTED A URINE SAMPLE ON CAMERA.
I/C READ ON CAMERA TO THE D.
D SUBMITTED TO THE URINE REQUEST.
C/W READ ON CAMERA, NO Q&A.
URINE GIVEN AT 23:51 HRS.

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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: 80-006029 Software: 8100.27
Date of Test: 03/23/2023

Date of Last Agency Inspection: 03/10/2023
Observation Period Began: 23:13
Subject's Name: KELLY S EDWARDS DOB: 09/17/1975 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	23:38
Air Blank	0.000	23:39
Control Test	0.081	23:39
Air Blank	0.000	23:40
Subject Sample #1	0.049	23:41
Air Blank	0.000	23:42
Air Blank	0.000	23:44
Subject Sample #2	0.046	23:45
Air Blank	0.000	23:45
Control Test	0.078	23:46
Air Blank	0.000	23:46
Diagnostics Check	OK	23:46

Cylinder Lot: 15922080A3
Exp: 08/05/2024

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: 03-23-23
Signature

Sworn to (or affirmed) before me this 23 day of March, 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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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 #: 23001636

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

Specimen Collected By: A. FLINK Date: March 23, 2023 Time: 2351

Specimen Collected From: EDWARDS, KELLY, SCOTT Age: 47 Sex: F Hgt: 5'6 Wgt: 125

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

Type of Case: ☐ Traffic Crash ☐ Fatality ☑ DWI/DUI ☐ Other Date: 3/24/23 Time: 2245

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: .049 .046 - -

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.)

Stated she takes Adderall

Edwards displayed indicators of impairment, including: glassy watery eyes, slurred speech and the obvious odor of an unknown alcoholic beverage emanating from her breath at conversational distance. While speaking with this Officer, Edwards appeared to have difficulty dividing her attention.

During roadside exercises, Edwards was restless, had difficulty remaining in one position and also had difficulty with her balance and following simple instructions.

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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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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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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: 2023007751	**Date:** 3/24/2023
	Specialist Name/ID: Chantel Daniels/30347