24CT7776NB

☐ 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 - 24002137

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)
ALT A1A/NIGHTHAWK DR, JUPITER, FL, 33458	13500-BLK ALT A1A, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
04/28/2024	02:46					KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): CICCONE, MICHAEL, CHRISTOPHER — 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	06/10/1957	5'8	155	BRO	BRO	LGT	MED

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

Marital Status	Religion	Indication of:	Y	N	Unk.
NOT STATED	NOT STATED	Alcohol Influence	☐	☐	☐
		Drug Influence	☐	☐	☑

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: (1. City 2. County 3. Florida 4. Out of State)
116 S VILLAGE WAY,	JUPITER,	FL	33458	(610) 428-9489	2

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
116 S VILLAGE WAY,	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
C-250-543-57-210-0 FL	[redacted]		ABINGTON, PA	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

(1) 1.000
(2) 1.000

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 I Capias Number	Bond
N	N	.172			

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	.172			

CHARGE

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
				FILED PBG GUN CLUB '24 APR 29 AM 5:24	

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

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 MAY Day 29T Year 2024 Time 1000 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: 04/28/2024

ADMIN

HOLD for other Agency Name: — Signature of Arresting Officer X — Name Verification (Printed by Arrestee) APR 28 AM 5:53 (PRINT)

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

Make/Model — I.D. # — Pouch # — Transporting Officer: OFC. FLINK — ID #: 514 — Agency: PBGPD — Witness here if subject signed with an -X"

PAGE 1 OF 1

Dr. No Neal 7806

0548905

0118239 / # 206

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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 | 24-002137

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
CICCONE, MICHAEL CHRISTOPHER		W	M	06/10/1957

CHARGES

Charge Description	Charge Description
316.193(1)(C) DUI - BREATH .08 OR ABOVE	316.193(4) DUI - BAC 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 _____ 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 28 day of April, 2024 at 02:27 (Specifically include facts constituting cause for arrest.)

On 04/28/2024 at approximately 0227 hours, this Officer was conducting speed enforcement in the area of the 13500-block of Alt A1A, PBG, FL, when a vehicle was observed traveling at an increased rate of speed north bound in the outside through lane passing another vehicle. Body worn camera and in car video were used.

This Officer visually estimated the vehicle to be traveling approximately 80 MPH in a posted 50 MPH zone. Using RADAR Stalker DSR2X (DB001317), rear antenna (KR027120), this Officer received a steady doppler tone and reading of 82 MPH. The RADAR calibration was last checked on 11/13/2023 and was due on 05/23/2024. 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. The vehicle decreased in speed to 70 MPH, then increased back to 82 MPH. This Officer informed Ofc Alshaier 572 of the speed, since he was better positioned to safely enter the roadway.

Ofc Alshaier initiated a traffic stop on the vehicle, a Mercedes SL-Class (QCVA15/FL) on Alt A1A just north of Donald Ross Rd. This Officer approached the driver window and made contact with the driver, identified via Florida Driver License photo, Michael Ciccone (OF) while he was still in actual physical control of same. This Officer observed Ciccone to appear highly intoxicated, by way of him having very thick slurred speech, flushed red face, red watery eyes, and the strong obvious odor of an unknown alcoholic beverage emanating from his breath at conversational distance. This odor increased as Ciccone spoke. Ciccone was seemingly unaware he was traveling at such a high rate of speed. Ciccone told this Officer he thought he was going "35 or 40". Ciccone said he was on his way home and was coming from downtown West Palm Beach. This Officer asked Ciccone how much he had to drink this night, to which he replied "I had a drink tonight". This Officer confirmed if that was one drink, to which he replied "yes". Ciccone further denied consuming narcotics, Cannabis and/or medication on this

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

Thomasina Miller

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

04/28/2024
DATE

THOMASINA MILLER
Notary Public - State of Florida
Commission # HH 339641
My Comm. Expires Dec 7, 2026
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

04/28/2024
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 24-002137

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
CICCONE, MICHAEL CHRISTOPHER		W	M	06/10/1957

PROBABLE CAUSE STATEMENT

night. Ciccone verbally confirmed he was feeling alright and not sick at all.

Based on this Officer`s observations, this Officer expressed a profound concern to Ciccone that he was under the influence and asked him to exit the vehicle to participate in Standardized Field Sobriety Exercises, to which he complied. Ciccone was uneasy on his feet upon exiting. Ciccone said he did not have any medical conditions which would affect the exercises, although he did say he had a recent surgery, but confirmed it would not be an issue.

The first exercise conducted was the Horizontal Gaze Nystagmus. The stimulus used was a Streamlight Stylus with an illuminated red tip. Ciccone had a lack of smooth pursuit in both eyes as well as involuntary jerking at maximum deviation in both eyes. Ciccone also had the onset of Nystagmus in both eyes prior to 45 degrees. Ciccone repeatedly moved his head and looked at this Officer rather than the stimulus. All observations were made while Ciccone was following instructions.

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, Ciccone had great difficulty getting into and remaining in the starting position. Ciccone repeatedly stepped out of the position and raised his arms from his sides. Ciccone also started the exercise prior to being told to do so at least two times. During the first set of steps, Ciccone missed heel-to-toe nine times, kept his arms raised more than six inches from his sides and took 10 steps rather than nine. Ciccone then conducted an improper turnaround by way of walking around and moving his lead foot from the line. Ciccone then paused to regain his balance before continuing. During the return set of steps, Ciccone again kept his arms raised more than six inches from his sides, missed heel-to-toe on all steps, stepped off the line twice and took 10 steps rather than nine.

The third exercise conducted was the One-Leg Stand. Ciccone raised his left foot for the exercise. Ciccone swayed side-to-side and kept his arms raised more than six inches from his sides. Ciccone placed his foot down three times, thus ending the exercise early.

The fourth exercise conducted was the Rhomberg Alphabet. Ciccone recited the alphabet much quicker than instructed from L through Z. Ciccone also did not close his eyes, as he was instructed to do.

The final exercise conducted was the Modified Rhomberg Balance. Ciccone estimated the passage of 30 seconds in approximately 26 seconds.

Based on this Officer`s observations, Ciccone was placed under arrest at 0246 hours. During a search of Ciccone`s person, incident-to-arrest, this Officer located a white itemized receipt in his front right pocket. The receipt was from "Le Bar a VIN Palm

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (

04/28/2024
DATE

THOMASINA MILLER
Notary Public - State of Florida
Commission # HH 330441
My Comm. Expires Dec 2, 2026
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

04/28/2024
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
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Special Notes

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
CICCONE, MICHAEL CHRISTOPHER		W	M	06/10/1957

PROBABLE CAUSE STATEMENT

Beach". On 04/27/2024 at 2215 hours Ciccone (whose name was printed on the receipt), ordered three Tito`s, one LE Bar Espresso Martini and four club sodas. The receipt says he paid on 04/28/2024 at 0021 hours. This receipt was seized and photographed on Axon Capture and uploaded to evidence.com.

At PBSO BAT, this Officer requested Ciccone provide a breath sample for the purpose of determining its alcohol content, to which he consented. At 0350 hours he blew .171 and at 0354 hours he blew .172.

Based on the results of the investigation, this Officer has probable cause to charge Michael Ciccone with driving under the influence to extent his normal faculties were impaired with an unlawful breath alcohol content, in violation of FSS 316.193(1)(C). The degree which Ciccone was impaired by alcohol was in violation of FSS 316.193(4).

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

Thomasina Miller

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 71.10)

04/28/2024

DATE

THOMASINA MILLER
Notary Public - State of Florida
Commission # HH 339641
My Comm. Expires Dec 7, 2026
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FLINK, ANDREW S (514)

NAME OF OFFICER (PLEASE PRINT)

04/28/2024

DATE

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

PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 24-057208 PBSO Zone: 3-13

Agency Case #: 24002137 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 0230 Date of Incident: 04/28/2024 Day: SUNDAY

Location of Incident: 13500-BLK ALT A1A, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 02:46 Date of Arrest: 04/28/2024 Day: SUNDAY

Location of Arrest: ALT A1A/NIGHTHAWK DR, JUPITER, FL, 33458

Subject's Name: (L) CICCONE, (F) MICHAEL, (M) CHRISTOPHER

DOB: 06/10/1957 Race: W Sex: M Height: 5'8 Weight: 155 Hair BRO Eye BRO

Address: 116 S VILLAGE WAY, JUPITER, FL 33458 Phone: (610) 428-9489

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) .171 at 0350 hrs.
2) .172 at 0354 hrs.
3) N/A at N/A hrs.
4) N/A at N/A hrs.

---BAT Use---

BAT Notified: YES
Arrival Time at BAT: 0317
Subject Arrest Time: 02:46

Breath Test Operator: MILLER 41017
PBSO

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TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: CICCONE, MICHAEL .C.

CASE NUMBER: 24-057208

DATE: Apr 28, 2024

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 03:45

ENDING TIME: 03:57

BREATH TESTS RESULTS: 1) .171 TIME 03:50 A.M. ☒ P.M. ☐ 2) .172 TIME 03:54 A.M. ☒ P.M. ☐

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

BREATH OPERATOR: T. MILLER #41017

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: APOLOGETIC

CLOTHING: WHITE LONG SLEEVE SHIRT, GRAY DRESS PANTS, BROWN LOAFERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

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COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 03:17 HRS.

SUBJECT: AGREED TO TAKE TEST.

A/O: READ RIGHTS.
SUBJECT: STATED HE UNDERSTOOD RIGHTS.

TECH: READ TEST RESULTS.
SUBJECT: STATED HE UNDERSTOOD TEST RESULTS.

NO Q & A CONDUCTED.

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CSO
Instrument Serial Number: 80-006238 Software: 8100.27
Date of Test: 04/28/2024

Date of Last Agency Inspection: 04/19/2024
Observation Period Began: 03:17
Subject's Name: MICHAEL C CICCONE DOB: 06/10/1957 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	03:48
Air Blank	0.000	03:49
Control Test	0.080	03:49
Air Blank	0.000	03:50
Subject Sample #1	0.171	03:50
Air Blank	0.000	03:51
Air Blank	0.000	03:53
Subject Sample #2	0.172	03:54
Air Blank	0.000	03:54
Control Test	0.081	03:55
Air Blank	0.000	03:55
Diagnostics Check	OK	03:55

Cylinder Lot: 06/23080A5
Exp: 04/05/2025

State of Florida, County of Palm Beach.

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

I THOMASINA E MILLER, 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: Thomasina Miller Date: 04/28/24
Signature

Sworn to (or affirmed) and subscribed before me this 28 day of April, 2024

Signature of Notary Public-State of Florida

OFC. A. Flint
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: _____ 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

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(4)(c)	Undercover personnel	
	☐	119.071(2)(e)	Confession	
Public Info. Exemptions	☐	FL Const. Art. I, s. 16(b)(5)	Marsy's Law – victim information shall be redacted. The term "victim" also includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim. The term "victim" does not include the accused (ref. page 99 of the CRTM for additional information)	
	☐	119.071(2)(j)	Home/employment telephone number, home/employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence	
	☐	119.0712(2)	Personal information contained in a motor vehicle record	
	☐	316.650(11)	Driver information contained in a uniform traffic citation	
	☐	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
Florida Rules of Judicial Administration 2.420	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	☐	(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	☐			
	☐			
	☐			
	☐			

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REVIEW COMPLETED BY

Booking Number: 2024011413	**Date:** 4/29/2024
	Specialist Name/ID#: J. Gaines/ 44177