0482226 23CT16267ANB

1247

Arrest Report

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

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
9/10/2023 02:28 PM	FHP99ARR872454	FHP23ON0478297 / RCC23IN0710352	SAGET, HORLKINS

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	09/10/2023 13:12:01 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	ATLANTIC AVE

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	I-95 NB EXT RMP		DELRAY BEACH	FL	33444

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
NADINE	MARIE	CALLON		WHITE	FEMALE	505	138	BLONDE	GRN

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	09/26/1973	50	E	C450633737260	FL	

Place of Birth:	ONTONTARIL FF CANADA

Address
* RESIDENCE / 555 BANYAN TREE LN APT V11 , DELRAY BEACH, FL 33483 /

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
9/10/2023 1:52:00 PM	PUBLIC PLACE	WESTBOUND ON ATLANTIC AVENUE

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
			PALM BEACH	DELRAY BEACH	FL	33445

Charge : S

Counts	Charge	Bond Amount	
1	316.193.3c1	$0.00	☐ No Bond

Charge Degree	Charge Level
F	MISDEMEANOR
General Offense Code	Arrest Offense Code
	DUI-UNLAW BLD ALCH

Charge Description
DUI AND DAMAGE PROPERTY

Administrative Code - Description
-

FILED PBC - GUN CLUB
'23 SEP 11 07:03

Is Arrestee Juvenile?	No
Type of Arrest	On-View Arrest (apprehension without a warrant or previous incident report)

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SCANNED
SEP 11 2023

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
9/10/2023 02:28 PM	FHP96ARR672454	FHP23ON0476297 / RCC23IN0710352	SAGET, HORLKINS

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	09/10/2023 13:12:01 -	

OBTS Number	Other Number	Clearance

Charge : S

Counts	Charge	Bond Amount	
1	316.1939.1	$0.00	☐ No Bond

Charge Degree	Charge Level
F	MISDEMEANOR
General Offense Code	**Arrest Offense Code**
	DUI-UNLAW BLD ALCH

Charge Description
REFUSE TO SUBMIT DUI TEST AFTER LIC SUSP

Administrative Code - Description
-

Is Arrestee Juvenile?	No
Type of Arrest	On-View Arrest (apprehension without a warrant or previous incident report)

Bond Set by Court

Bond Amount	
	☐ No Bond

Bond Type(s)

Probable Cause

On September 10, 2023, at approximately 1:12PM, the Lake Worth Regional Communication Center (LWRCC), advised of two vehicle car crash in the area of northbound Interstate 95 (State Road 9) exit ramp to Atlantic Avenue (State Road 806). LWRCC also advised that one of driver stated the other driver was possibly under the influence. I traveled to the above location and observed a white GMC SUV (attached Florida tag: BX08LL) stopped on the left grassy area on Interstate 95 northbound exit ramp to Atlantic Avenue. The white GMC SUV had damage to the rear portion. There was also a black BMW (attached Florida tag: D8CYQ) two door passenger vehicle that had damage to the front portion that was parked behind the white GMC SUV. I was greeted by Trooper Ong (2541/704), Trooper Ong advised me he was finished with crash investigation.

The driver of the white GMC SUV Michael Brian Haley was identified by his Florida driver license (H400542733290). Mr. Haley provided a sworn witness statement document what he had observed. As I spoke to the driver of the black BMW to which was identified by her Florida driver license (C450-633-73-726-0) as Nadine Marie Callon. I smelled the strong odor of an unknown alcoholic beverage coming from her breath as she talked. I noticed that her eyes were red and glassy, and she seemed to have slurred speech at times. Mr. Haley would be able to identify Ms. Callon as the driver of the black BMW 2 door passenger car.

After Trooper Ong was done completing the crash investigation, Trooper Ong also stated another

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witness observed the crash, Attorney Carman Leon. I informed Ms. Callon and advised her that I was beginning a criminal investigation for driving under the influence (DUI). I read Ms. Collan her Miranda Rights from a Florida Highway Patrol Miranda warning card. She stated that she understood her rights and agreed to answer my questions. I asked if she had anything to drink and she stated "no", and she denied drinking anything. As I spoke to her I continued to smell the strong odor of an unknown alcoholic beverage coming from her breath as she spoke. Her eyes were still red and glassy as well. I asked her if she willing to perform Standard Field Sobriety Exercises (SFSE) at first, she said "no". I then asked her again, in which she replied "yes".

I transported Ms. Callon in the back seat of my patrol vehicle to the Shell gas Station at 1960 W Atlantic Ave, Delray Beach, Florida 33444 to administer the Standard Field Sobriety Exercises. Prior to starting the Standard Field Sobriety Exercises she was asked health related questions regarding taking any prescribed medication, under the care of a doctor for any health issues and he stated she has neck pain and was taking Xanax. Prior to my arrival on scene, Delray Beach fire rescue personal evaluated Ms. Callon on scene and she refused treatment.

SFSEs were conducted on the paved parking lot at Shell gas station. The ground was level and free of debris and a red-light was used as a stimuli for Horizontal Gaze Nystagmus. A white line was used for the walk and turn. Ms. Callon advised she understood the instructions explained.

Horizontal Gaze Nystagmus Exercise: (Streamlight red LED used as a contrasting stimuli).

While assessing Ms. Collan eye, she was instructed to stand with her heels touching, hands at her side and to follow the tip of my red-light with her eyes and not move her head. Ms. Collan failed to follow these instructions and moved her head multiple times. I checked for resting nystagmus which were observed in both eyes, I observed a lack of smooth pursuit in both eyes. I checked for equal pupil size and equal tracking; Both pupils were equal in size in both eyes. I did observe Horizontal gaze nystagmus prior to 45 degrees in both eyes and I did observe Vertical gaze nystagmus at maximum deviation in both eyes.

Walk and Turn Exercise (A white line was used for the walk and turn. Ms. Collan advised she understood the instructions explained. Ms. Collan performed the exercise barefoot.

While conducting this exercise, Ms. Collan was instructed to put her left foot on the line, her right foot in front of her left foot, her hands at her side and to remain at this position as I explained the exercise to her. Ms. Collan did not walk heel to toe on multiple steps and improper turn. Ms. Collan used her arms for balance and took an Ms. Collan started the exercise before being told to do so.

One Leg Stand:

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Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
9/10/2023 02:26 PM	FHP99ARR872454	FHP23ON0476297 / RCC23IN0710362	SAGET, HORLKINS

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	09/10/2023 13:12:01 -	

OBTS Number	Other Number	Clearance

While conducting this exercise Ms. Collan was instructed to remain at the starting position as I explained the exercise to her. She used her arms for balance and put her foot down multiple times. She also stopped and started counting again.

Based upon the above information, Mr. Collan's performance during the SFSEs and the totality of the circumstances, I believe that Ms. Collan committed the offense of driving under the influence. Ms. Collan was placed under arrest at 13:52PM and charged with F.S 316.193.3c1. DUI with damage property. I transported Ms. Collan to the Palm Beach County Breath Alcohol Testing (BAT) facility. After a 20-minute observation period was conducted, Ms. Collan did not take anything by mouth or regurgitate. I then requested that she provide a sample of her breath for the purpose of determining its alcohol content and she stated what would happen if she refused. Florida Implied consent was read from a card provided by the BAT. She stated she understood and agreed to provide a breath sample. Ms. Collin refused to follow the breath technician instructions and kept blowing then stopping midway. She refused to complete the test at 15:23PM and stated "she will just take the fucking misdemeanor" for the DUI. Ms. Collin has a prior guilty conviction suspension for refusal to submit to lawful test of breath, Urine or Blood. She was booked at the jail with charges to FSS 316.193.3c1 and FSS 316.1939.1

All of the above events occurred in Palm Beach County, FL.

My patrol vehicle is equipped with in car video and audio that is available upon request.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
9/10/2023 06:41 PM	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	3188 PGA BLVD. PALM BEACH GARDENS, FL 33410

Court	Court Phone	Court Appearance Date / Time	Court Fine
PALM BEACH NORTH COUNTY COURTHOUSE	561-624-6808	10/11/2023 8:30AM	

Comments

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
SAGET, HORLKINS TPR 4772	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\BROW LN TO SR804

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Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
9/10/2023 02:28 PM	FHP99ARR872464	FHP23ON0476297 / RCC23IN0710352	SAGET, HORLKINS

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0609000	09/10/2023 13:12:01 -	

OBTS Number	Other Number	Clearance

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
SAGET, HORLKINS	TPR	4772

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature Horkins Saget

Sworn and subscribed before me, the undersigned authority
This the 10 day of September, 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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STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, Horlkins Saget, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Florida Highway Patrol, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 10 day of September, 20 23, at 13:52 ☒ P.M ☐ A.M.

DRIVER Nadine Marie Callon,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# C450-633-73-7260, state of Florida, was placed under lawful arrest for

the offense of DUI 316.193(3)(c)(1), 316.1939(1) by Horlkins Saget and
(Name of Arresting Officer)

issued Citation # AI24CCE, A77BS2E

That on or about the 10 day of September, 20 23, at 15:23 ☒ P.M ☒ A.M.

in PALM BEACH COUNTY County,

I requested that the driver submit to a ☒**breath and/or** ☐**urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

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

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this 10 day of September, 20 23, by _____, ~~who is personally known~~ to me or who has produced _____ as identification.

Notary Public S. O'Neal

The foregoing instrument was sworn and subscribed before me:

_____
Signature of Attesting Officer

Title _____

Date _____

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

HSMV-BAR1001 (REV. 10/2016)

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SUBJECT: Callon, Nadine M 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? going to bowling After playing golf

WHAT STREET OR HIGHWAY WERE YOU ON? on Atlantic going to bowling

DIRECTION OF TRAVEL? N WHERE DID YOU START? Golf Course

WHAT TIME DID YOU START? 30minut WHAT TIME IS IT NOW? NO 3:30

WHAT IS TODAY'S DATE? September 12 WHAT DAY OF THE WEEK IS IT? _____

WHAT COUNTY AND CITY ARE YOU IN NOW? Palmbecah Del Ray Beach

WHEN DID YOU LAST EAT? This morning 8:oc WHAT DID YOU EAT? Bagel

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? been with us

HOW MUCH DO YOU WEIGH? 138 HAVE YOU BEEN DRINKING? NO 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? Personal training 35/car WHEN DID YOU LAST WORK? yesterday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? Hips WHAT? _____

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? _____

DO YOU LIMP? _____ DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? _____

WERE YOU IN AN ACCIDENT TODAY? yes

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? _____

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? _____ WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO 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? yes,

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? yes WHERE? tennessee

INTERVIEWER: TPR. Sagat Harkins

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SUBJECT: CALLON, NADINE M 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) READ ON CAMERA

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

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

PBSO CASE # 23-108787 PBSO ZONE 4-11

AGENCY CASE # FHP23ONO476297 CRASH CASE # FHP23ONO476297

TIME OF STOP/CRASH 13:05pm DATE 9/10/23 DAY Sunday

SUBJECT'S NAME Callon (LAST) Nadine (FIRST) M (MID) RACE White SEX Female

HGT 5'05 WGT 138 DOB 06/26/73

LOCATION NB SR-9 x-Ramp to Atlantic Ave

ARRESTING OFFICER'S NAME & ID Hurlkins Sgt 4772 AGENCY FHP

DIVISION: _____

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 14:19 pm

ARREST TIME 13:52pm

BREATH RESULTS:

1) REFUSED
2)
3)

TESTING OFFICER'S ID 40577 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: 80-006029 Software: 8100.27
Date of Test: 09/10/2023

Date of Last Agency Inspection: 08/11/2023
Observation Period Began: 12:19
Subject's Name: NADINE M CALLON DOB: 06/26/1973 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	15:16
Air Blank	0.000	15:17
Control Test	0.079	15:17
Air Blank	0.000	15:18
Subject Sample #1	VNM*	15:21
Air Blank	0.000	15:22
Air Blank	0.000	15:23
Subject Sample #2	REF**	15:23
Air Blank	0.000	15:24
Control Test	0.075	15:24
Air Blank	0.000	15:25
Diagnostics Check	OK	15:25

*Volume Not Met (0.171 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**Subject Test Refused

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 MADELIN GONZALEZ, 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: 09/10/23
Signature

Sworn to (or affirmed) before me this 10 day of September, 2023

_____ TOR. H. SAGET
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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TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: CALLON, NADINE M

CASE NUMBER: 23-108787

DATE: Sep 10, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 15:11

ENDING TIME: 15:31

BREATH TESTS RESULTS: 1) .VNM TIME 15:21 A.M.☐ P.M.☒ 2) .R TIME 15:23 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: M. GONZALEZ #40577

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM ,QUIET, POLITE

CLOTHING: PINK SKIRT, BLACK TOP, BEIGE FLORAL SANDAL WEDGES

MEDICAL CONDITIONS: HIP DYSPLASIA

MEDICATIONS: NONE

REFUSED

OTHER:

TPR. P. CHERY # 5154 FHP-L

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 14:19 HRS.

SUBJECT: ASK WHAT WOULD HAPPEN IF SHE REFUSED

A/O: READ I/C
SUBJECT: STATED SHE UNDERSTOOD I/C AND AGREED TO TAKE TEST.

SUBJECT: REFUSED TO FOLLOW TECHNICIAN INSTRUCTIONS KEPT BLOWING & STOPPING
SUBJECT: REFUSED TO COMPLETE TEST AT 15:23.

A/O: READ RIGHTS TWO TIMES
SUBJECT: STATED SHE UNDERSTOOD RIGHTS.

A/O: CONDUCTED Q & A
SUBJECT: ANSWERED QUESTIONS

REFUSED

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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	☐	119.0712(2)	Other: Personal information contained in a motor vehicle record.	
	☐	316.650(b)	Other: Driver information contained in a uniform traffic citation	

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REVIEW COMPLETED BY

Booking Number: 2023023811	**Date:** 9/11/2023
	Specialist Name/ID: M. Tooks #8557