50-2023-CT-002776-ANB

ARREST / NOTICE TO APPEAR

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

1 JUVENILE M

ADMINISTRATION

OBTS Number

Agency ORI Number: 0501700
Agency Name: Jupiter Police Department
Agency Report Number (N.T.A.'s only): 5 4 23-000663

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other
If Weapon Seized, Enter Type: UNARMED
Multiple Clearance Indicator:

Location of Arrest (Including Name of Business): 1111 LOVE ST, JUPITER, FL 33477
Location of Offense (Business Name, Address): 3399 S US HIGHWAY 1/SEA COLONY DR, JUPITER, FL 33477

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
02/12/2023	00:43					

DEFENDANT

Name (Last, First, Middle): GRECCO, NICHOLAS FERNANDO
Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	10/02/1995	5'10	225	BROWN	BLACK	FAIR	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):
Marital Status: S
Religion: OTHER
Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk. Drug Influence
Local Address (Street, Apt. Number) (City) (State) (Zip): 5677 NW 89TH AVE, CORAL SPRINGS, FL 33067
Phone:
Residence Type: 1. City 3. Florida 2. County 4. Out of State: 1
Permanent Address (Street, Apt. Number) (City) (State) (Zip): 5677 NW 89TH AVE, CORAL SPRINGS, FL 33067
Phone:
Address Source: VERBAL
Business Address (Name, Street) (City) (State) (Zip):
Phone:
Occupation: FI DI

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
G620626953620 / FL	[redacted]		BOCA RATON, FL,	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 ☐ Other: ☐ Legal Custodian
Name (Last, First, Middle):
Residence Phone:
Address (Street, Apt. Number) (City) (State) (Zip):
Business Phone:
Notified by: (Name) Relationship: N/A Date: Time: JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated
Released To: (Name) Date: Time:
The above address was provided by ☐ defendant and/or ☐ defendant's parents.
The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.
☐ Yes, by: ☐ No:
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. Disperses/ 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. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI - DAMAGE TO PERSON/PROPERTY	316.193(3)(C)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant:
Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries
Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health
PROPERTY - Received By:
Released By:
Released To: N/A

Transported By:
Date Transported:
Time Transported:
Other:

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): North County PALM BEACH GARD
Court Date and Time: 03/15/2023 08:30:00

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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

No Photo Available

Signature of Defendant (or Juvenile and Parent/Custodian)
Date Signed

ADMIN

HOLD for Other Agency
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other
Issuing Deputy: Bonilla I.D.: 1834 Pouch #:
Signature of Arresting Officer:
Name of Arresting Officer (Print): NOBLE, RILEY I.D. #: 1226
Transporting Officer: NOBLE, RILEY I.D. #: 1226 Agency: JPD
Name Verification (Printed by Arrestee) (PRINT):
Witness here if subject signed with an "X".

PAGE 1 OF 1

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0538184 GENTREE 1103 1282

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 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-000663

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
GRECCO, NICHOLAS FERNANDO		W	M	10/02/1995

CHARGES

Charge Description	Charge Description
316.193(3)(C)(1) DUI - DAMAGE TO PERSON/PROPERTY	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
GALLAGHER, CALEB RILEY	W	M	07/09/2003

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
1769 SW ARDMORE ST, PORT ST LUCIE, FL 34953		
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 12 day of February, 2023 at 03:11 (Specifically include facts constituting cause for arrest.)

On Sunday February 12th 2023, at approximately 0007 hours, I was dispatched to the area of S Us Highway 1/Sea Colony Drive in reference to a traffic crash that had just occurred. According to the caller a larger blue/gray truck or SUV left the area northbound after hitting a white Chevy. While I was en-route to the call, I witnessed a large blue truck with possible front-end damage traveling northbound on US1/Ocean Way from where the crash occurred.

Upon arrival, I made contact with the driver of the white Chevy, Caleb Gallagher (W/M 07/09/2003), who was outside of his totaled vehicle. Gallagher stated that he saw a blue truck going extremely fast behind him and rear-end his car, causing him to go over the median into the opposite lane of travel ending up in the southbound lanes in the grass. While speaking with Gallagher, Officer Castaneda, who was working an off-duty detail at Square Grouper (local bar) stated that a truck matching the same description with heavy front-end damage just pulled into the parking lot. I left Gallagher with Officer Zaino on-scene and went to Square Grouper. Upon arrival at Square Grouper, I made contact with Officer Castaneda who advised that he witnessed the blue Dodge truck pull into the parking lot and attempt to leave when the driver saw him. Officer Castaneda stated that he was able to walk over to the truck and get the driver to stop and exit the vehicle until I arrived on-scene.

I made contact with the sole occupant, driver, and registered owner of the blue Dodge truck (bearing FL Tag# ICVY34), Nicholas Grecco (W/M 10/02/1995). I introduced myself and read Grecco his Miranda warnings from a pre-printed card as he was a suspect for a Hit & Run investigation. Grecco stated that he did not think he was in a crash and did not know the front of his truck had any damage. I showed Grecco the front of his truck and he acted quite surprised and stated that he did not remember hitting anyone or anything. While speaking with Grecco, he was very uneasy on his feet, had blood-shot glassy eyes, and the odor of an unknown alcoholic beverage emanating from his breath

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

K. O'Neal

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

02-12-23

DATE

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

1226

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

NOBLE, RILEY (1226)

NAME OF OFFICER (PLEASE PRINT)

02/12/2023

DATE

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

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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 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-000663

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
GRECCO, NICHOLAS FERNANDO		W	M	10/02/1995

PROBABLE CAUSE STATEMENT

that intensified as he spoke. I advised Grecco that he had struck a white vehicle, causing totaling/major damage and left the scene of the accident. Grecco continued to declined being in an accident, however, could not tell me where the damage on his truck came from. I advised Grecco that I had completed my crash investigation and found him at fault for the Hit & Run crash and would be changing hats from a crash investigation to DUI investigation. Due to the fact I had already read Grecco his Miranda Warnings, I did not read them again. Grecco admitted to having multiple drinks (approximately over 6) at different locations and stated on a scale of "1-10", 1 being stone cold sober and 10 being the most drunk he has ever been in his life, would put himself at a "7".

Based on the aforementioned events, I requested Grecco participate in Standardized Field sobriety tasks. Grecco appeared unsure as to if he would participate and I advised him that if he refused to participate in the tasks I have requested of him, that I would have to base an arrest decision on what I have seen so far and it can be used against him in a court of law. Grecco stated he understood and would participate.

I first began with the Horizontal Gaze Nystagmus task. I instructed Grecco to stand with his feet touching (heel & toes) and to keep his arms down at his side to which he struggled to do. I demonstrated to Grecco that he would be following my stimulus (red light) with his eyes and his eyes only and to keep his head still at all times. Grecco stated he understood the instructions and was ready for me to continue. Grecco eyes had no resting nystagmus in either eye and both eyes tracked together equally. I observed lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and onset of nystagmus prior to 45 degrees in both eyes. He did have vertical Nystagmus in both eyes. Multiple times throughout this task Grecco stopped following the stimulus with his eyes and was noticeably swaying back and forth.

The second task was the Walk & Turn task. I demonstrated and instructed Grecco to stand on the yellow parking line and to place his left foot onto the line and his right foot touching his left foot heel to toe with his arms at his side. Grecco got into the starting position and was unable to maintain it, using his arms for balance and almost falling over. I instructed/demonstrated Grecco to take nine heel-to-toe steps down the line and take a series of small steps then return down the line heel-to-toe taking nine steps while making sure to count out loud, look at his feet at all times, do not use his arms for balance, and do not stop walking. He stated he did not have any questions and understood the directions and was told to begin when ready. Grecco stood there and did not move aside from picking up his foot and placing it down while also twitching his hands. I asked Grecco if he remembered the instructions to which he stated he did, however, continued to stand in the incorrect starting positon and not move or follow any of the directions I gave him.

The third task was the One Leg Stand. I instructed Grecco to stand with his feet touching (heel & toes) and to keep his arms down at his side, to which he struggled to

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. [illegible])

02.12.23
DATE

SHERRI 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

NOBLE, RILEY (1226)
NAME OF OFFICER (PLEASE PRINT)

02/12/2023
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: FL 0501700	Agency Name: JUPITER POLICE DEPARTMENT	Agency Report Number: 5 | 4 | 23-000663		
	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
	GRECCO, NICHOLAS FERNANDO		W	M	10/02/1995

PROBABLE CAUSE STATEMENT

keep his heels and toes touching without swaying around. I instructed/demonstrated to Grecco that he would be raising the leg of his choice approximately 6 inches off the ground while keep his foot parallel to the ground and counting out loud until I told him to stop. After demonstrating he stated he understood. Grecco did not raise his foot approximately 6 inches off the ground, only held it up for approximately 2-3 seconds, and did not count out loud as instructed.

The fourth task was the Finger to Nose. I instructed Grecco to stand with his feet touching (heel & toes) and to keep his arms down at his side with his pointer fingers pointed outward. I instructed/demonstrated Grecco that I would be calling left (L) or right(R), when I do, with his head tilted back and eyes closed, he would take the tip of the finger I called and touch it to the tip of his nose and was shown the difference between the tip/pad/nail. He stated he understood and did not have any questions. I called out the fingers in the standardized order of L, R, L, R, R, and L. When I called "L" Grecco raised his left arm out straight and left it there for a few seconds before turning his head to the left and completely missing the tip of his nose. For the remainder of this task and for the following, R, L, R, R, L, Grecco would turn his head to each side while raising up his hands/finger and dancing his finger around his nose/face area, making contact all over his face.

The fifth and final task was the Romberg Alphabet. I instructed Grecco to stand with his feet touching (heel & toes) and to keep his arms down at his side. He was instructed to tilt his head back and close his eyes while reciting the alphabet in a non-rhythmical manner. Grecco recited the alphabet as the following;
A,B,C,D,E,F,G,H,I,J,K,L,M,N,P,Q,R,S,Q,R,E..."umm I feel fucking dumb".

Based on my investigation, observations, and totality of circumstances, I have probable cause to believe that Nicholas Grecco was in actual physical control of a vehicle while under the influence of an alcoholic beverage, chemical, or controlled substance, to the point where his normal faculties were impaired, contrary to F.S 316.193. He was placed into handcuffs that were properly spaced and double-locked per department policy and placed into the rear of my patrol car at 0043 hours.

I then transported Grecco to the Palm Beach County Breath Alcohol Testing center, arriving at 0118 hours. I placed Grecco under a 20 minute observation period, during which he neither consumed nor regurgitated anything. We then went on video with BAT technician Bell #8656. I requested Grecco provide a breath sample to which he initially refused and was read implied consent from a pre-printed template. Grecco stated he understood and would provide a breath sample. He provided two breath samples of .279 & .285.

I placed Grecco in holding while all necessary paperwork was completed. I then transported Grecco to the Jupiter Medical Center for Medical clearance and subsequently

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

K. O'Neal

NOTARY PUBLIC / CLERK OF COURT / OFFICER P.S. KIMBERLY O'NEAL

02-12-23

DATE

KIMBERLY 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

NOBLE, RILEY (1226)

NAME OF OFFICER (PLEASE PRINT)

02/12/2023

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
	GRECCO, NICHOLAS FERNANDO		W	M	10/02/1995

PROBABLE CAUSE STATEMENT

booked him into the Palm Beach County Jail. He was given a criminal court date of 03/15/2023, 0830 hours.

The above incident was captured on BWC. This narrative is a summary of the events and not purported to be verbatim.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

02-12-23
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SHANI L. O'NEAL
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COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

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

PBSO CASE # 23-035725 PBSO ZONE 3-14

AGENCY CASE # 23000663 CRASH CASE # 23000663

TIME OF STOP/CRASH 0007 DATE 02/12/2023 DAY Sunday

SUBJECT'S NAME Grecco (LAST) Nicholas (FIRST) F (MID) RACE W SEX M

HGT 510 WGT 225 DOB 10/02/1995

LOCATION 1111 Love Street, Jupiter Fl 33477

ARRESTING OFFICER'S NAME & ID Noble 1226 AGENCY JPD

DIVISION:

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 0118

ARREST TIME 0043

BREATH RESULTS:

1) .279
2) .285
3) N/A
4) N/A

TESTING OFFICER'S ID 8656 PBSO VIDEOTAPE #

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TESTING FACILITY TASK REPORT

AGENCY: JPD

SUBJECT: GRECCO, NICHOLAS FERNANDO

CASE NUMBER: 23-035725

DATE: Feb 12, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0142

ENDING TIME: 0157

BREATH TESTS RESULTS: 1) .279 TIME 0148 A.M. ☒ P.M. ☐ 2) .285 TIME 0157 A.M. ☒ P.M. ☐

3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED, FAST

ATTITUDE: FIDGETY, COOPERATIVE

CLOTHING: BLUE HOODED LONG SLEEVE SHIRT, BLUE JEANS, NO SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: BLOODSHOT, GLASSY

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

A/O ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0118 HOURS

SUBJECT STATED HE WOULD NOT TAKE BREATH TEST

A/O READ I.C
SUBJECT STATED HE UNDERSTOOD I.C
SUBJECT STATED HE WOULD TAKE BREATH TEST

BREATH TEST COMPLETED

A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD HIS RIGHTS

TECH READ BREATH TEST RESULTS
SUBJECT STATED HE UNDERSTOOD BREATH TEST RESULTS

A/O CONDUCTED Q AND A
SUBJECT ANSWERED Q AND A

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WITNESS LIST

CASE NUMBER: 23000663

ARRESTING OFFICER: Noble

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME): _____ (WORK) (561) 746-6201

CAN TESTIFY TO: PC

NAME: Officer Castaneda

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: found suspect vehicle/driver

NAME: Officer Zaino

ADDRESS 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: Back-up officer on crash scene

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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SUBJECT: [redacted] CASE NUMBER: [redacted]

IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

I am now requesting that you submit to a lawful test of your ***BREATH*** for the purpose of determining its alcohol content.

OR

I am now requesting that you submit to a lawful test of your ***URINE*** for the purpose of determining the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am _____ of the _____

If you refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your ***breath, urine*** or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,

If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

SUBJECTS SIGNATURE: (X)_____

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: (X)_____

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

SUBJECT: _____ F _____ 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: 2023004064	**Date:** 2/13/2023
	Specialist Name/ID: T.Howard/7185