23 CT 15694 - N3

☐ 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: FLO 5 0 2 6 0 0

Agency Name: PALM BEACH GARDENS POLICE DEPARTMENT

Agency Report Number: 78 - 23004424

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): ALT A1A/PGA BLVD, PALM BEACH GARDENS, FL 33410

Location of Offense (Business Name, Address): 5410 DONALD ROSS RD, PALM BEACH GARDENS, FL, 33418

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
08/31/2023	21:02					KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): COFFMAN, RACHAEL, M

Alias (Name, DOB, Soc. Sec. #, Etc.):

Race (W - White I - American Indian B - Black O- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	10/06/1974	503	120	HAZ	BLN	LGT	SML

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

Marital Status: SINGLE | Religion: OTHER

Indication of: Alcohol Influence (Y ☑ N ☐ Unk. ☐) Drug Influence (Y ☐ N ☐ Unk. ☑)

Local Address (Street, Apt. Number) (City) (State) (Zip): 1751 DELANEY DR, INDIANAPOLIS, IN 46217

Phone: (317) 502-0817

Residence Type: 1. City 2. County 3. Florida 4. Out of State | 2

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 1751 DELANEY DR, INDIANAPOLIS, IN 46217

Phone:

Address Source: 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
1960040384 IN	[redacted]		INDIANAPOLIS, IN	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
				☐ 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. OR 2. OR 3. OR

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 D. Deliver E. Use R. Smuggle 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
N	N	REF			O R

(1)

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI PROPERTY DAMAGE	2	☐Y ☒N	316.193(3)(C)(1)	

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

(2)

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
LEAVE SCENE OF CRASH INVOLVE DAMAGE TO PROP	1	☐Y ☑N	316.061(1)	

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

(3)

CHARGE

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

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

FILED PBC - CIRCUIT
'23 SEP 1 AM 7:45

NOTICE TO APPEAR

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

Court Date and Time: Month OCTOBER Day 4 Year 2023 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

X Signature of Defendant (or Juvenile and Parent /Custodian) — Date Signed: 08/31/2023

ADMIN

HOLD for other Agency Name:

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Intake Deputy: I.D.# Pouch #

Signature of Arresting Officer: X

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

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

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an -X"

PAGE 1 OF 1

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1016

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-004424

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
COFFMAN, RACHAEL M		W	F	10/06/1974

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	316.193(3)(C)1 DUI - CAUSING PROPERTY DAMAGE
316.061(1) LEAVING SCENE OF CRASH PROPERTY DAMAGE	

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
BAGATELL, MICHAEL JASON	W	M	05/03/1970

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
462 ORIOLE LN, JUPITER, FL 33458	(561) 379-5042	

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 31 day of August, 2023 at 20:21 (Specifically include facts constituting cause for arrest.)

On 08/31/2023 at approximately 2021 hours, this Officer was dispatched to the parking lot of 5410 Donald Ross Rd, PBG, FL, in regard to a hit and run collision. Body worn camera and in car video were used.

The caller, Jack Bagatell (WI) said he was involved in a collision in the parking lot and the other vehicle, a gray Toyota RAV4 (AS64UE/FL) departed and was now south bound on Alt A1A. Bagatell provided a description of the driver as an older white female with light hair and said the Toyota would have driver side damage. Ofc Lovett 523 observed the vehicle in the area of Alt A1A and PGA Blvd and conducted a traffic stop on same. This Officer made contact with the driver, identified via Indianapolis Driver License photo, Rachael Coffman (OF), while she was still in actual physical control of same. Coffman had glassy watery eyes, a slur in her speech, flushed red face and the obvious odor of an unknown alcoholic beverage emanating from her breath at conversational distance. Coffman said she was coming from Publix and thought when she struck the other vehicle only the mirrors touched. Coffman was unaware her vehicle had scratches and dents along both driver side doors. Coffman said she asked the other driver if they were ok, then departed because that is all she thought she needed to do.

Bagatell responded to the stop location to provide his statement. Bagatell provided a sworn statement to this Officer saying he was traveling south bound through the parking lot away from Ale House and toward Publix, when he slowed while entering the Publix lot. Bagatell further advised the Toyota attempted a left-hand turn and struck his vehicle, a Lincoln MKC (VJ31C/FL) on the driver side of the rear bumper. Bagatell said the other vehicle briefly stopped and the driver spoke with him, then the vehicle departed. Bagatell said he was "100 percent" sure the vehicle stopped ahead of Ofc Lovett, was the vehicle involved.

Ofc Hennessy 409 advised Coffman of her Miranda Warnings to which she said she

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER, U.S.S. Renee Ragin

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

08/31/2023
DATE

SIGNATURE OF ARRESTING/INVESTIGATING OFFICER

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

08/31/2023
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 | 23-004424

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
COFFMAN, RACHAEL M		W	F	10/06/1974

PROBABLE CAUSE STATEMENT

understood. After completing initial crash paperwork and releasing Bagatell, this Officer notified Coffman of the changing of the investigation to a separate independent investigation for driving under the influence. Coffman said prior to Publix she was at her brother`s house. Coffman denied consuming alcohol, narcotics and/or Cannabis on this night. This Officer asked to Coffman to exit the vehicle to continue the investigation. Prior to starting roadside exercises, Coffman said she did not have any medical conditions which would affect them.

The first exercise conducted, was the Horizontal Gaze Nystagmus. The stimulus used was a Streamlight Stylus with an illuminated red tip. Coffman had a lack of smooth pursuit in both eyes and sustained involuntary jerking in both eyes at maximum deviation. Coffman had a lack of convergence in her left eye.

The second exercise conducted, was the Walk and Turn. The line used was a strip of yellow tape placed upon the sidewalk by this Officer. During the instructions, Coffman started prior to being told to do so. During the first set of steps, Coffman missed heel-to-toe on all steps. Coffman conducted an improper turnaround by way of taking one wide step. During the return set of steps, Coffman missed heel-to-toe on eight steps.

The third exercise conducted, was the One-Leg Stand. During the exercise, Coffman raised her right foot. Coffman swayed side-to-side and kept her arms raised more than six inches from her sides.

The fourth exercise conducted, was the Finger to Nose. During the exercise, the following was observed: after being told to begin, Coffman closed her eyes, then opened them again. First command of Left, she touched above the tip of her nose. First command of Right, she hesitated prior to touching her nose and used the pad of her finger to touch her nose. Second command of Left, she hesitated prior to touching her nose and used the pad of her finger to touch her nose. Second command of Right, she touched above the tip of her nose. Third command of Right, she touched above the tip of her nose. Final command of Left, she touched the tip of her nose with the pad of her finger.

The final exercise conducted, was the Modified Rhomberg Balance. Coffman estimated the passage of 30 seconds in approximately 24 seconds.

Based on this Officer`s observations, Coffman was placed under arrest at 2102 hours. At the PBSO BAT, this Officer conducted the 20 minute observation period with no issues. This Officer requested Coffman provide a breath sample for the purpose of determining its alcohol content, to which she consented. At 2212 hours Coffman provided a partial breath sample of .052. This Officer advised Coffman of Florida Implied Consent and explained to her failure to submit to the test is the same as a refusal, to which she acknowledged and agreed to continue. At 2217 hours, she provided another partial breath

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (P.S.) Renee Ragin

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

08/31/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

08/31/2023
DATE

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

OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 23-004424

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
COFFMAN, RACHAEL M		W	F	10/06/1974

PROBABLE CAUSE STATEMENT

sample of .045. These partial breath samples were obtained two hours after first contact. After the second partial breath sample, this was taken as a failure to submit at 2218 hours.

Based on the results of the investigation, this Officer has probable cause to charge Rachael Coffman with driving under the influence to the extent her normal faculties were impaired, in violation of FSS 316.193(1)(A). Coffman damaged property belonging to another person while driving under the influence, in violation of FSS 316.193(3)(C)(1). Lastly, Coffman failed to remain at the scene of a vehicle collision involving property damage, in violation of FSS 316.061(1).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

08/31/2023
DATE

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

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

08/31/2023
DATE

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

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006478 Software: 8100.27
Date of Test: 08/31/2023

Date of Last Agency Inspection: 08/11/2023
Observation Period Began: 21:37
Subject's Name: RACHAEL M COFFMAN DOB: 10/06/1974 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	22:07
Air Blank	0.000	22:08
Control Test	0.079	22:08
Air Blank	0.000	22:09
Subject Sample #1	VNM*	22:12
Air Blank	0.000	22:13
Air Blank	0.000	22:14
Subject Sample #2	VNM**	22:17
Air Blank	0.000	22:18
Control Test	0.076	22:19
Air Blank	0.000	22:19
Diagnostics Check	OK	22:19

*Volume Not Met (0.052 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**Volume Not Met (0.045 - Breath Sample Not Reliable to Determine Breath Alcohol Level)

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

State of Florida, County of Palm Beach.

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

I RENEE M RAGIN, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____ Date: 08/31/23
Signature

Sworn to (or affirmed) before me this 31 day of Aug., 2023

_____ Ofc. A. Flynk #514
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

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PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 23-105543 PBSO Zone: 3-13

Agency Case #: 23004424 Crash Case #: 25157721

Incident Information:

Time of Stop/Crash: 2012 Date of Incident: 08/31/2023 Day: THURSDAY

Location of Incident: 5410 DONALD ROSS RD, PALM BEACH GARDENS, FL, 33418

Arrest Information:

Time of Arrest: 21:02 Date of Arrest: 08/31/2023 Day: THURSDAY

Location of Arrest: ALT A1A/PGA BLVD, PALM BEACH GARDENS, FL 33410

Subject's Name: (L) COFFMAN, (F) RACHAEL, (M) M

DOB: 10/06/1974 Race: W Sex: F Height: 503 Weight: 120 Hair BLN Eye HAZ

Address: 1751 DELANEY DR, INDIANAPOLIS, IN 46217 Phone: (317) 502-0817

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) .VNM at 22:12 hrs.
2) .VNM at 22:17 hrs.
3) ____ at ____ hrs.
4) ____ at ____ hrs.

REFUSED

---BAT Use---

BAT Notified:	YES
Arrival Time at BAT:	2137
Subject Arrest Time:	21:02

Breath Test Operator: RAGIN 16877
PBSO

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TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: Coffman, Rachael M.

CASE NUMBER: 23 -105543

DATE: Aug 31, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 22:05

ENDING TIME: 22:19

BREATH TESTS RESULTS: 1) .VNM TIME 22:12 A.M.☐ P.M.☒ 2) .VNM TIME 22:17 A.M.☐ P.M.☒

3) Refused TIME 22:18 A.M.☐ P.M.☒ 4) N/A TIME ——— A.M.☐ P.M.☐

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

REFUSED

SPEECH: Slurred

ATTITUDE: Calm, cooperative, talkative

CLOTHING: Blue jeans, white t-shirt, blue jean jacket, black sneakers

MEDICAL CONDITIONS: Thyroid, Insomnia

MEDICATIONS: Lexapro, Seoquel

OTHER:

Eyes are red
Odor of unknown alcoholic beverage on breath

COMMENTS:

Arrived at center A/O started 20 minute observation period at 21:37 hrs.

Subject agreed to perform breath test.

Subject refused to follow Tech. instruction to keep a tone for 10 sec.

A/O read I/C and subject stated she understood I/C.

Subject agreed to take test.

Subject refused to follow Tech. instruction again to keep a tone for 10 sec.

A/O read rights.
Subject stated she understood rights.

REFUSED

No Q&A.

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23004424

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, A. FLINK, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of PALM BEACH GARDENS POLICE DEPARTMENT, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the 31ST day of AUGUST, 2023, at 21:02 ☑P.M. ☐A.M.

DRIVER RACHAEL M COFFMAN,
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # 1960040384, state of IN, was placed under lawful arrest for

the offense of DRIVING UNDER THE INFLUENCE by A. FLINK and
(Name of Arresting Officer)

issued citation # AHU7X3E.

That on or about the 31ST day of AUGUST, 2023, at 2218 ☑P.M. ☐A.M.

in PALM BEACH County,

I requested that the driver submit to a **BREATH** test for the purpose of determining its alcohol content. I informed the driver that the refusal to submit to such test 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, or if he or she had been previously fined under s. 327.35215, F.S., 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, or if he or she has been previously fined under s. 327.35215, F.S., for refusal to submit to a lawful test of his or her breath, urine, or blood. Nonetheless, the driver refused to submit to the test requested.

Signature of Law Enforcement Officer or Correctional Officer

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

Notary Public State of Florida
Renee Ragin
My Commission GG 966418
Expires 03/08/2024
(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this 31ST day of AUGUST, 20 23, by A. FLINK, who is personally known to me or who has produced _____ as identification.

Notary Public _____

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title _____

Date 08/31/2023

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.

USA CERTIFIED COPY

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: 2023022957	**Date:** 9/1/2023
	Specialist Name/ID: Chantel Daniels/30347