0544418 23CT19217ASB

Arrest Report

1807

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

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
10/23/2023 07:59 AM	FHP99ARR869571	FHP23ON0556364 / RCC23IN0828001	FANEGO, DAVID

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	10/23/2023 05:44:21 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	SB I-95 NOF 6TH AVE R/S

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
			LAKE WORTH	FL	33460

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
RACHEL	LAUREN	CAMPBELL		WHITE	FEMALE	503	108	BRO	BRO

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	04/07/1991	32	E	C514732916270	FL	

Place of Birth:	ORLANDO FL UNITED STATES OF AMERICA

Address
* RESIDENCE / 6503 N MILITARY TRL APT 902, BOCA RATON, FL 34786 /

Arrest

OCT 23 AM10:52

Arrest Date/Time	Arrest Location Type	Arrest Location Description
10/23/2023 7:11:45 AM	BUSINESS	CUBE SMART STORAGE PARKING LOT

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
1900	6TH AVE S		PALM BEACH	LAKE WORTH	FL	33461

Charge : S

Counts	Charge	Bond Amount	
1	316.193.1c	$0.00	☐ No Bond

Charge Degree	Charge Level
S	MISDEMEANOR

OCT 23 AM10:50

General Offense Code	Arrest Offense Code
	DUI-UNLAW BLD ALCH

Charge Description
DUI BREATH ALCOHOL 0.08 OR MORE PER 210 L

Administrative Code - Description
-

FILED PBC - GUN CLUB
'23 OCT 24 AM7:41

Bond Set by Court

Bond Amount	
	☐ No Bond

Bond Type(s)

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SCANNED
OCT 24 2023

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Probable Cause

On October 23rd, 2023 I was filling my assigned patrol vehicle with gas at the Shell Gas station located off Linton Blvd and Congress Avenue when I was dispatched by Lake Worth Regional Communication Center (LWRCC) to a disabled vehicle that Palm Beach County Road Ranger Francis (district 4) had stopped out with. The vehicle had run out of gas southbound on Interstate 95 (State Road 9) north of 6th Avenue South and was stopped in the right shoulder. Road Ranger Francis was concerned that the driver might be under the influence of alcohol so he asked for a trooper to respond. Upon my arrival, I spotted a white sedan (Florida Tag# DRBF54) stopped with its gas cap off and gas tank door open located in the right shoulder partially blocking the outside lane. The driver of the vehicle, later positively identified as Rachel Lauren Campbell (FL DL#: C-514-732-91-627-0) was sitting in the passenger seat with the door open. I parked my vehicle in the outside lane with my emergency lights activated and exited my vehicle. I asked Ms. Campbell if she would be okay with me moving her vehicle off the roadway, she stated she would. While speaking with Ms. Campbell, I immediately detected the strong odor of an unknown alcoholic beverage emanating from Ms. Campbells breath, slurred speech and glossy/bloodshot eyes. I advised the road ranger that I would push Ms. Campbell's vehicle from the rear using my patrol vehicle, and that he would steer. After moving Ms. Campbell's vehicle completely within the right shoulder, I parked my patrol vehicle directly behind Ms. Campbell's vehicle. I exited my vehicle and asked Ms. Campbell if she would be willing to perform some Standardized Field Sobriety Exercises (SFST's). Ms. Campbell initially refused to perform SFST's , however, after informing her that I would have to use what factors I had observed so far to determine if she was driving under the influence, she stated that she would perform them. Note, the walk and turn and the one leg stand were performed at the Cube Smart parking lot located at 1900, 6th Ave S, Lake Worth, FL 33461.

The first exercise I asked Ms. Campbell to perform was the Horizontal Gaze Nystagmus exercise. I instructed Ms. Campbell to stand with her feet together (heels and toes), to keep her hands down to her sides, and to keep her head still and to follow the tip of my finger using her eyes only. Ms. Campbell stated she understood. The following was observed:
-No resting nystagmus.
-Orbital sway throughout the exercise.
-Equal tracking in both eyes.
-Moved head multiple times throughout exercise and had to be told multiple times to stop moving her head.
-Lack of smooth pursuit in both eyes.
-Distinct and Sustained Nystagmus in both eyes at Maximum Deviation.
-Onset of Nystagmus prior to 45 degrees in both eyes.
-No Vertical Gaze Nystagmus.

The following exercise was the Walk and Turn. This was done using a parking line at the Cube Smart Storage parking lot which was well-lit and level. I asked Ms. Campbell if she could see the white line and if it was level, she stated it was. I explained to Ms. Campbell that she was to put her left foot on the line and place her right foot in front of it, with her heel touching her toes, and to keep her hands down

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to her sides. I demonstrated the exercise and then advised Ms. Campbell to maintain that position and to not start until told to do so. Ms. Campbell stated he understood my instructions. I told Ms. Campbell that when told to begin, she was to take nine heel-to-toe steps down the line, and on her ninth step, she was to take a series of small steps to turn around. She was then to return back down the line while taking nine heel-to-toe steps. I then informed her that while walking, she was to watch her feet at all times, keep her arms down to her sides and count her steps out loud. Ms. Campbell was told that once she began, she was not to stop until the exercise was completed. Ms. Campbell stated she understood my instructions. The following was observed:
-Could not keep balance while listening to my instructions.
-Did not maintain starting position 6 times.
-Began exercises early 3 times, even after I told her I would advise her when to begin.
-Did not count out load for 6 steps throughout the entire exercise
-First iteration of nine heel-to-toe steps:
-Did not keep her hands down at her side, raising them 6 inches or more and used them for balance for steps 1,2,4,5,6, and 7 on the first nine steps.
-Ms. Campbell performed 10 steps
-Missed heel-to-toe steps on 1,2,3,7,8.
-Second iteration of nine heel-to-toe steps:
- Did not keep her hands down at her side, raising them 6 inches or more and used them for balance for all steps
-Stepped off line 4 total times

The following exercise was the One Leg Stand. I demonstrated to Ms. Campbell that she was to stand with her feet together and with her arms down at her sides. Ms. Campbell was told not to begin until told to do so. Ms. Campbell stated she understood the instructions. I then informed Ms. Campbell that when told to begin, she was to raise either leg of her choice approximately 6 inches off the ground. She was then to keep her foot parallel to the ground, keep both legs straight and to look at her raised foot. I advised Ms. Campbell that while holding that position, she was to count out loud by thousands until told to stop. Ms. Campbell stated she understood my instructions. The following was observed:
-Began early once
-Raised her right leg.
-Swayed while balancing
-Used arms for balance

Based on my observations and the totality of the circumstances, I determined that Ms. Campbell had her normal faculties impaired and placed her under arrest at 07:11AM for Driving Under the Influence (DUI). We arrived at the Palm Beach County Jail at 07:38AM and a 20-minute observation period began at 07:40AM. During her 20-minute observation period, Trooper Dorival (4826) and I verified that she did not take anything by mouth or regurgitate. At approximately 08:03AM, Ms. Campbell initially refused to give breath samples and was read implied consent. After being read implied consent, Ms. Campbell stated she would give breath samples. At 08:12AM, Ms. Campbell gave her first breath

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FL0509000	10/23/2023 05:44:21 -	

OBTS Number	Other Number	Clearance

sample which was a .166. At 08:16AM, Ms. Campbell's second breath sample yielded the result of .160.

Ms. Campbell was placed under arrest by myself (Trooper Fanego) in Palm Beach County, Florida, where I am a sworn law enforcement officer.

Ms. Campbell is being charged with DUI. Her vehicle was towed by Gardens towing and inventoried by Lt. Handzik (3268) of the Florida Highway Patrol. At approximately 10:30AM, Ms. Campbell was transferred into the custody of the Palm Beach County Jail personnel.
All of the above events occurred in Palm Beach County, Florida.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
10/23/2023 09:30 AM	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	200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444

Court	Court Phone	Court Appereance Date / Time	Court Fine
PALM BEACH SOUTH COUNTY COURTHOUSE	561-274-1530	11/21/2023 9:00AM	

Comments

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
A. DORIVAL TPR 4826	ASSISTING	FLORIDA HIGHWAY PATROL FHPK\LWRCC\WPB\SR91 88-103
FANEGO, DAVID TPR 4996	PRIMARY / REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\BROW LN TO SR804

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FL0509000	**10/23/2023 05:44:21 -**	

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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
FANEGO, DAVID	**TPR**	**4996**

Officer Agency

FLORIDA HIGHWAY PATROL

Officer Signature

Sworn and subscribed before me, the undersigned authority

This the 23 day of October, 2023

DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

THOMAS HENRY LEAHEY
Notary Public - State of Florida
Commission # HH 408332
My Comm. Expires Jun 20, 2027
Bonded through National Notary Assn.

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

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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: 80-006240 Software: 8100.27
Date of Test: 10/23/2023

Date of Last Agency Inspection: 10/20/2023
Observation Period Began: 07:40
Subject's Name: RACHEL L CAMPBELL DOB: 04/07/1991 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	08:08
Air Blank	0.000	08:09
Control Test	0.081	08:09
Air Blank	0.000	08:10
Subject Sample #1	0.166	08:12
Air Blank	0.000	08:13
Air Blank	0.000	08:15
Subject Sample #2	0.160	08:16
Air Blank	0.000	08:17
Control Test	0.079	08:17
Air Blank	0.000	08:18
Diagnostics Check	OK	08:18

Cylinder Lot: 15922080A5
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 THOMAS H LEAHEY, 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: T Leahey Date: 10/23/2023
Signature

Sworn to (or affirmed) before me this 23 day of October, 2023

David Fanego
Signature of Notary Public-State of Florida

Trp D Fanego #4996
Printed Name of Notary Public-State of Florida

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

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

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

PBSO CASE # 23-121913 PBSO ZONE 1-32

AGENCY CASE # FHP23ON0556364 CRASH CASE # _____

TIME OF STOP/CRASH 0544 DATE 10-23-23 DAY Monday

SUBJECT'S NAME Campbell (LAST) Rachel (FIRST) Lauren (MID) RACE White SEX Female

HGT 503 WGT 108 DOB 04/07/1991

LOCATION SB Interstate 95 NOF 6th Ave (Right Shoulder)

ARRESTING OFFICER'S NAME & ID Fanego, David #4996 AGENCY FHP-L

DIVISION: _____

NOTIFIED BY COMMO NO

ARRIVAL AT FACILITY 07:40

ARREST TIME 07:11

BREATH RESULTS:

1) .166
2) .160
3) N/A
4) N/A

TESTING OFFICER'S ID 19183 PBSO VIDEOTAPE # N/A

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TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: Campbell, Rachel L

CASE NUMBER: 23-121913

DATE: Oct 23, 2023

VIDEO DVD NUMBER: n/a

BEGINNING TIME: 0804

ENDING TIME: 0824

BREATH TESTS RESULTS: 1) .166 TIME 0812 A.M. ☒ P.M. ☐ 2) .160 TIME 0816 A.M. ☒ P.M. ☐

3) n/a TIME 0 A.M. ☐ P.M. ☐ 4) n/a TIME 0 A.M. ☐ P.M. ☐

BREATH OPERATOR: Thomas H Leahey #19183

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: slurred, thick

ATTITUDE: calm

CLOTHING: yellow dress, brown sandals

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER:

eyes were glassy & bloodshot
odor of unknown alcoholic beverage on breath
subject stated she drank 2 grapefruit martini's @ Breakers - Q&A

COMMENTS:

arrived at center A/O conducted 20 observation period at 0740 hrs

subject refused to perform breath test

A/O read I/C 2X & subject understood I/C

subject agreed to perform breath test

subject completed breath test

A/O read rights & subject understood rights

tech read breath test results & subject understood rights

A/O conducted Q&A

subject answered questions

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Menu

Printer Friendly

Record Detail

RACHEL LAUREN CAMPBELL

DL/ID: C514-732-91-627-0 SSN: [redacted] VALID

Class: E

Previous DUI: 0 Previous DWLS: 0

[redacted]

ORGAN DONOR
SAFE DRIVER
REAL ID COMPLIANT

Driver History | Documents | Photo & Signature | Emergency Contact | Report Driver for Re-exam

Address:	Date of Birth:	Gender:	Height:
536 BUTLER ST WINDERMERE, FL 34786	04/07/1991	FEMALE	5' 3"
Original License Issue Date:	**Issued:**	**Expires:**	**Replaced:**
04/08/2009	04/06/2018	04/07/2026	07/18/2014
CDL Status:			
Commercial Learners Permit (CLP) Status:			
Form Number:		**EIN:**	
X631804062872		0100378484018002	

Citizen Status:	Country of Birth:	State of Birth:	
US CITIZEN	US OF AMERICA	FLORIDA	
Race:			
CAUCASIAN			

Current Restrictions:	Current Endorsements:	Conditional Messages:

Vehicles | DL Transactions | Addresses | Insurance | Prior Vehicles | Parking Permits

Loading...

If you suspect Driver License or Motor Vehicle Fraud, please contact the Fraud Unit.

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SUBJECT: Campbell, Rachel C 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 Trooper Fanejo of the Florida Highway Patrol

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) Read on Camera

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

SUBJECT: Campbell, Rachel L 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? home

WHAT STREET OR HIGHWAY WERE YOU ON? I 95

DIRECTION OF TRAVEL? towards Boca WHERE DID YOU START? West Palm Beach (downtown)

WHAT TIME DID YOU START? don't know WHAT TIME IS IT NOW? 8:00am

WHAT IS TODAY'S DATE? 24th WHAT DAY OF THE WEEK IS IT? Monday

WHAT COUNTY AND CITY ARE YOU IN NOW? Broward county?

WHEN DID YOU LAST EAT? 6pm WHAT DID YOU EAT? Pizza

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? dinner/bounce around restaurant

HOW MUCH DO YOU WEIGH? 108 HAVE YOU BEEN DRINKING? yes WHAT? 3 ~~3~~ martinis

HOW MUCH? 3 WHERE? Breakers WITH WHOM? friend

WHEN DID YOU HAVE YOUR FIRST DRINK? 5:00pm AND YOUR LAST DRINK? don't know

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? sipped

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? no ARE YOU UNDER THE INFLUENCE? yes

HAVE YOU CONSUMED ANY ~~ALCOHOL SINCE~~ THE ACCIDENT? _____ ~~HOW MUCH?~~ _____

WHAT? _____ WHERE? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU IN? With Kids WHEN DID YOU LAST WORK? ~~Friday~~ Thursday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? no WHAT? _____

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

DO YOU LIMP? no DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? no

WERE YOU IN AN ACCIDENT TODAY? no

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? no
- GLASS EYE?
- FALSE TEETH?
- EAR INFECTION?
- INNER EAR TROUBLE?
- DIABETES?

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? no

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

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? no WHERE? _____

INTERVIEWER: _____

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

PBSO #0129C REV. 9/93

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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: 2023027929	**Date:** 10/24/2023
	Specialist Name/ID#: MTooks #8557