26mm77 ANB

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

OBTS Number:

ADMINISTRATIVE

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 2 6 0 0	PALM BEACH GARDENS POLICE DEPARTMENT	78 - 26-000050

Charge Type: Check as many as apply. [ ] 1. Felony [ ] 2. Traffic Felony [X] 3. Misdemeanor [X] 4. Traffic Misdemeanor [ ] 5. Ordinance [ ] 6. Other

Weapon Seized / Type: 2 (1. Yes 2. No)

Multiple Clearance Indicator:

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
2373 PGA BLVD, PALM BEACH GARDENS, FL, 33410	2373 PGA BLVD, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle RIVERHOUSE
01/03/2026	23:02					2373 PGA BLVD, PBG, FL

DEFENDANT

Name (Last, First, Middle): LOFTUS, ROBERT, E

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

Race (W - White I - American Indian, B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	08/05/1960	5'9	220	BLU	GRY	LGT	MED

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

Marital Status: SINGLE | Religion: NOT STATED | Indication of: Alcohol Influence [X] Y [ ] N [ ] Unk.; Drug Influence [X] Y [ ] N [ ] Unk.

Local Address (Street, Apt. Number) (City) (State) (Zip): 2843 CHARLEMAGNE DR, VIRGINIA BEACH, VA 23451

Phone: (917) 930-9902

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

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 2843 CHARLEMAGNE DR, VIRGINIA BEACH, VA 23451

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
T61688064 VA	[redacted]		SCRANTON, PA	US

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
				[ ] 1. Arrested [X] 2. At Large [ ] 3. Felony [ ] 4. Misdemeanor [ ] 5. Juvenile
				[ ] 1. Arrested [X] 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. 1600
2. 1600
3. 1600

Notified by: (Name) Date Time

Juvenile Disposition: 1. Handled/ processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated

Released To: (Name) Relationship Date Time

The above address provided by [ ] defendant and / or [ ] defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. [ ] Yes, by: (Name) [ ] No: (Reason)

School Attended Grade

Property Crime? [ ] Yes [ ] No Description of Property Value of Property

CODE

Drug Activity: N. N/A, P. Possess, S. Sell, B. Buy, T. Traffic, R. Smuggle, D. Deliver, E. Use, K. Dispense/ Distribute, M. Manufacture/ Produce/ Cultivate, Z. Other

Drug Type: N. N/A, A. Amphetamine, B. Barbiturate, C. Cocaine, E. Heroin, H. Hallucinogen, M. Marijuana, O. Opium/Deriv., P. Paraphernalia/ Equipment, S. Synthetics, U. Unknown, Z. Other

CHARGE 1

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DRIVING UNDER THE INFLUENCE OVER .08	1	[ ] Y [X] N	316.193(1)(C)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant I Capias Number	Bond
N	N	.167			

CHARGE 2

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI OVER .15	1	[ ] Y [X] N	316.193(4)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	.167			

CHARGE 3

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
RESIST ARREST W/O VIOLENCE	1	[ ] Y [X] N	843.02	

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

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		[ ] Y [X] N		

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

FILED PBC - GUN CLUB
2026 JAN 4 AM 5:36

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 FEBRUARY Day 4 Year 2026 Time 10:00 AM [X] PM [ ]

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED

Signature of Defendant (or Juvenile and Parent /Custodian)

Date Signed: 01/03/2026

ADMIN

HOLD for other Agency Name:

[ ] Dangerous [ ] Resisted Arrest [ ] Suicidal [ ] Other:

Signature of Arresting Officer: X

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

Name Verification (Printed by Arrestee) (PRINT)

Intake Deputy I.D. # Pouch #

Transporting Officer: FLINK ID #: 514 Agency: PBGPD

Witness here if subject signed with an -X"

PAGE 1 OF 1

0540619

428

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PROBABLE CAUSE AFFIDAVIT

ADMIN

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

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 8 26-000050

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
LOFTUS, ROBERT E		W	M	08/05/1960

CHARGES

Charge Description	Charge Description
316.193(1)(C) DUI - BREATH .08 OR ABOVE	316.193(4) DUI - BAC ABOVE .15
843.02 RESIST/OBSTRUCT OFFICER W/O VIOLENCE	

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
State Of Florida			

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.

The Person taken into custody . . .

☒ committed the below acts in my presence.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 3 day of January, 2026 at 22:43 (Specifically include facts constituting cause for arrest.)

On 01/03/2026 at approximately 2243 hours, this Officer arrived in the area of 2373 PGA Blvd, PBG, FL, to assist Ofc Zarba 586, with an investigation. Body worn camera and in car video were used.

The manager of the location, Lisa Nguyen (RP) called dispatch regarding a possibly intoxicated white male with grey hair, long black sleeve shirt, white pants, attempting to get into a vehicle. Nguyen described the vehicle as a silver or white two door sedan, Porsche parked by the marina. Nguyen further stated the bartender offered an Uber, but the male declined. Ofc Zarba arrived and observed the male, later identified via Virginia Driver`s License photo, Robert Loftus (OF), in actual physical control of a Porsche 911 (KMK5372/VA). Ofc Zarba stated the vehicle was on and running, with Loftus in the driver seat and the sole occupant.

This Officer observed Loftus outside the vehicle, speaking with Ofc Zarba and Ofc Smigelski 596. As this Officer approached, this Officer heard Loftus arguing about not driving the vehicle. This Officer confirmed Loftus` address with him, then explained to him the difference between driving and actual physical control. While speaking with Loftus, this Officer observed him to have very slow slurred speech, flushed red face, glassy watery eyes and the strong obvious odor of an unknown alcoholic beverage emanating from his breath at conversational distance. Loftus was also leaning on his vehicle while speaking with Officers. Since Loftus was already outside the vehicle and not free to go, this Officer did not do any further questioning regarding the events on the lead up.

Based on this Officer`s observations, this Officer expressed concern to Loftus about him being under the influence while in actual physical control of the vehicle. Loftus briefly argued about not driving. This Officer then advised Loftus of his Taylor Warnings, if he did not do the exercises. Loftus then agreed to do Standardized Field

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

Tia Stephens

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

01/04/2026
DATE

TIA STEPHENS
MY COMMISSION # HH 666077
EXPIRES: May 13, 2028

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

01/04/2026
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 | 26-000050

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
LOFTUS, ROBERT E		W	M	08/05/1960

PROBABLE CAUSE STATEMENT

Sobriety Exercises, because he said he did not want to be arrested. Loftus stated he did not have any medical conditions which would effect the exercises performed.

The first exercise conducted was the Horizontal Gaze Nystagmus. The stimulus used was a black pen with an illuminated white tip. Loftus did not properly follow the stimulus, after repeated instructions from this Officer. Loftus kept moving his head and/or not keeping his eyes with the stimulus. It was the opinion of this Officer, Loftus was possibly too impaired to follow the simple instructions, thus the exercise was abandoned. Throughout the exercise, Loftus was swaying back and forth.

The second exercise to be conducted was the Walk and Turn. The line used was a strip of yellow tape placed upon the pavement by this Officer. Loftus had extreme difficulty getting into and remaining in the starting position. Loftus continued to argue with this Officer, then attempted the exercise without receiving the full instructions. This Officer observed Loftus` repeated failed attempts at remaining in the starting position and ended the exercise due to safety concern for Loftus.

The third exercise to be conducted was the One-Leg Stand. During the instructions, Loftus continued to argue and attempted to appeal to other Officers. This Officer explained the exercise again and Loftus refused to state whether he understood instructions. Loftus then began to argue about the difficulty of the exercise and asked for instructions a third time. This Officer determined no matter how many times the exercise were to be explained and demonstrated, Loftus was obviously too impaired to understand.

Based on this Officer`s observations and the totality of the circumstances, Loftus was placed under arrest at 2302 hours. While Ofc Zarba and Ofc Smigelski were attempting to handcuff Loftus, he braced tensed and attempted to pull away from Officers. Both Officer escorted Loftus to the ground where he was successfully restrained with no use of force. During a search of Loftus` person incident-to-arrest, Ofc Smigelski located an alluminum cigar case in Loftus front right pocket. Inside the case were what appeared to be two Marijuana cigarettes. The substance in the cigarettes field tested positive as Cannabis. The items were seized as found property by this Officer and booked into evidence.

At PBSO BAT this Officer conducted a 20 minute observation period noting no issues. This Officer requested Loftus provide a breath sample for the purpose of determining its alcohol content, to which he consented, then asked about refusal. This Officer read Florida Implied Consent to Loftus to which he acknowledged and agreed to the test. At 0016 hours he blew .165 and at 0019 hours he blew .167.

Based on the results of the investigation, this Officer determined Robert Loftus was in actual physical control of a motor vehicle, in the state of Florida, while under the

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

Tia Stephens

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

01/04/2026
DATE

TIA STEPHENS
MY COMMISSION # HH 666077
EXPIRES: May 13, 2028

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

01/04/2026
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 26-000050

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
LOFTUS, ROBERT E		W	M	08/05/1960

PROBABLE CAUSE STATEMENT

influence, with an unlawful breath alcohol content, contrary to FSS 316.193(1)(C). The degree to which Loftus was impaired by alcohol, was contrary to FSS 316.193(4). Lastly, Loftus did resist uniformed Officers in the lawful performance of their legal duties, without violence, contrary to FSS 843.02.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

Tia Stephens

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

01/04/2026
DATE

TIA STEPHENS
MY COMMISSION # HH 666077
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FLINK, ANDREW S (514)
NAME OF OFFICER (PLEASE PRINT)

01/04/2026
DATE

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

PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 26-021761 PBSO Zone: 3-13

Agency Case #: 26-000050 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 2236 Date of Incident: 01/03/2026 Day: SATURDAY

Location of Incident: 2373 PGA BLVD, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 23:02 Date of Arrest: 01/03/2026 Day: SATURDAY

Location of Arrest: 2373 PGA BLVD, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) LOFTUS, (F) ROBERTY, (M) E

DOB: 08/05/1960 Race: W Sex: M Height: 5'9 Weight: 220 Hair GRY Eye BLU

Address: 2843 CHARLEMAGNE DR, VIRGINIA BEACH, VA 23451 Phone: (917) 930-9902

DL: T61688064 ST: VA SSN: _____ Division: TRAFFIC UNIT

Arresting Officer Name: FLINK ID# 514 Agency: PBGPD

☐ **Marcy's Law CVI** FL. Const. Art. 1 § 16(b)

Testing Results

1) .165 at 00:46 hrs.
2) .167 at 00:19 hrs.
3) N/A at N/A hrs.
4) N/A at N/A hrs.

☐ Urine Obtained at _____ hrs.
☐ Urine Refused at — hrs.

---BAT Use---

BAT Notified: YES
Arrival Time at BAT: 23:43
Subject Arrest Time: 23:02

Breath Test Operator: STEPHENS 15177
PBSO

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TESTING FACILITY TASK REPORT

AGENCY: PBGPD

SUBJECT: LOFTUS, ROBERT E

CASE NUMBER: 26-021761

DATE: Jan 3, 2026

VIDEO DVD NUMBER:

BEGINNING TIME: 00:09

ENDING TIME: 00:22

BREATH TESTS RESULTS: 1) .165 TIME 00:16 A.M. ☒ P.M. ☐ 2) .167 TIME 00:19 A.M. ☒ P.M. ☐

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

BREATH OPERATOR: T. STEPHENS #15177

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM

CLOTHING: WHITE PANTS, BLACK SHIRT, BROWN BOOTS

MEDICAL CONDITIONS: NONE

MEDICATIONS: ELIQUIS

OTHER:

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COMMENTS:

ARRIVED AT DUI TESTING FACILITY AND A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 23:43 HRS

SUBJECT: AGREED TO TAKE TEST

A/O: READ I.C

SUBJECT: STATED HE UNDERSTOOD I.C

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

TECH: READ TEST RESULTS

SUBJECT: STATED HE UNDERSTOOD TEST RESULTS

A/O: REQUESTED SUBJECT TO SIGN DUI CITATIONS

SUBJECT: STATED HE WILL SIGN DUI CITATIONS

NO Q&A CONDUCTED

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH COUNTY SO
Instrument Serial Number: 80-001741 Software: 8100.27
Date of Test: 01/04/2026

Date of Last Agency Inspection: 12/12/2025
Observation Period Began: 23:43
Subject's Name: ROBERT E LOFTUS DOB: 08/05/1960 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:

Test	g/210L	Time
Diagnostics Check	OK	00:13
Air Blank	0.000	00:14
Control Test	0.080	00:14
Air Blank	0.000	00:14
Subject Sample #1	0.165	00:15
Air Blank	0.000	00:16
Air Blank	0.000	00:18
Subject Sample #2	0.167	00:18
Air Blank	0.000	00:19
Control Test	0.079	00:20
Air Blank	0.000	00:20
Diagnostics Check	OK	00:20

Cylinder Lot: 19825080A2
Exp: 09/05/2027

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 TIA L STEPHENS, 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: Tia Stephens Date: 01/04/26
Signature

Sworn to (or affirmed) before me this 4th day of January, 2026

Signature of Notary Public-State of Florida

OFC. A. Flink
Printed Name of Notary Public-State of Florida

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

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

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SUBJECT: _____ CASE NUMBER: _____

QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OF, ALL OF, OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? _____

WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START? _____

WHAT TIME DID YOU START? _____ WHAT TIME IS IT NOW? _____

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

WHAT COUNTY AND CITY ARE YOU IN NOW? _____

WHEN DID YOU LAST EAT? _____ WHAT DID YOU EAT? _____

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? _____

HOW MUCH DO YOU WEIGH? _____ HAVE YOU BEEN DRINKING? _____ WHAT? _____

HOW MUCH? _____ WHERE? _____ WITH WHOM? _____

WHEN DID YOU HAVE YOUR FIRST DRINK? _____ AND YOUR LAST DRINK? _____

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? _____

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? _____ ARE YOU UNDER THE INFLUENCE? _____

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

WHAT? _____ WHERE? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU IN? _____ WHEN DID YOU LAST WORK? _____

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

ARE YOU SICK OR INJURED? _____ WHAT'S WRONG? _____

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

WERE YOU IN AN ACCIDENT TODAY? _____

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? _____ WHEN? _____

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? _____ WHO? _____ WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? _____ WHAT? _____ WHEN? _____

DO YOU HAVE:
- EPILEPSY? _____
- GLASS EYE? _____
- FALSE TEETH? _____
- EAR INFECTION? _____
- INNER EAR TROUBLE? _____
- DIABETES? _____

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? _____

DO YOU TAKE INSULIN? _____ IF SO, WHEN WAS YOUR LAST INJECTION? _____

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

INTERVIEWER: _____

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PALM BEACH COUNTY
SHERIFF'S OFFICE
SHERIFF RIC L. BRADSHAW

DUI Breath Implied Consent

NOT APPLICABLE WITH VOLUNTARY CONSENT

DEFENDANT'S NAME: _____ CASE NO: _____

DATE OF ARREST: _____ TIME OF ARREST: _____

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

Will you take the test? YES____ NO____

NOTE: *READ ONLY IF THE ANSWER TO THE ABOVE IS "NO"*

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. Additionally, if you refuse to take the test I have requested of you, you will be committing a misdemeanor of the SECOND DEGREE if this is your first refusal, in addition to any other penalties which can be imposed by law. 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, your driving privilege will be suspended for a period of eighteen (18) months. Additionally, you will be committing a misdemeanor of the FIRST DEGREE, 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_____ NO_____

Do you still refuse to submit to this test? YES_____ NO_____

NOTE: *IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER LICENSE (CDL), READ THE FOLLOWING, REGARDLESS OF WHETHER THE SUBJECT IS OPERATING A COMMERCIAL MOTOR VEHICLE (CMV)*

In addition, if you hold a Commercial Driver's License (CDL), or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privileges for one year from today. If this is your second refusal, you will be permanently disqualified from operating a Commercial Motor Vehicle (CMV).

Do you understand what I have just read to you? YES_____ NO_____

Do you still refuse to submit to this test? YES_____ NO_____

Date read: _____ Time read: _____ Location read: _____

LAW ENFORCEMENT OFFICER NAME (printed): _____ ID: _____

LAW ENFORCEMENT OFFICER SIGNATURE: _____

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

FORM #0126BR REV 09/25

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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: 2026000234	**Date:** 1/4/2026
	Specialist Name/ID#: C.Daniels 30347