23CF15780

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	Agency Name	Agency Report Number
	FLO 5 0 2 6 0 0	PALM BEACH GARDENS POLICE DEPARTMENT	78 - 23004455

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)	Location of Offense (Business Name, Address)
4135 RANDOLPH WAY, PALM BEACH GARDENS, FL, 33410	10800 NORTH MILITARY TRAIL, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
09/02/2023	18:19					KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): OERTH, RONALD, WILLIAM — 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	06/16/1945	509	170	BRO	GRY	LIGHT	SLIM

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)	Phone	Residence Type (1. City 2. County 3. Florida 4. Out of State)
17602 BRIDLE COURT, JUPITER, FL, 33478	(561) 901-2188	2

Permanent Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
17602 BRIDLE COURT, JUPITER, FL, 33478		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
O630739452161 FL	[redacted]		BUTLER COUNTY, PA	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. ☐ 2.	☐ 3. ☐ 4. ☐ 5.
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	1. Arrested 2. At Large	3. Felony 4. Misdemeanor 5. Juvenile
				☐ 1. ☐ 2.	☐ 3. ☐ 4. ☐ 5.

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other — Name (Last) (First) (Middle) — Residence Phone

Address (Street, Apt. Number) (City) (State) (Zip) — Business Phone

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

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DRIVING UNDER THE INFLUENCE OVER 0.08	1	☐Y ☒N	316.193-1(C)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	.175	23004455		O R

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DRIVING UNDER THE INFLUENCE BRAC .15>	1	☐Y ☒N	316.193(4)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	.175	23004455 2		

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

CHARGE

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

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

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.

Signature of Defendant (or Juvenile and Parent /Custodian) — Date Signed: 09/02/2023

SCANNED

FILED PBC - GUN CLUB - 23 SEP 8 AM 7:37

ADMIN

HOLD for other Agency Name: — Signature of Arresting Officer: X — Name Verification (Printed by Arrestee) (PRINT):

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other — Name of Arresting Officer (Print): E. ALSHAIER — I.D. #: 572

Intake Deputy	I.D. #	Pouch #	Transporting Officer	ID #	Agency	Witness here if subject signed with an -X"
			OFC. ALSHAIER	572	PBGPD	

PAGE 1 OF 1

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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 23-004455

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
OERTH, RONALD WILLIAM		W	M	06/16/1945

CHARGES

Charge Description	Charge Description
316.193(4) DUI - BAC ABOVE .15	316.193(1)(C) DUI - BREATH .08 OR ABOVE
Charge Description	Charge Description

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.

☐ 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 2 day of September, 2023 at 18:02 (Specifically include facts constituting cause for arrest.)

On September 2nd, 2023, at approximately 1802 hours, I arrived at 4135 Randolph Way, within the City of Palm Beach Gardens, County of Palm Beach, State of Florida, to assist Officer Romero #502 on a traffic stop. Body worn camera and in car video were used.

Officer Romero advised me that at 1743 hours, North County Communications Center received a 911 call regarding a male stumbling around the Crossroads Plaza, 10800 N Military Trl, PBG, FL, towards his vehicle. The anonymous caller said the male collapsed in the parking lot and was then hanging halfway out of his vehicle. The male was then seen mobilizing in his vehicle, a Subaru (FL/AJ36FD), and heading towards the plaza exit. Officer Romero located the vehicle soon after and observed the driver, who is the adult defendant in this case, identified by Florida Driver`s License photo as Ronald OERTH, exiting the plaza towards Union Square. The defendant began to make a right turn before coming to a stop in the middle of the intersection. He then placed his vehicle in reverse and made a turn to travel in the opposite direction. As Officer Romero was following, the defendant swerved across the road and would veer into the opposite lane of traffic. Officer Romero affected a traffic stop and the vehicle came to a stop. The defendant was the lone occupant.

I contacted the defendant outside of his vehicle where I confirmed he did not need medical attention. I immediately took notice to the odor of an unknown alcoholic beverage emanating from his breath at conversational distance. This odor increased in intensity as we spoke. He also had red, watery eyes, flushed face and was standing with a noticeable sway to the side. The defendant said he was on his way home. He explained he was coming from a nearby shopping center to get food, but he never made it inside. When asked, the defendant said he consumed a glass of Chardonnay wine prior to leaving his residence and operating his vehicle.

Based on my observations, I asked the defendant to participate in Standardized Field

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SCANNED SEP 05 2023

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

09/02/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ALSHAIER, ELIAS (572)
NAME OF OFFICER (PLEASE PRINT)

09/02/2023
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 23-004455

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
	OERTH, RONALD WILLIAM		W	M	06/16/1945

PROBABLE CAUSE STATEMENT

Sobriety Exercises, to which he complied. The defendant stated he did not have any medical conditions which would affect the exercises.

The first exercise conducted was the Horizontal Gaze Nystagmus. The stimulus used was a Streamlight stylus pen with an illuminated red tip. I observed the lack of smooth pursuit in both eyes, distinct and sustained involuntary jerking in both eyes and the onset of Nystagmus prior to 45 degrees in both eyes. The defendant continuously moved his head while following the stimulus, who look away from the stimulus and stare at me mid-exercise and he displayed an obvious sway to the side the entire time. I observed six out of six indicators of possible impairment.

The second exercise conducted was the Walk and Turn. The line used was a delineated strip of yellow tape placed on the roadway. The defendant was unable to balance while listening to the instructions. He also started the exercise twice before he was told to begin. Once he began, the defendant missed heel-to-toe on steps #1-9 and took 10 steps going forward. He stepped off the line, stopped while walking and completed an improper turn. On the return, the defendant missed heel-to-toe on all steps, walked off the line the entire time and used his arms for balance. In total, I observed eight out of eight indicators of possible impairment.

The defendant did not participate in the One-Leg Stand as he complain of pain in his knee. Officer Flink 514 conducted the next to exercises, due to the recently disclosed medical condition.

The third and exercise conducted was the Finger-to-Nose. During the exercise, the following was observed: First command of Left, he touched his nose with the pad of his finger and tilted his head forward. First command of Right, again, he touched his nose with the pad of his finger and tilted his head forward. Second command of Left, once more he touched his nose with the pad of his finger and tilted his head forward. Second command of Right, he touched his nose with the pad of his finger, tilted his head forward and kept it forward. Final two commands, he touched the tip of his nose with the pad of his finger.

The fourth exercise conducted, was the Modified Rhomberg Balance. During the exercise, the defendant estimated the passage of 30 seconds in approximately 25 seconds.

The indicators for exercises three and four were relayed to me by Officer Flink.

Based on my observations, I placed the defendant under arrest at 1819 hours. At PBSO BAT and on BAT video, the defendant agreed to provide a breath sample. At 1950 hours he blew .168 and at 1953 hours he blew .175.

Based on the results of my investigation, I have probable cause to charge the defendant

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

FLINK, ANDREW S

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

09/02/2023

DATE

SCANNED SEP 8 '23

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ALSHAIER, ELIAS (572)

NAME OF OFFICER (PLEASE PRINT)

09/02/2023

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 | 23-004455

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
OERTH, RONALD WILLIAM		W	M	06/16/1945

PROBABLE CAUSE STATEMENT

Ronald OERTH as he unlawfully operated a motor vehicle in the State of Florida, while under the influence of an alcoholic beverage, in violation of FSS 316.193-1C. The degree to which he was impaired by alcohol was in violation of FSS 316.193-4

He was TOT to PBSO Main Jail for further processing.

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SCANNED SEP 03 2023

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

FLINK, ANDREW S

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

09/02/2023

DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ALSHAIER, ELIAS (572)

NAME OF OFFICER (PLEASE PRINT)

09/02/2023

DATE

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

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006029 Software: 8100.27
Date of Test: 09/02/2023

Date of Last Agency Inspection: 08/11/2023
Observation Period Began: 18:54
Subject's Name: RONALD W OERTH DOB: 06/16/1945 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	19:49
Air Blank	0.000	19:49
Control Test	0.078	19:49
Air Blank	0.000	19:50
Subject Sample #1	0.168	19:50
Air Blank	0.000	19:51
Air Blank	0.000	19:53
Subject Sample #2	0.175	19:53
Air Blank	0.000	19:54
Control Test	0.079	19:54
Air Blank	0.000	19:55
Diagnostics Check	OK	19:55

Cylinder Lot: 15922080A3
Exp: 08/05/2024

State of Florida, County of Palm Beach,

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

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

Breath Test Operator: _____ Date: 09/02/23
Signature

Sworn to (or affirmed) ~~before me this~~ 02 day of ~~September~~, 2023

_____ OFC. E ALSHAIER
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

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

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

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TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: OERTH, RONALD W

CASE NUMBER: 23-106192

DATE: Sep 2, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 19:45

ENDING TIME: 20:04

BREATH TESTS RESULTS: 1) .168 TIME 19:50 A.M.☐ P.M.☒ 2) .175 TIME 19:53 A.M.☐ P.M.☒

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

BREATH OPERATOR: M. GONZALEZ #40577

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM, QUIET

CLOTHING: BLUE PANTS, BLACK SHIRT, BLACK SNEAKERS

MEDICAL CONDITIONS: HEART

MEDICATIONS: METRPOL, ASPIRIN

OTHER:

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 18:54 HRS.

SUBJECT: AGREED TO TAKE TEST

A/O: READ RIGHTS
SUBJECT: STATED HE UNDERSTOOD RIGHTS.

TECH: READ TEST RESULTS
SUBJECT: STATED HE UNDERSTOOD TEST RESULTS.

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

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PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 23-106192 PBSO Zone: 3-13

Agency Case #: 23004455 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 17:47 Date of Incident: 09/02/2023 Day: SATURDAY

Location of Incident: 4135 RANDOLPH WAY, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 18:19 Date of Arrest: 09/02/2023 Day: SATURDAY

Location of Arrest: 4135 RANDOLPH WAY, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) OERTH, (F) RONALD, (M) WILLIAM

DOB: 06/16/1945 Race: W Sex: M Height: 509 Weight: 170 Hair GRY Eye BRO

Address: 17602 BRIDLE COURT, JUPITER, FL, 33478 Phone: (561) 901-2188

Arresting Officer's Name: E. ALSHAIER ID#: 572

Agency: PBGPD Division: PATROL OPS ☐ **Marcy's Law CVI** FL. Const. Art. 1 § 16(b)

Breath Results

1) .168 at _____ hrs.
2) .175 at _____ hrs.
3) N/A at _____ hrs.
4) N/A at _____ hrs.

---BAT Use---

BAT Notified:	YES
Arrival Time at BAT:	18:54
Subject Arrest Time:	18:19

Breath Test Operator: GONZALEZ 40577
PBSO

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PALM BEACH COUNTY
SHERIFF'S OFFICE
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐	119.071 (2)(j)	Other: The Victim's address in a Domestic Violence action on petitioner's request.	
	☐	316.650(b)	Other: Driver information contained in a uniform traffic citation	

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REVIEW COMPLETED BY

Booking Number: 2023023124	**Date:** 9/3/2023
	Specialist Name/ID: M. Tooks #8557