50-2023-CT-013437-AMB

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

☐ Check if Supplement is Attached

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

1 | Juvenile: N

OBTS Number

ADMINISTRATIVE

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 0 0 0 0 0	PALM BEACH COUNTY SHERIFF'S OFFICE	0 6 -| 23-093960 ( )

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

If Weapon Seized — Enter Type

Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business): WEISMAN WAY (E) OF FAIRGROUNDS RD WPB FL

Location of Offense (Business Name, Address): WEISMAN WAY (E) OF FAIRGROUNDS RD, WEST PALM BEACH FL 33409

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
07/28/2023	2313					PANTHER TOWING

DEFENDANT

Name (Last, First, Middle): BARKER, STEPHEN, LAWRENCE

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	M	10/20/1964	602	230	BRO	BRO	MED	LARGE

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): NONE

Marital Status: Married | Religion: CHRISTIAN | Indication of: Alcohol Influence ☐ Y ☐ N ☐ Unk; Drug Influence ☐ Y ☐ N ☐ Unk

Local Address (Street, Apt. Number) (City) (State) (Zip): 11464 SEA GRASS CIR, BOCA RATON FL 33498

Mobile Phone: (561) 6886 8352

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

Permanent Address (Street, Apt. Number) (City) (State) (Zip):

Phone: ( )

Address Source: FL DL

Business Address (Name, Street) (City) (State) (Zip): 11464 SEA GRASS CIR BOCA RATON FL

Phone: ( )

Occupation: ATTORNEY

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
B626792643800,	[redacted]		MARYLAND	US

CO-DEF

Co-Defendant (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 ( )

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 was provided by ☐ defendant and / or ☐ defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone (561) 355-6511) 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. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI	1	☐ Y ☒ N	316.193(1)A	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N		23-093960		

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

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

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

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

NOTICE TO APPEAR

Location (Court, Room Number, Address): 3228 GUN CLUB RD WEST PALM BEACH FL 33406

FILED PBC - GUN CLUB
'23 JUL 30 AM 8:54

Court Date and Time: Month AUGUST Day 24 Year 2023 Time 0800 A.M. ☒ P.M. ☐

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 _____ 07/28/2023
Signature of Defendant (or Juvenile and Parent/Custodian) Date Signed

I consent to receive text reminders of court date(s) and times for this case by autodialed technology to the mobile number identified above.
I understand that standard text message rates may apply, and that I may revoke this consent via the text message system if I choose. Signature

ADMIN

HOLD for other agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Signature of Arresting Officer: X

Name of Arresting Officer (Print): INV. E.K. WHITE I.D. #: 7209

Intake Deputy: [illegible] I.D. #: 7206 Pouch #:

Transporting Officer: INV. E.K. WHITE 7209 Agency: PBSO

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X"

PAGE 1 OF 1

PBSO #0148 REV. 11/22 DISTRIBUTION: COURT COPY STATE ATTORNEY AGENCY AGENCY DEFENDANT (N.T.A.'s ONLY)

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0542228

2676

PROBABLE CAUSE AFFIDAVIT

OBTS Number

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias

1

Juvenile

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 0 0 0 0	PALM BEACH COUNTY SHERIFF'S OFFICE	23093960

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
Barker Stephen Lawrence		W	M	10/20/64

CHARGES

Charge Description	Charge Description
Charge Description	Charge Description

VICTIM

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

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 I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) 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 commit the below acts.

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

On the 28 day of July 20 23 at 2300 ☐ A.M ☒ P.M (Specifically include facts constituting cause for arrest.)

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

On 07/28/2023, while working traffic at Ithink Financial amphitheater in the church parking lot located at 601-7 Sansbury Way, West Palm Beach, FL 33411, I observed a white male wearing an orange button-down shirt and beige shorts driving a black Mercedez in the parking lot. i saw the vehicle getting stuck. I asked the driver to exit the vehicle. A few minutes later, I heard a bang. I looked over and saw the above-mentioned vehicle with right rear damage. I walked over and approached the car through the passenger side window and asked the driver to put the vehicle parked and turn off the car. I asked the driver to exit the vehicle and asked to remove the keys from the driver. Based on the information gathered during my encounter, I contacted. D/S White ID 7209. DUI investigator. Upon his arrival, I turn my investigation over to the deputy.

NOT A CERTIFIED COPY

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

Ramirez Juan F.
(Signature of Arresting /Investigative Officer)

Digitally signed by Ramirez, Juan F.
Date: 2023.07.28 23:48:57 -04'00'

The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of July 20 23 by Juan F. Ramirez

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Known

Inv. F. K. WHITE 7209
Notary Public, Clerk of Court, Officer (F.S.S). 117.10)

PAGE 1 OF 1

PBSO #0004 REV. 12/22

DISTRIBUTION: STATE ATTORNEY AGENCY AGENCY DEFENDANT (N.T.A.'s ONLY)

PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias: 1

Juvenile: N

Agency ORI Number: FLO 5 0 0 0 0 0

Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number: 23-093960

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
BARKER, STEPHEN, LAWRENCE		W	M	10/28/1964

CHARGES

Charge Description		Charge Description	
DUI	316.193(1)A		
Charge Description		Charge Description	

VICTIM

Victim's Name (Last, First, Middle)				Race	Sex	Date of Birth
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 I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) 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 commit the below acts.

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

On the 28 day of JULY 20 23 at 2229 ☐ A.M ☒ P.M (Specifically include facts constituting cause for arrest.)

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

On Friday, July 28, 2023 at approximately 2245 hours, I was dispatched to the fairgrounds in the area of Wesiman Way and Fairgrounds Road to assist, in the unincorporated area of Palm Beach County, Florida to assist Deputy J. Ramirez with a minor traffic crash that involved a possible impaired driver. While en route to this location I was advised the driver had suffered a cut on his nose from a previous fall and not attributed to the crash. Upon my arrival I was summoned to the west end of the parking lot where I made contact with Community Service Aide (CSA) Leslie C Rickets who was actively investigating the crash. CSA Rickets showed me minor damages to the right rear side of a black vehicle that the defendant was driving. The defendant's vehicle backed into a properly parked car, causing minimal damage to its front grill. I spoke with D/S Ramirez who saw the defendant get into his vehicle and attempted to back it. In doing so he collided with the parked vehicle. D/S Ramirez wrote a sworn witness statement on a probable cause affidavit detailing his involvement with this case.

I initially observed the defendant seated in the driver seat of his black vehicle when I arrived. He exited his vehicle and labored in keeping his balance. He was later identified as Stephen Lawrence Barker by his Florida driver license. As I interacted with him I noticed blood oozing from the bridge of his nose from an apparent injury. His clothing was loose and disheveled. Blood was on his pant legs and shirt. His fly was open and I could see wetness in front of his pants. His eyes were red, watery and glossy. His mouth was dry and he slurred his speech while speaking. His movements were slow and lethargic. I could smell a strong odor of an unknown alcoholic beverage emanating from his breath that intensified when he spoke. He was wearing brown khaki shorts, a red shirt, white T-shirt and white sneakers. I told him I responded to the scene under the suspicion he was possibly impaired. Moreover I explained I shared the suspicion of his alcoholic beverage consumption. I asked him to walk toward the gate so he could be seen by paramedics who were responding. As he walked I noticed he did so with an unsteady gait. He was escorted to the rig where paramedics began assessing him medically. They took his vitals and checked the injury to his nose. They asked if he wanted to be transported to the hospital and he refused. After his medical assessment and based on my suspicion of his impairment, I asked if he would perform Standardized Field Sobriety Tasks to determined if he was impaired while operating his vehicle. He obliged. Prior to his performance I asked if he has any physical issues with his body and if he was taking medication. He reported he neither has anything wrong with him physically, nor is he taking medication.

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. E.K. WHITE
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of JULY 20 23 by INV. E.K. WHITE

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN LEO

Notary Public, Clerk of Court/Officer (F.S.S. 117.10)

Notary Public State of Florida
Reagie Ragin
My Commission GG 966416
Expires 03/05/2024

PBSO #0004 REV. 12/22 DISTRIBUTION: STATE ATTORNEY'S OFFICE DEFENDANT (N.T.A.'s ONLY)

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PROBABLE CAUSE AFFIDAVIT

OBTS Number | 1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | Juvenile N

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FLO.5.0.0.0.0.0	PALM BEACH COUNTY SHERIFF'S OFFICE	23-093960

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
BARKER, STEPHEN, LAWRENCE		W	M	10/20/1964

CHARGES

Charge Description	Charge Description
DUI 316.193(1)A	
Charge Description	Charge Description

VICTIM

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

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

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

The undersigned certifies and swears that I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) 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 commit the below acts.
☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 28 day of JULY 20 23 at 2229 ☐ A.M ☒ P.M (Specifically include facts constituting cause for arrest.)

PROBABLE CAUSE STATEMENT

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

I escorted him to a level surface that was smooth and free from any obstruction and debris. This area was well illuminated by ambient lighting and from the headlights of my patrol vehicle. I directed his attention to the double solid orange lines in the middle of the roadway. The defendant identified the line by announcing its color and attempting to place his left foot on it when prompted to do so. The following tasks were explained, demonstrated and acknowledged by him prior to his performance: HGN, THE WALK AND TURN, ONE LEG STAND, FINGER TO NOSE AND THE ROMBERG ALPHABET RECITATION. His deficiencies were recorded on another form on this work packet. At the conclusion of the tasks, coupled with the deputy's observation of the defendant's vehicle in motion and my observation of personal indicators of impairment exhibited by the defendant, probable cause was established for DUI. I told the defendant he was being placed under lawful arrest for the charge. He was handcuffed (checked for proper fit) prior to being seated into the rear of my patrol vehicle. Panther Towing responded on a rotation request and impounded the defendant's vehicle to their lot. Meanwhile I began transport to the main jail's breath analysis facility for further processing. Upon our arrival I escorted the defendant into the facility and began a 20 minute observation period. During this time the defendant did not ingest anything into his body orally or otherwise. Neither did he regurgitate. Afterward I escorted him into the testing room and asked him to provide breath samples for the purpose of detecting his alcohol content. He obliged and was turned over to the breath technician. The defendant provided two (2) adequate breath samples that rendered results of .202 and .200. I advised him of their Constitutional Rights in which he acknowledged. I asked if he would consent to an interview. He obliged. Afterward he was booked into the main jail for DUI.

NOT A CERTIFIED COPY

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. E.K. WHITE
(Signature of Arresting /Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of JULY 20 23 by INV. E.K. WHITE

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN LEO

Notary Public, Clerk of Court, Deputy Clerk (F.S. 117.10)

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

PAGE 2 OF 2

PBSO #0094 REV. 12/22 DISTRIBUTION: STATE ATTORNEY AGENCY AGENCY DEFENDANT (N.T.A.'s ONLY)

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 28 DAY OF JULY 20 23, AT 2229 AM ✓ PM

SUBJECT: BARKER, STEPHEN, LAWRENCE CASE NUMBER: 23-093960

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV. E.K. WHITE

PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

SEE PC AFFIDAVIT

OBSERVATION OF DRIVER:

SEE PC AFFIDAVIT

DRIVER'S STATEMENTS:

I WAS AT THE CONCERT

ODORS:

STRONG ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE COMING FROM THEIR BREATH.

GENERAL OBSERVATIONS

SPEECH: **SLURRED AND INAUDIBLE**

ATTITUDE: **LETHARGIC, INATTENTIVE,COOPERATIVE**

CLOTHING: **LOOSE AND DISHEVELED-FLY AREA OPEN-WETNESS**

MEDICAL/OTHER: **NONE**

NOT A CERTIFIED COPY

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. E.K. WHITE
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of JULY 20 23 by INV. E.K. WHITE

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN LEO

Notary Public, Clerk of Court, Officer (F.S.S 117.10)

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

SUBJECT: BARKER, STEPHEN, LAWRENCE CASE NUMBER 23-093960

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- [x] LT EYE-LACK OF SMOOTH PURSUIT
- [x] RT EYE-LACK OF SMOOTH PURSUIT
- [x] LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- [x] RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Defendant was asked to sit on my front bumper with his feet together. They were told to remain in this position until the task was completed. They were asked to identify the stimulus that was held in front of their face. Afterward they were asked to follow the stimulus with their eyes and not to turn their head. They understood the instructions. The defendant showed equal pupil size and had no resting Nystagmus. During the tasks the defendant lacked smooth pursuit in both eyes. I saw distinct and sustained Nystagmus in both eyes. I saw an onset of Nystagmus prior to 45 degrees in both eyes. The defendant turned their head to assisted in following the stimulus.

WALK & TURN:

THE DEFENDANT WAS PLACED IN THE INSTRUCTIONAL STANCE FOR THE WALK AND TURN. THIS TASK WAS EXPLAINED AND DEMONSTRATED TO THE DEFENDANT. THE DEFENDANT ACKNOWLEDGED THE INSTRUCTIONS PRIOR TO PERFORMING THIS TASK: Subject was unable to maintain their balance while placed in the instructional position (feet separated as they lost their balance). Subject continued to struggle with assuming the instructional position. He ultimately said he was unable to do it.

ONE LEG STAND:

THE DEFENDANT WAS PLACED IN THE INSTRUCTIONAL STANCE FOR THE ONE LEG STAND. THIS TASK WAS EXPLAINED AND DEMONSTRATED TO THE DEFENDANT. THE DEFENDANT ACKNOWLEDGED THE INSTRUCTIONS PRIOR TO PERFORMING THIS TASK: Subject put foot down, Uses arms for balance and Sways. He dropped his foot on the pavement 3 times and was deemed unsafe to continue this task

FINGER TO NOSE:

THE DEFENDANT WAS PLACED IN THE INSTRUCTIONAL STANCE FOR THE FINGER TO NOSE. THIS TASK WAS EXPLAINED AND DEMONSTRATED TO THE DEFENDANT. THE DEFENDANT ACKNOWLEDGED THE INSTRUCTIONS PRIOR TO PERFORMING THIS TASK: Subject swayed and could not maintain balance while standing, failed to touch the tip of finger to the tip of nose as instructed, rather touched his forehead and sides of his face. He opened his eyes throughout his performance and did not complete this task.

ROMBERG ALPHABET:

THE DEFENDANT WAS PLACED IN THE INSTRUCTIONAL STANCE FOR THE ROMBERG ALPHABET TASK. THIS TASK WAS EXPLAINED AND DEMONSTRATED TO THE DEFENDANT. THE DEFENDANT ACKNOWLEDGED THE INSTRUCTIONS PRIOR TO PERFORMING THIS TASK: Subject was unable to recite the alphabet correctly.

BREATH TEST RESULTS: 1) .202 | 2) .200 | 3) | 4)

NOT A CERTIFIED COPY

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. E.K. WHITE
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of JULY 2023 by INV. E.K. WHITE

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN LEO

Notary Public, Clerk of Court, Officer (F.S.S 117.10)

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

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

PBSO CASE # 23-093960 PBSO ZONE 1-25

AGENCY CASE # _____ CRASH CASE # _____

TIME OF STOP/CRASH 2229 DATE 07/28/2023 DAY Friday

SUBJECT'S NAME BARKER, STEPHEN, LAWRENCE RACE W SEX M

HGT 602 WGT 230 DOB 10/20/1964

LOCATION WEISMAN WAY (E) OF FAIRGROUNDS RD WPB FL

ARRESTING OFFICER'S NAME & ID INV. E.K. WHITE (7209) AGENCY Palm Beach County Sheriff's Office

DIVISION: CID/DUI

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 0000

ARREST TIME 2313

BREATH RESULTS:

1) .202
2) .200
3)
4)

TESTING OFFICER'S ID 16877 PBSO VIDEOTAPE # N/A

NOT A 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)_____

NOT A CERTIFIED COPY

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

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? N.C

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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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: 07/29/2023

Date of Last Agency Inspection: 07/14/2023
Observation Period Began: 00:00
Subject's Name: STEPHEN L BARKER DOB: 10/20/1964 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	00:26
Air Blank	0.000	00:26
Control Test	0.078	00:27
Air Blank	0.000	00:27
Subject Sample #1	0.202	00:28
Air Blank	0.000	00:29
Air Blank	0.000	00:30
Subject Sample #2	0.200	00:31
Air Blank	0.000	00:32
Control Test	0.077	00:32
Air Blank	0.000	00:33
Diagnostics Check	OK	00:33

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: 07/29/23
Signature

Sworn to (or affirmed) before me this 29 day of July, 2023

_____ Inv. E. White #7209
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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WITNESS LIST

CASE NUMBER: 23-093960

ARRESTING OFFICER: INV. E.K. WHITE

ADDRESS: CID/DUI

PHONE NUMBERS (HOME): (863) 227-4287 (WORK)

CAN TESTIFY TO: FACTS

NAME: D/S JUAN F. RAMIREZ

ADDRESS: DIST 8

PHONE NUMBERS (HOME) (WORK) 561 688 3000

CAN TESTIFY TO: SEEIND THE DEFENDANT DRIVING HIS VEH

NAME: D/S LESLIE RICKETS

ADDRESS HQ

PHONE NUMBERS (HOME) (WORK) 561 688 3000

CAN TESTIFY TO: CRASH INVESTIGATOR

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

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PHONE NUMBERS (HOME) (WORK)

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CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

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TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: Barker, Stephen L.

CASE NUMBER: 23-093960

DATE: Jul 29, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:23

ENDING TIME: 00:46

BREATH TESTS RESULTS: 1) .202 TIME 00:28 A.M. ☒ P.M. ☐ 2) .200 TIME 00:31 A.M. ☒ P.M. ☐

3) N/A TIME ——— 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

SPEECH: Slurred

ATTITUDE: Calm, cooperative, friendly, swaying

CLOTHING: Tan shorts, orange & white shirt, white sneakers

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER:

Eyes are red
odor of unknown alcoholic beverage on breath and blood on nose
Subject stated in Q&A he have 3 beers

COMMENTS:

Arrived at center A/O started 20 minute observation period at 00:00 hrs.

Subject agreed to perform breath test.

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

Tech read breath test results.
Subject stated he understood breath test results.

A/O conducted Q&A.
Subject answered Q&A.

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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	☒	316.650(b)	Other: Driver information contained in a uniform traffic citation.	14
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2023019727	**Date:** 7/29/2023
	Specialist Name/ID: R.Castro/40259