0541034

Arrest Report

23CT10231 SB

3946

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

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
6/7/2023 01:40 PM	FHP99ARR860130	FHP23ON0296579 / RCC23IN0448288	GUERRIER, JEFFERSON

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	06/07/2023 10:54:10 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH		SOF

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	I-95NB		BOYNTON BEACH	FL	33435

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
STEVEN	JOHN	GRAHAM		WHITE	MALE	511	220	BRO	BRO

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	01/14/1969	54	E	G650790690140	FL	

Place of Birth:	BOSTON MA US

Address
* / 2772 MOORING CT APT 206 , LANTANA, FL 33462 /

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
6/7/2023 11:57:28 AM		

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
	I-95NB		PALM BEACH	BOYNTON BEACH	FL	33435

Charge : S

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

Charge Degree	Charge Level
S	MISDEMEANOR

General Offense Code	Arrest Offense Code
	DUI-UNLAW BLD ALCH

Charge Description
DUI INFLUENCE OF ALCOHOL OR DRUGS

Administrative Code - Description
-

NOT A CERTIFIED COPY

No detainer

SCANNED
JUN 08 2023

FILED PBC - GUN CLUB--
'23 JUN 8 AM 7:19

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Bond Set by Court

Bond Amount	☐ No Bond

Bond Type(s)

Probable Cause

On June 7th, 2023 I was dispatched by the Lake Worth Regional Communication Center (LWRCC) in reference to a vehicle crash that occurred on Interstate 95 (State Road 9) northbound south of (State Road 804) Boynton Beach Boulevard. On arrival, I observed two vehicles on the left shoulder. One was a White Buick utility vehicle bearing the license plate 5086253 out of New Hamshire. The other was a Beige BMW passenger car bearing the license plate AW99XF out of Florida. Boynton Beach Fire Rescue was on scene tending to the parties on scene.

When I approached the White Buick, I observed a 24 ounce can of Smirnoff Smash on top of the vehicle. The drivers of both vehicles and the passenger was on the shoulder directly in front of the vehicle being tended to by Boynton Beach Fire Rescue. I identified the drivers of both vehicles and began my crash investigation. I spoke to the driver and passenger of the beige BMW and asked them about their account of the crash. The driver of the BMW was identified as Erick Daniel Fernandez Polo Date of Birth 11/16/1994. The passenger was identified as Giselle Mora Lonchon (M645280979440) with her Florida Learners Permit. The driver and passenger of the beige BMW advised that the White Buick improperly changed lanes from the center lane to the inside center lane. As a result, the rear left portion of the White Buick Collided with the front right portion of the BMW. The driver and passenger of the beige BMW were wheel witnesses and was able to confirm who was driving the White Buick. The interview of the crash was captured on my recording equipment issued by the agency and will be available upon request.

I then approached the White Male standing against the concrete barrier wall. The male's shirt appeared to have nasal mucus on it. The male was later identified as Steven John Graham FI (G650790690140). I asked Mr. Graham if he was okay and Mr. Graham shook his head and said yes. Mr. Graham advised that he fell asleep while driving and that is what caused the crash. While interviewing Mr. Graham I observed a strong unknown alchohlic odor coming from Mr. Graham's breath. Mr. Graham's eyes were also bloodshot red and glassy. As he spoke, his speech appeared to be thick tongued. While inspecting the vehicle, I observed two additional 24 ounce Smirnoff (Smash). The Smirnoff Smash on top of the vehicle was half full. The other two Smirnoffs were empty. After my crash investigation, I told Mr. Graham that I was now conducting an investigation for DUI. Mr. Graham advised that he did have one drink with his girlfirend in Boca Raton and was now driving home to Lantana. I asked Mr. Graham if he would participate in Voluntary Standard Field Sobriety Exercises and he declined to conduct the exercises. I told him that I would have to make a decision based on all the circumstances and again Mr. Graham declined to participate.

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Based on the totality of circumstances, there was probable cause to arrest Mr. Graham for Driving Under the Influence causing property damage Fl State Statue 316.193(3)(C)(1). Mr. Graham was handcuffed and placed in the back seat of my patrol vehicle.

Mr. Graham was transported to Palm Beach County Jail and arrived at 12:22 PM.

A 20-minute observation was conducted at 12:25 PM and at no time did I see the arrestee regurgitate or take anything by mouth. I requested that Mr. Graham provided a breath sample and he immediately refused. I read Mr. Graham implied consent and advised him of the future penalties and for a second time Mr. Graham refused to provide a breath sample.

Mr. Graham was then booked in the Palm Beach County Jail without incident.

All events occurred in Palm Beach County, State of Florida.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
6/7/2023 03:00 PM	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	06/17/2023 830AM	

Comments

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
GUERRIER, JEFFERSON TPR 4788	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\BROW LN TO SR804

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Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	**06/07/2023 10:54:10 -**	

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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
GUERRIER, JEFFERSON	**TPR**	**4788**

Officer Agency

FLORIDA HIGHWAY PATROL

Officer Signature

Sworn and subscribed before me, the undersigned authority

This the 07 day of June 2023

DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

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

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

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SCANNED
JUN 08 2023

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

PBSO CASE # 23-076114 PBSO ZONE 6-12

AGENCY CASE # FHP230N0296579 CRASH CASE #

TIME OF STOP/CRASH 10:55 AM DATE 6/7/23 DAY Wednesday

SUBJECT'S NAME Graham (LAST) Steven (FIRST) J (MID) RACE W SEX M

HGT 5'11" WGT 220 DOB 1/14/1969

LOCATION Interstate 95 Northbound Boynton Beach Blvd

ARRESTING OFFICER'S NAME & ID Guerrier #4788 AGENCY FHP

DIVISION: Lake Worth

NOTIFIED BY COMMO

ARRIVAL AT FACILITY 12:25 PM

ARREST TIME 11:57 AM

BREATH RESULTS:

1)
2) REFUSED
3)
4)

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TESTING OFFICER'S ID 24639 PBSO VIDEOTAPE # N/A

SCANNED
JUN 08 2023

TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: GRAHAM, STEVEN J

CASE NUMBER: 23-076114

DATE: Jun 7, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 12:56

ENDING TIME: 12:59

BREATH TESTS RESULTS: 1) R TIME 12:58 A.M.☐ P.M.☒ 2) N/A TIME N/A 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: P.POUND #24639

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

REFUSED

ATTITUDE: CALM, QUIET

CLOTHING: TAN SHORTS, RED T- SHIRT , BLACK / WHITE SANDALS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

NOT A CERTIFIED COPY

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 12:25 HRS.

SUBJECT: REFUSED TO TAKE TEST

A/O: READ I/C

SUBJECT: STATED HE UNDERSTOOD I/C AND REFUSED TO TAKE TEST

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

REFUSED

A/O: ATTEMPTED Q&A

SUBJECT: REFUSED QUESTIONS

SCANNED

JUN 08 2023

SUBJECT: GRAHAM, STEVEN J 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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SCANNED
JUN 08 2023

SUBJECT: GRAHAM, STEVEN J 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) 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

SCANNED

JUN 08 2022

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

PBSO #0129BU REV 04/22

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

Palm Beach County Sheriff's Office – Arrests Only

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

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REVIEW COMPLETED BY

Booking Number: 2023014881	**Date:** 6/8/2023
	Specialist Name/ID: T.Howard/7185

SCANNED
JUN 08 2023