50-2024-CT-001621 ANB
0546717

1871

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: FLO 5 0 2 6 0 0
Agency Name: PALM BEACH GARDENS POLICE DEPARTMENT
Agency Report Number: 78 - 24000489

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): 4445 PGA BLVD, PALM BEACH GARDENS, FL, 33410
Location of Offense (Business Name, Address): PGA BLVD/LAKE VICTORIA GARDENS AV, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
01/30/2024	00:57					SHELL GAS STATION 4445 PGA BLVD, PBG, FL 33410

DEFENDANT

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

Name (Last, First, Middle): VYSOTINA, VICTORIA,

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	07/30/1968	5'5	170	BRO	BLN	LGT	MED

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): 333 E 57TH ST 15B, NEW YORK, NY 10022
Phone: (917) 596-0500
Residence Type: 1. City 2. County 3. Florida 4. Out of State | 4

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 333 E 57TH ST 15B, NEW YORK, NY 10022
Phone:
Address Source: VERBAL

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

D/L Number, State: 215425419 NY
Soc. Sec. #: [redacted]
INS Number:
Place of Birth (City, State): SLVAYANCE, UKRAINE
Citizenship: 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. 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 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	1	☐ Y ☒ N	316.193(1)(A)	

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

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

FILED PBC - GUN CLUB - '24 JAN 30 PM 1:05

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 MARCH Day 6TH Year 2024 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: 01/30/2024

ADMIN

HOLD for other Agency Name:
☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other:
Intake Deputy: I.D. # 18542 Pouch #

Signature of Arresting Officer: X
Name of Arresting Officer (Print): A. FLINK I.D. # 514
Transporting Officer: OFC. FLINK ID # 514 Agency PBGPD

Name Verification (Printed by Arrestee) (PRINT)
Witness here if subject signed with an -X"

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 24-000489

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
VYSOTINA, VICTORIA		W	F	07/30/1968

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	
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.

☐ 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 30 day of January, 2024 at 00:43 (Specifically include facts constituting cause for arrest.)

On 01/30/2024 at approximately 0043 hours, this Officer arrived in the parking lot of 4445 PGA Blvd, PBG, FL, to assist Ofc Badolati 552 on a traffic stop. Body worn camera and in car video were used.

Ofc Badolati said he first observed the vehicle, a Nissan Altima (DZVP51/FL) in the area of PGA Blvd and Lake Victoria Gardens Av, PBG, FL, make a U-turn with a red light shown for the lane. Ofc Badolati said as the vehicle traveled west bound, he observed same swerve into the left-hand turn lane of RCA Blvd, then swerve back out onto PGA Blvd. The vehicle then continued west bound in the inside through lane and almost struck the positive median more than one time. Ofc Badolati activated his overhead lights and audible sirens east of Interstate 95, to which the vehicle continued west bound before stopping in the right-hand turn lane at the intersection of N Military Trl. While Ofc Badolati was exiting his vehicle, the vehicle made the right-hand turn onto N Military Trl before stopping at the location.

This Officer approached the driver window and made contact with the lone occupant, identified via New York Driver License photo, Victoria Vysotina (OF), while she was still in actual physical control of same. Vysotina had glassy eyes, mumbled and slurred speech, and the obvious odor of an unknown alcoholic beverage emanating from her breath at conversational distance. Vysotina said she was on her way to PGA Resort and was coming from the Breakers where she attended a mortgage conference. Vysotina said she consumed one glass of wine on this night, and denied consuming narcotics, prescriptions and/or Cannabis on this night.

Based on this Officer`s observations, this Officer expressed concern to Vysotina that she may be under the influence and asked her to exit the vehicle to participate in Standardized Field Sobriety Exercises, to which she complied. Upon exiting, Vysotina immediately lost her balance and stumbled backward toward the vehicle. Vysotina

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

01/30/2024
DATE

THOMASINA MILLER
Notary Public - State of Florida
Commission # HH 339641
My Comm. Expires Dec 7, 2026
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

01/30/2024
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: FL FL0502600

Agency Name: Palm Beach Gardens Police Department

Agency Report Number: 7 | 8 | 24-000489

Special Notes:

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

DEF

Name (Last, First, Middle): VYSOTINA, VICTORIA

Alias

Race	Sex	Date of Birth
W	F	07/30/1968

PROBABLE CAUSE STATEMENT

mentioned medical conditions which would affect the performance exercises, thus seated exercises were conducted. The exercises were conducted while Vysotina was seated on a marked unit push bumper.

The first exercise conducted was the Horizontal Gaze Nystagmus. The stimulus used was a Streamlight Stylus with an illuminated red tip. Vysotina had a lack of smooth pursuit in both eyes as well as involuntary jerking at maximum deviation in both eyes. Vysotina also had the onset of Nystagmus in both eyes prior to 45 degrees. Throughout the exercise, Vysotina kept making comments about not using drugs. Vysotina became very repetitive in these statements, making the same statement multiple times.

The second exercise conducted, was the Finger to Nose. During the exercise, the following was observed: First command of Left, Vysotina had to be told to lower her hand. First command of Right, Vysotina tilted her head forward, hesitated as she approached her nose and had to be told to lower her hand. Second command of Left, Vysotina again hesitated as she approached her nose and touched under the tip of her nose on the right side. Vysotina also opened her eyes and had to be told to lower her hand. Second command of Right, Vysotina hesitated as she approached her nose, touched under the tip and had to be told to lower her hand. Third command of Right, Vysotina raised her left hand then right and touched the left side of her nose. Vysotina also tilted her head forward and had to be told to lower her hand. Final command of Left, Vysotina hesitated as she approached her nose, then touched the right side of her nose.

The third exercise conducted, was the Palm Pat. Vysotina double patted and also missed her hand. Vysotina had to be told to increase speed and she would count between hands making contact as well as when they made contact.

The fourth exercise conducted, was the Hand Coordination. During Task 1, Vysotina rolled her hands and conducted five counts rather than four. During Task 3, Vysotina counted one through four rather than five through eight. Vysotina also stacked her fists and did not return her left fist to her chest.

The final exercise conducted, was the Modified Rhomberg Balance. Vysotina estimated the passage of 30 seconds in approximately eight seconds.

Based on this Officer's observations, Vysotina was placed under arrest at 0057 hours. At PBSO BAT, this Officer conducted the 20 minute observation period, noting no issues. This Officer requested Vysotina provide a breath sample for the purpose of determining its alcohol content, to which she consented the immediately asked to speak with a lawyer. This Officer explained a lawyer was not possible at this time due to driving being a privilege and not a right. This Officer read Florida Implied Consent to Vysotina to which she said she did not understand. This Officer explained Florida Implied Consent, to which Vysotina waved further explanation and said she wanted to

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F

01/30/2024
DATE

THOMASINA MILLER
Notary Public - State of Florida
Commission # HH 339641
My Comm. Expires Dec 7, 2026
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

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

01/30/2024
DATE

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

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1 JUVENILE

ADMIN

OBTS Number

Agency ORI Number: FL FL0502600

Agency Name: Palm Beach Gardens Police Department

Agency Report Number: 7 | 8 | 24-000489

Special Notes

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

DEF

Name (Last, First, Middle): VYSOTINA, VICTORIA

Alias

Race	Sex	Date of Birth
W	F	07/30/1968

PROBABLE CAUSE STATEMENT

speak with a lawyer. This Officer explained to Vysotina this would be taken as a refusal, to which she acknowledged and refused at 0151 hours.

Based on the results of the investigation, this Officer has probable cause to charge Victoria Vysotina with driving under the influence to the extent her normal faculties were impaired, in violation of FSS 316.193(1)(A).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

01/30/2024
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01/30/2024
DATE

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

PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 24-029738 PBSO Zone: 3-13

Agency Case #: 24000489 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 0039 Date of Incident: 01/30/2024 Day: TUESDAY

Location of Incident: PGA BLVD/LAKE VICTORIA GARDENS AV, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 00:57 Date of Arrest: 01/30/2024 Day: TUESDAY

Location of Arrest: 4445 PGA BLVD, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) VYSOTINA, (F) VICTORIA, (M) _____

DOB: 07/30/1968 Race: W Sex: F Height: 5'5 Weight: 170 Hair BLN Eye BRO

Address: 333 E 57TH ST 15B, NEW YORK, NY 10022 Phone: (917) 596-0500

Arresting Officer's Name: A. FLINK ID#: 514

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

Breath Results

1) _____ at _____ hrs.
2) REFUSED at _____ hrs.
3) _____ at _____ hrs.
4) _____ at _____ hrs.

---BAT Use---

BAT Notified: YES

Arrival Time at BAT: 0126

Subject Arrest Time: 00:57

Breath Test Operator: MILLER 41017
PBSO

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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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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? _____

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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24000489

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, A. FLINK, a duly certified Law Enforcement or Correctional Officer, am a member of PALM BEACH GARDENS POLICE DEPARTMENT, and I do swear or affirm that on or about the 30TH day of JANUARY, 2024, at 00:57 ☐P.M. ☑A.M.

(Name of Officer reading Implied Consent Warning)

(Name of Law Enforcement Agency)

DRIVER VICTORIA (FIRST NAME) (MIDDLE OR MAIDEN NAME) VYSOTINA (LAST NAME),

DL # 215425419, state of NY, was placed under lawful arrest for the offense of DRIVING UNDER THE INFLUENCE by A. FLINK and issued citation # AINO7TE.

(Name of Arresting Officer)

That on or about the 30TH day of JANUARY, 2024, at 0151 ☐P.M. ☑A.M.

in PALM BEACH County,

I requested that the driver submit to a **BREATH** test for the purpose of determining its alcohol content. I informed the driver that the refusal to submit to such test would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended, or if he or she had been previously fined under s. 327.35215, F.S., for refusing to submit to a breath, urine, or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended, or if he or she has been previously fined under s. 327.35215, F.S., for refusal to submit to a lawful test of his or her breath, urine, or blood. Nonetheless, the driver refused to submit to the test requested.

Signature of Law Enforcement Officer or Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (s. 117.10, F.S.)

THOMASINA MILLER
Notary Public - State of Florida
Commission # HH 339641
My Comm. Expires Dec 7, 2026
Bonded through National Notary Ass.

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this 30TH day of JANUARY, 20 24, by A. FLINK, who is personally known to me or who has produced _____ as identification.

Notary Public _____

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title _____

Date 01/30/2024

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

NOT CERTIFIED COPY

EFFECTIVE OCTOBER 1, 2021

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: VYSOTINA, VICTORIA

CASE NUMBER: 24-029738

DATE: Jan 30, 2024

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 01:48

ENDING TIME: 01:52

BREATH TESTS RESULTS: 1) R TIME 01:51 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: T. MILLER #41017

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: ACCENT

ATTITUDE: CALM REFUSED

CLOTHING: LIGHT BLUE BLAZER, BLUE SHIRT, BLUE PANTS, WHITE HEELS

MEDICAL CONDITIONS: BROKEN WRIST , INJURED LEG, DYSLEXIA

MEDICATIONS: MEDICATION FOR PAIN

OTHER:

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 01:26 HRS.

SUBJECT: AGREED TO TAKE TEST THAN ASKED FOR A LAWYER.

A/O: READ I/C AND EXPLAINED I/C.
SUBJECT: DID NOT ACKNOWLEDGE SHE UNDERSTOOD I/C AND REFUSED TO TAKE TEST.

NO RIGHTS WERE READ.

NO Q & A CONDUCTED.

REFUSED

NOT A CERTIFIED COPY

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: 2024002708	**Date:** 1/30/2024
	Specialist Name/ID#: ANGELA PINKNEY/7796