50-2023-CT-013885 ANB

ARREST / NOTICE TO APPEAR

OBTS Number:

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

JUVENILE:

ADMINISTRATION

Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
0501700	Jupiter Police Department	5 , 4 | 23-003115

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: UNARMED

Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
6274 W INDIANTOWN RD JUPITER, FL 33458	2149 W INDIANTOWN RD/CENTER ST, JUPITER, FL 33458

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
08/05/2023	03:53	08/05/2023	04:03			

DEFENDANT

Name (Last, First, Middle): GEARTY, WILLIAM J — Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	12/27/1960	6'03	220	BLUE	BLONDE /	LIGHT	Large

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

Marital Status	Religion	Indication of Alcohol Influence / Drug Influence
M	CATHOLIC	Yes ☒ No ☐ Unk. ☐

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
6536 CHASEWOOD DR N, JUPITER, FL 33458				(617) 901-2297	1

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
6536 CHASEWOOD DR N, JUPITER, FL 33458				(617) 901-2297	SPOKEN

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

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
S55800437 / MA	[redacted]		BOSTON, MA	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

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

JUVENILE

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

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

(in OR

Notified by: (Name)	Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 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 355-2526) informed of any change of address.
☐ Yes, by: ☐ No:

School Attended — Grade

Property Crime?	Description of Property	Value of Property
☐ Yes ☒ No		

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	Statute Violation Number	Violation of ORD #
DUI - NORMAL FACULTIES IMPAIRED	316.193(1)(A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant

Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries
Explain:

Check which applies: ☐ Released O.R. ☐ Posted Bond ☐ Released to Parent/Guardian ☐ South County Mental Health ☐ T.O.T. County Jail

PROPERTY - Received By	Released By	Released To

Transported By	Date Transported	Time Transported	Other
	/ /	: :	

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): North County PALM BEACH GARD

Court Date and Time: 09/06/2023 08:30:00

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 [signature] 1185

Signature of Defendant (or Juvenile and Parent/Custodian) — Date Signed

No Photo Available

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake County ID. Pouch #: Ofc Hoover C7206

Signature of Arresting Officer: [signature] 1185

Name of Arresting Officer (Print): YOCHUM, CRAIG I.D. #: 1185

Transporting Officer: Ofc CASTANEDA I.D. #: 1207 Agency: JPD

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X".

FILED PBC - GUN CLUB-- '23 AUG 6 AM 7:55

PAGE 1 OF 1

☒ COURT ☒ STATE ATTORNEY ☒ AGENCY ☐ CENTRAL RECORDS ☒ JAIL ☒ CRIME ANALYSIS ☒ P. I. O. ☒ DEFENDANT

NOT A CERTIFIED COPY

J# 0542389

P# 1502

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: FL 0501700	Agency Name: JUPITER POLICE DEPARTMENT	Agency Report Number: 5 | 4 | 23-003115		

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
GEARTY, WILLIAM J		W	M	12/27/1960

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 commit the below acts.

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

On the 5 day of August, 2023 at 03:53 (Specifically include facts constituting cause for arrest.)

On 08/05/2023 at approximately 0333 hours, I was conducting speed enforcement along S.R. 706 (W Indiantown Rd.) in the area of N Delaware Blvd. in the Town of Jupiter, Palm Beach County, Florida. At the time, I was driving an unmarked Jupiter Police Department patrol vehicle (vehicle 1911), I was wearing a JPD uniform clearly identifying myself as a Jupiter Police Officer, and I was wearing my department-issued Axon body camera.

I was sitting in the westbound turn lane just west of N Delaware Blvd. monitoring east and westbound traffic. I observed a lifted gray pickup traveling westbound (approaching me from the rear) at a speed I believed to be well in excess of the posted 45 MPH speed limit. I visually estimated the truck to be traveling approximately 80 MPH. I activated the rear antenna of my vehicle-mounted STALKER DSR2X radar unit in same-direction stationary mode and received a digital speed readout of 83 MPH in a posted 45 MPH speed zone. Along with the speed readout, my radar unit emitted a clear, constant audio doppler tone consistent with a vehicle traveling the displayed speed. At the time, the pickup was the only vehicle traveling westbound within the operational range of my radar unit.

After the vehicle peaked its speed at 83 MPH, it slowly decelerated and passed me at 64 MPH. At this time, I identified the vehicle to be a 2023 gray Chevrolet Silverado bearing MA tag # 3VMK43. I began to follow the vehicle to conduct a traffic stop and observed it straddling the dashed lane divider separating the inside and center lanes of S.R. 706 as it neared the intersection with Maplewood Dr. When the vehicle approached the intersection with Center St., the traffic light for westbound traffic had been solid green, but the driver applied the brakes as the truck neared the intersection but ultimately continued westbound, through the green light.

I activated the overhead interior lights and siren of my patrol vehicle to initiate a traffic stop and the truck came to a stop in the westbound left turn lane of S.R. 706

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

08/05/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

08/05/2023
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 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-003115

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
GEARTY, WILLIAM J		W	M	12/27/1960

PROBABLE CAUSE STATEMENT

just before the entrance to the Chasewood Plaza (Palm Rd.).

I approached the vehicle on the driver side and made contact with the driver and sole-occupant of the vehicle who I later identified to be William Gearty (w/m; 12/27/1960). Gearty had bloodshot eyes and his right cheek was stuffed completely full of Altoids-brand mints. Additionally, Gearty was wearing an orange wristband on his left wrist that is common of bar patrons to identify they are of legal drinking age. I advised Gearty of the reason for the traffic stop and requested he provide his driver license, registration, and insurance information. Gearty provided his registration documentation and began searching for his driver license in his pockets while I asked him questions about where he was coming from and where he was going. While answering, Gearty failed to resume his search for his driver license until I asked him to produce it again.

Gearty advised me that he was coming from the airport and driving back to his house in the Chasewood community. Since Gearty was traveling westbound on S.R. 706, I found it suspicious he was coming from the airport. Gearty advised he was dropping his daughter off in Tequesta and must have left his wallet with her, as he could not find his driver license. Gearty also advised the orange wristband on his arm was a wristband to board a private jet.

I suspected I observed Gearty`s vehicle backed into a parking space in front of the Sunset Tobacco bar area (251 S US Highway 1) approximately 30 minutes before I stopped him and thought it more likely that he was actually coming from there instead of his claim of the airport. I confronted Gearty about it and Gearty admitted he was coming from the bar. Gearty then openly volunteered that he had two coffee flavored alcoholic beverages (Bailey`s). Gearty advised he could somewhat feel the effects of the alcohol and advised that he would hope he felt buzzed when I asked him about it. I also asked Gearty to estimate his level of impairment on a scale of 1 (being sober) to 10 (being sick) and he advised he was a 3.

Based upon my observations, I requested Gearty exit the vehicle. He complied and several Altoids mints fell from his lap onto the floorboard of the open driver door giving the appearance that he had hastily shoveled almost an entire tin of the mints into his mouth immediately before being stopped. After Gearty exited the vehicle, I could smell a faint odor of an unknown alcoholic beverage on his breath masked by the overwhelming odor of mint from the Altoids.

I advised Gearty that I was concerned he was driving under the influence and requested he perform SFSTs. Gearty agreed. Gearty advised he does not have any medical conditions and that he does not take any medications other than blood pressure medication. Gearty also advised he does not wear glasses or contacts.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

08/05/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

08/05/2023
DATE

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

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1 JUVENILE

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-003115

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

Special Notes:

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Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
GEARTY, WILLIAM J		W	M	12/27/1960

PROBABLE CAUSE STATEMENT

I first conducted the Horizontal Gaze Nystagmus task. I am a certified Drug Recognition Expert (IACP # 32395) and I conducted this task in accordance with my training. I confirmed Gearty had pupils of equal approximate size, that he did not have resting nystagmus, and that he was able to equally track a horizontally-moving stimulus. Gearty had difficulty focusing on the stimulus and keeping his head still and I had to remind him multiple times to either focus on the stimulus or not to move his head. I observed Lack of Smooth Pursuit and Distinct and Sustained Nystagmus at Maximum Deviation in both Gearty`s eyes. I did not observe the Onset of Nystagmus prior to 45 Degrees or Vertical Gaze Nystagmus.

I next conducted the Walk and Turn. Gearty advised he had both hips replaced earlier this year, in March, and that walking was difficult for him. I asked Gearty if he felt more comfortable sitting down and he advised that sitting was the reason for his hip replacements. I told Gearty that I could have him do the SFSTs either standing or seated and wanted him to decide, as I wanted him to perform as well as possible. Gearty stated he felt more comfortable standing so I continued the task. During the Instructions Stage, Gearty started before being told once, then stood with his feet side-by-side for the remainder of the instructions. When told to begin, Gearty did not reset his feet to the starting position and began counting his first step with his right foot. Gearty missed heel-to-toe for every step and paused for a moment after each step he took. On steps 2 and 4, Gearty stepped off the line, to the right. After taking 9 steps, Gearty stopped and asked if he should turn around. I advised him to complete the task as best as he could remember. Gearty then took one step forward with his trailing foot and pivoted on the balls of his feet to turn. Gearty stopped again to ask if he should return and I again advised him to complete the task to the best of his memory. Gearty returned walking down the line missing heel-to-toe on every step and pausing as he did before after each step. Gearty stepped off the line (to the right) on step 2.

As I was starting the One Leg Stand instructions, I remembered Gearty advised he had both hips replaced. I asked if Gearty if he could stand on one leg and he advised he could not so I skipped the One Leg Stand task.

I then conducted the Finger to Nose. Gearty demonstrated knowledge of his left and right hands before the task. The cadence for the task was: Left, Right, Left, Right, Right, Left. When told to begin, I reminded Gearty to tilt his head back and close his eyes. On the first call of left, Gearty touched the pad of his left index finger to the inside of his left eye socket and failed to return his arm to his side. On the remainder of the calls for this task, Gearty touched the pad of the appropriate finger to the tip of his nose and failed to return his arm to his side. I reminded him a total of 3 times to immediately return his arm to his side yet he continually failed to return his arm to his side.

Prior to completing the Romberg Alphabet, Gearty advised he has several Doctorate

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

08/05/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

08/05/2023
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

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Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
GEARTY, WILLIAM J		W	M	12/27/1960

PROBABLE CAUSE STATEMENT

degrees and that he was comfortable with the alphabet from A to Z. When I advised Gearty to begin, he appropriately closed his eyes and tilted his head back. Gearty then recited the alphabet properly up until the end, where he stated "WYXZ".

Based on the totality of the circumstances, I placed Gearty under arrest for DUI. I requested at roadside that Gearty provide a lawful sample of his breath for the purpose of determining the alcohol content. Gearty refused. I then read Gearty Implied Consent from a prepared text and further explained it to him in layman`s terms, at his request. Gearty advised he understood and ultimately refused to provide a breath sample at 0403 hours.

Based upon the aforementioned facts resulting from my investigation, I find Probable Cause exists to charge William Gearty with DUI - Normal Faculties Impaired pursuant to 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)

08/05/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

08/05/2023
DATE

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

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, Officer Craig Yochum # 1185, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of Jupiter Police Department, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the 5th day of August, 20 23, at 3:53 ☐P.M. ☑A.M.

DRIVER William Joseph Gearty,
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # S55800437, state of Massachusetts, was placed under lawful arrest for

the offense of DUI by Officer Craig Yochum # 1185 and
(Name of Arresting Officer)

issued citation # AHDGOSE.

That on or about the 5th day of August, 20 23, at 4:03 ☐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.)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this 5th day of August, 20 23, by Officer Craig Yochum # 1185, who is personally known to me or who has produced Personally Known as identification.

Notary Public

Title Police Officer

Date 08/05/2023

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 A CERTIFIED COPY

EFFECTIVE OCTOBER 1, 2021

WITNESS LIST

CASE NUMBER: 23-003115

ARRESTING OFFICER: Craig Yochum

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME): _____ (WORK) 561-746-6201

CAN TESTIFY TO: PC

NAME: _____

ADDRESS: _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

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NAME: _____

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PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NOT A CERTIFIED COPY

SUBJECT: **Gearty, William Joseph** CASE NUMBER: **23-003115**

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 detecting the presence of chemical or controlled substances.

-OR-

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of detecting its alcohol content and the presence o chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST

I am **Officer Craig Yochum # 1185** of the **Jupiter Police Department**

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.

SUBJECT'S SIGNATURE: **Read on Body Camera** **Gearty, William Joseph**

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

You have the right to remain silent and not answer any questions.

Any statement must be freely and voluntarily given.

You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.

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.

If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.

I can make no threats or promises to induce you to make a statement. This must be of your own free will.

Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: **Not Read on Camera** **Gearty, William Joseph**

NOT A CERTIFIED COPY



TOWN OF JUPITER

POLICE DEPARTMENT

Important Post DUI Arrest Information

NOT A CERTIFIED COPY

Mr. **Gearty** ,

You have been arrested for DUI by the Jupiter Police Department, case # **23-003115** .
Your vehicle has been towed by **Kauff's Towing** . Their phone number can be found in the yellow pages or with an internet search.

You have a court date of **Wednesday, September 6, 2023,** at 8:30 am at the North County Courthouse located at 3188 PGA Blvd. Palm Beach Gardens, FL 33410.

- [x] Your copy of the DUI Citation is your driving permit for the next TEN (10) days. If you would like to request a formal hearing with the DHSMV in reference to your driver's license, you may contact their office at 3718-3 West Oakland Park Blvd. Lauderdale Lakes, FL 33144 or call (954) 677-5801.
- [ ] Your driver's license is not suspended at this time; however, you may be notified to surrender your driver's license once toxicology results are completed.
- [ ] Your copy of the DUI citation is NOT a permit to drive, as you current license is under suspension.
- [ ] Your copy of the DUI Citation is NOT a permit to drive, as you do not currently possess a valid driver's license.

196 Military Trail • Jupiter, Florida 33458 • Phone (561) 746-6201 • Fax (561) 746-4545

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: 2023020308	**Date:** 8/6/2023
	Specialist Name/ID: R.Castro/40259