

05/11/200

# Arrest Report

05/11/200

PH 618

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

ACT-17708

Report Date / Time 9/23/2019 01:30 AM	Report Number FHP99ARR811110	Case Number/Cad Number FHPL19OFF062869 / LWRC19CAD173696	Reporting Officer Name SAYIH R. A.
Originating Agency ORI	Occur Date Time Range 09/23/2019 00:03:08 - 09/23/2019 03:15:00	Jurisdiction	Clearance

### Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description
Street Number SB INTERSTATE 95 NOF SR 804	Street	Apt/Lot/Bldg BOYNTON BEACH
City	State FL	Zip Code 33435

### Defendant

First Name AARON	Middle Name MICHAEL	Last Name HOPE	Suffix	Race WHITE	Sex MALE	Height 511	Weight 210	Hair BRO	Eyes BLU
MNI #	SSN	Date of Birth 08/08/1979	Age 40	Place of Birth GAINESVILLE FL	Drivers License or other ID H100013792880	State FL	ID Type E	Address * RESIDENCE / 19427 VILLA CITY ROAD , GROVELAND, FL 34736 / 407-920-8550	

### Arrest

Arrest Date/Time 9/23/2019 12:26:00 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description INTERSTATE
Street Number SB INTERSTATE 95 NOF SR 804	Street	Apt/Lot/Bldg PALM BEACH
City BOYNTON BEACH	State FL	Zip Code 33435

### Charge : S

Counts 1	Charge 316.193.1	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree N	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI ALCOHOL OR DRUGS			

### Bond Set by Court

Bond Amount	<input type="checkbox"/> No Bond
Bond Type(s)	

### Probable Cause

On Monday, September 23rd, 2019, I Trooper Sayih #3822 was on routine road patrol in Palm Beach County, Fl. Traveling southbound on Interstate 95 (State Road 9) north of Gateway Blvd. in the inside center lane, I observed a black pickup truck in the center lane that was following a red in color vehicle too closely. Maintaining a visual on the black in color pickup truck I observed it to be traveling

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2019 SEP 23 AM 5:15

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under the posted speed limit and swerving outside of its current lane of travel. Based off the black in color pickup trucks driving pattern, the surrounding traffic and approaching an active work zone, I positioned my marked patrol vehicle behind the black in color pickup truck and activated my emergency lights and siren in an attempt to conduct a traffic stop. The black in color pickup truck continued to travel southbound past Gateway Blvd. and further into the active work zone. Upon approaching Boynton Beach Blvd (State Road 804) the black in color pickup truck entered the lane closure in the outside travel lanes and came to a stop in the roadway in the outside center lane rather than the right paved emergency shoulder. I then approached the vehicle on its passenger side attempting to make contact with the driver of the black in color pickup truck. Due to the truck being lifted I requested for the driver of the vehicle to open the passenger side door. The driver seemed to be unable to roll down the passenger side window or unlock it so that I would be able to open it forcing me to approach the vehicle on its driver side along with the oncoming traffic. Making contact with the driver on the driver side and the window down the driver advised me that he was unable to reach the other door. The driver was requested to step out of the vehicle so I could speak with him as a safety concern due to me not being able to see the inside of the vehicle due to it being lifted and being close to the oncoming southbound traffic. Coming into contact outside of the vehicle on the right side of the roadway the driver was then identified through his Florida driver license to be Aaron Michael Hope 08/08/1979. As I was face to face on the side of the roadway with Mr. Hope I observed his eyes to be bloodshot and glossy along with him swaying as he stood in front of me. Mr. Hope was advised on the reasoning of the traffic stop and was asked if there was any reason for his driving pattern. Mr. Hope stated that there was no reason for his driving pattern. Mr. Hope was then questioned on if he had anything medically wrong with him or if he had been drinking to which he advised me that there was nothing wrong with him and that he had not been drinking. Mr. Hope stated that he was coming from Orlando and he was traveling due to having a ground breaking ceremony for work tomorrow. As Mr. Hope was speaking to me I could smell the odor commonly associated with the smell of an unknown alcoholic beverage emitting from his breath as he spoke to me. Based off Mr. Hope's driving pattern, speech being slurred and mumbled, the odor commonly associated with the smell of an unknown alcoholic beverage emitting from his breath and him swaying while standing outside with me, I had reason to believe Mr. Hope was operating his motor vehicle under the influence of alcohol and/or a controlled substance. I then requested for Mr. Hope to perform a series of roadside exercises to which he consented to perform. (see roadside task sheet).

The area for the following roadside exercises was level and free of debris. Subject agreed to use a straight solid line provided by the roadway to perform the walk and turn exercise. Subject was asked if he had any problems with his eyes aside from corrective vision, or injuries that would prevent him from performing any of the exercises that would be requested of him to perform. Subject advised that he did not have any physical body injuries or limitations and would be able to perform the exercises requested of him to perform.

Horizontal Gaze Nystagmus:

- LT EYE-LACK OF SMOOTH PURSUIT

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

- Subject was unable to not move his head as instructed and was instructed to hold his head with his hands to assist himself with not moving his head.

Walk and Turn Exercise:

Interaction Phase:

- Subject swayed in starting position.
- The exercise was then demonstrated and explained to the Subject.
- Subject started before instructed to do so several times.
- Subject advised he understood instructions and did not have any questions.
- Subject took more steps than instructed (ten steps both ways)
- Subject stopped during exercise to ask me how to conduct the exercise
- Subject lost balance
- Subject missed heel to toe
- Subject used arms for balance
- Subject stepped off line

One Leg Stand Exercise:

Interaction Phase:

- Subject was swaying while in starting position.
- The exercise was demonstrated and explained to the Subject
- Subject advised he understood the instructions and did not have any questions.
- Subject lost balance
- Subject used arms for balance
- Subject failed to count as instructed

Finger to Nose:

Interaction Phase:

- Subject was swaying while in the starting position.
- The exercise was demonstrated and explained to the Subject
- Subject advised he understood the instructions and did not have any questions
- On the subjects first attempt with his left finger he touched the left side of his nose with the pad of his finger and failed to bring it back down as instructed.

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- On the subjects second attempt with his right finger he touched the bridge of his nose with the pad of his finger.
- On the subjects third attempt with his left finger he touched the left side of his face with the pad of his finger.
- On the subjects fourth attempt with his right finger he touched the bridge of his nose with the pad of his finger.
- On the subjects fifth attempt with his right finger he attempted to use his left finger and then proceeded to use his right finger, touching the bridge of his nose with the pad of his finger.
- On the subjects sixth attempt with his left finger he touched the left side of his face with the pad of his finger.

Rhomberg Balance:

Interaction Phase:

- Subject was swaying while in the starting position.
- The exercise was demonstrated and explained to the Subject
- Subject advised he understood the instructions and did not have any questions.
- Subject exhibited leg tremors
- Subject exhibited an approximate 2" orbital sway
- Subject estimated 30 seconds in 27 seconds.

Due to the totality of the circumstances, Mr. Hope was then placed under arrest for DUI pursuant to Florida Statue 316.193.1 at 12:26 AM. Mr. Hope was then searched and placed in my patrol vehicle where he was then transported to the Palm Beach County Jail's Breath alcohol testing facility (BAT). Inside the Palm Beach County Jail's breath alcohol testing facility (BAT) Mr. Hope began a 20 minute observation prior to being provided an opportunity to provide a breath sample. After Mr. Hope's 20 minute observation, he was given an opportunity to provide a breath sample to which he refused to provide. Mr. Hope was then read implied consent resulting in him, once more refusing to provide a sample of his breath at approximately 01:26 AM.

Video of the traffic stop roadside exercises and transport to the Palm Beach County Jail can be obtained through the FHP custodian

Video of the Palm Beach County Jail's BAT facility can be obtained through the Palm Beach County records department.

**Jail Bookin Facility**

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone Number
0.0000	PALM BEACH	PALM BEACH COUNTY CORRECTIONS	(561) 688-4400

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Booking Facility Location

Booking Number

3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406

Booking Comments



**Court**

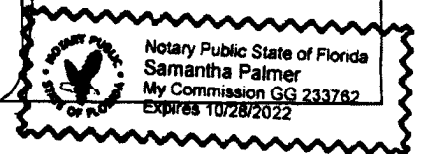
Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 10/22/2019 08:30 AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
PRADO, JOSEPH TROOPER 4630	ASSISTING	FLORIDA HIGHWAY PATROL FHPLILWRCCIPALM BEACH BROW LN TO SR804
SAYIH R. A. TROOPER 3822	PRIMARY / REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPLILWRCCIPALM BEACH BROW LN TO SR804

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 SAYIH R. A.	Office Rank TROOPER	Officer ID No 3822	Sworn and subscribed before me, the undersigned authority This the <u>23<sup>rd</sup></u> day of <u>Sept</u> , 2019 DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature			



J/OMAS 7912

NOT A CERTIFICATE



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

PBSO CASE # 19-118209

AGENCY CASE# FHPL19OFF062869

AGENCY ZONE 6-32

CRASH CASE # \_\_\_\_\_

TIME OF STOP/CRASH 12:03 AM DATE 09/23/2019 DAY MONDAY

SUBJECT'S NAME AARON MICHAEL HOPE RACE W SEX M

HGT 5'11" WGT 210 DOB 08/08/1979

LOCATION SB SR 9 NOF SR 804

ARRESTING OFFICER'S NAME & ID TPR. SAYIH #3822 AGENCY FLORIDA HIGHWAY PATROL

DIVISION: LAKE WORTH

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 01:03 AM

ARREST TIME 12:26 AM

BREATH RESULTS:

1. REFUSED
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

TESTING OFFICER'S ID 3184 PBSO VIDEOTAPE # N/A

NOT A CERTIFIED COPY

**SCANNED**  
 SEP 24 2019

# TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: Hope, AARON MICHAEL CASE NUMBER: 19-118209

DATE: 09/23/19 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 0123 ENDING TIME: 0127

BREATH TESTS RESULTS: ~~1) TIME 0126 A.M./P.M.~~ 2) TIME A.M./P.M.  
3) TIME A.M./P.M. 4) TIME A.M./P.M.

BREATH OPERATOR: S. Owen #3184

MAINTENANCE TECHNICIAN: J. Karlecki #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: \_\_\_\_\_

ATTITUDE: Co-operative

CLOTHING: black boots, jeans, black shirt

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: \_\_\_\_\_

COMMENTS: A/oe arrived at 0103 hrs

A/o observed 20 minutes

A/o requested breath test, A refused

A/o read TIC, A didn't understand

A/o reread TIC slower, A refused test

A/o read 2/W, A earlier ask for

attorney No Q&A

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SEP 24 2019

STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES  
AFFIDAVIT OF REFUSAL TO SUBMIT TO  
BREATH AND/OR URINE TEST

I, TPR. Sayih 3822, a duly certified Law Enforcement Officer or Correctional Officer,  
(Name of Officer reading Implied Consent Warning)

am a member of Florida Highway Patrol, and I do swear  
(Name of law enforcement agency)

or affirm that on or about the 23 day of September, 2019, at 12:26  P.M.  A.M.

DRIVER Aaron Michael Hope,  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# H100-013-79-288-0, state of FLORIDA, was placed under lawful arrest for

the offense of DUI by TPR. Sayih 3822 and  
(Name of Arresting Officer)

issued Citation # A76SNEE.

That on or about the 23<sup>RD</sup> day of September, 2019, at 0126  P.M.  A.M.  
in Palm Beach County,

I requested that the driver submit to a  **breath and/or**  **urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) 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 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 for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

[Signature]  
Signature of Law Enforcement Officer or  
Correctional Officer

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



The foregoing instrument was sworn and subscribed before me:

The foregoing instrument was sworn and subscribed before  
me this 23<sup>RD</sup> day of September, 2019,  
by TPR Sayih,

Signature of Attesting Officer \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

who is personally known to me or who has produced  
[Signature] as identification

Notary Public [Signature]

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.

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SEP 24 2019



SUBJECT: Hope, Aaron Michael CASE NUMBER: FHPL 19 0FF 062 869

## 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 of chemical or controlled substances.

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

I am Trooper SAYIH of the FHP-2

If you fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a first refusal, or eighteen (18) months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

SUBJECT'S 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

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SEP 24 2019

SUBJECT: Hope, Aaron Michael CASE NUMBER: FHPLI9OFF062869

## 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: TPR. SAUIM #3802

SCANNED  
SEP 24 2019



**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	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	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)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>	539.001 FS	Other: All records relating to pawnbroker transactions.	
	<input type="checkbox"/>	119.0712(2)	Other: Personal information contained within a motor vehicle record	

**REVIEW COMPLETED BY**

Booking Number: 2019031020	Date: 09/23/2019
	Specialist Name/ID: howardt7185

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SEP 24 2019