

J. 0197306
ARREST / NOTICE TO APPEAR

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

AD M I N I S T R A T I O N	OBTS Number		Agency ORI Number 0500200		Agency Name Boca Raton Police Department		Agency Report Number (N.T.A.'s only) 3, 2 2018-007077		If Weapon Seized		Multiple Clearance Indicator N	
D E F E N D A N T	Charge Type Check as many ☐ 1 Felony ☐ 2 Traffic Felony		☐ 3 Misdemeanor ☐ 4 Traffic Misdemeanor		☐ 5 Ordinance ☐ 6 Other		Enter Type None/not Applicable					
	Location of Arrest (Including Name of Business) 300 NW 19TH ST, BOCA RATON, FL						Location of Offense (Business Name, Address) 300 NW 19TH ST, BOCA RATON, FL 33432					
	Date of Arrest 05/22/2018		Time of Arrest 18:29		Booking Date 05/22/2018		Booking Time 18:39		Jail Date 05/22/2018		Jail Time 00:00	
							Location of Vehicle LEFT AT SCENE					
C O D E D	Name (Last, First, Middle) HIDALGO CORTEZ, ALEJANDRO											
	Alias:											
	Race W - White		Sex M		Date of Birth 04/24/1976		Height 5'07		Weight 170		Eye Color BROWN	
	Hair Color BLACK		Complexion MEDIUM		Build Medium		Marital Status M		Religion NONE		Indication of Alcohol Influence ☒ Yes ☐ No ☐ Unknown	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)						Indication of Drug Influence ☐ Yes ☐ No ☐ Unknown					
	Local Address (Street, Apt. Number) 335 NW 19TH ST 1B, BOCA RATON, FL 33432						Phone (561) 672-9207					
	Permanent Address (Street, Apt. Number) 335 NW 19TH ST 1B, BOCA RATON, FL 33432						Phone (561) 672-9207					
	Business Address (Name, Street) BAJA CAFE,						Occupation Cook					
	D/L Number, State H342000761440 / FL		Sec. Sec. Number		DNS Number		Place of Birth (City, State) MEXICO, Mexico		Citizenship MX			
	Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth	
J U V E N I L E	Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth	
	Name (Last, First, Middle)						Relationship		Date		Time	
	Address (Street, Apt. Number)						(City)		(State)		(Zip)	
	Notified by (Name)						Date		Time		JUVENILE DISPOSITION 1 Handled/Processed within Department and Released 2 TOT IAC 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.						School Attended		Grade			
	Property Crime? ☒ Yes ☐ No						Description of Property		Value of Property			
	Drug Activity N N/A 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 Description DUI						Statute Violation Number 316.193(1)		Violation of ORD #			
	C H A R G E	Drug Activity		Drug Type N		Amount / Unit		Offense #		Counts		Domestic Violence ☐ Y ☒ N
Charge Description								Statute Violation Number		Violation of ORD #		
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence ☐ Y ☐ N		
Charge Description								Statute Violation Number		Violation of ORD #		
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence ☐ Y ☐ N		
Charge Description								Statute Violation Number		Violation of ORD #		
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence ☐ Y ☐ N		
Charge Description								Statute Violation Number		Violation of ORD #		
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence ☐ Y ☐ N		
Charge Description								Statute Violation Number		Violation of ORD #		
I N T A K E	Health / Apparent Physical Condition of Defendant FAIR						Any knowledge of the following Explosives ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries					
	Check which applies ☐ Released O.R. ☐ Released to Parent/Guardian ☐ Released to South County Mental Health						PROPERTY - Received By VAN CAMP		Released By VAN CAMP		Released To PBCJ	
	Transported By VAN CAMP						Date Transported 05/22/2018		Time Transported 00:00		Other	
	INSTRUCTION NO. 1 - Mandatory appearance in court INSTRUCTION NO. 2 - You must not appear in Court but must comply with instructions on Page 2.						Location (Court, Room) South County 200 W Atlantic Ave Delray Beach, FL 33444					
							Court Date and Time 06/25/2018 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.											
	Signature of Defendant (or Juvenile and Parent/Custodian) X ALGK						Date Signed					
	HOLD for Other Agency						Signature of Arresting Officer VAN CAMP, J. A.					
	Name of Arresting Officer (Print) VAN CAMP, J. A.						ID # 747		Agency BOCA		Name Verification (Printed by Arrestee)	
	A D M I N	Dangerous ☐ Dangerous ☐ Suspect		Released Arrest ☐ Released ☐ Other		Finger #		Witness here if subject signed with an "X"		PAGE 1 OF 1		

SCANNED
MAY 27 2018

PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

QRT's Number	Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2018-007077	
Charge Type: Check as many as apply	☐ 1 Felony ☐ 2 Traffic Felony		☐ 3 Misdemeanor ☒ 4 Traffic Misdemeanor		☐ 5 Ordinance ☐ 6 Other	
Name (Last, First, Middle) HIDALGO CORTEZ, ALEJANDRO					Race W	Sex M
Date of Birth 04/24/1976						
Charge Description 316.193(1) DUI			Charge Description			
Charge Description			Charge Description			
Victim's Name (Last, First, Middle) STATE OF FLORIDA,					Race	Sex
Local Address (Street, Apt. Number) 100 NW 2ND AVE, BOCA RATON, FL 33432					Phone (561) -	Address Source
Business Address (Name, Street) 100 NW 2ND AVE, BOCA RATON, FL 33432					Phone (56) -	Occupation
The undersigned certifies and swears that he/she has just and reasonable 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 <u>22</u> day of <u>May</u> , <u>2018</u> at <u>17:09</u> (Specifically include facts constituting cause for arrest.)						
On 5-22-2018 at 1638 hours, BRPD units were dispatched to the area of Glades Rd. and N. Dixie Hwy. in reference to a possible impaired driver. The complainant, Beni Konicoff, called 9-1-1 when she observed a silver Volkswagon bearing Fl Tag#GSTA87 traveling erratically and drifting off the roadway. Concerned for the welfare of the driver, Konicoff called BRPD Dispatch. A short time later, I observed the silver Volkswagon driving northbound on NW 2nd Ave. I began following the vehicle and saw that it left its lane of travel on a few different occasions and the license plate was obstructed per 316.605. I conducted a traffic stop on the car, it stopped at 300 NW 19th St. I approached the driver's side portion of the car and made contact with W/M Alejandro Hidalgo Cortez. Upon speaking with him, I immediately detected a strong odor of an alcoholic beverage coming from his person. Hidalgo Cortez was very slow with his responses. His eyes were also bloodshot. I informed Hidalgo Cortez the reason for the traffic stop and asked how much alcohol he had consumed today. Hidalgo Cortez said that he had "two Coronas" and had just left work. Hidalgo Cortez made mention that he lived in the nearby apartment complex and just wanted to go home. Hidalgo Cortez also picked up his phone and began trying to call his wife, but I requested him to put his phone down. I requested that he provide me with his FLDL and he had a hard time locating it even though I could see it in plain view inside of his wallet.						
Ofc. Martel and Ofc. Lauckner arrived on scene as back-up. At this point, I requested that Hidalgo Cortez exit his vehicle so that I could speak to him further. Hidalgo Cortez stated that he had left work and drank two beers. Hidalgo Cortez continued to slur his speech and appeared completely out of it throughout our entire interaction. Hidalgo Cortez informed that his license has been suspended for 9 years and he knew that he shouldn't be driving. Hidalgo Cortez stated that he had to drive because he has kids and a job.						
After briefly speaking with Hidalgo Cortez I requested that he perform the standard						
SWORN AND SUBSCRIBED BEFORE ME FLYNN, SEAN C NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10) <u>05/22/2018</u> DATE						
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER VAN CAMP, JEFFERY ALAN (747) NAME OF OFFICER (PLEASE PRINT) <u>05/22/2018</u> DATE						

PAGE
1 of 2

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.

MAY 27 2018

CETS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1 Arrest 2 M.T.A.	3 Request for Warrant 4 Request for Capias	1	JUVENILE
Agency ORI Number FL 0500200	Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2018-007077					
Charge Type ☐ 1 Felony ☐ 3 Misdemeanor ☐ 5 Ordinance ☐ 2 Traffic Felony ☒ 4 Traffic Misdemeanor ☐ 6 Other		Special Notes					
Name (Last, First, Middle) HIDALGO CORTEZ, ALEJANDRO				Race W	Sex M	Date of Birth 04/24/1976	
field sobriety tasks to dispel my alarm he was driving impaired. He provided consent. He stated he did not have any injuries and was not taking any medications. I performed and demonstrated each task before he attempted them. The first task was the Horizontal Gaze Nystagmus. While observing HGN, lack of smooth pursuit was present in both eyes. Each eye had a constant jerking while at maximum deviation. Onset prior to 45 degrees was present in both eyes. Hidalgo Cortez had a hard time listening to instructions and was not following the light as instructed. Hidalgo Cortez seemed confused and said that he was my "sunglasses." The second task was the Walk and Turn. Hidalgo Cortez did not maintain the starting position. Hidalgo Cortez became confused and walked to the opposite side of the line to face the other direction. He also took an extended period of time to start the task. I asked if he was OK because he was moaning and groaning while standing in the starting position. He said that he was OK but kept pointing toward his apartment complex as if to imply that he was already home and did not believe that he should have to do the roadside exercises. He eventually started the task but did not count out loud as instructed. Hidalgo Cortez got to his 9th step and stopped the task and didn't return. Hidalgo Cortez also did not go heel to toe the entire time. The third task was the One Leg Stand. After explaining the task, Hidalgo Cortez asked what leg should he raise even after I had just told him to choose whatever leg is more comfortable for him. He continued to ask what leg I think that he should raise and I informed him that I couldn't make his decision for him. He started the task and could barely keep his balance and he stepped off the line. He stopped the exercise without being told to do so. He didn't count loud. The fourth task was the Finger to Nose. On the first finger to nose sequence his missed the tip of his nose. Throughout the exercise, Hidalgo Cortez had his head tilted forward because he would have lost his balance if it was tilted back. The fifth task was the Rhomberg Balance (1-30). Hidalgo Cortez could not complete the task correctly. He stated several numbers twice and had a slurred speech. Based on my investigation, I placed Hidalgo Cortez under arrest for DUI per F.S. § 316.193(1) and transported him to the Boca Raton Police Dept. where I conducted the 20 minute observation. Ofc. Reissi responded and conducted the Intoxilyzer 8000. Hidalgo Cortez provided the breath samples of .311 and .313. Hidalgo Cortez was medically cleared at Boca ER and later transported to the Palm Beach County Jail.							
SWORN AND SUBSCRIBED BEFORE ME FLYNN, SEAN C NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.00) 05/22/2018 DATE				SIGNATURE OF ARRESTING / INVESTIGATING OFFICER VAN CAMP, JEFFERY ALAN (747) NAME OF OFFICER (PLEASE PRINT) 05/22/2018 DATE			

18 - 7077

1015 - 1709

Obsv : 1723

DUI INFLUENCE REPORT



BOCA RATON POLICE SERVICES DEPARTMENT
100 NW 2nd Avenue
Boca Raton, FL 33432

SCANNED

MAY 27 2018



BOCA RATON POLICE SERVICES DEPARTMENT
DUI INFLUENCE REPORT - PART I

On the _____ day of _____, at _____ AM/PM:

Subject: _____ Case Number: _____

PERSONAL CONTACT

Driving Pattern: _____

Observation of Driver: _____

Driver's Statement: _____

Odors: _____

GENERAL OBSERVATIONS

Speech: _____

Attitude: _____

Clothing: _____

Medical Problems: _____

Medications: _____

Other: _____

Horizontal Gaze Nystagmus:

- ☐ Left eye does not follow smoothly
- ☐ Left eye jerks at 45 degrees angle or less
- ☐ Distinct jerking left eye maximum deviation

- ☐ Right eye does not follow smoothly
- ☐ Right eye jerks at 45 degrees angle or less
- ☐ Distinct jerking right eye maximum deviation

Can not do, Why? _____

Walk and turn: _____

Can not do, Why? _____

One leg stand: _____

Can not do, Why? _____

Finger to nose: _____

Can not do, Why? _____

Alphabet (speech pattern): _____

Can not do, Why? _____

Breath/Blood test results: _____

State of Florida, County of Palm Beach,
Sworn and subscribed before me this _____ (date) by _____

Notary/Clerk of Court/ Officer (FSS 117.10)

Date

Signature of Arresting Officer

Name of Officer (print)



BOCA RATON POLICE SERVICES DEPARTMENT
DUI INFLUENCE REPORT - PART II

To be filled out at testing facility

Agency Case # 18-7077

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is Tuesday, May, 22, 2018.
(day) (month) (date) (year)

B. The time is now approximately 543 AM/PM

C. The following is in reference to case number 18-7077

D. Present at this time is Off. VanCamp of the Boca Raton Police Department.
(Officer's Name)

E. Officer VanCamp, have you arrested Alejandro Cortez in violation of
Florida State Statute 316.193? (Defendant's name)

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida? _____

G. Mr./Mrs./Ms. Cortez, I am required to inform you these
proceedings are being video recorded.

Operator Note: Video record breath request, breath sample, and interview.

II. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

- ☒ A. I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.
- B. I am now requesting that you submit to a lawful test of your **URINE** for the purpose of determining its alcohol content.
- C. I am now requesting that you submit to a lawful test of your **BLOOD** for the purpose of determining its alcohol content and the presence of chemical or controlled substances.

IMPLIED CONSENT WARNINGS

Note: Read only if the subject does not comply with your request.

I am _____ of the _____.

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 Signature: _____

Note: Also read for CDL holders:

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

Note: After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr./Mrs./Ms. _____ has refused to submit to a breath test.

The date is _____, _____, _____, and the time is _____ AM/PM.
(month) (day) (year)

A refusal form will be completed by the arresting officer.

NOT A CERTIFIED COPY



BOCA RATON POLICE SERVICES DEPARTMENT

JUVENILE CONSTITUTIONAL WARNINGS

Rights of suspects prior to custodial questioning.
Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

- (1) You have the right to remain silent and not answer any questions. *Tell me in your own words what you think this means.*
(You do not have to talk to me or answer any questions about this offense. You can be quiet if you want.)
- (2) Any statement you make must be freely and voluntarily given. *Tell me in your own words what you think this means.*
(If you do talk to me it has to be because you want to and not because anyone is forcing you to speak.)
- (3) You have a right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning. *Tell me in your own words what you think this means.*
(You can talk to a lawyer before we ask you any questions and you can have him/her with you now, during our questioning.)
- (4) If you cannot afford a lawyer, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning. *Tell me in your own words what you think this means*
(If you do not have money for a lawyer and you want one, a lawyer will be given to you for free.)
- (5) If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. *Tell me in your own words what you think this means.*
(If you decide to talk to me then change your mind, you can stop answering my questions at any time.)
- (6) I can make no threats or promises to induce you to make a statement. This must be of your own free will. *Tell me in your own words what you think this means*
(I am not allowed to threaten you or make you any promises to get you to talk to me. If you decide to talk, it must be because you want to.)
- (7) Any statement can be and will be used against you in a court of law. *Tell me in your own words what you think this means*
(Anything you say to me can and will be told to the judge or a jury in court. A judge is a person who decides if you have done something wrong. Sometimes a group of people called a jury decide this, but the Judge is the person who decides what punishment you get.)
- (8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____



BOCA RATON POLICE SERVICES DEPARTMENT
TESTING FACILITY TASK REPORT

SUBJECT: Alejandro Cortez

CASE #: 18-7077 DATE: 5/22/18

BREATH TEST RESULTS

1) TIME .311 AM/PM 2) TIME .313 AM/PM

3) TIME _____ AM/PM 4) TIME _____ AM/PM

BREATH OPERATOR: Reissi

MAINTENANCE TECHNICIAN: Pare

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred,

ATTITUDE: Calm

CLOTHING: Wht tee shirt, Blk shorts, Blk shoes

MEDICAL CONDITION: None

OTHER: Strong odor of Alcoholic Beverages coming from his person

COMMENTS: _____

Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

- (1) You have the right to remain silent and not answer any questions.
- (2) Any statement you make must be freely and voluntarily given.
- (3) You have a right to the presence and representation 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 and representation of a court appointed lawyer before you make any statement 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 be and will be used against you in a court of law.
- (8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? Yes

Where were you going? Home

What street or highway were you on? Federal

Direction of travel? North

Where did you start driving from? Work / Baja Cafe / Deerfield Beach

What city (county) were you stopped in? Boca Raton

What time did you start? 6:00 AM/PM What time is it now? 6-7 pm

What is today's date? 16th, May What day of the week is it? Tuesday

When did you last eat? 3 days Ago What did you eat? Sandwich

What have you been doing the past three hours prior to this stop/accident? Working

How much do you weigh? 160 Have you been drinking? Yes What were you drinking?

How much? 2 Beers Where? Work With whom were you drinking?

When did you have your first drink? 4 AM/PM When did you stop drinking? 4:30 AM/PM

How did you consume your last two drinks? Slowly

Are you under the influence of alcohol now? ☐ Yes ☒ No

Can you feel the effects of alcohol? ☐ Yes ☒ No

Have you consumed alcohol since the accident? ☐ Yes ☒ No

Can you feel the effects of alcohol? ☐ Yes ☒ No

Have you consumed alcohol since the accident? ☐ Yes ☒ No How much? _____

What? _____ Where? _____

What line of work are you in? Care

When did you last work? Today

Do you have any physical defects or injuries? ☐ Yes ☒ No If yes, explain: _____

Are you sick or injured? ☐ Yes ☒ No If yes, explain: _____

Do you limp? ☐ Yes ☒ No Did you get a bump on the head? ☐ Yes ☒ No

Were you in an accident today? No

Have you taken any drugs or smoked marijuana today? No

What? _____ When? _____

Have you seen a doctor or dentist today? ☐ Yes ☒ No Who? _____

Are you taking any prescription medications? ☐ Yes ☒ No What? _____ When? _____

Do you have: Epilepsy? ☐ Yes ☒ No Inner ear trouble? ☐ Yes ☒ No

Glass eye? ☐ Yes ☒ No Ear infection? ☐ Yes ☒ No

False teeth? ☒ Yes ☒ No Diabetes? ☐ Yes ☒ No

Any problems not correctable by glasses or contact lenses? No

Do you take insulin? ☐ Yes ☒ No If yes, when was your last injection? _____

Have you ever had a driver's license in any other state? No

I am now ending this video recording. The time is now approximately 6:30 AM/PM PM

The date is May 22 2018
(month) (day) (year)

SCANNED
MAY 27 2018

ARRESTING OFFICER: Ofc. Van Camp

Name: Ofc. Lickner Phone # _____ Work # _____

Address: 100 NW 2nd Ave

Can testify to: Back up

Name: Ofc. Martel Phone # _____ Work # _____

Address: 100 NW 2nd Ave

Can testify to: Back up

Name: Ofc. Greenberg Phone # _____ Work # _____

Address: 100 NW 2nd Ave

Can testify to: Back up

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____