



Arrest Report

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

Report Date / Time 6/26/2019 12:51 PM	Report Number FHP99ARR800699	Case Number/Cad Number FHPL19OFF041922 /LWRC19C AD115630	Reporting Officer Name IV, ANDREW L
Originating Agency ORI	Occur Date Time Range 06/26/2019 11:29:04 - 06/26/2019 15:57:00	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description INTERSTATE 95 SOUTHBOUND
Street Number S INTERSTATE 95	Street S INTERSTATE 95	Apt/Lot/Bldg JUPITER
City JUPITER	State FL	Zip Code 33458

Defendant

First Name ARTHUR	Middle Name	Last Name SHAW	Suffix	Race WHITE	Sex MALE	Height 601	Weight 150	Hair Brn	Eyes Blk
MNI #	SSN	Date of Birth 12/18/1959	Age 59	Place of Birth BROOKLYN NY UNITED STATES	Drivers License or other ID S000040594580	State FL	ID Type E		
Address * / 1054 CAMBRIDGE C , DEERFIELD BEACH, FL 33442 / 561-777-5789									

Arrest

Arrest Date/Time 6/26/2019 12:18:00 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description INTERSTATE 95 SOUTHBOUND
Street Number S INTERSTATE 95	Street S INTERSTATE 95	Apt/Lot/Bldg PALM BEACH
County PALM BEACH	City PALM BEACH GARDENS	State FL
Zip Code		

Charge : S

Counts 1	Charge 316.193.1	Bond Amount \$0.00	☐ 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 \$0.00	No Bond? No
Bond Type(s)	

Probable Cause

ROUGH ARREST REPORT A more detailed probable cause affidavit will be submitted to the Palm Beach County State Attorney's office at a later time.

On 6/26/2019 I was informed by the Lake Worth Regional Regional Communications Center (LWRCC)

Arrest Report

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SCANNED
JUN 27 2019

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or Dispatch that they had received a report of a reckless vehicle traveling southbound on Interstate 95 near Indiantown Road and Donald Ross Road. The reckless vehicle was described as a black Honda Accord with an attached Florida tag of EFQF46 or EFOF46 that was swerving all over the roadway. The reported speed of black Honda Accord fluctuated between 72mph to 55mph and then up to 64mph. As the black Honda Accord approached Donald Ross Road the witness following the reckless vehicle reported speed accelerating up to 80mph and then back down to 45mph with the black Honda Accord nearly striking a maroon minivan. I intercepted the vehicle on Interstate 95 southbound near PGA Boulevard and observed a black Honda Accord with an attached Florida tag of EFQF46 failing to maintain a single lane between the number 4 and number 5 travel lane. I observed the driver of the black Honda Accord move from the number 4 to number 5 travel lane and partially move into the number 6 travel lane as another vehicle approached from the rear causing that vehicle to move towards the right shoulder. I followed the vehicle in the number 5 travel lane and observed the vehicle fail to maintain a single lane crossing over the dashed white lines separating each individual lane of the roadway. I activated my emergency lights and sirens and conducted a traffic stop on the vehicle. The vehicle slowly pulled to the right shoulder of the roadway and parked on the overpass to Northlake Boulevard. I approached the passenger side window and spoke to the driver asking for his license, registration and proof of insurance. The driver removed his wallet from his sock and produced a Florida drivers license which was used to identify the driver as Arthur Shaw (FL DL: S000040594580). He had difficulty locating the insurance and registration and fumbled with the documents inside his vehicle. He also appeared to have difficulty speaking at times and I observed that he had pinpoint pupils. I informed him of the reason for the stop and he explained that there was some type of mechanical problem with the vehicle due to a prior incident. I asked him where he was coming from and he seemed to have trouble answering my question. I asked him to perform standardized field sobriety exercises and he agreed to do them. I asked Mr. Shaw to exit the vehicle and lock the doors. I patted him down for officer safety considerations and then drove him off the roadway to the nearby Chevron gas station off of Blue Heron Boulevard. Prior to beginning the exercises I asked him if he had any medical conditions and he stated that he had high blood pressure and was on two separate medications for that issue. He was also prescribed an albuterol inhaler. I asked if he had taken any marijuana or illicit drugs and he stated no. He also stated that he had heart condition. I asked if he had diabetes and he stated no. I asked if he wore contacts and he stated that he only wore glasses which he was wearing at the time. I asked what his natural eye color was and he stated blue which was observed. Each exercise was explained and demonstrated prior to the subject attempting to perform the exercises. The results of those exercises are summarized below. (Note: The below summary is not intended to be a verbatim account of all the events that took made during the administration of the standardized field sobriety exercises. Video footage and audio of the exercises is available upon request.)

Horizontal Gaze Nystagmus Exercise (Streamlight red LED pen used as a contrasting stimulus)

- I checked for resting nystagmus which was not observed in either eye
- I checked for equal pupil size and equal tracking; Both pupils were equal in size and both eyes tracked the stimulus equally.
- I observed pinpoint pupils in both eyes

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-I observed a lack of smooth pursuit in both eyes

The driver exhibited 2 of the 6 clues of impairment on the Horizontal Gaze Nystagmus exercise.

Walk and Turn Exercise

- Did not walk heel to toe on multiple steps
- Stepped off line multiple times
- Used arms to balance
- Stopped multiple times throughout exercise to re-establish balance
- Took incorrect number of steps

The driver exhibited 5 of the 8 clues of impairment on the Walk and Turn exercise.

One Leg Stand Exercise

- Started prior to command to begin
- Did not keep hands to side as instructed, used arms to balance
- Placed foot down multiple times

The driver exhibited 2 of the 4 clues of the one leg stand exercise.

Based upon the performance of the above exercises and the totality of the circumstances I determined that there was probable cause to believe that Arthur Shaw committed the offense of driving under the influence by being in actual physical control/operating a motor vehicle while under the influence of alcoholic beverages, any chemical substance per Florida State Statute 877.111, or any controlled substance per Chapter 893, while their normal faculties were impaired. Mr. Shaw was placed under arrest for the above offense and handcuffed behind his back. After being searched he was placed in the backseat of my marked patrol vehicle. Mr. Shaw was then transported to the Palm Beach County Breath Alcohol Testing (BAT) facility. At the BAT facility a 20 minute observation period was conducted where he did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning of the observation period). He was then asked to provide a breath test sample to test for the alcoholic content of his breath. Mr. Shaw agreed to provide the breath test samples and provided a first breath test sample of 0.000 and a second breath test sample of 0.000. I then asked Mr. Shaw to provide a urine sample to test for the presence of chemical or controlled substances and he agreed to provide the sample. He was read the Florida Implied Consent warning just in case he was unable or unwilling to provide the urine sample later one. Mr. Shaw was later able to provide the urine sample and did so at approximately 2:21PM which was collected in a urine specimen container that was labeled and sealed. The urine sample would later be transported to the FHP Lantana substation and booked in evidence for later toxicology testing. Mr. Shaw was issued uniform traffic citations for driving under the influence, failure to maintain a single lane and failure to provide proof of insurance. All of the above events occurred in Palm Beach County, FL.

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Note: My patrol vehicle is equipped with in car video and audio that is available upon request.

Court	
Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406
Court CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994
	Court Appearance Date / Time 07/18/2019 8:30AM
Comments	

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
IV, ANDREW L	TROOPER		3651	FHPL1LWRC1PAL M BEACH1SR702 TO MARTIN LN	FLORIDA HIGHWAY PATROL

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 IV, ANDREW L	Office Rank TROOPER	Officer ID No 3651	Sworn and subscribed before me, the undersigned authority This the <u>26</u> day of <u>June</u> , <u>2019</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT <u>D/S Tommie P-33</u>
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature <u>Andrew L</u>		



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

PBSO CASE # 19-086673

AGENCY CASE# FHPL19OFF041922

AGENCY ZONE _____

CRASH CASE # _____

TIME OF STOP/CRASH ~11:37PM DATE 6/26/2019 DAY WEDNESDAY

SUBJECT'S NAME ARTHUR SHAW RACE WHITE SEX MALE

HGT 6'1" WGT 227LB DOB 12/18/1959

LOCATION INTERSTATE 95 SOUTHBOUND AND NORTHLAKE BLVD

ARRESTING OFFICER'S NAME & ID TPR ANDREW IV #3651 AGENCY FLORIDA HIGHWAY PATROL

DIVISION: TROOP L - LAKE WORTH

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 12:50PM

BREATH RESULTS:

ARREST TIME 12:18PM

1. .000

2. .000

3. N/A

4. N/A

Urine

TESTING OFFICER'S ID 19183

PBSO VIDEOTAPE # N/A

SUBJECT: Shaw, Arthur

CASE NUMBER: FHPL140FF 041922

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 _____ 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'S 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) _____

Read on Camera

SUBJECT: Shaw, Arthur CASE NUMBER: FHPL17OFF 041422

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? Yes

WHERE WERE YOU GOING? not driving along I-95

WHAT STREET OR HIGHWAY WERE YOU ON? I-95

DIRECTION OF TRAVEL? South WHERE DID YOU START? near home

WHAT TIME DID YOU START? 10:00 AM WHAT TIME IS IT NOW? 12:00 PM

WHAT IS TODAY'S DATE? 6/24/14 WHAT DAY OF THE WEEK IS IT? Tuesday

WHAT COUNTY AND CITY ARE YOU IN NOW? Franklin County, FL

WHEN DID YOU LAST EAT? 10:00 AM WHAT DID YOU EAT? Don't know

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? nothing

HOW MUCH DO YOU WEIGH? 227 lb HAVE YOU BEEN DRINKING? NO WHAT? N/A

HOW MUCH? N/A WHERE? N/A WITH WHOM? N/A

WHEN DID YOU HAVE YOUR FIRST DRINK? N/A AND YOUR LAST DRINK? N/A

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? N/A

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? N/A ARE YOU UNDER THE INFLUENCE? NO

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? N/A HOW MUCH? N/A

WHAT? N/A WHERE? N/A WHEN? N/A

WHAT LINE OF WORK ARE YOU IN? retired WHEN DID YOU LAST WORK? 2011

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? Yes WHAT? lower back injury, right hand

ARE YOU SICK OR INJURED? Yes WHAT'S WRONG? right hand

DO YOU LIMP? NO DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NO

WERE YOU IN AN ACCIDENT TODAY? NO

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN?

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? N/A WHY? N/A

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? Yes WHAT? WHEN?

DO YOU HAVE:	EPILEPSY?	<u>NO</u>	<u>Metoprolol</u> <u>Ativan</u> <u>Orphenadrine</u> <u>Xanax</u>
	GLASS EYE?	<u>NO</u>	
	FALSE TEETH?	<u>NO</u>	
	EAR INFECTION?	<u>NO</u>	
	INNER EAR TROUBLE?	<u>NO</u>	
	DIABETES?	<u>NO</u>	

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? NO

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION?

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? Yes WHERE? New York

INTERVIEWER:

TESTING FACILITY TASK REPORT

AGENCY: FHP

SUBJECT: Shaw, Arthur CASE NUMBER: 19-026673

DATE: 06/26/19 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 13:12 ENDING TIME: 13:40

BREATH TESTS RESULTS: 1) .000 TIME 13:12 A.M./P.M. 2) .000 TIME 13:21 A.M./P.M.

3) N/A TIME — A.M./P.M. 4) N/A TIME — A.M./P.M.

BREATH OPERATOR: T. Leahy #19183

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: talkative, repetitive, confused

ATTITUDE: sweating profusely, fidgety

CLOTHING: Black sweat pants, gray t-shirt, blue sneakers

MEDICAL CONDITIONS: High Blood Pressure

MEDICATIONS: warfarin, aspirin, metoprolol, albuterol, oxycodone, Xanax

OTHER: eyes pupils constricted

COMMENTS: arrived at center A/O conducted 20 minute observation period at hrs.

A agreed to take breath test.

Technician breath test results

A stated he understood results

A/O requested urine

A agreed to provide urine 13:26

A/O read, implied consent

A stated he understood implied consent + agreed to provide urine sample

A/O read right

A stated he understood right

A/O conducted Q+A

A answered questions

Florida

DRIVER LICENSE



S000-040-59-458-0

CLASS E



1a LAST NAME SHAW
2a FIRST NAME ARTHUR
3a ADDRESS 1054 CAMBRIDGE C
DEERFIELD BEACH FL 33442-3247
4a DOB 12/18/1959 15 SEX M
5a EXP 12/18/2021 16 HT 6'-01"
12 REST C 3a END NONE
8a UNTIL 01/28/19

4a SS 03/11/2013

5DD R051802090364

REPLACED 02/09/2018

Operation of a motor vehicle constitutes
consent to any sobriety test required by law



NOT A CERTIFIED COPY



**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:	

REVIEW COMPLETED BY

Booking Number: 2019020977	Date: 6/26/2019
	Specialist Name/ID: J. Beck/9007