

0502560

ARREST / NOTICE TO APPEAR

1615

A D M I N I S T R A T I O N	ORIS Number		Agency ORJ Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5, 4 18-005244		1 Arrest 1 Request for Warrant 2 N.T.A. 4 Request for Capes		1 JUVENILE										
	Charge Type Check as many as apply: <input type="checkbox"/> 1 Felony <input type="checkbox"/> 2 Traffic Felony		<input type="checkbox"/> 3 Misdemeanor <input checked="" type="checkbox"/> 4 Traffic Misdemeanor		<input type="checkbox"/> 5 Ordinance <input type="checkbox"/> 6 Other		If Weapon Seized		Easer Type NONE		Multiple Charges Indicated 1										
Location of Arrest (Including Name of Business) S.R. 811/S.R. 706 JUPITER, FL 33477						Location of Offense (Business Name, Address) 1 N ALT ALA/E INDIANTOWN RD, JUPITER, FL 33477															
Date of Arrest 10/26/2018		Time of Arrest 20:02		Booking Date 10/26/2018		Booking Time 20:12		Jail Date		Jail Time		Location of Vehicle									
Name (Last, First, Middle) CHILDS, BENJAMIN JOSEPH JAMES												Alias:									
Race W - White 1 - American Indian B - Black 2 - Oriental/Asian		Sex M		Date of Birth 11/19/1980		Height 6'02		Weight 225		Eye Color BLUE		Hair Color BROWN		Complexion LIGHT		Build Large					
Scars, Marks, Tattoos, Unusual Physical Features (Location, Type, Description)						Marital Status M		Religion OTHER		Indication of Alcohol Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unit <input type="checkbox"/>		Drug Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unit <input type="checkbox"/>									
Local Address (Street, Apt. Number) 363 W RIVERSIDE DR, TEQUESTA, FL 33469				(City) TEQUESTA		(State) FL		(Zip) 33469		Phone (561) 768-2514		Residence Type 1 City 3 Florida 2 County 4 Out of State 4									
Permanent Address (Street, Apt. Number) 363 W RIVERSIDE DR, TEQUESTA, FL 33469				(City) TEQUESTA		(State) FL		(Zip) 33469		Phone (561) 768-2514		Address Source FL DL									
Business Address (Name, Street) SCHOOL OF ROCK LLC,				(City) TEQUESTA		(State) FL		(Zip) 33469		Phone		Occupation Musician									
D/L Number, State C432070804190 / FL		Soc Sec Number		INS Number		Place of Birth (City, State) ENGLAND		Citizenship EN													
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		<input type="checkbox"/> 1 Arrested <input type="checkbox"/> 3 Felony <input type="checkbox"/> 5 Juvenile <input type="checkbox"/> 2 At Large <input type="checkbox"/> 4 Misdemeanor											
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		<input type="checkbox"/> 1 Arrested <input type="checkbox"/> 3 Felony <input type="checkbox"/> 5 Juvenile <input type="checkbox"/> 2 At Large <input type="checkbox"/> 4 Misdemeanor											
<input type="checkbox"/> Parent <input type="checkbox"/> Other		Name (Last, First, Middle)		Address (Street, Apt. Number)		(City)		(State)		(Zip)		Residence Phone									
<input type="checkbox"/> Legal Custodian		Name (Last, First, Middle)		Address (Street, Apt. Number)		(City)		(State)		(Zip)		Business Phone									
Notified by: (Name)				Date		Title		JUVENILE DISPOSITION 1 Handled/Processed within Department and Released 2 TOT IAC 3 Incarcerated													
Referral to: (Name)				Relationship		Date		Title													
The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> 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											
<input type="checkbox"/> Yes, by: <input type="checkbox"/> No				Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property													
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, Amphetamines		B Barbiturate C Cocaine E Heroin		H Hallucinogen M Marijuana O Opium/Operv		P Paraphernalia/ Equipment S Synthetic		U Unknown 2 Other	
Charge Description DUI - DRIVING WHILE UNDER INFLUENCE										State Violation Number 316.193(1)		Violation of ORD #									
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capes Number		Bond							
Charge Description										State Violation Number		Violation of ORD #									
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capes Number		Bond							
Charge Description										State Violation Number		Violation of ORD #									
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capes Number		Bond							
Health / Apparent Physical Condition of Defendant										Any knowledge of the following: <input type="checkbox"/> Intoxication <input type="checkbox"/> Deformation <input type="checkbox"/> Injury											
Check which applies <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> South County Mental Health				<input type="checkbox"/> TOT County Jail		PROPERTY - Received By		Relinquished To		Referral To											
Transported By				Date Transported		Time Transported		Other													
<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> 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 11/28/2018 08:30:00		No Photo Available									
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													
HOLD for Other Agency				Supervisor Arresting Officer VOCHUM, CRAIG				Name Verification (Printed by Arrestee) OCT 26 PW 10:40													
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Released Arrest <input type="checkbox"/> Other		Name of Arresting Officer VOCHUM, CRAIG		ID # 1185		(PRINT)		PAGE 1 OF 1											
Retain Deputy		ID #		POUCH #		Transporting Officer OFC. C. YOCHUM		ID # 383		Agency JPD		Witness here if subject signed with an "X"									

2018 CT 19420

Received
OCT 29 2018



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

PBSO CASE # 18-137696 PBSO ZONE 3-14

AGENCY CASE # 18-005244 CRASH CASE # _____

TIME OF STOP/CRASH 1937 DATE 10/26/2018 DAY Friday

SUBJECT'S NAME Childs Benjamin J RACE W SEX M
LAST FIRST MID

HGT 602 WGT 225 DOB 11/19/1980

LOCATION N Alternate A1A/W Indiantown Rd. Jupiter, FL 33477

ARRESTING OFFICER'S NAME & ID Craig Yochum #383 AGENCY Jupiter PD

DIVISION: _____

NOTIFIED BY COMMO Yes

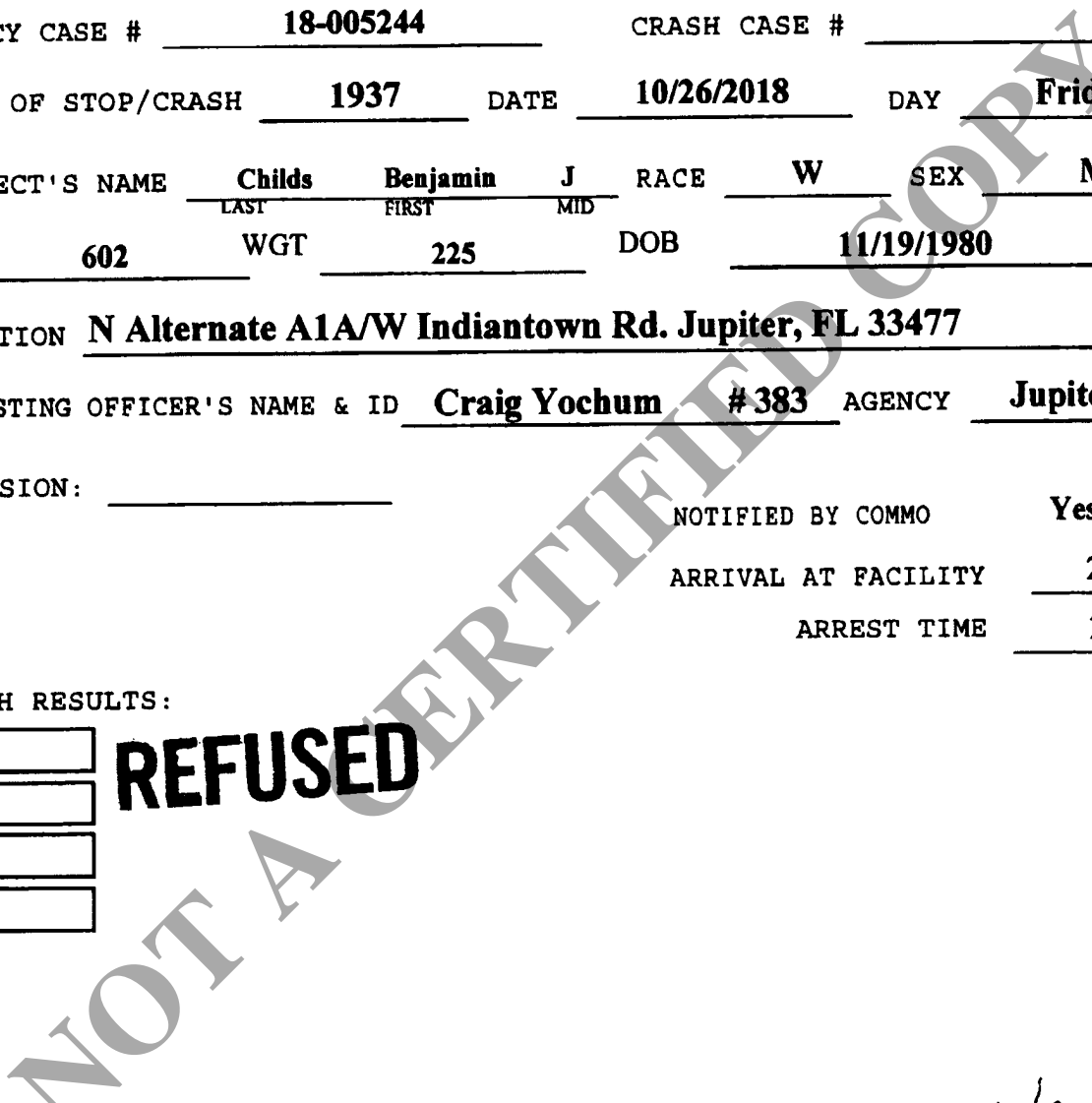
ARRIVAL AT FACILITY 2042

ARREST TIME 2002

BREATH RESULTS:

- 1)
- 2)
- 3)
- 4)

REFUSED



TESTING OFFICER'S ID 7909 PBSO VIDEOTAPE # N/A



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DUI TESTING FACILITY
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ARREST TIME 2002

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- 2)
- 3)
- 4)

REFUSED

NOT A CERTIFIED COPY

TESTING OFFICER'S ID 7909 PBSO VIDEOTAPE # N/A

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26th DAY OF October 20 18 AT 7:37 AM PM
SUBJECT: Childs Benjamin J CASE NUMBER: 18-005244
AGENCY: Jupiter Police Department ARRESTING OFFICER: Craig Yochum # 383

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

On the aforementioned date and time, I was stationary, facing north, conducting traffic enforcement at the intersection of S.R. 811 (N Alternate A1A) and Center St. I was parked off the east side of S.R. 811 and had a clear, unobstructed view of the stop bar for southbound traffic on S.R. 811. I observed the traffic control signal for southbound traffic on S.R. 811 change to red and, approximately two seconds after the light changed, watched a gray 2001 Toyota Sequoia bearing FL tag # 843TGA completely disregard the red traffic control signal and travel southbound through the intersection. I immediately activated my overhead emergency lights and siren and caught up to the aforementioned vehicle to conduct a traffic stop. When I turned behind the vehicle, I observed it swerving heavily within the center southbound lane of S.R. 811, just south of the intersection at Center St. As I neared the vehicle, it activated its right turn indicator, changed lanes into the outside southbound lane, drifted out of the outside lane into the bicycle lane on the west side of the roadway with both passenger side tires briefly (for approximately 75 feet), re-entered the outside southbound lane of S.R. 811, and continued traveling south for approximately 100 yards before coming to a stop, facing south, straddling the bicycle lane and outside southbound lane of S.R. 811.

OBSERVATION OF DRIVER:

When I approached the vehicle, the driver immediately stuck his head out the open window and watched me as I neared the front driver door. I made contact with the driver and identified him to be Benjamin Childs (w/m; 11/19/1980) by his valid Class E Florida driver license. I observed Childs had unusually wide eyes (as if he were stressing to keep his eyes constantly open) and unusually large pupils for the time of day. I observed Childs' eyes were slightly bloodshot near the inside corners of his eyes, however it was not immediately evident upon first glance. I noted Childs was the only person in the vehicle. When requested to provide his registration and insurance information, Childs removed a stack of approximately five folded papers from the glove compartment and attempted to hand them to me to sort through. I requested Childs look through the paperwork and provide me with his registration and insurance information. Childs looked through the papers and immediately provided me with the registration for the vehicle but not the insurance information, as he stated he had just purchased the vehicle.

DRIVER'S STATEMENTS:

When I approached the vehicle, Childs immediately stated "I'm sorry I went through that red light" before I introduced myself. Childs advised he consumed "one beer earlier" and estimated he consumed the beverage approximately two hours prior to my contact with him. Childs advised he was on his way to a "gig" and was trying to get there "as fast as I can." After Childs exited the vehicle, he advised he took a prescribed Adderall approximately 20 minutes prior to my contact with him. Childs advised he takes Adderall twice per day. Childs further advised he has a slight lazy eye in low light but did not know what nystagmus was and that he did not have any additional problems with his eyes that were not corrected by glasses.

ODORS:

Slight odor of unknown alcoholic beverage on breath which intensified as Childs spoke.

GENERAL OBSERVATIONS

SPEECH: Nothing notes

ATTITUDE: Cooperative, Respectful, Polite

CLOTHING: Black t-shirt, Blue jeans, Black sneakers

MEDICAL/OTHER: Childs advised he took a prescribed Adderall pill approximately 20 minutes prior to my contact with him. Childs further advised he is prescribed Klonopin but ran out of his prescription.

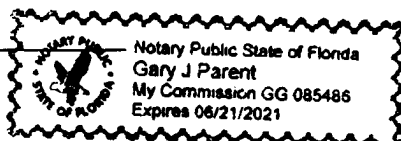
STATE OF FLORIDA
COUNTY OF PALM BEACH


(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of October 20 18 by Officer Craig Yochum # 383

(Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced Personally Known)

Notary Public, Clerk of Court, Officer (F S S 117 10)



ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- LT EYE-LACK OF SMOOTH PURSUIT
- RT EYE-LACK OF SMOOTH PURSUIT
- 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

Other Observations:

I observed Lack of Smooth pursuit and Distinct and Sustained Nystagmus at Maximum Deviation in both Childs' left and right eyes. Childs had to be reminded to keep his head still and follow the stimulus with his eyes only. Childs also had to be advised not to anticipate the location of the stimulus before the stimulus moved to position. I also observed Lack of Convergence in Childs' right eye. Childs' left eye converged but his right eye was positioned straight ahead of him.

WALK & TURN:

Childs stood appropriately in the starting position during the Instructions Stage without starting early or losing his balance. Childs requested I go over how I wanted him to turn prior to beginning the exercise. When Childs began walking, he raised his left foot unusually high and his left arm more than six inches from his side to steady himself. Childs missed heel-to-toe on steps 1, 2, 5, and 7. Childs turned improperly by taking one step with his trailing foot, then pivoting on the balls of his feet to turn around. Childs paused for approximately three seconds before beginning to walk back down the line. Childs missed heel-to-toe on steps 3, 4, 5, and 7.

ONE LEG STAND:

Childs raised his left foot off the ground. On Childs' count of 1010, he swayed slightly to his right but did not place his foot on the ground or raise his arms to steady himself. On Childs' count of 1012 to 1015, he raised both his arms (one at a time) more than six inches from his side to balance himself. Childs had to be reminded to keep his legs straight, as his right leg (planted leg) was slightly bent at the knee. Childs counted to 1024 in a timed 30 second period.

FINGER TO NOSE:

On the first call of left, Childs touched the pad of his left finger to the tip of his nose. On the first call of right, Childs touched the tip of his finger slightly above the tip of his nose, missing the tip of his nose by approximately two millimeters. On the second call of left, Childs appropriately touched the tip of his finger to the tip of his nose. On the second call of right, Childs appropriately touched the tip of his finger to the tip of his nose. On the final call of right, Childs appropriately touched the tip of his finger to the tip of his nose. On the final call of left, Childs appropriately touched the tip of his finger to the tip of his nose.

ROMBERG ALPHABET:

Childs recited the following letters in a slow and non-rhythmic manner: ABCDEFGHIJALMNOPQRSTUVWXYZ. While completing the task, I observed eyelid tremors in both Childs' eyelids.

Modified Romberg Balance:

Childs estimated the passage of 30 seconds in approximately 31 seconds. During the administration of the task, I observed eyelid tremors in both Childs' eyes.

BREATH TEST RESULTS: 1) Refused 2) Refused 3) 4)

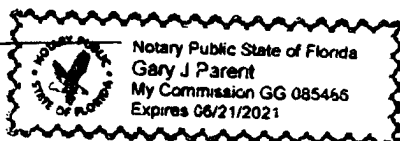
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of October 2018 by Officer Craig Yochum # 383

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

Notary Public, Clerk of Court, Officer (F.S.S 117 10)



WITNESS LIST

CASE NUMBER: 18-005244

ARRESTING OFFICER: Craig Yochum

ADDRESS: 210 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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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NOT A CERTIFIED COPY

SUBJECT: CHAS J. JAMES CASE NUMBER: 18-00244

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: Off. CRAIG YORUM #383



**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"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2018035966	Date: 10/27/2018
	Specialist Name/ID: Ricketts/8693