

J# 0219447

ARREST / NOTICE TO APPEAR				Juvenile Referral Report		1. Arrest	2. N.T.A.	3. Request for Warrant	4. Request for Capias	1	Juvenile		
ADMINISTRATIVE	OBTS Number		Agency Name		Agency Report Number (N.T.A.'s only)								
	FLO 500000		PALM BEACH COUNTY SHERIFF'S OFFICE		06-17106609								
	Charge Type: Check as many as apply.		1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other				Weapon Seized / Type		Multiple Clearance Indicator				
							2 1. Yes 2. No		01				
	Location of Arrest (Including Name of Business) 9000 Block State Road 7, Boynton Beach FL 33472				Location of Offense (Business Name, Address) 9000 Block State Road 7 Boynton Beach FL 33472								
	Date of Arrest 07/24/2017		Time of Arrest 2305		Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle Interstate Towing				
	Name (Last, First, Middle) Heard Brad E												
	Alias (Name, DOB, Soc. Sec. #, Etc.)												
	Race W - White I - American Indian W M Date of Birth B - Black O - Oriental/Asian 06/13/1982 Height 5'10" Weight 180 Eye Color Blue Hair Color Brown Complexion Fair Build Medium												
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) None visible												
DEFENDANT	Local Address (Street, Apt. Number) 2511 MONACO TERRACE (City) (State) (Zip)				Phone (561) 7239618				Residence Type 1. City 3. Florida 2. County 4. Out of State 1				
	Permanent Address (Street, Apt. Number) ,				Phone ()				Address Source DAVID, Verbal				
	Business Address (Name, Street)				Phone ()				Occupation Hydrolic Engineer				
	D/L Number, State H630-065-82-213-0, FL		Soc. Sec. Number		INS Number				Place of Birth (City, State) South Africa		Citizenship USA		
	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile				
	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile				
	<input type="checkbox"/> Parent Residence Phone <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other												
	Address (Street, Apt. Number)				(City) (State) (Zip)				Business Phone ()				
	Notified by: (Name)				Date	Time	Juvenile Disposition 1. Handled/processed within Dept. and Released.				2. TOT HRS / DYS 3. Incarcerated		
	Released To: (Name)				Relationship								Date
The above address 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 (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)							School Attended					Grade	
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property					Value of Property						
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. Synthetics	U. Unknown Z. Other		
	Charge Description DUI				Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 316.193(1)				Violation of ORD #		
	Drug Activity N	Drug Type N	Amount / Unit		Offense # 17106609	Warrant / Capias Number				Bond			
	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #		
	Drug Activity	Drug Type	Amount / Unit		Offense #	Warrant / Capias Number				Bond			
	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #		
	Drug Activity	Drug Type	Amount / Unit		Offense #	Warrant / Capias Number				Bond			
	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #		
	Drug Activity	Drug Type	Amount / Unit		Offense #	Warrant / Capias Number				Bond			
	Location (Court, Room Number, Address) PALM BEACH COUNTY COURTHOUSE CRIMINAL JUSTICE COMPLEX, 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406 - PH: (561) 355-2996												
NOTICE TO APPEAR	Court Date and Time Month August Day 24th Year 2017				Time 0830	AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	Signature of Defendant (or Juvenile and Parent /Custodian)		Date Signed				
					07/24/2017								
ADMIN	HOLD for other Agency Name:			Signature of Arresting Officer X <i>WC 28368</i>			Name Verification (Printed by Arrestee)						
							(PRINT)						
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:			Name of Arresting Officer (Print) Inv. C. Ficarra			I.D. # 8368						
	Intake Deputy <i>Spw 8/10</i>			Transporting Officer Inv. C. Ficarra			ID # 8368 Agency PBSO						
DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)													
PBSO #148 REV. 8/97													

OBTS Number

PROBABLE CAUSE AFFIDAVIT

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

1

Juvenile

Agency ORI Number FLO 5 0 0 0 0 0	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 06	17-106609		
Charge Type: Check as many as apply	<input type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other _____	Special Notes P.C. Sup			
Defendant Name (Last, First, Middle) Heard	Brad	E	Race W	Sex M	Date of Birth 06/13/1982
Charge Driving Under the Influence	Charge				
Charge	Charge				
Victim Name (Last, First, Middle) State of Florida		Race	Sex	Date of Birth	
Local Address (Street, Apt. Number)	City	State	Zip	Phone	Address Source
Business Address (Street, Apt. Number)	City	State	Zip	Phone	Occupation
The undersigned 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...					
<input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> confessed to admitting to the below facts. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.					
On the <u>24</u> day of <u>July</u> 20 <u>2017</u> at <u>2205</u>	<input type="checkbox"/> AM	<input checked="" type="checkbox"/> PM			

On July 24, 2017 at approximately 2205 hours I was in the center median of State Road 7 approximately 500 north of the intersection with Boynton Beach Blvd, unincorporated Boynton Beach, Palm Beach County, monitoring traffic in the area. I saw defendant's vehicle, a Black GMC Denali bearing FL tag GFTD10, travelling north bound in the center lane. The vehicle passed on vehicle and then was the sole vehicle in the roadway. I estimated the vehicles speed to be in excess of 80 mph in a 50 mph zone. I activated my STALKER DUAL SL SERIAL # DC107982 FRONT ANTENNA SERIAL # KC064472 with gave a digital read out of 83 mph with matching audio Doppler tone.

As the vehicle passed my position the vehicle slowed down to approximately 55 mph and changed lanes to the #3 lane closest to the grass. I got behind the vehicle and saw that the vehicle was swerving from side to side. I activated my emergency over head lights in order to affect a traffic stop of the vehicle. The vehicle continued travelling for approximately 1/10th of a mile prior to stopping. Once the vehicle pulled into the right turn lane. The vehicle kept rolling approximately 30-40 feet prior to coming to a complete stop.

I approached the vehicle on the passenger side. The defendant, Brad E. Heard, was the sole occupant of the vehicle in the driver seat. I could smell the immediate strong odor of an unknown alcoholic beverage, known to me based on my training and experience, coming from the vehicle. While speaking with the defendant I could see that his eyes were red, blood shot and glassy and his speech was slurred.

I asked the defendant for his driver's license, registration, and insurance. He pulled out his wallet without looking for his license and then went into the center console to attempt to locate the registration. After a few minutes of looking for his registration I asked the defendant again for his driver's license. He opened his wallet and pulled out a red unknown credit or debit card but did not hand it to me. He did not put it back in the wallet. While speaking with the defendant he would stop looking for the items requested of him. He had to be reminded multiple times to continue looking for his Driver's License, and registration. The defendant then gave up looking for his paperwork.

The foregoing instrument was sworn to and affirmed before me this <u>24</u> day of <u>July</u> 20 <u>17</u> , by: D/S C. Ficarra Name of Notary Public / Clerk of Court / Officer (F.S.S. #117.00) <i>117 C 8367</i> Signature of Notary Public / Clerk of Court / Officer (F.S.S. #117.00)	 D/S Christopher S. Ward Jr Name of Arresting/Investigating Officer <i>16305</i> Signature of Arresting/Investigating Officer
Page 1 of 2	

OBTS Number

PROBABLE CAUSE AFFIDAVIT

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

1

Juvenile

Agency ORI Number FLO 5 0 0 0 0 0	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 06	17-106609		
Charge Type: Check as many as apply	<input type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other _____	Special Notes			
Defendant Name (Last, First, Middle) Heard	Brad	E	Race W	Sex M	Date of Birth 06/13/1982
Charge Driving Under the Influence	Charge				
Charge	Charge				
Victim Name (Last, First, Middle) State of Florida		Race	Sex	Date of Birth	
Local Address (Street, Apt. Number)	City	State	Zip	Phone	Address Source
Business Address (Street, Apt. Number)	City	State	Zip	Phone	Occupation
The undersigned 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...					
<input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input type="checkbox"/> confessed to admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.					
On the 24 day of July 20 2017 at 2205	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM				

I asked the defendant for his name and date of birth which he gave to me. I then asked him for his social security number to verify his identity through the Driver and Vehicle Information Database (D.A.V.I.D). He gave me the first 5 digits without issue and then hesitated prior to giving me the last 4 digits.

When I advised the defendant of the reason for the stop, speeding, he stated that I must have been confused because he was flowing with the surrounding traffic. During the course of the stop I asked the defendant where he was coming from and he advised me that he was coming from Seminole coconut creek casino. He stated that he had a few drinks while he was there. He stated that he was heading home in the Palm Beach Garden's area. I asked him what road he was on and he stated that he was on the turnpike. I asked him where on the turnpike and he stated that he was using the navigations for that reason. From my position at the time the navigation did not appear to be activated. I asked the defendant if he had any medical conditions including diabetes and he stated that he did not. He stated that he did not go to the doctor or dentist and that he had not taken any drugs to day.

Due to the signs of impairment I had dispatch contact the Driving Under the Influence (DUI) unit to see if an investigator was available. Inv. C. Ficarra # 8368 responded to the scene and took over the investigation.

The foregoing instrument was sworn to and affirmed before me this	24 day of July 20 17 , by:
<i>IN C FICARRA 8368</i>	D/S Christopher S. Ward Jr 16305
Name of Notary Public / Clerk of Court / Officer (P.S.S. 117.00)	Name of Arresting/Investigating Officer
<i>IN C FICARRA 8368</i>	<i>16305</i>
Signature of Notary Public / Clerk of Court / Officer (P.S.S. 117.00)	Signature of Arresting/Investigating Officer

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 24th DAY OF July 20 17, AT 2208 AM PM

SUBJECT: Heard Brad E CASE NUMBER: 17106609

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. C. Ficarra

PERSONAL CONTACT

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

On 07/24/2017 at approximately 2234 hours I responded to the 9000 block of State Road 7 (northbound), in unincorporated Palm Beach County, in reference to a DUI investigation. Upon my arrival I observed a black GMC Yukon SUV bearing Florida tag GFTD10 stopped on the eastside of State Road 7 facing northbound at the intersection of an unfinished roadway. I then met with the original stopping deputy, Deputy Ward ID:16305, who stated to me the following: He stated that he observed the Yukon traveling approximately 85 mph in a 50 mph zone. When the vehicle passed him it slowed down and moved from the center travel lane to the lane closest to the grass shoulder. Deputy Ward observed the vehicle swerve in its own travel lane while traveling approximately 50 mph. As Deputy Ward conducted a traffic stop of the vehicle it did not immediately pull over but continued further, stopping in the center of the intersection of the unfinished roadway where Deputy Ward had come to a final stop before moving forward to its final rest position. When he approached the vehicle he immediately could smell the odor of an alcoholic beverage, saw the driver's eyes were bloodshot and watery, and observed his speech was slurred. Deputy Ward asked the driver where he was going who stated that he must be confused with other traffic. Deputy Ward stated that the GMC passed one other vehicle and then there was no further traffic.

OBSERVATION OF DRIVER:

The driver stated that he was on the turnpike heading home to Palm Beach Gardens. The driver stated that he was coming from a casino down south. The driver advised that he did have a couple of drinks but as Deputy Ward started to clarify what kind of drinks he stated "standard drinks." The driver had been looking for his driver's license, vehicle registration, and vehicle insurance since Deputy Ward had stopped him approximately 25 minutes prior but had yet to produce them. The driver would stop looking for the documents as Deputy Ward spoke with him then continue to look once finished talking until he stopped looking all together. The driver identified himself verbally as Brad E. Heard (confirmed through DAVID) who did have a valid Florida driver's license. I then approached the GMC and made contact with Brad through the open driver's side front window.

DRIVER'S STATEMENTS:

I observed that he was sitting in the driver's seat and was alone in the vehicle. I immediately observed that his eyes were red, glassy, bloodshot, and droopy. He had a dazed appearance and seemed lethargic. I identified myself to him and asked him if he knew why he got stopped to which he stated he was not told. I explained to him the reason was for the speeding and swerving which he did not remember. I asked Brad if he was able to locate any of the requested documents which he stated he had been trying. (See attached PC Page for further)

ODORS:

The obvious odor of an unknown alcoholic beverage on his breath as he spoke

GENERAL OBSERVATIONS

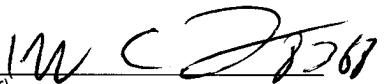
SPEECH: Slurred, mumbled, unclear, slowed

ATTITUDE: Mood swing, argumentative, difficult, dazed looking, forgetful

CLOTHING: Gray t-shirt, gray long pants, gray shoes

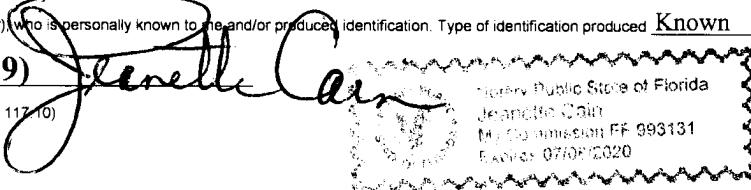
MEDICAL/OTHER: No medical issues (no diabetes or seizures), no physical defects or injuries, no issues with eyes (no glasses or contacts), no prescription medication illegal drugs or marijuana taken, stated had standard drinks, kept shoes on for tasks

STATE OF FLORIDA
COUNTY OF PALM BEACH

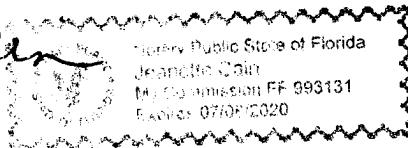
Inv. C. Ficarra 
(Signature of Arresting/Investigative Officer)

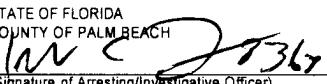
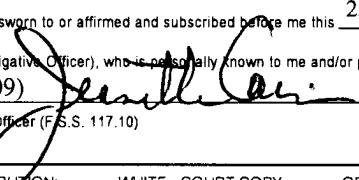
The foregoing instrument was sworn to or affirmed and subscribed before me this 25th day of July 20 17 by Inv. C. Ficarra

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

Jeanette Cain (#2109) 

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



ADMIN	OBTS Number		PROBABLE CAUSE AFFIDAVIT			1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	Juvenile	N	
DFF	Agency ORI Number FLO 500000	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06- 17106609							
CHARGES	Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other						Special Notes:						
VICTIM	Name (Last, First, Middle) Heard, Brad, E				Alias		Race W	Sex M	Date of Birth 06/13/1982				
PROBABLE CAUSE STATEMENT	Charge Description DUI		316.193(1)			Charge Description							
	Charge Description					Charge Description							
	Victim's Name (Last, First, Middle) State of Florida, ,						Race	Sex	Date of Birth				
	Local Address (Street, Apt. Number) ,		(City)	(State)	(zip)	Phone ()		Address Source					
	Business Address (Name, Street)		(City)	(State)	(zip)	Phone ()		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 <input type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> confessed to _____ admitting to the below facts. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.												
	On the <u>24th</u> day of <u>July</u> <u>2017</u> at <u>2208</u> <input type="checkbox"/> A. M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)												
	<p>I asked Brad if his license was in his wallet, which was in plain view on top of the dashboard directly in front of Brad by the steering wheel. Brad began to look for his wallet by reaching toward his back pant pocket. I alerted Brad to his wallet being in front of him at which time he stopped looking in his pocket and picked up his wallet. I observed that Brad's movements were very slow. I also observed the obvious odor of an unknown alcoholic beverage on his breath as he spoke. His speech appeared very slurred, slowed, mumbled, and unclear. As Brad looked through his wallet he fumbled with his cards never locating the license. He stated that he had looked through his wallet before and stated that his license might have been left at the casino. Brad attempted to hand me his wallet stating that I wanted to look through it which I informed him I did not. Brad stated that he didn't find his wallet or his license still attempting to hand it to me. Seeing as Brad had difficulty locating his license and was unable to provide it I asked him to step from the vehicle so I could speak with him. As Brad stepped from the vehicle I observed that he had a slight circular sway as he stood still. I asked Brad if he needed Fire Rescue for anything at which time he asked me why he would need them. I asked him if he needed medical attention for anything which Brad stated no. I asked Brad if he had any medical issues such as diabetes or seizures to which he stated no. Brad did not take any prescription medication, illegal drugs, or smoke any marijuana that night. Brad stated he had no issues with his eyes normally and did not wear glasses or contacts. Brad stated that he did not have any physical defects or injuries and stated that he could walk around without any issues. Brad stated that he did not have any speech impediments or did he talk with a slur normally. I then explained my concerns to Brad. During my explanation Brad became argumentative and questioned why I was talking to him. Brad also stumbled backward and leaned against his vehicle which stopped him from falling. I finished explaining my concerns to Brad and asked him to submit to standardized field sobriety tasks. Brad paused and did not immediately answer. Brad diverted the question and stated that I was distracted due to me observing a vehicle traveling close nearby. I explained to him that we would conduct the tasks away from the traffic if he so choose to do them. Brad stated he would do them if they were not near the road. Brad continued to question everything I was explaining to him still diverting his answer on the roadsides. Brad stated that he observed 5 to 6 cars with lights when there was clearly only 4 (all of which turned their overhead front police lights off). Seeing that Brad would not give a definitive answer I explained to him Taylor warnings (multiple times). Brad continued to divert asking what the tasks were. I explained that they were mental and physical in nature, I would explain to him the task, demonstrate the task, and he would have to remember what was explained and demonstrated and then carry the task out. Brad continually diverted the answer to do the tasks or not. He eventually stated that he would give them a try. I escorted Brad to an area sway from the roadway for the tasks. Brad assisted in placing a tape line on the road way for the tasks. Brad decided to keep his shoes on for the tasks (see roadside task page for further).</p> <p>It should be noted that during an inventory of the GMC a Corona Familiar bottle cap was located on the front passenger seat. Behind the driver's seat spilled on the floorboard was an open 32 oz bottle of Corona Familiar.</p>												
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH 		Inv. C. Ficarra										
	(Signature of Arresting/Investigative Officer)												
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>25th</u> day of <u>July</u> <u>2017</u> by <u>Inv. C. Ficarra</u>												
	(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Jeanette Cain (#2109)  Notary Public, Clerk of Court, Officer (F.S.S. 117.10)												
	Known Jeanette Cain Notary Public State of Florida My Commission #P 993131 Expires 07/08/2020												
	PAGE <u>1</u> OF <u>1</u>												

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

<input checked="" type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT	<input checked="" type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT
<input checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION	<input checked="" type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
<input checked="" type="checkbox"/> LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES	<input checked="" type="checkbox"/> RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Brad had difficulty placing his head straight as instructed. Brad's eyes tracked equally, the pupils were the same size and were appropriate for the lighting conditions, and no resting nystagmus was observed. Vertical gaze nystagmus was administered and was observed. Brad swayed in a circular motion during the task. Brad moved his arms and feet from the instructed position, didn't keep focus on the stimulus, and argued that he was distracted by other vehicles (Brad's SUV had blocked his view of most passing traffic as well). Brad became very uncooperative and difficult.

WALK & TURN:

I explained and demonstrated the instructions for the walk and turn task to Brad who stated that he understood. During the task I observed that Brad had the following cues: had difficulty getting into instructed position (raised arms, leaned to one side, swayed back and forward); stops walking to steady self/regain balance; missed heel-to-toe on all steps appearing to walk at a normal gait; stepped off the line on steps: 2 on first set then on step 1 and 9 of return set; used arms for balance (raises arms over six inches); improper turn (lifted front foot up and pivoted on heel, almost losing balance); did not count as instructed on return set.

ONE LEG STAND:

Brad became argumentative and resistant again as I asked him to face my marked PBSO patrol vehicle. Brad stated that he did not want to be "ass raped." He eventually did face the patrol vehicle even though he remained difficult. During the explanation Brad continued to interrupt me and move from the instructed position (raised arms and moved feet). Brad began to raise his leg off the ground as he argued with him prior to being told to start. I explained and demonstrated the instructions for the one leg stand task to Brad who stated that he understood. During the first attempt at the task I observed that Brad had the following cues: did not look at raised foot, swayed side to side, and did not count as instructed. I asked him to put his foot down at which time I reexplained the instructions which he stated he understood. Brad then showed the following cues: swayed while balancing; used arms for balance (raises arms over six inches); hopped while balancing; put foot down twice (before 30 seconds) at which time he stopped doing the task.

FINGER TO NOSE:

Brad had difficulty placing his feet in the instructed position but he eventually did. I explained and demonstrated the instructions for the finger to nose task to Brad. I explained what is considered the tip of the finger and tip of the nose to Brad who stated that he understood. Brad also knew his left from his right. Brad moved his arms touching his fingers together before being instructed to. During the task I observed that Brad had the following cues: did not keep eyes closed (peeked); mashed his nose with the pad of his finger on each instructed hand; began to raise left hand when called for right on 5th instructed hand; swayed in a circular motion during task; touched top of nose on 1 and 3 instructed hand.

ROMBERG ALPHABET:

I explained and demonstrated the instructions for the Romberg with recitation task to Brad who stated that he understood. I asked him to say but not sing his ABCs without stopping which he stated he could. During the task I observed that Brad had the following cues: swayed in a circular motion during the task; moved from instructed position (hands raised); tilted head back before being instructed to do so; stated up to S then mumbled T U V D stated "sorry" then continued at "V W X Y and Z"

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. C. Ficarra *Inv C. Ficarra*

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 25th day of July 2017 by Inv. C. Ficarra

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

Jeanette Cain (#2109) *Jeanette Cain*

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

Notary Public State of Florida
Jeanette Cain
My Commission #F 893131
Expires: 07/06/2020

WITNESS LIST

CASE NUMBER: 17106609

ARRESTING OFFICER: Inv. C. Ficarra

ADDRESS: 3228 Gun Club Road, West Palm Beach FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 5616883000

CAN TESTIFY TO: The elements of the DUI

NAME: Deputy C. Ward ID:16305

ADDRESS: 3228 Gun Club Road, West Palm Beach FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 5616883000

CAN TESTIFY TO: The elements of the DUI

NAME: Deputy J. Certain ID:26672

ADDRESS 3228 Gun Club Road, West Palm Beach FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 5616883000

CAN TESTIFY TO: The elements of the DUI, assisted inventory of vehicle

NAME: Investigator S. Levey ID:9415

ADDRESS 3228 Gun Club Road, West Palm Beach FL 33406

PHONE NUMBERS (HOME) 0 (WORK) 0

CAN TESTIFY TO: The elements of the DUI, assisted inventory of vehicle

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

SCANNED

JUL 27 2017

TESTING FACILITY TASK REPORT

13

AGENCY: PBSO

SUBJECT: HEARD, BRAD E.

CASE NUMBER: 17-106609

DATE: JULY 24th, 2017

VIDEO TAPE NUMBER: 63056

BEGINNING TIME: 23:51 hrs.

ENDING TIME: 00:04 hrs. 7/25

BREATH TESTS RESULTS:

REFUSED

TIME 23:54

A.M./P.M.

2)

TIME

A.M./P.M.

3)

TIME

A.M./P.M.

4)

TIME

A.M./P.M.

BREATH OPERATOR:

J. CAIN #2109

MAINTENANCE TECHNICIAN:

J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Uncooperative, playing games, sarcastic

CLOTHING: Tug pants, 1/4 zipper - shirt, my sneakers

MEDICAL CONDITIONS: Said none

MEDICATIONS: Said none

OTHER: 6ft/ blue said he didn't know his age

Eyes: Glassy

COMMENTS:

20 MIN. OBSERV DONE BY ARRESTING INV.

Said no to b/t request.

SCANNED

JUL 27 2017

Dnr. read the 10th Amendment.

Dnr. stated he didn't understand Dnr. cause he (Dnr.) was blurring his words.

Dnr. read I/C again showing D the I/C to read along. Stated he understood I/C and again No to b/t. Dnr. accepted refusal.

Rights read / D will be understand them & answered questions (some) sarcastically and playing games. Said he drank WATER

BRAD

SUBJECT: HEARD, ~~WILL~~ E.

CASE NUMBER: 17-106609

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.

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.

SCANNED
JUL 27 2017

SUSPECT'S SIGNATURE: (X) **READ** **ON** **CAMERA**

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

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? Home

WHAT STREET OR HIGHWAY WERE YOU ON? Highway

DIRECTION OF TRAVEL? N WHERE DID YOU START? Highway

WHAT TIME DID YOU START? 7:45 AM WHAT TIME IS IT NOW? 7:45 AM

WHAT IS TODAY'S DATE? 10/10/17 WHAT DAY OF THE WEEK IS IT? Wednesday

WHAT COUNTY AND CITY ARE YOU IN NOW? Minneapolis

WHEN DID YOU LAST EAT? 8:00 AM WHAT DID YOU EAT? Breakfast

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Driving

HOW MUCH DO YOU WEIGH? 155 HAVE YOU BEEN DRINKING? NO WHAT? 1-2 1/2

HOW MUCH? 1-2 1/2 WHERE? Home WITH WHOM? No one

WHEN DID YOU HAVE YOUR FIRST DRINK? 8:00 AM AND YOUR LAST DRINK? 10:00 AM

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Driving

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? No ARE YOU UNDER THE INFLUENCE? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NO HOW MUCH? None

WHAT? None WHERE? None WHEN? None

WHAT LINE OF WORK ARE YOU IN? Delivery Driver WHEN DID YOU LAST WORK? Yesterday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? None

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? None

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? None

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? None WHY? None

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? Aspirin WHEN? None

DO YOU HAVE: EPILEPSY? NO

GLASS EYE? NO

FALSE TEETH? NO

EAR INFECTION? NO

INNER EAR TROUBLE? NO

DIABETES? NO

SCANNED

JUL 27 2017

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? None

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? None WHERE? None

INTERVIEWER:

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL