

2017 CT 22482 MAX SB

ARREST / NOTICE TO APPEAR

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

OBTS Number	Agency ORI Number 0500200		Agency Name Boca Raton Police Department		Agency Report Number (N.T.A.'s only) 3, 2 2017-017221
Charge Type: Check as many as apply	<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony	<input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	If Weapon Seized Enter Type: None/not Applicable	
Location of Arrest (Including Name of Business) 700 S FEDERAL HWY			Location of Offense (Business Name, Address) 700 S FEDERAL HWY, BOCA RATON, FL 33432		
Date of Arrest 12/15/2017	Time of Arrest 22:32	Booking Date 12/15/2017	Booking Time 22:42	Jail Date 12/15/2017	Jail Time 23:26
Location of Vehicle WESTWAY					

Name (Last, First, Middle) TURNER, BRIAN KEITH		Alias (Name, DOB, Soc. Sec. #, Etc.)			
Race W - White B - Black O - Other	American Indian Asian	Sex M	Date of Birth 06/24/1965	Height 6'01	Weight 254
Eye Color BROWN		Hair Color BROWN		Complexion LIGHT	Build Large
Scars, Marks, Tattoos, Unusual Physical Features (Location, Type, Description)			Marital Status S	Religion	Indication of Alcohol Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>
Local Address (Street, Apt. Number) 217 S 57TH WAY, HOLLYWOOD, FL 33023			(City)	(State)	(Zip)
Permanent Address (Street, Apt. Number) 217 S 57TH WAY, HOLLYWOOD, FL 33023			(City)	(State)	(Zip)
Business Address (Name, Street) CARDIOVASCULAR CONSULTANTS, TAMARAC			(City)	(State)	(Zip)
D/L Number, State T656071652240 / FL		Soc. Sec. Number	INS Number	Place of Birth (City, State) LEXINGTON, KY,	Citizenship US

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <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"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor	<input type="checkbox"/> 5. Juvenile
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian	Name (Last, First, Middle)			Residence Phone		
Address (Street, Apt. Number)			(City)	(State)	(Zip)	Business Phone

Notified by: (Name)	Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated		
Released To: (Name)	Relationship	Date	Time		
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. Disperses/ 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
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Charge Description DUI	Statute Violation Number 316.193(1)	Violation of ORD #
Drug Activity	Drug Type N	Amount / Unit
Offense # 2017-017221	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Warrant / Capias Number		Bond

Charge Description	Statute Violation Number	Violation of ORD #
Drug Activity	Drug Type	Amount / Unit
Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N
Warrant / Capias Number		Bond

Charge Description	Statute Violation Number	Violation of ORD #
Drug Activity	Drug Type	Amount / Unit
Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N
Warrant / Capias Number		Bond

Health / Apparent Physical Condition of Defendant GOOD	Any knowledge of the following: Explain: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries				
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond	<input type="checkbox"/> Released to Parent/Guardian	<input checked="" type="checkbox"/> T.O.T. County Jail	PROPERTY - Received By BISSOON	Released By BISSOON	Released To COUNTY JAIL
Transported By		Date Transported 11 : : :	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) South County 200 W Atlantic Ave Delray Beach, FL 33444
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.		Court Date and Time 01/08/2018 08:30:00
Signature of Defendant (as Juvenile and Parent/Custodian)		Date Signed 12/15/17

HOLD for Other Agency	Signature of Arresting Officer Stephen R. Bissoon	Name Verification (Printed by Arrestee) BRIAN TURNER
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other	Name of Arresting Officer (Print) BISSOON, STEPHEN R.
Intake Deputy D/S J. THOMAS #7956	ID.# 664	Agency BRPD
Pouch #	Transferring Officer 790	ID.# 790
Witness here if subject signed with...		PAGE 1 OF 1

SCANNED

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PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

OBTS Number	Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2017-017221
Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony	<input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	Special Notes:

Name (Last, First, Middle) **TURNER, BRIAN KEITH** Alias _____ Race **W** Sex **M** Date of Birth **06/24/1965**

Charge Description 316.193(1) DUI	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) **100 NW 2ND AVE, BOCA RATON, FL 33432** Phone (561) - _____ Address Source _____

Business Address (Name, Street) (City) (State) (Zip) 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. was observed by **SGT DUBINSKY** who told **OFC BISSOON** that he/she saw the arrested person commit the below acts.

confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.

On the **15** day of **December**, **2017** at **22:32** (Specifically include facts constituting cause for arrest.)

On 12/15/2017 I responded to 700 S Federal Hwy in reference to back up Sgt Dubinsky. Sgt Dubinsky stopped a 2012 white Cadillac bearing Fl tag#IRAJ98 after he stopped his vehicle in the middle of the intersection at S Federal Hwy and SE Mizner Blvd making the left turn while the light was green. There were several cars honking at the Cadillac for the vehicle to continue driving. Sgt Dubinsky met with the driver Brian Turner and could smell a strong odor of an alcoholic beverage emanating from his person. He stumbled out of the vehicle and told Sgt Dubinsky that he had been drinking tonight.

I met with Brian Turner and he was saying that the car that he was driving was his dad's car and he had never driven this car. He advised that he was debating the difference between driving his truck and his dad's car. I could immediately smell an odor of an alcoholic beverage emanating from his person, his eyes were glossy and blood shot and he was also slurring his speech. I then asked Turner where he was coming from and he stated that he was coming from a Christmas party. I asked him if he had been drinking and he stated that he had some drinks tonight at the party.

Based on my observations I asked Turner if he would submit to roadside sobriety tasks and Turner stated that he wouldn't submit to the tasks. I then informed Turner of his Taylor Warnings and asked him again if he would submit to the roadside sobriety tasks. Turner stated that he would submit to the tasks. I then walked him over to a well lit area and asked him if he had any medical problems or medical issues that would prevent him from doing the tasks. Turner advised that he had no medical or physical issues that would prevent him from conducting the tasks. Turner advised that he takes Xanax to sleep at night and he last took a pill last night. The tasks that were conducted were the Walk and Turn, One Leg Stand, Finger to Nose, and the Rhomberg Alphabet.

The first SFST was the Walk and Turn. Turner couldn't maintain the starting position, he failed to keep his feet heel to toe. He made an improper turn by just

SWORN AND SUBSCRIBED BEFORE ME <i>Sgt K. Shifflett</i> SHIFFLETT, KELLY D NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 12/15/2017 DATE	<i>SA Bissoon</i> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER BISSOON, STEPHEN R (664) NAME OF OFFICER (PLEASE PRINT) 12/15/2017 DATE
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SCANNED
DEC 18 2017
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PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1

JUVENILE

Agency ORI Number

Agency Name

Agency Report Number

FL 0500200

BOCA RATON POLICE DEPARTMENT

3 | 2 | 2017-017221

Charge Type:
Check as many
as apply.

- 1. Felony
- 2. Traffic Felony
- 3. Misdemeanor
- 4. Traffic Misdemeanor
- 5. Ordinance
- 6. Other

Special Notes:

Name (Last, First, Middle)

Alias

Race

Sex

Date of Birth

TURNER, BRIAN KEITH

W

M

06/24/1965

turning around instead of the way that was demonstrated. Turner also stepped off the line as he conducted the task.

The second SFST was the One Leg Stand. Turner started before being told to begin. He didn't keep his foot six inches off the ground and he also put his foot down several times. He swayed during the task and he lost count during the task. Turner also began hopping while conducting the task. Turner raised his hands up like an airplane to help maintain his balance. Turner stopped at one point and said that the task was too hard. I asked him if he was done with the task and he tried again to finish the task but was unable to do so.

The third SFST was the Finger to Nose. (L-R-L-R-R-L). On the first left he kept his finger on his nose for a couple of seconds until I asked him if he understood the instructions to the task. Turner advised that he did and was supposed to touch his finger to nose and then bring his finger back down. On the first right he kept his finger on his nose again after touching the bridge of his nose. On the remaining turns he kept his finger on his nose for an extended period instead of bringing it right back down as he was instructed. On the last left he touched his left nostril instead of the tip of his nose.

The fourth SFST was the Rhomberg Alphabet which he was able to recite properly, however he sped through the reciting of the alphabet instead of saying it the way I instructed. Based on the above information I placed Turner under arrest for DUI. I then transported him to BRPD.

Ofc Pare responded to BRPD as my Breath Test Operator. Ofc Pare and I conducted the 20 minute observation and then he was taken into the BAT room. Turner refused to provide a breath sample. I read him his Implied Consent Warnings, which he advised he understood and he provided two samples of .148 and .135. I also read Turner his Constitutional Warnings which he advised he understood and he said he would answer my questions without an attorney present. See DUI influence report.

Turner is being charged under F.S.S. 316.193(1) for DUI. Turner was transported to the Palm Beach County Jail for further processing. Turner's vehicle was towed by West Way towing.

SWORN AND SUBSCRIBED BEFORE ME.

Sgt K. Shifflett
SHIFFLETT, KELLY D

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/15/2017

DATE

[Signature]
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BISSOON, STEPHEN R (664) DEC 18 2017

NAME OF OFFICER (PLEASE PRINT)

12/15/2017

DATE

SCANNED

PAGE

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COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.