

19CT20109 SB

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1 Juvenile N	
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-19-060396			
Charge Type: Check as many as Apply.		☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator	
Location of Arrest (Including Name of Business) 7317 CHESAPEAKE CIR BOYNTON BEACH FL 33436		Location of Offense (Business Name, Address) 7317 CHESAPEAKE CIR BOYNTON BEACH FL 33436					
Date of Arrest 10/29/2019	Time of Arrest 0954	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle	
Name (Last, First, Middle) BIALOWAS, BRITTANY, ROSE		Alias (Name, DOB, Soc. Sec. #, Etc)					
W - White B - Black	I - American Indian O - Oriental / Asian	Race W	Sex F	Date of Birth 03/11/1984	Height 510	Weight 135	Eye Color BROWN
							Hair Color BLONDE
							Complexion FAIR
							Build FAIR
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) HIP, AND SIDE				Marital Status SINGLE		Religion UNK	
Local Address (Street, Apt. Number) 3815 PROVIDENCE RD				(City) BOYNTON BEACH		(State) FL	
				(Zip) 33436		Phone (561)817-2735	
Permanent Address (Street, Apt. Number) SAME AS LOCAL				(City)		(State)	
				(Zip)		Phone () - ()	
Business Address (Street, Apt. Number)				(City)		(State)	
				(Zip)		Phone () - ()	
D/L Number, State RR227496, OHIO		Soc. Sec. Number [REDACTED]		INS Number		Place of Birth CINCINNATI OHIO	
Citizenship YES		Co-Defendant Name (Last, First, Middle)		Race		Sex	
				Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
		Co-Defendant Name (Last, First, Middle)		Race		Sex	
				Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
☐ Parent ☐ Legal Custodian ☐ Other		Name (Last)		(First)		(Middle)	
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		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 561-355-2526) informed of any change of address: ☐ Yes, By: (Name) ☐ No: (Reason)				School Attended		Grade	
Property Crime? Yes ☐ 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. Amphetamine	
						B. Barbituate C. Cocaine E. Heroin	
						H. Hallucinogen M. Marijuana O. Opium/Deriv.	
						P. Paraphernalia/ Equipment S. Synthetic	
						U. Unknown Z. Other	
Charge Description DUI		Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.193 (1)	
Drug Activity		Drug Type		Amount/Unit		Offense # 19-060396	
						Warrant/Capias Number	
						Bond	
Charge Description		Counts		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
						Warrant/Capias Number	
						Bond	
Charge Description		Counts		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
						Warrant/Capias Number	
						Bond	
Charge Description		Counts 843		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
						Warrant/Capias Number	
						Bond	
☐ Instruction No. 1 ☐ Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444					
		Court Date and Time Month 11 Day 25 Year 2019 Time 0830 ☒ A.M. ☐ P.M.					
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED, 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 10/29/19					
HOLD for other Agency Name:		Signature of Arresting Officer ore RP		I.D. # 876		Name Verification (Printed by Arrestee) (PRINT)	
☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other:		Name of Arresting Officer (Print) OFC RWI		I.D. # 878	
Intake Deputy		I.D. #		Pouch #		Agency BBPD	
						Witness here is subject Signed with an "X".	
						Page OF 1	

SCANNED
OCT 30 2019

AM 8:21

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 29 DAY OF October 2019 AT 0932 ☒ A.M ☐ P.M.

CASE #: 19-060396 DEFENDANT: BIALOWAS, BRITTANY, ROSE

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

I responded to 7317 Chesapeake Cir in reference to a CLS call where a female driver was passed out behind the wheel with the vehicle running. Upon arrival I observed a black Jeep bearing Fl tag IPAB61, parked in the roadway in front of 7317 Chesapeake Cir. The vehicle was running with the keys in the ignition and in park with a white female passed out behind the wheel in the driver seat. The female's head was resting against the driver window with her mouth wide open. BBFD arrived on scene and knocked several times on the window. The driver then woke up. The rear driver door was unlocked, so BBFD unlocked the driver door and opened the driver door. The female was the sole occupant of the vehicle. The female appeared very disoriented. BBFD provided medical care to the female and BBFD advised everything was normal. The female was then identified as Brittany Rose Bialowas DOB 03/11/84.

I began to speak with Bialowas who was sitting in the driver seat. While speaking to her, I observed a bottle of Pinot Grigio half empty (750 ml) in the center console cup holder, the cap was next to the bottle. As I was speaking to Bialowas, I could smell the odor of an alcoholic beverage emitting from the vehicle and Bialowas's person which intensified as she spoke. Bialowas's eyes were glassy/bloodshot and her speech was thick and slurred. Upon request I asked Bialowas to exit the vehicle so I could conduct further investigation. Bialowas exited her vehicle and was unsteady on her feet. I then walked with Bialowas to the rear of Ofc Filetti's patrol vehicle which was parked in front of her vehicle. While walking to the rear of the vehicle, Bialowas was swaying while she walked and was still unsteady on her feet. I requested Bialowas to submit to a series of Field Sobriety Tasks as I had a suspicion that she was operating a motor vehicle while under the influence of an alcoholic beverage at the time I arrived on scene and observed her behind the wheel of her vehicle, which was running and in park. Bialowas began stating she did not want to hurt herself and everything was ok. I asked Bialowas several times if she would comply which she would not give me an answer. I took this as a no and advised Bialowas if she refused to complete the tasks I have asked, it can and will be used against her in the court of law (Taylor Warning). I then asked Bialowas again if she would submit to a series of Field Sobriety Tasks, which Bialowas again refused.

Let it be noted that this occurred within the City of Boynton Beach,
Palm Beach County Florida.

HORIZONTAL GAZE NYSTAGMUS:

- ☐ Left eye does not follow smoothly
- ☐ Left eye prior to 45 degrees
- ☐ Distinct jerking in left eye at maximum deviation
- ☐ Vertical Nystagmus in left eye

- ☐ Right eye does not follow smoothly
- ☐ Right eye prior to 45 degrees
- ☐ Distinct jerking in right eye at maximum deviation
- ☐ Vertical Nystagmus in right eye

WALK AND TURN:

REFUSED

ONE LEG STAND:

REFUSED

FINGER TO NOSE:

REFUSED

ROMBERG/ALPHABET:

REFUSED

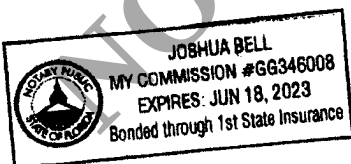
Based on the above facts I've established probable cause for the arrest of BIALOWAS, BRITTANY, ROSE with the charge of Driving Under the Influence pursuant with F.S.S. 316.193 (1). BIALOWAS was placed into cuffs and transported to PBSO for further processing. Once at the PBSO booking Facility, a 20 minute observation was started at 1023 hours. During this time period, Bialowas did not drink or eat anything. PBSO breath tech arrived at the BAT. Bialowas was asked to provide a sample of her breath to determine her alcohol level, which she refused. I then read Bialowas implied consent a requested a second time her breath. Bialowas refused again. I then read Bialowas her Miranda Rights on video which she stated she understood. Bialowas advised she did not eat for three days and drank a lot of vodka during that time. The refusal time was 1124 hours. Bialowas was TOT to PBCJ.

The following instrument was sworn to before me this 29 day of October 2019

By: _____

JBell
Notary/Police Officer (F.S.S. 117.10)

OR [Signature] 878
Signature of Arresting Officer





**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: 2019035118	Date: 10/29/2019
	Specialist Name/ID: J. Beck/9007

SCANNED
OCT 30 2019