

Arrest ReportFLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time 11/21/2019 11:59 PM	Report Number FHP99ARR767369	Case Number/Cad Number FHPL19OFF077135 / LWRC19CAD211488	Reporting Officer Name SAYIH R. A.
Originating Agency ORI	Occur Date Time Range 11/21/2019 23:05:03 - 11/22/2019 01:45:00	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description INTERSTATE
Street Number NB SR 9 SOF WOOLBRIGHT RD	Street BOYNTON BEACH	Apt/Lot/Bldg City FL 33435

Defendant

First Name CAMILO	Middle Name ANDRES	Last Name FONSECA	Suffix	Race WHITE	Sex MALE	Height 507	Weight 134	Hair BLK	Eyes BRO
MNI #	SSN	Date of Birth 10/07/1994	Age 25	Place of Birth BOGOTA FF COLOMBIA	Drivers License or other ID F522101943670	State FL	ID Type E		
Address * RESIDENCE / 1737 ROYAL FOREST CT , WEST PALM BEACH, FL 33406 /									

Arrest

Arrest Date/Time 11/21/2019 11:44:23 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description
Street Number NB SR 9 SOF WOOLBRIGHT RD	Street PALM BEACH	Apt/Lot/Bldg City BOYNTON BEACH FL 33435

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	☐ No Bond
Bond Type(s)	

Probable Cause

On Thursday, November 21st, 2019, I Trooper Sayih #3822 was in service in Palm Beach County, FL. I was contacted by the Lake Worth Regional Communications Center (LWRCC) in reference to a driver who was described to be passed out in the vehicle and was then pulled out by the concerned witnesses located northbound on Interstate 95 (State Road 9) south of Woolbright Rd on the

CP) H.O'NEAL 7204

NOV 24 2019

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left paved emergency shoulder. When I arrived on scene I observed a black in color Honda bearing a FL tag of Y82XTH behind a white in color pickup truck which was later identified to have been the witnesses vehicle. I also a white male and female in front of a Hispanic male who was leaning on his back against the concrete barrier wall. As I approached the individuals standing outside on the side of the roadway, the white male and female advised that the Hispanic male was the one in the black in color Honda and that they pulled out of the vehicle due to him being asleep behind the wheel (see witness statements). I then made contact with the Hispanic male who immediately advised me that he was driving under the influence. The Hispanic male driver was later identified through his Florida driver license to be, Camilo Andres Fonseca 10/07/1994. Standing in front of Mr. Fonseca outside on the side of the road, as he spoke to me I could smell the odor commonly associated with the smell of an unknown alcoholic beverage emitting from his breath. Mr. Fonseca was questioned on where he was coming from, where he was heading too, if he had been drinking and where he had been drinking. Mr. Fonseca advised me that he doesn't know how he got where is now and that he was coming from Delray Beach. Mr. Fonseca advised me that he was drinking at Hurricanes to which I then asked when his last drink was to which Mr. Fonseca advised me that he did not know when his last drink was. Mr. Fonseca's speech was thick and slurred along with droopy bloodshot glossy eyes. Mr. Fonseca was then asked to follow me to the front of my patrol vehicle resulting in me observing Mr. Fonseca's to lose his balance and have an unsteady walk. Mr. Fonseca was then asked if he was okay to which he responded he had already been drinking. As Mr. Fonseca continued to speak to me I was able to still smell the odor commonly associated with the smell of an unknown alcoholic beverage emitting from his breath as he spoke to me. Due to the information I was provided by the witnesses who observed Mr. Fonseca asleep behind the wheel while in full physical control of it and the key fob in his pocket and the observations I observed upon Mr. Fonseca on the side of the roadway I had reason to believe that Mr. Fonseca was operating a motor vehicle under the influence of alcohol and/or a controlled substance. Mr. Fonseca was then requested to perform a series of roadside exercises to which he refused to perform. Mr. Fonseca was advised that if he decided to refuse to perform the exercises I was requesting of him I would base my decision off the information that was provided to me and everything I have observed. Mr. Fonseca refused to perform the roadside exercises once again.

Due to the totality of the circumstances Mr. Fonseca was placed under arrest for DUI pursuant to chapter 316.193.1 of the Florida State Statute revised. Mr. Fonseca was then searched and placed in my patrol vehicle where he was then transported to the Palm Beach County Jail. Mr. Fonseca was then taken into the breath alcohol testing facility where he then began his 20 minute observation where I sat in a manner that I was able to observe him. After Mr. Fonseca's 20 minute observation he was then given an opportunity to submit to an approved test of his breath for the purpose of determine the alcohol content in which he consented to provide. Mr. Fonseca's first breath was provided at 0100 resulting in a .251. Mr. Fonseca's second breath was provided at 0103 resulting in a .237.

Video of the roadside interview and transport to the Palm Beach County Jail can be obtained through the FHP custodian

Video of the BAT can obtained by the Palm Beach County records department.

SCA-111
NOV 24 2019

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Jail Bookin Facility

Booking Date/Time 0.0000	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
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Booking Facility Location

3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406

Booking Number

Booking Comments

Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 12/17/2019 08:30 AM	Court Fine
Comments			

Person: WITNESS

First Name TIMOTHY	Middle Name JOSEPH	Last Name GEORGE	Suffix	Race WHITE	Sex MALE	Height 508	Weight 165	Hair BRO	Eyes
MNI #	SSN [REDACTED]	Date of Birth 08/02/1989	Age 30	Place of Birth	Drivers License or other ID G620810892820	State FL	ID Type E		
Address * / 14852 64TH WAY N , PALM BEACH GARDENS, FL 33418 / 561-818-7694									

Person: WITNESS

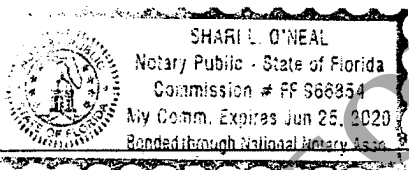
First Name KAYLA	Middle Name MARIE	Last Name SPRIGGS	Suffix	Race WHITE	Sex FEMALE	Height 502	Weight	Hair BRO	Eyes
MNI #	SSN [REDACTED]	Date of Birth 11/13/1989	Age 30	Place of Birth	Drivers License or other ID S162513899130	State FL	ID Type E		
Address * RESIDENCE / 10897 154TH RD N , JUPITER, FL 33478 / 561-339-6524									

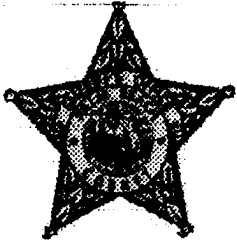
Officer Name Rank / ID # SAYIH R. A. TROOPER 3822	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\BROW LN TO SR804
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The undersigned certifies and swears that he/she has just 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 SAYIH R. A.	Office Rank TROOPER	Officer ID No 3822	Sworn and subscribed before me, the undersigned authority This the <u>22</u> day of <u>November</u> , <u>2019</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature 		



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

H-51

PBSO CASE # 19-140170

AGENCY CASE# FHPL19OFF077135

AGENCY ZONE _____

CRASH CASE # _____

TIME OF STOP/CRASH 11:05 PM DATE 11/21/2019 DAY THURSDAY

SUBJECT'S NAME CAMILO ANDRES FONSECA RACE H SEX M

HGT 5'07" WGT 134 DOB 10/07/1994

LOCATION NB SR 9 SOF WOOLBRIGHT RD

ARRESTING OFFICER'S NAME & ID TPR. SAYIH #3822 AGENCY FLORIDA HIGHWAY PATROL

DIVISION: LAKE WORTH

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 12:35AM

BREATH RESULTS:

ARREST TIME 11:44 PM

1. .251

2. .237

3. _____

4. _____

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # N/A

SCANNED
11/24/2019

TESTING FACILITY TASK REPORT

AGENCY: FHP Trp. Sayib #3322

SUBJECT: Fonseca, Camilo A. CASE NUMBER: 19-140170

DATE: 11/22/19 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 0055hrs ENDING TIME: 0106hrs

BREATH TESTS RESULTS: 1) .251 TIME 0100 A.M./P.M. 2) .237 TIME 0103 A.M./P.M.

3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: S. O'Neal #6212

MAINTENANCE TECHNICIAN: J. Kerlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slur

ATTITUDE: Calm, Quiet, Cooperative

CLOTHING: Shirt-Blue Pants-Black

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: Eyes: Red, Glossy

Odor of unknown alcoholic beverage.

COMMENTS: 20 min. observation done by AIO Sayib #3322

AIO requested the breath test.

D submitted to the request.

D completed the test correctly.

C/W read on camera.

D refused QTA.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SC
Instrument Serial Number: 80-006238 Software: 8100.27
Date of Test: 11/22/2019

Date of Last Agency Inspection: 11/15/2019
Observation Period Began: 00:35
Subject's Name: CAMILO A FONSECA

DOB: 10/07/1994 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	00:58
	Air Blank	0.000	00:59
	Control Test	0.081	00:59
	Air Blank	0.000	01:00
	Subject Sample #1	0.251	01:00
	Air Blank	0.000	01:01
	Air Blank	0.000	01:02
	Subject Sample #2	0.237	01:03
	Air Blank	0.000	01:04
	Control Test	0.080	01:04
	Air Blank	0.000	01:04
	Diagnostics Check	OK	01:04

Cylinder Lot: 17919080A1
Exp: 08/05/2021

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who ☒ is personally known to me or ☐ produced _____ as identification, and who after being placed under oath, states:

I SHARI L O'NEAL, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: S. O'Neal Date: 11/22/19
Signature

Sworn to (or affirmed) before me this 22 day of November, 2019

Signature of Notary Public-State of Florida

Trp. Scyth #3822
Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., a certificate completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 316.1935, F.S.

SUBJECT: CAMILO A. FONSECA CASE NUMBER: FHP490FF077135

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: CAMILO A. FONSECA CASE NUMBER: FHPL19OFFED77135

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: TPR. SAYIH #3822

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



**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.	2,4
	☐	(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: 2019037618

Date: 11/22/2019

Specialist Name/ID: J. Beck/9007

RECEIVED
NOV 24 2019