

J-0494624

P-1757

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

OBTS Number	Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5 4 18-000096			
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 Enter Type NONE		Multiple Clearance Indicator 01					
Location of Arrest (Including Name of Business) 200 BLK S PENNCOCK, JUPITER FL			Location of Offense (Business Name, Address) 200 S PENNCOCK LN, JUPITER, FL 33458					
Date of Arrest 01/03/2018	Time of Arrest 23:13	Booking Date 01/03/2018	Booking Time 23:23	Jail Date	Jail Time	Location of Vehicle North County Bldg		
Name (Last, First, Middle) HUMPHREY, CHARLES WILLIAM J			Alias: Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black W	Sex M M	Date of Birth 10/30/1977	Height 5'10	Weight 200	Eye Color BLUE	Hair Color BLONDE /		
Complexion LIGHT		Build Medium		Indication of: Alcohol Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/> Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>				
Local Address (Street, Apt. Number) (City) (State) (Zip) 718 S PENNCOCK LN, JUPITER, FL 33458			Phone		Residence Type: 1. City 3. Florida 2. County 4. Out of State 1			
Permanent Address (Street, Apt. Number) (City) (State) (Zip) 718 S PENNCOCK LN, JUPITER, FL 33458			Phone		Address Source DL			
Business Address (Name, Street) (City) (State) (Zip)			Phone		Occupation			
D/L Number, State 587434018 / MS	Soc. Sec. Number	INS Number	Place of Birth (City, State) VICKSBURG, MS		Citizenship			
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)			Residence Phone					
<input type="checkbox"/> Legal Custodian			Business Phone					
Address (Street, Apt. Number) (City) (State) (Zip)								
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 S. Sell N. N/A P. Possess			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								
Charge Description DUI - DRIVING WHILE UNDER INFLUENCE				Statute Violation Number 316.193(1)		Violation of ORD #		
Drug Activity	Drug Type N	Amount / Unit	Offense # 18-000096	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		
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		
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		
Health / Apparent Physical Condition of Defendant				Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries Explain:				
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail			PROPERTY - Received By		Released By		Released To	
<input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health			Date Transported // : :		Time Transported		Other	
Transported By			Date Transported 02/07/2018 08:30:00		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 02/07/2018 08:30:00			
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 1/4/18			
HOLD for Other Agency			Signature of Arresting Officer 		Name Verification (Printed by Arresting Officer) JAN 4 AM 1:35			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other			Name of Arresting Officer (Print) BORROWS, ANDREW		I.D. # 1138			
Intake Deputy D/S J. THOMAS #7956			Transporting Officer PFC A BORROWS		I.D. # Agency 380 JPD			
			Witness here if subject signed with an "X".					

FILED
 JAN 4 2018
 CIRCUIT & COUNTY COURTS
 (CRIMINAL DIV.)

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 0501700	Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 18-000096
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	Special Notes:	

Name (Last, First, Middle) HUMPHREY, CHARLES WILLIAM J	Alias	Race W	Sex M	Date of Birth 10/30/1977
--	-------	------------------	-----------------	------------------------------------

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	

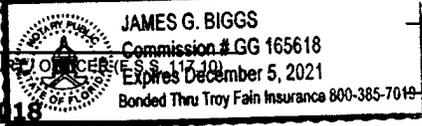
The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.
 The Person taken into custody . . .
 committed the below acts in my presence. was observed by _____ who told _____ that 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 **3** day of **January**, **2018** at **22:55** (Specifically include facts constituting cause for arrest.)

On the above date at approximately 2255 hours, I responded to the area of the 200 block of South Pennock Lane in the Town of Jupiter, Palm Beach County, Florida, in reference to conducting a DUI investigation of a vehicle stopped by Sergeant Bujnowski.

Upon my arrival Sergeant Bujnowski advised me that he was traveling on West Indiantown Road when a 2011 Toyota bearing Florida License Plate DCAB19 passed him at approximately 60 miles per hour in a posted 45 mile per hour zone. The vehicle then began to tailgate another vehicle before turning south on South Pennock Lane. Sergeant Bujnowski conducted a traffic stop of the vehicle. Sergeant Bujnowski advised me he thought the driver, Charles Humphrey, was impaired. Sergeant Bujnowski advised that Humphrey had slurred speech among other signs of impairment. Please see Sergeant Bujnowski's supplement for a more detailed account of Sergeant Bujnowski's observations.

I selected the area behind Humphrey's car to conduct Standardized Field Sobriety Tasks. I laid down some tape to create a line for walk and turn. I then had Humphrey exit his vehicle so I could speak to him and conduct a DUI investigation. Humphrey was hesitant to follow my direction and I had to ask him several times to exit the vehicle before he did so. I then asked Humphrey where he was coming from and how much he'd had to drink. Humphrey advised that he was coming from the Casa Mia restaurant and had split a bottle of wine with other people. I could smell the odor of an unknown alcoholic beverage on Humphrey's breath and his speech was slurred. Humphrey was swaying back and forth as he stood still. I asked Humphrey if he had eaten. Humphrey's entire demeanor changed and he light heartedly told me words to the effect that it was an excellent meal. Humphrey seemed to suddenly remember the circumstances and his demeanor again changed.

I asked Humphrey to complete roadside tasks. Humphrey complained of being cold. It was about 52 degrees outside according to my in car thermometer. I offered Humphrey a

SWORN AND SUBSCRIBED BEFORE ME		 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
NOTARY PUBLIC / CLERK OF COURT 01/04/2018 DATE		BORROWS, ANDREW (1138) NAME OF OFFICER (PLEASE PRINT)
		01/04/2018 DATE

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1

JUVENILE

OBTS Number	Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 18-000096
Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other				Special Notes:
Name (Last, First, Middle) HUMPHREY, CHARLES WILLIAM J			Alias	Race W Sex M Date of Birth 10/30/1977

jacket. He was hesitant to accept and I began to suspect that he was delaying or trying to come up with excuses to avoid completing roadside tasks. Humphrey agreed to wear a jacket. He still was delaying and asked for time to warm up. Humphrey continued to prevaricate and would not begin the tasks. I advised Humphrey of his Taylor Warnings. Humphrey stated he would complete the tasks, but would not begin when I asked him to. I explained Horizontal Gaze Nystagmus and pointed out that it would not be affected by the cold. Humphrey stated he has a psychological issue so he wouldn't do the task. I asked Humphrey what issue that was and he shrugged his shoulders and shook his head. Humphrey was at this point clearly continuing to delay, avoid and generally be intransigent. As I had warned Humphrey that continued delay and prevarication would result in my taking his actions as a refusal to complete roadides, I made a decision based on the totality of the circumstances to arrest Humphrey for DUI. I advised Humphrey and secured him in handcuffs, which I checked for spacing and double locked.

I transported Humphrey to the Palm Beach County Breath Alcohol Testing Facility, where I conducted a 20 minute observation period. Humphrey continued to slur and mumble his speech, at one point indicating he had blond eyes when I asked his hair and eye color. I then requested Humphrey provide a sample of his breath. He refused. I read Implied Consent from a prepared text. Humphrey indicated he did not understand. I started to explain Implied Consent to Humphrey. When I read the first sentence, Humphrey indicated he had not been listening. I again explained Implied Consent and answered several of Humphrey's questions. Humphrey indicated he understood and subsequently declined to give a breath sample. I then read Humphrey his Miranda Rights from a prepared text. Humphrey indicated he understood and declined to answer any questions.

I then secured Humphrey in a holding cell while I completed my paperwork. I then booked Humphrey into the Palm Beach County Jail where I charged Humphrey with DUI per FSS 316.193(1).

During my contact with Humphrey at roadside I used both my in car camera and body worn camera.

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME			
	NOTARY PUBLIC / CLERK OF COURT			SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
	01/04/2018 DATE			BORROWS, ANDREW (1138) NAME OF OFFICER (PLEASE PRINT)
			01/04/2018 DATE	

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, PFC A Borrows 380 / 1138, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Jupiter Police Department, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 3rd day of January, 20 18, at 2313 P.M. A.M.

DRIVER Charles William Humphrey
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

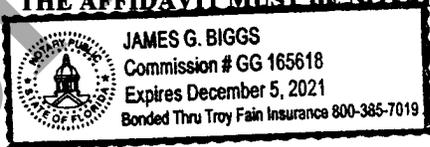
DL# H-516-159-77-390-0, state of Florida, was placed under lawful arrest for
the offense of DUI by PFC A Borrows 380 / 1138 and
issued Citation # A7RX84E
(Name of Arresting Officer)

That on or about the 4th day of January, 20 18, at 0022 P.M. A.M.
in PALM BEACH County,

I requested that the driver submit to a X breath and/or urine test to determine his or her blood alcohol level
and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such
test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or
for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to
submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing
to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for
refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he
or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's
License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has
previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver
refused to submit to the test(s) requested.

[Signature]
Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)



The foregoing instrument was sworn and subscribed before me:
[Signature]
Signature of Attesting Officer

(AFFIX SEAL)
The foregoing instrument was sworn and subscribed before
me this 4th day of January, 20 18,
by PFC A Borrows 380 / 1138,

Title
Date

who is personally known to me or who has produced
PERSONALLY KNOWN as identification

Notary Public

Note: Mail or hand deliver to the designated
Bureau of Administrative Reviews office,
Department of Highway Safety and Motor
Vehicles, with the driver's license, the
appropriate copy of the UTC, and the
probable cause affidavit.