

3#02B1458

19CT20406 SB
#2133

ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias	
OBT Number		Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.	
Agency Report Number 34-19-061031		Charge Type: ☐ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☐ 4. Traffic Misdemeanor ☐ 6. Other		If Weapon Seized Enter Type	
Location of Arrest (Including Name of Business) 7-Eleven / 850 W Gateway Boulevard Boynton Beach, FL 33426		Location of Offense (Business Name, Address) 850 W Gateway Boulevard Boynton Beach, FL 33426		Multiple Clearance Indicator	
Date of Arrest 11/01/2019	Time of Arrest 1924	Booking Date	Booking Time	Jail Date	Jail Time
Name (Last, First, Middle) GIVEN, COLIN DANIEL		Alias (Name, DOB, Soc. Sec. #, Etc)			
W. White B. Black	I - American Indian O - Oriental / Asian	Race W	Sex M	Date of Birth 04/12/1987	Height 5'08"
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE VISIBLE		Weight 185	Eye Color BROWN	Hair Color BROWN	Complexion MED
Local Address (Street, Apt. Number) 6544 MARISSA CIRCLE		(City) LAKE WORTH	(State) FL	(Zip) 33467	Phone (561)402-0797
Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone
Business Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone
DL Number, State G150-104-87-132-0		Soc. Sec. Number	INS Number		Place of Birth VINELAND, NJ
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	Citizenship U.S.
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	
☐ Parent Name (Last) (First) (Middle)		☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile			
☐ Legal Custodian		☐ 2. At Large ☐ 4. Misdemeanor			
☐ Other		☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile			
Address (Street, Apt. Number)		(City)	(State)	(Zip)	Business Phone
Notified by: (Name)		Date	Time	Juvenile Disposition	
Released To: (Name)		Relationship		1. Handled/Processed within Dept. and Released 2. TOT HRS/DYS 3. Incarcerated	
The above address was provided by ☐ defendant and/or ☐ defendant's parents. The child and/or parent was told to keep the juvenile in Court Clerk's Office (Phone 561-355-2526) informed of any change of address.					
☐ Yes, By: (Name) ☐ No (Reason)					
Property Crime? ☐ Yes ☐ No		Description of Property		Value of Property	
Drug Activity		S. Sell	R. Smuggle	K. Dispense/Distribute	M. Manufacture/Produce/Cultivate
N. N/A		B. Buy	D. Deliver	E. Use	Z. Other
P. Possess		Drug Type		B. Barbiturate	
		N. N/A		C. Cocaine	
		A. Amphetamine		E. Heroin	
		H. Hallucinogen		M. Marijuana	
		O. Opium/Opium Deriv.		S. Synthetic	
Charge Description DUI		Counts 1	Domestic Violence ☐ Yes ☒ No	Statute Violation Number 316.193	
Drug Activity N		Drug Type N	Amount/Unit N/A	Warrant/Capias Number	
Charge Description DUI Refusal		Counts 1	Domestic Violence ☐ Yes ☒ No	Statute Violation Number 316.1939	
Drug Activity N		Drug Type N	Amount/Unit N/A	Warrant/Capias Number	
Charge Description		Counts	Domestic Violence ☐ Yes ☒ No	Statute Violation Number	
Drug Activity		Drug Type	Amount/Unit	Warrant/Capias Number	
Charge Description		Counts	Domestic Violence ☐ Yes ☒ No	Statute Violation Number	
Drug Activity		Drug Type	Amount/Unit	Warrant/Capias Number	
Charge Description		Counts 974	Domestic Violence ☐ Yes ☒ No	Statute Violation Number	
Drug Activity		Drug Type	Amount/Unit	Warrant/Capias Number	
Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444			
Instruction No. 2 You need not appear in Court but must comply with instruction on reverse side.		Court Date and Time Month December Day 9th Year 2019 Time 8:30			
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)		Signature of Arresting Officer		Date Signed	
Name		Name of Arresting Officer (Print) A. Corum		Name Verification (Printed by Arrestee) BU#	
☐ Dangerous ☐ Suicidal ☐ Intake		Transporting Officer A. Corum		ID # 974	
Pouch #		ID # 974		Agency BBPD	
Witness here is subject Signed with an 'X'		Page 1 OF 1			

SCANNED
NOV 02 2019

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 1st DAY OF November 2019 AT 5:37 ☐ A.M. ☒ P.M.

CASE #: 19-061031

DEFENDANT: Given, Colin Daniel

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and time I was dispatched to 7-Eleven located at 850 W Gateway Boulevard in reference to a possible CLS. While en-route, dispatch advised that a male was unconscious in a white Dodge minivan in front of 7-Eleven and was slumped over the wheel. Sgt. Jean arrived on scene and observed the white Dodge Caravan bearing FL tag HLAY58 crash into gas pump #5. Sgt. Jean observed a W/M later identified as W/M Colin Given via his FL driver's license (G150-104-87-132-0) behind the wheel of the vehicle and was the sole occupant of the vehicle. Sgt. Jean observed GIVEN to be incoherent and nodding off. Upon arrival, I observed the aforementioned vehicle which had heavy front end damage to the right front bumper and headlight. I observed GIVEN who was conscious and breathing. GIVEN appeared to have glassy eyes and constricted pin-point pupils. GIVEN was nodding off and appeared to have trouble keeping his eyes open. It appeared as though GIVEN was under the influence of an unknown substance. GIVEN was checked out by BBFD who advised that he was medically okay.

I then advised GIVEN that I was finished with my accident investigation and was now conducting a DUI investigation. I then advised GIVEN of his Miranda Warnings which he stated he understood. Post Miranda, GIVEN denied having had any alcoholic beverages to drink and stated that he only took his Suboxone (8 mg) which he is prescribed. GIVEN stated he has no medical issues to include a concussion /head injury. I asked GIVEN to conduct a series of field sobriety tasks (SFST's) which he agreed to do. See the following:

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:

The following task was demonstrated and explained to GIVEN who stated he understood. GIVEN could not keep balance while listening to instructions. GIVEN missed heel-to-toe GIVEN conducted an improper turn and did not take a series of small steps around his lead foot. GIVEN also took an incorrect number of steps. When turning around to go back, GIVEN went back down the line that was the opposite of the one he was on although he stated he observed the line to walk on prior to starting the test.

ONE LEG STAND:

The following task was demonstrated and explained to GIVEN who stated he understood. GIVEN appeared to sway while balancing during this task.

FINGER TO NOSE:

The following task was demonstrated and explained to GIVEN who stated he understood. GIVEN appeared slow at the end while putting his finger to his nose, and missed his nose on the last cue of "left", and then corrected himself

ROMBERG/ALPHABET:

The following task was demonstrated and explained to GIVEN who stated he understood. GIVEN did well with this task.

Based on the totality of the circumstances, GIVEN was placed under arrest for suspicion of Driving Under the Influence (D.U.I) at which time he was handcuffed (D/L, checked for spacing) and placed into the back seat of my patrol vehicle #4670. I did take GIVEN to the Palm Beach County Jail BAT facility at which time my twenty minute observation of GIVEN started at 1940 hrs. It should be noted while at the BAT Facility GIVEN advised that he also takes Trazadone every day. During the twenty minute observation period GIVEN did not regurgitate or take anything by mouth. Once the twenty minute observation period was over, I did ask GIVEN to submit to a lawful test of his breath to determine its alcohol content.

GIVEN agreed to the test and provided a BAC of .000 and .000. Suspecting that GIVEN is under the influence of chemical and/or controlled substance I did request a Urine sample from GIVEN. GIVEN did not understand several times, and was read implied consent numerous times before he advised he would submit to the test of his urine. Prior to the Urine test GIVEN was read his Miranda warnings on camera and advised he would not answer questions, in so Q & A was not done. After GIVENS handcuffs were removed in the BAT area, GIVEN gave the urine container back to officers and advised he refused to take the test. GIVEN was told that is refusal to take the test was now being considered a refusal at which time he said "that's fine just take me to jail, I am going anyway." Refusal time was 2020.

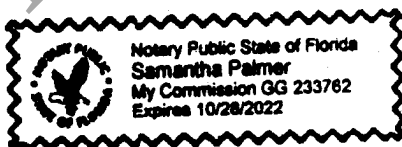
Based on the aforementioned I find probable cause to charge GIVEN with one count of Driving Under the influence (D.U.I.) pursuant to F.S.S. 316.193(2)c(1) and one count of Refusal to Submit to BAL (Urine test) pursuant to F.S.S. 316.1939. GIVEN later TOT to PBCJ.

The following instrument was sworn to before me this 1 day of November 2019

By: OFC A. CORUM

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


Signature of Arresting Officer



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NOV 02 2019

TESTING FACILITY TASK REPORT

AGENCY: BBPD/CORUM

SUBJECT: GIVEN, COLIN

CASE NUMBER: 19-132920

DATE: Nov 1, 2019

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 2002

ENDING TIME: 2017

BREATH TESTS RESULTS: 1) .000 TIME 2006 A.M. ☐ P.M. ☒ 2) .000 TIME 2009 A.M. ☐ P.M. ☒
3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICIAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR

ATTITUDE: COCKY, ARROGANT, UPSET

CLOTHING: GREY TANK TOP, BLUE/GREY SWIM SHORTS, BLACK FLIP FLOPS

MEDICAL CONDITIONS: ADDICTION, SLEEPING DISORDER, ANXIETY

MEDICATIONS: SUBOXEN, TRAZADONE

OTHER:

EYES: GLASSY, PUPILS CONSTRICTED,

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 1940
SUBJECT AGREED TO TAKE BREATH TEST
AND PROVIDED TWO ADEQUATE SAMPLES SUCCESSFULLY
TECH READ TEST RESULTS
SUBJECT STATED HE UNDERSTOOD RESULTS
A/O REQUESTED URINE SAMPLE
A/O READ I/C X 2
SUBJECT STATED HE UNDERSTOOD I/C
AND AGREED TO TAKE URINE SAMPLE @ 2016
A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD HIS RIGHTS
AND REFUSED QUESTIONING

SUBJECT REFUSED URINE AND STATED "HE WAS ALREADY ARRESTED AND WE COULD GO FUCK OURSELVES"
A/O CALLED REFUSAL @ 2020

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NOV 02 2019



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

PBSO CASE # 19-132920 PBSO ZONE 6-32

AGENCY CASE # 19-61031 CRASH CASE # 19-61031

TIME OF STOP/CRASH 1740 DATE 11/1/19 DAY Friday

SUBJECT'S NAME Colin Given RACE W SEX M

HGT 5'08" WGT 185 DOB 4/12/87

LOCATION 7-Eleven / 850 W Gateway Blvd. Bayton Beach, FL

ARRESTING OFFICER'S NAME & ID A. Comm #474 AGENCY BBPD

DIVISION: Patrol

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 1940

Arrest Time 1924

BREATH RESULTS:

1. .000

2. .000

3. N/A

4. N/A

URINE

REFUSED

TESTING OFFICER'S ID 24520 PBSO VIDEOTAPE # N/A

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NOV 02 2019

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

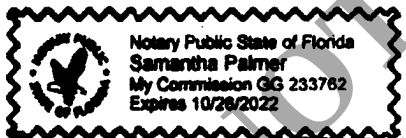
I, Ofc. AMANDA CORUM, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)
am a member of Boynton Beach Police Department, and I do swear
(Name of enforcement agency)
or affirm that on or about the FIRST day of November, 2019, at 7:24 PM
DRIVER COLIN DANIEL GIVEN
(Type or Print) FIRST MIDDLE OR MAIDEN LAST
DL # G150104871320, state of FL, was placed under lawful arrest for
the offense of DUI by Ofc. AMANDA CORUM and
(Name of Arresting Officer)
issued Citation # AC85Z5E.

That on or about the FIRST day of November, 2019, at 8:20 PM
in Palm Beach County,

I requested that the driver submit to a ☐ 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 (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] #474
Signature of Law Enforcement Officer or
Correctional Officer

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



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this 1 day of November, 2019
by Ofc. Corum
who is personally known to me or who has produced
as identification.

Notary Public [Signature]

HSMV-BAR1001 (REV. 10/2018)

The foregoing instrument was sworn and subscribed before me:

[Signature] #474
Signature of Attesting Officer

Title _____

Date _____

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.

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NOV 02 2019

NAME: CAROL COLO

CASE NUMBER: 19

QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY STOP AT ANY TIME. IF YOU ARE NOT SURE OF THE ANSWER, YOU MAY SAY "I DON'T KNOW".

WHAT TYPE OF VEHICLE WAS INVOLVED IN THE ACCIDENT? TRUCK

WHAT TYPE OF ROAD WAS IT?

WHAT STREET OR HIGHWAY WERE YOU ON?

DIRECTION OF TRAVEL? NORTH AND SOUTH

WHAT TIME DID YOU START?

WHAT TIME IS IT NOW?

WHAT IS TODAY'S DATE?

WHAT DAY OF THE WEEK IS IT?

WHAT COUNTRY 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?

HOW MUCH?

WHERE?

WITH WHOM?

WHEN DID YOU HAVE YOUR FIRST DRUG?

AND YOUR LAST?

HOW DID YOU CONSUME YOUR LAST TWO DRUGS?

CAN YOU FEEL THE EFFECTS OF THE ACCIDENT?

ARE YOU UNDER ANY MEDICATION?

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT?

HOW MUCH?

WHAT?

WHERE?

WITH WHOM?

WHAT LINE OF WORK ARE YOU ON?

HOW LONG HAVE YOU BEEN ON THIS LINE?

DO YOU HAVE ANY PHYSICAL DEFECTS OR DISABILITIES?

WHAT?

WHAT'S WRONG?

DO YOU HAVE A HISTORY OF DRUG USE ON THE JOB?

WHERE WERE YOU IN AT THE TIME OF THE ACCIDENT?

WHAT WERE YOU DOING AT THE TIME OF THE ACCIDENT?

HAVE YOU SEEN A DOCTOR OR NURSE SINCE THE ACCIDENT?

WHERE?

ARE YOU TAKING ANY MEDICATION SINCE THE ACCIDENT?

WHAT?

DO YOU HAVE ANY OTHER MEDICATIONS?

GLAUCOMA?

DIABETES?

HEART DISEASE?

ASTHMA?

DO YOU HAVE ANY OTHER MEDICATIONS?

DO YOU HAVE ANY PROBLEMS WITH VISIONS THAT ARE NOT CORRECTED BY GLASSES?

DO YOU TAKE INSULIN?

IF SO, WHEN WAS YOUR LAST INJECTION?

HAVE YOU EVER HAD A HISTORY OF DRUG USE IN OTHER STATES?

WHERE?

OFC COLUMBIA H. 974

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 10/10/01 BY 6032

DATE 10/10/01 BY 6032

SUBJECT

Given Corum

CASE NUMBER

19 64031

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 the 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 the alcohol content and the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH THE REQUEST.

I am OFC Corum-11974 of the Baytown Bch PD

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, your driving privilege has been previously suspended for a period of one (1) year as a result of a refusal to submit to a lawful test of your blood, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible in evidence in any criminal proceeding.

Read on Camera

SUBJECT'S SIGNATURE

CONSTITUTIONAL WARNINGS**THE FOLLOWING INFORMATION IS GIVEN TO YOU TO MAKE ANY STATEMENTS YOU MAKE VOLUNTARY.**

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 an attorney 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 attorney before you make any statement and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are permitted to remain silent.
6. I am warning that anything you say can be used against you in court.
7. Any statement you make will be written down and you will be read a copy of what you say.

SEALED
NOV 12 1964

Read on Camera

SUBJECT'S SIGNATURE



**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: 2019035504

Date: 11/02/2019

Specialist Name/ID: AM/31562

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NOV 02 2019