

0497644

18CT7169

1293

ARREST / NOTICE TO APPEAR  
Juvenile Referral Report

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

ADMINISTRATIVE	OBTS Number		Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number (N.T.A.'s only) <b>06-18065531</b>			
	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		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator					
	Location of Arrest (Including Name of Business) <b>675 Royal Palm Beach Blvd (Royal Inn) Royal Palm Beach, FL 334110</b>				Location of Offense (Business Name, Address) <b>675 Royal Palm Beach Blvd (Royal Inn) Royal Palm Beach, FL 33411</b>					
	Date of Arrest <b>04/21/2018</b>	Time of Arrest <b>00:16</b>	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle <b>All Time Towing</b>			
Name (Last, First, Middle) <b>Perez Gonzalez, Damian</b>								Alias (Name, DOB, Soc. Sec. #, Etc.)		
Race W - White I - American Indian B - Black O - Oriental/Asian <b>W</b>	Sex <b>M</b>	Date of Birth <b>04/04/1979</b>	Height <b>5'07"</b>	Weight <b>198</b>	Eye Color <b>Green</b>	Hair Color <b>Light Brown</b>	Complexion <b>Light</b>	Build <b>Heavy</b>		
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>NONE</b>				Marital Status <b>Married</b>	Religion <b>NONE</b>	Indication of Alcohol Influence Drug Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>				
Local Address (Street, Apt. Number) <b>1634 Royal Forest Court</b>			(City) <b>West Palm Beach, Florida</b>	(State) <b>33406</b>	(Zip)	Phone <b>(561) 618-7827</b>	Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>2</b>			
Permanent Address (Street, Apt. Number) <b>Same</b>			(City)	(State)	(Zip)	Phone <b>( )</b>	Address Source <b>Florida DL</b>			
Business Address (Name, Street)			(City)	(State)	(Zip)	Phone <b>( )</b>	Occupation <b>Unemployed</b>			
D/L Number, State <b>P625-160-79-124-0/FL</b>		Soc. Sec. Number <b>[REDACTED]</b>		INS Number		Place of Birth (City, State) <b>Hoguin, Cuba</b>		Citizenship <b>NO</b>		
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 <input type="checkbox"/> Other:		Name (Last) (First) (Middle)		Residence Phone <b>( )</b>						
Address (Street, Apt. Number)		(City) (State) (Zip)		Business Phone <b>( )</b>						
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 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 (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)						School Attended		Grade		
Property Crime? <input type="checkbox"/> Yes <input 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. Dispense/ 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. Synthetics	U. Unknown Z. Other
Charge Description <b>DUI</b>		Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number <b>316.193 (1)</b>		Violation of ORD #				
Drug Activity <b>N</b>	Drug Type <b>N</b>	Amount / Unit <b>N/A</b>	Offense # <b>18065531</b>	Warrant / Capias Number		Bond <b>OR</b>				
Charge Description		Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Location (Court, Room Number, Address) <b>CRIMINAL JUSTICE COMPLEX 3228 Gun Club Road WPB, FL</b>										
Court Date and Time Month <b>May</b> Day <b>17th</b> Year <b>2018</b> Time <b>8:30</b> AM <input checked="" type="checkbox"/> APR 22 AM 4:15										
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				
HOLD for other Agency Name: <input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		Resisted Arrest <input type="checkbox"/> Other:		Signature of Arresting Officer <b>[Signature]</b> #18334		Name Verification (Printed by Arrestee) <b>Perez Gonzalez Damian</b>				
Intake Deputy <b>[Signature]</b> #		Pouch #		Name of Arresting Officer (Print) <b>Inv. CHIQUITO-RODRIGUEZ #18334</b> I.D. # <b>18334</b>		Agency <b>PBSO</b>		PAGE <b>1 OF 1</b>		

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 21st DAY OF April 20 18, AT 23:17 AM  PM

SUBJECT: Perez Gonzalez, Damian CASE NUMBER: 18065531

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. Chiquito-Rodriguez

## PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

On 04/21/2018, at approximately 23:39 hours, I responded to the Royal Inn Hotel, located at 675 Royal Palm Beach Blvd, in the Village of Royal Palm Beach in Palm Beach County, Florida to assist Deputy Jason Vasquez #8844 with a traffic stop. Upon arriving on scene I made contact with Deputy Vasquez who advised me of, as well as completed a sworn probable cause affidavit, the following: "I responded to the area of the Royal Inn in reference to a possible intoxicated driver. Dispatch advised that the suspect vehicle was. The vehicle, a blue Ford Explorer with a FL tag of IFZQ38, was traveling slowly and was observed to have a broken license plate light covering. The broken cover was making the license plate light illuminate directly out to the rear. The driver then pulled into a parking space at the Royal Inn. I approached the vehicle and met with a white male, identified as Damian Gonzalez by his Florida driver license, and he stated that he did not understand English. While speaking to Damien Gonzalez, he was slurring his speech and his eyes were bloodshot. When I asked for his license he fumbled around the vehicle looking in his documents". \*\*\*\*\*Refer to Deputy Vasquez's probable cause affidavit\*\*\*\*\*

### OBSERVATION OF DRIVER:

When I arrived on scene Damian Perez Gonzalez (defendant) was still seated in the vehicle. There was a Hispanic female seated in the front passenger of the vehicle. I could smell the strong and obvious odor of an unknown alcoholic beverage emanating from within the vehicle so I had the defendant step out. I relocated him to the front of my patrol vehicle and as I continued to speak with him, now outside of the vehicle, I could smell the strong and obvious odor of an unknown alcoholic beverage emanating from his breath. His speech was thick, slow and slurred and his eyes were very red, glassy and bloodshot. I observed that he swayed as he stood in a resting position. The defendant was talkative, spoke over me and interrupted me at times. He denied having any medical problems or taking any medications.

### DRIVER'S STATEMENTS:

The defendant stated that he was coming from home and meeting some friends at the Royal Inn. While he was at home he did consume "two Corona beers". I asked if he would submit to voluntary SFST's and he consented. Although he denied having any medical problems, after beginning the roadside tasks he started saying that he was unable to maintain the instructional stance because of an issue with his left knee.

SEE Probable Cause PAGE 2 for further.....

### ODORS:

Strong and obvious odor of an unknown alcoholic beverage emanating from defendant's breath that became stronger as the defendant spoke to me

## GENERAL OBSERVATIONS

SPEECH: Slow, slurred, mumbled, Incoherent

ATTITUDE: Mood swings, Argumentative, Uncooperative

CLOTHING: Gray shirt, blue denim jeans, brown loafer style shoes

MEDICAL/OTHER: Defendant denied having any medical conditions, injuries or physical impairments. Defendant denied being on any medications or taking any medications.

STATE OF FLORIDA  
COUNTY OF PALM BEACH

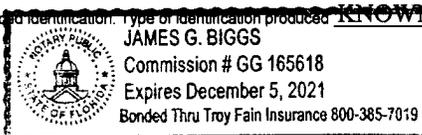
Inv. Chiquito-Rodriguez

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 22nd day of April 20 18 by Inv. Chiquito-Rodriguez #18334

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification.

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



SCANNED  
APR 23 2018

SUBJECT: Perez Gonzalez, Damian

CASE NUMBER 18065531

**ROADSIDE TASKS**

**HORIZONTAL GAZE NYSTAGMUS:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT                           | <input checked="" type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT                           |
| <input checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | <input checked="" type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| <input checked="" type="checkbox"/> LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES          | <input checked="" type="checkbox"/> RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES          |

**Other Observations:**

**Bloodshot, red, glassy eyes. Difficulty following stimulus without turning his head**

**WALK & TURN:**

**Instructed and demonstrated in Spanish. Defendant verbally stated he understood the instructions. The defendant started task before being instructed to do so. Had to be repositioned while explaining task.**

- Could not keep balance while listening to instructions
- Started task too soon
- Incorrect number of steps (took 10 steps forward and on the return)
- Missed heel to toe
- Used arms for balance
- Completed improper turn (pivoted on balls of his feet)
- Overlapped his feet and stepped off line

**ONE LEG STAND:**

**Instructed and demonstrated in Spanish. Defendant verbally stated he understood the instructions.**

**- Swayed while balancing, Used arms to balance, Did not look down at his feet, Counted by 2000's ( 2001, 2002, 2003, etc.), repeated and skipped numbers ("2009, 2011, 2009, 2010, 2011"). After counting "2011" he counted "12, 13, 14, 15" .**

**FINGER TO NOSE:**

**Instructed and demonstrated in Spanish. Defendant verbally stated he understood the instructions. The defendant demonstrated proficiency with identifying his left from his right hand. Swayed in a side to side motion. Did not return hand down to his side and I had to verbally instruct him to do so each time.**

**L- Side of nose/nostril R- Pad to top of nose L- Side of nose/nostril R- Pad to top of nose R- Wrong hand, corrected, then touched nostril L- Double tapped top of nose**

**ROMBERG ALPHABET:**

**Instructed and demonstrated in Spanish. Defendant stated that although he was a doctor in Cuba, he was not proficient at reciting the alphabet because he "does not say the alphabet everyday". The task was modified using numbers and he was instructed to count from "13 to 41". The defendant counted to "43". He swayed in a side to side motion.**

**BREATH TEST RESULTS:** 1)  2)  3)  4)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Inv. Chiquito-Rodriguez

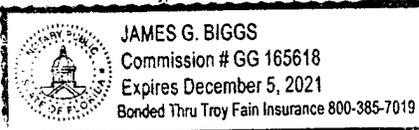
(Signature of Arresting/Investigative Officer)

*Chiquito-Rodriguez* #18334

The foregoing instrument was sworn to or affirmed and subscribed before me this 22nd day of April 2018 by Inv. Chiquito-Rodriguez #18334

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN

Notary Public, Clerk of Court, Officer (F.S.S 117.10)



**SCANNED**  
**APR 23 2018**

OETS Number		<b>PROBABLE CAUSE AFFIDAVIT</b>		1. Arrest	3. Request for Warrant	1	Juvenile	N
Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number <b>06-18065531</b>				
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) <b>Perez Gonzalez</b>		Alias <b>Damian</b>		Race <b>H</b>	Sex <b>M</b>	Date of Birth <b>04/04/1979</b>		
CHARGES <b>D.U.I.</b>		<b>316.193(1)</b>						
VICTIM Victim's Name (Last, First, Middle) <b>STATE OF FLORIDA</b>				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	
<p>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  <input type="checkbox"/> committed the below acts in my presence.      <input type="checkbox"/> was observed by _____ who told _____  <input type="checkbox"/> confessed to _____      that he/she saw the arrested person commit the below acts.  <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>21</u> day of <u>April</u>, 20<u>18</u> at <u>2317</u> <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p> <p><b>I responded to the area of the Royal Inn located 675 Royal Palm Beach Blvd, Royal Palm Beach FL 33411 in Palm Beach County. I was dispatched to this location in reference to a possible intoxicated driver.</b></p> <p><b>Dispatch advised that the suspect vehicle was a blue Ford Explorer with a FL tag bearing IFZQ38. I was then advised via dispatch that the complainant was stating that the vehicle was pulling into the Royal Inn. I arrived on scene and observed the vehicle pulling into the Royal Inn from Southern Blvd. The vehicle was traveling slowly and was observed to have a broken license plate light covering. The broken cover was making the license plate light illuminate directly out to the rear. The driver then pulled into a parking space at the Royal Inn. I approached the vehicle and met with a white male. The male was advised why I had conducted the traffic stop (White light emitting from the rear of his vehicle). The driver stated that he did not understand English. I asked for the driver's license which he provided. The driver was identified as Damien Gonzalez. I then requested a Spanish translator to respond.</b></p> <p><b>While speaking to Damien Gonzalez, he was slurring his speech and his eyes were bloodshot. When I asked for his license he fumbled around the vehicle looking in his documents.</b></p> <p><b>Dui investigator L. Chiquito-Rodriguez responded and conducted a Dui investigation.</b></p>								
STATE OF FLORIDA COUNTY OF PALM BEACH		<b>D/S J. Vasquez (ID #) 8844</b>						
(Signature of Arresting/Investigative Officer)								
The foregoing instrument was sworn to or affirmed and subscribed before me this <u>22</u> day of <u>April</u> , 20 <u>18</u> by <u>D/S J. Vasquez</u> <u>8844</u>								
(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced		<b>KNOWN</b>						
<b>Inv. L. Chiquito-Rodriguez #18334</b>								
Notary Public, Clerk of Court, Officer (F.S. 117.10)								
				PAGE 1 OF 1				

**SCANNED**  
**APR 23 2018**

NOT A

ADMIN Agency ORI Number **FLO 500000** Agency Name **PALM BEACH COUNTY SHERIFF'S OFFICE** Agency Report Number **06-18065531**  
 Charge Type:  1. Felony  3. Misdemeanor  5. Ordinance  Special Notes:  
 2. Traffic Felony  4. Traffic Misdemeanor  6. Other

DEF Name (Last, First, Middle) **Perez Gonzalez, Damian** Alias \_\_\_\_\_ Race **W** Sex **M** Date of Birth **04/04/1979**

CHARGES Charge Description **DUI** **316.193 (1)** Charge Description \_\_\_\_\_  
 Charge Description \_\_\_\_\_ Charge Description \_\_\_\_\_

VICTIM 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 \_\_\_\_\_  
 confessed to \_\_\_\_\_ that he/she saw the arrested person commit the below acts.  
 was found to have committed the below acts, resulting from my (described) investigation.  
 admitting to the below facts.  
 On the **21st** day of **April** 20 **18** at **23:17**  A.M.  P.M. (Specifically include facts constituting cause for arrest.)

**UPON** completing the roadsides, I advised the defendant that I concluded my DUI investigation and, based on the observational clues on the SFST's, the strong odor of an unknown alcoholic beverage emanating from his breath and the defendant's admission of consuming alcohol, determined that he was too impaired to operate a motor vehicle. I placed the defendant under arrest for DUI. The defendant verbally stated that he understood. I placed him in handcuffs that were checked for proper fit and tightness and double locked and placed the defendant in the rear of my PBSO marked patrol vehicle. I transported the defendant to the B.A.T. (Breath Alcohol Testing) facility. Once at the B.A.T. the defendant was observed for a period of twenty minutes, during which time he did not ingest anything, place anything in his mouth regurgitate or vomit.

After the twenty minute observation period the defendant was placed on camera and asked if he would submit a breath sample for the purpose of determining its alcohol content and he consented. The defendant provided two breath samples and the results were .160 for the first sample and .155 for the second sample. The results were given, and explained to the defendant in Spanish and he verbally stated that he understood. I read the defendant his Constitutional warnings on camera and he verbally stated that he understood his rights. The defendant cooperated with Q&A.

Based on the above set of facts and circumstances, probable cause exists to find DAMIAN PEREZ GONZALEZ did drive or was in actual physical control of a vehicle, while under the influence of alcoholic beverages or chemical substances as set forth in Florida Statute 877.111, or a controlled substance as set forth in Chapter 893 or any combination thereof, and was affected to the extent that his or her normal faculties were impaired; or while having a blood alcohol level of .08 or more grams of alcohol per 100 milliliters of blood or breath alcohol level of .08 or more grams of alcohol per 210 liters of breath, contrary to Florida Statute 316.193(1).

I issued the defendant DUI citation A2FUH5P and transported the defendant to the main detention center, without incident, for booking and processing.

This case is cleared by arrest.

**SCANNED**  
**APR 23 2018**

ADMINISTRATIVE STATE OF FLORIDA COUNTY OF PALM BEACH  
 Inv. Chiquito-Rodriguez #1834  
 (Signature of Arresting/Investigative Officer)  
 The foregoing instrument was sworn to or affirmed and subscribed before me this **22nd** day of **April** 20 **18** by **Inv. Chiquito-Rodriguez**  
 (Print name of Arresting/Investigative Officer), who is personally known to me and a produced identification produced **KNOWN**  
 Notary Public, Clerk of Court, Officer (F.S.S. 117.10)  
**JAMES G. BIGGS**  
 Expires December 5, 2021  
 Bonded Thru Troy Fain Insurance 800-385-7345