

J#0314071 18CT1704-NB PCH# 502

ARREST / NOTICE TO APPEAR

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

Agency ORI Number: **0500800** Agency Name: **West Palm Beach Police Department** Agency Report Number (N.T.A.'s only): **9 4 2018-0001578**

Charge Type: 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other

Location of Arrest (Including Name of Business): **BROADWAY/NORTHWOOD RD/WPB/FL/33405** Location of Offense (Business Name, Address): **2400 BROADWAY/NORTHWOOD RD, WEST PALM BEACH, FL**

Date of Arrest: **01/26/2018** Time of Arrest: **20:19** Booking Date: **01/26/2018** Booking Time: **23:46** Jail Date: Location of Vehicle:

Name (Last, First, Middle): **HEDGES, DAVID A** Alias: (Name, DOB, Soc. Sec. #, Etc.)

Race: **W** Sex: **M** Date of Birth: **11/30/1981** Height: **6'01** Weight: **220** Eye Color: **BROWN** Hair Color: **BLACK** Complexion: **LIGHT** Build: **Medium**

Local Address (Street, Apt. Number): **18240 S E HERITAGE OAKS DR, TEQUESTA, FL 33469** (City) (State) (Zip) Phone: **(561) 423-4964**

Permanent Address (Street, Apt. Number): **18240 S E HERITAGE OAKS DR, TEQUESTA, FL 33469** (City) (State) (Zip) Phone: **(561) 423-4964**

D.L. Number, State: **H322161814300 / FL** Soc. Sec. Number: [REDACTED] INS Number: Place of Birth (City, State): **PALM BEACH** Citizenship: **US**

Co-Defendant Name (Last, First, Middle): Race: Sex: Date of Birth: 1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile

Parent Other: Name (Last, First, Middle): Residence Phone: Legal Custodian

Address (Street, Apt. Number): (City) (State) (Zip) Business Phone:

Notified by: (Name) Date: Time: JUVENILE DISPOSITION: 1. Handled/Processed within Department and Release 2. TOT JAC 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 355-2526) informed of any change of address.

Property Crime? Yes No Description of Property: Value of Property:

Charge Description: **DUI-DAMAGE TO PERSON/PROPERTY** Statute Violation Number: **316.193(3)(C)(1)** Violation of ORD #:

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N		2018-0001578	1	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		

Health / Apparent Physical Condition of Defendant: Any knowledge of the following: Mental Escape Risk Medication Deformities Injuries

Check which applies: Released O.R. Released to Parent/Guardian T.O.T. County Jail

Transported By: Date Transported: Time Transported: Other:

INSTRUCTION NO. 1 - Mandatory appearance in court
 INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): **Criminal Justice CRIMINAL JUSTICE COMPLEX**
Court Date and Time: **02/22/2018 08:30:00**
3228 GUN CLUB ROAD

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT IF I FULLY 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: Signature of Arresting Officer: **DAVID STREIGOLD** Name Verification (Printed by Arrestee):

Dangerous Resisted Arrest Suicidal Other

Name of Arresting Officer (Print): **STREIGOLD, DAVID** I.D.#: **01753**

Intake Deputy: **D/S J. THOMAS #7956** Patch #: **502** Transporting Officer: **OFC STREIGOLD** I.D.#: **1753** Agency: **WPBPD**

Witness here if subject signed with an "X":

COURT STATE ATTORNEY AGENCY CENTRAL RECORDS JAIL CRIME ANALYSIS P.I.O. DEFENDANT

SCANNED
JAN 29 2018

DUI PROBABLE CAUSE AFFIDAVIT

On the 26 Day of January 2018 at 2019 A.M. P.M.

Subject: DAVID HEDGES

Case Number: 18-1578

Agency: West Palm Beach Police Department

Arresting Officer: Ofc Streigold #1753

Personal Contact

Driving Pattern Actual physical control (physical evidence putting the driver behind the wheel)

Original Officer observed a 2014 silver Honda CRV (CPLR76) driving southbound on Broadway with no headlights on. The driver then ran the red light at 25th St and Broadway. The driver then struck the rear of a vehicle that was stopped at the stop sign at Broadway and Northwood Rd, that vehicle then struck a bus that was driving on Northwood Rd. The driver then attempted to leave the scene in his vehicle however; he was stopped by the officer. The original officer is able to place the driver as the sole occupant of the vehicle and was in-fact the driver. The original officer witnessed the entire incident.

Observation of Driver

The officer advised that the drivers speech was extremely slurred and he was unable to maintain his balance. While I was speaking to the driver, his speech was slurred and extremely incomprehensible. He attempted to answer my questions however I was unable to understand what the driver was saying. As he was talking to me he was unable to maintain his balance and his eyes were glassy.

Drivers Statements:

While I was speaking to the driver, his speech was slurred and extremely incomprehensible. He attempted to answer my questions however I was unable to understand everything the driver was saying. He mentioned something about a party and that he consumed 10-12 drinks (both beer and liqueur) [these statements were mentioned post Miranda].

Odors:

A strong odor of and unknown alcoholic beverage was admitting from the driver and the odor became stronger as the driver walked closer to me and was continuing to talk.

General Observations

Speech: Incomprehensible and slurred

Attitude: cooperative

Clothing: purple long sleeve shirt, blue jeans and black socks

Medical Problems/Medications: none

Other: I advised the driver that the accident investigation was completed and a DUI investigation was occurring. I read the driver his Miranda warnings in which the driver advised he understood. This was all captured on my body worn camera.

SCANNED
JAN 29 2018

DUI PROBABLE CAUSE AFFIDAVIT

Subject: _____

DAVID HEDGES

Case Number: _____

18-1578

Roadside Tasks

Horizontal Gaze Nystagmus

- | | |
|---|--|
| <input checked="" type="checkbox"/> Left Eye Does Not Follow Smoothly | <input checked="" type="checkbox"/> Right Eye Does Not Follow Smoothly |
| <input type="checkbox"/> Left Eye Jerks at 45 Degree Angle or Less | <input type="checkbox"/> Right Eye Jerks at 45 Degree Angle or Less |
| <input type="checkbox"/> Distinct Jerking Left Eye at Maximum Deviation | <input type="checkbox"/> Distinct Jerking Right Eye at Maximum Deviation |

Driver followed my finger with his eyes and head. Driver was warned multiple times not to move his head and keep his head straight. I observed the driver swaying during the exercise.

Walk and Turn Task

The driver was told to stand with his feet together with his left foot on the line and with his right heel touching the front of his left foot. The driver attempted to place his left foot on the line and failed to maintain balance before placing his right foot in-front. The driver attempted multiple times to maintain the starting position. During the exercise the driver made 11 steps on the first line and 10 steps on the return never connecting heel-to-toe. The driver also kept his arms straight out to his side to assist with balance for the entire exercise. On the first line the after the driver completed 11 steps he waited there until I reminded him of the instruction to return to the starting point.

One Leg Stand

The driver was told to stand with feet together and hands at his side. The driver raised his right foot for the exercise however placed his foot back on the ground twice. After the driver was able to keep his right foot raised, the driver was hopping for the duration of the exercise with his arms straight out to the side for balance.

Finger To Nose

The driver was told stand with his feet together and hands at his side with index fingers pointed out. The driver was advised to tilt his head back and close his eyes. The driver stated he understood the exercise. On the first left, the driver pointed to the sky never touching his face. On the first right, the driver pointed to the sky never touching his face. I reiterated to the driver the instructions for this exercise. On the second left, the driver raised both hand and pointed both fingers to the sky never touching his face. On the second and third right the driver again pointed to the sky never touching his face. On the third left the driver again pointed to the sky never touching his face. I also had to instruct the driver to palce his hands back at his side after the completion of each portion of this exercise.

Romberg Balance

The driver was told stand with his feet together and hands at his side. The driver stated he understood the exercise. At the start of the exercise the driver raised his right foot off the ground and began hopping for the duration of the exercise. The driver also placed his arms straight out to his side for balance. The driver maintained this for 1min 11sec, as I had to stop him at that time.

Breath Results from Instrument

1st Result

REFUSED

2nd Result

REFUSED

3rd Result

If Applicable

[Empty Box]

SCANNED
JAN 29 2018

State of Florida

County of Palm Beach

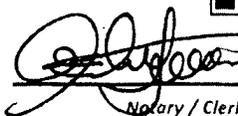
The Following Instrument was notarized or sworn before me this _____

(DATE)

Personally Known

Produced Identification

Notary Public

 #1954
Notary / Clerk of Courts / Officer (FSS: 117.10)


Signature of Arresting Officer

West Palm Beach Police Department

600 Banyan Blvd
West Palm Beach, Florida 33401
(561)822-1900

Witness List:

Arresting Officer: Ofc Streigold #1753 Case Number: 18-1578
Address: (West Palm Beach Police Department) 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: _____ Cell: _____ Work: (561)822-1900
Can Testify to: Arresting Officer

Witness Name: Ofc Ryan Secord 1639 Case Number: 18-1578
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: _____ Cell: _____ Work: 561-822-1869
Can Testify to: Agency Intox Inspector

Witness Name: Ofc Annese #1418 Case Number: 18-1578
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: _____ Cell: _____ Work: 561-822-1900
Can Testify to: Breath Test Operator

Witness Name: FTO J Freeman #1954 Case Number: 18-1578
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: _____ Cell: _____ Work: 561-822-1900
Can Testify to: Witness / Assisting Officer

Witness Name: OIT A Birwah #2105 Case Number: 18-1578
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: _____ Cell: _____ Work: 561-822-1900
Can Testify to: Witness / Assisting Officer

Witness Name: _____ Case Number: 18-1578
Address: _____
Phone Number Home: _____ Cell: _____ Work: _____
Can Testify to: _____

VI. Information or evidence to be supplied later:

Item(s): _____
Date will be furnished: _____
Why not supplied at filing: _____

Note: It is the responsibility of the officer filing the case to insure that the foregoing list is complete and correct

Ofc Streigold #1753

Signature of the Filing Officer

1/26/18
Date

SCANNED
JAN 29 2018

SUBJECT: DAVID HEDGES

CASE NUMBER: 18-1578

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 determining its alcohol content.

OR

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of determining its alcohol content.

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

I am Ofc Streigold #1753 of the West Palm Beach Police Department. 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.

SUBJECTS SIGNATURE: _____ ON VIDEO

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 can not 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 treats 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.

SUBJECTS SIGNATURE: _____

REQUESTED AN ATTORNEY

SCANNED
JAN 29 2018

DEFENDANT: DAVID HEDGES

CASE NUMBER: 18-1578

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 OPERATION A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT: ***REQUESTED AN ATTORNEY***
WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START FROM? _____

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(3) HOURS? _____

HOW MUCH DO YOU WEIGHT? _____ 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 YOUR 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? _____ WHEN? _____

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 CORRECTABLE 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: _____ Ofc Streigold #1753

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JAN 29 2018



**West Palm Beach Police Department
Breath Testing Facility Report**



Defendant: Hedges, David A Case #: 18-1578
 Arresting Officer: Ofc Streigold 1753 Date: 1/26/18

Breath Test Results: Refused g/210L 2236 Time --- g/210L --- Time
--- g/210L --- Time --- g/210L --- Time
Note: Times are in Military Time

Breath Operator: Ofc Morris J Annese 1418
 Maintenance Technician Ofc. R. Secord #1639

Testing Officer Observations:

Speech: Slurred and strong odor of unknown alcoholic beverages on breath
 Attitude: cooperative
 Clothing: blue jeans, maroon button down shirt
 Medical Conditions: none
 Medications: none
 Other: The driver had glassy eyes.

Arrival Time at Facility/ Time Twenty (20) Minute Observation Started: 2210 hours

Comments:

Ofc Streigold observed the driver for the 20 minute observation period during his time being medically cleared at the hospital then being transported to the WPBPD BAT.

When asked to submit to the breath test, the driver said I have no choice. He then asked for an attorney. He was advised that an attorney was not allowed during any breath test. The driver was read Implied Consent by Ofc Striegold and agreed to submit to the test. Prior to giving the 1st sample, the driver said he was refusing the breath test.

Since the driver asked for an attorney, the Questions and Answers were not done.

**SCANNED
JAN 29 2018**