0377486

2618

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

OBTS Number

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias: 1

Juvenile: N

ADMINISTRATION

Agency ORI Number	Agency Name	Agency Report Number
FL0500300	BOYNTON BEACH POLICE DEPT.	34-18-059582

Charge Type (Check as many as Apply): ☐ 1 Felony ☒ 3 Misdemeanor ☐ 5 Ordinance ☐ 2 Traffic Felony ☒ 4 Traffic Misdemeanor ☐ 6 Other

If Weapon Seized Enter Type: NONE

Multiple Clearance Indicator: 01

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
N. Congress Ave & Miner Rd, Boynton Beach, FL, 33426	N. Congress Ave & Miner Rd, Boynton Beach, FL, 33426

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
11/16/2018	0000					Blakes Towing

DEFENDANT

Name (Last, First, Middle): Carmona, Efrain, Alonso

Alias (Name, DOB, Soc Sec #, Etc)

W - White I - American Indian B - Black O - Oriental / Asian	Race	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
	W	M	07/14/1966	600	195	Brown	Brown	Light	M

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)

Marital Status: N/A

Religion: N/A

Indication of Alcohol Influence: Y ☒ N ☐ Unk ☐ — Drug Influence: Y ☐ N ☐ Unk ☒

Local Address (Street, Apt Number)	(City)	(State)	(Zip)	Phone	Residence Type (1 City 2 County 3 Florida 4 Out of State)
915 Small Drive	Lake Worth	FL	33461	(561)632-9746	2

Permanent Address (Street, Apt Number)	(City)	(State)	(Zip)	Phone	Address Source
				( ) -	FL DL

Business Address (Street, Apt Number)	(City)	(State)	(Zip)	Phone	Occupation
				( ) -	Airplane Mechanic

O/L Number, State	Soc Sec Number	INS Number	Place of Birth	Citizenship
C655-201-66-254-0/FL	[redacted]		Laredo, TX	USA

CO-DEF

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

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other — Name (Last) (First) (Middle) — Residence Phone

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

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 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 561-355-2526) informed of any change of address ☐ Yes, By (Name) ☐ No (Reason) — School Attended — Grade

Property Crime? Yes ☐ No ☐ — Description of Property — Value of Property

CODE

Drug Activity: S Sell, B Buy, P Possess, R Smuggle, D Deliver, T Traffic, K Dispense/Distribute, E Use, 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

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
Driving Under The Influence	1	☐ Yes ☒ No	316.193(1)	2018 ROR

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
			18-059582		

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
		☐ Yes ☐ No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
		☐ Yes ☐ No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
		☐ Yes ☐ No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

NOTICE TO APPEAR

☐ Instruction No 1 Mandatory Appearance in Court
☐ Instruction No 2 You need not appear in Court but must Comply with instruction on reverse side

Location (Court, Room Number, Address): South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444

Court Date and Time: Month December Day 17th Year 2018 Time 08:30 ☒ A.M. ☐ P.M

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: 11/16/2018

ADMIN

HOLD for other Agency Name

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy: DS Collins ID # 7622 — Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): Dominguez ID # 993

Transporting Officer: Dominguez ID # 993 Agency BBPD

Name Verification (Printed by Arrestee) (PRINT)

BU#

Witness here is subject Signed with an "X"

Page 1 OF 1

2018 CT 205005B

SM

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D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 15th **DAY OF** November **2018 AT** 2337 ☐ **A.M** ☒ **P.M.**

CASE #: 18-059582 **DEFENDANT:** Carmona, Efrain, Alonso

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

I, Officer Dominguez, responded to N. Congress Ave and Miner Rd in reference to backing up Officer Davis on a traffic stop. Upon arrival I made contact with Officer Davis who advised he observed a beige Volkswagen sedan (FL Tag Z03ALH) at the intersection of N. Congress Ave and Gateway Blvd facing north. The vehicle was stopped at the steady red light when the light then turned green. At that time the vehicle accelerated quickly causing the vehicle back tires to spin in place making a loud screeching noise. Officer Davis then began pacing the vehicle and determined the vehicle was going 60 mph in a 45 mph zone. Officer Davis also witnessed the vehicle switch from the left lane to the right and then back quickly while traveling north on N. Congress Ave. At that time Officer Davis conducted a traffic stop on the vehicle. Officer Davis made contact with the sole occupant of the vehicle, Efrain Carmona. While speaking to Carmona Officer Davis witnessed him to have slurred speech and red blood shot eyes. Officer Davis asked Carmona if he had anything to drink in which Carmona advised he had beer early that night.

At that time I made contact with Carmona and began speaking to him. While speaking to Carmona I observed him to have slurred speech, glossy eyes and I could smell the odor of the impurities of alcohol emitting from the cabin of the vehicle. I asked Carmona if he had anything to drink that night in which he advised he had beer earlier that night. I then requested Carmona out of the vehicle in which he complied. While outside of the vehicle I again could smell a strong odor of the impurities of alcohol emitting from his person and breath.

I advised Carmona of my observations and requested him to submit to a series of Field Sobriety Task, which he agreed to. Prior to continuing the investigation I asked Carmona if he had any injuries/ disabilities that I should be aware of, which he stated he had minor pain in his back from work.

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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 Task was explained and demonstrated to Carmona, which he stated that he understood. During the Instructional Stage, Carmona swayed side to side and stepped out of position twice. Carmona then began the exercise and took nine steps. Carmona took his first step and stumbled to the side. Carmona hands where off his side for balance throughout the exercise. Carmona then made an improper turn and took another nine steps. On step five Carmona stumbled over his feet. Again Carmona's hands where off his side for balance throughout the exercise.

ONE LEG STAND:
The task was explained and demonstrated to Carmona, which he stated he understood. Carmona then began the exercise. Carmona placed his foot on the ground approximately 2 times before the times elapsed. Carmona also stopped the exercise and then began recounting. Carmona's hands were off his side for balance throughout the exercise.

FINGER TO NOSE:
The Task was explained and demonstrated to Carmona, which he stated that he understood. During the Exercise Stage, Carmona was instructed to lift his left finger to his nose, in which Carmona did not lift his finger for several seconds but then finally lifted his finger to his nose. Throughout the exercise I observed Carmona to have orbital sway.

ROMBERG/ALPHABET:
The Task was explained and demonstrated to Carmona, which he stated that he understood. During the Exercise Stage, Carmona advised he was done estimating 30 seconds in his head after approximately 35 seconds elapsed on my watch.

Based on my investigation, Carmona was placed into custody for DUI. Due to Officer Castro being a certified breath technician and having access to a mobile breath machine in his patrol vehicle, Officer Castro was called on scene. I conducted a 20 minute observation which began at 0000 hours and ended at 0020 hours. Carmona provided a breath sample of 0.102 and 0.092.

Based on the above facts, Carmona was arrested for Driving Under the Influence (FSS 316.193(1)). Carmona was then transported to Palm Beach County Jail for processing. Carmona was issued a citation for Violation of Traffic Control Device and Improper Start of Vehicle From Stopped Position. The citations were issued by Officer Davis. Carmona's vehicle was towed by Blake's Towing.

This incident was captured on my BWC.

The following instrument was sworn to before me this 16 day of November 2018

By: Ofc. Dominguez

S. O'Neal
Notary/Police Officer (F.S.S. 117.10)

993
Signature of Arresting Officer

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # FF 933864
My Comm. Expires Jan 25, 2020
Bonded through National Notary Assn.

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CASE #: 18-059582 DEFENDANT: Carmona, Efrain, Alonso

Arresting Officer: Ofc. Dominguez
Address: 100 E. Boynton Beach Boulevard Boynton Beach, Fl. 33435
Phone Numbers: Home: _____ Work: (561) 742-6100

Name: Ofc. Davis
Address: 100 E. Boynton Beach Blvd, Boynton Beach, FL. 33435
Phone Numbers: Home: _____ Work: (561) 742-6100
Can testify to: Traffic stop and infraction.

Name: Ofc. Castro
Address: 100 E. Boynton Beach Blvd, Boynton Beach, FL. 33435
Phone Numbers: Home: _____ Work: (561) 742-6100
Can testify to: Breath Tech.

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

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TESTING FACILITY TASK REPORT

CASE #: 18-059582 DEFENDANT: CARMONA, EFRAIN ALONSO
Date: 11/16/18 Video Tape #: 4734

BREATH TEST RESULTS:
1. .102 g/210L Time 0103 ☐ a.m. ☐ p.m. 3. ____ g/210L Time _____ ☐ a.m. ☐ p.m.
2. .092 g/210L Time 0107 ☐ a.m. ☐ p.m. 4. ____ g/210L Time _____ ☐ a.m. ☐ p.m.

BREATH OPERATOR: OFFICER CASTRO #905
MAINTENANCE TECHNICIAN: OFFICER CASTRO #905

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED
ATTITUDE: COOPERATIVE
CLOTHING: GRAY SHIRT, TAN SHORTS, GRAY SHOES
MEDICAL CONDITIONS: SHORTNESS OF BREATH
MEDICATIONS: NONE
OTHER:

COMMENTS:

A/O READ IMPLIED CONSENT, REQUIRED A SECOND TIME, DEF SUBMIT SAMPLE.

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: BOYNTON BEACH PD
Instrument Serial Number: 80-001190 Software: 8100.27
Date of Test: 11/16/2018

Date of Last Agency Inspection: 10/31/2018
Observation Period Began: 00:00
Subject's Name: EFRAIN ALONSO CARMONA DOB: 07/14/1966 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	01:01
Air Blank	0.000	01:02
Control Test	0.081	01:02
Air Blank	0.000	01:02
Subject Sample #1	0.102	01:03
Air Blank	0.000	01:04
Air Blank	0.000	01:06
Subject Sample #2	0.092	01:07
Air Blank	0.000	01:07
Control Test	0.078	01:08
Air Blank	0.000	01:08
Diagnostics Check	OK	01:08

Cylinder Lot: 390314
Exp: 04/19/2019

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 DENNIS CASTRO, 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: _____ Date: 11/16/18
Signature

Sworn to (or affirmed) before me this _____ day of _____ , _____

_____ _____
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic 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., this 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 322.2615, F.S.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

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CASE #: 18-059582 **DEFENDANT:** Carmona, Efrain, Alonso

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.

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.

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of determining 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 Ofc. Dominguez of the Boynton 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.

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 statements can and will be used against you in a court of law.**

Suspect's Signature: _____

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CASE #: 18-059582 **DEFENDANT:** Carmona, Efrain, Alonso

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.

Where you operating a motor vehicle at the time of the stop/Accident? **Refused**
Where were you going? _____
What Street or Highway were you on? _____
What was you 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 City and County 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 have you been drinking? _____
How much? _____
With whom? _____
When did you have your first drink? _____
When did you have your last drink? _____
Can you feel the effects of the alcohol? _____
Are you under the influence? _____
Have you consumed any alcohol since the stop/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? _____
Where 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 you eyes that are not corrected by glasses? _____
Do you take insulin? _____ If so, when was your last injection? _____
Have you ever gad a driver's license in any other state? _____
Where? _____
Interviewer: _____

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CASE # [redacted]582

BOYNTON BEACH POLICE DEPARTMENT
TOWING AND VEHICLE STORAGE RECEIPT
FOR POLICE INQUIRIES PHONE (561) 742-6100

INVOICE # 164098

YEAR	MAKE	MODEL	COLOR	NAME OF REGISTERED OWNER
11	VOLKS	CC	BGE	EFRAIN CARMONA

TYPE (2 DR, CONV. ETC)	TAG#	ST	YR	ADDRESS	PHONE
4 DOOR	203 ALH	FL	7-19	915 SMALLDR	

VIN#	NAME OF DRIVER (IF DIFFERENT)
WVWAN7AN7BE720277	

LOCATION TOWED FROM	DATE	TIME	ADDRESS	PHONE
BOYNTON LAKES & CONGRESS	11-16	2337		

TOW COMPANY	ADDRESS TOWED TO	TOW COMPANY PHONE
BECKS	4400 BAKER 33435	561-369-1096

REASON TOWED

- ☐ ACCIDENT
- ☐ D.U.I.
- ☐ FELONY/FORFEITURE
- ☐ TRAFFIC HAZARD
- ☐ STOLEN/RECOVERY
- ☐ CRIME SCENE/EVIDENCE
- ☐ ABANDONED (ENTER N/FCIC)
- ☐ RECOVERY O.J.
- ☐ OTHER _____

(MORE THAN ONE BOX MAY BE CHECKED)

☐ HOLD — FELONY VEHICLE/FORFEITURE/EVIDENCE

NAME OF ARRESTED/IF APPLICABLE | REASON FOR HOLD OR CHARGE | AUTH. SUPV. SIGNATURE

VEHICLE - PROPERTY INVENTORY
(CHECK IF INSTALLED/PRESENT)

☑ KEYS ☑ REGISTRATION ☐ RADIO ☐ RADAR DET. ☐ SPARE TIRE ☐ # HUBCAPS _____

LIST ALL ADDITIONAL PROPERTY (TOOLS, CLOTHES, AUDIO EQUIP, ETC.)

multiple tools, tennis bag, AIR PUMP, rain coat, tool set, jump cables
misc clothes, toiletries, misc papers, sunglasses x4, book
spray paint, checkbook 1366-1390, check 689, Lowes card

DAMAGED AND MISSING PARTS misc scratches and dents

WE AGREE THAT THE ABOVE PROPERTY INVENTORY IS CORRECT

TOW DRIVER'S SIGNATURE _____ OFFICER'S SIGNATURE _____ 9:18 ID# _____

OWNER/DRIVER'S SIGNATURE IF RELEASED AT SCENE _____

*VEHICLE REGISTRATION OR TITLE MUST BE PRESENTED AT TIME OF VEHICLE RELEASE

Rev: 7/93 Printed

White Copy: Police Dept. Yellow Copy: Tow Driver Pink Copy: Vehicle Owner/Driver

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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	☐	539.001, F.S., 539.003, F.S.	Other: Pawn Broker Information	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2018038307	**Date:** 11/16/2018
	Specialist Name/ID: M. Tooks #8557