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ARREST / NOTICE TO APPEAR Juvenile Referral Report

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

1 N

Administrative: Agency ORI Number FLO 502600, Agency Name Palm Beach Gardens Police Department, Agency Report Number (N.T.A.'s only) 78- 16-005368

Charge Type: 1. Felony, 2. Traffic Felony, 3. Misdemeanor, 4. Traffic Misdemeanor, 5. Ordinance, 6. Other. Weapon Seized / Type: 1. Yes, 2. No. Multiple Clearance Indicator.

Location of Arrest (Including Name of Business): PGA Blvd/RCA Blvd, Palm Beach Gardens 33410. Location of Offense (Business Name, Address): PGA Blvd/RCA Blvd, Palm Beach Gardens 33410

Date of Arrest: 10/16/16. Time of Arrest: 0003. Booking Date, Booking Time, Jail Date, Jail Time, Location of Vehicle: All Time Towing

Name (Last, First, Middle): Harvin, Ezra G. Alias (Name, DOB, Soc. Sec. #, Etc.):

Race: W - White I - American Indian, B - Black O - Oriental/Asian. Sex: M. Date of Birth: 03/10/48. Height: 5'10. Weight: 178. Eye Color: Blue. Hair Color: Gray. Complexion: flush. Build: medium

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): none. Marital Status: widow. Religion: Protestant. Indication of: Alcohol Influence, Drug Influence. Residence Type: 1. City, 2. County, 3. Florida, 4. Out of State. Address Source: LICENSE. Occupation: pastor.

Local Address (Street, Apt. Number): 9429 Lantern Bay Cir WPB FL 33411. Phone: (561) 254-3227. Permanent Address (Street, Apt. Number): Same as Local Address. Business Address (Name, Street): Trinity Church. D/L Number, State: H615207480900 FI. Soc. Sec. Number: [REDACTED]. INS Number: [REDACTED]. Place of Birth (City, State): Rocky Mount, NC. Citizenship: US.

Co-Defendant Name (Last, First, Middle): [REDACTED]. Race, Sex, Date of Birth, [REDACTED]. Co-Defendant Name (Last, First, Middle): [REDACTED]. Race, Sex, Date of Birth, [REDACTED].

Parent, Legal Custodian, Other: [REDACTED]. 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 provided by [REDACTED] defendant and / or [REDACTED] 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. School Attended, Grade.

Property Crime? [REDACTED]. 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: DUI. Counts: 1. Domestic Violence: [REDACTED]. Statute Violation Number: 316.193(1). Violation of ORD #.

Drug Activity: N. Drug Type: N. Amount / Unit: N/A. Offense #. Warrant / Capias Number. Bond.

Charge Description. Counts. Domestic Violence: [REDACTED]. Statute Violation Number. Violation of ORD #.

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

Charge Description. Counts. Domestic Violence: [REDACTED]. Statute Violation Number. Violation of ORD #.

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

Charge Description. Counts. Domestic Violence: [REDACTED]. Statute Violation Number. Violation of ORD #.

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

Location (Court, Room Number, Address): North County Courthouse 3188 PGA Blvd, Palm Beach Gardens, FL 33410.

Court Date and Time: Month 11, Day 16, Year 2016, Time 10:00 AM.

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: [REDACTED]. Signature of Arresting Officer: [REDACTED]. Name Verification (Printed by Arrestee): SCANNED. (PRINT) OCT 17 2016. PAGE.

Dangerous, Resisted Arrest, Suicidal, Other: [REDACTED]. Name of Arresting Officer (Print): Melinda Hanton #305. I.D. #: 305. Transcription Officer: [REDACTED]. I.D. #: [REDACTED]. Agency: [REDACTED].

QPI H O N E A / 7206. M Hanton 305 PB6PD. OCT 16 AM 3:37.

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 16th DAY OF October, 20 16, AT 2348 AM PM  
SUBJECT: Harvin, Ezra G CASE NUMBER: 16-005368  
AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Melinda Hanton #305

## PERSONAL CONTACT

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

On 10/16/16 at approximately 11:48 p.m. I was westbound on PGA Blvd at Kew Gardens Avenue when I was advised of a possible impaired driver in a silver Toyota with a Florida Gator tag. I observed a silver Toyota in the center lane of PGA Blvd with a Florida Gator license plate approaching the red light at Lake Victoria Gardens Avenue. When the traffic light turned green, the Toyota did not start moving for several seconds, then was very slow to proceed forward. After crossing the intersection of Lake Victoria Gardens Avenue the Toyota accelerated and was swerving to the left, entered the left lane then swerved back into the middle, then swerved into the left lane, more than half the vehicle, swerved to the center then entered the left lane and was

### OBSERVATION OF DRIVER:

swerving into the right lane. I activated my red and blue lights to conduct a traffic stop and I activated my department issued body worn camera. I made contact with the white male driver and sole occupant who was identified by the photograph on his Florida drivers license as Ezra G. Harvin. While speaking with Harvin I smelled a strong odor of an unknown alcoholic beverage coming from his breath as he spoke, his speech was slurred and his eyes were red and glassy. When he exited he was unsteady on his feet the entire time.

### DRIVER'S STATEMENTS:

stated he had gin and tonic's. kept stating that he had to many to drive, that he had too much to drink to drive, during the breath test stated he had 5 gin and tonic's and that it was two too many.

### ODORS:

strong odor of an unknown alcoholic beverage coming from his breath as he spoke.

## GENERAL OBSERVATIONS

SPEECH: slurred, mumbled

ATTITUDE: cooperative

CLOTHING: green shirt, white pants

MEDICAL/OTHER: high blood pressure, high cholestoral

STATE OF FLORIDA  
COUNTY OF PALM BEACH

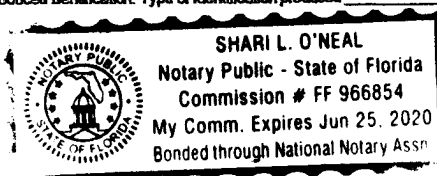
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 16th day of October, 20 16 by Melinda Hanton

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

(Signature of Notary Public)

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



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OCT 17 2016

**ROADSIDE TASKS****HORIZONTAL GAZE NYSTAGMUS:**☒ LT EYE-LACK OF SMOOTH PURSUIT☐ RT EYE-LACK OF SMOOTH PURSUIT☒ LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX DEVIATION☐ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX DEVIATION☒ LT EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES☐ RT EYE- ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES**Other Observations:****WALK & TURN:**

HGN- had to remind him to follow the light, had approximate angle of onset of 35 degrees did have vertical gaze nystagmus.

WAT- demonstrated and explained he said he understood. was unable to hold stance during instructions, stumbled several times, and was using arms for balance. when he began he stumbled and was using arms for balance and when he took his 9th step he spun around and stumbled backward, and tripped over the curb and started to fall backwards and nearly fell. At that time I discontinued the tasks.

**ONE LEG STAND:**

discontinued tasks

**FINGER TO NOSE:**

discontinued tasks

**ROMBERG/ALPHABET:**

discontinued tasks

**BREATH TEST RESULTS:** .136, .128

STATE OF FLORIDA  
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was notarized or sworn before me this 16<sup>th</sup> day of October 20 16 by Off. Hanton 30-  
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)



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OCT 17 2016

# WITNESS LIST

CASE NUMBER: 16-005368

RESTING OFFICER: Melinda Hanton #305

DRESS: 10500 N. Military Trail, Palm Beach Gardens, FL 33410

ONE NUMBERS (HOME): \_\_\_\_\_ (WORK) 5617994445

N TESTIFY TO: driving, observations, arrest

ME: Sgt. Hawkins

DRESS: 10500 N Military Trail

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) 5617994445

N TESTIFY TO: backup on scene

ME: Officer Koegel

DRESS 10500 N Military Trail

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) 5617994445

N TESTIFY TO: tow slip

ME: \_\_\_\_\_

DRESS \_\_\_\_\_

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

N TESTIFY TO: \_\_\_\_\_

ME: \_\_\_\_\_

DRESS \_\_\_\_\_

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

N TESTIFY TO: \_\_\_\_\_

ME: \_\_\_\_\_

DRESS \_\_\_\_\_

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

N TESTIFY TO: \_\_\_\_\_

ME: \_\_\_\_\_

DRESS \_\_\_\_\_

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

N TESTIFY TO: \_\_\_\_\_

ME: \_\_\_\_\_

DRESS \_\_\_\_\_

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

N TESTIFY TO: \_\_\_\_\_

ME: \_\_\_\_\_

DRESS \_\_\_\_\_

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

N TESTIFY TO: \_\_\_\_\_

ME: \_\_\_\_\_

DRESS \_\_\_\_\_

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

N TESTIFY TO: \_\_\_\_\_

ME: \_\_\_\_\_

DRESS \_\_\_\_\_

ONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

N TESTIFY TO: \_\_\_\_\_

SCANNED

OCT 17 2016

# TESTING FACILITY TASK REPORT

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AGENCY: PLG Ofc. Henton #305  
SUBJECT: Harris, Ezra G. CASE NUMBER: 10-129614  
DATE: 10-16-16 VIDEO TAPE NUMBER: 61515  
BEGINNING TIME: 0056H12 ENDING TIME: 0110H12  
BREATH TESTS RESULTS: 1) .126 TIME 0109 A.M./P.M. 2) .123 TIME 0107 A.M./P.M.  
3) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M. 4) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M.

BREATH OPERATOR: S. O'Neil # 6212

MAINTENANCE TECHNICIAN: DIS J. V. V. #6967

## TESTING OFFICER'S OBSERVATIONS

SPEECH: Normal

ATTITUDE: Calam, Cooperative, Turbulent

CLOTHING: Short - Green

MEDICAL CONDITIONS: Hypertension & Uncontrolled

MEDICATIONS: 2 meds

OTHER: Eyes: Red

Odor of unknown alcoholic beverage

COMMENTS: 20 min observation done by AIO Henton #305

AIO requested the subject for test.

D submitted to the breath request.

D asked what happen if he did not submit.

AIO read the rights and D on camera.

D understood the IC.

D still sobriety until the IC was read.

D completed the test correctly.

C/W read on camera.

D refused Q&A.

SCANNED

OCT 17 2016

SUBJECT: Harvin, Ezra G. CASE NUMBER: 16-00 5368

## 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 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 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. Melinda Horton 305 of the Palm Beach Gardens 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 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.

SUBJECT'S SIGNATURE: (X)

Read on Camera

## 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 statement can and will be used against you in a court of law. ✓

SUSPECT'S SIGNATURE: (X)

Read on Camera

**SCANNED**

**OCT 17 2016**

SUBJECT: Harvin, Erica G CASE NUMBER: 16-005362

## 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 OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? \_\_\_\_\_

WHERE WERE YOU GOING? \_\_\_\_\_

WHAT STREET OR HIGHWAY WERE YOU ON? \_\_\_\_\_

DIRECTION OF TRAVEL? \_\_\_\_\_ WHERE DID YOU START? \_\_\_\_\_

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 HOURS? \_\_\_\_\_

HOW MUCH DO YOU WEIGH? \_\_\_\_\_ 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 THE 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? \_\_\_\_\_ 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 YOUR EYES THAT ARE NOT CORRECTED 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: De M. Harbin 305-

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SCANNED

OCT 17 2016