



Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
3440 SE 19TH STREET
HOLLYWOOD, FL. 33316

Report Date / Time 4/14/2019 07:23 PM	Report Number C-4637AA	Case Number/Cad Number FWSA19OFF004121 /FWLR19 CAD006940	Reporting Officer Name DEFEO, P
Originating Agency ORI FL0488000	Occur Date Time Range 04/14/2019 17:35:46 -	Jurisdiction Arrest time 1841	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description BRIDGE FLAGLER MEMORIAL
Street Number FLAGLER MEMORIAL BRG	Street FWC	Apt/Lot/Bldg PALM BEACH INC
City FL	State FL	Zip Code

Defendant

First Name FELIX	Middle Name DIOSDADO	Last Name QUINTANA	Suffix	Race NN	Sex MALE	Height 5'07"	Weight 195	Hair BROWN	Eyes BROWN
MNI #	SSN	Date of Birth 04/07/1990	Age 29	Place of Birth CUBA CUBA	Drivers License or other ID Q535244901270	State FL	ID Type E		
Address * RESIDENCE / 4489 LUXEMBURG CT APT 306 , LAKE WORTH, FL 33467 /									

Arrest

Arrest Date/Time 4/14/2019 6:41:04 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description ICW AND FLAGLER BRIDGE				
Street Number	Street	Apt/Lot/Bldg	County PALM BEACH	City WEST PALM BEACH	State FL	Zip Code

Charge : STATE STATUTE

Counts 1	Charge 327.35(1) <i>OP</i>	Bond Amount \$0.00	☐ No Bond
Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description OPERATING A VESSEL WITH AN UNLAWFUL BREATH ALCOHOL LEVEL OF .08 OR HIGHER			

Bond Set by Court

Bond Amount \$0.00	No Bond? No
Bond Type(s) APR 14 PM 10:14	

Probable Cause

I, Officer Defeo, observed two personal watercrafts on plane under the Flagler Memorial Bridge in a slow speed zone. Officer Trawinski and I conducted a vessel stop on the two watercrafts for violating the slow speed zone. When one of the operators, Felix D Quintana (4/7/1990) approached our vessel I told him to pull alongside of our vessel, so I could conduct the stop. Quintana did not respond and made several attempts to pull alongside

Arrest Report

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APR 16 2019

APR 15 AM 9:05

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our vessel. Once he was finally able to get next to our boat I secured it with a dock line. Quintana had a blank stare on his face, his eyes were glassy/watery, and he had droopy eyelids. I asked the subject how much he had to drink, and he stated 3 beers. Based on the observed signs of impairment. I asked Quintana if would conduct standardized field sobriety task, and he complied.

STANDARDIZED FIELD SOBRIETY TASKS

Horizontal Gaze Nystagmus:

Quintana had equal pupil size, no resting nystagmus.

Lack of smooth pursuit in both eyes.

Distinct and sustained nystagmus at maximum deviation. Both eyes.

Onset prior to 45 degrees. Both eyes.

6 clues

Finger to Nose:

Unable to follow directions. Started at the wrong time. Did not close eyes or tilt head. Moved his head during the task, greater than 1 inch.

Wrong hand: 1 (right)

Wrong finger: 1 (right)

Hesitated left and right

Searched for nose: 1 (right)

Missed tip of nose: 1 (right)

11 Clues

Palm Pat:

Moved his hands during the instruction stage after being told not to several times.

Unable to follow instructions.

Rolled hands as he sped up his count.

2 Clues

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Hand Coordination:

Unable to follow instructions.
Improper count and improper touch on task 1.
Task 2: hand clap did not perform.
Task 3: return steps (improper count)

5 Clues

Based on the obvious signs of impairment and the SFST's, I placed Quintana under arrest for boating under the influence.

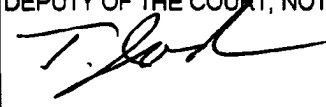
Court

Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court PALM BEACH COUNTY COURT AT GUN CLUB	Court Phone (561) 688-4640	Court Appearance Date / Time	Court Fine
Comments			

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
DEFEO, P	OFFICER		WN759	FWSAISO REGION A/PALM BEACH	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name DEFEO, P	Office Rank OFFICER	Officer ID No WN759	Sworn and subscribed before me, the undersigned authority This the <u>14</u> day of <u>April</u> <u>2019</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT 
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature  N754			

TESTING FACILITY TASK REPORT

AGENCY: FWC
 SUBJECT: QUEVEDO, FELIX D. CASE NUMBER: 19-059762
 DATE: 04/14/19 VIDEO TAPE NUMBER: N/A
 BEGINNING TIME: 2005 ENDING TIME: 2025
 BREATH TESTS RESULTS: 1) 157 TIME 2013 A.M./P.M. 2) 159 TIME 2016 A.M./P.M.
 3) N/A TIME — A.M./P.M. 4) N/A TIME — A.M./P.M.
 BREATH OPERATOR: G. PARANT #7909
 MAINTENANCE TECHNICIAN: KARLECK #6167

TESTING OFFICER'S OBSERVATIONS

SPEECH: ACCENT, PRONOUNCED
 ATTITUDE: CALM, QUIET, POLITE, CO OPERATING
 CLOTHING: BLACK ATHLETIC SUIT, L/S WHITE T-SHIRT, TAN SANDALS
 MEDICAL CONDITIONS: NONE

OTHER: EYES GLOSSY, ODOR OF A UNKNOWN ALCOHOLIC BEVERAGE ON BREATH
Δ ADMITTED TO DRINKING 2 BEERS (Q+A)
 COMMENTS: ARRIVED AT MOBILE BAT A/O BEGAN THE 20 MINUTES OBSERVATION AT 1858 HRS.

Δ STATED YES HE WOULD TAKE TEST. Δ THEN ASKED WHAT HAPPENS IF HE DOESN'T TAKE TEST
A/O READ I/C
Δ STATED HE UNDERSTOOD AND AGREED TO TEST
A/O READ RIGHTS
Δ STATED HE UNDERSTOOD RIGHTS
A/O CONDUCTED Q+A
Δ ANSWERED QUESTIONS

TECH READ BREATH TEST RESULTS Δ

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

FLORIDA BUI/DUI
IMPLIED CONSENT WARNING

DEFENDANT'S NAME QUINTANA, FELIX DIOSDADO CASE NO: FWSA19OFF4121

READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING

You are under arrest for operating a vessel or vehicle while under the influence of alcoholic beverages or chemical or controlled substances.

☒ I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content. Will you submit to a **BREATH** test?

☐ 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. Will you submit to a **URINE** test?

☐ 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. Will you submit to a **BLOOD** test?

IF THE SUBJECT REFUSES TO SUBMIT TO TESTING, READ ONE OF THE FOLLOWING:

I am DEFEO, P of the Florida Fish and Wildlife Conservation Commission
OFFICER'S NAME

☒ **VESSEL**

If you fail to submit to the test I have requested of you, it will result in a civil penalty of \$500.00. Additionally, if you refuse to submit to the test I have requested of you and have previously been fined for 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.

Will you submit to the test? ☒ YES ☐ NO

☐ **VEHICLE**

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 privileges have been previously suspended for 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

Will you submit to the test? ☐ YES ☐ NO

4/14/2019 2102
DATE TIME

P. DeFeo
OFFICER'S NAME (PRINTED)

[Signature]
DEFENDANT'S SIGNATURE

[Signature]
OFFICER'S SIGNATURE

N759

SUBJECT: QUINTANA, FELIX D CASE NUMBER: FWA-14 OFF- 4121

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~~ ^{VESSEL} AT THE TIME OF THE STOP/ACCIDENT? YES

WHERE WERE YOU GOING? Beach

WHAT ~~STREET OR HIGHWAY~~ ^{WATERWAY} WERE YOU ON? Port of Miami

DIRECTION OF TRAVEL? S WHERE DID YOU START? Beach

WHAT TIME DID YOU START? 12:00 (noon) WHAT TIME IS IT NOW? 7:50 from shift 8 AM

WHAT IS TODAY'S DATE? 1/14 WHAT DAY OF THE WEEK IS IT? Sunday

WHAT COUNTY AND CITY ARE YOU IN NOW? Miami Beach (Miami)

WHEN DID YOU LAST EAT? 12:00 WHAT DID YOU EAT? Scrambled eggs

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? hanging out by some friends

HOW MUCH DO YOU WEIGH? 195-197 HAVE YOU BEEN DRINKING? Yes WHAT? 2 beers

HOW MUCH? 2 WHERE? Beach island WITH WHOM? Co-worker

WHEN DID YOU HAVE YOUR FIRST DRINK? 1:30 am AND YOUR LAST DRINK? 4:00 am

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Mouth / from bottle

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? No ARE YOU UNDER THE INFLUENCE? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? N/A HOW MUCH? N/A

WHAT? WHERE? WHEN?

WHAT LINE OF WORK ARE YOU IN? Fencing WHEN DID YOU LAST WORK? Friday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT?

ARE YOU SICK OR INJURED? NO WHAT'S WRONG?

DO YOU LIMP? DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE YOU IN AN ACCIDENT TODAY? No

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? No WHEN?

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? WHY?

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? WHEN?

DO YOU HAVE:

EPILEPSY?	<u>No</u>
GLASS EYE?	<u>No</u>
FALSE TEETH?	<u>No</u>
EAR INFECTION?	<u>No</u>
INNER EAR TROUBLE?	<u>No</u>
DIABETES?	<u>No</u>

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION?

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE?

INTERVIEWER: OFC. P. DeFeo

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT: QUITANA, FELIX D CASE NUMBER: _____

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 _____ of the _____

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) _____

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

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

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

Instrument Type: Intoxilyzer 8000.
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006027 Software: 8100.27
Date of Test: 04/14/2019

Date of Last Agency Inspection: 03/15/2019
Observation Period Began: 18:58
Subject's Name: FELIX D QUINTANA

DOB: 04/07/1990 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	20:11
	Air Blank	0.000	20:11
	Control Test	0.078	20:12
	Air Blank	0.000	20:12
	Subject Sample #1	0.157	20:13
	Air Blank	0.000	20:13
	Air Blank	0.000	20:15
	Subject Sample #2	0.159	20:16
	Air Blank	0.000	20:17
	Control Test	0.078	20:17
	Air Blank	0.000	20:17
	Diagnostics Check	OK	20:17

Cylinder Lot: 12317080A3
Exp: 07/05/2019

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, DAVE L. BARNETT, 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: _____

Signature

Date: 04/14/19

Sworn to (or affirmed) before me this 14 day of APRIL, 2019

[Signature] N759
Signature of Notary Public-State of Florida

OFC. P. DE FEO
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.



**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: 2019012460

Date: 04/15/2019

Specialist Name/ID: AM/31562