

ARREST / NOTICE TO APPEAR

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

Agency ORI Number: 0500200 Agency Name: Boca Raton Police Department Agency Report Number (N.T.A.'s only): 3 | 2 | 2017-016634

Name (Last, First, Middle): FAHME, GEORGE M Alias: Alias (Name, DOB, Soc. Sec. #, Etc.): Date of Birth: 11/16/1979 Race: W - White Sex: M Height: 5'08 Weight: 190 Eye Color: BROWN Hair Color: BLACK Complexion: LIGHT Build: Large

Local Address (Street, Apt. Number): 500 S OCEAN BLVD 209, BOCA RATON, FL 33432 Permanent Address (Street, Apt. Number): 500 S OCEAN BLVD 209, BOCA RATON, FL 33432 Business Address (Name, Street): TUXEDO RENTAL, OKEECHOBEE BLVD W.P.B.

Charge Description: DUI Drug Activity: N Drug Type: N Amount / Unit: / Offense #: 2017-016634 Counts: 1 Domestic Violence: [] Y [X] N Warrant / Capias Number: Statute Violation Number: 316.193(1)

Health / Apparent Physical Condition of Defendant: GOOD Any knowledge of the following: [] Mental [] Escape Risk [] Medication [] Deformities [] Injuries Explain: Transported By: CASTILLO Date Transported: 12/05/2017 Time Transported: 00:00

INSTRUCTION NO. 1 - Mandatory appearance in court INSTRUCTION NO. 2 - You need not appear in court but must comply with instructions on Page 2. 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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/Custodian): Date Signed: Signature of Arresting Officer: CASTILLO, JAVIER ID # 804 Transporting Officer: J CASTILLO ID # 804 Agency: BOCA

#0459625

DEC 07 2017

No Photo Available

DEC 5 PM 2:43

2017 DEC - 6 AM 8:40

PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

OBTS Number

Agency ORI Number: FL 0500200 Agency Name: BOCA RATON POLICE DEPARTMENT Agency Report Number: 3 | 2 | 2017-016634

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

Name (Last, First, Middle): FAHME, GEORGE M Race: W Sex: M Date of Birth: 11/16/1979

Charge Description: 316.193(1) DUI

Victim's Name (Last, First, Middle): STATE ATTORNEYS OFFICE, Local Address (Street, Apt. Number), Business Address (Name, Street)

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. On the 5 day of December, 2017 at 05:59

On 12/5/17, at approximately 0559 hours, I was dispatched to 1371 W Palmetto Park Rd (TD bank) in reference to a male intoxicated at the bank. The caller told the BRPD dispatcher there was a male driving a white Nissan Altima bearing MI tag #DWN4274 who got out of the car at the bank and was not able to walk correctly and appeared intoxicated.

Upon my arrival, I observed the vehicle matching the description traveling eastbound in the parking lot area of TD Bank towards the Taco Bell located at 1361 Palmetto Park Rd and I pulled over the vehicle. I walked up to the vehicle, identified myself and spoke with the driver, whom I later identified by his Florida driver license/D.A.V.I.D photograph as George M. Fahme and asked him for his license and registration and proof of insurance.

When asked if he would be able to perform the walk and turn, he said he would be able to due to his leg injuries.

When asked if he would be able to perform the one leg stand, he said he would try

SWORN AND SUBSCRIBED BEFORE ME. SIGNATURE OF ARRESTING / INVESTIGATING OFFICER: CASTILLO, JAVIER (804) DATE: 12/05/2017

Agency ORI Number: **FL 0500200** Agency Name: **BOCA RATON POLICE DEPARTMENT** Agency Report Number: **3 | 2 | 2017-016634**

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

Name (Last, First, Middle): **FAHME, GEORGE M** Alias: _____ Race: **W** Sex: **M** Date of Birth: **11/16/1979**

and he was not able to lift either of his feet 6 inches off the ground. He was using his arms, swaying and counted-1001, 1002 then stopped. He kept dropping his foot to the ground to keep his balance and complained about the leg pain.

I performed the HGN exercise and there was lack of smooth pursuit seen in both eyes. There was distinct and sustained nystagmus seen in both eyes at maximum deviation. He also swayed slightly during the exercise. Vertical nystagmus was not seen. He also sat on my bumper to continue this exercise due to his injuries.

He was instructed to count from 30 to zero. He had a slight sway forwards and backwards. He skipped number thirteen and continued to count down from twelve.

The final task was the finger to nose (L-R-L-R-R-L). He missed the tip of his nose on each movement. On the movements, he held his hand up for an extended period. When asked to place the right index finger on the fourth movement, he placed his left finger on his nose. When asked to place his right finger on the next movement, he placed his left again. Finally when asked to place his left finger on the final movement, he placed his right finger.

Based upon my investigation, I have probable cause to believe that George Fahme did drive or be in actual physical control of a vehicle while under the influence of chemical substances as set forth in F.S. 877.111, or any substance controlled under Chapter 893 or any combination thereof, to the extent that his normal faculties were impaired, or while having a blood or breath alcohol level of .08 or higher, contrary to Florida Statute 316.193(1). At approximately 0646 hours, I placed George Fahme under arrest for DUI.

I transported Fahme to the Boca Raton Police Department for breath alcohol testing. Officer Crawford performed the twenty-minute observation and conducted the breath testing process. I asked Fahme if he would provide a sample of his breath for breath alcohol, testing and he said yes. He provided the breath samples of .000% and .000% BrAC Based upon my observations and the lack of breath results, I requested a sample of Fahme's urine because I suspected drug impairment. He complied and I then submitted into BRPD evidence.

DRE Officer Genden (DRE#028046) responded and gave his opinion (Narcotics analgesic / cns depressant. See his supplement).

Fahme agreed to answer my questions after being advised of his constitutional rights; see the DUI Influence Packet for his answers. Fahme was then transferred Boca Regional Hospital to be medically cleared and then to the Palm Beach County Jail.

SWORN AND SUBSCRIBED BEFORE ME

 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)
 12/05/2017
 DATE

 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
CASTILLO, JAVIER (804)
 NAME OF OFFICER (PLEASE PRINT)
 12/05/2017
 DATE

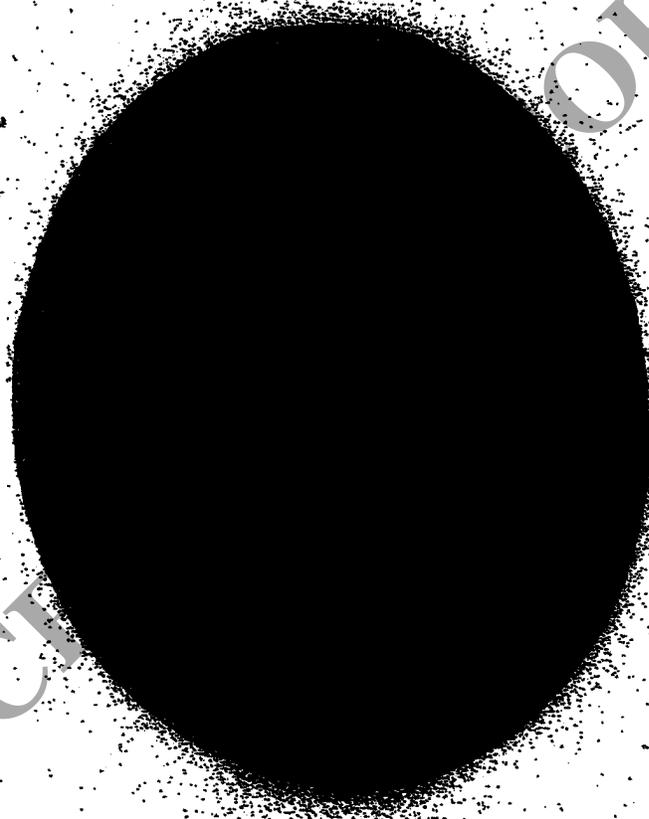
PAGE 2 OF 2

D. U. I. INFLUENCE REPORT

17-16634

10-15 0646

obs 0703



NOT A COPY

Boca Raton Police Services Department

100 Northwest Second Avenue

Boca Raton, Florida 33432

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Case 1110
Name: Otc Crawford Phone # Home Work

Address: BRPD

Can testify to: Backup/Breath testing

Name: Otc Michel Phone # Home Work

Address: BRPD

Can testify to: Backup

Name: Phone # Home Work

Address:

Can testify to:

Name: Phone # Home Work

Address:

Can testify to:

Name: Phone # Home Work

Address:

Can testify to:

Name: Phone # Home Work

Address:

Can testify to:

Name: Phone # Home Work

Address:

Can testify to:

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BOCA RATON POLICE DEPARTMENT

Agency Case# 17-16634

PART II D.U.I. REPORT
To be filled out at testing facility

I. INTRODUCTION

(Instrument Operator faces video camera)

A. The day is: Tuesday, December, 5, 2017
(day) (month) (date) (year)

B. The time is now approximately 9:26 AM PM

C. The following is in reference to case number: 2017-16634

D. Present at this time is Officer Castillo/Crawford of the Boca Raton Police Department.
(Officer's Name)

E. Officer Castillo Have you arrested George Fahme
(Defendant's name)

In violation of Florida State Statute 316.193?

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida?

G. Mr./Mrs./Ms. Fahme, I am required to inform you these proceedings are being video taped.

Operator Note: Video tape breath request, breath sample, and interview.

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H. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

- A.** I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.
- B.** I am now requesting that you submit to a lawful test of your **URINE** for the purpose of determining its alcohol content.
- C.** 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.

IMPLIED CONSENT WARNINGS

Note: Read only if the subject does not comply with your request.

2. 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 signature: _____

ALSO READ FOR CDL HOLDERS

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your **SECOND REFUSAL**, you will be permanently disqualified from operating a commercial motor vehicle.

After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr/Mrs/Ms. _____ has refused to submit to a breath test.

The date is _____ (Month) _____ (Day) _____ (Year) and the time _____ AM/PM

A refusal form was completed by the arresting officer.

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BOCA RATON POLICE DEPARTMENT
TESTING FACILITY TASK REPORT

SUBJECT: Fahme, George

CASE #: 17-16634 DATE: 12/5/17

BREATH TESTS RESULTS

1) TIME 000/0930 AM PM 2) TIME 000/0933 AM PM
3) TIME — AM/PM 4) TIME — AM/PM

BREATH OPERATOR: Off. Crawford

MAINTENANCE TECHNICIAN: Off. Bare

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred, slow, unintelligible at times

ATTITUDE: Calm, sleepy, falling asleep, quiet

CLOTHING: + ^{white} shirt, ^{black} shorts, white sandals

MEDICAL CONDITION: L knee injury, R ankle injury, Klonopin, suboxone

OTHER: _____

COMMENTS: Unable to stand still without wobbling or
swaying + nearly falling over. Slurring his speech so
bad at times his speech is unintelligible. Falling asleep
during observation. Bloodshot and glassy eyes.
Breath 000/000 provided urine sample @ 0952

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ADULT CONSTITUTIONAL WARNINGS
(Juvenile warning on reverse side)

"I am required to warn you before you make any statement that you have the following rights":

- 1) You have the right to remain silent and not answer any questions.
- 2) Any statement you make must be freely and voluntarily given.
- 3) You have the right to the presence of a lawyer and representation 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 statement 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 be and will be used against you in a court of law.

DO YOU UNDERSTAND THESE RIGHTS AS I HAVE READ THEM TO YOU AND DO YOU WISH TO SPEAK TO ME?

(X) Read on tape

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? Yes

Where were you going? See if taco bell was open. went to TD Bank to check his bank account

What street or highway were you on? Palmetto Park RD

Direction of travel? West

Where did you start driving from? 500 S Ocean BLVD, Boca Raton

What City (County) were you stopped in? Boca Raton

What time did you start? 3:30 am AM/PM What time is it now 8:00 am

What is today's date? 12/5 What day of the week is it? Wednesday

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When did you last eat? 12/14/17 What did you eat? ORZO

What have you been doing the past three hours prior to this stop/accident? Watching Movies

How much do you weigh? 180 Have you been drinking? NO What were you drinking? N/A

How much? N/A Where? N/A With whom were you drinking? N/A

When did you have your first drink? _____ AM/PM When did you stop drinking? _____ AM/PM

How did you consume your last two drinks? _____

Are you under the influence of alcohol now? Yes No

Can you feel the affects of alcohol? Yes No

Have you consumed alcohol since the accident? Yes No

Can you feel the affects of alcohol? Yes No

Have you consumed alcohol since the accident? Yes No How much? _____ What? _____

Where? _____

What line of work are you in? Manager of Tuxedo / Gator

When did you last work? 12/14/2017

Do you have any physical defects or injuries? Yes No If yes, explain: leg injury / knee

Are you sick or injured? Yes No If yes explain: _____

Do you limp? yes Did you get a bump on the head? NO

Were you involved in an accident today? NO

Have you taken any drugs or smoked marijuana today? NO

What? NO When? NO

Have you seen a doctor or dentist today? NO Who? N/A

Are you taking any prescription medicines? Yes No What? NO When? N/A

Do you have:	Epilepsy? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Inner ear trouble? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Glass Eye? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ear Infection? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	False Teeth? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Diabetes? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Any eye problems not correctable by glasses or contact lenses? NO

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Do you take insulin? Yes No If yes, when was your last injection? _____

Have you ever had a driver's license in any other state? yes, Rhode Island, New York

I am now ending this videotaping. The time now is approximately 0811 AM/PM

The date is: December (month) 5th (day) 2017 (year)