

#0486792

248  
REPORT NUMBER  
FHP99ARR129937

FLORIDA HIGHWAY PATROL

## ARREST REPORT

Report Date / Time 04/04/2017 11:46 PM	Agency Case/Offense Number FHPL17OFF025783	OCA Number	Organizing Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD057286
---	---	------------	-------------------------------	-------------	-----------------------------------	---------------------	---------------------------------

## LOCATION OF OCCURRENCE

County PALM BEACH	Address QUADRILLE BLVD / FLAGLER DR , WEST PALM BEACH, FL 33401	
Range of Occurrence Date/Time 04/04/2017 10:22 PM to 04/05/2017 12:30 AM	Latitude N 26 40.1821	Longitude W 80 5.5531

## PERSON: SUSPECT

First Name GIRARD	Middle Name POLK	Last Name BROWNLOW	Suffix	Date of Birth 07/27/1950	Age 66	Race W	Sex M	Height 509	Weight 160	Hair BLN	Eyes BLU
Master Name Index Number	Place of Birth TENNESSEE	Nation USA	SSN		Driver's License or Other ID B654295502670	State FL	Class or Type E				
Address 168 KINGS RD		City PALM BEACH	County PALM BEACH		State FL	Zip Code 33480	Phone				

## CHARGES

Counts 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH	OR
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL	<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Bond Amount \$0.00
DUI ALCOHOL OR DRUGS			

## PROBABLE CAUSE

On the above date and time I was in service in Palm Beach County, Fl. I was traveling southbound on Interstate 95 (State Road 9) south of 45th St. when Trooper Kates-Paulus #810 called for assistance in reference to a possible under the influence driver. I then advised Trooper Kates-Paulus #810 that I would be enroute to his location. When I arrived on scene I observed a black in color SUV on the side of the roadway with a white male standing outside the drivers side door on the phone. Trooper Kates-Paulus #810 advised me of the incident and why he stopped the black in color SUV (See Witness Statement). I then approached the white male driver who was later identified, through his Florida Drivers License, to be Girard Polk Brownlow 07/27/1950. I introduced myself to Mr. Brownlow and explained to him the reasoning of me arriving on scene. Mr. Brownlow then advised me he understood and asked if he could just go home. When Mr. Brownlow replied to me I could then smell the odor commonly associated with the smell of an unknown alcoholic beverage emitting from his breath. I also observed Mr. Brownlow's eyes to be glossy and red in color. I advised Mr. Brownlow that I had a couple questions for him, Mr. Brownlow then advised me that he had no problem answering me. I asked Mr. Brownlow if he had anything to drink prior to entering his vehicle. Mr. Brownlow then advised me that he had a jack Daniels with water. I then asked Mr. Brownlow how big that drink was, Mr. Brownlow then advised me that it was about minimum and around 1 (one) ounce. Mr. Brownlow was then asked where he was coming from and where he was headed too. Mr. Brownlow then advised that he was coming from dinner at the Palm Beach Yacht Club and was on his way home. I then advised Mr. Brownlow that I would now be requesting him, with his consent, to perform a series of roadside exercises. Mr. Brownlow then advised me that he consented and would perform the exercises that I have requested of him. (See Roadsides Task Sheet).

The area for the following roadside exercises was level and free of debris. Subject used a wide solid white line to perform the walk and turn. Subject was then asked if he had any problems with his eyes aside from corrective vision, or injuries that would prevent him from performing any of the exercises that will be requested of him to perform. Subject then advised me that he did not have either eye or physical body injuries or limitations and would be able to perform the exercises.

## 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

## Walk and Turn Exercise:

## Interaction Phase:

- Subject had a hard time remaining in starting position. Subject did not listen to instructions on how to remain in starting position. Subject continued to not listen to instructions by talking over me.

The exercise was demonstrated and explained to the Subject. Subject then advised he understood instructions and did not have any questions. Subject was not taking heel to toe steps on all steps. Subject used arms for balance. Subject took more than instructed steps. Subject stepped off line multiple times. Subject did not turn as instructed. Subject used arms for balance.

## One Leg Stand Exercise:

## Interaction Phase:

- Subject was swaying while in starting position.
- Subject advised he understood the instructions and did not have any questions. Subject did not raise foot as instructed. Subject did not count as instructed. Subject continuously switched feet throughout exercise counting each time he lifted one up not following instructions. Subject used arms for balance.

APR 5 AM 11:15

## Finger to Nose:

## Interaction Phase:

- Subject was swaying while in starting position. This exercise was demonstrated to the subject. Subject advised he will be able to perform the exercise. Subject advised he understood the instructions and did not have any questions. Subject swayed during exercise. Subject missed his nose and touched his lips several times throughout exercise. Subject used wrong fingers when instructed.

Based on the totality of circumstances, Mr. Brownlow was placed under arrest for DUI pursuant to Florida Statute 316.193.1 at 10:50 PM. Mr. Brownlow was then searched and placed in the back of my patrol vehicle where he was then transported to the Palm Beach County Jail in which he arrived at 11:12 PM. After the defendants 20 minute observation he was given the opportunity to provide a breath sample in which he refused to provide.

Video of the roadside exercises and transport to the Palm Beach County Jail can be obtained through the FHP custodian.

Report Date / Time 04/04/2017 11:46 PM	Agency Case/Offense Number FHPL17OFF025783	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD057286
---	---	------------	--------------------------------	-------------	-----------------------------------	---------------------	---------------------------------

**LEO BOND**

Bond Amount \$	None	<input type="checkbox"/> ROR	<input type="checkbox"/> Cash	<input type="checkbox"/> Any	<input type="checkbox"/> PreTrial If Qualify
		<input type="checkbox"/> Pro			<input type="checkbox"/>

**COURT APPEARANCE INFORMATION**

Court <b>(COUNTY) PALM BEACH SOUTH COUNTY COURTHOUSE</b>	Court Phone 561-274-1530	Court Date & Time 05/02/2017 08:30 AM
Court Address <b>200 WEST ATLANTIC AVE., DELRAY BEACH, FL 33444</b>		
Instructions		

**ARREST INFORMATION**

Arrest Date / Time 04/04/2017 10:50 PM	Residency Within state	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests No	Arrest Jurisdiction Within state	Alcohol Yes	Drugs No	

**ARREST LOCATION**

County <b>PALM BEACH</b>	Address <b>QUADRILLE BLVD / FLAGLER RD , WEST PALM BEACH, FL 33401</b>
-----------------------------	---

**ARREST DELIVERED TO**

Jail / Booking Facility <b>PALM BEACH COUNTY CORRECTIONS</b>	Location <b>3228 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33406</b>	Phone <b>(561) 688-4400</b>
---	---	--------------------------------

**ARRESTING OFFICER**

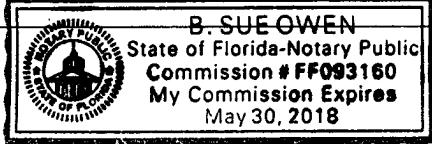
Officer Call Number 1498	Officer Name <b>SAYIH R. A.</b>	Officer Signature <i>#3502</i>
-----------------------------	------------------------------------	-----------------------------------

Subscribed and sworn to (or affirmed) before me this 4<sup>th</sup> day of April A.D. 2017 by Tpr SAYIH R. A. who is personally known to me or

has produced *Mellieuen* as identification.

*Mellieuen*  Notary Public LEO CO Commission No: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

Signature



# TESTING FACILITY TASK REPORT

AGENCY: FHP  
SUBJECT: Brownlow, Girard Polk CASE NUMBER: 17-060542  
DATE: 04/04/17 VIDEO TAPE NUMBER: 62376  
BEGINNING TIME: 2335 ENDING TIME: 2342  
BREATH TESTS RESULTS: REFUSED TIME 2337 A.M./P.M.  
3)    TIME    A.M./P.M. 2)    TIME    A.M./P.M.  
4)    TIME    A.M./P.M.

BREATH OPERATOR: S. Owen #3184

MAINTENANCE TECHNICIAN: J. Karlecke #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: Complained of cuffs, also adjusted, still complained

CLOTHING: brown dress shoes, tan pants, white polo, grey topcoat

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: 67 yo A

COMMENTS: A/DEA arrived at 2312 hrs  
A/DEA observed 20 minutes

A/DEA requested breath test, refused

A/DEA read IAC, understood, still refused

A/DEA read CWA, understood rights

2. answered Q&A

Had dinner at PB YACHT club, admitted to  
having (1) jack daniels & water drink at the club  
Couldn't feel effects, not under influence.

Answered questions quickly no wandering  
with words

SCANNED

NOT A CERTIFICATE

SCANNED  
APR 10 2017