

AD M I N I S T R A T I O N		ARREST / NOTICE TO APPEAR				1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1	JUVENILE
Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5 4 19-002524					
Charge Type: ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		If Weapon Seized		Entry Type NONE		Multiple Clearance Indicator			
Location of Arrest (Including Name of Business) 6671 W INDIANTOWN RD				Location of Offense (Business Name, Address) 6671 W INDIANTOWN RD, JUPITER, FL 33458					
Date of Arrest 05/26/2019		Time of Arrest 04:06		Booking Date 05/26/2019		Booking Time 04:16		Jail Date // ::	
Jail Time		Location of Vehicle 6671 W INDIANTOWN RD							
Name (Last, First, Middle) ANTUL, HENRY J									
Alias (Name, DOB, Soc. Sec. #, Etc.) Alias: ANTUL, HENRY									
Race W - White		Sex M		Date of Birth 02/18/1953		Height 5'11		Weight 215	
Eye Color Gray		Hair Color Gray		Complexion Light		Build Medium			
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status S		Religion CATHOLIC		Indication of Alcohol Influence ☒ Yes ☐ No ☐ Unk.	
Local Address (Street, Apt. Number) 54 ADMIRALS CT, PALM BEACH GARDENS, FL 33418				Phone (561) 758-0850		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2			
Permanent Address (Street, Apt. Number) 54 ADMIRALS CT, PALM BEACH GARDENS, FL 33418				Phone (561) 758-0850		Address Source FL DL			
Business Address (Name, Street) WACKENHUT, 100 AVE OF THR CHAMPIONS				Phone (561) 627-1600		Occupation Security Guard			
D/L Number, State A534390530580 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) WORCESTER, MA,		Citizenship US	
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth	
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth	
☐ Parent ☐ Other: _____ Name (Last, First, Middle)								Residence Phone	
☐ Legal Custodian								Business Phone	
Address (Street, Apt. Number)				(City)		(State)		(Zip)	
Notified by: (Name)				Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT IAC 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 355-2526) informed of any change of address.				School Attended				Grade	
☐ Yes, by: _____ ☐ No: _____				Property Crime? ☐ Yes ☒ No		Description of Property		Value of Property	
Drug Activity M. N/A F. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispersal/ Distribute		M. Manufacture/ Produce/ Cultivate	
Z. Other		Drug Type M. 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 Description DUI - DRIVING WHILE UNDER INFLUENCE				Statute Violation Number 316.193(1)		Violation of ORD #			
Drug Activity		Drug Type N		Amount / Unit		Offense #		Counts 1	
								Domestic Violence ☐ Y ☒ N	
								Warrant / Capias Number	
								Bond	
Charge Description				Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts	
								Domestic Violence ☐ Y ☐ N	
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Charge Description				Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts	
								Domestic Violence ☐ Y ☐ N	
								Warrant / Capias Number	
								Bond	
Health / Apparent Physical Condition of Defendant				Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries					
Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☒ T.O.T. County Jail				PROPERTY - Received By		Released By		Released To	
☐ Posted Bond ☐ South County Mental Health									
Transported By				Date Transported // ::		Time Transported		Other	
☒ INSTRUCTION NO. 1 - Mandatory appearance in court ☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.				Location (Court, Room) North County PALM BEACH GARD		Court Date and Time 07/03/2019 08:30:00		No Photo Available	
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				Signature of Arresting Officer		Name Verification (Printed by Arrestee)			
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other				Name of Arresting Officer (Print) MCGILLICUDDY, STEVEN		LD. # 1216		(PRINT)	
Initials Deputy				Transporting Officer MCGILLICUDDY		LD. # 388		Agency JUPITE	
						Witness here if subject signed with an "X".		PAGE 1 OF 1	

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MAY 27 2019

OBT Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	JUVENILE
ADMINISTRATIVE	Agency OF# Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT		Agency Report Number 5 4 19-002524		
	Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:		
CHARGES	Name (Last, First, Middle) ANTUL, HENRY J		Alias ANTUL, HENRY		Race W	Sex M	Date of Birth 02/18/1953
	Charge Description 316.193(1) DUI - DRIVING WHILE UNDER INFLUENCE		Charge Description				
VICTIM	Victim's Name (Last, First, Middle) State Of Florida		Race		Sex	Date of Birth	
	Local Address (Street, Apt. Number) (City) (State) (Zip)		Phone		Address Source		
P.R.O.B.A.B.L.E	Business Address (Name, Street) (City) (State) (Zip)		Phone		Occupation		
	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. The Person taken into custody . . . ☒ committed the below acts in my presence. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☐ confessed to _____ admitting to the below facts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the <u>26</u> day of <u>May</u>, <u>2019</u> at <u>03:11</u> (Specifically include facts constituting cause for arrest.) On 5/26/2019 at approximately 0311 hrs, I was on routine patrol south bound on Central Boulevard approaching W Indiantown Road when I observed an orange Hyundai bearing FL Tag II26AL (VEHICLE-1) exit the Jupiter West parking, at which time it completely disregarded the east facing stop sign. The vehicle then traveled south into the left most (east most) turn lane to go east. The vehicle then drove laterally west bound across lanes of traffic and continued west bound onto W Indiantown Road. I conducted a traffic stop on the vehicle and made contact with the driver, now identified as Henry Antul (DEFENDANT). During my initial contact with Antul I observed that he had red, glassy bloodshot eyes. He spoke with slurred speech and a heavy Massachusetts accent. I detected the strong odor of alcohol emitting from his breath, which intensified as he spoke. I checked Antul's information on my computer and then went back to his vehicle to ask him more questions. He stated that he was coming from "Nitrogen" which is a bar/restaurant in the plaza that I observed him leaving. He advised me that he had two drinks while there. He stated he consumed them over the course of four hours. He advised me that he was a retired deputy sheriff from Massachusetts. I advised him that he should then understand the importance of traffic safety and made it clear that it had no bearing on my investigation. He agreed to participate in field sobriety exercises. I told him to put this things down and exit the vehicle. I then walked back to the area I was going to conduct the exercises and realized that Antul had not exited his vehicle. I went back to his vehicle and told him he could exit. When he exited, he appeared to be unsteady on his feet. I then continued with administering the field sobriety exercises. The following are the results: HORIZONTAL GAZE NYSTAGMUS -Equal tracking and pupil size in both eyes						
ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME		SIGNATURE OF ARRESTING / INVESTIGATING OFFICER				
	NOTARY PUBLIC / CLERK OF COURT FOR JUDICIAL CIRCUIT IN AND FOR THE COUNTY OF JUPITER 5/26/19 DATE		Notary Public State of Florida Samantha Palmer My Commission GG 233762 Expires 10/28/2022 MOGILICUDDY, STEVEN (1216) NAME OF OFFICER (PLEASE PRINT) 05/26/2019 DATE				

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STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

MAY 27 2019

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PROBABLE CAUSE AFFIDAVIT SUPPLEMENT

-Lack of smooth pursuit in both eyes

-Distinct and sustained nystagmus at maximum deviation in both eyes

-Onset of nystagmus prior to 45 degrees in both eyes

-No vertical nystagmus

-6 of 6 clues observed

LACK OF CONVERGENCE

Using a circular motion with angled approach, lack of convergence was observed in both eyes on both passes.

It should be noted that during this incident, I had to reset multiple times due to Antul having trouble following the stimulus with his eyes. The stimulus in this case was a Toxoptix subdued red light. He also had to be told multiple times to stop moving his head.

WALK AND TURN

Prior to attempting the exercise, he was placed into the starting position and was told not to move until told to do so. I gave him the standardized instructions and then asked him if he understood them. He said no. I asked him what he did not understand and he said "3 and then 3 and then 3?". I then re-demonstrated the exercise for his clarity. His missed heel to toe on steps 2 and 3. He then stopped on 3 and his arms for balance. He then took three more steps, missing heel to toe on steps 5 and 6 and stepped off the line on step 6. He then stopped again. On the 9th step he looked at me as if to get instruction. I advised him to do the turn we talked about. He shook his head and appeared to not remember the instruction about the turn. He then made an improper turn by shuffling both feet around counter-clockwise. During the second set of nine steps he missed heel to toe on step 2 and then stopped on step 3. He missed heel to toe on steps 4, 5 and 6.

- 4 of 8 clues observed.

ONE LEG STAND

For this exercise, he used his right leg. Once told to begin, he did not look at his foot as instructed and did not raise it to the correct height. He swayed, used his arms for balance and put his foot down multiple times. 3 of 4 clues observed.

FINGER TO NOSE

L- Pad to under nose, left hand in place

R- Pad to right side of nose, left hand in place

SWORN AND SUBSCRIBED BEFORE ME NOTARY PUBLIC / CLERK OF COURT / OFFICER Notary Public State of Florida Shanthia Palmer My Commission GG 233762 Expires 10/28/2022 DATE <u>5/26/2019</u>	SIGNATURE OF ARRESTING INVESTIGATING OFFICER MCGILlicuddy, STEVEN (1216) NAME OF OFFICER (PLEASE PRINT) DATE 05/26/2019
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 MAY 27 2019

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L- Pad to tip, left hand in place
 R- Pad to tip, left hand in place
 R- Pad to tip, left hand in place
 L- Pad to under tip, then adjusted to tip, left hand in place

MODIFIED RHOMBERG

I gave Antul the instructions for this exercise. I asked if he understood the instructions and he said "yeah, left?". I then clarified the instructions for the exercise and he stated that he understood. Antul estimated the passage of 30 seconds in approximately 20 seconds, and counted the first 17 of those out loud, at which time I reminded him to count in his head.

Based on my observations, I have probable cause to believe that Antul was operating a motor vehicle while under the influence of alcohol to the point where his normal faculties were impaired. I arrested him at 0322 hrs. I arrived with him at the Palm Beach County Breath Alcohol Testing center at 0351. He was placed under the 20 minute observation period by me and I did not observe him consume nor regurgitate anything. We then went on video with PBSO Breath Technician Palmer (ID #24520) and I requested a breath sample. Antul refused. I read him implied consent on video and he still refused. The refusal time was at 0420 hrs. I then read him his Miranda rights and he advised he did not wish to answer any questions. I completed my paperwork and booked Antul into the jail on one count of DUI. He was given a court date of 7/3/19 at 0830 hrs. He was additionally issued a citation for running a stop sign.

SWORN AND SUBSCRIBED BEFORE ME NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 17#10) DATE 5/26/19	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER MOGILICUDDY, STEVEN (1216) NAME OF OFFICER (PLEASE PRINT) DATE 05/26/2019
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MAY 27 2019



**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: 2019017483

Date: 05/27/2019

Specialist Name/ID: AM/31562

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MAY 27 2019