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FLORIDA HIGHWAY PATROL

929

REPORT NUMBER
FHP99ARR137502

ARREST REPORT

Report Date / Time 07/08/2017 01:33 AM	Agency Case/Offense Number FHPL17OFF054185	OCA Number	Operating Agency Card Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRCC17CAD120747
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LOCATION OF OCCURRENCE

County PALM BEACH	Address NB AT SOUTHERN , UNINCORPORATED, FL
Range of Occurrence Date/Time 07/07/2017 11:39 PM to 07/07/2017 11:39 PM	Latitude N 26 40.1769

Longitude
W 80 5.5466

PERSON: SUSPECT

First Name JEFFREY	Middle Name L	Last Name STIDHAM	Suffix	Date of Birth 07/21/1964	Age 52	Race W	Sex M	Height 508	Weight 160	Hair BLK	Eyes BRO
Master Name Index Number	Place of Birth DALTON, OHIO	Nation USA	SSN			Driver's License or Other ID RN736997	State OH			Class or Type	
Address 7873 SE SPICE WOOD CIR		City HOBE SOUND	County MARTIN			State FL	Zip Code 33455			Phone	

CHARGES

Counts ► 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH	OK	<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence	Bond Amount \$0.00
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL				
DUI ALCOHOL OR DRUGS						
Counts ► 1	Charge Number 318.14.3	Charge RESIST OFFICER	OK	<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence	Bond Amount \$0.00

PROBABLE CAUSE

On the above date and time, I was stationary northbound on the entrance ramp to State Road 9 (I-95), from State Road 812 (Lantana Rd). Lake Worth Regional Communication Center (LWRCC) dispatch advised that a passing motorist was called to report a reckless driver. LWRCC dispatch advised that the caller advised that they observed a yellow Camaro traveling northbound on I-95 near the area of State Road 806 (Atlantic Blvd). The caller advised LWRCC Dispatch officer that the yellow Camaro was "all over the road" while traveling northbound on I-95. The caller further advised that the yellow Camaro displayed a license plate number "GVU8055".

*REFERENCE CAD NOTES

Several moments later, I observed a yellow Camaro traveling northbound on I-95 in the inside center travel lane. I then began to travel northbound on the entrance ramp to I-95, from Lantana Rd. I accelerated my mark patrol vehicle in an attempt to catch up to the yellow Camaro to see if this was the yellow Camaro that was called in as reckless a few moments ago. I finally caught up to the yellow Camaro around the area of northbound I-95 and 10th Avenue. I observed the yellow Camaro to be a convertible traveling in the inside center travel lane. I further observed the yellow Camaro to display a license plate number "GVU8055" (The same vehicle description and license plate number called in earlier as reckless). As I continued to follow the yellow Camaro northbound on I-95, I observed the vehicle to be failing to maintain a single travel lane, straddling the white broken lines between the inside travel lane and inside center travel lane. The yellow Camaro then began to veer right into the center travel lane. After observing this driving pattern, I waited for a safe location on I-95 to initiate a traffic stop on the yellow Camaro. Shortly after, I activated my emergency lights and sirens to initiate a traffic stop on the yellow Camaro. The driver then travel to the right paved shoulder on I-95 and came to a controlled stop.

I then exited my marked patrol vehicle and approached the yellow Camaro on the passenger side. As I was approaching the yellow Camaro, I detected an odor of an unknown alcoholic beverage, possibly coming from the yellow Camaro that had its convertible top down at the time of the traffic stop. Once to the vehicle, I introduced myself to the driver, who was later identified by his Ohio Driver's license RN736997 as Jeffery L. Stidham. I asked Mr. Stidham was there anything wrong with the vehicle he was driving. Mr. Stidham advised no. I then asked Mr. Stidham was there any reason why he was failing to maintain a single traffic lane while traveling northbound on I-95. Mr. Stidham advised that he was not aware of it. While speaking to Mr. Stidham, I observed Mr. Stidham to have slow movements, would not look at me, fumbled around with requested items inside the vehicle, and an odor of an unknown alcoholic beverage coming from interior of the yellow Camaro. I asked Mr. Stidham where he was traveling from. Mr. Stidham advised me that he was coming from a Metallica Concert from south Florida. I asked Mr. Stidham if he consumed any alcoholic beverages prior to and or while driving. Mr. Stidham advised me that he had drinks at the concert. I asked Mr. Stidham how many, Mr. Stidham advised that he had a few beers.

I then asked Mr. Stidham to exit the vehicle. Mr. Stidham complied and did so. Once Mr. Stidham was out of his vehicle, I began to explain to Mr. Stidham how he was driving and that this vehicle with the same license plate number was called in earlier in reference to reckless behavior. I asked Mr. Stidham could the beers he consumed earlier be possibly the reason for this driving behavior. Mr. Stidham shrugged his shoulder. I continued to speak with Mr. Stidham on his comments about consuming beer earlier. While speaking with Mr. Stidham I observed an odor of an unknown alcoholic beverage coming from his mouth and breath area, and Mr. Stidham red glassy eyes. Mr. Stidham would not look at me while speaking to me for unknown reasons.

When asked, Mr. Stidham agreed to submit to a series of field sobriety exercises.

Horizontal Gaze Nystagmus exercise

Prior to beginning the exercises it was determined Mr. Stidham was not wearing contacts. Mr. Stidham eyes were checked and his eyes displayed equal tracking and his pupils were equal sizes. Mr. Stidham was instructed to following the stimulus with his eyes only, keeping his head still. After stating he understood the instructions Mr. Stidham attempted this exercise.

The results of this exercise displayed 6 of the 6 possible clues.

- A lack of Smooth Pursuit in his left eye.
- A lack of Smooth Pursuit in his right eye.
- A distinct and sustained nystagmus in the left eye at maximum deviation.
- A distinct and sustained nystagmus in the right eye at maximum deviation.
- An onset of nystagmus in the left eye prior to 45 degrees.
- An onset of nystagmus in the right eye prior to 45 degrees.

The exercise further revealed the presence of vertical nystagmus. Vertical nystagmus is an indicator of high doses of alcohol, other central nervous system (CNS) depressants or inhalants, and the consumption of the drug phencyclidine (PCP).

While performing the Horizontal Gaze Nystagmus exercise, it was observed that Mr. Stidham:

- Had difficulty following and responding to instructions.
- Moved his head from side to side during the exercise.

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- Swayed while standing.
- The instructions for the exercise had to be repeated before Mr. Stidham would respond

Walk and Turn exercise

Prior to attempting this exercise, Mr. Stidham indicated he did not have any medical problems that would have prevented him from performing the exercise. Mr. Stidham was instructed to put his left foot on the imaginary line and his right foot in front of it with his right heel touching the toe of his left foot. He was instructed to stand in this manner with his hands to his sides until the exercise instructions were completed and the exercise demonstrated. Mr. Stidham was instructed not to begin the exercise until told to start. He was instructed to take nine steps along the imaginary line in a heel-to-toe manner. After the ninth step he was to stop and turn around keeping his lead foot on the ground, taking several small steps with the other foot to turn around. After turning around he was to take nine steps in a heel-to-toe manner back along the imaginary line, in the direction he had come from. Mr. Stidham was further instructed to watch his feet at all times while walking, keep his arms down to his side, and to count his steps out loud. After the exercise was demonstrated Mr. Stidham stated he understood the instructions and was instructed to begin the exercise.

- After attempting the Walk and Turn exercise Mr. Stidham displayed 3 of 8 possible clues.

Walk and Turn exercise observations:

- On the first set of steps Mr. Stidham failed to walk in a heel-to-toe manner on 2,3,4,5,6,7,8,9 steps, - On the second set of steps Mr. Stidham failed to walk in a heel-to-toe manner on 4,5,6,7,8,9 steps, - Was unable to stand in a heel-to-toe manner while the instructions to the exercise were given.
- Turned incorrectly.

One Leg Stand exercise

Prior to attempting this exercise, Mr. Stidham indicated he did not have any medical problems that would have prevented him from performing the exercise. Mr. Stidham was instructed to stand with his heels together and hands down to his sides while the instructions were given and during the exercise. Mr. Stidham was instructed not to begin the exercise until he was instructed to start, and after the exercise had been demonstrated. When instructed to start, he was to raise the foot of his choice off the ground approximately 6 inches. While his leg was raised he was to keep his leg straight, watch his raised foot, and to count out loud by thousands (one thousand one, one thousand two, one thousand three...) and to continue the exercise until told to stop (30 seconds). After this exercise was demonstrated and indicating he understood the instructions Mr. Stidham attempted this exercise.

When Mr. Stidham attempted this exercise he raised his right foot.

The result of this exercise displayed 4 of the 4 possible clues.

During this exercise Mr. Stidham:

- Swayed during the exercise.
- Used arms for balance.
- Hopped during the exercise
- Put his foot down (2 time(s) during the exercise).

Additionally, during the One Leg Stand exercise, Mr. Stidham was observed to:

- End the exercise before he was told to put his foot down. (He was to keep his leg raised for 30 - Fail to watch his raised foot during the exercise as instructed.
- Fail to keep his raised leg straight.
- Miscounted twice (One thousand 11 & 13)

Modified Romberg Balance

I then advised Mr. Stidham when told to begin, to lean his head back and close his eyes. Once Mr. Stidham did so, he was to estimate the passage of 30 seconds in his head. Once Mr. Stidham felt that 30 seconds passed, he was instructed to bring his head back to neutral, open his eyes and say finish. Once Mr. Stidham did so, the observation will then conclude. Mr. Stidham advised that he understood my directions, then attempted the exercise. Mr. Stidham concluded the exercise at 37 seconds.

Modified Romberg Finger to Nose

I advised Mr. Stidham to place his arms out to his side at approximately 45 degrees. Then to close his hand, leaving only his index finger pointed out. I then instructed Mr. Stidham to close his eyes and lean his head back when asked. Once Mr. Stidham did so, I would call out left, or right. Whichever direction I called, Mr. Stidham was to take the point of his index finger and touch the tip of his nose. Mr. Stidham was instructed when he touched the tip of his nose, he was then to bring his hand back to the starting position. Mr. Stidham was further instructed to touch only the tip of his nose, not the bridge or nostril. Mr. Stidham advised he understood. Once we began the exercise. Mr. Stidham used the correct finger each time requested, but touched the bridge of his nose, then would slide his index finger to the tip of his nose and then return his hand back to the starting position.

After I completed the Standardized Field Sobriety Exercise observations on Mr. Stidham, I then placed Mr. Stidham under arrest for suspected driving under the influence (DUI) of alcohol. I then placed Mr. Stidham in the rear of my patrol vehicle, and secured him in. Shortly after, I departed the scene enroute to the Palm Beach County Jail. Upon arrival at the jail, I escorted Mr. Stidham to the BAT center. There, I conducted a 20 minute observation period of Mr. Stidham. Once the 20 minutes were up, I escorted Mr. Stidham into the BAT room. Once there, I requested Mr. Stidham to submit to a lawful test of his breath for the purpose of determining its alcohol content. Mr. Stidham refused to submit at 12:43AM. I then advised Mr. Stidham of Implied Consent. After doing so, Mr. Stidham advised that he would continue to refuse. I then advised Mr. Stidham of his Constitutional Rights. After doing so, Mr. Stidham advised he understood. No Q&A was conducted, I then transported Mr. Stidham to booking into the Palm Beach County Jail. Shortly after, Mr. Stidham was booked into the Palm Beach County jail on 316.193.1 and 318.14.3 Florida Statute Misdemeanor DUI. All events occurred in Palm Beach County.

LEO BOND

Bond Amount \$	<input type="checkbox"/> 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 (CIRCUIT) PALM BEACH NORTH COUNTY COURTHOUSE	Court Phone 561-624-6608	Court Date & Time 08/08/2017 09:00 AM
Court Address 3188 PGA BLVD., PALM BEACH GARDENS, FL 33410		
Instructions		

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ARREST INFORMATION

Arrest Date / Time 07/07/2017 11:58 PM	Residency Within jurisdiction	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests Unknown	Arrest Jurisdiction Within jurisdiction	Alcohol Yes	Drugs Unknown	

ARREST LOCATION

County PALM BEACH	Address NB AT SOUTHERN , UNINCORPORATED, FL
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ARREST DELIVERED TO

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

Officer Call Number 1667	Officer Name CLEARY, GUS E JR	Officer Signature
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Subscribed and sworn to (or affirmed) before me this 08 day of JULY A.D. 2017 by J/T G. Cleary who is X personally known to me or has produced Known as identification.

Signature	<input checked="" type="checkbox"/> Notary Public <input type="checkbox"/> LEO <input type="checkbox"/> CO Commission # <u>Notary Public State of Florida</u> <u>Gary J Parent</u> My Commission Expires: _____ My Commission GG 085486 Expires 06/21/2021
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ARREST REPORT

FHP99ADP17482

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NOT A CERTIFIED COPY

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, TROOPER G. CLEARY, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of FLORIDA HIGHWAY PATROL, and I do swear
(Name of law enforcement agency)

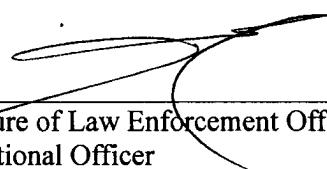
or affirm that on or about the 7th day of JULY, 20 17, at 11:58 P.M. A.M.

DRIVER JEFFERY L. STIDHAM
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# RN736997, state of OHIO, was placed under lawful arrest for
the offense of 316.193 by TPR. G. CLEARY and
(Name of Arresting Officer)
issued Citation # A7620OE.

That on or about the 8TH day of JULY, 20 17, at 12:43 P.M. A.M.
in PALM BEACH COUNTY County,

I requested that the driver submit to a breath and/or urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.


Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)



The foregoing instrument was sworn and subscribed before

me this 08 day of JULY, 20 17,

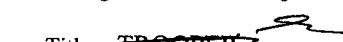
by TPR G. Cleary,

who is personally known to me or who has produced

Know.✓ as identification

Notary Public _____

The foregoing instrument was sworn and subscribed before me:


Signature of Attesting Officer

Title: TROOPER

Date _____

Note: Mail or hand deliver to the designated
Bureau of Administrative Reviews office,
Department of Highway Safety and Motor
Vehicles, with the driver's license, the
appropriate copy of the UTC, and the
probable cause affidavit.

TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: STIDHAM, JEFFREY

CASE NUMBER: 17-099894

DATE: 07/08/2017

VIDEO DVD NUMBER: 62941

BEGINNING TIME: 0041

ENDING TIME: 0044

BREATH TESTS RESULTS: 1) R TIME 0043 A.M. P.M. 2) XX TIME XX A.M. P.M.
3) XX TIME XX A.M. P.M. 4) XX TIME XX A.M. P.M.

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICIAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR

ATTITUDE: UPSET, CALM, QUIET, ARROGANT

CLOTHING: DARK GREY TSHIRT, BLACK SHORTS, BLACK FLIP FLOPS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0019
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ I/C @ 0043, SUBJECT STATED HE UNDERSTOOD I/C
AND AGAIN REFUSED TO TAKE BREATH TEST
A/O READ RIGHTS @ 0044, SUBJECT STATED HE UNDERSTOOD HIS RIGHTS
A/O ATTEMPTED Q&A, SUBJECT REFUSED TO ANSWER QUESTIONS.

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 Trooper Cleary of the FHP.

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

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: Trooper Cleary

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL