

0492586

3654

ARREST / NOTICE TO APPEAR
Juvenile Referral Report1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for Capias1
Juvenile

ADMINISTRATIVE	OBTS Number		Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-17-139803		
	Charge Type: Check as many as apply ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Seized / Type ☐ 1. Yes ☐ 2. No		Multiple Clearance Indicator 1				
	Location of Arrest (Including Name of Business) HYPOLUXO RD AND JOG RD BOYNTON BCH FL 33424				Location of Offense (Business Name, Address) HYPOLUXO RD AND JOG RD BOYNTON BCH FL 33424				
	Date of Arrest 10/15/2017	Time of Arrest 2213	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle		
DEFENDANT	Name (Last, First, Middle) MCAYLIN JR KEVIN JOSEPH								
	Race W - White - American Indian B - Black O - Oriental/Asian W		Sex M	Date of Birth 09/25/1987	Height 510	Weight 155	Eye Color BLU	Hair Color BRO	Complexion FAIR
	Build THN				Marital Status S		Religion NONE	Indication of: Alcohol Influence ☐ Y ☐ N Drug Influence ☐ Y ☐ N ☐ Unk.	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE				Residence Type: 1. City 2. County 3. Florida 4. Out of State 1		Address Source DEFENDANT		
	Local Address (Street, Apt. Number) (City) (State) (Zip) 10213 CLUBHOUSE TURN RD WELLINGTON FL 33449				Phone (631) 948 0209		Occupation BARTENDER		
	Permanent Address (Street, Apt. Number) (City) (State) (Zip)				Phone				
	Business Address (Name, Street) (City) (State) (Zip) CHILI'S PALM SPRINGS FL				Phone				
	D/L Number, State (FL)M-241-510-87-345-1		Soc. Sec. Number [REDACTED]	INS Number		Place of Birth (City, State) NASSAU, NEW YORK		Citizenship US	
	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth	☐ 1. Arrested ☐ 3. Felony ☐ 2. At Large ☐ 4. Misdemeanor ☐ 5. Juvenile	
	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth	☐ 1. Arrested ☐ 3. Felony ☐ 2. At Large ☐ 4. Misdemeanor ☐ 5. Juvenile	
CO-DEF	Parent ☐ Legal Custodian ☐ Other				Residence Phone () () ()				
	Address (Street, Apt. Number) (City) (State) (Zip)				Business Phone () () ()				
	Notified by: (Name)				Date	Time	Juvenile Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated		
	Released To: (Name)				Relationship		Date	Time	
	The above address provided by ☐ defendant and / or ☐ defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. ☐ Yes, by: (Name) ☐ No: (Reason)				School Attended		Grade		
	Property Crime? ☐ Yes ☐ No				Description of Property		Value of Property		
	Drug Activity N. N/A P. Possess				S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	
	Charge Description DUI/ WITH PROPERTY DAMAGE				Counts 1	Domestic Violence ☐ Y ☐ N	Statute Violation Number 316.193(3)C1		
	Drug Activity /				Drug Type /	Amount / Unit N/A	Offense # 17-139803	Warrant / Capias Number	
	CHARGE	Charge Description				Counts	Domestic Violence ☐ Y ☐ N	Statute Violation Number	
Drug Activity /				Drug Type /	Amount / Unit /	Offense #	Warrant / Capias Number		
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Drug Activity /				Drug Type /	Amount / Unit /	Offense #	Warrant / Capias Number		
Charge Description				Counts	Domestic Violence ☐ Y ☐ N	Statute Violation Number			
Drug Activity /				Drug Type /	Amount / Unit /	Offense #	Warrant / Capias Number		
NOTICE TO APPEAR	Location (Court Room Number, Address) 3228 GUN CLUB RD WEST PALM BEACH FL 33406								
	Court Date and Time Month NOVEMBER Day 16 Year 2017 Time 0830 AM ☒ PM								
	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 COURTS 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) [Signature]				Date Signed 10/15/2017				
ADMIN	HOLD for other Agency Name:		Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee) OCT 16 AM 1:45				
	☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other:		Name of Arresting Officer (Print) INV E. K. WHITE		I.D. # 7209		
	Transporting Officer E. K. WHITE		ID # 7209	Agency PBSO		PAGE OF			
	Witness here if subject signed with an "X"		Pouch #						

OCT 17 2017

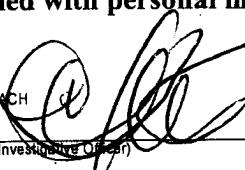
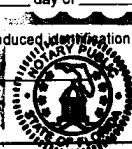
OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request For Warrant 4. Request For Capias		1	Juvenile N		
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06		17-139803			
Charge Type: Check as many as apply ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes									
Defendant Name (Last, First, Middle) McAlvin Kevin Joseph		Race W		Sex M		Date of Birth 9/25/87					
Charge Drive While Intoxicated		Charge									
Charge		Charge									
Victim Name (Last, First, Middle) State of Florida		Race		Sex		Date of Birth					
Local Address (Street, Apt. Number)		City		State		Zip		Phone		Address Source	
Business Address (Street, Apt. Number)		City		State		Zip		Phone		Occupation	
The undersign 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. ☐ confessed to admitting to the below facts. ☐ was observed by _____ who told that he/she saw the arrested person commit the below acts. ☐ was found to have committed the below acts, resulting from (described) investigation.											
On the 15th day of October 20 17 at 9:17 ☐ AM ☒ PM											

While stopped at the red light on Hypoluxo Blvd. facing westbound at Jog Rd. in unincorporated Lake Worth I observed a motor vehicle crash in which a white SUV, later determined to be driven by Kevin McAlvin, drove through a red light headed westbound and struck a dark colored car as it traveled through the green light southbound on Jog Rd. through the intersection. I activated my in-car video on my cruiser which also captured the crash in clear view. I observed the driver of the SUV to be a white male wearing a white and dark colored striped shirt and he appeared to not be seriously injured as he was just sitting in the driver seat shaking his head. There were no other people in the vehicle and I then positioned my cruiser to protect the second car involved in the crash from further danger and check on her injuries. After stabilizing her I responded back to the SUV and asked the driver his name as he was still sitting in the driver seat. He replied "Kevin". I asked him if he remembered what happened and he stated he was "coming from his house and going to 441", then that he was "going to a friends house on Lantana Rd." and finally stated he didn't know where he was at or going to. I observed a moderate odor of unknown alcoholic beverage emanating from his breath which grew stronger as he spoke along with dilated pupils. At this point on-duty units arrived and assumed the scene which ended my involvement in this case.

The foregoing instrument was sworn to and affirmed before me this 15th day of October 20 17 , by:		7433	
 Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)		Sgt. R. Kovach Name of Arresting/Investigating Officer	
 Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)		 Signature of Arresting/Investigating Officer	
		Page 1 of 1	

SCANNED
 OCT 17 2017

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	Juvenile
ADMIN	Agency ORI Number FLO 500000	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 17-139803			
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		
CHARGES	Name (Last, First, Middle) MCAYLIN JR, KEVIN, JOSEPH		Alias		Race W	Sex M	Date of Birth 09/25/1987
	Charge Description DUI/ WITH PROPERTY DAMAGE		316.193(3)C1		Charge Description		
VICTIM	Victim's Name (Last, First, Middle)		Race		Sex	Date of Birth	
	Local Address (Street, Apt. Number)		(City)	(State)	(zip)	Phone	
	Business Address (Name, Street)		(City)	(State)	(zip)	Phone	
							Address Source
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. ☐ confessed to _____ admitting to the below facts. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the <u>15</u> day of <u>OCTOBER</u> 20<u>17</u> at <u>2118</u> ☐ A.M. ☒ P.M. (Specifically include cause constituting cause for arrest.)							
On Sunday, October 15, 2017 at approximately 2125 hours, I was dispatched to the intersection of Hypoluxo Road (Rd) and Jog Rd in reference to a traffic crash. While en route to this location Sergeant Robert Kovach witnesses the crash and advised he was checking on injuries. He also captured the crash on his in car video. Upon my arrival I noticed an engine from Palm Beach County Fire Rescue stopped in the middle of the intersection with traffic cones cordoning off some of the roadway. A closer observation revealed scattered debris littered inside the southbound lanes of Jog Rd. I saw a black vehicle at rest on the center concrete median facing southeast. The left side of the vehicle suffered severe side damage. Its side airbags were deployed. A black female subject was sitting in the passenger seat being assessed by paramedics. She later told me she was the driver of the black car. She told me she was traveling southbound on Jog Rd on a green traffic light. She entered into the intersection and noticed a white jeep was traveling westbound into the intersection. She said she tried to steer away from the vehicle to prevent the collision. The vehicle struck hers on the left rear side causing her vehicle to stop on the median. I walked over to the eastbound lanes of Jog rd where I saw a white jeep stopped in the intersection. The jeep suffered severe front end damage. I saw a white male sitting on the concrete median. He was wearing light blue jeans, a white/blue horizontal striped shirt and white shoes. He slurred his speech while speaking and seemed disoriented. I explained to him that I was investigating the crash that involved him driving his white jeep. I asked him what happened. He pondered before telling me he do not know what happened. I began explaining that his vehicle struck another vehicle in the intersection. He gestured in disbelief. He said he had to "pee" and could not hold it. He began arguing with another deputy because she told him he could not "pee" out here. I told him I would escort him across the street where he could conceal himself in the bushes and urinate. He stood and immediately lost his balance. He could not hold it. He staggered and swayed while trying to relieve himself. His phone rang and he answered. He began crying while on the phone. I heard him say he messed up bad. Since he was not relieving himself I escorted him across the street to the 7-Eleven. I took him into the restroom where he struggled in unfastening his belt. He eventually relieved himself. I escorted him back into the parking lot and left him with a deputy. Douglas Bellinger came forward and told me the white jeep passed him at a high rate of speed as they traveled westbound on Hypoluxo Rd. The white vehicle drove through the red light and hit a dark colored vehicle that was traveling south on Jog Rd. The driver of the white vehicle remained in the driver seat and kept saying he was sorry. Bellinger wrote a sworn witness statement regarding his account of the incident. Stacy Grattan also came forward with information regarding this incident. She was sitting at a red light at Hypoluxo and jog facing east. She saw the white vehicle hit the black vehicle that caused it to spin. She saw a male wearing a striped shirt sitting in the white vehicle. She also wrote a sworn statement regarding her account of this event. During my crash investigation I watched Sgt. Kovach's in car video which revealed the black vehicle traveling southbound on Jog Rd. The white vehicle was traveling westbound on Hypoluxo Rd. The white vehicle entered into the intersection and struck the black vehicle on its left side with its front side. The black vehicle spun in a clockwise motion before coming to final rest straddling the curb on the south side of the intersection. The white vehicle spun counterclockwise and rolled backwards. Upon my arrival it was stopped in the westbound lane of Hypoluxo Rd.							
STATE OF FLORIDA COUNTY OF PALM BEACH INV E. K. WHITE (Signature of Arresting/Investigative Officer)							
The foregoing instrument was sworn to or affirmed and subscribed before me this <u>15</u> day of <u>NOVEMBER</u> 20<u>17</u> by <u>INV. E. K. WHITE</u> (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced a valid form of identification produced <u>KNOWN</u> Shari O'Neal (#6212) Notary Public, Clerk of Court, Officer (F.S.S. 117.10)							
							

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DEF	Name (Last, First, Middle) MCAVLIN JR, KEVIN, JOSEPH				Alias		Race W	Sex M	Date of Birth 09/25/1987
	Charge Description DUI/ WITH PROPERTY DAMAGE		316.193(3)C1		Charge Description				
CHARGES	Charge Description				Charge Description				
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VICTIM	Victim's Name (Last, First, Middle)				Race	Sex	Date of Birth		
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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. ☐ confessed to _____ admitting to the below facts. ☐ was observed by _____ who told that he/she saw the arrested person commit the below acts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the <u>15</u> day of <u>OCTOBER</u> 20<u>17</u> at <u>2118</u> ☐ A. M. ☒ P. M. (Specifically include facts constituting cause for arrest.)									
I made contact with the driver who was sitting in the driver of the white vehicle who was now sitting on a curb inside the parking lot of 7-Eleven. He was later identified as Kevin Joseph McAlvin Jr. by his Florida driver license. His eyes were red, watery and glossy. His mouth was dry and cheeks were flushed. He was unsteady while standing and on one occasion I watched him lose his balance and fall. We had to assist him to his feet by physically picking him up. He spoke repetitively and often asked the same questions. His emotions varied between crying, laughing and becoming aggressive. I could smell a strong odor of an unknown alcoholic beverage emanating from his breath that intensified when he spoke. I explained I had completed my crash investigation and told him what happened in the crash. I also explained there were witnesses who observed his vehicle in motion during the crash. Afterward I told him I had completed my crash investigation and would now be conducting a criminal investigation for DUI. My suspicions, I explained, was in part of the previously mentioned indicators of impairment he exhibited. Additionally his vehicle drove through a solid red light causing it to strike another vehicle. I asked if he would consent to performing Standardized Field Sobriety Evaluations (SFSTs) for the purpose of determining if he was impaired while operating a motor vehicle. He consented to performing the SFSTs. Prior to performing the SFSTs I asked if he was injured from the crash. He told me he was not injured. I asked if he had any previous physical problems with his body that would inhibit him from performing light physical movements. I also asked if he was on medication. The defendant conveyed he neither had anything wrong with him physically, nor was he on medication. We escorted him to a smooth and level surface that was free from obstructions and debris. The area was well lighted by the lights from my patrol car and ambient lighting around the store. I placed a yellow strip of tape on the surface that formed a straight line. The following SFSTs were intended to be explained, demonstrated and acknowledged by him prior to his performance: HGN, The Walk and Turn, The One Leg Stand, The Finger to Nose and The Romberg Alphabet Recitation. He did not complete the tasks and told me he did not want to continue. I gave the Taylor Warnings and explained the evidence that I already had against him (I.E. all previously mentioned indicators) would be strong basis for him being arrested. I also explained his non cooperation will be used against him in court. He did not complete the HGN and would not continue the Walk and Turn. Based on witnesses observing his vehicle in motion that caused damage to another vehicle it struck, coupled with personal indicators of impairment exhibited by him, probable cause was established for DUI.									
STATE OF FLORIDA COUNTY OF PALM BEACH  (Signature of Arresting/Investigative Officer) INV E. K. WHITE The foregoing instrument was sworn to or affirmed and subscribed before me this <u>15</u> day of <u>NOVEMBER</u> 20<u>17</u> by <u>INV E. K. WHITE</u> (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced <u>KNOWN</u> <u>Shari O'Neal (#6212)</u> Notary Public, Clerk of Court, Officer (F.S.S. 117.10)  SHARI L. O'NEAL Notary Public - State of Florida Commission # FF 966654 My Comm. Expires Jun 25, 2020									