0509730 2019CT013765ANB 1256

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

NL

☐ Check if Supplement is Attached

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

Juvenile: 1 / N

ADMINISTRATIVE

OBTS Number:

Agency ORI Number: FLO 5 0 0 0 0 0

Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number (N.T.A.'s only): 0 6 - 1 1 9 - 0 0 4 1 4 1 6

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

If Weapon Seized — Enter Type: N/A

Multiple Clearance Indicator:

Location of Arrest (including Name of Business): 12150 ALT A1A PBG FL

Location of Offense (Business Name, Address): ALT A1A/Untaking Lakes Blvd

Date of Arrest: 07 26 19

Time of Arrest: 0044

Booking Date:

Booking Time:

Jail Date:

Jail Time:

Location of Vehicle: Turned over to wife.

DEFENDANT

Name (Last, First, Middle): Torres, Kristopher

Alias (Name, DOB, Soc. Sec. #, Etc.):

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	04 22 81	6'	195	Brn	Brn	Medium	Thin

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: Married

Religion: Christian

Indication of Alcohol Influence / Drug Influence: ☒ Y ☐ N ☐ Unk

Local Address (Street, Apt. Number): 2656 E Community Dr (City): Jupiter (State): FL (Zip): 33458

Phone: 561 414 4769

Residence Type: 1. City 2. County 3. Florida 4. Out of State

Permanent Address (Street, Apt. Number): 2656 E Community Dr (City): Jupiter (State): FL (Zip): 33458

Phone: ( )

Address Source: Verbal

Business Address (Name, Street): (City): (State): (Zip):

Phone: ( )

Occupation: Lawyer

D/L Number, State: T620500911420/FL [redacted]

INS Number:

Place of Birth (City, State): Brooklyn, NY

Citizenship: US

CO-DEF

Co-Defendant (Last, First, Middle): Race: Sex: Date of Birth: ☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

Co-Defendant (Last, First, Middle): Race: Sex: Date of Birth: ☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other: Name (Last): (First): (Middle): 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 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. ☐ Yes, by: (Name) ☐ No (Reason)

School Attended: Grade:

Property Crime? ☐ Yes ☐ No

Description of Property:

Value of Property:

CODE

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 Z. Other

Drug Type: N. 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

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
Driving Under the Influence	1	☐Y ☒N	316.193 (1)		N	N				
		☐Y ☐N								
		☐Y ☐N								
		☐Y ☐N								
		☐Y ☐N								

NOTICE TO APPEAR

Location (Court, Room Number, Address): 3188 PGA Blvd, Palm Beach Gardens, FL 33410 Northpoint Courthouse (561) 662-6700

Court Date and Time: Month August Day 28 Year 2019 Time 1000 A.M. X P.M.

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

X Signature of Defendant (or Juvenile and Parent/Custodian): Date Signed:

ADMIN

HOLD for other agency:

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Intake Deputy: Shawn Eley I.D. #: Pouch #:

Signature of Arresting Officer: X 514

Name of Arresting Officer (Print): Andrew Fink I.D. #: 514

Transporting Officer: Andrew Fink I.D. #: 514 Agency: PBSO

Name Verification (Printed by Arrestee) (PRINT):

SCANNED

JUL 29 2019

Witness here if subject signed with an "X":

PAGE 1 OF 1

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D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26TH DAY OF JULY 20 19, AT 0034 ✓ AM PM

SUBJECT: TORRES, KRISTOPHER, CASE NUMBER: 19004446

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: ANDREW FLINK 514

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

I was conducting a RADAR selective at the intersection of Alt A1A and Catalina Lakes Blvd, when I observed a dark colored sedan traveling North bound at an increased rate of speed. My initial visual estimation was approximately 65 MPH, using Talon RADAR (R1448), I received a steady tone and reading of 65 MPH in a posted 45 MPH zone. I made contact with the driver, later identified via Florida Driver License, as Kristopher Torres. When I made contact with Torres he was in the driver seat of the vehicle, while it was still on and running.

OBSERVATION OF DRIVER:

Torres had watery eyes, slurred speech and the odor of an unknown alcoholic beverage emanating from his breath. Torres appeared disoriented and when asked to provide documents, he thumbed through the documents, initially grabbing an unknown identification card before finding his driver license. Also when asked to provide the vehicle registration, he initially grabbed and held unknown paperwork before locating the proper registration. Torres also uttered that he had consumed a few beers at Pirate's Well prior to driving the vehicle.

DRIVER'S STATEMENTS:

Torres stated he was coming from Pirate's Well and had consumed a few beers. Torres also mentioned that he is a practicing attorney.

ODORS:

An unknown alcoholic beverage on his breath.

GENERAL OBSERVATIONS

SPEECH: **Slurred**

ATTITUDE: **Compliant**

CLOTHING: **Black shirt, red shorts, white sneakers**

MEDICAL/OTHER: **Heart condition, left knee injury from several years ago.**

NOT A CERTIFIED COPY

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of July 20 19 by ANDREW FLINK

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____

(Notary Public, Clerk of Court, Officer (F.S.S 117.10)

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022

SUBJECT: TORRES, KRISTOPHER, CASE NUMBER 19004446

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- [x] LT EYE-LACK OF SMOOTH PURSUIT
- [x] RT EYE-LACK OF SMOOTH PURSUIT
- [x] LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- [ ] RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Swaying while standing up straight.

WALK & TURN:

Not conducted due to previous medical condition.

ONE LEG STAND:

Torres used his right leg to stand, since he stated he had a previous knee injury in his left leg. When Torres raised his foot, he did not point his toes toward me, as instructed. Torres was also looking past his raised foot, rather than at the foot, as instructed. On the count of "14", Torres missed "15" and went to "16". Torres was also swaying while balancing.

ROMBERG ALPHABET:

The instructions were explained and demonstrated to Torres, who stated he understood. Torres had a visible sway. Torres recited correctly the first half of the alphabet at the speed instructed, however took a long pause on the letter "O," and continued to the letter "Z" at a faster speed than instructed.

FINGER TO NOSE:

The instructions were explained and demonstrated to Torres, who stated he understood. Torres raised his left arm more than 45 degrees when commanded to use his right.

BREATH TEST RESULTS: | 1) REF | 2) REF | 3) REF | 4) REF |

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of July 2019 by ANDREW FLINK

(Print Name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____

(Notary Public, Clerk of Court, Officer (F.S.S. 117.10))

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022

NOT A CERTIFIED COPY

SUBJECT: _____ CASE NUMBER: _____

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: _____

NOT A CERTIFIED COPY

FLINK
(514)

19004446

FLORIDA DUI UNIFORM TRAFFIC CITATION A56H21E

COUNTY OF: PALM BEACH 06
CITY (IF APPLICABLE): PALM BEACH GARDENS

☐ (1) F.H.P. ☒ (2) P.D. ☐ (3) S.O. ☐ (4) OTHER
AGENCY NAME: PALM BEACH GARDENS
AGENCY #: 78

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON — COMPLAINT (RETAINED BY COURT)

DAY OF WEEK	MONTH	DAY	YEAR	TIME
FRIDAY	07	26	2019	12:49 ☒ A.M. ☐ P.M.

NAME (PRINT): FIRST: KRISTOPHER — MIDDLE — LAST: TORRES

STREET: 2656 E COMMUNITY DR — IF DIFFERENT THAN ONE ON DRIVER LICENSE "X" HERE ▶

CITY: JUPITER — STATE: FL — ZIP CODE: 33458

TELEPHONE NUMBER	DATE OF BIRTH MO	DAY	YR	RACE	SEX	HGT
	04	22	1981	W	M	600

DRIVER LICENSE NUMBER: T620500811420 — STATE: FL — CLASS: E — CDL LICENSE: ☐ Y ☒ N — YR LICENSE EXP.: 2026 — COMMERCIAL VEHICLE: ☐ YES ☒ NO

YR VEHICLE	MAKE	STYLE	COLOR	PLACARDED HAZARDOUS MATERIAL
2014	HOND	2D	BLK	☐ YES ☒ NO

VEHICLE LICENSE NO: GMRC71 — TRAILER TAG NO. — STATE: FL — YEAR TAG EXPIRES: 2020 — ≥ 15 PASSENGERS: ☐ YES ☒ NO

UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY: ALT A1A/CATALINA LAKES BLVD, PALM BEACH GARDENS — MOTORCYCLE: ☐ YES ☒ NO — COMPANION CITATION(S): ☒ YES ☐ NO

FT. ____ MILES ____ ☐ N ☐ S ☐ E ☐ W OF NODE ____

DID UNLAWFULLY COMMIT THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCES; DID DRIVE, OR WAS IN ACTUAL PHYSICAL CONTROL OF A VEHICLE, WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE/CHEMICAL SUBSTANCE/CONTROLLED SUBSTANCE TO THE EXTENT NORMAL FACULTIES WERE IMPAIRED, OR WITH A BLOOD OR BREATH ALCOHOL LEVEL OF .08 OR ABOVE OF REF.

COMMENTS PERTAINING TO OFFENSE (Only one offense each citation) — RE-EXAM: ☐ YES ☒ NO
DUI - DRIVING UNDER INFLUENCE | Driving Under

☐ AGGRESSIVE DRIVER — PASSENGER < 18 YEARS: ☐ YES ☒ NO — STATE STATUTE — SECTION: 316.193 — SUB-SECTION: (1)

CRASH	DAMAGE TO OTHER PROPERTY	INJURY TO ANOTHER	SERIOUS BODILY INJURY TO ANOTHER	FATAL
☐ YES ☒ NO	☐ YES $ ____ ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

THIS IS A CRIMINAL VIOLATION, COURT APPEARANCE REQUIRED, AS INDICATED BELOW.

COURT DATE: 08/28/2019 — TIME: 10:00 AM — A56H21E
COURT LOCATION: NORTH COUNTY GOVERNMENT CENTER
3188 PGA Boulevard PBG, FL 33410

ARREST DELIVERED TO: PBSO MAIN JAIL — DATE: 07/26/2019

I HAVE RECEIVED NOTICE TO APPEAR AND AGREE TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATION TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

X SIGNATURE OF VIOLATOR

EFFECTIVE IMMEDIATELY, YOUR DRIVING PRIVILEGE IS SUSPENDED/DISQUALIFIED FOR:

☐ DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. THIS SUSPENSION IS FOR A PERIOD OF SIX MONTHS IF THIS IS THE FIRST VIOLATION OR ONE YEAR IF PREVIOUSLY SUSPENDED FOR DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR ONE YEAR FOR THE FIRST OFFENSE OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT OFFENSE.

☒ REFUSAL TO SUBMIT TO LAWFUL BREATH, BLOOD OR URINE TEST SECTION 322.2615, F.S. THIS SUSPENSION IS FOR A PERIOD OF ONE YEAR IF THIS IS A FIRST REFUSAL OR 18 MONTHS IF PREVIOUSLY SUSPENDED FOR THIS OFFENSE. IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/ PRIVILEGE WILL ALSO BE DISQUALIFIED FOR A PERIOD OF ONE YEAR FOR A FIRST REFUSAL OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT REFUSAL.

LICENSE SURRENDERED? ☒ YES ☐ NO REASON REFUSAL
ELIGIBLE FOR PERMIT? ☒ YES ☐ NO REASON VALID DL

UNLESS INELIGIBLE, THIS CITATION SHALL SERVE AS A TEMPORARY DRIVER LICENSE AND WILL EXPIRE AT MIDNIGHT ON THE 10TH DAY FOLLOWING THE DATE OF SUSPENSION.

AT THE LAUDERDALE LAKES BUREAU OF ADMINISTRATIVE REVIEWS OFFICE, YOU MAY REQUEST, WITHIN 10 DAYS AFTER THE DATE OF SUSPENSION, A REVIEW OF SUSPENSION BY THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES OR A REVIEW TO DETERMINE ELIGIBILITY FOR A RESTRICTED LICENSE IF THIS IS YOUR FIRST DUI RELATED OFFENSE. SEE REVERSE SIDE

RANK - SIGNATURE OF OFFICER — BADGE NO. — ID NO. — TROOP / UNIT

HSMV 75904 (Rev. 10/14)

COMPLAINT

CASE NO. ____ DOCKET NO. ____ PAGE NO. ____

DATE	COURT ACTION AND OTHER ORDERS
	BAIL FIXED AT $ ____ OR CASH DEPOSIT OF $ ____ SIGNATURE OF PERSON GIVING BAIL SIGNATURE OF PERSON TAKING BAIL
	FINE IN THE AMOUNT OF $ ____ RECEIVED AS REQUIRED BY COURT SCHEDULE. SIGNATURE OF CLERK
	CONTINUANCE TO ____ REASON ____
	CONTINUANCE TO ____ REASON ____
	BOND ESTREATED ____
	WARRANT ISSUED ____
	VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUSPENDED
	VIOLATOR ARRAIGNED ON ____ (DATE) PLEA ____ FINDING: ____ ADJUDICATION: ____ SENTENCE: FINE ____ COST ____ JAILED ____ DAYS DRIVER IMPROVEMENT SCHOOL ____ OTHER ____ DRIVER LICENSE SUSPENDED OR REVOKED FOR ____ DAYS RECOMMEND DRIVER LICENSE SUSPENSION FOR ____ DAYS RECOMMEND RE-TEST ____ SIGNATURE OF JUDGE
	TESTIMONY - JUDGE'S NOTES (OR OTHER COURT ORDERS):
	APPEAL BOND OF $ ____
	VIOLATOR'S FINGERPRINT WHEN APPLICABLE ▶

NOT A CERTIFIED COPY

FLINK
(514)

19004446

FLORIDA UNIFORM TRAFFIC CITATION **ABOTRYE** CHECK DIGIT

COMPLAINT

WHEN PRESENTED TO VIOLATOR, THE FOLLOWING AMOUNT WAS ENTERED.
PAY A CIVIL PENALTY IN THE AMOUNT OF $ _____.

CASE NO. _____ DOCKET NO. _____ PAGE NO. _____

DATE	COURT ACTION AND OTHER ORDERS
	BAIL FIXED AT $ _____ OR CASH DEPOSIT OF $ _____ _____ SIGNATURE OF PERSON GIVING BAIL _____ SIGNATURE OF PERSON TAKING BAIL
	FINE IN THE AMOUNT OF $ _____ RECEIVED AS REQUIRED BY COURT SCHEDULE _____ SIGNATURE OF CLERK
	CONTINUANCE TO _____ REASON _____
	CONTINUANCE TO _____ REASON _____
	BOND ESTREATED _____
	WARRANT ISSUED _____
	VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUSPENDED
	VIOLATOR ARRAIGNED ON _____ (DATE) PLEA: _____ FINDING: _____ ADJUDICATION: _____ SENTENCE: FINE _____ COST _____ JAILED _____ DAYS DRIVER IMPROVEMENT SCHOOL _____ OTHER _____ DRIVER LICENSE SUSPENDED OR REVOKED FOR _____ DAYS RECOMMEND DRIVER LICENSE SUSPENSION FOR _____ DAYS RECOMMEND RE-TEST _____ _____ SIGNATURE OF JUDGE
	TESTIMONY - JUDGE'S NOTES (OR OTHER COURT ORDERS):
	APPEAL BOND OF $ _____
	VIOLATOR'S FINGERPRINT WHEN APPLICABLE →

COUNTY OF: PALM BEACH 06
CITY (IF APPLICABLE): PALM BEACH GARDENS
☐ (1) F.H.P. ☒ (2) P.D. ☐ (3) S.O. ☐ (4) OTHER
AGENCY NAME: PALM BEACH GARDENS
AGENCY #: 78

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON — COMPLAINT (RETAINED BY COURT)

DAY OF WEEK	MONTH	DAY	YEAR	TIME
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NAME (PRINT) FIRST: KRISTOPHER — MIDDLE — LAST: TORRES

STREET: 2656 E COMMUNITY DR — IF DIFFERENT THAN ONE ON DRIVER LICENSE "E" HERE ▶

CITY: JUPITER — STATE: FL — ZIP CODE: 33458

TELEPHONE NUMBER — DATE OF BIRTH: MO 04 DAY 22 YR 1981 — RACE: W — SEX: M — HGT: 600

DRIVER LICENSE NUMBER: T620500811420 — STATE: FL — CLASS: E — CDL LICENSE: ☐ YES ☒ NO — YR LICENSE EXP.: 2026 — COMMERCIAL VEHICLE: ☐ YES ☒ NO

YR VEHICLE	MAKE	STYLE	COLOR	PLACARDED HAZARDOUS MATERIAL
2014	HOND	2D	BLK	☐ YES ☒ NO

VEHICLE LICENSE NO.: GMRC71 — TRAILER TAG NO. — STATE: FL — YEAR TAG EXPIRES: 2020 — > 15 PASSENGERS: ☐ YES ☒ NO

UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY: ALT A1A/CATALINA LAKES BLVD, PALM BEACH GARDENS — MOTORCYCLE: ☐ YES ☒ NO — COMPANION CITATION NUMBER(S): ☒ YES ☐ NO

FT _____ MILES _____ ☐ N ☐ S ☐ E ☐ W OF NODE _____

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK ONLY ONE OFFENSE EACH CITATION.

☒ UNLAWFUL SPEED 65 MPH SPEED APPLICABLE 45 MPH
(☐ INTERSTATE ☐ SCHOOL ZONE ☐ CONSTRUCTION WORKERS PRESENT)
SPEED MEASUREMENT DEVICE: RADAR (R1448)

☐ CARELESS DRIVING
☐ VIOLATION OF TRAFFIC CONTROL DEVICE
☐ FAILURE TO STOP AT A TRAFFIC SIGNAL
☐ IMPROPER LANE CHANGE OR COURSE
☐ NO PROOF OF INSURANCE
☐ VIOLATION OF RIGHT-OF-WAY
☐ IMPROPER PASSING
☐ CHILD RESTRAINT
☐ SAFETY BELT VIOLATION
☐ IMPROPER OR UNSAFE EQUIPMENT
☐ EXPIRED TAG SIX (6) MONTHS OR LESS
☐ EXPIRED TAG MORE THAN SIX (6) MONTHS
☐ DRIVING WHILE LICENSE SUSPENDED OR REVOKED
☐ EXPIRED DRIVER LICENSE SIX (6) MONTHS OR LESS
☐ EXPIRED DRIVER LICENSE MORE THAN SIX (6) MONTHS
☐ NO VALID DRIVER LICENSE
☐ DRIVING UNDER THE INFLUENCE
☐ Passenger Under 18 Yrs
BAL _____

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE:
SPEED - UNLAWFUL SPEED STATE ROAD | To Wit:
Excessive Speed, 20 Mph Over Posted Speed Limit.

RE-EXAM: ☐ YES ☒ NO
DL SEIZED: ☒ YES ☐ NO

☐ AGGRESSIVE DRIVING | IN VIOLATION OF STATE STATUTE | SECTION: 316.187 | SUB-SECTION: (1)

CRASH	PROPERTY DAMAGE	INJURY TO ANOTHER	SERIOUS BODILY INJURY TO ANOTHER	FATAL
☐ YES ☒ NO	☐ YES $ _____ ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

☐ CRIMINAL VIOLATION. COURT APPEARANCE REQUIRED. AS INDICATED BELOW.
☒ INFRACTION. COURT APPEARANCE REQUIRED. AS INDICATED BELOW.
☐ INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT.

CIVIL PENALTY IS $ _____

ABOTRYE CHECK DIGIT

COURT INFORMATION: DATE 08/28/2019 TIME 10:00 AM
COURT: NORTH COUNTY GOVERNMENT CENTER
LOCATION: 3188 PGA Boulevard PBG, FL 33410

ARREST DELIVERED TO: PBSO MAIN JAIL DATE 07/26/2019

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF COURT.

X SIGNATURE OF VIOLATOR (SIGNATURE IS REQUIRED IF INFRACTION REQUIRES APPEARANCE IN COURT)

NAME/NAME OF OFFICER — BADGE NO. 512 — I.D. NO. — TROOP/UNIT

☒ I CERTIFY THIS CITATION WAS DELIVERED TO THE PERSON CITED ABOVE AND CERTIFY THE CHARGE ABOVE.

HSMV 73901 (Rev. 07/12)

NOT A CERTIFIED COPY

SUBJECT: _____ CASE NUMBER: _____

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 _____ 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'S SIGNATURE: (X)_____

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)_____

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

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TESTING FACILITY TASK REPORT

AGENCY: DBPD/FLINK

SUBJECT: TORRES, KRISTOPHER

CASE NUMBER: 19-097128

DATE: Jul 26, 2019

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0142

ENDING TIME: 0144

BREATH TESTS RESULTS: 1) R TIME 0144 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 TECHNICAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR

ATTITUDE: CALM, QUIET, COOPERATIVE

CLOTHING: BLACK SHIRT, RED SHORTS, WHITE SNEAKERS

MEDICAL CONDITIONS: HEART CONDITION

MEDICATIONS: DOES NOT REMEMBER NAME

OTHER:

EYES:GLASSY AND BLOODSHOT,

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0120
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ I/C
SUBJECT STATED HE UNDERSTOOD I/C
AND AGAIN REFUSED TO TAKE BREATH TEST @ 0144
A/O DID NOT READ RIGHTS
OR CONDUCT Q&A

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PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 19-097128 PBSO ZONE 3-13

AGENCY CASE # 19004446 CRASH CASE # N/A

TIME OF STOP/CRASH 0034 DATE 07/26/19 DAY Friday

SUBJECT'S NAME Torres, Kristopher RACE W/H SEX M

HGT 6'0 WGT 195 DOB 04/22/1981

LOCATION ALT A1A/Catalina Lakes Blvd, PBG/FL

ARRESTING OFFICER'S NAME & ID Andrew Flink 514 AGENCY PBGFD

DIVISION: Patrol

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 0120

BREATH RESULTS: Arrest Time 0049

1. _____
2. _____
3. _____
4. _____

TESTING OFFICER'S ID 24520 PBSO VIDEOTAPE # N/A

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19004446

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

I, **ANDREW FLINK** , a duly certified Law Enforcement Officer or Correctional Officer.
(Name of Officer reading Implied Consent Warning)

am a member of **Palm Beach Gardens Police Department** , and I do swear
(Name of law enforcement agency)

or affirm that on or about the **26th** day of **July** , 20 **19** , at **00:49** ☐ P.M ☑ A.M.

DRIVER **KRISTOPHER** **TORRES** ,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# **T620500811420** , state of **FLORIDA** , was placed under lawful arrest for

the offense of **DRIVING UNDER THE INFLUENCE** by **ANDREW FLINK** and
(Name of Arresting Officer)

issued Citation # A56H21E .

That on or about the **26th** day of **July** , 20 **19** , at **0144** ☐ P.M ☑ A.M.

in **PALM BEACH** 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)

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this **26th** day of **July** , 20 **19** .

by **ANDREW FLINK** ,

who is personally known to me or who has produced _____ as identification

Notary Public _____

The foregoing instrument was sworn and subscribed before me:

_____
Signature of Attesting Officer

Title _____

Date **07/26/2019**

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.

HSMV-BAR1001 (REV. 10/2016)

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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	☐	539.001 FS	Other: All records relating to pawnbroker transactions.	
	☐	119.0712(2)	Other: Personal information contained within a motor vehicle record	

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REVIEW COMPLETED BY

Booking Number: 2019024320	**Date:** 07/26/2019
	Specialist Name/ID: howardt/7185