Arrest Report

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time	Report Number	Case Number/CAD Number	Reporting Officer Name
8/13/2018 3:47:10AM	FHP99ARR788677	FHPL18OFF067227 / LWRC18CAD146902	Z. TODD

Originating Agency ORI	Occurrence Date Time Range	Jurisdiction	Clearance
FL0509000	8/13/2018 2:46:53 AM -		

Location of Occurrence

Location Type	Location Description
PUBLIC PLACE	ROADWAY

Street Number	Street	Apt/Lot/Bldg
SR-9	SB EXT RAMP 10TH AVE N	

County	City	State	Zip
PALM BEACH	LAKE WORTH	FL	33461

Defendant

First Name	Middle Name	Last Name	Suffix	Date Of Birth	Age	Race	Sex
LUZ ELENA		SANTA COLOMA		9/21/1991	26	WHITE	FEMALE

SSN	MNI #	Place of Birth	Height	Weight	Hair	Eyes
[redacted]		NEW YORK, NY, USA	503	140	BRO	BRO

DL or ID Number	ID State	ID Type	Address Type
S532520918410	FL	E	RESIDENCE

Street Number	Street	Apt/Lot/Bldg
4855	PINEMORE LN	

County	City	State	Zip	Phone Number	Extension
PALM BEACH	LAKE WORTH	FL	33463		

Location Description: RESIDENCE

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
8/13/2018 3:25:32AM		

Street Number	Street	Apt/Lot/Bldg	County
SR-9	SB EXT RAMP 10TH AVE N		PALM BEACH

City	State	Zip
LAKE WORTH	FL	33461

Charge(s)

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	316.193.1 (1st OF)		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
N	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description: DUI ALCOHOL OR DRUGS

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	893.13.6b (2nd OF)		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
F	MISDEMEANOR	MARIJUANA-POSSESS

Charge Description: NOT MORE THAN 20 GRAMS

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	893.147.1 (3rd OF)		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
F	MISDEMEANOR	DRUG EQUIP-POSSESS

Charge Description: AND OR USE

Cpl Honea 7206

FILED
AUG 13 2018
CLERK OF COURTS
CIRCUIT & COUNTY COURTS
(CRIMINAL DIV.)

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Probable Cause

On August 13, 2018 I was on routine patrol in my marked patrol car in Palm Beach County. I responded to the scene of a person asleep at the wheel of the vehicle at a traffic light. I arrived on scene at the I-95 (State Road 9) southbound exit ramp to 10th Ave N. I was briefed on scene by Trooper K. Grubel that he observed a white female passed out behind the wheel of a black vehicle that was stopped at the traffic light. He stated that he attempted to wake up the female. She was finally awoken and the vehicle rolled backwards and struck the front of a tow truck that was behind the vehicle. Trooper Grubel also stated that he observed the odor of an unknown alcoholic beverage emitting from her breath. He also stated that she had bloodshot glassy eyes and slurred speech. I then arrived on scene and observed the female sitting behind the wheel of the of vehicle. I then identified myself to the female. As I talked to her I observed that she had bloodshot glassy eyes, slurred speech, and the odor of an unknown alcoholic beverage was emitting form her breath as she talked. I then had her step out of the vehicle and walk towards my patrol car. As she stood in front of my car I observed that she had bloodshot glassy eyes, slurred speech, an orbital sway and the odor of an unknown alcoholic beverage was emitting from her breath as she talked. I then requested that she conduct field sobriety exercises and she agreed.

Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Ms. Santa-Coloma was wearing glasses or contact lenses. It was determined that Ms. Santa-Coloma was not wearing glasses. I then checked her eyes and observed equal tracking and equal pupil size. She was instructed to place her feet together and place her hands down at her side. She then was instructed to keep her head still and follow the stimulus with her eyes and her eyes only. She was also instructed to keep looking at the stimulus until told not to. She verbally indicated that she understood. During the exercise I observed 6 of the 6 possible clues.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

During the exercise Ms. Santa-Coloma had to be told to stay in the proper position and not to move her head during the exercise. I also observed Ms. Santa-Coloma to have orbital sway.

Walk and Turn Exercise

The area was level and free of debris. Ms. Santa-Coloma indicated that she observed the yellow line on the ground. Ms. Santa-Coloma was instructed to put her left foot on the line, then place her right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. She was instructed not to begin untold to do so. Ms. Santa-Coloma verbally indicated that she has understood all instructions up to this point. Ms. Santa-Coloma was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Ms. Santa-Coloma was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this. Ms. Santa-Coloma was also instructed to keep her arms at her sides and to watch her feet during the exercise. Ms. Santa-Coloma was also instructed to count aloud and to not stop once she begins the exercise. She was also instructed to keep her arms at her sides at all times.

Ms. Santa-Coloma began the exercise too soon and had to be told to wait and to get back into the starting position. She began the exercise and stepped off the line on multiple steps. Ms. Santa-Coloma also did not count aloud and showed difficulty keeping balance. She used her arms for balance and raised them higher than 6 inches. While completing the turn Ms. Santa-Coloma took both feet off the line and incorrectly completed the turn. She also did not touch heel to toe on all steps. Ms. Santa-Coloma took 8 steps forward and 9 steps back.

One Leg Stand Exercise

Ms. Santa-Coloma was instructed to stand with her feet together and to place her arms down at her side. Ms. Santa-Coloma was instructed to maintain that position until told to do so. Once told to do so, she was instructed to raise one leg approximately 6 inches off the ground and to keep both legs straight with both arms at her side. She was also instructed to

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look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Ms. Santa-Coloma verbally indicated that she understood the instructions after I demonstrated to her.
Ms. Santa-Coloma was told to begin and raised her left foot. During the exercise Ms. Santa-Coloma displayed an orbital sway and had to use her arms multiple times to keep from losing balance. She raised her arm approximately 6-7 inches away from her body. She did not look down at her foot during the exercise and count aloud as instructed. She also had an orbital sway.
Finger To Nose
Ms. Santa-Coloma was instructed stand with her feet together and arms at her side and to have her index fingers pointed out. She was instructed t not start and stay in that position until told to do so. She stated that she understood. I then demonstrated the position. Ms. Santa-Coloma was then instructed to when told to start to close both eyes and tilt her head back. When told to do so she was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of her nose. I then demonstrated this. She was then instructed to after touching the tip of the nose to immediately bring her hand down to her side. She stated that she understood. I then demonstrated and she stated that she understood. She was instructed to raise her hand in the following order, left, right, left, right, and right, left.
-Left: Did not return immediately to side. Missed nose.
- Right: Missed nose. Did not return immediately to side
-Left: Missed nose. Did not return immediately to side
-Right: Missed nose. Did not return immediately to side
-Right: Initially raised left hand. Missed nose. Did not return immediately to side
-Left: Missed nose. Did not return immediately to side
While conducting the exercise I observed an orbital sway.
She was then placed under arrest for DUI. While conducting an inventory search of the vehicle incident to towing and arrest I observed that there was a light colored purse inside of the vehicle on the front passenger seat. Inside of the purse I observed that there was a glass pipe and a metal grinder. Inside of the pipe and the grinder I observed that there was the residue of a green leafy substance inside. Based on my training and experience I concluded that the substance was raw marijuana inside the grinder and burnt marijuana inside the pipe. In the center console of the vehicle I observed that there was a small brown bag with a white rolled cigarette inside. Inside of the hand rolled cigarette I observed that there was a green leafy substance inside. Based on my training and experience I concluded that the substance was marijuana. The pipe, grinder and the cigarette were all placed into evidence and secured inside of my patrol car. She was then transported to the Palm Beach County Jail. Once I arrived at the testing facility I conducted a 20-minute observation. At no time did she regurgitate or take anything by mouth. I then requested that she provide a lawful sample of her breath and she agreed. She provided a sample of .123 and .125. She was then booked into the county jail.
The above incident occurred in Palm Beach County.

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Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone Number
8/13/2018 3:59:38AM	PALM BEACH	PALM BEACH COUNTY CORRECTIONS	(561) 688-4400

Booking Facility Location	Booking Number
3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	

Booking Comments

Court

Court County	Court Location
PALM BEACH	200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444

Court	Court Phone	Court Appearance Date / Time	Court Fine
PALM BEACH SOUTH COUNTY COURTHOUSE	561-274-1530	9/10/2018 830 AM	

Comments

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FL0509000	8/13/2018 2:46:53 AM -		

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Officer Rank	Officer ID No
Z. TODD	TROOPER	4141

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature

Sworn and subscribed before me, the undersigned authority
This the ____ day of _____, _____
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency

Officer Signature

JAMES G. BIGGS
Commission # GG 165618
Expires December 5, 2021
Bonded Thru Troy Fain Insurance 800-385-7019

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006478 Software: 8100.27
Date of Test: 08/13/2018

Date of Last Agency Inspection: 08/10/2018
Observation Period Began: 03:50
Subject's Name: LUZ E SANTA COLOMA DOB: 09/21/1991 Sex: F

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:

Test	g/210L	Time
Diagnostics Check	OK	04:17
Air Blank	0.000	04:18
Control Test	0.080	04:18
Air Blank	0.000	04:19
Subject Sample #1	0.123	04:19
Air Blank	0.000	04:20
Air Blank	0.000	04:21
Subject Sample #2	0.125	04:22
Air Blank	0.000	04:23
Control Test	0.080	04:23
Air Blank	0.000	04:23
Diagnostics Check	OK	04:24

Cylinder Lot: 05218080A3
Exp: 05/05/2020

State of Florida, County of Palm Beach,

Personally appeared before me the undersigned authority, who (✓) is personally known to me or (__) produced _____ as identification, and who after being placed under oath, states:

I JAMES G BIGGS hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement. I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____ Date: 8/13/18
Signature

Sworn to (or affirmed) before me this 13 day of Aug, 2018

_____ Tpr Todd
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

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

PBSO CASE # 18-108372 PBSO ZONE 14-31

AGENCY CASE # FHPL18OFF067227 CRASH CASE #

TIME OF STOP/CRASH 0246 DATE 8/13/18 DAY MON

SUBJECT'S NAME LUZ SANTA-COLOMA RACE W SEX F

HGT 5'03 WGT 140 DOB 09 / 21 / 1991

LOCATION I-95 SB EXT RAMP 10th AVE N

ARRESTING OFFICER'S NAME & ID TODD 4141 AGENCY FHPL

DIVISION: DUI

NOTIFIED BY COMMO Y

ARRIVAL AT FACILITY 0350

ARREST TIME 0325

BREATH RESULTS:

1. .123
2. .125
3.
4.

TESTING OFFICER'S ID 7607 PBSO VIDEOTAPE # N/A

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TESTING FACILITY TASK REPORT

AGENCY: FHP-TODD

SUBJECT: SANTA COLOMA, LUZ E

CASE NUMBER: 18-108372

DATE: Aug 13, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0415

ENDING TIME: 0425

BREATH TESTS RESULTS: 1) .123 TIME 0419 A.M. ☒ P.M. ☐ 2) .125 TIME 0422 A.M. ☒ P.M. ☐

3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: J Biggs# 7607

MAINTENANCE TECHNICAN: D/S J Karklecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: QUIET, SOMEWHAT SLURRED

ATTITUDE: COOPERATIVE

CLOTHING: BLACK SHIRT, BLUE JEAN SHORTS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY, RED
ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON SUBJECT

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0350
SUBJECT ADVSIED SHE WOULD SUBMIT TO THE BREATH TEST
SUBJECT WAS GIVEN THE INSTRUCTIONS FOR THE TEST
SUBJECT COMPLETED BOTH SAMPLES SUCCESSFULLY
RESULTS WERE GIVEN
MIRANDA WAS READ TO SUBJECT
QUESTIONS NOT ASKED

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SUBJECT: SANTA - COLOMA, LUZ CASE NUMBER: FHP18OFF

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) READ ON CAMERA

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SUBJECT: SANTA-COLOMA, LUZ CASE NUMBER: FHPC180FF

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: _____

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WITNESS INTERVIEW / STATEMENT

Name Tpr. K. Gruebel	Date/Time 08/13/18 -3:10am
Address	
Place of Employment FHP	
Phone Number(s): Home ( )	Work ( )
Interview Conducted By: Tpr. Z. Todd	
Identification Produced:	

On the above date I responded to a call of a driver being passed out behind the wheel at NB SR-9 (I-95) exit to 10th ave. I appraoced the vehicle and observed a white female behind the vehicle with the car running. I could observe the driver breathing through the windshield. After several attempts to wake the driver by hitting the drivers window. The driver then woke up and rooled backwards before stopping the vehicle. The driver seemed confused and rolled down the left rear window. I instructed the driver to roll down her drivers window. When the driver did I asked if she was ok and she stated yes. I asked the driver for her licsens which she handed me. I asked if the address on her license was correct and she stated yes. I asked the driver where is she going to and she said Clematis St. I asked where is she going coming from and she said Lake Worth. I asked the driver for the registration to the vehicle. The driver passed it numerous times before handing it to me. The driver had bloddshot glassy eyes and slurred speech when she was talking to me. I could smell the odor of an unkown alcohoic beverage edmittig from her breath as well. Tpr. Z. Todd arrived on scene and took over the scene.

Sworn to me this 13 day of August, 2018

(Law Enforcement Officer Signature)
Section 117.10 Florida Statute

I swear/affirm that this statement is true and correct

(Witness Signature)

TPR Z. TODD 4141
(Print Name / PIN)

Statement Page 1 of 11

Case Number: FHPL18OFF067227

Page 1

HSMV 62705 (Rev. 10/14)

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Operation of a marker [illegible] Contempt of any [illegible] will be punished by law.

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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	☐		Other:	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2018026854	**Date:** 8/13/2018
	Specialist Name/ID: L.Rouse/ #6673