

0485027  
FLORIDA HIGHWAY PATROL

17CT2324

1958  
REPORT NUMBER  
FHP99ARR126631

## ARREST REPORT

Report Date / Time 02/03/2017 02:45 AM	Agency Case/Offense Number FHPL17OFF008664	OCA Number	Organizing Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD019251
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## LOCATION OF OCCURRENCE

County PALM BEACH	Address SR-9 SB , BOYNTON BEACH, FL 33435	
Range of Occurrence Date/Time 02/03/2017 01:37 AM to 02/03/2017 05:35 AM	Latitude N 26 40.1841	Longitude W 80 5.5462

## PERSON: SUSPECT

First Name MAGDALENA	Middle Name	Last Name TROCZYNASKA	Suffix	Date of Birth 07/22/1986	Age 30	Race W	Sex F	Height 502	Weight 125	Hair BLD	Eyes BRO
Master Name Index Number	Place of Birth POLAND	Nation POLAND	SSN		Driver's License or Other ID T625540867620	State FL	Class or Type E				
Address 611 E WOOLBRIGHT RD A405		City BOYNTON BEACH	County PALM BEACH		State FL	Zip Code 33435	Phone				

## CHARGES

Counts ► 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH								
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL			<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence				
<b>DUI ALCOHOL OR DRUGS</b>										
Counts ► 1	Charge Number 316.193.3c1	Charge DUI-UNLAW BLD ALCH								
Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL			<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence				
<b>DUI AND DAMAGE PROPERTY</b>										

## PROBABLE CAUSE

On the above date and time I was in service in Palm Beach County, FL. A two vehicle crash occurred southbound on Interstate 95 (State Road 9) south of Gateway Blvd. When I arrived on scene I observed two disabled black in color vehicles on the left paved emergency shoulder, partially in the HOV lane. When I approached the first black in color vehicle I observed a white female in the drivers seat who was later identified through her Florida Drivers License as Magdalena Troczynska 07/22/1986. I observed Ms. Troczynska to have red in color, glossy eyes and blood along her left leg. I then asked Ms. Troczynska if she was okay and if she needed any medical assistance. Ms. Troczynska then advised me that she was driving and that someone had collided into her vehicle. I then asked Ms. Troczynska again if she needed any medical assistance. Ms. Troczynska then advised me that she did not need anything. Ms. Troczynska continued to slur her words and be very repetitive. I could then smell the odor commonly associated with the smell of an unknown alcoholic beverage emitting from Ms. Troczynska's breath. I then made my way to the other black vehicle to make contact with the other driver who was then identified through her Florida Drivers License Michele Volpiceli Da Cruz 11/26/1977. I then asked Ms. Cruz if she needed any medical assistance. Ms. Cruz then advised me that she had minor injuries and did not need to be transported. Boynton Beach Fire Rescue then arrived on scene, Ms. Troczynska then advised fire rescue that she did not need any assistance. I then began to gather both drivers and vehicles information to conduct the crash investigation. After my crash investigation was completed I then explained to both drivers involved in the crash how to follow up on the crash report. I then advised Ms. Troczynska to follow me to the front of my patrol. I then advised Ms. Troczynska that the reason I have her here with me now was because I have reason to believe that she was driving under the influence of alcohol or a controlled substance. I then read Ms. Troczynska her Miranda rights and made sure she understood. Ms. Troczynska then advised me that she wanted her lawyer. I then advised Ms. Troczynska that she was more than welcome to contact her lawyer on her cell phone. Ms. Troczynska then advised that she did not need her lawyer anymore. I then asked Ms. Troczynska where she was coming from prior to the crash. Ms. Troczynska then advised me that she was coming from work. I then asked Ms. Troczynska if she had anything to drink prior to the crash. Ms. Troczynska then advised me that she did not. Ms. Troczynska then began to advise that she was driving and that someone hit her and that she did not cause any crash. Ms. Troczynska then advised that she knows she did nothing wrong because she was driving in the center lane. I then advised Ms. Troczynska that I would now be requesting from her with her consent to perform a series of roadside exercises. Ms. Troczynska then advised me that she wanted her lawyer again. I then advised her once more that she was more than welcome to contact her lawyer. Ms. Troczynska then advised me that she did not want to consent to what I was requesting of her to do, and again requested her lawyer. I then advised her that she was able to contact her lawyer and if she was not going to contact her lawyer that she needs to comply with my requests. I then advised Ms. Troczynska that if she did not consent that I would be placing her under arrest. Ms. Troczynska then advised me once more that she would not perform any of the exercises I have requested of her to perform.

Horizontal Gaze Nystagmus:

- REFUSED

Walk and Turn Exercise:

- REFUSED

One Leg Stand Exercise:

- REFUSED

Finger to Nose:

- REFUSED

Romberg Balance:

- REFUSED

Based on the totality of circumstances, Ms. Troczynska was placed under arrest for DUI pursuant to Florida Statute 316.193.1 at 02:11 AM. I then advised Ms. Troczynska to make her way to the front of my patrol vehicle so that she can be searched before being placed in my patrol vehicle. Ms. Troczynska was asked if she

2017 FEB 07 PM 12:43

had anything on her person prior to entering my vehicle and was not searched due to not having a female officer present. Ms. Troczynska was then transported to the Palm Beach County Jail in which she arrived at 02:43 AM. During Ms. Troczynska's transport she began to advise me that she wanted to do anything she could to get out of trouble. Ms. Troczynska she then began to advise me that she wanted to let me know something that she didn't say on the side of the road. Ms. Troczynska then advised me that she broke up with her boyfriend and her friends told her to come out to their house for a party. Ms. Troczynska then advised that her friends made her drink and she had a Tito's and Cranberry. After the defendant's 20min observation, the defendant was then given the opportunity to provide a sample of her breath which she refused to provide at 3:05 AM. Ms. Troczynska was then transported to Wellington Regional Medical Center where she was then cleared to be admitted to Palm Beach County Jail.

#### 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 (COUNTY) PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Date & Time 03/07/2017 08:30 AM
Court Address 200 WEST ATLANTIC AVE., DELRAY BEACH, FL 33444		
Instructions		

#### ARREST INFORMATION

Arrest Date / Time 02/03/2017 02:11 AM	Residency Within state	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests No	Arrest Jurisdiction Unknown	Alcohol Yes	Drugs No	

#### ARREST LOCATION

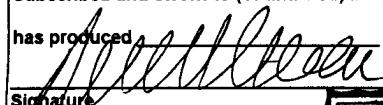
County PALM BEACH	Address SB SR 9 SOF GATEWAY BLVD , BOYNTON BEACH, FL 33435
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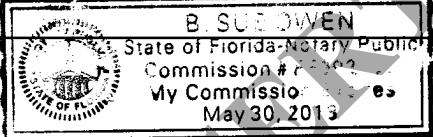
#### ARREST DELIVERED TO

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 1498	Officer Name SAYIH R. A.	Officer Signature #3822
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Subscribed and sworn to (or affirmed) before me this 3<sup>rd</sup> day of February, A.D. 2017 by Dpsyhi who is personally known to me or has produced  as identification.

Signature	Notary Public LEO CO Commission No: _____	My Commission Expires: _____
 <p>B. SUE DIVEN State of Florida-Notary Public Commission # 73362 My Commission Expires: May 30, 2013</p>		

NOT A CERTIFICATE

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FEB 07 2017

## TESTING FACILITY TASK REPORT

AGENCY: FHPSUBJECT: TROCZYNsKA, MAGdalena CASE NUMBER: 17-034867DATE: 02/03/17 VIDEO TAPE NUMBER: DVD# 62074BEGINNING TIME: 0303 ENDING TIME: 0306BREATH TESTS RESULTS: **REFUSED** TIME 0305 A.M./P.M. 2)    TIME    A.M./P.M.3)    TIME    A.M./P.M. 4)    TIME    A.M./P.M.BREATH OPERATOR: S.Owen #3184MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:   ATTITUDE: crying, upset, never been in trouble beforeCLOTHING: bik sandal heels, white dress, black dress jacketMEDICAL CONDITIONS: noneMEDICATIONS: noneOTHER:   COMMENTS: 10 E.A arrived at 0243 hrs+10 observed 20 minutes (wouldn't answer  
to requested breath test, intro to lawyer  
refused w/o lawyerAlso read I/C, understood, still refused  
w/o lawyer. Also read c/w, understood  
rights refused Q&D

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## 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 Trp Sayih of the FNP.

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.

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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? \_\_\_\_\_

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HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? \_\_\_\_\_ WHERE? \_\_\_\_\_

**FEB 07 2017**

INTERVIEWER: \_\_\_\_\_

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL



## ARREST REPORT

Report Date / Time 02/03/2017 02:45 AM	Agency Case/Offense Number FHP17OFF008664	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD019251
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## LOCATION OF OCCURRENCE

County PALM BEACH	Address SR-9 SB , BOYNTON BEACH, FL 33435
Range of Occurrence Date/Time 02/03/2017 01:37 AM to 02/03/2017 05:35 AM	Latitude N 26 40.1841

Longitude  
W 80 5.5462

## PERSON: SUSPECT

First Name MAGDALENA	Middle Name	Last Name TROCZYNASKA	Suffix	Date of Birth 07/22/1986	Age 30	Race W	Sex F	Height 502	Weight 125	Hair BLD	Eyes BRO
Master Name Index Number	Place of Birth POLAND	Nation POLAND		SSN		Driver's License or Other ID T625540867620				State FL	Class or Type E
Address 611 E WOOLBRIGHT RD A405		City BOYNTON BEACH	County PALM BEACH			State FL	Zip Code 33435			Phone	

## CHARGES

Counts ► 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH									
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL				<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence				Bond Amount \$0.00
<b>DUI ALCOHOL OR DRUGS</b>											
Counts ► 1	Charge Number 316.193.3c1	Charge DUI-UNLAW BLD ALCH									
Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL				<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence				Bond Amount \$0.00
<b>DUI AND DAMAGE PROPERTY</b>											

## PROBABLE CAUSE

On the above date and time I was in service in Palm Beach County, FL. A two vehicle crash occurred southbound on Interstate 95 (State Road 9) south of Gateway Blvd. When I arrived on scene I observed two disabled black in color vehicles on the left paved emergency shoulder, partially in the HOV lane. When I approached the first black in color vehicle I observed a white female in the drivers seat who was later identified through her Florida Drivers License as Magdalena Troczynska 07/22/1986. I observed Ms. Troczynska to have red in color, glossy eyes and blood along her left leg. I then asked Ms. Troczynska if she was okay and if she needed any medical assistance. Ms. Troczynska then advised me that she was driving and that someone had collided into her vehicle. I then asked Ms. Troczynska again if she needed any medical assistance. Ms. Troczynska then advised me that she did not need anything. Ms. Troczynska continued to slur her words and be very repetitive. I could then smell the odor commonly associated with the smell of an unknown alcoholic beverage emitting from Ms. Troczynska's breath. I then made my way to the other black vehicle to make contact with the other driver who was then identified through her Florida Drivers License Michele Volpiceli Da Cruz 11/26/1977. I then asked Ms. Cruz if she needed any medical assistance. Ms. Cruz then advised me that she had minor injuries and did not need to be transported. Boynton Beach Fire Rescue then arrived on scene, Ms. Troczynska then advised fire rescue that she did not need any assistance. I then began to gather both drivers and vehicles information to conduct the crash investigation. After my crash investigation was completed I then explained to both drivers involved in the crash how to follow up on the crash report. I then advised Ms. Troczynska to follow me to the front of my patrol. I then advised Ms. Troczynska that the reason I have her here with me now was because I have reason to believe that she was driving under the influence of alcohol or a controlled substance. I then read Ms. Troczynska her Miranda rights and made sure she understood. Ms. Troczynska then advised me that she wanted her lawyer. I then advised Ms. Troczynska that she was more than welcome to contact her lawyer on her cell phone. Ms. Troczynska then advised that she did not need her lawyer anymore. I then asked Ms. Troczynska where she was coming from prior to the crash. Ms. Troczynska then advised me that she was coming from work. I then asked Ms. Troczynska if she had anything to drink prior to the crash. Ms. Troczynska then advised me that she did not. Ms. Troczynska then began to advise that she was driving and that someone hit her and that she did not cause any crash. Ms. Troczynska then advised that she knows she did nothing wrong because she was driving in the center lane. I then advised Ms. Troczynska that I would now be requesting from her with her consent to perform a series of roadside exercises. Ms. Troczynska then advised me that she wanted her lawyer again. I then advised her once more that she was more than welcome to contact her lawyer. Ms. Troczynska then advised me that she did not want to consent to what I was requesting of her to do, and again requested her lawyer. I then advised her that she was able to contact her lawyer and if she was not going to contact her lawyer that she needs to comply with my requests. I then advised Ms. Troczynska that if she did not consent that I would be placing her under arrest. Ms. Troczynska then advised me once more that she would not perform any of the exercises I have requested of her to perform.

Horizontal Gaze Nystagmus:

- REFUSED

Walk and Turn Exercise:

- REFUSED

One Leg Stand Exercise:

- REFUSED

Finger to Nose:

- REFUSED

Romberg Balance:

- REFUSED

Based on the totality of circumstances, Ms. Troczynska was placed under arrest for DUI pursuant to Florida Statute 316.193.1 at 02:11 AM. I then advised Ms. Troczynska to make her way to the front of my patrol vehicle so that she can be searched before being placed in my patrol vehicle. Ms. Troczynska was asked if she

had anything on her person prior to entering my vehicle and was not searched due to not having a female officer present. Ms. Troczynska was then transported to the Palm Beach County Jail in which she arrived at 02:43 AM. During Ms. Troczynska's transport she began to advise me that she wanted to do anything she could to get out of trouble. Ms. Troczynska she then began to advise me that she wanted to let me know something that she didn't say on the side of the road. Ms. Troczynska then advised me that she broke up with her boyfriend and her friends told her to come out to their house for a party. Ms. Troczynska then advised that her friends made her drink and she had a Tito's and Cranberry. After the defendant's 20min observation, the defendant was then given the opportunity to provide a sample of her breath which she refused to provide at 3:05 AM. Ms. Troczynska was then transported to Wellington Regional Medical Center where she was then cleared to be admitted to Palm Beach County Jail.

**LEO BOND**

Bond Amount \$	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 <b>(COUNTY) PALM BEACH SOUTH COUNTY COURTHOUSE</b>	Court Phone <b>561-274-1530</b>	Court Date & Time <b>03/07/2017 08:30 AM</b>
Court Address <b>200 WEST ATLANTIC AVE., DELRAY BEACH, FL 33444</b>		
Instructions		

**ARREST INFORMATION**

Arrest Date / Time <b>02/03/2017 02:11 AM</b>	Residency <b>Within state</b>	Injured <b>None</b>	Extent of Injury <b>N/A</b>	Resist Arrest <b>No</b>
Prior Arrests <b>No</b>	Arrest Jurisdiction <b>Unknown</b>	Alcohol <b>Yes</b>	Drugs <b>No</b>	

**ARREST LOCATION**

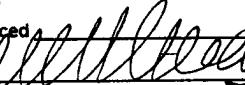
County <b>PALM BEACH</b>	Address <b>SB SR 9 SOF GATEWAY BLVD, BOYNTON BEACH, FL 33435</b>
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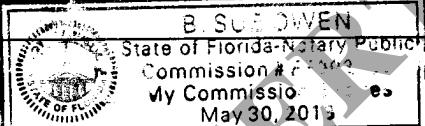
**ARREST DELIVERED TO**

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

Officer Call Number <b>1498</b>	Officer Name <b>SAYIH R. A.</b>	Officer Signature 	<b>4822</b>
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Subscribed and sworn to (or affirmed) before me this 3rd day of February A.D. 2017 by Officer Sayih R. A. who is personally known to me or  
has produced  as identification.

Notary Public <b>B. SUE OWEN</b>	LEO <b>CO</b>	Commission No.: _____	My Commission Expires: _____
<p>            State of Florida-Notary Public            Commission # 71100            My Commission Expires            May 30, 2016         </p>			

NOT A CERTIFICATE

**SCANNED  
FEB 07 2017**

## TESTING FACILITY TASK REPORT

AGENCY: FHPSUBJECT: TROCZYNsKA, MAGDALENA CASE NUMBER: 17-034867DATE: 02/03/17 VIDEO TAPE NUMBER: 62074BEGINNING TIME: 0303 ENDING TIME: 0306BREATH TESTS RESULTS: REFUSED TIME 0305 A.M./P.M.3)    TIME    A.M./P.M.2)    TIME    A.M./P.M.4)    TIME    A.M./P.M.BREATH OPERATOR: S. Owen #3184MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:   ATTITUDE: crying, upset, never been in trouble beforeCLOTHING: black sandal heels, white dress, black dress jacketMEDICAL CONDITIONS: NoneMEDICATIONS: NoneOTHER:   

COMMENTS: Alto arrived at 0243 hrs  
Alto observed 20 minutes (wouldn't answer  
Alto requested breath test, intro w/o lawyer  
refused w/o lawyer  
Alto read I/C, A understood, still refused  
w/o lawyer. Alto read c/w, A understood  
rights refused Q&A

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FEB 07 2017

## 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 Trp Sayih of the FNP.

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

**SCANNED**

**FEB 07 2017**

## 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? \_\_\_\_\_

**SCANNED**

**FEB 07 2017**

INTERVIEWER: \_\_\_\_\_

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL