

J# 0329884

3717

FLORIDA HIGHWAY PATROL

REPORT NUMBER
FHP99ARR134175

ARREST REPORT

Report Date / Time 03/29/2017 10:35 PM	Agency Case/Offense Number FHPL17OFF024054	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD053431
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LOCATION OF OCCURRENCE

County PALM BEACH	Address SR706E / CENTRAL BV , JUPITER, FL 33458	Latitude N 26 56.0536	Longitude W 80 8.1174
Range of Occurrence Date/Time 03/29/2017 09:48 PM to 03/29/2017 09:48 PM			

PERSON: SUSPECT

First Name MARK	Middle Name LOUIS	Last Name MICHAELSON	Suffix	Date of Birth 03/07/1973	Age 44	Race W	Sex M	Height 506	Weight 207	Hair BRO	Eyes BRO
Master Name Index Number	Place of Birth FT LAUDERDALE, FL	Nation US	SSN	Driver's License or Other ID M242552730870			State FL	Class or Type E			
Address 1499 SW 2ND AVE	City BOCA RATON		County PALM BEACH	State FL	Zip Code 33432	Phone 5612512397					

CHARGES

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

PROBABLE CAUSE

Defendant was driving northbound on 68th Tr N approaching SR706 (Indiantown Rd). I was eastbound on SR706 in the right lane, traveling at approximately 40 mph in a posted 45. I approached the intersection under a stale green signal. As I entered the intersection, defendant rolled through without stopping and turned right into the right lane ahead of me without stopping. I had to brake to avoid running into the rear of defendant's truck. I immediately activated my emergency lights. Defendant continued eastbound, passing several business entrances before stopping in the parking lot of Five Guys, just west of Central Bv. I approached defendant and could immediately smell a noticeable odor of alcoholic beverage impurities. I asked defendant for his DL, which he produced without incident, and for his insurance. I asked him where he was going, and each time he answered, defendant would turn his face away from me. I kept asking him to face me when he talked, but he kept turning away. I asked him how much he'd had to drink and he said none. Defendant's speech was slurred and mumbled.

Defendant got out of his truck at my request. He was unsteady and hesitant when standing and walking. I had to reposition my car as I was blocking a part of the entrance. I had defendant move to the sidewalk in front of Five Guys. I asked him again how much he'd had to drink. Defendant gave a wry smile and said none. I asked him why I could smell it and he said he just drank a beer at the gas station.

I asked defendant to perform FSTs, results as follows:

HGN: swayed front-rear. Eyes very bloodshot & glassy, kept looking around, would/could not follow my pen. Eye movements jerky (no smooth pursuit) both eyes, onset could not be determined because he would not track pen, distinct at maximum deviation in both eyes.

W&T: gave option to remove flip-flops, he kept them on; no steps heel-toe, at least a 3-4" gap on all steps, took 11 steps but counted 9, pivoted on balls of both feet and stepped back & to right as he turned, 10 steps back.

OLS, said he had a bad left knee, so I told him to stand on his right leg, bent knee when raising, swayed front-rear, lowered heel to within 1" of ground but did not put down.

Displayed difficulty or unwillingness to understand and follow directions the entire time. I had to remind him twice to remove his hands from his pockets and keep them out. Effects of alcohol were obvious. I arrested defendant for DUI, handcuffed him and secured him in my car. Defendant was mumbling obscenities under his breath, called me an asshole after I placed him in my car.

Sgt. Robert Given, Jupiter PD stopped with me as I started FSTs. He remained to monitor traffic as a back-up, and said he would wait for North County Towing to remove defendant's truck. JPD case number 17-090571.

I transported defendant to the PBSO BAT where I conducted a 20 minute observation of defendant. We went to test room B with [redacted] Tech [redacted] Biggs to offer breath test (defendant told me in the car he would not submit). I offered test, defendant refused. I read Implied Consent on camera and defendant still refused. I read Constitutional Warnings and began to question defendant, still on camera. His responses were clipped and sarcastic until [redacted] finally said he was done.

LEO BOND

COURT APPEARANCE INFORMATION

Court (COUNTY) PALM BEACH NORTH COUNTY COURTHOUSE	Court Phone 561-624-6608	Court Date & Time 04/26/2017 10:00 AM
Court Address 3188 PGA BLVD., PALM BEACH GARDENS, FL 33410		
Instructions		

Mar 30 am 12 38
SCANNED

Report Date / Time 03/29/2017 10:35 PM	Agency Case/Offense Number FHPL17OFF024054	OCA Number	Organizing Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD053431
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ARREST INFORMATION

Arrest Date / Time 03/29/2017 09:48 PM	Residency Within jurisdiction	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests Yes	Arrest Jurisdiction Within jurisdiction		Alcohol Yes	Drugs Unknown

ARREST LOCATION

County PALM BEACH	Address SR706E / CENTRAL BV , JUPITER, FL 33458
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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

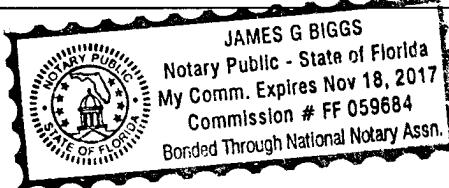
Officer Call Number 422	Officer Name P.L. CROY	Officer Signature
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Subscribed and sworn to (or affirmed) before me this 29 day of March A.D., 2017 by P. L. Croy who is personally known to me or

has produced _____ as identification.

Notary Public LEO CO Commission No: _____ My Commission Expires: _____

Signature



SUBJECT: Michaelsom, Mark L.. 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? **SCANNED**

INTERVIEWER: _____

APR 03 2017

SUBJECT: Michaelson, Mark L. 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) _____

Read on Camera

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

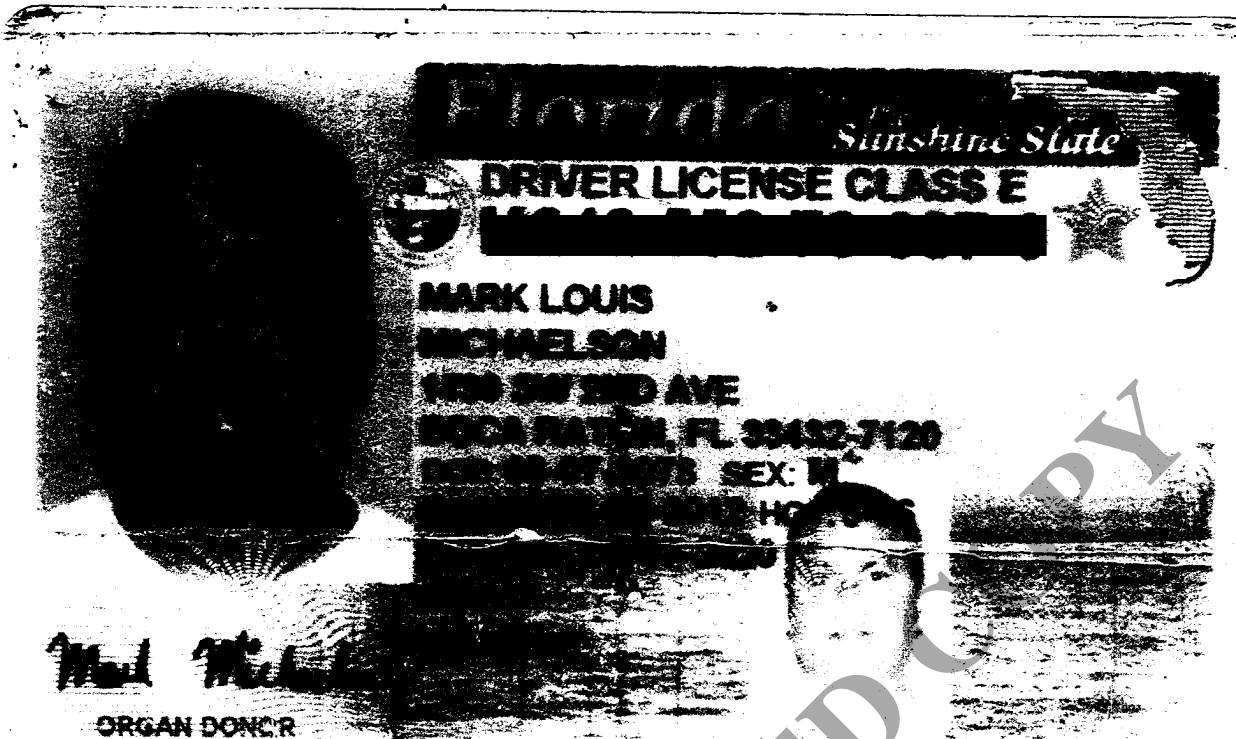
1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to 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

APR 03 2017



Operation of a motor vehicle constitutes consent to any sobriety test required by law.

NOT A CERTIFIED COPY

SCANNED
APR 03 2017

TESTING FACILITY TASK REPORT

AGENCY: FHP-CROY

SUBJECT: MICHAELSON, MARK L.

CASE NUMBER: 17-058033

DATE: 3/29/2017

VIDEO DVD NUMBER: 62350

BEGINNING TIME: 2245

ENDING TIME: 2251

BREATH TESTS RESULTS: 1) REF TIME 2247 A.M. P.M. 2) N/A TIME N/A A.M. P.M.
3) N/A TIME N/A A.M. P.M. 4) N/A TIME N/A A.M. P.M.

BREATH OPERATOR: J Biggs# 7607

MAINTENANCE TECHNICIAN: D/S J Karklecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: UPSET, SHORT, SARCASTIC AT TIMES,

CLOTHING: BLACK SHIRT, GREY SHORTS, FLIP FLOPS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES ARE GLASSY

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 2225.

A/O REQUESTED BREATH TEST, SUBJECT REFUSED

A/O READ IMPLIED CONSENT, SUBJECT STATED HE UNDERSTOOD.

A/O READ RIGHTS, SUBJECT STATED HE UNDERSTOOD HIS RIGHTS.

A/O ATTEMPTED Q & A, SUBJECT ANSWERED SOME QUESTIONS AND THEN STATED HE WAS DONE.

SCANNED

APR 03 2017