0480220 18CT18999 1567

ARREST / NOTICE TO APPEAR

Juvenile Referral Report

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | Juvenile | N

ADMINISTRATIVE

OBTS Number

Agency ORI Number: FL 502600 | Agency Name: Palm Beach Gardens Police Department | Agency Report Number (N T A 's only): 78 - 18006403

Charge Type (Check as many as apply): 1 Felony, 2 Traffic Felony, 3 Misdemeanor, 4 Traffic Misdemeanor (✓), 5 Ordinance, 6 Other | Weapon Seized / Type: 2 | 1 Yes 2 No | Multiple Clearance Indicator

Location of Arrest (Including Name of Business): 100 Lake Catherine Drive, Palm BEach Gardens, FL 33410

Location of Offense (Business Name, Address): LAKE CATHERINE DRIVE / MACARTHUR BLVD, PALM BEACH GARDENS, FL 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle Kauff's Towing (800) 432-7182
10/19/2018	22:45					4701 East Avenue, West Palm Beach, FL 33407

DEFENDANT

Name (Last, First, Middle): Devaney, Michael Patrick

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

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	03/17/1963	603	220	BLUE	BRO	LGT	MED

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description)

Marital Status: DIVORCED | Religion: CHRISTIAN | Indication of Alcohol Influence / Drug Influence: Y ☐ N ☐ Unk ☐

Local Address (Street, Apt Number) (City) (State) (Zip): 4503 Lakemont Court, Palm Beach Gardens, FL 33410 | Phone: (561) 452-6284 | Residence Type: 1 City 2. County 3 Florida 4 Out of State | 1

Permanent Address (Street, Apt Number) (City) (State) (Zip): 4503 Lakemont Court, Palm Beach Gardens, FL 33410 | Phone: ( ) | Address Source: Self

Business Address (Name, Street) (City) (State) (Zip): | Phone: ( ) | Occupation:

D/L Number, State	Soc Sec Number	INS Number	Place of Birth (City, State)	Citizenship
D150555630970 FL	[redacted]		Portland OR	USA

CO-DEF

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

This above address provided by ☐ defendant and / or ☐ defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. ☐ Yes, by (Name) ☐ No (Reason) | School Attended | Grade

Property Crime? ☐ Yes ☐ No | Description of Property | Value of Property

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 Synthetics, U Unknown, Z Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Driving Under the Influence	1	☐Y ☑N	316.193(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A	1		OR

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

NOTICE TO APPEAR

Location (Court, Room Number, Address): North County Courthouse 3188 PGA Blvd, Palm Beach Gardens, FL 33410

Court Date and Time: Month NOVEMBER Day 21 Year 2018 Time 10:00 AM ✓ PM ☐

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE 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.

Signature of Defendant (or Juvenile and Parent /Custodian) | Date Signed: 10/19/2018

ADMIN

HOLD for other Agency Name

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy | ID # | Pouch #

Signature of Arresting Officer: X [signature] #471

Name of Arresting Officer (Print): Ofc. Camero/r Carver | ID #: #471

Transporting Officer: Ofc C Carver | ID #: #471 | Agency: PBGPD

Name Verification (Printed by Arrestee): (PRINT)

Witness (Name if Applicable): SCANNED

PAGE 1 OF 1

DISTRIBUTION: WHITE - COURT COPY | GREEN - STATE ATTORNEY | YELLOW - AGENCY | PINK - AGENCY | GOLD - DEFENDANT (NT A.'s ONLY)

OCT 23 2018

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D.U.I PROBABLE CAUSE AFFIDAVIT

ON THE 19 DAY OF October 2018, AT 22:45 ☑ AM ☐ PM

SUBJECT: Devaney, Michael Patrick CASE NUMBER: 18006403

AGENCY: Palm Beach Gardens Police Department ARRESTING OFFICER: Ofc. Cameron Carver #471

PERSONAL CONTACT

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

Officer Witt requested I respond and upon my arrival advised he stopped a blue Hyundai Santa Fe bearing Florida license plate J16HGI for running a stop sign and almost striking Officer Witt's patrol vehicle. The Santa Fe attempted to avoid Officer Witt and as he attempted to catch up and stop the Santa Fe. Officer Witt made contact with the driver and observed signs of impairment and requested I respond to the scene. Refer to Officer Witt's supplemental report for further details.

OBSERVATION OF DRIVER:

I observed the Santa Fe was in disarray with pool equipment and chemicals, to include muriatic acid, chlorine and other pool cleaning substances in the front, middle and rear of the vehicle. I observed Devaney's clothing to be dirty. Devaney's speech was slow, low and at times mumbled. I observed Devaney's eyes to be glassy and bloodshot. I requested Devaney to exit the vehicle, which he did by stumbling out of the vehicle, needing to lean on the Santa Fe to maintain balance. While Devaney was outside of his vehicle, his sandal came off, requiring him to put it back on.

DRIVER STATEMENTS:

I asked Devaney where he was going, and he stated to his mother's residence. He stated he needed to get money for gas, which is why he left his mother's residence this evening. While speaking with him from the driver side window I detected the faint odor of alcohol emanating from his breath. I asked him how much alcohol he consumed, which he replied (1) one beer. I asked him what happened with the stop sign, he replied "I guess I slowed down a little late." Devaney stated he drank alcohol earlier in the day, had medical conditions, and had no issues with walking or keeping balance.

ODORS: Faint odor of alcohol coming from breath.

GENERAL OBSERVATIONS

SPEECH: Low, Mumbled, Slow

ATTITUDE: Calm, Quiet

CLOTHING: Blue Shirt, Tan Shorts, Brown Sandals

MEDICAL/OTHER: Anxiety, Bronchitis, Thyroid, High Blood Pressure, Conjunctivitis

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigating Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 20 day of October 2018 by Ofc. Cameron Carver who is personally known to me and/or personally known to me and/or produced identification. Type of identification produced Personally Known

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

SCANNED
OCT 23 2018

2018 OCT 21 AM 7:50

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SUBJECT: Devaney, Michael Patrick CASE NUMBER: 18006403

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:

Refer to agency PC for further details.

WALK & TURN:

I explained and demonstrated the instructions to Devaney, who stated he understood. He was unable to keep balance during the instructional phase and stepped out of stance. He requested to perform the task out of his flip-flops. He started on command, stopped while walking to regain balance. He did not touch heel-to-toe as instructed. He did not turn as instructed and demonstrated and lost balance while completing the turn and stumbled. After turning around, he walked off the line. He took the incorrect number of steps. Refer to PC for furth

ONE LEG STAND:

W&T CONT He did not count aloud as instructed. He raised his arms more than six-inches to regain balance. I observed 7 of 8 clues, indicating impairment. ****ONE LEG STAND I explained and demonstrated the instructions to Devaney, who stated he understood. Upon beginning the exercise, Devaney swayed while balancing. He raised his arms over six inches to keep his balance. Devaney did not count as instructed and complained his leg was bothering him prior to the 30 seconds had elapsed. I observed 2 of 4 clues, indicating impairment.

FINGER TO NOSE:

I explained and demonstrated the instructions to Devaney, who stated he understood. He did not touch the tip of the finger to the tip of the nose as instructed and demonstrated. He failed to tilt his head back and keep his head elevated during this task.

RHOMBERG/ALPHABET:

I explained and demonstrated the instructions to Devaney, who stated he understood. Devaney started prior to being told to and did not keep his eyes closed. He incorrectly recited the alphabet by skipping W, X and Y. He failed to tilt his head back and keep his head elevated during this task.

BREATH TEST RESULTS: 0.00 BrAC at 23:57hrs and 0.00 BrAC at 00:01hrs

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STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigating Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 20 day of October 2018 by Ofc. Cameron Carver who is personally known to me and/or personally known to me and/or produced identification. Type of identification produced Personally Known

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

SCANNED
OCT 23 2018

LIST OF PERSONS KNOWN TO HAVE INFORMATION

Victim: **Society**

Address: **10500 N. Military Trail, Palm Beach Gardens, FL 33410**

Phone Numbers: (Work) **(561) 799-4445** | (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

Arresting Officer: Ofc. Cameron Carver #471

Address: **10500 N. Military Trail, Palm Beach Gardens, FL 33410**

Phone Numbers: (Work) **(561) 799-4445** | (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message:

Can Testify to:

Facts of Case

Witness Name: **Ofc. Tyler Witt #492**

Address: **10500 N. Military Trail, Palm Beach Gardens, FL 33410**

Phone Numbers: (Work) **(561) 799-4445** | (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

Traffic Stop / Safety Officer

Witness Name: **Ofc. Anthony Luciano #478**

Address: **10500 N. Military Trail, Palm Beach Gardens, FL 33410**

Phone Numbers: (Work) **(561) 799-4445** | (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

Safety Officer

Witness Name:

Address:

Phone Numbers: (Work) | (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

Witness Name:

Address:

Phone Numbers: (Work) | (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

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SCANNED
OCT 23 2018

TESTING FACILITY TASK REPORT

AGENCY: PBG/CARVER

SUBJECT: DEVANEY, MICHAEL

CASE NUMBER: 18-135148

DATE: Oct 20, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 2346

ENDING TIME: 0021

BREATH TESTS RESULTS: 1) VNM TIME 2354 A.M. ☐ P.M. ☒ 2) .000 TIME 2357 A.M. ☐ P.M. ☒

3) .000 TIME 0001 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: LOW, MUMBLED

ATTITUDE: CALM, QUIET

CLOTHING: BLUE SHIRT, TAN SHORTS, BROWN SANDALS

MEDICAL CONDITIONS: ANXIETY, BRONCITIS, THYROID, HIGH BLOOD PRESSURE

MEDICATIONS: LISINOPRIL, CLOZAPINE, AMLODIPINE, TESTOSTRONE INJECTIONS,

OTHER:

EYES GLASSY AND BLOODSHOT, NODDING OFF DURING BREATH SAMPLES

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 2325
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ I/C
SUBJECT STATED HE UNDERSTOOD I/C
AND AGREED TO TAKE BREATH TEST @ 2348
TECH READ TEST RESULTS
SUBJECT STATED HE UNDERSTOOD RESULTS
A/O REQUESTED URINE SAMPLE
SUBJECT AGREED TO PROVIDE URINE SAMPLE @ 0004
A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD HIS RIGHTS
A/O CONDUCTED Q&A, SUBJECT ANSWERED QUESTIONS
SUBJECT PROVIDEED URINE SAMPLE @ 0025
DRE EVAL CONDUCTED BY INV. SCHNEIDER

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SCANNED
OCT 23 2018

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.

SCANNED
OCT 23 2018

SUSPECT'S SIGNATURE: (X)_____

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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? Y

WHERE WERE YOU GOING? [illegible]

WHAT STREET OR HIGHWAY WERE YOU ON? [illegible]

DIRECTION OF TRAVEL? E WHERE DID YOU START? [illegible]

WHAT TIME DID YOU START? [illegible] WHAT TIME IS IT NOW? [illegible]

WHAT IS TODAY'S DATE? 10/12/18 WHAT DAY OF THE WEEK IS IT? Friday

WHAT COUNTY AND CITY ARE YOU IN NOW? [illegible]

WHEN DID YOU LAST EAT? [illegible] WHAT DID YOU EAT? [illegible]

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? [illegible]

HOW MUCH DO YOU WEIGH? 220 HAVE YOU BEEN DRINKING? Y WHAT? Beer

HOW MUCH? [illegible] WHERE? Home WITH WHOM? [illegible]

WHEN DID YOU HAVE YOUR FIRST DRINK? [illegible] AND YOUR LAST DRINK? [illegible]

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? [illegible]

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? [illegible] ARE YOU UNDER THE INFLUENCE? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? [illegible] HOW MUCH? /

WHAT? / WHERE? / WHEN? /

WHAT LINE OF WORK ARE YOU IN? [illegible] WHEN DID YOU LAST WORK? [illegible]

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? Yes WHAT? [illegible]

ARE YOU SICK OR INJURED? Y WHAT'S WRONG? [illegible]

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? [illegible]

WERE YOU IN AN ACCIDENT TODAY? NO

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? /

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? / WHY? /

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? Yes WHAT? [illegible] WHEN? [illegible]

DO YOU HAVE:
- EPILEPSY? /
- GLASS EYE? [illegible]
- FALSE TEETH? [illegible]
- EAR INFECTION? /
- INNER EAR TROUBLE? /
- DIABETES? /

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? [illegible]

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? /

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? [illegible] WHERE? /

INTERVIEWER: _____

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OCT 23 2018

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: 2018035106	**Date:** 10/21/2018
	Specialist Name/ID: AM/31562

SCANNED
OCT 23 2018