

17CT3526
N/H
689

OBTS Number				ARREST / NOTICE TO APPEAR Juvenile Referral Report					1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1 Juvenile	N										
ADMINISTRATION	Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.			Agency Report Number 34-17-010224																
	Charge Type: Check as many as Apply.		<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator											
Location of Arrest (Including Name of Business) 2500 S. CR 807, BOYNTON BEACH, FL, 33426				Location of Offense (Business Name, Address) 2500 S. CR 807, BOYNTON BEACH, FL, 33426																		
Date of Arrest 02/23/2017		Time of Arrest 2135		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle										
Name (Last, First, Middle) SANDHU, MUSTAFA YUSA																						
DEFENDANT	W - White B - Black				I - American Indian O - Oriental / Asian		Race W M		Sex 02/16/1983		Height 605		Weight 282		Eye Color BROWN		Hair Color BLACK		Complexion FAIR		Build MED	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)												Marital Status SINGLE		Religion N/A		Indication of: Y N Unk. Alcohol Influence <input type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input type="checkbox"/>					
	Local Address (Street, Apt. Number) 2606 WEBB AVE,				(City) DELRAY BEACH,		(State) FLORIDA,		(Zip) 33444		Phone () -		Residence Type 1. City 3. Florida 2. County 4. Out of State 2									
	Permanent Address (Street, Apt. Number)				(City)		(State)		(Zip)		Phone () -		Address Source FL DL									
	Business Address (Street, Apt. Number)				(City)		(State)		(Zip)		Phone () -		Occupation UNEMPLOYED									
	D/L Number, State S530559830560 / FL				Soc. Sec. Number		INS Number				Place of Birth SECAUCUS, NJ		Citizenship US									
	CO-DEF	Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile								
		Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile								
	JUVENILE	Parent Name (Last) (First) (Middle)														Residence Phone						
		Legal Custodian																				
Other																						
Address (Street, Apt. Number)						(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 <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 561-355-2526) informed of any change of address: <input type="checkbox"/> Yes, By: (Name) <input type="checkbox"/> No: (Reason)													School Attended									
Property Crime? Description of Property													Value of Property									
Yes <input type="checkbox"/> No <input type="checkbox"/>																						
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. Barbituate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other											
CHARGE	Charge Description DUI					Counts 1	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number 316.193.1		Violation of ORD# -											
CHARGE	Drug Activity	Drug Type	Amount/Unit	Offense # 17-010224		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Warrant/Capias Number		Bond -											
CHARGE	Charge Description					Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#											
CHARGE	Drug Activity	Drug Type	Amount/Unit	Offense #		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Warrant/Capias Number		Bond -											
CHARGE	Charge Description					Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#											
CHARGE	Drug Activity	Drug Type	Amount/Unit	Offense #		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Warrant/Capias Number		Bond -											
NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court <input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.			Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444										#38								
				Court Date and Time Month 03		Day 27		Year 2017		Time 0830		<input type="checkbox"/> A.M. <input type="checkbox"/> 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.																						
Signature of Defendant (or Juvenile and Parent/Custodian)														Date Signed								
ADMIN.	HOLD for other Agency Name:				Signature of Arresting Officer				Name Verification (Printed by Arrestee) (PRINT)													
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal				<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:				Name of Arresting Officer (Print) OFFICER CASTRO		I.D. # 905		BU#108391		Page 1 OF 1							
	Make Deposit 1700		I.D. # 1700		Pouch #		Transporting Officer OFFICER CASTRO		I.D. # 905		Agency BBPD		Witness here is subject Signed with an "X".									

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FEB 24 AM 1:12

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 23 DAY OF February 2017 AT 08:49 A.M P.M.

CASE #: 17-010224

DEFENDANT: SANDHU, MUSTAFA YUSAFF

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and approximate time, I responded to the 2500 block of S. CR 807, in reference to a Vehicular Crash. Let it be noted that this incident occurred within the City of Boynton Beach, Palm Beach County, Florida. Upon arrival I observed a Black Cadillac SRX bearing Florida tag HRMJ03, in the inside northbound lanes of S. CR 807; just north of the SE 25th Place intersection. The Cadillac had front right damage, to include the right front fender and right front wheel damage. The later identified as At- Fault vehicle, a Lincoln MKZ bearing Florida tag BUGP67, was moved to the northeast corner of the SE 25th Place and S. CR 807 intersection. The Lincoln had left rear damage, to include left rear quarter panel and left rear wheel. Neither involved parties appeared to be injured, as they both were walking around on scene. I then made contact with Officer Donnino who advised based on his crash investigation the Lincoln, driven by W/M Wolfson, Kenneth was traveling westbound on SE 25th Place, approaching the intersection of S. CR 807. The Cadillac, driven by W/M Sandhu, Mustafa (02/16/83), was traveling northbound in the outside lane of S. CR 807, approaching the intersection of SE 25th Place. As both vehicles approached the intersection at the same time, the Lincoln failed to yield the right-of-way of the Cadillac as he made a right turn in the path of the Cadillac to travel north of S. CR 807. Officer Donnino advised while conducting his investigation he detected the odor of an unknown alcoholic beverage emitting from the breath and person, which intensifies as he spoke. Officer Donnino advised that Sandhu speech was thick and slurred and that his eyes were bloodshot/glassy. Officer Donnino advised that based on his investigation and observation at this point he contacted me to assist in the investigation. See Officer Donnino's supplement for further.

I then briefly spoke to Sandhu, who was standing outside of his vehicle, in reference to his welfare and the crash. Well speaking with Sandhu, I detected the odor of any unknown alcoholic beverage emitted from his breath, his eyes were bloodshot/ glassy and his speech was thick and slurred; just as Officer Donnino described to me. Based on my investigation at this point, I properly positioned my vehicle so that I could properly conduct an audio/video recorded investigation. I then asked Sandhu to walk to the front of my fully marked patrol vehicle (4445), which he agreed to. Once in front of my vehicle, I advised Sandhu that the investigation was being audio and video recorded, which he stated that he understood. I then began to inquire the facts of the crash. Sandhu statement was consisted with what Officer Donnino had concluded as his crash investigation. Sandhu further

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advised that the crash was not his fault and that was not injured as a result of the crash. At that point I advised Sandhu that I've concluded my Crash Investigation and that I was now conducting a DUI Investigation, which he stated that he understood. I then advised Sandhu his Miranda Warnings, which he stated that he understood. Sandhu then advised that he wanted to call his lawyer and refused to answer any questions. Therefore, I seized my investigation and requested Sandhu to submit to a series of Road Side Sobriety Task, which he refused. I then advised Sandhu of the Taylor Law, which he stated that he understood. I then requested a second time, which Sandhu advised that he can't do the roadsides. Sandhu further advised that he refused to submit. At that moment Sandhu was placed into custody under suspicion of DUI, which he stated that he understood.

HORIZONTAL GAZE NYSTAGMUS:

<input type="checkbox"/> Left eye does not follow smoothly	<input type="checkbox"/> Right eye does not follow smoothly
<input type="checkbox"/> Left eye prior to 45 degrees	<input type="checkbox"/> Right eye prior to 45 degrees
<input type="checkbox"/> Distinct jerking in left eye at maximum deviation	<input type="checkbox"/> Distinct jerking in right eye at maximum deviation
<input type="checkbox"/> Vertical Nystagmus in left eye	<input type="checkbox"/> Vertical Nystagmus in right eye

WALK AND TURN:

REFUSED

ONE LEG STAND:

REFUSED

FINGER TO NOSE:

REFUSED

ROMBERG/ALPHABET:

REFUSED

Sandhu was placed into handcuff (D/L and Spaced) and placed in the back seat of my patrol vehicle (#4445). I then transported Sandhu to the Boynton Beach Police Department to continue my investigation. I arrived at BBPD at 2152hrs, started my 20 minutes observation at 2153hrs and completed at 2213hrs. Upon completion I requested Sandhu to provide a sample of his breath to determine the alcohol content, which he agreed. The proper way to provide a breath sample was explained to Sandhu, which he stated that he understood. While attempting to obtain the first sample, Sandhu failed to blow hard enough into the instrument. 1 litter of consisted air is one of the requirements needed to provide an acceptable breath sample. Sandhu was not taking a deep breath in and was not blowing hard enough into the instrument. Sandhu argued that she was doing it correct, but she was not. After the allotted 3 minutes was over and an adequate breath sample was not provided, the instrument received a Volume Not Met reading. On the second attempt, Sandhu provided sample of .174 at 2221hrs and on the third attempt provided a sample of .175 at 2224hrs. I then reassured that Sandhu recalled me reading his Miranda Warnings to him on scene, which he stated he did. I then asked Sandhu if he wanted to answer the question attached to this packet, which he agreed to.

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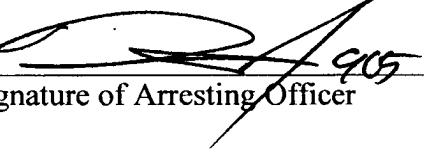
Based on the above stated facts I have established Probable Cause to charge Sandhu with 1M count of DUI W/ Property Damage with F.S.S. 316.193.3C1. Sandhu was later transported to PBCJ.

Nothing further.

NOT A CERTIFIED COPY

The following instrument was sworn to before me this 23 day of February 2017
By: PERSONALLY KNOWN / OFFICER CASTRO #905


Notary/Police Officer (F.S.S. 117.10)


Signature of Arresting Officer

TESTING FACILITY TASK REPORTCASE #: 17-010224Date: 2/23/17DEFENDANT: SANDHU, MUSTAFA YUSAFVideo Tape #: 4445**BREATH TEST RESULTS:**

1. VN g/210L Time 1018 a.m. p.m. 3. .175 g/210L Time 1024 a.m. p.m.
2. .174 g/210L Time 1021 a.m. p.m. 4. g/210L Time a.m. p.m.

BREATH OPERATOR: OFFICER CASTRO #905**MAINTENANCE TECHNICIAN:** OFFICER CASTRO #905**TESTING OFFICER'S OBSERVATIONS**SPEECH: SLURRED, DRYATTITUDE: COOPERATIVECLOTHING: BLACK SHIRT, BLACK SHORTS, BLACK/WHITE FLIP FLIPSMEDICAL CONDITIONS: NONEMEDICATIONS: NONE

OTHER: _____

COMMENTS:

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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.

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.

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of determining 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 OFFICER CASTRO #905 of the Boynton Beach Police Department

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.

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 statements can and will be used against you in a court of law.

Suspect's Signature: READ ON VIDEO

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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.

Where you operating a motor vehicle at the time of the stop/Accident? REFUSED

Where were you going? _____

What Street or Highway were you on? _____

What was you direction of travel? _____

Where did you start from? _____

What time did you start? _____

What time is it now? _____

What is today's date? _____

What day of the week is it? _____

What City and County 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 have you been drinking? _____

How much? _____

With whom? _____

When did you have your first drink? _____

When did you have your last drink? _____

Can you feel the effects of the alcohol? _____

Are you under the influence? _____

Have you consumed any alcohol since the stop/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? _____

Where 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 you eyes that are not corrected by glasses? _____

Do you take insulin? _____ If so, when was your last injection? _____

Have you ever gad a driver's license in any other state? _____

Where? _____

Interviewer: _____

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CASE #: 17-010224

DEFENDANT: SANDHU, MUSTAFA YUSA

Arresting Officer: CASTRO #905

Address: 100 E. Boynton Beach Boulevard Boynton Beach, Fl. 33435

Phone Numbers: Home: Work: (561) 742-6100

Name: OFFICER DONNINO #977

Address: 100 E BOYNTON BEACH BLVD, BOYNTON BEACH, FLORIDA, 33435

Phone Numbers: Home: Work: 561-742-6100

Can testify to: THE INVESTIGATION

Name: KENNETH WOLFSON

Address: 9799 LEMONWOOD CT, BOYNTON BEACH, FLORIDA, 33437

Phone Numbers: Home: 561-364-0110 Work:

Can testify to: THE CRASH

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

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FEB 27 2017