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19CT21210 ASD

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ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1 Juvenile N	
OBTS Number		Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-19-063637	
Charge Type: Check as many as Apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Location of Arrest (Including Name of Business) SR 804/ CR 807, BOYNTON BEACH FL, 33435		Location of Offense (Business Name, Address) SR 804/ CR 807, BOYNTON BEACH FL, 33435		If Weapon Seized Enter Type Multiple Clearance Indicator	
Date of Arrest 11/16/2019		Time of Arrest 02:13		Booking Date		Booking Time	
Name (Last, First, Middle) KRAFT, PETER, VINCENT		Alias (Name, DOB, Soc. Sec. #, Etc)		Jail Date		Jail Time	
W - White B - Black I - American Indian O - Oriental / Asian		Race W		Sex M		Date of Birth 02/03/1995	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) N/A		Height 5'08		Weight 155		Eye Color BLUE	
Marital Status SINGLE		Religion N/A		Complexion LIGHT		Build MED	
Local Address (Street, Apt. Number) 1008 VILLA LN, BOYNTON BEACH FL, 33435		(City) (State) (Zip)		Phone (614) 721-9373		Indication of: Alcohol Influence Drug Influence	
Permanent Address (Street, Apt. Number) (City) (State) (Zip)		Phone () -		Residence Type 1. City 3. Florida 2. County 4. Out of State		Address Source DL	
Business Address (Street, Apt. Number) (City) (State) (Zip)		Phone () -		Occupation COFFEE ROASTER		Citizenship US	
D/L Number, State K613678950430		INS Number		Place of Birth COLUMBUS, OHIO		Citizenship US	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
☐ Parent ☐ Legal Custodian ☐ Other		Name (Last) (First) (Middle)		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
Address (Street, Apt. Number) (City) (State) (Zip)		Residence Phone		Business Phone		Juv. Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/DYS 3. Incarcerated	
Notified by: (Name) Date Time		Relationship		School Attended		Grade	
The above address was provided by ☐ defendant and/or ☐ 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: ☐ Yes, By: (Name) ☐ No: (Reason)		Property Crime? Yes ☐ No ☐		Description of Property		Value of Property	
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. Synthetic		U. Unknown Z. Other	
Charge Description DUI w/ BAC > .15		Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.193(4)	
Drug Activity		Drug Type		Amount/Unit		Warrant/Capias Number	
Charge Description		Counts		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
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Charge Description		Counts		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Warrant/Capias Number	
Instruction No. 1 Mandatory Appearance in Court		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		Court Date and Time Month DECEMBER Day 16TH Year 2019 Time 08:30	
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)		Signature of Arresting Officer M. GOMEZ		Date Signed	
HOLD for other Agency Name: ☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:		Name of Arresting Officer (Print) M. GOMEZ		I.D.# 1119		Name Verification (Printed by Arrestee) BU#	
Witness here is subject Signed with an "X".		Transporting Officer M. GOMEZ		I.D.# 1119		Agency BBPD	
Page 1 OF 1							

NOV 16 AM 6:30 2019

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 16TH DAY OF November 2019 AT 01:40 ☒ A.M. ☐ P.M.

CASE #: 19-063637

DEFENDANT: KRAFT, PETER, VINCENT

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On November 16th, 2019 at approximately 0140 hours, I was dispatched to the area of Boynton Beach Blvd (SR 804) and N. Congress Ave (CR 807) in reference to a CLS Medical Call. The incident occurred within the City of Boynton Beach, Palm Beach County, Florida. While in route Boynton Beach Police Communication advised there was an unknown male passed out in a Silver Acura bearing Florida Tag LCDL35, in the southbound right turn lane from SR 804. Caller advised dispatch that the male was driving eastbound on SR 804 in a reckless manner and almost struck some cones just prior to the intersection of SR 804 /CR 807.

Upon arrival, Officer Castro and I observed the vehicle at the above location. As we got closer to the vehicle I observed the driver/sole occupant (later identified as Kraft, Peter 02/03/95) in the driver seat, with his head leaning back and his eyes close. Due to the fact that it appeared that the vehicle was still on and in gear Officer Castro positioned his fully marked patrol car in front of Kraft's vehicle to prevent him from moving forward. I then began to check on Kraft's welfare by tapping him on the shoulder and doing a sternum rub but he was unresponsive. Due to Kraft's appearance and unknown if he was having a medical episode, officers on scene and I pulled Kraft out of the vehicle and attempted to place him on the ground. While doing so Kraft quickly woke up. Kraft appeared to be confused and disoriented. While speaking to Kraft, I detected an odor of an unknown alcoholic beverage emanating from his breath. Kraft speech was slurred and his eyes were bloodshot/glassy with his pupils dilated. Kraft was not able to recall where he was coming from, nor where he resided. Kraft continued to repeat his name as officer questioned him. Boynton Beach Fire Rescue arrived on scene and checked Kraft for any medical issues, which none were located. Kraft refused any medical attention. While speaking with Kraft he swayed side to side and attempted to walk around his vehicle numerous times. I asked Kraft if he had consumed any type of an unknown alcoholic beverage tonight, which he stated no. Even after explaining to Kraft that a 50ML bottle of Jose Cuervo was located on the passenger floor board to his vehicle he denied the bottle being there. Based on my investigation at this point I asked Kraft to submit to a series of Roadside exercises, which he agreed to. Prior to beginning I asked Kraft if he had any injuries and/or disabilities I should be aware of, which he stated yes. Kraft advised that he was bored with Anisocoris and takes Lexapro. See the following:

Pen Exercise: During the task, Kraft swayed from side to side, losing his balance. During the exercise, Kraft kept starring at the bottom of my pen, not following the instructions given.

HORIZONTAL GAZE NYSTAGMUS:

- ☐ Left eye does not follow smoothly
- ☐ Left eye prior to 45 degrees
- ☐ Distinct jerking in left eye at maximum deviation
- ☐ Vertical Nystagmus in left eye

- ☐ Right eye does not follow smoothly
- ☐ Right eye prior to 45 degrees
- ☐ Distinct jerking in right eye at maximum deviation
- ☐ Vertical Nystagmus in right eye

WALK AND TURN:

The following task was demonstrated and explained to Kraft, which he stated that he understood. During the instructional stage, Kraft started the task too soon and lost his balance numerous times. The task had to be repeated to Kraft. During the walking stage, Kraft took 9 steps forward, missing heel to toe between step numbers 3-4, 5-6, 8-9 and stepped off the line. Kraft completed an improper turn and asked for further directions. Kraft took 10 returning steps, not counting out loud.

ONE LEG STAND:

The following task was demonstrated and explained to Kraft, which he stated he understood. During the instructional stage, Kraft swayed from side to side and started the task too soon. During the balancing stage, Kraft swayed for balance and put his leg down prior to the 30 seconds.

FINGER TO NOSE:

The following task was demonstrated and explained to Kraft, which he stated he understood. During the instructional stage, Kraft swayed from side to side. During the exercise stage, Kraft missed the tip of his nose on the second and third right hand command. Kraft failed to return his arm back to his side after touching his nose.

ROMBERG/ALPHABET:

The following task was demonstrated and explained to Kraft, which he stated he understood. During the instructional stage, Kraft swayed from side to side. During the exercise stage, Kraft kept his eyes closed and recited the alphabet correctly but fast.

Based on the above facts, Kraft was placed into custody under suspicion of DUI (D/L and Spaced). Kraft was then placed in the back seat of Officer Castro's marked patrol vehicle 4734 and was transported to the Palm Beach County BAT facility. Officer Castro and I arrived at the facility at 0230 hours, started my 20 minutes observations at 0235 hours and completed it at 0255hrs. Upon completion I requested Kraft to provide a sample of his breath to determine the alcohol content, which he agreed to. While preparing the instrument Kraft asked what would happen if he did not provide the breath sample. Therefore I read Kraft Implied Consent, which he stated that he understood. I then requested a second time, which he

consented to. Kraft provided two accurate breath samples which were .191 and .196. I then read Kraft his Miranda Warnings, which he stated that he understood. Kraft completed the Q & As. Investigation was completed at this time.

Based on the above facts I've established Probable Cause to arrest Kraft with 1M count of DUI > .15 BAC (Enhanced) F.S.S. 316.193(4). Kraft was processed and later TOT PBCJ.

In-car video was later entered into the Boynton Beach Police Evidence Department. Incident was captured via BWC. Kraft's vehicle was removed from scene by Beck's Towing.

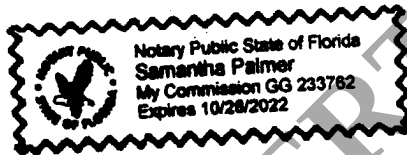
Nothing further.

The following instrument was sworn to before me this 16 day of November 2019

By: OFC. Gomez

[Signature]
Notary/Police Officer (F.S.S. 117.10)

[Signature]
Signature of Arresting Officer



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: 80-006029 Software: 8100.27
Date of Test: 11/16/2019

Date of Last Agency Inspection: 11/15/2019

Observation Period Began: 02:35

Subject's Name: PETER VINCENT KRAFT

DOB: 02/03/1995 Sex: M

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	03:01
	Air Blank	0.000	03:02
	Control Test	0.081	03:02
	Air Blank	0.000	03:02
	Subject Sample #1	0.191	03:03
	Air Blank	0.000	03:04
	Air Blank	0.000	03:05
	Subject Sample #2	0.196	03:06
	Air Blank	0.000	03:07
	Control Test	0.080	03:07
	Air Blank	0.000	03:07
	Diagnostics Check	OK	03:08

Cylinder Lot: 17919080A1
Exp: 08/05/2021

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 SAMANTHA M PALMER, 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: _____

Signature

Date: 11/16/19

Sworn to (or affirmed) before me this 16 day of November, 2019

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.

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ALCOHOL TESTING PROGRAM
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	Control Test	0.081	03:02
	Air Blank	0.000	03:02
	Subject Sample #1	0.191	03:03
	Air Blank	0.000	03:04
	Air Blank	0.000	03:05
	Subject Sample #2	0.196	03:06
	Air Blank	0.000	03:07
	Control Test	0.080	03:07
	Air Blank	0.000	03:07
	Diagnostics Check	OK	03:08

Cylinder Lot: 17919080A1
Exp: 08/05/2021

State of Florida, County of Palm Beach

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Breath Test Operator: [Signature] Date: 11/16/19
Signature

Sworn to (or affirmed) before me this 16 day of November, 2019

[Signature]
Signature of Notary Public-State of Florida

DFC. Gomez #1119
Printed Name of Notary Public-State of Florida

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TESTING FACILITY TASK REPORT

AGENCY: BBPD/GOMEZ

SUBJECT: KRAFT, PETER

CASE NUMBER: 19-138127

DATE: Nov 16, 2019

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0257

ENDING TIME: 0316

BREATH TESTS RESULTS: 1) .191 TIME 0303 A.M. ☒ P.M. ☐ 2) .196 TIME 0306 A.M. ☒ P.M. ☐
3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICIAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: ACCENT

ATTITUDE: CALM, QUIET, COOPERATIVE, POLITE

CLOTHING: WHITE SHIRT, BLUE JEANS, TAN SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: GLASSY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGES COMING FROM BREATH,

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0235
SUBJECT AGREED TO TAKE BREATH TEST
SUBJECT WANTED TO KNOW WHAT WOULD HAPPEN TO HIM IF HE DIDNT
A/O READ I/C
SUBJECT STATED HE UNDERSTOOD I/C
AND AGREED TO TAKE THE BREATH TEST
SUBJECT PROVIDED TWO ADEQUATE BREATH SAMPLES SUCCESSFULLY
TECH READ RESULTS
SUBJECT STATED HE UNDERSTOOD HIS RESULTS
A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD RIGHTS
A/O CONDUCTED Q&A
SUBJECT ANSWERED SOME QUESTIONS

CASE #: 19-063637

DEFENDANT: KRAFT, PETER, VINCENT

Arresting Officer: M. GOMEZ

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

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

Name: D. CASTRO

Address: 100 E. BOYNTON BEACH BOULEVARD BOYNTON BEACH FL, 33435

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

Can testify to: THE INCIDENT

Name: R.HALL

Address: 100 E BOYNTON BEACH BOULEVARD BOYNTON BEACH FL, 33435

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

Can testify to: THE INCIDENT

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: _____

CASE #: 19-063637

DEFENDANT: KRAFT, PETER, VINCENT

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? YES

Where were you going? HOME

What Street or Highway were you on? I DON'T THINK THAT'S RELEVANT

What was your direction of travel? SOUTH

Where did you start from? NEXT QUESTION

What time did you start? NEXT QUESTION

What time is it now? NEXT QUESTION

What is today's date? 16TH OF NOVEMBER

What day of the week is it? FRIDAY

What City and County are you in now? ASSUME PALM BEACH COUNTY

When did you last eat? NEXT QUESTION SORRY PLEASE

What did you eat? NEXT QUESTION SORRY PLEASE

What have you been doing for the last three hours? NEXT QUESTION PLEASE SORRY

How much do you weigh? 155

Have you been drinking? RECENTLY NO

What have you been drinking? NOTHING

How much? NOTHING

With whom? NOONE

When did you have your first drink? CANT RECALL

When did you have your last drink? CANT RECALL

Can you feel the effects of the alcohol? NO SIR

Are you under the influence? NO SIR

Have you consumed any alcohol since the stop/accident? NO SIR

How much? NOTHING What? _____ Where? _____ When? _____

What line of work are you in? SKIP THAT QUESTION

When did you last work? SKIP THAT QUESTION

Do you have any physical defects or injuries? NO SIR What? _____

Are you sick or injured? NO SIR What's wrong? _____

Do you limp? NOPE

Did you receive a bump on the head recently? NO SIR

Where were you in an accident today? NO SIR

Have you taken any drugs or smoked any marijuana today? NO SIR When? _____

Have you seen a doctor or dentist today? NO SIR

Who? _____ Why? _____

Are you taking any prescription medicines? NO SIR

What? _____ When? _____

Do you have? Epilepsy NO SIR Glass Eye NO SIR False teeth NO SIR
Ear infection NO SIR Inner ear trouble NO SIR Diabetes NO SIR

Do you have any problems with your eyes that are not corrected by glasses? NO, UH YES.

Do you take insulin? NO If so, when was your last injection? _____

Have you ever had a driver's license in any other state? YES

Where? OHIO

SUBJECT

WILL, Jeter

CASE NUMBER

19 03 37

RIGHT TO REFUSE AND CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH THE REQUEST FOR A TEST.

I am now requesting that you submit to a chemical test of your BREATH for the purpose of determining the alcohol content.

OR

I am now requesting that you submit to a chemical test of your URINE for the purpose of determining the presence of chemical or controlled substances.

OR

I am now requesting that you submit to a chemical test of your BLOOD for the purpose of determining the alcohol content and the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH THE REQUEST FOR A TEST.

I am Officer Gomez of the Bureau Bch PD

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 you refuse to submit to a chemical test of your breath, urine or blood. Additionally, if you refuse to submit to a chemical test of your breath, urine or blood, you may be arrested for driving under the influence of alcohol or drugs. If you have been previously arrested for driving under the influence of alcohol or drugs, your refusal to submit to a chemical test of your breath, urine or blood may be used against you in any criminal proceeding.

SUBJECT'S SIGNATURE (If)

Read on Camera

CONSTITUTIONAL WARNINGS

I AM REQUESTING THAT YOU MAKE ANY STATEMENTS OR ANSWER ANY QUESTIONS OF YOUR OWN FREE WILL.

1. You have the right to remain silent and not answer any questions.
2. Anything you say can be used against you in court.
3. You have the right to stop the interview at any time. You also have the right to stop the interview at any time by saying "stop" or "I want a lawyer".
4. If you cannot afford a lawyer, one will be appointed for you before any questioning if you cannot afford a lawyer.
5. If at any time during the interview you decide you wish to answer any questions, you will need to answer them truthfully.
6. I am making the above statement to advise you to make a statement. This statement will be made for the record.
7. Any statement you make will be used against you in a court of law.

SUSPECT'S SIGNATURE (If)

Read on Camera



**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:	

REVIEW COMPLETED BY

Booking Number: 2019036996

Date: 11/17/2019

Specialist Name/ID: AM/31562