J#0564676 19CM470 NH PCF# 3617

ARREST / NOTICE TO APPEAR

1 Arrest 3 Request for Warrant
2 NTA 4 Request for Capias
5 Juvenile Referral

1 JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number: 0500200
Agency Name: Boca Raton Police Department
Agency Report Number (NTA's only): 3 2 2019-000918

Charge Type (Check as many as apply): ☐ 1 Felony ☒ 3 Misdemeanor ☐ 5 Ordinance ☐ 2 Traffic Felony ☐ 4 Traffic Misdemeanor ☐ 6 Other
If Weapon Seized — Enter Type: None/not Applicable
Multiple Clearance Indicator

Location of Arrest (Including Name of Business): 175 N FEDERAL HWY
Location of Offense (Business Name Address): 175 N FEDERAL HWY, BOCA RATON, FL 33432

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
01/19/2019	05:11					

DEFENDANT

Name (Last, First, Middle): DUVAL, PHILIP
Alias (Name, DOB, Soc Sec #, Etc): Alias:

Race (W - White, I - American Indian, B - Black, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	07/20/1995	5'10	190	BLUE	BLONDE	LIGHT	MED

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): TATT R LEG / MARLIN/POSEIDON; TATT L ARM / SLEEVE
Marital Status: S
Religion: CATHOLIC
Indication of Alcohol Influence: ☒ Yes ☐ No ☐ Unk. Drug Influence
Local Address (Street, Apt Number) (City) (State) (Zip): 1285 SW 13TH DR, BOCA RATON, FL 33486
Phone: (561) 362-0866
Residence Type: 1 City 3 Florida 2 County 4 Out of State
Permanent Address (Street, Apt Number) (City) (State) (Zip): 1285 SW 13TH DR, BOCA RATON, FL 33486
Phone: (561) 362-0866
Address Source: DEFENDANT
Business Address (Name, Street) (City) (State) (Zip): SCHOOL STUDENT,
Phone:
Occupation:

D/L Number, State	Soc Sec Number	INS Number	Place of Birth (City, State)	Citizenship
D140678952600 / FL	[redacted]		PALM BEACH, FL	

CO-DEF

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

JUVENILE

☐ Parent ☐ Other ☐ Legal Custodian
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 Department and Released 2 TOT JAC 3 Incarcerated
Released To (Name): Relationship: Date: Time:

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 355-2526) informed of any change of address
☐ Yes, by ☐ No

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 Synthetic, U Unknown, Z Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI	316.193(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		OR

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
REFUSE TO SUBMIT TO BAL TEST	316.1939	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		OR

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant:
Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries
Explain:

Check which applies: ☐ Released O R ☐ Released to Parent/Guardian ☐ T O T County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By	Released By	Released To

Transported By	Date Transported	Time Transported	Other

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court Room): South County 200 W Atlantic Ave Delray Beach, FL 33444
Court Date and Time: 02/19/2019 08:30:17

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR VIOLATION DESCRIBED. 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.

Received
JAN 23 2019

Signature of Defendant (or Juvenile and Parent/Custodian) Date Signed

2019 JAN 20 AM 8:22

No Photo Available

ADMIN

HOLD for Other Agency:
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Signature of Arresting Officer:
Name of Arresting Officer (Print): BURNETTE, A. N. ID #: 798
Name Verification (Printed by Arrestee) (PRINT):

Issuing Deputy: ID #: Pouch #: 3617
Transporting Officer: Valdes ID #: 703 Agency: BRPD
Witness here if subject signed with an "X":

PAGE 1 OF 3

COURT COPY ARRESTEE COPY ARREST RECORDS COPY STATE ATTORNEY COPY MISDEMEANANTS COPY DEFENDANT COPY

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PROBABLE CAUSE AFFIDAVIT

OBTS Number | 1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 2 2019-000918

Charge Type (Check as many as apply): ☐ 1 Felony ☐ 2 Traffic Felony ☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other

Special Notes

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
DUVAL, PHILIP		W	M	07/20/1995

Charge Description	Charge Description
316.193 (1) DUI	316.1939 REFUSE TO SUBMIT TO BAL TEST
Charge Description	Charge Description

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
STATE OF FLORIDA,			

Local Address (Street, Apt Number) (City) (State) (Zip)	Phone	Address Source
100 NW 2ND AVE, BOCA RATON, FL 33432	(561) -	
Business Address (Name Street) (City) (State) (Zip)	Phone	Occupation
	(56) -	

The undersigned certifies and swears that he/she has just and resonable grounds to believe, and does believe that the above named Defendant committed the following violation of law

The Person taken into custody

☐ committed the below acts in my presence
☐ confessed to _____ admitting to the below facts
☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.
☒ was found to have committed the below acts, resulting from my (described) investigation

On the 19 day of January, 2019 at 04:37 (Specifically include facts constituting cause for arrest.)

On 01/19/2019 at approximately 0258 hours, I responded to 175 N Federal Hwy in reference to a traffic stop.

Upon arrival, I met with Sergeant Frenz of the Boca Raton Police Department who informed me of the circumstances and events surrounding the traffic stop. Sgt. Frenz stated that as he was traveling eastbound on NE 2nd Ave, he observed a blue Chevrolet traveling southbound on Federal Hwy and approaching NE 2nd Ave. The vehicle then made an abrupt right-hand turn at a high rate of speed to go west on NE 2nd St. As the vehicle was turning, he could hear the tires screeching and feared that the vehicle would strike the side of his patrol unit. The vehicle ended up on the wrong side of the road behind Sgt. Frenz in the eastbound left-hand turn lane to go north on Federal Hwy. Sgt. Frenz then conducted a traffic stop on the vehicle in the parking lot of 175 N. Federal Hwy (Burger King). I then arrived on scene and took over the investigation.

I approached the blue Chevy on the driver`s side and observed a white male seated in the passenger seat. I asked the driver who I later identified as Philip Duval by his valid FL DL, and he stated that he was coming from his friend`s house. As I was conversing with Duval, I could still smell a strong odor of an alcoholic beverage coming from his mouth. I observed his eyes to be bloodshot, glassy, watery and red. At this point, I asked him to perform voluntary Standardized Field Sobriety Exercises (SFSE`s) so I could ensure he was not intoxicated and would be ok to drive and he consented. The lighting consisted of my patrol vehicle, streetlights, and my flashlight. The temperature was approximately 64 degrees. No surface defects were noted or claimed. Officer Alvarez, Officer McQuiston and Sgt. Frenz were on scene as backup.

The first FSE I asked him to perform was the Horizontal Gaze Nystagmus. I instructed him on where to stand and how to perform the exercise. I asked him if he had any head injuries past or present and he stated no. He was not wearing glasses or any contact

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SWORN AND SUBSCRIBED BEFORE ME

GRAHAM, KEITH T
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

01/19/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BURNETTE, ASHLEY NICOLE (798)
NAME OF OFFICER (PLEASE PRINT)

01/19/2019
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

OBTS Number

PROBABLE CAUSE AFFIDAVIT SUPPLEMENT

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | JUVENILE

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 | 2019-000918

Charge Type (Check as many as apply): ☐ 1 Felony ☐ 2 Traffic Felony ☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other

Special Notes

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
DUVAL, PHILIP		W	M	07/20/1995

PROBABLE CAUSE STATEMENT

lenses. He did not have resting Nystagmus, and his pupil size was equal. He exhibited lack of smooth pursuit in both eyes, distinct and sustained Nystagmus at maximum deviation in both eyes, and the onset of Nystagmus prior to 45 degrees in both eyes. Vertical gaze Nystagmus was not present in either eye. While conducting the HGN, I continued to smell an odor of an alcoholic beverage coming from his mouth. During the exercise, Duval exhibited a front to back sway.

The second exercise was the walk and turn. I gave the instructions and demonstrated the exercise prior to asking him to perform it. I asked him if he had any physical issues that would prevent him from performing the exercise, and he stated no. He failed to stay in the starting position as I was explaining the instructions. On the first nine heel to toe steps, he failed to touch heel to toe on all steps taken. He did not perform the turnaround properly, taking his lead foot off the line and turning around and failed he failed to touch heel to toe on all steps taken.

The third exercise was the one leg stand. I gave the instructions and demonstrated the exercise prior to asking him to perform it. I asked him if he had any physical issues that would prevent him from performing the exercise, he stated no. I gave the instructions to begin whenever he was ready, and he raised his left foot. During the exercise, He failed to count as instructed, counting 1001, 1002, 1003, 1004, 5, 6, 7, 8, 9, 10, 11, and 12. During the exercise, he exhibited a front to back sway.

The Fourth FSE I asked him to perform was the finger to nose (L-R-L-R-L-L-R). I gave the instructions and demonstrated the exercise prior to asking him to perform it. I asked him if he understood the instructions and he stated yes. He failed to touch finger to nose on every turn, touching the pad of his finger to the tip of his nose. He exhibited a front to back sway during the exercise.

The fifth FSE I asked him to perform was the Rhomberg with recitation. I gave the instructions and demonstrated the exercise prior to asking her to perform it. I asked him if he understood the instructions and he stated yes. I asked him what level of education he had, and he stated some college. I asked him if he knew the English alphabet and he stated yes. During recitation, he exhibited a front to back sway.

I read Duval his constitutional warnings and he refused to speak with me or answer any questions.

Based on the totality of circumstances, I placed Duval under arrest for violation of F.S.S 316.193(1) at 0317 hours. I placed him in the right rear seat of my patrol vehicle.

Ofc. Coon responded to BRPD as my Breath Test Operator. Ofc. Coon and I conducted the 20-minute observation and then he was taken into the BAT room. Duval was asked to

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

GRAHAM, KEITH T
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

01/19/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BURNETTE, ASHLEY NICOLE (798)
NAME OF OFFICER (PLEASE PRINT)

01/19/2019
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P.I.O.

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | JUVENILE

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 | 2019-000918

Charge Type (Check as many as apply): ☐ 1 Felony ☒ 3 Misdemeanor ☐ 5 Ordinance ☐ 2 Traffic Felony ☐ 4 Traffic Misdemeanor ☐ 6 Other

Special Notes

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
DUVAL, PHILIP		W	M	07/20/1995

provide a breath sample and he refused. I read him implied consent to which he still refused to provide a breath sample. See DUI influence report.

Duval was transported to the Palm Beach County Jail for further processing.

PROBABLE CAUSE STATEMENT

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SWORN AND SUBSCRIBED BEFORE ME

GRAHAM, KEITH T #714
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

01/19/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BURNETTE, ASHLEY NICOLE (798)
NAME OF OFFICER (PLEASE PRINT)

01/19/2019
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, OFC. BURNETTE, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of BOCA RATON POLICE DEPT, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 19 day of JANUARY, 20 19, at 0353 ☐ P.M ☒ A.M.

DRIVER PHILIP TAGUE DUVAL,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# D140678952600, state of FLORIDA, was placed under lawful arrest for

the offense of DUI by OFC. BURNETTE and
(Name of Arresting Officer)

issued Citation # A6LQ6ME

That on or about the 19 day of JANUARY, 20 19, at 0317 ☐ P.M ☒ A.M.

in PALM BEACH County,

I requested that the driver submit to a ☒ **breath and/or** ☐ **urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title OFFICER

Date 1/19/19

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this _____ day of _____, 20 _____,

by _____,

who is personally known to me or who has produced

_____ as identification

Notary Public _____

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

HSMV-BAR1001 (REV. 10/2016)

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2019000918
0330
0317

DUI INFLUENCE REPORT

NOT A CERTIFIED COPY

BOCA RATON POLICE SERVICES DEPARTMENT
100 NW 2nd Avenue
Boca Raton, FL 33432

Revised: July 9, 2018

ARRESTING OFFICER: BURNETTE

Name: OFC. BURNETTE Phone # (561)368620 Work # _____

Address: 100 NW 2ND AVE

Can testify to: TRAFFIC STOP / ROADSIDES

Name: MCQUISTON Phone # (561)368620 Work # _____

Address: 100 NW 2ND AVE

Can testify to: ROADSIDES

Name: ALVAREZ Phone # (561) 368620 Work # _____

Address: 100 NW 2ND AVE

Can testify to: ROADSIDES

Name: FRENZ Phone # (561) 368620 Work # _____

Address: 100 NW 2ND AVE

Can testify to: ROADSIDES

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

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BOCA RATON POLICE SERVICES DEPARTMENT
DUI INFLUENCE REPORT – PART II

To be filled out at testing facility

Agency Case # 20190000918

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is SATURDAY (day), JANUARY (month), 19 (date), 2019 (year).

B. The time is now approximately 0353 (AM)/PM.

C. The following is in reference to case number 20190000918.

D. Present at this time is OFC BURNETTE / OFC. COON of the Boca Raton Police Department. (Officer's Name)

E. Officer BURNETTE, have you arrested PHILIP DUVAL in violation of Florida State Statute 316.193? (Defendant's name)

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida? YES

G. (Mr)./Mrs./Ms. DUVAL, I am required to inform you these proceedings are being video recorded.

Operator Note: ***Video record breath request, breath sample, and interview.***

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II. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

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

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

C. 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.

IMPLIED CONSENT WARNINGS

Note: Read only if the subject does not comply with your request.

I am OFC. BURNETTE of the BRPD.

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 Signature: SEE VIDEO

Note: Also read for CDL holders:

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

Note: After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time (Mr.)/Mrs./Ms. DUVAL has refused to submit to a breath test.

The date is JANUARY (month) 19 (day), 2017 (year) and the time is 0353 (AM)/PM.

A refusal form will be completed by the arresting officer.

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BOCA RATON POLICE SERVICES DEPARTMENT

JUVENILE CONSTITUTIONAL WARNINGS

Rights of suspects prior to custodial questioning.
Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions. *Tell me in your own words what you think this means.*
(You do not have to talk to me or answer any questions about this offense. You can be quiet if you want.)

(2) Any statement you make must be freely and voluntarily given. *Tell me in your own words what you think this means.*
(If you do talk to me it has to be because you want to and not because anyone is forcing you to speak.)

(3) You have a right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning. *Tell me in your own words what you think this means.*
(You can talk to a lawyer before we ask you any questions and you can have him/her with you now, during our questioning.)

(4) If you cannot afford a lawyer, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning. *Tell me in your own words what you think this means*
(If you do not have money for a lawyer and you want one, a lawyer will be given to you for free.)

(5) If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. *Tell me in your own words what you think this means.*
(If you decide to talk to me then change your mind, you can stop answering my questions at any time.)

(6) I can make no threats or promises to induce you to make a statement. This must be of your own free will. *Tell me in your own words what you think this means*
(I am not allowed to threaten you or make you any promises to get you to talk to me. If you decide to talk, it must be because you want to.)

(7) Any statement can be and will be used against you in a court of law. *Tell me in your own words what you think this means*
(Anything you say to me can and will be told to the judge or a jury in court. A judge is a person who decides if you have done something wrong. Sometimes a group of people called a jury decide this, but the Judge is the person who decides what punishment you get.)

(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____

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BOCA RATON POLICE SERVICES DEPARTMENT

TESTING FACILITY TASK REPORT

SUBJECT: DUVAL, PHILIP

CASE #: 2019000918 DATE: 1/19/19

BREATH TEST RESULTS

1) TIME _____ AM/PM 2) TIME _____ AM/PM

3) TIME _____ AM/PM 4) TIME _____ AM/PM

BREATH OPERATOR: OFC. COON

MAINTENANCE TECHNICIAN: OFC. VAN CAMP

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLOW, SLURRED, STILTED SPEECH PATTERN

ATTITUDE: ANGRY, UNCOOPERATIVE

CLOTHING: BLUE SHIRT, BLACK PANTS, BLACK SHOES

MEDICAL CONDITION: NONE

OTHER: _____

COMMENTS: NOT VERY TALKATIVE, DISHEVELED

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Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions.
(2) Any statement you make must be freely and voluntarily given.
(3) You have a right to the presence and representation 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 and representation of a court appointed lawyer before you make any statement 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 be and will be used against you in a court of law.
(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: REFUSED Date: _____ Time: _____

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? _____

Where were you going? _____

What street or highway were you on? _____

Direction of travel? _____

Where did you start driving from? _____

What city (county) were you stopped in? _____

What time did you start? _____ AM/PM What time is it now? _____

What is today's date? _____ What day of the week is it? _____

When did you last eat? _____ What did you eat? _____

What have you been doing the past three hours prior to this stop/accident? _____

How much do you weigh? _____ Have you been drinking? _____ What were you drinking? _____
_____

How much? _____ Where? _____ With whom were you drinking? _____

When did you have your first drink? _____ AM/PM When did you stop drinking? _____AM/PM

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How did you consume your last two drinks? _____

Are you under the influence of alcohol now? ☐ Yes ☐ No

Can you feel the effects of alcohol? ☐ Yes ☐ No

Have you consumed alcohol since the accident? ☐ Yes ☐ No

Can you feel the effects of alcohol? ☐ Yes ☐ No

Have you consumed alcohol since the accident? ☐ Yes ☐ No How much? _____

What? _____ Where? _____

What line of work are you in? _____

When did you last work? _____

Do you have any physical defects or injuries? ☐ Yes ☐ No If yes, explain:

_____

Are you sick or injured? ☐ Yes ☐ No If yes, explain:

_____

Do you limp? ☐ Yes ☐ No Did you get a bump on the head? ☐ Yes ☐ No

Were you in an accident today? _____

Have you taken any drugs or smoked marijuana today? _____

What? _____ When? _____

Have you seen a doctor or dentist today? ☐ Yes ☐ No Who? _____

Are you taking any prescription medications? ☐ Yes ☐ No What? _____ When? _____

Do you have: Epilepsy? ☐ Yes ☐ No Inner ear trouble? ☐ Yes ☐ No

Glass eye? ☐ Yes ☐ No Ear infection? ☐ Yes ☐ No

False teeth? ☐ Yes ☐ No Diabetes? ☐ Yes ☐ No

Any problems not correctable by glasses or contact lenses? _____

Do you take insulin? ☐ Yes ☐ No If yes, when was your last injection? _____

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

I am now ending this video recording. The time is now approximately 0402 AM/PM.

The date is JANUARY (month), 19 (day), 2019 (year).

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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.	
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Other	☐		Other:	
	☐		Other:	

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Booking Number: 2019002227	**Date:** 01/20/2019
	Specialist Name/ID: AM/31562