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1186

FLORIDA HIGHWAY PATROL

REPORT NUMBER
FHP99ARR122350

ARREST REPORT

Report Date / Time	Agency Case/Offense Number	OCA Number (Originating Agency Case Number)	OBTS Number (Offender Based Transaction System)	Jail Booking Number	Other Number
08/19/2016 08:12 PM	FHPK16OFF054988				LWRC16CAD142453

LOCATION OF OCCURRENCE

County	Address		
PALM BEACH	FLORIDA'S TPKE , JUPITER, FL 33478		
Range of Occurrence Date/Time		Latitude	Longitude
08/19/2016 07:01 PM to 08/19/2016 07:01 PM		N 26 56.0736	W 80 9.2178

PERSON: SUSPECT

First Name	Middle Name	Last Name	Suffix	Date of Birth	Age	Race	Sex	Height	Weight	Hair	Eyes
ROBERT	REED	ACKMAN		01/07/1970	46	W	M	509	190	BRO	HAZ

Master Name Index Number	Place of Birth	Nation	SSN	Driver's License or Other ID	State	Class or Type
	KENTUCKY / Louisville		402-82-0071	A255776700070	FL	

Address	City	County	State	Zip Code	Phone
9227 QUAIL TRL	JUPITER		FL	33478	

CHARGES

Counts	Charge Number	Charge
1	316.193.1	DUI ALCOHOL OR DRUGS

Charge Degree	Charge Level	General Offense Code	Hate Crime	Domestic Violence	Bond Amount
	MISDEMEANOR	PRINCIPAL	☐	☐	$0.00

DUI ALCOHOL OR DRUGS

PROBABLE CAUSE

On the above date I was traveling northbound on State Road 91 (Florida's Turnpike) in the left lane. I observed a white truck in the left lane, 2 cars in front swerving to the left crossing the yellow line. The truck would swerve back to the right crossing over the white dotted line. The truck would tailgate other cars. The truck began to tailgate a black Mazda Miata which made the driver switch lanes. As I passed that car the driver throw up his hands at me. The truck would speed up and slow down as it was passing cars. The truck then switched lanes into the right lane crossing over the white line. Once the truck got in front of the traffic I activated my emergency lights to get the truck to stop. The truck continued to drive and exited State Road 91 at exit 116 (Indiantown Rd). The vehicle stopped right before the toll booth on the right shoulder. I approached the truck on the drivers side. I could immediately smell the obvious odor of an unknown alcoholic beverage coming from the vehicle as the driver lowered his window. I stated to the driver the reason why I pulled him over was because he was speeding up/slowing down and swerving out of his lane. I asked the driver where is he coming from and he stated a golf tournament down south. He stated he was playing gold today. I asked the driver for his drivers license and he handed it to me. I asked him is the address correct and he stated yes, he lives just down the road. I could smell the obvious odor of an unknown alcoholic beverage on the drivers breath as he talked to me. I asked the driver how much has he had to drink and he said just a few cocktails. I asked the driver to step out of his vehicle and to walk to the back of his truck. The driver used the door to steady himself as he got out. I stated to the driver that based on his driving pattern, the odor of an unknown alcoholic beverage on his breath and stating his been drinking I want him to perform field sobriety tasks. the driver agreed to perform them. I asked the driver to remove his sunglasses. The drivers eyes were bloodshot and glassy. I asked the driver if he has any medical conditions with his eyes and he stated no. I asked if he has anything wrong with him physically and he stated no. Prior to field sobriety tasks, I gave all the instructions and demonstrated to the driver on what I was going to ask and the driver understood.

HGN: A red pen light was used as a stimulus. There was equal pupil size, no resting Nystagmus, and equal tracking. All 6 clues were observed. The driver had lack of smooth pursuit in both eyes, distinct and sustained Nystagmus at maximum deviation in both eyes, and Nystagmus prior to 45 degrees in both eyes. The driver had VGN as well. The driver would move his head at various moments. The driver swayed while standing.

WAT: The ground had a slight pitch down as if he would walk away, was free from debris. The driver was instructed to walk straight since no line was available. The driver chose to walk bare foot. The driver couldn't maintain his balance while instructions were being given twice. The driver started before instructed too. The driver missed heel to toe on steps 1-7 walking forward. Los his balance while turning. On step 1 walking back he stepped to his left off a straight path.

OLS: The driver chose to raise his right foot. He used his arms for balance. He put his foot down on his count of 9,12. He counted 10 then 12. He then began counting in the manner of 10-12, 10-13, 10-14. The driver didn't raise his foot 6 inches as instructed to.

FTN: (L) Used palm of finger. Lowered slowly. (R) Touched left side of nose. Used palm of finger. Lowered slowly. Opened his eyes (L) Used palm of finger. Lowered slowly (R) Touched right side of nose. Used palm of finger. Lowered slowly (R) Used palm of finger. Lowered slowly (L) Used palm of finger. Lowered slowly.

After performing field sobriety tasks the driver was placed under arrest for DUI. I transported the driver to the PBC Bat where I conducted a 20 minute observation on the driver keeping constant eye on him. Then I asked the driver to provide a Breath test. The driver refused and I read implied Consent to the driver. The driver understood Implied Consent and I asked for a breath test again. the driver refused again at 20:33. Miranda warnig was read to the driver and he wished not to answer any questions. The driver was then transported to the PBC Jail

All events were recorded on in car camera.

SCANNED

LEO BOND

Bond Amount $					
_____	☐ None ☐ Pro	☐ ROR	☐ Cash	☐ Any	☐ PreTrial If Qualify ☐

COURT APPEARANCE INFORMATION

Court	Court Phone	Court Date & Time
(COUNTY) CRIMINAL JUSTICE COMPLEX	561-355-2994	09/15/2016 08:30 AM

Court Address
3228 GUN CLUB ROAD, WEST PALM BEACH, FL 33406

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Report Date / Time	Agency Case/Offense Number	OCA Number (Originating Agency Case Number)	OBTS Number (Officer Based Tracking System)	Jail Booking Number	Other Number
08/19/2016 08:12 PM	FHPK16OFF054988				LWRC16CAD142453

ARREST INFORMATION

Arrest Date / Time	Residency	Injured	Extent of Injury	Resist Arrest
08/19/2016 07:18 PM	Within state	None	N/A	No

Prior Arrests	Arrest Jurisdiction	Alcohol	Drugs
Yes	Within state	Yes	Unknown

ARREST LOCATION

County	Address
PALM BEACH	FLORIDA'S TPKE , JUPITER, FL 33478

ARREST DELIVERED TO

Jail / Booking Facility	Location	Phone
PALM BEACH COUNTY CORRECTIONS	3228 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33406	(561) 688-4400

ARRESTING OFFICER

Officer Call Number	Officer Name
1161	K. GRUEBEL

Officer Signature

Subscribed and sworn to (or affirmed) before me this 19 day of Aug A.D., 2016 by _____ who is personally known to me or has produced _____ as identification.

Signature _____ Notary Public __LEO __CO Commission No: _____ My Commission Expires: _____

NANCY M. SCHAFER
Notary Public - State of Florida
My Comm. Expires Mar 12, 2018
Commission # FF 070918

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AUG 2 7 2016

WITNESS LIST

Name Tpr. K. Gruebel On Scene ☒ Yes ☐ No Statement ☐ Yes ☐ No

Home Address

Place of Employment Florida Highway Patrol
Employment Address P.O.BOX 16007 WEST PALM BEACH, FL 33416

Phone Numbers: Primary Secondary

Can Testify To: Driving pattern and Road side Tasks

Name On Scene ☐ Yes ☐ No Statement ☐ Yes ☐ No

Home Address

Place of Employment
Employment Address

Phone Numbers: Primary Secondary

Can Testify To:

Name On Scene ☐ Yes ☐ No Statement ☐ Yes ☐ No

Home Address

Place of Employment
Employment Address

Phone Numbers: Primary Secondary

Can Testify To:

Name On Scene ☐ Yes ☐ No Statement ☐ Yes ☐ No

Home Address

Place of Employment
Employment Address

Phone Numbers: Primary Secondary

Can Testify To:

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AUG 21 2016

Case Number: THI Case Number: Page

TESTING FACILITY TASK REPORT

AGENCY: FHP

SUBJECT: Ackman, Robert R.

CASE NUMBER: 16-116588

DATE: August 19, 2016

VIDEO DVD NUMBER: 61264

BEGINNING TIME: 20:31

ENDING TIME: 20:34

BREATH TESTS RESULTS: 1) REF TIME 20:33 A.M.☐ P.M.☒ 2) ____ TIME ____ A.M.☐ P.M.☐

3) ____ TIME ____ A.M.☐ P.M.☐ 4) ____ TIME ____ A.M.☐ P.M.☐

REFUSED

BREATH OPERATOR: N. Schafer, #2644

MAINTENANCE TECHNICAN: J. Karlecke, #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: Cooperative, emotional during observation due to circumstances.

CLOTHING: Short sleeve polo shirt, gray with white stripes, white shorts, black flip flops

MEDICAL CONDITIONS: No

MEDICATIONS: Allopurinol (for gout)

OTHER:

Bloodshot eyes, odor of unknown alcoholic beverage from subject.

COMMENTS:

A/O observed subject for 20 minutes.

A/O requested a breath test and subject said "no".

A/O read Implied Consent and subject again said "no" to breath test.

Refusal per arresting officer at 20:33 hours.

A/O read C/W and subject stated "yes" when he was asked if he understands.

A/O proceeded with Q & A. Subject "pleads the fifth" - did not with to answer questions.

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AUG 21 2016

SUBJECT: Ackman, Robert R. CASE NUMBER: [illegible]

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) Refusal 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.

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SUSPECT'S SIGNATURE: (X) Refusal on Camera

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WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

SUBJECT: Ackman, Robert R. CASE NUMBER: [illegible]

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? _____

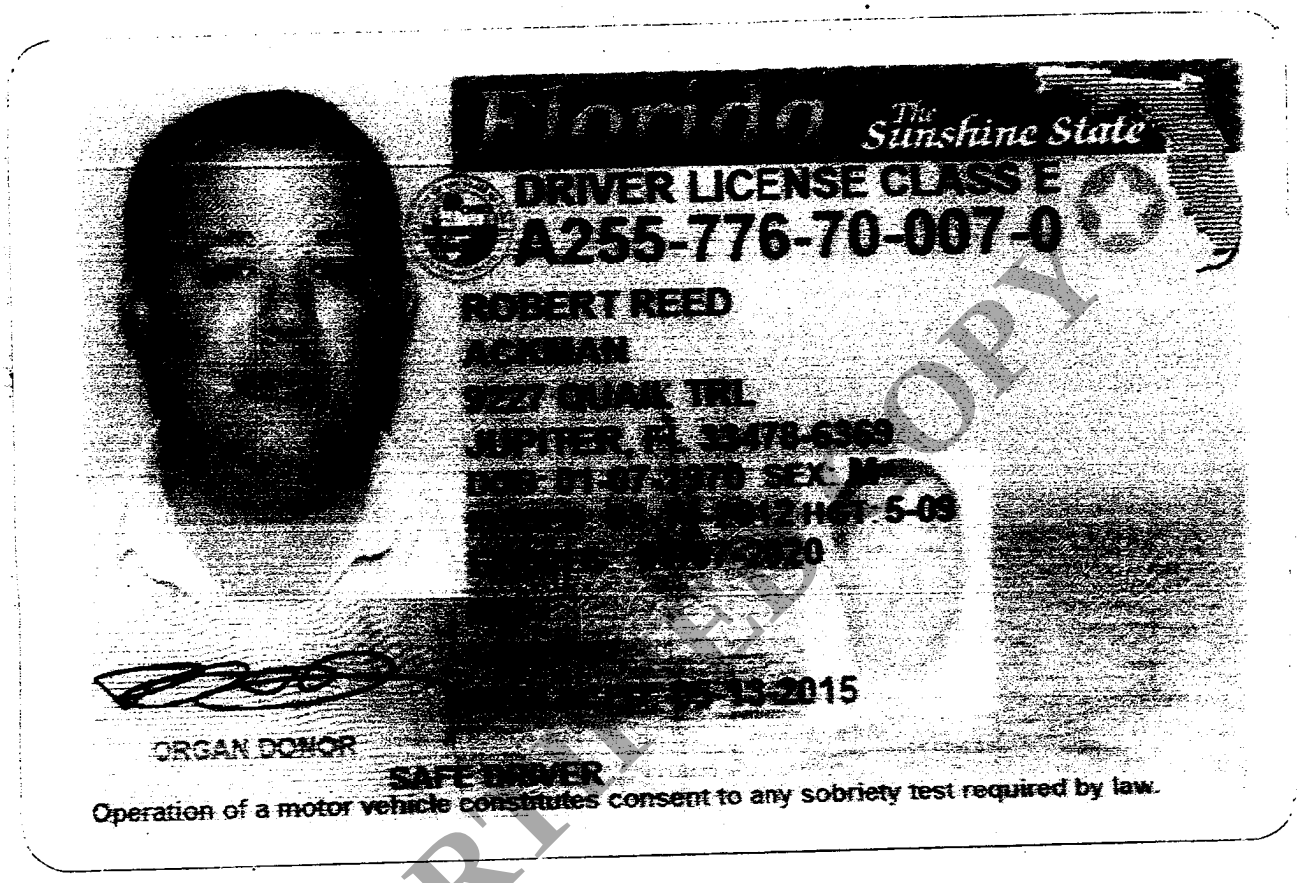
DO YOU TAKE INSULIN? _____ IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? _____ WHERE? _____

INTERVIEWER: _____

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