



051143  
Arrest Report

NIR

#2101

FLORIDA HIGHWAY PATROL  
P.O. BOX 540007, GREENACRES, FL 33454

|  |  |  |  |
|--|--|--|--|
| Report Date / Time<br>9/21/2019 05:11 PM | Report Number<br>FHP99ARR804488                | Case Number/Cad Number<br>FHPL19OFF062593 /<br>LWRC19CAD172893 | Reporting Officer Name<br>IV, ANDREW L |
| Originating Agency ORI                   | Occur Date Time Range<br>09/21/2019 16:15:47 - | Jurisdiction   | Clearance                              |

**Location of Occurrence**

|                                  |                               |  |
|----------------------------------|-------------------------------|--|
| County<br>PALM BEACH             | Location Type<br>PUBLIC PLACE | Location Description<br>INTERSTATE 95 SOUTHBOUND |
| Street Number<br>S INTERSTATE 95 | Street                        | Apt/Lot/Bldg<br>PALM BEACH GARDENS               |
| City<br>PALM BEACH GARDENS       | State<br>FL                   | Zip Code<br>33410                                |

**Defendant**

|  |                      |                             |           |  |  |               |               |             |             |
|--|----------------------|-----------------------------|-----------|--|--|---------------|---------------|-------------|-------------|
| First Name<br>STEVEN   | Middle Name<br>CLARK | Last Name<br>HOLMES         | Suffix    | Race<br>WHITE                                      | Sex<br>MALE                                  | Height<br>607 | Weight<br>220 | Hair<br>GRY | Eyes<br>BRO |
| MNI #  | SSN                  | Date of Birth<br>05/04/1959 | Age<br>60 | Place of Birth<br>WEST PALM BEACH FL UNITED STATES | Drivers License or other ID<br>H452783591640 | State<br>FL   | ID Type<br>E  |             |             |
| Address<br>* RESIDENCE / 10390 SANDY RUN RD , JUPITER, FL 33478 / 561-723-0128 |                      |                             |           |  |  |               |               |             |             |

**Arrest**

|  |                                      |  |
|--|--------------------------------------|--|
| Arrest Date/Time<br>9/21/2019 5:01:00 PM | Arrest Location Type<br>PUBLIC PLACE | Arrest Location Description<br>CVS PARKING LOT |
| Street Number<br>11000                   | Street<br>MILITARY TRL               | Apt/Lot/Bldg                                   |
| County<br>PALM BEACH                     | City<br>PALM BEACH GARDENS           | State<br>FL                                    |
| Zip Code<br>33410                        |                                      |  |

**Charge : S**

|  |                             |  |                                  |
|--|-----------------------------|--|----------------------------------|
| Counts<br>1                                | Charge<br>316.193.1         | Bond Amount<br>\$0.00                      | <input type="checkbox"/> No Bond |
| Charge Degree<br>N                         | Charge Level<br>MISDEMEANOR | General Offense Code<br>DUI-UNLAW BLD ALCH |                                  |
| Charge Description<br>DUI ALCOHOL OR DRUGS |                             |  |                                  |

**Bond Set by Court**

|              |                                  |
|--------------|----------------------------------|
| Bond Amount  | <input type="checkbox"/> No Bond |
| Bond Type(s) |                                  |

**Probable Cause**  
 \*\*\*ROUGH ARREST REPORT\*\*\* A more detailed probable cause affidavit will be submitted to the Palm Beach County State Attorney's Office at a later time.  
 On 9/21/2019 at approximately 4:17PM I was dispatched to a request for assistance by the Palm

Arrest Report

D/S Z. Tommie #8033

SCANNED

SEP 22 2019

|  |  |  |  |
|--|--|--|--|
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Beach Gardens police department in the area of Interstate 95 southbound and Military Trail in reference to a possibly impaired driver. The Lake Worth Regional Communications Center (LWRCC) or Dispatch informed me that the involved vehicle may be related to a prior reckless vehicle that was reported in the area of Interstate 95 southbound and Mile Marker 87. I traveled to the above location and observed two marked Palm Beach Gardens police vehicles parked near the right shoulder behind a black Ford pickup truck with an attached Florida tag of CNEP66. I spoke to Palm Beach Gardens Police Department Officer Matt Arnold (#441) who informed me that as he was traveling southbound on Interstate 95 the driver of the black Ford pickup truck moved into his lane forcing him to take evasive action and move his vehicle to avoid a collision with the black Ford pickup truck (Case #19-005556). Officer Arnold performed a traffic stop on the black Ford pickup which pulled to the right shoulder of the roadway. The driver of the black Ford pickup truck was identified by his Florida drivers license as Steven Clark Holmes (FL DL: H452783591640). I approached the driver side window and spoke to Mr. Holmes asking him about the incident that occurred with Officer Arnold. He stated that he was using his phone at the time. As I spoke to him I smelled the strong odor of an unknown alcoholic beverage coming from the interior of the vehicle and Mr. Holmes facial area that was strong enough to overwhelm the odor of the cigarette that he was smoking. I noticed that his eyes were red and glassy and his speech seemed to be slurred. I asked Mr. Holmes if he had anything to drink and he stated that he did, admitting to drinking a Bacardi and club soda. I later asked Mr. Holmes to exit the vehicle and spoke to him in front of my marked patrol vehicle. As I spoke to him outside his vehicle I continued to smell the strong odor of an unknown alcoholic beverage coming from his breath as he spoke. I asked him again and he admitted to drinking two Bacardi and club soda drinks at approximately 11:30AM and 1:30PM at the Waterway Cafe where he was watching a Florida game. I asked him on a scale of 1 to 10 with 1 being completely sober and 10 falling over drunk where he believed he was and he stated a 2. I asked him if he would be willing to perform standardized field sobriety exercises and he agreed. After the black Ford pickup truck was locked and secured I transported Mr. Holmes in my patrol vehicle to the nearby parking lot of the CVS at 11000 Military Trail, Palm Beach Gardens, FL 33410. Mr. Holmes appeared to be very lethargic and took an extended period of time to exit the vehicle. While his right leg was outside the vehicle a rogue gust of wind caused the door to close on his right leg causing a small cut. This cut was later cleaned and bandaged. Prior to administering the exercises I asked Mr. Holmes if he had any medical conditions and he mentioned that he had type 2 diabetes but stated that he did not believe he was having a diabetic emergency right now. I asked him if he had any injuries beside the small cut caused by the vehicle door and he stated no. I asked him if he wore glasses or contacts and he stated no. I asked what his natural eye color was and he stated brown which was observed. (Note: The below summary is not intended to be a verbatim account of all the events that took place during the administration of the standardized field sobriety exercises. Video footage and audio of the exercises is available upon request.) Each exercise was explained and demonstrated prior to the subject attempting to perform the exercise.

Horizontal Gaze Nystagmus Exercise (Streamlight red LED pen used as a contrasting stimulus)

- I checked for resting nystagmus which was not observed in either eye
- I checked for equal pupil size and equal tracking; Both pupils were equal in size and both eyes tracked

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the stimulus equally.

- Subject initially moved entire head while tracking stimulus contrary to the provided instructions
- I observed a lack of smooth pursuit in both eyes
- I observed distinct and sustained nystagmus at maximum deviation in both eyes

Walk and Turn Exercise (A white line in the parking lot was utilized during this exercise)

- Did not stay in the starting position as instructed
- Did not walk heel to toe on multiple steps
- Appeared to be extremely unsteady on his feet and the exercise was ended due to the difficulty he was having

One Leg Stand Exercise

- Placed foot down
- Seemed to have trouble counting aloud as instructed
- Unsteady on his feet

Modified Rhomberg Balance Exercise

- 37 seconds elapsed during the 30 second time estimation
- Opened his eyes and did not say stop as instructed

Finger to Nose Exercise

- Missed touching his finger tip to his nose tip as instructed numerous times
- In one instance used the pad of his finger to touch the tip of his nose contrary to the provided instructions

Based upon the performance of the above exercises and the totality of the circumstances I determined that there was probable cause to believe that Steven Clark Holmes committed the offense of driving under the influence by being in actual physical control/operating a motor vehicle while under the influence of alcoholic beverages, any chemical substance per Florida State Statute 877.111, or any controlled substance per Chapter 893, while their normal faculties were impaired. Mr Holmes was placed under arrest for the above offense and handcuffed behind his back. Mr. Holmes was later transported to the Palm Beach County Breath Alcohol Testing (BAT) facility. At the BAT facility a 20 minute observation period was conducted where he did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning of the observation period). He was then asked to provide a breath test sample to test for the alcoholic content of his breath. He refused to provide a breath test sample. He was then shown and read the Florida Implied Consent drivers license suspension warning and he still refused to provide a breath test sample. A refusal time of 6:15PM was notated. The Constitutional Warning warning document was read to Mr. Holmes and he stated that he

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understood his rights and did not wish to answer any questions. He was then placed in a holding cell and the handcuffs were removed. While inside the cell he appeared to fall asleep at times snoring and coughing. After I finished my rough arrest report he was taken from the holding cell and handcuffed behind his back again and booked without further incident. Mr. Holmes was issued a DUI citation. Officer Arnold issued a written warning for failing to maintain a single lane. All of the above events occurred in Palm Beach County, FL.

Note: My patrol vehicle is equipped with in car video and audio that is available upon request.

**Jail Bookin Facility**

|  |                              |  |   |
|--|------------------------------|--|---|
| Booking Date/Time<br>0.0000  | Booking County<br>PALM BEACH | Booking Facility<br>PALM BEACH COUNTY<br>CORRECTIONS | Booking Facility Phone Number<br>(561) 688-4400 |
| Booking Facility Location<br>3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406 |                              |  | Booking Number                                  |

Booking Facility Location  
3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406

Booking Comments

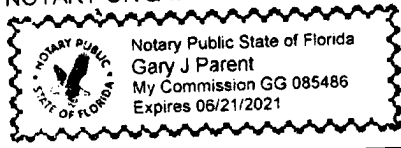
**Court**

|                                   |  |                             |  |            |
|-----------------------------------|--|-----------------------------|--|------------|
| Court County<br>PALM BEACH        | Court Location<br>3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406 | Court Phone<br>561-355-2994 | Court Apperance Date / Time<br>10/17/2019 8:30AM | Court Fine |
| Court<br>CRIMINAL JUSTICE COMPLEX |  | Comments                    |  |            |

|   |  |  |
|---|--|--|
| Officer Name<br>Rank / ID #<br>IV, ANDREW L<br>TROOPER 3651 | Involvement On Report /<br>Reporting Role<br>REPORTING OFFICER | Officer Agency<br>Org/Unit<br>FLORIDA HIGHWAY PATROL<br>FHPLILWRCC\PALM BEACH\SR702 TO MARTIN LN |
|---|--|--|

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

**Reporting Officer**

|  |                                      |                       |   |
|--|--------------------------------------|-----------------------|---|
| Officer Name<br>IV, ANDREW L             | Office Rank<br>TROOPER               | Officer ID No<br>3651 | Sworn and subscribed before me, the undersigned authority<br>This the <u>21</u> day of <u>SEPTEMBER</u> , <u>2019</u><br>DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT |
| Officer Agency<br>FLORIDA HIGHWAY PATROL | Officer Signature<br><i>Andrew L</i> |                       |    |



# TESTING FACILITY TASK REPORT

AGENCY: FBI-L  
SUBJECT: Murphy, James C CASE NUMBER: 15 117747

DATE: 01/21/11 VIDEO TAPE NUMBER: 110

BEGINNING TIME: 1811 ENDING TIME: 1816

BREATH TESTS RESULTS: 1) R TIME 1815 A.M./P.M. (P.M.) 2) 11 TIME — A.M./P.M.  
3) 11 TIME — A.M./P.M. 4) 11 TIME — A.M./P.M.

BREATH OPERATOR: [Signature]

MAINTENANCE TECHNICIAN: [Signature]

### TESTING OFFICER'S OBSERVATIONS

SPEECH: [Faint]

ATTITUDE: [Faint]

CLOTHING: [Faint]

MEDICAL CONDITIONS: [Faint]

MEDICATIONS: [Faint]

OTHER: [Faint]

**REFUSED**

COMMENTS: [Faint]

[Faint]

[Faint]

[Faint]

[Faint]

[Faint]

[Faint]

**REFUSED**

[Faint]

[Faint]

[Faint]

SUBJECT: Henry, Steven C CASE NUMBER: FMPL19OFF062543

# 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? Refused

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: \_\_\_\_\_

SUBJECT: Home, Susan C CASE NUMBER: FHPL19OFFD62593

## 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) *Roseanne Cooper*

## 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.

SUSPECT'S SIGNATURE: (X) *Roseanne Cooper*



**Palm Beach County Sheriff's Office – Arrests Only**

|   | X                                   | Florida State Statute                   | Description  | Page Number(s) |
|---|-------------------------------------|---|--|----------------|
| L/E Exemptions  | <input type="checkbox"/>            | 119.071(2)(d)                           | Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations. |                |
|   | <input type="checkbox"/>            | 943.053, 943.0525                       | NCIC/FCIC/FBI and in-state FDLE/DOC.   |                |
|   | <input type="checkbox"/>            | 119.071(4)(c)                           | Undercover personnel.  |                |
|   | <input type="checkbox"/>            | 119.071(2)(f)                           | Confidential informants (CIs).   |                |
|   | <input type="checkbox"/>            | 119.071(2)(e)                           | Confession.  |                |
| Public Info. Exemptions                                     | <input type="checkbox"/>            | 985.04(1)                               | Juvenile offender records.   |                |
|   | <input type="checkbox"/>            | 119.071(h)(i)                           | Assets of a crime victim.  |                |
|   | <input type="checkbox"/>            | 395.3025(7)(a),<br>456.057(7)(a)        | Medical information.   |                |
|   | <input type="checkbox"/>            | 394.4615(7)                             | Mental health information.   |                |
|   | <input type="checkbox"/>            | 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) | <input checked="" type="checkbox"/> | (iii) 119.0714(1)(i)-(j),<br>(2)(a)-(e) | Social Security, bank account, charge, debit, and credit card numbers.   | 2              |
|   | <input type="checkbox"/>            | (viii) 394.4615(7)                      | Clinical records under the Baker Act.  |                |
|   | <input type="checkbox"/>            | (xii) 741.30(3)(b)                      | The victim's address in a domestic violence action on petitioner's request.  |                |
|   | <input type="checkbox"/>            | (xiii) 119.071(2)(h),<br>119.0714(1)(h) | Protected information regarding victims of child abuse or sexual offenses.   |                |
|   | <input type="checkbox"/>            |   |  |                |
|   | <input type="checkbox"/>            |   |  |                |
|   | <input type="checkbox"/>            |   |  |                |
|   | <input type="checkbox"/>            |   |  |                |
|   | <input type="checkbox"/>            |   |  |                |
| Other   | <input type="checkbox"/>            |   | Other:   |                |
|   | <input type="checkbox"/>            |   | Other:   |                |

**REVIEW COMPLETED BY**

|                            |                              |
|----------------------------|------------------------------|
| Booking Number: 2019030896 | Date: 09/22/2019             |
|                            | Specialist Name/ID: AM/31562 |