

**Arrest Report**

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

Report Date / Time 5/5/2018 2:48:43AM	Report Number FHP99ARR780303	Case Number/CAD Number FHPL18OFF037282 / LWRC18CAD081133	Reporting Officer Name Z. TODD
Originating Agency ORI FL0509000	Occurrence Date Time Range 5/ 5/2018 1:50:49 AM -	Jurisdiction	Clearance

**Location of Occurrence**

Location Type PUBLIC PLACE	Location Description ROADWAY		
Street Number SR-9	Street NB HYPOLUXO ROAD	Apt/Lot/Bldg	
County PALM BEACH	City LAKE WORTH	State FL	Zip 33462

**Defendant**

First Name STEVEN	Middle Name EDWARD	Last Name TODD	Suffix	Date Of Birth 11/13/1960	Age 57	Race WHITE	Sex MALE
SSN [REDACTED]	MNI #	Place of Birth OHIO, OH, USA	HAMILTON	Height 510	Weight 175	Hair WHI	Eyes BLU
DL or ID Number T300785604130	ID State FL	ID Type E	Address Type				
Street Number 1420	Street SW 28TH AVE APT 5	Apt/Lot/Bldg					
County PALM BEACH	City BOYNTON BEACH	State FL	Zip 33426	Phone Number	Extension		
Location Description							

**Arrest**

Arrest Date/Time 5/5/2018 2:15:15AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description ROADWAY	
Street Number SR-9	Street NB HYPOLUXO ROAD	Apt/Lot/Bldg	County PALM BEACH
City LAKE WORTH	State FL	Zip 33462	

**Charge(s)**

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

**Probable Cause**

On May 5, 2018 I was on routine patrol in Palm Beach County in my marked patrol car. I responded to the scene of a traffic stop to assist a Ft. Lauderdale PD officer. I arrived on scene on I-95 (State Road 9) at Hypoluxo Road. I arrived on scene and was briefed by Officer Mick of the Ft. Lauderdale Police Department. He stated that he was driving northbound and observed a white pickup truck traveling northbound and failing to maintain a single lane northbound passing Gateway Blvd. He stated that the vehicle was driving erratically all over the roadway. He stated that then he activated his emergency lights and sirens to conduct a traffic stop on the vehicle. He stated that he approached the vehicle and observed that the driver had bloodshot glassy eyes, slurred speech, and the odor of an unknown alcoholic beverage was emitting from his breath as he talked. I then arrived on scene and was briefed by Officer Mick. I then approached the driver side of the vehicle and observed that the driver was the sole occupant of the vehicle. As I talked to the driver I observed that he had bloodshot glassy eyes and the odor of an unknown alcoholic beverage was emitting from his breath as he talked. He also had slurred speech. He stated to me that he was going to his home in Boynton Beach. He also stated to me that he had 1 beer earlier

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before he began driving. I then requested that he step out of the vehicle and walk towards my patrol car. As he walked towards my car I observed that he was unsteady on his feet and almost fell onto me while walking. I also observed that he had slurred speech as he talked. I then observed that he had the odor of an unknown alcoholic beverage emitting from his breath as he talked. I then requested that he preform roadside exercises and he agreed.

#### Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Mr. Todd was wearing glasses or contact lenses. It was determined that Mr. Todd was not wearing glasses. I then checked Mr. Todd's eyes and observed equal tracking and equal pupil size. Mr. Todd was instructed to place his feet together and place his hands down at his side. He then was instructed to keep his head still and follow the stimulus with his eyes and his eyes only. He was also instructed to keep looking at the stimulus until told not to. Mr. Todd verbally indicated that he understood.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

I also observed vertical nystagmus.

During the exercise Mr. Todd had to be told to stay in the proper position and not to move his head during the exercise. I also observed Mr. Todd to have orbital sway and glassy red eyes.

#### Walk and Turn Exercise

The area was level and free of debris. Mr. Todd verbally indicated that he saw the line on the ground. Mr. Todd was instructed to put his left foot on the line, then place his right foot on the line ahead of the left foot in a heel to toe manner. then demonstrated this position. Mr. Todd was instructed not to begin untold to do so. Mr. Todd verbally indicated that he has understood all instructions up to this point. Mr. Todd was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Mr. Todd was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this for Mr. Todd. Mr. Todd was also instructed to keep his arms at his sides and to watch his feet during the exercise. Mr. Todd was also instructed to count aloud and to not stop once he begins the exercise. He was also instructed to keep his arms at his sides at all times. He took 9 steps forward and 9 steps back. Mr. Todd showed difficulty keeping balance during the instructions and the exercise and used his arms for balance. He completed the turn incorrectly, and didn't touch heel to toe on all steps. He also did not look down at his feet and he had a sway as he walked. He also stepped off the line on multiple times and attempted to start the exercise too soon.

#### One Leg Stand Exercise

Mr. Todd was instructed to stand with his feet together and to place his arms down at his side. Mr. Todd was instructed to maintain that position until told to do so. Once told to do so, Mr. Todd was instructed to raise one foot approximately 6 inches off the ground and to keep both legs straight with both arms at his side. He was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Mr. Todd verbally indicated that he understood the instructions after I demonstrated to him.

Mr. Todd was told to begin and raised his left foot. During the exercise Mr. Todd displayed an orbital sway. Mr. Todd also did not count aloud properly as instructed. Mr. Todd did not look down at his foot during the exercise and had to be told to do so. He also placed his foot down multiple times and almost fell over while conducting the exercise.

#### Finger To Nose

Mr. Todd was instructed stand with his feet together and arms at his side and to have his index fingers pointed out. He was instructed to not start and stay in that position until told to do so. He stated that he understood. I then demonstrated the position. Mr. Todd was then instructed to when told to start to close both eyes and tilt his head back. When told to do so he was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of his nose. I then demonstrated this. He was then instructed to after touching the tip of the nose to immediately bring his hand down to his

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side. He stated that he understood. I then demonstrated and he stated that he understood. He was instructed to raise his hand in the following order, left, right, left, right, and right, left.

- Left: Missed.
- Right: Missed.
- Left: Missed.
- Right: Missed.
- Right: Missed.
- Left: Missed.

He also began to move his head during the exercise and began to open his eyes. He was then placed under arrest for DUI. He was then searched and secured inside of my patrol car. He was then transported to the Palm Beach County Jail. Once we arrived at the testing center I conducted a 20 minute observation. At no time did he take anything by mouth or regurgitate. I then requested that he provide a sample of his breath and he refused. Implied consent was read and she stated that she understood. He then agreed to provide a sample. He provided a sample of .099 and .097. He was then booked into the Palm Beach County Jail. The above incident occurred in Palm Beach County.

**Jail Booking Facility**

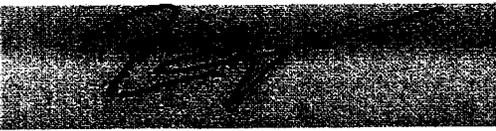
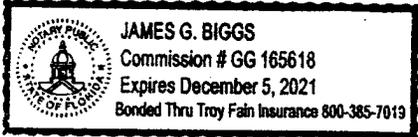
Booking Date/Time <b>5/5/2018 2:51:46AM</b>	Booking County <b>PALM BEACH</b>	Booking Facility <b>PALM BEACH COUNTY CORRECTIONS</b>	Booking Facility Phone Number <b>(561) 688-4400</b>
Booking Facility Location <b>3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406</b>			Booking Number
Booking Comments			

**Court**

Court County <b>PALM BEACH</b>	Court Location <b>200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444</b>		
Court <b>PALM BEACH SOUTH COUNTY COURTHOUSE</b>	Court Phone <b>561-274-1530</b>	Court Appearance Date / Time <b>6/4/2018 0830</b>	Court Fine
Comments			

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 <b>Z. TODD</b>	Officer Rank <b>TROOPER</b>	Officer ID No <b>4141</b>	Sworn and subscribed before me, the undersigned authority This the <u>29</u> day of <u>May</u> <u>18</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency <b>FLORIDA HIGHWAY PATROL</b>	Officer Signature 		
			 <p><b>JAMES G. BIGGS</b> Commission # GG 165618 Expires December 5, 2021 Bonded Thru Troy Fain Insurance 800-385-7019</p>

SCANNED

MAY 06 2018

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**Approving Supervisor**

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

NOT A CERTIFIED COPY

SCANNED  
MAY 06 2018