



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
8535 NORTHLAKE BLVD
WEST PALM BEACH, FL.

2017mm9479

REPORT NUMBER
ARR004155

ARREST REPORT

Report Date / Time 12/29/2017 10:34 PM	Agency Case/Offense Number FWSA17OFF006956	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number FWLR17CAD016752
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LOCATION OF OCCURRENCE

County PALM BEACH	Address 255 E 22ND CT, WEST PALM BEACH, FL 33404
Range of Occurrence Date/Time 07/29/2017 08:56 PM to 07/29/2017 08:56 PM	Latitude N 26 45.5355
	Longitude W 80 5.1305

PERSON: SUSPECT

First Name TERRENCE	Middle Name MANUEL	Last Name MCMANUS	Suffix	Date of Birth 07/14/1965	Age 52	Race W	Sex M	Height 5'10"	Weight 170	Hair BLD	Eyes BLU
Master Name Index Number	Place of Birth Atlanta, Georgia	Nation U.S.	SSN	Driver's License or Other ID M255813652540	State FL	Class or type					
Address 224 DATURA ST STE 409	City WEST PALM BEACH	County PALM BEACH	State FL	Zip Code 33401	Phone						

CHARGES

Counts 1	Charge Number 327.352	Charge (1) SS	Charge Degree	Charge Level	General Offense Code	<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence	Bond Amount \$0.00
BUI/OPERATING A VESSEL WITH NORMAL FACILITIES IMPAIRED								

Counts 1	Charge Number 327.352	Charge (1) SS	Charge Degree	Charge Level	General Offense Code	<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence	Bond Amount \$0.00
FAILURE TO SUBMIT TO A BREATH, URINE, BLOOD TEST FOR BUI								

PROBABLE CAUSE

On July 29, 2017 at approximately 2059 hours, I, Officer Stephen Spradling with the FWC (Florida Fish and Wildlife Conservation Commission) was dispatched to a call of a possible impaired vessel operator that came in from the United States Coast Guard. I arrived on scene to New Port Cove Marina on the ICW at approximately 2121 hours. Coast Guard advised they witnessed Mr. Terrence Mancel McManus operating his vessel (FL2548NB) with no navigational lights on at night and bumping into other vessels at the marina (Coast Guards Report will be with Incident Summary). As I spoke to Mr. McManus I smelt a strong odor of alcohol and witnessed him swaying back and forth. He was having a difficult time understanding and answering questions. His eyes were blood shot red and glossy. Mr. McManus was also slurring parts of his speech.

Mr. McManus consented to performing seated field sobriety tasks. On Horizontal Gaze Nystagmus Mr. McManus Showed 6 clues. On Finger to nose Mr. McManus was not following instructions and had 19 clues. On the Palm Pat task he struggled following instructions. I would ask him if he understood and he would respond "thank you". He showed 4 clues on the Palm Pat task. On the Hand Coordination task Mr. McManus was not able to follow instructions and showed 6 clues. Due to United States Coast guard witnessing Terrence M. McManus operating his vessel and my training and experience indicating impairment, I placed Mr. McManus under arrest for BUI. Mr. McManus was transported to Palm Beach County Jail where he refused to submit to breath, urine or blood testing. Mr. McManus was cited for BUI and Refusal.

LEO BOND

Bond Amount \$	None	<input type="checkbox"/> ROR	<input type="checkbox"/> Cash	<input type="checkbox"/> Any	<input type="checkbox"/> Pre Trial If Qualify
	<input type="checkbox"/> Pro				

COURT APPEARANCE INFORMATION

Court PALM BEACH COUNTY COURT AT GUN CLUB	Court Phone (561) 688-4640	Court Date & Time 08/31/2017 08:30 AM
Court Address 3228 GUN CLUB ROAD, WEST PALM BEACH, FL 33406		
Instructions		

ARREST INFORMATION

Arrest Date / Time 07/29/2017 09:47 PM	Residency Unknown	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests Yes	Arrest Jurisdiction Unknown	Alcohol Yes	Drugs No	

ARREST LOCATION

County PALM BEACH	Address 255 E 22ND CT, RIVIERA BEACH, FL 33404
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ARREST DELIVERED TO

Jail / Booking Facility	Location	Phone
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ARRESTING OFFICER

Officer Call Number W631	Officer Name SPRADLING, STEPHEN	Officer Signature <i>[Signature]</i>
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Lovhls, B. 8791

JUL 30 AM 3:27

SCANNED
JUL 31 2017

Report Date : Time 12/29/2017 10:34 PM	Agency Case/Offense Number FWSA17OFF006956	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number FWLR17CAD016752
Subscribed and sworn to (or affirmed) before me this <u>30</u> day of <u>July</u> A.D., <u>17</u> by <u>Spraiding</u> who is <input checked="" type="checkbox"/> personally known to me or has produced _____ as identification. Signature _____ Notary Public <u>LEO</u> <u>CO</u> Commission No: _____ My Commission Expires: _____							

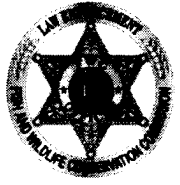


Samantha Palmer
Commission # FF172377
Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLC

NOT A CERTIFIED COPY



STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT



REFUSAL TO SUBMIT TO BREATH, URINE OR BLOOD TESTING

In the County Court of the 15 Judicial
Circuit in and for Palm Beach County, Florida

STATE OF FLORIDA
(PLAINTIFF)

Uniform Boating Citation No.

V378304

v.

McManus, Terrence
DEFENDANT

AFFIDAVIT

I, Stephen Spradling, a law enforcement officer, who having been duly sworn, certify and state the following:

1. That on Saturday, July 29, 2017 at 9:47 ☐ AM probable
Day of Week Date (Month & Day) Year Time ☒ PM

cause existed to arrest the above named Defendant for a violation of section 327.35, Florida Statutes, as set forth in the attached narrative which is incorporated by references as if set forth fully herein.

2. That on that date and that time:

☐ The Defendant was under lawful arrest for an offense committed while the Defendant was operating a vessel while under the influence of alcoholic beverages, chemical substances, or controlled substances, and the Defendant was requested to submit to a ☒ breath test, ☐ urine test, or ☐ both a breath and a urine test; or

☐ The Defendant had appeared for treatment at a hospital, clinic, or other medical facility, the administration of a breath or urine test was impractical or impossible, and the Defendant was requested to submit to a blood test.

3. The Defendant was advised of both the penalties for a failure to submit to the blood, breath or urine test and the procedure for requesting a hearing.

4. The Defendant refused to submit to the ☐ blood, ☐ breath, or ☐ urine test(s).

FURTHER AFFIANT SAYETH NOT.

St Spradling N703
Officer's Signature ID No

FWC
Law Enforcement Agency

1300 Marcinski Rd
Mailing Address

Jupiter FL
City State Zip Code

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 30th DAY

OF July, 2017

[Signature]
Notary Public or Attesting Officer

☒ Personally known to me

☐ Produced
as Identification

TESTING FACILITY TASK REPORT

AGENCY: FWC/ SPRADLING

SUBJECT: MCMANUS, TERRENCE

CASE NUMBER: 17-108632

DATE: 07/29/2017

VIDEO DVD NUMBER: 63085

BEGINNING TIME: 2322

ENDING TIME: 2325

BREATH TESTS RESULTS: 1) R TIME 2324 A.M. ☐ P.M. ☒ 2) XX TIME XX 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: SLURRED

ATTITUDE: CALM, QUIET, COOPERATIVE,

CLOTHING: GREY LONG SLEEVE SHIRT, BLUE SHORTS, NO SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY AND BLOODSHOT, SWAYING,

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 2250
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ I/C, SUBJECT STATED HE UNDERSTOOD I/C
AND AGAIN REFUSED TO TAKE BREATH TEST.
A/O READ RIGHTS, SUBJECT STATED HE UNDERSTOOD HIS RIGHTS
SUBJECT REFUSED ANY QUESTIONING WITHOUT COUNSEL.

SCANNED
JUL 31 2017

PALM BEACH COUNTY
SHERIFF'S OFFICE

RIC L. BRADSHAW, SHERIFF



Implied Consent for BUI in a Vessel

(NOTE: Only read 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.

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.

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.

(Note: Only read the following paragraph if the subject does not comply with your request).

I am (your name) of the (your department). If you fail to submit to the test I have requested of you, it will result in a civil penalty of \$500.00. Additionally, if you refuse to submit to the test I have requested of you and if you have been previously fined 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.

SCANNED
JUL 31 2017



Palm Beach County Sheriff's Office



BUI IMPLIED CONSENT WARNING

DEFENDANT'S NAME: McManus, Terrence CASE NO: FWS/t-17-OFF-6956

READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING

You are under arrest for operating a vessel while under the influence of alcoholic beverages or chemical or controlled substance.

- ☒ I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content. Will you submit to a **BREATH** test?
- ☐ 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. Will you submit to a **URINE** test?
- ☐ 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. Will you submit to a **BLOOD** test?

IF THE SUBJECT REFUSES TO SUBMIT TO TESTING, READ THE FOLLOWING:

I am Spradling #703 of the FWIC
(Officer's Name & ID) (Agency)

If you fail to submit to the test I have requested of you, it will result in a civil penalty of \$500.00. Additionally, if you refuse to submit to the test I have requested of you and have previously been fined for 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.

Will you submit to the test? ☐ YES ☒ NO

7/29/17 2324
DATE TIME
Stephen Spradling #703
OFFICER'S NAME & ID (PRINT)

DEFENDANT'S SIGNATURE

OFFICER'S SIGNATURE

SCANNED
JUL 31 2017

J# 0086768

252

PALM BEACH COUNTY

Charging Affidavit

Arrested ☒ At-Large ☐ JRA ☐

Document #:

Division #:

Court Case #:

Date: 12/29/2017

Location of Defendant Vehicle:	Date-Time Booked:	Agency Case Number: FWSA17OFF006956
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(ORD): FL0508000

Agency Name: FLORIDA FISH AND WILDLIFE CONSERVATION CC

FIC/NCIC Check: ☐

Date-Time of Arrest: 07/29/2017

Address of Arrest: 255 E 22ND CT

DEFENDANT	Adult <input checked="" type="checkbox"/> Juvenile <input type="checkbox"/>	Name Key:	Jacket Number:	Inmate Number:	Language:
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NAME (L,F,M): MCMANUS, TERRENCE MANCEL A.K.A: Race W Sex M DOB 07/14/1965 Age 52

Height: 5'10" Weight: 170 Hair: BLD Eyes: BLU POB City: WEST PALM BEACH State: FL Country:

RES Street #: 224 DATURA ST STE 409 Citizenship:

City: WEST PALM BEACH State: FL Zip: 33401 Home Phone: Other Phone:

Scars/Tattoos: Ethnicity: Not Hispanic or Latino

Driver's License/ State ID No: M255813652540 State: FL Year Expires: SSN #

Business and Occupation: Bus Phone:

Bus Street #: City: State: Zip:

Next of Kin Name: Phone:

Next of Kin Street #: City: State: Zip:

AGGRAVATORS: Firearm ☐ Weapon ☐ MASK ☐ VEST ☐ Convicted Sex Batterer: ☐ Hate Crime: ☐ Special Victims: ☐ Domestic Violence ☐CHARGES Felony ☐ Misd. ☐ ORD. ☐ Traffic ☐ Out of County ☐ Court Location: Originating State and/or County:

#	GOC Code*	Description	Bond Amount / Bond Status	FSS/ORD	FDLE Rec #	Drug Name	Citation Number
1		BUY/OPERATING A VESSEL WITH NORMAL FACILITIES IMPAIRED		327.35.1a			
2		FAILURE TO SUBMIT TO A BREATH, URINE, BLOOD TEST FOR BUI		327.3521.			
3							
4							
5							
6							
7							

BOND TOTAL Bond By LEO: ☐ None ☐ ROR ☐ Cash ☐ Any ☐ PreTrial If Qualify ☐ Pro

CODEDEFENDANTS	NAME (L,F,M):	Arrest?	Juv	Fel	Misd.	ORD.	Traff.	NTA	Race:	Sex:	Age:	DOB:
#1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
#2		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
#3		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
#4		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

Sworn to and subscribed before me, this <u>30</u> day of <u>July</u> year <u>2017</u>	I swear or affirm the above statements are correct and true	(561) 625-512
Notary Public <input checked="" type="checkbox"/> Law Enforcement or Corrections Officer <input type="checkbox"/>	<u>St. Spradling</u> N703	Officer's Bus Phone No
Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/>	Officer's Signature	SPRADLING, STEPHEN / W631
Type of Identification		Officer's Printed Name (L,F) / ID or Badge
Notary Signature <u>Samantha Palmer</u>	Samantha Palmer	Notary Commission # / Exp. Date

1001 (09/12) COURT COPY RECORD COPY STATE ATTORNEY COPY COMMUNITY RECORDS COPY AGENCY/REPORT REVIEW COPY DEFENDANT COPY

Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLCSCANNED
JUL 31 2017

PALM BEACH COUNTY

Charging Affidavit

Arrested ☒ At Large ☐ JRA ☐

Document #:

Division #:

Court Case #:

Date: 12/29/2017

Defendant's

Name: MCMANUS, TERRENCE MANCEL

Case

Number

FWSA17OFF006956

DCF
Notified?By
Whom?

On Probation?

Miranda
Warning?By
Whom?

Invoked?

NARRATIVE:

The undersigned has probable cause to believe the above-named defendant on 29 of July 2017 at 20:56 at 255 E 22ND CT (Zone: PALM) in Palm Beach County did

On July 29, 2017 at approximately 2059 hours, I, Officer Stephen Spradling with the FWC (Florida Fish and Wildlife Conservation Commission) was dispatched to a call of a possible impaired vessel operator that came in from the United States Coast Guard. I arrived on scene to New Port Cove Marina on the ICW at approximately 2121 hours. Coast Guard advised they witnessed Mr. Terrence Mancel McManus operating his vessel (FL2548NB) with no navigational lights on at night and bumping into other vessels at the marina (Coast Guards Report will be with Incident Summary). As I spoke to Mr. McManus I smelt a strong odor of alcohol and witnessed him swaying back and forth. He was having a difficult time understanding and answering questions. His eyes were blood shot red and glossy. Mr. Mcmanus was also slurring parts of his speech.

Mr. McManus consented to performing seated field sobriety tasks. On Horizontal Gaze Nystagmus Mr. McManus Showed 6 clues. On Finger to nose Mr. McManus was not following instructions and had 19 clues. On the Palm Pat task he struggled following instructions. I would ask him if he understood and he would respond "thank you". He showed 4 clues on the Palm Pat task. On the Hand Coordination task Mr. McManus was not able to follow instructions and showed 6 clues. Due to United States Coast guard witnessing Terrence M. McManus operating his vessel and my training and experience indicating impairment, I placed Mr. McManus under arrest for BUI. Mr. McManus was transported to Palm Beach County Jail where he refused to submit to breath, urine or blood testing. Mr. McManus was cited for BUI and Refusal.

Sworn to and subscribed before me,
this 30 day of July year 2017

Notary Public ☐Law Enforcement or Corrections Officer ☐Personally Known ☒Produced Identification ☐

Type of Identification

Notary
Signature

I swear or affirm the above statements are correct and true

(561) 625-512

Officer's Bus. Phone No

SPRADLING, STEPHEN / W631

Officer's Printed Name(L,F)/ID or Badge

Samantha Palmer

Notary Commission # / Exp. Date

1001 (09/12) COURT COPY RECORD COPY STATE ATTORNEY COPY COMMISSIONER'S OFFICE COPY AGENCY/REPORT REVIEW COPY DEFENDANT COPY

Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLC

Page 2 of 3

SCANNED

JUL 31 2017

PALM BEACH COUNTY

Charging Affidavit

Arrested ☒ At-Large ☐ JRA ☐

Document #:

Division #:

Court Case #:

Date: 12/29/2017

Defendant's

Name: MCMANUS, TERRENCE MANCEL

Case

Number FWSA17OFF006956

WITNESSES

V - Victim

R - Reporter

W - Witness

NAME:

(L,M,F):

If LEO,

Officer ID:

Race:

Sex:

DOB:

Age:

ADDRESS:

(#,Street, City, State):

Apt#:

City:

State:

Zip:

Home

Phone:

Business / School:

Business / School
Address:

State#:

City:

State:

Zip:

Bus.

Phone:

Testimony:

Email:

Language:

NOT A CERTIFIED COPY

Sworn to and subscribed before me,
this 30 day of July year 2017Notary Public ☐Law Enforcement or Corrections Officer ☐Personally Known ☒Produced Identification ☐

Type of Identification

Notary
Signature

I swear or affirm the above statements are correct and true

(561) 625-512

Officer's Bus Phone No

SPRADLING, STEPHEN / W631

Officer's Printed Name(L,F)/ID or Badge

Notary Public Commission Expires: OCT 28, 2018

Samantha Padgett

Notary Commission # / Exp. Date

1001 (09/12) COURT COPY RECORD COPY STATE ATTORNEY COPY INMATE RECORDS COPY AGENCY/REPORT REVIEW COPY DEFENDANT COPY

Expires: OCT 28, 2018

BONDED THRU
1ST FLORIDA NOTARY, LLCSCANNED
Page 3 of 3
JUL 31 2017

SUBJECT: McManus, Terrence CASE NUMBER: _____

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~~ ^{VESSEL} AT THE TIME OF THE STOP/ACCIDENT? _____

WHERE WERE YOU GOING? _____

WHAT ~~STREET OR HIGHWAY~~ ^{waterway} 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: OFC. Spradling

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SCANNED

JUL 31 2017

SUBJECT: McManus, Terrence CASE NUMBER: _____

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) _____

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) Read on Camera