0189077

3208

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias: 1

Juvenile: N

ADMINISTRATIVE

OBTS Number:

Agency ORI Number: FLO 500000

Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number (N.T.A.'s only): 06- 18143684

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

Weapon Seized / Type: 2 (1. Yes 2. No) N/A

Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business): LAKE WORTH RD/ WOODS WALK BLVD, WEST PALM, FL, 33467

Location of Offense (Business Name, Address): LAKE WORTH RD/ WOODS WALK BLVD WEST PALM/ FL/

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
11/11/2018	20:53					

DEFENDANT

Name (Last, First, Middle): MCDEVITT THOMAS WILLIAM

Alias (Name, DOB, Soc. Sec. #, Etc.):

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	7/6/1977	5'8	205	BRN	BRN	MED	MED

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description):

Marital Status: Married

Religion: CATHOLIC

Indication of: Alcohol Influence Y ☐ N ☐ Unk. ☐ / Drug Influence Y ☐ N ☐ Unk. ☐

Local Address (Street, Apt. Number): 15785 GLEN WILLOW LN (City): WELLINGTON, FL, 33414 (State): (Zip):

Phone: (561) 503-7290

Residence Type: (1. City 2. County 3. Florida 4. Out of State): 2

Permanent Address (Street, Apt. Number): , (City): (State): (Zip):

Phone: ( )

Address Source: FL DL

Business Address (Name, Street): (City): (State): (Zip):

Phone: ( )

Occupation: ELECTRICIAN

DL Number, State: M231-839-77-246-0 [redacted]

INS Number:

Place of Birth (City, State): LONG ISLAND, NY

Citizenship: YES

CO-DEF

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

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other:

Residence Phone: ( )

Address (Street, Apt. Number): (City): FLR (State): (Zip):

Business Phone: ( )

Notified by: (Name): Date: Time:

Juvenile Disposition: 1. Handled/ processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated

Released To: (Name): Relationship: Date: Time:

The above address provided by ☐ defendant and / or ☐ defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. ☐ Yes, by: (Name) ☐ No: (Reason)

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. Synthetics U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI	1	☐Y ☒N	316.193(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A	18143684		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☒N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
/	/	/			

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

Received WB NOV 14 2018

NOTICE TO APPEAR

Location (Court, Room Number, Address): 3228 GUN CLUB RD WEST PALM BEACH FL 33406

Court Date and Time: Month 12 Day 13 Year 2018 Time 0830 AM X PM

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THIS 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.

Signature of Defendant (or Juvenile and Parent /Custodian)

Date Signed: 11/11/2018

ADMIN

HOLD for other Agency Name:

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Intake Deputy: I.D. #: 4803 Pouch #:

Signature of Arresting Officer: X

Name of Arresting Officer (Print): INV. G. LYNCH 8568 I.D. #: 8568

Transporting Officer: INV. G. LYNCH 8568 ID #: 8568 Agency: PBSO

Name Verification (Printed by Arrestee) (PRINT):

Witness here if subject signed with an "X"

NOV 8 2018 7:45

PAGE 1 OF 1

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A. ONLY)

PBSO #148 REV. 8/97

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2018CT20354

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FLO 500000	PALM BEACH COUNTY SHERIFF'S OFFICE	06- 18143684

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
McDevitt, Thomas, W		W	M	7/6/1977

CHARGES

Charge Description	Charge Description
DUI	
Charge Description	Charge Description

VICTIM

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
,	( )	
Business Address (Name, Street) (City) (State) (zip)	Phone	Occupation
	( )	

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and reasonable 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 commited the below acts, resulting from my (described) investigation.

On the 11th day of November 2018 at 08:15 ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest.)

*****SUPPLEMENTAL PC*****

On 11/11/2018 at approximately 20:15 hours, I was patrolling the area of Lake Worth Rd. and Lyons Rd., located in Unincorporated Lake Worth, Palm Beach County, FL, in a fully marked PBSO Patrol Car with overhead lights, siren, and agency insignias. While doing so, I observed in my rear-view mirror, a white pickup truck behind my patrol car, weaving between other vehicles and rapidly accelerating past traffic. I switched lanes from the middle lane, to the right lane, to which the truck did the same, behind me. At this time I observed my speed to be approximately 50 mph in a 50 mph zone which is clearly posted with prominent white speed limit signs. The truck then rapidly accelerated towards my patrol vehicle and pulled extremely close to my rear bumper to the point that I could no longer see his headlights. I accelerated forward to avoid the truck rear-ending my patrol vehicle, to which I then reached approximately 58 mph. The truck abruptly switched from the right lane (behind me) to the middle lane without a turn signal, and then began to accelerate past me while I maintained 58 mph in speed. I then pulled behind the truck, a GMC Sierra (FL Tag #DAA-G01,) and observed that my speedometer reached approximately 60 mph of sustained speed as I attempted to follow it and affect a traffic stop. It should be noted that my speedometer is calibrated by Florida Mobile Speed Testing LLC and was certified on August 31st, 2018. I activated my emergency lights in order to conduct a traffic stop of the vehicle for the aforementioned traffic violations.

Upon doing so, the vehicle turned right (north) onto Woods Walk Blvd., and then left (west) into the Publix Plaza. The vehicle stopped at the entrance of the plaza off Woods Walk Blvd., to which I exited my patrol car and made contact with the driver, identified with FL DL as Thomas McDevitt. I immediately detected the odor of unknown alcoholic beverage emanating from the body and breath of the driver while standing in the doorway of his vehicle with his window down. I advised the driver for the reason regarding the stop, to which he stated that he thought I cut him off. I advised the driver as to what I saw, including him passing my vehicle at approximately 60mph in a 50mph zone, to which he apologized. McDevitt then stated that he was at Seminole Coconut Creek Casino and had won $4,000 playing blackjack. He then stated that afterwards, he got into an argument with his wife, to which she kicked him out of the car. He further advised that he was going home and was just upset about what happened with his wife. I asked McDevitt if he had been drinking to which he initially said no, but then stated that he had 3 drinks over several hours. I observed that his speech was slightly slurred, and his eyes were bloodshot and glassy. McDevitt provided me with his driver's license, insurance card, and vehicle registration, to which I returned to my patrol vehicle and ran the subject vi[redacted]o which I discovered that he has a valid license. While doing so, another motorist pulled up to the traffic stop and stated that he witnessed the vehicle driving recklessly on the Turnpike and had tried to obtain the tag to give to law enforcement. He stated that the vehicle was weaving between lanes, cutting cars off, and speeding. The motorist wished to remain anonymous and left the scene after providing this information. I requested a PBSO DUI Unit respond to the scene in order to assist with investigation of possible DUI. DUI Investigator G. Lynch #8568 responded to the scene, to which the ongoing investigation was turned over to him.

NOT A CERTIFIED COPY

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

Cpl. W. Manning
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11th day of November 20 18 by Cpl. W. Maning

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN LEO

Inv. G. Lynch #8568
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 11 DAY OF NOV 20 18, AT 20:03 AM ✓ PM

SUBJECT: MCDEVITT THOMAS WILLIAM CASE NUMBER: 18143684

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV. G. LYNCH 8568

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

On 11/11/18 I responded to Lake Worth Rd/ Woods Walk Blvd, in Palm Beach County, in reference to a traffic stop with a possible impaired driver. Upon arrival I met with D/S Manning id13558, who conducted the stop.
D/S Manning advised that while on routine patrol traveling west on Lake Worth Rd he observed a white Chevrolet pick-up truck, bearing FL tag DAAG01, in his rear view mirror. The truck was weaving in and out of traffic, cutting off other vehicles, and accelerating rapidly. The truck rapidly pulled up behind D/S Manning's patrol car, so close that he could not see the headlights of the truck. D/S Manning accelerated to approximately 58mph feeling that he had to do so to avoid being struck. The truck then rapidly changed lanes and accelerated past his vehicle. D/S Manning was able to pace the truck at 60mph in the posted 50mph zone. D/S Manning feeling that the erratic driving of the truck, if continued, could cause a crash and D/S Manning conducted a traffic stop on the truck at Lake Worth Rd/ Wood Walk Blvd. D/S Manning made contact with the driver of the truck, Thomas McDevitt, the sole occupant of the truck. D/S Manning immediately noticed the odor of an unknown alcoholic beverage coming from McDevitt's breath. McDevitt's eyes were bloodshot and glassy, and his speech was slightly slurred. McDevitt advised that he was coming from Coconut Creek Casino, where he had been drinking. While on the traffic stop an anonymous motorist pulled up and told D/S Manning that they had been following the vehicle, due to the erratic driving, and had called in a reckless driver to FHP.

OBSERVATION OF DRIVER:

I made contact with McDevitt, who was still sitting in his truck. I immediately could smell the odor of an unknown alcoholic beverage coming from the truck while standing several feet away. I had McDevitt exit his truck and walk to the front of my patrol car. I noticed that McDevitt's eyes were red and glassy and there was a strong odor of an unknown alcoholic beverage coming from his breath, which got stronger when he spoke. McDevitt had a slight sway while standing still, which would come and go. McDevitt would continually move around and appeared to have trouble standing still. McDevitt advised that he was coming from the Casino where he left his wife after an argument. McDevitt advised that he had drank approximately 5 hours prior to driving. Based on my observations and McDevitt's admission to drinking I asked him to perform standard field sobriety tasks, which he refused. I advised McDevitt of Taylor warnings, which he advised he understood. I advised McDevitt that my observations led me to believe that he was impaired and roadside tasks would help me better determine his level of impairment. I then gave McDevitt a second opportunity to perform standard field sobriety tasks, to which he agreed.

DRIVER'S STATEMENTS:

Had been drinking 5 hours prior to driving.

ODORS:

STRONG ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE COMING FROM SUBJECT'S BREATH.

GENERAL OBSERVATIONS

SPEECH:

ATTITUDE: **calm/ cooperative**

CLOTHING:

MEDICAL/OTHER:

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. G. LYNCH 8568
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11 day of NOV 20 18 by INV. G. LYNCH 8568

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN

Sue Owen (#3184)
Notary Public, Clerk of Court, Officer (F.S.S 117.10)

BEVERLY SUE OWEN
MY COMMISSION # GG 188278
EXPIRES: May 30, 2022
Bonded Thru Notary Public Underwriters

NOT A CERTIFIED COPY

SUBJECT: MCDEVITT THOMAS CASE NUMBER 18143684

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- [x] LT EYE-LACK OF SMOOTH PURSUIT
- [x] RT EYE-LACK OF SMOOTH PURSUIT
- [x] LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- [x] RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

I performed the horizontal gaze nystagmus task. McDevitt was asked to stand with his feet together and place his hands by his sides. McDevitt was asked to focus on the stimulus and follow it with his eyes. McDevitt was told not to move his head to assist in following the stimulus. McDevitt showed equal pupil size that tracked equally. Both eyes lacked a smooth pursuit. I saw distinct and sustained Nystagmus at maximum deviation and onset of Nystagmus prior to 45 degrees in both eyes. McDevitt swayed while performing this task and had to be reminded to follow the stimulus and not to move his head.

WALK & TURN:

I performed the walk and turn task. I utilized yellow tape to make a straight level line, free of debris, which McDevitt advised he could see. I explained and demonstrated the task to McDevitt. During the instructions McDevitt attempted to begin the task several times prior to being instructed to do so. McDevitt was unable to maintain the heel-to-toe position stepping out of the position several times. After explaining and demonstrating the task McDevitt advised he understood and had no questions. During the task McDevitt stepped off the line several times and missed heel-to-toe steps several times. McDevitt used his arms for balance and paused after each steps to steady himself. McDevitt did not turn as instructed and stumbled on the first step. On the first set of steps McDevitt counted 1, without taking a step and took the incorrect number of steps taking only 8 steps.

ONE LEG STAND:

I performed the one leg stand task. I explained and demonstrated to the McDevitt. After explaining the instructions to McDevitt advised he understood and had no questions. During the task McDevitt swayed and used his arms for balance. McDevitt put his foot down multiple times prior to 30 seconds elapsing.

FINGER TO NOSE:

I performed the finger to nose task. McDevitt was placed in the instructional stance for the finger to nose task. I explained and demonstrated the task to McDevitt. After explaining and demonstrating the task McDevitt advised he understood and had no questions. During the task McDevitt missed touching the tip of his nose several times. McDevitt failed to immediately return his hand to his side, after touching his nose, several times. McDevitt failed to keep his eyes closed. On the third right command McDevitt began to use his left first.

ROMBERG ALPHABET:

Due to McDevitt advising he did not know the alphabet the Romberg alphabet task was not attempted.

NOT ACERTIFIED COPY

BREATH TEST RESULTS: | 1) REFUSED | 2) REFUSED | 3) | 4) |

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. G. LYNCH 8568
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11 day of NOV 20 18 by INV. G. LYNCH 8568

(Print name of Arresting/Investigative Officer) who is personally known to me or has produced identification. Type of identification produced KNOWN

Sue Owen (#3184)
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

BEVERLY SUE OWEN
MY COMMISSION # GG 188278
EXPIRES: May 30, 2022
Bonded Thru Notary Public Underwriters

WITNESS LIST

CASE NUMBER: 18143684

ARRESTING OFFICER: INV. G. LYNCH 8568

ADDRESS: HQ

PHONE NUMBERS (HOME): _____ (WORK) 561 688 3000

CAN TESTIFY TO: FACTS OF CASE

NAME: CPL. MANNING ID13558

ADDRESS: DIST 1

PHONE NUMBERS (HOME) _____ (WORK) 561 688 3000

CAN TESTIFY TO: TRAFFIC STOP

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) 0 (WORK) 0

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NOT A CERTIFIED COPY

TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: Mc Devitt, Thomas William CASE NUMBER: 18-143684

DATE: 11/11/18 ~~VIDEO TAPE NUMBER:~~ N/A

BEGINNING TIME: 2142 ENDING TIME: 2145

BREATH TESTS RESULTS: ~~1)~~ [redacted] TIME 2144 A.M./P.M. ~~2)~~ TIME A.M./P.M.

~~3)~~ TIME A.M./P.M. ~~4)~~ TIME A.M./P.M.

BREATH OPERATOR: S. Owen #3184

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: complaining, said he wasn't a criminal

CLOTHING: black shoes, white shorts, black shirt

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: ~~RED~~ Red face
odor of unknown alcoholic beverage
4/yoA

COMMENTS: A/P/S arrived at 2121 hrs
A/O observed 20 minutes
A/O requested breath test, S refused
A/O read T/C, S understood, still refused
A/O read C/I, S understood rights,
wanted lawyer NO QEA

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SUBJECT: McDevitt, Thomas William CASE NUMBER: 18-143684

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 Inv. Lynch of the PBSO.

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) Read 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.

SUSPECT'S SIGNATURE: (X) Read on camera

NOT A CERTIFIED COPY

SUBJECT: McDevitt, Thomas William CASE NUMBER: 18-143684

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? _____ Asked

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? _____ for

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? Attorney

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

I, INV. G. LYNCH 8568 , a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of PALM BEACH COUNTY SHERIFFS OFFICE , and I do swear
(Name of law enforcement agency)

or affirm that on or about the 11 day of NOV , 20 18 , at 20:53 ☒ P.M ☐ A.M.

DRIVER THOMAS WILLIAM MCDEVITT ,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# M231839772460 , state of FL , was placed under lawful arrest for

the offense of DUI by INV. G. LYNCH 8568 and
(Name of Arresting Officer)

issued Citation # A2FUQSP .

That on or about the 11 day of NOV , 20 18 , at 21:44 ☒ 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

Date

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this 11 day of NOV , 20 18 ,

by INV. G. LYNCH 8568 ,

who is personally known to me or who has produced KNOWN as identification.

Notary Public

BEVERLY SUE OWEN
MY COMMISSION # GG 188278
EXPIRES: May 30, 2022
Bonded Thru Notary Public Underwriters

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.

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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.	3
	☐	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.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2018037780	**Date:** 11/12/2018
	Specialist Name/ID: LR/ #6673