

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26TH DAY OF JANUARY 2017, AT 00:23 AM A.M./P.M.:

SUBJECT: THOMAS WILLIAM SLACK CASE NUMBER: TPD17OFF000032

AGENCY: TEQUESTA POLICE DEPARTMENT ARRESTING OFFICER: ANDERSON #1185

PERSONAL CONTACT

DRIVING PATTERN:

WHILE CONDUCTING PATROL IN THE 700 BLK OF OLD DIXIE HWY, I (OFFICER ANDERSON) OBSERVED A WHITE PICKUP TRUCK TRAVELING SOUTH ON OLD DIXIE HWY AT 60MPH IN A POSTED 40MPH ZONE. I MADE A U-TURN AND BEGAN FOLLOWING THE VEHICLE. I ACTIVATED MY EMERGENCY LIGHTS AT OLD DIXIE HWY AND TEQUESTA DR. THE DRIVER TURNED EAST ON TO TEQUESTA DR AND CONTINUED TO MAIN ST AND TURNED RIGHT ONTO MAIN ST WHERE HE STOPPED.

OBSERVATION OF DRIVER:

WHILE MAKING CONTACT WITH THE DRIVER, HE ADVISED HE HAD A CONCEALED WEAPONS PERMIT AND HIS DRIVERS LICENSE. HE ADVISED HE HAD PURCHASED THE TRUCK TWO MONTHS AGO BUT HIS REGISTRATION AND INSURANCE WERE IN HIS ROOM AT HOME. DRIVER APPEARED NERVOUS AND HIS EYES WERE GLASSY, RED AND BLOODSHOT.

DRIVER'S STATEMENTS:

DRIVER ADVISED HE HAD A COUPLE OF BEERS. HE WAS ON HIS WAY TO TACO BELL TO GET SOME FOOD.

ODORS:

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE EMANATING FROM HIS PERSON AND HIS BREATH.

GENERAL OBSERVATIONS

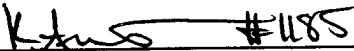
SPEECH: SLOW, REPETITIVE

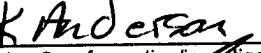
ATTITUDE: APOLOGETIC, NERVOUS, COOPERATIVE

CLOTHING: GRAY SWEATPANTS, OLIVE GREEN TSHIRT, NO SHOES

MEDICAL/OTHER: N/A

STATE OF FLORIDA
COUNTY OF PALM BEACH

 #1185
(Signature of Arresting/Investigative Officer)
The Forgoing instrument was sworn to or affirmed and subscribed before me this 26 day of Jan 2017 by _____


(Print name of arresting/investigative Officer) who is personally known to me and/or produced identification. Type of identification produced _____

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS

<input checked="" type="checkbox"/> LEFT EYE DOES NOT FOLLOW SMOOTHLY	<input checked="" type="checkbox"/> RIGHT EYE DOES NOT FOLLOW SMOOTHLY
<input checked="" type="checkbox"/> LEFT EYE JERKS AT 45 DEGREE ANGLES OR LESS	<input checked="" type="checkbox"/> RIGHT EYE JERKS AT 45 DEGREE ANGLES OR LESS
<input checked="" type="checkbox"/> DISTINCT JERKING LEFT EYE MAXIMUM DEVIATION	<input checked="" type="checkbox"/> DISTINCT JERKING RIGHT EYE MAXIMUM DEVIATION

CAN NOT DO, WHY? _____

WALK AND TURN:

DRIVER WAS UNABLE TO HOLD STARTING POSITION DURING INSTRUCTION PHASE. DRIVER STARTED TASK PRIOR TO THE START COMMAND. DRIVER SWAYED LEFT TO RIGHT AND DID NOT COMPLETE HEEL TO TOE ON EVERY STEP. DRIVER FAILED TO CALL OUT EVERY NUMBER OF STEPS. DRIVER STOPPED TO STEADY HIMSELF WHILE DOING THE TASK AND KEPT ASKING TO REPEAT THE INSTRUCTIONS. DRIVER WAS UNABLE TO MAKE SMALL CONTROLLED STEPS ON THE TURN AND HAD TO REPOSITION HIMSELF ON THE LINE. ON THE WAY BACK, THE DRIVER TOOK TEN STEPS INSTEAD OF THE INSTRUCTED NINE.

CAN NOT DO, WHY? _____

ONE LEG STAND:

DRIVER FAILED TO COUNT 1-7 ON FIRST ATTEMPT. DRIVER WAS UNABLE TO KEEP HIS FOOT AT THE PROPER HEIGHT. DRIVER FAILED TO KEEP HIS LEG UP FOR THE ALLOTTED 30 SECOND TASK. DRIVER ATTEMPTED TO COMPLETE THE TASK AGAIN. DRIVER ON THE SECOND ATTEMPT PUT FOOT DOWN AFTER COUNT 7 SWAYING LEFT TO RIGHT FOR BALANCE.

CAN NOT DO, WHY? _____

FINGER TO NOSE:

DRIVER WAS INSTRUCTED TO BEGIN. DRIVER FAILED TO KEEP EYES COMPLETELY CLOSED. DRIVER COMPLETED THE FIRST (LEFT) AND SECOND (RIGHT) MOVEMENTS CORRECTLY, THIRD MOVEMENT (LEFT) TOUCHED PAD OF FINGER TO SIDE OF NOSE. FOURTH (RIGHT) AND FIFTH (RIGHT) MOVEMENTS COMPLETED CORRECTLY.

CAN NOT DO, WHY? _____

ROMBERG / ALPHABET:

DRIVER STATED: A, B, C, D, E, F, G, H, I, J, K, DRIVER SANG L, M, N, O, P AND STOPPED. DRIVER THEN RETURNED BACK TO H, I, J, K, L, M, N, O, P AND PAUSED FOR APPROXIMATELY 20 SECONDS THEN CONTINUED WITH P, S, T, R AND STOPPED. DRIVER STATED HE DID NOT KNOW THE REST.

CAN NOT DO, WHY? _____

BREATH TEST RESULTS: REFUSED

STATE OF FLORIDA
COUNTY OF PALM BEACHL. Anderson #1105
(Signature of Arresting/Investigative Officer)The Forgoing instrument was sworn to or affirmed and subscribed before me this 26 day of January 2017 by _____K. Anderson
(Print name of arresting/Investigative Officer) who is personally known to me and/or produced identification. Type of identification produced

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? Yes

WHERE WERE YOU GOING? out

WHAT STREET OR HIGHWAY WERE YOU ON? Old Dixie

DIRECTION OF TRAVEL? S WHERE DID YOU START? No answer

WHAT TIME DID YOU START? No Answer WHAT TIME IS IT NOW?

WHAT IS TODAY'S DATE? 1/26/17 WHAT DAY OF THE WEEK IS IT? Wednesday

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Beach

WHEN DID YOU LAST EAT? 8:13 pm WHAT DID YOU EAT? Sandwich

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Nobody's business

HOW MUCH DO YOU WEIGH? 200 HAVE YOU BEEN DRINKING? Pass WHAT?

HOW MUCH? Pass WHERE? Pass WITH WHOM? Pass

WHEN DID YOU HAVE YOUR FIRST DRINK? Pass AND YOUR LAST DRINK? Pass

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Pass

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? Pass ARE YOU UNDER THE INFLUENCE? Pass

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? Pass HOW MUCH? Pass

WHAT? Pass WHERE? Pass WHEN? Pass

WHAT LINE OF WORK ARE YOU IN? Construction WHEN DID YOU LAST WORK? Today

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? N/A

ARE YOU SICK OR INJURED? No WHAT'S WRONG? N/A

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? Pass couple weeks

WERE YOU IN AN ACCIDENT TODAY? No

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? No WHEN? No

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? No WHO? N/A WHY? N/A

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? N/A WHEN? N/A

DO YOU HAVE: EPILEPSY? No

 GLASS EYE? No

 FALSE TEETH? No

 EAR INFECTION? No

 INNER EAR TROUBLE? No

 DIABETES? No

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DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? N/A

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE?

INTERVIEWER:

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

TESTING FACILITY TASK REPORT

AGENCY: _____

SUBJECT: Shane Johnson CASE NUMBER: 17-000013

DATE: 1-26-17 VIDEO TAPE NUMBER: 62-31

BEGINNING TIME: 0129 ENDING TIME: 0837

BREATH TESTS RESULTS: 1) R TIME 0031 A.M./P.M. 2) _____ TIME _____ A.M./P.M.
3) - TIME - A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: Shane Johnson

MAINTENANCE TECHNICIAN: Shane Johnson

TESTING OFFICER'S OBSERVATIONS

SPEECH: Shane Johnson

ATTITUDE: Relaxed

CLOTHING: Black shirt, tan pants, no jacket

MEDICAL CONDITIONS: None

MEDICATIONS: No

OTHER: None

COMMENTS: Shane Johnson is a 40 year old male. I don't know where he was driving from. He had implied he was driving, but I don't know if he was driving or not. He was driving very

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SUBJECT: Shelby Anderson

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 OFC Anderson of the TPD

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) Shelby Anderson

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) Shelby Anderson