0159895 5182

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1 Arrest 2 NTA 3 Request for Warrant 4. Request for Capias | 1 | Juvenile

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- 18116151

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: 01

Location of Arrest (Including Name of Business): ICW West side of Peanut Island Riviera Beach FL 33407

Location of Offense (Business Name, Address): ICW West side of Peanut Island West Riviera Beach FL 33407

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
09/02/2018	18:30					Released on scene

DEFENDANT

Name (Last, First, Middle): Chong, Timothy

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

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	12/12/1973	5'07	170	Bro	Bla	Med	Med

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

Marital Status: Married

Religion: CATHOLIC

Indication of Alcohol Influence: Y ☑ N ☐ Unk ☐
Indication of Drug Influence: Y ☐ N ☐ Unk ☑

Local Address (Street, Apt. Number) (City) (State) (Zip): 312 12th St Lantana FL 33462

Phone: ( )

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: Construction

D/L Number, State	Soc. Sec Number	ING Number	Place of Birth (City, State)	Citizenship
C520805734520	[redacted]		Boynton Beach FL	US

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 — Name (Last) (First) (Middle) — Residence Phone ( )

Address (Street, Apt Number) (City) (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

SEP 2 PM 8:45

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 #
Boating Under the Influence	01	☐Y ☑N	327.35 1	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A	18116151		

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

NOTICE TO APPEAR

Location (Court, Room Number, Address): 3228 Gun Club Road, West Palm Beach, Florida 33406

Court Date and Time: Month Sept Day 27 Year 2018 Time 08:30 AM ✓ 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 THE 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

ARRESTED

Signature of Defendant (or Juvenile and Parent /Custodian) Date Signed

2018 SEP -3 PM 7:12
PALM BEACH COUNTY FL CLERK CIRCUIT COURT

ADMIN

HOLD for other Agency Name

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy ID # Pouch #

Signature of Arresting Officer: X

Name of Arresting Officer (Print) ID #: D. Schuster

Transporting Officer: E Smith #6234 ID # Agency: PBSO

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an -X-

PAGE 1 OF 1

DISTRIBUTION WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N T A 's ONLY)

PBSO #148 REV 8/07

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B.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 2nd DAY OF September 20 18, AT 18:15 AM ✓ PM

SUBJECT: Chong, Timothy CASE NUMBER: 18116151

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. J. Schneider #8501

PERSONAL CONTACT

BOATING PATTERN: ACTUAL PHYSICAL CONTROL(PHYSICAL EVIDENCE OR STATEMENTS THAT THE DEFENDANT WAS OPERATING A VESSEL)

D/S Bucheli #9122 was Captaining a PBSO vessel when we observed a white Dusky Center Console boat with 3 additional occupants. D/S Bucheli noticed that the lettering on the side of the boat was not in black block format and observed two of the occupants were young females. The females appeared to be near the age of five or six. As no occupant of the vessel was wearing a life jacket we stopped it on the west side of Peanut Island to perform a safety check. As we came next to the boat the captain and only male occupant grabbed a bow line from me to place at the front of his vessel.

D/S Bucheli ultimately issued citation #V588056 for the aforementioned infraction.

OBSERVATION OF DRIVER:

While the vessels captain was grabbing the bow line from me I smelled the strong odor of a unknown alcoholic beverage coming from his person. As D/S Bucheli began the safety inspection I requested the captain of the vessel board our marked patrol vessel and perform field sobriety tasks. He agreed and we moved to the bow of the boat against the railing to perform these tasks.

DRIVER'S STATEMENTS:

I have had a few beers today

ODORS:

Distinct odor of a unknown alcoholic beverage coming from his breath and person

GENERAL OBSERVATIONS

SPEECH: **Slow but normal**

ATTITUDE: **Cooperative**

CLOTHING: **Multicolor shirt, black trunks, no shoes**

MEDICAL/OTHER: **Stated none**

STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. J. Schneider #8501
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 2 day of September 20 18 by Inv. J. Schneider #8501

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

Notary Public, Clerk of Court, Officer (F S S 117 10)

Samantha Palmer
Commission # FF 723477
Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLC

NOT A CERTIFIED COPY

SUBJECT: Chong, Timothy CASE NUMBER 18116151

SEATED 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:

Had to be reminded multiple times to only focus on the stimulus as he would stop following it and look at me. He als continued to move his head and had to be reminded not to do so.

FINGER TO NOSE:

Did not continue to keep head tilted back as instructed however touched finger to nose on every command

PALM PAT:

Not performed

HAND COORDINATION:

Did not maintain the instructional position and had to be reset. Had to explain the task twice. Starting the task h did not return his hands to the proper position, failed to clap three times, and coming back started counting one and two before realizing his mistake and started to perform five through eight.

ROMBERG ALPHABET:

Did not continue to keep head tilted back as instructed. He began to rhyme the alphabet through V contrary to instruction. He skipped W and finished X, Y, Z before stating I probably missed a few.

BREATH TEST RESULTS:

1) Ref	2) Ref	3)	4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. J. Schneider #8501
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 2 day of September 20 18 by Inv. J. Schneider #8501

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

Notary Public, Clerk of Court, Officer (F S S 117 10)

Samantha Palmer
Commission # FF 172377
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 15th Judicial Circuit in and for Palm Beach County, Florida

STATE OF FLORIDA
(PLAINTIFF)

V.

Timothy Chang
DEFENDANT

Uniform Boating Citation No.
V588057

AFFIDAVIT

I, Ivo J. Schneider #8301, a law enforcement officer, who having been duly sworn, certify and state the following:

1. That on Sun (Day of Week), Sept. 2nd (Date (Month & Day)), 2018 (Year) at 18:15 (Time) ☐ AM ☑ PM probable 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.

Officer's Signature — ID No 8301

Palm Beach County S/O
Law Enforcement Agency

3228 Gun Club Rd
Mailing Address

West Palm Beach — FL — 33406
City — State — Zip Code

Samantha Palmer
NOTARY PUBLIC: STATE OF OHIO
Commission #: 2017227.7
Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLC

SWORN TO AND SUBSCRIBED BEFORE ME THIS 2nd DAY OF September 2018

Notary Public or Attesting Officer

☒ Personally known to me
☐ Produced _____ as Identification

[redacted]

FWCDLE 108F (06/07)

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COURT RECORD

Case No.: _____ Hearing Docket No.: _____ Page No.: _____

DATE	Court Action and Other Orders
	☐ Payment of $500.00 received; or ☐ Hearing requested
	Continuance to: _____ Reason: _____
	Continuance to: _____ Reason: _____
	Other: _____
	$500.00 civil penalty is: Sustained ☐ Dismissed ☐

JUDGEMENT and ORDER

After hearing the evidence presented in this manner and duly considering the same, the court finds that the Defendant, _____, did unlawfully refuse to submit to chemical testing of his/her blood, breath, or urine, in violation of section 327.35215, Florida Statutes. The $500.00 civil penalty is sustained.

IT IS, THEREFORE, the Judgment and Order of this Court that you, the Defendant, pay a civil penalty of $500.00 within _____ days and that you refrain from operating any vessel upon the waters of this state until the $500.00 civil penalty is paid in full.

DONE, ADJUDGED, and ORDERED in open Court at _____ Florida, this _____ day of _____, 20____, A.D.

Judge: _____

Testimony, Judge's Notes, or other Court Orders:

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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.	
	☐	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:	

NOT A CERTIFIED COPY

REVIEW COMPLETED BY

Booking Number: 2018029499	**Date:** 09/03/2018
	Specialist Name/ID: AM/31562