

0512569

11/13/2019 2449 MB

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		Arrest N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile	
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number (N.T.A.'s only) 06-19137349					
Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Seized / Type 1. Yes 2. No		Multiple Clearance Indicator							
Location of Arrest (Including Name of Business) ORLEANS CT / N MILITARY TRL WEST PALM BEACH, FL 33415				Location of Offense (Business Name, Address) ORLEANS CT / N MILITARY TRL WPB, FL 33415							
Date of Arrest 11/13/2019		Time of Arrest 22:54		Booking Date		Booking Time		Jail Date		Jail Time	
Name (Last, First, Middle) Rivera Alvarez				Yasel				Alias (Name, DOB, Soc. Sec. #, Etc.) STEVE'S TOWING			
Race W - White I - American Indian B - Black O - Oriental/Asian		Sex M		Date of Birth 07/03/1990		Height 5'09		Weight 190		Eye Color BROWN	
Hair Color BLACK		Complexion LIGHT		Build MED							
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) TATOO CHEST, RIGHT ARM, RIGHT LEG				Marital Status SINGLE		Religion NONE		Indication of: Alcohol Influence ☐ Y ☐ N ☐ Unk. Drug Influence ☐ Y ☐ N ☐ Unk.			
Local Address (Street, Apt. Number) 171 MARGUERITA DR				(City) WEST PALM BEACH, FL 33415		(State) FL		(Zip) 33415		Phone (561) 657 0260	
Permanent Address (Street, Apt. Number)				(City)		(State)		(Zip)		Phone	
Business Address (Name, Street)				(City)		(State)		(Zip)		Phone	
D/L Number, State R164960902430				Soc. Sec. Number		INS Number		Place of Birth (City, State) CUBA		Citizenship NO	
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
☐ Parent ☐ Legal Custodian ☐ Other				Address (Street, Apt. Number)		(City)		(State)		(Zip)	
Notified by: (Name)				Date		Time		Juvenile Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
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					
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	
Charge Description D.U.I.		Counts 1		Domestic Violence ☐ Y ☐ N		Statute Violation Number 316.193 (1)		Violation of ORD #			
Drug Activity U		Drug Type U		Amount / Unit		Offense # 19137349		Warrant / Capias Number		Bond OR	
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond	

PBSO #148 REV. 8/97

GREEN - STATE ATTORNEY

YELLOW - AGENCY

PINK - AGENCY

GOLD - DEFENDANT (N.T.A.'s ONLY)

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PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile	
OBTS Number		Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06-19137349			
Charge Type: Check as many as apply.		☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes SUPPLEMENTAL PC					
Name (Last, First, Middle) Rivera Alvarez, Yasel,		Alias		Race W		Sex M		Date of Birth 7/3/1990	
Charge Description DUI		316.193(1)		Charge Description					
Charge Description				Charge Description					
Victim's Name (Last, First, Middle) State of Florida, ,				Race		Sex		Date of Birth	
Local Address (Street, Apt. Number)		(City)		(State)		(zip)		Phone	
Business Address (Name, Street)		(City)		(State)		(zip)		Phone	
								Occupation	
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. ☐ committed the below acts in my presence. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☐ confessed to _____ admitting to the below facts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the 13th day of NOVEMBER 20 19 at 22:04 ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest.)									
On Wednesday, November 13th 2019 at approximately 22:04 hours (10:04pm), I D/S Cisson ID# 24091 was conducting traffic enforcement in the area of Southern Blvd (State Rd 80) and Kirk Rd. I observed a blue Dodge Challenger driving in the right #4 lane (closest to the right shoulder), bearing Florida tag LWNS31. I observed as I was directly behind the vehicle, the vehicle slowed down in a 50 mph zone to 41 miles per hour. The driver appeared to have a hard time maintaining a lane as the vehicle left its lane to the left and then right multiple times. The vehicle then exited from Southern Blvd westbound to N. Military Trail. While the vehicle was on the off ramp, the driver then sped up to 60 miles per hour. The vehicle then began to make a right hand turn to head northbound on N. Military Trail from Southern Blvd. The driver accelerated so fast that the rear tires began to rotate and spin faster than the vehicle was moving. The vehicle then entered the middle #2 lane on N. Military Trail, where the driver reached a speed of 70 miles per hour. The posted speed limit between Southern Blvd and Belyedere Rd. is 40 miles per hour. I then activated my overhead red and blue lights to initiate a traffic stop on the vehicle. Once I made contact with the driver, he was identified as Yasel Rivera-Alvarez by his Florida driver's license. He was the sole occupant of the vehicle. I then explained to him that he was stopped for speeding. I asked him where he was coming from and he said his mother's house. I then noticed that there was an odor of alcohol emitting from the interior of the vehicle. While speaking with Rivera-Alvarez, I noticed that the odor became stronger as he would speak. Rivera-Alvarez's eyes were blood shot and glossy. His speech was slow and slurred. I then asked Rivera-Alvarez if he had consumed and alcoholic beverages prior to operating his vehicle. Rivera-Alvarez said that he was consuming beers at his mother's house. I asked him how many beers he consumed, he said two beers only. Then he said well maybe it was three. I asked him what kind of beer he was drinking, he replied Heineken beer. Rivera-Alvarez then said without asking that he might have had four beers. It was then found that Rivera-Alvarez had a clear glass in the rear floor board with what appeared to be brown alcohol spilling from it. I asked him if he was drinking it while he was driving. He said "yes", he said that he poured it out in the front floor board and then put the glass in the rear floor board. I then requested that Cpl. Soriano ID# 9418 respond to the scene for a DUI investigation. Once Cpl. Soriano arrived, the investigation was turned over to him.									
STATE OF FLORIDA COUNTY OF PALM BEACH		D/S Cisson 24091 (Signature of Arresting/Investigative Officer)							
The foregoing instrument was sworn to or affirmed and subscribed before me this 13th day of November 20 19 by D/S Cisson J. 24091 (Print name of Arresting/Investigative Officer), who is personally known to me and produced identification. Type of identification produced Law Enforcement Officer Cpl. Soriano R. ID# 9418 Notary Public, Clerk of Court, Officer (F.S.S. 117.10)									
PAGE 1 OF 1									

WITNESS LIST

CASE NUMBER: 19137349

ARRESTING OFFICER: Corporal R Soriano

ADDRESS: 3228 GUN CLUB RD WEST PALM BEACH, FL 33406

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

CAN TESTIFY TO: FACTS OF CASE AND INVESTIGATING SUCH CASE

NAME: D/S J CISSON #24091

ADDRESS: 3228 GUN CLUB RD WEST PALM BEACH, FL 33406

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

CAN TESTIFY TO: FACTS OF CASE

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: _____

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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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NOV 14 2019

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 13TH DAY OF NOVEMBER 20 19, AT 22:06 AM ☒ PM

SUBJECT: Rivera Alvarez Yasel

CASE NUMBER: 19137349

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Corporal R Soriano

PERSONAL CONTACT

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

On Wednesday, November 13, 2019 at approximately 22:06 hours, I responded to a traffic stop conducted by Deputy J Cisson #24091 involving a possible impaired driver. Upon my arrival, I observed the traffic stop took place in the left turn lane of northbound N Military Trail at Orleans Ct. Upon exiting my vehicle, I met with Deputy Cisson, who told me the following. "I was conducting traffic enforcement in the area of Southern Blvd (State Rd 80) and Kirk Rd. I observed a blue Dodge Challenger driving in the right #4 lane (closest to the right shoulder), bearing the vehicle left its lane to the left and then right multiple times. The vehicle slowed down in a 50 mph zone to 41 miles per hour. The driver appeared to have a hard time maintaining a lane as sped up to 60 miles per hour. The vehicle then began to make a right hand turn to head northbound on N. Military Trail from Southern Blvd. The driver accelerated so fast that the rear tires began to rotate and spin faster than the vehicle was moving. The vehicle then entered the middle #2 lane on N. Military Trail, where the driver reached a speed of 70 miles per hour. The posted speed limit between Southern Blvd and Belvedere Rd. is 40 miles per hour. I then activated my overhead red and blue lights to initiate a traffic stop on the vehicle. Once I made contact with the driver, he was identified as Yasel Rivera-Alvarez by his Florida driver's license. He was the sole occupant of the vehicle. I then explained to him that he was stopped for speeding. I asked him where he was coming from and he said his mother's house. I then noticed that there was an odor of alcohol emitting from the interior of the vehicle. While speaking with Rivera-Alvarez, I noticed that the odor became stronger as he would speak. Rivera-Alvarez's eyes were blood shot and glossy. His speech was slow and slurred. I then asked Rivera-Alvarez if he had consumed and alcoholic beverages prior to operating his vehicle. Rivera-Alvarez said that he was consuming beers at his mother's house. I asked him how many beers he consumed, he said two beers only. Then he said well maybe it was three. I asked him what kind of beer he was drinking, he replied Heineken beer. Rivera-Alvarez then said without asking that he might have had four beers. It was then found that Rivera-Alvarez had a clear glass in the rear floor board with what appeared to be brown alcohol spilling from it. I asked him if he was drinking it while he was driving. He said "yes", he said that he poured it out in the front floor board and then put the glass in the rear floor board."

OBSERVATION OF DRIVER:

After speaking with Deputy Cisson, I observed the driver who was the sole occupant, was standing at the rear of his vehicle and was wearing ripped denim short and long sleeve black shirt with multicolor design. Deputy Cisson handed me the driver's license, at which time I positively identified him as Yasel Rivera Alvarez. I observed the Rivera had red and glossy eyes and when asked if he knew why he had been stopped, he answered "yes". I detected that Rivera was slurring his words and had a strong odor of unknown alcoholic beverage coming from his breath. I explained to Rivera that I had been summoned to the scene, due to Deputy Cisson being under the suspicion that he may have consumed and unspecified amount of unknown alcoholic beverage which may have impaired his ability to operate a vehicle safely. I asked Rivera to submit to standardized field sobriety tasks, which he agreed to.

DRIVER'S STATEMENTS:

I asked Rivera to walk to the front of Deputy Cisson's patrol car and once there, I asked him a series of questions. I asked Rivera if he had been drinking or used any drugs. Rivera stated he drank three cups of rum at his mothers house for her birthday. I asked Rivera if he had any medical problems and/or previous injuries he had and he answered "no." I asked Rivera if he wore any glasses or contacts to correct his vision and he answered "no." Finally, I asked Rivera if he takes any medications and he answered "no."

ODORS:

Obvious odor of an unknown alcoholic beverage

GENERAL OBSERVATIONS

SPEECH: slurred, slow, unclear

ATTITUDE: calm, compliant

CLOTHING: blue jean shorts, black slides and black shirt

MEDICAL/OTHER: NONE

STATE OF FLORIDA
COUNTY OF PALM BEACH

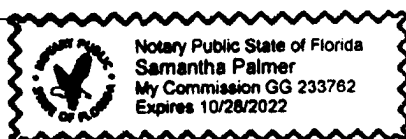
Corporal R Soriano

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13th day of November 20 19 by Corporal R Soriano

(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)



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NOV 14 2019

SUBJECT Rivera Alvarez YaselCASE NUMBER 19137349

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:☒ LT EYE-LACK OF SMOOTH PURSUIT☒ RT EYE-LACK OF SMOOTH PURSUIT☒ LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION☒ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION☒ LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES☒ RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Once positioned in the front of my vehicle, I continued my investigation. I instructed Rivera to keep his hands by his side, stand with his feet together, and follow a blue light stimulus with his eyes not turning his head. I asked him if he understood my instructions. Once Rivera verbally stated he understood my instructions I continued with the task. I observed both eyes to be red, bloodshot, and glossy. His left and right eye displayed equal pupil size, equal tracking, and a lack of smooth pursuit. I observed distinct and sustained nystagmus present in both his left and right eye at maximum deviation during two separate four second evaluations. The onset of nystagmus was prior to a 45 degree angle in both his left and right eye during two separate four second evaluations. Vertical nystagmus was not present in both the left and right eye during two separate four second evaluations. While conducting the task, I had to remind him to keep hands by his side, not turn his head and follow the stimulus multiple times.

WALK & TURN:

I positioned Rivera on a yellow line created using yellow duct tape, which was on a smooth and level surface, free of any debris and well lit by the headlights on my vehicle and nearby street lighting. I instructed Rivera to place his left foot on the line and his right foot in front of the left touching heel to toe. I instructed him that he was to keep his hands at his side and stay in this position until I instructed him to do otherwise. Once placed into the instructed position, I explained and demonstrated the rest of the task. During the task, I observed Rivera swayed while balancing, could not maintain the instructed position, stopped walking to steady self, did not touch heel to toe, stepped off the line twice. Used arms to maintain balance (+6"), did not turn properly and took incorrect number of steps.

ONE LEG STAND:

I placed Rivera with his feet together and arms at his side. Once Rivera was placed into the instructed position, I explained and demonstrated the rest of the task. Once Rivera stated he understood, the task was performed. During the task, I observed, Rivera could not maintain the instructed position, he started too soon and swayed while standing stationary. While raising his foot he swayed while balancing, put foot down 2 within 30 seconds.

FINGER TO NOSE:

I instructed Rivera to stand with his feet together, make each hand into a fist keeping, extended his index fingers and to place his palms facing up. He was instructed to lower his arms by his side. I instructed and demonstrated the proper hand and arm position and for him to remain in this position while I demonstrated the rest of the task. I instructed and demonstrated him to tilt his head back approximately 45 degrees and close his eyes while waiting for a verbal command of left or right. On the command of "left" or "right", he would raise the requested hand, touch the tip of his finger to the tip of his nose, then bring his hand immediately back down to his side. During the instruction and demonstration of the task he swayed heavily while standing in the instructional position. I asked him if he understood the instructions I provided and he verbally stated he understood. I instructed him to start the task as explained. During the task, I observed Rivera did not keep eyes closed, correct finger did not touch tip of nose, used wrong hand.

ROMBERG ALPHABET:

I verbally inquired if Rivera could recite the entire English alphabet. He stated he was able to recite the English alphabet and I instructed him to place his feet together with his arms at his side and stay in this position until told to do otherwise. I instructed him that upon starting he was to tilt his head back approximately 45 degrees and close his eyes. He would begin to state the alphabet in a slow and methodical manner without singing or rhyming it. I asked him if he understood the instructions and he verbally replied he understood. During the instructions he continued to sway while standing stationary. I instructed Rivera to start the task as explained. During the task, I observed the he did not keep eyes closed, swayed more than (+2") from side to side, and repeated the letter "S" and a few others.

BREATH TEST RESULTS:

1) .179

2) .186

3)

4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

Corporal R Soriano

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13th day of November 20 19 by Corporal R Soriano(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)

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022SCANNED
NOV 14 2019

TESTING FACILITY TASK REPORT

AGENCY: PBSO/SORIANO

SUBJECT: RIVERA ALVAREZ, YASEL

CASE NUMBER: 19-137384

DATE: Nov 13, 2019

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 2331

ENDING TIME: 2342

BREATH TESTS RESULTS: 1) .179 TIME 2335 A.M. ☐ P.M. ☒ 2) .186 TIME 2337 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: ACCENT, BROKEN ENGLISH

ATTITUDE: CALM, QUIET, CRYING, UPSET

CLOTHING: BLACK SHIRT, BLUE JEAN SHORTS, BLACK SANDALS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: GLASSY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGES COMING FROM BREATH,

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 2310
SUBJECT AGREED TO TAKE BREATH TEST
AND PROVIDED TWO ADEQUATE BREATH SAMPLES SUCCESSFULLY
A/O READ TEST RESULTS
SUBJECT STATED HE UNDERSTOOD RESULTS
A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD RIGHTS
AND REFUSED QUESTIONING

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006238 Software: 8100.27
Date of Test: 11/13/2019

Date of Last Agency Inspection: 10/18/2019

Observation Period Began: 23:10

Subject's Name: YASEL RIVERA ALVAREZ

DOB: 07/03/1990 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:

Test	g/210L	Time
Diagnostics Check	OK	23:33
Air Blank	0.000	23:33
Control Test	0.080	23:34
Air Blank	0.000	23:34
Subject Sample #1	0.179	23:35
Air Blank	0.000	23:35
Air Blank	0.000	23:37
Subject Sample #2	0.186	23:37
Air Blank	0.000	23:38
Control Test	0.080	23:38
Air Blank	0.000	23:39
Diagnostics Check	OK	23:39

Cylinder Lot: 17919080A1
Exp: 08/05/2021

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who (☒) is personally known to me or (☐) produced _____ as identification, and who after being placed under oath, states:

I SAMANTHA M PALMER, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____

Signature

Date: 11/13/19

Sworn to (or affirmed) before me this 13 day of November, 2019

Signature of Notary Public-State of Florida

INV. Soriano #9418

Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

SUBJECT:

Rivera Alvarez, Yaset

CASE NUMBER:

19 187349

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 SCANNED

SUBJECT:

Rivera, Vasel

CASE NUMBER:

1A 137349

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? _____

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:

INV. Soriano # 9412

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SCANNED
NOV 14 2019



**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.	
	☐	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.	
	☐			
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	☐			
	☐			
Other	☐	119.07(1)	Other: DNA analysis results information held by a public entity is exempt	
	☐	943.045(10)	Other: DNA results/analysis and comparison of analytic results submitted to FDLE	

REVIEW COMPLETED BY

Booking Number: 2019036719	Date: 11/14/2019
	Specialist Name/ID: VARGO/6665

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