0511454

ARREST / NOTICE TO APPEAR

19 CT 018446 / 3026

1. Arrest 2. N.T.A. — Request for Warrant: 3. Request for Capias 5. Juvenile Referral — 1 — JUVENILE — N

ADMINISTRATION

OBTS Number

Agency ORI Number: 0500200

Agency Name: Boca Raton Police Department

Agency Report Number (N.T.A.'s only): 3 2 2019-013335

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

If Weapon Seized — Enter Type: None/not Applicable

Multiple Clearance Indicator: N

Location of Arrest (Including Name of Business): 800 MEADOWS ROAD, BOCA RATON, FL

Location of Offense (Business Name, Address): 5 E PALMETTO PARK RD, BOCA RATON, FL 33432

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
10/02/2019	17:27	10/02/2019	17:37	10/02/2019	00:00	WESTWAY TOWING

DEFENDANT

Name (Last, First, Middle): MAHMOOD, ZEESHAN KHALID

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

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	12/21/1982	5'08	180	BROWN	BROWN	LIGHT	Medium

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

Marital Status: M — Religion:

Indication of: Alcohol Influence ☐ Yes ☒ No ☐ Unk. — Drug Influence ☐ ☐ ☐

Local Address (Street, Apt. Number) (City) (State) (Zip): 333 E PALMETTO PARK RD 423, BOCA RATON, FL 33432 — Phone: (704) 232-4531 — Residence Type: 1. City 2. County 3. Florida 4. Out of State: 1

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 333 E PALMETTO PARK RD 423, BOCA RATON, FL 33432 — Phone: (704) 232-4531 — Address Source: VERBAL

Business Address (Name, Street) (City) (State) (Zip): HORIZON, 3323 CYPRESS CREAK ROAD, OAKLAND PARK, FL — Phone: (704) 232-4531 — Occupation: Broker

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
M530991824610 / FL	[redacted]		QUEENS, NY, United	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

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

JUVENILE

☐ Parent ☐ Other: ☐ Legal Custodian — 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 Department and Released 2. TOT JAC 3. Incarcerated

Released To. (Name) — Relationship — Date — Time: OCT 2 PM 7:51

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

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. Synthetic, U. Unknown, Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
DUI	316.193(1)	~~316.193(1)~~		N	/		1	☐ Y ☒ N		
DL - NO DRIVERS LICENSE	322.03(1)			N	/		1	☐ Y ☒ N		
					/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant: FAIR

Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☒ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By	Released By	Released To
VAN CAMP	VAN CAMP	PBCJ

Transported By — Date Transported: 10/02/2019 — Time Transported: 00:00 — Other

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): South County 200 W Atlantic Ave Delray Beach, FL 33444

Court Date and Time: 11/04/2019 08:30:00

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.

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

SHARON R. BOCK CLERK & COMPTROLLER PALM BEACH COUNTY, FLORIDA WEST COUNTY BRANCH

2019 OCT 3 AM 8:11 FILED

No Photo Available

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy — I.D. # — Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): VAN CAMP, J. A. — I.D. #: 747

Transporting Officer: Ofc. Martel — I.D. #: 51 — Agency: BOCA

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X" — OCT 3 2019

PAGE 1 OF 1

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 | 2019-013335

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
MAHMOOD, ZEESHAN KHALID		W	M	12/21/1982

CHARGES

Charge Description	Charge Description
316.193(1) DUI	322.03(1) DL - NO DRIVERS LICENSE
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
100 NW 2ND AVE, BOCA RATON, FL 33432	(561) -	DEFENDANT
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**
	(56) -	

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable 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 committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 2 day of October, 2019 at 16:00 (Specifically include facts constituting cause for arrest.)

On 10-02-2019 at 1404 hours, BPPD units responded to 5 E. Palmetto Park Road in reference to a two vehicle crash investigation. CSO Ganthier and CSO Boylston arrived on scene first and observed BRFD personnel providing medical attention to D-1, identified via Florida Identification Card as Zeeshan Mahmood. Mahmood was completely passed out and sitting behind the driver`s seat of the vehicle. A traffic crash investigation was conducted which concluded the following: V-2 was stopped facing westbound in the right through lane at a solid red light at the intersection of E. Palmetto Park Road and S. Dixie Hwy. D-2, Dieulifort Noel, said that as he was stopped, V-1 collided with the rear of his vehicle causing minor damage. Noel stated that Mahmood exited his vehicle and momentarily spoke to him about the accident but quickly returned to his vehicle and passed out. Noel then notified BRPD and stated that Mahmood was unresponsive. Noel completed a sworn written statement which was forwarded into BRPD Evidence.

I spoke with CSO Boylston who informed me that Mahmood was being transported to Boca ER due to losing consciousness and that BRFD administered Narcan to wake him up. I responded to Boca ER and first made contact with BRFD Med 3 personnel. LT Leon stated that his crew responded to the crash location and found Mahmood passed out behind the wheel of his vehicle. LT. Leon advised that his staff attempted to wake Mahmood up for approximately five minutes before it was determined that Narcan was needed to wake Mahmood up from his unconscious state. After administering a 1 mg shot of Narcan, Mahmood immediately woke up and regained consciousness and could now speaking with BRFD staff. LT Leon stated that he observed signs of heroin impairment and was informed by Mahmood that he took an Oxycodone pill.

I then spoke with Mahmood in room#2 at Boca ER. Mahmood was conscious and speaking with medical staff about what had occurred in the accident. I briefly spoke with Mahmood and saw that he was drowsy and had pin point pupils. Mahmood informed me that he had just left his residence which is located at 333 E. Palmetto Park Road. Mahmood said

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

VAZQUEZ-BELLO, YVETTE D
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)

10/02/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

VAN CAMP, JEFFERY ALAN (747)
NAME OF OFFICER (PLEASE PRINT)

10/02/2019
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT SUPPLEMENT

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

1

JUVENILE

Agency ORI Number: FL 0500200

Agency Name: BOCA RATON POLICE DEPARTMENT

Agency Report Number: 3 | 2 | 2019-013335

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): MAHMOOD, ZEESHAN KHALID

Alias

Race	Sex	Date of Birth
W	M	12/21/1982

PROBABLE CAUSE STATEMENT

that before he left his house, he ingested what he believed was an Oxycodone or Percocet capsule.

Based on my observations and BRFD having to administer Narcan for Mahmood to regain consciousness, I ended the crash investigation and informed Mahmood that I was now conducting a DUI investigation. I read Mahmood his constitutional rights, Mahmood stated he understood and would speak to me without an attorney present.

Mahmood said that approximately an hour ago, he went to his friend`s house which is in the same building where he lives. While at his friend`s house, he ingested what he believed was a Percocet pill or an Oxycodone pill. Mahmood paid $20.00 for the pill and said that he usually takes some form of a narcotic because it helps him have more energy at work. After Mahmood ingested the pill, he got into his vehicle and began traveling westbound on E. Palmetto Park Road for a job interview. Mahmood stated that at some point he lost consciousness and does not remember much about being involved in an accident. Mahmood said he felt a bump and briefly remembers getting out of his vehicle, but his memory isn`t clear after that point. Mahmood also admitted to smoking marijuana earlier in the day.

I then requested that Mahmood perform the standard roadside exercises to dispel my alarm that he was driving impaired. He provided consent and was cooperative throughout the investigation.

Mahmood said he was not prescribed any medications.

I explained and demonstrated each task before he attempted them.

The first task was Horizontal Gaze Nystagmus. While observing HGN, eyelid tremors were present, indicating marijuana impairment.

The second task was the Finger to Nose exercise as he was sitting the hospital bed. On the last three finger to nose sequences, Mahmood momentarily held his finger to his nose instead of directly bringing it back down to his side.

The third task was the Rhomberg Alphabet. Mahmood completed this task without incident. The fourth task was the Rhomberg Balance (estimate 30 seconds). Mahmood estimated 30 seconds in 40 seconds.

At 1601 hours, I placed Mahmood under arrest for DUI and transported him to the Boca Raton Police Department for processing. Ofc. Horne responded to conduct the Intoxilyzer 8000. While in the DUI room, Mahmood provided the breath samples of .000% and .000%. Based on these results, I requested that Mahmood provide a sample of his urine for the purpose of detecting the presence of a chemical or controlled substance. Mahmood agreed

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

VAZQUEZ-BELLO, YVETTE D

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)

10/02/2019

DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

VAN CAMP, JEFFERY ALAN (747)

NAME OF OFFICER (PLEASE PRINT)

10/02/2019

DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 2019-013335

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
MAHMOOD, ZEESHAN KHALID		W	M	12/21/1982

PROBABLE CAUSE STATEMENT

and provided a urine sample which was collected and submitted into BRPD Evidence.

Mahmood is being charged with DUI per 316.193(1) and driving without being issued a driver`s license per F.S.S. 322.03(1).

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

VAZQUEZ-BELLO, YVETTE D

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

10/02/2019

DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

VAN CAMP, JEFFERY ALAN (747)

NAME OF OFFICER (PLEASE PRINT)

10/02/2019

DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: BOCA RATON PD
Instrument Serial Number: 80-006622 Software: 8100.27
Date of Test: 10/02/2019

Date of Last Agency Inspection: 09/29/2019
Observation Period Began: 17:15
Subject's Name: ZEESHAN K MAHMOOD DOB: 12/21/1982 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	17:37
Air Blank	0.000	17:37
Control Test	0.080	17:38
Air Blank	0.000	17:38
Subject Sample #1	0.000	17:39
Air Blank	0.000	17:39
Air Blank	0.000	17:41
Subject Sample #2	0.000	17:42
Air Blank	0.000	17:43
Control Test	0.078	17:43
Air Blank	0.000	17:44
Diagnostics Check	OK	17:44

Cylinder Lot: J3518080A5
Exp: 08/05/2020

State of Florida, County of Palm Beach,

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

I ASHTON D HORNE, 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: _____ Date: 10/2/19
Signature

Sworn to (or affirmed) before me this 2nd day of October, 2019

_____ Ofc Ashton Horne
Signature of Notary Public-State of Florida 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.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

DUI INFLUENCE REPORT

BOCA RATON POLICE SERVICES DEPARTMENT
100 NW 2nd Avenue
Boca Raton, FL 33432

Revised: July 9, 2018

[redacted]

BOCA RATON POLICE SERVICES DEPARTMENT

DUI INFLUENCE REPORT - PART I

On the _____ day of _____, at _____ AM/PM:

Subject: _____ Case Number: _____

PERSONAL CONTACT

Driving Pattern: _____

Observation of Driver: _____

Driver's Statement: _____

Odors: _____

GENERAL OBSERVATIONS

Speech: _____

Attitude: _____

Clothing: _____

Medical Problems: _____

Medications: _____

Other: _____

Horizontal Gaze Nystagmus:

☐ Left eye does not follow smoothly ☐ Right eye does not follow smoothly

☐ Left eye jerks at 45 degrees angle or less ☐ Right eye jerks at 45 degrees angle or less

☐ Distinct jerking left eye maximum deviation ☐ Distinct jerking right eye maximum deviation

Can not do, Why? _____

Walk and turn: _____

Can not do, Why? _____

One leg stand: _____

Can not do, Why? _____

Finger to nose: _____

Can not do, Why? _____

Alphabet (speech pattern): _____

Can not do, Why? _____

Breath/Blood test results: _____

State of Florida, County of Palm Beach,
Sworn and subscribed before me this _____ (date) by _____

_____ _____
Notary/Clerk of Court/ Officer (FSS 117.10) Date

_____ _____
Signature of Arresting Officer Name of Officer (print)

ARRESTING OFFICER: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

-END OF PART ONE-

[redacted]

BOCA RATON POLICE SERVICES DEPARTMENT

JUVENILE CONSTITUTIONAL WARNINGS

Rights of suspects prior to custodial questioning.
Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions. *Tell me in your own words what you think this means.*

(You do not have to talk to me or answer any questions about this offense. You can be quiet if you want.)

(2) Any statement you make must be freely and voluntarily given. *Tell me in your own words what you think this means.*

(If you do talk to me it has to be because you want to and not because anyone is forcing you to speak.)

(3) You have a right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning. *Tell me in your own words what you think this means.*

(You can talk to a lawyer before we ask you any questions and you can have him/her with you now, during our questioning.)

(4) If you cannot afford a lawyer, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning. *Tell me in your own words what you think this means*

(If you do not have money for a lawyer and you want one, a lawyer will be given to you for free.).

(5) If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. *Tell me in your own words what you think this means.*

(If you decide to talk to me then change your mind, you can stop answering my questions at any time.)

(6) I can make no threats or promises to induce you to make a statement. This must be of your own free will. *Tell me in your own words what you think this means*

(I am not allowed to threaten you or make you any promises to get you to talk to me. If you decide to talk, it must be because you want to.)

(7) Any statement can be and will be used against you in a court of law. *Tell me in your own words what you think this means*

(Anything you say to me can and will be told to the judge or a jury in court. A judge is a person who decides if you have done something wrong. Sometimes a group of people called a jury decide this, but the Judge is the person who decides what punishment you get.)

(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____

[redacted]

BOCA RATON POLICE SERVICES DEPARTMENT

TESTING FACILITY TASK REPORT

SUBJECT: Zeeshan Khalid Mahmood

CASE #: 19-013335 DATE: 10/2/19

BREATH TEST RESULTS .000; .000

1) TIME 17:39 AM/PM 2) TIME 1742 AM/PM

3) TIME _____ AM/PM 4) TIME _____ AM/PM

BREATH OPERATOR: Ofc. Horne #791

MAINTENANCE TECHNICIAN: Ofc. Jeff Van Camp #747

TESTING OFFICER'S OBSERVATIONS

SPEECH: Normal, eyes glassy & watery

ATTITUDE: Polite

CLOTHING: Blue button down and brown shorts

MEDICAL CONDITION: No known issues

OTHER:

COMMENTS: Zeeshan stated that he took pills from a friend possibly Oxytocin before he drove his vehicle

[redacted]

To be filled out at testing facility

Agency Case # 19-013335

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is Wednesday (day), October (month), 2nd (date), 2019 (year).

B. The time is now approximately _____ AM/PM.

C. The following is in reference to case number 19-013335.

D. Present at this time is Off. Jeff VanCamp of the Boca Raton Police Department. (Officer's Name)

E. Officer Jeff VanCamp, have you arrested Zeeshan Mahmood (Defendant's name) in violation of Florida State Statute 316.193?

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida? yes

G. Mr./Mrs./Ms. Zeeshan Mahmood, I am required to inform you these proceedings are being video-recorded.

Operator Note: *Video record breath request, breath sample, and interview.*

II. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

A. I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.

B. I am now requesting that you submit to a lawful test of your **URINE** for the purpose of determining the presence of chemical or controlled substances.

C. 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.

IMPLIED CONSENT WARNINGS

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 Signature: _____

Note: Also read for CDL holders:

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

Note: After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr./Mrs./Ms. _____ has refused to submit to a breath test.

The date is _____ (month), _____ (day), _____ (year), and the time is _____ AM/PM.

A refusal form will be completed by the arresting officer.

Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions.
(2) Any statement you make must be freely and voluntarily given.
(3) You have a right to the presence and representation 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 and representation of a court appointed lawyer before you make any statement 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 be and will be used against you in a court of law.
(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: [signature] Date: 10/2/19 Time: 1754

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? Yes

Where were you going? Deerfield Beach

What street or highway were you on? Palmetto Park

Direction of travel? Headed East

Where did you start driving from? Home

What city (county) were you stopped in? Boca Raton

What time did you start? 10:30 AM (AM)/PM What time is it now? 5:15/5:30

What is today's date? 10-2-19 What day of the week is it? Wednesday

When did you last eat? 9:00 PM yesterday What did you eat? Cheeseburger Fries

What have you been doing the past three hours prior to this stop/accident? Feeding kid, Friends House Drugs - Marijuana

How much do you weigh? 180 Have you been ~~drinking~~? ___ What were you drinking? X

How much? X Where? ___ With whom were you drinking? ___

When did you have your first drink? \ AM/PM When did you stop drinking? \ AM/PM

How did you consume your last two drinks? _____

Are you under the influence of alcohol now? ☐ Yes ☑ No

Can you feel the effects of alcohol? ☐ Yes ☑ No

Have you consumed alcohol since the accident? ☐ Yes ☑ No

Can you feel the effects of alcohol? ☐ Yes ☑ No

Have you consumed alcohol since the accident? ☐ Yes ☑ No How much? _____

What? ✓ Where? _____

What line of work are you in? Baker

When did you last work? This morning

Do you have any physical defects or injuries? ☐ Yes ☑ No If yes, explain:

Are you sick or injured? ☐ Yes ☑ No If yes, explain:

Do you limp? ☐ Yes ☑ No Did you get a bump on the head? ☐ Yes ☑ No

Were you in an accident today? Yes

Have you taken any drugs or smoked marijuana today? Yes

What? ✓ When? _____

Have you seen a doctor or dentist today? ☑ Yes ☐ No Who? _____

Are you taking any prescription medications? ☐ Yes ☑ No What? _____ When? _____

Do you have: Epilepsy? ☐ Yes ☑ No Inner ear trouble? ☐ Yes ☑ No

Glass eye? ☐ Yes ☑ No Ear infection? ☐ Yes ☑ No

False teeth? ☐ Yes ☑ No Diabetes? ☐ Yes ☑ No

Any problems not correctable by glasses or contact lenses? No

Do you take insulin? ☐ Yes ☑ No If yes, when was your last injection? _____

Have you ever had a driver's license in any other state? North Carolina, New York

I am now ending this video recording. The time is now approximately 1753 AM/PM.

The date is October (month) 2nd (day) 2014 (year)

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.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐	539.001 FS	Other: All records relating to pawnbroker transactions.	
	☐	119.0712(2)	Other: Personal information contained within a motor vehicle record	

REVIEW COMPLETED BY

Booking Number: 2019032190	**Date:** 10/03/2019
	Specialist Name/ID: howardt7185