

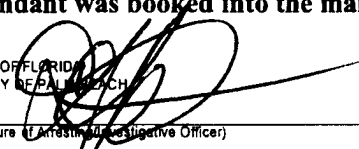
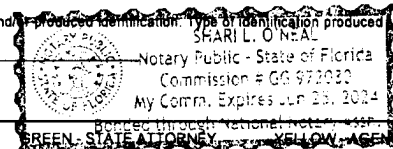
0531454

50-2022-CT-007335-AMB

3672

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile		N	
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number (N.T.A.'s only) 06-22-065345							
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 1									
Location of Arrest (Including Name of Business) LAKE WORTH RD (W) OF SHERWOOD FOREST BV GREEN ACRES FL						Location of Offense (Business Name, Address) LAKE WORTH ROAD (W) OF SHERWOOD FOREST BV, GREEN ACRES FL 33413							
Date of Arrest 05/08/2022		Time of Arrest 2117		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle PRIORITY TOWING	
Name (Last, First, Middle) Garner, Elizabeth, Leigh													
Alias (Name, DOB, Soc. Sec. #, Etc.)													
Race W - White I - American Indian B - Black O - Oriental/Asian		Sex F		Date of Birth 3/15/1971		Height 5'03		Weight 100		Eye Color BLU		Hair Color BLON	
Complexion FAIR		Build SMALL											
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) TAT RIGHT HIP						Marital Status Married		Religion CHRISTIAN		Indication of Alcohol Influence Drug Influence Y ☐ N ☐ Unk. ☐			
Local Address (Street, Apt. Number) (City) (State) (Zip) 335 Lake Arbor Dr, Palm Springs, FL 33461						Phone (561) 710 7204		Residence Type: 1. City 2. County 3. Florida 4. Out of State					
Permanent Address (Street, Apt. Number) (City) (State) (Zip)						Phone		Address Source FL DL					
Business Address (Name, Street) (City) (State) (Zip) 2307 LAKE ARBOR DR. PALM SPRINGS FL 33461						Phone		Occupation HAIR STYLIST					
D/L Number, State G656232715950, FL				Soc. Sec. Number		INS Number		Place of Birth (City, State) NASHVILLE TN		Citizenship US			
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:						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	
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 Description DUI WITH PROPERTY DAMAGE						Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number 316.193(3)C1		Violation of ORD #	
Drug Activity N/A						Drug Type N/A		Amount / Unit		Offense # 22-065345		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													
Charge Description						Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #	
Drug Activity						Drug Type		Amount / Unit		Offense #		Warrant / Capias Number	
Bond													
Location (Court, Room Number, Address) Criminal Justice Complex, 3228 Gun Club Road, West Palm Beach, FL 33406 - Ph: (561) 688-4600													
Court Date and Time Month JUNE Day 2 Year 2022 Time 0800 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 05/08/2022													
Signature of Defendant (or Juvenile and Parent / Custodian) _____ Date Signed _____													
HOLD for other Agency Name: _____						Signature of Arresting Officer _____				Name Verification (Printed by Arrestee)			
☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other:						Name of Arresting Officer (Print) INV E. K. WHITE				(PRINT) INV E. K. WHITE			
Intake Deputy me b9t						I.D. #		Pouch #		Transporting Officer INV E. K. WHITE		ID # 7209	
Agency PBSO						Witness here if subject signed with an "X" _____							

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	Juvenile	N	
ADMIN	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 22-065345						
	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) Garner, Elizabeth, Leigh				Alias		Race W	Sex F	Date of Birth 3/15/1971		
	Charge Description DUI WITH PROPERTY DAMAGE		316.193(3)C1		Charge Description						
CHARGES	Charge Description				Charge Description						
	Charge Description				Charge Description						
VICTIM	Victim's Name (Last, First, Middle) ''				Race		Sex	Date of Birth			
	Local Address (Street, Apt. Number) (City) (State) (zip)				Phone () ()		Address Source				
	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. 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 committed the below acts, resulting from my (described) investigation. On the <u>8</u> day of <u>MAY</u> 20<u>22</u> at <u>2014</u> ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest.)											
On Sunday, May 8, 2022 at approximately 2020 hours, I responded to the 6000 Block of Lake Worth Road, Green Acres (Palm Beach County) Florida to assist Deputy Eric Cowart with a three vehicle traffic crash that involved a possible impaired driver. While en route to this location it was advised individuals were being transported to area hospitals for treatment. Upon my arrival I observed the three vehicles involved in the crash were resting in the eastbound center and inside lanes of Lake Worth Rd. A closer observation revealed severe front end damage to the striking vehicle with a license plate number of "32CCCC". I saw a small bottle of Deep Eddy Vodka on the driver seat of this vehicle. A minimal amount of its liquid content remained inside it. The front airbag was deployed. A brown utility vehicle was occupying the inside lane and had been shifted to a north posture after being struck by the previously mentioned vehicle. The front side of the utility vehicle was resting against the third vehicle that was in the inside lane. It incurred damage to its right rear side. All vehicles were entangled with one another. D/S Alberto Santana reported upon his arrival he made contact with the defendant as she sat in the driver seat of the Acura. He smelled an odor of an unknown alcoholic beverage(s) coming from inside her vehicle. D/S Santana wrote a sworn witness statement on a probable cause affidavit detailing his involvement with this case. I made contact with D/S Cowart who was investigating the crash. He later directed my attention to the driver of the striking vehicle by pointing to a white female sitting on the sidewalk next to a street sign. A deputy was accompanying her. I made contact with her as she sat. She was later identified as Elizabeth Leigh Garner by her Florida driver license. I asked her to stand and walk to the front of my patrol vehicle. In doing so she lost her balance and nearly fell on occasion. She was unsteady while standing and occasionally reached toward me for support. Her eyes were red, watery and glossy. Her cheeks were flushed, mouth dry and she slurred her speech while speaking. Her movements were slow, calculated and lethargic. She was inattentive and performing maneuvers on her own volition. I could smell a strong odor of an unknown alcoholic beverage emanating from her breath that intensified when she spoke. She was wearing black jeans, a white shirt and black shoes. I told the driver I was assisting with a traffic crash that she was witnessed to be one of the drivers. I explained I had completed my assistance with the crash and would now be conducting a criminal investigation for DUI with property damage/minor injuries. My suspicion of her alcoholic beverage consumption was prompted by the evidence inside her vehicle and the indicators of impairment she was exhibiting. Prior to speaking with her further I told her I am required to read her Constitutional Rights. After acknowledging her "rights" she invoked. Based on my suspicion I asked if she would consent to performing Standardized Field Sobriety Evaluations (SFSTs) for the purpose of determining if she was impaired while operating a motor vehicle. She refused. I explained Taylor Warning informing the defendant that the SFSTs were voluntary and she did not have to perform them, however in the absence of her performance I would be only left with the physical evidence of impairment before me which could be strong basis for being placed under arrest for DUI. I explained her refusal would be used against her in a court of law.											
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH INV E. K. WHITE (Signature of Arresting/Investigative Officer)				The foregoing instrument was sworn to or affirmed and subscribed before me this <u>8</u> day of <u>MAY</u> 20 <u>22</u> by <u>INV E. K. WHITE</u> (Print name of Arresting/Investigative Officer) who is personally known to me and/or produced identification. Type of identification produced <u>KNOWN</u>						
	Notary Public, Clerk of Court, Officer (F.S.S. 117.10) 				Notary Public - State of Florida Commission # CG 977080 My Comm. Expires JUN 25, 2024 Bonded through National Notary Assoc.						
					PAGE <u>1</u> OF <u>2</u>						

OBT Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	Juvenile	N
ADMIN	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 22-065345					
	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) Garner, Elizabeth, Leigh				Alias		Race W	Sex F	Date of Birth 3/15/1971	
	Charge Description DUI WITH PROPERTY DAMAGE		316.193(3)C1		Charge Description					
CHARGES	Charge Description				Charge Description					
	Charge Description				Charge Description					
VICTIM	Victim's Name (Last, First, Middle)				Race		Sex	Date of Birth		
	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 committed the below acts, resulting from my (described) investigation. On the <u>8</u> day of <u>MAY</u> 20<u>22</u> at <u>2014</u> ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest.) I asked if she understood the warnings and she told me she did understand and would perform the tasks. Prior to her performance I asked if she was injured from the crash and she told me she was not injured. The tasks were administered on the sidewalk, on a level surface that was smooth and free from obstructions and debris. I placed a yellow strip of masking tape on the surface that formed a line. The defendant identified the tape by giving its color and attempting to place her left foot on it when prompt to do so. The following SFSTs were intended after being explained, demonstrated and acknowledged by her prior to her performance: HGN, The Walk and Turn, The One Leg Stand, The Finger to Nose and The Romberg Alphabet Recitation. Her deficiencies on the tasks performed were recorded on another form in this work sheet. At the conclusion of the SFSTs, coupled with the deputy's observation of the defendant seated in the driver seat after the crash, to include the other drivers identifying her as the driver and my observation of personal indicators of impairment exhibited by the defendant, probable cause was established for the listed charge. I told the defendant she was being placed under lawful arrest for that charge. I did a cursory search of her outer clothing with the back of my hand. Afterward I secured her in the rear seat of my patrol car. I transported the defendant to Del Ray Free Standing Medical Center for medical clearance. Afterward I began transport to the main jail breath analysis facility for further processing. Upon our arrival I escorted the defendant into the facility and began a 20 minute observation period. During this time the defendant did not ingest anything into t her body orally or otherwise. Neither did she regurgitate. I escorted her into the testing room and asked her to provide breath samples for the purpose of determining her alcohol content. She refused. I read implied consent in which she acknowledged. I asked if she would consent to supplying breath samples and she agreed. During her attempts the technician explained how to properly provide the samples. I watched the defendant inhale instead of exhaling her breath inside the mouth piece. The technician demonstrated how to properly give breath samples by blowing into a separate mouth piece. The defendant continued to provide insufficient samples by keeping the mouthpiece inside her mouth and not blowing. The instrument "timed out". I reiterated the implied consent and cautioned her on having only two opportunities to provide adequate breath samples or her futile attempts would be deemed a "refusal". On her second attempt she once again did not adhere to the technician's instructions and continued to give inadequate breath samples. The instrument "timed out" and she was deemed a "refusal". The "volume not met" results on her inadequate attempts registered results of .256 and .207. The defendant was booked into the main jail for DUI with property damage.									
	STATE OF FLORIDA COUNTY OF PALM BEACH  INV E. K. WHITE (Signature of Arresting/Investigative Officer) Notary Public - State of Florida Commission # GG 972030 My Comm. Expires Jun 28, 2024									
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>8</u> day of <u>MAY</u> 20 <u>22</u> by <u>INV E. K. WHITE</u>									
	(Print name of Arresting/Investigative Officer), who is personally known to me and produced identification: <u>KNOWN</u> <u>SHARI L. O'NEAL</u>									
	Notary Public, Clerk of Court, Officer (F.S.S. 117.10)									
										
	PAGE <u>2</u> OF <u>2</u>									
	PBSO #0004 REV. 04/01 DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY									

		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1 Juvenile		
ADMIN	OBTS Number			Agency ORI Number		Agency Name		Agency Report Number		
	FLO 500000		PALM BEACH COUNTY SHERIFF'S OFFICE		06-22-065345					
CHARGES	Charge Type	☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:						
	Charge Description	316.193(1)		Charge Description						
DEF	Name (Last, First, Middle)	Garner, Elizabeth, L		Alias		Race		Sex		
					W		F		Date of Birth	
VICTIM	Charge Description			Charge Description						
	Charge Description			Charge Description						
VICTIM	Victim's Name (Last, First, Middle)	State Of Florida, -, -		Race		Sex		Date of Birth		
					-		-		-	
	Local Address (Street, Apt. Number)	(City)	(State)	(zip)	Phone	Address Source				
PROBABLE CAUSE STATEMENT	Business Address (Name, Street)	(City)	(State)	(zip)	Phone	Occupation				
	3228 Gunclub Rd		West Palm Beach, Florida 33406		(561) 688-3000					
	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. ☐ 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 <u>8th</u> day of <u>May</u> 20 <u>22</u> at <u>2014</u> ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest.)									
ADMINISTRATIVE	On May 8th, 2022 at approximately 2014 hours I responded to the intersection of Lake Worth Rd and Sherwood Forest Blvd in reference to a vehicle accident with injuries. Upon my arrival, I observed 3 vehicles a Ford Edge, Ford Escape, Acura TLX. I observed the driver of the Acura TLX to be a blonde white female wearing a white shirt, black pants and black sandals. I approached the driver and immediately smelled a strong odor of an unknown alcoholic beverage emit from the vehicle. The female identified herself as Elizabeth Garner with her FL driver license. I instructed Garner to exit the vehicle due to her being still in control of the vehicle. Garner complied, Garner uttered "I've been a naughty girl, I've been drinking". I advised her to have a seat on the sidewalk were EMS could check her, she attempted multiple times to touch and kiss the EMS medic. I told her to stop so that EMS can evaluate her, she refused and EMS left the scene. Should be noted that when Garner spoke an unknown alcoholic smell would intensify with every word spoken. I was advised DUI 10 investigator White # 7209 was en route to the scene, shortly after DUI 10 Inv. White # 7209 arrived and I informed of my findings the turned over the scene to the DUI.									
	STATE OF FLORIDA COUNTY OF PALM BEACH _____ D/S A.SANTANA (Signature of Arresting/Investigative Officer)									
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>8th</u> day of <u>May</u> 20 <u>22</u> by <u>D/S A. Santana</u> (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced <u>Known LEO</u>									
	Notary Public, _____ Notary Public, _____ Notary Public, _____ (F.S.S. 117.10)									

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 8 DAY OF MAY 20 22, AT 2014 AM ☒ PM

SUBJECT: Garner, Elizabeth, Leigh CASE NUMBER: 22-065345

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV E. K. WHITE

PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

SEE PC AFFIDAVIT

OBSERVATION OF DRIVER:

SEE PC AFFIDAVIT

DRIVER'S STATEMENTS:

INVOKED HER RIGHTS

ODORS:

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

GENERAL OBSERVATIONS

SPEECH: SLURRED AND INAUDIBLE

ATTITUDE: VARYING-flirtatious, friendly, upset, inattentive

CLOTHING: NORMAL

MEDICAL/OTHER: UNK

STATE OF FLORIDA
COUNTY OF PALM BEACH

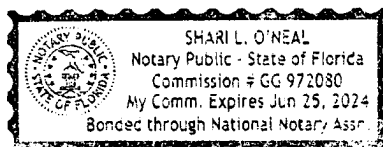
INV E. K. WHITE

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 8 day of MAY 20 22 by INV E. K. WHITE

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

Shari L. O'Neal
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



SUBJECT: Garner, Elizabeth, Leigh

CASE NUMBER 22-065345

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:

Subject was asked to stand with their feet together and place their hands by their side. They were asked to focus on the stimulus and follow it with their eyes. Lastly they were told not to move their head to assist in following the stimulus with their eyes. Subject showed equal pupil size that tracked equally. Both eyes lacked a smooth pursuit. I saw distinct and sustained Nystagmus at maximum deviation. I also saw an onset of Nystagmus prior to 45 degrees in both eyes. Subject swayed and did not keep her feet together as instructed while performing this task. Subject also turned her head to assist in following the light.

WALK & TURN:

THE DEFENDANT WAS PLACED IN THE INSTRUCTIONAL STANCE FOR THE WALK AND TURN. THIS TASK WAS EXPLAINED AND DEMONSTRATED TO THE DEFENDANT. THE DEFENDANT ACKNOWLEDGED THE INSTRUCTIONS PRIOR TO PERFORMING THIS TASK: Subject was unable to maintain balance while placed in the instructional position, swayed and abandoned the position altogether. During the performance subject failed to touch heel to toe, stepped off the line, could not maintain balance while walking the line, took an incorrect number of steps, used her arms for balance failed to turn-did not look down at her feet and did not count aloud. She failed to complete this task

ONE LEG STAND:

THE DEFENDANT WAS PLACED IN THE INSTRUCTIONAL STANCE FOR THE ONE LEG STAND. THIS TASK WAS EXPLAINED AND DEMONSTRATED TO THE DEFENDANT. THE DEFENDANT ACKNOWLEDGED THE INSTRUCTIONS PRIOR TO PERFORMING THIS TASK: Subject swayed while standing and lost her balance. She did not wish to perform any further tasks

FINGER TO NOSE:

N/A

ROMBERG ALPHABET:

N/A

BREATH TEST RESULTS: (1) Refused (2) (3) (4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

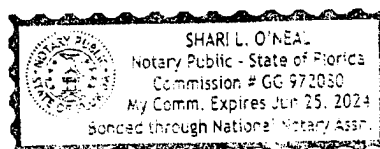
INV E. K. WHITE

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 8 day of MAY 20 22 by INV E. K. WHITE

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

Shari L. O'Neal
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



WITNESS LIST

CASE NUMBER: 22-065345

ARRESTING OFFICER: INV E. K. WHITE

ADDRESS: CID/DUI

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

CAN TESTIFY TO: FACTS

NAME: D/S ERIC COWART

ADDRESS: DIST 16

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

CAN TESTIFY TO: CRASH INVESTIGATOR

NAME: D/S ALBERTO SANTANA

ADDRESS DIST 16

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

CAN TESTIFY TO: FACTS

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) 0

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

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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: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

TESTING FACILITY TASK REPORT

AGENCY: PBSO INV. WHITE #7209

SUBJECT: GARNER, ELIZABETH L. CASE NUMBER: 22-065345

DATE: 05-08-22/05-09-22 VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:10 HRS ENDING TIME: 00:27 HRS

BREATH TESTS RESULTS: 1) .256 *V TIME 00:21 A.M. ☒ P.M. ☐ 2) .207 *V TIME 00:27 A.M. ☒ P.M. ☐
3) REFUSED TIME 00:27 A.M. ☒ P.M. ☐ 4) TIME A.M. ☐ P.M. ☐

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM, COOPERATIVE, CONFUSED, EMOTIONAL, CRYING

CLOTHING: SHIRT- BLACK & WHITE/STRIPED PANTS- BLACK JEANS NO SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: VERY RED, GLASSY, WATERY FROM CRYING
ODOR OF UNKNOWN ALCOHOLIC BEVERAGE

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O WHITE #7209
A/O REQUESTED THE BREATH TEST.
D REFUSED THE REQUEST AT FIRST.
A/O READ THE IMPLIED CONSENT ON CAMERA.
A/O STARTED READING THE IMPLIED CONSENT AGAIN, D DECIDED TO SUBMIT TO THE REQUEST AS THE
A/O WAS READING THE I/C FOR A SECOND TIME.
D WAS NOT BLOWING CORRECTLY, A/O READ THE I/C AGAIN.
D WAS STILL NOT BLOWING CORRECTLY.
A/O TOOK IT AS A REFUSAL.
NO Q&A D INVOKED RIGHTS ON SCENE.

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, inv E. K. WHITE, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)
am a member of Palm Beach County Sheriffs Office, and I do swear
(Name of enforcement agency)
or affirm that on or about the NINTH day of May, 2022, at 12:44 AM

DRIVER ELIZABETH LEIGH GARNER,
(Type or Print) FIRST MIDDLE OR MAIDEN LAST

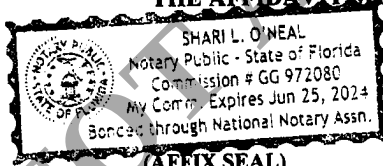
DL # G656232715950, state of FL, was placed under lawful arrest for
the offense of DUI by inv EDWARD K and
(Name of Arresting Officer)
issued Citation # AF1069E

That on or about the EIGHTH day of May, 2022, at 12:27 AM
in Palm Beach County,

I requested that the driver submit to a **BREATH** test for the purpose of determining its alcohol content. I informed the driver that the refusal to submit to such test 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, or if he or she had been previously fined under s. 327.35215, F.S., 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, or if he or she has been previously fined under s. 327.35215, F.S., for refusal to submit to a lawful test of his or her breath, urine, or blood. Nonetheless, the driver refused to submit to the test requested.

[Signature]
Signature of Law Enforcement Officer or Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (s. 117.10, F.S.)



The foregoing instrument was sworn and subscribed before
me this 09 day of May, 2022
by _____
who is personally known to me or who has produced

_____ as identification.
Notary Public [Signature]

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title _____

Date _____

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.



PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 22-065345 PBSO ZONE 16-11

AGENCY CASE # _____ CRASH CASE # 22-065341

TIME OF STOP/CRASH 2014 DATE 05/08/2022 DAY Sunday

SUBJECT'S NAME Garner, Elizabeth, Leigh RACE W SEX F

HGT 5'03 WGT 100 DOB 3/15/1971

LOCATION LAKE WORTH RD (W) OF SHERWOOD FOREST BV GREEN ACRES FL

ARRESTING OFFICER'S NAME & ID INV E. K. WHITE (7209) AGENCY Palm Beach County Sheriff's Office

DIVISION: CID/DUI

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 2349 HRS

ARREST TIME 2117

BREATH RESULTS:

1) .256 *vNm

2) .207 **vNm

3) _____

4) _____

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # /

**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: 05/09/2022

Date of Last Agency Inspection: 04/08/2022
Observation Period Began: 23:49
Subject's Name: ELIZABETH L GARNER

DOB: 03/15/1971 Sex: F

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	00:17
	Air Blank	0.000	00:17
	Control Test	0.079	00:17
	Air Blank	0.000	00:18
	Subject Sample #1	VNM*	00:21
	Air Blank	0.000	00:22
	Air Blank	0.000	00:24
	Subject Sample #2	VNM**	00:27
	Air Blank	0.000	00:27
	Control Test	0.076	00:28
	Air Blank	0.000	00:28
	Diagnostics Check	OK	00:28

*Volume Not Met (0.256 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**Volume Not Met (0.207 - Breath Sample Not Reliable to Determine Breath Alcohol Level)

Cylinder Lot: 29821080A4
Exp: 12/05/2023

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 SHARI L O'NEAL, 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: 05-09-22

Sworn to (or affirmed) before me this 09 day of May, 2022

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.

SUBJECT: Elizabeth Leigh Gardner CASE NUMBER: 22-065345

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 determining the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am I, Elizabeth Leigh Gardner of the State of California

If you refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your **breath, urine** or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,

If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

SUBJECTS SIGNATURE: (X) Elizabeth Leigh Gardner

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) _____

SUBJECT:

Florida Highway Patrol

CASE NUMBER:

22-065345

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: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL



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:	

REVIEW COMPLETED BY

Booking Number: 2022012044	Date:
	Specialist Name/ID: Pinkneya/7796