

J#0197531

P#526 UCT 6262

ARREST / NOTICE TO APPEAR		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		JUVENILE	
OBTS Number		Agency ORI Number <b>0501700</b>		Agency Name <b>Jupiter Police Department</b>		Agency Report Number (N.T.A.'s only) <b>5, 4   21-001295</b>			
Charge Type: Check as many <b>AS MANY</b>		1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/>		3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input checked="" type="checkbox"/>		5. Ordinance <input type="checkbox"/> 6. Other <input type="checkbox"/>		If Weapon Seized Enter Type <b>UNARMED</b>	
Location of Arrest (Including Name of Business) <b>S LOXAHATCHEE DR/TONEY PENNA DR.</b>		Location of Offense (Business Name, Address) <b>126 CENTER ST, JUPITER, FL 33458</b>						Multiple Clearance Indicator	
Date of Arrest <b>04/16/2021</b>		Time of Arrest <b>00:07</b>		Booking Date <b>04/16/2021</b>		Booking Time <b>00:17</b>		Jail Date <b>00:17</b>	
Name (Last, First, Middle) <b>ELLIOTT, ERICA LEE</b>		Alias:		Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black O - Oriental/Asian		Sex <b>W</b>		Date of Birth <b>10/11/1977</b>		Height <b>5'06</b>		Weight <b>125</b>	
Eye Color <b>BROWN</b>		Hair Color <b>BROWN</b>		Complexion <b>LIGHT</b>		Build <b>Medium</b>			
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status <b>S</b>		Religion <b>CHRISTIAN</b>		Indication of Alcohol Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>		Indication of Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>	
Local Address (Street, Apt. Number) <b>326 JUPITER LAKES BLVD 2301B, JUPITER, FL 33458</b>		(City) <b>JUPITER</b>		(State) <b>FL</b>		(Zip) <b>33458</b>		Phone <b>(561) 502-5049</b>	
Permanent Address (Street, Apt. Number) <b>326 JUPITER LAKES BLVD 2301B, JUPITER, FL 33458</b>		(City) <b>JUPITER</b>		(State) <b>FL</b>		(Zip) <b>33458</b>		Phone <b>(561) 502-5049</b>	
Business Address (Name, Street) <b>326 JUPITER LAKES BLVD 2301B, JUPITER, FL 33458</b>		(City) <b>JUPITER</b>		(State) <b>FL</b>		(Zip) <b>33458</b>		Phone <b>(561) 502-5049</b>	
D/L Number, State <b>E430212778710 / FL</b>		INS Number <b>[REDACTED]</b>		Place of Birth (City, State) <b>TORONTO, OH, United</b>		Citizenship <b>US</b>			
Co-Defendant Name (Last, First, Middle) <b>[REDACTED]</b>		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile	
Co-Defendant Name (Last, First, Middle) <b>[REDACTED]</b>		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile	
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian		Name (Last, First, Middle) <b>[REDACTED]</b>		Residence Phone		Business Phone			
Address (Street, Apt. Number) <b>[REDACTED]</b>		(City) <b>[REDACTED]</b>		(State) <b>[REDACTED]</b>		(Zip) <b>[REDACTED]</b>			
Notified by: (Name) <b>[REDACTED]</b>		Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated			
Released To: (Name) <b>[REDACTED]</b>		Relationship <b>[REDACTED]</b>		Date		Time			
The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> 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.		Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property			
Drug Activity S. Sell 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 Description <b>DUI - NORMAL FACULTIES IMPAIRED</b>		Statute Violation Number <b>316.193(1)(A)</b>		Violation of ORD #			
Drug Activity		Drug Type <b>N</b>		Amount / Unit <b>/</b>		Offense # <b>21-001295</b>		Counts <b>1</b>	
Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond		Violation of ORD #			
Charge Description		Statute Violation Number		Violation of ORD #		Bond			
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts	
Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond		Violation of ORD #			
Charge Description		Statute Violation Number		Violation of ORD #		Bond			
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts	
Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond		Violation of ORD #			
Health / Apparent Physical Condition of Defendant		Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		Explain:					
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail <input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health		PROPERTY - Received By		Released By		Released To			
Transported By		Date Transported		Time Transported		Other			
<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		Location (Court, Room) <b>North County PALM BEACH GARD</b>		Court Date and Time <b>05/19/2021 08:30:00</b>		No Photo Available			
Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed							
HOLD for Other Agency		Signature of Arresting Officer <b>[REDACTED]</b>		Name Verification (Printed by Arrestee)					
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other		Name of Arresting Officer (Print) <b>FERGUSON, RYAN</b>		I.D. # <b>1202</b>		(PRINT)			
I.D. # <b>385</b>		Agency <b>JPD</b>		Witness here if subject signed with an "X".		PAGE <b>1 OF 1</b>			

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 15 DAY OF April 20 21 AT 2330 AM ☒ PM

SUBJECT: Elliott Erica Lee CASE NUMBER: 21-001295

AGENCY: JUPITER POLICE DEPARTMENT ARRESTING OFFICER: R. Ferguson

## PERSONAL CONTACT

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

I observed a 4dr white Toyota FJ Cruiser bearing FL tag IFSC67 going westbound on W. Indiantown Rd towards N Loxahatchee Dr. The vehicle was in the inside lane and then went to the turning lane to turn southbound onto S Loxahatchee Dr. The light to turn southbound onto S Loxahatchee Dr. from W. Indiantown Rd. was a solid red. The vehicle ran the red light and turned south to go southbound on S Loxahatchee Dr. The vehicle proceeded to drive southbound on S Loxahatchee Dr. towards 2nd Street. There is a stop sign posted at the intersection of 2nd Street/S Loxahatchee Rd. The vehicle did not slow down and ran the stop sign. I conducted a traffic stop to which the vehicle parked on the west shoulder of the roadway with the right passenger side tires on the side walk and was facing south. The final stop was at S Loxahatchee Dr/Toney Penna Dr.

## OBSERVATION OF DRIVER:

As I approached the vehicle there was loud music being played. Elliott was the sole occupant of the vehicle and had two dogs with her. had glassy eyes, she appeared sweaty and she had a faint smell of an unknown alcoholic beverage coming from her person that grew when she spoke.

## DRIVER'S STATEMENTS:

I asked Elliott if she had her Florida Driver's License, registration and insurance. Elliott admitted to running the red light and running the stop sign. I asked Elliott what road she was currently on and she advised 5th street. She advised she was coming from Jupiter Ale House and was headed home. Elliott took several minutes searching in her wallet for her driver license. Elliott provided an expired registration paper work and could not find her insurance card. I asked Elliott if she had anything to drink and she admitted to drinking two beers and a drink from 1900 hours.

## ODORS:

Faint smell of an unknown alcoholic beverage coming from her person.

## GENERAL OBSERVATIONS

SPEECH: Coherent

ATTITUDE: Talkative, cooperative

CLOTHING: Clothing appeared sweaty: A rainbow colored short dress

MEDICAL/OTHER: Elliott advised none

STATE OF FLORIDA  
COUNTY OF PALM BEACH

**R. Ferguson**

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by **R. Ferguson**

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

Ul. Sean 309  
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

SUBJECT ElliottEricaCASE NUMBER 21-001295

## 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:

Elliott was swaying and she stopped following my finger one time.

## WALK &amp; TURN:

I asked Elliott if she understood the directions to which she advised she understood. I asked Elliot if she had any questions to which she advised she did not. Once Elliott started the task, she took eight steps, did not take small steps to turn around then took ten steps back. Elliott did not count her steps out loud through out the task and when she was taking her steps she "strutted" like a run way model.

## ONE LEG STAND:

I asked Elliott if she understood the directions to which she advised she understood. I asked Elliot if she had any questions to which she advised she did not. Elliot moved while being in the starting position. Once Elliot began the task, she used her arms to balance herself, had her right leg bent at the knee, counted to "1009" then placed her right foot down and stopped. Once I told her to keep going, she lifted her right leg back up bended at the knee and counted "7", "8", "9", "10".

## FINGER TO NOSE:

I asked Elliott if she understood the directions to which she advised she understood. I asked Elliot if she had any questions to which she advised she did not. Elliott moved to fix her dress while in the starting position. She stated "I feel like my tits were hanging out". Elliott was asked if she knew the difference between her left and her right to which she advised yes. She started the task without me telling her to begin. Elliott was told "Left", "Right" "Left" "Right" "Left" and each time I said either left or right, she would place the correct finger on her nose; however, did not put it right back down until she was told to do so. When I first told her "Left" she had her left finger hovering over her nose then touched her nose.

## ROMBERG ALPHABET:

I asked Elliott if she understood the directions to which she advised she understood. I asked Elliot if she had any questions to which she advised she did not. I asked Elliott what was her highest level of education to which she advised she was a high school graduate with some college. Elliott started the task before I told her too. She stated "I think its being manipulated at some point because you just told me I can not sing". Once she began she started saying the alphabet fast then stopped after saying .... "T", "M", "G". Once Elliott started the task again, before stopping the task she said ... "T", "U", "Z", "L", "M", "Y".

BREATH TEST RESULTS:

☐ 1) Refusal☐ 2) Refusal☐ 3) N/A☐ 4) N/ASTATE OF FLORIDA  
COUNTY OF PALM BEACHR. Ferguson

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to, affirmed and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by R. Ferguson(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced officer309  
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

**STATE OF FLORIDA**  
**DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES**  
**AFFIDAVIT OF REFUSAL TO SUBMIT TO**  
**BREATH AND/OR URINE TEST**

I, R. Ferguson, a duly certified Law Enforcement Officer or Correctional Officer,  
 (Name of Officer reading Implied Consent Warning)

am a member of Jupiter Police Department, and I do swear  
 (Name of law enforcement agency)

or affirm that on or about the 15th day of April, 20 21, at 2330 ☒ P.M. ☐ A.M.

DRIVER Erica Lee Elliott,  
 (Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# E-430-212-77-871-0, state of Florida, was placed under lawful arrest for

the offense of Drinking Under the Influence by R. Ferguson and  
 (Name of Arresting Officer)

issued Citation # ADB9D1E

That on or about the 16th day of April, 20 21, at 0018 ☐ P.M. ☒ A.M.

in PALM BEACH County,

I requested that the driver submit to a ☒ breath and/or ☐ urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) 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 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 for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

[Signature]  
 Signature of Law Enforcement Officer or  
 Correctional Officer

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

The foregoing instrument was sworn and subscribed before me:

\_\_\_\_\_  
 Signature of Attesting Officer

Title \_\_\_\_\_

Date \_\_\_\_\_

**(AFFIX SEAL)**

The foregoing instrument was sworn and subscribed before

me this 16 day of April, 20 21,

by R. Ferguson,

who is personally known to me or who has produced

[Signature] as identification

Notary Public

[Signature] 309

HSMV-BAR1001 (REV. 10/2016)

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.

SUBJECT: **Elliott, Erica, Lee**

CASE NUMBER: **21-001295**

## 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 **R. Ferguson** of the **Jupiter Police Department**

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: \_\_\_\_\_

*Erica Lee*

**Elliott, Erica, Lee**

## CONSTITUTIONAL WARNINGS

**I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:**

You have the right to remain silent and not answer any questions.

Any statement must be freely and voluntarily given.

You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.

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.

If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.

I can make no threats or promises to induce you to make a statement. This must be of your own free will.

Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: \_\_\_\_\_

**Elliott, Erica, Lee**

SUBJECT: **Elliott, Erica, Lee**

CASE NUMBER: **21-001295**

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SUBJECT'S SIGNATURE: \_\_\_\_\_

*Read on BWC*

**Elliott, Erica, Lee**

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Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: \_\_\_\_\_

**Elliott, Erica, Lee**

## WITNESS LIST

CASE NUMBER: 21-001295

ARRESTING OFFICER: R. Ferguson

ADDRESS: 196 Military Trail, Jupiter FL 33458

PHONE NUMBERS (HOME): (561) 746-6201 (WORK) \_\_\_\_\_

CAN TESTIFY TO: Check P.C

NAME: C. Yochum

ADDRESS: 196 Military Trail, Jupiter FL 33458

PHONE NUMBERS (HOME) 561) 746-6201 (WORK) \_\_\_\_\_

CAN TESTIFY TO: Check P.C

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

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PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NOT A CERTIFIED COPY  
SCANNED  
APR 17 2021



**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	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	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)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

**REVIEW COMPLETED BY**

Booking Number: 2021009183	Date: 4/16/21
	Specialist Name/ID: J. Beck/9007