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3881

ARREST / NOTICE TO APPEAR

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

Agency ORI Number <b>0501700</b>	Agency Name <b>Jupiter Police Department</b>	Agency Report Number (N.T.A.'s only) <b>5, 4 20-004095</b>
Charge Type Check as many as apply <input type="checkbox"/> 1 Felony <input type="checkbox"/> 2 Traffic Felony <input checked="" type="checkbox"/> 3 Misdemeanor <input checked="" type="checkbox"/> 4 Traffic Misdemeanor <input type="checkbox"/> 5 Ordinance <input type="checkbox"/> 6 Other	If Weapon Seized Enter Type <b>NONE</b>	Multiple Clearance Indicator
Location of Arrest (Including Name of Business) <b>W. INDIANTOWN RD/MILITARY TRL, JUPITER</b>		Location of Offense (Business Name, Address) <b>499 W INDIANTOWN RD/MILITARY TRL, JUPITER, FL 33458</b>
Date of Arrest <b>12/04/2020</b>	Time of Arrest <b>01:29</b>	Booking Date
Name (Last, First, Middle) <b>EARL, ERIN J</b>		
Alias: <b>Earl</b>		
Race W - White B - Black O - Oriental/Asian <b>W</b>	Sex <b>F</b>	Date of Birth <b>05/24/1987</b>
Height <b>5'04</b>	Weight <b>130</b>	Eye Color <b>Blue</b>
Hair Color <b>Brown</b>	Complexion <b>Smooth</b>	Build <b>Thin</b>
Local Address (Street, Apt. Number) <b>2304 VISION DR, PALM BEACH GARDENS, FL 33418</b>		Phone <b>(251) 648-8644</b>
Permanent Address (Street, Apt. Number) <b>2304 VISION DR, PALM BEACH GARDENS, FL 33418</b>		Phone <b>(251) 648-8644</b>
Business Address (Name, Street) <b>DL Number, State</b>		Occupation <b>Refused</b>
DL Number, State <b>E640210876840 / FL</b>		BNS Number <b>110611 - Alabama</b>
Co-Defendant Name (Last, First, Middle)		Race Sex Date of Birth
Co-Defendant Name (Last, First, Middle)		Race Sex Date of Birth
Name (Last, First, Middle) <input type="checkbox"/> Parent <input type="checkbox"/> Other		Residence Phone
Address (Street, Apt. Number) <input type="checkbox"/> Legal Custodian		Business Phone
Notified by (Name)		Date Time
Released To (Name)		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.		School Attended Grade
Property Crimes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. Disperse/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/Opiv.
P. Paraphernalia/Equipment S. Synthetic	U. Unknown Z. Other	
Charge Description <b>DUI - DAMAGE TO PERSON/PROPERTY</b>		Statute Violation Number <b>316.193(3)(C)(I)</b>
Drug Activity	Drug Type	Amount / Unit
Counts	Domestic Violence	Warrant / Capias Number
Charge Description		Statute Violation Number
Drug Activity	Drug Type	Amount / Unit
Counts	Domestic Violence	Warrant / Capias Number
Charge Description		Statute Violation Number
Drug Activity	Drug Type	Amount / Unit
Counts	Domestic Violence	Warrant / Capias Number
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
Check which applies <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond		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>01/06/2021 08:30:00</b>
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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED		No Photo Available
Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed
Signature of Arresting Officer <b>367</b>		Name Verification (Printed by Arrestee)
Name of Arresting Officer (Print) <b>TAPPIN, KEVIN</b>		(PRINT) <b>DEC 4 AM 7:31</b>
I.D. # <b>1212</b>		PAGE <b>1 OF 1</b>
Intake Deputy <b>Dumy 666</b>		Witness here if subject signed with an "X"

PROBABLE CAUSE AFFIDAVIT

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

**1** JUVENILE

Agency ORI Number: **FL 0501700** Agency Name: **JUPITER POLICE DEPARTMENT** Agency Report Number: **5 4 20-004095**

Charge Type:  1 Felony  3 Misdemeanor  5 Ordinance  
 2 Traffic Felony  4 Traffic Misdemeanor  6 Other

Name (Last, First, Middle): **EARL, ERIN J** Race: **W** Sex: **F** Date of Birth: **05/24/1987**

Charge Description: **316.193(3)(C)(1) DUI - DAMAGE TO PERSON/PROPERTY**

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  
 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.  was observed by \_\_\_\_\_ who told  
 confessed to \_\_\_\_\_ 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 **4** day of **December**, **2020** at **01:29** (Specifically include facts constituting cause for arrest.)

On 12/4/2020, at approximately 0043 hours, I was patrolling the area of W. Indiantown Rd (S.R. 706.) and Hepburn Ave, in my marked patrol vehicle (P1616.) I was wearing my Jupiter Police Department uniform.

I was traveling east on W. Indiantown Rd and I made a U-turn in the left turning lane to go west on Indiantown Rd. Once I made the U-turn, I began to travel west on Indiantown Rd; as I was approaching the intersection of West Indiantown Rd. and Military Trail, I noticed a black SUV on the north east corner of the intersection. The vehicle was 2015 black Range Rover (bearing FL tag # EJE87), and it was facing north and against the curve/sidewalk. The black Range Rover had disabling front end damage. Also, there was a white SUV vehicle, approximately 100 feet west of the black Range Rover. The white vehicle was a 2017 Ford Escape, bearing FL tag # IIQQ06; the Ford SUV was in front of the median, and facing north toward Clock Tower Dr. The Ford Escape had dysfunctional damage on the front quarter panel on the passenger's side and on the front bumper on the passenger's side.

I stopped my patrol vehicle, blocking the center and right lane, and I activated my overhead light for safety and to avoid any other collision with incoming traffic. I made contact with the driver of the Ranger Rover on the driver's side, who was identified as Erin J. Earl (W/F, DOB 5/4/1987.) Earl was in the driver seat and she was wearing her seat belt. The airbags on the driver's side were deployed.  
 I then made contact with the driver of the Ford escape, who was identified as Yasmin Nava (W/F, DOB 11/23/1971.) Nava was in the driver's seat and was wearing the seat belt. The airbags on the driver's side were deployed.

Palm Beach County Rescue arrived on the scene to provide medical attention but Earl refused any medical treatment. Nave was transported to the Jupiter Medical Center for further medical evaluation, PBCFR Run # 20127845.

SWORN AND SUBSCRIBED TO before me  
 [Signature] NOTARY PUBLIC / CLERK OF COURT / PUBLIC DEFENDER  
 12/04/2020 DATE  
 [Signature] SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  
 TAPPIN, KEVIN (1212) NAME OF OFFICER (PLEASE PRINT)  
 12/04/2020 DATE  
 PAGE 1 OF 3

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

**1** JUVENILE

OBTS Number	Agency ORI Number <b>FL 0501700</b>		Agency Name <b>JUPITER POLICE DEPARTMENT</b>	Agency Report Number <b>5   4   20-004095</b>
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Charge Type: Check as many as apply.	<input type="checkbox"/> 1 Felony	<input checked="" type="checkbox"/> 3 Misdemeanor	<input type="checkbox"/> 5 Ordinance	Special Notes:
	<input type="checkbox"/> 2 Traffic Felony	<input type="checkbox"/> 4 Traffic Misdemeanor	<input type="checkbox"/> 6 Other	

Name (Last, First, Middle) <b>EARL, ERIN J</b>	Alias	Race <b>W</b>	Sex <b>F</b>	Date of Birth <b>05/24/1987</b>
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During my encounter with Earl, I noticed that she had bloodshot glassy eyes, her speech was slurred and the odor of an unknown alcoholic beverage emitting from her person, which intensified as she spoke.

I advised Earl that my crash investigation was completed and I read her Miranda Warnings. Earl advised she understood her Miranda Warnings.

I asked Earl if she had any alcoholic drinks tonight and she replied, "No." Earl then stated "Well I had one drink earlier around 3 to 4 hours ago." I asked Earl again, just one drink? Earl stated she had two glasses of wine. I asked her on a scale from 1-10 of impairment, with 1 being sober and 10 being very drunk where would she rate herself and she stated 2.

Earl agreed to complete roadside exercises.

**HORIZONTAL GAZE NYSTAGMUS (HGN)**

- Equal pupil size
- Equal tracking
- Lack of smooth pursuit in both eyes
- Distinct and sustained nystagmus at maximum deviation in both eyes
- Onset of nystagmus prior to forty-five degrees in both eyes.
- Earl had trouble holding her head still.

**WALK AND TURN**

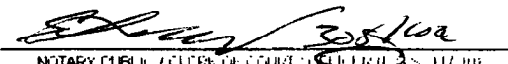

- She did not remain in the initial position as instructed.
- Missed heel to toe
- Stepped off line
- Used arms for balance
- Improper number of steps
- Improper turn

**ONE LEG STAND**

- Used arms for balance
- Swayed
- Put foot down.

**FINGER TO NOSE**

- 1R - Pad to under nose
- 2L - Pad to under nose
- 3R - Pad to under nose
- 4L - Pad to under nose
- 5R - Pad to under nose

SWORN AND SUBSCRIBED before me  NOTARY PUBLIC / CLERK OF COURT - JUDICIAL CIRCUIT IN 12/04/2020 LAH	SIGNATURE OF ARRESTING/INVESTIGATING OFFICER  <b>TAPPIN, KEVIN (1212)</b> NAME OF OFFICER (PLEASE PRINT) 12/04/2020 DATE	PAGE 2 OF 3
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Agency ORI Number: **FL 0501700** Agency Name: **JUPITER POLICE DEPARTMENT** Agency Report Number: **5 4 20-004095**

Charge Type:  1 Felony  2 Misdemeanor  3 Ordinance  4 Traffic Misdemeanor  5 Other

Name (Last, First, Middle): **EARL, ERIN J** Alias: \_\_\_\_\_ Race: **W** Sex: **F** Date of Birth: **05/24/1987**

6R - Pad to under nose.

MODIFIED RHOMBERG BALANCE  
 -Estimated the passage of 30 seconds in 17 seconds.  
 -Swayed.

Based on my investigation, observations and the totality of the circumstances, I have probable cause to believe that Earl was in actual physical control of a vehicle while under the influence of an alcoholic beverage, chemical or controlled substance to the point where her normal faculties were impaired, contrary to F.S.S. 316.193. Earl was placed in handcuffs which were checked for proper spacing and double-locked for safety. Because Earl was involved in car crash, she was transported to the Jupiter Medical Center for medical clearance.

Once at the hospital, Earl refused any medical treatment from the medical staff. Earl was uncooperative and verbally combative. Due to the nature of the length of time that it would take Earl to be cleared medically at the hospital, obtaining a lawful breath sample became impractical and impossible. Earl was asked to submit to a lawful test of her blood with the purpose to determine the alcohol level content but she refuse. I read Earl the Implied Consent Warning but she refused again at 0318 hours.

Later, Earl was transported to the Palm Beach County Jail without incident.

SWORN AND SUBSCRIBED BEFORE ME

*[Signature]* / 3/25/2020  
 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.14)

**12/04/2020**  
 DATE

*[Signature]*  
 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

**TAPPIN, KEVIN (1212)**  
 NAME OF OFFICER (PLEASE PRINT)

**12/04/2020**  
 DATE

PAGE **3** OF **3**

STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES  
AFFIDAVIT OF REFUSAL TO SUBMIT TO  
BLOOD TEST

I, Officer K. Tappin, 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 4 day of December, 20 20, at 0140  P.M.  A.M.

DRIVER Erin J Earl,  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# E640210876840, state of Florida, appeared for treatment at a hospital,  
clinic, or other medical facility pursuant to s. 316.1932(1)(c), Florida Statutes, and a breath or urine test was impossible or impractical.

That on or about the 4 day of December, 20 20, at 0318  P.M.  A.M.  
in Palm Beach County,

I requested that the driver submit to a **blood test** to determine his or her blood alcohol level and/or the presence of chemical or controlled substances in his or her blood. I informed the driver that refusal to submit to a blood 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 for refusing to submit to a breath, urine or blood test. I also informed the driver that if he or she holds a CDL, or was operating a CMV, refusal would 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 had been previously disqualified as a result of a refusal to submit to a breath, urine or blood test. The driver nonetheless refused to submit to a blood test.



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:

On BNL

Signature of Attesting Officer

Title \_\_\_\_\_

Date \_\_\_\_\_

(AFFIX SEAL.)

The foregoing instrument was sworn and subscribed before  
me this 4 day of December, 20 20,  
by Officer K. Tappin,  
who is personally known to me or who has produced  
\_\_\_\_\_ as identification

Notary Public \_\_\_\_\_

HSMV-BAR1002 (REV. 10/16)

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: Earl, Erin J

CASE NUMBER: 20004095

## 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 Officer K. Tappin 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: En BWC Earl, Erin J

## 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: En BWC Earl, Erin J

# WITNESS LIST

CASE NUMBER: 20004095

ARRESTING OFFICER: **K. Tappin**

ADDRESS: **210 Military Trl. Jupiter, FL 33458**

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

CAN TESTIFY TO: **PC**

NAME: **Ofc. McGillicuddy**

ADDRESS: **210 Military Trail Jupiter, FL 33458**

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

CAN TESTIFY TO: **PC**

NAME: **Ofc. Raleigh**

ADDRESS **210 Military Trail Jupiter, FL 33458**

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

CAN TESTIFY TO: **PC**

NAME: **Yasmin Nava (Victim/Witness)**

ADDRESS **6006 SE Split Oak Trl Hobe Sound, FL 33455**

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) **594-591-7104**

CAN TESTIFY TO: **PC**

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

ADDRESS \_\_\_\_\_

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

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

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

ADDRESS \_\_\_\_\_

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

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ADDRESS \_\_\_\_\_

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

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

ADDRESS \_\_\_\_\_

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

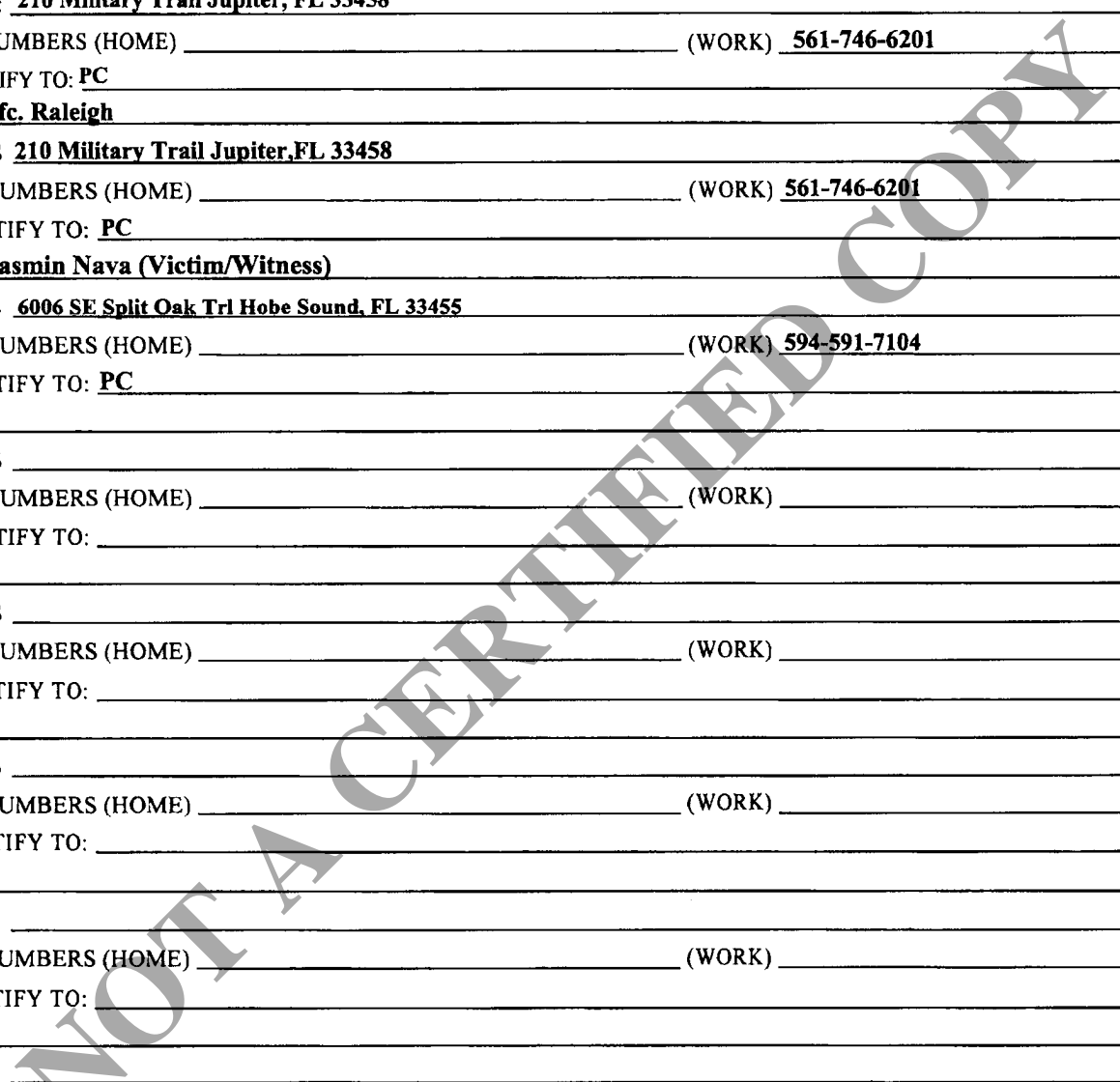
CAN TESTIFY TO: \_\_\_\_\_

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

ADDRESS \_\_\_\_\_

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

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





**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 <u>pertaining to mobilization deployment or tactical operations.</u>	
	<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"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

**REVIEW COMPLETED BY**

Booking Number: 2020028359	Date: 12/4/2020
	Specialist Name/ID: B Evans / 23649