

1 Juvenile **N**

1627

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 7TH DAY OF May 2022 AT 0117 ☒ A.M ☐ P.M.

CASE #: 22-005127

DEFENDANT: JEFFREY, JESSICA

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On May 7th at approximately 0117 hours, I was patrolling the 400 block of N Federal High Way (Boynton Beach) when I was traveling South bound and I observed a Grey Sedan traveling Eastbound on Boynton Beach Blvd right onto N Federal Hwy. While the vehicle was turning I observed that vehicle make and improper right turn (Turned too wide) and almost hit the outside left curb. I observed the vehicle then continue southbound on Federal Hwy and then turn eastbound onto E Ocean Ave. I observed the vehicle unable to maintain its lane to the point that the vehicle almost veered into oncoming traffic traveling Westbound on E Ocean Ave. I conducted a traffic stop and made contact with the driver who was currently sitting in the driver seat of the previously mentioned vehicle. She was later identified as Jessica Jeffrey by her Florida driver license. I asked her for their license, registration and proof of insurance. As they retrieved these items I noticed her eyes were red, watery and glossy. Their cheeks were flushed, mouth dry and they slurred their speech while speaking. Their movements were slow, calculated and lethargic. I could smell a strong odor of an unknown alcoholic beverage emanating from the inside of his vehicle. They were asked to provide their registration several times and they stated that it was on their cell phone. They then stated their vehicle's registration is locked in their glove box. Per their request I assisted them with getting their key out of its holder. They provided me with the wrong registration to the vehicle. I asked the driver if they had been drinking alcoholic beverages and they stated that they have consumed 2 Old Fashion and 3 Glasses of wine. The defendant informed me they just came from the Bar called Sweet Water and that they were traveling on Woolbright Rd heading home to their residence in Delray Beach closer to Military Trail. The defendant was actually traveling East Bound Towards The Ocean and North of where they should be traveling to go home. The defendant also stated that they consumed marijuana at 1900 hours.

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. Due to them just stating that they want to go home instead of answering the question, I explained Taylor Warning informing the defendant that the SFSTs were voluntary and they did not have to perform them; however in the absence of their 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 suspicion of DUI. I asked if she understood the warnings and they acknowledge that they do. Prior to their performance, I asked if they had any physical problems with their body that would inhibit them from performing light physical exercises. I also asked if they were taking medication and they stated no. I escorted them to a level surface that was smooth and free from obstructions and debris. I could now smell a strong odor of an unknown alcoholic beverage emanating from their breath that intensified when they spoke. The defendant identified the white line by giving its color and placing their left foot on it when prompted to do so. The following SFSTs were explained, demonstrated and acknowledged by him/her prior to his/her performance: HGN, The Walk and Turn, The One Leg Stand, The Finger to Nose and The Romberg Alphabet Recitation. Their deficiencies were recorded on another form in this work sheet. At the conclusion of the SFSTs, coupled with my observation of the defendant's vehicle in motion and my observation of personal indicators of impairment exhibited by the defendant, probable cause was established for DUI. I told the defendant he/she was being placed under lawful arrest for suspicion of DUI pursuant to FSS 316.193(4). They were searched and handcuffed (double locked and checked for

tightness) prior to being seated into the rear of my patrol car (Vehicle 4038). Back up Officers arranged for the defendant's vehicle to be towed by Beck's Towing.

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|---|--|
| ☒ Left eye does not follow smoothly | ☒ Right eye does not follow smoothly |
| ☒ Left eye prior to 45 degrees | ☒ Right eye prior to 45 degrees |
| ☒ Distinct jerking in left eye at maximum deviation | ☒ Distinct jerking in right eye at maximum deviation |
| ☐ Vertical Nystagmus in left eye | ☐ Vertical Nystagmus in right eye |

WALK AND TURN:

This task was explained and demonstrated to DEFENDANT, which she stated she understood. The subject kept starting while I was trying to get them into the proper position for the instructions. The subject was unable to perform the task due to her inability to follow directions and keep their feet in position. The subject step off line while I was giving her instructions.

ONE LEG STAND:

This task was explained and demonstrated to DEFENDANT, which she stated she understood. The subject started to soon several times. after agreeing to not start. The subject stepped off the line several times. After agreeing to not do so. Subject dropped her foot, stepped off the line, used arms for balance, hopped on her leg

FINGER TO NOSE:

This task was explained and demonstrated to DEFENDANT, which she stated she understood. The subject started to soon and stepped off the line. Showed great difficulty in comprehending the instructions

ROMBERG/ALPHABET:

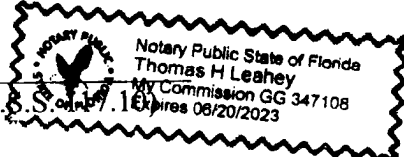
This task was explained and demonstrated to DEFENDANT, which she stated she understood. While performing the task the subject swayed to the left and almost failed.

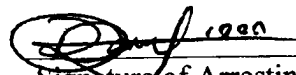
I then transported DEFENDANT to Palm Beach County Breathalyzer. Upon my arrival at 0224I completed the required 20-minute observation. I then requested DEFENDANT provide a sample of her breath for the purpose of determining the alcohol content. The DEFENDANT complied and provided the requested breath samples. The results are: 0.241 and 0.243. At this time, due to the above mentioned information I have established probable cause to charge DEFENDANT with one count of DUI .150 or higher pursuant to FSS 316.193(4).

Upon completion of the booking process, DEFENDANT was turned over to Palm Beach County Jail.

The following instrument was sworn to before me this 7 day of May 2022

By: Jennings


Notary/Police Officer (F.S. )


Signature of Arresting Officer

**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: 05/07/2022

Date of Last Agency Inspection: 04/08/2022
Observation Period Began: 02:24
Subject's Name: JESSICA L JEFFREY

DOB: 05/07/1991 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	02:50
	Air Blank	0.000	02:50
	Control Test	0.080	02:50
	Air Blank	0.000	02:51
	Subject Sample #1	0.241	02:51
	Air Blank	0.000	02:52
	Air Blank	0.000	02:54
	Subject Sample #2	0.243	02:55
	Air Blank	0.000	02:55
	Control Test	0.078	02:56
	Air Blank	0.000	02:56
	Diagnostics Check	OK	02:56

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:

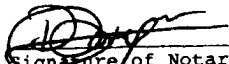
I THOMAS H LEAHEY, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____

Signature

Date: 05/07/2022

Sworn to (or affirmed) before me this 07 day of May, 2022



Signature of Notary Public-State of Florida

Off D Jennings #1000
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.

TESTING FACILITY TASK REPORT

AGENCY: BBPD

SUBJECT: Jeffrey, Jessica L

CASE NUMBER: 22-064859

DATE: May 7, 2022

VIDEO DVD NUMBER: n/a

BEGINNING TIME: 0247

ENDING TIME: 0303

BREATH TESTS RESULTS: 1) .241 TIME 0251 A.M. ☒ P.M. ☐ 2) .243 TIME 0255 A.M. ☒ P.M. ☐
3) n/a TIME 0 A.M. ☐ P.M. ☐ 4) n/a TIME 0 A.M. ☐ P.M. ☐

BREATH OPERATOR: Thomas H Leahey #19183

MAINTENANCE TECHNICIAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: slurred, thick

ATTITUDE: talkative, repetitive

CLOTHING: black one piece outfit, black sandals

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER:

eyes were glassy & bloodshot
odor of unknown alcoholic beverage on breath
subject stated she drank 2 Old Fashion's & 3 glasses of wine at restaurants - Q&A

COMMENTS:

arrived at center A/O conducted 20 observation period at 0116 hrs

subject agreed to perform breath test

subject completed breath test

read rights & subject understood rights

tech read breath test results & subject understood breath test results

A/O conducted Q&A

subject answered questions

subject stated she smoked Marijuana today @ 700 pm - Q&A



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

PBSO CASE # 22-064859 PBSO ZONE 6-12

AGENCY CASE # 22-005127 CRASH CASE # _____

TIME OF STOP/CRASH 0117 DATE 05/07/2022 DAY Saturday

SUBJECT'S NAME Jeffrey Jessica L RACE W SEX F

HGT 5'05" WGT 140 DOB 5/7/91

LOCATION 700 E Ocean Ave, Boynton Beach FL 33435

ARRESTING OFFICER'S NAME & ID Jennings 1000 AGENCY Boynton Beach

DIVISION: _____

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 0224

Arrest Time 0200

BREATH RESULTS:

1. .241
2. .243
3. n/a
4. n/a

TESTING OFFICER'S ID 19183

SUBJECT: Jeffrey, Jessica L

CASE NUMBER: _____

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 _____ of the _____

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) _____

CONSTITUTIONAL WARNINGS

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

1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: (X) _____

Read on camera

SUBJECT: Jeffrey, Jessica L CASE NUMBER: _____

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? Home

WHAT STREET OR HIGHWAY WERE YOU ON? GOLF RD

DIRECTION OF TRAVEL? E WHERE DID YOU START? Friends Home NW 14th

WHAT TIME DID YOU START? 730 pm 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? WPB

WHEN DID YOU LAST EAT? 2000-2130 WHAT DID YOU EAT? Fish

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? _____

HOW MUCH DO YOU WEIGH? _____ HAVE YOU BEEN DRINKING? Yes WHAT? 1. Old Fashion 2. Wine

HOW MUCH? _____ WHERE? Prime Catch / Sweetwater WITH WHOM? Friends

WHEN DID YOU HAVE YOUR FIRST DRINK? 1930 AND YOUR LAST DRINK? 2. 15 prior to stop

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Drank

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? No ARE YOU UNDER THE INFLUENCE? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? _____ HOW MUCH? _____

WHAT? _____ WHERE? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU IN? Server WHEN DID YOU LAST WORK? 2. 15

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? _____

ARE YOU SICK OR INJURED? Yes WHAT'S WRONG? Sinus infec

DO YOU LIMP? No 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? Yes WHEN? 1900

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? No WHO? _____ WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? _____ WHEN? _____

DO YOU HAVE:

EPILEPSY?	<u>No</u>
GLASS EYE?	<u>Yes</u>
FALSE TEETH?	<u>No</u>
EAR INFECTION?	<u>Maybe</u>
INNER EAR TROUBLE?	<u>No</u>
DIABETES?	<u>No</u>

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? Yes

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? Yes WHERE? Calif

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)
I/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: 2022011947	Date: 5/7/2022
	Specialist Name/ID: Chantel Daniels/30347