

21CT9755SB

Agency ORI Number <b>0500200</b>		Agency Name <b>Boca Raton Police Department</b>		Agency Report Number (N.T.A.'s only) <b>3, 2 2021-006986</b>		1. Arrest (Warrant) 2. N.T.A.		4. Request for Copies 5. Juvenile Referral		1. JUVENILE	
Charge Type: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Misdemeanor <input type="checkbox"/> 3. Traffic Misdemeanor		Check as many: <input type="checkbox"/> 4. Felony <input type="checkbox"/> 5. Misdemeanor <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type <b>UNARMED</b>		Multiple Charge Indicator					
Location of Arrest (Including Name of Business) <b>5100 N MILITARY TRAIL, BOCA RATON FL 334, 5400-N</b>				Location of Offense (Business Name, Address) <b>5100 N MILITARY TRAIL, BOCA RATON, FL 33487</b>							
Date of Arrest <b>06/13/2021</b>		Time of Arrest <b>01:10</b>		Booking Date <b>06/13/2021</b>		Booking Time <b>01:20</b>		Jail Date <b>06/13/2021</b>		Jail Time <b>03:06</b>	
Location of Vehicle <b>5100 N MILITARY TRAIL BOCA</b>											
Name (Last, First, Middle) <b>HEWITT, JOSEPHINE LYNN</b>											
Alias (Name, DOB, Sex, etc.)											
Race W - White B - Black O - Oriental/Asian I - American Indian											
Sex M - Male F - Female											
Date of Birth <b>03/19/1987</b>											
Height <b>5'05</b>											
Weight <b>140</b>											
Eye Color <b>BLUE</b>											
Hair Color <b>BROWN</b>											
Complexion <b>LIGHT</b>											
Build <b>Small</b>											
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)											
Marital Status <b>S</b>											
Religion <b>CATHOLIC</b>											
Indication of Alcohol Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>											
Indication of Drug Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>											
Local Address (Street, Apt. Number) <b>6503 N MILITARY TRAIL 1210, BOCA RATON, FL 33496</b>											
City <b>BOCA RATON</b>											
State <b>FL</b>											
Zip <b>33496</b>											
Phone <b>(954) 729-7406</b>											
Residence Type: 1. City 2. County 3. Florida 4. Out of State											
Permanent Address (Street, Apt. Number) <b>6503 N MILITARY TRAIL 1210, BOCA RATON, FL 33496</b>											
City <b>BOCA RATON</b>											
State <b>FL</b>											
Zip <b>33496</b>											
Phone <b>(954) 729-7406</b>											
Business Address (Name, Street) <b>6503 N MILITARY TRAIL 1210, BOCA RATON, FL 33496</b>											
City <b>BOCA RATON</b>											
State <b>FL</b>											
Zip <b>33496</b>											
Phone <b>(954) 729-7406</b>											
Occupation <b>Marketing</b>											
DL Number, State <b>H300432875990 / FL</b>											
Sec. Sec. Number											
DNS Number											
Place of Birth (City, State) <b>SUFFALK, SD, United</b>											
Citizenship <b>US</b>											
Co-Defendant Name (Last, First, Middle)											
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)											
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"/> Other: _____ Name (Last, First, Middle)											
<input type="checkbox"/> Legal Custodian											
Address (Street, Apt. Number) <b>6503 N MILITARY TRAIL 1210, BOCA RATON, FL 33496</b>											
City <b>BOCA RATON</b>											
State <b>FL</b>											
Zip <b>33496</b>											
Notified by: (Name) <b>HARRISON</b>											
Date <b>06/13/2021</b>											
Time <b>03:07</b>											
JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated											
Released To: (Name) <b>HARRISON</b>											
Relationship <b>Parent</b>											
Date <b>06/13/2021</b>											
Time <b>03:07</b>											
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. Psychotropic/ Equipment S. Synthetic											
U. Unknown Z. Other											
Charge Description <b>DUI</b>											
State Violation Number <b>316.193(1)(a)</b>											
Violation of ORD #											
Drug Activity <b>N</b>											
Drug Type <b>N</b>											
Amount / Unit <b>/</b>											
Offense # <b>2021-006986</b>											
Counts <b>1</b>											
Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N											
Warrant / Capias Number											
Bond											
Charge Description											
State Violation Number											
Violation of ORD #											
Drug Activity											
Drug Type											
Amount / Unit											
Offense #											
Counts											
Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N											
Warrant / Capias Number											
Bond											
Charge Description											
State Violation Number											
Violation of ORD #											
Drug Activity											
Drug Type											
Amount / Unit											
Offense #											
Counts											
Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N											
Warrant / Capias Number											
Bond											
Health / Apparent Physical Condition of Defendant <b>GOOD</b>											
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 checked="" type="checkbox"/> T.O.T. County Jail											
<input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health											
PROPERTY - Received By <b>HARRISON</b>											
Released By <b>PBCJ</b>											
Released To <b>OWNER</b>											
Transported By <b>HARRISON</b>											
Date Transported <b>06/13/2021</b>											
Time Transported <b>03:07</b>											
Other											
Location (Court, Room) <b>South County 200 W Atlantic Ave Delray Beach, FL 33444</b>											
Court Date and Time <b>06/30/2021 08:30:00</b>											
<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.											
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.											
Signature of Defendant (or Juvenile and Parent/Custodian)											
Date Signed											
HOLD for Other Agency											
Signature of Arresting Officer <b>HARRISON, D. M.</b>											
Name of Arresting Officer (Print) <b>HARRISON, D. M.</b>											
ID. # <b>856</b>											
Transporting Officer <b>HARRISON</b>											
ID. # <b>856</b>											
Agency <b>BRPD</b>											
Name Verification (Printed by Arrestee) <b>SCANNED JUN 13 2021</b>											
(PRINT)											
Witness here if subject signed with an "X" <b>2021</b>											

Photo Available

Circuit & County Clerk  
(CHIMINIA D.V.)

JUN 13 2021

FILED

0523918

1720

OBTS Number		<b>PROBABLE CAUSE AFFIDAVIT</b>		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		<b>1</b>	JUVENILE
ADMINISTRATIVE	Agency ORI Number <b>FL 0500200</b>		Agency Name <b>BOCA RATON POLICE DEPARTMENT</b>		Agency Report Number <b>3 2 2021-006986</b>				
	Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes:		
DEFENDANT	Name (Last, First, Middle) <b>HEWITT, JOSEPHINE LYNN</b>				Race <b>W</b>		Sex <b>F</b>		Date of Birth <b>03/19/1987</b>
	Charge Description <b>316.193(1) DUI</b>				Charge Description				
CHARGES	Charge Description				Charge Description				
	Charge Description				Charge Description				
VICTIM	Victim's Name (Last, First, Middle) <b>STATE OF FLORIDA,</b>				Race <b>U</b>		Sex <b>U</b>		Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (Zip) <b>100 NW 2ND AVE, BOCA RATON, FL 33432</b>				Phone <b>(561) 338-1234</b>		Address Source		
BUSINESS	Business Address (Name, Street) (City) (State) (Zip)				Phone <b>(561) -</b>		Occupation		
<p>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.</p> <p>The Person taken into custody . . .</p> <p><input type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>13</u> day of <u>June</u>, <u>2021</u> at <u>01:10</u> (Specifically include facts constituting cause for arrest.)</p>									
<p><b>MVR and In-Car Video available.</b></p> <p>On 06/13/2021 at approximately 0039 hours, I was driving northbound on Military Trail approaching Spanish River Blvd responding to a call when I observed a white Lexus SUV vehicle bearing FL tag GMZW26 swerving in and out of the inside lane northbound on Military Trail in front of me. I was also attempting to catch up to the vehicle, which was driving at a high rate of speed of approximately 60mph on a 45mph zone as I was pacing behind it. Due to the vehicle's failure to maintain a single lane, I then conducted a traffic stop at 5100 N Military Trail.</p> <p>I then immediately made contact with the driver of the vehicle, white female Josephine Hewitt. I advised to Hewitt that the reason I had pulled her over was due to her swerving in and out of a single lane. Upon asking why she might have been swerving in and out of a single lane, Hewitt advised that she did not realize she had been swerving and apologized. While speaking with Hewitt, I could smell an odor of alcohol coming from Hewitt's breath and she was slurring her words and speaking slow. As a result, I asked Hewitt to step outside of her vehicle onto the sidewalk. At first Hewitt was questioning why she had to step outside of the vehicle, at which point I told her I was concerned for her ability to drive based on my observations and I was giving her a lawful order to step outside of the vehicle. Hewitt then asked if she could take her high heels off, and I told her she could. She then stepped outside of the vehicle onto the sidewalk in a well-lit area.</p> <p>I then asked Hewitt if she had anything to drink tonight. Hewitt stated that she had two glasses of wine while at Tavalino's in Coral Springs, FL. She advised she was driving from Tavalino's restaurant and was going to her home just a block away. She further advised that the last time she ate was at approximately 2200 hours and she had pasta and meatballs. I then asked Hewitt if she was taking any prescription medication, and</p>									
<p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><i>[Signature]</i> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 118.01) <b>06-13-21</b> DATE</p> <p><i>[Signature]</i> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER <b>HARRISON, DANIELLE MARIE (856)</b> NAME OF OFFICER (PLEASE PRINT) <b>06/13/2021</b> DATE</p>									

COURT

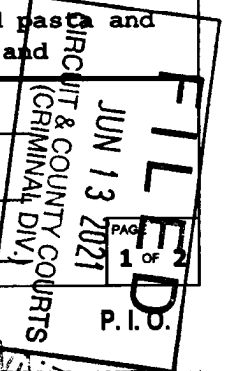
STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.



RECEIVED  
JUN 13 2021

CSTS Number		<b>PROBABLE CAUSE AFFIDAVIT SUPPLEMENT</b>		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		<b>1</b>	JUVENILE	
Agency ORI Number <b>FL 0500200</b>		Agency Name <b>BOCA RATON POLICE DEPARTMENT</b>		Agency Report Number <b>3   2   2021-006986</b>						
Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other								Special Notes:		
Name (Last, First, Middle) <b>HEWITT, JOSEPHINE LYNN</b>								Race <b>W</b>	Sex <b>F</b>	Date of Birth <b>03/19/1987</b>
<p>Hewitt stated she is not. I then asked if she has any physical injuries or impairments that would prevent her from standing, walking, or balancing; she stated she did not. Hewitt was swaying a bit and was slurring her words while speaking with me. I then asked Hewitt if I could check her eyes to see if she was impaired. I conducted the Horizontal Gaze Nystagmus and told Hewitt only to follow the stimulus with her eyes and do not move her head. As I moved the stimulus, Hewitt moved her head multiple times and would stop following the stimulus when I told her to continue following the pen with her eyes only. I could also observe her eyes to be red bloodshot glossy.</p> <p>Based on my observations of Hewitt's failure to maintain a single lane while driving at a high rate of speed, her slurred and slow speech, the smell of alcohol coming from her breath and person, her red bloodshot glossy eyes, and her statements of having two glasses of wine just prior to operating her motor vehicle, I asked Hewitt if she would be willing to participate in field sobriety tasks to dispel my alarm that she was under the influence. Hewitt advised she did not wish to participate in the field sobriety tasks. I then advised Hewitt of the Taylor Warnings, which consisted of telling Hewitt that if she refuses to participate in the field sobriety tasks, I will be forced to make my decision on whether or not she is under the influence based on my observations, and her refusal can be used against her. After advising Hewitt this, I asked Hewitt one more time if she wished to participate in the field sobriety tasks. Hewitt advised she understood these warnings and still wished to decline to participate in the field sobriety tasks.</p> <p>I then placed Hewitt under arrest for DUI. I handcuffed Hewitt and checked for double-lock and proper fit. I then conducted a search of Hewitt's person. While searching Hewitt's person, Hewitt spontaneously uttered, "I'm not that drunk." I then placed Hewitt in my police vehicle and transported her to Palm Beach County Jail for a BAT. Upon arrival, I conducted a 20-minute observation and then Hewitt was taken into the BAT room. Hewitt refused to provide a breath sample. I then read Hewitt her Florida Implied Consent Warnings, and Hewitt advised she understood these warnings and again refused to provide a breath sample. I then read Hewitt her Constitutional Warnings which she advised she understood, and she agreed to answer my additional questions. See DUI Influence Report. Josephine Hewitt is being charged under F.S.S. 316.193(1a) for DUI (DUI citation issued). Hewitt was also issued a citation for Failure to Maintain a Single Lane pursuant to F.S.S. 316.089(1)(a) #ADR5FRE). Hewitt's vehicle was inventoried by Ofc Hettchen and then later towed by Westway towing (See Ofc Hettchen's supplemental report for further details). TOT CJ.</p>										
SWORN AND SUBSCRIBED BEFORE ME <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 45%;"> <p><i>[Signature]</i>            NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)            DATE <b>06-13-21</b></p> </div> <div style="width: 45%;"> <p><i>[Signature]</i>            SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  <b>HARRISON, DANIELLE MARIE (856)</b>            NAME OF OFFICER (PLEASE PRINT)            DATE <b>06/13/2021</b></p> </div> </div>										

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.

 SCANNED  
 JUN 13 2021



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

PBSO CASE # 21-075514 PBSO ZONE 7-12  
BRPD  
AGENCY CASE # 2021-006986 CRASH CASE # \_\_\_\_\_  
TIME OF STOP/CRASH 0039 DATE 6/13/2021 DAY Sunday  
SUBJECT'S NAME Josephine L. Hewitt RACE W SEX F  
HGT 505 WGT 140 lbs DOB 3/19/1987  
LOCATION 5100 N Military Trail, Boca Raton FL  
ARRESTING OFFICER'S NAME & ID Harrison #886 AGENCY BRPD  
DIVISION: Road

NOTIFIED BY COMMO Yes  
ARRIVAL AT FACILITY 0145  
Arrest Time 0110

BREATH RESULTS:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

TESTING OFFICER'S ID 16212

REFUSED

NOT A CERTIFIED

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 13 DAY OF June 20 21, AT 0110 AM PM

SUBJECT: Josephine L. Hewitt CASE NUMBER: 2021-006986

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Harrison #852

Boca Raton Police Dept

**PERSONAL CONTACT**

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

- ~~note~~ vehicle was swerving in and out of lane multiple times  
also driving at a high rate of speed

I observed w/f Josephine Hewitt as the driver of the vehicle  
with the vehicle running and she was seatbelted in.

## OBSERVATION OF DRIVER:

- Glossy eyes
- Slurred, slow speech
- Smell of alcoholic odor coming from Hewitt's breath

## DRIVER'S STATEMENTS:

- She stated she had 2 glasses of wine and was coming from a restaurant in  
Coconut Springs, FL
- post-arrest, she stated she was "not that drunk"

## ODORS:

odor of alcohol coming from her breath.

## **GENERAL OBSERVATIONS**

**SPEECH:** Slow, slurred

**ATTITUDE:** Nervous

**CLOTHING:** black dress with black cover

**MEDICAL/OTHER:** None

STATE OF FLORIDA  
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13 day of June 2021 by \_\_\_\_\_

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

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

SHARILL O'NEAL  
Notary Public - State of Florida  
Commission # GG 972080  
My Comm. Expires Jun 25, 2024  
Bonded through National Notary Assn.

SUBJECT: Josephine L. Hewitt

CASE NUMBER: 2021-006986

## 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:

- moved head when told not to move her head and only fixes with her eyes

### WALK & TURN:

### ONE LEG STAND:

### FINGER TO NOSE:

### ROMBERG/ALPHABET:

### BREATH TEST RESULTS:

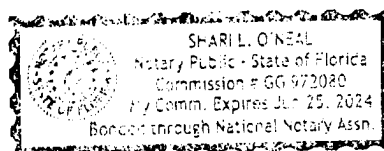
STATE OF FLORIDA  
COUNTY OF PALM BEACH

[Signature]  
(Signature of Arresting/Investigative Officer)

The foregoing instrument was notarized or sworn before me this 13 day of June, 2021 by \_\_\_\_\_

who is personally known to me and/or produced identification. Type of identification produced \_\_\_\_\_

[Signature]  
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



# TESTING FACILITY TASK REPORT

AGENCY: BRPD. OFC. HARRISON #856

SUBJECT: HEWITT, JOSEPHINE L.

CASE NUMBER: 21-075514

DATE: 06-13-21

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0208 HRS

ENDING TIME: 0217 HRS

BREATH TESTS RESULTS: 1) R TIME 0209 A.M. ☒ P.M. ☐ 2) TIME A.M. ☐ P.M. ☐  
3) TIME 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: EMOTIONAL, UPSET, CRYING, COOPERATIVE, MOODSWINGS, SARCASTIC

CLOTHING: DRESS- BLACK

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

## OTHER:

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

## COMMENTS:

20 MIN. OBSERVATION DONE BY A/O HARRISON #856  
A/O REQUESTED THE BREATH TEST.  
D REFUSED THE BREATH REQUEST.  
A/O READ THE IMPLIED CONSENT ON CAMERA.  
D UNDERSTOOD THE I/C.  
D STILL REFUSED THE BREATH REQUEST AFTER THE I/C WAS READ.  
C/W READ ON CAMERA.  
Q&A CONDUCTED.

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

I, Off. D. Harrison #886, a duly certified Law Enforcement Officer or Correctional Officer,  
(Name of Officer reading Implied Consent Warning)

am a member of Boca Raton Police Dept., and I do swear  
(Name of law enforcement agency)

or affirm that on or about the 13 day of JUNE, 20 21, at 0110 ☐ P.M. ☒ A.M.

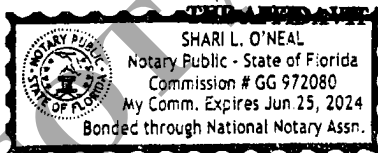
DRIVER Josephine Lynn Hewitt  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# H300 432 8759A 0, state of Florida, was placed under lawful arrest for  
the offense of DUI FSS 316.193(1)(c) by Off. D. Harrison and  
issued Citation # A6LRDL6  
(Name of Arresting Officer)

That on or about the 13 day of JUNE, 20 21, at 0209 ☐ 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.

D. Harrison #886  
Signature of Law Enforcement Officer or  
Correctional Officer



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this 13 day of JUNE, 20 21,

by \_\_\_\_\_,

who is personally known to me or who has produced

as identification

Notary Public S. O'Neal

HSMV-BAR1001 (REV. 10/2016)

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 \_\_\_\_\_

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: Josephine L. Powell CASE NUMBER: 2071 001986

## 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 \_\_\_\_\_ of the \_\_\_\_\_

If you fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a first refusal, or eighteen (18) months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

SUBJECT'S SIGNATURE: (X) Josephine L. Powell

## 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) Josephine L. Powell

SUBJECT: 1039th Ave L Housh CASE NUMBER: 7-21-6986

## 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? Yes

WHERE WERE YOU GOING? Home

WHAT STREET OR HIGHWAY WERE YOU ON? My 1st

DIRECTION OF TRAVEL? N WHERE DID YOU START? Home

WHAT TIME DID YOU START? 7:15 WHAT TIME IS IT NOW? 8:15

WHAT IS TODAY'S DATE? 10/12/11 WHAT DAY OF THE WEEK IS IT? Sunday

WHAT COUNTY AND CITY ARE YOU IN NOW? San Diego

WHEN DID YOU LAST EAT? 10:00 WHAT DID YOU EAT? Food

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Nothing

HOW MUCH DO YOU WEIGH? 175 lbs HAVE YOU BEEN DRINKING? Yes WHAT? Beer

HOW MUCH? 1/2 WHERE? Home WITH WHOM? Alone

WHEN DID YOU HAVE YOUR FIRST DRINK? 7:15 pm AND YOUR LAST DRINK? 8:15 pm

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Beer

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

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? No HOW MUCH? No

WHAT? No WHERE? No WHEN? No

WHAT LINE OF WORK ARE YOU IN? Teacher WHEN DID YOU LAST WORK? Yesterday

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

ARE YOU SICK OR INJURED? Yes WHAT'S WRONG? Leg problem

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE YOU IN AN ACCIDENT TODAY? No

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? No WHEN? No

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

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

DO YOU HAVE:

EPILEPSY?	<u>No</u>
GLASS EYE?	<u>No</u>
FALSE TEETH?	<u>No</u>
EAR INFECTION?	<u>No</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? No

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

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE? No

INTERVIEWER: \_\_\_\_\_

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL





**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"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

**REVIEW COMPLETED BY**

Booking Number: 2021014388	Date: 06/13/2021
	Specialist Name/ID: C. Denzel/8691