



Arrest Report 0518944 0474437

50-2020-CF 008172-AMB/520

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time 10/7/2020 02:26 AM	Report Number FHP99ARR792761	Case Number/Cad Number FHPL20OFF056492 / LWRC20CAD150795	Reporting Officer Name W. LEON
Originating Agency ORI	Occur Date Time Range 10/07/2020 00:19:31 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description INTERSTATE 95 NORTHBOUND SOUTH OF WOOLBRIGHT			
Street Number I-95 NB	Street	Apt/Lot/Bldg	City BOYNTON BEACH	State FL	Zip Code 33435

Defendant

First Name LACEY	Middle Name DREW	Last Name ASHER	Suffix	Race WHITE	Sex FEMALE	Height 506	Weight 170	Hair BRN	Eyes BRN
MNI # AUSTIN	SSN	Date of Birth 02/16/1986	Age 34	ID Type E	Drivers License or other ID A260524865560	State FL	OCA / Agency ID		
Place of Birth: TX									
Address * RESIDENCE / 6658 MONTEGO BAY BLVD APT F , , FL 33433 /									

Arrest

Arrest Date/Time 10/7/2020 1:04:54 AM	Arrest Location Type BUSINESS	Arrest Location Description INTERSTATE 95 NORTHBOUND				
Street Number	Street W WOOLBRIGHT RD	Apt/Lot/Bldg	County PALM BEACH	City BOYNTON BEACH	State FL	Zip Code 33426

Charge : S

Counts 1	Charge 316.193.3c1	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree F	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI AND DAMAGE PROPERTY			
Is Arrestee Juvenile?			No
Type of Arrest			On-View Arrest (apprehension without a warrant or previous incident report)

Charge : S

Counts 1	Charge 843.01	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree T	Charge Level FELONY	General Offense Code RESIST OFFICER	
Charge Description			

Trp. W. LEON 3658

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WITH VIOLENCE

Is Arrestee Juvenile?	No
Type of Arrest	On-View Arrest (apprehension without a warrant or previous incident report)

Charge : S

Counts 2	Charge 784.07.2b	<i>1,000 x 2</i>	Bond Amount \$0.00	<input checked="" type="checkbox"/> No Bond
Charge Degree T	Charge Level FELONY	General Offense Code BATTERY		

Charge Description ON OFFICER FIREFIGHTER EMT ETC	
Is Arrestee Juvenile?	No
Type of Arrest	On-View Arrest (apprehension without a warrant or previous incident report)

Bond Set by Court

Bond Amount	<input type="checkbox"/> No Bond
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Bond Type(s)

Probable Cause

I, Trooper Leon, and Recruit Trooper Guerrier was traveling northbound on Interstate 95 passing Atlantic Avenue. We observed a dark colored coupe traveling at a high rate of speed overtaking the flow of traffic. I proceeded to catch up to the vehicle and pace clocked the vehicle at approximately over 100 miles per hour. I then identified the suspect vehicle to be a Mini Cooper Clubman bearing a Florida Tag of ITVI37. The vehicle continued to overtake the flow of traffic and in the process almost collided with several vehicles. Recruit Trooper Guerrier then activated the emergency lights to initiate a traffic stop. The suspect vehicle abruptly stopped while changing lanes in front of another vehicle. As a result, we witnessed the suspect driver cause an angled collision with another vehicle. After the collision, the suspect vehicle came to a complete stop in the outside travel lane. Due to the abrupt stop by the suspect vehicle, I was forced to stop adjacent to the vehicle. I immediately exited the patrol vehicle to alert the suspect driver of their hazardous parking location. After safely moving the suspect's vehicle onto the shoulder, I started my crash investigation.

Upon initial contact with the suspect driver, I immediately detected an odor commonly associated with that of an alcoholic beverage. The suspect driver

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immediately denied any involvement with the collision and began getting argumentative. Based on my observation of the suspect driver's condition, I then requested for the driver to shut off the vehicle, turn over the keys, and provide their license, registration, and proof of insurance. The driver was positively identified via Florida Driver's License (A260-524-86-556-0) as Lacey Asher. During the crash investigation, Ms. Asher repeatedly exited her vehicle and walked in the travel lane after being told to remain in the vehicle several times. Throughout the interaction, the odor of alcohol emitting from Ms. Asher's breath became more apparant, Ms. Asher's eyes were glossy, and I noticed her slurred speech. After the crash investigation, I then advised Ms. Asher of the completion of my crash investigation and the commence of the DUI investigation.

After advising Ms. Asher, I then requested Ms. Asher to perform Standard Field Sobriety Exercises. Ms. Asher Initially refused to perform the exercises. After advising Ms. Asher of our initial observations, she then agreed to perform exercises. Ms. Asher would then refuse and agree to perform the exercises two additional times. I asked Ms. Asher if she had shoes available to perform the exercises. She said no she did not and during my DUI investigation I found a pair of female footwear in the back seat of the vehicle along with a pair of sneakers in the trunk. After Ms. Asher finally agreed, I attempted to transport Ms. Asher to a safe location to perform the exercises. During the escort, Ms. Asher was very cooperative in the patrol vehicle. Upon arrival at the Burger King Parking Lot West of Interstate 95, Ms. Asher asked where I was taking her and asked what was going. I explained to her that she agreed to perform the exercises and Ms. Asher began to get very hostile and attempted to exit the vehicle. Recruit Tropper Guerrier and I immediately got out the vehicle to put Ms. Asher in handcuffs. We attempted to get Ms. Asher out the vehicle and she began resisting arrest by forcefully grabbing the police equipment in the vehicle causing damage to the rear view mirror. Ms. Asher began kicking and resisting arrest while we were attempting to physically place her in handcuffs. Tpr Leon and R/Tpr Guerrier were both kicked in the thigh area by Ms. Asher during the struggle. After Ms. Asher finally became tired of resisting we then place and held Ms. Asher in the seating position on the ground. When Boynton Beach Police Officers arrived on scene to assist in transporting the combative Ms. Asher. Ms. Asher kicked Tpr Leon in the thigh again. Asher was hobbled at which time by Officer Shepaum who transported her

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to the County Jail.

Upon arrival at the county jail, we took the Ms. Asher to get Bat Testing center where she refused to submit to a lawful breath test. Tpr Guerrier read her the implied consent and advised her of the consequences if she refused. Ms. Asher refused a second time.

Based on the aforementioned I find probable cause to charge the defendant of one count of Driving under the influence FSS 316.193 subsection 3c1, two counts of resisting with violence FSS 843.01, and two counts of battery on officer FSS 784.07(2)(b).

Please See Boynton Beach Police Department's Report Number: 34-20-049759 in reference to their involvment, charges and assistance.

Jail Booking Facility

Booking Date/Time 10/7/2020 02:40 AM	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406		Booking Number	
Booking Comments			

Court

Court County PALM BEACH	Court Location 3188 PGA BLVD. PALM BEACH GARDENS, FL 33410		
Court PALM BEACH NORTH COUNTY COURTHOUSE	Court Phone 561-624-6608	Court Apperance Date / Time 11/04/2020 8:30AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
GUERRIER, JEFFERSON TPR 4788	ASSISTING	FLORIDA HIGHWAY PATROL FHPLILWRCCIPALM BEACHIBROW LN TO SR804
W. LEON TPR 3658	PRIMARY / REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPLILWRCCIPALM BEACHISR804 JSOF SR702

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The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name W. LEON	Office Rank TPR	Officer ID No 3658	Sworn and subscribed before me, the undersigned authority This the _____ day of _____ DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature <i>William Leon</i>			

<input type="radio"/> No Bill / Petition	<input type="radio"/> Issue Warrant	<input type="radio"/> Prosecution Approved	_____ Signature of Assistant State Attorney	_____ Date
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NOT A CERTIFIED COPY

SUBJECT: Asher, Lacey Drew 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 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) _____

Read on camera

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: Asher, Lacey Drew 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? _____

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: TPR. Leon #3658

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

I, WILLIAM LEON, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of FLORIDA HIGHWAY PATROL, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 7th day of October, 20 20, at 2:47 P.M. A.M.

DRIVER LACEY DREW ASHER,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# A260-524-86-556-D, state of FLORIDA, was placed under lawful arrest for

the offense of DUI by TR. W. LEON and
(Name of Arresting Officer)

issued Citation # A768FWE.

That on or about the 7th day of October, 20 20, at 0247 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.

William Leon
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]
Signature of Attesting Officer

Title Trooper

Date 10/7/20

(AFFIX SEAL)
The foregoing instrument was sworn and subscribed before
me this _____ day of _____, 20_____,
by _____,
who is personally known to me or who has produced
_____ as identification
Notary Public _____

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 # 20-114127 PBSO ZONE 6-21

AGENCY CASE # FHPL20OFF056492 CRASH CASE # _____

TIME OF STOP/CRASH 0104 DATE 10/07/2020 DAY WEDNESDAY

SUBJECT'S NAME ASHER, LACEY DREW RACE W SEX F

HGT 5'6 WGT 120 DOB 02/16/1986

LOCATION INTERSTATE 95 / WOOLBRIGHT

ARRESTING OFFICER'S NAME & ID TROOPER LEON #3658 AGENCY FHP-L

DIVISION: _____

NOTIFIED BY COMMO NO

ARRIVAL AT FACILITY 0217

Arrest Time 0104

BREATH RESULTS:

- 1. REFUSED **REFUSED**
- 2. REFUSED
- 3. REFUSED
- 4. REFUSED

TESTING OFFICER'S ID BELL 8656

TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: ASHER, LACEY DREW

CASE NUMBER: 20-114127

DATE: Oct 7, 2020

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0244

ENDING TIME: 0248

BREATH TESTS RESULTS: 1) R TIME 0247 A.M. P.M. 2) N/A TIME XX A.M. P.M.
3) N/A TIME XX A.M. P.M. 4) N/A TIME XX A.M. P.M.

REFUSED

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: PRONOUNCED

ATTITUDE: TALKATIVE, ARGUMENTATIVE

CLOTHING: WHITE DRESS, NO SHOES

MEDICAL CONDITIONS: ANXIETY

MEDICATIONS: LEXEPRO

OTHER:

EYES: BLOODSHOT, GLASSY

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0217 HOURS

SUBJECT STATED SHE WOULD NOT TAKE BREATH TEST

A/O READ I.C

SUBJECT STATED SHE UNDERSTOOD I.C AND REFUSED TO TAKE BREATH TEST

A/O READ RIGHTS

SUBJECT STATED SHE UNDERSTOOD HER RIGHTS

SUBJECT ASKED FOR A LAWYER BEFORE QUESTIONING

REFUSED



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"/>			
Other	<input type="checkbox"/>	F.C. Art. 1, Sect 16	Other: Marsy's Law	
	<input type="checkbox"/>	119.071(2)(M)	Other: Personal identifying information of a witness to a murder.	

REVIEW COMPLETED BY

Booking Number: 2020023653	Date: 10/07/2020
	Specialist Name/ID: VARGO/6665