

Arrest Report

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

0523036

459

21CT 7219 SB

Report Date / Time 5/1/2021 08:57 PM	Report Number FHP99ARR839058	Case Number/Cad Number FHPL21OFF027371 / LWRC21CAD077430	Reporting Officer Name Z. TODD
Originating Agency ORI	Occur Date Time Range 05/01/2021 19:36:06 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description ROADWAY
Street Number SR-9	Street NB SOF FOREST HILL BLVD	Apt/Lot/Bldg City DELRAY BEACH
State FL	Zip Code 33444	

Defendant

First Name REBECCA	Middle Name LYNN	Last Name ACORS	Suffix	Race WHITE	Sex FEMALE	Height 509	Weight 140	Hair BRO	Eyes BRO
MNI #	SSN	Date of Birth 08/11/1995	Age 25	ID Type E	Drivers License or other ID A262732957910	State FL	OCA / Agency ID		
Place of Birth:	SPOSYLVANIA VA USA								
Address * RESIDENCE / 823 SE 18TH ST , FT. LAUDERDALE, FL 33316 /									

Arrest

Arrest Date/Time 5/1/2021 8:57:39 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description ROADWAY
Street Number SR-9	Street NB SOF FOREST HILL BLVD	Apt/Lot/Bldg County PALM BEACH
City DELRAY BEACH	State FL	Zip Code 33444

Charge : S

Counts 1	Charge 316.193.1a	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree S	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI INFLUENCE OF ALCOHOL OR DRUGS			

Bond Set by Court

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

Probable Cause

On May 1, 2021 I was on routine patrol in my marked patrol car in Palm Beach County. I responded to a traffic stop that occurred on I-95 (State Road 9) northbound south of Forest Hill Blvd. I arrived on scene and was briefed by Sgt. M.

Arrest Report

Cpl HONEN 7206

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Alarcon as to the details of the traffic stop. He stated to me that he observed a grey vehicle swerving within the lane and observed that the decal on the tag was expired. He then stated that he conducted a traffic stop on the vehicle and as he talked to the driver, he observed a fruity odor coming from the driver's breath as she talked and that she was lethargic. I then observed the driver and saw that she was the sole occupant of the vehicle. I observed that the driver had bloodshot glassy eyes, slurred speech, dilated pupil size and the odor of an unknown alcoholic beverage was emitting from her breath as she talked. I had the driver step out of the vehicle and stand in front of my patrol car. As she stood in front of me, I observed that she had an orbital sway, bloodshot glassy eyes and the odor of an unknown alcoholic beverage was emitting from her breath as she talked. I requested that she conduct field sobriety exercises and she agreed. The driver was later identified as Rebecca Acors by her FL DL.

Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Ms. Acors was wearing glasses or contact lenses. It was determined that Ms. Acors was not wearing glasses or contacts. I then checked her eyes and observed equal tracking and equal pupil size. She was instructed to place her feet together and place her hands down at her side. She then was instructed to keep her head still and follow the stimulus with her eyes and her eyes only. She was also instructed to keep looking at the stimulus until told not to. She verbally indicated that she understood. During the exercise I observed 6 of the 6 possible clues.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

I also observed Ms. Acors to have orbital sway. Initial Angle of Onset 35°.

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Walk and Turn Exercise

The area was level and free of debris. Ms. Acors indicated that she observed the orange line on the ground. Ms. Acors was instructed to put her left foot on the line, then place her right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. She was instructed not to begin untold to do so. Ms. Acors verbally indicated that she has understood all instructions up to this point. Ms. Acors was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Ms. Acors was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this. Ms. Acors was also instructed to keep her arms at her sides and to watch her feet during the exercise. Ms. Acors was also instructed to count aloud and to not stop once she begins the exercise. She was also instructed to keep her arms at her sides at all times.

Ms. Acors began the exercise too soon and had to be told to wait and to get back into the starting position. She began the exercise and missed heel to toe on several steps. She used her arms for balance and raised them higher than 6 inches. While completing the turn Ms. Acors took both feet off the line and incorrectly completed the turn. She also did not touch heel to toe on multiple steps on the returning 9 steps. She took 9 steps forward and 9 steps back.

One Leg Stand Exercise

Ms. Acors was instructed to stand with her feet together and to place her arms down at her side. Ms. Acors was instructed to maintain that position until told to do so. Once told to do so, she was instructed to raise one leg approximately 6 inches off the ground and to keep both legs straight with both arms at her side. She was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Ms. Acors verbally indicated that she understood the instructions after I demonstrated to her.

Ms. Acors was told to begin and raised her left foot. During the exercise Ms. Acors displayed an orbital sway and had to use her arms multiple times to keep from

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losing balance. She raised her arm approximately 6-7 inches away from her body. She also did not raise her foot six inches off the ground or keep both legs straight. Ms. Acors placed her foot down during the exercise and stopped the exercise. She did not look down at her foot during the exercise and had to be told to do so.

Finger To Nose

Ms. Acors was instructed stand with her feet together and arms at her side and to have her index fingers pointed out. She was instructed t not start and stay in that position until told to do so. She stated that she understood. I then demonstrated the position. Ms. Acors was then instructed to when told to start to close both eyes and tilt her head back. When told to do so she was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of her nose. I then demonstrated this. She was then instructed to after touching the tip of the nose to immediately bring her hand down to her side. She stated that she understood. I then demonstrated and she stated that she understood. She was instructed to raise her hand in the following order, left, right, left, right, and right, left.

- Left: Pad. Put arm down
- Right: Pad
- Left: Pad
- Right: Pad
- Right: Initially raised left hand. Pad
- Left: Pad

While conducting the exercise I observed an orbital sway.

Modified Rhomberg Balance

Completed in 13 seconds. I observed eyelid and leg tremors. I also observed an orbital sway.

At approximately 2026 I placed Ms. Acors in handcuffs and under arrest for DUI (F.S. 316.193.) She was searched. She was then secured in my patrol car. I then

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transported her to the Palm Beach County jail. Once arrived at the jail I conducted a twenty-minute observation of Ms. Acors. At no time did she regurgitate or take anything by mouth. I requested that she provide a lawful sample of her breath and she inquired about the consequences. Implied consent was read, and she stated that she understood. At approximately 2134 she provided a breath sample of .162. At approximately 2137 she provided a second sample of .163. She was then booked into the Palm Beach County Jail.

The above incident occurred in Palm Beach County.

Jail Booking Facility

Booking Date/Time 5/1/2021 10:44 PM	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 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 05/27/2021 830 AM	Court Fine
Comments			

Officer Name Rank / ID # Z. TODD TPR	4141	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA HIGHWAY PATROL FHPL\LRCC\PALM BEACH\SR804 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 Z. TODD	Office Rank TPR	Officer ID No 4141	Sworn and subscribed before me, the undersigned authority This the <u>01</u> day of <u>MAY</u> , <u>2021</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature 			
<input type="radio"/> No Bill / Petition <input type="radio"/> Issue Warrant <input type="radio"/> Prosecution Approved			

Signature of Assistant State Attorney

Date

NOT A CERTIFIED

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: 80-006027 Software: 8100.27
Date of Test: 05/01/2021

Date of Last Agency Inspection: 04/09/2021
Observation Period Began: 21:01
Subject's Name: REBECCA L ACORS

DOB: 08/11/1995 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		21:32
Air Blank	0.000	21:33
Control Test	0.078	21:33
Air Blank	0.000	21:33
Subject Sample #1	0.162	21:34
Air Blank	0.000	21:34
Air Blank	0.000	21:36
Subject Sample #2	0.163	21:37
Air Blank	0.000	21:37
Control Test	0.080	21:38
Air Blank	0.000	21:38
Diagnostics Check OK		21:38

Cylinder Lot: 22620080A2
Exp: 10/05/2022

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 R LEAREY, 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: T. Leary

Signature

Date: 05/01/21

Sworn to (or affirmed) before me this 01 day of May, 2021

Signature of Notary Public-State of Florida

Tip Z Todd #4141
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.



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

PBSO CASE # 21-061142 PBSO ZONE 1-11
AGENCY CASE # FHP210FF027371 CRASH CASE # _____
TIME OF STOP/CRASH 1948 DATE 3/1/2021 DAY SAT
SUBJECT'S NAME REBECCA ACORS RACE W SEX F
HGT 5'09 WGT 140 DOB 8/11/1995
LOCATION I-95 NB Forest Hill Blvd
ARRESTING OFFICER'S NAME & ID TODD 4141 AGENCY FHP
DIVISION: DUI NOTIFIED BY COMMO Y
ARRIVAL AT FACILITY 2101
Breath Results: Arrest Time 2026
1. .162
2. .163
3. .14
4. .14
TESTING OFFICER'S ID 19683

TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: Acors, Rebecca L

DATE: May 1, 2021

BEGINNING TIME: 2129

CASE NUMBER: 21-061142

VIDEO DVD NUMBER: n/a

ENDING TIME: 2140

BREATH TESTS RESULTS: 1) .162 TIME 2134 A.M. ☐ P.M. ☒ 2) .163 TIME 2137 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: thick

ATTITUDE: talkative, cooperative

CLOTHING: tan shorts, rust tank top, black flip flops

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER:

eyes are glassy & bloodshot
odor of unknown alcoholic beverage on breath

COMMENTS:

arrived at center A/O conducted 20 minute observation period at 2101 hrs

subject refused to perform breath test

A/O read I/C & subject understood I/C

subject agreed to perform breath test

A/O read rights & subject understood rights

tech read breath test results & subject acknowledged he understood breath test results

A/O did not attempt Q&A

SUBJECT: Acors, Rebecca 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 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: Acors, Rebecca 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? _____

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: _____

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

REVIEW COMPLETED BY

Booking Number: 2021010576

Date: 5/02/21

Specialist Name/ID: J. Beck/9007