

A D M I N I S T R A T I O N	OBTS Number		0547581		ARREST / NOTICE TO APPEAR		1 Arrest 2 N.T.A. 3 Request for Warrant 4 Request for Capias		1		JUVENILE	
	Agency ORI Number 0500400		Agency Name Delray Beach Police Department		Agency Report Number (N.T.A.'s only) 4 0 24-003129							
	Charge Type: Check as many as apply: ☒ 1 Felony ☐ 2 Traffic Felony		☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor		☐ 5 Ordinance ☐ 6 Other		If Weapon Seized Enter Type UNARMED		Multiple Clearance Indicator		3	
	Location of Arrest (Including Name of Business) W ATLANTIC AVE/S MILITARY TRL DB, FL 3344				Location of Offense (Business Name, Address) 4999 W ATLANTIC AVE/S MILITARY TRL, DELRAY BEACH, FL							
D E F E N D A N T	Date of Arrest 03/05/2024		Time of Arrest 23:52		Booking Date 03/06/2024		Booking Time 01:45		Jail Date 03/06/2024		Jail Time 01:37	
	Name (Last, First, Middle) HAROLD, EMILY GEORGIA		Alias (Name, DOB, Soc. Sec. #, Etc.)									
	Race W - White I - American Indian B - Black O - Oriental/Asian W		Sex F		Date of Birth 06/29/2001		Height 5'02		Weight 170		Eye Color BLUE	
	Hair Color BROWN		Complexion OLIVE		Build Med		Marital Status U		Religion CHRISTIAN		Indication of Alcohol Influence Yes ☒ No ☐ Unk ☐	
C O - D E F E N D	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)										Residence Type 1 City 2 County 3 Florida 4 Out of State 1	
	Local Address (Street, Apt. Number) 4495 SUGAR PINE DR, BOCA RATON, FL 33487				(City) (State) (Zip)				Phone (561) 400-6552			
	Permanent Address (Street, Apt. Number) 4495 SUGAR PINE DR, BOCA RATON, FL 33487				(City) (State) (Zip)				Phone (561) 400-6552			
	Business Address (Name, Street) 4495 SUGAR PINE DR, BOCA RATON, FL 33487				(City) (State) (Zip)				Phone (561) 400-6552			
J U V E N I L E	D/L Number, State H643207017290 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) BOCA RATON, FL		Citizenship US			
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		1 Arrested 2 At Large		3 Felony 4 Misdemeanor 5 Juvenile	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		1 Arrested 2 At Large		3 Felony 4 Misdemeanor 5 Juvenile	
	Parent ☐ Legal Custodian ☐ Other		Address (Street, Apt. Number)		(City) (State) (Zip)		Residence Phone		Business Phone			
C H A R G E	Notified by (Name)		Date		Time		JUVENILE DISPOSITION 1 Handled/Processed within Department and Released 2 TOT IAC 3 Incarcerated					
	Released To (Name)		Date		Time							
	The above address was provided by ☐ defendant and/or ☐ 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? ☐ Yes ☒ 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 Disperses/ Distribute		M Manufacture/ Produce/ Cultivate		Z Other	
I N T A K E	Charge Description POSSESSION OF MARIJUANA OVER 20 GRAMS		Statute Violation Number 893.13 (6A)		Violation of ORD #							
	Drug Activity N		Drug Type 30-15-5		Amount / Unit		Offense #		Counts 1		Domestic Violence ☐ Y ☒ N	
	Charge Description POSSESS AND/OR USE DRUG PARAPHERNALIA		Statute Violation Number 893.147(1)		Violation of ORD #							
	Drug Activity N		Drug Type		Amount / Unit		Offense #		Counts 1		Domestic Violence ☐ Y ☒ N	
N O T I C E T O A P P E A R	Charge Description DUI BAL .15 OR MORE / DUI-UNDER 18 YOA PASSENGER		Statute Violation Number 316.193(4)		Violation of ORD #							
	Drug Activity N		Drug Type		Amount / Unit		Offense #		Counts 1		Domestic Violence ☐ Y ☒ N	
	Health / Apparent Physical Condition of Defendant		Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries		Explain:							
	Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ Posted Bond ☒ South County Mental Health		PROPERTY - Received By		Released By		Released To					
A D M I N I S T R A T I O N	Transported By STROUD		Date Transported		Time Transported		Other					
	INSTRUCTION NO. 1 - Mandatory appearance in court ☒ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		Location (Court, Room) South County 200 W Atlantic Ave Delray Beach, FL 33444		Court Date and Time							
	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 CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		Signature of Defendant (or Juvenile and Parent/Guardian)		Date Signed							
	HOLD for Other Agency		Signature of Booking Officer		Name Verification (Printed Name)		(PRINT)					
A D M I N I S T R A T I O N	☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other		Name of Booking Officer (Print) STROUD, ELIZABETH		ID # 1191					
	Intake Deputy Benello 18342		Pouch #		Transport Officer STROUD, ELIZABETH		ID # 1191		Agency DBPD		PAGE 1 OF 1	

☒ COURT ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P.T.O. ☐ DEFENDANT

ROADSIDE TASKS

Case No: 24003129 Defendant: Emily Herold

HORIZONTAL GAZE NYSTAGMUS:

6 of 6 clues

Left Eye:

- ☒ Lack of smooth pursuit
- ☒ Distinct & sustained nystagmus at maximum deviation
- ☒ Onset prior to 45 degrees

Right Eye:

- ☒ Lack of smooth pursuit
- ☒ Distinct & sustained nystagmus at maximum deviation
- ☒ Onset prior to 45 degrees

Notes:

Subject claimed to have a strygmatisum but she was unable to properly explain the medical issue. She was unable to track the stimulus at times during the tasks. She was unable to keep her head still.

WALK AND TURN: 3 of 8 clues

During the instruction stage she attempted to walk the line twice before she was told to begin. She missed heel to toe steps and conducted an improper turn.

ONE LEG STAND: 3 of 4 clues

Subject claimed to have a bad leg due to a hip replacement. When I told her to begin, she entered into a flamingo position, and then slowly stretched her leg out. She used her arms for balance and began hopping during the task.

FINGER TO NOSE: 0 of 4 clues

Subject claimed that she did not know her left from her right so the task was not performed.

ROMBERG/ALPHABET: 1 of 4 clues

Subject did not keep eyes closed and inserted the word "and" between Y and Z.

The defendant (Emily Herold) was handcuffed and taken into custody. Officer Garcia and I conducted a search to inventory of the vehicle for the purposes of impounding the vehicle. Located in a clear transparent backpack on the passenger floorboard were three black bags containing a green leafy substance that tested positive for Marijuana (total weight 30.15 grams). Other paraphernalia was found inside of the clear backpack: lighters and pre-rolled rolling paper. A red electronic scale was also found under the backpack.

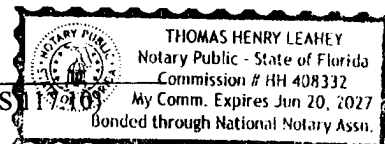
I then transported to the Breath Alcohol Testing facility at the Palm Beach County Jail. Upon my arrival at 0030 hours, I completed the required 20-minute observation. I then requested DEFENDANT provide a sample of her breath for the purpose of determining the alcohol content. The DEFENDANT blew twice resulting in an initially blow of .195 and a final blow of .181. Post Miranda, she advised that she did not have a medical marijuana card and obtained the marijuana from a friend (unknown). She admitted that she uses marijuana for her anxiety. Based on the above facts, probable cause does exist to charge DEFENDANT with one count of DUI pursuant to FSS 316.193(1)A. I charged and issued the DEFENDANT the following citations: DUI, Possession of Marijuana Over 20 Grams, Possession of Drug Paraphernalia, and Failed Drive within Single Lane.

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

The foregoing instrument was sworn to before me this 31st day of July, 2022
by Officer OFC. ELIZABETH STROUD

Arresting Officer

Notary/Police Officer (FSS)



D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 05 DAY OF March, 2024 AT 12:35 ☒ AM ☐ PM
IN THE CITY OF DELRAY BEACH, COUNTY OF PALM BEACH, STATE OF FLORIDA

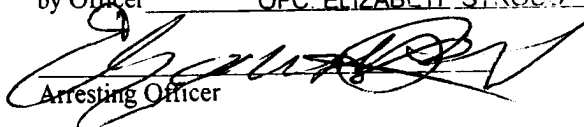
Case No: 24003129 Defendant: Emily Herold
Agency: Delray Beach Police Arresting Ofc: OFC. ELIZABETH STROUD

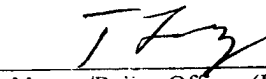
PERSONAL CONTACT/DRIVING PATTERN/OBSERVATIONS OF DRIVER:

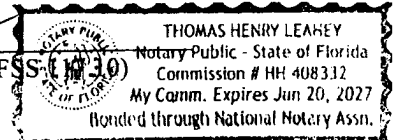
On 03/06/2024, Officer Garcia conducted a traffic stop in the area of W Atlantic Ave and Whately Rd in reference to a vehicle White Jeep SUV (FL tag: RJM892). Officer Garcia initially saw what he believed to be the vehicle stopped at a green light at the intersection of W Atlantic Ave and Homewood Blvd. As he got behind the vehicle, the vehicle began to travel westbound and failed to maintain the lane by veering to the right multiple times. A traffic stop was initiated at W Atlantic Ave and Whatley Rd. The vehicle came to a stop at S Military Trl and W Atlantic Ave.

Upon my arrival, W/F Emily Herold was already out of the vehicle. As I spoke with Herold, I could smell an odor of alcohol emanating from her breathe as she spoke. An odor of marijuana had been emanating from the vehicle. She was emotional and had apparent mood swings throughout the encounter. Her eyes were giassy. Herold consented to roadside tasks (see below):

The foregoing instrument was sworn to before me this 31st day of July, 2022
by Officer OFC. ELIZABETH STROUD


Arresting Officer


Notary/Police Officer (FSS: 11130)


THOMAS HENRY LEAHEY
Notary Public - State of Florida
Commission # HH 408332
My Comm. Expires Jun 20, 2027
Bonded through National Notary Assn.



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

PBSO CASE #: 24-040828 PBSO ZONE: 4-61
AGENCY CASE #: 24003129 DHSMV CRASH #: _____
TIME OF CRASH/STOP: 23:04 DATE: 03/05/2024 DAY: Tuesday
DEFENDANT: Emily Herold RACE: W SEX: F
HGT: 502 WGT: 170 DOB: 06/29/2001
LOCATION: W Atlantic Ave/S Military Trl
ARRESTING OFC: OFC. ELIZABETH STROH ID: 1191 AGENCY: Delray Beach Police
DIVISION: Patrol NOTIFIED BY COMM: yes
ARRIVAL AT FACILITY: 0030
TIME OF ARREST: 2352

BREATH RESULTS:

1. .195
2. .181
3. N/A
4. N/A

TESTING OFC. ID: 19183 PBSO VIDEOTAPE #: 012

TESTING FACILITY TASK REPORT

AGENCY: DBPD

SUBJECT: Harlod, Emily G

CASE NUMBER: 24-040828

DATE: Mar 6, 2024

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0053

ENDING TIME: 0114

BREATH TESTS RESULTS: 1) .191 TIME 0057 A.M. ☒ P.M. ☐ 2) .181 TIME 0101 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, loud

ATTITUDE: talkative, argumentative, crying

CLOTHING: black jean shorts, black top, tan sandals

MEDICAL CONDITIONS: joint issues

MEDICATIONS: Zopram

OTHER:

eyes are glassy & bloodshot
odor of unknown alcoholic beverage on breath
subject stated she drank 1 drink and smoked marijuana this morning - Q&A

COMMENTS:

arrived at center A/O conducted 20 minute observation period 0030 hrs
subject agreed to perform breath test
subject completed breath test
A/O read rights & subject understood rights
tech read breath test results & subject understood breath test results
A/O conducted Q&A
subject answered questions

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CSO
Instrument Serial Number: 80-001741 Software: 8100.27
Date of Test: 03/06/2024

Date of Last Agency Inspection: 02/16/2024
Observation Period Began: 00:30
Subject's Name: EMILY G HAROLD

DOB: 06/29/2001 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	00:55
	Air Blank	0.000	00:55
	Control Test	0.080	00:56
	Air Blank	0.000	00:56
	Subject Sample #1	0.195	00:57
	Air Blank	0.000	00:57
	Air Blank	0.000	00:59
	Subject Sample #2	0.181	01:01
	Air Blank	0.000	01:01
	Control Test	0.079	01:02
	Air Blank	0.000	01:02
	Diagnostics Check	OK	01:02

Cylinder Lot: 06723089A5
Exp: 04/05/2025

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. LEAHY, 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 Leahy Date: 03/06/2024
Signature

Sworn to for affirmation before me this 06 day of March, 2024
Charles E. Strick Off E Strick #1191
Signature of Notary Public-State of Florida 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.

SUBJECT: _____ 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) _____

WHITE: STATE ATTY.

YELLOW: DHSMV

PINK: CENTRAL RECORDS

GOLD: JAIL

SUBJECT: _____ 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? 175 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: _____

WITNESS LIST

Case No: 24003129 Defendant: Emily Herold

Arresting Officer: OFC. ELIZABETH STROUD
Address: Delray Beach Police Department
Phone Numbers: Home: 561-243-7800 Work: _____

Name: OFC Kevin Garcia
Address: Delray Beach Police Department
Phone Numbers: Home: 561-243-7800 Work: _____
Can testify to: Driving pattern, Tow, & Physical control of the vehicle

Name: Officer Washington and Officer Schultz
Address: Delray Beach Police Department
Phone Numbers: Home: _____ Work: _____
Can testify to: Backup Officers

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
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

Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(4)(c)	Undercover personnel	
	☐	119.071(2)(e)	Confession	
Public Info. Exemptions	☐	FL Const. Art. I, s. 16(b)(5)	Marsy's Law – victim information shall be redacted. The term "victim" also includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim. The term "victim" does not include the accused (ref. page 99 of the CRTM for additional information)	
	☐	119.071(2)(j)	Home/employment telephone number, home/employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence	
	☐	119.0712(2)	Personal information contained in a motor vehicle record	
	☐	316.650(11)	Driver information contained in a uniform traffic citation	
	☐	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
Florida Rules of Judicial Administration 2.420	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	☐	(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	☐			
	☐			
	☐			
	☐			

REVIEW COMPLETED BY

Booking Number: 2024006080	Date: 3/6/2024
	Specialist Name/ID#: C. Daniels/ 30347