0551848 50-2024-CT-016424-AMB $54

☐ Marsy's Law CVI FL Const. Art. 1 § 16(b)

ARREST / NOTICE TO APPEAR

☐ Check if Supplement is Attached

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias

1

Juvenile ☐

ADMINISTRATIVE

OBTS Number

Agency ORI Number: 0501700

Agency Name: Jupiter Police Department

Agency Report Number (N.T.A.'s only): 54 24-003261

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

Location of Arrest (Including Name of Business): MILITARY TRAIL/PERRY CIRCLE, JUPITER, FL

Location of Offense (Business Name, Address): 287 E INDIANTOWN RD B10, JUPITER, FL 33477

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
08/25/2024	17:45	08/25/2024	17:55			

DEFENDANT

Name (Last, First, Middle): PREISENDORF, KAREN ANNE

Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	11/20/1971	5'03	136	BROWN	BROWN	MEDIUM	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: M

Religion: CATHOLIC

Indication of: Alcohol Influence Y ☒ N ☐ Unk ☐; Drug Influence Y ☐ N ☒ Unk ☐

Local Address (Street, Apt. Number) (City) (State) (Zip): 264 SWALLOWTAIL LN, JUPITER, FL 33458

Mobile Phone:

Residence Type: 1. City 2. County 3. Florida 4. Out of State: 1

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 264 SWALLOWTAIL LN, JUPITER, FL 33458

Phone: (561) 306-2535

Address Source:

Business Address (Name, Street) (City) (State) (Zip): THE MIXED BAG,

Phone:

Occupation:

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
P625501719200 / FL	[redacted]		SAN DIEGO, CA, United	US

CO-DEF

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

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other: Name (Last) (First) (Middle)

Residence Phone:

Address (Street, Apt. Number) (City) (State) (Zip)

Business Phone:

Notified by: (Name) Date Time

Juvenile Disposition: 1. Handled/Processed within Dept. and Released 2. TOT HRS/DYS 3. Incarcerated

Released To: (Name) Relationship 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 (561) 355-6511) informed of any change of address. ☐ Yes, by: (Name) ☐ No: (Reason)

School Attended Grade

Property Crime? ☐ Yes ☒ No

Description of Property

Value of Property

CODE

Drug Activity: ☐ No N. N/A P. Possess S. Sell B. Buy T. Traffic R. Smuggle D. Deliver E. Use K. Disperse/ 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. Paraphernalia/ Equipment S. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI - CAUSING PROPERTY DAMAGE/PERSONAL INJURY	1	☐ Y ☒ N	316.193(3)(C)1	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
	N	/			1,000

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
CRASH - LEAVING SCENE OF CRASH INVOLVING DAMAGE	1	☐ Y ☒ N	316.061(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
	N	/			250

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
		/			

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

NOTICE TO APPEAR

Location (Court, Room Number, Address): North County Government Center PALM BEACH GARD

FILED PBC - GUN CLUB '24 AUG 26 AM 8:10

Court Date and Time: Month September Day 25 Year 2024 Time 8:30 (A.M.) P.M.

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

I consent to receive text reminders of court date(s) and times for this case by automated technology to the mobile number identified above. I understand that standard text message rates may apply, and that I may revoke this consent via the text message system if I choose. Signature

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy I.D. # Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): NEWMAN, KOURTNEY ST JOHN I.D. # 1258

Transcribing Officer I.D. # Agency: NEWMAN 1258 JPD

Name Verification (Printed by Arrestee) (PRINT) Karen Preisendorf

AUG 25 PM 11:09

Witness here if subject signed with an "X"

PAGE 1 OF 1

PBSO #0148 REV. 10/22

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

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias: 1

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL FL0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 24-003261

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
PREISENDORF, KAREN ANNE		W	F	11/20/1971

CHARGES

Charge Description	Charge Description
316.193(3)(C)1 DUI - CAUSING PROPERTY DAMAGE/PERSONAL	316.061(1) CRASH - LEAVING SCENE OF CRASH INVOLVIN
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
ROYCE JUPITER LLC,			

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
287 E INDIANTOWN RD B1, JUPITER, FL 33477		
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.

The Person taken into custody . . .

☒ committed the below acts in my presence.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 25 day of August, 2024 at 17:45 (Specifically include facts constituting cause for arrest.)

On 08/25/2024 at approximately 1705 hours I responded to the area of 287 East Indiantown Road unit B10 in reference to a hit and run crash. Dispatch advised that a black vehicle was seen hitting a tree in the parking lot causing damage to the tree and then driving away. The caller further advised that she had seen a white female wearing a blue romper driving the vehicle. While on my way to the above location dispatch advised that the vehicle in question, a black Infiniti (FL tag PCSX02), was seen pulling out of the plaza and heading westbound on East Indiantown Road.

I continued east on Indiantown Road and saw a vehicle matching the description with fresh damage to the front passenger side bumper. The vehicle was stopped next to me at the red light. Once the light turned green, I observed the vehicle was slow to begin forward. I was able to maneuver my marked police vehicle behind the Infinity and waited for a safe location to conduct a traffic stop. While behind the vehicle I noticed the brake lights flashing on and off to signal the driver was braking although there was no observable reason for the vehicle to be doing so. The infinity set up to turn left onto Military Trail. Once the vehicle made the turn, I activated my emergency lights and briefly activated my sirens. The vehicle made no indication to show it was going to yield. I activated my sirens again and left them on. The vehicle still did not pull over to either the left or right lanes, despite the right lane being empty. The vehicle slowed due to stopped traffic ahead of it, and another responding officer pulled past me in the right lane and maneuvered their marked police vehicle in front of the infinity to force it to stop. Two more marked patrol vehicle pulled up on either side of the vehicle to box it in.

I approached the driver side door of the infinity to see the driver, later identified as Karen Preisendorf (W/F 11/20/1971), was dressed in a blue romper matching the description given by the caller. She had bloodshot and glassy eyes. Her speech was slow and it took her several moments to form her thoughts any time I asked her a question. I

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)

08/25/2024
DATE

THOMAS HENRY LEAHEY
Notary Public · State of Florida
Commission # HH 408362
My Comm. Expires Jun 20, 2027
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

NEWMAN, KOURTNEY ST JOHN (1258)
NAME OF OFFICER (PLEASE PRINT)

08/25/2024
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN	OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE
	Agency ORI Number: FL FL0501700	Agency Name: JUPITER POLICE DEPARTMENT	Agency Report Number: 5 | 4 | 24-003261		
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:		

DEF	Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
	PREISENDORF, KAREN ANNE		W	F	11/20/1971

PROBABLE CAUSE STATEMENT

asked Preisendorf for her license and asked if she had been involved in an accident. She told me that she had hit a tree in the parking lot, but didn`t think it was necessary to stop since it was only a tree. I asked Preisendorf why she didn`t stop when I activated my lights and sirens. She told me she didn`t know the lights were for her and she didn`t know what to do. I asked her if she had ever been pulled over before to which she replied she had, but could not remember what to do. I asked Preisendorf for her insurance and registration and she looked for some time for both documents. She tried to hand me a document that was neither registration or insurance. She ultimately could not find either.

I asked Preisendorf to step out of her vehicle so I could speak to her. Her movements were slow. As she began speaking to me outside the vehicle, I was able to detect the odor of an unknown alcoholic beverage coming from her breath. I conducted my crash investigation which will be documented under this same case number. Once the crash investigation was complete, I informed Preisendorf that I was officially changing hats and would begin a DUI investigation. I read Preisendorf Miranda warnings, to which she stated she understood.

I asked Preisendorf if she had anything to drink that day. She originally told me no, but after more pressing she told me she had one shot of tequila that morning before she left her house. I asked where she had been prior to the crash and she told me she had been at work. I informed Preisendorf that I was concerned about her ability to be driving and requested she submit to Standardized Field Sobriety Tasks, to which she agreed to participate.

I first began with the Horizontal Gaze Nystagmus task. I instructed Preisendorf to stand with her feet touching (heel & toes) and to keep her arms down at her side. I demonstrated to Preisendorf that she would be following my stimulus, a red light, with her eyes and her eyes only and to keep her head still at all times. Preisendorf stated she understood the instructions and was ready for me to continue. Preisendorf`s eyes had no resting nystagmus in either eye and both eyes tracked together equally. I observed lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and onset of nystagmus prior to 45 degrees in both eyes. She did not have vertical Nystagmus in either eye. During the task, Preisendorf left the starting position twice and had to be reminded to remain in the position until the task was complete and had to be reminded not to move her head while following the stimulus. Additionally, she was swaying throughout the task.

The second task was the Walk & Turn task. I demonstrated and instructed Preisendorf to stand on the bright white road line on the level surface and to place her left foot onto the line and her right foot touching her left foot heel to toe with her arms at her side. Preisendorf had difficulty getting into the starting position and was unable to maintain it. She attempted to begin the task and started walking before I had finished

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICIAL (F.S. 117.10)

08/25/2024
DATE

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

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

NEWMAN, KOURTNEY ST JOHN (1258)
NAME OF OFFICER (PLEASE PRINT)

08/25/2024
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN	OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 24-003261

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF	Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
	PREISENDORF, KAREN ANNE		W	F	11/20/1971

PROBABLE CAUSE STATEMENT

giving her instructions. I instructed/demonstrated Preisendorf to take nine heel-to-toe steps down the line and take a series of small steps then return down the line heel-to-toe taking nine steps while making sure to count out loud, look at her feet at all times, do not use her arms for balance, and do not stop walking. She stated she did not have any questions and understood the directions and was told to begin when ready. Preisendorf did not keep her arms down at her side. She stepped off the line on steps 5 and 8. She did not make heel to toe steps on any step after 3. She made 12 steps then left the line as if she had completed the task. She had to be reminded to complete the task and continue back down the line. She returned down the line missing heel-to-toe on almost every step back and stepped off the line on steps 1, 8 and 9.

The third task was the One Leg Stand. I instructed Preisendorf to stand with her feet touching (heel & toes) and to keep her arms down at her side. I instructed/demonstrated to Preisendorf that she would be raising the leg of her choice approximately 6 inches off the ground while keeping her foot parallel to the ground and counting out loud until I told her to stop. She stated she understood. Preisendorf picked her foot up higher than instructed and had to put it back down almost immediately. She did this three times before stopping the task and had to be instructed to continue the task. She was unable to hold her foot up for more than a couple seconds at a time. She counted improperly and did not keep her hands at her sides throughout the task.

The fourth task was the Finger to Nose. I instructed Preisendorf to stand with her feet touching (heel & toes) and to keep her arms down at her side with her pointer fingers pointed outward. I instructed/demonstrated to Preisendorf that I would be calling left (L) or right(R). When I do, with her head tilted back and eyes closed, she would take the tip of the finger I called and touch it to the tip of her nose and was shown the difference between the tip/pad/nail. She stated she understood and did not have any questions. I called out the fingers in the standardized order of L, R, L, R, R, and L. Preisendorf did not close her eyes throughout the task. She did not remove her finger from her nose after touching it until I called out the next command. She used the pad of her finger to touch her nose instead of the tip.

The fifth and final task was the Romberg Alphabet. I instructed Preisendorf to stand with her feet together heel and toes touching and her arms down at her side. I advised Preisendorf to recite the Alphabet in a non-rhythmical manner, which means without singing out rhyming while tilting her head back and keeping her eyes closed. She stated she understood the task and did not have any questions. Preisendorf did not tilt her head back during the task. She recited the alphabet in a rhythmical manner. Once she reached the letter P, she stated she had been singing and would start over. She started at the letter C and continued once again in a rhythmic manner.

Based on my investigation, observations, and totality of circumstances, I had probable cause to believe that Preisendorf was in actual physical control of a vehicle while

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

08/25/2024
DATE

THOMAS HENRY LEAHEY
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NEWMAN, KOURTNEY ST JOHN (1258)
NAME OF OFFICER (PLEASE PRINT)

08/25/2024
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0501700	JUPITER POLICE DEPARTMENT	5 4 24-003261

Charge Type: Check as many as apply.
☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
PREISENDORF, KAREN ANNE		W	F	11/20/1971

PROBABLE CAUSE STATEMENT

under the influence of an alcoholic beverage, chemical, or controlled substance, to the point where her normal faculties were impaired, and caused property damage while doing so contrary to F.S 316.193(3)(C)1. Additionally, I find probable cause exists to arrest Preisendorf for leaving the scene of a crash with property damage contrary to F.S 316.061(1). She was placed into handcuffs which were properly spaced and double-locked and placed into the rear of my patrol car at 1745 hours.

I transported Preisendorf to the Jupiter Medical Center (JMC) for medical clearance per Palm Beach County Jail policy. Once she had been medically cleared, I transported Preisendorf to the Palm Beach County Breath Alcohol Testing center, arriving at 1844 hours. I placed Preisendorf under a 20 minute observation period, during which she neither consumed nor regurgitated anything. We then went on video with BAT technician Leahey #19183. I requested Preisendorf submit to a lawful test of her breath to determine the alcohol content, to which she agreed. She subsequently provided two breath samples of 0.268 & 0.263.

I placed Preisendorf in holding while all necessary paperwork was completed and subsequently booked her into the Palm Beach County Jail.

The above incident was captured on BWC. This narrative is a summary of the events and not purported to be verbatim.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER

08/25/2024
DATE

THOMAS HENRY LEAHEY
Notary Public - State of Florida
Commission # HH 408332
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NEWMAN, KOURTNEY ST JOHN (1258)
NAME OF OFFICER (PLEASE PRINT)

08/25/2024
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

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

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PBSO CASE # 24-092722 PBSO ZONE 3-14

AGENCY CASE # 24-003261 CRASH CASE # 24-003261

TIME OF STOP/CRASH 1705 hours DATE 08/25/2024 DAY Sunday

SUBJECT'S NAME Preisendorf (LAST) Karen (FIRST) Anne (MID)

DOB 11/20/1971 HGT 5'03" WGT 136 RACE W SEX F

LOCATION 287 East Indiantown Road Unit B10 Jupiter, FL 33477

ARRESTING OFFICER'S NAME & ID Newman 1258 Jupiter (AGENCY)

NOTIFIED BY COMMO Yes

BREATH RESULTS:

1) .268
2) .263
3) N/A
4) N/A

ARRIVAL AT FACILITY 1844

ARREST TIME 1745

T. Leahey 19183

BAT TECH. OFFICER NAME & ID

TESTING FACILITY TASK REPORT

AGENCY: JPD

SUBJECT: Preisendorf, Karen A

CASE NUMBER: 24-092722

DATE: Aug 25, 2024

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 1906

ENDING TIME: 1923

BREATH TESTS RESULTS: 1) .268 TIME 1910 A.M.☐ P.M.☒ 2) .263 TIME 1913 A.M.☐ P.M.☒

3) 0 TIME n/a A.M.☐ P.M.☐ 4) n/a TIME 0 A.M.☐ P.M.☐

BREATH OPERATOR: Thomas H Leahey #19183

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: thick

ATTITUDE: cooperative

CLOTHING: blue/green cover up, white flip flops

MEDICAL CONDITIONS: High Blood pressure

MEDICATIONS: Lozartin

OTHER:

eyes are glassy & bloodshot
odor of unknown alcoholic beverage on breath
subject stated she drank 1 Tequila shot this morning at home - Q&A

COMMENTS:

arrived at center A/O conducted 20 minute observation period 1844 hrs

subject agreed to perform breath test

Subject completed breath test

A/O read rights on scene & subject understood rights

tech read breath test results & subject understood breath test results

A/O conducted Q&A

subject answered questions

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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: 80-006478 Software: 8100.27
Date of Test: 08/25/2024

Date of Last Agency Inspection: 08/16/2024
Observation Period Began: 18:44
Subject's Name: KAREN A PREISENDORF DOB: 11/20/1971 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	19:08
Air Blank	0.000	19:09
Control Test	0.079	19:09
Air Blank	0.000	19:10
Subject Sample #1	0.268	19:10
Air Blank	0.000	19:11
Air Blank	0.000	19:13
Subject Sample #2	0.263	19:13
Air Blank	0.000	19:14
Control Test	0.078	19:14
Air Blank	0.000	19:15
Diagnostics Check	OK	19:15

Cylinder Lot: 06723080A5
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 LEAHEY, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____ Date: 08/25/2024
Signature

Sworn to (or affirmed) before me this 25 day of August, 2024

_____ Of K Newman #1258
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.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

NOT A CERTIFIED COPY

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? _____ 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: _____

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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)_____

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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	☐			
	☐			
	☐			
	☐			

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REVIEW COMPLETED BY

Booking Number: 2024023005	**Date:** 8/26/2024
	Specialist Name/ID#: ANGELA PINKNEY/7796