

0385068

19C021520MB

172

A D M I N I S T R A T I O N	OBT Number		ARREST / NOTICE TO APPEAR		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE	
	Agency ORI Number 0500800		Agency Name West Palm Beach Police Department		Agency Report Number (N.T.A.'s only) 9 4 2019-0019920						
	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: NOT APPLICABLE		Multiple Clearance Indicator						
	Location of Arrest (Including Name of Business) 1710 BELVEDERE RD, WEST PALM BEACH, FL, 6				Location of Offense (Business Name, Address) 1710 BELVEDERE RD, WEST PALM BEACH, FL 33406						
D E F E N D A N T	Date of Arrest 11/20/2019	Time of Arrest 23:56	Booking Date 11/21/2019	Booking Time 00:06	Jail Date // : :	Jail Time	Location of Vehicle				
	Name (Last, First, Middle) DALY, ANDREA L										
	Alias: Alias (Name, DOB, Soc. Sec. #: Etc.)										
	Race: W - White 1 - American Indian 2 - Black 3 - Misdemeanor 4 - Traffic Misdemeanor 5 - Ordinance 6 - Other										
C O D E F	Sex F		Date of Birth 04/24/1975	Height 5'02	Weight 110	Eye Color HAZEL	Hair Color BROWN	Complexion LIGHT	Build Small		
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)					Marital Status S	Religion	Indication of: Alcohol Influence Yes ☐ No ☒ Unk. ☐ Drug Influence Yes ☐ No ☒ Unk. ☐			
	Local Address (Street, Apt. Number) (City) (State) (Zip) 5529 EAGLE LAKE DR, PALM BEACH GARDENS, FL 33418					Phone (561) 301-7644		Residence Type: 1. City 2. County 3. Florida 4. Out of State 5. Juvenile 1			
	Permanent Address (Street, Apt. Number) (City) (State) (Zip) 5529 EAGLE LAKE DR, PALM BEACH GARDENS, FL 33418					Phone (561) 301-7644		Address Source VERBAL			
J U V E N I L E	Business Address (Name, Street) (City) (State) (Zip)					Phone		Occupation			
	D/L Number, State D400012756440 / FL		Sec. Sec. Number		INS Number		Place of Birth (City, State) FLORIDA		Citizenship US		
	Co-Defendant Name (Last, First, Middle)					Race	Sex	Date of Birth	☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor		
	Co-Defendant Name (Last, First, Middle)					Race	Sex	Date of Birth	☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor		
C H A R G E	☐ Parent ☐ Other: _____ Name (Last, First, Middle)										
	☐ Legal Custodian										
	Address (Street, Apt. Number) (City) (State) (Zip)										
	Business Phone										
I N T A K E	Notified by: (Name)					Date	Time	JUVENILE DISPOSITION 1. Handed/Processed within Department and Released 2. TOT JAC 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 355-2526) informed of any change of address.										
	Property Crime? ☐ Yes ☒ No					Description of Property			Value of Property		
C H A R G E	Drug Activity: ☐ N/A ☐ Possess ☐ Sell ☐ Buy ☐ Traffic ☐ Smuggle ☐ Distribute ☐ Disperse/Produce ☐ Manufacture/Cultivate ☐ Other										
	Drug Type: ☐ N/A ☐ Amphetamine ☐ Barbiturate ☐ Cocaine ☐ Heroin ☐ Hallucinogen ☐ Marijuana ☐ Opium/Deriv. ☐ Paraphernalia/Equipment ☐ Synthetic ☐ Unknown ☐ Other										
	Charge Description DRIVING WHILE UNDER INFLUENCE					Statute Violation Number 316.193(1)			Violation of ORD #		
	Drug Activity: ☐ N/A ☐ Possess ☐ Sell ☐ Buy ☐ Traffic ☐ Smuggle ☐ Distribute ☐ Disperse/Produce ☐ Manufacture/Cultivate ☐ Other					Counts: ☐ Y ☒ N			Warrant / Capias Number		
N O T I C E	Charge Description					Statute Violation Number			Violation of ORD #		
	Drug Activity: ☐ N/A ☐ Possess ☐ Sell ☐ Buy ☐ Traffic ☐ Smuggle ☐ Distribute ☐ Disperse/Produce ☐ Manufacture/Cultivate ☐ Other					Counts: ☐ Y ☒ N			Warrant / Capias Number		
	Charge Description					Statute Violation Number			Violation of ORD #		
	Drug Activity: ☐ N/A ☐ Possess ☐ Sell ☐ Buy ☐ Traffic ☐ Smuggle ☐ Distribute ☐ Disperse/Produce ☐ Manufacture/Cultivate ☐ Other					Counts: ☐ Y ☒ N			Warrant / Capias Number		
T O A P P E A R	Health / Apparent Physical Condition of Defendant					Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries					
	Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Pooled Bond ☐ South County Mental Health					PROPERTY - Received By					
	Transported By					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) Criminal Justice CRIMINAL JUSTICE COMPLEX Court Date and Time 12/17/2019 08:30:00 3228 GUN CLUB ROAD					
A D M I N I S T R A T I O N	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.					No Photo Available					
	Signature of Defendant (or Juvenile and Parent Custodian)					Date Signed					
	HOLD for Other Agency					Signature of Arresting Officer James Butler 2064					
	Name Verification (Printed by Arrestee) Butler, James					I.D. # 02064					
A D M I N I S T R A T I O N	Name of Arresting Officer (Print) BUTLER, JAMES					I.D. # 02064					
	Transporting Officer J. BUTLER					I.D. # 2064					
	Agency WEST					Agency WEST					
	Witness here if subject signed with an "X".					PAGE 1 OF 1					

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

NOV 21 2019

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 20th DAY OF November 2019 AT 2251 hours A.M./P.M.:
SUBJECT: Daly, Andrea CASE NUMBER: 20190019920
AGENCY: West Palm Bch. Police Dept. ARRESTING OFFICER: J. Butler #2064

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE PUTTING DRIVER BEHIND THE WHEEL)

On November 20th, 2019 at approximately 2300 hours I was dispatched to 1710 Belvedere Rd in reference to an unconscious female passed out behind the wheel of a motor vehicle. I arrived on scene and made contact with Officer C.Caudillo and he stated the following. The defendant Daly, Andrea was passed out behind the wheel of her black 2016 Volkswagen bearing FL tag: Z90HTT. Officer Caudillo tried to wake Daly up for over several minutes, but she was unresponsive. Daly finally awoke and began to speak with Officer Caudillo. Officer Caudillo advised Daly's breath reeked of alcohol and she had red glossy eyes. Daly was the sole occupant of the vehicle and the vehicle was running with the keys in the ignition. Please refer to his supplement for additional details.

OBSERVATION OF DRIVER: Officer Caudillo advised Daly's breath reeked of an unknown alcoholic beverage and she had red glossy eyes. Officer Caudillo asked Daly to provide her Drivers license and she handed him multiple credit cards, he informed her that those items were not her drivers license and she found it after several tries.

DRIVER'S STATEMENTS: Please refer to Officer C.Caudillo supplement report for Daly's statement. During my contact with Daly advised she had a few drinks and was just sitting inside of her vehicle.

ODORS: Daly, Andrea had a Strong odor of an unknown alcoholic beverage coming from her breathe.

GENERAL OBSERVATIONS

SPEECH: Slurred

ATTITUDE: upset

CLOTHING: Black shirt, red dress

MEDICAL PROBLEMS: Thyroid Disease

MEDICATIONS: Synthroid

OTHER:

Lighting: NOV 20 2019 ☐ Headlights ☐ Daylight
Weather: ☐ Clear ☐ Raining ☐ Overcast ☐ Windy
W n T: ☐ Sidewalk ☐ Pavement ☐ Concrete ☐ Line ☐ No Line

SUBJECT: Daly, Andrea

CASE NUMBER: 20190019920

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

☒ LEFT EYE DOES NOT FOLLOW SMOOTHLY

☒ RIGHT EYE DOES NOT FOLLOW SMOOTHLY

☒ LEFT EYE JERKS AT 45 DEGREE ANGLE OR LESS

☒ RIGHT EYE JERKS AT 45 DEGREE ANGLE OR LESS

☒ DISTINCT JERKING LEFT EYE MAXIMUM DEVIATION

☒ DISTINCT JERKING RIGHT EYE MAXIMUM DEVIATION

Daly, Andrea had a visible sway from front to back while attempting to stay completely still and conduct the exercise. Daly, Andrea was instructed numerous times to keep her head still while attempting to follow the tip of my pen with her eyes only, but failed to do so.

WALK AND TURN: I demonstrated the proper way to perform the walk and turn exercise several times and Daly, Andrea advised she understood the directions. Daly started the exercise early without my instruction to do so. Daly Missed heel to toe on steps 1 through 18 and then takes an additional 10th step on the second series of steps and used her arms for balance during the entire duration of the exercise. Daly also did an improper turn on the first series of 9 steps by not pivoting with her lead foot.

ONE LEG STAND: Daly, Andrea was showed how to properly perform the one leg stand exercise and advised she understood the directions. Daly, Andrea failed to keep her balance and stumbled and put her foot down on the ground several times. Daly, Andrea held both of her arms out to her side and used them for balance to perform the exercise. Daly hopped up and down multiple times and continued to lose her balance. Andrea stopped the exercise and took her heels off. Andrea retried to complete the exercise without her shoes on but still could not keep her balance and used her arms for balance and hopped several times, while dropping her foot to the ground. It should be noted I asked Daly multiple times if she wanted to removed her heels to complete the exercised and she told me no several times.

FINGER TO NOSE:

ROMBERG/ALPHABET:

BREATH TEST RESULTS:

.178

.177

None

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE FOLLOWING INSTRUMENT WAS NOTARIZED OR SWORN BEFORE ME THIS 11/20/19 (DATE)

SCANNED

NOV 21 2019
NOTARY CLERK OF COURT OFFICER (F.S. 117.10)

James T. Miller 201621
SIGNATURE OF ARRESTING OFFICER

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: WEST PALM BEACH PD
Instrument Serial Number: 80-001235 Software: 8100.27
Date of Test: 11/21/2019

Date of Last Agency Inspection: 11/02/2019
Observation Period Began: 00:20
Subject's Name: ANDREA L DALY

DOB: 04/24/1975 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	00:48
	Air Blank	0.000	00:48
	Control Test	0.080	00:49
	Air Blank	0.000	00:49
	Subject Sample #1	0.178	00:49
	Air Blank	0.000	00:50
	Air Blank	0.000	00:52
	Subject Sample #2	0.177	00:53
	Air Blank	0.000	00:53
	Control Test	0.080	00:54
	Air Blank	0.000	00:54
	Diagnostics Check	OK	00:54

Cylinder Lot: 24818080A2
Exp: 10/05/2020

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 MORRIS J ANNESE, 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: [Signature] 1418 Date: 11/21/19
Signature

Sworn to (or affirmed) before me this 21ST day of Nov, 2019

[Signature] 2064 J. Butler
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.

SCANNED



West Palm Beach Police Department
Breath Testing Facility Report



Defendant: Daly, Andrea L Case #: 19-19920
Arresting Officer: Ofc J. Butler 2064 Date: 11/21/19

Breath Test Results: .178 g/210L 0049 Time .177 g/210L 0053 Time
--- g/210L --- Time --- g/210L --- Time

Note: Times are in Military Time

Breath Operator: Ofc M. Annese 1418
Maintenance Technician: Ofc. R. Secord #1639

Testing Officer Observations:

Speech: slight slur
Attitude: cooperative
Clothing: maroon skirt, black blouse, black heels
Medical Conditions: Thyroid disease
Medications: Synthroid
Other:

Arrival Time at Facility/ Time Twenty (20) Minute Observation Started: 0020 hours

Comments:

Strong odor of unknown alcoholic beverages on the driver's breath.

The driver was asked to submit to a breath test and she stated "I have no choice". She was then read the Implied Consent by Ofc Butler so she could make an informed decision. When asked again to submit to the breath test, she submitted and gave 2 adequate samples.

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NOV 21 2019

SUBJECT: Daly, Andrea CASE NUMBER: 20190019920

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.

OR

I am now requesting that you submit to a lawful test of your ☐ **BLOOD** for the purpose of determining its alcohol content and/or presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am Officer J. Butler of the West Palm Beach Police Department. 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.

SUBJECTS SIGNATURE: Refused

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 can not 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.

SUBJECTS SIGNATURE: Refused

NOV 21 2019

DEFENDANT: Daly, Andrea

CASE NUMBER: 20190019920

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 OPERATION A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT: No

WHERE WERE YOU GOING? Sitting

WHAT STREET OR HIGHWAY WERE YOU ON? Off of Belvedere

DIRECTION OF TRAVEL? Parked WHERE DID YOU START FROM? In the parking lot

WHAT TIME DID YOU START? refused. 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(3) HOURS? _____

HOW MUCH DO YOU WEIGHT? _____ 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? Refused

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 YOUR 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? _____ WHEN? _____

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 CORRECTABLE 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:

Officer J. Butler

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NOV 21 2019

Time of Stop: 2251 hours

Arrest Time: 2339

Date: 11/20/19 Day: Wednesday

DUI Packet



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Case #: 20190019920

Suspect Name: Daly, Andrea

Location of Offense: 1710 Belvedere Rd

Race: White

Sex: Female

Birthdate: 04/24/1975

Suspects Address: 5529 Eagle Lake Dr

City: Palm Beach Gardens

State: Florida

Zip: 33418

Res. Phone: (561) 301-7644

Bus. Phone: ()

Employer: N/A

SSN #: [REDACTED]

Clothes: Black shirt, red dress

Height: 5'02

Weight: 110

Eye Color: hazel

Hair Color: brown

Complexion: light

Build: Thin

Tattoos: N/A

Vehicle Year: 2016

Vehicle Make: Volkswagon

Vehicle Model: Jetta

Vehicle Style: Sedan

Vehicle Color: Black shirt, red dress

Vehicle Tag: Z90HTT

VIN Number: 3VW267AJ4GM288522

Result 1: .178

Result 2: .177

Result 3:

Refusal Time:

DL Number: D400-012-75-644-0 Class: E

DL State: FL Exp: 04/24/20

Citation #: AC6M74E

DHSMV HEARING ☐

Pled Out / Closed ☐

BAT Temp.

316.126(1) Move Over FSS

Time: 0049

Time: 0053

Time:

SCANNED

NOV 21 2019



**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	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	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)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(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	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2019037492

Date: 11/21/2019

Specialist Name/ID: Gammage/5660

SCANNED

NOV 21 2019