

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

N

AD M I N I S T R A T I O N	OBTS Number		Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5, 4 18-002188	
D E F E N D A N T	Charge Type: Check as many as apply		☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other	
	Location of Arrest (Including Name of Business) JONATHAN PL 100 BLK E 706, JUPITER FL				Location of Offense (Business Name, Address) 249 E INDIANTOWN RD/JONATHAN DR, JUPITER, FL 33477			
	Date of Arrest 04/22/2018		Time of Arrest 01:36		Booking Date 04/22/2018		Booking Time 01:46	
	Name (Last, First, Middle) MASSART, ANN		Alias: Alias (Name, DOB, Soc. Sec. #, Etc.)		Jail Date		Jail Time	
	Race W - White B - Black		Sex M - Male F - Female		Date of Birth 04/20/1970		Height 5'11	
	Weight 160		Eye Color BLUE		Hair Color BROWN		Complexion LIGHT	
	Build Medium		Marital Status S		Religion		Indication of: Alcohol Influence Yes ☒ No ☐ Unk. ☐	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Local Address (Street, Apt. Number) 105 SIERRA DR 207, JUPITER, FL 33458		(City) JUPITER		(State) FL	
	Permanent Address (Street, Apt. Number) 105 SIERRA DR 207, JUPITER, FL 33458		(City) JUPITER		(State) FL		(Zip) 33458	
	Business Address (Name, Street) DEF		(City) DEF		(State) FL		(Zip) 33458	
C O D E F	D/L Number, State 995170 / DE		Soc. Sec. Number [REDACTED]		INS Number [REDACTED]		Place of Birth (City, State) BELGIUM	
	Citizenship US		Co-Defendant Name (Last, First, Middle)		Race		Sex	
	Date of Birth		Date of Birth		Date of Birth		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
J U V E N I L E	☐ Parent ☐ Other: _____		Name (Last, First, Middle)		Residence Phone		Business Phone	
	Address (Street, Apt. Number) [REDACTED]		(City) [REDACTED]		(State) [REDACTED]		(Zip) [REDACTED]	
	Notified by: (Name)		Date		Time		JUVENILE DISPOSITION	
	Released To: (Name)		Relationship		Date		Time	
	The above address was provided by ☐ defendant and/or ☐ defendant's parents.		School Attended		Grade		Value of Property	
	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		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		U. Unknown Z. Other	
	Charge Description DUI - DRIVING WHILE UNDER INFLUENCE		Statute Violation Number 316.193(1)		Violation of ORD #		Bond OR	
C H A R G E	Drug Activity N		Drug Type N		Amount / Unit /		Offense #	
	Counts 1		Domestic Violence ☐ Y ☒ N		Warrant / Capias Number		Bond	
	Charge Description		Statute Violation Number		Violation of ORD #		Bond	
	Drug Activity		Drug Type		Amount / Unit		Offense #	
	Counts		Domestic Violence		Warrant / Capias Number		Bond	
	Charge Description		Statute Violation Number		Violation of ORD #		Bond	
	Drug Activity		Drug Type		Amount / Unit		Offense #	
	Counts		Domestic Violence		Warrant / Capias Number		Bond	
	Charge Description		Statute Violation Number		Violation of ORD #		Bond	
	Drug Activity		Drug Type		Amount / Unit		Offense #	
I N T A K E	Health / Apparent Physical Condition of Defendant		Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries		Explain:		Injuries	
	Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail		PROPERTY - Received By		Released By		Released To	
	Transported By		Date Transported 4/22/18		Time Transported 08:30:00		Other	
	☒ INSTRUCTION NO. 1 - Mandatory appearance in court		Location (Court, Room) North County PALM BEACH GARD		Court Date and Time 05/23/2018 08:30:00		No Photo Available	
	☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		Name of Arresting Officer (Print) BORROWS, ANDREW		I.D. # 1138		PAGE 1 OF 1	
	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/Custodian) [Signature]		Date Signed 4/22/18		PAGE 1 OF 1	
	HOLD for Other Agency		Signature of Arresting Officer G. A. B. 380		Name Verification (Printed by Arrestee) [Signature]		PAGE 1 OF 1	
	☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other		Name of Arresting Officer (Print) BORROWS, ANDREW		I.D. # 1138		PAGE 1 OF 1	
	Transporting Officer A BORROWS		I.D. # 380		Agency JPD		PAGE 1 OF 1	
	Witness here if subject signed with an "X"		Name Verification (Printed by Arrestee) [Signature]		PAGE 1 OF 1		PAGE 1 OF 1	

COURT STATE ATTORNEY AGENCY CENTRAL RECORDS JAIL CRIME ANALYSIS DEFENDANT

SCA

APR 22 2018

APR 22 AM 8:22

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 22nd DAY OF April, 20 18, AT 0113 ✓ AM PM

SUBJECT: Massart Ann CASE NUMBER: 18-002188

AGENCY: JUPITER POLICE DEPARTMENT ARRESTING OFFICER: Ofc. A. Borrows 380 / 1138

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

I was turning east onto East Indiantown Road from northbound South US Highway 1. A 2008 white Cadillac SUV bearing Florida license plate 141PGD was traveling directly in front of me. The vehicle drifted to the right during the left hand turn before over correcting and driving over the yellow line separating the curb from the median and coming close to striking the curb. The vehicle continued to drift within its lane as it traveled east. The vehicle then turned into the plaza at Jonathan's Landing. As it did so, I initiated a traffic stop. The vehicle ran a stop sign in the plaza just before I activated my lights. I activated my lights and made contact with the driver/sole occupant, Ann Massart.

OBSERVATION OF DRIVER:

Massart had extremely bloodshot and glassy eyes. Massart's speech was slurred. Massart had difficulty focusing.

I suggested several times that Massart remove her shoes, which were 4 inch wedge shoes. Massart then decided that she would remove them upon being unable to attain the starting position of walk and turn. Massart went to sit on the curb and fell back to a near horizontal position immediately after she sat down before recovering back to a sitting position.

DRIVER'S STATEMENTS:

As soon as I walked up to the driver's side door, Massart said, "I've had a few drinks". Massart later stated she'd consumed 2 cosmos at Double Roads Bar.

ODORS:

Strong odor of unknown beverage on breath

GENERAL OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Hysterical, threatening, mood swings

CLOTHING: Black dress, wedge style heels

MEDICAL/OTHER: None mentioned at first, complained of back injury upon realizing inability to assume starting heel to toe position

STATE OF FLORIDA
COUNTY OF PALM BEACH

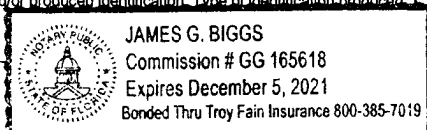
Ofc. A. Borrows 380 / 1138 *A.B.*

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 22nd day of April, 20 18 by Ofc. A. Borrows 380 / 1138

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced: PERSONALLY KNOWN

Notary Public, Clerk of Court, Officer (F.S.S. 17.10)



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APR 22 2018

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|---|---|
| ☒ LT EYE-LACK OF SMOOTH PURSUIT | ☒ RT EYE-LACK OF SMOOTH PURSUIT |
| ☒ LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | ☒ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| ☒ LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES | ☒ RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES |

Other Observations:

Great difficulty keeping head still as instructed. Massart was swaying severely during task.

WALK AND TURN

Massart at first declined to take her shoes off. Massart had difficulty attaining and maintaining the starting position. Massart then took her wedge shoes off but started blaming a non specific back condition for her distinct lack of balance (I found this claim unconvincing as she had been wearing approximately 3-4 inch wedge style shoes and had not mentioned it until her lack of ability to balance became evident). I then skipped this task and One Leg Stand.

FINGER TO NOSE

Massart had difficulty attaining the head tilt/eyes closed stance at the beginning of the task. L1: Massart touched her left cheek with the tip of her finger before moving it to the tip of her nose. Massart forgot to put her finger back down to the side. I reminded her to do so without being told. R2: Massart touched her right cheek near her nose with the pad of her finger before moving it to the tip. Massart forgot to put her finger back down to the side. I reminded her to do so without being told. L3: Massart touched her nose in between her nostrils before moving it to the tip. Massart forgot to put her finger back down to the side. I reminded her to do so without being told. R4: Massart touched the tip of her nose with the pad of her finger. R5: Massart used the wrong finger at first. Massart then touched the tip of her nose with the pad of her finger. Massart forgot to put her finger back down to the side. I reminded her to do so without being told. L6: Massart touched under the tip of her nose before moving it to the tip. Massart had a severe sway during the task.

ROMBERG ALPHABET

Massart kept her eyes open during the task and was swaying visibly.

BREATH TEST RESULTS: **Refused**

STATE OF FLORIDA
COUNTY OF PALM BEACH

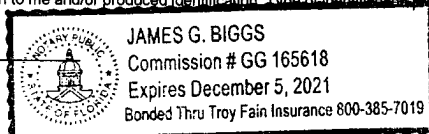
Ofc. A. Borrows 380 / 1138

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 22nd day of April, 2018 by Ofc. A. Borrows 380 / 1138

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced PERSONALLY KNOWN

Notary Public, Clerk of Court, Officer (F.S. 117.10)



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APR 22 2018

WITNESS LIST

CASE NUMBER: 18-002188

ARRESTING OFFICER: Ofc. A. Borrows 380 / 1138

ADDRESS: 210 Military Trail, Jupiter Fl 33458

PHONE NUMBERS (HOME): _____ (WORK) 561 746 6201

CAN TESTIFY TO: PC

NAME: Officer Jason Flesch

ADDRESS: 210 Military Trail, Jupiter Fl 33458

PHONE NUMBERS (HOME) _____ (WORK) 561 746 6201

CAN TESTIFY TO: Scene

NAME: Sergeant Donald Hennessy

ADDRESS 210 Military Trail, Jupiter Fl 33458

PHONE NUMBERS (HOME) _____ (WORK) 561 746 6201

CAN TESTIFY TO: Scene

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: _____

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CAN TESTIFY TO: _____

NAME: _____

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PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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APR 22 2018

TESTING FACILITY TASK REPORT

AGENCY: JPD-BORROWS

SUBJECT: MASSART, ANN

CASE NUMBER: 18-065562

DATE: Apr 22, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0239

ENDING TIME: 0244

BREATH TESTS RESULTS: 1) REF TIME 0243 A.M. ☒ P.M. ☐ 2) XX TIME XX A.M. ☐ P.M. ☐
3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: J Biggs# 7607

MAINTENANCE TECHNICAN: D/S J Karklecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: COOPERATIVE, UPSET

CLOTHING: BLACK DRESS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY, RED

STRONG ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON SUBJECT

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0218
SUBJECT ADVISED SHE WOULD SUBMIT TO THE BREATH TEST
SUBJECT WAS GIVEN THE INSTRUCTIONS FOR THE TEST
SUBJECT CAME UP THEN SAID SHE REFUSED
IMPLIED CONSENT WAS READ AND UNDERSTOOD
SUBJECT REFUSED ONCE AGAIN
MIRANDA WAS READ TO SUBJECT
SUBJECT REFUSED QUESTIONS

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SUBJECT: Ann MassaroCASE NUMBER: 18-002186

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? _____

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APR 22 2018

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: Read on Camera

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT: Ann M... CASE NUMBER: 18-002188

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) Rebecca (Ann)

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.

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SUSPECT'S SIGNATURE: (X) Rebecca (Ann)