

C 504403

PMM487SD
3440

ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	Juvenile
OBTS Number		Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	
Agency Report Number (N.T.A.'s only) 06-19-023754		Charge Type: Check as many ☐ 1. Felony ☒ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other		Weapon Seized / Type 1. Yes ☐ 2. No ☐ Multiple Clearance Indicator	
Location of Arrest (Including Name of Business) Powerline Road / SW 18th Street Boca Raton Florida 33434		Location of Offense (Business Name, Address) Powerline Road / SW 18th Street		Boca Raton FL 33433	
Date of Arrest 01/08/2019	Time of Arrest 2110	Booking Date 01/08/2019	Booking Time 2230	Jail Date	Jail Time
Name (Last, First, Middle) PASHER DIANE JUNE		Alias (Name, DOB, Soc. Sec. #, Etc.)			
Race W - White I - American Indian B - Black O - Oriental/Asian	Sex W F	Date of Birth 06/23/1966	Height 5'06	Weight 160	Eye Color Hazel
Build Slim		Hair Color Blond		Complexion Med	Build Slim
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) None		Marital Status Married		Religion NONE	
Indication of Alcohol Influence ☐ Y ☐ N ☐ Unk.		Indication of Drug Influence ☐ Y ☐ N ☐ Unk.			
Local Address (Street, Apt. Number) 3980 Oaks Clubhouse Drive #301		(City) Pompano Beach FL 33069		(Zip) 33069	
Permanent Address (Street, Apt. Number)		(City)		(Zip)	
Business Address (Name, Street)		(City)		(Zip)	
D/L Number, State P260-1		Soc. Sec. Number		INS Number	
Place of Birth (City, State) New York, NY		Citizenship US			
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	☐ 1. Arrested ☐ 3. Felony
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	☐ 2. At Large ☐ 4. Misdemeanor
					☐ 5. Juvenile
Parent Legal Custodian		Residence Phone			
Other		Business Phone			
Address (Street, Apt. Number)		(City)	(State)	(Zip)	
Notified by: (Name)		Date	Time	Juvenile Disposition	
Released To: (Name)		Relationship		1. Handed/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated	
The above address provided by ☐ defendant and / or ☐ defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2528) informed of any change of address.		School Attended		Grade	
Property Crime? ☐ Yes ☐ No		Description of Property		Value of Property	
Drug Activity N. N/A P. Possess		S. Sell T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate
Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetics	U. Unknown Z. Other
Charge Description DUI		Counts 1	Domestic Violence ☐ Y ☒ N	Statute Violation Number 316.193(1)	
Drug Activity N		Drug Type N	Amount / Unit 0	Offense # 19-023754	Warrant / Capias Number 06-19-023754
Charge Description Possession Of Marijuana -20 Grams		Counts 1	Domestic Violence ☐ Y ☒ N	Statute Violation Number 893.13(6b)	
Drug Activity P		Drug Type M	Amount / Unit 1 GRAM	Offense # 19-023754	Warrant / Capias Number 893.147 (1)
Charge Description Possession Of Drug Paraphernalia		Counts 1	Domestic Violence ☐ Y ☒ N	Statute Violation Number 893.147 (1)	
Drug Activity P		Drug Type P	Amount / Unit Pipe	Offense # 19-023754	Warrant / Capias Number 06-19-023754
Charge Description		Counts	Domestic Violence ☐ Y ☒ N	Statute Violation Number	
Drug Activity		Drug Type	Amount / Unit	Offense #	Warrant / Capias Number
SOUTH COUNTY COURTHOUSE, COURTROOM #1, 200 W. ATLANTIC AVE., DELRAY BEACH, FL 33444 - PH: (561) 355-2996 Court Date and Time Month February Day 11TH Year 2018 Time 8:30 AM ☒ PM ☐ 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) _____ Date Signed 01/08/2019 HOLD for other Agency _____ Name Verification (Printed by Arrestee) JAN 9 AM 1:35 ☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other: _____ Name of Arresting Officer (Print) D/S Gary Flowers #6988 I.D. # 6988 Transporting Officer D/S Gary Flowers ID # 6988Pro Agency PBSO Witness here if subject signed with an "X" _____ PAGE 1 OF 1					

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile	
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06- 19-023754					
Charge Type: Check as many as apply.		☒ 1. Felony ☐ 2. Traffic Felony		☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Special Notes:			
Name (Last, First, Middle) PASHER, DIANE, JUNE		Alias		Race W		Sex F		Date of Birth 06/23/1966			
Charge Description DUI		316.193(1)		Charge Description Possession Of Marijuana -20 Grams		893.13(6b)					
Charge Description Possession Of Drug Paraphernalia		893.147									
Victim's Name (Last, First, Middle)		Race		Sex		Date of Birth					
Local Address (Street, Apt. Number)		(City)		(State)		(zip)		Phone		Address Source	
Business Address (Name, Street)		(City)		(State)		(zip)		Phone		Occupation	
3228 Gun Club Road		West Palm Beach FL 33406		(561)		688-300					
The undersigned certifies and swears that he/she has just and reasonable 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. ☐ was observed by _____ who told _____ ☐ confessed to _____ that he/she saw the arrested person commit the below acts. ☐ admitting to the below facts. ☐ was found to have committed the below acts, resulting from my (described) investigation.											
On the 8th day of January 20 19 at 8:33 ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest.)											
On above date and time after placing Diane Pasher (06/23/1966) under arrest for DUI. Search Incident to arrest found a brown purse on the drivers seat of the 2016 white Toyota Yaris (Florida Tag # 452-YNS). The purse was found to be the property of Pasher. This was confirmed by an expired Florida Drivers License (#P260-170-66-723-0) with a issue date of 06/19/1990. Inside the purse I found 1.61 total package weight. Through training and experience I identified the green leafy substance as marijuana. It was located in a clear plastic bag and a pill case with a pink plastic lid. I placed the green leafy substance from the pink pill case into the clear plastic bag to store and test it for trial. The green leafy substance was field tested, using a Duquenois Field Test Kit, positive for the presence of THC. It is the active ingredient for the presence of marijuana. It was also weighed, with a total weight of 1.61 grams, total package weight. Also found in the red and blue cloth case was a black ceramic pipe, with burnt marijuana residue, which was used to smoke marijuana. All evidence was placed into storage for trial.											
STATE OF FLORIDA COUNTY OF PALM BEACH D/S Gary Flowers #698 (Signature of Arresting/Investigative Officer) The foregoing instrument was sworn to or affirmed and subscribed before me this 8th day of January 20 19 by D/S Gary W. Flowers (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Known											
Notary Public, State of Florida Samantha Palmer My Commission 06 200702 Notary Public, Clerk of Court, Officer (F.S.S. 17) PAGE 1 OF 1											

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 8th DAY OF January 20 19 AT 8:33 AM ☒ PM

SUBJECT: PASHER DIANE JUNE CASE NUMBER: 19-023754

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S Gary Flowers #6988

PERSONAL CONTACT

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

I was dispatched to the area of Powerline Road and SW 18th Street in reference to a 2016 White Toyota Yaris 4 Door (Florida Tag # 452-YNS) and a 2012 White Nissan Titan (FL. Tag# Z45-GUM) that had been in a traffic collision. The Toyota had struck the Nissan in the rear with it's front causing minor damage to the impact areas. The vehicles were in the left hand travel lane of north bound traffic. The driver of the Nissan, Joseph Lucia III (05/26/1967), told me that she was the driver of the vehicle. He explained that Pasher and the passenger, Maren Cline (8/20/1979), had poured an unknown drink on the ground outside the driver and passenger door. It should be noted that this drink could not be identified at the time of the incident/

OBSERVATION OF DRIVER:

When I made contact with the driver, Diane Pasher (06/23/1966), she was sitting behind the Toyota with the vehicle running and the vehicle in drive. Deputies on scene had Pasher turn the vehicle off and the vehicle in park. When I spoke to her she had very blood shot eyes with a glazed effect. When she exited the vehicle she was very unsteady on her feet when she walked and stood swaying from side to side and back and forth more than three inches

DRIVER'S STATEMENTS:

She told me that she did not trust the police. She said she has had bad experiences with the police in the past and she was very nervous.

ODORS:

She had a very strong odor of an unknown alcoholic beverage coming from her person and breath.

GENERAL OBSERVATIONS

SPEECH: Slightly slurred and thick tonued

ATTITUDE: Cooperative

CLOTHING: Pink Sun Dress / Pink Flip- Flops

MEDICAL/OTHER:

STATE OF FLORIDA
COUNTY OF PALM BEACH

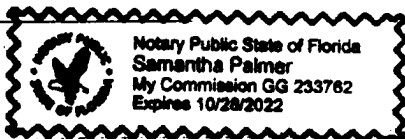
D/S Gary Flowers #6988

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 8th day of January 20 19 by D/S Gary Flowers #6988

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

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



SUBJECT: PASHER

DIANE

CASE NUMBER 19-023754

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:

WALK & TURN:

I read Pasher her Constitutional Warnings which she told me she understood. I explained "Accident Privilege" to her explaining I was concluding the "Accident Portion" and moving on to a "DUI Investigation." Pasher refused to preform the roadside task. They were not preformed.

ONE LEG STAND:

ROMBERG ALPHABET:

FINGER TO NOSE:

BREATH TEST RESULTS: 1) Refused 2) Testing 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

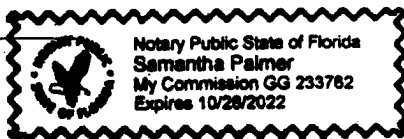
D/S Gary Flowers #6988

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to, affirmed and subscribed before me this 8th day of January 20 19 by D/S Gary Flowers #6988

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

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



WITNESS LIST

CASE NUMBER: 19-023754

ARRESTING OFFICER: D/S Gary Flowers #6988

ADDRESS: 3228 Gun Club Rd West Palm Beach FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 561 688-3000

CAN TESTIFY TO: Investigation

NAME: D/S Jean Forges #7768

ADDRESS: 3228 Gun Club Rd West Palm Beach FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 561-688-3000

CAN TESTIFY TO: Back Up

NAME: D/S Antoine Dumornay #33104

ADDRESS 3228 Gun Club Rd West Palm Beach FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 561-688-3000

CAN TESTIFY TO: Back up

NAME: Joseph Lucia III

ADDRESS 4671 NW 28th Strret Boca Raton Fl. 33434

PHONE NUMBERS (HOME) 561-843-3512 (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

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ADDRESS _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

TESTING FACILITY TASK REPORT

AGENCY: PBSO/FLOWERS

SUBJECT: PASHER, DIANE

CASE NUMBER: 19-023754

DATE: Dec 13, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 2227

ENDING TIME: 2230

BREATH TESTS RESULTS: 1) R TIME 2229 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: S. PALMER #24520

MAINTENANCE TECHNICIAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR

ATTITUDE: CALM, QUIET, POLITE

CLOTHING: PINK DRESS, PINK FLIP FLOPS

MEDICAL CONDITIONS:

MEDICATIONS:

OTHER:

EYES GLASSY AND BLOODSHOT,

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 2205
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ I/C
SUBJECT STATED SHE UNDERSTOOD I/C
AND AGAIN REFUSED TO TAKE BREATH TEST @ 2229
A/O READ RIGHTS @ SCENE AND AGAIN ON CAMERA
SUBJECT STATED SHE UNDERSTOOD RIGHTS
A/O ATTEMPTED Q&A
SUBJECT REFUSED QUESTIONING

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, D/S Gary Flowers #6988, a duly certified Law Enforcement Officer or Correctional Officer,
 (Name of Officer reading Implied Consent Warning)

am a member of Palm Beach County Sheriff's Office, and I do swear
 (Name of law enforcement agency)

or affirm that on or about the 8TH day of January, 20 19, at 9:10 ☒ P.M. ☐ A.M.

DRIVER DIANE JUNE PASHER
 (Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# P260-170-66-723-1, state of Florida, was placed under lawful arrest for

the offense of DUI by D/S Gary Flowers #6988 and
 (Name of Arresting Officer)

issued Citation # A2G3QRP

That on or about the 8TH day of January, 20 19, at 10:29 ☒ P.M. ☐ A.M.

in PALM BEACH County,

I requested that the driver submit to a ☒ breath and/or ☐ urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

D/S Gary Flowers #6988
 Signature of Law Enforcement Officer or
 Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

The foregoing instrument was sworn and subscribed before me:



The foregoing instrument was sworn and subscribed before

me this 8Th day of January, 20 19,

by D/S Gary Flowers #6988,

who is personally known to me or who has produced

Known [Signature] as identification

Notary Public [Signature]

Signature of Attesting Officer

Title _____

Date _____

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.



**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.	8
	☐	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	☐	539.003	Other: Florida Pawnbroking Act	
	☐	119.071(2c)	Other: Active Criminal Intelligence Information	

REVIEW COMPLETED BY

Booking Number: 2019000981

Date: 01/09/2019

Specialist Name/ID: WATSON/6665