

		ARREST / NOTICE TO APPEAR		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile	
ADMINISTRATIVE	OBTS Number		Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number (N.T.A.'s only) <b>06-17-104666</b>				
	Charge Type: Check as many as apply: <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized / Type 1. Yes 2. No		Multiple Clearance Indicator <b>3</b>						
	Location of Arrest (Including Name of Business) <b>5070 SEMINOLE PRATT AND WHITNEY RD LOXAHATCHEE FL 33470</b>		Location of Offense (Business Name, Address) <b>5070 SEMINOLE PRATT AND WHITNEY RD LOXAHATCHEE FL 33470</b>								
	Date of Arrest <b>7/19/17</b>	Time of Arrest <b>2333</b>	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle <b>BAABSCO TOWING</b>				
DEFENDANT	Name (Last, First, Middle) <b>Gagnon Marie</b>		Alias (Name, DOB, Soc. Sec. #, Etc.)								
	Race <b>W - White I - American Indian B - Black O - Oriental/Asian</b>	Sex <b>W</b>	Date of Birth <b>08/12/1980</b>	Height <b>5'07</b>	Weight <b>220</b>	Eye Color <b>BLUE</b>	Hair Color <b>BLON</b>	Complexion <b>LIGHT</b>	Build <b>MED</b>		
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>SCAR ACROSS CHIN</b>				Martial Status <b>S</b>	Religion <b>CATHOLIC</b>	Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.				
	Local Address (Street, Apt. Number) <b>5065 200th Trl N</b>		(City) <b>Loxahatchee, FL</b>	(State) <b>33470</b>	(Zip)	Phone <b>(561) 577 4679</b>		Residence Type: 1. City 2. County 3. Florida 4. Out of State			
	Permanent Address (Street, Apt. Number) <b>1201 S LAKE DR, LANTANA FL 33462</b>		(City)	(State)	(Zip)	Phone ( )		Address Source			
	Business Address (Name, Street)		(City)	(State)	(Zip)	Phone ( )		Occupation			
	D/L Number, State <b>G255293807920, FL</b>		Soc. Sec. Number		INS Number		Place of Birth (City, State) <b>MIAMI FL</b>		Citizenship <b>US</b>		
	Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		
	Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		
	JUVENILE	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:		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 provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)				School Attended		Grade					
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property		Value of Property							
Drug Activity N. N/A S. Sell B. Buy P. Possess T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ 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. Synthetics		U. Unknown Z. Other			
Charge Description <b>DUI W PROPERTY DAMAGE</b>		Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number <b>316.193(3)C1</b>		Violation of ORD #					
Drug Activity /		Drug Type /	Amount / Unit N/A	Offense # <b>17-104666</b>	Warrant / Capias Number		Bond				
Charge Description <b>BATTERY ON LAW ENFORCEMENT OFFICER</b>		Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number <b>784.07(4)C 2B</b>		Violation of ORD #					
Drug Activity /	Drug Type /	Amount / Unit N/A	Offense # <b>17-104666</b>	Warrant / Capias Number		Bond					
Charge Description <b>RESISTING W/OUT VIOLENCE</b>		Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number <b>843.02</b>		Violation of ORD #					
Drug Activity /	Drug Type /	Amount / Unit N/A	Offense # <b>17-104666</b>	Warrant / Capias Number		Bond					
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #					
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond					
Location (Court Room Number, Address) <b>TO BE SET</b>		Court Date and Time Month Day Year Time 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							
HOLD for other Agency Name:		Signature of Arresting Officer		Name Verification (Printed by Arrestee)							
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) <b>INV E. K. WHITE</b>		I.D. # <b>7209</b>		(PRINT)			
Intake Deputy I.D. #		Pouch #		Transporting Officer <b>E. K. WHITE</b>		I.D. # <b>7209</b>		Agency <b>PBSO</b>		PAGE	
								Witness here if subject signed with me		OF	



OBT Number		<b>PROBABLE CAUSE AFFIDAVIT</b>		1. Arrest 3. Request For Warrant 2. N.T.A. 4. Request For Capias		Juvenile <input type="checkbox"/> <b>N</b>	
Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number <b>06</b>		<b>17-104666</b>	
Charge Type: Check as many as apply <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other _____		Special Notes					
Defendant Name (Last, First, Middle) <b>GAGNON GENNIFER MARIE</b>				Race <b>W</b>	Sex <b>F</b>	Date of Birth <b>08/12/1980</b>	
Charge				Charge			
Charge				Charge			
Victim Name (Last, First, Middle)				Race	Sex	Date of Birth	
Local Address (Street, Apt. Number)		City	State	Zip	Phone	Address Source	
Business Address (Street, Apt. Number)		City	State	Zip	Phone	Occupation	
The undersign 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... <input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input type="checkbox"/> confessed to admitting to the below facts. <input type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation. On the <u>19</u> day of <u>JULY</u> 20 <u>17</u> at <u>11:30</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM							

DUI Investigator White was on scene and helped me secure Gennifer in the second hand restraint. Investigator White left Gennifer and me at the fuel pumps for a moment to relocate his assigned patrol vehicle to our location.

Gennifer continued to make statements about being physically injured by African American law enforcement officers. In the middle of her statement, Gennifer lifted her left foot off the ground and struck me in the front of my lower leg. Because of Gennifer's level of intoxication she lost her balance after striking me in the leg, and started to fall. I assisted her to the ground while maintaining control by the hand restraints. I maintained control of Gennifer until Investigator White returned. Gennifer did not sustain any physical injuries, but she was transported to Palms West for further evaluation.

This concludes my involvement in this incident.

The foregoing instrument was sworn to and affirmed before me this <u>20</u> day of <u>JULY</u> 20 <u>17</u> , by:	
<u>E.K. WHITE</u> Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	<u>DS JIMESON</u> Name of Arresting/Investigating Officer
<u>[Signature]</u> Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	<u>[Signature]</u> Signature of Arresting/Investigating Officer

**SCANNED**

**JUL 20 2017**

Page 2 of 2



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

PBSO CASE # 17-104666 PBSO ZONE 3-31  
AGENCY CASE # \_\_\_\_\_ CRASH CASE # 17-104664  
TIME OF STOP/CRASH 2229 DATE 07/19/2017 DAY Wednesday  
SUBJECT'S NAME Gagnon Gennifer Marie RACE W SEX F  
LAST FIRST MID  
HGT 5'07 WGT 220 DOB 08/12/1980  
LOCATION 5070 SEMINOLE PRATT AND WHITNEY RD LOXAHATCHEE FL 33470  
ARRESTING OFFICER'S NAME & ID INV. E. K. WHITE 7209 AGENCY PBSO  
DIVISION: VCD  
NOTIFIED BY COMMO YES  
ARRIVAL AT FACILITY 0220hrs  
ARREST TIME 2333

BREATH RESULTS:

1)	
2)	
3)	
4)	

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # 63022

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JUL 20 2017

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

I, INV E. K. WHITE, a duly certified Law Enforcement Officer or Correctional Officer,  
(Name of Officer reading Implied Consent Warning)

am a member of PBSO, and I do swear  
(Name of law enforcement agency)


or affirm that on or about the 19 day of JULY, 20 17, at 2333 ☒ P.M. ☐ A.M.

DRIVER Gennifer Marie Gagnon  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

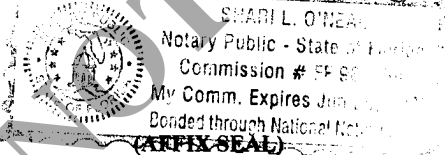
DL# G255293807920, FL, state of FLORIDA, was placed under lawful arrest for  
the offense of DUI W PROPERTY DAMAGE by INV E. K. WHITE and  
(Name of Arresting Officer)  
issued Citation # A100D1P

That on or about the 20 day of JULY, 20 17, at 0300 ☐ 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.

  
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 this 19 day of July, 20 17,

by INV E. K. WHITE,

who is personally known to me or who has produced

**KNOWN** as identification

Notary Public S. O'Neal

HSMV-BAR1001 (REV. 10/2016)

The foregoing instrument was sworn and subscribed before me:

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.


**SCANNED**

**JUL 20 2017**

OBTS Number		<b>PROBABLE CAUSE AFFIDAVIT</b>		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	Juvenile
ADMIN	Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number <b>06-17-104666</b>				
	Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes:		
DEE	Name (Last, First, Middle) <b>Gagnon, Gennifer, Marie</b>				Alias		Race <b>W</b>	Sex <b>F</b>	Date of Birth <b>08/12/1980</b>
	Charge Description <b>DUI W PROPERTY DAMAGE</b>				316.193(3)C1		Charge Description <b>BATTERY ON LAW ENFORCEMENT OFFICER</b>		
CHARGES	Charge Description <b>RESISTING W/OUT VIOLENCE</b>				843.02		Charge Description		
	Victim's Name (Last, First, Middle) <b>??</b>				Race <b>B</b>		Sex <b>F</b>	Date of Birth	
VICTIM	Local Address (Street, Apt. Number) (City) (State) (zip)				Phone ( ) ( ) ( )		Address Source		
	Business Address (Name, Street) (City) (State) (zip)				Phone ( ) ( ) ( )		Occupation		
<p>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</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <b>19</b> day of <b>July</b> 20 <b>17</b> at <b>2229</b> <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p> <p>On Wednesday July 19, 2017 at approximately 2310 hours, I responded to the Mobile Gas Station, located at 5070 Seminole Pratt and Whitney Road, Loxahatchee (Palm Beach County) Florida to assist Deputy Janae Jameson with a traffic crash that involved a possible drunk driver. While en route to this location Palm Beach Communications advised fire rescue was on scene and needed our response. Upon my arrival I noticed a red vehicle resting against barricades and fencing that prohibited access to Seminole Pratt. I saw a white female walking away from the crash scene having difficulty maintaining her balance. She sat on the curb and engaged in a phone conversation. I met with D/S Jameson who told me the following: On Monday July 19, 2017 at approximately 2300 hours, I was dispatched to 5070 Seminole Pratt Whitney Road at the Mobile service station, in Loxahatchee, Florida 33470 in reference to a single car crash.</p> <p>Upon arrival I made contact with the driver, later identified as Gennifer Gagnon, and Palm Beach County Fire Rescue 22. I saw Laura stumble and fall to the ground as fire rescue tried to administer aid. Fire rescue told me they were having a hard time communicating with Gennifer because she was not being cooperative. Fire rescue told me when they arrived they saw her in the driver's side of the vehicle. Based on the damages at the scene Laura drove through "Bob's Barricades" and several sandbags at the Northeast corner of the building, before crashing into more barricades and sandbags at the Northwest corner, where her vehicle came to a final stop in a construction area of wet, soft sand.</p> <p>When I asked Gennifer for her identification she had a hard time locating it even though it was inside her wallet/ cell phone case in her hand. When Gennifer spoke I smelled an odor of an unknown alcoholic beverage emitting from her breath. Her speech was slurred and she was having a hard time maintaining her balance. After helping Gennifer find her Florida driver's license, I told her to have a seat on the curb located on the Northside of the building. Gennifer sat in the grass for a short while, before she started to roll around in the grass. She eventually stood up again and started making phone calls.</p> <p>When I started to inventory Gennifer's vehicle for towing, I saw Gennifer begin to walk towards the Southwest side of the building where the fuel pumps are located. I called Gennifer to get her attention; she ignored me and continued to walk towards the fuel pumps. As I walked towards her, and gave her several more loud verbal orders to stop walking away, she continued to talk on the phone and ignored all verbal commands. When I made contact with Gennifer she said, "you don't have to threaten me. What are you going to do, slam me into the ground? That's all you Niggers do". I placed one hand restraint on Gennifer's left hand as she held her cell phone and car keys in her right hand. I gave Laura a verbal order to place her right hand behind her back because she was being detained. I advised her that she would be charged if she did not cooperate with my instructions. I grabbed Gennifer's right forearm in an attempt to secure her wrist behind her, and she tensed up refusing to comply with verbal commands. I told her my intentions were not to hurt her: She wrote a sworn witness statement on a probable cause affidavit regarding her involvement with this case.</p> <p>Afterward I meet with the store clerk who identified himself as Alexander Hernandez. He told me he saw the white female driving a red utility vehicle on the access drive behind the gas station. He watched it run into the barricades and fencing. He told me the female appeared drunk.</p> <p>Eric Clark who is employed by Palm Beach County Fire Rescue told me his station was summoned by the store clerk regarding the vehicle crashing into barricades behind their store. They arrived and made contact with a white female who was currently sitting in the driver seat of a red utility vehicle. He could smell a heavy odor of an unknown alcohol. The female was uncooperative and belligerent. She refused to listen, be treated and remain still. She turned off the car and got out of it. She began stumbling around until police arrived. He watched her flee the crash scene. He later watched her kick the deputy who was trying to restrain her. Clark wrote a sworn statement regarding his involvement with this incident.</p> <p>Prior to meeting with the store clerk, the driver (later identified as Gennifer Marie Gagnon) began walking toward me wanting to know what happen. She staggered while approaching me and slurred her speech when she spoke. Her eyes were red, watery and glossy and her face was flushed. She was extremely aggressive and hostile toward me. She spoke over me as I tried to read her Constitutional Rights. I told her I would meet with her later. I later learned that she is a co-owner of the vehicle she was driving.</p> <p>I went inside the store to interview the clerk. When I returned back to the scene I was informed by one of the fire fighters that the driver tried to flee the scene. They told me the other officer caught up to her near the pumps. I went over to the pumps to assist D/S Jameson with securing her in handcuffs. Since she fled the scene, demonstrated hostility toward us and was completely uncooperative, I decided not to administer SFSTs. I explained to her that she was being placed under lawful arrest for DUI.</p>									
<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p style="text-align: center;"><b>INV E. K. WHITE</b></p> <p>(Signature of Arresting/Investigative Officer)</p> <p>The foregoing instrument was sworn to or affirmed and subscribed before me this <b>19</b> day of <b>July</b> 20 <b>17</b> by <b>INV. E. K. WHITE</b></p> <p>(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced <b>KNOWN</b></p> <p><b>Notary Public - State of Florida</b> Commission # <b>FF 966854</b> My Comm. Expires <b>Jun 25, 2018</b></p>									

SCANNED  
JUL 20 2017

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JUL 20 2017  
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OBTS Number		<b>PROBABLE CAUSE AFFIDAVIT</b>		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	Juvenile	
ADMIN	Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number <b>06- 17-104666</b>					
	Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes:			
DEF	Name (Last, First, Middle) <b>Gagnon, Gennifer, Marie</b>				Alias		Race <b>W</b>	Sex <b>F</b>	Date of Birth <b>08/12/1980</b>	
	Charge Description <b>DUI W PROPERTY DAMAGE</b>		316.193(3)C1		Charge Description <b>BATTERY ON LAW ENFORCEMENT OFFICER</b>		784.07(1)C			
CHARGES	Charge Description <b>RESISTING W/OUT VIOLENCE</b>		843.02		Charge Description					
VICTIM	Victim's Name (Last, First, Middle) <b>??</b>						Race <b>B</b>	Sex <b>F</b>	Date of Birth	
	Local Address (Street, Apt. Number) <b>??</b>						(City)	(State)	(zip)	Phone <b>( )</b>
	Business Address (Name, Street) <b>??</b>						(City)	(State)	(zip)	Phone <b>( )</b>
										Occupation
<p>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</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence.      <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts.      <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>19</u> day of <u>July</u> 20<u>17</u> at <u>2229</u> <input type="checkbox"/> A. M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p>										
<p><b>She continued her aggression and yelled expletives at us. While trying to escort her back to my patrol car the defendant continued to resist by leaning her weight back which caused us to pull her. She also said she had been raped. I told my partner to stay with her while I went to get my patrol car. As I drove back to the front of the store I watched the defendant kick back and strike D/S Jimeson on the lower part of her body. D/S Jimeson later told me that she could feel a burning sensation on her leg. After she kicked her the defendant lost her balance and began falling toward the ground. D/S Jimeson held her as she fell, which prevented the defendant from injuring herself. She later told us that she was pregnant. As a precaution the defendant was transported to Palms West Hospital for an assessment. At 0130 hours Nurse Wise told me that the defendant is not pregnant. She was discharged. I escorted her to my patrol car. Prior to seating her inside the back she was searched. The handcuffs were moved to the back. I began transport to the main jail breath analysis facility for further processing. Upon our arrival I escorted her into the facility and began a 20 minute observation period. During this time she ingested nothing into her body orally or otherwise. She also did not regurgitate. Afterward I escorted her into the testing room and asked if she would give breath samples for the purpose of determining her alcohol content. The defendant initially agreed to give samples, but became agitated due to the handcuffs being on. She said she was not going to give samples unless the handcuffs were removed. I read her implied consent and asked if she understood it. She said she did understand. I asked if she would reconsider her refusal and give breath samples. She once again refused. At 0300 she was deemed a "Refusal". I advised her of her Constitutional Rights and asked if she understood them. She said she did. I asked if she would consent to an interview. The defendant remained silent.</b></p> <p><b>Based on the totality of the evidence in this case whereas the store clerk observed the defendant driving her red vehicle on a closed road that struck barricades, coupled with the paramedics arriving on scene and witnessing the defendant sitting in the driver seat with the engine running and my observation of personal indicators of impairment exhibited by her and watching her kick D/S Jimeson while resisting her, probable cause exists for all charges filed against her.</b></p>										
<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p style="text-align: right;"><b>INV E. K. WHITE</b></p> <p>(Signature of Arresting Investigative Officer)</p>										
<p>The foregoing instrument was sworn to or affirmed and subscribed before me this <u>19</u> day of <u>July</u> 20<u>17</u> by <u>INV E. K. WHITE</u></p> <p>(Print name of Arresting Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced <u>KNOWN</u></p>										
<p>Notary Public, Clerk of Court, Officer (F.S.S. 117.11)</p> <p style="text-align: center;">  <b>Notary Public - State of Florida</b>          Commission # <u>FF 868254</u>          My Comm. Expires <u>Jun 28, 2021</u> </p>										

**SCANNED**  
**JUL 20 2017**

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 19 DAY OF July 20 17, AT 2229 AM PM ✓

SUBJECT: Gagnon Gennifer Marie CASE NUMBER: 17-104666

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV E. K. WHITE

## PERSONAL CONTACT

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

**SEE PROBABLE CAUSE AFFIDAVITS**

OBSERVATION OF DRIVER:

**SEE PROBABLE CAUSE AFFIDAVITS**

DRIVER'S STATEMENTS:

**I WAS RAPED**

ODORS:

**Strong odor of an unknown alcoholic beverage coming from the subject's breath.**

## GENERAL OBSERVATIONS

SPEECH: slurred

ATTITUDE: aggressive hostile vulgar

CLOTHING: red shirt, floral leggings and brown sandals

MEDICAL/OTHER: unk

STATE OF FLORIDA  
COUNTY OF PALM BEACH

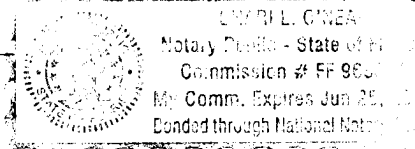
INV E. K. WHITE

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 19 day of July 20 17 by INV E. K. WHITE

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

A. O'Neal  
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



**SCANNED**  
**JUL 20 2017**



SUBJECT Gagnon

Gennifer

CASE NUMBER 17-104666

**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:**

Subject was sitting on the ground. I asked her to follow my finger with her eyes only and not to turn her head while following it. Her pupils were of equal size and both eyes tracked equally. Both eyes lacked a smooth pursuit. I saw distinct and sustained nystagmus in both eyes at maximum deviation. I saw an onset of nystagmus in both eyes prior to 45 degrees.

**WALK & TURN:**

Not administered due to the defendants flight risk and aggression

**ONE LEG STAND:**

Not administered due to the defendants flight risk and aggression

**FINGER TO NOSE:**

Not administered due to the defendants flight risk and aggression

**ROMBERG ALPHABET:**

Not administered due to the defendants flight risk and aggression

**BREATH TEST RESULTS:**

1) Refused 2)                     

3)                     

4)                     

STATE OF FLORIDA  
COUNTY OF PALM BEACH

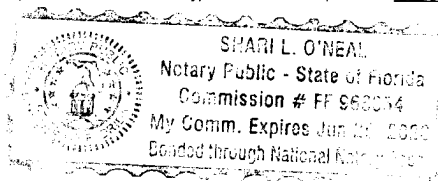
**INV E. K. WHITE**

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(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)



**SCANNED**  
**JUL 20 2017**

# WITNESS LIST

CASE NUMBER: 17-104666

ARRESTING OFFICER: INV E. K. WHITE

ADDRESS: HQ

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) 561 688 3000

CAN TESTIFY TO: FACTS

NAME: D/S JANAE JIMESON

ADDRESS: DIST 15

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) 561 688 3000

CAN TESTIFY TO: VICTIM AND CRASH INVESTIGATOR

NAME: ERIC CLARK

ADDRESS STATION 22

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) 561 719 0340

CAN TESTIFY TO: SEEING THE DEFENDANT SITTING IN THE DRIVER SEAT AFTER THE CRASH

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) 0 (WORK) 0

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: \_\_\_\_\_

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: \_\_\_\_\_

SCANNED  
JUL 20 2017

# TESTING FACILITY TASK REPORT

AGENCY: 1-10 Ely 11/11/12  
SUBJECT: Guyana, Guyana, Guyana CASE NUMBER: 17-101600  
DATE: 07-20-17 VIDEO TAPE NUMBER: 02022  
BEGINNING TIME: 0255 ENDING TIME: 0300  
BREATH TESTS RESULTS: 1) 0.00 TIME 0255 A.M./P.M. 2) 0.00 TIME 0300 A.M./P.M.  
3) 0.00 TIME 0300 A.M./P.M. 4) 0.00 TIME 0300 A.M./P.M.

BREATH OPERATOR: 11/11/12

MAINTENANCE TECHNICIAN: 11/11/12

## TESTING OFFICER'S OBSERVATIONS

SPEECH: 11/11/12

ATTITUDE: 11/11/12

CLOTHING: 11/11/12

MEDICAL CONDITIONS: 11/11/12

MEDICATIONS: 11/11/12

OTHER: Eyes: Red & Glowing

11/11/12

COMMENTS: 20 min. observation. I/O White

AIO requested the breath test.

D submitted to the request.

When time to take the test. D refused to

take the test because he could not get the

breath out.

I informed the AIO that D refused.

D refused the test after the I/O

was made.

C/W was made on camera.

No QTA conducted.

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JUL 20 2017

SUBJECT: Guyon, G. CASE NUMBER: 17-10400

## **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 James White # 7600 of the Illinois.

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) James White

## **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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**JUL 20 2017**

SUSPECT'S SIGNATURE: (X) James White

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

SUBJECT: Guyana, Guyana, Guyana CASE NUMBER: 17-10422

## 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? \_\_\_\_\_

SCANNED  
JUL 20 2017

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: \_\_\_\_\_

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

Instrument Type: Intoxilyzer 8000  
Instrument Registered To: PALM BEACH CO SO  
Instrument Serial Number: 80-006026 Software: 8100.27  
Date of Test: 07/20/2017

Date of Last Agency Inspection: 06/02/2017

Observation Period Began: 02:20

Subject's Name: GENNIFER M GAGNON

DOB: 08/12/1980 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	02:58
	Air Blank	0.000	02:58
	Control Test	0.080	02:59
	Air Blank	0.000	02:59
	Subject Sample #1	REF*	03:00
	Air Blank	0.000	03:01
	Control Test	0.080	03:01
	Air Blank	0.000	03:02
	Diagnostics Check	OK	03:02

\*Subject Test Refused

Cylinder Lot: 20016080A1  
Exp: 09/05/2018

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 SHARI L O'NEAL, 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: S. O'Neal Date: 07-20-17  
Signature

Sworn to (or affirmed) before me this 20 day of July, 2017

Signature of Notary Public-State of Florida

Inv. White #7209  
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.



**Florida** *The Sunshine State*



**DRIVER LICENSE CLASS E**  
**G255-293-80-792-0**

**GENNIFER MARIE**  
**GAGNON**

**1201 S LAKE DR**  
**LANTANA, FL 33462-5415**

**DOB: 08-12-1980 SEX: F** **INTERLOCK**  
**EXPIRATION: 02-28-2011 HGT: 5-07 UNTIL: 02-11-2014**  
**EXPIRATION: 08-12-2018**

*Jennifer Gagnon*

LEGALLY DONOR

**REPLACED 12-12-2013**

Operation of a motor vehicle constitutes consent to any sobriety test required by law

NOT A CERTIFIED COPY

SCANNED  
JUL 20 2017