0502x780 NR

ARREST / NOTICE TO APPEAR

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

1432 — 1 — JUVENILE

ADMINISTRATION

OBTS Number: 0

Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
0500800	West Palm Beach Police Department	9 4 2018-0018334

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 — Multiple Clearance Indicator

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
OKEECHOBEE BLVD/N INTERSTATE 95 WPB	1299 OKEECHOBEE BLVD/N INTERSTATE 95 OFFE, WEST

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
11/04/2018	14:49	11/04/2018	14:59			

DEFENDANT

Name (Last, First, Middle): MANN, JESSICA ELIZABETH LEE — Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	08/31/1994	5'09	160	GREEN	BLOND OR	MEDIUM	Medium

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

Marital Status: S — Religion: UNKNOWN — Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk. — Drug Influence ☐ Yes ☒ No ☐ Unk.

Local Address (Street, Apt. Number) (City) (State) (Zip): 3400 PERIWINKLE CT 201, PALM BEACH GARDENS, FL 33410 — Phone: 561 889 6779, 352 817-7304 — Residence Type: 1. City 2. County 3. Florida 4. Out of State: 2

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 3400 PERIWINKLE CT 201, PALM BEACH GARDENS, FL 33410 — Phone: 352 817-7304 — Address Source: VERBAL

Business Address (Name, Street) (City) (State) (Zip): — Phone: — Occupation: Software Engine

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
2681859 / OR	[redacted]		PORTLAND, OR,	US

CO-DEF

Co-Defendant Name (Last, First, Middle): — Race — Sex — Date of Birth — ☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

Co-Defendant Name (Last, First, Middle): — Race — Sex — Date of Birth — ☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Other: ☐ Legal Custodian — Name (Last, First, Middle): — Residence Phone

Address (Street, Apt. Number) (City) (State) (Zip): — Business Phone

Notified by: (Name) — Date — Time — JUVENILE DISPOSITION: 1. Handled/Processed within 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.
☐ Yes, by: ☐ No:

School Attended — Grade

Property Crime? ☐ Yes ☒ No — Description of Property — Value of Property

CODE

Drug Activity: N. N/A, P. Possess, S. Sell, B. Buy, 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. Synthetic, U. Unknown, Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI-DAMAGE TO PERSON/PROPERTY	316.193(3)(C)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

FILED
NOV 05 2018
SHARON R. BOCK
Clerk & Comptroller

INTAKE

Health / Apparent Physical Condition of Defendant — Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health — PROPERTY - Received By — Released By — Released To

Transported By — Date Transported — Time Transported — Other

NOTICE TO APPEAR

☒ 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: 12/13/2018 08:30:00 — 3228 GUN CLUB ROAD

No Photo Available

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: 11/4/18

ADMIN

HOLD for Other Agency — Signature of Arresting Officer

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Name of Arresting Officer (Print): DILLARD, DANIEL — I.D. #: 01843

Name Verification (Printed by Arrestee) (PRINT) — Received WB NOV 06 2018

Intake Agent: — I.D. #: 4883 — Pouch #: R132

Transporting Officer: D. DILLARD — I.D. #: 1843 — Agency: WPBPD

Witness here if subject signed with an "X".

PAGE 1 OF 1

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2018CT20051

DUI PROBABLE CAUSE AFFIDAVIT

On the 4th Day of November, 2018 at 1352 HRS A.M. P.M.

Subject: Mann, Jessica Case Number: 2018-0018334

Agency: West Palm Beach Police Department Arresting Officer: Inv. D. Dillard #1843

Personal Contact

Driving Pattern Actual physical control (physical evidence putting the driver behind the wheel)

I responded to a 3 vehicle collision involving a possible impaired driver. Upon arrival I observed a black Hyundai SUV in the westbound lanes of Okeechobee Blvd. with heavy front end damage. to the right of the Hyundai was a black BMW sedan also facing West with damage to the left front. In the intersection was a grey Dodge sedan facing East in the westbound lanes with heavy damage to the rear. I made contact with Joseph Barrett, the driver of the Dodge. Barrett stated he was stopped for the red light and was suddenly hit from behind by the Hyundai. Barrett stated he never made actual contact with the driver of the Hyundai but only saw 1 individual get out who he identified as the driver. I made contact with Juan Gonzalez the driver of the BMW who stated he was sitting at the red light and suddenly heard a loud collision and the Dodge hit his car in the front. He stated he ran over to the Hyundai and only observed the driver in the driver seat. Gonzalez stated the driver of the Hyundai appeared to be knocked out but he was able to wake her and get her out of the vehicle. The driver who was the sole occupant of the vehicle was identified as Jessica Mann by Oregon DL.

Observation of Driver

Upon making contact with the driver she was standing outside of her vehicle. I could smell the distinct odor of an unknown alcoholic beverage emitting from her person. The odor became stronger as she spoke to me. The drivers eyes were bloodshot and glassy. The drivers speech was slurred. While standing next to her vehicle I observed the driver sway from front to back.

Drivers Statements:

I advised the driver the crash investigation was complete and I was now conducting a DUI investigation. Post Miranda the driver stated the light had just turned green and she switched lanes because the cars were stopped. The driver stated she slammed on her brakes but could not stop in time. The driver stated she was traveling approx. 75 mph. The driver stated she was coming from Hullabaloo and was going home to Palm Beach Gardens. When asked how she normally would get there she stated 95. When asked why she was in the far left lane she stated she was just following the GPS. The driver stated she got to Hullabaloo around 11am and was there for an hour and a half to two hours. The driver stated while there she had 3 Mimosas. The driver consented to roadside tasks.

Odors:

Distinct odor of an unknown alcoholic beverage.

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General Observations

Speech: Slurred

Attitude: calm and passive

Clothing: Green Shirt/Black Pants/Black Shoes

Medical Problems/Medications: Zoloft

Other: The driver stated she had no physical defects or injuries, did wear prescription contacts and was currently wearing them, did take prescription Zoloft and took it as prescribed in the AM, did not take any illicit narcotics, and was not diabetic or epileptic.

DUI PROBABLE CAUSE AFFIDAVIT

Subject: Mann, Jessica **Case Number:** 2018-0018334

Roadside Tasks

Horizontal Gaze Nystagmus

- ■ Left Eye Does Not Follow Smoothly
- ■ Left Eye Jerks at 45 Degree Angle or Less
- ■ Distinct Jerking Left Eye at Maximum Deviation
- ■ Right Eye Does Not Follow Smoothly
- ■ Right Eye Jerks at 45 Degree Angle or Less
- ■ Distinct Jerking Right Eye at Maximum Deviation

While conducting this exercise lack of smooth pursuit was present. Sustained and distinct nystagmus at maximum deviation was present. Onset of Nystagmus was approximately 40 degrees. Vertical nystagmus was not present. The driver was observed swaying from front to back.

Walk and Turn Task

I instructed the driver to stand with her right foot in front of her left foot on a solid white line and to remain in this position until told to begin. I explained and demonstrated the exercise and the driver stated she understood the instructions. Once told to begin the driver took 10 steps instead of 9 as instructed. The driver missed heel to toe on steps 1 and 5. The driver stepped off of the line on steps 3 and 8. The driver completed the turn as instructed. The driver took 10 steps back instead of the 9 as instructed. The driver stepped off of the line on steps 3, 4, 6, 7, and 8.

One Leg Stand

I had the driver stand with her feet together and hands down at her side. I explained and demonstrated the exercise and the driver stated she understood the instructions. Once told to begin the driver lifted her right foot off of the ground. The driver leaned to the right and was also observed swaying. The driver was observed raising her arms more than 6" away from her body to maintain balance. The driver did not count as instructed counting in Mississippi's. The driver repeated 5 Mississippi twice and ended at 17 Mississippi. I ended the exercise when my stop watch reached 30 seconds.

Finger To Nose

I had the driver stand with her feet together and index fingers pointed straight out. I explained and demonstrated the exercise to the driver and she stated she understood. I instructed the driver to tilt her head back and close her eyes. On the second left the driver started to bring up her right finger then switch to her left. On the second right the driver brought the tip of her right finger to her right nostril then to the tip of her nose. I observed the driver swaying from front to back.

Romberg Balance

The driver stated her highest level of education was a college graduate with 2 BS degrees. The driver stated she did know the alphabet and could recite the alphabet from A to Z. I had the driver stand with her eyes closed and head tilted back. When told to begin the driver recited the alphabet correctly from A to Z. The driver was observed swaying from front to back.

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Breath Results from Instrument

1st Result 0.118 **2nd Result** 0.126 **3rd Result** (If Applicable)

State of Florida

County of Palm Beach

The Following Instrument was notorized or sworn before me this 11/4/18 (DATE)

■ Personaly Known ☐ Produced Identification ☐ Notary Public

Nancy M. Schafer

NANCY M. SCHAFER
MY COMMISSION # GG 183377
EXPIRES: March 12, 2022
Bonded Thru Notary Public Underwriters

Notary / Clerk of Courts / Officer (F

Signature of Arresting Officer

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: 80-006240 Software: 8100.27
Date of Test: 11/04/2018

Date of Last Agency Inspection: 10/19/2018
Observation Period Began: 15:16
Subject's Name: JESSICA L MANN DOB: 08/31/1994 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	15:40
Air Blank	0.000	15:41
Control Test	0.081	15:41
Air Blank	0.000	15:41
Subject Sample #1	0.118	15:42
Air Blank	0.000	15:43
Air Blank	0.000	15:45
Subject Sample #2	0.126	15:45
Air Blank	0.000	15:46
Control Test	0.081	15:46
Air Blank	0.000	15:47
Diagnostics Check	OK	15:47

.08

Cylinder Lot: 05218080A3
Exp: 05/05/2020

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 NANCY M SCHAFER, 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: Nancy M. Schafer Date: 11/4/18
Signature

Sworn to (or affirmed) before me this 4th day of Nov., 2018

Signature of Notary Public-State of Florida

Ofc. A. Dillard
Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

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

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TESTING FACILITY TASK REPORT

AGENCY: West Palm Beach Police Dept.

SUBJECT: Mann, Jessica

CASE NUMBER: 18-140934

DATE: 11/04/2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 15:36

ENDING TIME: 15:49

BREATH TESTS RESULTS: 1) .118 TIME 15:42 A.M.☐ P.M.☒ 2) .126 TIME 15:45 A.M.☐ P.M.☒

3) ---- TIME ---- A.M.☐ P.M.☒ 4) ---- TIME ---- A.M.☐ P.M.☒

BREATH OPERATOR: N. Schafer, #2644

MAINTENANCE TECHNICAN: J. Karlecke, #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: Emotional, crying

CLOTHING: Green s/s shirt, black leggings, dark gray shoes

MEDICAL CONDITIONS: Anxiety and depression

MEDICATIONS: Xoloft, Birth control, and Retin-A (for acne)

OTHER:

Eyes red and bloodshot. Odor of unknown alcoholic beverage from subject.

COMMENTS:

Arresting Officer observed subject for 20 minutes, beginning at 1516 hours.

Subject agreed to breath test and provided 2 samples, as instructed: .118/.126
I explained results and A/O proceeded with Constitutional Warnings. Subject nodded that she understood.

A/O proceeded with Q & A and subject requested to speak to her lawyer, no Q & A.

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SUBJECT: Mina, J[illegible] CASE NUMBER: 2018-00015334

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) _____

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

1. You have the right to remain silent and not answer any questions. ✓
2. Any statement must be freely and voluntarily given. ✓
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning. ✓
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning. ✓
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. ✓
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will. ✓
7. Any statement can and will be used against you in a court of law. ✓

SUSPECT'S SIGNATURE: (X) [signature]

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SUBJECT: Mann, Jessica CASE NUMBER: 2018-CO18334

QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OF, ALL OF, OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? _____

WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START? _____

WHAT TIME DID YOU START? _____ WHAT TIME IS IT NOW? _____

WHAT IS TODAY'S DATE? _____ WHAT DAY OF THE WEEK IS IT? _____

WHAT COUNTY AND CITY ARE YOU IN NOW? _____

WHEN DID YOU LAST EAT? _____ WHAT DID YOU EAT? _____

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? _____

HOW MUCH DO YOU WEIGH? _____ HAVE YOU BEEN DRINKING? _____ WHAT? _____

HOW MUCH? _____ WHERE? _____ WITH WHOM? _____

WHEN DID YOU HAVE YOUR FIRST DRINK? _____ AND YOUR LAST DRINK? _____

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? _____

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? _____ ARE YOU UNDER THE INFLUENCE? _____

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? _____ HOW MUCH? _____

WHAT? _____ WHERE? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU IN? _____ WHEN DID YOU LAST WORK? _____

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? _____ WHAT? _____

ARE YOU SICK OR INJURED? _____ WHAT'S WRONG? _____

DO YOU LIMP? _____ DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? _____

WERE YOU IN AN ACCIDENT TODAY? _____

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? _____ WHEN? _____

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? _____ WHO? _____ WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? _____ WHAT? _____ WHEN? _____

DO YOU HAVE:
- EPILEPSY? _____
- GLASS EYE? _____
- FALSE TEETH? _____
- EAR INFECTION? _____
- INNER EAR TROUBLE? _____
- DIABETES? _____

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? _____

DO YOU TAKE INSULIN? _____ IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? _____ WHERE? _____

INTERVIEWER: Inv. D. Dillard

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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:	

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REVIEW COMPLETED BY

Booking Number: 2018036936	**Date:** 11/05/2018
	Specialist Name/ID: AM/31562