

1 OF 1

PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

A D M I N I S T R A T I V E	OBT Number		Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2016-013468		
	Charge Type: Check as many as apply.		<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes:				
D E F E N D A N T	Name (Last, First, Middle) PORRAS RAMOS, JESSICA MARIE						Race W	Sex F	Date of Birth 02/03/1987
	Charge Description 316.193(1) DUI		Charge Description						
V I C T I M	Victim's Name (Last, First, Middle) State Of Florida						Race	Sex	Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (Zip)						Phone	Address Source	
P R O B A B L E	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.</p> <p>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>15</u> day of <u>September</u>, <u>2016</u> at <u>00:20</u> (Specifically include facts constituting cause for arrest.)</p>								
C A U S E	<p>On 9/14/2016, officers were blocking traffic at the intersection of North Federal Highway and NE 40th Street, Boca Raton, Florida reference a THI investigation (2016-013465). Officer Galazka was blocking the southbound lanes of North Federal Highway. He was utilizing his marked patrol vehicle with traffic cones. The vehicle had it's emergency lights activated.</p>								
	<p>At 2341 hours, a vehicle being driven by Jessica Porras Ramos was southbound on North Federal Highway. The vehicle did not follow the traffic pattern that was established. Her vehicle struck Officer Galazka's vehicle causing damage to both. See his report for further.</p>								
S T A T E M E N T	<p>I was stopped in the northbound lanes of North Federal Highway, just south of NE 40th Street. After hearing the loud impact and seeing Officer Galazka's vehicle move to the south, I drove over to his location. I observed Jessica Porras Ramos in the driver's seat of her vehicle. I turned off the engine as she was being unresponsive. She had a dazed look upon her face. At first she was not answering our questions. BRFD was requested to the scene.</p>								
	<p>CSO Lintzeris completed the traffic crash report. CST McDonald took digital photographs of the scene and vehicles.</p>								
A D M I N I S T R A T I V E	<p>Porras Ramos was not complaining of any injury. BRFD cleared the scene. She stated she was coming from Senor Burrito in Delray Beach where she had 4 drinks. She later changed that to 2 drinks and then to 3 margaritas. She has no medical conditions and takes no medications.</p>								
	<p>I could smell a strong odor of an alcoholic beverage coming from her breath. Her eyes were red and glassy. Her speech was slurred. She began to cry and get emotional.</p>								
A D M I N I S T R A T I V E	<p>SWORN AND SUBSCRIBED BEFORE ME</p> <p>IMMLER, DOUGLAS J NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10) <u>09/15/2016</u> DATE</p>								
	<p>JESONEK, ROBERT S (531) NAME OF OFFICER (PLEASE PRINT) <u>09/15/2016</u> DATE</p>								

SCANNED
PAGE
SEP 15 2016 2

COURT

STATE ATTORNEY

CENTRAL RECORDS

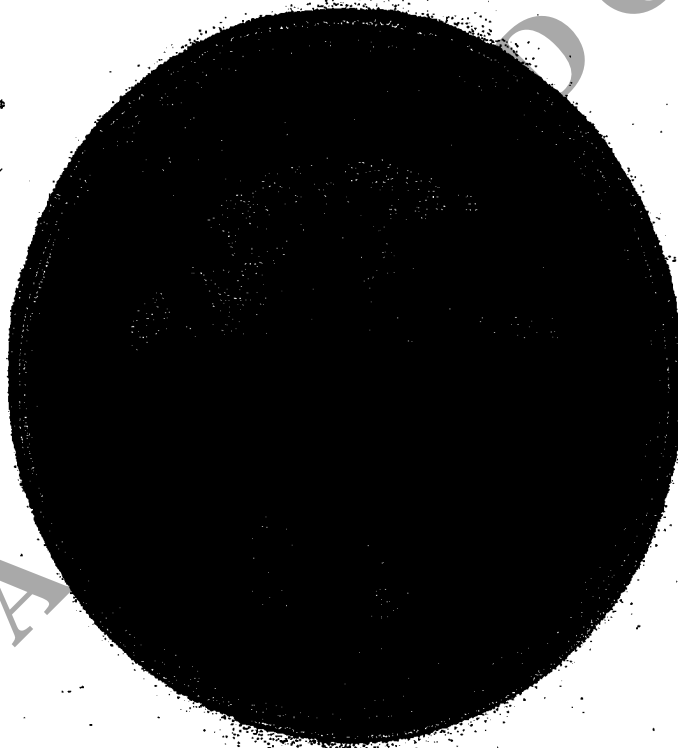
JAIL

CRIME ANALYSIS

P. I. O.

OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	JUVENILE		
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Name (Last, First, Middle) PORRAS RAMOS, JESSICA MARIE					Race W	Sex F	Date of Birth 02/03/1987		
<p>I set up my in car camera in an adjacent parking lot. I asked her to walk to the front of my vehicle. She was swaying while walking.</p> <p>I read her The Miranda warnings. She stated she hit the other vehicle, because she blacked out after arguing with her husband on the phone. I explained my crash investigation was complete. I asked her if she would attempt the road side tasks. She stated she would.</p> <p>The first task was the horizontal gaze nystagmus. She was swaying while standing. There was a lack of smooth pursuit in each eye. Distinct and sustained nystagmus at maximum deviation in each eye. Onset of nystagmus prior to 45 degrees in each eye.</p> <p>The second task was the walk and turn. She left the starting position. She started walking on the wrong foot. She did not touch heel to toe on any step. She was not counting out loud.</p> <p>The third task was the one leg stand. She raised her right leg. Her foot was not 6" from the ground. She kept dropping her foot to the ground. She was using her arms. She was swaying. She started to bounce and hop so the task was stopped, so she would not fall.</p> <p>When I attempted to conduct the finger to nose, she stated she wanted to stop.</p> <p>On 9/15/2016 at 0020 hours, I placed her under arrest. She began to tense her arms and pull away. She had to be carried to be placed inside my vehicle. I transported her to The BRPD.</p> <p>Officer Crawford conducted The Intoxilyzer 8000 testing. I asked her if she would provide a breath sample. She did not answer, so I read her Implied Consent. She then stated she would provide a breath sample. She provided the breath samples of VNM, VNM, .234%, and .244% BrAC.</p> <p>She was charged with DUI FSS 316.193(1). She was given the court date of 10/17/2016 at 8:30am. The video was submitted into property. After processing she was transported to The PBCJ.</p>									
<table border="0" style="width:100%;"> <tr> <td style="width:50%; vertical-align: top;"> SWORN AND SUBSCRIBED BEFORE ME <div style="border-bottom: 1px solid black; display: inline-block; width: 80%;">IMMLER, DOUGLAS J</div> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.40) <div style="border-bottom: 1px solid black; display: inline-block; width: 80%;">09/15/2016</div> DATE </td> <td style="width:50%; vertical-align: top;"> <div style="text-align: right;"> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER JESIONEK, ROBERT S (531) NAME OF OFFICER (PLEASE PRINT) <div style="border-bottom: 1px solid black; display: inline-block; width: 80%;">09/15/2016</div> DATE </div> </td> </tr> </table>								SWORN AND SUBSCRIBED BEFORE ME <div style="border-bottom: 1px solid black; display: inline-block; width: 80%;">IMMLER, DOUGLAS J</div> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.40) <div style="border-bottom: 1px solid black; display: inline-block; width: 80%;">09/15/2016</div> DATE	<div style="text-align: right;"> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER JESIONEK, ROBERT S (531) NAME OF OFFICER (PLEASE PRINT) <div style="border-bottom: 1px solid black; display: inline-block; width: 80%;">09/15/2016</div> DATE </div>
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D. U. I. INFLUENCE REPORT



**Boca Raton Police Services Department
100 Northwest Second Avenue
Boca Raton, Florida 33432**

SCANNED
SEP 15 2016

WITNESS LIST

ARRESTING OFFICER: Tesionck

Name: Off. Crawford Phone # Home - Work -

Address: -

Can testify to: Breath test

Name: Off. Galazka Phone # Home - Work -

Address: -

Can testify to: see report

Name: Off. Murphy Phone # Home - Work -

Address: -

Can testify to: see report

Name: - Phone # Home - Work -

Address: -

Can testify to: -

Name: - Phone # Home - Work -

Address: -

Can testify to: -

Name: - Phone # Home - Work -

Address: -

Can testify to: -

Name: - Phone # Home - Work -

Address: -

Can testify to: -

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SEP 15 2016

BOCA RATON POLICE DEPARTMENT

Agency Case# 2016-13468

PART II D.U.I. REPORT
To be filled out at testing facility

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is: Thursday, September, 15, 2016
(day) (month) (date) (year)

B. The time is now approximately 12:55 AM/PM

C. The following is in reference to case number 2016-13468

D. Present at this time is Officer Cantal/Jesionek of the Boca Raton Police
Department. (Officer's Name)

E. Officer Jesionek, Have you arrested Jessica Porras Ramos
(Defendant's name)

In violation of Florida State Statute 316.193?

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida?

G. Mr./Mrs./Ms. Porras Ramos, I am required to
Inform you these proceedings are being video taped.

Operator Note: Video tape breath request, breath sample, and interview

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SEP 15 2016

BOCA RATON POLICE DEPARTMENT

Agency Case # 16-13468

H. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

1. A I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.
- B. I am now requesting that you submit to a lawful test of your **URINE** for the purpose of determining its alcohol content.
- C. I am now requesting that you submit to a lawful test of your **BLOOD** for the purpose of determining its alcohol content and the presence of chemical or toxic substances.

IMPLIED CONSENT WARNINGS

Note: Read only if the subject does not comply with your request.

2. I am Off R. Jesmanich of the SRPD

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 signature: Videotaped

ALSO READ FOR CDL HOLDERS

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr/Mrs/Ms. _____ has refused to submit to a breath test.

The date is _____ (Month) _____ (Day) _____ (Year) and the time _____ AM/PM

A refusal form will be completed by the arresting officer.

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SEP 15 2016

BOCA RATON POLICE DEPARTMENT
TESTING FACILITY TASK REPORT

SUBJECT: Porras Ramos, Jessica

CASE #: 16-13468

DATE: 9/15/16

BREATH TESTS RESULTS:

- 1) TIME VNM / 1110 AM/PM 2) TIME VNM / 1116 AM/PM
3) TIME .234 / 1123 AM/PM 4) TIME .244 / 1126 AM/PM

BREATH OPERATOR: Otc. Crawford

MAINTENANCE TECHNICIAN: Otc. Brock

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slightly slurred at times

ATTITUDE: Upset, screaming, yelling, crying, combative

CLOTHING: black dress (one piece)

MEDICAL CONDITIONS: none

OTHER: _____

COMMENTS: I can smell a strong odor of an alcoholic beverage emanating from Porras Ramos breath.

Her eyes were also glassy + extremely blood shot.

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SEP 15 2016

BOCA RATON POLICE DEPARTMENT

Agency Case # 16-13468

ADULT CONSTITUTIONAL WARNINGS
(Juvenile warning on reverse side)

"I am required to warn you before you make any statement that you have the following rights":

- 1) You have the right to remain silent and not answer any questions.
- 2) Any statement you make must be freely and voluntarily given.
- 3) You have the right to the presence of a lawyer and representation 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 statement 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 be and will be used against you in a court of law.

DO YOU UNDERSTAND THESE RIGHTS AS I HAVE READ THEM TO YOU AND DO YOU WISH TO SPEAK TO ME?

(X) _____

Video

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? _____

Where were you going? _____

What street or highway were you on? _____

Direction of travel? _____

Where did you start driving from? _____

What City (County) were you stopped in? _____

What time did you start? _____ AM/PM What time is it now _____

What is today's date? _____ What day of the week is it? _____

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BOCA RATON POLICE DEPARTMENT

Agency Case # 16-13468

When did you last eat? _____ What did you eat? _____

What have you been doing the past three hours prior to this stop/accident? _____

How much do you weigh? _____ Have you been drinking? _____ What were you drinking? _____

How much? _____ Where? _____ With whom were you drinking? _____

When did you have your first drink? _____ AM/PM When did you stop drinking? _____ AM/PM

How did you consume your last two drinks? _____

Are you under the influence of alcohol now? Yes ☐ No ☐Can you feel the affects of alcohol? Yes ☐ No ☐Have you consumed alcohol since the accident? Yes ☐ No ☐Can you feel the affects of alcohol? Yes ☐ No ☐Have you consumed alcohol since the accident? Yes ☐ No ☐ How much? _____ What? _____

Where? _____

What line of work are you in? _____

When did you last work? _____

Do you have any physical defects or injuries? Yes ☐ No ☐ If yes, explain: _____Are you sick or injured? Yes ☐ No ☐ If yes explain: _____

Do you limp? _____ Did you get a bump on the head? _____

Were you involved in an accident today? _____

Have you taken any drugs or smoked marijuana today? _____

What? _____ When? _____

Have you seen a doctor or dentist today? _____ Who? _____

Are you taking any prescription medicines? Yes ☐ No ☐ What? _____ When? _____Do you have: Epilepsy? Yes ☐ No ☐
Glass Eye? Yes ☐ No ☐
False Teeth? Yes ☐ No ☐Inner ear trouble? Yes ☐ No ☐
Ear Infection? Yes ☐ No ☐
Diabetes? Yes ☐ No ☐

Any eye problems not correctable by glasses or contact lenses? _____

Do you take insulin? Yes ☐ No ☐ If yes, when was your last injection? _____

Have you ever had a driver's license in any other state? _____

I am now ending this videotaping. The time now is approximately 1:25 AM/PMSept 15 (day) 2016 (year).

SCANNED

SEP 15 2016