

0487084

MCA 6688

161

OBTS Number		ARREST / NOTICE TO APPEAR				1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1	Juvenile	N	
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.				Agency Report Number 34-17-021228					
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		If Weapon Seized Enter Type N/A		Multiple Clearance Indicator	
Location of Arrest (Including Name of Business) Ocean Drive @ N. Congress Avenue Boynton Bch FL 33436						Location of Offense (Business Name, Address) Ocean Drive @ N. Congress Avenue Boynton Bch FL					
Date of Arrest 04/15/2017		Time of Arrest 0219		Booking Date		Booking Time		Jail Date		Jail Time	
Name (Last, First, Middle) Persan, Jon Paul		Alias (Name, DOB, Soc. Sec. #, Etc) N/A									
W - White B - Black		I - American Indian O - Oriental / Asian	Race W	Sex M	Date of Birth 04/17/1972	Height 5'07"	Weight 235	Eye Color Brown	Hair Color Brown	Complexion Light	Build Heavy
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) None						Marital Status Single		Religion Unknown		Indication of: Alcohol Influence <input checked="" 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) (City) (State) (Zip) 810 SW 6th Avenue Boynton Beach FL 33436						Phone (954)801-4996		Residence Type 1. City 3. Florida 2. County 4. Out of State 1			
Permanent Address (Street, Apt. Number) (City) (State) (Zip) 810 SW 6th Avenue Boynton Beach FL 33436						Phone (954)801-4996		Address Source			
Business Address (Street, Apt. Number) (City) (State) (Zip) None						Phone () -		Occupation Vendor			
D/L Number, State P625-420-72-137-0 FL				Soc. Sec. Number [REDACTED]		INS Number N/A		Place of Birth Ft Lauderdale FL US		Citizenship USA	
Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor			
Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor			
<input type="checkbox"/> Parent Name (Last) (First) (Middle) <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 was 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's Office (Phone 561-355-2526) 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 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. Barbituate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other
Charge Description DUI		Counts 1(M)	Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number 316.193		Violation of ORD#				
Drug Activity N		Drug Type N	Amount/Unit 0.00 grams		Offense # 17-021228		Warrant/Capias Number		Bond		
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#				
Drug Activity		Drug Type	Amount/Unit		Offense #		Warrant/Capias Number		Bond		
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#				
Drug Activity		Drug Type	Amount/Unit		Offense #		Warrant/Capias Number		Bond		
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#				
Drug Activity		Drug Type	Amount/Unit		Offense #		Warrant/Capias Number		Bond		
<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court <input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.				Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444							
Court Date and Time Month May Day 15th Year 2017 Time 8:30 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.				I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.							
Signature of Defendant (or Juvenile and Parent/Custodian)				Signature of Arresting Officer Malley 949				Name Verification (Printed by Arrestee) (PRINT) Malley 949			
HOLD for other Agency Name:				Name of Arresting Officer (Print) Officer Malley #949				I.D. # 108743			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:				Intake Deputy PANN 8161				Pouch #			
Transporting Officer Malley 949				I.D. #				Agency BBPD			
Witness here is subject Signed with an "X" APR 17 2017				Page 1 OF 1							

APR 15 AM 8:53

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 15th DAY OF April 2017 AT 2:19 ☒ A.M. ☐ P.M.

CASE #: 17-021228

DEFENDANT: Jon-Paul Persan

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

in the state of Florida, County of Palm Beach, City of Boynton Beach, the defendant was found to have committed the following acts.

I, Officer Malley of the Boynton Beach Police Department, responded to the area of Ocean Drive and Congress Avenue in reference to a suspicious incident. Upon arrival, I observed a two vehicle crash in the intersection. The occupants of the gray Lincoln, Florida tag Y82KSY had already exited their vehicle. The occupant of the gray pickup truck, Florida tag 395WZG, later identified as Jon Paul Persan, W/M DOB 04/17/1972, was still in the driver's seat as I approached the vehicle. Officer Winland, who had also arrived on scene, attended to the occupants of the Lincoln. As I made contact with Persan in order to interview him about the crash, I detected the moderate to strong odor of an unknown alcoholic beverage emanating from his person. I also observed his eyes were watery and bloodshot, his face was flushed, and his speech was slurred. I had Persan exit the vehicle for his safety as it was in the roadway. As Persan exited the vehicle, he appeared unsteady on his feet and used the vehicle for balance. I had Persan move to the roadside pending the completion of my crash investigation. As Persan moved to the roadside, he struggled to maintain his balance.

Upon completion of my crash investigation, I made contact with Persan and I advised him I had concluded my crash investigation. I further advised him I was now initiating a DUI investigation based upon my observations. I asked Persan if he was diabetic or if he had suffered any recent head injuries and he advised no to both questions. I asked Persan if he had been consuming any alcoholic beverages this evening, and he stated, "Yeah I had a bunch". I asked Persan if he would agree to perform Standardized Field Sobriety Tasks in order to relieve my concerns about his ability to safely operate a motor vehicle. Persan declined. Based upon my investigation, I determined sufficient probable cause existed to charge Persan pursuant to F.S.S. 316.193 DUI. Because Persan had been involved in a crash, I took him to Bethesda Memorial Hospital where he was medically cleared. Upon arrival at the Palm Beach County Jail BAT facility, I conducted a 20 minute observation period during which Persan did not consume nor regurgitate any substances. Upon completion of the 20 minute observation period, Persan was provided the opportunity to provide a sample of his breath to determine the alcohol content. Persan refused. After being read Florida Implied Consent, Persan was given a second opportunity to provide a breath sample and he again declined. Upon completion of processing, Persan was turned over to the Palm Beach County Jail.

HORIZONTAL GAZE NYSTAGMUS:

- ☐ Left eye does not follow smoothly
- ☐ Left eye prior to 45 degrees
- ☐ Distinct jerking in left eye at

- ☐ Right eye does not follow smoothly
- ☐ Right eye prior to 45 degrees
- ☐ Distinct jerking in right eye at

SUBJECT: PERSAN, Joe Dave CASE NUMBER: 17 021228

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? yes

WHERE WERE YOU GOING? Home

WHAT STREET OR HIGHWAY WERE YOU ON? Cooper St

DIRECTION OF TRAVEL? S WHERE DID YOU START? Palmdale

WHAT TIME DID YOU START? 11:00 AM WHAT TIME IS IT NOW? 1:00 PM

WHAT IS TODAY'S DATE? 10-14-11 WHAT DAY OF THE WEEK IS IT? Thursday

WHAT COUNTY AND CITY ARE YOU IN NOW? Palmdale City, CA

WHEN DID YOU LAST EAT? 12:00 PM WHAT DID YOU EAT? Hot Dog

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

HOW MUCH DO YOU WEIGH? 235 HAVE YOU BEEN DRINKING? No WHAT? NA

HOW MUCH? NA WHERE? NA WITH WHOM? NA

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

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? NA

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

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

WHAT? NA WHERE? NA WHEN? NA

WHAT LINE OF WORK ARE YOU IN? Vending WHEN DID YOU LAST WORK? 9:30 PM

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NA WHAT? Right Shoulder

ARE YOU SICK OR INJURED? No WHAT'S WRONG? NA

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE YOU IN AN ACCIDENT TODAY? Yes

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? No WHEN? NA

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? No WHO? NA WHY? NA

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? NA WHEN? NA

DO YOU HAVE:

EPILEPSY?	<u>No</u>
GLASS EYE?	<u>No</u>
FALSE TEETH?	<u>No</u>
EAR INFECTION?	<u>No</u>
INNER EAR TROUBLE?	<u>No</u>
DIABETES?	<u>No</u>

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? NA

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE? NA

INTERVIEWER: Molley 949

SUBJECT: Person, John Paul CASE NUMBER: 17021228

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) Person, John Paul

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) Person, John Paul

TESTING FACILITY TASK REPORT

AGENCY: 197th
SUBJECT: James Jordan CASE NUMBER: 17-001825
DATE: 09/18/10 VIDEO TAPE NUMBER: 02440
BEGINNING TIME: 0910 ENDING TIME: 0924
BREATH TESTS RESULTS: 1) R TIME 0915 A.M./P.M. 2) nk TIME — A.M./P.M.
3) nk TIME — A.M./P.M. 4) nk TIME — A.M./P.M.

BREATH OPERATOR: C. [unclear]
MAINTENANCE TECHNICIAN: [unclear]

TESTING OFFICER'S OBSERVATIONS

SPEECH: [unclear]
ATTITUDE: [unclear]
CLOTHING: [unclear]
MEDICAL CONDITIONS: [unclear]

MEDICATIONS: [unclear]

OTHER: EYES GLAZED, NO RESPONSE TO STIMULI, ROLLED
EYES TO LEFT

COMMENTS: ARRIVED AT 0910. ALI PLACED IN 20 MINUTE
OBSERVATION ROOM. OBS. 1825.

A STATED THAT HE WOULD NOT TAKE TEST

ALI REFUSED

A STATED HE UNDERSTOOD THE ALI REFUSED TEST

ALI WAS RELEASED

A STATED HE WAS RELEASED RELEASED

ALI WOULD NOT TAKE TEST

A STATED HE WAS RELEASED

REFUSED

REFUSED

CASE #: 17-021228

DEFENDANT: Jon Paul Persan

Arresting Officer: Officer C. Malley #949

Address: 100 E. Boynton Beach Boulevard Boynton Beach, FL 33435

Phone Numbers: Home: _____ Work: (561) 742-6100

Name: Officer N. Winland #839

Address: 100 E. Boynton Beach Boulevard Boynton Beach FL 33435

Phone Numbers: Home: _____ Work: 561-742-6100

Can testify to: Initial observations

Name: Breath Tech Parent #7909

Address: 3228 Gun Club Road West Palm Beach, FL 33406

Phone Numbers: Home: _____ Work: 561-688-3000

Can testify to: BAT

Name: Yoleisi Cantillo Napoles

Address: 2013 N East Coast St Lake Worth FL 33460

Phone Numbers: Home: 561-260-6561 Work: _____

Can testify to: behind the wheel

Name: Zaidee Acosta Padrone

Address: 1710 18th Avenue North Lake Worth FL 33460

Phone Numbers: Home: 561-260-6561 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: _____