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1477

ARREST / NOTICE TO APPEAR  
Juvenile Referral Report

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

OBTS Number		Agency ORI Number <b>FL 0500300</b>		Agency Name <b>BOYNTON BEACH POLICE DEPT.</b>		Agency Report Number <b>34-18-009691</b>	
Charge Type: Check as many as Apply.		1. Felony <input checked="" 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 <input type="checkbox"/>	
Location of Arrest (Including Name of Business) <b>1000 N. Congress Ave, Boynton Beach, FL, 33426</b>				Location of Offense (Business Name, Address) <b>1000 N. Congress Ave, Boynton Beach, FL, 33426</b>			
Date of Arrest <b>02/16/2018</b>		Time of Arrest <b>1424</b>		Booking Date		Booking Time	
Name (Last, First, Middle) <b>Heinz, Kimberly, Dawn</b>		Alias (Name, DOB, Soc. Sec. #, Etc)					
W - White B - Black		I - American Indian O - Oriental / Asian		Race <b>W</b>		Sex <b>F</b>	
Date of Birth <b>06/13/1974</b>		Height <b>509</b>		Weight <b>150</b>		Eye Color <b>Blonde</b>	
Hair Color <b>Brown</b>		Complexion <b>light</b>		Build <b>S</b>		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)	
Local Address (Street, Apt. Number) <b>4134 Alpinia CT N</b>		(City) <b>Boynton Beach</b>		(State) <b>FL</b>		(Zip) <b>33436</b>	
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)	
Business Address (Street, Apt. Number)		(City)		(State)		(Zip)	
D/L Number, State <b>H520-504-74-713-0/FL</b>		Soc. Sec. Number		INS Number		Place of Birth <b>Fl. Lauderdale</b>	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
Parent Name (Last) (First) (Middle)		Residence Phone		Business Phone		Notified by: (Name) Date Time	
Address (Street, Apt. Number) (City) (State) (Zip)		Relationship		Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/DYS 3. Incarcerated		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:		School Attended		Grade			
Property Crime? Yes <input type="checkbox"/> No <input type="checkbox"/>		Description of Property		Value of Property			
Drug Activity		S. Sell N. N/A P. Possess		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 <b>Possession of Controlled Substance (Alprazolam)</b>	
Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number <b>893.13(6)(a)</b>		Violation of ORD#	
Drug Activity		Drug Type		Amount/Unit <b>38.5/units</b>		Offense # <b>18-009691</b>	
Charge Description <b>Driving Under the Influence</b>		Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number <b>316.193(1)</b>	
Drug Activity		Drug Type		Amount/Unit		Offense # <b>18-009691</b>	
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address) <b>South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444</b>					
Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Court Date and Time Month Day Year Time					
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 FULLY 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)					
HOLD for other Agency Name:		Signature of Arresting Officer		Name Verification (Printed by Arrestee)		Date Signed <b>FEB 17 2018</b>	
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) <b>J. Dominguez</b>		I.D. # <b>993</b>	
Intake Deputy <b>DIS. C. GILYARD #7392</b>		Transcription Officer <b>Halpern</b>		I.D. # <b>990</b>		Agency <b>BBDP</b>	
Witness here is subject Signed with an "X".		BU# <b>CIRCUIT &amp; COUNTY COURTS (CRIMINAL DIV.)</b>		Page <b>1 OF 1</b>		SCANNED FEB 17 2018 FEB 16 PM 9:34	

**D.U.I. PROBABLE CAUSE AFFIDAVIT**

ON THE 16th DAY OF February 2018 AT 1315  A.M  P.M.

CASE #: 18-009691 DEFENDANT: Heinz, Kimberly, Dawn

**PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:**

On the above date and time, I was driving south in the area of 1000 N. Congress Ave (Boynton Beach, FL, Palm Beach County). As I drove I witnessed a red Mazda four door (FL Tag IFVT71), with front end damage, directly behind a white Toyota pickup in the north bound lane at 1000 N. Congress Ave. I made contact with the driver of the red Mazada, Kimberly Heinz, who was the sole occupant of the vehicle and sitting in the driver seat with the vehicle on. I also made contact with the driver of the Toyota pickup truck, Lawrence Coffindagger. I spoke to both drivers and determined a traffic accident occurred and conducted a traffic accident investigation (HSMV #81533837). After providing Lawrence with information for the accident report (Driver Exchange and HSMV #), Coggindagger was released from the scene.

I made contact with Heinz and also provided her with the information for the accident report. It should be noted that while speaking to Heinz I observed her to have slurred speech, red glossy eyes and trouble standing and walking. I advised Heinz I have completed the crash investigation and now would be conducting a DUI investigation. I advised Heinz on my observation of her and read her Miranda Rights from my department issued Miranda Card. Heinz stated she understood her rights and was willing to speak to me. I asked Heinz if she was under the influence of any controlled substance or alcohol. Heinz advised me she had not been drinking but does take several prescription drugs.

Based on my investigation at this point I requested Heinz to submit to a series of Field Sobriety Task, which she agreed to. Prior to continuing the investigation I asked Heinz if she had any injuries/ disabilities that I should be aware of, which she stated she broke her right leg six years ago but was okay now.

Let it be noted that during the pen exercise Heinz would sway side to side and failed to keep her head still at times. See the following:

**HORIZONTAL GAZE NYSTAGMUS:**

- |  |   |
|--|---|
| <input type="checkbox"/> Left eye does not follow smoothly                 | <input type="checkbox"/> Right eye does not follow smoothly                 |
| <input type="checkbox"/> Left eye prior to 45 degrees                      | <input type="checkbox"/> Right eye prior to 45 degrees                      |
| <input type="checkbox"/> Distinct jerking in left eye at maximum deviation | <input type="checkbox"/> Distinct jerking in right eye at maximum deviation |
| <input type="checkbox"/> Vertical Nystagmus in left eye                    | <input type="checkbox"/> Vertical Nystagmus in right eye                    |

**WALK AND TURN:**

The Task was explained and demonstrated to Heinz, which she stated that she understood. During the Instructional Stage, Heinz swayed side to side and stepped out of position. Heinz began the exercise, took 10

steps and stepped off the line on step 7. Heinz then made an improper turn, stepped off the line completely and walked back taking 11 steps.

**ONE LEG STAND:**

The Task was explained and demonstrated to Heinz, which she stated she understood. During the Instructional Stage, Heinz swayed side to side and stepped out of position. During the Balance Stage, Heinz dropped her foot prior to the 30 seconds had elapsed two different times. Heinz also miscounted, repeating several numbers over again.

**FINGER TO NOSE:**

The Task was explained and demonstrated to Heinz, which she stated that she understood. During the Instructional Stage, Heinz swayed side to side. During the Exercise Stage, Heinz missed the tip of her nose twice during the exercise. Heinz also lifted her left hand when she was instructed to lift her right on the last command for right and lifted her right hand when instructed to lift her left hand on the last command to lift her left.

**ROMBERG/ALPHABET:**

The Task was explained and demonstrated to Heinz, which she stated that she understood. It should be noted that Heinz was explained the modified Romberg Time Estimation Exercise in which she was to estimate 30 seconds in her head and advised me when she was finished. During the Exercise Stage, Heinz swayed during the task and advised me she was done at 14 seconds on my watch.

Based on the above facts, Heinz was placed into custody under suspicion of DUI, which she stated she understood. It should be noted Heinz was carrying a black purse with her at the time of the investigation and was placed to the side during my investigation. I advised Heinz that her person and purse would be search prior to her or the purse entering my patrol vehicle or the Palm Beach County Jail. I then conducted a search of her purse and located an orange prescription bottle which was labeled with her name. The bottle was also label for Escitalopram 20mg. I open the bottle and observed the bottle to have 15 white round pills and another 38 and a half white rectangular pills. After searching the pills on Drugs.com (pill identifier) I determined the 15 white round pills were in fact Escitalopram. The other 38 and half rectangular pills were determined to be Alprazolam, a controlled substance in which she did not have a prescription for at that time. Heinz advised me she was allowed to have the pills but stated she did not have the prescription with her.

I then transported Heinz to the Palm Beach County Jail BAT Facility to continue my investigation. I arrived at PBSO BAT at 1506 hours, started my 20 minute observation at 1510 hours and completed the at 1530 hours. Heinz provided a breath sample 0.000/0.000. Heinz was then requested to provide a urine sample based on my suspicion that Heinz being under the influence of a controlled substance. Heinz provided a Urine sample to Unit Manager Nance Schafer. The urine sample was later placed into evidence and sent out to PBSO Lab for testing.

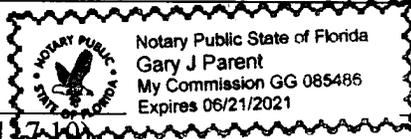
I read Heinz her Miranda Warning, which she stated she understood. I then asked Heinz if she was willing to answer the Q&A's from this packet, in which she stated she would (See Q&A packet).

Based on the above facts, I found probable cause to arrest Heinz for Possession of a Controlled Substance (Alprazolam) pursuant to Florida State Statue 893.13(6)(a) and Driving Under the Influence pursuant to Florida State Statue 316.193(1). Investigator Schneider arrived at the PBSO BAT to conduct DRE testing.

The vehicle was towed by Beck's Towing. A copy of the of the SFST video were later entered into the Boynton Beach Police Evidence Department.

The following instrument was sworn to before me this 18 day of November 2017

By: Ofc. Dominguez (993)



~~Notary/Police Officer (F.S.S. 117.10)~~

  
Signature of Arresting Officer

NOT A CERTIFIED COPY

SCANNED  
FEB 17 2018

CASE #: 18-009691

DEFENDANT: Heinz, Kimberly, Dawn

Arresting Officer: Dominguez

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

Phone Numbers: Home: 5617426100 Work: (561) 742-6100

Name: Ofc. Solomon

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

Phone Numbers: Home: \_\_\_\_\_ Work: 561-742-6100

Can testify to: FSE

Name: Nance Schafer

Address: PBSO BAT

Phone Numbers: Home: \_\_\_\_\_ Work: 561-688-4469

Can testify to: Collection of Urine sample.

Name: Investigator Schneider (ID 850)

Address: Palm Beach County Sheriffs Office

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: Drug recongintion expert testing.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

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Can testify to: \_\_\_\_\_

SCANNED

FEB 17 2018