

0274716

293

ARREST / NOTICE TO APPEAR

AD M I N I S T R A T I O N	OBTS Number	Agency ORI Number 0500800		Agency Name West Palm Beach Police Department		Agency Report Number (N.T.A.'s only) 9 4 2017-0008284		1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 1		JUVENILE		
D E F E N D A N T	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: NOT APPLICABLE		Multiple Clearance Indicator	
	Location of Arrest (Including Name of Business) 800-BLK BUNKER RD WPB, FL 33405						Location of Offense (Business Name, Address) 899 BUNKER RD/PARKER AVE, WEST PALM BEACH, FL					
	Date of Arrest 04/30/2017		Time of Arrest 01:32		Booking Date 04/30/2017		Booking Time 01:42		Jail Date		Jail Time	Location of Vehicle
	Name (Last, First, Middle) WILLSEY, LAURA LEE											
C O D E D	Alias:											
	Race W - White B - Black O - Oriental/Asian	Sex M F	Date of Birth 01/31/1968	Height 5'05	Weight 140	Eye Color BROWN	Hair Color BLOND OR	Complexion LIGHT	Build Medium	Indication of: Alcohol Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/> Drug Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>		
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)						Marital Status U	Religion UNKNOWN	Residence Type: 1. City 2. County 3. Florida 4. Out of State 1			
	Local Address (Street, Apt. Number) (City) (State) (Zip) 412 PILGRIM RD, WEST PALM BEACH, FL 33405						Phone (561) 478-4455		Address Source VERBAL			
J U V E N I L E	Permanent Address (Street, Apt. Number) (City) (State) (Zip) 412 PILGRIM RD, WEST PALM BEACH, FL 33405						Phone (561) 478-4455		Occupation Fabricator			
	Business Address (Name, Street) (City) (State) (Zip) (561) 543-9437						Phone (561) 543-9437		Citizenship US			
	D/L Number, State W420532685311 / FL		Soc. Sec. Number [REDACTED]		INS Number		Place of Birth (City, State) MILFORD, MA, United		Citizenship US			
	Co-Defendant Name (Last, First, Middle)											
C O D E D	Co-Defendant Name (Last, First, Middle)											
	Name (Last, First, Middle)											
	Residence Phone											
	Business Phone											
C O D E D	Notified by: (Name) Date Time											
	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 355-2526) informed of any change of address.											
	Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Description of Property Value of Property											
C O D E D	Drug Activity S. Sell R. Smuggle K. Disperse/ M. Manufacture/ Z. Other N. N/A B. Buy D. Deliver Produce/ Cultivate P. Possess T. Traffic E. Use											
	Drug Type N. N/A B. Barbiturate H. Hallucinogen P. Paraphernalia/ U. Unknown A. Amphetamine C. Cocaine M. Marijuana O. Opium/deriv. Equipment Z. Other S. Synthetic											
	Charge Description DRIVING WHILE UNDER INFLUENCE											
	Statute Violation Number 316.193(1)											
C H A R G E	Drug Activity Drug Type Amount / Unit Offense # Counts Domestic Violence Warrant / Capias Number											
	Bond											
	Charge Description											
	Statute Violation Number											
C H A R G E	Drug Activity Drug Type Amount / Unit Offense # Counts Domestic Violence Warrant / Capias Number											
	Bond											
	Charge Description											
	Statute Violation Number											
C H A R G E	Drug Activity Drug Type Amount / Unit Offense # Counts Domestic Violence Warrant / Capias Number											
	Bond											
	Charge Description											
	Statute Violation Number											
I N T A K E	Health / Apparent Physical Condition of Defendant											
	Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries											
	Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail											
	PROPERTY - Received By Released By Released To											
N O T I C E	Transported By Date Transported Time Transported Other											
	INSTRUCTION NO. 1 - Mandatory appearance in court											
	INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.											
	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.											
A D M I N	Signature of Defendant (or Juvenile and Parent Custodian)											
	Date Signed											
	HOLD for Other Agency											
	Signature of Arresting Officer											
A D M I N	Name Verification (Printed by Arrestee)											
	(PRINT)											
	Name (Arresting Officer/Print) I.D. #											
	ANNESE, MORRIS J. 01418											
A D M I N	Intake Deputy I.D. #											
	Pouch #											
	Transporting Officer I.D. # Agency											
	ANNESE 1418 WPBPD											
Witness here if subject is												

☐ COURT ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P.T.O. ☐ DEFENDANT

APR 30 AM 4:26

DUI PROBABLE CAUSE AFFIDAVIT

On the 30th Day of April 2017 at 0132 A.M. P.M.

Subject: Willsey, Laura Lee Case Number: 17-8284

Agency: West Palm Beach Police Department Arresting Officer: Ofc Morris J Annese 1418

Personal Contact

Driving Pattern

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

Lt Herb was northbound on Parker Ave approaching Summit Blvd. He was driving a marked WPBPD police vehicle. He stated he had a green light as he approached the intersection. A white Ford van, FI 976QEH, was eastbound on Summit Blvd. The van went through the red light and made a right turn. The van was then southbound on Parker Ave in the northbound lane. Lt Herb stated he had to swerve out of the way to avoid the van. He did a U-Turn and got behind the van. He initiated a traffic stop in the 800-blk of Bunker Rd. The female driver of the van was the sole occupant and was later identified by her Florida drivers license.

Observation of Driver

Lt Herb stated the driver had glassy eyes and slurred speech.

I observed the driver had glassy eyes and slurred speech. When she exited the vehicle, she held onto the driver's door for balance. She swayed while walking and standing.

Drivers Statements:

Driver stated she was coming from her daughter's house and going home. She stated she had 4 beers and 2 shots of alcohol. She also kept asking if she could go home.

Odors:

Strong odor of unknown alcoholic beverages on her breath.

General Observations

Speech: Slurred

Attitude: cooperative at times

Clothing: blue jeans, white shirt, no shoes.

Medical Problems/Medications: none

Other: The driver complained about the wind and that it was affecting her performing the exercises. The driver was told that the exercises were voluntary, but if she refused to do them, it could be used against her in court.

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DUI PROBABLE CAUSE AFFIDAVIT

Subject: Willsey, Laura Lee Case Number: 17-8284

Roadside Tasks

Horizontal Gaze Nystagmus

- | | |
|--|---|
| <input checked="" type="checkbox"/> Left Eye Does Not Follow Smoothly | <input checked="" type="checkbox"/> Right Eye Does Not Follow Smoothly |
| <input checked="" type="checkbox"/> Left Eye Jerks at 45 Degree Angle or Less | <input checked="" type="checkbox"/> Right Eye Jerks at 45 Degree Angle or Less |
| <input checked="" type="checkbox"/> Distinct Jerking Left Eye at Maximum Deviation | <input checked="" type="checkbox"/> Distinct Jerking Right Eye at Maximum Deviation |

The driver had difficulty putting her feet together and maintaining her balance. I asked her to touch the pen light with her index finger, she held her finger up in the air and had to be asked again to touch the pen light. Upon starting this task, I showed her how I wanted her to follow the light. The driver did not follow the pen light with her eyes at times. She had to be told to keep her head straight. The driver was observed swaying.

Walk and Turn Task

I instructed the driver to stand with her left foot on the line and put her right foot in front of it with her right heel touching her left toe. The driver started to walk down the line and had to be told to come back to the starting position. The driver was instructed to keep her hands down by her sides and was told to remain in that position until told to begin. The driver again began to walk down the line and had to be told to come back to the starting position. While explaining and demonstrating the exercises, the driver began to walk down the line 2 more times and had to be told to come back to the starting position. The driver could not maintain her balance and kept stepping off the line. I explained and demonstrated the exercise and he said he understood the instructions. On the first 9 steps, she took 1 step, stepped off the line and stopped. She did not want to continue with this exercise.

One Leg Stand

I had the driver stand with her feet together and hands down at her sides. I explained and demonstrated the exercise and she stated she understood the instructions. When told to begin, the driver stood there and did not lift her foot. When she did lift her left foot off the ground, she lifted her left foot and it was approximately 3 inches off the ground. She put her foot down 2 times and then switched and lifted her right foot. This foot was approximately 12 inches off the ground. She put this foot down 2 times. The drive was swaying and raised her arms more than 6 inches for balance. She also did not count.

Finger To Nose

I had the driver stand with her feet together, hands down at her sides and index fingers pointed out. I explained and demonstrated the exercise and she stated she understood the instructions. The driver could not put her feet together. I asked the driver to tilt her head back and close her eyes. On the first left, she did not bring her hand up and had to be told again which hand to bring up. She touched the bridge of the nose with the tip of her finger. On the first right, she missed the nose then touched the bridge of the nose with the tip of her finger. On the next left, she touched the bridge of the nose with the tip of her finger. On the next right, she touched the bridge of the nose with the pad of the finger. On the next right, she touched the bridge of the nose with the pad of the finger. On the next left, she she touched the bridge of the nose with the pad of the finger. She did not keep her head or keep her eyes closed. I observed the driver swaying. She had to be told after each one to bring her arm back down to her side.

Romberg Alphabet

Breath Results from Instrument

1st Result

Refused

2nd Result

Refused

3rd Result

If Applicable

State of Florida

County of Palm Beach

The Following Instrument was notarized or sworn before me this

☒ Personally Known

☐ Produced Identification

☐ Not

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MAY - 4 2017

Pierre Stienne #2072

Notary / Clerk of Courts / Officer (FSS: 117.10)

[Signature]
Signature of Arresting Officer

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 determining its alcohol content.

OR

I am now requesting that you submit to a lawful test of your ☐ **BLOOD** for the purpose of determining its alcohol content.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am Ofc Morris J Annese 1418 of the West Palm Beach Police Department. 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.

SUBJECTS SIGNATURE: _____ on video

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 can not 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.

SUBJECTS SIGNATURE: _____ asked for attorney

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West Palm Beach Police Department
Breath Testing Facility Report



Defendant: Willsey, Laura Lee Case #: 17-8284
Arresting Officer: Ofc Morris J Annese 1418 Date: 4/30/2017

Breath Test Results: Refused g/210L 0224 Time Refused g/210L 0224 Time
--- g/210L --- Time --- g/210L --- Time

Note: Times are in Military Time

Breath Operator: Ofc Morris J Annese 1418
Maintenance Technician Ofc. R. Secord #1639

Testing Officer Observations:

Speech: Slurred
Attitude: cooperative
Clothing: blue jeans, white shirt, no shoes
Medical Conditions: none
Medications: none
Other: _____

Arrival Time at Facility/ Time Twenty (20) Minute Observation Started: 0150 hours

Comments:

I observed the drive during the 20 minute observation period. The driver was asked to submit to a breath test and agreed at first and then refused. She was read Implied Consent and again refused to submit to the breath test. She had asked for an attorney during the roadside exercises so the Questions and Answers were not done.

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DEFENDANT: Willsey, Laura Lee

CASE NUMBER: 17-8284

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 OPERATION A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT: asked for attorney

WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START FROM? _____

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(3) HOURS? _____

HOW MUCH DO YOU WEIGHT? _____ 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 YOUR 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? _____ WHEN? _____

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 CORRECTABLE 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: _____

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MAY - 4 2017

West Palm Beach Police Department

600 Banyan Blvd
West Palm Beach, Florida 33401
(561)822-1900

Witness List:

Arresting Officer: Ofc Morris J Annese 1418 **Case Number:** 17-8284
Address: (West Palm Beach Police Department) 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: Cell: Work: (561)822-1900
Can Testify to: Roadside exercises and BAT

Witness Name: Ofc Ryan Secord 1639 **Case Number:** 17-8284
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: Cell: Work: 561-822-1869
Can Testify to: Agency Intox Inspector

Witness Name: Lt Joe Herb 1477 **Case Number:** 17-8284
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: Cell: Work: 561-822-1900
Can Testify to: traffic stop

Witness Name: Ofc Pierre Etienne 2072 **Case Number:** 17-8284
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: Cell: Work: 561-822-1900
Can Testify to: assisting officer

Witness Name: Ofc Kimberly Garcia 2035 **Case Number:** 17-8284
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number Home: Cell: Work: 561-822-1900
Can Testify to: assisting officer

Witness Name: **Case Number:** 17-8284
Address:
Phone Number Home: Cell: Work:
Can Testify to:

VI. Information or evidence to be supplied later:

Item(s):
Date will be furnished:
Why not supplied at filing:

Note: It is the responsibility of the officer filing the case to insure that the foregoing list is complete and correct

Ofc M J Annese 1418
Signature of the Filing Officer

4/30

Da

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MAY - 4 2017

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

I, Ofc Morris J Annese, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of West Palm Beach Police, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 30th day of April, 20 17, at 0132 ☐ P.M. ☒ A.M.

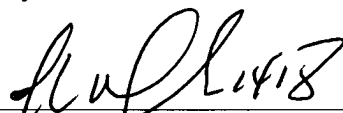
DRIVER Laura Lee Willsey
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# W-420-532-68-531-1, state of Florida, was placed under lawful arrest for
the offense of Driving Under the Influence by Ofc Morris J Annese and
(Name of Arresting Officer)
issued Citation # A56PATE.

That on or about the 30th day of April, 20 17, at 0224 ☐ 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:

 #2072
Signature of Attesting Officer

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this _____ day of _____, 20 _____,

by _____,

who is personally known to me or who has produced

_____ as identification

Notary Public _____

Title Police Officer

Date 4/30/17

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.