

SCANNED

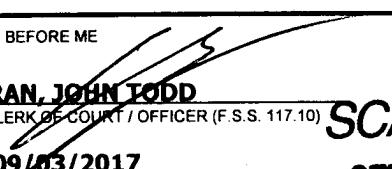
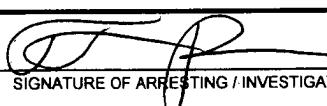
SEP 06 2017

## PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

OBTS Number		PROBABLE CAUSE AFFIDAVIT							
A D M I	Agency ORI Number <b>FL 0500200</b>	Agency Name <b>BOCA RATON POLICE DEPARTMENT</b>	Agency Report Number <b>3   2   2017-012335</b>						
N	Charge Type: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance Check as many as apply. <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other			Special Notes:					
D E F	Name (Last, First, Middle) <b>MARSHALL, MADELINE JANE</b>			Alias		Race <b>W</b>	Sex <b>F</b>		
C H A R G E S	Charge Description <b>316.193(1) DUI</b>		Charge Description						
V I C T I M	Charge Description		Charge Description						
Victim's Name (Last, First, Middle) <b>STATE OF FLORIDA,</b>					Race	Sex	Date of Birth		
Local Address (Street, Apt. Number) <b>100 NW 2ND AVE, BOCA RATON, FL 33432</b>		(City)	(State)	(Zip)	Phone <b>(561) -</b>	Address/Source			
Business Address (Name, Street)		(City)	(State)	(Zip)	Phone <b>(56) -</b>	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 _____  <input type="checkbox"/> confessed to _____ that he/she saw the arrested person commit the below acts.  <input type="checkbox"/> admitting to the below facts.      <input type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>3</u> day of <u>September</u>, <u>2017</u> at <u>05:25</u> (Specifically include facts constituting cause for arrest.)</p>									
<p>On 9/3/17 at 0442 hours at 400 N Ocean Blvd I observed a 2014 gold Chevrolet Malibu bearing FL tag HHZF10 on the side of the road facing northbound with its hazards lights activated. I initiated a consensual encounter with the driver/sole occupant of the vehicle, W/F Madeline Marshall. It should be noted that the key was in the ignition, the vehicle was on, and Marshall was in the driver's seat.</p> <p>Immediately when I made contact with Marshall I observed signs of impairment. I smelled the pungent odor of an alcoholic beverage emanating from Marshall's person, her speech was slurred, she displayed slow reactions when moving, and her eyes were glassy and red.</p> <p>Marshall advised that she was depressed due to a recent breakup with her child's father but did not want to harm herself or others. She advised that when she got off work at 2200 hours she went to the Red Rock bar in Coconut Creek and had two glasses of wine. She then told me that she was headed home from a friend's house in Boca Raton, but got lost near the beach in Boca Raton and was trying to find out how to get home which is why she pulled off to the side of the road. Marshall further advised that she was also at the Brickyard which is a restaurant in Boca Raton. She advised that she was there for 1 1/2 hours and was adamant that she only had two drinks throughout the entire night.</p> <p>I explained my observations to Marshall and asked if she would attempt the field sobriety exercises to dispel my concern that she was operating a vehicle impaired. Marshall agreed to attempt the exercises. I read the tasks from a preprinted card.</p> <p>The first task was the Walk and Turn. Once we established the starting point for the Walk and Turn, I asked Marshall if she had any problems which would prevent her from conducting the field sobriety tasks and she stated she did not. After I gave the instructions to Marshall, I asked if she understood and she advised that she did. She was unable to maintain the starting position during the instructional phase and her</p>									
ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME		 <b>MORAN, JOHN TODD</b> <small>NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</small>						
			 <small>SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</small> <b>RAFALKO, TRAVIS (779)</b> <small>NAME OF OFFICER (PLEASE PRINT)</small>						
			<b>SCANNED</b> <small>09/03/2017</small> <b>SEP 06 2017</b> <b>09/03/2017</b> <small>DATE</small> <small>DATE</small> <small>DATE</small>						
PAGE 1 OF 2									

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.

OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT			1. Arrest	3. Request for Warrant	1	JUVENILE
A	Agency ORI Number		Agency Name		2. N.T.A.	4. Request for Capias		
D	FL 0500200		BOCA RATON POLICE DEPARTMENT		Agency Report Number			
M					3	2	2017-012335	
I							Special Notes:	
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D	Name (Last, First, Middle)			Alias		Race	Sex	Date of Birth
E	MARSHALL, MADELINE JANE					W	F	03/22/1996

balance. She did not step heel to toe on step four and eight and then everyone after she turned. She used her arms to balance, she needed to be reminded to turn and take another nine steps, and during the task she made an improper turn.

The second task was the one leg stand. I gave the instructions and demonstrated the task. I asked Marshall if she had any questions and she advised she did not. Marshall failed to maintain the starting position. Marshall swayed on occasion. During the exercise she put her foot down and then restarted the exercise.

The third task was the Romberg Alphabet from A to Z in a non-rhythmic manner. She failed to maintain the starting position and sang the alphabet in a rhythmic manner.

The fourth task was the finger to nose task. I gave Marshall the instructions and demonstrated the task at hand. She failed to maintain the starting position. She failed to bring her finger down to her sides on each exercise. She touched her lip with her finger on the second right finger exercise. The sequence was L, R, L, R, R, L.

At 0525 hours, based on my observations, I placed Marshall under arrest for DUI. I then transported Marshall to the Boca Raton Police holding facility for processing. Officer Crawford was inside the holding facility to operate the Intoxilyzer 8000. Marshall initially refused to provide a breath sample, I then read her implied consent, and she advised that she would provide a sample. Marshall provided breath samples of .200 and .198. Marshall was given the court date of 10/02/17 at 8:30 AM at 200 West Atlantic Avenue Delray Beach, FL. Marshall was issued a citation for driving under the influence pursuant to F.S.S 316.193(1).

A SWORN AND SUBSCRIBED BEFORE ME

**MORAN, JOHN TODD**

~~NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)~~

09/03/2017

DATE

SCANNED

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

RAFALKO, TRAVIS (779)

NAME OF OFFICER (PLEASE PRINT)

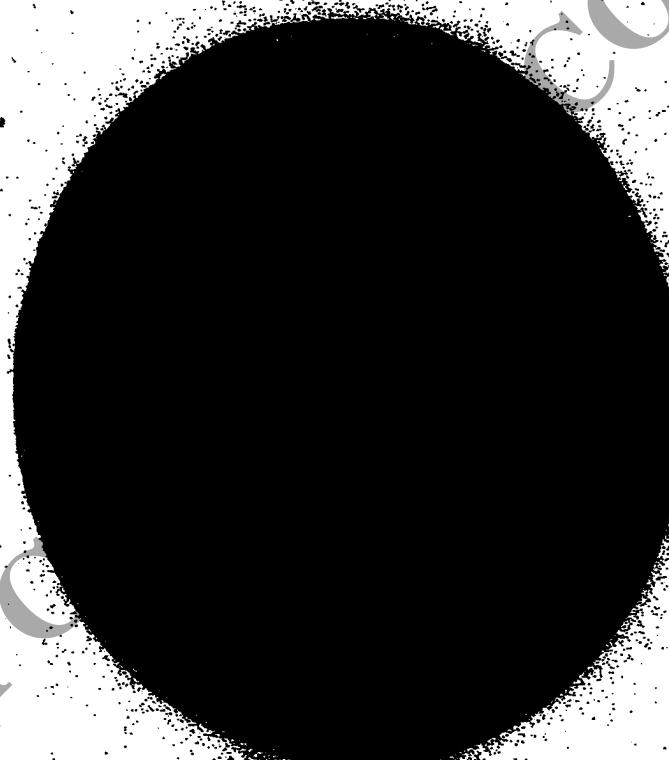
09/03/2017

DATE

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19-12335 10-15.052S. Obs. 0539

# **D. U. I. INFLUENCE REPORT**



NOT A COPY

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

**SCANNED  
SEP 06 2017**

## WITNESS LIST

ARRESTING OFFICER:

Ratako

Name: Ofc. McQuiston

Phone # Home

Work

Address: on file

Can testify to: backup

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 06 2017

## BOCA RATON POLICE DEPARTMENT

Agency Case #

17-12335

## 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.***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 controlled substances.**IMPLIED CONSENT WARNINGS***Note: Read only if the subject does not comply with your request.*

2.

I am AFC Rafaev of the BRPD

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:

Read on tape**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

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A refusal form will be completed by the arresting officer.

**SEP 06 2017**

BOCA RATON POLICE DEPARTMENT  
TESTING FACILITY TASK REPORT

SUBJECT: Marshall, Madeline

CASE #: 19-12335 DATE: 9/3/17

BREATH TESTS RESULTS

1) TIME \_\_\_\_\_ AM/PM 2) TIME \_\_\_\_\_ AM/PM

3) TIME \_\_\_\_\_ AM/PM 4) TIME \_\_\_\_\_ AM/PM

BREATH OPERATOR: Otc. Crawford

MAINTENANCE TECHNICIAN: Otc. Pace

TESTING OFFICER'S OBSERVATIONS

SPEECH: slightly slurred

ATTITUDE: upset, crying

CLOTHING: red tank top, blue jeans, bare feet

MEDICAL CONDITION: Anxiety takes xanax

OTHER: \_\_\_\_\_

COMMENTS: Marshall's eyes were bloodshot. I can smell an odor of an alcoholic beverage emanating from her breath.

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BOCA RATON POLICE DEPARTMENT

Agency Case # 17-12335

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) Read on tape

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? Was parked with car

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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Agency Case # 17-12335

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

Inner ear trouble? Yes  No

Glass Eye? Yes  No

Ear Infection? Yes  No

False Teeth? 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 \_\_\_\_\_ AM/PM

The date is: September (month) 3 (day) 2017 (year)

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