0502860

3121

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

1 | Juvenile: N

ADMINISTRATION

OBTS Number:

Agency ORI Number	Agency Name	Agency Report Number
FL0500300	BOYNTON BEACH POLICE DEPT.	34-18-057971

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:

Multiple Clearance Indicator: 01

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
3000 N CR 807, BOYNTON BEACH, FL , 33426	3000 N CR 807, BOYNTON BEACH, FL , 33426

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
11/07/2018	2145					BLAKE'S TOWING

DEFENDANT

Name (Last, First, Middle): MAHON, MADONNA THERESE

Alias (Name, DOB, Soc. Sec. #, Etc):

W - White I - American Indian B - Black O - Oriental / Asian	Race	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
	W	F	11/20/1969	5'09"	130	GREEN	BLONDE	FAIR	THIN

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): N/A

Marital Status: Divorce

Religion: n/a

Indication of: Y N UNK.
Alcohol Influence ☐ ☒ ☐
Drug Influence ☒ ☐ ☐

Local Address (Street, Apt. Number) (City) (State) (Zip) Phone ( ) -

Residence Type: 1. City 3. Florida 2. County 4. Out of State: 2

Permanent Address (Street, Apt. Number): 4333 N Ocean Blvd Apt Cs1 (City): Delray Beach (State): FL (Zip): 33483 Phone ( ) -

Address Source: FL/DL

Business Address (Street, Apt. Number) (City) (State) (Zip) Phone ( ) -

Occupation: Sales

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth	Citizenship
M500558599201	[redacted]		Columbus, Ohio	USA

CO-DEF

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other | Name (Last) (First) (Middle) | 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 ☐ defendant and/or ☐ 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:
☐ Yes, By: (Name) ☐ No: (Reason)

School Attended | Grade

Property Crime? Yes ☐ No ☐ | Description of Property | Value of Property

CODE

Drug Activity: N. N/A P. Possess S. Sell B. Buy T. Traffic D. Deliver E. Use K. Dispense/ Distribute M. Manufacture Produce/ Cultivate Z. Other

Drug Type: N. N/A A. Amphetamine B. Barbiturate C. Cocaine E. Heroin H. Hallucinogen M. Marijuana O. Opium/Deriv. P. Paraphernalia/ Equipment S. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
DUI	1	☐Yes ☒No	316.193.1	-

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
-	-	-	18-057971	-	- NOR

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
		☐Yes ☐No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
		☐Yes ☐No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
		☐Yes ☐No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond

NOTICE TO APPEAR

☐ Instruction No. 1 Mandatory Appearance in Court
☐ 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 12 Day 05 Year 2018 Time 0830 ☒ A.M. ☐ 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 for Juvenile and Parent/Custodian | Date Signed

ADMIN.

HOLD for other Agency Name:

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Signature of Arresting Officer

Name of Arresting Officer (Print): OFFICER ALEXIS I.D. #: 1105

Name Verification (Printed by Arrestee) (PRINT):

BU#

Intake Deputy: DS Collins I.D. #: 7072 Pouch #:

Transporting Officer: OFFICER ALEXIS I.D. #: 1105 Agency: BBPD

Witness here is subject Signed with an "X".

Page 1 OF 1

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SCANNED
NOV 0 9 2018

NOV 8 AM 4:52

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 7th **DAY OF** November **2018 AT** 08:46 ☐ **A.M** ☒ **P.M.**

CASE #: 18-057971 **DEFENDANT:** Mahon, Madonna, Therese

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

Officer Castro and I responded to the area of N. CR 807 (Congress Ave) and W. Gateway Blvd in reference to a Reckless Driver. Let it be noted that this incident occurred within the City of Boynton Beach, Palm Beach County, Florida. Boynton Beach Police Communications received numerous calls in reference to a Silver Lexus 4DR FL tag: 542 PWM driving in an erratic manner northbound on N. CR 807. One unidentified caller advised that the vehicle had flat tires and was seen striking the curbs multiple times before stopping in the middle of road just south of the above intersection.

Upon my arrival, I observed the aforementioned vehicle driving northbound in the right lane of N CR 807, passing the intersection of W Gateway Blvd. The vehicle was driving slowly on the roadway with the right turn signal and windshield wipers activated. Let it be noted that it was not raining at the time of the incident. I did notice that the right side of the vehicle was leaning/closer to the ground then the left side. The vehicle was swerving within its lane and one point drifted over to the right shoulder striking the curb. The vehicle then bounced back into its lane, as it continued to travel northbound on N. CR 807. Based on my observation, Officer Castro activated the emergency equipment to our fully marked patrol vehicle (4734) and attempted a traffic stop on said vehicle. After approaching 2000 feet, the vehicle finally came to a complete stop.

As Officer Castro and I exited our vehicle the driver of the vehicle, sole occupant, W/F Mahon, Madonna (11/20/59) quickly exited her vehicle. Mahon quickly advised that she knew that she was having a tire issues and was just trying to drive home. A quick inspection of Mahon's vehicle revealed that her front right tire was completely missing and that she was only driving on the rim. The right rear tire of the vehicle was flat. The left and right side of the vehicle had severe dents and scratches consistent with striking a hard object while in motion. The vehicle had dents and scratches on the front corners of the bumper as well. Both side mirrors were completely damaged and hanging. Due to the damage of the vehicle a request was sent to all local agencies for any possible hit and run vehicles lately. As a result it was learned that the Florida Highway Patrol received a call shortly before this incident of an unknown Silver Lexus 4dr (NFI) that was seen striking the center median of SR 9 (I-95) while in the southbound lanes. Upon speaking with Mahon, she stated that she was coming from Lowe's on N. CR 807 and was on her way home to "San Andrews in Delray". It should be noted that "San Andrews in Delray" is

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located south of the Boynton Beach city limit, but Mahon was traveling Northbound on N CR 807 towards Hypoluxo RD (North of the Boynton Beach City Limit). I then asked Mahon if she knew where she was, she first stated that she was heading down on Congress and that her home is about 5 minute from the location of the traffic stop. Mahon was very unstable on her feet and incoherent. Mahon's speech was thick and slurred and her eyes were heavy, drowsy. Mahon was very repetitive on her questions and answers. When asking Mahon if she recalled what happened to her vehicle, she stated that she does not recall. She then stated that she was involved in a crash with an unknown male on a bicycle that was carrying a surf board. Mahon advised that the surf board struck her mirror. Mahon statements were inconsistent and of no sense. While speaking with Mahon she appeared to under the influence of some sort of chemical and/or controlled substance. Based on my investigation at this point I advised Mahon that my Crash Investigation and that I was now conducting a DUI Investigation, which she stated that she understood. I then read Mahon her Miranda rights, which she stated that she understood. I asked Mahon's again where was she coming from and where was she going, she stated that she was coming from West Palm, then decided to go to Lowe's in Boynton Beach, and now she was headed home which is located at "San Andrews in Delray. I asked Mahon's again if she knows where she was, she stated that she is currently on Woolbright Rd and was heading east towards Federal Highway. It should be noted be that Mahon's vehicle was traveling North on N. CR 807 heading toward Hypoluxo Rd. While speaking to Mahon's, I noticed her eyes to be glassy and that she had a hard time standing up; at times she would close her eyes as if she was falling asleep. I asked Mahon's if she had any current medical condition to which she stated no. I asked Mahon's if she has taken any prescribed medication to which she stated that she's currently taking anti-depressant medication but she has not taken any medication on today's date. During my investigation, Mahon's gave multiple conflicting statements in reference to current location and her direction of traveling.

Based on the aforementioned, I asked Mahon if she would be willing to conduct a series of Standardized Field Sobriety tasks to which she stated yes. I asked Mahon's if she had any injuries / disability that I should know about to which she stated that she was a 2 times lung cancer survivor. See the following:

During the pen exercise, Mahon was swaying side to side. Mahon had a difficult time following directions as instructed. Mahon failed to following to the pen light and at times would look pass the pen light and stare at a fixed item behind me. At this Mahon would stare at the flash light that was in my left hand several times instead of the pen (which was in my right hand) and would constantly be reminded not to do so and to focus on the pen.

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HORIZONTAL GAZE NYSTAGMUS:

- ☒ Left eye does not follow smoothly
- ☐ Left eye prior to 45 degrees
- ☐ Distinct jerking in left eye at maximum deviation
- ☐ Vertical Nystagmus in left eye
- ☐ Right eye does not follow smoothly
- ☐ Right eye prior to 45 degrees
- ☐ Distinct jerking in right eye at maximum deviation
- ☐ Vertical Nystagmus in right eye

WALK AND TURN:

This task was explained multiple times and demonstrated to Mahon, which she stated she understood. During the instructional stage, Mahon would position her feet and hand in a manner not instructed, and would start walking prior to being instructed to do so; Mahon's had to be recalled several times and was advised if she understood the task. During the walking stage, Mahon's would start walking, however her feet were not position as instructed and demonstrated (no heal to toe), and she would constantly stepping off the line, losing balance. Mahon was asked to redo the task several times and would constantly be reminded where the line was. It should be noted that exercise was never completed.

ONE LEG STAND:

The task was explained multiple times and demonstrated to Mahon, which she stated she understood. During the instructional stage, Mahon would position her feet in a manner not instructed and would start the task without being instructed to do so. During the exercise stage, Mahon's would lift one leg off the ground and start losing balance. Mahon's was asked again if she had any injuries/ disabilities to which she stated no. This exercise was stopped for Mahon's safety /well-being as she continued to lose balance.

FINGER TO NOSE:

This task was explained and demonstrated to Mahon, which she stated she understood. During the instructional stage, Mahon would start the exercise without being instructed to do so. During the exercise stage, Mahon's constantly open her eyes and moved her head forward, which were not instructed. While attempting the exercise, Mahon continuously lifted the wrong hand and while attempting to touch the tip of her nose Mahon would touch/rub her eyes, mouth and cheek areas.

ROMBERG/ALPHABET:

This task was explained and demonstrated to Mahon, which she stated she understood. During the instructional stage, Mahon would close her eye shut as if she was falling asleep and would constantly be reminded to pay attention. During the exercise stage, Mahon start reciting the alphabet correctly then would speed up which was not instructed. Mahon did not complete this task.

Based on the above facts, Mahon was placed into custody under suspicion of DUI. Mahon was placed into handcuff (D/L and Spaced) and placed in the back seat of my patrol vehicle (#4734). I started my 20 minutes observations at 2145hrs and completed at 2205hrs. Upon completion I requested Mahon to provide a sample of her breath to

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determine the alcohol content, which she agreed to. Mahon provided a sample of .000/.000. Due to the fact that I suspect Mahon to be under the influence of a chemical/controlled substance I required Mahon to provide a sample of her urine, which she refused. Implied Consent was read to Mahon, which she ultimately advised that she understood. A second request was given, at which time she stated that she agreed. Let it be noted that while requesting for a urine sample Mahon advised that she had taking her prescribed clonazepam earlier in the day. It was asked if Mahon recalled her Miranda Warnings being read to her on scene, which she stated that she did. Mahon refused to complete the Q&As.

Mahon was then transported to the PBCJ BAT Facility, where at 2310hrs she provided a urine sample utilizing a Florida State Approved urine kit. All the proper documents were completed, to include the signed consent form by Mahon. The urine kit was then later transported to the Boynton Beach Police Department and entered into the Evidence Department; where it was later TOT PBSO's laboratory.

Based on the above facts I've established Probable Cause to arrest Mahon with 1M count of DUI pursuant with F.S.S. 316.193.1. Mahon was processed and later TOT to PBCJ.

A copy of the SFST and BAT video were later entered into the Boynton Beach Police Evidence Department. Incident was captured via BWC as well. Mahon vehicle was removed from scene by Blake's Towing.

Nothing Further.

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The following instrument was sworn to before me this 07 day of November 2018

By: PERSONALLY KNOWN / OFFICER ALEXIS #1105

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

Signature of Arresting Officer

TESTING FACILITY TASK REPORT

CASE #: 18-057971 **DEFENDANT:** Mahon, Madonna Therese
Date: 11/7/18 **Video Tape #:** 4734

BREATH TEST RESULTS:

1. .000 g/210L Time 2225 ☐ a.m. ☐ p.m. 3.____ g/210L Time _____ ☐ a.m. ☐ p.m.
2. .000 g/210L Time 2228 ☐ a.m. ☐ p.m. 4.____ g/210L Time _____ ☐ a.m. ☐ p.m.

BREATH OPERATOR: OFFICER CASTRO #905
MAINTENANCE TECHNICIAN: OFFICER CASTRO #905

TESTING OFFICER'S OBSERVATIONS

SPEECH: THICK, SLURRED, DRY
ATTITUDE: COOPERATIVE, REPETITIVE IN QUESTIONS/ANSWERS
CLOTHING: FLOWER TOP, GRAY PANTS, NO SHOES
MEDICAL CONDITIONS: NONE
MEDICATIONS: CLONAZEPAM
OTHER:

COMMENTS:

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CASE #: 18-057971 **DEFENDANT:** Mahon, Madonna, Therese

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.

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.

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.

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

I am V. Alexis of the Boynton 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.

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 statements can and will be used against you in a court of law.**

Suspect's Signature: READ ON VIDEO

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CASE #: 18-057971 **DEFENDANT:** Mahon, Madonna Therese

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.

Where you operating a motor vehicle at the time of the stop/Accident? **REFUSED**
Where were you going? _____
What Street or Highway were you on? _____
What was you 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 City and County are you in now? _____
When did you last eat? _____
What did you eat? _____
What have you been doing for the last three hours? _____
How much do you weigh? _____
Have you been drinking? _____
What have you been drinking? _____
How much? _____
With whom? _____
When did you have your first drink? _____
When did you have your last drink? _____
Can you feel the effects of the alcohol? _____
Are you under the influence? _____
Have you consumed any alcohol since the stop/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 the head recently? _____
Where 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? _____ Why? _____
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 you eyes that are not corrected by glasses? _____
Do you take insulin? _____ If so, when was your last injection? _____
Have you ever gad a driver's license in any other state? _____
Where? _____
Interviewer: _____

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CASE #: 18-057971 DEFENDANT: Mahon, Madonna Therese

Arresting Officer: ALEXIS
Address: 100 E. Boynton Beach Boulevard Boynton Beach, Fl. 33435
Phone Numbers: Home: _____ Work: (561) 742-6100

Name: OFFICER CASTRO #905
Address: 100 E BOYNTON BEACH BLVD, BOYNTON BEACH, FL, 33435
Phone Numbers: Home: _____ Work: 561-742-6100
Can testify to: THE INVESTIGATION

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: _____
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Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ Work: _____
Can testify to: _____

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Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐	119.014(3A)(13)(1-3C)	Other: Keep Separate - Court Documents/Official Records	
	☐	119.071(2c)	Other: Active Criminal intelligence Information	

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REVIEW COMPLETED BY

Booking Number: 2018037353	**Date:** 11/08/2018
	Specialist Name/ID: WATSON/6665