

0481825

10CT1967ASB 589

ARREST / NOTICE TO APPEAR

ADMINISTRATIVE	OBTS Number		Agency ORI Number 0500200		Agency Name Boca Raton Police Department		Agency Report Number (N.T.A.'s only) 3 2 2016-014969		1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 1		JUVENILE			
	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		Location of Arrest (Including Name of Business) 100 N DIXIE HWY		Location of Offense (Business Name, Address) 100 N DIXIE HWY, BOCA RATON, FL 33432		Enter Type None/not Applicable		Multiple Clearance Indicator					
	Date of Arrest 10/14/2016	Time of Arrest 03:18	Booking Date 10/14/2016	Booking Time 03:28	Jail Date 10/14/2016	Jail Time 03:29	Location of Vehicle NONE							
	Name (Last, First, Middle) POWELL, MIRANDA NICOLE										Alias (Name, DOB, Soc. Sec. #, Etc.)			
DEFENDANT	Race W - White B - Black O - Oriental/Asian W		Sex F	Date of Birth 08/06/1994	Height 5'09	Weight 184	Eye Color GREEN	Hair Color BLONDE	Complexion LIGHT	Build Small				
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)						Marital Status S	Religion NONE	Indication of: Alcohol Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/> Drug Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>					
	Local Address (Street, Apt. Number) (City) (State) (Zip) 135 NW 20TH ST A34, BOCA RATON, FL 33431						Phone (813) 770-9529		Residence Type: 1. City 2. County 3. Florida 4. Out of State					
	Permanent Address (Street, Apt. Number) (City) (State) (Zip) 135 NW 20TH ST A34, BOCA RATON, FL 33431						Phone (813) 770-9529		Address Source DEFENDANT					
JUVENILE	Business Address (Name, Street) (City) (State) (Zip) FAU						Phone (561) -		Occupation Student					
	D/L Number, State P400554947860 / FL		Soc. Sec. Number [REDACTED]		INS Number		Place of Birth (City, State) LANDSTUHL, GE,		Citizenship US					
	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				
PARENT	<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____		Name (Last, First, Middle)											
	<input type="checkbox"/> Legal Custodian		Address (Street, Apt. Number) (City) (State) (Zip)											
	Notified by: (Name)		Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated									
	Released To: (Name)		Relationship	Date	Time									
COURT	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.													
	<input type="checkbox"/> Yes, by: _____ <input type="checkbox"/> No: _____		Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property			Value of Property						
	Drug Activity N. W/A P. Possess		S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Disperses/ 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 Description DUI										Statute Violation Number 316.193(1)		Violation of ORD #	
CHARGE	Drug Activity	Drug Type N	Amount / Unit /	Offense # 2016-014969	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond OL					
	Charge Description										Statute Violation Number		Violation of ORD #	
	Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number		Bond					
	Charge Description										Statute Violation Number		Violation of ORD #	
IN TAKE	Health / Apparent Physical Condition of Defendant GOOD						Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input checked="" 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 checked="" type="checkbox"/> T.O.T. County Jail <input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health						PROPERTY - Received By ALVAREZ		Released By ALVAREZ		Released To PBCJ			
	Transported By						Date Transported 11 / 11 / 16	Time Transported	Other					
	INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.						Location (Court, Room) South County 200 W Atlantic Ave Delray Beach, FL 33449							
TO APPEAR	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.										Court Date and Time 11/20/2016 08:30:00			
	Signature of Defendant (or Juvenile and Parent/Custodian)										Date Signed 10 / 11 / 16			
	HOLD for Other Agency						Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee)					
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other						Name of Arresting Officer (Print) ALVAREZ, AMANDA		ID. # 769					
ADMIN	Intake Deputy W6/8050		ID. #		Pouch #		Transporting Officer Rafalko		ID. # 779		Agency BRPD			
	Witness here if subject signed with an "X".													
	SCANNED OCT 14 2016 PAGE 1													
	OCT 14 2016													

PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

A D M I N I S T R A T I V E	OBT Number		Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2016-014969	
	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		Special Notes:					
D E F	Name (Last, First, Middle) POWELL, MIRANDA NICOLE						Race W	Sex F
	Alias						Date of Birth 08/06/1994	
C H A R G E S	Charge Description 316.193(1) DUI			Charge Description				
	Charge Description			Charge Description				
V I C T I M	Victim's Name (Last, First, Middle) STATE OF FLORIDA,						Race	Sex U
	Local Address (Street, Apt. Number) 100 NW 2ND AVE, BOCA RATON, FL 33432						Phone (561) -	Address Source
B U S I N E S S	Business Address (Name, Street) (561) -						Phone (561) -	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 type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the 14 day of October, 2016 at 03:18 (Specifically include facts constituting cause for arrest.)</p> <p>On 10/14/16 at approximately 0249 hours, I conducted a traffic stop on a 2015 white Ford Fusion bearing Florida tag #CTAV01 for failing to make a complete stop at a stop sign exiting SE 3rd St northbound onto S Dixie Hwy. I also observed the vehicle slightly swerving within the inside straight lane when coming to a stop at the red traffic signal at the intersection of Dixie Hwy and Palmetto Park Rd. The vehicle came to a complete stop but started slowly moving forward into the intersection while the traffic signal was still red. I activated my lights and siren and the vehicle came to a stop at 100 N Dixie Hwy.</p> <p>Approaching the vehicle, the driver briefly lowered the rear right passenger window at which time I smelled the odor of alcoholic beverages emanating from within the vehicle. I made contact with the driver W/F Miranda Powell. Powell stated that she was driving her mother home with her from Biergarten. I explained that I observed that she failed to make a complete stop at the stop sign. I requested for her driver license, registration, and proof of insurance. She originally gave me a receipt for a car wash and an enterprise card. She was eventually able to provide me with the car registration and insurance. I observed the smell of an alcoholic beverage emanating from her breath when she spoke to me. I also observed her red and watery eyes. I asked her if she has had anything alcoholic beverages this evening to which she stated "no".</p> <p>Officer Reilly arrived on scene as my back-up. I approached the vehicle again and explained to Powell my observations such as her driving pattern, the odor of an alcoholic beverage coming from her breath and her watery eyes. I then asked her if she would like to dispel my alarm that she was driving impaired. She stated "yes". I set up Officer Reilly's vehicle and I used the white line on the right side of the road where it was well illuminated with a flat level surface. I allowed Powell to take off her sandals because she stated she would feel more comfortable.</p>								
A D M I N I S T R A T I V E	<p>SWORN AND SUBSCRIBED BEFORE ME</p> <p>KENNEY, RYAN B NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)</p> <p>10/14/2016 DATE</p> <p>ALVAREZ, AMANDA (769) NAME OF OFFICER (PLEASE PRINT)</p> <p>10/14/2016 DATE</p>							
	<p>PAGE 1 OF 2</p>							

OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2016-014969					
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		Special Notes:					
Name (Last, First, Middle) POWELL, MIRANDA NICOLE		Alias		Race W		Sex F		Date of Birth 08/06/1994	

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

The first task was the horizontal gaze nystagmus. She was swaying side to side while standing. There was a lack of smooth pursuit in each eye. There was distinct and sustained nystagmus at maximum deviation in each eye and also an onset of nystagmus prior to 45 degrees in each eye.

The second task was the walk and turn. She left the starting position. She was using her arms for balance and did not touch heel to toe on each step. She stopped briefly to catch her balance and she stepped of the line with her left foot. She did not turn as instructed.

The third task was the one leg stand. She was swaying from side to side. She was using her arms and began hopping to regain balance. She also did not count as instructed but instead counted "one one thousand, two one thousand...etc" instead of the instructions of "one thousand and one, one thousand and two...etc".

The fourth task was the finger to nose (L-R-L-R-R-L). She was swaying side to side at times. She also missed the tip of her nose on each movement.

The final task was the rhomberg alphabet. She was swaying back and forth at times. She also incorrectly recited the alphabet twice by having to repeat letters like "J" and skipping other letters altogether.

At 0318 hours on 10/14/16, I placed Powell under arrest. The vehicle belongs to her mother W/F Tiffany Powell. Tiffany called a friend to drive her the rest of the way home without incident. I transported Miranda Powell to the BRPD.

Officer Crawford conducted The Intoxilyzer 8000 testing. He provided the breath samples of .169% and .186% BrAC.

She was charged with DUI FSS 316.193(1). She was given the court date of 11/20/2016 at 8:30am. The video was submitted into property. After processing she was transported to the PBCJ.

W AND SUBSCRIBED BEFORE ME

KENNEY, RYAN B
RY PUBLIC / CLERK OF COURT / OFFICER (F.S. 17.10)

10/14/2016
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ALVAREZ, AMANDA (769)
NAME OF OFFICER (PLEASE PRINT)

10/14/2016
DATE

PAGE
2 OF 2

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.

16-14969

10-15 0318

abs 0330

D. U. I. INFLUENCE REPORT



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

WITNESS LIST

ARRESTING OFFICER: Alvarez

Name: Off. Cantor Phone # Home - Work -

Address: -

Can testify to: Breath test

Name: Off. Reilly Phone # Home - Work -

Address: -

Can testify to: see report

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

BOCA RATON POLICE DEPARTMENT

Agency Case#

16-14969

PART II D.U.I. REPORT
To be filled out at testing facility

I. INTRODUCTION

(Instrument Operator faces video camera)

A. The day is: Friday, October, 14th, 2016
(day) (month) (date) (year)

B. The time is now approximately 3:54 AM PM

C. The following is in reference to case number 2016-14969

D. Present at this time is Officer's Name Alvarez of the Boca Raton Police Department.
(Officer's Name)

E. Officer Alvarez, Have you arrested Miranda Powell
(Defendant's name)

In violation of Florida State Statute 316.193?

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida?

G. Mr./Mrs./Ms. Powell, I am required to
Inform you these proceedings are being video taped.

Operator Note:

Video tape breath request, breath sample, and interview

BOCA RATON POLICE DEPARTMENT

Agency Case # 2016-14969

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.

1. 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 toxic substances.

IMPLIED CONSENT WARNINGS

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

2. 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 signature: _____

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

A refusal form will be completed by the arresting officer.

BOCA RATON POLICE DEPARTMENT
TESTING FACILITY TASK REPORT

SUBJECT: Powell, Miranda

CASE #: 16-14969 DATE: 10/14/16

BREATH TESTS RESULTS:

1) TIME .169/3:55 (2) AM/PM 2) TIME .126/3:59 (2) AM/PM

3) TIME — AM/PM 4) TIME — AM/PM

BREATH OPERATOR: Ofc. Canford

MAINTENANCE TECHNICIAN: Ofc. Broch

TESTING OFFICER'S OBSERVATIONS

SPEECH: slightly slurred

ATTITUDE: upset, crying, tears

CLOTHING: black dress

MEDICAL CONDITIONS: None

OTHER: —

COMMENTS: I can smell a strong of an alcoholic
beverage emanating from her breath. Her eyes
are glassy + bloodshot.

BOCA RATON POLICE DEPARTMENT

Agency Case # 16-14969

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? Yes

Where were you going? Home 135 NW 20th St

What street or highway were you on? # Federal or Dixie

Direction of travel? North

Where did you start driving from? ~~Biergarten~~ Biergarten

What City (County) were you stopped in? Boca Raton

What time did you start? I don't know AM/PM What time is it now No idea

What is today's date? 10/13 What day of the week is it? Friday

Agency Case # 16-14969

The date is: 1 October (month) 14th (day) 2016 (year).

NOT A CERTIFIED