

Arrest Report

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18 MM 8769

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time 7/31/2018 10:03:11PM	Report Number FHP99ARR781136	Case Number/CAD Number FHPL18OFF063620 / LWRC18CAD138634	Reporting Officer Name L. TAVARES
Originating Agency ORI FL0609000	Occurrence Date Time Range 7/31/2018 8:55:19 PM -	Jurisdiction	Clearance

Location of Occurrence

Location Type OTHER	Location Description @ OLD BOYNTON RD		
Street Number N CONGRESS AVE	Apt/Lot/Bldg		
County PALM BEACH	City BOYNTON BEACH	State FL	Zip 33426

Defendant

First Name RAVEN	Middle Name MISHELLE	Last Name BERNARD	Suffix	Date Of Birth 1/7/1995	Age 23	Race WHITE	Sex FEMALE
SSN	MNI #	Place of Birth BOYNTON BEACH, FL, USA	Height 504	Weight 130	Hair BRO	Eyes BRO	
DL or ID Number B656733955070	ID State FL	ID Type E	Address Type RESIDENCE				
Street Number 2202	Street PEPPER ROAD	Apt/Lot/Bldg					
County PALM BEACH	City West Palm Beach	State FL	Zip 33415	Phone Number	Extension		
Location Description							

Arrest

Arrest Date/Time 7/31/2018 9:50:26PM	Arrest Location Type OTHER	Arrest Location Description @OLD BOYNTON RD
Street Number N CONGRESS AVE	Apt/Lot/Bldg	County PALM BEACH
City BOYNTON BEACH	State FL	Zip 33426

Charge(s)

Counts 1	Charge 316.193.1	General Offense Code	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree N	Charge Level MISDEMEANOR	Arrest Offense Code Description DUI-UNLAW BLD ALCH		
Charge Description DUI ALCOHOL OR DRUGS				
Counts 1	Charge 843.02	General Offense Code	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree F	Charge Level MISDEMEANOR	Arrest Offense Code Description RESIST OFFICER		
Charge Description OBSTRUCT WO VIOLENCE				

Probable Cause

On July 31st, 2018 I Trooper Lucas M. Tavares (3913/1421) with the Florida Highway Patrol was on active DUI patrol in Palm Beach County, Florida. I was in a jurisdictional marked FHP unit equipped with overhead emergency lights and external siren. At approximately 8:55 p.m. Tpr. J. Petti (1622) and I were both traveling southbound on Congress Avenue and was at the intersection with Old Boynton Rd. We were both in the inside travel lane. Once the light for southbound traffic for Congress Avenue turned solid green, Tpr. Petti and I proceeded through the intersection. Tpr. Petti was directly in front of me. A black in color Dodge SUV was in the center of the intersection facing north bound. The vehicle then made a left turn,

2018 AUG 1 AM 12:24
PALM BEACH COUNTY
COMMUNICATIONS SECTION

AS THOMPSON TOLD

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coming into the path of Tpr. Petti, violating her right of way. The front of Tpr. Petti's patrol vehicle collided with the right front of the Black in color Dodge SUV. I immediately notified the Lake Worth Regional Communications Center (LWRCC) of what just occurred. I then checked on Tpr. Petti then on the other vehicle.

I then came into contact with the driver of the black in color SUV who was a white female. She was still seated in the driver's seat and her seatbelt was on. I then obtained her Florida Driver's License, which I identified her as Raven M. Bernard (FL DL: B656733955070). Boynton Beach Police and Fire Rescue responded to the scene. Ms. Bernard refused medical treatment. Sgt. Cabrera (389) responded to the scene to investigate the crash, this was due to the patrol vehicle being involved. While Sgt. Cabrera was investigating the scene Ms. Bernard was anxious to walk away prior to give any information. She became agitated when we asked her what happened. Ms. Bernard stated to fire rescue that she just had a couple of drinks but feels fine.

While in close proximity of Ms. Bernard I could detect a strong odor of an unknown alcoholic beverage. Also when I was outside Ms. Bernard's vehicle I could detect a strong odor of Marijuana coming from within the vehicle. I then inventoried the vehicle in which I found marijuana residue inside a purple wallet that contained Ms. Bernard's identification and credit cards.

Sgt. Cabrera stated to me that he had completed his crash investigation. I then had Ms. Bernard walk over to my vehicle in which I stated to her that we have completed the crash investigation and now (switching hats) to a criminal investigation for DUI. Ms. Bernard then became agitated and began to argue. I asked her how much she had to drink and she stated one Fireball Shot. While talking to Ms. Bernard I could detect a strong odor of an unknown alcoholic beverage on her breath that grew stronger as she spoke. Her eyes were bloodshot and watery and she had a slight sway. Based upon my observations made on scene, within contact with the subject (Raven Bernard), and the totality of the circumstances I requested her to perform a series of road side exercises (Standardized Field Sobriety Exercises). She stated what happens if say no. So I then explained to her that her refusal to perform SFSE will be later used against her in court. I stated that I would have to base my whole investigation off of my observations made on scene. She then stated that she would perform SFSE.

Standardized Field Sobriety Exercises (SFSE):

The area for the following roadside exercises was a level hard surface and was free of debris. The weather was clear. Lighting was well lit and was illuminated with surrounding ambient light and vehicle lights.

Horizontal Gaze Nystagmus:

I advised Ms. Bernard to stand straight with her feet together and arms down by her side. I asked Ms. Bernard if she has any medical problems with her eyes that are not corrected by glasses, she advised that she does not. For the exercise I used my issued red in color pen light. I asked Ms. Bernard if she could see the red pen light, she stated yes. I advised Ms. Bernard to follow the red pen light with her eyes, and to not move her head. I asked Ms. Bernard if he understood the instructions I gave to her, she stated yes

The following was observed during Horizontal Gaze Nystagmus:

The subject had dilated pupils.

- LEFT EYE-LACK OF SMOOTH PURSUIT
- RIGHT EYE-LACK OF SMOOTH PURSUIT
- LEFT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- RIGHT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

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- LEFT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- RIGHT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

During the exercise Ms. Bernard moved her head in the direction of the light, I had to reinstruct her to keep it straight. Ms. Bernard was also swaing.

Walk and Turn Exercise:

The area for the following roadside exercises was level and free of debris. We used a white in color traffic line the subject advised she could see. The line was illuminated with surrounding light and vehicle lights.

(Starting Position): I advised the subject to place her left foot on the white in color line and her right foot directly in front of it, touching heel to toe. I advised the subject to keep her arms down by her side and to stay in that position until I advise her to begin the exercise.

(Instructional Phase): This exercise was first explained to the subject then was demonstrated by myself. Subject advised me that she does not have any medical problems. Subject advised me that she understood instructions and did not have any questions.

- The following was observed during the instructional phase of the exercise:

MS. Bernard was swaying and stepped out of the starting position.

- The following was observed during the walking phase of the exercise:

Ms. Bernard missed heel to toe multiple times, did not turn, and took 15 plus steps forward.

One Leg Stand Exercise:

The area for the following roadside exercises was level and free of debris.

(Starting Position): I instructed the subject to stand with her feet together and keep her arms down by her side. I instructed the subject to stay in that position until I tell her to start the exercise.

(Instructional Phase): This exercise was first explained to the subject then was demonstrated by myself. Subject advised me that she had no injuries that would affect the exercise. Subject advised that she understood instructions and did not have any questions.

- The following was observed while the subject was in the starting position:

Subject was swaying while in the position. Subject stated that she understood the instructions.

- The following was observed during the exercise:

Ms. Bernard failed to look down at her foot initially, I had to reinstruct. Ms. Bernard counted to 20 and the 30 seconds mark . Ms. Bernard also had a slight sway.

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Finger To Nose:

(Starting Position): I instructed the subject to stand with her feet together and keep her arms down by her side. I instructed the subject to ball her fists at point out her index fingers. The subject demonstrated that she has knowledge of her right from left. I then explained the exercise and demonstrated it. Subject stated that she understood the directions.

- The following was observed during the exercise:

Subject failed to touch the tip of her instructed finger to the tip of her nose multiple times. The subject was swaying.

Based upon my observations and the totality of circumstances, Ms. Bernard was placed under arrest for DUI pursuant to Florida Statute 316.193 09:50 PM. When we attempted to place Ms. Bernard under arrest Ms. Bernard tensed up and attempted to rip away from our grip. Ms. Bernard was very uncooperative and attempted to escape our hold. Ms. Bernard was also yelling the entire time. Ms. Bernard was then searched by a Boynton Beach Police Female Officer and placed in my patrol vehicle, and transported to the Palm Beach County Jail. While in transport to the Palm Beach County Jail there was an obvious strong odor of an unknown alcoholic beverage within my vehicle that was not present prior to placing the defendant in the vehicle.

The defendant arrived at the Palm Beach County Jail at 10:18 PM. I then conduct a 20min observation of the subject. The subject did not have any foreign objects in their mouth prior to the 20 minute observation. Throughout the observation the subject did not take anything by mouth or regurgitated. After the 20 minute observation, the defendant was then given the opportunity to provide a sample of their breath which she consented to provide (On Video). The defendant's first breath was given at 10:43 PM and resulted in a .086. The defendant's second breath was given at 10:46 PM and resulted in a .088. It should be noted that the breath samples were collected approximately two hours after the initial incident.

Video of the vehicle crash, roadsides and transport are available through the FHP custodian. The above incident did occur in Palm Beach County, Florida.

Jail Booking Facility

Booking Date/Time 7/31/2018 11:09:47PM	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

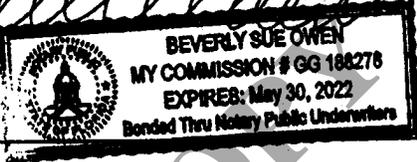
Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 8/27/2018 08:30 PM	Court Fine
Comments			

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The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name L. TAVARES	Officer Rank TROOPER	Officer ID No 3913	Sworn and subscribed before me, the undersigned authority This the <u>31st</u> day of <u>July</u> , 2018 DEPUTY OF THE COURT/NOTARY OR LAW ENFORCEMENT OFFICER <i>Beverly Sue Owen</i> 
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature 		

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
J. CABRERA	SERGEANT	ASSISTING	2923	FHPL18WRCCIPA LM BEACHLANT ANA SUPERVISR	FLORIDA HIGHWAY PATROL
PETTI, JENNA	TROOPER	OTHER	4198	FHPL18WRCCIPA LM BEACHBRO W LN TO SR804	FLORIDA HIGHWAY PATROL

NOT A CERTIFIED COPY



**PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET**

PBSO CASE # 18-103477

AGENCY CASE# FHPL18OFF063620

AGENCY ZONE 6-32

CRASH CASE # _____

TIME OF STOP/CRASH 20:55 DATE 07/31/18 DAY TUESDAY

SUBJECT'S NAME RAVEN MISHELLE BERNARD RACE W SEX F

HGT 504 WGT 130 DOB 01/07/1995

LOCATION CONGRESS AVE / OLD BOYNTON RD

ARRESTING OFFICER'S NAME & ID TPR. LUCAS TAVARES (3913) AGENCY Florida Highway Patrol

DIVISION: LANTANA (TROOP L)

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 2218

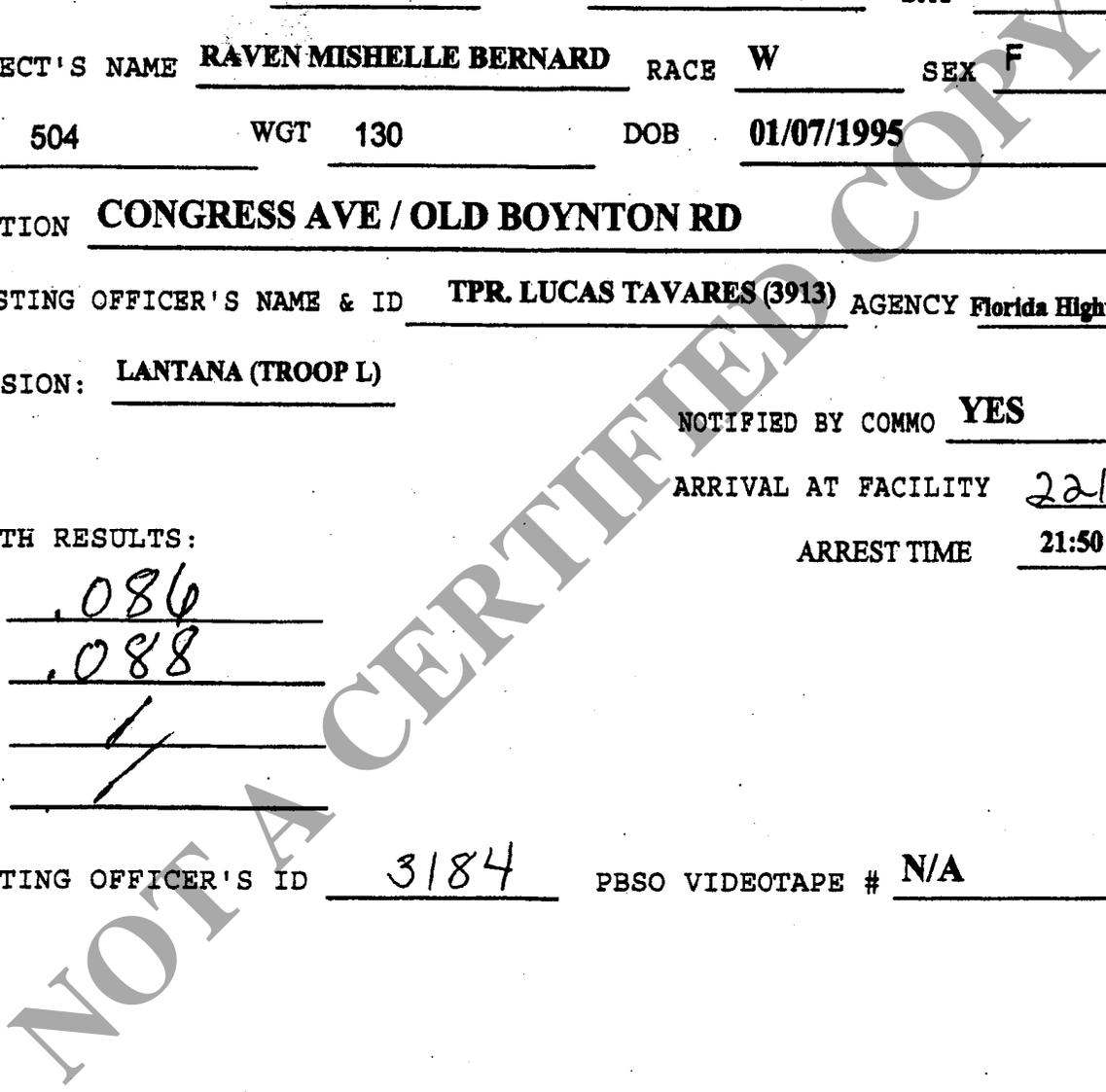
BREATH RESULTS:

ARREST TIME 21:50

- 1. .086
- 2. .088
- 3. /
- 4. /

TESTING OFFICER'S ID 3184

PBSO VIDEOTAPE # N/A



TESTING FACILITY TASK REPORT

AGENCY: FHP
SUBJECT: Bernard, Raven Michelle CASE NUMBER: 18-103477
DATE: 7/31/18 VIDEO TAPE NUMBER: N/A
BEGINNING TIME: 2238 ENDING TIME: 2253
BREATH TESTS RESULTS: 1) .086 TIME 2243 A.M. (M) 2) .088 TIME 2246 A.M. (M)
3) TIME A.M./P.M. 4) TIME A.M./P.M.
BREATH OPERATOR: S. Owen #3184
MAINTENANCE TECHNICIAN: J. Karlecki #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Spoke softly
ATTITUDE: Crying, didn't know why she was here
CLOTHING: Sandals, flowered capris, blue tank top
MEDICAL CONDITIONS: None
MEDICATIONS: None
OTHER: O/C# B656-733-95-507-0 NOT carried
A in accident (said on video)

COMMENTS: A/OE A arrived at 2218 hours
A/O observed 20 minutes
A/O requested breath test, A agreed
Several attempts made 1st try but
adequate. 2nd try better. A blew softly
E short just like speech.
A/O read c/w A understood results
A answered Q & A tech explained results
A said she has a shot of Fireball

SUBJECT: Bernard, Raven Michelle CASE NUMBER: FHPL180FF063620

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 detecting the presence of chemical or controlled substances.

-OR-

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of detecting 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 _____ 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'S SIGNATURE: (X) _____

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

SUSPECT'S SIGNATURE: (X) Read on camera

SUBJECT: Bernard, Raven Mishelle CASE NUMBER: FHPL180FF063620

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 OPERATING A MOTOR VEHICLE AT THE TIME OF THE ~~CRASH~~/ACCIDENT? yes

WHERE WERE YOU GOING? Home (listed Address)

WHAT STREET OR HIGHWAY WERE YOU ON? Boynton Beach Blvd

DIRECTION OF TRAVEL? W WHERE DID YOU START? T&F Restaurant

WHAT TIME DID YOU START? ? WHAT TIME IS IT NOW? ?

WHAT IS TODAY'S DATE? 31st WHAT DAY OF THE WEEK IS IT? Tue/Wed

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Beach County

WHEN DID YOU LAST EAT? ? WHAT DID YOU EAT? ?

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Driving

HOW MUCH DO YOU WEIGH? 96 HAVE YOU BEEN DRINKING? NO press

HOW MUCH? --- WHERE? --- WITH WHOM? at fire

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? NO ARE YOU UNDER THE INFLUENCE? NO

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NO HOW MUCH? ---

WHAT? --- WHERE? --- WHEN? ---

WHAT LINE OF WORK ARE YOU IN? Server WHEN DID YOU LAST WORK? Morning

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? ---

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? ---

DO YOU LIMP? NO DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NO

WERE YOU IN AN ACCIDENT TODAY? yes

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? ---

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? --- WHY? ---

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? --- WHEN? ---

- DO YOU HAVE:
- EPILEPSY? NO
 - GLASS EYE? NO
 - FALSE TEETH? NO
 - EAR INFECTION? NO
 - INNER EAR TROUBLE? NO
 - DIABETES? NO

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? ---

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? ---

INTERVIEWER: Tr. Lucas Tavares (3913)



Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	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)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2018025460	Date: 08/01/18
	Specialist Name/ID: Stewart/5660