

0482631

575

ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1	Juvenile	N
OBTS Number		Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-16-062846		
Charge Type: Check as many as Apply.		<input checked="" 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		If Weapon Seized Enter Type Multiple Clearance Indicator
Location of Arrest (Including Name of Business)		RENAISSANCE DR/PARK TERR, BOYNTON BCH, FL, 33435		Location of Offense (Business Name, Address) RENAISSANCE DR/PARK TERR, BOYNTON BCH, FL				
Date of Arrest 11/10/2016		Time of Arrest 2145		Booking Date		Booking Time		Jail Date Jail Time Location of Vehicle
Name (Last, First, Middle) TAHERI, SHAWN JEFFREY		Alias (Name, DOB, Soc. Sec. #, Etc)						
W - White B - Black		I - American Indian O - Oriental / Asian		Race W	Sex M	Date of Birth 08/15/1987		Height 600
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Weight 195		Eye Color BRO		Hair Color BLK		Complexion LIGHT
Build MED		Marital Status SINGLE		Religion N/A		Indication of: Alcohol Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Local Address (Street, Apt. Number) 3401 RENAISSANCE WAY, BOYNTON BEACH,		(City) FLORIDA,		(State) 33426		Phone () - () - ()		
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)		
Business Address (Street, Apt. Number)		(City)		(State)		(Zip)		
D/L Number, State T600790872950 / FL		Soc. Sec. Number		INS Number		Place of Birth QUEENS, NY		Citizenship US
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other		Name (Last)		(First)		(Middle)		
Address (Street, Apt. Number)		(City)		(State)		(Zip)		
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 <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 561-355-2526) informed of any change of address:		School Attended		Grade				
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property		Value of Property				
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute		M. Manufacture Produce/ Cultivate
Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbituate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic
U. Unknown Z. Other		Charge Description DUI		Counts 1		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number 316.193.1
Drug Activity		Drug Type		Amount/Unit		Offense # 16-062846		Warrant/Capias Number Bond
Charge Description POSSESSION OF HEROIN		Counts 1		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number 893.13.1A1		Violation of ORD#
Drug Activity P		Drug Type E		Amount/Unit 4 CAPS		Offense # 16-062846		Warrant/Capias Number Bond
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number Bond
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No		Statute Violation Number		Violation of ORD#
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number Bond
Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444						
Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Court Date and Time Month Day Year Time						
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 (or Juvenile and Parent/Custodian)						
HOLD for other Agency Name:		Signature of Arresting Officer			Name Verification (Printed by Arrestee) (PRINT)			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:			Name of Arresting Officer (Print) OFFICER CASTRO			
Intake Deputy G. Anderson		I.D. # 4716			Pouch #			
Name of Arresting Officer (Print) OFFICER CASTRO		I.D. # 905			Agency BBPD			
Witness here is subject Signed with an 'X'		Page 1 OF 1						

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NOV 14 2016

NOV 11 AM 4:29

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 10 DAY OF November 2016 AT 08:48 ☐ A.M ☒ P.M.

CASE #: 16-062846

DEFENDANT: TAHERI, SHAWN JEFFREY

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and time I responded to Renaissance Commons Dr and Park Terr in reference to a Reckless Driver. Let it be noted that this incident occurred within the City of Boynton Beach, Palm Beach County, Florida. Caller, W/M Stamatopoulos, Stamatis (06/30/69), advised Boynton Beach Communication that he was following a Gray Mazda6 bearing Florida tag DLFX03 that was traveling northbound on S. Congress Ave from Summit Dr at a high rate of speed, estimate speeds of over 60mph. Stamatopoulos advised that the Mazda was "all over the roadway" and striking the lifted center median multiple times. Stamatopoulos advised that it appeared that the driver was impaired.

As units responded to the area, K-9 Officer Adams located the Mazda at the intersection of Boynton Beach Blvd and Congress Ave and eventually conducted a traffic stop on said vehicle at the intersection of Renaissance Commons Dr and Park Terr. Upon arrival I made contact with K-9 Officer Adams who advised that upon locating the vehicle he began to follow the vehicle as it continued to travel northbound on Congress Ave. K-9 Officer Adams advised that the vehicle was failing to maintain a single lane, affecting other vehicles in the area. K-9 Officer Adams advised that while the vehicle was traveling in the inside lane, of the 3 lane roadway, and approaching the intersection of Renaissance Commons Dr the vehicle made an invasion swerve to the right. K-9 Officer Adams advised that the Mazda quickly swerved right nearly striking multiple vehicles as it made a right hand turn onto Renaissance Commons Dr from the inside lane. K-9 Officer Adams advised at that point he conducted a activated his emergency lights and sirens and completed a traffic stop on said vehicle at Renaissance Commons Dr and Park Terr. K-9 Officer Adams advised that he then made contact with the driver/sole occupant of the vehicle W/M Taheri, Shawn (08/15/87); who produced his Florida Driver's License. K-9 Officer Adams advised that while making contact with Taheri he noticed that he appeared to be under the influence of some sort of a chemical and/or control substance. K-9 Officer Adams advised that Taheri speech was slow and thick and that he had a difficult time keeping his eyes opened. K-9 Officer Adams advised that Taheri appeared to be lethargic. See K-9 Officer Adams' supplement for further.

I then made contact with Taheri, who was still sitting in the driver seat of his vehicle. While quickly speaking with Taheri in reference to the reason why a traffic stop was conducted on him and requesting for his credentials, I detected all the indicators that K-9

Officer Adams did. Therefore after properly positioning my vehicle, I requested Taheri to exit his vehicle and walk towards the front of my vehicle (4445) so that I could continue my investigation; which he agreed to. While walking towards my vehicle Taheri began to stumbled, appearing as if he was going to fall. Once in front of my vehicle I advised Taheri that the investigation was being audio and video recorded, which he stated that he understood. I then reassured again to Taheri to reason for the traffic stop, which he understood and admitted to driving reckless. When asked where he was coming from Taheri advised a restaurant in Boca Raton and that he was traveling home with the assistance of his GPS. While speaking with Taheri, his speech was still slow and thick and appeared to be lethargic. Taheri was swaying side to side and his eyes were heavy. During the investigation it appeared as if Taheri was falling asleep, which I had to advise Taheri numerous times to wake up. There was also a faint odor of an alcoholic beverage emitting from Taheri's person. Based on his appearance, it was known to me that Taheri was under the influence of either an alcoholic beverage and/or a chemical and/or controlled substance. Therefore I asked Taheri if he had any type of alcoholic beverages today, which he stated yes. Taheri advised that he had some sort of a Cider 12oz beer prior to leaving his residence to Boca Raton, and while at dinner he had some sort of Thai 12oz beer. Taheri advised that he only had two beers today. I then ask Taheri if has taken any type of illegal narcotics and/or medication, he advised only Methocarbamol (muscle relaxer). Based on my investigation at this point I requested Taheri to submit to a serial of road side sobriety task, which he agreed to. Prior to starting the tasks I asked Taheri if he had any disabilities and/or injuries I should know about, which he stated yes. Taheri advised that he had a spinal fusion in 2001 that still affects him and that he has really bad tremors. See the following:

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|--|---|
| <input type="checkbox"/> Left eye does not follow smoothly | <input type="checkbox"/> Right eye does not follow smoothly |
| <input type="checkbox"/> Left eye prior to 45 degrees | <input type="checkbox"/> Right eye prior to 45 degrees |
| <input type="checkbox"/> Distinct jerking in left eye at maximum deviation | <input type="checkbox"/> Distinct jerking in right eye at maximum deviation |
| <input type="checkbox"/> Vertical Nystagmus in left eye | <input type="checkbox"/> Vertical Nystagmus in right eye |

WALK AND TURN:

The task was explained and demonstrated to Taheri, which he stated that he understood. During the instructional stage, Taheri had a difficult time standing the manner I requested of him. Taheri attempted numerous time but due to that fact that I fear Taheri was going to fall I advised him to stand in a normal manner. During the walking stage, Taheri took 11 steps forward, missing heel to toe between numerous steps, stepping off the line/paused for balance numerous times. Taheri completed the turn improperly. Taheri took 11 returning steps, missing heel to toe between numerous steps, stepping off the line/ paused for balance numerous times.

ONE LEG STAND:

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NOV 14 2016

The task was explained and demonstrated to Taheri, which he stated that he understood. During the instructional stage, Taheri swayed back and forth; at times appearing that he was going to fall. During the balancing stage, Taheri raised his right foot. Dropping it on count number 5,6,8,12,20. Taheri used his arms for balance.

FINGER TO NOSE:

The task was explained and demonstrated to Taheri, which he stated that he understood. During the instructional stage, Taheri swayed back and forth. During the exercise stage Taheri missed his nose on the last Right Hand command.

ROMBERG/ALPHABET:

The task was explained and demonstrated to Taheri, which he stated that he understood. During the instructional stage, Taheri swayed back and forth. During the exercise stage Taheri had no indicators.

Based on the above facts, Taheri was placed into custody under suspicion of DUI, placed into handcuff (D/L and Spaced). While search incident to arrest, Taheri advised that he had 3 caps of Heroin in his pocket. A search of his front right pocket revealed 2 empty and 1 partially full capsule containing an off-white powdery substance, based on my training and experience it is known to me as Heroin, in a 1x1 clear plastic baggie. A loose empty capsule containing the same substance was located in his front right pocket as while. The suspect Heroin was later field tested, revealing to be position for Heroin. Upon discovering the Heroin I asked Taheri if he taken the Heroin today which he stated yes. Taheri advised that he had taken the Heroin prior to going to Boca Raton at approximately 1800hrs. Taheri advised that he took 3 capsules within a 1 hour period. Based on Taheri appearance, being lethargic and being semi coherent, I transported Taheri to Bethesda Hospital East (BHE) for medical treatment. I arrived at BHE at approximately 2151hrs and Taheri was discharged at 2329hrs. Taheri was then transported to the Boynton Beach Police Department for further investigation. I arrived at the department at approximately 2332hrs, started my 20 minutes observation period at 2333hrs and ended it at 2353hrs. Upon completion I requested Taheri to provide a sample of his breath to determine the alcohol content, which he agreed to. Taheri provided as BAC of .000 at 2356hrs and .000 at 2359hrs. Due to that fact that I suspect Taheri to be under the influence of a Chemical and/or controlled substance I requested Taheri to provide a sample of his urine for the purpose of detecting the presence of a chemical or controlled substance, which he agreed to. All the proper documents were completed and the urine kit was later entered into Evidence Department; where it would later TOT PBSO's laboratory. I then advised Taheri of his Miranda Warnings, which he stated that he understood. I asked Taheri if he was willing to answer the question on this packet, which advised no.

Based on the above stated facts I have established Probable Cause to charge Taheri with 1M count of DUI pursuant with F.S.S. 316.193.1 and Possession of Heroin pursuant with F.S.S. 893.13.6A. Taheri was later TOT PBCJ.


Video from 4445, BAT video and Heroin were placed into BBPD evidence. Taheri's vehicle was removed from scene by Blake's towing.


Let it be noted that prior to leaving the scene I made contact with Stamatopoulos who advised that he first observed Taheri while he (Stamatopoulos) was at the intersection of Woolbright Rd and Congress Ave facing south. Stamatopoulos advised that while at the intersection he observed Taheri traveling southbound in the northbound lanes, just north of the intersection. Stamatopoulos advised that as the southbound traffic control device turned green Taheri switch into the southbound lanes and proceeded southbound at as high rate of speed. Stamatopoulos advised that Taheri failed to maintain a single a lane and was continuously "bouncing" off the center median. Stamatopoulos advised that he then contacted 911, which resulted to Delray Beach Police Department due to his location. Stamatopoulos advised that he followed Taheri south into Delray Beach, to the intersection of Atlantic Ave. Stamatopoulos advised that Taheri then made a u-turn and proceeded northbound on Congress Ave, back in Boynton Beach. Stamatopoulos advised that he was then transferred over to Boynton Beach communication, I which point the relayed the information. Stamatopoulos completed and signed a sworn statement.

Nothing further.

The following instrument was sworn to before me this 11 day of November 2016

By: PERSONALLY KNOWN / OFFICER CASTRO #905


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


Signature of Arresting Officer

CASE #: 16-062846

DEFENDANT: TAHERI, SHAWN JEFFREY

Arresting Officer: CASTRO #905

Address: 100 E. Boynton Beach Boulevard Boynton Beach, Fl. 33435

Phone Numbers: Home: Work: (561) 742-6100

Name: OFFICER B. ADAMS

Address: 100 E. BOYNTON BEACH BLVD, BOYNTON BEACH, FLORIDA, 33435

Phone Numbers: Home: Work: 561-742-6100

Can testify to: THE INVESTIGATION

Name: STANATIS STAMATOPOULOS

Address: 3941 TUSKEEGEE DR, LANTANA, FLORIDA, 33462

Phone Numbers: Home: Work: 561-301-7925

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:

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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NOV 14 2016

TESTING FACILITY TASK REPORT

CASE #: 16-062846

DEFENDANT: TAHERI, SHAWN JEFFREY

Date: 11/10/16

Video Tape #: 4445

BREATH TEST RESULTS:

1. .000 g/210L Time 1156 ☒ a.m. ☐ p.m. 3. g/210L Time ☐ a.m. ☐ p.m.
2. .000 g/210L Time 1159 ☒ a.m. ☐ p.m. 4. g/210L Time ☐ a.m. ☐ p.m.

BREATH OPERATOR: OFFICER CASTRO #905

MAINTENANCE TECHNICIAN: OFFICER MUNRO #876

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLOW, THICK, SLURRED

ATTITUDE: COOPERATIVE

CLOTHING: GRAY SHIRT, MAROON SHORTS, BLUE SNEAKERS

MEDICAL CONDITIONS: SPINAL FUSION

MEDICATIONS: METHOCARBAMOL

OTHER:

COMMENTS:

NOT A CERTIFIED COPY

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NOV 14 2016

CASE #: 16-062846

DEFENDANT: TAHERI, SHAWN JEFFREY

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 OFFICER CASTRO #905 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

SCANNED

NOV 14 2016

CASE #: 16-062846

DEFENDANT: TAHERI, SHAWN JEFFREY

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 were 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 your 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 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? _____ 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 your eyes that are not corrected 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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NOV 14 2016

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: BOYNTON BEACH PD
Instrument Serial Number: 80-001190 Software: 8100.27
Date of Test: 11/11/2016

Date of Last Agency Inspection: 10/27/2016

Observation Period Began: 23:33

Subject's Name: SHAWN J TAHERI

DOB: 08/15/1987 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	23:54
	Air Blank	0.000	23:55
	Control Test	0.080	23:55
	Air Blank	0.000	23:56
	Subject Sample #1	0.000	23:56
	Air Blank	0.000	23:57
	Air Blank	0.000	23:59
	Subject Sample #2	0.000	23:59
	Air Blank	0.000	23:59
	Control Test	0.078	00:00
	Air Blank	0.000	00:00
	Diagnostics Check	OK	00:00

Cylinder Lot: 390314
Exp: 04/19/2019

State of Florida, County of PALM BEACH,

Personally appeared before me the undersigned authority, who (☒) is personally known to me or (☐) produced _____ as identification, and who after being placed under oath, states:

I, ERIN CASTRO, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: [Signature] 905 Date: 11/11/16
Signature

Sworn to (or affirmed) before me this 11 day of November, 2016

[Signature]
Signature of Notary Public-State of Florida

Philip Antea
Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.