0503340 18C721019 3757

[redacted]

Arrest Report

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

Report Date / Time	Report Number	Case Number/CAD Number	Reporting Officer Name
11/26/2018 3:57:16AM	FHP99ARR793049	FHPL18OFF098209 / LWRC18CAD214328	Z. TODD

Originating Agency ORI	Occurrence Date Time Range	Jurisdiction	Clearance
FL0509000	11/26/2018 3:02:49 AM -		

Location of Occurrence

Location Type	Location Description
PUBLIC PLACE	ROADWAY

Street Number	Street	Apt/Lot/Bldg
SR-9	NB SOF WOOLBRIGHT ROAD	

County	City	State	Zip
PALM BEACH	BOYNTON BEACH	FL	33435

Defendant

First Name	Middle Name	Last Name	Suffix	Date Of Birth	Age	Race	Sex
STEPHANIE	LYNN	WILBER		8/19/1992	26	WHITE	FEMALE

SSN	MNI #	Place of Birth	Height	Weight	Hair	Eyes
[redacted]		TOWNSED, NJ, USA	504	130	BRO	BRO

DL or ID Number	ID State	ID Type	Address Type
W416792927990	FL	E	RESIDENCE

Street Number	Street	Apt/Lot/Bldg
9873	LAWRENCE RD APT D104	

County	City	State	Zip	Phone Number	Extension
PALM BEACH	BOYNTON BEACH	FL	33436		

Location Description
RESIDENCE

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
11/26/2018 3:02:25AM	PUBLIC PLACE	ROADWAY

Street Number	Street	Apt/Lot/Bldg	County
SR-9	NB SOF WOOLBRIGHT ROAD		PALM BEACH

City	State	Zip
BOYNTON BEACH	FL	33435

Charge(s)

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	316.193.1		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
N	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description
DUI ALCOHOL OR DRUGS

Probable Cause

On November 26, 2018 I was on routine patrol in my marked patrol car in Palm Beach County. I responded to the scene of a traffic stop that occurred on I-95 (State Road 9) northbound south of Woolbright road. Trooper Garcia advised me that she initially observed that the vehicle was traveling at a high rate of speed and was failing to maintain a single lane. She stated that the vehicle jerked to the side and crossed the white lane dividers in the roadway. Trooper Garcia continued to state to me that the vehicle was occupied solely by the driver of the vehicle. The driver was later identified as Stephanie Wilber by her FL DL. She stated that she observed Ms. Wilber to have bloodshot glassy eyes, and the odor of an unknown alcoholic beverage was emitting from her breath as she talked. I then approached the vehicle and observed Ms. Wilber. I observed that she had bloodshot glassy eyes, slurred speech, and the odor of an unknown alcoholic beverage was emitting from her breath as she talked. I then requested that she step out of the vehicle and walk towards my patrol car. As she exited the vehicle she struck the side of the vehicle and used the vehicle for balance. As she stood in front of me I observed that she had an orbital sway, bloodshot glassy eyes, slurred speech and the odor of an unknown alcoholic beverage was emitting

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from her breath as she talked. I then requested that she conduct field sobriety exercises and she agreed.

Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Ms. Wilber was wearing glasses or contact lenses. It was determined that Ms. Wilber was not wearing glasses. I then checked her eyes and observed equal tracking and equal pupil size. She was instructed to place her feet together and place her hands down at her side. She then was instructed to keep her head still and follow the stimulus with her eyes and her eyes only. She was also instructed to keep looking at the stimulus until told not to. She verbally indicated that she understood. During the exercise I observed 6 of the 6 possible clues.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

I observed vertical nystagmus.

I also observed Ms. Wilber to have orbital sway and observed the odor of an unknown alcoholic substance emitting from her breath.

Walk and Turn Exercise

The area was level and free of debris. Ms. Wilber indicated that she observed the line on the ground. Ms. Wilber was instructed to put her left foot on the line, then place her right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. She was instructed not to begin untold to do so. Ms. Wilber verbally indicated that she has understood all instructions up to this point. Ms. Wilber was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Ms. Wilber was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this. Ms. Wilber was also instructed to keep her arms at her sides and to watch her feet during the exercise. Ms. Wilber was also instructed to count aloud and to not stop once she begins the exercise. She was also instructed to keep her arms at her sides at all times. Ms. Wilber began the exercise too soon and had to be told to wait and to get back into the starting position multiple times. She began the exercise and stepped off the line on multiple steps. Ms. Wilber also did not count aloud properly and showec difficulty keeping balance. She used her arms for balance and raised them higher than 6 inches. While completing the turn Ms. Wilber took both feet off the line and incorrectly completed the turn. She also did not touch heel to toe on multiple steps. Ms. Wilber took 9 steps forward and 9 steps back.

One Leg Stand Exercise

Ms. Wilber was instructed to stand with her feet together and to place her arms down at her side. Ms. Wilber was instructed to maintain that position until told to do so. Once told to do so, she was instructed to raise one leg approximatel 6 inches off the ground and to keep both legs straight with both arms at her side. She was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Ms. Wilber verbally indicated that she understood the instructions after I demonstrated to her.

Ms. Wilber was told to begin and raised her left foot. During the exercise Ms. Wilber displayed an orbital sway and had to use her arms multiple times to keep from losing balance. She also did not raise her foot six inches off the ground or keep both legs straight. She raised her foot approximately 2 inches. Ms. Wilber placed her foot down during the exercise and stopped as well as hopped. She did not look down at her foot during the exercise and count aloud as instructed.

Finger To Nose

Ms. Wilber was instructed stand with her feet together and arms at her side and to have her index fingers pointed out. She was instructed t not start and stay in that position until told to do so. She stated that she understood. I then demonstrated the position. Ms. Wilber was then instructed to when told to start to close both eyes and tilt her head back. When told to dc so she was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of her nose. I then demonstrated this. She was then instructed to after touching the tip of the nose to immediately bring her hand down to her side. She stated that she understood. I then demonstrated and she stated that she understood. She was instructed to raise

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her hand in the following order, left, right, left, right, and right, left.
-Left: Missed nose.
- Right: Missed nose.
-Left: Missed nose.
-Right: Missed nose.
-Right: Missed nose.
-Left: Missed nose.
She was then placed under arrest for DUI and transported to the Palm Beach County Jail. Once I arrived at the testing facility I conducted a 20-minute observation of Ms. Wilber. At no time did she regurgitate or take anything by mouth. I requested that she provide a lawful sample of her breath and she agreed. She provided a sample pf .209 and .205. She was then booked into the Palm Beach County Jail.
The above incident occurred in palm Beach County.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone Number
11/26/2018 4:00:02AM	PALM BEACH	PALM BEACH COUNTY CORRECTIONS	(561) 688-4400

Booking Facility Location	Booking Number
3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	

Booking Comments

Court

Court County	Court Location
PALM BEACH	200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444

Court	Court Phone	Court Appearance Date / Time	Court Fine
PALM BEACH SOUTH COUNTY COURTHOUSE	561-274-1530	12/17/2018 830 AM	

Comments

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	Officer Rank	Officer ID No
Z. TODD	TROOPER	4141

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature

Sworn and subscribed before me, the undersigned authority
This the 26 day of November, 2018
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency

Officer Signature

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006238 Software: 8100.27
Date of Test: 11/26/2018

Date of Last Agency Inspection: 11/23/2018
Observation Period Began: 03:52
Subject's Name: STEPHANIE LYNN WILBER DOB: 08/19/1992 Sex: F

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	04:16
Air Blank	0.000	04:17
Control Test	0.079	04:17
Air Blank	0.000	04:18
Subject Sample #1	0.209	04:19
Air Blank	0.000	04:19
Air Blank	0.000	04:21
Subject Sample #2	0.205	04:22
Air Blank	0.000	04:22
Control Test	0.078	04:22
Air Blank	0.000	04:23
Diagnostics Check	OK	04:23

Cylinder Lot: 13518080A5
Exp: 08/05/2020

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 SAMANTHA M PALMER, 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: _____ Date: 11/26/18
Signature

Sworn to (or affirmed) before me this 26 day of November, 2018

_____ Trooper TODD #4141
Signature of Notary Public-State of Florida 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.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

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TESTING FACILITY TASK REPORT

AGENCY: FHP/TODD

SUBJECT: WILBER, STEPHANIE

CASE NUMBER: 18-148584

DATE: Nov 26, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 414

ENDING TIME: 424

BREATH TESTS RESULTS: 1) .209 TIME 0419 A.M. ☒ P.M. ☐ 2) .205 TIME 0422 A.M. ☒ P.M. ☐

3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR

ATTITUDE: CALM, QUIET,

CLOTHING: BLACK BLOUSE, BLUE JEANS, BLACK SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0352
SUBJECT AGREED TO TAKE BREATH TEST
AND PROVIDED TWO ADEQUATE SAMPLES SUCCESSFULLY
A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD RIGHTS
TECH READ RESULTS
SUBJECT STATED HE UNDERSTOOD RESULTS
A/O DID NOT CONDUCT Q&A

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

PBSO CASE # 18-148584 PBSO ZONE 6-51

AGENCY CASE # FHP-L18OFF-098209 CRASH CASE # N/A

TIME OF STOP/CRASH 0240 DATE 11/26/18 DAY MON

SUBJECT'S NAME STEPHANIE Wilber RACE W SEX F

HGT 5'04 WGT 130 DOB 08/19/1992

LOCATION I-95 NB Woolbright ROAD

ARRESTING OFFICER'S NAME & ID TODD 4141 AGENCY FHP-L

DIVISION: DUI

NOTIFIED BY COMMO Y

ARRIVAL AT FACILITY 0352

ARREST TIME 0302

BREATH RESULTS:

1. .209
2. .205
3. N/A
4. N/A

TESTING OFFICER'S ID 24520 PBSO VIDEOTAPE # N/A

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SUBJECT: Wilber, Stephanie CASE NUMBER: FHPL180FF098209

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

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SUBJECT: Wilber, Stephanie CASE NUMBER: FHPL 18OFF098209

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 STOP/ACCIDENT? _____

WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START? _____

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

WHAT IS TODAY'S DATE? _____ WHAT DAY OF THE WEEK IS IT? _____

WHAT COUNTY AND CITY 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? _____

HOW MUCH? _____ WHERE? _____ WITH WHOM? _____

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? _____ ARE YOU UNDER THE INFLUENCE? _____

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE 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? _____

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: Trooper TODD #4141

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PALM BEACH COUNTY
SHERIFF'S OFFICE
Florida State Statute Exemption Sheet

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	☐	539.001 FS	Other: All records relating to pawnbroker transactions.	
	☐	119.0712(2)	Other: Personal information contained within a motor vehicle record	

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REVIEW COMPLETED BY

Booking Number: 2018039242	**Date:** 11/26/2018
	Specialist Name/ID: howardt/7185