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160121208

1816

ARREST / NOTICE TO APPEAR Juvenile Referral Report				1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1 Juvenile N						
ADMINISTRATION	OBTS Number		Agency Name		Agency Report Number							
	Agency ORI Number FL 0500300		BOYNTON BEACH POLICE DEPT.		34-16-063247							
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					
Location of Arrest (Including Name of Business) 801 N. CONGRESS AVE, BOYNTON BEACH, FL, 33436				Location of Offense (Business Name, Address) 801 N. CONGRESS AVE, BOYNTON BEACH, FL, 33436								
Date of Arrest 11/12/2016		Time of Arrest 1802		Booking Date	Booking Time	Jail Date	Jail Time					
Name (Last, First, Middle) SINN, SUZANNE MARIE				Alias (Name, DOB, Soc. Sec. #, Etc)								
DEFENDANT	W - White B - Black	I - American Indian O - Oriental / Asian	Race W	Sex F	Date of Birth 10/29/1968	Height 504	Weight 140	Eye Color BLUE	Hair Color BLONDE	Complexion LIGHT	Build MED	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)						Marital Status SINGLE	Religion N/A	Indication of: Alcohol Influence Drug Influence			
Local Address (Street, Apt. Number) 9884 WATERMILL CIRCLE APT A, BOYNTON BEACH, FLORIDA, 33467				(City) 33467	(State) FLORIDA	(Zip) 33467	Phone () -	Residence Type 1. City 3. Florida 2. County 4. Out of State				
Permanent Address (Street, Apt. Number)				(City)	(State)	(Zip)	Phone () -	Address Source VERBAL				
Business Address (Street, Apt. Number)				(City)	(State)	(Zip)	Phone () -	Occupation BAKER CLERK				
D/L Number, State S500793688890 / FL				Soc. Sec. Number	INS Number		Place of Birth WESTLAND, MI	Citizenship US				
CO-DEF	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth	1. Arrested 2. At Large				
					Race	Sex	Date of Birth	3. Felony 4. Misdemeanor				
JUVENILE	Co-Defendant 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						
Released To: (Name)				Relationship		Date	Time	2. TOT HRS/DYS 3. Incarcerated				
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: <input type="checkbox"/> Yes, By: (Name) <input type="checkbox"/> No: (Reason)				School Attended				Grade				
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No				Description of Property				Value of Property				
CHARGE CODE	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		Violation of ORD# -			
CHARGE	Drug Activity	Drug Type	Amount/Unit	Offense # 16-063247		Warrant/Capis Number		Bond				
	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD#			
CHARGE	Drug Activity	Drug Type	Amount/Unit	Offense #		Warrant/Capis Number		Bond				
	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD#			
CHARGE	Drug Activity	Drug Type	Amount/Unit	Offense #		Warrant/Capis Number		Bond				
	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD#			
CHARGE	Drug Activity	Drug Type	Amount/Unit	Offense #		Warrant/Capis Number		Bond				
	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD#			
NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address)		Warrant/Capis Number		Bond					
	<input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444-9100		Statute Violation Number		Violation of ORD#					
Court Date and Time Month 12 Day 12 Year 2016				Time 0830		<input type="checkbox"/> A.M. <input type="checkbox"/> 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 (or Juvenile and Parent/Custodian)				Date Signed								
ADMIN.	HOLD for other Agency Name:			Signature of Arresting Officer			Name Verification (Printed by Arrestee)					
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal			<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:			I.D. # 905	Agency BBPD	NOV 14 2018	Page 1		
Intake Deputy John B			I.D. #	Pouch #	Transporting Officer OFFICER CASTRO	Witness here is subject Signed with an "X".						

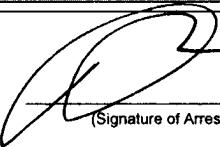
OBTS Number		PROBABLE CAUSE AFFIDAVIT				1 Arrest 2 NTA	3 Request for Warrant 4 Request for Capias	1	Juvenile	N			
Agency/ORI Number FL 0 5 0 0 3 0 0	Agency Name BOYNTON BEACH POLICE DEPT.			Agency Report Number 34 -16-063247									
Charge Type Check all that Apply	<input type="checkbox"/> 1 Felony	<input type="checkbox"/> 3 Misdemeanor	<input type="checkbox"/> 5 Ordinance	Special Notes									
	<input type="checkbox"/> 2 Traffic Felony	<input checked="" type="checkbox"/> 4 Traffic Misdemeanor	<input type="checkbox"/> 6 Other										
Name (Last, First, Middle) SINN, SUZANNE MARIE					Alias	Race W	Sex F	Date of Birth 10-29-1968					
Charge Description DUI			Charge Description										
Charge Description			Charge Description										
Victim's Name (Last, First, Middle) STATE OF FLORIDA					Race	Sex	Date of Birth						
Local Address (Street, Apt Number)			(City)	(State)	(Zip)	Phone	Address Source						
Business Address (Name, Street)			(City)	(State)	(Zip)	Phone	Occupation						
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. The Person taken into custody..													
<input checked="" 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.						
<input type="checkbox"/> Confessed to			<input type="checkbox"/> Admitting the below facts			<input type="checkbox"/> Was found to have committed the below acts, resulting from my (described) investigation.							
On The 12TH Day Of NOVEMBER 20 16 At 5:25 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.													

On 11-12-2016 at approx. 1725 hours I was stationary in a marked BBPD police vehicle conducting an Extra Patrol at the south/east Main entrance to the Boynton Beach Mall located at 801 N Congress Ave. I observed a red Ford fiesta bearing FL tag#DNPY40 traveling south bound at approx. 35 MPH that did not slow or yield to the pedestrian traffic at the edge of the painted crosswalk. The pedestrian traffic visibly responded to the vehicle by breaking stride and abruptly stopping to avoid be collided with. I activated my emergency lights and pulled in behind the vehicle. It initially did not slow or show any indication that it was going to stop. Based on the drivers actions or lack thereof and seeing more pedestrian traffic in the path of the vehicle I activated my emergency siren. The driver of the vehicle then acknowledged my presence (driver could be seen looking backwards via the rear view mirror) and began to slow but not yield to the right. The vehicle instead continued to slow and then stop at a stop sign after I gave commands via my vehicle PA to stop. I then made contact with the driver and sole occupant of the vehicle who was identified by FL/DL as w/f Suzanne M Sinn. I identified myself and advised Sinn of the reason for the traffic stop. I observed that the vehicle was still in drive and requested she place it in park and she complied. Sinn appeared lethargic and unaware of her actions and appeared to need to contemplate any requests before acting on them. I could smell the odor of alcoholic beverage coming from the cabin of the vehicle which intensified when she spoke. When she spoke she seemed confused and took longer than expected to respond and appeared to have thick slurred speech. She had blood shot and watery eyes as well. I asked her if she had been drinking and she replied "no". I pointed out that I could smell the alcohol and she stated "I had two beers". She provided her D/L and insurance but I had to request her registration a second time. When she did provide the registration she also gave me several unrelated documents as well. I walked back to my patrol vehicle leaving Sinn in her vehicle and requested the assistance of a DUI officer. Ofc Castro responded and took over the DUI investigation which led to the arrest of Sinn.

The foregoing instrument was sworn to or affirmed and subscribed before me


Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

11/12/2016
Date


(Signature of Arresting / Investigative Officer)

OFC P.S. MONTEITH ID#778
(Print name of Arresting/Investigative Officer)

11/12/2016
Date

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 12 DAY OF November 2016 AT 05:12 A.M. P.M.

CASE #: 16-063247

DEFENDANT: SINN, SUZANNE MARIE

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and time I responded to 801 N. Congress Ave (Boynton Beach Mall) in reference to a Traffic Stop conducted by Officer Monteith. Let it be noted that this incident occurred within the City of Boynton Beach, Palm Beach County, Florida.

Upon arrival I made contact with Officer Monteith who advised that while conducting an Extra Patrol at the east main entrance to the mall he observed a 2013 Red Ford Fiesta bearing Florida tag DNPY40 traveling southbound through the pedestrian crossway at a high rate of speed. Officer Monteith advised that he estimated the vehicle to be traveling approximately 35mph through the fully occupied crossway. Officer Monteith advised that due to the vehicle failing to yield for the pedestrian, pedestrians had to quickly move out of the way for the vehicle, in fear of being struck. Officer Monteith advised that due to the vehicle's actions he activated his emergency lights and sirens and attempted to conduct a traffic stop on the vehicle. Officer Monteith advised that the vehicle failed to quickly yield to his emergency equipment and after traveling approximately 100 yards behind the vehicle, repeatedly pressing his air horn and utilizing his PA system, the vehicle finally stopped. Officer Monteith advised that he then made contact with the driver/sole occupant of the vehicle W/F Sinn, Suzanne (10/29/68) and explained to her the reason for the traffic stop. Officer Monteith advised while speaking with Sinn he detected the odor of an unknown alcoholic beverage emitting from Sinn's breath, which intensified as she spoke. Officer Monteith advised that Sinn spoke with a thick slurred speech and her eyes were bloodshot/glassy. Officer Monteith advised that Sinn appeared to be lethargic and slow when responding to his questions. Officer Monteith advised that due to Sinn's appearance, believing that she was under the influence while operating a motor vehicle, he contacted me to continue the investigation. See Officer Monteith supplement for further.

I then made contact with Sinn, who was still sitting in the driver seat of her vehicle. I identified myself to Sinn and reassured that she understood why the traffic stop was conducted on her, which she stated that she understood and admitted to her driving infractions. While briefing speaking with Sinn, I observed the same indicators as Officer Monteith did. I asked Sinn if she had any type of alcoholic beverage today, which she stated she had two beers. Based on my investigation at this point, I properly positioned my vehicle so that I could properly conduct an audio/video recorded investigation. I then asked Sinn to exit her vehicle and requested that she walked to the front of my fully

marked patrol vehicle (4445), which she agreed to. Once in front of my vehicle, I advised Sinn that the investigation was being audio and video recorded, which she stated that she understood. I then advised Sinn that one of the reason I requested that she exited her vehicle was because I detected the odor of an alcoholic beverage emitting from her breath and within the vehicle and I wanted to clarify where the odor was coming from, which she stated that she understood. At this point while speaking with Sinn I still detected the odor of the alcoholic beverage emitting from her breath, which still intensified as she spoke. I asked Sinn what type of alcoholic beverage she had, which she stated 2 beers. She then stated 2 Bud Lights. At this point of my investigation I requested Sinn to submit to a series of Road Side Sobriety Task, which she agreed to. Let it be noted that prior to starting the exercises I asked Sinn if she had any injuries and/or disabilities which he stated yes. Sinn advised that she had arthritis in her hands and knees. 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 Sinn, which she stated that he understood. During the instructional stage, Sinn could not stand in the manner I requested of her. Sinn began to the task to soon more than one time. During the walking stage, Sinn took 9 steps forward in a normal walking manner. Sinn missed heel to toe on every step, stepped off the line to the right on step 2, paused for balance and raised her arms for balance. Sinn conducted an improper turn. On the returning 9 steps, Sinn continued in a normal walking manner. Sinn missed heel to toe on every step and raised her arms for balance. Did not count her steps out loud.

ONE LEG STAND:

The Task was explained and demonstrated to Sinn, which she stated that he understood. During the instructional stage, Sinn swayed side to side. Sinn advised that she would not be able to complete the task due to her arthritis. During the balancing stage, Sinn raised her left foot and dropped it on count # 2,3,9,10,11. Sinn then counted #10 again and dropped her foot. Sinn then lifted her right leg, continuing to count from #10, dropping her foot on #16,17. Sinn used her arms for balance.

FINGER TO NOSE:

The Task was explained and demonstrated to Sinn, which she stated that he understood. During the instructional stage, Sinn sway side to side. During the exercise stage, Sinn missed the tip of her nose on the first Left Hand command. On her last Left Hand command and on her first Right Hand command she touched her nose with the middle of her finger. On the third Right Hand command Sinn used the wrong hand.

ROMBERG/ALPHABET:

The Task was explained and demonstrated to Sinn, which she stated that he understood. During the instructional stage, Sinn sway side to side. During the exercise stage, Sinn did not feel comfortable recited the alphabet therefore I requested that she counted from 26-56. Sinn swayed side to side while counting, failed to keep her eyes closed through-out the entire time she was counting.

At that time, Sinn was placed into custody under suspicion of DUI, placed into handcuff (D/L and Spaced) and placed in the back seat of my patrol vehicle (#4445). I then transported Sinn to the Boynton Beach Police Department for processing. I arrived at the Boynton Beach Police Department at 1809hrs, started my 20 minutes observation at 18108hrs and completed at 1830hrs. Upon completion I requested Sinn to provide a sample of her breath to determine the alcohol content, which she refused. I then read Sinn Implied Consent; which she stated that she understood. I then requested Sinn a second time for a sample of her breath to determine the alcohol content, which she refused again. I then read Sinn her Miranda Warning, which she stated that he understood. I asked Sinn if she was willing to answer the questions on this packet, which she agreed to. See questions on pocket for further.

Based on the above stated facts I have established Probable Cause to charge Sinn with 1M count of DUI pursuant with F.S.S. 316.193.1.

Sinn was cited by Officer Monteith for failing to yield the right of way to pedestrians and speeds too fast for condition.

SFST Video and BAT Video was later placed into BBPD Evidence. Sinn's vehicle was removed from scene by a family member.

Nothing further.

The following instrument was sworn to before me this 12 day of November 2016
By: PERSONALLY KNOWN / OFFICER CASTRO #905

Sgt. Castro #768
Notary/Police Officer (F.S.S. 117.10)

905
Signature of Arresting Officer

TESTING FACILITY TASK REPORT

CASE #: 16-063247

Date: 11/12/16

DEFENDANT: SINN, SUZANNE MARIE

Video Tape #: 4445

BREATH TEST RESULTS: REFUSAL

1. g/210L Time a.m. p.m. 3. g/210L Time a.m. p.m.
2. g/210L Time 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: THICK, SLURRED SPEECH, SLOW

ATTITUDE: COOPERATIVE

CLOTHING: GREEN CAMO SHIRT, GREEN PANTS, WHITE SNEAKERS

MEDICAL CONDITIONS: ARTHRITIS

MEDICATIONS: ORENCIA

OTHER: _____

COMMENTS:

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: _____

READY ON VIDEO

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? YES

Where were you going? WILD WILD WINGS

What Street or Highway were you on? CONGRESS

What was you direction of travel? I DON'T KNOW, SOUTH

Where did you start from? BOYNTON BEACH BLVD

What time did you start? QUARTER AFTER 5

What time is it now? I DON'T KNOW

What is today's date? THE 12TH

What day of the week is it? SATURDAY

What City and County are you in now? PALM BEACH, BOYNTON BEACH

When did you last eat? 5 HOURS AGO

What did you eat? EGG SANDWICH

What have you been doing for the last three hours? HANNGING OUT WITH DAUGHTER, HAD A FEW DRINKS AT HOME

How much do you weigh? 140

Have you been drinking? I HAD A FEW DRINKS

What have you been drinking? BEER

How much? 2 1/2

With whom? MYSELF

When did you have your first drink? AROUND 4

When did you have your last drink? QUARTER TO 5

Can you feel the effects of the alcohol? NO, NOT ANYMORE

Are you under the influence? YES

Have you consumed any alcohol since the stop/accident? NO

How much? - What? - Where? - When? -

What line of work are you in? BAKER AT PUBlix

When did you last work? YESTERDAY

Do you have any physical defects or injuries? NO What? -

Are you sick or injured? NO What's wrong? -

Do you limp? SOMETIMES

Did you receive a bump on the head recently? NO

Where you in an accident today? NO

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? YES

What? ORENCIA When? A COUPLE OF WEEKS AGO

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 you eyes that are not corrected by glasses? NO

Do you take insulin? NO If so, when was your last injection? -

Have you ever gad a driver's license in any other state? NO

Where? -

Interviewer: OFFICER CASTRO #905

CASE #: 16-063247

DEFENDANT: SINN, SUZANNE MARIE

Arresting Officer: OFFICER CASTRO #905

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

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

Name: OFFICER P. MONTEITH

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

Can testify to: _____

Name: _____

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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: _____