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ARREST / NOTICE TO APPEAR

1 Arrest 2 MTA 3 Request for Warrant 4 Request for Capes

1

JUVENILE

Agency Report Number (I.T.A. only) **51418-003759**

Agency ORL Number **0501700** Agency Name **Jupiter Police Department** Multiple Clearance Indicator

Charge Type:  Felony  Misdemeanor  Traffic Misdemeanor  Other

Location of Arrest (Including Name of Business): **1210 S OLD DIXIE HWY, JUPITER, FL 33458** Location of Offense (Business Name, Address): **100 S PENNOCK LN IV INDIANTOWN RD, JUPITER, FL 33458**

Date of Arrest: **07/27/2018** Time of Arrest: **20:18** Booking Date: **07/27/2018** Booking Time: **21:06** Jail Date: Location of Vehicle

Aliases: **BENNETT, WILLIAM MCWILLIAM**

Name (Last, First, Middle): **BENNETT, WILLIAM MCWILLIAM** Alias: **BENNETT, WILLIAM MCWILLIAM**

Race: **W** Sex: **F** Date of Birth: **09-03-1956** Height: **5'00** Weight: **120** Eye Color: **BROWN** Hair Color: **BROWN** Complexion: **MEDIUM** Build: **Thin**

Indication of Alcohol Influence:  Yes  No  Unk  Indication of Drug Influence:  Yes  No  Unk

Local Address (Street, Apt. Number): **8174 SPEARFISH AVE, ORLANDO, FL 32822** Phone: **(561) 281-7477**

Permanent Address (Street, Apt. Number): **8174 SPEARFISH AVE, ORLANDO, FL 32822** Phone: **(561) 281-7477** Occupation: **DEFENDANT**

Business Address (Name, Street): **PARAMETRIC SOLUTIONS INC, JUPITER, FL** Phone: **(561) 281-7477** Occupation: **Engineer**

Business Address (City, State): **LOCHART, TX, United** Citizenship: **US**

Co-Defendant Name (Last, First, Middle): **Parent** Other:  Legal Custodian:

Address (Street, Apt. Number): (City, State, Zip) **Parent** (City, State, Zip) **Other**

Identified by (Name): Relationship: Date: Time: **JUVENILE DISPOSITION**  
 1 Handled/Processed within Commitment and Released 2 TOT JAC 3 Incarcerated

Released To (Name): Relationship: Date: Time: School Attended: Grade: Value of Property:

The above address was provided by  defendant and/or  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.

Property (Name): Description of Property:  Yes  No

Drug Activity:  Possess  Sell  Buy  Traffic  Manufacture/Distribute  Possess/Consume  Other

Statute Violation Number: **316.193(3)(C)(I)** Violation of ORL #

Charge Description: **DUI-DAMAGE TO PERSON/PROPERTY** Band: **OR**

Drug Activity: **N** Amount / Unit: **18-003759** Offense #: **1** Domestic Violence:  Y  N

Statute Violation Number: Violation of ORL #

Charge Description: Offense #: **1** Domestic Violence:  Y  N

Statute Violation Number: Violation of ORL #

Health / Apparent Physical Condition of Defendant: Explain:  Mental  Escape Risk  Medication  Deformative  Injured

Check which applies:  Released OR  Released to Parent/Guardian  TOT County Jail  PPOPEPTY - Received by  Released By  Released To

Transported By:  Released OR  Parent/Guardian  South County Mental Health  Car Transported  Time Transported  Other

INSTRUCTION NO. 1 - Mandatory appearance in court  
 INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): **North County PALM BEACH GARD**  
 Court Date and Time: **08/29/2018 08:30:00**

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 COMPLIANCE OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/Guardian): **WILLIAM MCWILLIAM** Date Signed: **2018 JUL 29**

Signature of Arresting Officer: **SALVEMINI, MICHAEL** Home Verification (Printed by Arrestor): **1136**

Home of Arresting Officer (Print): **SALVEMINI, MICHAEL** ID #: **1136**

Transporting Office: **LOCHUM** ID #: **383** Agency: **JUPITER**

Witness here if subject signed (Print Name): **WILLIAM MCWILLIAM**

PROBABLE CAUSE AFFIDAVIT

1 Arrest 3 Request for Warrant  
2 N/A 4 Request for Copy

**1** JUVENILE

Agency ID Number: **FL 0501700** Agency Name: **JUPITER POLICE DEPARTMENT** Agency Report Number: **5 4 18-003759**

Charge Type:  1 Felony  3 Misdemeanor  5 Ordinance  
 2 Traffic Felony  4 Traffic Misdemeanor  6 Other

Name (Last, First, Middle): **BENNETT, VIVIAN MCWILLIAM** Alias: \_\_\_\_\_ Race: **W** Sex: **F** Date of Birth: **09/03/1956**

Charge Description: **316.193(3)(C)(1) DUI-DAMAGE TO PERSON/PROPERTY**

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 (Phone, 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:  
 committed the below acts in my presence  was observed by \_\_\_\_\_ who told \_\_\_\_\_ that he/she saw the arrested person commit the below acts  
 confessed to \_\_\_\_\_ admitting to the below facts  was found to have committed the below acts, resulting from my (described) investigation  
On the **27** day of **July**, **2018** at **20:18** (Specifically include facts constituting cause for arrest)

The following was captured on my body worn camera:

On 07/27/18, at approximately 1911 hours, I was en-route to S Pennock Lane and W Indiantown Road, in reference to a two vehicle crash. While en-route, Officer Yochum #383 advised over the radio that one of the vehicles had an airbag deployment and medics were needed for one of the drivers. Upon arrival, I observed a 2010 brown Honda bearing FL tag 484QDS facing south on S Pennock Lane, just south of W Indiantown Road. The Honda had front end damage and was missing a portion of the front bumper. W/F Vivian M. Bennett (09/03/56) was sitting in the driver's seat and the airbag had been deployed. Just behind the Honda (north of). I observed a 2017 silver Kia bearing FL tag FFD982. The Kia had damage to the driver's side front quarter panel. W/F Judith A. Marsala (03/27/47) was sitting in the driver's seat and had blood on her mouth and requested medics.

I made contact with a witness, W/F Laurie Day-Parker (11/02/74), and identified myself. Day-Parker advised the following: She was stopped at the red light on N Pennock Lane to go south onto S Pennock Lane, crossing over W Indiantown Road. The Kia was stopped in front of Day-Parker. The light turned green and both vehicles proceeded south. The Honda was facing north on S Pennock Lane and turned left to go west on W Indiantown Road, in front of the Kia. The front of the Honda struck the front driver's side quarter panel of the Kia. The Honda did not yield to the Kia.

I made contact with Bennett and identified myself. Bennett's speech was slurred and she was difficult to understand. She appeared to be disoriented and confused. She had an odor of an unknown alcoholic beverage coming from her person, which became stronger as she spoke to me. Her eyes were bloodshot and glassy. Bennett stepped out of her vehicle and stumbled to her side. She had a difficult time standing up right without swaying from side to side. She was argumentative with the medical staff and was not making much

SWORN AND SUBSCRIBED BEFORE ME:  
**Yochum, Craig**  
Notary Public, Clerk of Court (FLETC # 11710)  
Date: **07/27/2018**

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER:  
**SALVEMINI, MICHAEL (1136)**  
NAME OF OFFICER (PLEASE PRINT)  
Date: **07/27/2018**

PAGE **1** OF **3**

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

1 Arrest  
2 IIT A  
3 Request for Warrant  
4 Request for Citias

1 JUVENILE

OBIS Number	Agency Report Number	
Agency # (PIN Number)	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5   4   18-003759
Charge Type Checked as to 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)	Race	Sex	Date of Birth
BENNETT, VIVIAN MCWILLIAM	W	F	09/03/1956

sense. Fire Rescue transported Bennett to the Jupiter Medical Center because of suspicion of alcohol use and the airbag deployment. Marsala was also transported to the Jupiter Medical Center for neck pain and a laceration to her mouth.

Officer Jurac #385 arrived on scene and called for the tow trucks for both vehicles. The Honda was towed by rotation and the Kia was towed by motorist assist, both by North County Towing. I followed the ambulance with Bennett inside to the Jupiter Medical Center. After speaking with Bennett about the crash investigation, I informed her she was at fault and my crash investigation was complete. I then told her I was conducting a criminal investigation for DUI. I advised Bennett of her Miranda Warnings and she stated she understood. I asked her where she was driving from and her answer was not clear. She stated she did not know why she was driving north on Pennock Lane. She spoke about how she was visiting her son and her friend, but it was unclear on which events occurred first or at all. She was argumentative with medical staff and with me. Medical staff advised it would be hours before she could be medically cleared because the hospital was full and a CT scan needed to be completed. Breath was impractical, so blood was requested.

Based on my above observations, I asked Bennett if she was willing to provide me with a voluntary sample of her blood to determine her alcohol content. She agreed and I began completing the paperwork for a blood draw. A short time later, Bennett became argumentative and uncooperative, demanding a lawyer. At this point, I read implied consent and she stated she did not understand. I explained the implied consent in layman terms and she repeatedly interrupted me. She began asking me if I was going to ask again if she wanted to provide a voluntary sample of her blood. She had been arrested for DUI two other times, so she was aware of the implied consent process. When I asked again, she stated she would give a voluntary sample. After completing the paperwork for the blood draw, Bennett refused the blood draw because of what the medical personnel were stating about a doctor giving consent. I tried several times to explain myself, but she kept interrupting me. At this point, she refused the voluntary blood draw after implied consent was read. At this point, she was under arrest for DUI with property damage/injury. Doctor Allison stated the medical blood read a .223 BAC. Bennett began refusing medical exams, so Doctor Allison stated she would remain in the hospital until her BAC returned to a normal level. I left a letter with the Jupiter Medical Center Laboratory advising to hold Bennett's medical blood for the criminal proceeding.

Bennett was issued the following traffic citations: DUI with property damage/injury, Failure to Yield at an Intersection, and Failure to Change Address within 30 Days. She ultimately medically cleared from the Jupiter Medical Center. Officer Yochum #383 transported Bennett to the county jail without incident.

Based on driving patten. observations, statements, and my investigation, I find probable cause to believe that Vivian M. Bennett did drive or was in actual physical control of

SWORN AND SUBSCRIBED BEFORE ME	
YOCHUM, CRAIG NOTARY PUBLIC (LEARNER OF COURSE OFFICER)	SIGNATURE OF PREETING / INVESTIGATIONS OFFICER SALVEMINI, MICHAEL (1136) NAME OF OFFICER (PLEASE PRINT)
07/27/2018 DATE	07/27/2018 DATE

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

1 Arrest  
2 I.T.A.  
3 Petition for Warrant  
4 Request for Copias

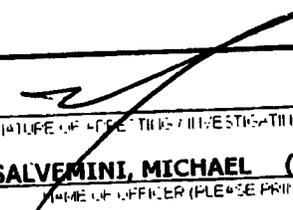
1 JUVENILE

OBTS Number	Agency Name <b>JUPITER POLICE DEPARTMENT</b>	Agency Report Number <b>5   4   18-003759</b>
Agency ORI Number <b>FL 0501700</b>	Special Note	
Charge Type Check all that apply <input type="checkbox"/> Felony <input type="checkbox"/> Traffic Felony <input checked="" type="checkbox"/> Traffic Misdemeanor <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other	Race <b>W</b>	Sex <b>F</b>
Name (Last, First, Middle) <b>BENNETT, VIVIAN MCWILLIAM</b>	Date of Birth <b>09/03/1956</b>	

a vehicle while under the influence of alcoholic beverages, or chemical substances as set forth in Florida Statute 877.111, or any substance controlled under Chapter 893 or any combination thereof, to the extent that his/her normal faculties were impaired, or while having a blood alcohol level of .08 or more grams of alcohol per 100 milliliters of blood or breath alcohol level of .08 or more grams of alcohol per 210 liters of breath, and, during the course of operating a vehicle, and by reason of such operation, did cause or contribute to causing damage to the person or property of Judith Marsala, contrary to Florida Statute 316.193(3) (a), (b) and (c) (1). (1 DEG MISD)

NOT A CERTIFIED COPY

PROBABLE CAUSE AFFIDAVIT

SIGNATURE OF PROBABLE CAUSE OFFICER <u>YOCHUM, CRAIG</u> TITLE OF PROBABLE CAUSE OFFICER <u>07/27/2018</u>	SIGNATURE OF PROBABLE CAUSE INVESTIGATING OFFICER  <u>SALVEMINI, MICHAEL (1136)</u> NAME OF OFFICER (PLEASE PRINT) <u>07/27/2018</u>
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**Palm Beach County Sheriff's Office – Arrests Only**

	X	Florida State Statute	Description	Page Number(s)
<b>L/E Exemptions</b>	<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.	
<b>Public Info. Exemptions</b>	<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.	
<b>Florida Rules of Judicial Administration 2.420 (Rule of 23)</b>	<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"/>			
<b>Other</b>	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

**REVIEW COMPLETED BY**

<b>Booking Number:</b> 2018025089	<b>Date:</b> 07/29/2018
	<b>Specialist Name/ID:</b> AM/31562