

2021 CF 10374
JUVENILE
3

ARREST / NOTICE TO APPEAR

- 1 Arrest (No Warrant)
- 2 Arrest (Warrant)
- 3 Request for Warrant
- 4 Request for Capias
- 5 Juvenile Referral
- 6 N.T.A.

OBTS Number _____

Agency ORI Number **0500200** Agency Name **Boca Raton Police Department** Agency Report Number (N.T.A.'s only) **3, 2 2021-007608**

Charge Type: 1. Felony 3. Misdemeanor 5. Ordinance 6. Other _____ If Weapon Seized: _____ Enter Type: **UNARMED** Multiple Clearance Indicator: **N**

Location of Arrest (Including Name of Business) **99 NE SPANISH RIVER BLVD, BOCA RATON, FL** Location of Offense (Business Name, Address) **99 NE SPANISH RIVER BLVD, BOCA RATON, FL 33431**

Date of Arrest _____ Time of Arrest _____ Booking Date _____ Booking Time _____ Jail Date _____ Jail Time _____ Location of Vehicle _____

Name (Last, First, Middle) **TULLY, JILL SUZANNE** Alias: _____ Alias (Name, DOB, Soc. Sec. #, Etc.) _____

Race: **W** (White) | **F** (Female) | Date of Birth: **08/07/1961** | Height: **5'03** | Weight: **120** | Eye Color: **BROWN** | Hair Color: **BROWN** | Complexion: **LIGHT** | Build: **Medium**

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) _____ Marital Status: **S** (Single) | Religion: _____ | Indication of Alcohol/Drug Influence: Yes No Unk

Local Address (Street, Apt. Number) **4010 NW 4TH AVENUE, BOCA RATON, FL 33431** (City) _____ (State) _____ (Zip) _____ Phone: **(561) 929-0905**

Permanent Address (Street, Apt. Number) **4010 NW 4TH AVENUE, BOCA RATON, FL 33431** (City) _____ (State) _____ (Zip) _____ Phone: **(561) 929-0905** Residence Type: 1. City 3. Florida 2. County 4. Out of State | **1**

Business Address (Name, Street) **UNEMPLOYED,** (City) _____ (State) _____ (Zip) _____ Phone: _____ Address Source: **FLDL** Occupation: **N/A**

D/L Number, State **T400437617870 / FL** Soc. Sec. Number _____ DNS Number _____ Place of Birth (City, State) **N/A** Citizenship **US**

Co-Defendant Name (Last, First, Middle) _____ Race _____ Sex _____ Date of Birth _____ 1. Arrested 3. Felony 5. Juvenile 2. At Large 4. Misdemeanor

Co-Defendant Name (Last, First, Middle) _____ Race _____ Sex _____ Date of Birth _____ 1. Arrested 3. Felony 5. Juvenile 2. At Large 4. Misdemeanor

Parent Other: _____ Name (Last, First, Middle) _____ Residence Phone _____

Legal Custodian _____

Address (Street, Apt. Number) _____ (City) _____ (State) _____ (Zip) _____ Business Phone _____

Notified by: (Name) _____ Date _____ Time _____ JUVENILE DISPOSITION: 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated

Released To: (Name) _____ Relationship _____ Date _____ Time _____

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.

Yes, by _____ No _____

Property Crime? Yes No _____ Description of Property _____ Value of Property _____

Drug Activity: S. Sell, R. Smuggle, K. Disperse/Distribute, M. Manufacture/Produce/Cultivate, Z. Other, N. N/A, B. Buy, D. Deliver, E. Use, P. Possess, T. Traffic

Drug Type: N. N/A, A. Amphetamine, B. Barbiturate, C. Cocaine, E. Heroin, H. Hallucinogen, M. Marijuana, O. Opium/Derv, P. Paraphernalia/Equipment, U. Unknown, L. Unknown, Z. Other

Charge Description: **DUI MANSLAUGHTER** Statute Violation Number: **316.193(3C3A)** Violation of ORD # _____

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number
N	N			1	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	

Charge Description: _____ Statute Violation Number: _____ Violation of ORD # _____

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number
					<input type="checkbox"/> Y <input type="checkbox"/> N	

Charge Description: _____ Statute Violation Number: _____ Violation of ORD # _____

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number
					<input type="checkbox"/> Y <input type="checkbox"/> N	

Health: Apparent Physical Condition of Defendant _____ Any knowledge of the following: Mental Escape Risk Medication Deformities Injuries

Check which applies: Released O.R. Released to Parent/Guardian T.O.T. County Jail PROPERTY - Received By _____ Released By _____ Released To _____

Posted Bond South County Mental Health

Transported By _____ Date 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) **South County 200 W Atlantic Ave Delray Beach, FL 33444**

Court Date and 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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/Custodian) _____ Date Signed _____

No Photo Available

HOLD for Other Agency _____ Signature of Arresting Officer _____ Name Verification (Printed by Arrestee) _____

Dangerous Resisted Arrest Suicidal Other _____ Name of Arresting Officer (Print) **VAN CAMP, J. A.** I.D. # **747** (PRINT)

Inmate Deputy _____ I.D. # _____ Pouch # _____ Transporting Officer _____ I.D. # _____ Agency _____

Witness here if subject signed with an "X".

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PROBABLE CAUSE AFFIDAVIT

1 Arrest
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OBTS Number	Agency ORI Number FL FLO500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2021-007608	
Charge Type Check as many as apply <input checked="" type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 2. Traffic Felony			<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	

Name (Last, First, Middle) TULLY, JILL SUZANNE	Alias	Race W	Sex F	Date of Birth 08/07/1961
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Charge Description 316.193(3C3A) DUI MANSLAUGHTER	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 resonable 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
 confessed to _____ admitting to the below facts.
 was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.
 was found to have committed the below acts, resulting from my (described) investigation.
 On the 28 day of June, 2021 at 18:20 (Specifically include facts constituting cause for arrest.)

On 6-28-2021 at 6:20 P.M., multiple BRPD units responded to the intersection of NE Spanish River Blvd. and N. Dixie Hwy. in reference to a two-vehicle crash. Several witnesses notified 9-1-1 when they observed a 2015 Ford SUV bearing Fl Tag#ETW A42 collide with a 1997 Honda Sedan bearing Fl Tag#585 QIH. The driver of the Honda, identified via FLDL as Orlando Solano Siles was found deceased in his vehicle after succumbing to his injuries that he sustained from the crash. BRFD personnel declared Solano Siles deceased on scene at 1834 hours. The driver of the Ford SUV, identified via FLDL as Jill Tully, was transported to the Delray Medical Center and treated for minor injuries.

Ofc. Vick was the first responding officer to the scene. Ofc. Vick advised the following: On 06/28/2021 at approximately 1822 hours I was dispatched to a traffic crash with injuries at the intersection of NW Spanish River Blvd and N. Dixie Hwy. Upon my arrival, I observed a white SUV with front end damage and a black Honda small car to have been the vehicles involved in the crash. The white SUV was located in the intersection and the Honda had crashed into a pole. The driver of the white SUV was still located in the driver's seat when I arrived on scene and there were no other occupants of her vehicle. I observed the driver of the Honda to have what appeared to be severe injuries.

I made contact with the driver of the white SUV, who provided me her Florida Driver's License that identified her as Ms. Jill Tully. She was seated behind the wheel of her vehicle when I spoke with her. I asked her what occurred in the crash, and she stated, "yeah my car is totaled and I'm hurt." I asked her how the crash occurred, and she stated, "I live right down the street and my boyfriend is home". I asked which way she was traveling, and she stated, "I was on Dixie", however she pointed East toward NW Spanish River Blvd. She then corrected herself and stated she was going West. I then asked her if she made a turn to go West and she stated "No". She then stated, "I don't

SWORN AND SUBSCRIBED BEFORE ME DALY, MICHAEL D NOTARY PUBLIC / CLERK OF COURT / OFFICER (F. S. S. 117.10) <u>11/12/2021</u> DATE	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER VAN CAMP, JEFFERY ALAN (747) NAME OF OFFICER (PLEASE PRINT) <u>11/12/2021</u> DATE	PAGE 1 OF 6
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PROBABLE CAUSE AFFIDAVIT
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	<input type="checkbox"/> 5. Ordinance	<input type="checkbox"/> 6. Other	Special Notes	

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know, I'm hurt". I asked if she ever saw the car that she hit and she stated "No". While I was speaking with her, I could smell an odor of alcohol being emitted from her breath. I observed there to be an open 12 pack of Bud Light beer on the front passenger floorboard of her vehicle. At no point did she ever inquire as to the condition of the other driver, despite seeing his vehicle to be extremely damaged approximately 15 yards from her vehicle.

I was notified by Sgt. Daly of the crash and left my residence at 1850 hours. I arrived on scene at 1905 hours and parked my police vehicle unit#381 in the inside northbound lanes of N. Dixie Hwy. Several officers were on scene and preserving the crash scene evidence and crime scene tape was erected to keep people from contaminating the scene.

I walked the crash scene and began examining the roadway evidence and the damage profiles for both vehicles. I first began examining the Honda Civic and saw Solano Siles still in the driver's seat of the vehicle with obvious fatal injuries to his body. The Honda Civic was facing southwest and off the roadway in the bushes just west of N. Dixie Hwy. There was severe damage to the front driver's side portion of the vehicle and to the engine block. The hood and the engine block were crushed in from the impact. The windshield was smashed inward as well. The front passenger side airbag deployed; however, the driver's steering wheel airbag did not deploy, and it appeared that it was an after market steering wheel was installed without an airbag inside of it. There was damage to the rear passenger side of the vehicle. The front driver's side tire was unhinged and flat from the collision. Solano Siles was wearing his seatbelt when the crash occurred.

I then examined the Ford SUV. The Ford SUV also had severe front-end damage and the engine block was crushed in. The steering wheel airbag and the driver's side floorboard airbag were deployed. The top passenger side portion of the Ford SUV's windshield was splintered from the collision. The front passenger side quarter panel was pushed in and the front passenger side tire was flat from the crash. The front driver's side panel was pushed in as well, and the front bumper was hanging off. The majority of the damage was on the passenger side portion of the vehicle, confirming a passenger side collision. The passenger side airbag did not deploy and it should be noted that Tully was the sole occupant. Tully was wearing her seatbelt when the crash occurred. I also observed a 12-pack case of Bud Light sitting on the front passenger side floorboard.

I was able to determine the area of impact based on the roadway evidence and where both vehicles came to a final rest. The initial impact occurred in the inside southbound lane on N. Dixie Hwy as V2 (Honda Civic) was traveling southbound and V1 (Ford SUV) was turning westbound onto NW Spanish River Blvd. from the northbound facing turn lane. As V1 made its left turn, D1 (Tully) did turn directly into V2, causing a passenger side impact from V1 and a direct driver's side impact on V2. Based on a small amount of pre-braking skids (4 ft.) prior to the crash, Solano Siles did not have much time to

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11/12/2021	NAME OF OFFICER (PLEASE PRINT)
DATE	11/12/2021
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react to V1 turning in front of him. After impact, V2 traveled in a southwest direction for 50 ft. before coming to a final rest in the bushes. After V1 struck V2, V2 spun in a counter clockwise direction one time before coming to a final rest 16 ft. away from the initial impact location.

Ofc. Rafalko was on scene and conducting interviews with two witnesses that observed the crash. Ofc. Rafalko first spoke with Peter Cross who stated that he witnessed the crash. Cross stated that he was stopped at a steady red signal on NW Spanish River Blvd in the westbound left turn lane to turn southbound onto N. Dixie Hwy. Cross observed the black vehicle going southbound through the intersection. Cross observed the white vehicle going northbound and make a left turn to go westbound on NW Spanish River Blvd. Cross observed the vehicles crash in the middle of the intersection. Cross did not know what the color of the traffic signal was for either vehicle involved in the crash. Cross only knew that all of westbound traffic had a steady red signal.

Cross stated that he observed the driver of the white vehicle behind the wheel whom he described as a white female in her 50's wearing a red top and grey pantsuit. Cross stated that she was the only occupant of the white vehicle. Cross stated that the black vehicle was going 50 MPH at the time of the collision. Cross was unable to provide an estimated speed of the white car but stated that it wasn't going that fast. Cross did not get close to the driver of the white vehicle to detect any signs of impairment. I completed a sworn oral witness statement with Cross which was captured on my MVR (Avail) and marked as evidence.

Ofc. Rafalko then spoke with Isabella Prieto who stated that she witnessed the crash. Prieto stated that she was northbound on N. Dixie Highway just south of the intersection stopped at a steady red signal for northbound traffic. Prieto stated that she observed the black vehicle southbound on N. Dixie Highway. Prieto advised that she observed the white vehicle westbound on NE Spanish River Blvd. Prieto observed the vehicles collide in the middle of the intersection. Prieto stated that after the collision she saw the driver of the white vehicle exit the driver's seat. Prieto stated that the driver was a white female, 45 to 50 years old. Prieto stated that she was the only occupant of the white vehicle. Prieto stated that the white vehicle was going between 55 and 60 MPH. Prieto did not know how fast the black vehicle was traveling. Prieto only knew that northbound traffic had a steady red signal. I completed a sworn oral witness statement with Prieto which was captured on my MVR (Avail) and marked as evidence.

It should be noted that Prieto's account of the crash is inaccurate based on video evidence from a dash camera that another witness, James Baker, provided. Baker's dash camera captured the white vehicle going northbound on N. Dixie Hwy and was making a left turn to go westbound on NW Spanish River Blvd. The black vehicle was traveling southbound on N. Dixie Hwy and the vehicles collided in the middle of the intersection. Baker's dashcam also showed that eastbound traffic had a steady red signal and another

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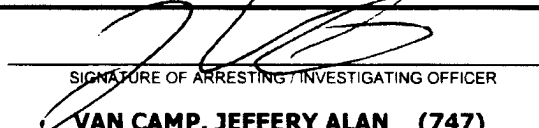
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vehicle had proceeded northbound through the intersection just prior to the crash.

I then spoke to a witness, James Baker. Baker provided a sworn verbal statement; the following is a synopsis of his statement. Baker said he was the first vehicle in line facing eastbound in the outside through lane on NE Spanish River Blvd. with a solid red-light. Baker said that he hadn't been stopped long when he looked down as his cell phone momentarily, when he looked up, he saw the collision occur between the two vehicles. Baker said he was focused on his traffic signal and was not able to see what color the other lights were; however, he did say that a normal flow of traffic was occurring on the north and south bound lanes on N. Dixie Hwy. Baker estimated that both vehicles were traveling around "35-40 mph" when the crash occurred. Baker said that he saw the Ford SUV turning westbound from the northbound lanes and the Honda Civic traveling southbound in the inside lane. Baker said he saw both vehicles spin off after the crash occurred so he pulled over onto the side of the roadway and exited his vehicle to see if he could assist in some way. Baker said he observed Solano Siles still sitting in the driver's seat of the vehicle. He then saw Tully exit her vehicle, which he then informed her to stay inside of car until the Boca Raton Fire Department arrived on scene. Baker described Tully as the driver of the Ford SUV and saw her exit the driver's seat. Baker has a vehicle dashcam recorder system attached to the front of his vehicle. The recording system capture the entire accident, which confirmed Baker's account of what occurred. I reviewed the video which shows the Honda Civic traveling southbound at an undetermined speed and the Ford SUV making a left-hand turn when the crash occurred. Based on the video, it appears as if Tully momentarily applies the brakes before the crash occurred and the lets off the brake right before the crash occurred. The video shows the front end of Tully's vehicle dipping to the concrete after she applied the brakes. The video also shows Solano Siles applying the brakes as well at the last minute before the crash occurs. The video was submitted into evidence.

I then spoke with, Lucio Guimaraes, another witness to the crash who provided a sworn verbal statement. It should be noted that Guimaraes personally knows the deceased, Solano Siles. Guimaraes stated that he was exiting his place of work located at 3601 N. Dixie Hwy. (approximately 950 ft away from the crash scene). Guimaraes said he looked to the north and observed the Honda Civic traveling southbound in the inside lane on N. Dixie Hwy and the Ford SUV turning left onto NE Spanish River Blvd. when the crash occurred. Guimaraes said that the traffic signal for the northbound lanes on N. Dixie Hwy. was a solid green light. Guimaraes could not estimate how fast the vehicles were traveling. Guimaraes drove to the crash scene because he recognized Solano Siles' vehicle was involved in the crash. He exited his vehicle and ran to check on Solana Siles and observed that he had severe injuries. Guimaraes then waited on scene until police and fire personnel arrived on scene.

Ofc. J. Casas responded to the Delray Medical Center to make contact with Tully and to question her about the crash. According to Tully, she was on her way to her residence

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located in the area of NW Spanish River and NW 4th Ave when she was involved in the crash. She stated she had been traveling northbound on N Dixie Hwy at the intersection with NW Spanish River Blvd. Tully believes she was making a left turn at the intersection to travel westbound toward her residence but could not remember if she had started turning yet. Tully said everything happened so fast that she did not remember how the crash occurred. She said she only remembered the impact and her airbags being deployed.

Tully advised that, prior to the crash, she had picked up her mother and sister from Ft. Lauderdale airport. She said she then drove them to their residence in Pompano Beach. Tully advised that on her way home from their residence, she stopped at RaceTrac gas station to use the restroom and purchase a 12-pack of beer. Tully stated she placed the beer on her passenger seat and claimed she was saving it for when she got home. According to Tully, she did not consume any alcohol prior to the crash.

Based on Ofc. Vick smelling the odor of an alcoholic beverage coming from Tully's breath and the 12-pack of Bud Light located in her vehicle, Ofc. Casas requested Delray Medical Staff personnel to collect a sample of Tully's blood for the purpose of determining its alcohol content and/or the presence of a chemical/controlled substance. Prior to collecting the blood, Ofc. Casas ensured that the BRPD provided blood kit was not expired and contained two tubes containing the white preservative/anticoagulant substance. Delray Medical Staff Phlebotomist II Deidre Gammage then used the provided blood kit to collect two samples of blood from Tully's right hand at 2335 hours. The tubes were inverted several times following the collection. They were then packaged and sealed per the instructions in the blood kit box. The blood kit was then submitted to BRPD evidence with a request for testing. This process was captured on Ofc. Casas' mobile video recorder.

At 1957 hours, Ofc. Reisner contacted the Palm Beach Medical Examiner's Office. At 2025 hours, the on-call medical examiner was given cursory information about the crash and the deceased driver and advised he was en route to the scene.

From 2030 hours to 2120 hours, several members of the Boca Raton Police Department assisted in utilizing a laser mapping system to map the scene and evidence to scale.

On 6-29-2021, I applied for and successfully received acceptance for a search warrant for Jill Tully's medical records while being medically evaluated at the Delray Medical Center. The search warrant was approved by Judge Kastrenakes. The search warrant specifically requested the hospital admission blood (tubes of blood) specifically and only pertaining to Jilly Tully (W/F, DOB- 8-7-1961) including medical records. These blood samples would indicate whether Jill Tully was impaired while operating her motor vehicle in reference to a fatal vehicle crash, BRPD case number 2021-007608, and was

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whether or not Tully was under the influence of alcohol or any chemical/controlled substances on 6-28-2021, when the crash occurred. The evidence to be seized is in the custody of or under the control of Delray Medical Center Records Department located at 5352 Linton Blvd, Delray Beach, Fl, 33484. The blood vials are located within the blood medical laboratory at the hospital.

The above warrant was executed on 6-29-2021. The medical admission blood vials were collected and submitted to the PBSO Toxicology department for further analysis. The search warrant was submitted to the Delray Clerk of the Circuit Court and Comptroller at the South County Courthouse on 7-2-2021.

On 8-10-2021, I received the results from the medical admission blood that was requested in the search warrant. Below are the results from the toxicology request:

Blood volatile analysis:
 0.056 +/- 0.005 grams of ethanol per 100 milliliters of blood
 0.055 +/- 0.005 grams of ethanol per 100 milliliters of blood


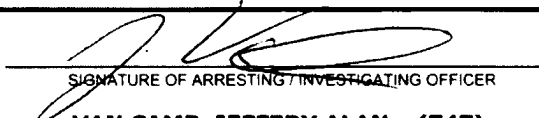
Blood drug analysis:
 Fentanyl at less than 1.0 ng/mL
 Oxycodone at 31 +/- 8 ng/mL
 Carboxy-THC at 5.8 +/- 1.4 ng/mL

On 11-4-2021, I received the results of this blood kit that was collected by Ofc. J. Casas. The result are as follows:
 Blood volatile analysis: None detected

Blood drug analysis detected:
 Fentanyl at less than 1.0 ng/mL
 Hydromorphone at less than 1.0 ng/mL
 Oxycodone at 15 +/- 4 ng/mL
 Carboxy-THC at 9.5 +/- 2.3 ng/mL

Based on the totality of circumstances, to include Tully's left turn which violated the right of way of Solano Siles, along with the blood analysis report which shows at 2000 hours, Tully's BAC was a .55/.56 and then again at 2355 hours her BAC was .000, indicate that Tully's BAC must have been higher at the time of the crash which occurred at approximately 1820 hours. That, in addition to the presence of narcotics in her system would cause Tully to be impaired at the time of the crash.

Based on the above investigation, I am requesting a warrant for the offense of DUI Manslaughter per F.S.S. 316.193(3ABCA).

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