C547021 24mm1215NB 341

Marcy's Law CVI FL. Const. Art. 1 § 16(b)

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias: 1

Juvenile: N

ADMINISTRATIVE

OBTS Number:

Agency ORI Number: FLO 5 0 2 6 0 0

Agency Name: PALM BEACH GARDENS POLICE DEPARTMENT

Agency Report Number: 78 - 24000737

ChargeType: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Weapon Seized / Type: 2 (1. Yes 2. No)

Multiple Clearance Indicator:

Location of Arrest (Including Name of Business): 2000-BLK PGA BLVD, PALM BEACH GARDENS, FL, 33410

Location of Offense (Business Name, Address): 2700-BLK PGA BLVD, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
02/12/2024	00:40					KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): CALDERON, JOHANNA,

Alias (Name, DOB, Soc. Sec. #, Etc.):

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	01/25/1990	5'6	165	BRO	BRO	MED	MED

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description):

Marital Status: SINGLE | Religion: OTHER

Indication of: Alcohol Influence ☑ Y ☐ N ☐ Unk. | Drug Influence ☐ Y ☐ N ☑ Unk.

Local Address (Street, Apt. Number) (City) (State) (Zip): 8640 PINE CAY, WEST PALM BEACH, FL 33411

Phone: (305) 787-8747

Residence Type: 1. City 2. County 3. Florida 4. Out of State: 2

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 8640 PINE CAY, WEST PALM BEACH, FL 33411

Phone:

Address Source: VERBAL

Business Address (Name, Street) (City) (State) (Zip):

Phone:

Occupation:

D/L Number, State: C436-420-90-525-1 FL

Soc. Sec: [redacted]

INS Number:

Place of Birth (City, State): WAYNE, NJ

Citizenship: US

CO-DEF

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

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other:

Name (Last) (First) (Middle):

Residence Phone:

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

Business Phone:

1 - 1,000
2 - 250
3 - 4,000

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 provided by ☐ defendant and / or ☐ defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. ☐ Yes, by: (Name) ☐ No: (Reason)

School Attended Grade

Property Crime? ☐ Yes ☐ No

Description of Property:

Value of Property:

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. Barbiturate C. Cocaine E. Heroin H. Hallucinogen M. Marijuana O. Opium/Deriv. P. Paraphernalia/ Equipment S. Synthetics U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant I Capias Number	Bond
DRIVING UNDER THE INFLUENCE	1	☐Y ☑N	316.193(1)(C)		N	N	.080			

6

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
RECKLESS DRIVING	1	☐Y ☒N	316.192(1)(A)		N	N				

3

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount I Unit	Offense #	Warrant / Capias Number	Bond
RESIST ARREST W/O VIOLENCE	1	☐Y ☑N	843.02		N	N				

3

FILED PBC - GUN CLUB
'24 FEB 12 AM 7:03

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
		☐Y ☐N								

NOTICE TO APPEAR

Location (Court, Room Number, Address): NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700

Court Date and Time: Month MARCH Day 13 Year 2024 Time 1000 AM ☒ PM

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: 02/12/2024

ADMIN

HOLD for other Agency Name:

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Signature of Arresting Officer: x

Name of Arresting Officer (Print): A. FLINK I.D. #: 514

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an -X"

Intake Deputy: Bonilla I.D. #: 18512 Pouch #:

Transporting Officer: OFC. FLINK ID #: 514 Agency: PBGPD

PAGE 1 OF 1

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PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias: **1**

JUVENILE:

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 | 24-000737

Charge Type: Check as many as apply. ☐ 1. Felony ☒ 3. Misdemeanor ☐ 5. Ordinance ☒ 4. Traffic Misdemeanor ☐ 2. Traffic Felony ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
CALDERON, JOHANNA		W	F	01/25/1990

CHARGES

Charge Description	Charge Description
316.193(1)(C) DUI - BREATH .08 OR ABOVE	316.192(1)(A) RECKLESS DRIVING
843.02 RESIST/OBSTRUCT OFFICER W/O VIOLENCE	

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
State Of Florida			

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

PROBABLE CAUSE STATEMENT

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 12 day of February, 2024 at 00:20 (Specifically include facts constituting cause for arrest.)

On 02/12/2024 at approximately 0020 hours, this Officer was in the area of the 2700-block of PGA Blvd, PBG, FL, and observed a vehicle traveling east bound in the inside through lane at an increased rate of speed. Body worn camera and in car video were used.

This Officer visually estimated the vehicle to be traveling approximately 80 MPH in a posted 45 MPH zone. Using RADAR Stalker DSR2X (DB001317), front antenna (KC086606), this Officer received a steady doppler tone and reading of 77 MPH and increasing. The RADAR calibration was last checked on 11/13/2023 and was due on 05/23/2024. Prior to this tour of duty on this date, this Officer ensured the RADAR was in working order, to confirm the accuracy of the unit. At the end of this tour of duty, this Officer did the same. This Officer received RADAR/LIDAR certification on 05/31/2008, in Cannon AFB, NM. This Officer entered the same lane as the vehicle and attempted to gain on the vehicle.

As the vehicle climbed the Intracostal Waterway Bridge, it had increased in speed to a steady speed of 88 MPH, now in a posted 40 MPH zone. This speed reading was observed via the same RADAR unit and antenna. The vehicle appeared to this Officer, to be driven with a clear willful disregard for the safety of others and/or property. This Officer caught up to the vehicle, a Kia Forte (PLWY10/FL) at the steady red light of Ellison Wilson Rd. This Officer initiated a traffic stop on same just west of US Highway 1.

This Officer approached the driver window and made contact with the driver, identified via Florida Driver License photo, Johanna Calderon (OF), while she was still in actual physical control of same. This Officer immediately noticed Calderon had a flushed red face, glassy watery eyes, a slur in her speech, and the obvious odor of an unknown alcoholic beverage emanating from her breath at conversational distance. Calderon said she was on her way to work at the hospital. Calderon stated she was coming from her

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

02/12/2024
DATE

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # GG 972030
My Comm. Expires Jun 23, 2024
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FLINK, ANDREW S (514)
NAME OF OFFICER (PLEASE PRINT)

02/12/2024
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 8 24-000737

Charge Type: Check as many as apply. ☐ 1. Felony ☒ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
CALDERON, JOHANNA		W	F	01/25/1990

PROBABLE CAUSE STATEMENT

house and was going to a friend`s house who lives closer to the hospital. Calderon denied consuming alcohol, narcotics and/or Cannabis on this night.

Based on this Officer`s observatons this Officer expressed concern to Calderon that she may be under the influence and asked her to exit the vehicle to participate in Standardized Field Sobriety Exercises, to which she complied. Calderon said she did not have any medical conditions which would affect the exercises performed.

The first exercise conducted was the Horizontal Gaze Nystagmus. The stimulus used was a Streamlight Stylus with an illuminated red tip. Calderon had a lack of smooth pursuit in both eyes as well as involuntary jerking at maximum deviation in both eyes.

The second exercise conducted was the Walk and Turn. The line used was a strip of yellow tape placed upon the pavement by this Officer. During the instructions, Calderon would not remain in the starting position. This Officer told Calderon to remain in the starting position and she immediately would step off the line. Calderon failed to maintain the starting position at least six times. During the first set of steps, Calderon raised her arms more than six inches from her sides and took eight steps rather than nine. Calderon conducted an improper turnaround by way of shuffling her feet around rather than taking a series of small steps. During the return set of steps, Calderon missed heel-to-toe on the ninth step and raised her arms more than six inches from her sides.

The third exercise conducted, was the One-Leg Stand. During the exercise, Calderon raised her left foot. Calderon swayed side-to-side and raised both arms more than six inches from her sides. Calderon also placed her foot down three times, prior to being told to do so, thus ending the exercise early.

The fourth exercise conducted was the Finger to Nose. During the exercise the following was observed: During the first command of Left, Calderon touched under the tip of her nose. First command of Right, Second command of Left and Second Command of Right, she touched her nose with the pad of her finger. Thid command of Right, Calderon raised her left hand then corrected herself and touched with the pad of her finger. Final command of Left, she touched with the pad of her finger.

The final exercise conducted was the Modified Rhomberg Balance. Calderon estimated the passage of 30 seconds in approximately 39 seconds.

Based on this Officer`s observations, Calderon was placed under arrest at 0040 hours. While Calderon was being handcuffed, she began to physically resist this Officer and Ofc Faris 476. Calderon pulled her left hand from this Officer, braced, tensed and attempted to breakaway from both uniformed Officers. Calderon was successfully restrained without a use of force. During a tow inventory of the vehicle, this Officer

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SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER

02/12/2024
DATE

SHARON O'NEAL
Notary Public - State of Florida
Commission # GG 973030
My Comm. Expires Jun 23, 2024
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FLINK, ANDREW S (514)
NAME OF OFFICER (PLEASE PRINT)

02/12/2024
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN	OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE
	Agency ORI Number: FL FL0502600	Agency Name: Palm Beach Gardens Police Department	Agency Report Number: 7 | 8 | 24-000737		
	Charge Type: Check as many as apply: ☐ 1. Felony ☒ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other		Special Notes:		

DEF	Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
	CALDERON, JOHANNA		W	F	01/25/1990

PROBABLE CAUSE STATEMENT

located an orange cup standing upright on the passenger floor board. The cloudy white liquid contents of the cup had the odor of an alcoholic beverage. In the pocket behind this same seat was a crushed "Mike`s Hard Lemondade" can.

At the PBSO BAT, this Officer conducted a 20 minute observation period, noting no issues. This Officer requested Calderon provide a breath sample for the purpose of determining its alcohol content, to which she appeared unsure. This Officer read Florida Implied Consent to Calderon, to which she acknowledged and consented. At 0148 hours she blew .080 and at 0151 hours she blew .079.

Based on the results of the investigation, this Officer has probable cause to charge Johanna Calderon with driving under the influence, to the extent her normal faculties were impaired, with an unlawful breath alcohol content, in violation of FSS 316.193(1)(C). Calderon also operated a motor vehicle with a willful disregard for the safety of others and/or property, in violation of FSS 316.192(1)(A). Lastly, Calderon resisted uniform Officers in the lawful performance of a legal duty as law enforcement, in violation of FSS 843.02.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F...

02/12/2024
DATE

SHARI O'NEAL
Notary Public - State of Florida
Commission # GG 2...30
My Comm. Expires Jun 25, 2024
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FLINK, ANDREW S (514)
NAME OF OFFICER (PLEASE PRINT)

02/12/2024
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: [redacted] PBSO Zone: 3-13

Agency Case #: 24000737 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 0022 Date of Incident: 02/12/2024 Day: MONDAY

Location of Incident: 2700-BLK PGA BLVD, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 00:40 Date of Arrest: 02/12/2024 Day: MONDAY

Location of Arrest: 2000-BLK PGA BLVD, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) CALDERON, (F) JOHANNA, (M) _____

DOB: 01/25/1990 Race: W Sex: F Height: 5'6 Weight: 165 Hair BRO Eye BRO

Address: 8640 PINE CAY, WEST PALM BEACH, FL 33411 Phone: (305) 787-8747

Arresting Officer's Name: A. FLINK ID#: 514

Agency: PBGPD Division: TRAFFIC UNIT ☐ **Marcy's Law CVI** FL. Const. Art. 1 § 16(b)

Breath Results

1) [redacted] at [redacted] hrs.
2) [redacted] at [redacted] hrs.
3) _____ at _____ hrs.
4) _____ at _____ hrs.

---BAT Use---

BAT Notified:	YES
Arrival Time at BAT:	0118
Subject Arrest Time:	00:40

Breath Test Operator: ONEAL 6212
PBSO

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SUBJECT: Calderon, J. Ivana CASE NUMBER: _____

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 determining the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am Cpl. Flint of the PBGPD

If you refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your ***breath, urine*** or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,

If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

SUBJECTS SIGNATURE: (X) Ivana Calderon

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) _____

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WHITE: STATE ATTY. YELLOW: DHSMV PINK: CENTRAL RECORDS GOLD: JAIL

SUBJECT: Calleros, Jhonnan CASE NUMBER: _____

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: C. Ford 5/4

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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: 80-006477 Software: 8100.27
Date of Test: 02/12/2024

Date of Last Agency Inspection: 01/12/2024
Observation Period Began: 01:18
Subject's Name: JOHANNA CALDERON DOB: 01/25/1990 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	01:46
Air Blank	0.000	01:46
Control Test	0.079	01:46
Air Blank	0.000	01:47
Subject Sample #1	0.080	01:48
Air Blank	0.000	01:49
Air Blank	0.000	01:50
Subject Sample #2	0.079	01:51
Air Blank	0.000	01:52
Control Test	0.079	01:52
Air Blank	0.000	01:53
Diagnostics Check	OK	01:53

Cylinder Lot: 06723080A5
Exp: 04/05/2025

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State of Florida, County of [illegible],

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 SHARI L O'NEAL, 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: [illegible]
Signature

Sworn to (or affirmed) and subscribed before me this [illegible] day of [illegible], [illegible]

_____ _____
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

TESTING FACILITY TASK REPORT

AGENCY: PBG OFC. FLINK #514

SUBJECT: CALDERON, JOHANNA

CASE NUMBER: 24-033643

DATE: Feb 12, 2024

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 01:41 HRS

ENDING TIME: 01:54 HRS

BREATH TESTS RESULTS: 1) .080 TIME 01:48 A.M. ☒ P.M. ☐ 2) .079 TIME 01:51 A.M. ☒ P.M. ☐

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

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: ACCENT, SLURRED

ATTITUDE: EMOTIONAL, CRYING, COOPERATIVE

CLOTHING: JACKET- NAVY BLUE SHIRT- PINK & WHITE PRINT PANTS- BLUE JEANS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES:VERY RED, WATERY FROM CRYING RUNNY EYE MAKE-UP
SLIGHT ODOR OF UNKNOWN ALCOHOLIC BEVERAGE.

COMMENTS:

20 MIN. OBSERVATION CONDUCTED BY A/O FLINK #514

A/O REQUESTED THE BREATH TEST.
D WAS A LITTLE CONFUSED ABOUT THE REQUEST.
A/O READ THE IMPLIED CONSENT ON CAMERA TO THE D.
D UNDERSTOOD THE I/C AS READ.
D SUBMITTED TO THE BREATH REQUEST.
D COMPLETED THE TEST CORRECTLY.
BREATH RESULTS EXPLAINED TO THE D.
C/W READ ON CAMERA,NO Q&A CONDUCTED.

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Palm Beach County Sheriff's Office

Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(4)(c)	Undercover personnel	
	☐	119.071(2)(e)	Confession	
Public Info. Exemptions	☐	FL Const. Art. I, s. 16(b)(5)	Marsy's Law – victim information shall be redacted. The term "victim" also includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim. The term "victim" does not include the accused (ref. page 99 of the CRTM for additional information)	
	☐	119.071(2)(j)	Home/employment telephone number, home/employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence	
	☐	119.0712(2)	Personal information contained in a motor vehicle record	
	☐	316.650(11)	Driver information contained in a uniform traffic citation	
	☐	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
Florida Rules of Judicial Administration 2.420	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	☐	(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	☐			
	☐			
	☐			
	☐			

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REVIEW COMPLETED BY

Booking Number: 2024003920	**Date:** 2/12/2024
	Specialist Name/ID#: T.HOWARD/7185