

ARREST REPORT

Report Date / Time 10/01/2017 08:16 AM	Agency Case/Offense Number FHPL17OFF079964	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD180332
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LOCATION OF OCCURRENCE

County PALM BEACH	Address I-95 SB EXIT RAMP CONGRESS AVE, BOCA RATON, FL 33487	
Range of Occurrence Date/Time 10/01/2017 04:36 AM to 10/01/2017 04:36 AM	Latitude N 26 40.1919	Longitude W 80 5.5523

PERSON: SUSPECT

First Name ALEXANDRA	Middle Name NICOLETTE	Last Name BENATOVICH	Suffix	Date of Birth 09/17/1992	Age 25	Race W	Sex F	Height 502	Weight 115	Hair BRN	Eyes BRN
Master Name Index Number	Place of Birth LIMA, PERU	Nation PERU	SSN	Driver's License or Other ID B531014928370	State FL	Class or Type E					
Address 1043 GROVE PARK CIR		City BOYNTON BEACH	County PALM BEACH	State FL	Zip Code 33436	Phone					

CHARGES

Counts 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH			
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL	☐ Hate Crime	☐ Domestic Violence	Bond Amount \$0.00
DUI ALCOHOL OR DRUGS					

Counts 1	Charge Number 316.193.3c1	Charge DUI-UNLAW BLD ALCH			
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL	☐ Hate Crime	☐ Domestic Violence	Bond Amount \$0.00
DUI AND DAMAGE PROPERTY					

PROBABLE CAUSE

On the above date and approximate time, I was in service in Palm Beach County. I was dispatched to assist Trooper G. Cleary 4055 on a single vehicle crash in the area southbound Interstate 95 (State Road 9) exit to Congress Ave (State Road 807). Upon my arrival, I observed a white colored SUV that was up against a yellow caution marker dividing the roadway. I observed there to be a female sitting in the raised median wearing a brown top and black pants. I then made contact with Trooper Cleary and he advised me that the driver had fallen asleep and her foot had slipped off of the brake pedal and then collided with the sign. Trooper Cleary advised me that he concluded his crash investigation. I then made contact with the female sitting on the raised median who was later identified by FL DL as Alexandra Nicolette Benatovich DOB 9-17-1992. I observed the female to have red blood shot and glasses eyes and to have an odor of an unknown alcoholic beverage coming from her mouth area and breath. I introduced myself to the female and advised her that Trooper Cleary had concluded his crash investigation and I am now conducting a criminal investigation for DUI. I advised Ms. Benatovich of her constitutional warnings and she advised that she understood. I asked Ms. Benatovich what happened and she advised that she was on her way back to Delray Beach to get her other car when she had fallen asleep at the light and collided with the sign. She advised that she was coming from Delray and was with friends there. She advised that she was driving the vehicle and was the only occupant in the vehicle. I asked her if she had anything to drink and she advised that she had 2 to 3 vodka sodas at about 11pm or so. I then asked her if she would be willing to perform roadside exercises to check for impairment and she agreed to do so. She advised that she did not have any medical problems and did not have any problems with her eyes that are not corrected by glasses. Upon the driver getting up to perform the roadside exercises, I observed the driver to have her underwear outside of her pant's zipper and on the outside of her posterior when standing. I observed the driver to have unsteady gait almost falling as she made her way to my marked patrol vehicle.

Horizontal Gaze Nystagmus

Left eye- lack of smooth pursuit
Right eye- lack of smooth pursuit
Left eye- distinct and sustained nystagmus at maximum deviation
Right eye- distinct and sustained nystagmus at maximum deviation
Left eye- onset of nystagmus prior to 45 degrees
Right eye- onset of nystagmus prior to 45 degrees
Observed subject to have equal tracking and pupil size. Observed subject to have red blood shot and glassy eyes. Observed subject to have odor of an unknown alcoholic beverage coming from her mouth area and breath. Observed subject to have onset of nystagmus at approximately 40 degrees in each eye. Observed subject to have vertical nystagmus. Observed subject to have lack of convergence.

Walk and Turn

Subject advised that she understood the instructions and did not have any questions. Subject was wearing wedged shoes and almost fell while standing in the starting position. Subject removed shoes and performed barefoot. Subject could not keep balance while listening to instructions. Subject missed heel to toe on several steps on the 1st nine heel to toe steps. Subject took 26 steps and asked how many steps was needed to be done. Subject used arms for balance. Task was stopped and instructions were provided again. 2nd attempt, Subject missed heel to toe on several steps on the 1st nine heel to toe steps. Subject used arms for balance. Subject did not turn as instructed and only took one steps. Subject missed heel to toe on steps 1, 2, 3, 4, 5, 6, 7, 8, 9 and the 2nd nine heel to toe steps. Subject did not count as instructed.

One Leg Stand

Subject advised that she understood the instructions and I was able to answer any questions that was asked. Subject did not look down as instructed. Subject swayed during task. Subject did not count as instructed. Subject was told to elevated foot. Subject placed foot on the ground.

After roadside exercises were completed the driver was placed under arrest for DUI and advised. The driver was then searched and I observed subject to have a discolored tongue with white film and an odor of an unknown alcoholic beverage coming from her mouth area and breath. Subject was then transported to the Palm Beach County jail. Upon arrival, the driver was taken to Breath Alcohol Testing room and a 20 minute observation was conducted to ensure the driver did not take anything by mouth or regurgitate. After the 20 minute observation was conducted, the driver was taken to the testing room and was requested to submit to a lawful test of her breath. The driver provided two samples and were advised to her upon completion of the test. The results were 0.137 and 0.124. The driver was advised of this and advised she understood. The driver was then asked questions (See attached Questions and Answers Sheet). The driver was then taken to booking for processing.

OCT 1 AM 10:47

Report Date / Time 10/01/2017 08:16 AM	Agency Case/Offense Number FHPL17OFF079964	OCA Number Original Agency Case Number	OBTS Number Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD180332
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LEO BOND

Bond Amount \$	None ☐ Pro	☐ ROR	☐ Cash	☐ Any	☐ PreTrial If Quality ☐
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COURT APPEARANCE INFORMATION

Court (DUJ) CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994	Court Date & Time 10/26/2017 08:30 AM
Court Address 3228 GUN CLUB ROAD, WEST PALM BEACH, FL 33406		
Instructions		

ARREST INFORMATION

Arrest Date / Time 10/01/2017 05:54 AM	Residency Within jurisdiction	Injured None	Extent of injury N/A	Resist Arrest No
Prior Arrests Unknown	Arrest Jurisdiction Within jurisdiction	Alcohol Yes	Drugs Unknown	

ARREST LOCATION

County PALM BEACH	Address I-95 SB EXIT RAMP CONGRESS AVE, BOCA RATON, FL 33487
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ARREST DELIVERED TO

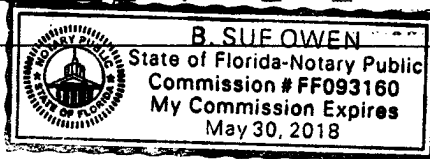
Jail / Booking Facility PALM BEACH COUNTY CORRECTIONS.	Location 3228 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33406	Phone (561) 688-4400
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ARRESTING OFFICER

Officer Call Number 1187	Officer Name L.E. ESCARAN	Officer Signature <i>[Signature]</i> 3535
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Subscribed and sworn to (or affirmed) before me this 1st day of Oct A.D., 2017 by L.E. ESCARAN who is 3535 personally known to me or has produced legally known as identification.

Signature *[Signature]* Notary Public LEO CO Commission No: _____ My Commission Expires: _____



SCANNED
OCT 03 2017

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 1ST DAY OF OCTOBER 20 17, AT 0436 ✓ AM PM

SUBJECT: ALEXANDRA NICOLETTE BENATOVICH CASE NUMBER: FHPL17OFF079964

AGENCY: FLORIDA HIGHWAY PATROL ARRESTING OFFICER: TPR. L. ESCARAN 3335

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

On the above date and approximate time, I was in service in Palm Beach County. I was dispatched to assist Trooper G. Cleary 4055 on a single vehicle crash in the area southbound Interstate 95 (State Road 9) exit to Congress Ave (State Road 807). Upon my arrival, I observed a white colored SUV that was up against a yellow caution marker dividing the roadway. I observed there to be a female sitting in the raised median wearing a brown top and black pants. I then made contact with Trooper Cleary and he advised me that the driver had fallen asleep and her foot had slipped off of the brake pedal and then collided with the sign. Trooper Cleary advised me that he concluded his crash investigation. I then made contact with the female sitting on the raised median who was later identified by FL DL as Alexandra Nicolette Benatovich DOB 9-17-1992. I observed the female to have red blood shot and glasses eyes and to have an odor of an unknown alcoholic beverage coming from her mouth area and breath.

OBSERVATION OF DRIVER:

I introduced myself to the female and advised her that Trooper Cleary had concluded his crash investigation and I am now conducting a criminal investigation for DUI. I advised Ms. Benatovich of her constitutional warnings and she advised that she understood. I asked Ms. Benatovich what happened and she advised that she was on her way back to Delray Beach to get her other car when she had fallen asleep at the light and collided with the sign. She advised that she was coming from Delray and was with friends there. She advised that she was driving the vehicle and was the only occupant in the vehicle. I asked her if she had anything to drink and she advised that she had 2 to 3 vodka sodas at about 11pm or so. I then asked her if she would be willing to perform roadside exercises to check for impairment and she agreed to do so. She advised that she did not have any medical problems and did not have any problems with her eyes that are not corrected by glasses. Upon the driver getting up to perform the roadside exercises, I observed the driver to have her underwear outside of her pant's zipper and on the outside of her posterior when standing. I observed the driver to have unsteady gait almost falling as she made her way to my marked patrol vehicle.

DRIVER'S STATEMENTS:

After roadside exercises were completed the driver was placed under arrest for DUI and advised. The driver was then searched and I observed subject to have a discolored tongue with white film and an odor of an unknown alcoholic beverage coming from her mouth area and breath. Subject was then transported to the Palm Beach County jail. Upon arrival, the driver was taken to Breath Alcohol Testing room and a 20 minute observation was conducted to ensure the driver did not take anything by mouth or regurgitate. After the 20 minute observation was conducted, the driver was taken to the testing room and was requested to submit to a lawful test of her breath.

ODORS:

The driver provided two samples and were advised to her upon completion of the test. The results were 0.137 and 0.124. The driver was advised of this and advised she understood. The driver was then asked questions (See attached Questions and Answers Sheet). The driver was then taken to booking for processing.

GENERAL OBSERVATIONS

SPEECH: slurred

ATTITUDE: Cooperative

CLOTHING: Brown shirt, black pants

MEDICAL/OTHER: NONE

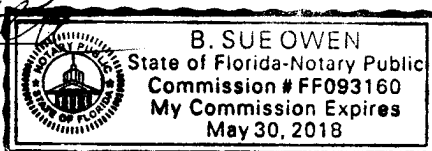
STATE OF FLORIDA
COUNTY OF PALM BEACH

TPR. L. ESCARAN 3335
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 1st day of October 20 17 by TPR L. E. ESCARAN 3335

(Print name of Arresting/Investigative Officer) who is personally known to me and/or produced identification. Type of identification produced PERSONALLY KNOWN

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



SCANNED
OCT 03 2017

SUBJECT: ALEXANDRA NICOLETTE BENATOVICH CASE NUMBER FHPL17OFF079964

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

☒ LT EYE-LACK OF SMOOTH PURSUIT ☒ RT EYE-LACK OF SMOOTH PURSUIT

☒ LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION ☒ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

☒ LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES ☒ RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

- Observed subject to have equal tracking and pupil size. Observed subject to have red blood shot and glassy eyes. Observed subject to have odor of an unknown alcoholic beverage coming from her mouth area and breath. Observed subject to have onset of nystagmus at approximately 40 degrees in each eye. Observed subject to have vertical nystagmus. Observed subject to have lack of convergence.

WALK & TURN:

- Subject advised that she understood the instructions and did not have any questions. Subject was wearing wedged shoes and almost fell while standing in the starting position. Subject removed shoes and performed barefoot. Subject could not keep balance while listening to instructions. Subject missed heel to toe on several steps on the 1st nine heel to toe steps. Subject took 26 steps and asked how many steps was needed to be done. Subject used arms for balance. Task was stopped and instructions were provided again. 2nd attempt, Subject missed heel to toe on several steps on the 1st nine heel to toe steps. Subject used arms for balance. Subject did not turn as instructed and only took one steps. Subject missed heel to toe on steps 1, 2, 3, 4, 5, 6, 7, 8, 9 and the 2nd nine heel to toe steps. Subject did not count as instructed.

ONE LEG STAND:

- Subject advised that she understood the instructions and I was able to answer any questions that was asked. Subject did not look down as instructed. Subject swayed during task. Subject did not count as instructed. Subject was told to elevated foot. Subject placed foot on the ground.

FINGER TO NOSE:

TASK NOT CONDUCTED

ROMBERG ALPHABET:

TASK NOT CONDUCTED

BREATH TEST RESULTS: 1) .137 2) .124 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

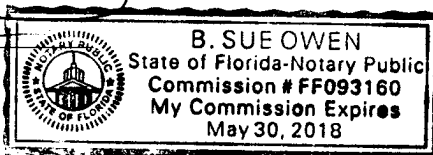
TPR. L. ESCARAN 3335

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 1st day of October, 2017 by TPR L. E. ESCARAN 3335

(Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced PERSONALLY KNOWN

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



SCANNED
OCT 03 2017

WITNESS LIST

CASE NUMBER: **FHPL17OFF079964**

ARRESTING OFFICER: **TPR. L. ESCARAN 3335**

ADDRESS: **P.O. BOX 540007 GREENACRES FL 33454**

PHONE NUMBERS (HOME): **(561)357-4000**

(WORK)

CAN TESTIFY TO: **DRIVER'S ACTIONS, ARREST**

NAME: **TPR. G. CLEARY 4055**

ADDRESS: **P.O. BOX 540007 GREENACRES FL 33454**

PHONE NUMBERS (HOME) **561-357-4000**

(WORK)

CAN TESTIFY TO: **BACKUP OFFICER/CRASH REPORT**

NAME: **OFC. D GRAHAM #773 BOCA RATON PD**

ADDRESS **100 NW BOCA RATON BLVD. BOCA RATON, FL 33432**

PHONE NUMBERS (HOME)

(WORK)

CAN TESTIFY TO: **Actual physical control**

NAME: **OFC. VICKERY 1114 DELRAY BEACH PD**

ADDRESS **300 W Atlantic Ave, Delray Beach, FL 33444**

PHONE NUMBERS (HOME)

(WORK)

CAN TESTIFY TO: **SEARCH OF ARESSTEE**

NAME:

ADDRESS

PHONE NUMBERS (HOME)

(WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME)

(WORK)

CAN TESTIFY TO:

NAME:

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(WORK)

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NAME:

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PHONE NUMBERS (HOME)

(WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME)

(WORK)

CAN TESTIFY TO:

SCANNED
OCT 03 2017

SUBJECT: Beratorch, Alexandra N. CASE NUMBER: CHPL17OFF07

IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

I am now requesting that you submit to a lawful test of your BREATH for the purpose of determining its alcohol content.

-OR-

I am now requesting that you submit to a lawful test of your URINE for the purpose of detecting the presence of chemical or controlled substances.

-OR-

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of detecting its alcohol content and the presence of chemical or controlled substances.

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

I am _____ of the _____.

If you fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a first refusal, or eighteen (18) months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

SUBJECT'S SIGNATURE: (X) _____

Not Read

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.

SCANNED
OCT 03 2017

SUSPECT'S SIGNATURE: (X) _____

Read on Scene

SUBJECT: Benatovich, Alexandria N. CASE NUMBER: FHPL-17OFF07

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? yeah

WHERE WERE YOU GOING? going to get my car

WHAT STREET OR HIGHWAY WERE YOU ON? I was on 95

DIRECTION OF TRAVEL? headed South WHERE DID YOU START? Hypoluxo

WHAT TIME DID YOU START? like 3 WHAT TIME IS IT NOW? 6:30

WHAT IS TODAY'S DATE? Oct 1st WHAT DAY OF THE WEEK IS IT? Sunday

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Beach County, Lake Worth

WHEN DID YOU LAST EAT? about like a couple hours ago WHAT DID YOU EAT? Chicken sandwich

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Sitting

HOW MUCH DO YOU WEIGH? 110 HAVE YOU BEEN DRINKING? yeah WHAT? Vodka Soda

HOW MUCH? 2-3 WHERE? The office WITH WHOM? Friends

WHEN DID YOU HAVE YOUR FIRST DRINK? around like 11:30 AND YOUR LAST DRINK? 12:30

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? ---

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? yeah ARE YOU UNDER THE INFLUENCE? right now? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NO HOW MUCH? ---

WHAT? --- WHERE? --- WHEN? ---

WHAT LINE OF WORK ARE YOU IN? Student WHEN DID YOU LAST WORK? ---

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? ---

ARE YOU SICK OR INJURED? No WHAT'S WRONG? ---

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE 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? NO WHAT? --- WHEN? ---

DO YOU HAVE:

EPILEPSY?	<u>---</u>
GLASS EYE?	<u>---</u>
FALSE TEETH?	<u>---</u>
EAR INFECTION?	<u>---</u>
INNER EAR TROUBLE?	<u>---</u>
DIABETES?	<u>---</u>

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? NO

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? ---

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? ---

INTERVIEWER: Tyr L.E. Escaran 3335

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL