



Arrest Report

2018 CT22356

0503795

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

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Report Date / Time 12/15/2018 3:24:57AM	Report Number FHP99ARR762784	Case Number/CAD Number FHPL18077 103893	Reporting Officer Name B. HANDZIK
Originating Agency ORI FL0509000	Occurrence Date Time Range 12/15/2018 1:03:00 AM - 12/15/2018 3:40:00 AM	Jurisdiction	Clearance

Location of Occurrence

Location Type OTHER	Location Description INTERSTATE 95 NB EXIT RAMP TO SR80		
Street Number	Street	Apt/Lot/Bldg	
County PALM BEACH	City	State FL	Zip

Defendant

First Name CATHERINE	Middle Name FRANCES	Last Name CALSETTA	Suffix	Date Of Birth 1/15/1987	Age 31	Race WHITE	Sex FEMALE
SSN [REDACTED]	MNI #	Place of Birth Maryland, Silver spring	Height 509	Weight 210	Hair BRO	Eyes UNK	Other BRO
DL or ID Number C423126875150	ID State FL	ID Type E	Address Type RESIDENCE				
Street Number 206	Street PAR DR	Apt/Lot/Bldg					
County Palm Beach	City ROYAL PALM BEACH	State FL	Zip 33411	Phone Number	Extension		
Location Description							

Arrest

Arrest Date/Time 12/15/2018 1:25:00AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description 195 NB EXIT RAMP TO SR80	
Street Number	Street	Apt/Lot/Bldg	County PALM BEACH
City WEST PALM BEACH	State FL	Zip	

Charge(s)

Counts 1	Charge 316.193.1	General Offense Code	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree N	Charge Level MISDEMEANOR	Arrest Offense Code Description DUI-UNLAW BLD ALCH		
Charge Description DUI ALCOHOL OR DRUGS				

Received WB

DEC 15 2018

Probable Cause

DEC 17 2018

On 12/15/18, at approximately 1:03 AM, I was dispatched to a traffic stop Captain K. Strickland initiated. I responded to Interstate 95 (State Road 9) to the northbound exit ramp to Southern Blvd (State Road 80). I arrived on scene at approximately 1:09 AM. I observed a white 2017 Honda Civic (passenger car) on the right shoulder of the exit ramp. The vehicles hazard lights were activated. I spoke to Captain Strickland who informed me of the reason for the traffic stop. He stated the white Honda was swerving all over the road and also did not have its headlights or tail lights activated. He first observed this vehicle around Forest Hill Blvd, straddling the exit ramp lanes. The vehicle then pulled back onto Interstate 95 and straddled the outside lane and outside shoulder. To check on the wellbeing of the driver, and to make the driver aware of driving without lights, Captain Strickland initiated a traffic stop. He identified the driver by her Florida driver's license C423-126-87-515-0 as Catherine Frances Calsetta, with a date of birth of 01/15/1987. I approached the vehicle on the passenger side. I observed a white female in the driver's seat. She was the only occupant. I asked her if she knew the reason for the traffic stop and she stated she wasn't sure. I then explained to her Captain Strickland's observation and also

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stated I was informed that the vehicles lights weren't activated. She agreed and stated I forgot to turn the lights on. The defendant was wearing jeans, black sneakers and a black tank top and light sweater. On the right jeans leg I observed stains with appeared to be vomit. I relocated my patrol vehicle and asked the defendant to step out of the vehicle. I asked her to walk to the back of her vehicle. While walking she swayed. I could smell an obvious odor of an unknown alcoholic beverage coming from her breath. I asked her to perform roadside exercise, which she agreed to do. I asked her if she had any medical condition or was taking any medication and she stated no.

HGN:

While standing the defendant displayed an upper body sway. Her eyes were glassy and droopy. I had to reinstruct her to remain in the starting position and to keep her hands on the side of her body. She positively identified the red light of the stimulus. She was reinstructed to not move her head while following the stimulus.

The defendant displayed lack of smooth pursuit, distinct and sustained Nystagmus at maximum deviation in both eyes. She also had vertical Nystagmus in both eyes.

Walk and Turn:

This exercise was demonstrated to the defendant. I asked her if she understood and she stated yes. She did not have any questions. A fluid line was utilized for this exercise. Instructional Stage: During the instructional stage she started before she was instructed to do. She lost balance multiple times and swayed while standing. Walking Stage: During the walking stage she did not count at all. She first took 13 steps, then stopped and looked at me for further instructions. I asked her again if she understood the initial instructions and she stated yes. I then advised her to proceed as instructed. The defendant then kept on walking towards my patrol car instead of turning around. During this exercise she did not walk heel to toe multiple times and stepped of the line multiple times.

One leg stand:

This exercise was demonstrated to the defendant. I asked her if she understood and she stated yes. She did not have any questions. Instructional Stage: The defendant was reinstructed to remain in the starting position. While in the starting position, she displayed an upper body sway. Balance and Counting Stage: For the exercise she raised her right foot, but only maximum 3 inches off the ground. She placed her foot on the ground multiple times and started to hop to maintain balance . During the whole exercise she did not look at her elevated foot. She raised her arms (more than 6 inches) away from her body to maintain balance.

Finger to nose:

This exercise was demonstrated to the defendant. I asked her if she understood the instructions and if she had any questions. The defendant indicated she understood and did not have any questions. I asked her to show me what her left hand is and what her right hand is. During the instruction stage she correctly identified left from right. I showed her what I meant with "tip of the nose" and "tip of the finger" During all counts, the defendant did not touch the tip of her nose as instructed.

At 1:25 a.m., the defendant was placed under arrest for DUI. I transported her to the Palm Beach Sheriff's Office for booking . I arrived at the County Jail/ breath test room at 1:45 a.m. At arrival, I conducted a 20 min observation time. During this time the defendant has not taken anything by mouth and has not regurgitated. Once we were taking into the breath test room, approx. at 2:40 a.m. I asked the defendant to provide a sample of her breath, which she refused. The defendant was read to implied consent warning, which she understood. I then asked her again to provide a breath sample, which she refused. I read the Miranda Warning to the defendant. I asked her if she wanted to answer any questions and she refused. The defendant was issued a citation for driving under the influence pursuant to F.S.S. 316.193 (1).

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Jail Booking Facility

Booking Date/Time 12/15/2018 3:40:00AM	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 1/8/2019 8:30 AM	Court Fine
Comments			

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name B. HANDZIK	Officer Rank SERGEANT	Officer ID No 3268	Sworn and subscribed before me, the undersigned authority This the <u>15th</u> day of <u>Dec</u> , <u>2018</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA HIGHWAY PATROL			<i>[Signature]</i> 1727
Officer Signature <i>[Signature]</i>			

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

NOT A CERTIFIED COPY

**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST**

I, B. HANDZIK, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of FLORIDA HIGHWAY PATROL, and I do swear

(Name of law enforcement agency)
or affirm that on or about the 15th day of December, 2018, at 1:25 P.M. A.M.

DRIVER CATHERINE FRANCES CALSETTA,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# C423126875150, state of FL, was placed under lawful arrest for

316.193(1)
the offense of D.U.I. - DRIVING UNDER THE INFLUENCE (MIS... by B. HANDZIK and
(Name of Arresting Officer)
issued Citation # A764BIE

That on or about the 15th day of December, 20 18, at 2:42 P.M. A.M.
in Palm Beach County,

I requested that the driver submit to a breath and/or urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test (s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

B. Handzik
Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title _____

Date _____

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this 15th day of December, 20 18,

by _____:

who is personally known to me or who has produced
_____ as identification.

Notary Public S. O'Neal

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.



**PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET**

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PBSO CASE # 18-155791 PBSO ZONE 1-23

AGENCY CASE # FHPL180FF103893 CRASH CASE # N/A

TIME OF STOP/~~CRASH~~ 1:03 AM DATE 12/15/18 DAY Saturday

SUBJECT'S NAME Catherine Frances Calsetta RACE W SEX F

HGT 509 WGT _____ DOB 1 / 15 / 87

LOCATION SR 9 (I95) northbound exit ramp to Southern Blvd

ARRESTING OFFICER'S NAME & ID Sgt. Birgit Handzile AGENCY FHP

DIVISION: Troop L # 1070

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 1:45 AM

ARREST TIME 1:25 AM

BREATH RESULTS:

1. _____
2. _____
3. _____
4. _____

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # N/A

NOT A CERTIFIED REFUSED

TESTING FACILITY TASK REPORT

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AGENCY: FHP Sgt. Hundzik #1070
SUBJECT: Calsetta, Catherine F. CASE NUMBER: 18-155791

DATE: 12-15-18 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 0240 hrs ENDING TIME: 0243 hrs

BREATH TESTS RESULTS: **REFUSED** TIME 0242 A.M./P.M. 2) _____ TIME _____ A.M./P.M.
3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: S. O'Neal #6212

MAINTENANCE TECHNICIAN: Cpl. Kuclick #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Low, Slurred

ATTITUDE: Calm, Cooperative Emotional

CLOTHING: Shirt - Black Pants - Blue Jeans

MEDICAL CONDITIONS: Depression, Anxiety

MEDICATIONS: Anti-Depressants

OTHER: Eyes: Red, Watery from crying

Odor of unknown alcoholic beverage. #1070

COMMENTS: 20 min. observation done by AIO Hundzik
AIO requested the breath test.

D refused the request.

AIO read the implied consent on camera.

D understood the T/C as read.

D still refused the test.

CIW read on camera.

D refused Q&A.

SUBJECT: Catherine F. Calsek CASE NUMBER: FHP 4180TT 103893

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) read on video

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) read on video

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

SUBJECT: Caroline E. Calabrese CASE NUMBER: File 18017103293

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: _____



Palm Beach County Sheriff's Office – Arrests Only

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

REVIEW COMPLETED BY

Booking Number: 2018041441	Date: 12/16/2018
	Specialist Name/ID: AM/31562