

0305797

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ARREST / NOTICE TO APPEAR

OBTS Number	Agency ORI Number <b>0500800</b>		Agency Name <b>West Palm Beach Police Department</b>	Agency Report Number (N.T.A.'s only) <b>9, 4   2019-0003686</b>	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias <b>1</b>	JUVENILE
Charge Type: Check as many as apply	<input type="checkbox"/> 1. Felony <input 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	If Weapon Seized Enter Type	Multiple Clearance Indicator	
Location of Arrest (Including Name of Business) <b>4601 BROADWAY WEST PALM BEACH FL 33407</b>			Location of Offense (Business Name, Address) <b>599 45TH ST/BROADWAY, WEST PALM BEACH, FL 33407</b>			
Date of Arrest <b>02/27/2019</b>	Time of Arrest <b>18:06</b>	Booking Date <b>02/27/2019</b>	Booking Time <b>18:47</b>	Jail Date	Jail Time	Location of Vehicle <b>KAUFFS TRANSPORTATIO</b>

Name (Last, First, Middle) <b>BRETAN, CATHERINE MICHELLE</b>		Alias (Name, DOB, Soc. Sec. #, Etc.)						
Race W - White B - Black O - Oriental/Asian <b>W</b>	Sex <b>F</b>	Date of Birth <b>07/20/1969</b>	Height <b>5'05</b>	Weight <b>120</b>	Eye Color <b>BROWN</b>	Hair Color <b>BROWN</b>	Complexion <b>LIGHT</b>	Build <b>Medium</b>
Local Address (Street, Apt. Number) <b>2401 VILLAGE BLVD 304, WEST PALM BEACH, FL 33409</b>			(City)	(State)	(Zip)	Phone <b>(561) 701-6725</b>	Indication of: Alcohol Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>	
Permanent Address (Street, Apt. Number) <b>2401 VILLAGE BLVD 304, WEST PALM BEACH, FL 33409</b>			(City)	(State)	(Zip)	Phone <b>(561) 701-6725</b>	Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>1</b>	
Business Address (Name, Street)			(City)	(State)	(Zip)	Phone	Address Source <b>VERBAL</b>	
DL Number, State <b>B635133697600 / FL</b>			Soc. Sec. Number	INS Number	Place of Birth (City, State) <b>WEST PALM BEACH, FL</b>	Citizenship <b>US</b>		

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor	<input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor	<input type="checkbox"/> 5. Juvenile
<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____ Name (Last, First, Middle)						
Address (Street, Apt. Number)			(City)	(State)	(Zip)	Residence Phone
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 <input type="checkbox"/> defendant and/or <input type="checkbox"/> 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.			School Attended	Grade		
<input type="checkbox"/> Yes, by: _____ <input type="checkbox"/> No: _____			Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Description of Property	Value of Property	

Drug Activity S. Sell N. N/A F. Possess	R. Smuggle D. Deliver E. Use	K. Disperse/ 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. Synthetic	U. Unknown Z. Other
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Charge Description <b>DUI-DAMAGE TO PERSON/PROPERTY</b>	Statute Violation Number <b>316.193(3)(C)(1)</b>	Violation of ORD #					
Drug Activity	Drug Type <b>N</b>	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number	Bond
Charge Description	Statute Violation Number	Violation of ORD #					
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number	Bond <b>FEB 27 PM 9:34</b>
Charge Description	Statute Violation Number	Violation of ORD #					
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number	Bond

Health / Apparent Physical Condition of Defendant	Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond	<input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail <input type="checkbox"/> South County Mental Health		
Transported By	Date Transported <b>11 : :</b>	Time Transported	Other

<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court	<input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.
Location (Court, Room) <b>Criminal Justice CRIMINAL JUSTICE COMPLEX</b>	
Court Date and Time <b>03/28/2019 08:30:00</b>	
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 <b>2/27/19</b>
No Photo Available	

HOLD by Other Agency	Signature of Arresting Officer <b>DILLARD, DANIEL</b>	Name Verification (Printed by Arrestee) <b>SCANNED</b>
<input type="checkbox"/> Dangerous <input type="checkbox"/> Substantive	Name of Arresting Officer (Print) <b>DILLARD, DANIEL</b>	(PRINT)
<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other	I.D. # <b>01843</b>	<b>MAR - 1 2019</b>
Arresting Agency	Transporting Officer <b>J. DONDE</b>	I.D. # <b>1530</b>
	Agency <b>WPBPD</b>	Witness here if subject signed with an "X".

# DUI PROBABLE CAUSE AFFIDAVIT

On the 27th Day of February, 2019 at 1645 HRS A.M. P.M.  
Subject: Bretan, Catherine Case Number: 2019-0003686  
Agency: West Palm Beach Police Department Arresting Officer: Inv. D. Dillard #1843

## Personal Contact

### Driving Pattern

Actual physical control (physical evidence putting the driver behind the wheel)

I responded to a traffic crash involving a possible impaired driver. Upon arrival I observed a green Mini Cooper with damage to the front in the middle of the intersection of 45th St. and Broadway. I was advised by CSA Bowes and Ofc. Kelly that the driver was in the back of Ofc. Kelly's police car unrestrained. CSA Bowes stated upon arrival the driver was still in the driver seat restrained. She stated she could smell the strong odor of alcohol coming from the passenger compartment. Despite asking the driver several times to turn the car off the driver attempted to drive away and Ofc. Kelly and CSA Bowes had the driver stop and she was placed into the back of Ofc. Kelly's police vehicle. I made contact with Tuan Tran who was driving a silver Toyota Camry. He stated he was traveling West on 45th St. crossing over Broadway when the Mini Cooper turned in front of him. He stated the traffic light was steady green. He stated the driver was the only occupant in the vehicle. Due to Tran only speaking Vietnamese his co-worker Ngan Nguyen (W/M 4/4/1969) translated. The driver who was the sole occupant of the vehicle was identified as Catherine Bretan by FL DL.

### Observation of Driver

Upon making contact with the driver she was sitting in the back of Ofc. Kelly's police car. Upon opening the door I could smell the strong and distinct odor of an unknown alcoholic beverage emitting from the driver. The odor became stronger off of her breath as she spoke to me. The drivers speech was slurred and her eyes were bloodshot and glassy. Upon exiting the vehicle to perform roadside tasks the driver urinated on herself.

### Drivers Statements:

I advised the driver the crash investigation was complete and I was now conducting a DUI investigation. Post Miranda, I asked the driver where she was coming from and she replied, "I was coming from I-95 southbound meeting somebody on southbound you know I don't know." I asked again where she was coming from and she stated from West Palm. I asked where she was going and she replied, "West Palm, like North Palm." I asked if she knew where she was and she stated 6th or 10th. I asked how much she had to drink and she stated not a lot. She then stated, "2 drinks, send me home I'm good." I asked what kind of drinks and she replied, "A lot. Vodka." She stated her last one was at 4:20 and I don't lie. The driver consented to roadside tasks. Prior to roadside tasks the driver stated I have been drinking.

### Odors:

Strong and distinct odor of an unknown alcoholic beverage.

## General Observations

Speech: slow and sluggish

Attitude: calm and passive

Clothing: Blue Dress / Tan Sandals

Medical Problems/Medications: None

Other: The driver stated she did not have any physical defects or injuries. The driver stated she did not wear prescription lenses, did not take prescription medications, did not take any ~~med~~ narcotics, and was not diabetic or epileptic.

MAR - 1 2019

# DUI PROBABLE CAUSE AFFIDAVIT

Subject: Bretan, Catherine Case Number: 2019-0003686

## Roadside Tasks

### Horizontal Gaze Nystagmus

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Left Eye Does Not Follow Smoothly              | <input checked="" type="checkbox"/> Right Eye Does Not Follow Smoothly              |
| <input checked="" type="checkbox"/> Left Eye Jerks at 45 Degree Angle or Less      | <input checked="" type="checkbox"/> Right Eye Jerks at 45 Degree Angle or Less      |
| <input checked="" type="checkbox"/> Distinct Jerking Left Eye at Maximum Deviation | <input checked="" type="checkbox"/> Distinct Jerking Right Eye at Maximum Deviation |

While conducting this exercise lack of smooth pursuit was present. Sustained and distinct nystagmus at maximum deviation was present. The onset of Nystagmus was immediate. Vertical Nystagmus was present. The driver was observed swaying from front to back. I had to remind the driver not to move her head.

### Walk and Turn Task

I instructed the driver to stand with her right foot in front of her left foot on a solid white line and to remain in this position until told to begin. I observed the driver step out of this position and have difficulty maintaining balance. I explained and demonstrated the exercise and the driver stated she understood the instructions. When told to begin the driver took 12 steps instead of the 9 as instructed. The driver missed heel to toe on all steps and stepped off of the line on every other step. The driver did not complete the turn as instructed stepping off of the line. The driver took 12 steps back instead of the 9 as instructed. The driver missed heel to toe on all steps and stepped off of the line on every other step. The driver did not count out loud as instructed.

### One Leg Stand

I had the driver stand with her feet together and hands down at her side. I explained and demonstrated the exercise and the driver stated she understood the instructions. Once told to begin the driver lifted her right foot off of the ground. The driver set her foot down five times. The driver raised her arms more than 6 inches from her body to maintain balance during the entire exercise. The driver counted one thousand one to one thousand 10 then, 11, 12. The driver started over counting 1 to 10 then started over again counting 1 to 8 before I ended the exercise. I ended the exercise when my stop watch reached 30 seconds.

### Finger To Nose

I had the driver stand with her feet together and index fingers pointed straight out. I explained and demonstrated the exercise to the driver and she stated he understood. I instructed the driver to tilt her head back and close her eyes. On the first right the driver brought the tip of her right finger to the bridge of her nose then to the tip of her nose. On the second right the driver brought the tip of her right finger to her upper lip then to the tip of her nose. On the third right the driver brought the tip of her right finger to the tip of her nose then to her upper lip. On all lefts and rights I had to remind the driver to bring her arm back down. The driver was observed swaying from front to back.

### Romberg Balance

The driver stated her highest level of education was some college. The driver stated she did know the alphabet and could recite the alphabet from A to Z. I had the driver stand with her eyes closed and head tilted back. I instructed the driver to recite the alphabet from A to Z in a non-rhythmic manner. When told to begin the driver recited the alphabet correctly from A to W then S, Y, Z. The driver was observed swaying from front to back.

## Breath Results from Instrument

1st Result

0.278

2nd Result

0.234

3rd Result

0.251

If Applicable

State of Florida

County of Palm Beach

The Following Instrument was notarized or sworn before me this



Personally Known



Produced Identification



Notary Public

*Dale #1530*  
Notary / Clerk of Courts / Officer (FSS: 117.10)

*[Signature]*  
Signature of Arresting Officer



**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"/>	119.071(2)(h)	Other: Identity of victim of sexual battery, lewd and lascivious offense upon a person less than 16 yrs old, child abuse, or other sexual offense.	
	<input type="checkbox"/>	119.0712(2)	Other: Personal information contained in a motor vehicle record	

**REVIEW COMPLETED BY**

Booking Number: 2019006947	Date: 2/28/2019
	Specialist Name/ID: M. Tooks #8557

**SCANNED  
MAR - 1 2019**