

Arrest Report

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

Pch 2676

JWA 0338035

RCT 5815

Report Date / Time 4/1/2018 10:06:06PM	Report Number FHP99ARR772459	Case Number/CAD Number FHPL18OFF026915 / LWRC18CAD058787	Reporting Officer Name TPR. CASTILLO
Originating Agency ORI FL0509000	Occurrence Date Time Range 4/ 1/2018 9:39:16 PM -	Jurisdiction	Clearance

Location of Occurrence

Location Type	Location Description CONGRESS AVENUE NB JSO 10TH AVE		
Street Number	Street S CONGRESS AVE	Apt/Lot/Bldg	
County PALM BEACH	City LAKE WORTH	State FL	Zip 33461

Defendant

First Name CHRISTIE	Middle Name	Last Name TORRES	Suffix	Date Of Birth 2/28/1985	Age 33	Race H	Sex FEMALE
SSN [REDACTED]	MNI #	Place of Birth BRONX, NY, USA	Height 505	Weight 150	Hair BRO	Eyes BRO	
DL or ID Number T620100855680	ID State FL	ID Type E	Address Type RESIDENCE				
Street Number 5356	Street BOSQUE LN APT 113					Apt/Lot/Bldg	
County PALM BEACH	City WEST PALM BEACH	State FL	Zip 33415	Phone Number	Extension		
Location Description							APR 2 AM 2:59

Arrest

Arrest Date/Time 4/1/2018 10:01:44PM	Arrest Location Type OTHER	Arrest Location Description	
Street Number	Street S CONGRESS AVE NB JSO 10TH AVE	Apt/Lot/Bldg	County PALM BEACH
City LAKE WORTH	State FL	Zip 33461	

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				

Probable Cause

On April 1, 2018 at approximately 9:31PM I was conducting routine patrol on Congress Avenue northbound, just south of 10th Avenue (Palm Beach County). I observed multiple Palm Springs Police Department vehicles on the right shoulder. I activated my emergency equipment and proceeded to stop for assistance. On arrival I made contact with Officer Frank Ricciardi (ID#187), Officer Ricciardi informed me he was investigating a crash and that he presumed the driver at fault to be under the influence. Officer Ricciardi stated he had offered the driver to call EMS to get her medically cleared, the driver refused when asked. Officer Ricciardi stated that when he made contact with the driver he smelled a strong odor of an unknown alcoholic beverage coming from the driver's breath. At the time of my arrival Officer Ricciardi was done with the crash investigation. Officer Ricciardi cited the driver with careless driving FL Statue: 316.1925. Officer Ricciardi provided a witness statement and a copy of the crash report. Officer Ricciardi did inventory of the vehicle and proceeded to tow the vehicle.

I proceeded to make contact with the driver who was sitting on the passenger side of a blue vehicle. I searched the plate

25 ON 766

2018 APR - 2 2:59 PM
Palm Beach County
GUN CLUB

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number (Y85EMU) on NCIC/FCIC, the vehicle came back to a blue four door Saturn Outlook. I asked the driver if she was ok, as I was concerned for the driver's wellbeing. I asked her about the accident, she stated she was having a bad day and she felt sad. I observed the driver's left knee to have what it looked like a laceration. I asked the driver if she required medical assistance and she stated that she was ok. I asked the driver again if she required medical attention, she refused for the second time. I asked the driver for her driver's permit, registration and insurance, the driver did not know where she left her driver's permit. The driver then stated she had given the driver's permit to an officer. I asked Officer Ricciardi for the driver's documents. Officer Ricciardi gave me the required documents. The driver was identified with a Florida Driver's License as Christie Torres, 33 years old. (FL: T620-100-85-568-0). The driver stepped out of the vehicle on her own will, I observed the driver losing her balance as she exited her vehicle. As I was talking to the driver I smelled a strong odor of an unknown alcoholic beverage emanating from the drivers mouth area. I observed a red/purple colored dry substance on the driver's lower lip. I also observed the driver's eyes to be glassy, red blood shot. I noticed the driver's speech to be slurred. The driver's attitude was calm and cooperative. The driver kept talking about a bad relationship, and how she hated her boyfriend. Based on the totality of the circumstances and my observations I told the driver that I was going to conduct a DU investigation. The subject (Christie Torres, 33 years old FL: T620-100-85-568-0) stated that she agreed as it was part of my job. I read the subject Miranda Rights (voice recorded) out of my department issued card. The subject stated she understood her rights. I asked the subject if she had anything to drink, she stated she did not drink anything and that she was taking asthma medication. I asked the driver if she had any medical problems, the driver stated that she only suffered from Asthma. I asked the subject what she was doing before, she stated she drove to JFK Hospital to attend a family emergency. The subject stated she was using her phone prior to the crash. I told the subject I could smell the odor of alcohol coming from her mouth area and I observed her speech to be slurred. The subject stated she the smell was the result of using a mouth wash, the subject stated the slurred speech was caused by her Asthma medication. When asked when she used the medication, the subject stated three months ago. When asked, the subject stated the last time she ate was Friday night. I requested the driver to perform Field Sobriety Exercises to make sure she was able to continue driving, the subject agreed to perform Field Sobriety Exercises. I asked the subject if the injury to her left knee was going to impede her from performing the exercises. The subject stated no.

Standardized Field Sobriety Exercises (SFSE):

The area for the Field Sobriety Exercises was a level hard surface and was free of debris. The weather was clear. A white pavement line was used for the exercises.

Horizontal Gaze Nystagmus:

I advised the subject to stand straight with their feet together and arms down by her side. The subject requested to take off her black sandals, the subject took off her sandals. I asked subject if she wore any glasses or contacts, she advised no. For the exercise I used my issued red in color pen light. I asked the subject if she could see the red pen light (stimuli), she stated yes. The subject was asked about any current medical conditions, she stated that she had Asthma and that she did not have glasses because she was not able to afford them. I advised the subject to follow the red pen light with her eyes, and to not move her head from side to side. I asked subject if she understood the instructions I gave to her. She stated yes.

The following was observed during Horizontal Gaze Nystagmus:

The subject did not have resting nystagmus, her pupils were equal in size and reactive to light.

- 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

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The subject missed to follow the tip of my pen light one time, but she was able to correct without instruction. While standing at close proximity of the subject, I could detect a strong and distinct odor of an unknown alcoholic beverage, her eyes were bloodshot and glassy. Subject was swaying.

The following was observed during Vertical Gaze Nystagmus:

-No vertical gaze nystagmus was observed.

Walk and Turn Exercise:

Interaction Phase:

The area for the following roadside exercises was level and free of debris. We used a white traffic line.

I advised the subject to place her left foot on the white in color line and her right foot directly in front of it, touching heel to toe. I advised the subject to keep her arms down by her side and to stay in that position until I advise them to begin the exercise. Subject advised that she was not able to perform the exercise due to her knee injury. I asked the subject if she needed me to call EMS for medical clearance. The subject refused.

- The subject was observed unable to keep her balance, the subject did get in to the instruction position, but was unable to keep her balance.

One Leg Stand Exercise:

The area for the following roadside exercises was level and free of debris.

I instructed the subject to stand with her feet together and keep her arms down by her side. I instructed the subject to stay in that position until I tell her to start the exercise. This exercise was first explained to the subject then was demonstrated by myself. The subject stated she was not able to complete that exercise due to her knee injury. The subject failed to keep her balance while standing with her feet together. At a point she had to grab my arms for assistance.

Finger to Nose Exercise:

I instructed the subject to stand with her feet together and keep her arms down by her side. I instructed the subject to stay in that position until I tell her to start the exercise. This exercise was first explained to the subject then was demonstrated by myself. I instructed the subject to extend her arms and to put her palms up and to point with her index fingers. The subject was then instructed to put her arms down by her sides. The subject was instructed to put her head back and to close her eyes. The subject was instructed to touch the tip of her nose with the tip of the instructed index finger. The subject was instructed to quickly put down her arm after she touches the tip of her nose. The subject stated she understood the instructions provided and she was ready to perform the exercise.

The following was observed during the exercise:

-The subject was not able to keep her balance while placing her head back.

Left- Correct

Right- Missed

Right- Correct

Left- Correct

The subject took long to put her arms down after touching the tip of her nose. The subject had to re start the exercise one time, she was reminded that she had to put her arms down after touching the tip of her nose.

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Based upon my observations and the totality of circumstances, Miss. Christie Torres was placed under arrest for DUI pursuant to Florida Statute 316.193.1 at 10:01PM. Miss Christie Torres was placed in my patrol vehicle, and transported to the Palm Beach County Jail. While in transport to the Palm Beach County Jail there was an obvious strong odor of an unknown alcoholic beverage within my vehicle that was not present prior to placing the subject inside my vehicle. The subject kept saying this experience was a positive thing for her since she was going thru a hard time.

The subject arrived at the Palm Beach County Jail at 10:45PM. After the subject's 20min observation, the subject was then given the opportunity to provide a sample of her breath which she consented to provide (On Video). The subject's first breath was given at 11:15PM and resulted in a 0.213. The subject's second breath was given at 11:18PM and resulted in a 0.207.

Miss Christie Torres was also issued a uniform traffic citation for careless driving under FL Statute: 316.1925 by Officer Ricciardi (ID:187) from Palm Springs Police Department (Copy of citation Provided)

Video of roadsides and transport are available through the FHP custodian. The above incident did occur in Palm Beach County, Florida.

Jail Booking Facility

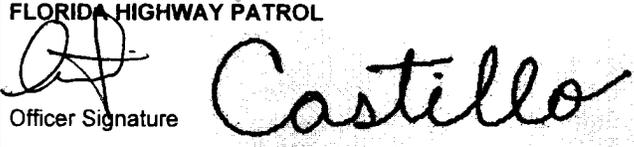
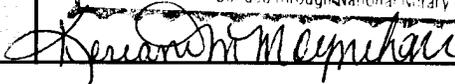
Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

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 4/30/2018 8:30AM	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 TPR. CASTILLO	Officer Rank TROOPER	Officer ID No 4169	Sworn and subscribed before me, the undersigned authority This the <u>02</u> day of <u>April</u> , <u>2018</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER 
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature 		

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Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
RICCIARDI, FRANK	OFFICER	OTHER	187		PALM SPRINGS POLICE DEPARTMENT

NOT A CERTIFIED COPY

TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: Torres, Christie

CASE NUMBER: 18-057274

DATE: 04/01/18

VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 23:12

ENDING TIME: 23:35

BREATH TESTS RESULTS: 1) .213 TIME 23:15 A.M./P.M. 2) .207 TIME 23:18 A.M./P.M.
3) N/A TIME — A.M./P.M. 4) N/A TIME — A.M./P.M.

BREATH OPERATOR: K. Moynihan #22079

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Calm, talkative, Friendly, Cooperative, Rambling, Emotional.

CLOTHING: Black leggings, Black sleeveless shirt, Black flip flops

MEDICAL CONDITIONS: Asthma

MEDICATIONS: Prednisone, albuterol, sidnacore (spelling unknown)

OTHER: Eyes gussy and blood shot

Unsteady on feet. Odor of unknown alcoholic beverage on breath.
admitted to drinking 2 glasses of wine (Q+A)

COMMENTS: Arrived at Testing Center. A/O began 20 minute
Observation Period at 22:45

Δ agreed to take test

Tech read Breath Test Results. Δ stated she understood
the results.

A/O read Rights

Δ stated she understood Rights

A/O conducted Q+A

Δ answered Questions

SUBJECT: Torres, Christie CASE NUMBER: F#PLU8OFFO26915

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? yes

WHERE WERE YOU GOING? home

WHAT STREET OR HIGHWAY WERE YOU ON? 10th Grand Congress

DIRECTION OF TRAVEL? N WHERE DID YOU START? South going north.

WHAT TIME DID YOU START? was not paying attention WHAT TIME IS IT NOW? no idea.

WHAT IS TODAY'S DATE? 3/31/18 WHAT DAY OF THE WEEK IS IT? Saturday onto Sunday.

WHAT COUNTY AND CITY ARE YOU IN NOW? West Palm Beach, FL

WHEN DID YOU LAST EAT? Friday night WHAT DID YOU EAT? what was

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? home, watching movies, went to JFK.

HOW MUCH DO YOU WEIGH? 152 lbs HAVE YOU BEEN DRINKING? yes WHAT? red blend wine.

HOW MUCH? 2 glasses WHERE? home WITH WHOM? with boy friend.

WHEN DID YOU HAVE YOUR FIRST DRINK? cant tell time (7pm) AND YOUR LAST DRINK? cant tell time.

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? glass wine cup.

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? no ARE YOU UNDER THE INFLUENCE? not right now.

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

WHAT? - WHERE? - WHEN? -

WHAT LINE OF WORK ARE YOU IN? Cleaning Co. Manager. WHEN DID YOU LAST WORK? Friday night.

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? like WHAT? laceration.

ARE YOU SICK OR INJURED? injured WHAT'S WRONG? knee hurts.

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

WERE YOU IN AN ACCIDENT TODAY? yes

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? yes WHAT? albutrol/seravent WHEN? daily.

- DO YOU HAVE: EPILEPSY? no
- GLASS EYE? no
- FALSE TEETH? no no
- EAR INFECTION? no
- INNER EAR TROUBLE? no
- DIABETES? no

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: _____

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) _____

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 Camera