



FHP Incident Report

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

19C1953490508158

PH 3475

Report Date / Time 5/25/2019 12:40:19 AM	Report Number FHP01IR058475 (01)	Report Case/Cad Number FHPL19OFF034114/L WRC19CAD093826	Reporting Officer Rank / ID CORPORAL / 1915	Reporting Officer Name K.A. CASELLA
Originating Agency ORI FL0509000	Reported to Agency Date 5/24/2019 11:17:06 PM	Occur Date Range 05/24/2019 23:17:06 - 05/25/2019 01:00:00	Jurisdiction	Status: Clearance:
Offense Description M34 DUI - MISDEMEANOR				

LOCATION(S)

County PALM BEACH	Location Type SUSPECT LOCATION	Location Description 4057 Cooley Ct., Lake Worth, FL. 33451					
Street Number 4057	Street COOLEY CT	Apt/Lot/Bldg	City LAKE WORTH PALM SPRINGS	State FL	Zip Code 33461	Phone Number	Ext.

Person: DRIVER

First Name IREISY	Middle Name	Last Name HERNANDEZ BORROTO	Suffix	Race W	Sex FEMALE	Height 501	Weight 115	Hair BRO	Eyes BRO
MNI #	SSN	Date of Birth 03/11/1979	Age 40	Place of Birth FF, CUBA	Drivers License or other ID H655400795910	State FL	ID Type E		
Addresses • Residence / 4060 COOLEY CT # B, FL 33401 Lake Worth, FL. 33461									

Charge: S

Counts 1	Charge 316.193.1	Arrest Offense Code Description DUI-UNLAW BLD ALCH
Charge Degree N	Charge Level MISDEMEANOR	General Offense Code
Charge Description DUI ALCOHOL OR DRUGS		
UCR Code / UCR Description • 5400 / DRIVING UNDER THE INFLUENCE		

Vehicle: OTHER

Year 2019	Make TOYT	Model RAVA4	Style UT	Color BLK	State FL	License Plate # GFRX83	Tag Expiration 03/11/2020	VIN JTMH1RFV2KJ006208
Vehicle Owner Type OTHER	Vehicle Value (\$)	☐ CMV ☐ HAZMAT	DOT Number	Placard Hazardous Material #	Placard Hazard Class #			
Vehicle Owner	Vehicle Released to Person			Vehicle Released by Officer				

Narrative

FHP Incident Report

Page 1 of 3

SCANNED
MAY 26 2019
DENING 69/4

2019 MAY 25 4:41:40

Report Date / Time 5/25/2019 12:40:19 AM	Report Number FHP01IR058475 (01)	Report Case/Cad Number FHPL19OFF034114 /L WRC19CAD093826	Reporting Officer Rank / ID CORPORAL / 1915	Reporting Officer Name K.A. CASELLA
Originating Agency ORI FL0509000	Reported to Agency Date 5/24/2019 11:17:06 PM	Occur Date Range 05/24/2019 23:17:06 - 05/25/2019 01:00:00	Jurisdiction	Status: Clearance:
Offense Description M34 DUI - MISDEMEANOR				

Narrative Date/Time 5/25/2019 12:48:53 AM		Narrative Synopsis		
Reporting Officer K.A. CASELLA		Officer Rank CORPORAL	Officer ID No 1915	Officer Org/Unit L
Officer Signature <i>K.A. Casella</i>		Officer Agency FLORIDA HIGHWAY PATROL		

On May 24, 2019 at approximately 11:43 P.M., I was notified by our Lake Worth Communication Center (LWCC), to meet with Palm Springs P.D. at 4057 Cooley Court, reference a possible D.U.I arrest. I arrived on scene at approximately 11:22 P.M. I meet with Officer Kubiak Id. # 103, he advised me he stopped the defendant for speed 55 miles per hour in a 40 mile hour zone on Lake Worth Road. He advised me the defendant with in her vehicle. I approached the driver side window and observed a white female in the driver seat. I identify the driver by her Florida drivers license #H655-400-79-591-0, Ireisy Hernandez-Borroto. Ms. Hernandez could not speak English, Officer Fequiere and Officer Salinas, translated in Spanish for me. I did observe a slight odor of alcohol emitting from Ms. Hernandez face. I asked Ms. Hernandez if she would perform some road side task, to determine if she was under the influence of Alcohol. I asked her to perform the walk and turn task, Ms. Hernandez was off balance when she started the task, she did not follow instructions, when I told her to wait for my instruction to start the task. When she performed to task she did not step heel to toe on several steps and lost her balance several times. I had her perform the task twice. I had her perform the one legged stance and she was able to count to 30 without putting her foot down, she did this twice, her head was forward. She did the finger to nose task and was able to perform this task. She was not able to perform the alphabet task due to a language barrier. At 11:45 P.M. she was place under arrest. I observed her for 20 minutes. After the 20 minutes, at approximately 12:08 A.M. Trooper Z. Todd asked the defendant he she would submit to a lawful blood test. Ms. Hernandez stated "no" and she wanted her lawyer. At this time Ms. Hernandez was transported to the Palm Beach County Jail.

Sup #	Officer Name	Officer Rank	Involvement On Report	Reporting Role	ID #	Org/Unit	Officer Agency
01	K.A. CASELLA	CORPORAL		REPORTING OFFICER	1915	FHPL19WRC19PA LM BEACHILANTAN A THI	FLORIDA HIGHWAY PATROL
01	KUBIAK,	OFFICER	REPORTING OFFICER		103		PALM SPRINGS PD

Report Date / Time 5/25/2019 12:40:19 AM	Report Number FHP011R058475 (01)	Report Case/Cad Number FHPL19OFF034114 /L WRC19CAD093826	Reporting Officer Rank / ID CORPORAL / 1915	Reporting Officer Name K.A. CASELLA
Originating Agency ORI FL0509000	Reported to Agency Date 5/24/2019 11:17:06 PM	Occur Date Range 05/24/2019 23:17:06 - 05/25/2019 01:00:00	Jurisdiction	Status: Clearance:
Offense Description M34 DUI - MISDEMEANOR				

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 narratives associated with this report:

Officer: Reporting Officer (Supplement01)

Officer Name K.A. CASELLA	Office Rank CORPORAL	Officer ID No 1915	Sworn and subscribed before me, the undersigned authority This the <u>25</u> day of <u>May</u> , <u>2019</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature <i>K.A. Casella</i>			

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, K.A. CASELLA, 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 24 day of MAX, 2019, at 1143 ☒ P.M. ☐ A.M.

DRIVER IREISY HERNANDEZ BORROTO
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME
DL# H655400795910, state of FL, was placed under lawful arrest for

316.193(1)
the offense of D.U.I. - DRIVING UNDER THE INFLUENCE (MIS... by K.A. CASELLA and
(Name of Arresting Officer)

issued Citation # 7757-XBR

That on or about the 25 day of MAX, 20 19, at 2010 ☐ P.M. ☒ A.M.

in PAUM 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.

K.A. Casella

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 TROOPER 4141

Date 5/25/19

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this _____ day of _____, 20 _____,

by _____,

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

Notary Public _____

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.



STATE OF FLORIDA
IMPLIED CONSENT WARNING
(*Not applicable with Voluntary Consents*)



Defendant Name: _____ Agency Case #: _____
Arresting Officer: _____ Agency: PHPC
Breath Test Operator: TPR Z. TODD 4141 Agency: PHPC
(Print Name and ID #)
Implied Consent Read By: TPR Z. TODD 4141
(Print Name and ID #)

SECTION 1 (Note: Read ONLY the paragraph applicable to the type of test you are requesting.)

☒ **BREATH TEST**

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

☐ **URINE TEST**

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

☐ **BLOOD TEST**

I am now requesting that you submit to a lawful test of your blood for the purpose of determining its alcoholic content or the presence of chemical or controlled substances.

WILL YOU TAKE THE TEST? ☐ YES ☒ NO

SECTION 2 (Note: Read ONLY if the subject does not comply with your request.)

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**, in addition to any other penalties. Refusing to submit to testing is admissible as evidence in any criminal proceeding.

DO YOU STILL REFUSE TO SUBMIT TO THIS TEST KNOWING THAT YOUR DRIVING PRIVILEGE WILL BE SUSPENDED FOR A PERIOD OF AT LEAST ONE YEAR FOR FIRST REFUSAL, AND EIGHTEEN MONTHS IF YOUR DRIVING PRIVILEGE HAS BEEN PREVIOUSLY SUSPENDED FOR PRIOR REFUSAL TO SUBMIT TO A LAWFUL TEST OF YOUR BREATH, URINE OR BLOOD? ADDITIONALLY, IF YOUR LICENSE HAS BEEN PREVIOUSLY SUSPENDED FOR FAILURE TO SUBMIT TO A TEST OF YOUR BREATH, BLOOD OR URINE, THAT YOU WILL BE ALSO CHARGED WITH A MISDEMEANOR FOR REFUSING TO SUBMIT TO THIS TEST? ☒ YES ☐ NO

SECTION 3 (Also read for CDL Holders)

In addition, your refusal to submit 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 operating a commercial motor vehicle.

DO YOU STILL REFUSE TO SUBMIT TO THIS TEST KNOWING THAT YOUR COMMERCIAL DRIVING PRIVILEGE WILL BE DISQUALIFIED FOR A PERIOD OF AT LEAST ONE YEAR FOR FIRST REFUSAL, AND PERMANENTLY FOR SECOND REFUSAL TO SUBMIT TO A LAWFUL TEST OF YOUR BREATH, URINE OR BLOOD?

☐ YES ☐ NO

Defendant Signature (Not an Admission of Guilt)

Date

Time (am / pm)