

ARREST REPORT

Report Date / Time 08/25/2017 01:04 AM	Agency Case/Offense Number FHPL17OFF069078	OCA Number	Original Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD154908
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LOCATION OF OCCURRENCE

County PALM BEACH	Address I-95 NB SOF NORTHLAKE BLVD , PALM BEACH GARDENS, FL 33410
Range of Occurrence Date/Time 08/25/2017 11:39 PM to 08/25/2017 11:39 PM	Latitude N 26 40.1870
	Longitude W 80 5.5437

PERSON: SUSPECT

First Name JULIETTE	Middle Name ANNE	Last Name DIAZ	Suffix	Date of Birth 06/08/1965	Age 52	Race W	Sex F	Height 506	Weight 122	Hair BLD	Eyes BRO	
Master Name Index Number	Place of Birth FLORIDA, MIAMI	Nation US	SSN	Driver's License or Other ID D200421657081	State FL	Class or Type E						
Address 6929 RUE VENDOME APT 3	City MIAMI BEACH	County MIAMI DADE	State FL	Zip Code 33141	Phone							

CHARGES

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

PROBABLE CAUSE

On August 25, 2017, at approximately 11:40 p.m., I responded to a traffic crash which occurred on Interstate 95 (State Road 9) northbound south of Northlake Blvd (State Road 850). (see crash report 85341470). The vehicles relocated onto eastbound Northlake Blvd into the south parking lot where Starbucks is located. I arrived on scene around 11:50 p.m. and observed two vehicles blocking the access roadway to the parking lot. I advised both drivers to move their vehicles into the parking spaces at Starbucks, in order to free the roadway. I introduced myself to both driver's and completed the crash investigation. I could smell an obvious odor of an unknown alcoholic beverage on the defendant's breath. Her eyes were glassy and blood shot. I explained to the driver of V01, Juliette Anne Diaz, that I completed the crash investigation and was conducting a criminal DUI investigation. I asked the defendant to conduct the roadside exercise, which she agreed to do. She stated several times that she did not consume any alcoholic beverage. The roadside exercise was conducted at a level surface, which was free of debris. The roadside exercise was recorded with Trooper R. Weber's in car camera. I asked the defendant if she felt comfortable barefoot and she stated yes. The parking space line was used to conduct the walk and turn exercise. After completing the exercise and based on the totality of circumstances, the defendant was placed under arrest at 12:24 a.m. for the violation of the Florida Statute 316.193 (1) and was transported to the county jail for booking. During our time in the jail, I conducted a twenty minute observation time. During this time the defendant did not regurgitate or place anything in her mouth. She was asked to provide a sample of her breath and she refused. I then read the implied consent warning, which he understood. I asked her again to provide samples of her breath, which she refused.

The vehicle was released to her friend at the scene with the defendant's permission.

Roadside exercise:

The defendant stated she had surgery on her left eye. She stated she had neck surgery.

HGN: I had to remind the defendant to keep her arms on the side of her body. She was very talkative and I advised her to stop interrupting me. I reminded her to keep her hands on the side of her body. I was still able to smell the odor of an unknown alcoholic beverage coming from her breath, while I stood in front of her. I asked her if she was able to identify the light of the stimulus (red), which she was able to do. I first checked for equal pupil size and equal tracking. I observed the defendant to have equal pupil size and equal tracking. At first I was able to observe both eyes, until she covered the left eye. During this time the defendant showed lack of smooth pursuit, onset of Nystagmus prior to 45 degree and distinct and sustained Nystagmus at maximum deviation in both eyes. The defendant kept moving her head and I instructed her to keep on following the stimulus with her eyes only. She then covered her left eye, in which I still observed lack of smooth pursuit, onset of Nystagmus prior to 45 degree and distinct and sustained Nystagmus at maximum deviation in her right eye. I did not observe vertical Nystagmus in either eye.

Walk and turn: This exercise was demonstrated to the defendant. She stated she understood the instructions. I had to advise the defendant to put her hands on the side of her body. She swayed in the starting position to maintain balance. She interrupted the instruction phase several times. She started while I demonstrated the exercise. At the second step she stopped to steady herself. She angled her foot while walking. She counted with very low volume, which I was barely able to hear. She stopped after the ninth step and asked for further instructions. She then turned in one step. She did not walk heel to toe from step three on (at least 2 inches of gap). During the whole exercise she did not look at her feet while walking. She spoke in between in the exercise several times.

One leg stand: This exercise was demonstrated to the defendant. She stated she understood the instructions. She left the starting position and had to be reinstructed to remain in the starting position. During the instruction phase and after I advised her that she would have to raise one foot, she stated "heels together?". She raised her left foot but swayed to maintain balance. She put her foot down after 16 seconds. During the whole exercise she raised her arms to maintain balance (more than 6 inches).

LEO BOND

Bond Amount \$	None	<input type="checkbox"/> ROR	<input type="checkbox"/> Cash	<input type="checkbox"/> Any	<input type="checkbox"/> PreTrial If Quality
	<input type="checkbox"/> Pro				

COURT APPEARANCE INFORMATION

Court (CIRCUIT) CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994	Court Date & Time 09/14/2017 08:30 AM
Court Address 3228 GUN CLUB ROAD, WEST PALM BEACH, FL 33406		
Instructions		

Report Date / Time 08/26/2017 01:04 AM	Agency Case/Offense Number FHPL17OFF069078	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD154908
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ARREST INFORMATION

Arrest Date / Time 08/26/2017 12:24 AM	Residency Within jurisdiction	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests No	Arrest Jurisdiction Within jurisdiction	Alcohol Yes	Drugs No	

ARREST LOCATION

County PALM BEACH	Address I-95 NB SOF NORTHLAKE BLVD , PALM BEACH GARDENS, FL
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ARREST DELIVERED TO

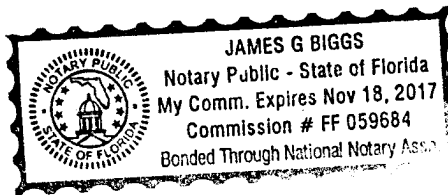
Jail / Booking Facility PALM BEACH COUNTY CORRECTIONS	Location 3228 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33406	Phone (561) 688-4400
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ARRESTING OFFICER

Officer Call Number 1146	Officer Name B. HANDZIK	Officer Signature <i>Gpt. B. Handzik</i>
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Subscribed and sworn to (or affirmed) before me this 26 day of August A.D., 2017 by _____ who is ☒ personally known to me or has produced _____ as identification.

Signature _____ Notary Public ___LEO___ CO Commission No: _____ My Commission Expires: _____



D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE _____ DAY OF _____, 20____, AT 11:40 PM AM PM
SUBJECT: Juliette Anne Diaz CASE NUMBER: FHPL17OFF069078
AGENCY: Florida Highway Patrol ARRESTING OFFICER: Cpl. Birgit Handzik 3268

PERSONAL CONTACT

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

Crash report 85341470

OBSERVATION OF DRIVER:

Glassy , blood shot eyes

obvious odor of an unknown alcoholic beverage

DRIVER'S STATEMENTS:

**Stated she hasn't consumed any alcoholic beverage
stated she to Trooper Weber she had eye surgery two days ago
stated to me she had eye surgery six days ago.**

ODORS:

obvious odor of an unknown alcoholic beverage

GENERAL OBSERVATIONS

SPEECH: normal

ATTITUDE: talk-active, severe mood swings, cried a lot, became aggressive towards the BAT staff, didn't comply to instructions

CLOTHING: greenish summer dress, brown boots

MEDICAL/OTHER: takes medication for her eye surgery

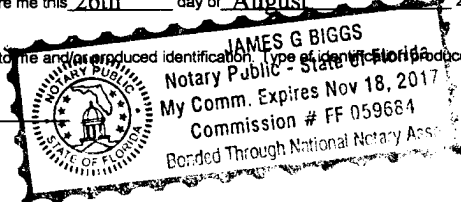
STATE OF FLORIDA
COUNTY OF PALM BEACH

Cpl. Birgit Handzik 3268
Signature of Arresting/Investigative Officer

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of August, 2017 by _____

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

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



SCANNED
AUG 28 2017

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:

didn't follow any instructions at the BAT (to move somewhere and resisted by sitting down or pulling the other direction/tried to get out of the handcuffs several times/cried a lot/became verbally very aggressive/very repetitive statements

WALK & TURN:

This exercise was demonstrated to the defendant. She stated she understood the instructions. I had to advise the defendant to put her hands on the side of her body. She swayed in the starting position to maintain balance. She interrupted the instruction phase several times. She started while I demonstrated the exercise. At the second step she stopped to steady herself. She angled her foot while walking. She counted with very low volume, which I was barely able to hear. She stopped after the ninth step and asked for further instructions. She then turned in one step. She did not walk heel to toe from step three on (at least 2 inches of gap). During the whole exercise she did not look at her feet while walking. She spoke in between in the exercise several times.

ONE LEG STAND:

This exercise was demonstrated to the defendant. She stated she understood the instructions. She left the starting position and had to be reinstructed to remain in the starting position. During the instruction phase and after I advised her that she would have to raise one foot, she stated "heels together?". She raised her left foot but swayed to maintain balance. She put her foot down after 16 seconds. During the whole exercise she raised her arms to maintain balance (more than 6 inches).

FINGER TO NOSE:

was not conducted

ROMBERG ALPHABET:

was not conducted

BREATH TEST RESULTS: 1) refused 2) refused 3) refused 4) refused

STATE OF FLORIDA
COUNTY OF PALM BEACH

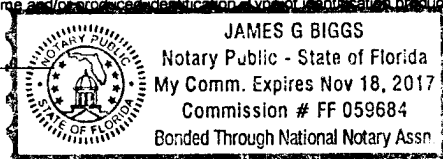
Cpl. Birgit Handzik 3268

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of August, 2017 by _____

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

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



SCANNED
AUG 28 2017

WITNESS LIST

CASE NUMBER: **FHPL17OFF069078**

ARRESTING OFFICER: **Cpl. Birgit Handzik 3268**

ADDRESS: **P.O. Box 540007, Greenacres, FL 33454**

PHONE NUMBERS (HOME): _____ (WORK) **(561) 357 4000**

CAN TESTIFY TO: **traffic crash investigator, conducted roadside exercise and completed all paperwork**

NAME: **SHAMA M Y YAGHNAM**

ADDRESS: **4340 BELLEWOOD ST, PALM BEACH GARDENS, FL 33410**

PHONE NUMBERS (HOME) **(561) 379 7998** (WORK) _____

CAN TESTIFY TO: **wheel witness**

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

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CAN TESTIFY TO: _____

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NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

SCANNED

AUG 28 2017

SUBJECT: Juliette Anne Diaz. CASE NUMBER: EHPL170FF 069078

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? NO 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: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SCANNED

AUG 28 2017



NOT A CERTIFIED

SCANNED
AUG 28 2017

Florida Highway Patrol

FILING PACKAGE RECEIPT FORM

Check One:

- ☐ DHSMV - Bureau of Driver Improvement Hearing Office
- ☐ State Attorney's Office D.U.I. Intake
- ☒ ~~Felony/Misdemeanor Filing Documentation~~ *Jail*

Case Number: FHPL17OFF069078

Defendant: Juliette Anne Diaz

Officer: Cpl. Birgit Handzik 3268 ID, # 3268

District: Troop L

Date Submitted: 08/26/2017

Sent By: Cpl. Handzik

Supervisor Approval: Sgt. Robert Dooley

Received By Court Liaison: _____

Date/Time Received: _____

FILING PACKAGE LOGGED BY LIAISON
ON DATE AND TIME LISTED ABOVE

RETURN THIS ORIGINAL RECEIPT TO OFFICER

Ver-OA-10G

SCANNED

AUG 28 2017