

# ARREST REPORT

Report Date / Time 04/07/2017 11:29 PM	Agency Case/Offense Number FHPL17OFF026819	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD059616
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## LOCATION OF OCCURRENCE

County PALM BEACH	Address I-95 NB, BOYNTON BEACH, FL 33435
Range of Occurrence Date/Time 04/07/2017 02:38 AM to 04/07/2017 02:38 AM	Latitude N 26 30.8700
	Longitude W 80 4.1904

## PERSON: SUSPECT

First Name KATHRYN	Middle Name REGINA	Last Name SCIORTINO	Suffix	Date of Birth 07/26/1985	Age 31	Race W	Sex F	Height 502	Weight 105	Hair BLN	Eyes GRN	
Master Name Index Number	Place of Birth LAKE WORTH, FL	Nation USA	SSN	Driver's License or Other ID S635516857660	State FL	Class or Type						
Address 6754 BLUE BAY CIR	City LAKE WORTH	County	State FL	Zip Code 33467	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		<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence         Bond Amount \$0.00

## PROBABLE CAUSE

On the above date and time, I was dispatched to a motor vehicle crash. The Lake Worth Regional Communication Center (LWRC) dispatch officer advised me that the crash was located northbound, Interstate 95, near the area of Woolbright Rd. When I arrived on scene, I observed two vehicles involved. One of the drivers who was later identified by her Florida Drivers License number S-635-516-85-766-0 as KATHRYN REGINA SCIORTINO, who appeared impaired and admitted to drinking before driving. Once I completed my crash investigation, I then advised Ms. Sciortino that I was now conducting a DUI investigation. I then read Ms. Sciortino her Constitutional Warnings. After doing so, Ms. Sciortino advised that she would continue to speak with me during the investigation. Ms. Sciortino advised that she was driving northbound on I-95 when she collided with another vehicle. When asked, Ms. Hernandez agreed to submit to a series of field sobriety exercises.

### Horizontal Gaze Nystagmus exercise

Prior to beginning the exercise it was determined Ms. Sciortino was not wearing contacts. Ms. Sciortino eyes were checked and her eyes displayed equal tracking and her pupils were equal sizes. Ms. Sciortino was instructed to following the stimulus with her eyes only, keeping her head still. After stating she understood the instructions Ms. Sciortino attempted this exercise.

The results of this exercise displayed 6 of the 6 possible clues.

- A lack of Smooth Pursuit in her left eye.
- A lack of Smooth Pursuit in her right eye.
- A distinct and sustained nystagmus in the left eye at maximum deviation.
- A distinct and sustained nystagmus in the right eye at maximum deviation.
- An onset of nystagmus in the left eye prior to 45 degrees.
- An onset of nystagmus in the right eye prior to 45 degrees.
- The exercise further revealed the presence of vertical nystagmus. Vertical nystagmus is an indicator of high doses of alcohol, other central nervous system (CNS) depressants or inhalants, and the consumption of the drug phencyclidine (PCP).

While performing the Horizontal Gaze Nystagmus exercise, it was observed that Ms. Sciortino:

- Had difficulty following and responding to instructions.
- Moved her head from side to side during the exercise.
- Swayed while standing.

### Walk and Turn exercise

Prior to attempting this exercise, Ms. Sciortino indicated she did not have any medical problems that would have prevented her from performing the exercise. Ms. Sciortino was instructed to put her left foot on the imaginary line and her right foot in front of it with her right heel touching the toe of her left foot. She was instructed to stand in this manner with her hands to his sides until the exercise instructions were completed and the exercise demonstrated. Ms. Sciortino was instructed not to begin the exercise until told to start. She was instructed to take nine steps along the imaginary line in a heel-to-toe manner. After the ninth step she was to stop and turn around keeping her lead foot on the ground, taking several small steps with the other foot to turn around. After turning around she was to take nine steps in a heel-to-toe manner back along the imaginary line, in the direction she had come from. Ms. Sciortino was further instructed to watch her feet at all times while walking, keep her arms down to his side, and to count her steps out loud. After the exercise was demonstrated Ms. Sciortino stated she understood the instructions and was instructed to begin the exercise.

- After attempting the Walk and Turn exercise Ms. Sciortino displayed 4 of 8 possible clues. Ms. Sciortino displayed 4 of 8 possible clues.

### Walk and Turn exercise observations:

- On the first set of steps Ms. Sciortino failed to walk in a heel-to-toe manner on 7 steps, failing to walk heel-to-toe on steps 2, 3, 4, 5, 6, 7, and 8. - On the second set of steps Ms. Sciortino failed to walk in a heel-to-toe manner on 9 steps, failing to walk heel-to-toe on steps 1, 2, 3, 4, 5, 6, 7, 8, and 9.
- Was unable to stand in a heel-to-toe manner while the instructions to the exercise were given.
- Raised arms for balance during the exercise.
- Lost his balance while walking.
- Did not look down and watch his feet during the exercise.
- Started the exercise before instructed to.

### One Leg Stand exercise

SCANNED

APR 13 2017

QPI HONER/720LP

APR 8 AM 6:06

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The one leg stand exercise was not performed by Ms. Sciortino. Ms. Sciortino advised that she did not feel comfortable performing the exercise due to Ms. Sciortino having vertigo.

After I completed the Standardize Field Sobriety Exercise observations on Ms. Sciortino, I then placed Ms. Sciortino under arrest for suspected driving under the influence (DUI) of alcohol. I then placed Ms. Sciortino in the rear of my patrol vehicle, and secured her in. Shortly after, I departed the scene enroute to the Palm Beach County Jail. Upon arrival at the jail, I escorted Ms. Sciortino to the BAT center. There, I conducted a 20 minute observation period of Ms. Sciortino. Once the 20 minutes were up, I escorted Ms. Sciortino into the BAT room. Once there, I requested Ms. Sciortino to submit to a lawful test of her breath for the purpose of determining its alcohol content. Ms. Sciortino refused to submit at 04:52AM.

After, Ms. Sciortino refused, I then advised Ms. Sciortino of Implied Consent. After advising Ms. Sciortino of Implied Consent, Ms. Sciortino advised me she would continue to refuse to provide a breathe sample. I then advised Ms. Sciortino of her Constitutional Rights. Ms. Sciortino refused any further questioning. I then transported Ms. Sciortino to booking into the Palm Beach County Jail. Shortly after, Ms. Sciortino was booked into the Palm Beach County jail on 316.193.1 Florida Statue Misdemeanor DUI. All events occurred in Palm Beach County.

#### LEO BOND

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

#### COURT APPEARANCE INFORMATION

Court (CIRCUIT) PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Date & Time 04/11/2017 08:30 AM
Court Address 200 WEST ATLANTIC AVE., DELRAY BEACH, FL 33444		
Instructions		

#### ARREST INFORMATION

Arrest Date / Time 04/07/2017 04:12 AM	Residency Within state	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests No	Arrest Jurisdiction Within state	Alcohol Yes	Drugs No	

#### ARREST LOCATION

County PALM BEACH	Address I-95 NB , UNINCORPORATED, FL 33435
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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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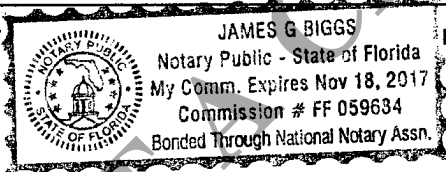
#### ARRESTING OFFICER

Officer Call Number 1667	Officer Name CLEARY, GUS E JR	Officer Signature
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Subscribed and sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., \_\_\_\_\_ by \_\_\_\_\_ who is \_\_\_\_\_ personally known to me or has produced \_\_\_\_\_ as identification.

Signature \_\_\_\_\_ Notary Public LEO CO Commission No: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

#### ARREST REPORT



FHP99ARR129353

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APR 13 2017

# TESTING FACILITY TASK REPORT

AGENCY: FHP-CLEARY

SUBJECT: SCIORTINO, KATHRYN R

DATE: Apr 8, 2017

BEGINNING TIME: 0450

CASE NUMBER: 17-061905

VIDEO DVD NUMBER: 62397

ENDING TIME: 0453

BREATH TESTS RESULTS: 1) REF TIME 0452 A.M. ☒ P.M. ☐ 2) XX TIME XX A.M. ☐ P.M. ☐  
3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: J Biggs# 7607

MAINTENANCE TECHNICAN: D/S J Karkleck #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: TALKATIVE, SLURRED

ATTITUDE: COOPERATIVE

CLOTHING: GRAY SHIRT, WHITE JEANS

MEDICAL CONDITIONS: VERTIGO

MEDICATIONS: NONE

## OTHER:

EYES GLASSY, RED  
ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON SUBJECT

## COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0430  
SUBJECT REFUSED THE TEST INITIALLY  
IMPLIED CONSENT WAS READ  
SUBJECT UNDERSTOOD AND REFUSED ONCE AGAIN  
MIRANDA WAS READ AND UNDERSTOOD  
SUBJECT REFUSED QUESTIONS

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APR 13 2017

SUBJECT: Scortino, Kathryn CASE NUMBER: 026819

## 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 Cleary of the Florida Highway Patrol.

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 Camera

## 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

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APR 13 2012

SUBJECT: Sciortino, Kathryn CASE NUMBER: 026819

## 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: \_\_\_\_\_

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

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APR 13 2017



Operation of a motor vehicle on a highway, causing injury to another person, and requiring aid.

NOT A CERTIFIED

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