

0481172		16CT 17712		1583	
OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.	
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-16128062	
Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized / Type 2. No		Multiple Clearance Indicator 1	
Location of Arrest (Including Name of Business) 21330 State Rd 7, Boca Raton, FL 33428		Location of Offense (Business Name, Address) 21330 State Rd 7, Boca Raton, FL 33428			
Date of Arrest 09/17/2016		Time of Arrest 0228		Booking Date Booking Time Jail Date Jail Time Location of Vehicle 21330 State Rd 7, Boca Raton, FL 33428	
Name (Last, First, Middle) Burke, Katy, Ann		Alias (Name, DOB, Soc. Sec. #, Etc.)			
Race W - White I - American Indian B - Black O - Oriental/Asian W		Sex F		Date of Birth 05/03/1989	
Height 5'06		Weight 120		Eye Color brown	
Hair Color brown		Complexion light		Build thin	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) multiple tattoos		Marital Status Single		Religion NONE	
Local Address (Street, Apt. Number) 5464 Enclave Crossing Wy T4, Delray Beach, FL 33484		Phone (773) 507-0768		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2	
Permanent Address (Street, Apt. Number) 5464 Enclave Crossing Wy T4, Delray Beach, FL 33484		Phone ()		Address Source Driver's license/verbal	
Business Address (Name, Street) ()		Phone ()		Occupation	
D/L Number, State B620501896630, FL		Soc. Sec. Number ()		INS Number ()	
Place of Birth (City, State) Chicago, IL		Citizenship USA			
Co-Defendant Name (Last, First, Middle)		Race		Sex	
Co-Defendant Name (Last, First, Middle)		Race		Sex	
Parent Legal Custodian Other:		Residence Phone ()		Business Phone ()	
Address (Street, Apt. Number) ()		City ()		State ()	
Notified by: (Name) ()		Date ()		Time ()	
Released To: (Name) ()		Relationship ()		Date ()	
The above address provided by [] defendant and / or [] defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. [] Yes, by: (Name) [] No: (Reason)		School Attended ()		Grade ()	
Property Crime? [] Yes [] No		Description of Property ()		Value of Property ()	
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use	
K. Dispense/ 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. Synthetics		U. Unknown Z. Other			
Charge Description Driving Under the Influence (DUI)		Counts 1		Domestic Violence [] Y [] N	
Statute Violation Number 316.193(1)		Violation of ORD #			
Drug Activity N		Drug Type N		Amount / Unit n/a	
Offense # 16128062		Warrant / Capias Number		Bond OR	
Charge Description		Counts		Domestic Violence [] Y [] N	
Statute Violation Number		Violation of ORD #			
Drug Activity N		Drug Type N		Amount / Unit n/a	
Offense #		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence [] Y [] N	
Statute Violation Number		Violation of ORD #			
Drug Activity N		Drug Type N		Amount / Unit n/a	
Offense #		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence [] Y [] N	
Statute Violation Number		Violation of ORD #			
Drug Activity N		Drug Type N		Amount / Unit n/a	
Offense #		Warrant / Capias Number		Bond	
Location (Court, Room Number, Address) South County Courthouse, 200 W. Atlantic Avenue, Courtroom #1, Delray Beach, FL 33444					
Court Date and Time Month Oct Day 17th Year 2016 Time 0830 AM X PM					
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 CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.					
Signature of Defendant (or Juvenile and Parent / Custodian) ()		Date Signed 09/17/2016		# 38	
HOLD for other Agency Name: [] Dangerous [] Suicidal [] Resisted Arrest [] Other:		Signature of Arresting Officer ()		Name Verification (Printed by Arrestee) SCANNED SEP 19 2016	
Intake Deputy WJB/830		I.D. # ()		Pouch # ()	
Name of Arresting Officer (Print) D/S Jacob Frey		I.D. # 9658		Agency PBSO	
Transporting Officer D/S Jacob Frey		I.D. # 9658		Agency PBSO	
Witness here if subject signed with an "X"					
PAGE OF					

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 17 DAY OF Sep 20 16, AT 0152 ☒ AM ☐ PM

SUBJECT: Burke, Katy, Ann CASE NUMBER: 16128062

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S Jacob Frey

PERSONAL CONTACT

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

On 17Sep16 at 0152hrs, I was on patrol in the area of State Rd 7 and Grand Verde Way, Boca Raton, in unincorporated Palm Beach County. I observed a white Nissan Rogue (TN tag M5361K – expired June 2016) stopped/parked in the right turn lane for Grand Verde Way on northbound State Rd 7 (US 441). The vehicle had its hazard lights on and appeared to have a flat tire on the driver's side front tire. I pulled behind the vehicle with my marked patrol vehicle and activated the rear emergency lights. I approached the driver's side of the vehicle. I immediately observed the driver's side front tire was deflated. The rim was bent in two separate areas consistent with the impact with a solid object. The driver's side front bumper corner had recent damage (black/dark paint transfer and detached from the wheel well). In the driver's seat I observed a white female sitting in the driver's seat with her seatbelt on. She was later identified by her multiple TN Driver's licenses (TN DL 123738659) and her Florida Driver's License (FL DL B620501896630 through D.A.V.I.D). The vehicle was in park, the keys were in the ignition, and the vehicle was running with all lights on.

OBSERVATION OF DRIVER:

Katy rolled down her window halfway. She had an unlit cigarette in her mouth. I could smell the mild odor of an unknown alcoholic beverage coming from inside the vehicle. Her speech was slow and slurred. Based on the damage I observed I asked her what she had hit. She told me she didn't hit anything. I asked where she was coming from and she told me "Packy's" bar. She later told me she worked there. I then asked for her driver's license, registration, and insurance. She began to fumble through her purse and glovebox. This lasted for about 5 to 10 mins. During this time she made a call to someone. During this phone call she told the person she couldn't talk because the police pulled her over. She also made the spontaneous utterance that she had "2 drinks". She had several TN driver's licenses in her wallet but could not find her FL driver's license. After moving my marked patrol vehicle into position to perform Standard Field Sobriety Tasks (SFST), I had her exit her vehicle. She threw open the driver's door nearly hitting me. She then stepped out of the vehicle and had to lean her back against the door for support. I then had her walk to the back of her vehicle and stand while I asked her some medical question. Even with a wide stance her body swayed. Once outside the vehicle I could smell the strong odor of an unknown alcoholic beverage coming from her breath. Her eyes were watery and glassy.

DRIVER'S STATEMENTS:

She made the spontaneous utterance that she was coming from "Packy's" (Sports Bar in West Boca Raton). She made several spontaneous utterances that she had "2 drinks". Her speech was slow and slurred.

ODORS:

Strong odor of an unknown alcoholic beverage coming from her breath.

GENERAL OBSERVATIONS

SPEECH: Slow and slurred.

ATTITUDE: mood changes, belligerent, indifferent, cocky, carefree, insulting, restless, aggressive

CLOTHING: black (multi-color pattern) thin shirt (nearly see through), very short black shorts, and black shoes

MEDICAL/OTHER: None stated

STATE OF FLORIDA
COUNTY OF PALM BEACH

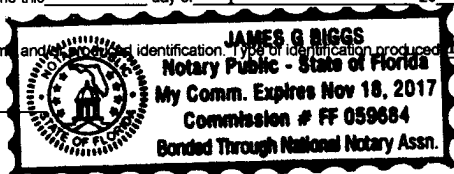
D/S Jacob Frey

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of Sep 2016 by D/S Jacob Frey

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

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



SCANNED
SEP 19 2016

SUBJECT: Burke, Katy, Ann

CASE NUMBER 16128062

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:

She had difficulty following with her eyes only and had to move her head. Her eyes were watery and glassy. She had Vertical Gaze Nystagmus (VGN) but did not have Lack of Convergence (LOC). Her body swayed during the task. She had difficulty standing with her feet together and her hand at her side.

WALK & TURN:

I instructed and demonstrated the walk and turn several times. She acknowledged she understood the instructions. Her body swayed during the instruction. She could not stand as instructed during the instructions/demonstration and had to step off the line for balance. She attempted the task and walked only 4 steps forward. She failed to touch heel to toe, stepped off the line several times, and lifted her arms from her side for balance. She attempted the task a second time. She walked 13 steps forward with a long stride (failing to touch heel to toe on every step). She stepped off the line several times and lifted her arms above her shoulders for balance. She did not turn as instructed. She walked 13 steps back with a long stride (failing to touch heel to toe on every step). She stepped off the line several times and lifted her arms above her shoulders for balance. The task was completed on a level and dry surface using a white painted line.

ONE LEG STAND:

I instructed and demonstrated the on leg stand. She acknowledged she understood. Her body swayed during the instruction/demonstration. She had to lift her arms from her side (above her head) to maintain her balance and almost fell over several times. She placed her foot down 2 times. She hopped and bounced on her left leg and lifted her right leg more than 6 inches off the ground. The task was completed on a dry and level surface.

FINGER TO NOSE:

I instructed and demonstrated the finger to nose. She acknowledged she understood. Her body swayed during the instructions. On most of the commands she touched the bottom of her nose with the side of her finger. Her body swayed during the task and she had difficulty standing with her feet together. The task was completed on a dry and level surface.

ROMBERG ALPHABET:

She told me her highest level of education was a General Education Diploma (GED) and only completed up to her "Junior" year of high school. She acknowledged she understood the English alphabet and English was her primary language. During the task her body swayed and she had difficulty standing with her feet together. She recited the alphabet quickly. When she got to the end of the alphabet she stated the letters in the incorrect order: "... Q, R, S, V, W, X, R, Y, V". The task was completed on a dry and level surface.

I instructed the Modified Rhomberg. She acknowledged she could estimate 30 seconds. Her estimate of 30 seconds was approximately 35 seconds. During the task her body swayed. She did not count out loud as instructed. The task was completed on a dry and level surface.

BREATH TEST RESULTS: refusal refusal

STATE OF FLORIDA
COUNTY OF PALM BEACH

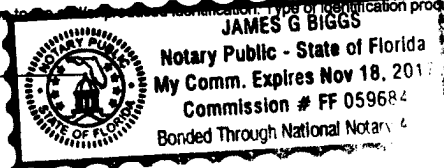
D/S Jacob Frey

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of Sep 202016 by D/S Jacob Frey

(Print name of Arresting/Investigative Officer), who is personally known to me by Known

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



SCANNED

SEP 19 2016

DAVID | Driver ...

File Edit View Favorites Tools Help

54 Geolocation v2 PeopleSmart D7 Internal ★ Permits ★ log entry ★ FIR DAVID ★ Gate Code Dom Vio Sys VIN Decoder (2) Showcase

Search (tag, DL, person, etc.) Select Purpose Code

Record Detail

Print Friendly

VALID

Driver History Licenses Photo & Status Emergency Contact Recent Driver Record

Address: 5464 ENCLAVE CROSSING WY T4 DELRAY BEACH, FL 33484	Date of Birth: 05/03/1989	Gender: FEMALE	Height: 5' 6"
Original License Issue Date: 05/09/2016	Issued: 05/09/2016	Expires: 05/03/2025	
CDL Status:			
Form Number:		EIN:	

SAFE DRIVER
REAL ID COMPLIANT

Citizen Status: US CITIZEN	Country of Birth: US OF AMERICA	State of Birth: TENNESSEE
Race: CAUCASIAN		

Restrictions:	Endorsements:	Conditional Messages:
---------------	---------------	-----------------------

Vehicles DL Transactions Addresses Insurance Prior Vehicles Parking Permits

Vehicles

NO RECORDS FOUND.

SCANNED
SEP 19 2016

WITNESS LIST

CASE NUMBER: 16128062

ARRESTING OFFICER: D/S Jacob Frey

ADDRESS: 3228 Gun Club Rd, WPB

PHONE NUMBERS (HOME): _____ (WORK) 561-688-3000

CAN TESTIFY TO: Physical control, Personal contact, SFSTs

NAME: _____

ADDRESS: _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) 0 _____ (WORK) 0

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

SCANNED

SEP 19 2016

TESTING FACILITY TASK REPORT

AGENCY: PBSO-FREY

SUBJECT: BURKE, KATY A

CASE NUMBER: 16-128062

DATE: Sep 17, 2016

VIDEO DVD NUMBER: 61390

BEGINNING TIME: 0356

ENDING TIME: 0400

BREATH TESTS RESULTS: 1) REF TIME 0359 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: LOUD

ATTITUDE: UNCOOPERATIVE, UPSET, COMBATIVE

CLOTHING: BLACK SHIRT, BLACK SHORTS

MEDICAL CONDITIONS: DID NOT ASK

MEDICATIONS: DID NOT ASK

OTHER:

EYES GLASSY

COMMENTS:

THE ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0335
SUBJECT REFUSED THE TEST INITIALLY
IMPLIED CONSENT WAS READ SUBJECT ADVISED SHE DID NOT UNDERSTAND
IMPLIED CONSENT WAS REPEATED, SUBJECT SPOKE OVER A/O
REFUSAL WAS CALLED
MIRANDA WAS READ AND UNDERSTOOD
SUBJECT REFUSED QUESTIONS

SCANNED
SEP 19 2016

SUBJECT: Burke, Katy A

CASE NUMBER: 16-128002

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 DIS Frey of the PBSO

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.

SCANNED

SEP 19 2016

SUSPECT'S SIGNATURE: (X) Read on Camera

SUBJECT: Burke, Katy A

CASE NUMBER: 16-128062

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 1060 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

SCANNED

SEP 19 2015