

049 3018

17CT019857

2704

ARREST / NOTICE TO APPEAR  
Juvenile Referral Report

1. Arrest  
2. N.T.A.  
3. Request for Warrant  
4. Request for Capias

Juvenile  N

OBTS Number	Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number (N.T.A.'s only) <b>06-17-146744</b>	
Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony	<input 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 <input type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No		Multiple Clearance Indicator <b>01</b>
Location of Arrest (Including Name of Business) <b>10th Ave N/N "H" Street, Lake Worth, FL 33460</b>			Location of Offense (Business Name, Address) <b>10th Ave N/N "H" Street, Lake Worth, FL 33460</b>			
Date of Arrest <b>11/02/2017</b>	Time of Arrest <b>0007</b>	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle <b>Camel Towing Storage Lot</b>

Name (Last, First, Middle) <b>Husuliak, Kenneth, William</b>						Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White I - American Indian B - Black O - Oriental/Asian	Sex <b>W</b>	M <b>M</b>	Date of Birth <b>08/07/1959</b>	Height <b>6'00</b>	Weight <b>180</b>	Eye Color <b>Blue</b>	Hair Color <b>Bald</b>	Complexion <b>Light</b>	Build <b>Medium</b>		
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>N/A</b>						Marital Status <b>Married</b>	Religion <b>NONE</b>	Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. <input type="checkbox"/> Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. <input type="checkbox"/>			
Local Address (Street, Apt. Number) (City) (State) (Zip) <b>8123 River Country Dr, Spring Hill, FL 34607</b>			Phone <b>(813) 927-7245</b>			Residence Type: 1. City <input type="checkbox"/> 2. County <input type="checkbox"/> 3. Florida <input checked="" type="checkbox"/> 4. Out of State <input type="checkbox"/>			Address Source <b>Florida Driver's License</b>		
Permanent Address (Street, Apt. Number) (City) (State) (Zip)			Phone			Occupation <b>Real Estate</b>					
D/L Number, State <b>H242519592870, FL</b>		Soc. Sec. Number		INS Number		Place of Birth (City, State) <b>Saskatoon, Saskatchewan (CA)</b>		Citizenship <b>Canada</b>			

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile

<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:	Residence Phone ( ) ( ) ( )		
Address (Street, Apt. Number) (City) (State) (Zip)			Business Phone ( ) ( ) ( )
Notified by: (Name)	Date	Time	Juvenile Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated
Released To: (Name)	Relationship		Date
The above address provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> 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. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)			School Attended
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> 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/Derv.	P. Paraphernalia/ Equipment S. Synthetics	U. Unknown Z. Other
Charge Description <b>Driving Under the Influence</b>		Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number <b>316.193(1)</b>		Violation of ORD #				
Drug Activity <b>N</b>	Drug Type <b>N</b>	Amount / Unit	Offense # <b>17-146744</b>	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #				
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond				

Location (Court, Room Number, Address) <b>3228 Gun Club Road, West Palm Beach, FL 33406</b>					
Court Date and Time Month <b>November</b> Day <b>30th</b> Year <b>2017</b> Time <b>8:30</b> AM <input checked="" type="checkbox"/> 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 <b>11/02/2017</b>		

HOLD for other Agency Name:		Signature of Arresting Officer <b>X</b>		Name Verification (Printed by Arrestee) <b>SCANNED</b>	
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:	Name of Arresting Officer (Print) <b>D/S J. Gonzalez #18414</b>		I.D. # <b>18414</b>	
Intake Deputy <b>[Signature]</b>	I.D. #	Pouch #	Transporting Officer <b>D/S J. Gonzalez</b>	ID # <b>18414</b>	Agency <b>PBSO</b>
Witness here if subject signed with an "X"				PAGE <b>1</b> OF <b>1</b>	

2017 NOV - 30 AM 8:09  
PALM BEACH COUNTY  
GUN CLUB ROAD

NOV 03 2017 7:54

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 2nd DAY OF November 20 17, AT 2328 AM PM

SUBJECT: Husuliak, Kenneth, William CASE NUMBER: 17-146744

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S J. Gonzalez #18414

## PERSONAL CONTACT

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

On November 2nd, 2017 at approximately 2320 hours, I was driving Southbound on N Dixie Highway (SR 805) approaching 7th Ave N in a Palm Beach County Sheriff's Office (PBSO) marked patrol vehicle, vehicle asset #69909. As I passing 7th Ave N, I noticed a blue Ford F150 pickup, bearing Florida Tag 828TWT, which driving Northbound on N Dixie Highway approaching 7th Ave N. I observed that the vehicle was driving down the street with no headlights on. I then made a U-Turn, got behind the vehicle, and activated my overhead emergency lights as we sat at a red light at 10th Avenue North, located in the City of Lake Worth, to initiate a traffic stop. The vehicle continued onto 10th Avenue N and turned onto N "H" Street where he stopped. D/S Gruber #9721 made his approach to the driver side of the vehicle and made contact with a white male who was operating the vehicle, the driver was later identified as Kenneth Husuliak. Kenneth was the driver and sole occupant of the blue pickup.

## OBSERVATION OF DRIVER:

D/S Gruber informed me that he could smell the odor of an unknown alcoholic beverage emitting from Kenneth. D/S Gruber also stated that the driver had glassy eyes. As D/S Gruber was speaking with the driver about the reason for the stop, and when the driver attempted to turn his lights on he began fidgeting with the handle for turn signal. D/S Gruber explained to the driver that he was turning on his turn signals, and that isn't turning on his lights. Kenneth stated that's how you turn on the headlights. D/S Gruber showed Kenneth how to turn on to his lights, as he continued to fidget with the handle for the turn signals. It was at this point when D/S Gruber asked Kenneth to step out so he could conduct some SFSTs to ensure that he was okay to drive. D/S Gruber turned the investigation over to me. Upon speaking with Kenneth I observed him to have glassy eyes, and he was emitting an odor of an unknown alcoholic beverage.

## DRIVER'S STATEMENTS:

Kenneth stated to myself and D/S Gruber that he had a few old fashioned cocktails while at Paradiso, which is a restaurant and bar in the City of Lake Worth.

## ODORS:

Odor of an unknown alcoholic beverage coming from her person.

## GENERAL OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Calm, Polite, White T Shirt, Jeans, Cowboy Boots

CLOTHING: Orderly, Clean

MEDICAL/OTHER: N/A  
ALL ROADSIDES CAPTURED ON IN-CAR VIDEO

STATE OF FLORIDA  
COUNTY OF PALM BEACH

D/S J. Gonzalez #18414

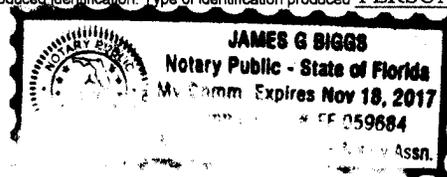
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 2nd day of November 20 17 by D/S J. Gonzalez #18414

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

James Biggs (#7607)

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



SCANNED  
NOV 03 2017

SUBJECT: Husuliak, Kenneth, William

CASE NUMBER 17-146744

**ROADSIDE TASKS**

**HORIZONTAL GAZE NYSTAGMUS:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT                           | <input checked="" type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT                           |
| <input checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | <input checked="" type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| <input checked="" type="checkbox"/> LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES          | <input checked="" type="checkbox"/> RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES          |

**Other Observations:**

**WALK & TURN:**

The first attempt at the walk and turn, while attempting to put the def in the instructional position the defendant stumbled twice. I asked the defendant if he wanted to remove his shoes for better balance. He said sure and removed his boots. I attempted to put the defendant in the instructional position again, and the def missed the line when attempting put his right foot in front of his left. The defendant was still having issues during the instructional position, so before beginning the task we had to relocate for a flatter surface. The defendant lost balance on steps 2, 3, and 5. The defendant stumbled on step number 7 and almost fell over. The defendant was using his arms to balance himself throughout the task, after being told to keep his hands down at his sides.

**ONE LEG STAND:**

The defendant repeatedly hopped, and used his arms to assist him in balancing throughout the duration of the One Leg Stand. The defendant almost fell over twice during the task.

**FINGER TO NOSE:**

The defendant began closing his eyes and tilting his head back before being told to begin the task. The defendant also attempted to lift his left hand when being given the third "right" command, and had to correct himself.

**ROMBERG ALPHABET:**

Throughout the duration of the task, the defendant did not have his head tilted back as he was asked to do during the instructional phase.

**BREATH TEST RESULTS:** .130 .130

STATE OF FLORIDA  
COUNTY OF PALM BEACH

D/S J. Gonzalez #18414

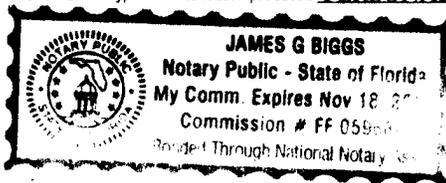
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 2nd day of November 2017 by D/S J. Gonzalez #18414

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

James Biggs (#7607)

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



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NOV 03 2017

# WITNESS LIST

CASE NUMBER: 17-146744

ARRESTING OFFICER: D/S J. Gonzalez #18414

ADDRESS: 3228 Gun Club Road, West Palm Beach, FL 33406

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) (561) 688-3000

CAN TESTIFY TO: DUI Investigation

NAME: D/S M. Gruber #9721

ADDRESS: 3228 Gun Club Road, West Palm Beach, FL 33406

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) (561) 688-3000

CAN TESTIFY TO: DUI Investigation

NAME: D/S S. Monroy #12463

ADDRESS 3228 Gun Club Road, West Palm Beach, FL 33406

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) (561) 688-3000

CAN TESTIFY TO: DUI Investigation

NAME: SGT. S Yoder #7690

ADDRESS 3228 Gun Club Road, West Palm Beach, FL 33406

PHONE NUMBERS (HOME) 0 (WORK) 0

CAN TESTIFY TO: Count of Currency/Inventory

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

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CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

SCANNED

NOV 03 2017

# TESTING FACILITY TASK REPORT

AGENCY: PBSO-GONZALEZ

SUBJECT: HUSULIAK, KENNETH W

CASE NUMBER: 17-146744

DATE: Nov 2, 2017

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0146

ENDING TIME: 0205

BREATH TESTS RESULTS: 1) .130 TIME 0151 A.M.  P.M.  2) .130 TIME 0153 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 TECHNICIAN: D/S J Karklecke #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR, THICK

ATTITUDE: COOPERATIVE

CLOTHING: WHITE SHIRT WITH RED STAIN, BLUE JEANS, SOCKS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

## OTHER:

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

## COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0125  
SUBJECT ADVISED HE WOULD SUBMIT TO THE TEST IF IT WAS A MISDEMEANOR  
SUBJECT WAS GIVEN THE INSTRUCTIONS FOR THE TEST  
SUBJECT COMPLETED BOTH SAMPLES SUCCESSFULLY  
RESULTS WERE GIVEN TO THE SUBJECT  
SUBJECT WAS READ MIRANDA  
SUBJECT SUBMITTED TO THE QUESTIONS ASKED

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NOV 03 2017

**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

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NOV 03 2017

# 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? Back to my boat

WHAT STREET OR HIGHWAY WERE YOU ON? 10th Ave N at time of stop

DIRECTION OF TRAVEL? N WHERE DID YOU START? CWS (Restuarant & Bar)

WHAT TIME DID YOU START? IDK WHAT TIME IS IT NOW? IDK

WHAT IS TODAY'S DATE? 11/1/17 or 11/2/17 WHAT DAY OF THE WEEK IS IT? Thursday

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

WHEN DID YOU LAST EAT? 6 PM WHAT DID YOU EAT? Octopus

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? sitting with you

HOW MUCH DO YOU WEIGH? 200 HAVE YOU BEEN DRINKING? Yes WHAT? Old Fashions

HOW MUCH? 2 WHERE? CWS WITH WHOM? No

WHEN DID YOU HAVE YOUR FIRST DRINK? 7:30pm AND YOUR LAST DRINK? IDK

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Glass

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? Not Really ARE YOU UNDER THE INFLUENCE? No answer

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? N/A HOW MUCH? —

WHAT? — WHERE? — WHEN? —

WHAT LINE OF WORK ARE YOU IN? Entrepreneur WHEN DID YOU LAST WORK? Today

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? Yes WHAT? Bad Back, Dislocated Shoulder

ARE YOU SICK OR INJURED? No WHAT'S WRONG? —

DO YOU LIMP? IDK DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE YOU IN AN ACCIDENT TODAY? No

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? No WHAT? — WHEN? —

DO YOU HAVE:

EPILEPSY?	<u>No</u>
GLASS EYE?	<u>No</u>
FALSE TEETH?	<u>No</u>
EAR INFECTION?	<u>No</u>
INNER EAR TROUBLE?	<u>No</u>
DIABETES?	<u>No</u>

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: D/S J. Gonzalez # 19414 [Signature]

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NOV 03 2017