



# Arrest Report

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

0510625

201909016181 AMB

719

|   |   |  |  |
|---|---|--|--|
| Report Date / Time<br>9/1/2019 02:17 AM | Report Number<br>FHP99ARR804485                                       | Case Number/Cad Number<br>FHPL19OFF057985 /<br>LWRC19CAD160351 | Reporting Officer Name<br>IV, ANDREW L |
| Originating Agency ORI                  | Occur Date Time Range<br>09/01/2019 01:37:21 -<br>09/01/2019 05:08:00 | Jurisdiction   | Clearance                              |

### Location of Occurrence

|                      |                               |  |                    |             |                   |
|----------------------|-------------------------------|--|--------------------|-------------|-------------------|
| County<br>PALM BEACH | Location Type<br>PUBLIC PLACE | Location Description<br>INTERSTATE 95 NORTHBOUND AND ATLANTIC AVENUE |                    |             |                   |
| Street Number        | Street<br>N INTERSTATE 95     | Apt/Lot/Bldg   | City<br>LAKE WORTH | State<br>FL | Zip Code<br>33462 |

### Defendant

|                       |                         |                             |           |   |  |               |               |  |             |
|-----------------------|-------------------------|-----------------------------|-----------|---|--|---------------|---------------|--|-------------|
| First Name<br>KRYSTAL | Middle Name<br>DANIELLE | Last Name<br>MELENDEZ       | Suffix    | Race<br>WHITE                               | Sex<br>FEMALE                                | Height<br>502 | Weight<br>120 | Hair<br>BLK  | Eyes<br>BRO |
| MNI #                 | SSN                     | Date of Birth<br>08/08/1989 | Age<br>30 | Place of Birth<br>BROOKLYN NY UNITED STATES | Drivers License or other ID<br>M453504897880 | State<br>FL   | ID Type<br>E  | Address<br>* RESIDENCE / 222 COURTNEY LAKES CIRCLE #210 , WEST PALM BEACH, FL 33401 / 561-358-7535 |             |

### Arrest

|   |                                      |   |                      |                    |             |                   |
|---|--------------------------------------|---|----------------------|--------------------|-------------|-------------------|
| Arrest Date/Time<br>9/1/2019 2:03:52 AM | Arrest Location Type<br>PUBLIC PLACE | Arrest Location Description<br>INTERSTATE 95 NORTHBOUND |                      |                    |             |                   |
| Street Number                           | Street<br>N INTERSTATE 95            | Apt/Lot/Bldg  | County<br>PALM BEACH | City<br>LAKE WORTH | State<br>FL | Zip Code<br>33462 |

### Charge : S

|  |                             |  |                                  |
|--|-----------------------------|--|----------------------------------|
| Counts<br>1                                | Charge<br>316.193.1         | Bond Amount<br>\$0.00                      | <input type="checkbox"/> No Bond |
| Charge Degree<br>N                         | Charge Level<br>MISDEMEANOR | General Offense Code<br>DUI-UNLAW BLD ALCH |                                  |
| Charge Description<br>DUI ALCOHOL OR DRUGS |                             |  |                                  |

### Bond Set by Court

|              |                                  |
|--------------|----------------------------------|
| Bond Amount  | <input type="checkbox"/> No Bond |
| Bond Type(s) |                                  |

### Probable Cause

\*\*\*ROUGH ARREST REPORT\*\*\* A more detailed probable cause affidavit will be submitted to the Palm Beach County State Attorney's office at a later time.

On 9/1/2019 at approximately 1:33AM I was traveling north on Interstate 95 northbound in the inside center travel lane approaching Hypoluxo Road when I observed a gray Ford Fusion (FL tag: RRN2R) in

Arrest Report

SCANNED

Page 1 of 4

SEP 02 2019

SEP 1 AM 8:07

2019 SEP - 2 AM 5:11 PM

|   |   |  |  |
|---|---|--|--|
| Report Date / Time<br>9/1/2019 02:17 AM | Report Number<br>FHP99ARR804485                                       | Case Number/Cad Number<br>FHPL19OFF057985 /<br>LWRC19CAD160351 | Reporting Officer Name<br>IV, ANDREW L |
| Originating Agency ORI                  | Occur Date Time Range<br>09/01/2019 01:37:21 -<br>09/01/2019 05:06:00 | Jurisdiction   | Clearance                              |

the inside or HOV lane brake and abruptly move to the left shoulder of the roadway and stop. I pulled behind the vehicle to check on the driver and determine if they needed any assistance. I approached the driver side window of the vehicle and observed a female sitting in the driver's seat looking straight ahead motionless. I got her attention by tapping the glass and she rolled down the driver side window of the vehicle. I informed her that I was stopping to make sure that she was okay. I noticed that her eyes were red and glassy and I smelled the strong odor of an unknown alcoholic beverage coming her breath when she spoke as well as the driver compartment area. I also noticed that her speech was noticeably slurred at times. I asked her if she had anything to drink and she admitted to drinking. I asked her for her license and she produced a Florida drivers license which was used to identify her as Krystal Danielle Melendez (FL DL: M453504897880). I returned to my patrol vehicle to inform the Lake Worth Regional Communications Center (LWRCC) or Dispatch of the stop. I then walked back to the vehicle and asked Ms. Melendez to exit the vehicle. Upon exiting the vehicle I continued to smell the strong odor of an unknown alcoholic beverage coming from her breath as she spoke. I continued to speak with Ms. Melendez in front of my marked patrol vehicle. I asked her where she was coming from and she stated that she was coming from the south. I asked her where exactly she was coming from. She eventually replied Atlantic and Park Tavern. I asked her if she had drank anything and she stated that she had one cocktail approximately 1 hour ago. I asked her on a scale of 1 to 10 with 1 being completely sober and 10 falling over drunk where she believed she was and she stated that she was a 1. I asked her if she was willing to perform standardized field sobriety exercises and she agreed to perform them. Prior to administering the exercises I asked her if she had any medical conditions and she stated no. I asked her if she had any injuries and she stated no. I asked her what her natural eye color was and she stated brown which was observed. (Note: The below summary is not intended to be a verbatim account of all the events that took place during the administration of the standardized field sobriety exercises. Video footage and audio of the exercises is available upon request.) Each exercise was explained and demonstrated prior to the subject attempting to perform the exercise.

**Horizontal Gaze Nystagmus Exercise (Streamlight red LED pen used as a contrasting stimulus)**

- I checked for resting nystagmus which was not observed in either eye
- I checked for equal pupil size and equal tracking; Both pupils were equal in size and both eyes tracked the stimulus equally.
- I observed a lack of smooth pursuit in both eyes
- I observed distinct and sustained nystagmus at maximum deviation in both eyes
- I observed nystagmus prior to 45 degrees in both eyes

**Walk and Turn Exercise (A yellow line was constructed using duck tape placed on the roadway)**

- Did not stay in the starting position as instructed
- Started exercise prior to command to begin
- Used arms to balance
- Did not walk heel to toe as instructed
- Did not turn around as instructed

|   |   |  |  |
|---|---|--|--|
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-Stopped exercise without completing the return steps as instructed

#### One Leg Stand Exercise

- Placed foot down
- Did not keep hands to her sides as instructed
- Stopped exercise before command to stop

#### Modified Rhomberg Balance Exercise

- 26 seconds elapsed during the 30 second time estimation

#### Finger to Nose Exercise

- Touched her nose using the pad of her finger contrary to the provided instructions multiple times
- Touched above the tip of her nose on multiple occasions

Based upon the performance of the above exercises and the totality of the circumstances I determined that there was probable cause to believe that Krystal Danielle Melendez committed the offense of driving under the influence by being in actual physical control/operating a motor vehicle while under the influence of alcoholic beverages, any chemical substance per Florida State Statute 877.111, or any controlled substance per Chapter 893, while their normal faculties were impaired. She was placed under arrest for the above offense and handcuffed behind her back. Trooper J. Petti (#1495 responded to the scene for routine backup and searched Ms. Melendez. After being searched she was placed in the backseat of my marked patrol vehicle. After placing her in the backseat I smelled the strong odor of an unknown alcoholic beverage coming from the backseat that was not present prior to placing her there. Ms. Melendez was later transported to the Palm Beach County Breath Alcohol Testing (BAT) facility. She appeared to fall asleep in the backseat of my vehicle. At the BAT facility a 20 minute observation period was conducted where she did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning of the observation period). She was then asked to provide a breath test sample to test for the alcoholic content of her breath. She agreed to provide the samples and provided a first breath test sample of 0.215. While she attempted to provide the second breath test sample she repeatedly failed to provide a sufficient volume of breath and stopped blowing into the instrument repeatedly. I read her the Florida Implied Consent drivers license suspension warning and she stated that she understood. She repeatedly stated that she urgently had to use the restroom. She was allowed to use the restroom and a new 20 minute observation period was begun as was done previously after she had completed using the restroom. I again asked her to provide a breath test sample to test for the alcoholic content of her breath and she initially stated that she agreed to provide the sample. She then repeatedly stopped blowing into the instrument contrary to the provided instructions. A refusal time of 4:17AM was called. Ms. Melendez was read her Constitutional Rights from a prepared document obtained from the BAT facility and she stated that she understood her rights and initially agreed to answer questions but then changed her mind and refused to answer any

|   |   |  |  |
|---|---|--|--|
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questions (See BAT question and answer document and video footage for a full account). She was then placed in a holding cell and the handcuffs were removed. After I finished my rough arrest report she was booked without further incident. Ms. Melendez was issued a DUI citation. All of the above events occurred in Palm Beach County, FL.

Note: My patrol vehicle is equipped with in car video and audio that is available upon request.

#### Jail Bookin Facility

|                             |                              |  |   |
|-----------------------------|------------------------------|--|---|
| Booking Date/Time<br>0.0000 | Booking County<br>PALM BEACH | Booking Facility<br>PALM BEACH COUNTY<br>CORRECTIONS | Booking Facility Phone Number<br>(561) 688-4400 |
|-----------------------------|------------------------------|--|---|

Booking Facility Location

3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406

Booking Comments

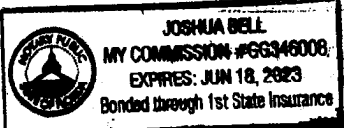
#### Court

|                                   |  |   |            |
|-----------------------------------|--|---|------------|
| Court County<br>PALM BEACH        | Court Location<br>3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406 |   |            |
| Court<br>CRIMINAL JUSTICE COMPLEX | Court Phone<br>561-355-2994                                    | Court Appearance Date / Time<br>09/26/2019 8:30AM | Court Fine |
| Comments                          |  |   |            |

|  |  |  |
|--|--|--|
| Officer Name<br>Rank / ID #<br>IV, ANDREW L<br>TROOPER<br>3651 | Involvement On Report /<br>Reporting Role<br>REPORTING OFFICER | Officer Agency<br>Org/Unit<br>FLORIDA HIGHWAY PATROL<br>FHPL1LWRCC/PALM BEACH/SR702 TO MARTIN LN |
|--|--|--|

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 probable cause associated with this report:

#### Reporting Officer

|  |                                      |                       |   |
|--|--------------------------------------|-----------------------|---|
| Officer Name<br>IV, ANDREW L             | Office Rank<br>TROOPER               | Officer ID No<br>3651 | Sworn and subscribed before me, the undersigned authority<br>This the <u>01</u> day of <u>September</u> , <u>2019</u><br>DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT |
| Officer Agency<br>FLORIDA HIGHWAY PATROL | Officer Signature<br><i>Andrew L</i> |                       |   |



COMPLAINT

FLORIDA DUI UNIFORM TRAFFIC CITATION A76RUWE

County of PALM BEACH, Agency Name FLORIDA HIGHWAY PATROL, Date of Week Sun, 09/01/2019, 01:33 AM, Name KRystal DANIELLE MELENDEZ, Street 222 COURTNEY LAKES CIRCLE #210, City WEST PALM BEACH, FL 33401, Driver License M 4 5 3 6 0 4 8 9 7 8 8 0, Vehicle 2019 FORD 4D, License RRN2R, State FL, Year 2020, Location INTERSTATE 95 NORTHBOUND AND HYPOLUXO ROAD.

DID UNLAWFULLY COMBET THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCES; DID DRIVE, OR WAS IN ACTUAL PHYSICAL CONTROL OF A VEHICLE, WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE/CHEMICAL SUBSTANCE/CONTROLLED SUBSTANCE TO THE EXTENT NORMAL FACILITIES WERE IMPAIRED, OR WITH A BLOOD OR BREATH ALCOHOL LEVEL OF .08 OR ABOVE OF

COMMENTS PERTAINING TO OFFENSE (Only one offense each citation) REFUSED TO PROVIDE BREATH TEST SAMPLES AS REQUESTED

AGGRESSIVE DRIVER, PASSENGER < 18 YEARS, STATE STATUTE 316.193(1), CRASH, DAMAGE TO OTHER PROPERTY, INJURY TO ANOTHER, SERIOUS BODILY INJURY TO ANOTHER, FATAL.

THIS IS A CRIMINAL VIOLATION. COURT APPEARANCE REQUIRED, AS INDICATED BELOW. 09/26/2019 8:30 AM A76RUWE

CRIMINAL JUSTICE COMPLEX, 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33408

ARREST DELIVERED TO PALM BEACH COUNTY CORRECTIONS DATE 09/01/2019

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

EFFECTIVE IMMEDIATELY, YOUR DRIVING PRIVILEGE IS SUSPENDED/DISQUALIFIED FOR: DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. THIS SUSPENSION IS FOR A PERIOD OF SIX MONTHS IF THIS IS THE FIRST VIOLATION OR ONE YEAR IF PREVIOUSLY SUSPENDED FOR DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL.

REFUSAL TO SUBMIT TO LAWFUL BREATH, BLOOD OR URINE TEST SECTION 322.2615, F. S. THIS SUSPENSION IS FOR A PERIOD OF ONE YEAR IF THIS IS A FIRST REFUSAL OR 18 MONTHS IF PREVIOUSLY SUSPENDED FOR THIS OFFENSE.

LICENSE SURRENDERED? YES NO REASON

ELIGIBLE FOR PERMIT? YES NO REASON

UNLESS INELIGIBLE, THIS CITATION SHALL SERVE AS A TEMPORARY DRIVER LICENSE AND WILL EXPIRE AT MIDNIGHT ON THE 10TH DAY FOLLOWING THE DATE OF SUSPENSION.

AT THE LANTA BUREAU OF ADMINISTRATIVE REVIEWS OFFICE, YOU MAY REQUEST, WITHIN 10 DAYS AFTER THE DATE OF SUSPENSION, A REVIEW OF SUSPENSION BY THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES OR A REVIEW TO DETERMINE ELIGIBILITY FOR A RESTRICTED LICENSE IF THIS IS YOUR FIRST DUI RELATED OFFENSE. SEE RIGHT SIDE.

Andrew L

TROOPER IV, ANDREW L 3651 L

HSMV 75004 (Rev. 10/14)

CASE NO. DOCKET NO. PAGE NO.

Table with columns: DATE, COURT ACTION AND OTHER ORDERS. Rows include: BAIL FIXED AT \$ OR CASH DEPOSIT OF \$, SIGNATURE OF PERSON GIVING BAIL, SIGNATURE OF PERSON TAKING BAIL, FINE IN THE AMOUNT OF \$ RECEIVED AS REQUIRED BY COURT SCHEDULE, SIGNATURE OF CLERK, CONTINUANCE TO REASON, BOND ESTREATED, WARRANT ISSUED, VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUSPENDED, VIOLATOR ARRAIGNED ON (DATE) PLEA, FINDING, ADJUDICATION, SENTENCE: FINE COST JAILED DAYS DRIVER IMPROVEMENT SCHOOL OTHER, DRIVER LICENSE SUSPENDED OR REVOKED FOR DAYS, RECOMMEND DRIVER LICENSE SUSPENSION FOR DAYS, RECOMMEND RE-TEST, SIGNATURE OF JUDGE, TESTIMONY - JUDGE'S NOTES (OR OTHER COURT ORDERS), APPEAL BOND OF \$, VIOLATOR'S FINGERPRINT WHEN APPLICABLE

FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
ALCOHOL TESTING PROGRAM  
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000  
Instrument Registered To: PALM BEACH CO SO  
Instrument Serial Number: 80-006478 Software: 8100.27  
Date of Test: 09/01/2019

Date of Last Agency Inspection: 08/16/2019

Observation Period Began: 02:59

Subject's Name: KRYSTAL D MELENDEZ

DOB: 08/08/1989 Sex: F

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

| Results: | Test              | g/210L | Time  |
|----------|-------------------|--------|-------|
|          | Diagnostics Check | OK     | 03:24 |
|          | Air Blank         | 0.000  | 03:25 |
|          | Control Test      | 0.080  | 03:25 |
|          | Air Blank         | 0.000  | 03:26 |
|          | Subject Sample #1 | 0.215  | 03:27 |
|          | Air Blank         | 0.000  | 03:28 |
|          | Air Blank         | 0.000  | 03:29 |
|          | Subject Sample #2 | VNM*   | 03:32 |
|          | Air Blank         | 0.000  | 03:33 |
|          | Air Blank         | 0.000  | 03:35 |
|          | Subject Sample #3 | VNM**  | 03:38 |
|          | Air Blank         | 0.000  | 03:39 |
|          | Control Test      | 0.077  | 03:39 |
|          | Air Blank         | 0.000  | 03:40 |
|          | Diagnostics Check | OK     | 03:40 |

\*Volume Not Met (0.203 - Breath Sample Not Reliable to Determine Breath Alcohol Level)  
\*\*Volume Not Met (0.194 - Breath Sample Not Reliable to Determine Breath Alcohol Level)

Cylinder Lot: 00919080A3  
Exp: 03/05/2021

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who () is personally known to me or () produced \_\_\_\_\_ as identification, and who after being placed under oath, states:

I JOSHUA J BELL, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: \_\_\_\_\_

Signature

Date: 09/01/19

Sworn to (or affirmed) before me this 01 day of September 2019

TPR Andrew A #3651

Trooper A. IV #3651

Signature of Notary Public-State of Florida

Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
ALCOHOL TESTING PROGRAM  
BREATH ALCOHOL TEST AFFIDAVIT**

Instrument Type: Intoxilyzer 8000  
Instrument Registered To: PALM BEACH CO SO  
Instrument Serial Number: 80-006478 Software: 8100.27  
Date of Test: 09/01/2019

Date of Last Agency Inspection: 08/16/2019  
Observation Period Began: 03:44  
Subject's Name: KRYSTAL D MELENDEZ

DOB: 08/08/1989 Sex: F

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

| Results: | Test                    | g/210L | Time  |
|----------|-------------------------|--------|-------|
|          | Diagnostics Check       | OK     | 04:11 |
|          | Air Blank               | 0.000  | 04:12 |
|          | Control Test            | 0.078  | 04:12 |
|          | Air Blank               | 0.000  | 04:13 |
|          | Subject Sample #1 SNL*  |        | 04:16 |
|          | Air Blank               | 0.000  | 04:17 |
|          | Air Blank               | 0.000  | 04:18 |
|          | Subject Sample #2 REF** |        | 04:21 |
|          | Air Blank               | 0.000  | 04:21 |
|          | Control Test            | 0.076  | 04:21 |
|          | Air Blank               | 0.000  | 04:22 |
|          | Diagnostics Check       | OK     | 04:22 |

\*Slope Not Level (0.185 - Breath Sample Not Reliable to Determine Breath Alcohol Level)  
\*\*Subject Test Refused

Cylinder Lot: 00919080A3  
Exp: 03/05/2021

State of Florida, County of Palm Beach.

Personally appeared before me the undersigned authority, who () is personally known to me or () produced \_\_\_\_\_ as identification, and who after being placed under oath, states:

I JOSHUA J BELL, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: *J Bell* Date: 09/01/19  
Signature

Sworn to (or affirmed) before me this 01 day of September, 2019

*TPP Andrea #3651* *Trooper A. IV #3651*  
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.



**PALM BEACH COUNTY SHERIFF'S OFFICE  
DUI TESTING FACILITY  
INFORMATION SHEET**

PBSO CASE # 19-110434

AGENCY CASE# FHPL19OFF057985

AGENCY ZONE 6-12

CRASH CASE # \_\_\_\_\_

TIME OF STOP/CRASH ~1:37AM DATE 9/1/2019 DAY SUNDAY

SUBJECT'S NAME KRYSTAL DANIELLE MELENDEZ RACE WHITE SEX FEMALE

HGT 5'2" WGT 115 DOB 8/8/1989

LOCATION INTERSTATE 95 NORTHBOUND AND HYPOLUXO ROAD

ARRESTING OFFICER'S NAME & ID TPR ANDREW IV #3651 AGENCY FLORIDA HIGHWAY PATROL

DIVISION: TROOP L - LAKE WORTH

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 0259

ARREST TIME 2:03AM

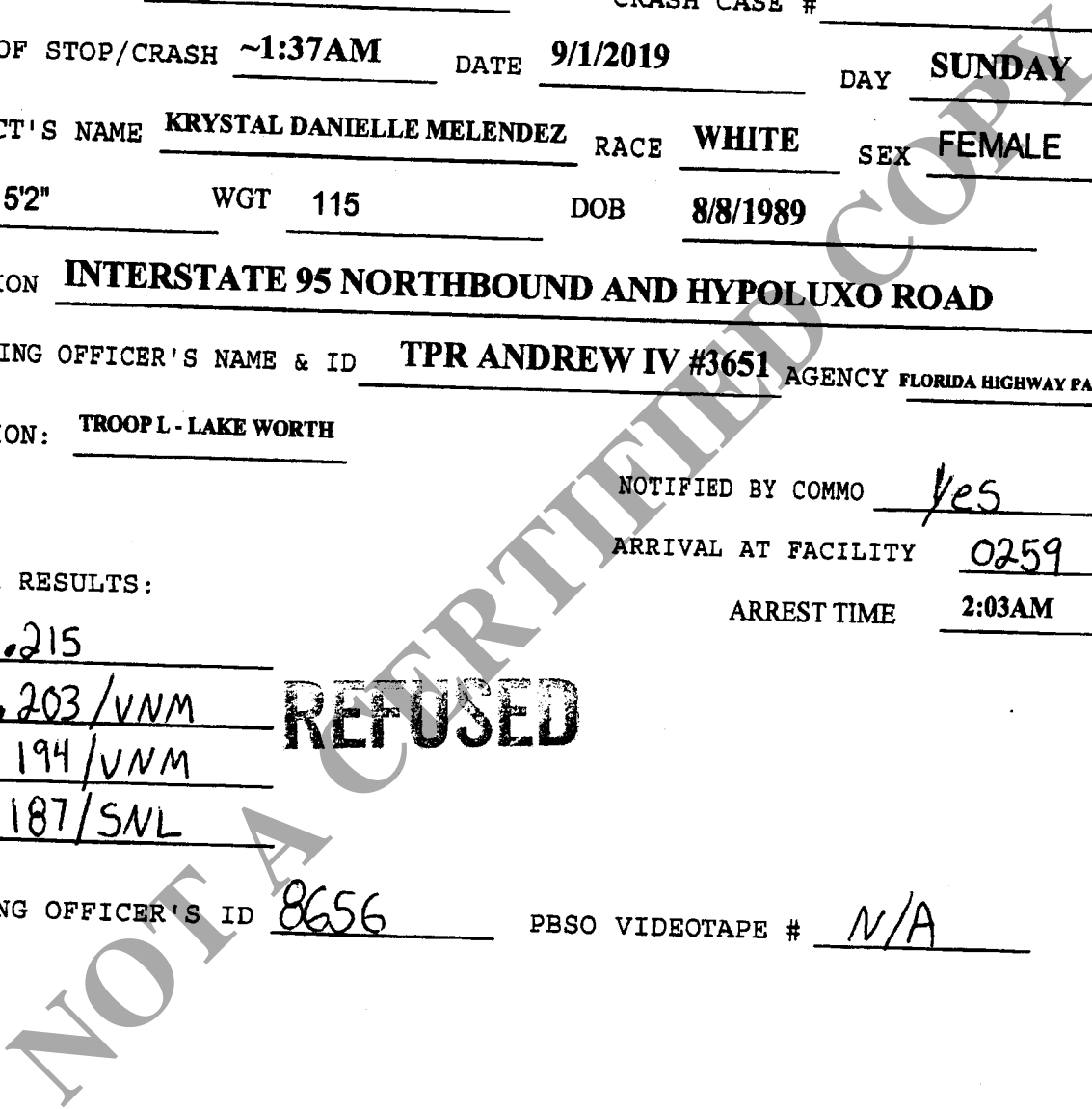
**BREATH RESULTS:**

1. .215
2. .203/VNM
3. .194/VNM
4. .187/SNL

**REFUSED**

TESTING OFFICER'S ID 8656

PBSO VIDEOTAPE # N/A



# TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: MELENDEZ, KRYSTAL D

CASE NUMBER: 19-110434

DATE: 09/01/19

VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 0322

ENDING TIME: 0343

BREATH TESTS RESULTS: 1) .215 TIME 0327 A.M./P.M. 2) .203/VNM TIME 0332 A.M./P.M.  
3) .194/VNM TIME 0338 A.M./P.M. 4) .187/SNL TIME 0416 A.M./P.M.

BREATH OPERATOR: J. BELL #8656

MAINTENANCE TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: PRONOUNCED

ATTITUDE: UNCOOPERATIVE

CLOTHING: BLUE LONG SLEEVE BUTTON UP, BLACK JEANS, BLACK BOOTS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER: EYES: BLOODSHOT, GLASSY

ODOR OF AN UNKNOWN ALCHOLIC BEVERAGE COMING FROM BREATH

COMMENTS: ARRIVED AT CENTER A/O BEGAN 20 MIN OBSERVATION AT 0259 HRS VIDEO #1

SUBJECT STATED SHE WOULD TAKE BREATH TEST. AFTER REAPEATED INSTRUCTIONS SUBJECT WAS UNABLE TO PROVIDE 2 BREATH SAMPLES

A/O READ I.C. SUBJECT STATED SHE UNDERSTOOD I.C AND WOULD TAKE BREATH TEST

SUBJECT STATED SHE COULD NOT PROVIDE BREATH SAMPLE WITHOUT URINATING ON HERSELF

AFTER INSTRUMENT TIMED OUT SUBJECT WAS ALLOWED TO USE THE RESTROOM

A NEW 20 MIN OBSERVATION WAS STARTED AT 0344HRS VIDEO #2 STARTED 0409 HRS

SUBJECT STATED SHE WOULD TAKE BREATH TEST. AFTER REAPEATED INSTRUCTION

SUBJECT WAS UNABLE TO PROVIDE BREATH A SAMPLE

A/O CALLED REFUSAL DU E TO SUBJECT BEING UNCOOPERATIVE AT 0417 HRS

A/O READ RIGHTS

SUBJECT STATED SHE UNDERSTOOD HER RIGHTS

AND REFUSED TO ANSWER QUESTIONS

VIDEO #2 ENDED AT 0420

**STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES  
AFFIDAVIT OF REFUSAL TO SUBMIT TO  
BREATH AND/OR URINE TEST**

I, IV, ANDREW L, 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 1st day of September, 2019, at ~ 2:03  P.M.  A.M.

DRIVER KRYSTAL DANIELLE MELENDEZ  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME  
DL# M453504897880, state of FL, was placed under lawful arrest for

the offense of 316.193(1) D.U.I. - DRIVING UNDER THE INFLUENCE (MIS... by IV, ANDREW L and  
(Name of Arresting Officer)

issued Citation # A76RUWE

That on or about the 1st day of September, 20 19, at 4:17  P.M.  A.M.

in Palm 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.

*Andrew L*

Signature of Law Enforcement Officer or  
Correctional Officer



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before  
me this 01 day of September, 20 19,

by \_\_\_\_\_,  
who is personally known to me or who has produced

\_\_\_\_\_ as identification.  
Notary Public Bell

HSMV-BAR1001 (REV. 10/2016)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title \_\_\_\_\_

Date \_\_\_\_\_

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.



NAME: Mendez, Krystal D

CASE NUMBER: FILED 10010000

# IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

**NOTE: READ ONLY THE PARAGRAPHS APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING**

I am now requesting that you submit to a breath test of your BREATH for the purpose of determining the presence of alcohol and the presence of chemical or controlled substances.

OR

I am now requesting that you submit to a liquid test of your URINE for the purpose of detecting the presence of alcohol and the presence of chemical or controlled substances.

OR

I am now requesting that you submit to a blood test of your BLOOD for the purpose of detecting the presence of alcohol and the presence of chemical or controlled substances.

**NOTE: READ ONLY IF THIS 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 failure to operate a motor vehicle will be considered a refusal of you (1) year for a first refusal or eighteen (18) months if you refuse to submit to the test for a second or subsequent refusal. If you refuse to submit to a breath test of your breath, urine or blood. Additionally, if you refuse to submit to the test requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a breath, urine or blood test, the suspension of your driving privilege is admissible into evidence in any criminal proceeding.

SUBJECT'S SIGNATURE: (0)

Read on camera

## CONSTITUTIONAL WARNINGS

**PLEASE REMEMBER WHEN YOU SIGN YOU MAKE ANY STATEMENTS THAT YOU HAVE BEEN ADVISED OF YOUR RIGHTS**

1. You have the right to remain silent and not answer any questions.
2. Anything you say can be used against you in court.
3. You have the right to stop the procedure at any time by saying "stop".
4. If you cannot afford a lawyer, one will be appointed for you before any questioning if you cannot afford one.
5. If at any time during the interview you do not wish to answer any questions, you are permitted to stop at any time.
6. You can stop at any time. You are not required to make a statement. Anything you say can be used against you in court.
7. Any statement you make and will be made against you in a court of law.

SUBJECT'S SIGNATURE: (0)

Read on camera



# PALM BEACH COUNTY SHERIFF'S OFFICE

Florida State Statute Exemption Sheet

## Palm Beach County Sheriff's Office – Arrests Only

|   | X                                   | Florida State Statute                | Description  | Page Number(s) |
|---|-------------------------------------|--------------------------------------|--|----------------|
| L/E Exemptions  | <input type="checkbox"/>            | 119.071(2)(d)                        | Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations. |                |
|   | <input type="checkbox"/>            | 943.053, 943.0525                    | NCIC/FCIC/FBI and in-state FDLE/DOC.   |                |
|   | <input type="checkbox"/>            | 119.071(4)(c)                        | Undercover personnel.  |                |
|   | <input type="checkbox"/>            | 119.071(2)(f)                        | Confidential informants (CIs).   |                |
|   | <input type="checkbox"/>            | 119.071(2)(e)                        | Confession.  |                |
| Public Info. Exemptions                                     | <input type="checkbox"/>            | 985.04(1)                            | Juvenile offender records.   |                |
|   | <input type="checkbox"/>            | 119.071(h)(i)                        | Assets of a crime victim.  |                |
|   | <input type="checkbox"/>            | 395.3025(7)(a), 456.057(7)(a)        | Medical information.   |                |
|   | <input type="checkbox"/>            | 394.4615(7)                          | Mental health information.   |                |
|   | <input type="checkbox"/>            | 119.071(4)(d)(2)(a)                  | Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.  |                |
| Florida Rules of Judicial Administration 2.420 (Rule of 23) | <input checked="" type="checkbox"/> | (iii) 119.0714(1)(i)-(j), (2)(a)-(e) | Social Security, bank account, charge, debit, and credit card numbers.   | 2              |
|   | <input type="checkbox"/>            | (viii) 394.4615(7)                   | Clinical records under the Baker Act.  |                |
|   | <input type="checkbox"/>            | (xii) 741.30(3)(b)                   | The victim's address in a domestic violence action on petitioner's request.  |                |
|   | <input type="checkbox"/>            | (xiii) 119.071(2)(h), 119.0714(1)(h) | Protected information regarding victims of child abuse or sexual offenses.   |                |
|   | <input type="checkbox"/>            |                                      |  |                |
|   | <input type="checkbox"/>            |                                      |  |                |
|   | <input type="checkbox"/>            |                                      |  |                |
|   | <input type="checkbox"/>            |                                      |  |                |
| Other   | <input type="checkbox"/>            |                                      | Other:   |                |
|   | <input type="checkbox"/>            |                                      | Other:   |                |

REVIEW COMPLETED BY

|                            |                              |
|----------------------------|------------------------------|
| Booking Number: 2019028601 | Date: 09/02/2019             |
|                            | Specialist Name/ID: AM/31562 |