



# Arrest Report

FLORIDA HIGHWAY PATROL  
3775 W. KING ST, COCOA, FL 32926

Report Date / Time 7/30/2022 08:14 PM	Report Number FHP99ARR840946	Case Number/Cad Number FHP22ON0386232 / RCC22IN0571235	Reporting Officer Name W. MESA-NUNEZ
Originating Agency ORI FL0059000	Occur Date Time Range 07/30/2022 16:28:38 -	Jurisdiction	
OBTs Number	Other Number	Clearance	

## Location of Occurrence

County BREVARD	Location Type PUBLIC PLACE	Location Description INTERSTATE 95 MILE MARKER 167			
Street Number	Street BAREFOOT BLVD	Apt/Lot/Bldg	City SEBASTIAN	State FL	Zip Code 32976

## Defendant

First Name DIANE	Middle Name MARIA	Last Name HAWK	Suffix	Race WHITE	Sex FEMALE	Height 503	Weight	Hair	Eyes
MNI #	SSN	Date of Birth 05/28/1964	Age 58	ID Type	Drivers License or other ID H200173646880	State FL	OCA / Agency ID		
Place of Birth:									
Address * RESIDENCE / 337 LOQUAT DR, BAREFOOT BAY, FL 32976 /									

## Arrest

Arrest Date/Time 7/30/2022 7:50:09 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description INTERSTATE 95 MILE MARKER 167				
Street Number	Street	Apt/Lot/Bldg	County BREVARD	City UNINCORPORATED	State FL	Zip Code

## Charge : S

Counts 1	Charge 856.011	Bond Amount \$500.00	<input type="checkbox"/> No Bond
Charge Degree S		Charge Level MISDEMEANOR	
General Offense Code		Arrest Offense Code DISORDERLY INTOX	
Charge Description DISORDER INTOX PUBLIC PLACE CAUSE DISTURBANCE			
Is Arrestee Juvenile?		No	
Type of Arrest		On-View Arrest (apprehension without a warrant or previous incident report)	

## Charge : S

Counts 1	Charge 843.02	Bond Amount \$500.00	<input type="checkbox"/> No Bond
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Arrest Report

Page 1 of 4

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Originating Agency ORI <b>FL0059000</b>	Occur Date Time Range <b>07/30/2022 16:28:38 -</b>	Jurisdiction	
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Charge Degree <b>F</b>	Charge Level <b>MISDEMEANOR</b>
General Offense Code	Arrest Offense Code <b>RESIST OFFICER</b>
Charge Description <b>OBSTRUCT WO VIOLENCE</b>	
Is Arrestee Juvenile?	<b>No</b>
Type of Arrest	<b>On-View Arrest (apprehension without a warrant or previous incident report)</b>

#### Bond Set by Court

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

#### Probable Cause

On July 30th, 2022 while on patrol, I responded to a call on Interstate 95 (State Road 9) at mile marker 167. Multiple citizens advised there was a golf cart being driven on Interstate 95 northbound approaching mile marker 167. When I arrived on scene at around 7:39PM, I observed a semi truck with a trailer on the right shoulder of Interstate 95, I also observed a white in color golf cart on the right shoulder. I then met with Deputy Van Camp ID#4671 who advised he talked to the semi truck driver and she handed him the keys to the golf cart. Deputy Van Camp then walked me to the golf cart, I observed Mrs Diane Maria Hawk on the driver seat of the golf cart. Mrs Hawk seemed disoriented and argumentative. I asked Mr Hawk for her drivers licence or ID and she handed me a restaurant card, I asked again and she then handed me a credit card, I had to advise Mrs Hawk of where her ID was in the wallet. I then asked Mrs Hawk the reason why she was driving on the interstate to which she advised she needed to get to SR528. She then advised it was legal to drive a golf cart on Interstate 95 because she saw it on the news. I smelled the odor of an alcoholic beverage coming from the facial area of Mrs Hawk that got stronger as I got closer to her. Mrs Hawk also had slurred speech and a spoke with a thick tongue. I asked Mrs Hawk if she had anything to drink to which she advised she did not. I also asked if she had any illegal drugs or prescribed medications to which she answered no.

I then made contact with the witness who I identified as Jenessa Josefina Caba FL DL#C100430888770. Miss Caba advised she was traveling northbound on Interstate 95 (State Road 9) approaching mile marker 167 when she observed a golf cart traveling in the center lane. Miss Caba also advised she observed the driver of the golf cart passing out while driving, Miss Caba then advised she used her semi truck to guide the golf cart off the road. Miss Caba identified Mrs Hawk as the driver of the golf cart. After Miss Caba was able to guide the golf cart to the right shoulder, she took the keys from the golf cart because Mrs Hawk was being combative and argumentative with her. Mrs Hawk was attempting to drive on the Interstate again.

I then went back to the golf cart and asked Mrs Hawk if to step out of the golf cart and walk with me

Arrest Report

Page 2 of 4

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to my patrol vehicle while we waited because it was safer that way. Mrs Hawk then began to argue with me and the deputies on scene. I asked Mrs Hawk once again to walk with me while we were standing on the right shoulder and she refused to move. I then, for my safety and Mrs Hawk safety placed my right hand on her left upper arm to guide her to my vehicle and she once again resisted. I was able to guide Mrs Hawk to my patrol vehicle with the assistance from Deputy Van Camp and Deputy Helbig ID# 4917. Once we were on the side of my vehicle, I asked Mrs Hawk to sit in the back of my patrol vehicle and she refused, she advised she needed her bag before going in the vehicle, I then advised I would give her bag once she was inside the vehicle, she once again refused. I then advised Mrs Hawk if she wanted the bag I would have to see what was inside for my safety and she refused. I then opened the bag and found an open container of alcohol Jack Daniel's Tennessee Fire bottle. Mrs Hawk had actual possession of the bag since the beginning of our encounter. I then advised Mrs Hawk of her Miranda Rights and she refused to talk to me, she was also being argumentative and combative. I then advised Mrs Hawk she was being arrested for Driving Under the Influence. Mrs Hawk then started to physically resist arrest after multiple attempts were made for her to comply. Due to Mrs Hawk being argumentative and combative at the moment, I was not able to administered field sobriety exercises for safety reasons.

Mrs Hawk was then transported to the Florida Highway Patrol Cocoa Station and then transported to the Brevard County Jail. All of these took place in Brevard County and it was captured in my in car camera.

See Brevard County Sheriff Office Case#2022-00268476 for reference.

#### Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
Booking Facility Location			Booking Number
Booking Comments			

#### Court



Court County BREVARD	Court Location 400 SOUTH STREET TITUSVILLE, FLORIDA 32780		
Court BREVARD COUNTY COURT (TITUSVILLE)	Court Phone (321) 637-5413	Court Apperance Date / Time 08/26/2022 9:00AM	Court Fine
Comments			

Officer Name Rank / ID # W. MESA-NUNEZ TPR	4856	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA HIGHWAY PATROL FHPD\ORCC\BREVARD\PATROL 1
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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 W. MESA-NUNEZ	Office Rank TPR	Officer ID No 4856	Sworn and subscribed before me, the undersigned authority This the <u>30</u> day of <u>July</u> , <u>2022</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			 
Officer Signature			

<input type="radio"/> No Bill / Petition <input type="radio"/> Issue Warrant <input type="radio"/> Prosecution Approved	Signature of Assistant State Attorney _____	Date _____
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