Filing # 154380928 E-Filed 07/31/2022 12:52:29 AM



Arrest Report

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

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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 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

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Report Date / Time Report Number		961	Case Number/Ca	d Number	Reporting Officer Name W. MESA-NUNEZ		
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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.

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Officer Name	Office Rank	Officer ID No.	Sworn and subscribed	before me the ur	ndersigned authority	
W. MESA-NUNEZ	TPR	4856	This the 30 day of		2022	
Officer Agency				7	R LAW ENFORCEMENT	
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