

0530190 22CT4471 SB 3729

ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile		N									
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-22-003062																	
Charge Type: Check as many as Apply.		☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator											
Location of Arrest (Including Name of Business) 2360 N. SR 5, BOYNTON BEACH, FLORIDA, 33435						Location of Offense (Business Name, Address) 2360 N. SR 5, BOYNTON BEACH, FLORIDA, 33435															
Date of Arrest 03/17/2022		Time of Arrest 2239		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle									
Name (Last, First, Middle) HENKEL, ALAINA ROSE												Alias (Name, DOB, Soc. Sec. #, Etc)									
W - White B - Black		I - American Indian O - Oriental / Asian		Race W		Sex F		Date of Birth 06/21/1988		Height 502		Weight 135		Eye Color HAZEL		Hair Color BLONDE		Complexion LIGHT		Build SMALL	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) N/A												Marital Status SINGLE		Religion N/A		Influenced: Alcohol Influence Drug Influence		Y N Unc ☐ ☐ ☐			
Local Address (Street, Apt. Number) 616 LUCENRE AVE,		(City) LAKE WORTH,		(State) FLORIDA,		(Zip) 33460		Phone () -		Residence Type 1. City 3. Florida 2. County 4. Out of State		2									
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone () -		Address Source VERBAL											
Business Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone () -		Occupation BARTENDER											
DL Number, State H524-016-88-721-0/FL		Soc. Sec. Number		MIS Number		Place of Birth BOYNTON BCH, FL		Citizenship US													
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large		☐ 3. Felony ☐ 4. Misdemeanor		☐ 5. Juvenile									
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large		☐ 3. Felony ☐ 4. Misdemeanor		☐ 5. Juvenile									
☐ Parent ☐ Legal Custodian ☐ Other		Name (Last) (First) (Middle)		Relationship		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/Transfer 3. Intarjurisdictional															
Released To: (Name)		Relationship		Date		Time															
The above address was provided by ☐ defendant and/or ☐ defendant's parents. The child and/or parent was told to keep the juvenile		School Attended		Grade																	
Court Clerk's Office (Phone 561-356-2626) informed of any change of address: ☐ Yes, By: (Name) ☐ No, (Reason)																					
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. Synthetic		U. Unknown Z. Other	
Charge Description DUI		Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.193.1.A		Violation of ORCS													
Drug Activity		Drug Type		Amount/Unit		Offense # 22-003062		Warrant/Capias Number		Bond			Violation of ORCS								
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number		Violation of ORCS													
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond			Violation of ORCS								
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number		Violation of ORCS													
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond			Violation of ORCS								
Charge Description		Counts		Domestic Violence ☐ Yes ☐ No		Statute Violation Number		Violation of ORCS													
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond			Violation of ORCS								
☐ Instruction No. 1 Mandatory Appearance in Court ☐ Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444																			
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.		Court Date and Time Month 04 Day 25 Year 2022 Time 0830 ☒ A.M. ☐ P.M.																			
Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed																			
HOLD for other Agency Name:		Signature of Arresting Officer		Name of Arresting Officer (Print) OFFICER CASTRO		I.D. # 905		Name Verification (Printed by Arrestee) (PRINT)		BU#			Page 1 OF 1								
☐ Dangerous ☐ Sublethal		☐ Registered Arrest ☐ Other		Transporting Officer OFFICER CASTRO		I.D. # 905		Agency BBPD		Witness here is subject Signed with an "X".											

MAR 18 AM 2:05

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 17 DAY OF March 2022 AT 1013 ☐ A.M. ☒ P.M.

CASE #: 22-003062

DEFENDANT: HENKEL, ALAINA ROSE

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

While traveling northbound in the 800 block of N. Federal Highway (SR 5) I observed a Black Kia Sportage bearing Florida tag QPQX66 traveling directly in front of me, in the inside lane. This incident occurred within the City of Boynton Beach, Palm Beach County, Florida. As the vehicle was traveling northbound I noticed that it continued to weave within its lane. The left front tire of the vehicle will touch the left solid line of the roadway and the driver would over correct themselves to the right, drifting onto the skip lines. While doing so, I noticed that the vehicle was within a vehicle length from the vehicle directly in front it. This patterned continued for approximately half a mile. While approaching the 1700 block of N. SR 5, the vehicle changed lanes and sped up to 56mph to in a 40mph speed zone. Due to the driving pattern, believing that the driver may be having a medical episode, and traveling 16mph over the posted speed limit I activated my emergency lights to my fully marked patrol vehicle; in an attempt to conduct a traffic stop. The vehicle stopped at a solid red light at the intersection of Gateway Blvd, still while occupying the right lane. The driver waited to the traffic light to turned green to complete a right turn. There were no right turn on red restrictions at this intersection.

I then made contact with the driver/sole occupant, W/F Henkel, Alaina (06/21/88). I explained to Henkel the reason for the traffic stop, which she advised that she didn't realize that she was swerving within her lane and that she was speeding. Henkel advised that she was on her way to her residence in Lake Worth and coming from her place of work in Boca Raton. While speaking with Henkel I noticed that he speech with thick and slurred and her eyes were bloodshot/glassy. As Henkel looked at me and spoke I detected an odor of an unknown alcoholic beverage emanating from Henkel's breath, which intensified as she spoke.

Based on the above facts, I requested Henkel to exit her vehicle so that I can speak to her outside the vehicle; this video starts at 2221hrs. Henkel was hesitant at first and then complied. While exiting the vehicle, Henkel used her door for balance. While speaking with Henkel the signs of impairment were still present. Henkel advised that she got off shift as a bartender at approximately 2100hrs. After work, Henkel consumed 2 Miller Light beers prior to traveling home. Henkel advised that she left work at approximately 2200hrs. Let it be noted that the time of the traffic stop was 2213hrs, stating that Henkel traveled from Boca Raton to Boynton Beach on SR 5 in 13 minutes. As I continued to speak with Henkel she began to lean on her vehicle for support. At this point of my investigation I requested Henkel if she would be willing to submit to a Series of

Standardized Field Sobriety Task, which she refused. I then explained to Henkel her Taylor Warnings, which she stated that she understood. I then requested Henkel I second time, which she agreed. Prior to beginning I asked Henkel if she had any disabilities and/or injuries; which she stated no. See the following:

Pen Exercise: Prior to beginning Henkel lost her balance. During the task Henkel swayed side to side and had a difficult time not moving her head, after instructed not to. Henkel would look away from the stimulus at times and I had to repeat the instructions.

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|--|---|
| ☐ Left eye does not follow smoothly | ☐ Right eye does not follow smoothly |
| ☐ Left eye prior to 45 degrees | ☐ Right eye prior to 45 degrees |
| ☐ Distinct jerking in left eye at maximum deviation | ☐ Distinct jerking in right eye at maximum deviation |
| ☐ Vertical Nystagmus in left eye | ☐ Vertical Nystagmus in right eye |

WALK AND TURN:

Henkel was placed into the instructional stance and told to remain in that position until I told her to move. Henkel was given instructions and a demonstration. Henkel lost her balance from the instructional position. Henkel missed heel to toe between her first set of 8 and 9. During the turn Henkel used her arms for balance and stated "balance beam". Henkel stopped counting after 6 on the returning steps. Henkel had a noticeable orbital sway during this task.

ONE LEG STAND:

Henkel was placed into the instructional stance and told to remain in that position until I told her to move. Henkel was given instructions and a demonstration. Henkel put her foot down twice within the thirty seconds. Henkel used her arms for balance. Henkel swayed trying to maintain balance. Henkel had a noticeable orbital sway during this task.

FINGER TO NOSE:

Henkel was placed into the instructional stance and told to remain in that position until I told her to move. Henkel was given instructions and a demonstration. Henkel was blinking during the task. Henkel started to use the wrong hand on the 3 Right command. Henkel did not return her hand to the side of her body as instructed in the 2 last commands. Henkel had a noticeable orbital sway during this task.

ROMBERG/ALPHABET:

Henkel was placed into the instructional stance and told to remain in that position until I told her to move. Henkel was given instructions and a demonstration. Henkel had her eyes closed during the instructional stage.

Based on the above facts Henkel was placed into handcuffs (D/L and Spaced) and arrested for suspicious of DUI, video ended at 2239hrs. Upon completion of the 20 minute

observation I requested Henkel to provide a sample of her breath to determine the alcohol content, which refused. Implied Consent was read to Henkel, which she stated that understood. I then requested a second time, which Henkel refused again. I then read Henkel her Miranda Warnings, which she stated that she understood. Q&As were completed. During the Q&As, Henkel admitted again to consuming "cocktails" after work.

It was unsure after the investigation if Henkel's vehicle was going to be towed or removed by a someone she requested. While starting the tow inventory I located a 16oz White Claw Seltzer can on the driver's door pocket. The can was partially full and cold to the touch.

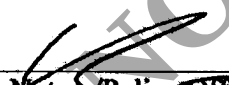
Based on the facts, Henkel was charged with Driving Under the Influence pursuant with F.S.S. 316.193.1.A. Henkel was processed at the Boynton Beach Police Department and later TOT PBCJ.

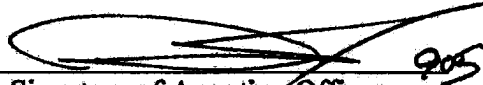
Incident was captured via BWC. Henkel vehicle was removed by her boyfriend.

Nothing Further.

The following instrument was sworn to before me this 17 day of March 2022

By: PERSONALLY KNOWN/OFFICER CASTRO #905


Notary/Police Officer (F.S.S. 117.10)


Signature of Arresting Officer

TESTING FACILITY TASK REPORT

CASE #: 22-003062
Date: 3/17/22

DEFENDANT: HENKEL, ALAINA ROSE
Video Tape #: N/A

BREATH TEST RESULTS: REFUSED

1. R g/210L Time 2253 ☐ a.m. ☐ p.m. 3. g/210L Time ☐ a.m. ☐ p.m.
2. g/210L Time ☐ a.m. ☐ p.m. 4. g/210L Time ☐ a.m. ☐ p.m.

BREATH OPERATOR: OFFICER CASTRO #905

MAINTENANCE TECHNICIAN: OFFICER CASTRO #905

TESTING OFFICER'S OBSERVATIONS

SPEECH: THICK, SLURRED

ATTITUDE:

CLOTHING: BLACK SHIRT, BLACK PANTS, BLACK SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

COMMENTS:

- BREATH SAMPLE WAS REQUESTED, DEF REFUSED BREATH SAMPLE, IMPLIED
CONSENT READ, DEF ADVISED SHE UNDERSTOOD, DEF REFUSED SECOND BREATH
SAMPLE REQUEST, MIRANDA WARNINGS READ, DEF ADVISED SHE UNDERSTOOD,
DEF COMPLETED Q&As

CASE #: 22-003062

DEFENDANT: HENKEL, ALAINA ROSE

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.

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.

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of determining 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 OFFICER CASTRO of the Boynton Beach Police Department

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.

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 statements can and will be used against you in a court of law.

Suspect's Signature: _____

Read ON CAMERA

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

I, **OFFICER CASTRO #905**, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of **BOYNTON BEACH POLICE DEPARTMENT**, and I do swear
(Name of law enforcement agency)

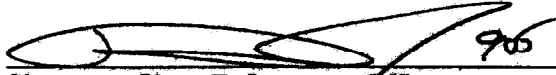
or affirm that on or about the **17** day of **MARCH**, 20 **22**, at **1039** ☒ P.M. ☐ A.M.

DRIVER ALAINA ROSE HENKEL
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# **H524-016-88-721-0**, state of **FLORIDA**, was placed under lawful arrest for
the offense of **DUI** by **OFFICER CASTRO #905** and
issued Citation # **AE1562E**
(Name of Arresting Officer)

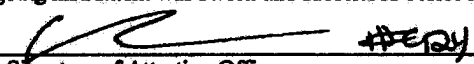
That on or about the **17** day of **MARCH**, 20 **22**, at **1053** ☒ P.M. ☐ A.M.
in **PALM BEACH** County,

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.


Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

The foregoing instrument was sworn and subscribed before me:


Signature of Attesting Officer

Title **Officer**

Date **03/18/2022**

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this _____ day of _____, 20 _____,
by **OFFICER CASTRO #905**,

who is personally known to me or who has produced
_____ as identification

Notary Public _____

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.

CASE #: 22-003062

DEFENDANT: HENKEL, ALAINA ROSE

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.

Where you operating a motor vehicle at the time of the stop/Accident? YES

Where were you going? HOME

What Street or Highway were you on? FEDERAL HIGHWAY

What was you direction of travel? NORTH

Where did you start from? MY JOB, 5901 N FEDERAL HIGHWAY

What time did you start? 930 PM

What time is it now? I DON'T KNOW

What is today's date? 3-17-22

What day of the week is it? THURSDAY

What City and County are you in now? I'M ASSUMING BOYNTON

When did you last eat? 7 PM

What did you eat? MINI BURGERS

What have you been doing for the last three hours? WORKING, HAVING A COCKTAIL AFTERWORK

How much do you weigh? 135

Have you been drinking? YES

What have you been drinking? COCKTAIL, MILLER LIGHT

How much? 2

With whom? CO-WORKERS AND BOCA PD

When did you have your first drink? 930PM

When did you have your last drink? I DON'T KNOW, 10

Can you feel the effects of the alcohol? NO

Are you under the influence? NO

Have you consumed any alcohol since the stop/accident? NO

How much? - What? - Where? - When? -

What line of work are you in? BARTENDING

When did you last work? TODAY

Do you have any physical defects or injuries? NO What? -

Are you sick or injured? NO What's wrong? -

Do you limp? NO

Did you receive a bump on the head recently? NO

Where 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 you eyes that are not corrected by glasses? NO

Do you take insulin? NO If so, when was your last injection? -

Have you ever gad a driver's license in any other state? YES

Where? CALIFORNIA

Interviewer: OFFICER CASTRO #905

CASE #: 22-003062

DEFENDANT: HENKEL, ALAINA ROSE

Arresting Officer: CASTRO #905

Address: 2100 HIGH RIDGE RD, BOYNTON BEACH, FLORIDA, 33426

Phone Numbers: Home: Work: (561) 742-6100

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:

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Phone Numbers: Home: Work:

Can testify to:

Name:

Address:

Phone Numbers: Home: Work:

Can testify to:



Palm Beach County Sheriff's Office – Arrests Only

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

REVIEW COMPLETED BY

Booking Number: 2022007047

Date: 3/18/2022

Specialist Name/ID: 8Chantel Daniels/30347