

J-0525546

## Arrest Report

21 CT14482 p-3529

NH

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

Report Date / Time 8/28/2021 11:55 PM	Report Number FHP99ARR839539	Case Number/Cad Number FHPL21OFF056844 / LWRC21CAD157174	Reporting Officer Name IV, ANDREW L
Originating Agency ORI	Occur Date Time Range 08/28/2021 22:38:42 - 08/29/2021 01:38:00	Jurisdiction	Clearance

## Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description INTERSTATE 95 SOUTHBOUND AND 6TH AVENUE
Street Number S INTERSTATE 95	Street	Apt/Lot/Bldg City LANTANA
State FL	Zip Code 33462	

## Defendant

First Name FELICA	Middle Name RENEE	Last Name VELEZ	Suffix	Race WHITE	Sex FEMALE	Height 5'08"	Weight 120	Hair BRO	Eyes HAZ
MNI #	SSN [REDACTED]	Date of Birth 05/10/1991	Age 30	ID Type C	Drivers License or other ID 053511051	State GA	OCA / Agency ID		
Place of Birth:		ST AUGUSTINE FL UNITED STATES							
Address * RESIDENCE / 5770 COACH HOUSE CIRCLE UNIT F , BOCA RATON, FL 33486 /									

## Arrest

Arrest Date/Time 8/28/2021 11:36:14 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description WELLS FARGO PARKING LOT
Street Number 1500	Street W LANTANA ROAD	Apt/Lot/Bldg County City State Zip Code PALM BEACH LANTANA FL 33462

## Charge : S

Counts 1	Charge 316.193.1a	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree S	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI INFLUENCE OF ALCOHOL OR DRUGS		(1) OR	

## Bond Set by Court

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

## Probable Cause

On 8/28/2021 at approximately 10:38PM I was traveling south on Interstate 95 approaching 6th Avenue when I observed a white Nissan Rogue (attached Florida tag: JCDH43) traveling near the right white line that separated the right shoulder

Arrest Report

Page 1 of 5

AUG 29 AM 3:38

SCANNED

AUG 29 2021

NR

Sgt. [Signature]

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from the right travel lane and straddled the line. The driver then changed lanes from the outside to the outside center travel lane. The vehicle then drifted into the outside travel lane and back into the outside center travel lane. The vehicle then began to travel between the outside and outside center travel lane traveling over the dashed white lane markers providing visual distinction between the travel lanes. I activated my lights and sirens in order to perform a traffic stop on the vehicle. The driver changed lanes to the center travel lane and slowed to a speed of approximately 30mph within the lane. The driver then began to slowly move to the right. The driver then slowed to an extremely slow rate of speed in the outside exit lane to Lantana Road. I advised the driver to pull over to the shoulder with my public address (PA) speaker. The driver then pulled over to the right shoulder. The driver took 1 minute and 55 seconds upon initiation of my lights and sirens to pull over to the shoulder. I spoke to the driver through the open front right passenger side window. I asked the driver for her license, registration and proof of insurance. She was able to provide her Georgia drivers license which was used to identify the driver as Felica Renee Velez (GA DL: 053511051). She also handed me a credit card which I didn't ask for. She was able to produce a valid insurance card but seemed to forget that I had asked for the registration as well. I reminded her that I requested the registration. I smelled the strong odor of an unknown alcoholic beverage coming from the interior of the vehicle. I observed an empty Yosemite Road Cabernet Sauvignon wine bottle in plain view on the front right passenger floor area. I asked the driver if she had anything to drink and she stated that she had a few cups of wine earlier for her sister's birthday. Her eyes appeared to be red and glassy. She seemed to be lethargic and while searching for the registration her hand movements were very slow as she fumbled with the papers in the glove box. I later asked her to exit the vehicle and spoke to her in front of my patrol vehicle. As I stood next to her I smelled the strong odor of an unknown alcoholic beverage coming from her breath despite the fact that I was wearing a surgical mask. I asked on a scale of 1 to 10 with 1 being completely sober and 10 falling over drunk where she would rate herself and she stated a 2 out of 10. I asked her if she was willing to perform roadside exercises and she agreed to do them. For safety reasons I informed her that we would relocate off the Interstate to a nearby parking lot to perform the exercises and she agreed. I drove Ms. Velez off the roadway to the nearby Wells Fargo Parking lot at 1500 W Lantana Rd, Lantana, FL

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33462 to administer the roadside exercises. Prior to administration of the exercises I asked if she wore glasses or contacts and she stated that she does wear prescription glasses. I asked if she had any medical conditions and she stated that she has an atrial septal aneurysm, high cholesterol, family history of diabetes, a right wrist injury and left elbow injury sustained in February of 2021. (Note: The summary below 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 Horizontal gaze nystagmus at maximum deviation in both eyes
- I observed Horizontal gaze nystagmus prior to 45 degrees in both eyes
- No vertical gaze nystagmus was observed in either eye

Walk and Turn Exercise (A painted white line in the parking lot was utilized during the exercise)

- Unable to stay in the starting position
- Started exercise prior to command to begin
- Did not walk heel to toe on multiple steps
- Did not keep hands directly to their sides as instructed using them to balance
- Did not complete exercise as instructed

One Leg Stand Exercise

- Swayed

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-Did not keep arms to her side as instructed, using them to balance

### Modified Romberg Balance Exercise

-Approximately 26 seconds elapsed during the 30 second time estimation

### Finger to Nose Exercise

-Failed to touch the tip of her nose with the tip of her finger on multiple occasions touching the side of her nose and the top portion of her nose

Based upon the performance of the above exercises and the totality of the circumstances I determined that there was probable cause to believe that Felica Renee Velez 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. She was then transported to the Palm Beach County Breath Alcohol Testing (BAT) facility. 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 the 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 refused to provide the breath test sample. I then read her the Florida Implied Consent drivers license suspension warning and she stated that she wished to speak with someone before making the decision and would not provide a yes or no answer. I asked her multiple times to provide a yes or no answer and she would not provide one. I informed her that her failure to provide a yes or no answer would be taken as a no and she still refused to provide an affirmative yes or no answer. I called it a refusal at that point and the time was notated. The Constitutional Warning document was read to Ms. Velez and she stated that she understood her rights and wouldn't answer any questions. See BAT video footage for a complete account of the incident. Ms. Velez was issued a DUI citation along with uniform traffic citations for failing to maintain a single lane and

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no registration. She was booked without incident. 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 Booking Facility

Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

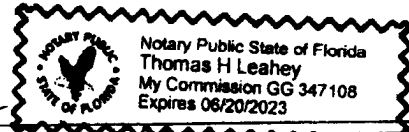
#### Court

Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994	Court Appearance Date / Time 09/23/2021 8:30AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
IV, ANDREW L TPR 3651	PRIMARY / REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LRCC\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 IV, ANDREW L	Office Rank TPR	Officer ID No 3651	Sworn and subscribed before me, the undersigned authority This the <u>29</u> day of <u>August</u> , <u>2021</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature <i>Andrew L</i>			

<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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**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 28th day of August, 2021, at 11:35 ☒ P.M. ☐ A.M.

DRIVER FELICA RENEE VELEZ,  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME  
DL# 053511051, state of GA, was placed under lawful arrest for

316.193(1)  
the offense of D.U.I. - ALCOHOL OR DRUGS (MISDEMEANOR) by IV, ANDREW L and  
(Name of Arresting Officer)  
issued Citation # A773MBE

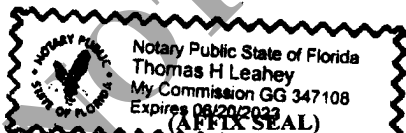
That on or about the 29th day of August, 20 21, at 12:20 ☐ P.M. ☒ A.M.  
in Palm Beach County,

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

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



The foregoing instrument was sworn and subscribed before  
me this 29 day of August, 20 21,  
by Trp. IV # 3651,  
who is personally known to me or who has produced  
Known as identification.

Notary Public T. Leahey

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.

**SCANNED**  
**AUG 29 2021**



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

PBSO CASE # 21-100977

AGENCY CASE# FHPL21OFF056844

AGENCY ZONE 6-11

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

TIME OF STOP/CRASH ~10:41PM DATE 8/28/2021 DAY SATURDAY

SUBJECT'S NAME FELICA RENEE VELEZ RACE WHITE SEX FEMALE

HGT 5'8" WGT 110LBS DOB 5/10/1991

LOCATION INTERSTATE 95 SOUTHBOUND AND LANTANA ROAD

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

DIVISION: TROOP L - LAKE WORTH

NOTIFIED BY COMMO Y

ARRIVAL AT FACILITY 2353

BREATH RESULTS:

ARREST TIME 11:35PM

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

TESTING OFFICER'S ID 16877 PBSO VIDEOTAPE # N/A

**REFUSED**

SCANNED  
AUG 29 2021

# TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: Velez, Felica R.

CASE NUMBER: 21-100977

DATE: Aug 29, 2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:16

ENDING TIME: 00:21

BREATH TESTS RESULTS: 1) Refusal TIME 00:20 A.M. ☒ P.M. ☐ 2) N/A TIME ----- A.M. ☐ P.M. ☐  
3) N/A TIME ----- A.M. ☐ P.M. ☐ 4) N/A TIME ----- A.M. ☐ P.M. ☐

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICIAN: Jason Karlecke #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: Pronounced

ATTITUDE: Agitated, uncooperative, moodswings, crying

CLOTHING: Black shorts, gray tank top, black flip-flops

MEDICAL CONDITIONS: None

MEDICATIONS: None

## OTHER:

Eyes are glassy & red

**REFUSED**

## COMMENTS:

Arrived at center A/O started 20 minute observation period at 23:53 hrs.

Subject refused to perform breath test.

A/O read I/C and subject stated she understood I/C.

Subject refused to answer if she would perform breath test.

A/O called refusal.

A/O read rights.

Subject acknowledged she understood rights.

A/O attempted Q&A.

Subject invoked the right to counsel.

**REFUSED**

**SCANNED**  
**AUG 29 2021**

SUBJECT: Velez, Felicia K. CASE NUMBER: FHPL21LFF05644

## 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? \_\_\_\_\_

WHERE WERE YOU GOING? \_\_\_\_\_

WHAT STREET OR HIGHWAY WERE YOU ON? \_\_\_\_\_

DIRECTION OF TRAVEL? \_\_\_\_\_ WHERE DID YOU START? \_\_\_\_\_

WHAT TIME DID YOU START? \_\_\_\_\_ WHAT TIME IS IT NOW? \_\_\_\_\_

WHAT IS TODAY'S DATE? \_\_\_\_\_ WHAT DAY OF THE WEEK IS IT? \_\_\_\_\_

WHAT COUNTY AND CITY ARE YOU IN NOW? \_\_\_\_\_

WHEN DID YOU LAST EAT? \_\_\_\_\_ WHAT DID YOU EAT? \_\_\_\_\_

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? \_\_\_\_\_

HOW MUCH DO YOU WEIGH? \_\_\_\_\_ HAVE YOU BEEN DRINKING? \_\_\_\_\_ WHAT? \_\_\_\_\_

HOW MUCH? \_\_\_\_\_ WHERE? \_\_\_\_\_ WITH WHOM? \_\_\_\_\_

WHEN DID YOU HAVE YOUR FIRST DRINK? \_\_\_\_\_ AND YOUR LAST DRINK? \_\_\_\_\_

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? \_\_\_\_\_

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? \_\_\_\_\_ ARE YOU UNDER THE INFLUENCE? \_\_\_\_\_

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? \_\_\_\_\_ HOW MUCH? \_\_\_\_\_

WHAT? \_\_\_\_\_ WHERE? Not used WHEN? \_\_\_\_\_

WHAT LINE OF WORK ARE YOU IN? \_\_\_\_\_ WHEN DID YOU LAST WORK? \_\_\_\_\_

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? \_\_\_\_\_ WHAT? \_\_\_\_\_

ARE YOU SICK OR INJURED? \_\_\_\_\_ WHAT'S WRONG? \_\_\_\_\_

DO YOU LIMP? \_\_\_\_\_ DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? \_\_\_\_\_

WERE YOU IN AN ACCIDENT TODAY? \_\_\_\_\_

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? \_\_\_\_\_ WHEN? \_\_\_\_\_

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? \_\_\_\_\_ WHO? \_\_\_\_\_ WHY? \_\_\_\_\_

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? \_\_\_\_\_ WHAT? \_\_\_\_\_ WHEN? \_\_\_\_\_

DO YOU HAVE:

EPILEPSY?	_____
GLASS EYE?	_____
FALSE TEETH?	_____
EAR INFECTION?	_____
INNER EAR TROUBLE?	_____
DIABETES?	_____

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? \_\_\_\_\_

DO YOU TAKE INSULIN? \_\_\_\_\_ IF SO, WHEN WAS YOUR LAST INJECTION? \_\_\_\_\_

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? \_\_\_\_\_ WHERE? \_\_\_\_\_

INTERVIEWER: \_\_\_\_\_

SUBJECT: Velez, Felicia K. CASE NUMBER: FHPL210FF056844

## 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) \_\_\_\_\_

*Read on Camera*

## 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*

**SCANNED**  
**AUG 29 2021**



**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"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021021505

Date: 8/29/2021

Specialist Name/ID: M. Took's #8557

**SCANNED**  
**AUG 29 2021**