

ARREST REPORT

Report Date / Time 06/11/2017 04:16 AM	Agency Case/Offense Number FHPL17OFF046213	OCA Number FHPL17OFF046213	Original Agency Card Number	OBTS Number	Offender Blood Transaction System	Jail Booking Number	Other Number LWRC17CAD102190
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LOCATION OF OCCURRENCE

County PALM BEACH	Address SR-9 NB SOUTHERN BLVD (SR 80) , WEST PALM BEACH, FL 33405		
Range of Occurrence Date/Time 06/11/2017 03:32 AM to 06/11/2017 03:32 AM		Latitude N 26 40.5798	Longitude W 80 4.1910

PERSON: SUSPECT

First Name AMANDA	Middle Name ROSE	Last Name FANELLI	Suffix	Date of Birth 08/08/1979	Age 37	Race W	Sex F	Height 503	Weight 140	Hair BLK	Eyes GRN
Master Name Index Number	Place of Birth SALT LAKE-UTAH	Nation USA	SSN [REDACTED]	Driver's License or Other ID F540016797881		State FL	Class or Type E				
Address 6034 NW 77TH AVE		City TAMARAC	County BROWARD	State FL	Zip Code 33321	Phone					

CHARGES

Counts 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL
DUI ALCOHOL OR DRUGS		☐ Hate Crime ☐ Domestic Violence ☐ Bond Amount \$0.00

PROBABLE CAUSE

On June 11, 2017 I was on routine patrol in my marked patrol vehicle in Palm Beach County. I was dispatched to the area of a possible reckless driver. There were multiple calls into the Florida Highway Patrol communications center in reference to a silver or grey colored BMW with a Florida tag of HNFY84. Callers and witnesses stated that the vehicle was swerving all over the road and was unable to maintain a single lane. I was able to intercept the vehicle and position my patrol car behind the vehicle on I-95 State Road 9) northbound at 10th Ave N. I observed a grey BMW with a Florida Tag of HNFY84. I observed the vehicle and saw that the vehicle was unable to maintain a single lane and repeatedly straddled between the center left, center and center right lanes. I continued to observe the vehicle from northbound I-95 at 10th Ave N to Southern Blvd. I then activated my emergency equipment and initiated a traffic stop on the vehicle. The vehicle pulled over to the right paved shoulder of the roadway. I approached the passenger side of the vehicle and introduced myself. I then requested that the driver present a drivers license, vehicle registration and proof of insurance. While talking to the driver of the vehicle I observed the odor of an unknown alcoholic beverage emitting from within the vehicle. I observed that the driver seemed disoriented and presented some difficulty in looking for her driver's license. The driver was later identified as Amanda Fanelli by her Florida DL. Ms. Fanelli stated to me that she was going home. I then requested that Ms. Fanelli step out of the vehicle and walk back towards my patrol vehicle. She then stepped out of the vehicle and used the car for balance when she exited. As Ms. Fanelli stood in front of me I observed that she had an orbital sway and bloodshot eyes. I also observed the odor of an unknown alcoholic beverage emitting from her breath. I requested that Ms. Fanelli conduct roadside exercises and she verbally and physically indicated that she would.

Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Ms. Fanelli was wearing glasses or contact lenses. It was determined that Ms. Fanelli was not wearing glasses or contacts. I then checked her eyes and observed equal tracking and equal pupil size. She was instructed to place her feet together and place her hands down at her side. She then was instructed to keep her head still and follow the stimulus with her eyes and her eyes only. She was also instructed to keep looking at the stimulus until told not to. She verbally indicated that she understood. During the exercise I observed 6 of the 6 possible clues.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

During the exercise Ms. Fanelli had to be told to stay in the proper position and not to move her head during the exercise. I also observed Ms. Fanelli to have orbital sway.

Walk and Turn Exercise

Ms. Fanelli indicated that she had no medical issues that would prevent her from participating in the exercise. She indicated that she had hip problems. I placed a colored line on the ground and observed that there was no debris and the ground was level. Ms. Fanelli was instructed to put her left foot on the line, then place her right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. She was instructed not to begin untold to do so. Ms. Fanelli verbally indicated that she has understood all instructions up to this point. Ms. Fanelli was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Ms. Fanelli was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this. Ms. Fanelli was also instructed to keep her arms at her sides and to watch her feet during the exercise. Ms. Fanelli was also instructed to count aloud and to not stop once she begins the exercise. She was also instructed to keep her arms at her sides at all times.

Ms. Fanelli began the exercise too soon and had to be told to wait and to get back into the starting position multiple times. She began the exercise and stepped off the line on all steps. Ms. Fanelli also did not count aloud and showed difficulty keeping balance. She used her arms for balance and raised them higher than 6 inches. Ms. Fanelli also completed the incorrect number of steps. While completing the turn Ms. Fanelli took both feet off the line and incorrectly completed the turn.

One Leg Stand Exercise

Ms. Fanelli was instructed to stand with her feet together and to place her arms down at her side. Ms. Fanelli was instructed to maintain that position until told to do so. Once told to do so, she was instructed to raise one leg approximately 6 inches off the ground and to keep both legs straight with both arms at her side. She was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Ms. Fanelli verbally indicated that she understood the instructions after I demonstrated to her.

Ms. Fanelli was told to begin and raised her right foot. During the exercise Ms. Fanelli displayed an orbital sway and had to use her arms multiple times to keep from losing balance. She also did not raise her foot six inches off the ground or keep both legs straight. She raised her foot approximately 2 inches. Ms. Fanelli placed her foot down during the exercise multiple times and stopped the exercise. She did not look down at her foot during the exercise and count

Op1 AOT need 7220

JUN 11 AM 7:23

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aloud as instructed.

Finger To Nose

Ms. Fanelli was instructed stand with her feet together and arms at her side and to have her index fingers pointed out. She was instructed t not start and stay in that position until told to do so. She stated that she understood. I then demonstrated the position. Ms. Fanelli was then instructed to when told to start to close both eyes and tilt her head back. When told to do so she was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of her nose. I then demonstrated this. She was then instructed to after touching the tip of the nose to immediately bring her hand down to her side. She stated that she understood. I then demonstrated and she stated that she understood. She was instructed to raise her hand in the following order, left, right, left, right, and right, left.

- Left: Did not return immediately to side.
 - Right: Completed correctly.
 - Left: Touched the cheek bone near the eye.
 - Right: Completed correctly.
 - Right: Initially raised left hand and then both at same time.
 - Left: Missed nose.
- While conducting the exercise I observed an orbital sway.

At approximately 0406 Ms. Fanelli was placed into handcuffs and placed under arrest for DUI. She was searched and no contraband was found. All property and the vehicle was inventoried. She was then transported to the Palm Beach County Jail. She was observed for 20 minutes in which she did not regurgitate or ingest anything by mouth. Ms. Fanelli consented to give a sample of her breath on camera at the testing center. At approximately 04:51am she provided a sample of .201. At approximately 04:54am she provided a second sample of .198. Ms. Fanelli was then booked into the Palm Beach County Jail.

LEO BOND

Bond Amount \$	None	☐ ROR	☐ Cash	☐ Any	☐ PreTrial If Quality
	☐ Pro				☐

COURT APPEARANCE INFORMATION

Court (CIRCUIT) PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Date & Time 06/26/2017 08:30 AM
Court Address 200 WEST ATLANTIC AVE., DELRAY BEACH, FL 33444		
Instructions		

ARREST INFORMATION

Arrest Date / Time 06/11/2017 04:06 AM	Residency Within state	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests Unknown	Arrest Jurisdiction Within jurisdiction	Alcohol Yes	Drugs Unknown	

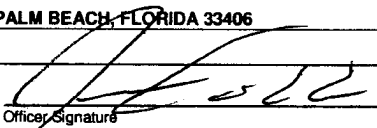
ARREST LOCATION

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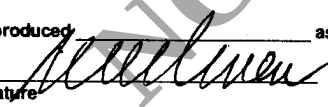
ARREST DELIVERED TO

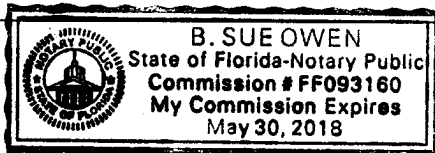
Jail / Booking Facility PALM BEACH COUNTY CORRECTIONS	Location 3228 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33406	Phone (561) 688-4400
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ARRESTING OFFICER

Officer Call Number 1729	Officer Name Z. TODD	Officer Signature 
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Subscribed and sworn to (or affirmed) before me this 11th day of June A.D. 2017 by Z. Todd who is personally known to me or
has produced as identification.

Signature  Notary Public LEO CO Commission No: _____ My Commission Expires: _____



D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 11 DAY OF June 20 17, AT 0406 PM

SUBJECT: Amanda Fanelli CASE NUMBER: FHPL17OFF046213

AGENCY: Insert Agency's Name Here FHPL ARRESTING OFFICER: Tpr. Z. Todd 4141

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

I observed the vehicle swerving and failing to maintain a single lane. I also observed the vehicle to straddle in between the center and center left and right lanes of the roadway. I conducted a traffic stop on the vehicle and identified the driver by a Florida DL.

OBSERVATION OF DRIVER:

The driver appeared disoriented and easily distracted. The driver also was unable to maintain balance and used the vehicle for balance when exiting. The driver also had an orbital sway.

DRIVER'S STATEMENTS:

Stated that she was going home and was distracted by people checking on her while she is driving home. I then proceeded to ask the driver where she was coming from and she stated to me that she was coming from home.

ODORS:

Unknown alcoholic beverage.

GENERAL OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Calm

CLOTHING: Black top, denim shorts, black shoes.

MEDICAL/OTHER: Hip problems.

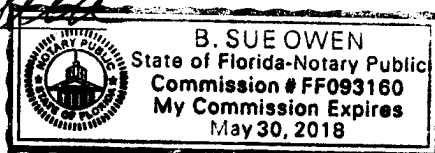
STATE OF FLORIDA
COUNTY OF PALM BEACH

Tpr. Z. Todd 4141
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11 day of June 20 17 by Tpr Todd

(Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced _____)

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



SUBJECT: Amanda FanelliCASE NUMBER FHPL17OFF046213

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|---|---|
| ☒ LT EYE-LACK OF SMOOTH PURSUIT | ☒ RT EYE-LACK OF SMOOTH PURSUIT |
| ☒ LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | ☒ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| ☒ LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES | ☒ RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES |

Other Observations:

WALK & TURN:

Ms. Fanelli indicated that she had no medical issues that would prevent her from participating in the exercise. She indicated that she had hip problems. I placed a colored line on the ground and observed that there was no debris and the ground was level. Ms. Fanelli was instructed to put her left foot on the line, then place her right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. She was instructed not to begin until told to do so. Ms. Fanelli verbally indicated that she has understood all instructions up to this point. Ms. Fanelli was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Ms. Fanelli was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this. Ms. Fanelli was also instructed to keep her arms at her sides and to watch her feet during the exercise. Ms. Fanelli was also instructed to count aloud and to not stop once she begins the exercise. She was also instructed to keep her arms at her sides at all times. Ms. Fanelli began the exercise too soon and had to be told to wait and to get back into the starting position multiple times. She began the exercise and stepped off the line on all steps. Ms. Fanelli also did not count aloud and showed difficulty keeping balance. She used her arms for balance and raised them higher than 6 inches. Ms. Fanelli also completed the incorrect number of steps. While completing the turn Ms. Fanelli took both feet off the line and incorrectly completed the turn.

ONE LEG STAND:

Ms. Fanelli was instructed to stand with her feet together and to place her arms down at her side. Ms. Fanelli was instructed to maintain that position until told to do so. Once told to do so, she was instructed to raise one leg approximately 6 inches off the ground and to keep both legs straight with both arms at her side. She was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Ms. Fanelli verbally indicated that she understood the instructions after I demonstrated to her.

Ms. Fanelli was told to begin and raised her right foot. During the exercise Ms. Fanelli displayed an orbital sway and had to use her arms multiple times to keep from losing balance. She also did not raise her foot six inches off the ground or keep both legs straight. She raised her foot approximately 2 inches. Ms. Fanelli placed her foot down during the exercise multiple times and stopped the exercise. She did not look down at her foot during the exercise and count aloud as instructed.

FINGER TO NOSE:

Ms. Fanelli was instructed stand with her feet together and arms at her side and to have her index fingers pointed out. She was instructed to not start and stay in that position until told to do so. She stated that she understood. I then demonstrated the position. Ms. Fanelli was then instructed to when told to start to close both eyes and tilt her head back. When told to do so she was instructed to bring her hand I directed upward, touching the tip of her finger to the tip of her nose. I then demonstrated this. She was then instructed to after touching the tip of the nose to immediately bring her hand down to her side. She stated that she understood. I then demonstrated and she stated that she understood. She was instructed to raise her hand in the following order: left, right, left, right, and right, left.

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-Right: Completed correctly.
-Right: Initially raised left hand and then both at same time.
-Left: Missed nose.
While conducting the exercise I observed an orbital sway.

ROMBERG ALPHABET:

Not done.

BREATH TEST RESULTS:

1) .201

2) .198

3)

4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

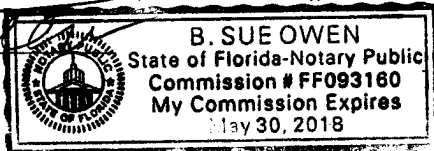
Tpr. Z. Todd 4141

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11 day of June, 2017 by tpr todd

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



TESTING FACILITY TASK REPORT

AGENCY: FHP

SUBJECT: FANELLI, Amanda Rose

CASE NUMBER: 17-088747

DATE: 6/11/17

VIDEO TAPE NUMBER: AVD# 62776

BEGINNING TIME: 0445

ENDING TIME: 0457

BREATH TESTS RESULTS: 1) .201 TIME 0451 A.M./P.M. 2) .198 TIME 0454 A.M./P.M.
3) TIME A.M./P.M. 4) TIME A.M./P.M.

BREATH OPERATOR: S. Owen #3184

MAINTENANCE TECHNICIAN: S. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: quiet, co-operative

CLOTHING: black boots, jean short shorts, black top

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER:

COMMENTS: A/O & A arrived at 0425 hrs

A/O observed 20 minutes

A/O requested breath test, A agreed

No problem with test

Tech explained results.

A/O tried c/w A understood rights

Refused DEA

SUBJECT: Fanelli, Amanda. Rose CASE NUMBER: 17-088747

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? DO NOT RECALL

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? _____ 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: REFUSED ON CAMERA

SUBJECT: Fanelli, Amanda Rose CASE NUMBER: 12-088747

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