

0490365

1022

FLORIDA HIGHWAY PATROL

NR

17CT14570

REPORT NUMBER
FHP99ARR099981

ARREST REPORT

Report Date / Time 08/06/2017 05:11 PM	Agency Case/Offense Number FHPK17OFF055920	OCA Number	Operating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD141131
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LOCATION OF OCCURRENCE

County PALM BEACH	Address FLORIDA'S TPKE SB , WEST PALM BEACH, FL 33417
Range of Occurrence Date/Time 08/06/2017 01:50 PM to 08/06/2017 07:00 PM	Latitude N 26 41.7768

PERSON: SUSPECT

First Name GLEN	Middle Name A	Last Name NICOL	Suffix	Date of Birth 01/16/1971	Age 46	Race W	Sex M	Height 601	Weight 195	Hair BLN	Eyes BLU
Master Name Index Number	Place of Birth	Nation				Driver's License or Other ID N240281710160	State FL	Class or Type E			
Address 55 DORA DR		City TAVARES					State FL	Zip Code 32778	Phone		

CHARGES

Counts 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH	DR
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL	<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Bond Amount \$0.00
DUI ALCOHOL OR DRUGS			
Counts 1	Charge Number 316.193.3c1	Charge DUI-UNLAW BLD ALCH	DR
Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL	<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Bond Amount \$0.00
DUI AND DAMAGE PROPERTY			

PROBABLE CAUSE

On August 6, 2017 at approximately 2:00 PM I was dispatched to a vehicle crash on the Florida's Turnpike near State Road 704 (Okeechobee Blvd).

Upon arrival, I observed a red pickup had crashed into the center concrete wall on the left shoulder. I approached the driver of the vehicle involved in the accident. While speaking with Mr. Nicol who was later identified through his Florida drivers license N240281710160 (Glen A Nicol date of birth 1/16/1971) I smelled an obvious odor of an alcoholic beverage emitting from his breath, his eyes were bloodshot, glassy, watery and pupils were constricted. After completing my crash investigation I relocated to the Palm Beach County Fire Station 23. I positioned my vehicle facing a marked line, on a flat surface. I asked Mr. Nicol if he had any injuries or illnesses that would prevent him from performing field sobriety exercises. Mr. Nicol denied I asked Mr. Nicol if he would perform several voluntary field sobriety exercises and he complied. The following tasks were explained then demonstrated by me and then performed by Mr. Nicol:

Horizontal Gaze Nystagmus (HGN) - I directed Mr. Nicol to stand with his feet together and arms down by his side. I asked Mr. Nicol to follow the tip of my pen with his eyes only and not to move his head, I asked if he understood the instructions. He replied "yes." I then held the tip of my pen approximately 12 inches away from the tip of Mr. Nicols nose. After ascertaining that Mr. Nicol did not have any problems with his eyes I checked his eyes for lack of smooth pursuit, which he exhibited on both eyes. I checked Mr. Nicols eyes for distinct and sustained nystagmus at maximum deviation, which he exhibited on both eyes. I checked Mr. Nicols eyes for vertical gaze nystagmus, which he did not exhibit.

Walk and Turn - I demonstrated the proper way to perform the exercise and asked Mr. Nicols if he understood. He replied "yes". Mr. Nicols stepped off the line and did not touch heel to toe.

One Leg Stand - I also demonstrated the one leg stand exercise to Mr. Nicols and he acknowledged that he understood. Mr. Nicols put his foot down and used arms for balance.

At this time Mr. Nicols was placed under arrest for DUI and transported to the Palm Beach County Jail for processing. Mr. Nicols vehicle was towed by Sisters Towing. The road side tasks were on in car video that was later downloaded to the Troop K server. Mr. Nicols was also on video at the Palm Beach County Jail during implied consent and questioning post Miranda.

Prior to the accident our dispatch center received a call from a motorist involving this same vehicle traveling all over the road unable to maintain a single lane.

Urine and blood results pending.

The aforementioned events occurred in Palm Beach County, Florida.

Any and all times mentioned are to be considered approximations unless otherwise expressly noted.

In car audio/video recording equipment was utilized.

SCANNED
AUG 08 2017

2017 AUG - 7 AM 7:36

TESTING FACILITY TASK REPORT

AGENCY: FHP-K
SUBJECT: Nicol, Gc-A CASE NUMBER: 17-111581
DATE: 08/06/17 VIDEO TAPE NUMBER: 63138
BEGINNING TIME: 1802 ENDING TIME: 1823
BREATH TESTS RESULTS: 1) .054 TIME 1807 A.M./P.M. 2) .049 TIME 1810 A.M./P.M.
3) .011 TIME — A.M./P.M. 4) .011 TIME — A.M./P.M.
BREATH OPERATOR: G. Price #7969

MAINTENANCE TECHNICIAN: Kazee #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR

ATTITUDE: Calm, Quiet, Polite, Co-Operative

CLOTHING: WAD BLK SHIRT, BLACK T-SHIRT, BLACK SHORTS

MEDICAL CONDITIONS: None - Blk shirt fits loosely, 2 small buttons, Blk shorts

MEDICATIONS: None

OTHER: EYES CLOUDY BUT NOT SWELLING, COLOR OF IRIS UNKNOWN
ALCOHOLIC BEVERAGE ON BREATH

Agreed to provide 2 breath samples on Saturday night (08/05)

COMMENTS: Arrived at center at 1800 hrs. Tech 20 minutes
Observation began at 1708 hrs.

A AGREED TO TAKE TEST

TECH. REIN FORK-A TEST RESULTS A STATED HE

A REQUESTED A URINE SAMPLE

A AGREED TO PROVIDE A URINE SAMPLE AT 1817 hrs

A ANALYZE

A AGREED, STATED HE UNDERSTOOD TECH TO
PROVIDE 1 URINE SAMPLE AT 1817 hrs

A RECD REC'D

A STATED HE UNDERSTOOD TECH TO
PROVIDE 1 URINE SAMPLE AT 1817 hrs

A AGREED OUTSTANDING

SCANNED
AUG 08 2017

SUBJECT: Neel, C. A. CASE NUMBER: _____

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) Reed C. Neel

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) Reed C. Neel

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AUG 08 2017

SUBJECT: Nicole G. A. CASE NUMBER: _____

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? _____ 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: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SCANNED
AUG 08 2017