

ARREST REPORT

Report Date / Time 07/31/2017 12:28 AM	Agency Case/Offense Number FHPL17OFF061127	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD136588
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LOCATION OF OCCURRENCE

County PALM BEACH	Address I-95 NB ON XT RAMP , PALM BEACH GARDENS, FL 33410
Range of Occurrence Date/Time 07/30/2017 11:25 PM to 07/30/2017 11:25 PM	Latitude N 26 50.3760
	Longitude W 80 6.1236

PERSON: SUSPECT

First Name JENNA	Middle Name MARIE	Last Name BRODEUR	Suffix	Date of Birth 09/13/1984	Age 32	Race W	Sex F	Height 504	Weight 180	Hair BLN	Eyes BLU
Master Name Index Number	Place of Birth HARTFORD	Nation USA	SSN	Driver's License or Other ID B636433848330	State FL	Class or Type					
Address 4300 RANDOLPH WAY APT 235	City PALM BEACH GARDENS	County	State FL	Zip Code 33410	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		<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence         Bond Amount \$0.00

PROBABLE CAUSE

On the above date and time I was working in Palm Beach County. Dispatched advised of a crash that occurred on Interstate 95 northbound exit ramp to eastbound PGA Blvd. Dispatch then assigned me the call and advised the vehicles relocated to the Shell gas station that is located just East of Interstate 95. Dispatch advised I was looking for a Chevy and a BMW. I then advised dispatch that I was on my way from Gateway Blvd. At 11:44 pm I advised dispatch that I was on scene and with the vehicles involved. I observed two females one a black female another a white female both standing by the BMW. I then asked what occurred to which the black female who was identified as Shantell Crossgill by her Florida driver's license advised as she was on Interstate 95 northbound exit ramp at the red light to go East on PGA Blvd she was struck in the back by another vehicle. When asked if that other vehicle was the BMW that was situated in front of her she stated yes. I then advised the victim to go wait by her as I then began to speak with the white female. While speaking with the white female I observed her to have blood shot glossy eyes. When I asked her what occurred she advised she was traveling southbound. When the white female spoke I observe an odor commonly associated with that of an alcoholic beverage emitting from her breath as well as a slurred speech. I then asked the white female to provide me with her license, registration, and proof of insurance. She was unable to provide me with any identification nor any insurance she only able to provide me with the vehicle registration. I then asked her for her name and date of birth to which she did she advised her name was Jenna Brodeur with a date of birth as 09/13/1984. I then went back to my patrol car and entered her name and date of birth into FCIC/NCIC and was then able to identify the white female as Jenna Marie Brodeur by her valid Florida driver's license. While conducting my crash investigation I observed minor damages to the victim's car and no damages to the suspect vehicle. I then spoke to the victim and she advised she believe the suspect to be impaired as when they got to the gas station she was trying to leave before I got there. I then asked the victim if she was able to place the suspect behind the wheel to which she said she could. The victim was then able to provide with a written witness statement placing the subject behind the wheel and in actual physical control of the vehicle during the accident. Once I completed my crash investigation and the victim gave me her statement I released her from the scene I then went back over to the subject. While on camera I advised the subject that I had finished my crash investigation and was now starting a criminal investigation as I was under the suspicion she was operating a motor vehicle under the influence of alcohol and or a controlled substance pursuant to Florida Statue 316.193. I then read the subject on camera Miranda to which she advised she understood. I then asked the subject after Miranda how much she drank she advised two glasses of wine. I then asked how big she advised normal size and that it was just two glasses (See Video). I then asked the subject if she would perform the field sobriety exercises to which she agreed.

Before the exercises the subject was asked if she any medical conditions that would prevent her from performing these exercise the subject advised before checking her eyes that she was blind as a bat and before the walk and turn she had a broken pinky toe (See Video). Each exercise was demonstrated by myself and explained to the subject before she performed and each time she was asked if she understood the instructions to which she replied "yes".

Horizontal Gaze Nystagmus(HGN): Lack of Smooth Pursuit observed  
Distinct and Sustained Nystagmus at Maximum Deviation observed  
Onset of Nystagmus prior to 45 degrees observed  
6 clues observed

Walk and Turn: Subject could not balance during instructions (Breaks heel/toe)  
Subject stopped walking  
Subject does not touch heel to toe  
Subject stepped off line  
Subject used arms for balance  
Subject made improper turn  
6 Clues observed (See Video for all clues)

One Leg Stand: Subject put foot down  
Subject used arms to balance  
Subject swayed while balancing  
Subject was hopping  
4 clues observed (See video for all clues)

Finger to Nose: Subject swayed while balancing  
Subject did not touch tip of nose  
Subject could not differentiate between left and right finger  
(See Video)

Rhombberg with Recitation: Subject swayed while balancing

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2017 JUL 31 AM 3:35

AM 6:17

NR

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Subject could not state alphabet without singing  
Subject got stuck at the letter "V" and then stopped  
(See Video)

During the exercises the subject kept stopping and asked why she needed to do the exercises as I did not stop her that she was involved in a "Bump". I then proceed to advise the subject that she was involved in an accident and I believed her to be impaired. I also advised the subject that on the bottom of her license it states the driver constitutes to any sobriety test required by law. The subject agreed and proceeded with the exercises. After conducting the exercises I advised the driver to go ahead and place her sandals back on and grab her sweater and to begin to walk toward my car. The subject advised why and that she does not want to be arrested. I then advised the subject again that we were done using the lines on the floor and we could head back to my patrol car to which she again stated she did not want to be arrested. At that point I advised the subject we had one more exercise to do to which she then got her belonging and walked to my car. At 12:24 am I advised the subject as well as dispatch that she was being placed under arrest pursuant to Florida Statute 316.193. We then stayed on scene until the subject had a friend to pick up her vehicle. The subject advised she wanted her friend to have all her belongings except her cell phone so her wallet and purse were left with the vehicle. Once the friend took possession of her vehicle I then advised dispatch that we were on our way to Palm Beach County Jail. Once at the jail I observed the subject for twenty minutes before entering the breathalyzer room. Once inside I asked the subject to provide us with two samples of her breath to which she refused. I then proceeded to read the subject implied consent and asked if she understood she advised "yes" and was again asked to provide us samples of her breath and she still refused at 1:28am. Video of the field sobriety exercises as well as transportation to the county jail are available upon request with FHP custodian.

#### LEO BOND

Bond Amount \$	<input type="checkbox"/> None	<input type="checkbox"/> ROR	<input type="checkbox"/> Cash	<input type="checkbox"/> Any	<input type="checkbox"/> Pre Trial If Qualify
	<input type="checkbox"/> Pro				<input type="checkbox"/>

#### COURT APPEARANCE INFORMATION

Court (CRIMINAL) PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Date & Time 08/28/2017 08:30 AM
Court Address 200 WEST ATLANTIC AVE., DELRAY BEACH, FL 33444		
Instructions		

#### ARREST INFORMATION

Arrest Date / Time 07/31/2017 12:24 AM	Residency Within state	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests No	Arrest Jurisdiction Within state	Alcohol Yes	Drugs No	

#### ARREST LOCATION

County PALM BEACH	Address I-95 NB ON XT RAMP , PALM BEACH GARDENS, FL 33410
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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

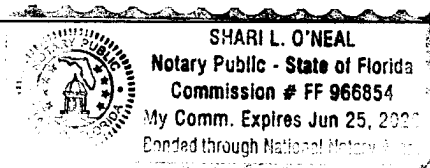
Officer Call Number 1486	Officer Name FERNANDEZ, RYAN P	Officer Signature
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Subscribed and sworn to (or affirmed) before me this 31 day of July A.D., 2017 by \_\_\_\_\_ who is \_\_\_\_\_ personally known to me or has produced \_\_\_\_\_ as Identification.

Signature Shari O'Neal Notary Public LEO CO Commission No: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

#### ARREST REPORT

FHP99ARR140114



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SUBJECT: Jenna Marie Brodeur CASE NUMBER: FHYL170FF061127

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

## **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.

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SUSPECT'S SIGNATURE: (X) \_\_\_\_\_

SUBJECT: James Marie Brodeur CASE NUMBER: FHL1704F061127

## 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? Yes

WHERE WERE YOU GOING? home

WHAT STREET OR HIGHWAY WERE YOU ON? 95 N

DIRECTION OF TRAVEL? E WHERE DID YOU START? Boynton Beach

WHAT TIME DID YOU START? 11:30pm WHAT TIME IS IT NOW? No vehicle

WHAT IS TODAY'S DATE? July 31 2017 WHAT DAY OF THE WEEK IS IT? Monday

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Beach County - UPS

WHEN DID YOU LAST EAT? 7:00pm WHAT DID YOU EAT? Sushi

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Sitting at friends house

HOW MUCH DO YOU WEIGH? 140 HAVE YOU BEEN DRINKING? Yes WHAT? Rose

HOW MUCH? 2 Glasses WHERE? Boynton Beach WITH WHOM? Girlfriend - her husband

WHEN DID YOU HAVE YOUR FIRST DRINK? 8-9pm AND YOUR LAST DRINK? 10pm

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Drunk

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? Yes ARE YOU UNDER THE INFLUENCE? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? No HOW MUCH? -

WHAT? - WHERE? - WHEN? -

WHAT LINE OF WORK ARE YOU IN? Restaurant WHEN DID YOU LAST WORK? Yesterday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? -

ARE YOU SICK OR INJURED? No WHAT'S WRONG? -

DO YOU LIMP? Yes DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE 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>Possible</u>
	INNER EAR TROUBLE?	<u>Also yes</u>
	DIABETES?	<u>No</u>

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DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? -

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? Yes WHERE? Massachusetts

INTERVIEWER: -

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

# TESTING FACILITY TASK REPORT

(9)

AGENCY: FHP Trp. Fernandez #378  
 SUBJECT: Brodeur, Jenna M. CASE NUMBER: 17-108995  
 DATE: 07-31-17 VIDEO TAPE NUMBER: 63095  
 BEGINNING TIME: 0126hrs ENDING TIME: 0135hrs  
 BREATH TESTS RESULTS: 1) 0128 AM P.M. 2) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M.  
 3) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M. 4) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M.

BREATH OPERATOR: S. O'Neal #6212

MAINTENANCE TECHNICIAN: DIS J. Karlecke #6467

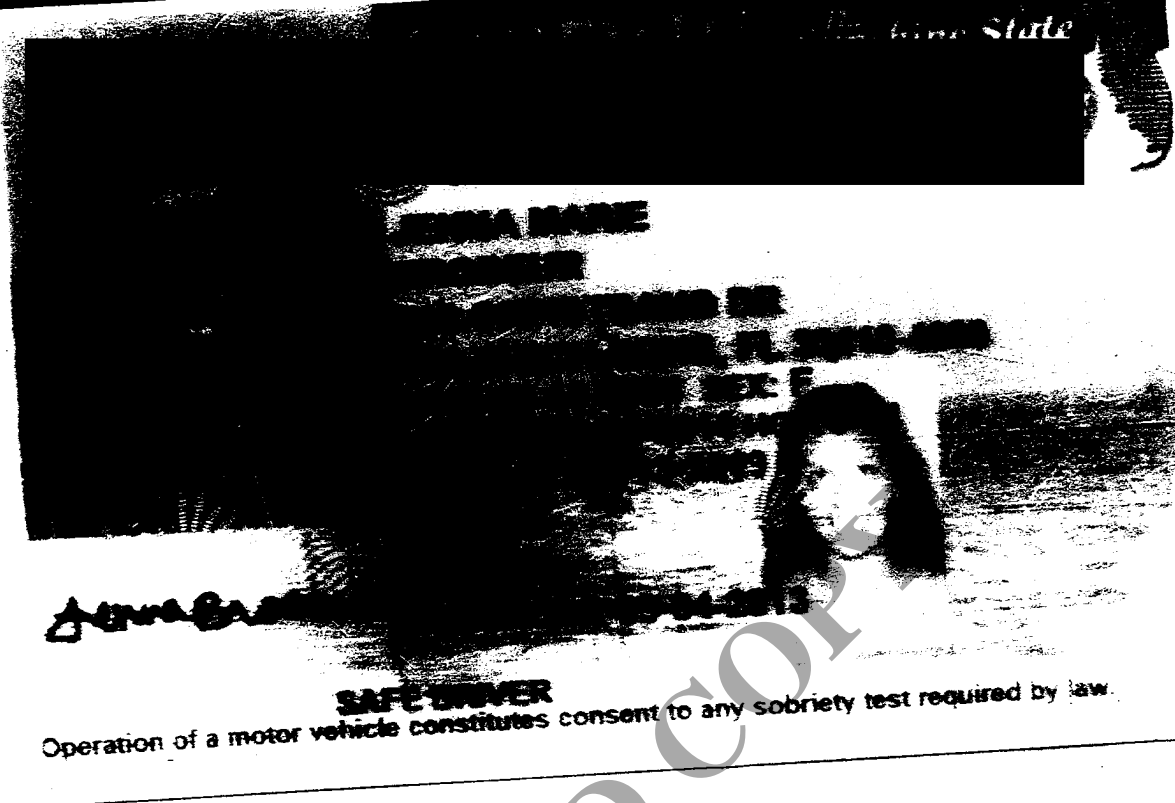
## TESTING OFFICER'S OBSERVATIONS

SPEECH: Slur  
 ATTITUDE: Calm, Quiet, Sarcastic, Snotty, Moodswings  
 CLOTHING: Shirt- Black Pants- Gray Jeans  
 MEDICAL CONDITIONS: Asthma, Allergic to Sulfur  
 MEDICATIONS: Inhaler for Asthma  
 OTHER: Eyes: Bloodshot, Glassy  
Dexterity: Swaying

#3789

COMMENTS: 20 min. observation done by AIO Fernandez  
AIO requested the breath test.  
D refused the request.  
AIO read the implied consent on camera  
D understood the JIC  
D still refused the request.  
AIO read C/W on Camera.  
Q&A conducted.  
D stated on camera she had 2 glasses  
of rose.

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**SAFE DRIVER**  
Operation of a motor vehicle constitutes consent to any sobriety test required by law.

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