

JH0407802

JH2056

FLORIDA HIGHWAY PATROL

REPORT NUMBER
FHP99ARR135301

ARREST REPORT

Report Date / Time 06/23/2017 03:03 AM	Agency Case/Offense Number FHP17OFF049700	OCA Number	Organizing Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD110108
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LOCATION OF OCCURRENCE

County PALM BEACH	Address BELVEDERE RD / MILITARY TRAIL , WEST PALM BEACH,	
Range of Occurrence Date/Time 06/23/2017 02:25 AM to 06/23/2017 03:40 AM	Latitude N 26 40.1750	Longitude W 80 5.5348

PERSON: SUSPECT

First Name KELLY	Middle Name MICHELLE	Last Name DICKERSON	Suffix	Date of Birth 12/23/1992	Age 24	Race W	Sex F	Height 503	Weight 135	Hair BRO	Eyes HAZ
Master Name Index Number	Place of Birth BOYNTON BEACH	Nation USA	SSN	Driver's License or Other ID	State FL	Class or Type E					
Address 7519 OAKMONT DR	City LAKE WORTH	County PALM BEACH	State FL	Zip Code 33467	Phone						

CHARGES

Counts Charge Number ► 1 316.193.1	Charge DUI-UNLAW BLD ALCH	OF
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL

DUI ALCOHOL OR DRUGS

PROBABLE CAUSE

On the above date and time I was in service in Palm Beach County, FL. The weather was clear and traffic was moderate. I was traveling northbound on Military Trail (State Road 809) south of Belvedere Rd. At approximately 02:29 AM Tpr. G. Cleary #1667 conducted a traffic stop on a black in color SUV. The black in color SUV then pulled off into the Walmart parking lot located on the Northeast corner of Belvedere Rd. and Military Trail (State Road 809). Tpr. G. Cleary #1667 then turned over the traffic stop to myself in reference to the driver possibly being impaired. (See Witness Statement / Video). I then came into contact with the white female driver of the black in color SUV who was later identified, through her Florida driver license, as Kelly Michelle Dickerson 12/23/1992. I then advised Ms. Dickerson who I was and the reason I was speaking with her. I observed Ms. Dickerson to be off balance as she was standing outside of her vehicle along with red in color and glossy eyes. As Tpr. G. Cleary #1667 already advised her on the reasoning of the traffic stop I went on to ask Ms. Dickerson where it was she was coming from. Ms. Dickerson then advised me that she was coming from a bar. I could then smell the odor commonly associated with the smell of an unknown alcoholic beverage emitting from her breath as she spoke to me. Ms. Dickerson was then asked how many drinks did she have prior to driving her vehicle. Ms. Dickerson then advised me that she had four (4) mixed drinks and her last one being around 10:00 PM. Ms. Dickerson was then advised that I would now be requesting, with her consent, for her to perform a series of roadside exercises. Ms. Dickerson then advised me that she would perform the exercises that were requested of her. (See Roadside Tasks Sheet / Video).

The area for the following roadside exercises was level and free of debris. Subject agreed to use a solid straight white line provided by the roadway to perform the walk and turn. Subject was then asked if she had any problems with her eyes aside from corrective vision, or injuries that would prevent her from performing any of the exercises that will be requested of her to perform. Subject then advised me that she did not have either eye or physical body injuries or limitations and would be able to perform the exercises.

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

Walk and Turn Exercise:

Interaction Phase:

- Subject had a hard time remaining in starting position. Subject swayed in starting position. Subject would keep speaking over me during instruction. The exercise was demonstrated and explained to the Subject. Subject advised she understood instructions and did not have any questions. Subject was not taking heel to toe steps. Subject used arms for balance. Subject lost balance. Subject did not count out loud as instructed. Subject did not turn around as instructed. Subject advised she gave up on the exercise because she knows she is unbalanced.

One Leg Stand Exercise:

Interaction Phase:

- Subject was swaying while in starting position.
- Subject advised she understood the instructions and did not have any questions. Subject did not count as instructed. Subject swayed throughout exercise. Subject lost count. Subject hopped. Subjects elevated foot touched the ground several times. Subject used arms for balance.

Finger to Nose:

Interaction Phase:

- Subject was swaying while in starting position. This exercise was demonstrated to the subject. Subject advised she will be able to perform the exercise. Subject advised she understood the instructions and did not have any questions. Subject swayed during exercise. Subject missed nose on several attempts.

Romberg Balance:

Interaction Phase:

- Subject was swaying while in starting position. This exercise was demonstrated to the subject. Subject advised she will be able to perform the exercise. Subject advised she understood the instructions and did not have any questions. Subject swayed during exercise. Subject stopped past the 20 sec mark on two separate attempts. Subject advised she was ready to fight.

Based on the totality of circumstances, Ms. Dickerson was placed under arrest for DUI pursuant to Florida Statute 316.193.1 at 02:47 AM. Ms. Dickerson

NR

SCAN

JUN 25 2017

Report Date / Time 06/23/2017 03:03 AM	Agency Case/Offense Number FHPL17OFF049700	OCA Number 1	Originating Agency Case Number 1	OBTS Number 1	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD110108
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was then placed in the back of Tpr. L. Tavares #1555 patrol vehicle and transported to the Palm Beach County Jail in which she arrived at 03:00 AM. After the defendants 20 min. observation she was then asked to provide a sample of her breath in which she refused to provide at approximately 03:26 AM.

Video of the traffic stop, roadside exercises and transport to the Palm Beach County Jail can be obtained through the FHP custodian. Video of the BAT facility can be obtained through the PBSO records department.

LEO BOND

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

COURT APPEARANCE INFORMATION

Court (COUNTY) PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Date & Time 07/24/2017 08:30 AM
Court Address 200 WEST ATLANTIC AVE., DELRAY BEACH, FL 33444		
Instructions		

ARREST INFORMATION

Arrest Date / Time 06/23/2017 02:47 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 BELVEDERE RD / MILITARY TRAIL, WEST PALM BEACH,
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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 1498	Officer Name SAYIH R. A.	Officer Signature 13825
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Subscribed and sworn to (or affirmed) before me this 23 day of June A.D., 2017 by _____ who is personally known to me or

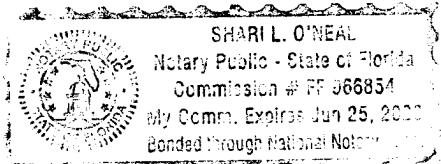
has produced _____ as identification.

S. O'Neal Notary Public LEO CO Commission No: _____ My Commission Expires: _____
Signature

ARREST REPORT

FHP99ARR135301

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SCANNED
JUN 25 2017

NOT A CERTIFICATE



SCANNED

JUN 25 2017

TESTING FACILITY TASK REPORT

3

AGENCY: FHP Trp. Sayih #3822

SUBJECT: Dickerson, Kelly M. CASE NUMBER: 17-093674

DATE: 06-23-17 VIDEO TAPE NUMBER: 62835

BEGINNING TIME: 0324 hrs ENDING TIME: 0327 hrs

BREATH TESTS RESULTS: 1) R TIME 0326 A.M./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 Korlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Calm at first, Agitated, Moodswings, Sarcastic

CLOTHING: Shirt- Multi. /Print Shorts- Blue Jeans No Shoe

MEDICAL CONDITIONS: Allergic to Penicillin

MEDICATIONS: None

OTHER: Eyes: Red & Watery from Crying

Dexterity: Swaying

#3822

COMMENTS: 20 min. observation done by AIO Sayih

AIO requested the breath test.

D refused the breath request.

AIO read the implied consent on camera.

D understood the IIC, D still refused the request.

C/W read on camera.

Q+A started then stopped.

SCANNED

JUN 25 2017

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 TPR. R.A. SAY IT #3822 of the FMP.

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

SCA

JUN 25

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? _____

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: TPR - R.A. SAYIT #3822

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL