

0388711

2017CTM445 PGH#830

Check if Supplement is Attached

1. Arrest  
2. N.T.A.3. Request for Warrant  
4. Request for CapiasJuvenile  

OBTS Number			
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**ARREST / NOTICE TO APPEAR**  
**Juvenile Referral Report**

Agency Report Number (N.T.A.'s only)

3 4 - 1 1 7 - 0 1 4 1 6 1 3 7 1 7 1 (1 1 1)

1. Felony	3. Misdemeanor	5. Ordinance	If Weapon Seized
2. Traffic Felony	4. Traffic Misdemeanor	6. Other	Enter Type

Multiple  
Clearance  
Indicator

ADMINISTRATIVE	Agency ORI Number	Agency Name			Agency Report Number (N.T.A.'s only)						
	FLO 5 0 0 3 0 0	BOYNTON BEACH POLICE DEPARTMENT			3 4 - 1 1 7 - 0 1 4 1 6 1 3 7 1 7 1 (1 1 1)						
DEFENDANT	Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony	<input type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	If Weapon Seized		Multiple Clearance Indicator				
		<input type="checkbox"/> 2. Traffic Felony	<input checked="" type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	Enter Type						
CO-DEF	Location of Arrest (including Name of Business)			Location of Offense (Business Name, Address)							
	302 N Congress Ave, Boynton Beach FL 33426			302 N Congress Ave, Boynton Beach, FL 33426							
JUVENILE	Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle				
	08/12/17	01:36									
CHARGE	Name (Last, First, Middle)	Alias (Name, DOB, Soc. Sec. #, Etc.)									
	Bell, Kimberly, Sue										
CODE	Race W - White B - Black	Sex I - American Indian O - Oriental/Asian	Date of Birth 09.19.69	Height 5'3"	Weight 120	Eye Color BR	Hair Color BR	Complexion Fair	Build Thn		
CHARGE	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status	Religion	Indication of: Alcohol Influence Drug Influence				
					Married	Unk	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Unk		
CHARGE	Local Address (Street, Apt. Number)			(City)	(State)	(Zip)	Phone	Residence Type: 1. City 2. County			
	4765 Purdue Dr			Boynton Beach	FL	33436	(561) 733-8959	3. Florida 4. Out of State			
CHARGE	Permanent Address (Street, Apt. Number)			(City)	(State)	(Zip)	Phone	Address Source Verbal			
							( )				
CHARGE	Business Address (Name, Street)			(City)	(State)	(Zip)	Phone	Occupation Unemployed			
							( )				
CHARGE	D/L Number, State B400517698390	Soc. Sec. Number [REDACTED]	INS Number	Place of Birth (City, State) Akron, Ohio			Citizenship USA				
CHARGE	Co-Defendant (Last, First, Middle)			Race	Sex	Date of Birth	1. Arrested 2. At Large	3. Felony 4. Misdemeanor 5. Juvenile			
CHARGE	Co-Defendant (Last, First, Middle)			Race	Sex	Date of Birth	1. Arrested 2. At Large	3. Felony 4. Misdemeanor 5. Juvenile			
CHARGE	<input type="checkbox"/> Parent	Name (Last)	(First)	(Middle)			Residence Phone ( )				
	<input type="checkbox"/> Legal Custodian										
CHARGE	<input type="checkbox"/> Other										
CHARGE	Address (Street, Apt. Number)			(City)	(State)	(Zip)	Business Phone ( )				
CHARGE	Notified by: (Name)			Date	Time	Juvenile Disposition	2. TOT HRS/DYS 3. Incarcerated				
						1. Handled/Processed within Dept. and Released.					
CHARGE	Released To: (Name)			Relationship			Date	Time			
CHARGE	The above address was provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2528) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No (Reason)					School Attended		Grade			
CHARGE	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property			Value of Property					
CHARGE	Drug Activity N. N/A P. Possess	S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other
CHARGE	Charge Description DUT			Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 3 1 6 1 1 9 3 1 1 1 1 1				Violation of ORD #	
	Drug Activity N	Drug Type N	Amount / Unit N/A	Offense # 17-046377			Warrant / Capias Number				Bond
CHARGE	Charge Description			Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #	
	Drug Activity	Drug Type	Amount / Unit	Offense #			Warrant / Capias Number				Bond
CHARGE	Charge Description			Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #	
	Drug Activity	Drug Type	Amount / Unit	Offense #			Warrant / Capias Number				Bond
CHARGE	Charge Description			Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #	
	Drug Activity	Drug Type	Amount / Unit	Offense #			Warrant / Capias Number				Bond
CHARGE	Charge Description			Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #	
	Drug Activity	Drug Type	Amount / Unit	Offense #			Warrant / Capias Number				Bond
NOTICE TO APPEAR	Location (Court, Room Number, Address) <b>South County Courthouse • 200 W. Atlantic Avenue, Delray Beach, FL 33444</b>										
	Court Date and Time Month Sept Day 11 Year 2017 Time 8:30 A.M. P.M.										
ADMIN	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED										
	<i>K Bell</i> 8/12/17 Bu # 109508										
Signature of Defendant (or Juvenile and Parent/Custodian)											
HOLD for other agency				Signature of Arresting Officer <i>HCQ</i>			Name Verification (Printed by Arrestee) (PRINT)				
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal				Name of Arresting Officer (Print) <i>Off. Sheppan 1#924</i>			I.D. #				
<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other				Transporting Officer <i>Off. Moccia 985 BBPD</i>			Agency				
Intake Deputy <i>CPA Donen 7201a</i>				I.D. # Pouch #							
Witness here if subject signed with an "X"											

## D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 12TH DAY OF August 2017 AT 12:51  A.M.  P.M.

CASE #: 17-46377

DEFENDANT: BELL, KIMBERLY SUE

### **PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:**

On the above date and time I was on routine patrol when I observed a Black in color Mazda bearing FL Tag M432EA sitting in the parking lot of 302 North Congress Ave (Vitamin Shoppe). The vehicle was parked facing West in the parking lot. It should be noted all of the business are closed in this plaza due to it being very early in the morning.

I did make contact with the sole occupant and river of the vehicle identified as W/F Kimberly Bell (D.O.B. 09-19-69) who I identified by her Florida DL. It should be noted Bell was in complete control of the vehicle as the vehicle was on with the keys in the ignition and she was sitting in the driver seat. Upon making contact with Bell I asked her for her Drivers License, she attempted to give me her credit card. Bell was eventually able to give me her Florida Driver License. While speaking with Bell I smelled an odor emanating from her body/facial area which based on my training and experience is known to be the odor of an unknown alcoholic beverage. Bell was slurring her words, her eyes were glassy, and her speech was very thick. As I believed Bell was impaired I asked Bell to step out of the vehicle at which time she complied. I did read Bell her Miranda Warnings at which time she stated she understood. Bell told me she had (3) Beers and was in the area of Boynton Beach Blvd and "Courous Ave".

Bell was asked if she had any previous injuries in her back, hips, or had any recent concussions at which time she stated she received a back injury in 2016. I told bell that I believed she was impaired at which time I asked her if she would submit to a series of field Sobriety Tasks which she agreed to.

### **HORIZONTAL GAZE NYSTAGMUS:**

- Left eye does not follow smoothly
- Left eye prior to 45 degrees
- Distinct jerking in left eye at maximum deviation
- Vertical Nystagmus in left eye

- Right eye does not follow smoothly
- Right eye prior to 45 degrees
- Distinct jerking in right eye at maximum deviation
- Vertical Nystagmus in right eye

### **WALK AND TURN:**

THE TASK WAS DEMONSTRATED AND EXPLAINED TO BELL WHICH SHE STATED SHE UNDERSTOOD. BELL MISSED HEEL TO TOE, DID AN IMPROPER TURN, STUMBLED, USED THE INCORRECT NUMBER OF STEPS.

### **ONE LEG STAND:**

THE TASK WAS DEMONSTRATED AND EXPLAINED TO BELL WHICH SHE STATED SHE UNDERSTOOD. BELL SWAYED WHILE SHE BALANCES, HOPPED, AND PUT HER FOOT DOWN SEVERAL TIMES.

SCANNED

AUG 14 2017

**FINGER TO NOSE:**

THE TASK WAS DEMONSTRATED AND EXPLAINED TO BELL WHICH SHE STATED SHE UNDERSTOOD. BELL DID NOT KEEP HER EYES CLOSED THE ENTIRE TIME, FAILED TO RETURN HER ARMS TO HER SIDES WITHOUT BEING TOLD TO DO SO. USED WRONG HAND ON LAST TWO (RIGHT/LEFT)

**ROMBERG/ALPHABET:**

THE TASK WAS DEMONSTRATED AND EXPLAINED TO BELL WHICH SHE STATED SHE UNDERSTOOD. BELL DID SWAY DURING THE TEST

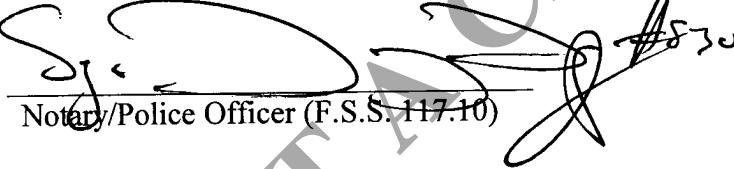
Based on the above facts, Bell was placed into custody under the suspicion of D.U.I.. Bell was placed into handcuffs (D/L, checked for spacing) and placed into the back seat of my patrol vehicle (#4458). I did transport Bell back to BBPD to continue my investigation. I arrived at BBPD at 0148 hrs at which time my twenty minute observation of Bell started at 0155 hrs., and was completed at 0215 hrs. Upon completion I requested Bell to provide a sample of her breath to determine its alcohol content, which she refused. Bell was read implied consent, however she still refused to submit to a test of her breath to determine its alcohol content. Bell was again read her Miranda Warnings at which time she was asked if she wanted to answer any of the questions attached to the packet. Bell did agree to answer questions (see questions for further).

Based on the above stated facts I have established Probable Cause to charge Bell with one count of DUI (Refusal) pursuant to F.S.S. 316.193(1). SFST's were conducted using BWC and breath tech video will be placed into evidence. Bell's vehicle was left properly parked in the parking lot and was not towed. Bell was later TOT to PBCJ.

The following instrument was sworn to before me this

12 day of August 2017

By: OFC A SHEPAUM

  
Notary/Police Officer (F.S.S. 117.10)

  
Signature of Arresting Officer