

0388711

2017CTM945 PCH#830

☐ Check if Supplement is Attached1. Arrest  
2. N.T.A.  
3. Request for Warrant  
4. Request for CapiasJuvenile ☒ NARREST / NOTICE TO APPEAR  
Juvenile Referral Report

ADMINISTRATIVE	OBTS Number		Agency ORI Number FL0500300		Agency Name BOYNTON BEACH POLICE DEPARTMENT		Agency Report Number (N.T.A.'s only) 34117101416137171111	
	Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator	
	Location of Arrest (including Name of Business) 302 N Congress Ave, Boynton Beach, FL 33426				Location of Offense (Business Name, Address) 302 N Congress Ave, Boynton Beach, FL 33426			
	Date of Arrest 08.12.17		Time of Arrest 01.36		Booking Date		Booking Time	
DEFENDANT	Name (Last, First, Middle) Bell, Kimberly, Sue							
	Alias (Name, DOB, Soc. Sec. #, Etc.)							
	Race W - White B - Black		Sex M - Male F - Female		Date of Birth 09.19.69		Height 5'3"	
	Weight 120		Eye Color Br		Hair Color Br		Complexion Fair	
	Build Thin		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status Married		Religion Unk	
	Local Address (Street, Apt. Number) 4765 Purdue Dr		(City) Boynton Beach		(State) FL		(Zip) 33436	
	Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)	
	Business Address (Name, Street)		(City)		(State)		(Zip)	
	D/I Number, State B400517698390		Soc. Sec. Number		INS Number		Place of Birth (City, State) Akron, Ohio	
	Citizenship USA		Co-Defendant (Last, First, Middle)		Race		Sex	
CO-DEF	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile			
	Co-Defendant (Last, First, Middle)		Race		Sex		Date of Birth	
	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile					
	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:		Name (Last)		(First)		(Middle)	
	Address (Street, Apt. Number)		(City)		(State)		(Zip)	
	Notified by: (Name)		Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released. 2. TOT HRS/DYS 3. Incarcerated	
	Released To: (Name)		Relationship		Date		Time	
	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 355-2520) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No (Reason)		School Attended		Grade			
	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 Description DUI		Counts 1		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number 3116119311111111		
Violation of ORD #		Warrant / Capias Number		Bond				
Drug Activity N		Drug Type N		Amount / Unit N/A		Offense # 17-046377		
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		
Violation of ORD #		Warrant / Capias Number		Bond				
Drug Activity		Drug Type		Amount / Unit		Offense #		
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		
NOTICE TO APPEAR	Violation of ORD #		Warrant / Capias Number		Bond			
	Drug Activity		Drug Type		Amount / Unit		Offense #	
	Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number	
	Violation of ORD #		Warrant / Capias Number		Bond			
	Drug Activity		Drug Type		Amount / Unit		Offense #	
	Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number	
	Violation of ORD #		Warrant / Capias Number		Bond			
	Drug Activity		Drug Type		Amount / Unit		Offense #	
	Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number	
	Violation of ORD #		Warrant / Capias Number		Bond			
ADMIN	Location (Court, Room Number, Address) South County Courthouse • 200 W. Atlantic Avenue, Delray Beach, FL 33444							
	Court Date and Time Month Sept Day 11 Year 2017 Time 8:30 A.M. P.M.							
	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							
	Signature of Defendant (or Juvenile and Parent/Custodian) K Bell				Date Signed 8/12/17 Bu # 109508			
ADMIN	HOLD for other agency		Signature of Arresting Officer X #24		Name Verification (Printed by Arrestee) AUG 12 AM 5:15			
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) Off. Shepard #17024		I.D. #	
	Intake Deputy Cpl. Monter #7202		I.D. #		Pouch #		Transporting Officer Off. Moccia #85 BPPD	
	I.D. #		Pouch #		Agency		Witness here if subject signed with an "X"	

MOCCIA

## 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 driver 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 "Coureus 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

SCANNED  
AUG 14 2017