



FLORIDA HIGHWAY PATROL

0418147

990

REPORT NUMBER
FHP99ARR074513

ARREST REPORT

Report Date / Time 12/16/2017 05:46 AM	Agency Case/Offense Number FHPK17OFF094296	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD232229
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LOCATION OF OCCURRENCE

County PALM BEACH	Address FLORIDA'S TPKE NB , LAKE WORTH, FL 33467	Latitude N 26 34.3770	Longitude W 80 10.3960
Range of Occurrence Date/Time 12/16/2017 05:03 AM to 12/16/2017 05:03 AM			

PERSON: SUSPECT

First Name NICHELLE	Middle Name LYNN	Last Name KENNEY	Suffix	Date of Birth 10/21/1990	Age 27	Race W	Sex F	Height 506	Weight 145	Hair BLN	Eyes BLU
Master Name Index Number	Place of Birth FLORIDA	Nation USA	SSN	Driver's License or Other ID K500632908810	State FL	Class or Type					
Address 12266 SW 161ST ST APT 105		City MIAMI	County DADE	State FL	Zip Code 33186	Phone					

CHARGES

Counts 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH			Bond Amount \$0.00
Charge Degree	Charge Level MISDEMEANOR	General Offense Code ATTEMPT	<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence	

PROBABLE CAUSE

I, TPR M.A. Capo #919, responded to reports of a vehicle driving southbound in the northbound lanes of SR-91 (Florida Turnpike) a from the 90mm. Upon my arrival I met with Sergeant J. Zehler from the Broward Sheriff's Office. He advised me that he stopped the vehicle driven by, Nichelle Lynn Kenney DOB 10-21-1990 FL DL: K500632908810, after it almost collided with his marked patrol car. SGT Zehler advised gave me the keys and stated that Ms Kenney was in actual physical control of the vehicle. I spoke to Ms Kenney and could smell an odor of an unknown alcoholic beverage coming from her person that became strong when she spoke. I observed that Ms Kenney's eyes were glassy and she had urinated her pants in the vehicle. Ms Kenney stated to TPR J. Petrofsky #1513 that she was in Davie County. When I asked Ms Kenney to step out of the vehicle to perform field sobriety tasks she asked me twice if I was going to arrest her.

The first task was the Horizontal Gaze Nystagmus (HGN). I explained the task and Ms Kenney stated she understood the instructions. Ms Kenney's eyes lacked smooth pursuit. They also had distinct and sustained nystagmus at maximum deviation and had onset of nystagmus prior to 45 degrees.

The second task was the walk and turn. I explained and demonstrated the task and Ms Kenney stated that she understood instructions. The first set of 9 steps Ms Kenney took she counted 24 steps before turning around, on the return she counted up to 15 then she lost track of the steps.

The third and final task was the one leg stand. I explained and demonstrated the task and Ms Kenney stated that she understood the instructions. When Ms Kenney began she bent her knee back 90 degrees and put her foot down multiple times.

Ms Kenney was placed under arrest for DUI, handcuffs were checked for fit and double locked, and placed in my marked patrol car and transported to the Palm Beach County Jail without incident.

DEC 16 AM 8:58

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 (COUNTY) PALM BEACH NORTH COUNTY COURTHOUSE	Court Phone 561-624-6608	Court Date & Time 01/10/2018 10:00 AM
Court Address 3188 PGA BLVD., PALM BEACH GARDENS, FL 33410		
Instructions		

ARREST INFORMATION

Arrest Date / Time 12/16/2017 05:42 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 FLORIDA'S TPKE NB , LAKE WORTH, FL 33467
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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 919	Officer Name M.A. CAPO	Officer Signature
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SCANNED
DEC 17 2017

Subscribed and sworn to (or affirmed) before me this 16 day of DECEMBER A.D., 2017 by CAPO who is personally known to me or has produced _____ as identification.

Signature Notary Public LEO CO Commission No: _____ My Commission Expires: _____

 Samantha Palmer
Commission # FF172377
Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLC

NOT A CERTIFIED COPY

SCANNED
DEC 17 2017

TESTING FACILITY TASK REPORT

AGENCY: FHP/CAPO

SUBJECT: KENNEY, NICHELLE

CASE NUMBER: 17-164128

DATE: Dec 16, 2017

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0646

ENDING TIME: 0655

BREATH TESTS RESULTS: 1) R TIME 0653 A.M. P.M. 2) XX TIME XX A.M. P.M.
3) XX TIME XX A.M. P.M. 4) XX TIME XX A.M. P.M.

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICIAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SOFT, MUMBLED

ATTITUDE: CALM, QUIET, DOZING OFF

CLOTHING: JEAN JACKET, BLACK SHIRT, RED VELVET LEGGINGS, WHITE SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY AND BLOODSHOT, UNSTEADY ON HER FEET, SWAYING, ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0624
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ AND EXPLAINED I/C
SUBJECT STATED SHE UNDERSTOOD, BUT DID NOT KNOW WHAT TO DO
AFTER ASKING SEVERAL TIMES A/O CALLED REFUSAL @ 0653
A/O READ RIGHTS
SUBJECT STATED SHE UNDERSTOOD HER RIGHTS
AND REFUSED QUESTIONING WITHOUT COUNSEL

SCANNED
DEC 17 2017

SUBJECT: _____ 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 Tyrone 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.

SUSPECT'S SIGNATURE: (X) _____ **SCANNED**

DEC 17 2017

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

SUBJECT: _____ CASE NUMBER: 111 K170FF 0142 16

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: Tpr. Capco 11919

SCANNED
DEC 17 2017