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Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
1300 MARCINSKI ROAD  
JUPITER, FL. 33477

Report Date / Time 3/28/2021 09:58 PM	Report Number C-1866AB	Case Number/Cad Number FWCS21OFF008114 / FWCS21CAD018089	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 03/28/2021 19:34:16 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description ICW NORTH OF RYBOVICH MARINA
Street Number S FLAGLER DR	Street	Apt/Lot/Bldg FWC
City WEST PALM BEACH IN	State FL	Zip Code

Defendant

First Name JUSTIN	Middle Name KEVIN	Last Name KNOBEL	Suffix	Race WHITE	Sex MALE	Height 5'07"	Weight 135	Hair BROWN	Eyes BROWN
MNI #	SSN	Date of Birth 05/08/1996	Age 24	ID Type E	Drivers License or other ID K514431961680	State FL	OCA / Agency ID		
Place of Birth:	MERRIT ISLAND FL USA								
Address	* RESIDENCE / 11339 HAWK HOLLOW , LAKE WORTH, FL 33449 / 561-797-6131								

Arrest

Arrest Date/Time 3/28/2021 7:55:16 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description ICW NORTH OF RYBOVICH MARINA
Street Number S FLAGLER DR	Street	Apt/Lot/Bldg FWC
County PALM BEACH	City WEST PALM BEACH IN	State FL
Zip Code		

Charge : STATE STATUTE

Counts 1	Charge 327.38(1)(a)	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree SECOND DEGREE	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED			
Bond Set by Officer			
Bond Amount	<input type="checkbox"/> No Bond		
Bond Type(s)			

Probable Cause

I. WHAT:	Boating Under the Influence	
II. WHEN:	Sunday, March 28, 2021 approximately 1940 hours	MAR 28 04:21:47
III. WHERE:	Palm Beach County, ICW north of Rybovich Marina	

Arrest Report

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Dunn 6/20

J# 0508560

PH 2667

SCANNED  
MAR 29 2021

FILED  
MAR 29 AM 7:10  
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Report Date / Time 3/28/2021 09:56 PM	Report Number C-1866AB	Case Number/Cad Number FWCS21OFF008114 / FWCS21CAD015089	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 03/28/2021 19:34:16 -	Jurisdiction	Clearance

IV. WHO: JUSTIN KEVIN KNOBEL  
FL DL K514431961680

V. Other information Relating to BUI  
Gray 2020 27 ft Sea Hunt FL7351SS twin Yamaha 250 outboards

VI. DETAILS OF BUI

A. Phase 1 – Initial Observation of vessel in operation

On Sunday, March 28, 2021 at approximately 1940 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, along with FWC Officers B. Partelow and M. Rea, were on marked vessel patrol in the vicinity of Rybovich Marina in the ICW. A gray in color center console was observed northbound on plane, in violation of the posted Slow Speed Manatee Zone. A vessel stop was initiated to address the violation.

B. Phase 2 – Personal Contact with operator of vessel

I made contact with the vessel operator, identified by Florida Driver's License as JUSTIN K KNOBEL, and detected the strong odor of an alcoholic beverage emitting from his breath. KNOBEL had difficulty retrieving his driver's license from his wallet, and was unable to produce the vessel's registration. The vessel's registration numbers were improperly displayed on a temporary plate at the helm. The vessel's registration decal was not displayed. When asked how many drinks he had consumed, KNOBEL stated 3 drinks. While speaking with KNOBEL, I detected slurred speech and that his eyes were bloodshot and glassy. Based on my observations, I asked KNOBEL to board my patrol vessel to complete Seated Field Sobriety Tasks, and he agreed to do so.

Phase 3- Pre-arrest screening and Observations of Operator

HORIZONTAL GAZE NYSTAGMUS (HGN): During HGN, KNOBEL displayed a lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and an onset of nystagmus prior to 45 degrees in both eyes.

FINGER TO NOSE (FTN): During FTN, Instruction Stage, KNOBEL began the task before being told to do so and did not remain in the demonstrated position. During FTN, Performance Stage, KNOBEL opened his eyes during the task and had to be instructed to keep them closed. On the first left, KNOBEL hesitated prior to making contact. On the first right, KNOBEL made contact with the pad of the finger. On the second right, KNOBEL missed the tip of the nose (made contact with underside of nose. On the third right, KNOBEL searched for the tip of the nose.

PALM PAT (PP): During PP, Instruction Stage, KNOBEL did not remain in the demonstrated position. During the Performance Stage, KNOBEL had several chopped pats, double pats, and had improper pats by opening and closing his hands like a book.

HAND COORDINATION (HC): During HC, Performance Stage, Task 3, KNOBEL counted "five" but did not move his fists as instructed. KNOBEL only moved his fists 3 times (should be 4). KNOBEL returned his right fist to his chest. On Task 4, KNOBEL finished with his palms facing up, despite being instructed to finish with his palms down.

Arrest of Operator

At 1955 hours, I placed KNOBEL under arrest for suspicion of BUI. At the Palm Beach County Jail, Main Detention Center, at 2155 hours, KNOBEL refused to provide a breath sample after being read Implied Consent.

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Report Date / Time 3/28/2021 09:56 PM	Report Number C-1866AB	Case Number/Cad Number FWCS21OFF008114 / FWCS21CAD018089	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 03/28/2021 19:34:16 -	Jurisdiction	Clearance

I charged KNOBEL with the following violations:

F.S. 327.35(1)(a) – BUI normal faculties impaired  
F.S. 327.35215 – Refusal to provide sample of breath, urine, or blood

Written Warnings were issued for violation of the Slow Speed Manatee Zone, no boater safety card, no registration on board, improper display of registration, and improper display of registration decal.

C. Disposition of Operator and vessel  
KNOBEL was transported to the Palm Beach County Jail, Main Detention Center, arriving at approximately 2110 hours. The vessel was turned over to JACOB D HEISER (3/24/1999) at the request of the vessel's owner.

**Jail Booking Facility**

Booking Date/Time 3/28/2021 10:08 PM	Booking County PALM BEACH	Booking Facility MAIN DETENTION CENTER	Booking Facility Phone (561) 998-1699
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406-3001		Booking Number	
Booking Comments			

**Court**

Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court PALM BEACH COUNTY COURT AT GUN CLUB	Court Phone	Court Appearance Date / Time 04/28/2021 1:30 PM	Court Fine
Comments			

Officer Name Rank / ID # BRODBECK, JAMES J OFFICER	WN957	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWCSISO REGION A/PALM BEACH
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The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

**Reporting Officer**

Officer Name BRODBECK, JAMES J	Office Rank OFFICER	Officer ID No WN957	Sworn and subscribed before me, the undersigned authority This the <u>28</u> day of <u>MARCH</u> , 20 <u>21</u>
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Signature <i>[Signature]</i>			Notary Public State of Florida Thomas H Leahy My Commission G# 347108 Expires 08/20/2023

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MAR 29 2021

Report Date / Time 3/28/2021 09:58 PM	Report Number C-1866AB	Case Number/Cad Number FWCS21OFF006114 / FWCS21CAD016089	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 03/28/2021 19:34:16 -	Jurisdiction	Clearance
<input type="radio"/> No Bill / Petition <input type="radio"/> Issue Warrant <input type="radio"/> Prosecution Approved			
Signature of Assistant State Attorney			Date

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MAR 28 2021

**COURT RECORD**

Case No.: \_\_\_\_\_ Hearing Docket No.: \_\_\_\_\_ Page No.: \_\_\_\_\_

DATE	<u>Court Action and Other Orders</u>
	<input type="checkbox"/> Payment of \$500.00 received; or <input type="checkbox"/> Hearing requested
	Continuance to: _____ Reason: _____
	Continuance to: _____ Reason: _____
	Other: _____
	\$500.00 civil penalty is: Sustained <input type="checkbox"/> Dismissed <input type="checkbox"/>

**JUDGEMENT and ORDER**

After hearing the evidence presented in this manner and duly considering the same, the court finds that the Defendant, \_\_\_\_\_, did unlawfully refuse to submit to chemical testing of his/her blood, breath, or urine, in violation of section 327.35215, Florida Statutes. The \$500.00 civil penalty is sustained.

IT IS, THEREFORE, the Judgment and Order of this Court that you, the Defendant, pay a civil penalty of \$500.00 within \_\_\_\_\_ days and that you refrain from operating any vessel upon the waters of this state until the \$500.00 civil penalty is paid in full.

DONE, ADJUDGED, and ORDERED in open Court at \_\_\_\_\_  
Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D.

Judge: \_\_\_\_\_

Testimony, Judge's Notes, or other Court Orders: \_\_\_\_\_

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MAR 29 2021



**FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
DIVISION OF LAW ENFORCEMENT**



**FLORIDA BUI/DUI  
IMPLIED CONSENT WARNING**

DEFENDANT'S NAME: Knobel, Justin Kevin CASE NO.: FWCS210FF008114

**READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING**

You are under arrest for operating a vessel or vehicle while under the influence of alcoholic beverages or chemical or controlled substance.

I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content. Will you submit to a **BREATH** test?

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. Will you submit to a **URINE** test?

I am now requesting that you submit to a lawful test of your **BLOOD** for the purpose of determining its alcohol content and the presence of chemical or controlled substances. Will you submit to a **BLOOD** test?

**IF THE SUBJECT REFUSES TO SUBMIT TO TESTING, READ ONE OF THE FOLLOWING:**

I am ofc BRODBECK of the FWC  
(Officer's Name) (Agency)

**VESSEL**

If you fail to submit to the test I have requested of you, it will result in a civil penalty of \$500.00. Additionally, if you refuse to submit to the test I have requested of you and have previously been fined for 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.

Will you submit to the test?  YES  NO

**VEHICLE**

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 privileges have been previously suspended for 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.

Will you submit to the test?  YES  NO

03/28/21 2133 [Signature]  
DATE TIME DEFENDANT'S SIGNATURE  
JAMES BRODBECK [Signature] M57  
OFFICER'S NAME (PRINTED) OFFICER'S SIGNATURE

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MAR 29 2021

# TESTING FACILITY TASK REPORT

AGENCY: FWC

SUBJECT: KNOBEL, JUSTIN KEVIN

CASE NUMBER: 21049706

DATE: 03/28/2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 2131

ENDING TIME: 2143

BREATH TESTS RESULTS: 1) Refused TIME 2133 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. Owen #3184

MAINTENANCE TECHNICAN: J. Karlecke #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: POLITE, CO-OPERATIVE,

CLOTHING: FLIP FLOPS, GREY SWEAT PANTA, BUE T-SHIRT

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

## COMMENTS:

A/O AND DEFENDANT ARRIVED AT 2110 HOURS. A/O OBSERVED FOR 20 MINUTES. A/O REQUESTED BREATH TEST, DEFENDANT WASN'T SURE. A/O READ I/C FOR BUI, DEFENDANT UNDERSTOOD, AND REFUSED. A/O READ C/W FOR BUI BUT UNDERSTOOD RIGHTS, DEFENDANT ANSWERED Q & A. SAID HE HAD NOT BEEN DRINKING.

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PALM BEACH COUNTY SHERIFF'S OFFICE  
 DUI TESTING FACILITY  
 INFORMATION SHEET

PBSO CASE # 21049706 PBSO ZONE 3-21

AGENCY CASE # FWCS21OFF008114 CRASH CASE # \_\_\_\_\_

TIME OF STOP/CRASH 1940 DATE 3/28/21 DAY SUNDAY

SUBJECT'S NAME JUSTIN K. KNOBEL RACE W SEX M

HGT 5'7" WGT 135 DOB 5/8/96

LOCATION ICW NORTH OF RYBOVICH MARINA

ARRESTING OFFICER'S NAME & ID JAMES BRODBECK N957 AGENCY FWC

DIVISION: SOUTH A

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 2110

Arrest Time 1955

BREATH RESULTS:

1. **REFUSED**
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

TESTING OFFICER'S ID 3184

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 MAR 29 2021



**STATE OF FLORIDA  
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
DIVISION OF LAW ENFORCEMENT  
REFUSAL TO SUBMIT TO BREATH, URINE OR BLOOD TESTING**

In the County Court of the Judicial Circuit in and  
for PALM BEACH County, Florida

STATE OF FLORIDA  
(PLANTIFF)  
V.  
KNOBEL, JUSTIN KEVIN  
DEFENDANT

Uniform Boating Citation Number  
V654369

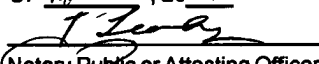
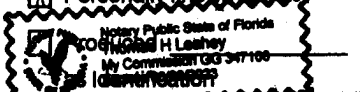
**AFFIDAVIT**

I, BRODBECK, JAMES J, a law enforcement officer, who having been duly sworn, certify and state the following:

1. That on Sunday, March 28, 2021 at 10:23 pm probable cause existed to arrest the above named Defendant for a violation of section 327.35, Florida Statutes, as set forth in the attached narrative which is incorporated by references as if set forth fully herein.
2. That on that date and time:  
 The Defendant was under lawful arrest for an offense committed while the Defendant was operating a vessel while under the influence of alcoholic beverages, chemical substances, and the Defendant was requested to submit to a  breath test,  urine test, or  both a breath and a urine test;  
or  
 The Defendant had appeared for treatment at a hospital, clinic, or other medical facility, the administration of a breath or urine test was impractical or impossible, and the Defendant was requested to submit to a blood test.
3. The Defendant was advised of both the penalties for a failure to submit to the blood, breath or urine test and the procedure for requesting a hearing.
4. The Defendant refused to submit to the  blood,  breath, or  urine test(s).

**FURTHER AFFIANT SAYETH NOT.**

      WN957  
Officer's Signature      ID Number  
Florida Fish and Wildlife Conservation Commission

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 28 DAY  
OF MARCH, 20 21  
  
Notary Public or Attesting Officer  
 Personally known to me  


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MAR 29 2021



**Palm Beach County Sheriff's Office – Arrests Only**

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021007486	Date: 03/29/2021
	Specialist Name/ID: T Howard/7185