



Arrest Report

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

2022 NM 2648 AMB
0530 640

1373

Report Date / Time 4/4/2022 12:06 AM	Report Number C-1212AB	Case Number/Cad Number FWC22ON0026942 / FWCS22IN0013241	Reporting Officer Name KOGER, AARON
Originating Agency ORI FL0508000	Occur Date Time Range 04/03/2022 22:46:52 -	Jurisdiction	
OBTS Number	Other Number	Clearance	

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description BRIDGE BLUE HERON BLVD ICW			
Street Number	Street E BLUE HERON BLVD	Apt/Lot/Bldg FWC	City WEST PALM BEACH	State FL	Zip Code 33404

Defendant

First Name SCOTT	Middle Name LEE	Last Name CAMPBELL	Suffix	Race WHITE	Sex MALE	Height 511	Weight 200	Hair Gray	Eyes Hazel
MNI #	SSN	Date of Birth 06/10/1970	Age 51	ID Type E	Drivers License or other ID C514792702100	State FL	OCA / Agency ID		
Place of Birth: ST PAUL MN									
Address * / 2650 LAKE SHORE DR UNIT 2406 , RIVIERA BEACH, FL 33404 /									

Arrest

Arrest Date/Time 4/3/2022 11:19:59 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description ICW / BLUE HERON BRIDGE				
Street Number	Street E BLUE HERON BLVD	Apt/Lot/Bldg FWC	County PALM BEACH	City WEST PALM BEACH	State FL	Zip Code 33404

Charge : STATE STATUTE

Counts 1	Charge 327.35(1)(a)	Bond Amount \$0.00	☐ No Bond
Charge Degree SECOND DEGREE		Charge Level MISDEMEANOR	
General Offense Code		Arrest Offense Code DUI-UNLAW BLD ALCH	
Charge Description OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED			
Bond Set by Officer			
Bond Amount		☐ No Bond	
Bond Type(s)			

Probable Cause

Arrest Report

Bonville 18342

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SCANNED
APR 04 2022

Report Date / Time 4/4/2022 12:06 AM	Report Number C-1212AB	Case Number/Cad Number FWC22ON0026942 / FWCS22IN0013241	Reporting Officer Name KOGER, AARON
Originating Agency ORI FL0508000	Occur Date Time Range 04/03/2022 22:46:52 -	Jurisdiction	
OBTS Number	Other Number	Clearance	

- I. WHAT: BUI While normal faculties impaired
- II. WHEN: 4/3/2022 at approximately 1047 hours
- III. WHERE: Intracoastal Waterway near Blue Heron Bridge, Palm Beach County
- IV. WHO: SCOTT LEE CAMPBELL, C514792702100, 06/10/1970
- V. OTHER INFORMATION RELATED: VESSEL FL8540NN
- VI. DETAILS OF BUI

A. PHASE 1 – INITIAL OBSERVATION OF VESSEL IN MOTION

On April 3, 2022, at approximately 1047 hours, I, Officer Aaron Koger of the Florida Fish and Wildlife Conservation Commission (FWC) was performing state water patrol with Officer D. Morgan, also of the FWC, upon the waters of the Intracoastal Waterway near the Blue Heron bridge, in Palm Beach County. I observed a vessel operating in the area with large number of individuals aboard and initiated a vessel stop to conduct a safety equipment check to ensure proper quantity of United States Coast Guard (USCG) required quantity personal flotation devices were aboard and accessible.

During our patrol vessel's approach to the vessel in motion, later identified by valid FL registration FL8540NN, I observed the individual later identified by valid FL DL# C514792702100 to be Scott Campbell standing behind the helm and operating the steering wheel and throttle controls to operate the vessel.

B. PHASE 2 – PERSONAL CONTACT WITH OPERATOR OF VESSEL

I identified myself as an FWC Officer and stated our intent to conduct a vessel safety inspection and requested the vessel's paper registration. Campbell stated that he did not have the vessel registration and made no attempt to look for it aboard, but remained motionless at the helm, bracing the steering wheel. I then observed several bottles and cans in plain view around the interior of the vessel and could smell a strong odor of an unknown alcoholic beverage emanating from the boat.

I requested to see the vessel's safety equipment including a lifejacket for each person aboard, a type IV

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throwable, a fire extinguisher, and a sound producing device. Campbell then moved around the vessel to locate the lifejackets and I observed him steady himself several times as he moved. I observed Campbell have difficulty pulling the zipper open with his fingers on the bag that his lifejackets were stored in. When I inspected Campbell's fire extinguishers, I was able to identify that there was the odor of unknown alcoholic beverage emanating from his breath and saw that his eyes were glassy and bloodshot. During the safety inspection I had to remind Campbell to display a sound producing device.

I then addressed the signs of impairment that I observed and asked Campbell if he had anything to drink tonight. Campbell said, "Yeah, a couple drinks all day." I then asked how long ago his last drink was. Campbell then stated an hour and a half ago to two hours ago. I then asked if Campbell would be willing for to come aboard our patrol vessel for me to look at his eyes and he agreed.

Campbell was then placed into a lifejacket and assisted in boarding our patrol vessel to conduct Standardized Field Sobriety Tasks (SFSTs). At this time, with Campbell separated from the other individuals aboard his vessel and open containers, I was able to specifically smell the strong odor of an unknown alcoholic beverage upon his breath from a conversational distance.

C. PHASE 3 – PRE-ARREST SCREENING AND OBSERVATION OF OPERATOR

Standardized Field Sobriety Tasks (SFST)

Pre task Questions:

Subject stated he had no physical defects or disabilities that would interfere with seated SFSTs.

Subject stated he had no defects with his eyes.

Subject stated he was not sick or injured.

Subject stated he is not under the care of a doctor or dentist.

Subject stated he is not on any medication or drugs.

Horizontal Gaze Nystagmus:

Subject was not wearing glasses.

Subject stated he was not wearing contact lenses.

Subject stated he understood the instructions.

Subject was told to follow the stimulus without moving his head and had to be reminded.

Subject showed Lack of Smooth Pursuit in left and right eye.

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Subject showed Distinct and Sustained Nystagmus at Maximum Deviation in left and right eye.
Subject showed Onset of Nystagmus Prior to 45 Degrees in left and right eye.
Subject did not show Vertical Nystagmus in either eye.

After observing six clues while checking for nystagmus, I then requested to continue performing SFSTs and Campbell agree to continue. Campbell explained that he was nervous, and I explained my concern that he was boating while under the influence. I asked again when he last had a drink and he stated about an hour and a half ago, but that he admittedly didn't even know what time it currently was.

Finger to Nose:

Instruction Stage:

Subject was unable to follow instructions.
Subject started at wrong time during instructions.
Subject stated he understood the instructions.

Performance Stage:

First Left: did not bring hand down without being told
First Right: not fingertip, missed tip of the nose
Second Left: not fingertip
Second Right: not fingertip, missed the tip of the nose
Third Right: not fingertip
Third Left: not fingertip

Palm Pat:

Instruction Stage:

Subject required instructions to be repeated.
Subject stated he understood the instructions.

Performance Stage:

Subject rolled hands.
Subject chopped pat.
Subject did not increase speed without being told.
Subject rotated hands.

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SCANNED
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Subject stopped before being told.

Hand Coordination:

Instruction Stage:

Subject required instructions to be repeated multiple times.

Subject stated he understood the instructions.

Subject was unable to follow instructions and started at the wrong time.

Performance Stage:

Task 1: Subject performed.

Task 2: Improper count, Improper return, Counted out loud

Task 3: Improper count, improper touch

Task 4: Subject performed.

D. ARREST OF OPERATOR

Based upon the vessel in motion, personal contact and observations with the operator, Standardized Field Sobriety Tasks, and the totality of the circumstances, I placed Campbell under arrest for Boating Under the Influence.

E. DISPOSITION OF OPERATOR AND VESSEL

The vessel and its occupants were hip towed by our patrol vessel safely to their dock north of the Blue Heron bridge and west side of the Intracoastal Waterway and released on scene of their own recognizance.

Campbell was then transported to the Palm Beach County Jail in my patrol vehicle from the Phil Foster Park. At the Palm Beach County Jail on Gun Club Rd Campbell was given a twenty-minute observation period and explained Implied Consent to a breath test. Campbell stated he understood that an additional citation of \$500.00 would be issued and that his refusal could be used against him in court. Campbell confirmed his refusal at 0128 hours.

Campbell was booked into the Palm Beach County Jail under the following charge:

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F.S. 327.35(1)(a) – OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED.

Campbell was additionally issued two noncriminal citations for his refusal to submit to a breath test and not having the vessel registration aboard.

FWC Body Camera footage was obtained during this encounter.

As of this writing, this concludes my involvement of the situation, thus far.

Jail Booking Facility

Booking Date/Time 4/4/2022 12:55 AM	Booking County PALM BEACH	Booking Facility MAIN DETENTION CENTER	Booking Facility Phone (561) 996-1699
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 Apr 21 0830	Court Fine
Comments			

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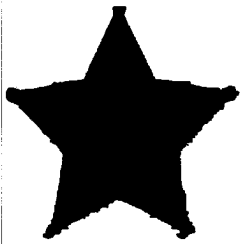
The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name KOGER, AARON	Office Rank OFFICER	Officer ID No WP340	Sworn and subscribed before me, the undersigned authority This the <u>4th</u> day of <u>April</u> , <u>2022</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT D/S Palmer #24520
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature			

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☐ No Bill / Petition ☐ Issue Warrant ☐ Prosecution Approved			
Signature of Assistant State Attorney			Date

NOT A CERTIFIED COPY



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

PBSO CASE # 22053112 PBSO ZONE 3-14

AGENCY CASE # FWC 22010026942 CRASH CASE # _____

TIME OF STOP/CRASH 2242 hrs DATE 4/3/2022 DAY Sunday

SUBJECT'S NAME SCOTT LEE CAMPBELL RACE W SEX M

HGT 5'11" WGT 175 DOB 6-10-1970

LOCATION ICW @ Blue Heron Bridge

ARRESTING OFFICER'S NAME & ID ARON KOGER P340 AGENCY FWC

DIVISION: Marine

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 0101 (4/4/22)

BREATH RESULTS: Arrest Time 11:19 PM (4/3/22)

1. _____
2. _____
3. _____
4. _____

TESTING OFFICER'S ID 24520

REFUSED
NOT A CERTIFIED COPY

SCANNED
APR 04 2022

SUBJECT: Scott Campbell 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 _____ 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) NOT READ

SCANNED
APR 04 2022

SUBJECT: Scott Campbell CASE NUMBER: _____

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: OFC. KOGER

SCANNED
APR 04 2022



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT



FLORIDA BUI/DUI
IMPLIED CONSENT WARNING

DEFENDANT'S NAME: SCOTT LEE CAMPBELL CASE NO.: FWC220N0026942

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 AARON KOGER P340 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

4/4/22

DATE

1:28

TIME

AARON KOGER

OFFICER'S NAME (PRINTED)

[Signature]

DEFENDANT'S SIGNATURE

Aaron Koger P340
OFFICER'S SIGNATURE



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
(PLAINTIFF)

Uniform Boating Citation No.

V682027/V682028/V682029

SCOTT LEE CAMPBELL FL DL#
DEFENDANT C514792702100

AFFIDAVIT

1. AARON KOGER P340, a law enforcement officer, who having been duly sworn, certify and state the following:

1: That on MONDAY, APRIL 4, 2022 at 1:28 ☒ AM ☐ 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 that 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, or controlled 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.

Aaron Koger P340
Officer's Signature ID No

FWC
Law Enforcement Agency

1300 MARCINSKI RD.
Mailing Address

JUPITER FL 33477
City State Zip Code

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 4th DAY

OF April, 2022

[Signature]
Notary Public or Attesting Officer

☒ Personally known to me
☐ Produced _____
as Identification

TESTING FACILITY TASK REPORT

AGENCY: FWC/KOGER

SUBJECT: CAMPBELL, SCOTT

CASE NUMBER: 22053112

DATE: Apr 4, 2022

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0127

ENDING TIME: 0129

BREATH TESTS RESULTS: 1) R TIME 0128 A.M. ☒ P.M. ☐ 2) N/A TIME N/A A.M. ☐ P.M. ☐
3) N/A TIME N/A A.M. ☐ P.M. ☐ 4) N/A TIME N/A A.M. ☐ P.M. ☐

BREATH OPERATOR: S.PALMER #24520

MAINTENANCE TECHNICIAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR

ATTITUDE: CALM, QUIET

CLOTHING: WHITE SHIRT, WHITE SHORTS, FLIP FLOPS

MEDICAL CONDITIONS: HIGH BLOOD PRESSURE

MEDICATIONS: BENACAR

OTHER:

EYES: BLOODSHOT

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 0101 HRS.

SUBJECT: REFUSED TO TAKE TEST

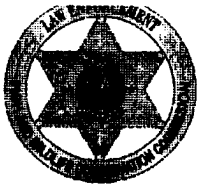
A/O: READ I/C TWO TIMES

SUBJECT: STATED HE UNDERSTOOD I/C AND AGAIN REFUSED TO TAKE BREAT TEST

A/O: CALLED REFUSAL AT 0128

A/O: DID NOT READ RIGHTS OR CONDUCT Q&A

SCANNED
APR 04 2022



Incident Summary Report

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

Report Date / Time 4/4/2022 12:06:39 AM	Report Number ISR099422 (01)	Report Case/CAD Number FWC22ON0026942 / FWCS22IN0013241	Reporting Officer Rank / ID OFFICER / WP340	Reporting Officer Name KOGER, AARON
Originating Agency ORI FL0508000	Reported to Agency Date	Occur Date Range 04/03/2022 22:46:52 -	Jurisdiction State Waters	Status: Clearance: CLEARED BY ARREST
Offense Description S1B BUI - BOAT				

LOCATION(S)

County PALM BEACH	Location Type INCIDENT LOCATION	Location Description BRIDGE BLUE HERON BLVD ICW						
Street Number	Street E BLUE HERON BLVD	Apt/Lot/Bldg FWC	City WEST PALM BEACH	State FL	Zip Code 33404	Phone Number	Ext.	

INVESTIGATION

Was body camera used?	Yes
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Person: DEFENDANT

First Name SCOTT	Middle Name LEE	Last Name CAMPBELL	Suffix	Race WHITE	Sex MALE	Height 511	Weight	Hair	Eyes
MNI #	SSN	Date of Birth 06/10/1970	Age 51	ID Type E	Drivers License or other ID C514792702100	State FL	OCA / Agency ID		
Place of Birth:									
Addresses • RESIDENCE / 2650 LAKE SHORE DR UNIT 2406, RIVIERA BEACH, FL 33404 /									

Charge: STATE STATUTE

Counts 1	Charge 327.35(1)(a)	Arrest Offense Code Description DUI-UNLAW BLD ALCH		
Charge Degree SECOND DEGREE	Charge Level MISDEMEANOR	General Offense Code		
Charge Description OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED				
UCR Code / UCR Description				

Vessel: USED IN CRIME

Year 2008	Make RENEGADE POWER BOATS INC	Type OPEN MOTORBOAT	Color RED	Hull Material FIBERGLASS	
Vessel Name	State FL	Registration Number FL8540NN	Tag Expiration 06/10/2022	Vessel HIN OSOA3214G708	Vessel Doc Number

Report Date / Time 4/4/2022 12:06:39 AM	Report Number ISR099422 (01)	Report Case/CAD Number FWC22ON0026942 / FWCS22IN0013241	Reporting Officer Rank / ID OFFICER / WP340	Reporting Officer Name KOGER, AARON
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Owner Type PERSON	Vessel Value (\$)	Length 32	Fuel Type GAS	Propulsion Propeller	Number of Engines / Type / OUTBOARD	Total HP 600
Vessel Owner SCOTT LEE CAMPBELL (DEFENDANT)		Vessel Released To Person		Vessel Released By Officer		

Narrative: INITIAL

Narrative Date/Time 4/4/2022 3:24:19 AM		Narrative Synopsis S1B NARRATIVE		
Reporting Officer KOGER, AARON		Officer Rank OFFICER	Officer ID No WP340	Officer Org/Unit FWCSISO REGION AMARTIN
Officer Signature 		Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION		

- I. WHAT: BUI While normal faculties impaired
- II. WHEN: 4/3/2022 at approximately 2247 hours
- III. WHERE: Intracoastal Waterway near Blue Heron Bridge, Palm Beach County
- IV. WHO: SCOTT LEE CAMPBELL, C514792702100, 06/10/1970
- V. OTHER INFORMATION RELATED: VESSEL FL8540NN
- VI. DETAILS OF BUI
- A. PHASE 1 – INITIAL OBSERVATION OF VESSEL IN MOTION

On April 3, 2022, at approximately 2247 hours, I, Officer Aaron Koger of the Florida Fish and Wildlife Conservation Commission (FWC) was performing state water patrol with Officer D. Morgan, also of the FWC, upon the waters of the Intracoastal Waterway near the Blue Heron bridge, in Palm Beach County. I observed a vessel operating in the area with many individuals aboard and initiated a vessel stop to conduct a safety equipment check to ensure that the proper quantity of United States Coast Guard (USCG) required personal flotation devices were aboard and accessible.

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Originating Agency ORI FL0508000	Reported to Agency Date	Occur Date Range 04/03/2022 22:46:52 -	Jurisdiction State Waters	Status: Clearance: CLEARED BY ARREST
Offense Description S1B BUI - BOAT				

During our patrol vessel's approach to the vessel in motion, which was later identified by valid FL registration FL8540NN, I observed the individual later identified by valid FL DL# C514792702100 to be Scott Campbell standing behind the helm and operating the steering wheel and throttle controls to operate the vessel.

B. PHASE 2 – PERSONAL CONTACT WITH OPERATOR OF VESSEL

I identified myself as an FWC Officer and stated my intent to conduct a vessel safety inspection. After requesting that the Campbell, as the operator, place his vessel into neutral and to have it remain in that condition, I then requested the vessel's paper registration. Campbell stated that he did not have the vessel registration and made no attempt to look for it aboard, but remained motionless at the helm, bracing the steering wheel. I then observed several bottles and cans in plain view around the interior of the vessel and could smell a strong odor of an unknown alcoholic beverage emanating from the boat.

I requested to see the vessel's safety equipment including a lifejacket (also known as a personal floatation device) for each person aboard, a type IV throwable, a fire extinguisher, and a sound producing device per USCG standard. Campbell then moved around the vessel to locate the lifejackets and I observed him steady himself several times as he moved. I observed Campbell have difficulty pulling the zipper open with his fingers on the bag that his lifejackets were stored in. When I inspected Campbell's fire extinguishers, I was able to identify that there was the odor of unknown alcoholic beverage emanating from his breath and saw that his eyes were glassy and bloodshot. During the safety inspection I had to reminded Campbell to display a sound producing device.

I then addressed the signs of impairment that I observed and asked Campbell if he had anything to drink tonight. Campbell said, "Yeah, a couple drinks all day." I then asked how long ago his last drink was. Campbell then stated an hour and a half ago to two hours ago. I then asked if Campbell would be willing for to come aboard our patrol vessel for me to look at his eyes and he agreed.

Campbell was then placed into a lifejacket and assisted in boarding our patrol vessel to conduct seated Standardized Field Sobriety Tasks (SFSTs). At this time, with Campbell separated from the other individuals aboard his vessel and the open containers, I was able to specifically smell the strong odor of an unknown alcoholic beverage upon his breath from a conversational distance without the additional factors present.

C. PHASE 3 – PRE-ARREST SCREENING AND OBSERVATION OF OPERATOR

Report Date / Time 4/4/2022 12:06:39 AM	Report Number ISR099422 (01)	Report Case/CAD Number FWC22ON0026942 / FWCS22IN0013241	Reporting Officer Rank / ID OFFICER / WP340	Reporting Officer Name KOGER, AARON
Originating Agency ORI FL0508000	Reported to Agency Date	Occur Date Range 04/03/2022 22:46:52 -	Jurisdiction State Waters	Status: Clearance: CLEARED BY ARREST
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Standardized Field Sobriety Tasks (SFST)

Pre task Questions:

Subject stated he had no physical defects or disabilities that would interfere with seated SFSTs.
 Subject stated he had no defects with his eyes.
 Subject stated he was not sick or injured.
 Subject stated he is not under the care of a doctor or dentist.
 Subject stated he is not on any medication or drugs.

Horizontal Gaze Nystagmus:

Subject was not wearing glasses.
 Subject stated he was not wearing contact lenses.
 Subject stated he understood the instructions.
 Subject was told to follow the stimulus without moving his head and had to be reminded.
 Subject showed Lack of Smooth Pursuit in left and right eye.
 Subject showed Distinct and Sustained Nystagmus at Maximum Deviation in left and right eye.
 Subject showed Onset of Nystagmus Prior to 45 Degrees in left and right eye.
 Subject did not show Vertical Nystagmus in either eye.

After observing six clues while checking for nystagmus, I then requested to continue performing SFSTs and Campbell agree to continue. Campbell explained that he was nervous, and I explained my concern that he was boating while under the influence. I asked again when he last had a drink and he stated about an hour and a half ago, but that he admittedly didn't even know what time it currently was.

Finger to Nose:

Instruction Stage:

Subject was unable to follow instructions.
 Subject started at wrong time during instructions, by displaying the touch of fingertip to tip of nose.
 Subject stated he understood the instructions.

Performance Stage:

First Left: did not bring hand down without being told

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First Right: not fingertip, missed tip of the nose - with finger not touching any part of his face, hovering beside the tip of his nose by approximately an inch

Second Left: not fingertip

Second Right: not fingertip, missed the tip of the nose - with finger not touching any part of his face, hovering beside the tip of his nose by approximately an inch

Third Right: not fingertip

Third Left: not fingertip

Palm Pat:

Instruction Stage:

Subject required instructions to be repeated.

Subject stated he understood the instructions.

Performance Stage:

Subject rolled hands.

Subject chopped pat.

Subject did not increase speed without being told.

Subject rotated hands.

Subject stopped before being told.

Hand Coordination:

Instruction Stage:

Subject required instructions to be repeated multiple times.

Subject was unable to follow instructions and started at the wrong time.

Subject stated he understood the instructions.

Performance Stage:

Task 1: Subject performed.

Task 2: Improper count, Improper return, Counted out loud - 4 claps

Task 3: Improper count, improper touch

Task 4: Subject performed.

Incident Summary Report

Report Date / Time 4/4/2022 12:06:39 AM	Report Number ISR099422 (01)	Report Case/CAD Number FWC22ON0026942 / FWCS22IN0013241	Reporting Officer Rank / ID OFFICER / WP340	Reporting Officer Name KOGER, AARON
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D. ARREST OF OPERATOR

Based upon the vessel in motion, personal contact and observations with the operator, Standardized Field Sobriety Tasks, and the totality of the circumstances, I placed Campbell under arrest for Boating Under the Influence.

E. DISPOSITION OF OPERATOR AND VESSEL

The vessel and its occupants were hip towed by our patrol vessel safely to their dock north of the Blue Heron bridge and west side of the Intracoastal Waterway and released on scene of their own recognizance.

Campbell was then transported to the Palm Beach County Jail in my patrol vehicle from the Phil Foster Park. At the Palm Beach County Jail on Gun Club Rd Campbell was given a twenty-minute observation period and explained Implied Consent to a breath test. Campbell stated he understood that an additional citation of \$500.00 would be issued and that his refusal could be used against him in court. Campbell confirmed his refusal on April 4, 2022 at 0128 hours.

Campbell was booked into the Palm Beach County Jail under the following charge:

F.S. 327.35(1)(a) – OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED.

Campbell was additionally issued two noncriminal citations for his refusal to submit to a breath test and not having the vessel registration aboard.

FWC Body Camera footage was obtained during this encounter.

As of this writing, this concludes my involvement of the situation, thus far.

RELATED REPORT(S)

Report Name	Report Number / Description
Uniform Boating Citation	V682027
Uniform Boating Citation	V682028
Uniform Boating Citation	V682029

Report Date / Time 4/4/2022 12:06:39 AM	Report Number ISR099422 (01)	Report Case/CAD Number FWC22ON0026942 / FWCS22IN0013241	Reporting Officer Rank / ID OFFICER / WP340	Reporting Officer Name KOGER, AARON
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Sup #	Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
01	KOGER, AARON OFFICER WP340	REPORTING OFFICER / REPORTING OFFICER	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWCS\ISO REGION A\ MARTIN
01	MORGAN, DAVID OFFICER WP224	ASSISTING OFFICER	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWCS\ISO REGION A\ PALM BEACH

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 narratives associated with this report:

Officer: Reporting Officer (Supplement01)

Officer Name KOGER, AARON	Office Rank OFFICER	Officer ID No WP340	Sworn and subscribed before me, the undersigned authority This the _____ day of _____, DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature 			