



Arrest Report

20mm 8090

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
8535 NORTHLAKE BLVD
WEST PALM BEACH, FL

Report Date / Time 10/15/2020 10:22 PM 2222	Report Number C-0418AB	Case Number/Cad Number FWCS20OFF017332 / FWCS20CAD032611	Reporting Officer Name STOKER, RONALD
Originating Agency ORI FL0488000	Occur Date Time Range 10/15/2020 21:47:03 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description ICW JUST EAST 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 WILLIAM	Middle Name PAUL	Last Name PRESCOTT	Suffix JR	Race WHITE	Sex MALE	Height 606	Weight 145	Hair Blk	Eyes Brw
MNI #	SSN	Date of Birth 1/21/1971	Age 49	Place of Birth Pahokee, FL		Drivers License or other ID P623935710210		State FL	ID Type E
Address * / 11789 FOX HILL CIR, BOYNTON BEACH, FL 33473 /									

Arrest

Arrest Date/Time 10/15/2020 9:54:14 PM 2137	Arrest Location Type PUBLIC PLACE	Arrest Location Description ICW EAST OF RYBOVICH MARINA	
Street Number	Street	Apt/Lot/Bldg	County
		City	State
		Zip Code	

Charge : STATE STATUTE

Counts 1	Charge 327.35(1)(a)	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree FIRST 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: Thursday, October 15, 2020

III. Where: ICW East of Rybovich Marina

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OCT 17 2020

Report Date / Time 10/15/2020 10:22 PM	Report Number C-0418AB	Case Number/Cad Number FWCS20OFF017332 / FWCS20CAD032811	Reporting Officer Name STOKER, RONALD
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IV. Who: Name: William Paul Prescott JR
DOB: 01/21/1971
Address: 11789 Fox Hill Circle Boynton Beach, FL 33473
FL DL P623935710210

V. Other information Relating to BUI

Vessel: 2004 34' Yellow Venture FL3958PG twin 225 hp Yamaha outboards

VI. Details of BUI

A. Initial Observation of Vessel:

On October 15, 2020 I, Officer Ronald Stoker and Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission (FWC) were on marked vessel patrol in West Palm Beach, Florida. I was operating my patrol vessel Southbound on the East side of the Intracoastal Waterway at approximately 2140 hours when I observed a center console vessel on plane headed North in my direction without its navigational lights illuminated.

B. Personal Contact with Operator

I initiated a vessel stop on the yellow center console bearing Florida registration number FL3958PG on the ICW just East of Rybovich Marina to address the violation. I made contact with the operator of the vessel, later identified by his FLDL P623935710210 as Mr. William Prescott. Upon making contact with Mr. Prescott, I detected a strong odor of an unknown alcoholic beverage emitting from his breath. Mr. Prescott's eyes were glassy. While conversing with Mr. Prescott about his navigation light violation his speech was slow and slurred. Mr. Prescott indicated that the red/green bow light had fallen back into the hull of the vessel and was not visible. Based on the totality of the circumstances, I asked Mr. Prescott if he would come onboard my vessel to complete field sobriety exercises in which he refused to do so and became loud and demanded an attorney. Officer Brodbeck boarded Mr. Prescott's vessel for the purpose of explaining the seated battery exercises. Mr. Prescott refused and kept stating to just call his lawyer. Officer Brodbeck explained the Taylor warnings to Mr. Prescott when he refused to complete the exercises.

C. Completion of Standardized Seated Field Sobriety Tasks

Horizontal Gaze Nystagmus

Mr. Prescott refused HGN.

Finger to Nose

Mr. Prescott refused to complete finger to nose.

Palm Pat

Mr. Prescott refused to complete the palm pat.

Hand Coordination

Mr. Prescott refused to complete the hand coordination.

Arrest of Operator

Based on the physical indicators I observed while conversing with Mr. Prescott and the operation of the vessel, I placed him under arrest for the suspicion of Boating Under the Influence. Mr. Prescott was brought to Rybovich Marina where he was placed into Officer Brodbeck's patrol vehicle and transported to Palm Beach County Jail at

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Gun Club.

327.35(1)(a)- OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED

Additionally, I issued Mr. Prescott a Uniform Boating Citation for refusing to a lawful test of his breath to determine its alcoholic content.

327.35215(1)- REFUSAL TO SUBMIT TO BLOOD/BREATH/URINE TO PURSUANT TO ES327.352

I also issued Mr. Prescott a written warning for operating his vessel at night without its navigational lights illuminated.

327.50(2)- NAVIGATION LIGHTS-NOT PRESENT OR OPERATIONAL

Disposition of Vessel

Following the arrest of Mr. Prescott, his vessel was turned over to Mr. Austin Carr FLDL C600010963300 at Mr. Prescott's request.

Jail Bookin Facility

Booking Date/Time 0.0000	Booking County PALM BEACH	Booking Facility MAIN DETENTION CENTER	Booking Facility Phone Number (561) 996-1699
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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 (561) 888-4640	Court Apperance Date / Time 11/18/2020 1:30PM	Court Fine
Comments			

Officer Name Rank / ID # STOKER, RONALD OFFICER	WP296	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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PALM BEACH COUNTY SHERIFF'S OFFICE
 DUI TESTING FACILITY
 INFORMATION SHEET

PBSO CASE # 20-117141 PBSO ZONE 3-21

AGENCY CASE # FWES20OFF017372 CRASH CASE # _____

TIME OF STOP/CRASH 2148 DATE 10/15/20 DAY THURSDAY

SUBJECT'S NAME WILLIAM P. PRESCOTT JR RACE W SEX M

HGT 5' 6" WGT 165 DOB 1/21/1971

LOCATION 1CW EAST OF RYBOVICH MARINA

ARRESTING OFFICER'S NAME & ID R. STOKER P296 AGENCY FWC

DIVISION: SOUTH A

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 2250

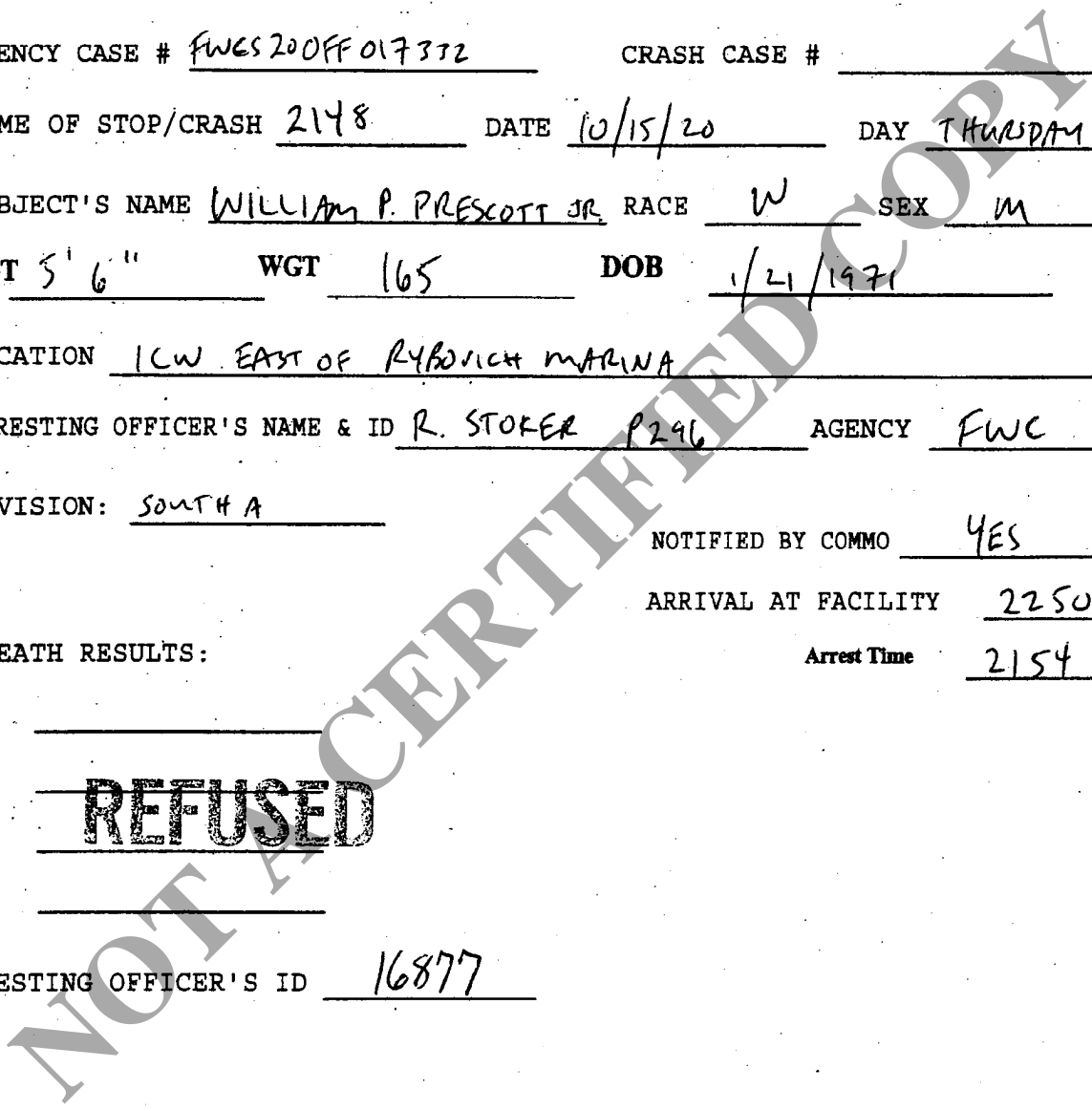
BREATH RESULTS:

Arrest Time 2154

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

REFUSED

TESTING OFFICER'S ID 16877



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TESTING FACILITY TASK REPORT

AGENCY: FWC
SUBJECT: Prescott, William P. Jr.
CASE NUMBER: 20-117141
DATE: Oct 15, 2020
VIDEO DVD NUMBER: N/A
BEGINNING TIME: 23:13
ENDING TIME: 23:17Re

BREATH TESTS RESULTS: 1) Refusal TIME 23:15 A.M. P.M. 2) N/A TIME _____ A.M. P.M.
3) N/A TIME _____ A.M. P.M. 4) N/A TIME _____ A.M. P.M.

BREATH OPERATOR: R. Ragin #16877
MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Thick
ATTITUDE: Calm, cooperative
CLOTHING: Light red shorts, black LS t-shirt, brown flip-flops
MEDICAL CONDITIONS: None
MEDICATIONS: None

OTHER:

Eyes red
Odor of unknown alcoholic beverage on breath.

REFUSED

COMMENTS:

Arrived at center A/O started 20 minute observation period at 22:50 hrs.
Subject refused to take breath test.
A/O read BUI I/C and subject acknowledged he understood I/C.
Subject refused to take test.
A/O read rights.
Subject acknowledged he understood rights.
A/O attempted Q&A.
Subject refuse to answer questions.

REFUSED

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SUBJECT: _____ 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: _____

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OCT 17 2020

**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

STATE OF FLORIDA
(PLANTIFF)
V.
PRESCOTT, WILLIAM PAUL
DEFENDANT

Uniform Boating Citation Number
V653828

AFFIDAVIT

I, STOKER, RONALD, a law enforcement officer, who having been duly sworn, certify and state the following:

1. That on Thursday, October 15, 2020 at 10:31 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.

Ronald Stoker WP296
Officer's Signature ID Number
Florida Fish and Wildlife Conservation Commission

SWORN TO AND SUBSCRIBED BEFORE ME THIS <u>16</u> DAY OF <u>October</u> , 20 <u>20</u> <u><i>Donald B. ...</i></u> <u>11957</u> Notary Public or Attesting Officer <input checked="" type="checkbox"/> Personally known to me <input type="checkbox"/> Produced _____ as Identification



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: 2020024432	Date: 10/16/2020
	Specialist Name/ID: B. Evans / 23649

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 OCT 17 2020