

50-2022-MM-605357-AMB

J# 0532731

F# 814



Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
3200 NE 151 STREET
MIAMI FL 33181

NH

Report Date / Time 7/2/2022 09:57 PM	Report Number C-8245AA	Case Number/Cad Number FWC22ON0057661 / FWCS22IN0027048	Reporting Officer Name MORGAN, DAVID
Originating Agency ORI FL0508000	Occur Date Time Range 07/02/2022 20:39:58 -	Jurisdiction	
OBTS Number	Other Number	Clearance	

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description ISLAND ICW PEANUT ISLAND	
Street Number WEST PEANUT ISLAND	Street WEST PEANUT ISLAND	Apt/Lot/Bldg FWC	City RIVIERA BEACH
State FL	Zip Code		

Defendant

First Name JEFFREY	Middle Name SCOTT	Last Name YORK	Suffix	Race WHITE	Sex MALE	Height 6'00"	Weight 238	Hair BROWN	Eyes BLUE
MNI #	SSN	Date of Birth 03/31/1970	Age 52	ID Type E	Drivers License or other ID Y620437701110	State FL	OCA / Agency ID		
Place of Birth:		VIENNA VA USA							
Address * RESIDENCE / 11014 NORTHWEST 19TH STREET, CORAL SPRINGS, FL 33071 / 954-501-4474									

Arrest

Arrest Date/Time 7/2/2022 20:39:58	Arrest Location Type PUBLIC PLACE	Arrest Location Description WEST PEANUT ISLAND	
Street Number WEST PEANUT ISLAND	Street WEST PEANUT ISLAND	Apt/Lot/Bldg	County PALM BEACH
City RIVIERA BEACH	State FL	Zip Code	

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 PRINCIPAL	Arrest Offense Code DUI-UNLAW BLD ALCH		
Charge Description OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED			
Administrative Code - Description JUL 3 AM 12:23			

Bond Set by Officer

Bond Amount	☐ No Bond
Bond Type(s)	

Arrest Report

q1 H011111111111

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Probable Cause

On 7/2/2022 at approximately 2040 hours I, Officer David Morgan of Florida Fish and Wildlife Conservation Commission (FWC), and Capt. James Yetter with FWC were on water-based patrol around Peanut Island located in Palm Beach County inside of Palm Beach inlet. We observed a vessel operating at night without an all-around white light after sunset. Local time of sunset was 2018 hours. We initiated a vessel stop to address the violation.

Upon contact with the vessel operator, later identified as Jeffrey Scott York, FL DL# Y620437701110 DOB 03/31/1070, I noticed that York had a slight odor of alcohol on his breath and glassy, blood shot eyes. I explained to York the reason for the stop. While speaking with York I noticed his speech was slurred as well as standing was slightly unsteady.

I asked York if he would perform Seated Standardized Field Sobriety Tasks (SFSTs) to determine if he was impaired. York consented to perform Standardized Field Sobriety Tasks (SFSTs). I had York board my vessel to begin Seated SFSTs.

I administrated the Horizontal Gaze Nystagmus (HGN), Finger to Nose, Palm Pat and Hand Coordination tasks in that standardized order.

During the HGN task York showed clues in both eyes. Lack of smooth pursuit, distinct and sustained nystagmus at max deviation and onset of nystagmus prior to 45-degree. York had 6 clues for the task. 4 or more clues indicate impairment.

The next task York performed was the Finger to Nose. I started by reading the instructions for the task. When told to begin performing the task he had to be reminded to tilt his head back and close his eyes. I re-read the instructions so York could understand the task. He confirmed he did. However, York had to be reminded to tilt his head back and close his eyes in order to start the task. On the first left he did not use his fingertip (pad of his index finger). On the first right did not use his fingertip (pad of his index finger) and missed the tip of his nose (side of nose). On the second left he did not use his fingertip (pad of his index finger). On the second right he searched, did not use his fingertip (pad of his index finger) and missed the tip of his nose (side of nose). On third right did not use his fingertip (pad of his index finger). On the third left he used did not use his fingertip (pad of his index finger) and missed the tip of his nose (side of nose). York had 12 clues for this task. 9 or more clues indicate impairment.

The third task I conducted was the Palm Pat. I explained the task instructions and demonstrated the exercise. York was unable to follow instructions of keeping his hands in position while I explained the task continuing to try and practice. I told York to begin the task after reading the instructions to him. During the performance of the task York showed clues of not increase speed until told to do so, rotated hands during count and stopped before told to. In total York demonstrated 4 total clues on Palm Pat. 2 or more clues would indicate impairment.

The fourth task I conducted was the Hand Coordination. I explained the task instructions and demonstrated the exercise. I told York to begin after explaining the instructions. On the 1st task (Forward Steps) York

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performed with improper touch. On the 2nd task (Hand Clapping) York performed with improper return. On the 3rd task (Return steps) York performed with improper count. On the 4th task (End position) he did not end in the correct position. In total York demonstrated 4 clues on Hand Coordination. 3 or more clues would indicate impairment.

At the conclusion of the SFSTs, York was arrested for operating a vessel under the influence at 2056 hours.

I transported York to Palm Beach County Main Jail at 2152 hours in my patrol vehicle. At the jail, York provided breath samples at 2224 and 2227 hours, respectively. York's both samples were .075 g/210 L. York answered questions, post-Miranda.

York was issued the following citation:

Citation 1: V482175

327.35(1)(a): Operating a vessel while normal faculties impaired

Citation 2: V482174

327.50(2): Navigation lights- Not present or operational

All above events were captured on agency issued body worn camera and uploaded to the agency server.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
	PALM BEACH	MAIN DETENTION CENTER	(561) 996-1699
Booking Facility Location			Booking Number
3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406-3001			
Booking Comments			

Court

Court County	Court Location		
PALM BEACH	3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court	Court Phone	Court Appearance Date / Time	Court Fine
PALM BEACH COUNTY COURT AT GUN CLUB	561-355-2996	08/04/2022 0830HRS	
Comments			

Arrest Report

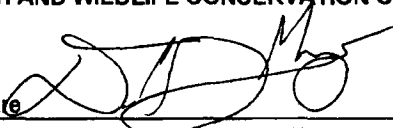
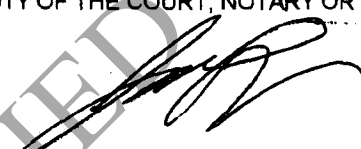
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Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
MORGAN, DAVID OFFICER WP224	REPORTING OFFICER	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWCSISO REGION AIPALM BEACH

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 probable cause associated with this report:

Reporting Officer

Officer Name MORGAN, DAVID	Office Rank OFFICER	Officer ID No WP224	Sworn and subscribed before me, the undersigned authority This the <u>2</u> day of <u>July</u> , <u>22</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature  WP224			

☐ No Bill / Petition	☐ Issue Warrant	☐ Prosecution Approved	Signature of Assistant State Attorney	Date
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PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 22-083729 PBSO ZONE 3-21

AGENCY CASE # FWC220N0057661 CRASH CASE # _____

TIME OF STOP/CRASH 2040 hrs DATE 7/2/22 DAY SATURDAY

SUBJECT'S NAME JEFFREY York RACE W SEX M

HGT 6 ft WGT 238 lbs DOB 3/31/70

LOCATION West PEANUT ISLAND

ARRESTING OFFICER'S NAME & ID David Morgan P227 AGENCY FWC

DIVISION: CE

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 2155

BREATH RESULTS:

Arrest Time 2056 HRS

1. .075

2. .075

3. _____

4. _____

TESTING OFFICER'S ID 6212

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT**

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006239 Software: 8100.27
Date of Test: 07/02/2022

Date of Last Agency Inspection: 06/03/2022

Observation Period Began: 21:55

Subject's Name: JEFFREY YORK

DOB: 03/31/1970 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	22:22
	Air Blank	0.000	22:22
	Control Test	0.080	22:23
	Air Blank	0.000	22:23
	Subject Sample #1	0.075	22:24
	Air Blank	0.000	22:24
	Air Blank	0.000	22:26
	Subject Sample #2	0.075	22:27
	Air Blank	0.000	22:27
	Control Test	0.078	22:28
	Air Blank	0.000	22:28
	Diagnostics Check	OK	22:28

Cylinder Lot: 29821080A4
Exp: 12/05/2023

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who (☒) is personally known to me or (☐) produced _____ as identification, and who after being placed under oath, states:

I SHARI L O'NEAL, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: *S. O'neal* Date: 07-02-22
Signature

Sworn to (or affirmed) before me this 02 day of July, 2022
[Signature] #224 Ofc. Morgan #224
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

TESTING FACILITY TASK REPORT

AGENCY: FWC OFC. MORGAN #F224

SUBJECT: YORK, JEFFREY

CASE NUMBER: 22-083729

DATE: 07-02-22

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 22:18 HRS

ENDING TIME: 22:36 HRS

BREATH TESTS RESULTS: 1) .075 TIME 22:24 A.M. ☐ P.M. ☒ 2) .075 TIME 22:27 A.M. ☐ P.M. ☒
3) TIME A.M. ☐ P.M. ☐ 4) TIME A.M. ☐ P.M. ☐

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: CALM, COOPERATIVE, NON-CHALANT

CLOTHING: SHIRT- GRAY/BLUE PRINT SHORTS- BLUE & WHITE

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: RED, GLASSY

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE.

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O MORGAN #F224
A/O REQUESTED THE BREATH TEST.
D SUBMITTED TO THE BREATH REQUEST.
D COMPLETED THE TEST CORRECTLY.
EXPLAINED THE BREATH RESULTS TO THE D.
C/W READ ON CAMERA, Q&A CONDUCTED.



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT



OPERATOR APPRAISAL & INTERVIEW

DEFENDANT'S NAME: JEFFREY S York

CASE NO. FWC22 ON QD57661

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.
5. If you consent to answer questions now, without a lawyer present, you will still have the right to stop answering at anytime.

1. Do you understand each of these rights? ☒ YES ☐ NO
2. With these rights in mind, do you wish to talk to us now? ☒ YES ☐ NO

Defendant's Signature: _____

Were you operating a vehicle/vessel? <u>YES</u>		Where were you going? <u>Jim Barry Park</u>
Was the vehicle/vessel in good condition? If No, <u>YES</u> →		What is wrong with it? <u>N/A</u>
What road/waterway were you on? <u>INTRA COASTAL Waterway</u>		Where were you coming from? <u>PEANUT ISLAND</u>
What time did you leave there? <u>IDK</u>		Without looking at a watch or clock, what time is it now? <u>IDK</u> Actual Time: <u>2031hrs</u>
What is today's date? <u>7/2</u> Actual Date: <u>2/2</u>		What day of the week is it? <u>Saturday</u> Actual Day: <u>Saturday</u>
When did you last eat? <u>1400 hrs, around</u>	What did you eat? <u>Turkey breast chips</u>	Where did you last eat? <u>PEANUT ISLAND</u>
What have you been drinking? <u>Rum drink</u>	How much have you been drinking? <u>2</u>	Where have you been drinking? <u>PEANUT ISLAND</u>
Who were you drinking with and were they drinking? <u>Rum Drink, prefer not name friends</u>		What time did you start drinking? <u>IDK, unknown</u>
What time did you stop drinking? <u>IDK</u>	Do you feel the effects of alcohol (or drugs)? <u>N/A</u>	Do you feel that you are impaired? <u>N/A</u>
Were you involved in an accident today? <u>NO</u>	When did you last sleep? <u>Last night</u>	How much sleep did you get? <u>Don't count sleep hrs, normal night sleep</u>
Are you currently under the care of a doctor or dentist? For what? <u>Primary Doctor</u>		
Have you used any type of drugs recently, prescription, non-prescription or otherwise? <u>N/A</u>		
If so, what kind of drug did you take? What was your last dose and when? <u>N/A</u>		
Do you think you should have been operating a vehicle/vessel? <u>YES</u>		If yes, Why? <u>Navigating familiar waters.</u>

[Signature] P224
Interviewing Officer's Signature

[Signature] P224
Interviewing Officer's Name (Printed)



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

IMPLIED CONSENT WARNING FOR BREATH (BUI)

DEFENDANT'S NAME: JEFFREY S York CASE NO: FWC220N 0057661

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

Will you take the test?

YES ☒ NO ☐

NOTE: READ THE BELOW ONLY IF THE ANSWER TO THE ABOVE IS "NO." If the answer to the above is "YES," move to and complete the signatures section of this document.

If you refuse to submit to the test I have requested of you, it will result in a civil penalty of \$500. Additionally, if you refuse to submit to the test I have requested of you and you have been previously fined under section 327.35215, Florida Statutes, or if your driving privilege has been previously suspended for refusal to submit to a lawful test of your breath, urine, or blood you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law. Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

In ADDITION to the above, read this statement ONLY if the person is under the age of 21:

Furthermore, if you refuse to submit to this test, you will be required to complete 50 hours of community service and your privilege to operate a vessel will be suspended until the community service is performed.

Do you understand what I have just read to you? YES ☐ NO ☐
Do you still refuse to submit to this test? YES ☐ NO ☐

SIGNATURES

Date read: 7/2/22 Time read: 10/19 hrs Location read: GUN CLUB Main Isl BAT

OFFICER'S NAME (printed): DAVID Morgan

OFFICER'S SIGNATURE: [Signature] P224



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

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

REVIEW COMPLETED BY

Booking Number: 2022016958	Date: 7/3/2022
	Specialist Name/ID: Chantel Daniels/30347

RECEIPT FOR PRISONER'S PERSONAL PROPERTY PALM BEACH COUNTY

JAIL	Jacket # <u>0532731</u>		Cell # _____	Pouch # <u>2814</u>
ARRESTING AGENCY	Arrest Agency <u>FLC</u>		Arrest Date <u>7/1/22</u>	Arrest Time <u>2:01</u>
	Print Prisoner's <u>Yock</u>		Tamper-Proof Bag # <u>767588</u>	
	Prisoner's <u>3/21/70</u>		LAST NAME <u>YOCK</u> FIRST NAME <u>JOHN</u> MI <u>S</u>	
	DATE OF BIRTH <u>3/21/70</u> SOCIAL SECURITY NUMBER <u>25 95 2511</u>		☒ MALE ☐ FEMALE ☐ WHITE ☐ BLACK ☐ HISPANIC ☐ OTHER	
	1's	5's	10's	20's
	0	6	0	0
	50's	100's	Other	
	0	0	0	
	Total Amount of Money in Writing <u>2200</u>		Total Amount of Money Numerical \$ <u>2200</u>	
	DESCRIPTION OF PERSONAL PROPERTY 1. <u>FLC ID CARD</u> 2. <u>GREEN CLOTH OLE CLOTH</u> 3. <u>FLC ID CARD</u> 4. _____ 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____		BAG 1 OF 1 - BULK PROPERTY - BAG 2 OF _____ 1. _____ 2. _____ 3. _____ 4. _____ 5. _____ 6. _____ 7. _____ PRISONER IS WEARING 1. <u>Shirt</u> 2. <u>Shorts</u> 3. <u>FLC ID CARD</u>	
By my signature, I acknowledge that the above described property is all the property, other than that held as evidence, in my possession at the time of my arrest.				
SIGNATURE OF PRISONER <u>[Signature]</u>		PRINT NAME OF OFFICIAL TAKING PROPERTY <u>[Signature]</u> ID # _____ SIGNATURE <u>[Signature]</u>		

TRANSPORT	CHAIN OF CUSTODY			
	I certify the above inventory is correct and I have received all items listed above.			
	Name <u>FLC</u>	ID Number <u>83112</u>	Agency <u>1380</u>	Date <u>7/13/22</u>
	1. _____	2. _____	3. _____	

INTAKE	Shower/Uniform Issuance, D/S Print Name and ID #:			
	Items retained by inmate		Additional property/clothing placed into Property	

RELEASE	By my signature, I acknowledge receipt of all my listed property and money in the amount of:			
	Check Total \$ _____		Cash Total \$ _____	
	SIGNATURE OF PRISONER _____		SIGNATURE/ID # OF WITNESS _____ DATE _____	