

Arrest Report
0532751

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
3440 S.E. 19TH AVE.
FORT LAUDERDALE, FL. 33316

(NR)

22MS369

1037

Report Date / Time 7/3/2022 08:05 PM	Report Number C-4644AA	Case Number/Cad Number FWC22ON0058036 / FWCS22IN0027502	Reporting Officer Name DEFEO
Originating Agency ORI FL0508000	Occur Date Time Range 07/03/2022 17:52:34 -	Jurisdiction	
OBTS Number	Other Number	Clearance	

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description JUPITER BEACH CLUB			
Street Number ALTERNATE A1A N	Street	Apt/Lot/Bldg JUPITER	City	State FL	Zip Code 33477

Defendant

First Name STEVEN	Middle Name BRUCE	Last Name MCCONNELL	Suffix	Race WHITE	Sex MALE	Height 5'10"	Weight 220	Hair BROWN	Eyes BLUE
MNI #	SSN [REDACTED]	Date of Birth 03/27/1976	Age	ID Type E	Drivers License or other ID M254782761070	State FL	OCA / Agency ID		
Place of Birth: SOUTH AFRICA									
Address * RESIDENCE / 18180 42ND RD N , , FL 33470 /									

Arrest

Arrest Date/Time 7/3/2022 7:13:59 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description JUPITER BEACH RESORT				
Street Number 5	Street A1A	Apt/Lot/Bldg	County PALM BEACH	City JUPITER	State FL	Zip Code

Charge : STATE STATUTE

Counts 1	Charge 327.35(4)(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		JUL 9 PM 10:29	
Administrative Code - Description			

Bond Set by Officer

Bond Amount	☐ No Bond
Bond Type(s)	

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Probable Cause

I. WHAT: Boating Under the Influence of Alcohol / Operating a vessel with a BAL over .15

II. WHEN: 7/3/2022 at approximately 1900hrs

III. WHERE: East of Jupiter Beach Club on the beach. Jupiter, Palm Beach County

IV. WHO: Steven Bruce McConnell 03/27/1976

VI. DETAILS OF BUI

A. Phase 1 - Initial Observation of vessel in operation

Vessel was involved in a boating accident and was aground on the beach when I arrived on scene. An independent wheel witness identified the operator as Steven Bruce McConnell. McConnell was the sole occupant of the vessel.

B. Phase 2 - Personal Contact with operator of vessel

After Officer Riggs completed his investigation of the boating accident, I identified myself and notified McConnell I was starting a criminal investigation for boating under the influence. McConnell's face was flushed, his eyes were extremely bloodshot, glassy, and his eyelids were droopy. Post Miranda warning, McConnell admitted to drinking, operating the vessel, and being the sole occupant. McConnell was extremely confused about the time of day and when he started his day on the water. Based on the obvious signs of impairment I requested McConnell to conduct standardized field sobriety task. He complied.

C. Phase 3- Pre-arrest screening and observations of Operator

STANDARDIZED FIELD SOBRIETY TASKS

General Instructions:

Pre - Task Questions and responses:

Do you have any physical defects or disabilities? NO

Do you have any defects with your eyes? NO

Are you sick or injured? NO

Are you under the care of a doctor or dentist? Yes depression and anxiety

Are you taking any medication or drugs? Yes Paxil and Zanax

Horizontal Gaze Nystagmus:

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[Clues 6/6]

(equal pupil size / equal tracking / no resting nystagmus)

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 vertical nystagmus

Finger to Nose:

[Clues: 16]

McConnell was unable to follow directions and did not tilt his head back or close his eyes as directed. He left his eyes open during the exercise. McConnell also did not return his hands to his side after touching his nose. Moved head 1"+

First Left: Hesitated, did not bring hand down

First Right: Hesitated, searched, missed tip of nose, did not bring hand down

Second Left: Hesitated, did not bring hand down

Second Right: did not bring hand down

Third Right: Wrong hand, hesitated, searched, did not bring hand down

Third Left: Performed

Palm Pat:

[Clues: 6]

Instruction Stage-

Subject stated he understood the instructions.

Subject was unable to follow instructions

Subjected rotated hands.

Subject rolled hands.

Subject chopped pat.

Subject double pat.

Subject did not increase speed while counting.

Hand Coordination:

[Clues: 3]

Instruction Stage-

Subject stated he understood the instructions.

Task 1 – Forward Steps:

Performed.

Arrest Report

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Task 2 – Hand Clapping:

Subject improperly counted (four claps), improperly returned.

Task 3 – Return Steps: Performed

Task 4 – End Position:

Subject did not returned hands to lap.

D. Arrest of Operator

Based on the personal contact with the operator, Standardized Field Sobriety Tasks, and the totality of circumstances, I placed McConnell under arrest for boating under the influence. I transported him to the Palm Beach County Jail BAT facility to be evaluated and to provide a sample of his breath. McConnell provided a breath sample of .224 and .227. McConnell signed that he understood the Miranda rights and answered questions on the operator appraisal form.

E. Disposition of Operator and vessel

McConnell was charged with operating a vessel with a breath alcohol greater than .15. McConnell's vessel was towed from the beach by Towboat U.S. at the request of McConnell.

Jail Booking Facility

Booking Date/Time 7/3/2022 08:10 PM	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

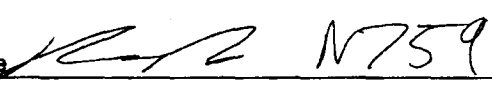
Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court PALM BEACH COUNTY COURT AT GUN CLUB	Court Phone	Court Appearance Date / Time	Court Fine
Comments			

Officer Name Rank / ID # DEFEO OFFICER SP WN759	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWCS/ISO REGION AIPALM 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 DEFEO	Office Rank OFFICER SP	Officer ID No WN759	Sworn and subscribed before me, the undersigned authority This the <u>3rd</u> day of <u>July</u> , <u>2022</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature  N759			

☐ No Bill / Petition	☐ Issue Warrant	☐ Prosecution Approved	Signature of Assistant State Attorney	Date
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FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT
OPERATOR APPRAISAL & INTERVIEW



DEFENDANT'S NAME: Steven McConnell CASE NO. _____

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>No Where</u>
Was the vehicle/vessel in good condition? If No, <u>Yes</u>		What is wrong with it? <u>AA</u>
What road/waterway were you on? <u>Federal</u>		Where were you coming from? <u>Phil Foster</u>
What time did you leave there? <u>4 pm</u>		Without looking at a watch or clock, what time is it now? <u>1130 pm</u> Actual Time: <u>2031 (8:31)</u>
What is today's date? <u>Sun July</u> Actual Date: <u>7/3/22</u>		What day of the week is it? <u>Sunday</u> Actual Day: <u>Sunday</u>
When did you last eat? <u>Friday</u>	What did you eat? <u>2oz of chicken</u>	Where did you last eat? <u>Home</u>
What have you been drinking? <u>Beer, Stella, 3 shot rum</u>	How much have you been drinking? <u>4 beers 3 shot rum</u>	Where have you been drinking? <u>down town</u>
Who were you drinking with and were they drinking? <u>myself</u>		What time did you start drinking? <u>9 pm</u>
What time did you stop drinking? <u>11 pm</u>	Do you feel the effects of alcohol (or drugs)? <u>Yes</u>	Do you feel that you are impaired? <u>No</u>
Were you involved in an accident today? <u>No</u>	When did you last sleep? <u>Friday</u>	How much sleep did you get? <u>6 hrs</u>
Are you currently under the care of a doctor or dentist? For what? <u>Yes depression & Anxiety</u>		
Have you used any type of drugs recently, prescription, non-prescription or otherwise? <u>only Prescribed</u>		
If so, what kind of drug did you take? What was your last dose and when? <u>Paxil Zenex</u>		
Do you think you should have been operating a vehicle/vessel? <u>Yes</u>		If yes, Why? <u>Was not that impaired</u>

[Signature] N759
Interviewing Officer's Signature

P. Defeo
Interviewing Officer's Name (Printed)

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: 07/03/2022

Date of Last Agency Inspection: 06/03/2022

Observation Period Began: 19:54

Subject's Name: STEVEN B MCCONNELL

DOB: 03/27/1976 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	20:21
	Air Blank	0.000	20:21
	Control Test	0.079	20:22
	Air Blank	0.000	20:22
	Subject Sample #1	0.224	20:23
	Air Blank	0.000	20:23
	Air Blank	0.000	20:25
	Subject Sample #2	0.227	20:26
	Air Blank	0.000	20:26
	Control Test	0.079	20:27
	Air Blank	0.000	20:27
	Diagnostics Check	OK	20:27

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 ID 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: 07-03-22
Signature

Sworn to (or affirmed) before me this 03 day of July, 2022

[Signature] N759 Ofc. DeLeo #N759
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.



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

PBSO CASE # 22-083989 PBSO ZONE 3-14

AGENCY CASE # 0058036 CRASH CASE # _____

TIME OF STOP/CRASH 1730 DATE 7/3/2022 DAY Sunday

SUBJECT'S NAME Steven, B. McComell RACE W SEX M

HGT 5' 10" WGT 220 DOB 3/27/1976

LOCATION SN AIA Jupiter FL

ARRESTING OFFICER'S NAME & ID Patrick Defeo N759 AGENCY FWC

DIVISION: LE

NOTIFIED BY COMMO ✓

ARRIVAL AT FACILITY 1954

BREATH RESULTS:

Arrest Time 1913 HRS

1. . 224

2. . 227

3. _____

4. _____

TESTING OFFICER'S ID 6212

TESTING FACILITY TASK REPORT

AGENCY: FWC OFC. DEFEO #N759 BUI

SUBJECT: MCCONNELL, STEVEN B.

CASE NUMBER: 22-083989

DATE: 07-03-22

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 20:18 HRS

ENDING TIME: 20:36 HRS

BREATH TESTS RESULTS: 1) .224 TIME 20:23 A.M. ☐ P.M. ☒ 2) .227 TIME 20:26 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: SLURRED

ATTITUDE: CALM, COOPERATIVE, EMOTIONAL, CRYING

CLOTHING: SHIRT- TEAL BLUE/PRINT SHORTS- BLACK NO SHOES

MEDICAL CONDITIONS: NO, NO ALLERGIES DEPRESSION, ANXIETY ON CAMERA

MEDICATIONS: PAXIL, XANAX, METFORMIN

OTHER:

EYES: VERY RED, GLASSY, WATERY FROM CRYING ODOR OF UNKNOWN ALCOHOLIC BEVERAGE.
FACE: VERY RED/ SAND ON HIS FACE BODY: SAND ON LEGS AND FEET
DEXTERITY: SLUGGISH, STUMBLING AT TIMES

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O DEFEO #N759
A/O REQUESTED THE BREATH TEST.
D SUBMITTED TO THE BREATH REQUEST.
D COMPLETED THE TEST CORRECTLY.
EXPALINED THE BREATH RESULTS TO THE D.
C/W READ ON CAMERA, Q&A CONDUCTED.



**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)
L/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: 2022017005	Date: 7/4/2022
	Specialist Name/ID: M. Toaks #8557