Arrest Report

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

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
7/30/2023 08:29 PM	C-6327AB	FWC23ON0072420 / FWCS23IN0039549	MORGAN, DAVID

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0508000	07/30/2023 19:22:15 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	ICW, SOUTH OF BLUE HERON BRIDGE

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	E BLUE HERON BLVD	FWC	WEST PALM BEACH	FL	33404

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
JACK	LEE	COOPER		WHITE	MALE	5'06"	180	BROWN	BROWN

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	06/05/1996	27	E	C160432962050	FL	

Place of Birth:	WEST PALM BEACH FL USA

Address
* RESIDENCE / 202 RUSSELL DR , PALM SPRINGS, FL 33461 / 561-512-8464

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
7/30/2023 19:30:15	PUBLIC PLACE	ICW, SOUTH OF BLUE HERON BRIDGE

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
	E BLUE HERON BLVD	FWC	PALM BEACH	WEST PALM BEACH	FI	33404

Charge : STATE STATUTE

Counts	Charge	Bond Amount	
1	327.35(1)(a)	$0.00	☐ No Bond

Charge Degree	Charge Level
SECOND DEGREE	MISDEMEANOR
General Offense Code	Arrest Offense Code
PRINCIPAL	DUI-UNLAW BLD ALCH

Charge Description
OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED

Administrative Code - Description
-

NOT A CERTIFIED COPY

FILED PBC - GUN CLUB
'23 JUL 31 AM 7:07

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Bond Set by Officer

Bond Amount	☐ No Bond

Bond Type(s)

Probable Cause

On 7/30/2023 at approximately 1922 hours I, Officer David Morgan of Florida Fish and Wildlife Conservation Commission (FWC) and FWC Officer Austin Gilmore were on water-based patrol in the IntraCoastal waterway (ICW) south of Blue Heron Bridge located in Palm Beach County. We observed a vessel heading north in the (ICW) displaying fishing rods. We initiated a vessel stop to conduct a fisheries inspection.

Upon contact with the vessel operator, later identified as Jack Lee Cooper, FL DL# C160432962050 DOB 06/05/1996, I noticed that Cooper had slightly slurred words when he was talking during the stop. Cooper also had glassy eyes with droopy eyelids. Cooper's movements were unstable and needed to brace while standing. I could smell the odor of an unknown alcoholic beverage coming from the vessel. I explained to Cooper that we were doing a fisheries inspection. He stated they had not caught anything today. I, then, conducted boater safety inspection for the required safety equipment. As Cooper moved around the vessel near me, I was able to smell an odor of an unknown alcohol coming off his person.

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

At the conclusion of the first task of SFSTs, Horizontal Gaze Nystagmus (HGN), Cooper refused to continue with the task. I explained to him that if he decides to refuse to complete the SFSTs I will have to make my decision of impairment on what I see, smell, observe and totality of the circumstance. Cooper, after being told this, refused to continue with the task. Cooper was arrested for operating a vessel while normal faculties impaired at 1930 hours.

We transported Cooper to Rybovich Marina arriving at 1950 hours in on patrol vessel. Cooper was then transported in my patrol vehicle to Gun Club arriving at 2016 hours. Cooper refused to provide breath samples to determine the amount of alcohol on his breath. Refusal at 2042 hours Cooper refused answered questions, post-Miranda.

Cooper was issued the following citation:

Citation 1: V490489 (Infrac.)
328.48(4): No current/valid certificate of registration on board

Citation 2: V490490 (Infrac.)

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327.395(1): No boater ID card

Citation 3: V490491 (Infrac.)
328.38(5):Boating-Failure to display/improper display of registration decal, failure to remove expired decal

Citation 4: V490492 (Infrac.)
327.50(1)(a): No fire extinguisher

Citation 5: V490493 (Infrac.)
327.50(1)(a): No sound producing device (inland)

Citation 6: V490494 (Misd.)
327.35(1)(a): Operating a vessel while normal faculties impaired

Citation 7: V490495 (Infrac.)
327.35215(1): Refusal to submit to breath to pursuant to FS 327.352

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 Appereance Date / Time	Court Fine
PALM BEACH COUNTY COURT AT GUN CLUB	(561) 355-2996	09/07/2023 0830HRS	

Comments

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 FWCS\SO 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	Office Rank	Officer ID No
MORGAN, DAVID	OFFICER	WP224

Officer Agency

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Officer Signature WP224

Sworn and subscribed before me, the undersigned authority

This the 20 day of July 2023

DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

PARIS POUND
MY COMMISSION # HH 202850
EXPIRES: March 25, 2026
Bonded Thru Notary Public Underwriters

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney

PARIS POUND
MY COMMISSION # HH 202850
EXPIRES: March 25, 2026
Bonded Thru Notary Public Underwriters

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FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

IMPLIED CONSENT WARNING FOR BREATH (BUI)

DEFENDANT'S NAME: Jack Lee Cooper CASE NO: FWC-23ON-0007242B

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 Statues, 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: 7/30/23 Time read: 2040 Location read: SAP Palm Beach Gun Club

OFFICER'S NAME (printed): David Morgan

OFFICER'S SIGNATURE: P224

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FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT
OPERATOR APPRAISAL & INTERVIEW

DEFENDANT'S NAME: Jack Lee Cooper CASE NO. FWC230047072420

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: In custody

Were you operating a vehicle/vessel?		Where were you going?
Was the vehicle/vessel in good condition? If No, →		What is wrong with it?
What road/waterway were you on?		Where were you coming from?
What time did you leave there?		Without looking at a watch or clock, what time is it now? Actual Time:
What is today's date? Actual Date:		What day of the week is it? Actual Day:
When did you last eat?	What did you eat?	Where did you last eat?
What have you been drinking?	How much have you been drinking?	Where have you been drinking?
Who were you drinking with and were they drinking?		What time did you start drinking?
What time did you stop drinking?	Do you feel the effects of alcohol (or drugs)?	Do you feel that you are impaired?
Were you involved in an accident today?	When did you last sleep?	How much sleep did you get?
Are you currently under the care of a doctor or dentist? For what?		
Have you used any type of drugs recently, prescription, non-prescription or otherwise?		
If so, what kind of drug did you take? What was your last dose and when?		
Do you think you should have been operating a vehicle/vessel?		If yes, Why?

P124
Interviewing Officer's Signature

DAVID Morgan
Interviewing Officer's Name (Printed)

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

PBSO CASE # 23-094499 PBSO ZONE 3-13

AGENCY CASE # FWC23ON00724Ø CRASH CASE #

TIME OF STOP/CRASH 1922 hrs DATE 7/30/23 DAY Sunday

SUBJECT'S NAME Cooper (LAST) Jack (FIRST) Lee (MID) RACE W SEX M/E

HGT 5'06" WGT 180 lbs DOB Ø6/05/1996

LOCATION Icw, South of Blue Heron Bridge

ARRESTING OFFICER'S NAME & ID David Morgan P224 AGENCY FWC

DIVISION: LE

NOTIFIED BY COMMO Y

ARRIVAL AT FACILITY 2Ø16 hrs

ARREST TIME 1930 hrs

BREATH RESULTS:

REFUSED

1)
2)
3)
4)

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TESTING OFFICER'S ID 24629 PBSO VIDEOTAPE # N/A

TESTING FACILITY TASK REPORT

AGENCY: FWC

SUBJECT: COOPER, JACK L

CASE NUMBER: 23-094499

DATE: Jul 30, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 20:39

ENDING TIME: 20:43

BREATH TESTS RESULTS: 1) R TIME 20:42 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: P.POUND #24639

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

REFUSED

SPEECH: SLURRED

ATTITUDE: TALKATIVE, UPSET

CLOTHING: WHITE / BLACK SHORTS , LIGHT BLUE SHIRT , NO SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

NOT A CERTIFIED COPY

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 20:16 HRS.

SUBJECT: REFUSED TO TAKE TEST

A/O: READ I/C

SUBJECT: STATED HE WOULD LIKE TO TAKE THE BLOOD TEST, BUT STATED HE UNDERSTOOD I/C AND REFUSED TO TAKE TEST

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

A/O: ATTEMPTED Q&A

SUBJECT: REFUSED QUESTIONS

REFUSED

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 15th Judicial Circuit in and for Palm Beach County, Florida

STATE OF FLORIDA
(PLAINTIFF)

V.

Jack Lee Cooper
DEFENDANT

Uniform Boating Citation No.
V490495

AFFIDAVIT

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

1. That on Sunday (Day of Week), July 30th (Date (Month & Day)), 2023 (Year) at 7:30 (Time) ☐ 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 reference 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.

Officer's Signature — P224 ID No

Florida Fish & Wildlife Conservation Commission
Law Enforcement Agency

13000 Marcinski Road
Mailing Address

Jupiter — FL — 33477
City — State — Zip Code

SWORN TO AND SUBSCRIBED BEFORE ME THIS 30th DAY OF July, 2023

Notary Public or Attesting Officer

☑ Personally known to me
☐ Produced as Identification

PARIS POUND
MY COMMISSION # HH 202850
EXPIRES: March 25, 2026
Bonded Thru Notary Public Underwriters

[redacted]

FWCDLE 108F Revised (01/21)

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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:	

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REVIEW COMPLETED BY

Booking Number: 2023019816	**Date:** 7/31/2023
	Specialist Name/ID: R.Castro/40259