JRT# 00684481

Pch# 1499

Arrest Report

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

24mm 4467 mB

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
5/25/2024 07:23 PM	C-7616AB	FWC24ON0043837 / FWCS24IN0022200	MORGAN, DAVID

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0508000	05/25/2024 18:37:45 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	ICW, W PEANUT ISLAND

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
33404			WEST PALM BEACH	FI	33404

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
ROBERT	B	ZALIS		WHITE	MALE	5'07"	170	BLACK	BROWN

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	01/24/1961	63	E	Z420762610240	FL	

Place of Birth:	BUTLER PA UNITED STATES

Address
* RESIDENCE / 16767 SE HWY 301 LOT 36 , SUMMERFIELD, FL 34491 / 561-798-3650

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
5/25/2024 18:55:45	PUBLIC PLACE	ICW, W PEANUT ISLAND

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
33404			PALM BEACH	WEST PALM BEACH	FL	33404

Charge : STATE STATUTE

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

Charge Degree	Charge Level
SECOND DEGREE	MISDEMEANOR

1000

General Offense Code	Arrest Offense Code
PRINCIPAL	DUI-UNLAW BLD ALCH

Charge Description
OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED

MAY 25 PM 09:24

Administrative Code - Description
-

5/25/2024

16

FILED PBC - GUN CLUB
'24 MAY 26 AM 9:02

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No detainer

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Bond Set by Officer

Bond Amount	☐ No Bond

Bond Type(s)

Probable Cause

On 5/25/2024 at approximately 1835 hours I, Officer David Morgan of Florida Fish and Wildlife Conservation Commission (FWC) and FWC Officer Patrick Defeo were on water-based patrol in the IntraCoastal waterway (ICW) west of Peanut Island located instead of Palm Beach inlet in Palm Beach County. We observed a vessel heading south in the ICW we several occupants and a young child onboard. We initiated a vessel stop to conduct a safety inspection.

Upon contact with the vessel operator (owner), later identified as Robert B Zalis, FL DL# Z420762610240 DOB 01/24/1961, I noticed that Zalis had an alcoholic beverage (Truly) in his hand. I asked Zalis where they were heading to now and he replied they were heading to Juno because he has a place on the water. Juno is north from our location and he was facing south. When first speaking with Zalis, I noticed he had slightly slurred words when he was talking during the stop. Zalis also had red flush face, watery and bloodshot eyes and the smell of an unknown alcohol asked Zalis to get me his registration and while bring it to me stumbled and had to catch himself on the gunnel. I asked Zalis to find the safety equipment required on the vessel, PFDs (8 for the number of occupants onboard), type 4 throwable, fire extinguisher and sound producing device. Zalis showed me where the PFDs were but then went to the compartment above the helm the show me the horn without showing if he had enough PFDs for everyone onboard. He then, in the same compartment, found the fire extinguisher after search for it. After showing me the fire extinguisher, he looked at me and I advised him I still needed to see the Type 4 throwable as well as the PFDs. He showed me both items. I ask Zalis if he had anything to drink today and he replied he was not drunk. I advised him of that he was showing signs of possible impairment with his speech, unstable movements around the vessel, face and eyes. Officer Defeo asked on a scale 1 to 10 with 1 being stone-cold no drink sober and 10 being the most intoxicated he has ever been where he believed he was at. Zalis replied he was a 1.

I asked Zalis if he would perform Seated Standardized Field Sobriety Tasks (SFSTs) to determine if he was impaired or if what I was noticing was just a day out at the sandbar. Zalis consented to perform Standardized Field Sobriety Tasks (SFSTs). I had Zalis board my vessel to begin Seated SFSTs and at that time I could smell more an unknown alcoholic beverage coming from his person.

At the conclusion of SFSTs, along with my observations during the vessel stop and totality of the circumstances, I placed Zalis under arrest for operating a vessel while normal faculties impaired at 1855 hours.

I transported Zalis to Rybovich Marina arriving at 1915 hours in on patrol vessel. Zalis was then transported in my patrol vehicle to Gun Club arriving at 1939 hours. Zalis refused to provide breath samples to determine the amount of alcohol on his breath. Refusal at 2005 hours. Zalis refused answered questions, post-

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Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0508000	05/25/2024 18:37:45 -	

OBTS Number	Other Number	Clearance

Miranda.

Zalis was issued the following citation:

Citation 1: V794527 (Misd.)
327.35(1)(a): Operating a vessel while normal faculties impaired

Citation 2: V794528 (Infrac.)
327.35215(1): Refusal to submit to blood/breath/urine 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
5/25/2024 08:35 PM	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	06/20/2024 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 25 day of May, 2024

DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

[redacted]

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

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TESTING FACILITY TASK REPORT

AGENCY: FWC/BUI

SUBJECT: Zalis, Robert B.

CASE NUMBER: 24-065921

DATE: May 25, 2024

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 20:02

ENDING TIME: 20:06

BREATH TESTS RESULTS: 1) Refused TIME 20:05 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: Slurred

ATTITUDE: Calm, cooperative, quiet

CLOTHING: Red swimming trunks, No shirts, grey flip-flops

MEDICAL CONDITIONS: Yes

MEDICATIONS: Yes

OTHER:

Eyes are glassy

COMMENTS:

Arrived at center A/O started 20 minute observation period at 19:39 hrs.

Subject refused to answer if he would perform breath test and invoked his rights.

A/O read BUI I/C and subject stated he understood BUI I/C.

Subject refused to take test.

A/O read rights.
Subject stated he understood rights.

A/O attempted Q&A.
Subject refused to answer Q&A.

REFUSED

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

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PBSO CASE # 24-065921 PBSO ZONE 3-11

AGENCY CASE # FWC24ON0043837 CRASH CASE #

TIME OF STOP/CRASH 1837 DATE 05/25/2024 DAY Saturday

SUBJECT'S NAME ZALIS (LAST) ROBERT (FIRST) B (MID)

DOB 01/24/1961 HGT 5'7" WGT 170 RACE W SEX M

LOCATION ICW, W PEANUT ISLAND PALM BEACH, FLORIDA

ARRESTING OFFICER'S NAME & ID DAVID MORGAN P224 FWC (AGENCY)

NOTIFIED BY COMMO N

BREATH RESULTS:

1)
2)
3) REFUSED
4)

ARRIVAL AT FACILITY 1939

ARREST TIME 1855

Ragin 16877
BAT TECH. OFFICER NAME & ID

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

DEFENDANT'S NAME: Zobist CASE NO. FWC240N43837

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?	

P224
Interviewing Officer's Signature

P224
Interviewing Officer's Name (Printed)

FWCDLE 108E (11/05)

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FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

IMPLIED CONSENT WARNING FOR BREATH (BUI)

DEFENDANT'S NAME: Robert ZALIS CASE NO: FWC24ON00043837

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 ☐

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SIGNATURES

Date read: 5/25/24 Time read: 2005 Location read: BAT Main Jail

OFFICER'S NAME (printed): David Morgan P224

OFFICER'S SIGNATURE: D. Morgan P224

Form 917 FO (10/21)

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.

Robert ZALIS
DEFENDANT

Uniform Boating Citation No.
V 794528

AFFIDAVIT

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

1. That on Saturday (Day of Week), May 25th (Date (Month & Day)), 2024 (Year) at 18:55 (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 — ID No 4224

FWC
Law Enforcement Agency

13000 MARCINSKI ROAD
Mailing Address

JUPITER — FL — 33477
City — State — Zip Code

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25 DAY OF May, 2024

Notary Public or Attesting Officer

☒ Personally known to me
☐ Produced _____ as Identification

RENEE RAGIN
MY COMMISSION # HH 463620
EXPIRES: March 5, 2028

[redacted]

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Palm Beach County Sheriff's Office

Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(4)(c)	Undercover personnel	
	☐	119.071(2)(e)	Confession	
Public Info. Exemptions	☐	FL Const. Art. I, s. 16(b)(5)	Marsy's Law – victim information shall be redacted. The term "victim" also includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim. The term "victim" does not include the accused (ref. page 99 of the CRTM for additional information)	
	☐	119.071(2)(j)	Home/employment telephone number, home/employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence	
	☐	119.0712(2)	Personal information contained in a motor vehicle record	
	☐	316.650(11)	Driver information contained in a uniform traffic citation	
	☐	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
Florida Rules of Judicial Administration 2.420	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	☐	(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	☐			
	☐			
	☐			
	☐			

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REVIEW COMPLETED BY

Booking Number: 2024014215	**Date:** 5/26/2024
	Specialist Name/ID#: MTooks #8557