50·2023·MM-00 4474AMB

Arrest Report

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

0498061

1060

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
6/4/2023 09:18 PM	C-6118AB	FWC23ON0051689 / FWCS23IN0028071	MORGAN, DAVID

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0508000	06/04/2023 19:42:32 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	ISLAND ICW PEANUT ISLAND EAST

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	BCH	FWC	PALM BEACH SHORES	FI	

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
SEAN	BRIGGS	HEYNIGER		WHITE	MALE	6'00"	190	BROWN	BLUE

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	03/07/1998	25	E	H526782980870	FL	

Place of Birth:	

Address
* RESIDENCE / 3130 WASHINGTON RD , WEST PALM BEACH, FL 33405 / 561-385-2833

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
6/4/2023 20:00:32	PUBLIC PLACE	FACE DOCK EAST OF PEANUT ISLAND

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
	BCH	FWC	PALM BEACH	PALM BEACH SHORES	FL	

Charge : STATE STATUTE

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

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
-

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NO DETAINER
D/S MACK 28801

FILED PBC - GUN CLUB--
'23 JUN 5 AM 7:43

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Bond Set by Officer

Bond Amount	☐ No Bond

Bond Type(s)

Probable Cause

On 05/04/2023 at approximately 1945 hours I, Officer David Morgan of Florida Fish and Wildlife Conservation Commission (FWC) was on water-based patrol near Peanut Island located inside Palm Beach Inlet in Palm Beach County. I observed a vessel heading east from Peanut Island with several passengers onboard. I initiated a vessel stop to conduct a boat safety inspection.

Upon contact with the vessel operator, later identified Sean Briggs Heyniger, FL DL# H526782980870 DOB 03/07/1998, I noticed that Heyniger had slightly slurred words when he was talking during the stop. Heyniger also had red, glassy eyes with slightly droopy eyelids. I could smell the odor of an unknown alcoholic beverage coming from the vessel. I explained to Heyniger that I was doing a boater safety inspection for the required safety equipment. As Heyniger moved around the vessel near me and spoke to me, I was able to smell a slight odor of an unknown alcohol coming off his person.

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

At the conclusion of the SFSTs, Heyniger was arrested for operating a vessel while normal faculties impaired at 2000 hours.

I transported Heyniger to Rybovich arriving at 2011 hours on patrol vessel. I transported Heyniger to Palm Beach County Main Jail at 2043 hours in my patrol vehicle. At the jail, Heyniger refused to provide breath samples at 2101 hours.

Heyniger was issued the following citation:

Citation 1: V490473 (Infrac.)
327.50(1)(a): No fire extinguisher

Citation 2: V490474(Infrac.)
328.48(4): No current/valid certificate of registration on board

Citation 3: V490475 (Misd.)
327.35(1)(a): Operating a vessel while normal faculties impaired.

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Citation 4: V490476 (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
6/4/2023 09:46 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 Appeareance Date / Time	Court Fine
PALM BEACH COUNTY COURT AT GUN CLUB	5613552996	07/13/2023 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

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

Sworn and subscribed before me, the undersigned authority
This the 4 day of JUNE, 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 Date

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TESTING FACILITY TASK REPORT

AGENCY: FWC

SUBJECT: HEYNIGER, SEAN B

CASE NUMBER: 23-075204

DATE: Jun 4, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 20:58

ENDING TIME: 21:01

BREATH TESTS RESULTS: 1) R TIME 21:01 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

SPEECH: LOW

ATTITUDE: QUIET

CLOTHING: PINK / GREEN SHORTS, LIGHT BLUE SHIRT, NO SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

REFUSED

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COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 20:43 HRS.

SUBJECT: REFUSED TO ANSWER FORMAT QUESTIONS

SUBJECT: REFUSED TO ANSWER IF HE WOULD TAKE TEST

A/O: READ I/C

SUBJECT: STATED HE UNDERSTOOD I/C AND STILL REFUSED TO ANSWER IF HE WOULD TAKE TEST

NO RIGHTS OR Q&A CONDUCTED

REFUSED

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

OPERATOR APPRAISAL & INTERVIEW

DEFENDANT'S NAME: SEAN B HEINIGER CASE NO. FWC230W0051689

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?

Interviewing Officer's Signature

DAVID MORGAN #224
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: SEAN B HEYNIGER CASE NO: FWC230W#05168

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: 6/4/23 Time read: 2101 Location read: DAT

OFFICER'S NAME (printed): DAVID MORGAN

OFFICER'S SIGNATURE: [signature] P224

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

PBSO CASE # 23-075204 PBSO ZONE 3-15

AGENCY CASE # FWC 230N 005168 CRASH CASE #

TIME OF STOP/CRASH 1942hrs DATE 6/4/23 DAY Sunday

SUBJECT'S NAME HEINEGER SEAN BRIGGS (LAST FIRST MID) RACE W SEX M

HGT 6'00" WGT 150 DOB 3/7/98

LOCATION East Peanut Island

ARRESTING OFFICER'S NAME & ID Ofc. Morgan P224 AGENCY FWC

DIVISION: LE

NOTIFIED BY COMMO Y

ARRIVAL AT FACILITY 2043hrs

ARREST TIME 2000 hrs

BREATH RESULTS:

1)
2)
3)
4)

REFUSED

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TESTING OFFICER'S ID 24639 PBSO VIDEOTAPE # N/A

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.

SEAN B HEYNIGER
DEFENDANT

Uniform Boating Citation No.
V49Ø476

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), JUNE 4th (Date (Month & Day)), 2023 (Year) at 2Ø:ØØ (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.

[signature] P224
Officer's Signature ID No

FWC - FLORIDA Fish & Wildlife Conservation Commission
Law Enforcement Agency

1500 MARCINSKI RD
Mailing Address

JUPITER FL 33477
City State Zip Code

SWORN TO AND SUBSCRIBED BEFORE ME THIS 4TH DAY OF JUNE, 2023

[signature] #6447
Notary Public or Attesting Officer

☐ Personally known to me
☒ Produced LEO as Identification

[redacted]

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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	☐	119.071 (2)(J)	Other: The Victim's address in a Domestic Violence action on petitioner's request.	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2023014637	**Date:** 6/5/2023
	Specialist Name/ID: M. Tooks #8557