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2019CF8147

222



Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
1937 BANANA GROVE ROAD
MOORE HAVEN, FL.

Report Date / Time 8/25/2019 04:49 AM	Report Number C-5575AA	Case Number/Cad Number FWSA19OFF010480 / FWSA19CAD003194	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 08/25/2019 02:32:12 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description			
Street Number ARTESA DR	Street	Apt/Lot/Bldg	City BOYNTON BEACH	State FL	Zip Code 33436

Defendant

First Name BRIAN	Middle Name JAMES	Last Name ORME	Suffix	Race WHITE	Sex MALE	Height 5'10"	Weight 180	Hair BALD	Eyes BROWN
MNI #	SSN	Date of Birth 03/06/1981	Age 38	Place of Birth UNKNOWN FL USA	Drivers License or other ID O650070810860	State FL	ID Type E	Address * RESIDENCE / 4067 ARTESA DR , BOYNTON BEACH, FL 33436 /	

Arrest

Arrest Date/Time 8/25/2019 2:35:06 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description				
Street Number ARTESA DR	Street	Apt/Lot/Bldg	County PALM BEACH	City BOYNTON BEACH	State FL	Zip Code 33436

Charge : STATE STATUTE

Counts 1	Charge 316.1935(2)	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree THIRD DEGREE	Charge Level FELONY	General Offense Code RESIST OFFICER 3000.00	
Charge Description FLEEING/ATTEMPTING TO ELUDE LAW ENF OFC; MARKED VEH W/LIGHTS & SIREN			

Charge : STATE STATUTE

Counts 1	Charge 316.193(1)(a) <i>adp</i>	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH <i>OR</i>	
Charge Description DRIVING UNDER THE INFLUENCE - ALCOHOLIC BEVERAGES, ANY CHEMICAL SUBSTANCE, OR ANY SUBSTANCE CONTROLLED AND THE PERSON'S NORMAL FACULTIES ARE IMPAIRED			

AUG 25 AM 6:39

Arrest Report

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DSCollins 7602

Brodbeck #N957

Report Date / Time 8/25/2019 04:49 AM	Report Number C-5575AA	Case Number/Cad Number FWSA19OFF010480 / FWSA19CAD003194	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 08/25/2019 02:32:12 -	Jurisdiction	Clearance

Charge : STATE STATUTE

Counts 1	Charge 316.1939(1)(a) <i>dB</i>	Bond Amount \$0.00	<input type="checkbox"/> No Bond
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Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH <i>OR</i>
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Charge Description
REFUSAL TO SUBMIT TO BREATH TEST

Bond Set by Officer

Bond Amount	<input type="checkbox"/> No Bond
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Bond Type(s)

Probable Cause

****BODY CAMERA VIDEO AVAILABLE****

WHO: BRIAN JAMES ORME

FL DL#O650070810860

4067 ARTESA DR, BOYNTON BEACH, FL 33436

WHAT: F.S. 316.193-DUI NORMAL FACULTIES IMPAIRED

F.S. 316.1939-REFUSAL TO SUBMIT TO BREATH TEST

F.S. 316.1935-FLEE/ELUDE LEO W/LIGHTS AND SIRENS ACTIVATED

WHERE: GATEWAY BLVD. AND CONGRESS AVE., BOYNTON BEACH

WHEN: 8/25/19 APPROX 0220 HRS

Other information Relating to DUI/BUI

Silver 2006 Dodge Ram 1500, FL Tag HPIH31

DETAILS OF DUI/BUI

A. Phase 1 - Initial Observation of vehicle/vessel in operation

On Sunday, August 25, 2019 at approximately 0220 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on patrol westbound on Gateway Blvd., east of Congress Avenue. Ahead, I observed a silver Dodge Ram (FL Tag HPIH31), unable to maintain a single lane. The truck was swerving from the left lane into the center lane, and straddling the striped lines. At the Renaissance Blvd. intersection, still westbound, the silver truck again swerved into the adjacent lane, nearly colliding with another vehicle. We came to a stop at Gateway and Congress. When the light turned green, the silver truck again swerved right, into the adjacent lane, nearly colliding with a vehicle. Suspecting possible impairment, I activated my blue lights and siren to initiate a traffic stop. The silver truck refused to stop, continuing westbound on Gateway Blvd., then southbound on Lawrence Rd., turning into the Artesa development, and coming to a stop in his driveway, located at 4067 Artesa Drive. The total distance covered from activating my lights and siren to final stop is approximately 1.5 miles. I drew my taser and gave loud verbal commands for the driver, later identified

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by Florida DL as BRIAN J ORME, to go to the ground. ORME complied. I placed ORME under arrest.

B. Phase 2 - Personal Contact with driver/operator of vehicle/vessel
Upon making contact with the driver, I detected a strong odor of an alcoholic beverage emitting from his breath. ORME was slurring his speech and was making incoherent statements. While standing, ORME was very unsteady on his feet and had difficulty maintaining balance.

C. Phase 3- Pre-arrest screening and Observations of Driver/Operator
Due to ORME being under arrest for a felony, SFST's were not performed.

D. Arrest of Driver/Operator
At 0235 hours, I placed ORME under arrest for the following violations:
F.S. 316.193-DUI Normal Faculties Impaired
F.S. 316.1939- Refusal to Submit to Breath Test
F.S. 316.1935- Flee/Attempt to Elude LEO w/lights and sirens


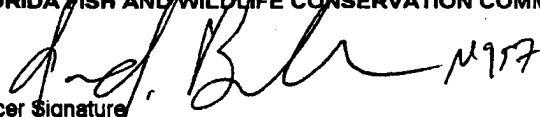
E. Disposition of Driver and vehicle/vessel
I transported ORME to the Palm Beach County Jail, Main Detention Center. The vehicle was towed by Babbsco Towing, located at 4453 Todd St, Lake Worth, FL.

Court	
Court County PALM BEACH	Court Location 205 NORTH DIXIE HIGHWAY WEST PALM BEACH, FLORIDA 33401
Court PALM BEACH COUNTY COURT	Court Phone (561) 355-2996
	Court Appearance Date / Time 09/25/2019 1:30 PM
	Court Fine
Comments	

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
BRODBECK, JAMES J OFFICER WN957	REPORTING OFFICER	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWSAISO 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 BRODBECK, JAMES J	Office Rank OFFICER	Officer ID No WN957	Sworn and subscribed before me, the undersigned authority This the <u>25</u> day of <u>August</u> , <u>2019</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature 			

TESTING FACILITY TASK REPORT

AGENCY: FWC/BRODBECK

SUBJECT: ORME, BRIAN

CASE NUMBER: 19-107995

DATE: Aug 25, 2019

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0420

ENDING TIME: 0425

BREATH TESTS RESULTS: 1) R TIME 0423 A.M. P.M. 2) XX TIME XX A.M. P.M.
3) XX TIME XX A.M. P.M. 4) XX TIME XX A.M. P.M.

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICIAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED,

ATTITUDE: ARROGANT, ARGUMENTATIVE, UNCOOPERATIVE

CLOTHING: BLACK SHIRT, BLACK PLAID SHORTS, BLACK SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: GLASSY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGES COMING FROM BREATH,

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0355
SUBJECT REFUSED TO ANSWER CAMERA FORMAT QUESTIONS AND TO TAKE BREATH TEST
A/O READ I/C x2
SUBJECT REFUSED TO COOPERATE
A/O CALLED A REFUSAL @ 0423
A/O READ RIGHTS
SUBJECT REFUSED QUESTIONING



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

PBSO CASE # 19-107995 PBSO ZONE 6-32

AGENCY CASE # FWSA19OFF0010480 CRASH CASE # N/A

TIME OF STOP/CRASH 0235 DATE 8/25/19 DAY SUNDAY

SUBJECT'S NAME BRIAN J. ORME RACE W SEX M

HGT 5' 10" WGT 180 DOB 3/6/81

LOCATION GATEWAY + LAWRENCE

ARRESTING OFFICER'S NAME & ID S. BRODBECK N457 AGENCY FWC

DIVISION: SOUTH A

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 0355

BREATH RESULTS

Arrest Time 0235

1. _____
2. _____
3. _____
4. _____

TESTING OFFICER'S ID 24520 PBSO VIDEOTAPE # N/A

NOT A CERTIFIED COPY

Crime Brain

CASE NUMBER: TW5100000000

QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OR ALL OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? _____

WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START? _____

WHAT TIME DID YOU START? _____ WHAT TIME IS IT NOW? _____

WHAT IS TODAY'S DATE? _____ WHAT DAY OF THE WEEK IS IT? _____

WHAT COUNTY AND CITY ARE YOU IN NOW? _____

WHAT DID YOU LAST EAT? _____ WHAT DID YOU EAT? _____

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? _____

HOW MUCH DO YOU WEIGH? _____ HAVE YOU BEEN DRINKING? _____ WHAT?

HOW MUCH? _____ WHERE? _____ WITH WHOM? _____

WHAT DID YOU DRINK? _____ AND YOUR LAST DRINK? _____

HOW MANY DRINKS DID YOU HAVE? _____

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? _____ ARE YOU UNDER THE INFLUENCE? _____

HAVE YOU CONSIDERED ANY ALIBI SINCE THE ACCIDENT? _____ HOW MUCH?

WHAT? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU ON? _____ WHEN DID YOU LAST WORK? _____

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? _____ WHAT?

ARE YOU EVER INJURED? _____ WHAT'S WRONG? _____

DO YOU DRINK? _____ DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? _____

WERE YOU DRUG AGENT TODAY? _____

HAVE YOU TAKEN ANY DRUGS INCLUDING MARIJUANA TODAY? _____ WHAT?

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? _____ WHO? _____ WHAT?

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? _____ WHAT? _____ WHAT?

- DO YOU HAVE:
- EPILEPSY? _____
 - GLASS EYE? _____
 - FALSE TEETH? _____
 - EAR IMPROVEMENT? _____
 - TOOTH IMPROVEMENT? _____
 - DEAFNESS? _____

DO YOU HAVE ANY OTHER DEFECTS OR INJURIES THAT ARE NOT CORRECTED? _____

WHAT WAS YOUR LAST RESIDENCE? _____

WHAT CITY AND STATE WERE YOU IN AT THE TIME OF THE ACCIDENT? _____ OTHER STATE? _____

IDENTIFICATION: OTC DRUG LOCK # N951

PLEASE PRINT NAME AND ADDRESS: _____

SUBJECT: Ome, Brian

CASE NUMBER: FWSA1909 F031010

IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

I am now requesting that you submit to a breath test of your BREATH for the purpose of detecting the presence of alcohol.

OR

I am now requesting that you submit to a liquid test of your URINE for the purpose of detecting the presence of alcohol.

OR

I am now requesting that you submit to a liquid test of your BLOOD for the purpose of detecting the presence of alcohol.

NOTE: READ ONLY THE PARAGRAPH THAT APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

OFC Brodbeck # N957 of the FWC

If you fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of 180 days for a first offense, 18 months if your privilege has been previously suspended for a period of 90 days for a second offense, or 2 years if you have been previously suspended for a period of 180 days for a third offense. Refusal to submit to the test is also considered a misdemeanor. Refusal to submit to the test is also considered a misdemeanor.

SUBJECT'S SIGNATURE: (0) Read on Camera

CONSTITUTIONAL WARNINGS

YOU MAKE ANY STATEMENTS THAT WILL BE USED AGAINST YOU IN COURT.

- 1. You have the right to remain silent. If you give an answer, it can be used against you in court.
- 2. You have the right to stop answering questions at any time. You will still have to answer questions if you have already begun to answer them.
- 3. You have the right to stop answering questions at any time. You will still have to answer questions if you have already begun to answer them.
- 4. You have the right to stop answering questions at any time. You will still have to answer questions if you have already begun to answer them.
- 5. If you cannot afford a lawyer, one will be appointed for you before any questioning if you cannot afford a lawyer.
- 6. You have the right to stop answering questions at any time. You will still have to answer questions if you have already begun to answer them.
- 7. Any statement you make can be used against you in a court of law.

SUBJECT'S SIGNATURE: (0) Read on Camera



Palm Beach County Sheriff's Office – Arrests Only

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

REVIEW COMPLETED BY

Booking Number: 2019027818	Date: 08/26/2019
	Specialist Name/ID: AM/31562