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Arrest Report

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

Report Date / Time 4/28/2019 07:18 PM	Report Number C-3942AA	Case Number/Cad Number FWSA19OFF004823 /FWLR19 CAD008058	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 04/28/2019 19:01:48 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type	Location Description BRIDGE CAMINO REAL ICW X2[SPANISH RIVER RD]			
Street Number MARKER 1048.2	Street	Apt/Lot/Bldg FWC	City BOCA RATON	State FL	Zip Code 33432

Defendant

First Name CALEB	Middle Name JOSHUA	Last Name MC DONNELL	Suffix	Race B	Sex MALE	Height 6'00"	Weight 200	Hair BLACK	Eyes BROWN
MNI #	SSN	Date of Birth 02/20/1994	Age 25	Place of Birth BRONX NY USA	Drivers License or other ID M235110940600	State FL	ID Type E	Address * RESIDENCE / 1029 LANGER WAY APT 1 , , FL 33483 / Delray Beach	

Arrest

Arrest Date/Time 4/28/2019 7:04:16 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description				
Street Number MARKER 1048.2	Street	Apt/Lot/Bldg FWC	County PALM BEACH	City BOCA RATON	State FL	Zip Code 33432

Charge : STATE STATUTE

Counts 1	Charge 327.35(1)(a)	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED			

Bond Set by Court

Bond Amount \$0.00	No Bond? No
Bond Type(s)	

Probable Cause

WHO: CALEB JOSHUA MC DONNELL (2/20/1994)
1029 LANGER WAY APT 1, DELRAY BEACH, FL 33483
WHAT: F.S. 327.35 - BUI NORMAL FACULTIES
WHERE: LAKE BOCA, PALM BEACH COUNTY
WHEN: 4/28/2019 1900 HOURS

2019 APR 29 AM 8:19

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On Sunday, April 28, 2019 at approximately 1900 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on vessel patrol in Lake Boca during "Boca Bash". I observed a vessel, a 2014 Grady White baring Florida Registration FL3716RN, with approximately 10 persons on board. The operator of the vessel was identified by Florida DL as CALEB J MCDONNELL. During a boating safety inspection, MCDONNELL displayed numerous signs of impairment to include bloodshot eyes and a moderate odor of an alcoholic beverage emitting from his breath. Based on my observations, I asked MCDONNELL to submit to Field Sobriety Tasks, and he agreed.

HORIZONTAL GAZE NYSTAGMUS:

During HGN, the subject displayed a lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation, and an onset of nystagmus prior to 45 degrees.

FINGER TO NOSE:

During FTN, the subject started before being told to do so. During the Performance Stage, on the first left, the subject searched for the tip of his nose. On the first right, the subject searched for the tip of his nose. On the second left, the subject searched for the tip of his nose. On the second right, the subject hesitated before making contact with the nose. On the third right, the subject searched for the tip of his nose and missed the tip of his nose, making contact with the underside of the nose. On the third left, the subject searched for the tip of his nose and missed the tip of the nose, making contact with the underside of the nose.

PALM PAT:

During Palm Pat, the subject had two chopped pats, opened and closed his hands like a book, and did not increase speed as instructed.

HAND COORDINATION:

During the Instruction Stage, the subject had to be reminded twice to remain in the demonstrated position. During the Performance Stage, Task 1, the subject dragged his knuckles. The subject did not complete Task 2. The subject did not complete Task 3.

At 1904 hours I placed MCDONNELL under arrest for BUI and transported him to the Silver Palm Boat ramp where he refused to provide a breath sample.

Two Uniform Boating Citations were issued for the following violations:

F.S. 327.35 - BUI Normal Faculties

F.S. 327.35215(1) - Refusal to submit to breath test

The subject was turned over to Boca Raton Police Department for transport to the Palm Beach County Jail.

Court

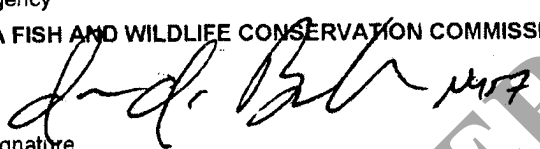

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Originating Agency ORI FL0488000	Occur Date Time Range 04/28/2019 19:01:48 -	Jurisdiction	Clearance

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 05/29/2019 1:30 PM	Court Fine
Comments			

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
BRODBECK, JAMES J	OFFICER		WN957	FWSAISO REGION AIPALM BEACH	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

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>28</u> day of <u>APRIL</u> , <u>2019</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature 			

NOT A CERTIFIED COPY



**FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT**



**FLORIDA BUI/DUI
IMPLIED CONSENT WARNING**

DEFENDANT'S NAME: CALEB McDONNELL CASE NO.: FWSA19OFF004823

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

You are under arrest for operating a vessel or vehicle while under the influence of alcoholic beverages or chemical or controlled substance.

I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content. Will you submit to a **BREATH** test?

I am now requesting that you submit to a lawful test of your **URINE** for the purpose of detecting the presence of chemical or controlled substances. Will you submit to a **URINE** test?

I am now requesting that you submit to a lawful test of your **BLOOD** for the purpose of determining its alcohol content and the presence of chemical or controlled substances. Will you submit to a **BLOOD** test?

IF THE SUBJECT REFUSES TO SUBMIT TO TESTING, READ ONE OF THE FOLLOWING:

I am JAMES BRODBECK of the FWC
(Officer's Name) (Agency)

VESSEL

If you fail to submit to the test I have requested of you, it will result in a civil penalty of \$500.00. Additionally, if you refuse to submit to the test I have requested of you and have previously been fined for refusal to submit to a lawful test of your breath, urine, or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

Will you submit to the test? YES NO

VEHICLE

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 one (1) year for a first refusal or eighteen (18) months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privileges have been previously suspended for refusal to submit to a lawful test of your breath, urine, or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

Will you submit to the test? YES NO

4/28/19 1:50
DATE TIME

Caleb McDonnell
DEFENDANT'S SIGNATURE

JAMES BRODBECK
OFFICER'S NAME (PRINTED)

[Signature]
OFFICER'S SIGNATURE



**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)

Uniform Boating Citation No.

V341 050

v.

CALEB J. McDONNELL
DEFENDANT

AFFIDAVIT

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

- That on SUNDAY, APRIL 28, 2019 at 19:04 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 references as if set forth fully herein.
- 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.
- 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.
- The Defendant refused to submit to the blood, breath, or urine test(s).

FURTHER AFFIANT SAYETH NOT.

[Signature] 1957
Officer's Signature ID No

FWC
Law Enforcement Agency

8535 NORTH LAKE BLVD
Mailing Address

WEST PALM BEACH FL 33412
City State Zip Code

SWORN TO AND SUBSCRIBED	
BEFORE ME THIS	<u>28</u> DAY
OF	<u>April</u> , 20 <u>19</u>
<u>[Signature]</u> Notary Public of Attesting Officer	
<input checked="" type="checkbox"/>	Personally known to me
<input type="checkbox"/>	Produced _____ as Identification

Distribution:	
Original	File with the Clerk of the County Court – Attach a probable cause narrative and a copy of the Uniform Boating Citation.
2 nd White	File with the Clerk of the County Court – (Disposition and Abstract of Court Record)
Blue	Mail to: FWC – Law Enforcement Records Section, 620 South Meridian Street, Tallahassee, FL 32399-1600
Yellow	Violator Copy
Pink	Retained by Officer/Agency



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	<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: 2019014183	Date: 04/29/2019
	Specialist Name/ID: AM/31562