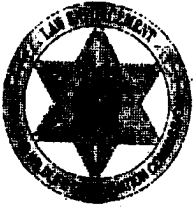


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Arrest Report

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

Report Date / Time 10/6/2018 03:20 AM	Report Number C-1203AA	Case Number/Cad Number FWSA18OFF009415/FWLR18 CAD016413	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 10/06/2018 02:33:20 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description PARK PHIL FOSTER X2[SR-A1A]			
Street Number E BLUE HERON BLVD	Street	Apt/Lot/Bldg FWC	City RIVIERA BEACH INC	State FL	Zip Code

Defendant

First Name CHARLES	Middle Name M	Last Name BINKLEY	Suffix	Race WHITE	Sex MALE	Height 5'07"	Weight 180	Hair BALD	Eyes BROWN
MNI #	SSN	Date of Birth 10/20/1969	Age 48	Place of Birth DAVIS, CA.	Drivers License or other ID B524153693800	State FL	ID Type E		
Address * RESIDENCE / 743 WILEX DR , , FL 33403 /									

Arrest

Arrest Date/Time 10/6/2018 2:35:20 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description BOAT RAMP				
Street Number E BLUE HERON BLVD	Street	Apt/Lot/Bldg FWC	County PALM BEACH	City RIVIERA BEACH INC	State FL	Zip Code

Charge : STATE STATUTE

Counts 1	Charge 316.193(1) <i>at db</i>	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 DRIVING UNDER THE INFLUENCE - ALCOHOLIC BEVERAGES, ANY CHEMICAL SUBSTANCE, OR ANY SUBSTANCE CONTROLLED AND THE PERSON'S NORMAL FACULTIES ARE IMPAIRED			

Bond Set by Court

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

OCT 8 AM 5:07

Probable Cause

On Saturday, October 2, 2018 at approximately 0200 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on patrol at Phil Foster Boat Ramp in Riviera Beach, Palm Beach County. I observed a white in color 27' contender with five occupants and loud music playing. I observed one individual, later identified by Florida DL as CHARLES M BINKLEY, walk from

81:18
10/11/18
147:18

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the dock to a vehicle, a silver Ford F150 bearing Florida Tag P585M. The subject appeared to have difficulty walking in a straight line. I observed BINKLEY back the vehicle down the ramp and attempt to winch the vessel onto the trailer. BINKLEY had difficulty operating the trailer winch, as the vessel slid back down the trailer three times, despite the strap being hooked to it. Once the vessel was secured, BINKLEY got back into the truck and drove it up the ramp approximately 150 feet and parked. Upon contacting BINKLEY, I detected the strong odor of an alcoholic beverage emitting from his breath, observed his eyes were glassy and bloodshot, and his speech was slurred. I asked BINKLEY if he would perform Standardized Field Sobriety Tasks, and he agreed.

Horizontal Gaze Nystagmus

During HGN, BINKLEY 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 the Instruction Stage, BINKLEY started at the wrong time. During the Performance Stage, BINKLEY moved his head forward approximately 3 inches. On the first left, BINKLEY hesitated, searched, missed the nose, and did not bring his hand down. On the first right, BINKLEY hesitated, searched, and missed the nose. On the second left, BINKLEY searched and used the pad of his finger. On the second right, BINKLEY hesitated and searched. On the third right, BINKLEY missed the nose. On the third left, BINKLEY searched, used the pad of his finger, and missed the nose.

Palm Pat

During Palm Pat, BINKLEY did not perform the task as instructed. He opened and closed his hands in a book-like fashion despite stating that he understood the instructions.

Hand Coordination

During the Instruction Stage, BINKLEY began the task before being told to do so. During the Performance Stage, Task 1 BINKLEY performed an improper touch by dragging his fists. During Task 2, BINKLEY clapped his hands 6 times and returned with his right fist closest to his chest. During Task 3, BINKLEY did not count at all, and did not return his left fist to his chest.

At 0235 I placed BINKLEY under arrest for DUI in violation of F.S. 316.193. I transported BINKLEY to the Palm Beach County Jail, where he refused to provide a breath sample.

Court

<table border="1"> <tr> <td>Court County</td> <td>Court Location</td> </tr> <tr> <td>PALM BEACH</td> <td>205 NORTH DIXIE HIGHWAY WEST PALM BEACH, FLORIDA 33401</td> </tr> </table>	Court County	Court Location	PALM BEACH	205 NORTH DIXIE HIGHWAY WEST PALM BEACH, FLORIDA 33401	Court Phone	Court Appearance Date / Time	Court Fine
Court County	Court Location						
PALM BEACH	205 NORTH DIXIE HIGHWAY WEST PALM BEACH, FLORIDA 33401						
PALM BEACH COUNTY COURT	(561) 355-2996	11/07/2018 1:00 PM					
Comments							

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
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Report Date / Time 10/6/2018 03:20 AM	Report Number C-1203AA	Case Number/Cad Number FWSA18OFF009415/FWLR18 CAD016413	Reporting Officer Name BRODBECK, JAMES J
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BRODBECK, JAMES J	OFFICER		WN957	FWSAISO REGION AIPALM BEACH	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
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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 BRODBECK, JAMES J	Office Rank OFFICER	Officer ID No WN957	Sworn and subscribed before me, the undersigned authority This the <u>06</u> day of <u>October</u> , <u>2018</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT <i>S. O'NEAL</i>
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION	Officer Signature <i>J. Brobeck</i> WN957		Notary Public - State of Florida Commission # FF 936854 My Comm. Expires Jun 25, 2020 Bonded through National Notary Assn.

NOT A CERTIFIED COPY

TESTING FACILITY TASK REPORT

AGENCY: Fluc Ofc. Fredbeck #N452

SUBJECT: Dougley, Charles M. CASE NUMBER: 13-170003

DATE: 10-06-12 VIDEO TAPE NUMBER: NLE

BEGINNING TIME: 0330hrs ENDING TIME: 0333hrs

BREATH TESTS RESULTS: 1) TIME 0332 AM/P.M. 2) TIME _____ A.M./P.M.
TIME _____ A.M./P.M. 4) TIME _____ A.M./P.M.

REFUSED

BREATH OPERATOR: S. Daniel #16212

MAINTENANCE TECHNICIAN: C. V. V. #16467

TESTING OFFICER'S OBSERVATIONS

SPEECH: _____

ATTITUDE: Calm, Cooperative

CLOTHING: Shirt: Teal, Shorts: Black, Socks: White

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: Eyes: Red, Glazy

COMMENTS: 20 min observation done by AIO Fredbeck #N452

AIO requested the breath test.

D refused the breath request.

AIO read the implied consent on camera.

D still refused after the IIC was read.

CH read on camera.

D refused QTA.

NOT A CERTIFIED COPY

SUBJECT: CHARLES M BINKLEY CASE NUMBER: FWSA15OFF009415

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 lawful test of your BREATH for the purpose of determining its alcohol content.

-OR-

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.

-OR-

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

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am JAMES BRUBBELL 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 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 privilege has been previously suspended for a prior 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.

SUBJECT'S SIGNATURE: (X) READ ON CAMERA

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: (X) READ ON CAMERA

SUBJECT: CHARLES M BINKLEY CASE NUMBER: FWSP13 OFF 009415

QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OF, ALL OF, 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? _____

WHEN 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? _____

WHEN DID YOU HAVE YOUR FIRST DRINK? _____ AND YOUR LAST DRINK? _____

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? _____

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

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? _____ HOW MUCH? _____

WHAT? _____ WHERE? _____ WHEN? _____

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

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

ARE YOU SICK OR INJURED? _____ WHAT'S WRONG? _____

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

WERE YOU IN AN ACCIDENT TODAY? _____

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? _____ WHEN? _____

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

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

DO YOU HAVE:

- EPILEPSY? _____
- GLASS EYE? _____
- FALSE TEETH? _____
- EAR INFECTION? _____
- INNER EAR TROUBLE? _____
- DIABETES? _____

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? _____

DO YOU TAKE INSULIN? _____ IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? _____ WHERE? _____

INTERVIEWER: _____

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL