

0507462 - 3005

(NH)



## Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
8535 NORTHLAKE BLVD  
WEST PALM BEACH, FL.

19MM510SB

|                                          |                                                |                                                                |                                          |
|------------------------------------------|------------------------------------------------|----------------------------------------------------------------|------------------------------------------|
| Report Date / Time<br>4/28/2019 04:58 PM | Report Number<br>C-0862AA                      | Case Number/Cad Number<br>FWSA19OFF004806 /FWLR19<br>CAD008015 | Reporting Officer Name<br>HUDSON, DILLAN |
| Originating Agency ORI<br>FL0488000      | Occur Date Time Range<br>04/28/2019 16:39:45 - | Jurisdiction                                                   | Clearance                                |

## Location of Occurrence

|                                     |                               |                                                             |
|-------------------------------------|-------------------------------|-------------------------------------------------------------|
| County<br>PALM BEACH                | Location Type<br>PUBLIC PLACE | Location Description<br>BRAMP SILVER PALM X2[S SPANISH TRL] |
| Street Number<br>E PALMETTO PARK RD | Street<br>FWC                 | City<br>BOCA RATON                                          |
| State<br>FL                         | Zip Code<br>33432             |                                                             |

## Defendant

|                                                                  |                          |                             |        |                                      |                                              |               |               |               |               |
|------------------------------------------------------------------|--------------------------|-----------------------------|--------|--------------------------------------|----------------------------------------------|---------------|---------------|---------------|---------------|
| First Name<br>DEREK                                              | Middle Name<br>CHRISTIAN | Last Name<br>HAAS           | Suffix | Race<br>WHITE                        | Sex<br>MALE                                  | Height<br>601 | Weight<br>210 | Hair<br>Brown | Eyes<br>Brown |
| MNI #                                                            | SSN                      | Date of Birth<br>06/08/1990 | Age    | Place of Birth<br>Ft. Lauderdale, FL | Drivers License or other ID<br>H200163902080 | State<br>FL   | ID Type<br>E  |               |               |
| Address<br>* / 2310 NE 29TH STREET, LIGHTHOUSE POINT, FL 33064 / |                          |                             |        |                                      |                                              |               |               |               |               |

## Arrest

|                                          |                                      |                             |
|------------------------------------------|--------------------------------------|-----------------------------|
| Arrest Date/Time<br>4/28/2019 4:48:00 PM | Arrest Location Type<br>PUBLIC PLACE | Arrest Location Description |
| Street Number                            | Street                               | Apt/Lot/Bldg                |
| County<br>PALM BEACH                     | City<br>BOCA RATON                   | State<br>FL                 |
| Zip Code                                 |                                      |                             |

## Charge : STATE STATUTE

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

## Bond Set by Court

|                       |                |
|-----------------------|----------------|
| Bond Amount<br>\$0.00 | No Bond?<br>No |
| Bond Type(s)          |                |

## Probable Cause

|                                                         |
|---------------------------------------------------------|
| I. <u>WHAT:</u> BUI                                     |
| II. <u>WHEN:</u> 04/28/2019 at approximately 4:41pm     |
| III. <u>WHERE:</u> Lake Boca near silver palm boat ramp |

Arrest Report

Page 1 of 5

SCANNED  
APR 29 2019

2019 APR 29 11:41

|                                          |                                                |                                                                |                                          |
|------------------------------------------|------------------------------------------------|----------------------------------------------------------------|------------------------------------------|
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| Originating Agency ORI<br>FL0488000      | Occur Date Time Range<br>04/28/2019 16:39:45 - | Jurisdiction                                                   | Clearance                                |

IV. **WHO:** Derek Christian Haas, 06/08/90 H200163902080

V. **Other information Relating to BUI**

FL3810PS

VI. **DETAILS OF BUI**

A. **Phase 1 - Initial Observation of vessel in operation**

At approximately 4:41pm, on 28 April 2019, I, Officer Dillan Hudson, of the Florida Fish and Wildlife Conservation Commission (FWC), was conducting state water patrol, near Lake Boca near the Silver Palm Boat ramp in Palm Beach County. I observed a blue jet ski near the sea wall talking to two officers while the passenger was not wearing a life jacket.

B. **Phase 2 - Personal Contact with Operator of Vessel**

I pulled up alongside the vessel, identified myself as a law enforcement officer, and asked the operator for his registration and driver's license, to which he provided both. I identified the operator by valid Florida Driver license number, H200163902080, as Derek Christian Haas.

I asked Haas if he would show me a fire extinguisher and a sound producing device. Haas provided a fire extinguisher that was not service able. Haas could not remember what else I asked for. I reminded him I needed to see a sound producing device, to which he stated he did not have one. I smelled a strong odor of an unknown alcoholic beverage emitting from Haas' breath at a conversational distance. I asked Haas if I could check his eyes, to ensure he was safe to operate the vessel. Haas agreed.

C. **Phase 3- Pre-arrest screening and Observations of Operator**

### **Standardized Field Sobriety Tasks**

#### **General Instructions:**

Haas was seated and stable onboard my patrol vessel. Bueno stated he understood the general instructions.

#### **Pre - Task Questions:**

Subject stated he did not have any physical defects or disabilities.

Subject stated he did not have any defects with his eyes.

Subject stated he was not sick or injured.

Subject stated he was not under the care of a doctor or a dentist.

Subject stated he was not on any medications or drugs.

|                                          |                                                |                                                                |                                          |
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### Horizontal Gaze Nystagmus:

Subject showed Lack of Smooth Pursuit in left and right eye.

Subject showed Distinct and Sustained Nystagmus at Maximum Deviation in left and right eye.

Subject showed Onset of Nystagmus Prior to 45 Degrees in left and right eye.

His eyes were blood shot and red.

### Finger to Nose:

#### Instruction Stage:

Subject stated he understood the instructions.

Subject was unable to follow instructions.

#### Performance Stage:

Did not close eyes

Did not tilt head

Opened eyes during task

Moved head greater than 1 inch

First Left: Not fingertip, did not bring hand down

First right: Not fingertip, did not bring hand down

Second left: Not fingertip, searched, missed tip of nose, and did not bring hand down.

Second right: not fingertip, did not bring hand down

Third right: Wrong hand, not fingertip, did not bring hand down

Third left: Not fingertip, did not bring hand down

### Palm Pat:

**Instruction Stage:** Subject stated he understood the instructions.

**Performance Stage:**

|                                          |                                                |                                                                |                                          |
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Subject rolled hands

Subject chopped Pat

Subject other improper pat,

Subject did not increase speed

Subject stopped right before told

**Hand Coordination:**

**Instruction Stage-**

Subject stated he understood the instructions

**Performance Stage:**

Subject counted forward all the way to ten, did not perform task two or three, and put his hands in his lap.

**D. Arrest of Operator**

Based on the personal contact with the operator, Standardized Field Sobriety Tasks, and the totality of circumstances, I placed Haas under arrest for boating under the influence.

Haas was transported to Silver Palm Boat Ramp to our FWC mobile BAT station.

I read Haas implied consent. Haas's first breath sample was .158 g/210 liters of breath. Haas asked what would happen if he didn't blow again and was read implied consent and Haas refused to provide a second breath sample.

**E. Disposition of operator and Vessel**

I booked Haas into the Palm Beach County Jail under the following charges:  
F.S. 327.35(1) a.- BUI while normal faculties impaired.

As of this writing, this concludes my involvement of the situation, thus far.

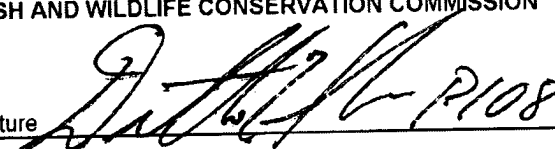
|                                                                        |                                                                                   |                                         |                       |
|------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------|-----------------------|
| <b>Court</b>                                                           |                                                                                   |                                         |                       |
| <div> <div></div> <div>Court County</div> <div>PALM BEACH</div> </div> | <div>Court Location</div> <div>3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406</div> |                                         |                       |
| <div>Court</div> <div>PALM BEACH COUNTY COURT AT GUN CLUB</div>        | <div>Court Phone</div> <div>(561) 688-4640</div>                                  | <div>Court Appearance Date / Time</div> | <div>Court Fine</div> |
| <div>Comments</div>                                                    |                                                                                   |                                         |                       |

|                                          |                                                |                                                                |                                          |
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| Officer Name   | Officer Rank | Involvement On Report | ID #  | Org/Unit                   | Officer Agency                                             |
|----------------|--------------|-----------------------|-------|----------------------------|------------------------------------------------------------|
| HUDSON, DILLAN | OFFICER      |                       | WP108 | FWSAISO REGION<br>AIMARTIN | FLORIDA FISH<br>AND WILDLIFE<br>CONSERVATION<br>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<br>HUDSON, DILLAN                                                                         | Office Rank<br>OFFICER | Officer ID No<br>WP108 | Sworn and subscribed before me, the undersigned authority<br>This the _____ day of _____<br>DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT |
| Officer Agency<br>FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION                                    |                        |                        |                                                                                                                                            |
| Officer Signature<br> |                        |                        |                                                                                                                                            |

NOT A CERTIFIED COPY

FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
ALCOHOL TESTING PROGRAM  
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000  
Instrument Registered To: MIAMI PD  
Instrument Serial Number: 80-001179 Software: 8100.27  
Date of Test: 04/28/2019

Date of Last Agency Inspection: 03/26/2019  
Observation Period Began: 16:50  
Subject's Name: DEREK C HAAS

DOB: 06/08/1990 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

| Results: | Test              | g/210L | Time  |
|----------|-------------------|--------|-------|
|          | Diagnostics Check | OK     | 17:10 |
|          | Air Blank         | 0.000  | 17:10 |
|          | Control Test      | 0.081  | 17:11 |
|          | Air Blank         | 0.000  | 17:11 |
|          | Subject Sample #1 | 0.158  | 17:12 |
|          | Air Blank         | 0.000  | 17:12 |
|          | Air Blank         | 0.000  | 17:14 |
|          | Subject Sample #2 | REF*   | 17:14 |
|          | Air Blank         | 0.000  | 17:15 |
|          | Control Test      | 0.080  | 17:15 |
|          | Air Blank         | 0.000  | 17:16 |
|          | Diagnostics Check | OK     | 17:16 |

\*Subject Test Refused

Cylinder Lot: 620051  
Exp: 11/05/2019

State of Florida, County of PALM BEACH

Personally appeared before me the undersigned authority, who (☒) is personally known to me or (☐) produced \_\_\_\_\_ as identification, and who after being placed under oath, states:

I, WILL PATTERSON, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: [Signature] Date: 4-28-19  
Signature

Sworn to (or affirmed) before me this 28 day of April, 2019  
[Signature] P108 Dillon Hudson P108  
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.