

J 05 12481

P-3499



Arrest Report

19MM 12500

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

Report Date / Time 11/10/2019 08:50 PM	Report Number C-8453AA	Case Number/Cad Number FWSA19OFF013138 / FWSA19CAD007982	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0488000	Occur Date Time Range 11/10/2019 19:18:36 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description BRIDGE BLUE HERON BLVD ICW
Street Number E BLUE HERON BLVD	Street FWC	City WEST PALM BEACH
State FL	Zip Code 33404	

Defendant

First Name MATTHEW	Middle Name JEREMY	Last Name ALTBUCH	Suffix	Race WHITE	Sex MALE	Height 5'11"	Weight 170	Hair BROWN	Eyes BROWN
MNI #	SSN [REDACTED]	Date of Birth 07/15/1977	Age 42	Place of Birth ST PETERSBURG FL USA	Drivers License or other ID A431550772550	State FL	ID Type E		
Address * RESIDENCE / 13087 40TH ST N, ROYAL PALM BEACH, FL 33411 /									

Arrest

Arrest Date/Time 11/10/2019 7:46:38 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description
Street Number E BLUE HERON BLVD	Street FWC	City PALM BEACH
State FL	Zip Code 33404	

Charge : STATE STATUTE

Counts 1	Charge 327.35(1) <i>ad/b</i>	Bond Amount \$0.00	☐ No Bond
Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH <i>OR</i>	
Charge Description OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED			

Bond Set by Officer

Bond Amount	☐ No Bond
Bond Type(s)	

Probable Cause

- I. WHAT: Boating Under the Influence of Alcohol
- II. WHEN: Sunday, November 10, 2019 approximately 1920 hours
- III. WHERE: Blue Heron Bridge, Riviera Beach, Palm Beach County
- IV. WHO: MATTHEW J ALTBUCH 7/15/1977

2019 NOV 11 AM 8:30

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FL DL: A431550772550
13087 40TH ST N
ROYAL PALM BEACH, FL 33411

V. Other information Relating to BUI
Blue 1999 Dynasty Florida Registration FL 9335 JX

VI. DETAILS OF BUI

A. Phase 1 – Initial Observation of vessel in operation

On Sunday, November 10, 2019 at approximately 1920 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on marked vessel patrol south of the Blue Heron Bridge. I observed a vessel westbound parallel to the bridge on plane in a marked Slow Speed Zone. I activated my emergency lights to initiate a stop and made contact with the vessel, blue in color bearing Florida Registration FL9335JX, a 1999 Dynasty. The operator, also the registered owner, of the vessel was identified by name and DOB as MATTHEW J ALTBUCH.

B. Phase 2 – Personal Contact with driver/operator of vessel

Upon making contact with ALTBUCH, I detected the strong odor of an alcoholic beverage emitting from his breath. His speech was slurred and he was agitated at me for stopping him. ALTBUCH was unable to produce a vessel registration as required by law. Based on my observations, I escorted the vessel to Phil Foster Park to complete Seated Field Sobriety Tasks. ALTBUCH agreed to complete the tasks.

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

HGN: During Horizontal Gaze Nystagmus, ALTBUCH 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. ALTBUCH had two visible wounds on his face with fresh stitches, which he indicated were from a recent surgery for skin cancer. One was near his right eye.

FTN: During Finger to Nose, ALTBUCH began the task before being told to do so. On the first left, the subject made contact with the pad of the finger, missed the tip of the nose, and did not bring the finger immediately back down. On the first right, the subject made contact with the pad of the finger and did not bring the finger immediately back down. On the second left, the subject made contact with the pad of the finger and did not bring the finger immediately back down. On the second right, the subject made contact with the pad of the finger and did not bring the finger immediately back down. On the third right, the subject made contact with the pad of the finger and did not bring the finger immediately back down. On the third left, the subject made contact with the pad of the finger and did not bring the finger immediately back down.

PP: During Palm Pat, the subject had numerous chopped pats, numerous double pats, and did not count correctly (ex. 1,2,2,1,2,1,2,2).

HC: During Hand Coordination, the subject repeatedly began the task before being told to do so and had to be reminded to remain in the demonstrated position. During Stage 2, the subject did not bring his fists back together correctly (right fist closest to chest). During Stage 3, the subject counted from 4 to 6 (should have been 5 to 8). The subject did not complete Stage 4.

The subject became increasingly hostile and argumentative during Hand Coordination.

D. Arrest of Driver/Operator

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ALTBUCH was placed under arrest at 1946 hours for suspicion of BUI. I transported ALTBUCH to the Palm Beach County Jail, where he refused to provide a breath sample at 2101 hours after being read Implied Consent. I charged ALTBUCH with the following violations:

F.S. 327.35 – BUI Normal Faculties Impaired
F.S. 327.35215 – Refusal to Submit to lawful Breath Test

E. Disposition of Driver and vehicle/vessel
The vessel was secured at Phil Foster Park, where a trailer was in the water to recover the vessel, which was loaded by the passenger of the vessel at the request of the operator.

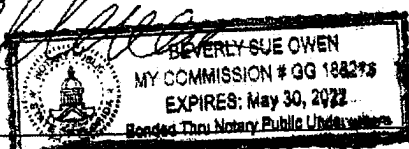
Court

Court County	Court Location		
Court	Court Phone	Court Appearance Date / Time	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 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 BRODBECK, JAMES J	Office Rank OFFICER	Officer ID No WN957	Sworn and subscribed before me, the undersigned authority This the <u>10th</u> day of <u>November</u> <u>2019</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature <i>[Signature]</i> WN957			

SUBJECT: _____ CASE NUMBER: _____

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: _____

EMERGENCY?

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

TESTING FACILITY TASK REPORT

AGENCY: Fire Dept (011)

SUBJECT: Travis

CASE NUMBER: 19-196191

DATE: 11/11/13

VIDEO TAPE NUMBER: 2114

BEGINNING TIME: 10:51

ENDING TIME: 21:05

BREATH TESTS RESULTS

REFUSED

1) TIME 10:51 A.M./P.M. 2) TIME 21:05 A.M./P.M.

3) TIME 21:05 A.M./P.M. 4) TIME 21:05 A.M./P.M.

BREATH OPERATOR: 360

MAINTENANCE TECHNICIAN: 60667

TESTING OFFICER'S OBSERVATIONS

SPEECH: 10:51

ATTITUDE: 10:51

CLOTHING: 10:51

MEDICAL CONDITIONS: 10:51

MEDICATIONS: 10:51

OTHER: 10:51

COMMENTS: 10:51

NOT A CERTIFIED COPY

SCANNED

NOV 12 2013



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

PBSO CASE # 19-186191 PBSO ZONE 3-13

AGENCY CASE # FWSA190FF013138 CRASH CASE # _____

TIME OF STOP/CRASH 1925 DATE 11/10/19 DAY SUNDAY

SUBJECT'S NAME MATTHEW J. ALTBACH RACE W SEX M

HGT 5' 11" WGT 170 DOB 7/15/1977

LOCATION BLUE HERON BRIDGE ICW

ARRESTING OFFICER'S NAME & ID J. BRODBECK N957 AGENCY FWC

DIVISION: SOUTH A

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 2035

Arrest Time 1946

BREATH RESULTS

1. **REFUSED**
2. _____
3. _____
4. _____

TESTING OFFICER'S ID 3184 PBSO VIDEOTAPE # N/A

SCANNED
NOV 12 2019



**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	☐	539.001 FS	Other: All records relating to pawnbroker transactions.	
	☐	119.0712(2)	Other: Personal information contained within a motor vehicle record	

REVIEW COMPLETED BY

Booking Number: 2019036394

Date: 11/11/2019

Specialist Name/ID: howardt7185

SCA 11-11-2019
NOV 12 2019