0504687 19mm 845 3848

Arrest Report

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

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
1/19/2019 06:01 PM	C-3083AA	FWSA19OFF000659 /FWLR19 CAD001233	BRODBECK, JAMES J

Originating Agency ORI	Occur Date Time Range	Jurisdiction	Clearance
FL0488000	01/19/2019 16:54:00 -		

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	MARINA RYBOVICH

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
		FWC	PALM BEACH	FI	

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
OMAR	WALEED	HAMMAD-RANDOLPH		WHITE	MALE	5'11"	180	BLACK	GRN

MNI #	SSN	Date of Birth	Age	Place of Birth	Drivers License or other ID	State	ID Type
	[redacted]	01/10/1985	34	JUPITER FL USA	H536659850100	FL	E

Address
* RESIDENCE / 130 ANDALUSIA WAY , PALM BEACH GARDENS, FL 33418 /

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
1/19/2019 5:13:07 PM	PUBLIC PLACE	ICW NORTH OF RYBOVITCH MARINA

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
		FWC	PALM BEACH	PALM BEACH	FI	

Charge : STATE STATUTE

Counts	Charge	Bond Amount	
1	327.35(1)(a)	$0.00	☐ No Bond

Charge Degree	Charge Level	General Offense Code
FIRST DEGREE	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description
OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED O/R

Charge : STATE STATUTE

Counts	Charge	Bond Amount	
1	327.359	$0.00	☐ No Bond

Charge Degree	Charge Level	General Offense Code
FIRST DEGREE	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description
BUI, REFUSAL TO SUBMIT TO 2ND OR SUBSEQUENT TEST (BREATH TEST)

2019 JAN 20 AM 8:48 O/R

NOT A CERTIFIED COPY

SCANNED
JAN 22 2019

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
1/19/2019 06:01 PM	C-3083AA	FWSA19OFF000659 /FWLR19 CAD001233	BRODBECK, JAMES J

Originating Agency ORI	Occur Date Time Range	Jurisdiction	Clearance
FL0488000	01/19/2019 16:54:00 -		

Bond Set by Court

Bond Amount	No Bond?
$0.00	No

Bond Type(s)

Probable Cause

On Saturday, January 19, 2019 at approximately 1645 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on vessel patrol in the ICW south of Peanut Island. In the marked Slow Speed Zone, I observed a white 20' bowrider operating on plane at approximately 25 mph in the slow speed zone, passing numerous vessels, including my marked patrol vessel. I activated my emergency lights to initiate a vessel stop and address the violation.

I made contact with the operator of the vessel, identified by Florida DL as OMAR WALEED HAMMAD-RANDOLPH. I observed numerous empty cans of beer on board the vessel. In speaking with HAMMAD-RANDOLPH about the Slow Speed violation, I detected a strong odor of an alcoholic beverage emitting from his breath and his speech was slurred. Based on my observations I asked HAMMAD-RANDOLPH if he would 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 began the task before being told to do so. On the first left, the subject made contact with the side of his nose with the pad of the finger. On the first right, the subject made contact with the pad of his finger. On the second left, the subject made contact with the side of his nose using the pad of his finger. On the second right the subject made contact with the pad of his finger. On the third right, the subject made contact with the pad of his finger.

PALM PAT:
During PP, the subject rolled his hands and did not increase speed as instructed.

HAND COORDINATION:
During HC, Instruction Stage, the subject was unable to follow instructions (remain in demonstrated position). The subject also began the task before being told to do so. I had to explain the task to the subject 4 times. During Task 1, the subject did not count, and rolled his hands over top of each other. The subject refused/could not complete any other tasks.

At 1713 hours, I placed HAMMAD-RANDOLPH under arrest for BUI and transported him to the Palm Beach County Jail. At the Jail, the subject refused to provide a breath sample. A search through DAVID showed a prior refusal to submit to a breath test. I issued two misdemeanor Uniform Boating Citations for the following violations:

NOT A CERTIFIED COPY

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JAN 22 2019

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FL0488000	01/19/2019 16:54:00 -		

327.35 BUI Normal Faculties Impaired
327.359 2nd or subsequent refusal

I issued one Boating and Resource Warning for the Slow Speed violation.

Court

Court County	Court Location
PALM BEACH	205 NORTH DIXIE HIGHWAY WEST PALM BEACH, FLORIDA 33401

Court	Court Phone	Court Appereance Date / Time	Court Fine
PALM BEACH COUNTY COURT	(561) 355-2996	02/20/2019 1:30 PM	

Comments

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
BRODBECK, JAMES J	OFFICER		WN957	FWSA\SO REGION A\PALM 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	Office Rank	Officer ID No
BRODBECK, JAMES J	OFFICER	WN957

Officer Agency
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Officer Signature WN957

Sworn and subscribed before me, the undersigned authority
This the 19 day of JANUARY, 2019
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

Notary Public State of Florida
Gary J Parent
My Commission GG 085486
Expires 06/21/2021

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SCANNED
JAN 22 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	☐		Other:	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2019002268	**Date:** 01/20/2019
	Specialist Name/ID: AM/31562

SCANNED
JAN 22 2019

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)

V.

OMAR WALEED HAMMAD-RANDOLPH
DEFENDANT

Uniform Boating Citation No.
V562004 / V562005

AFFIDAVIT

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

1. That on SATURDAY (Day of Week), JANUARY 19 (Date (Month & Day)), 2019 (Year) at 5:13 (Time) ☐ 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.
2. 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.
3. 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.
4. The Defendant refused to submit to the ☐ blood, ☒ breath, or ☐ urine test(s).

FURTHER AFFIANT SAYETH NOT.

Officer's Signature — ID No N457

FWC
Law Enforcement Agency

8535 NORTHLAKE BLVD
Mailing Address

WEST PALM BEACH — FL — 33412
City — State — Zip Code

SWORN TO AND SUBSCRIBED BEFORE ME THIS 19 DAY OF JANUARY, 2019

Notary Public or Attesting Officer

State of Florida
Gary J Parent
My Commission GG 085486
Expires 06/21/2021

☒ Personally known to me
☐ Produced _____ as Identification

NOT A CERTIFIED COPY

Distribution:	
Original	File with the Clerk of the County Court – Attach a probable cause narrative and a copy of the Uniform Boating Citation
2nd 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

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

REFUSAL TO SUBMIT TO BREATH, URINE OR BLOOD TESTING

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STATE OF FLORIDA
(PLAINTIFF)

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3. 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.
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Officer's Signature — N457 ID No

FWC
Law Enforcement Agency

8535 NORTHLAKE BLVD
Mailing Address

WEST PALM BEACH — FL — 33412
City — State — Zip Code

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