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Arrest Report

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

Report Date / Time 8/30/2019 03:40 AM	Report Number C-5576AA	Case Number/Cad Number FWSA19OFF010618 / FWSA19CAD003439	Reporting Officer Name BRODBECK, JAMES J
Originating Agency ORI FL0486000	Occur Date Time Range 08/30/2019 02:39:24 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description BOYNTON BOAT RAMP			
Street Number 2010	Street N FEDERAL HWY	Apt/Lot/Bldg FWC	City BOYNTON BEACH	State FL	Zip Code 33435

Defendant

First Name PATRICK	Middle Name LEE	Last Name WARD	Suffix J	Race WHITE	Sex MALE	Height 6'01"	Weight 250	Hair BLACK	Eyes BLUE
MNI #	SSN	Date of Birth 07/15/1985	Age 34	Place of Birth FT LAUDERDALE FL USA	Drivers License or other ID W630672852550	State FL	ID Type E		

Address

* RESIDENCE / 5277 PINETREE DR, DELRAY BEACH, FL 33484 /

Arrest

Arrest Date/Time 8/30/2019 2:58:24 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description BOYNTON BOAT RAMP				
Street Number 2010	Street N FEDERAL HWY	Apt/Lot/Bldg FWC	County PALM BEACH	City BOYNTON BEACH	State FL	Zip Code 33435

Charge : STATE STATUTE

Counts 1	Charge 327.35(1)(a) d b	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree FIRST DEGREE	Charge Level MISDEMEANOR	General Offense Code 9A03.030	OR
Charge Description OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED			

Bond Set by Officer

Bond Amount	<input type="checkbox"/> No Bond
Bond Type(s)	

Probable Cause

I. WHAT:	Boating Under the Influence of Alcohol
II. WHEN:	8/30/2019 approx 0240 hours
III. WHERE:	Boynton Beach Boat Ramp, Palm Beach County
IV. WHO:	Patrick Lee Ward Jr.

Arrest Report

[Handwritten signature]

AUG 30 2019

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5277 Pinetree Dr.
Delray Beach, Fl., 33484 FL DL W630672852550

V. Other information Relating to DUI/BUI
FL9679FG, 20' White and Gray Aquasport center console

VI. DETAILS OF DUI/BUI

A. Phase 1 – Initial Observation of vehicle/vessel in operation

On Friday, August 30, 2019 at approximately 0240 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on patrol at the Boynton Beach boat ramp (Oyer Park). I heard a vessel on plane entering the boat ramp area. The vessel entered the boat ramp lagoon with no navigation lights visible. I observed 5 persons on board the vessel, which was being operated by a large white male, later identified by Florida DL as PATRICK LEE WARD JR. I made contact with WARD JR to address the violations, however he was urinating off the stern of the vessel.

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

Upon contacting WARD JR, I detected a strong odor of an alcoholic beverage emitting from his breath, glassy, bloodshot eyes, and that he was slurring his speech. He was unsteady on his feet and had difficulty maintaining balance. WARD JR was only able to produce 3 adult size life jackets. The deck of the vessel and a bucket on board were filled with empty alcoholic beverage containers.

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

HGN: During Horizontal Gaze Nystagmus, WARD JR displayed a lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and an onset of nystagmus prior to 45 degrees in both eyes. I had to remind WARD JR several times to track my finger.

FTN: During Finger to Nose, Instruction Stage, WARD JR was unable to follow instructions by tilting his head back before being told to begin. During the Performance Stage, WARD JR moved his head forward during the task. On the first left, the subject missed the tip of his nose and made contact with the pad of the finger. On the first right, the subject made contact with the pad of the finger. On the second left, the subject missed the tip of the nose and made contact with the pad of the finger. On the second right, the subject searched for the tip of the nose and made contact with the pad of the finger. On the third right, the subject searched for the tip of the nose and made contact with the pad of the finger. On the third left, the subject made contact with the pad of the finger.

PP: During Palm Pat, the subject did not speed up as instructed (slowed down after speeding up slightly), had numerous improper pats, and began opening and closing his hands like a book.

HC: During Hand Coordination, Instruction Stage, the subject began the task before being told to

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do so. During Task 1, the subject had improper touch (made contact with top of fists). During Task 2, the subject clapped his hands 4 times, and returned with his right fist closest to his chest. During Task 3, the subject had an improper count.

D. Arrest of Driver/Operator

At 0256 I placed WARD JR under arrest for suspicion of BUI. He was transported to the Palm Beach County Jail, Main Detention Center, where he refused to provide a lawful sample of his breath after being read implied consent. I charged WARD JR with the following violations:

- F.S. 327.35(1)(a)- BUI Normal Faculties Impaired
- F.S. 327.35215(1)- Refusal to submit to submit to Breath Test pursuant to 327.352

WARD JR was also issued a Uniform Boating Citation for insufficient number of PFD's and a Written Warning for no navigation lights.

E. Disposition of Driver and vehicle/vessel

The vessel, truck, and trailer were turned over to a sober passenger of the vessel at the request of WARD JR.


Court

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 10/02/2019 1:30 PM	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 AIPALM 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>30</u> day of <u>August</u> , <u>2019</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature <i>[Handwritten Signature]</i> WN957			



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

PBSO CASE # 19-109708 PBSO ZONE 6-12

AGENCY CASE # FWSA19OFF010618 CRASH CASE # _____

TIME OF STOP/CRASH 0240 DATE 8/30/19 DAY FRIDAY

SUBJECT'S NAME PATRICK L. WARD JR. RACE W SEX M

HGT 6' 01" WGT 250 DOB 7/15/1985

LOCATION BOYNTON BOAT RAMP

ARRESTING OFFICER'S NAME & ID J. BRODBECK 1957 AGENCY FWC

DIVISION: SRA

NOTIFIED BY COMMO YES

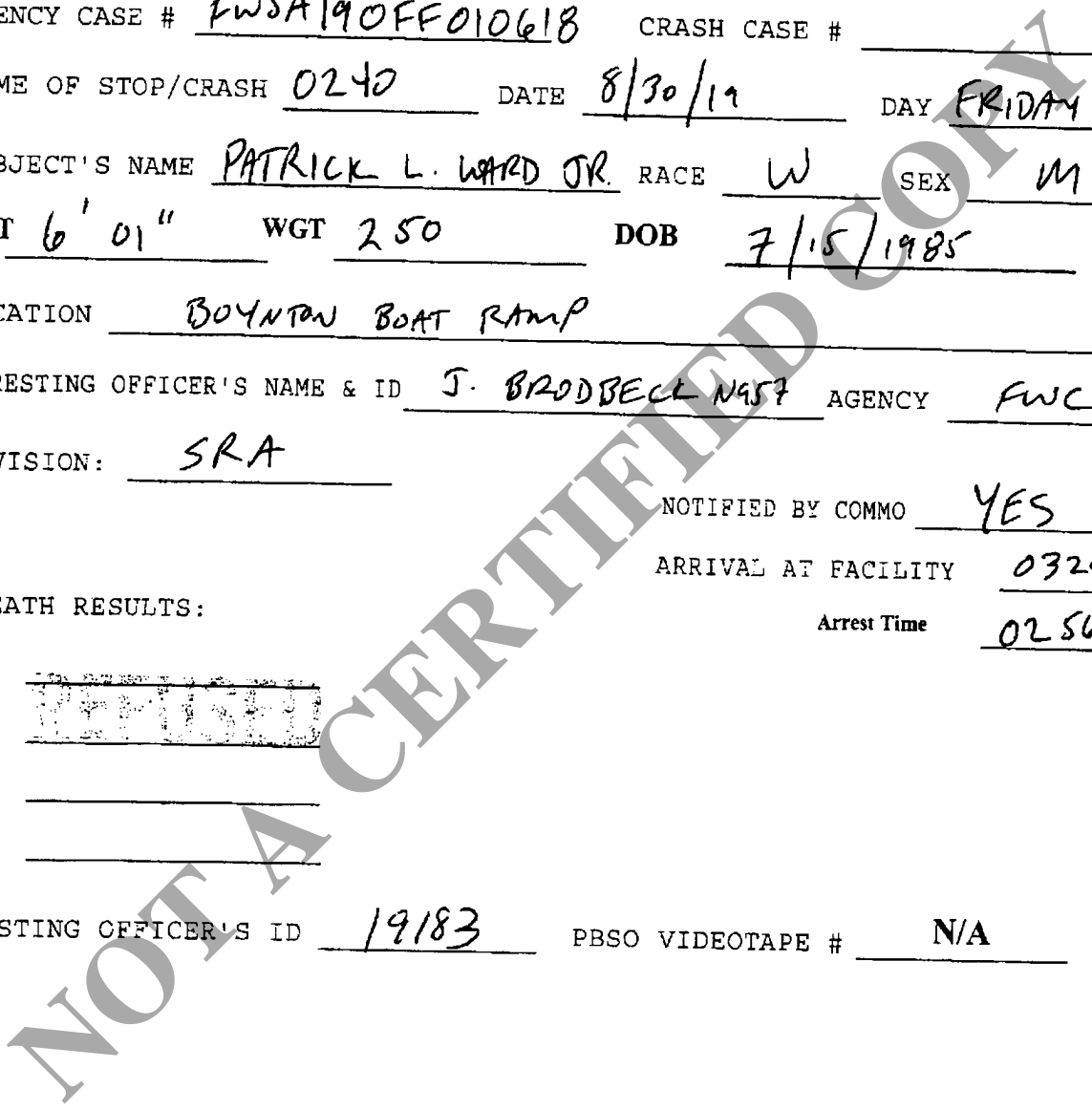
ARRIVAL AT FACILITY 0329

Arrest Time 0256

BREATH RESULTS:

- 1. _____
- 2. _____
- 3. _____
- 4. _____

TESTING OFFICER'S ID 19183 PBSO VIDEOTAPE # N/A



SCPT
 AUG 30 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 Judicial Circuit in and
for PALM BEACH

STATE OF FLORIDA
(PLANTIFF)
V.
WARD, PATRICK LEE
DEFENDANT


Uniform Boating Citaion Number
V639678

AFFIDAVIT

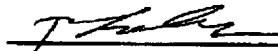
I, BRODBECK, JAMES J, a law enforcement officer, who having been duly sworn, certify and state the following:

1. That on Friday, August 30, 2019 at 4:21 am 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 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, 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
WN957
ID Number
Florida Fish and Wildlife Conservation Commission

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 30 DAY
OF August, 2019


Notary Public or Attesting Officer

Personally known to me

Produced
as Identification



SUBJECT: Wood Tr, Patrick L 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~~ ^{VESSEL} AT THE TIME OF THE STOP/ACCIDENT? _____

WHERE WERE YOU GOING? _____

WHAT ~~STREET OR HIGHWAY~~ ^{WATERWAY} 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? _____

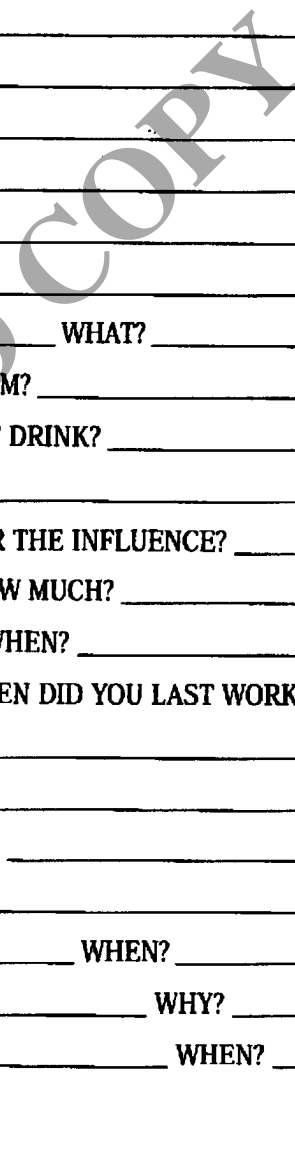
DO YOU HAVE: EPILEPSY? _____
GLASS EYE? _____
FALSE TEETH? _____
EAR INFECTION? _____
INNER EAR TROUBLE? _____
DIABETES? _____

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: _____



AUG 30 2017

SUBJECT: Ward Jr Patrick L CASE NUMBER: _____

IMPLIED CONSENT FOR ^{2VI} ~~DUI~~ IN A ^{VEHICLE} ~~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 _____ of the _____

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) *Patrick L Ward Jr*

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) *Patrick L Ward Jr* SCANNED
AUG 30 2011

TESTING FACILITY TASK REPORT

AGENCY: FLOC

SUBJECT: Ward Jr R. L. & L CASE NUMBER: 19-101702

DATE: CR/30/19 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 03:51 ENDING TIME: 03:55

BREATH TESTS RESULTS: 1) R TIME 03:54 (A.M./P.M.) 2) _____ TIME _____ A.M./P.M.
3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: T Leaking #119183

MAINTENANCE TECHNICIAN: J. Kunkle

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Aggressive, cooperative

CLOTHING: gray shorts, white t-shirt, black flip-flops

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: eyes glass, no alcohol

REFUSED

COMMENTS: arrived at center - is advised 20 minute

observation period at 03:51 hrs

Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test

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Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test

Δ & B to perform mouth test



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"/>	539.003	Other: Florida Pawnbroking Act	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2019028419	Date: 08/30/2019
	Specialist Name/ID: VARGO/6665

AUG 30 2019

**ABSTRACT OF COURT RECORD AND
REPORT OF DISPOSITION**

MUST BE REPORTED WITHIN 10 DAYS AFTER FINAL ADJUDICATION TO:
FWC LAW ENFORCEMENT RECORDS SECTION
620 S. MERIDIAN STREET
TALLAHASSEE, FL 32399-1600

I. ACTION BY COUNTY COURT CLERK, NO HEARING:

- Paid Civil penalty of \$500.00 DATE RECEIVED _____
- 30 days has elapsed without receipt of the \$500 Civil Penalty or a request for a hearing before a County Court Judge. The Civil Penalty is sustained and the defendant's vessel operating privilege is suspended by operation of law pending payment of the \$500 Civil Penalty.

II. ACTION BY COUNTY COURT WHERE HEARING IS ELECTED:

The \$500.00 Civil Penalty was:

- Sustained
- Dismissed

III. COURT INFORMATION:

County: _____ City: _____

Presiding Judge: _____

IV. BOAT OPERATING PRIVILEGE ACTION:

- Suspended Pending Payment of \$500.00 Civil Penalty
- Reinstated upon payment in full of \$500.00 Civil Penalty – DATE RECEIVED _____
- Not Affected - Civil Penalty Dismissed

V. THE DATE BELOW MUST BE ENTERED ON ALL DISPOSITIONS:

Final Adjudication or Action on _____ by County Clerk
DATE

Submitted on _____ to FWC/DLE Records Section
DATE

By: _____ TITLE _____
SIGNATURE OF PERSON SUBMITTING REPORT