



Arrest Report

21CT5590

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time 4/7/2021 03:32 AM	Report Number FHP99ARR824126	Case Number/Cad Number FHPL21OFF021325 / LWRC21CAD060392	Reporting Officer Name D. A. WOOD
Originating Agency ORI	Occur Date Time Range 04/07/2021 01:01:57 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description PALMETTO PARK RD
Street Number PALMETTO PARD RD EB @ SR-9	Street	Apt/Lot/Bldg BOCA RATON
City BOCA RATON	State FL	Zip Code 33486

Defendant

First Name EDWARD	Middle Name MATTHEW	Last Name BUCKLEY	Suffix	Race WHITE	Sex MALE	Height 601	Weight 200	Hair BRO	Eyes HAZ
MNI #	SSN	Date of Birth 12/31/1968	Age 52	ID Type E.	Drivers License or other ID B240233684710	State FL	OCA / Agency ID		
Place of Birth:	NEW JERSEY NJ USA Sommerpoint Dr								
Address 1760 PERIWINKLE ST, BOCA RATON, FL 33486 /									

Arrest

Arrest Date/Time 4/7/2021 4:01:18 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description
Street Number PALMETTO PARD RD EB @ SR-9	Street	Apt/Lot/Bldg BOCA RATON
County PALM BEACH	City BOCA RATON	State FL
		Zip Code 33486

Charge : S

Counts 1	Charge 316.193.1a	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree S	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI INFLUENCE OF ALCOHOL OR DRUGS			

Bond Set by Court

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

Probable Cause

On April 7, 2021, I Trooper Wood was called by phone to backup/assist Sergeant Kingery on a traffic stop he made and initiated. When I arrived on scene, Sergeant Kingery advised me that the driver who was identified by his Florida Driver License B240-233-68-471-0 was Edward Matthew Buckley. Mr. Buckley was the sole occupant/driver behind the wheel and found to be the owner of a Porsche with a

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tag reading NMVB44. A record check through FCIC/NCIC Confirmed and revealed this information. The stop was conducted on Palmetto Park Rd west of I-95 in Palm Beach County.

I approached the driver side of the vehicle and when I got there, I noticed Mr. Buckley still had his seat belt on. I also notice Mr. Buckley had watery glassy eye and a slurred speech. I could also smell the odor of alcohol emitting from his breath. I asked Mr. Buckley where he was coming from and Mr. Buckley stated he was coming from a veteran's party. I asked Mr. Buckley if there were drinks at the party to at which he stated there was. I asked Mr. Buckley if he had anything to drink and he stated he did.

I then stated to Mr. Buckley again the reason for the stop which was for speeding. I then asked Mr. Buckley if he was willing to perform field sobriety exercises to determine if he was ok to drive home. Mr. Buckley stated that he would and therefore field sobriety exercises were conducted.

The SFSEs were conducted in the morning approximately around 12:45am on scene. The ground surface was concrete and dry. Prior to administering each task, I thoroughly explained, demonstrated, and asked Mr. Buckley if he understood the task prior to starting. Mr. Buckley said he understood. The SFSEs were administered in the following order with results.

Horizontal Gaze Nystagmus Task

Prior to beginning this Task, it was determined Mr. Buckley was not wearing glasses. He was not wearing and does not wear contact. Mr. Buckley eyes were checked. His eyes displayed equal tracking and his pupils were equal size. Mr. Buckley was instructed to following the stimulus with his eyes only, keeping his head still. After stating he understood the instructions Mr. Buckley attempted this task.

The results of this exercise displayed:

- Lack of Smooth Pursuit
- Distinct and Sustained Nystagmus at maximum deviation
- Onset of Nystagmus prior to 45 degrees.

While performing the Horizontal Gaze Nystagmus task, it was observed that Mr. Buckley

- Turned his head after being instructed to use his eyes only.

Walk and Turn Task.

Prior to attempting this test, Mr. Buckley was instructed to put his left foot on the line and the right foot in front of it with his right heel touching the toe of his left foot. He was instructed to stand in this manner

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with his hands to his sides until the task instructions were completed and the test demonstrated. Mr. Buckley was instructed not to begin the task until told to start. He was instructed to take nine steps along the line in a heel-to-toe manner. After the ninth step, he was to stop and turn around keeping his lead foot on the ground, taking several small steps with the other foot to turn around. After turning around, he was to take nine steps in a heel-to-toe manner back along the line, in the direction he had come from. Mr. Buckley was further instructed to watch his feet at all times while walking, keep his arms down to his side, and to count his steps out loud. After the task was demonstrated Mr. Buckley stated he understood the instructions and was instructed to begin the task. After attempting the Walk and Turn Task, Mr. Buckley displayed the possible clues.

Walk and Turn task observations:

- Didn't Count steps down the line
- Swayed losing balance
- Did not count steps out loud going back
- Did not walk heel to toe going back
- Improper turn
- Could not maintain the starting position
- Started the exercise before instructed.

One Leg Stand Task

Prior to attempting this task, Mr. Buckley indicated he did not have any medical problems that would have prevented him from performing the task but he wanted to decide which foot would be the best foot to stand on. Mr. Buckley was instructed to stand with his heels together and hands down to his sides while the instructions were given and during the task. Mr. Buckley was instructed not to begin the task until he was instructed to start, and after the task had been demonstrated. When instructed to start, he was to raise the foot of his choice off the ground approximately 6 inches. While his leg was raised, he was to keep his leg straight, watch his raised foot, and to count out loud by thousands (one thousand one, one thousand two, one thousand three...) and to continue the task until told to stop (30 seconds). After this task was demonstrated and he indicated that he understood the instructions Mr. Buckley completed the task.

When Mr. Buckley attempted this task,

The result of this test displayed the possible clues.

-
- Put his foot down
- Swayed
- Only Counted to One thousand TEN.

At 1:12am, following completion of SFSEs, I placed Mr. Buckley under arrest due to my observations

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and his performance of the SFSTs. I suspected Mr. Buckley to be under the influence of Alcohol and or controlled substance. After placing Mr. Buckley in the back of my patrol car, at approximately 1:40am I transported Mr. Buckley to the Palm Beach County Jail. During the entire ride to the jail, and just after being placed under arrest, Mr. Buckley kept on stating that I and Sgt Kingery were making a huge mistake. Mr. Buckley kept on stating that he donates or donated \$250,000.00 to law enforcement and family. He also kept stating that he was a veteran and that he wasn't going to donate anymore money to law enforcement. Mr. Buckley also kept flashing a Broward County Sheriff office advisory council badge and asking where his badge was.

Once we arrival at the Jail, a twenty-minute observation period of Mr. Buckley began at 2:04am. I verified there was nothing in his mouth. Palm Beach County (PBS), Certified breath test operator prepared the Intoxilizer for use. After the twenty-minute observation period was over, PBS certified breath test operator and myself asked Mr. Buckley to submit to a breath test at which he stated he would not and refused.

Based upon the aforementioned information, I have reason to believe and do believe the defendant; Edward Matthew Buckley did violate F.S.S. 316.193, Driving under the Influence to which; the defendant was observed operating a motor vehicle while under the influence of alcohol or a controlled substance. This offense did occur in Palm Beach County, Florida where I am a sworn law enforcement officer.

Mr. Buckley license was surrendered.

Mr. Buckley was arrested for DUI and was transported to Palm Beach County Jail were their personnel took custody of him.

Mr. Buckley vehicle was towed.

In-Car Video Surveillance is available and uploaded to the server.

Jail Booking Facility

Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406		Booking Number	
Booking Comments			

Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444
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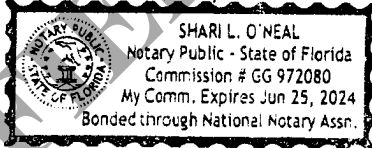
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Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 05/13/2021 8:30AM	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
D. A. WOOD TPR 4672	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL1LWRCC\PALM BEACH BROW LN TO SR804

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 D. A. WOOD	Office Rank TPR	Officer ID No 4672	Sworn and subscribed before me, the undersigned authority This the <u>07</u> day of <u>April</u> , 2021 DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature <i>D. A. Wood</i>			

<input type="radio"/> No Bill / Petition	<input type="radio"/> Issue Warrant	<input type="radio"/> Prosecution Approved	Signature of Assistant State Attorney	Date
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NOT A CERTIFICATE

SUBJECT: POCKLEY EDWARD M CASE NUMBER: _____

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 _____ 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) [Signature]

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) [Signature]



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

PBSO CASE # 21-052831 AGENCY CASE# FHPL21OFF021325
 AGENCY ZONE 7-41 CRASH CASE # FHPL21OFF021325
 TIME OF STOP/CRASH ~1:05AM DATE 04/07/2021 DAY Wednesday
 SUBJECT'S NAME EDWARD MATTHEW BUCKLEY RACE White SEX MALE
 HGT 6'01" WGT 200lbs DOB 12/31/1968
 LOCATION PALMETTO PARK RD/INTERSTATE 95
 ARRESTING OFFICER'S NAME & ID TPR Derrick Wood #4672 AGENCY FLORIDA HIGHWAY PATROL
 DIVISION: TROOP L - LAKE WORTH NOTIFIED BY COMMO y
 ARRIVAL AT FACILITY 02:04 AM
 BREATH RESULTS: ARREST TIME 1:12AM
 1. _____
 2. **REFUSE**
 3. _____
 4. _____
 TESTING OFFICER'S ID 24639 PBSO VIDEOTAPE # N/A

NOT A CERTIFIED COPY

TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: BUCKLEY, EDWARD M

DATE: Apr 7, 2021

BEGINNING TIME: 02:31

CASE NUMBER: 21-052831

VIDEO DVD NUMBER: N/A

ENDING TIME: 02:36

BREATH TESTS RESULTS: 1) R TIME 02:34 A.M. P.M. 2) N/A TIME N/A A.M. P.M.
3) N/A TIME N/A A.M. P.M. 4) N/A TIME N/A A.M. P.M.

BREATH OPERATOR: P.POUND #24639

MAINTENANCE TECHNICIAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: TALKATIVE, UPSET

CLOTHING: GRAY SHORTS, WHITE T-SHIRT, GRAY SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:
EYES: GLASSY AND BLOODSHOT

COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 02:04 HRS.

SUBJECT: STATED HE WOULD LIKE TO TAKE A BLOOD TEST

A/O: READ I/C

SUBJECT: STATED HE UNDERSTOOD I/C AND WOULD LIKE TO TAKE A BLOOD TEST

A/O: CALLED REFUSAL

A/O: READ RIGHTS

SUBJECT: STATED HE UNDERSTOOD RIGHTS

A/O: ATTEMPTED Q&A

SUBJECT: REFUSED TO ANSWER QUESTIONS

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, Trooper D. Wood ID# 4672, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Florida Highway Patrol, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 07 day of April, 20 21, at 1:22 P.M. A.M.

DRIVER Edward Matthew Buckley
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

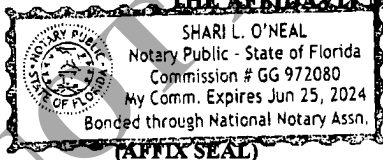
DL# B240233684710, state of FLORIDA, was placed under lawful arrest for
the offense of DUI by Trooper D. Wood ID# 4672 and
(Name of Arresting Officer)
issued Citation # A76WZ8E

That on or about the 07 day of April, 20 21, at 2:34AM P.M. A.M.
in PALM BEACH COUNTY County,

I requested that the driver submit to a breath and/or urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

Derrid Wood
Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)



The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

The foregoing instrument was sworn and subscribed before

Title Trooper

me this 07 day of April, 20 21,

Date 04/07/2021

by _____,

who is personally known to me or who has produced

as identification

Notary Public S. O'Neal

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, Trooper D. Wood ID# 4672, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Florida Highway Patrol, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 07 day of April, 20 21, at 1:22 P.M. A.M.

DRIVER Edward Matthew Buckley
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# B240233684710, state of FLORIDA, was placed under lawful arrest for

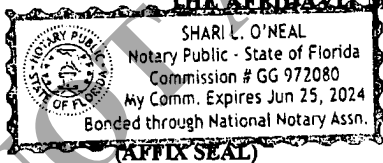
the offense of DUI by Trooper D. Wood ID# 4672 and
(Name of Arresting Officer)
issued Citation # A76WZ8E

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in PALM BEACH COUNTY County,

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Derrid Wood
Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)



The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

The foregoing instrument was sworn and subscribed before

me this 07 day of April, 20 21,

by _____,

who is personally known to me or who has produced

_____ as identification

Notary Public *S. O'Neal*

Title Trooper

Date 04/07/2021

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.



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"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021008367	Date: 4/07/21
	Specialist Name/ID: J. Beck/9007