



Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
1300 MARCINSKI ROAD
JUPITER, FL. 33477

Report Date / Time 7/4/2021 07:40 PM	Report Number C-3842AA	Case Number/Cad Number FWCS21OFF018850 / FWCS21CAD034337	Reporting Officer Name CARROLL, MICHAEL J
Originating Agency ORI FL0488000	Occur Date Time Range 07/04/2021 17:44:08 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description 0.5 MILES OFFSHORE JUPITER INLET		
Street Number OCEAN DR	Apt/Lot/Bldg FWC	City JUPITER	State FL	Zip Code 33477

Defendant

First Name DOMINICK	Middle Name J	Last Name AMBROSINI	Suffix	Race WHITE	Sex MALE	Height 510	Weight 185	Hair BLK	Eyes BRN
MNI #	SSN	Date of Birth 02/21/1981	Age 40	ID Type E	Drivers License or other ID A516170810811	State FL	OCA / Agency ID		
Place of Birth:	SMITHTOWN NY USA								
Address * RESIDENCE / 153 WATERFORD DR , JUPITER, FL 33458 /									

Arrest

Arrest Date/Time 7/4/2021 6:02:15 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description 0.5 MILES OFFSHORE JUPITER INLET			
Street Number OCEAN DR	Apt/Lot/Bldg FWC	County PALM BEACH	City JUPITER	State FL	Zip Code 33477

Charge : STATE STATUTE

Counts 1	Charge 327.35(1)(a)	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree SECOND DEGREE	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
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

At approximately 5:44 pm, on July 4, 2021, I, Investigator Michael Carroll, of the Florida Fish and Wildlife Conservation Commission (FWC), and Officer Stoker, of FWC were conducting state water control in the area of the Jupiter Inlet, in Palm Beach County, Florida.

Arrest Report

Wilson 8241

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I observed a vessel, bearing expired Florida registration number FL3282NL, with a white male operating the vessel with his hands on the steering wheel and throttle system. I observed the vessel operate on plane in the slow speed zone located in the area of the public docks and the Jupiter Inlet.

I observed the vessel operate on plane out of the Jupiter Inlet and jump waves without any change of speed slamming down on waves. Officer Stoker activated our marked patrol vessel blue lights and siren, and we conducted a vessel stop on the vessel approximately 0.5 miles offshore the Jupiter Inlet.

As we approached the vessel, I identified ourselves as law enforcement officers, and observed the operator to appear confused. The operator, later identified by valid Florida driver license number A516170810611, Dominick J. Ambrosini, attempted to operate the vessel when instructed to leave the vessel in neutral several times.

I asked Ambrosini to provide me with the vessel registration. Ambrosini had difficulty obtaining the vessel registration and struggled to open the pouch that contained the registration. Ambrosini provided a bill of sale from May and advised me that he purchased the vessel a week ago. Ambrosini appeared confused and disoriented while speaking about the vessel and registration. I observed Ambrosini's eyes to be watery, glassy, and bloodshot. I detected a strong odor of an unknown alcoholic beverage emitting from Ambrosini while speaking to him at a conversational distance. I observed Ambrosini to be very unsteady on his feet, and his fine motor skills to be off when opening hatches. Ambrosini grasped onto the vessel and braced himself the entire interaction.

Officer Stoker asked Ambrosini to turn the music off, to which he had difficulty opening the latch that contained the radio. Ambrosini could not figure out how to turn the radio off. I conducted a boating safety inspection, to which Ambrosini appeared confused when asked to provide two life jackets, a throwable floatation device, a sound producing device, and a fire extinguisher. I had to remind Ambrosini of the items in which I asked of him.

I observed blood on the cooler that was on the deck of the vessel. I asked Ambrosini if they went fishing that day. Ambrosini advised that the blood was from his friend who cut his hand on a Conch shell. I asked Ambrosini if I could look in the cooler for any fish or game. Ambrosini opened the cooler, and I observed several empty alcoholic beverages inside. Ambrosini advised his friend drank the drinks.

I asked Ambrosini if I could check his eyes to ensure he was safe to operate the vessel. Ambrosini agreed and boarded my patrol vessel. I detected a strong odor of an unknown alcoholic beverage emitting from Ambrosini while on board my patrol vessel and away from his vessel.

STANDARDIZED FIELD SOBRIETY TASKS

General Instructions:

Subject stated he will voluntarily perform Standardized Field Sobriety Tasks.

Subject was seated and stable. Subject 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.

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Subject stated he was not sick or injured.
Subject stated he was not under the care of a doctor or dentist.
Subject stated he was not taking any medications or drugs.
Subject stated he was not wearing contacts.

Horizontal Gaze Nystagmus:

Subject stated he understood the instructions.
Subject had equal pupil size.
Subject did not have resting nystagmus.
Subject had equal tracking.

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.
Subject did not show Vertical Nystagmus.
Subject showed lack of convergence.

Finger to Nose:

Instruction Stage:

Subject stated he understood the instructions.
Subject was unable to follow instructions and remain in the start position.
Subject started at wrong time.

Performance Stage:

Subject moved his head during task (1"±).
Subject did not tilt head.
Subject opened eyes during task.

First Left: Subject hesitated, searched, not fingertip, missed tip of the nose, did not bring hand down. (Pad of finger to top right of nose)

First Right: Subject hesitated, searched, not fingertip, missed tip of the nose, did not bring hand down. (Pad of finger to right side of nose)

Second Left: Subject hesitated, searched, not fingertip, missed tip of nose, did not bring hand down. (Pad of finger to top of nose)

Second Right: Subject hesitated, searched, not fingertip, missed tip of the nose, did not bring hand down. (Pad of finger to top of nose)

Third Right: Subject hesitated, searched, missed tip of the nose, did not bring hand down. (Pad of finger to top of nose)

Third Left: Subject hesitated, searched, not fingertip, missed tip of the nose, did not bring hand down. (Pad of finger to top of nose)

Palm Pat:

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Instruction Stage:

Subject stated he understood the instructions.
Subject was unable to follow instructions and remain in the start position.
Subject stared at wrong time.

Performance Stage:

Subject did not perform task as instructed. (Did not turn the hand over and count and keep fingers parallel)
Subject did not increase speed.
Subject stopped before told.

Hand Coordination:

Instruction Stage-

Subject stated he understood the instructions.
Subject was unable to follow instructions with proper positioning and remaining in the start position.
Subject started at the wrong time.

Task 1 - Forward Steps:

Subject Improperly touched on all steps.
Subject Improperly counted. (Counted to 5)

Task 2 - Hand Clapping:

Subject did not perform task.

Task 3 - Return Steps:

Subject improperly counted. (Counted 4,3,2,1)
Subject improperly touched on all steps.
Subject did not return left fist to chest.

Task 4 - End Position:

Subject did not perform task at first then completed task after a delay.

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

Officer Stoker and I transported Ambrosini and hip towed his vessel with his friend Daniel Booth on board to Dubois Park, where FWC Officers Leon and Rea took possession of the vessel.

Officer Stoker and I transported Ambrosini to the FWC Division of Law Enforcement Jupiter Field Office. I read Ambrosini implied consent, to which he refused to submit to a lawful test of his breath. I operated the Intoxilizer 8000 and when the instrument read provide sample now, I gave Ambrosini an opportunity to provide a breath sample. I read Ambrosini implied consent again, to which he refused to submit to a lawful test of his breath.

I read Amrbosini Miranda Warnings from my agency issued Operator Appraisal and Interview form, to which

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Ambrosini advised he understood his rights and agreed to speak to us. I asked Ambrosini if he was operating a vessel, to which he stated yes. I asked Ambrosini where he was going, to which he stated home. I asked Ambrosini what waterway he was on, to which he stated the Intracoastal Waterway in Jupiter. At this point Ambrosini stated that he probably should have a lawyer present while answering the questions. At this time all questions were seized.

Officer Stoker transported Ambrosini to the Palm Beach County Jail. I booked Ambrosini into the Palm Beach County Jail under the following charge.

F.S. 327.35(1)(a) – Operating a vessel while normal faculties impaired.

I issued Ambrosini a Uniform Boating Citation for violating a Manatee Zone, and for refusing to submit to a lawful test of his breath. I issued Ambrosini a warning for operating an unregistered vessel.

End of Report.

Jail Booking Facility

Booking Date/Time 7/4/2021 07:43 PM	Booking County PALM BEACH	Booking Facility MAIN DETENTION CENTER	Booking Facility Phone (561) 996-1699
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406-3001			Booking Number
Booking Comments			

Court

Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court PALM BEACH COUNTY COURT AT GUN CLUB	Court Phone	Court Appearance Date / Time 08/04/2021 1:30 PM	Court Fine
Comments			

Officer Name Rank / ID # CARROLL, MICHAEL J OFFICER WN676	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWCS\SO REGION A\PALM BEACH
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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 CARROLL, MICHAEL J	Office Rank OFFICER	Officer ID No WN676	Sworn and subscribed before me, the undersigned authority This the <u>4</u> day of <u>July</u> , <u>2021</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature <i>[Signature]</i>			<i>[Signature]</i> 12296

<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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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)

Uniform Boating Citation No.

V639013

V.

Dominick S. Ambrosini
DEFENDANT

AFFIDAVIT

I, Inv. Michael Carroll, a law enforcement officer, who having been duly sworn, certify and state the following:

1. That on Sunday, July 4, 2021 at 6:02 ☐ AM probable
Day of Week Date (Month & Day) Year Time ☒ PM

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 reference 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.

[Signature]
Officer's Signature

N676
ID No

FWC
Law Enforcement Agency

1300 Macaranski Rd.
Mailing Address

Sebring
City

FL
State

33477
Zip Code

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 04 DAY

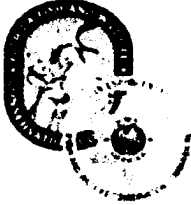
OF July, 2021

[Signature]
Notary Public or (Attesting Officer)

☒ Personally known to me

☐ Produced
as Identification

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JUL 06 2021



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

IMPLIED CONSENT WARNING FOR BREATH (BUI)

DEFENDANT'S NAME: Dominick J Ambrosini CASE NO: FWCSDOFF18850

I am now requesting that you submit to a lawful test of your BREATH for the purpose of determining its alcohol content.

Will you take the test?

YES ☐ NO ☒

NOTE: READ THE BELOW ONLY IF THE ANSWER TO THE ABOVE IS "NO." If the answer to the above is "YES," move to and complete the signatures section of this document.

If you refuse to submit to the test I have requested of you, it will result in a civil penalty of \$500. Additionally, if you refuse to submit to the test I have requested of you and you have previously been fined for refusal to submit to a lawful test of your breath, urine, or blood you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law. Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

In ADDITION to the above, read this statement ONLY if the person is under the age of 21:

Furthermore, if you refuse to submit to this test, you will be required to complete 50 hours of community service and your privilege to operate a vessel will be suspended until the community service is performed.

Do you understand what I have just read to you? YES ☒ NO ☐
Do you still refuse to submit to this test? YES ☒ NO ☐

SIGNATURES

Date read: 7/4/21 Time read: 6:49pm Location read: Sup'r Office (FWC)

OFFICER'S NAME (printed): Michael Carroll

OFFICER'S SIGNATURE: [Signature] N1676

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FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT
OPERATOR APPRAISAL & INTERVIEW



DEFENDANT'S NAME: Dominick S. Ambrosini CASE NO. FWC5210FF18850

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish.
5. If you consent to answer questions now, without a lawyer present, you will still have the right to stop answering at anytime.

1. Do you understand each of these rights? ☒ YES ☐ NO
 2. With these rights in mind, do you wish to talk to us now? ☒ YES ☐ NO
- Defendant's Signature: In Custody

Were you operating a vehicle/vessel? <u>Yes</u>		Where were you going? <u>Home</u>	
Was the vehicle/vessel in good condition? If No, <u>yes</u>		What is wrong with it? <u>N/A</u>	
What road/waterway were you on? <u>Intracoastal Waterway</u>		Where were you coming from? <u>Astoria for Lawyer Home</u>	
What time did you leave there?		Without looking at a watch or clock, what time is it now? Actual Time:	
What is today's date? Actual Date:		What day of the week is it? Actual Day:	
When did you last eat?	What did you eat?	Where did you last eat?	
What have you been drinking?	How much have you been drinking?	Where have you been drinking?	
Who were you drinking with and were they drinking?		What time did you start drinking?	
What time did you stop drinking?	Do you feel the effects of alcohol (or drugs)?	Do you feel that you are impaired?	
Were you involved in an accident today?	When did you last sleep?	How much sleep did you get?	
Are you currently under the care of a doctor or dentist? For what?			
Have you used any type of drugs recently, prescription, non-prescription or otherwise?			
If so, what kind of drug did you take? What was your last dose and when?			
Do you think you should have been operating a vehicle/vessel?		If yes, Why?	

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[Signature]
Interviewing Officer's Signature

Mr. Michael Carroll
Interviewing Officer's Name (Printed)

FFMCC
Intoxilyzer - Alcohol Analyzer
Model 8000 SN 80-007166
07/04/2021
Software: 8100.27

LAI Date = 06/29/2021
Obs Period Began = 18:45
Sub Name = DOMINICK J

Sub DOB = 02/21/1981
Sub Sex = M
Driver Lic = AS16170810611/FL
Officer = MICHAEL CARROLL

Operator = MICHAEL J CARROLL

Test	g/210L	Time
Diagnosics Check OK		19:08
Air Blank	0.000	19:08
Control Test	0.079	19:09
Air Blank	0.000	19:09
Subject Sample #1 REF#		19:10
Air Blank	0.000	19:11
Control Test	0.079	19:11
Air Blank	0.000	19:12
Diagnosics Check OK		19:12
*Subject Test Refused		


Operator's Signature


FFMCC
Intoxilyzer - Alcohol Analyzer
Model 8000 SN 80-007166
07/04/2021
Software: 8100.27

LAI Date = 06/29/2021
Obs Period Began = 18:45
Sub Name = DOMINICK J

Sub DOB = 02/21/1981
Sub Sex = M
Driver Lic = AS16170810611/FL
Officer = MICHAEL CARROLL

Operator = MICHAEL J CARROLL

Test	g/210L	Time
Diagnosics Check OK		19:08
Air Blank	0.000	19:08
Control Test	0.079	19:09
Air Blank	0.000	19:09
Subject Sample #1 REF#		19:10
Air Blank	0.000	19:11
Control Test	0.079	19:11
Air Blank	0.000	19:12
Diagnosics Check OK		19:12
*Subject Test Refused		


Operator's Signature

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