

ARREST REPORT

Report Date / Time 09/11/2016 01:23 AM	Agency Case/Offense Number FHPK16OFF060408	OCA Number	Obtaining Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC16CAD157049
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LOCATION OF OCCURRENCE

County PALM BEACH	Address FLORIDA'S TPKE NB, DELRAY BEACH, FL 33446
Range of Occurrence Date/Time 09/11/2016 12:42 AM to 09/11/2016 12:42 AM	Latitude N 26 26.6052
	Longitude W 80 10.4550

PERSON: SUSPECT

First Name JAMES	Middle Name EDWARD	Last Name GROGAN	Suffix	Date of Birth 05/13/1958	Age 58	Race W	Sex M	Height 508	Weight 508	Hair BLN	Eyes BLU	
Master Name Index Number	Place of Birth BOSTON	Nation U.S.A	SSN	Driver's License or Other ID G625445581730	State FL	Class or Type E						
Address 2738 POINTE CIR	City GREENACRES	County PALM BEACH	State FL	Zip Code 33413	Phone							

CHARGES

Counts 1	Charge Number 316.193.1	Charge DUI ALCOHOL OR DRUGS
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL
DUI ALCOHOL OR DRUGS		<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence         Bond Amount \$0.00

PROBABLE CAUSE

On Sunday September 11, 2016 I, Trooper N. Tineo was on routine patrol in Palm Beach County on the Florida Turnpike. I was traveling northbound around mile maker 80 when I observed a dark color SUV traveling in north in the center lane. The vehicle was weaving from left to right within its lane and on three separate occasions left its lane of travel to its right. The driving pattern appeared to be that of someone who was ill, sleepy or impaired. The vehicle was bearing Florida tag 950HE.

I initiated a traffic stop and explained the reason for the stop to the driver. The driver advised me that he was not sick nor was he tired. His eyes were bloodshot and glassy. He went on to state that he suffers from allergies and that's why his eyes were that way. The driver was identified by his Florida drivers' license as James Edward Grogan (FL DL # G625445581730). Mr. Grogan's speech was slurred. Mr. Grogan was asked to step out of the vehicle and as he opened his door there was an open beer bottle in his driver side door panel. The beer bottle was inside of a New England Patriots sleeve and it was later determined to be a Michelob 6 ultra-beer bottle. Mr. Grogan advised me that he had been at the Hard Rock Casino and had a couple drinks with his friends. His face was red and his shorts were unzipped.

Mr. Grogan was asked if he were willing to perform field sobriety exercises based on the events described above and he agreed. The three standardized field sobriety exercises that were performed were HGN, walk and turn, and one leg stand. Mr. Grogan was moved approximately 1500 feet north of the traffic stop for the purposes of attaining a level ground. The front emergency lights of my patrol vehicle were deactivated. His performance was poor.

HGN: Lack of smooth pursuit was present. Mr. Grogan was not able to follow directions and this exercise was not performed. He would not follow the pen as instructed and several attempts were made at this exercise. He would either move his head, looked away or just stared straight.

Walk and Turn: Mr. Grogan was not able to hold the start position during the instruction phase and was told to stand normal. While attempting to get him into the start position he started taking steps without being told to do so. Mr. Grogan took 10 steps up the line and did not touch heel to toe. He lost his balance and stopped to steady himself. He had to be reminded to count his steps out loud.

One Leg Stand: Mr. Grogan put his put down on his count of 1, 3, 4, 6, 7, 8, 9 and 10. He counted to 10 and stopped the exercise without being told to do so.

Next we attempted to perform finger to nose but after two attempts his performance was poor.

At 1:08am, I placed Mr. Grogan under arrest for driving under the influence. He was then transported to the Palm Beach County BAT. Once the 20 minute observation was complete, he agreed to provide a breath sample. His results were .145 and .143. His Miranda rights were read on camera at the BAT and he agreed to answer questions. When asked if he felt the effects of alcohol he stated "probably, yes". There is video available from the BAT and patrol car for the events above.

Mr. Grogan was charged with DUI, and cited for violation of traffic control device and open container. He was then turned over to the Palm Beach County jail staff without incident.

The vehicle was removed from the scene by sisters towing. During the inventory of the vehicle I located Mr. Grogan's weapon. On my way to the BAT I stopped out with Trooper Johnson and he took possession of it to submit it into evidence for safekeeping.

LEO BOND

Bond Amount \$	None	<input type="checkbox"/> ROR	<input type="checkbox"/> Cash	<input type="checkbox"/> Any	<input type="checkbox"/> PreTrial If Qualify
	<input type="checkbox"/> Pro				

COURT APPEARANCE INFORMATION

Court (COUNTY) PALM BEACH NORTH COUNTY COURTHOUSE	Court Phone 561-624-6608	Court Date & Time 10/05/2016 10:00 AM
Court Address 3188 PGA BLVD., PALM BEACH GARDENS, FL 33410		
Instructions		

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# ARREST INFORMATION

Arrest Date / Time 09/11/2016 01:08 AM	Residency Within country	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests Unknown	Arrest Jurisdiction Within jurisdiction	Alcohol Yes	Drugs No	

# ARREST LOCATION

County PALM BEACH	Address STATE ROAD 91 MM 81 , DELRAY BEACH, FL 33446
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# ARREST DELIVERED TO

Jail / Booking Facility PALM BEACH COUNTY CORRECTIONS	Location 3228 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33406	Phone (561) 688-4400
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# ARRESTING OFFICER

Officer Call Number 1246	Officer Name N.A. TINEO	Officer Signature <i>Ter. Nelson Jones</i>
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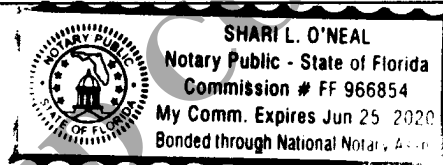
Subscribed and sworn to (or affirmed) before me this 11<sup>th</sup> day of September A.D., 2016 by \_\_\_\_\_ who is ☒ personally known to me or has produced \_\_\_\_\_ as Identification.

*S. O'Neal* Notary Public LEO CO Commission No: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

Signature

ARREST REPORT

FHP99ARR101201



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SCANNED  
SEP 12 2016

# TESTING FACILITY TASK REPORT

AGENCY: FAP Top. Troop #2444  
SUBJECT: Gregory, James E. CASE NUMBER: 16-125651  
DATE: 04-11-16 VIDEO TAPE NUMBER: 61267  
BEGINNING TIME: 0251 hrs ENDING TIME: 0311 hrs  
BREATH TESTS RESULTS: 1) .145 TIME 0255 A.M./P.M. 2) .143 TIME 0258 A.M./P.M.  
3) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M. 4) \_\_\_\_\_ TIME \_\_\_\_\_ A.M./P.M.

BREATH OPERATOR: S. O'Neil #6412

MAINTENANCE TECHNICIAN: D/S J. K. #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: Scratchy

ATTITUDE: Cooperative

CLOTHING: Striped Navy Blue Shorts Black & White

MEDICAL CONDITIONS: Asthma, Blood Pressure

MEDICATIONS: Inhaler, Med. for Blood Pressure

OTHER: Eyes: Bloodshot, Glossy

Odor of Unknown Alcohol Beverage

COMMENTS: 20 min observation done by AIC Troop #2444

AIC requested the breath test.

IS submitted to the breath report.

D completed the test correctly.

C/N used a canister

Q&A completed

SCANNED

SEP 12 2016

SUBJECT:

June E. Glogon

CASE NUMBER:

11P11607706072

## 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) \_\_\_\_\_

## 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.

**SCANNED**

**SEP 12 2016**

SUSPECT'S SIGNATURE: (X) \_\_\_\_\_

SUBJECT: June E. Grogan CASE NUMBER: 711/K16OFF/000408

## 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? NO

WHERE WERE YOU GOING? TO THE STORE

WHAT STREET OR HIGHWAY WERE YOU ON? STATE ST

DIRECTION OF TRAVEL? WEST WHERE DID YOU START? AT HOME

WHAT TIME DID YOU START? 10:00 AM WHAT TIME IS IT NOW? 11:00 AM

WHAT IS TODAY'S DATE? SEP 12 2016 WHAT DAY OF THE WEEK IS IT? WEDNESDAY

WHAT COUNTY AND CITY ARE YOU IN NOW? CLATSOP COUNTY ASTORIA

WHEN DID YOU LAST EAT? 10:00 AM WHAT DID YOU EAT? BRANDED BURGERS

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? DRIVING

HOW MUCH DO YOU WEIGH? 150 LBS HAVE YOU BEEN DRINKING? YES WHAT? BEER

HOW MUCH? 2 BEERS WHERE? IN THE CAR WITH WHOM? ALONE

WHEN DID YOU HAVE YOUR FIRST DRINK? 10:00 AM AND YOUR LAST DRINK? 11:00 AM

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? DRANK THEM

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? YES ARE YOU UNDER THE INFLUENCE? YES

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NO HOW MUCH? 0

WHAT? 0 WHERE? 0 WHEN? 0

WHAT LINE OF WORK ARE YOU IN? UNEMPLOYED WHEN DID YOU LAST WORK? SEP 10 2016

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? 0

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? 0

DO YOU LIMP? NO DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NO

WERE YOU IN AN ACCIDENT TODAY? NO

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? 0

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? 0 WHY? 0

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? 0 WHEN? 0

DO YOU HAVE:

EPILEPSY?	<u>NO</u>
GLASS EYE?	<u>NO</u>
FALSE TEETH?	<u>NO</u>
EAR INFECTION?	<u>NO</u>
INNER EAR TROUBLE?	<u>NO</u>
DIABETES?	<u>NO</u>

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? NO

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? 0

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? 0

INTERVIEWER: JOHN J. GREGG

SCANNED

SEP 12 2016