

J# 0324182

3609

16CT17217

Report Date / Time 09/11/2016 01:23 AM	Agency Case/Offense Number FHPK16OFF060408	OCA Number	Original 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	<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	

Report Date / Time 09/11/2016 01:23 AM	Agency Case/Offense Number FHPK16OFF060408	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC16CAD157049
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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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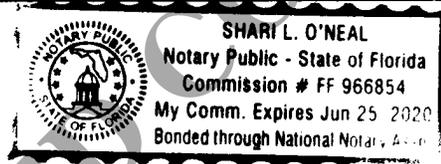
Subscribed and sworn to (or affirmed) before me this 11th day of September A.D., 2016 by _____ who is personally known to me or has produced _____ as identification.

S. O'Neal Notary Public LEO CO Commission No: _____ My Commission Expires: _____

Signature

ARREST REPORT

FHP99ARR101201



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NOT A CERTIFIED

SCANNED
SEP 12 2016

TESTING FACILITY TASK REPORT

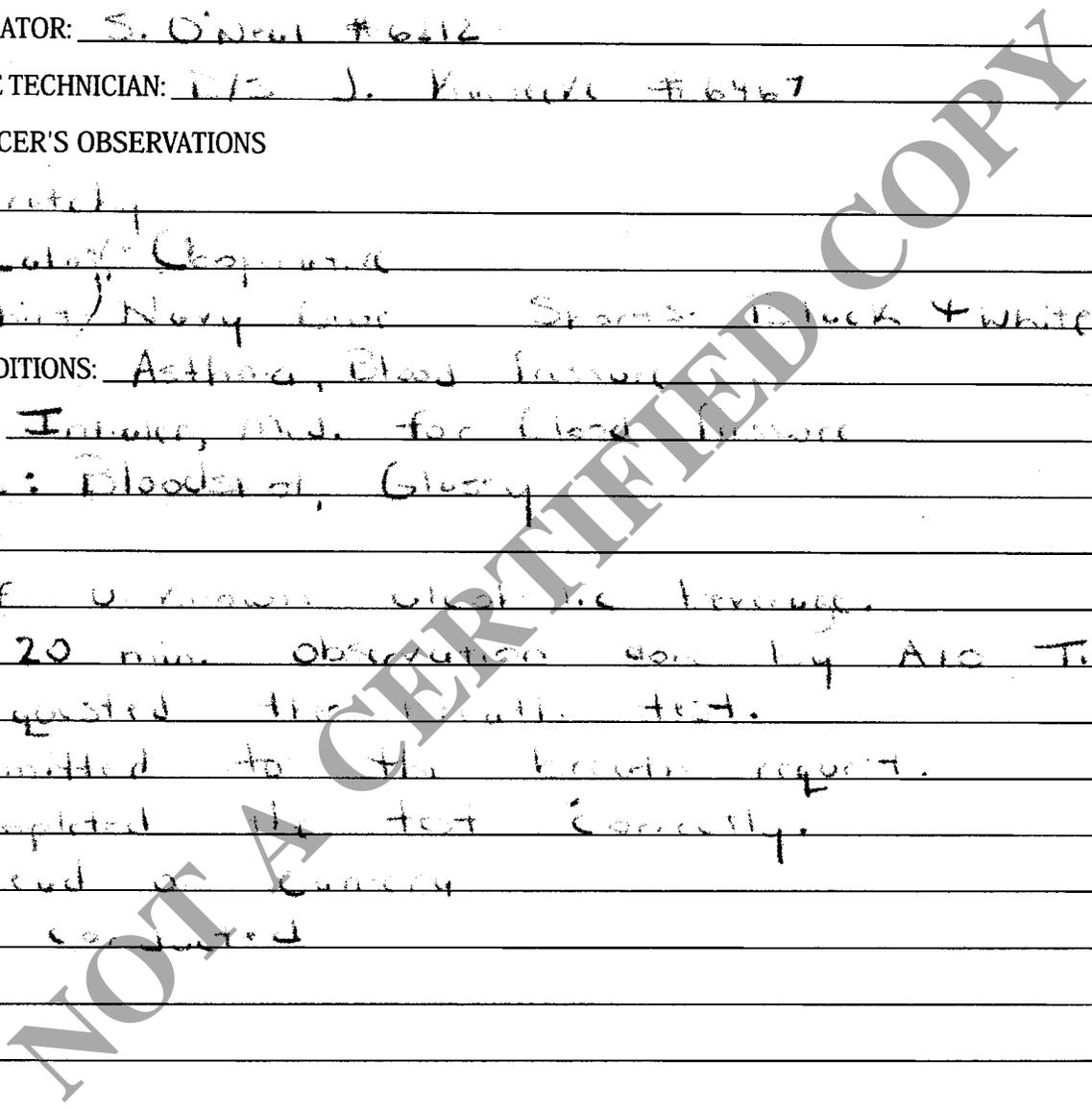
AGENCY: FAP Top. Troop #2444
SUBJECT: Gregory, James E. CASE NUMBER: 16-125651
DATE: 04-11-16 VIDEO TAPE NUMBER: 61267
BEGINNING TIME: 0251 hrs ENDING TIME: 0311 hrs
BREATH TESTS RESULTS: 1) .145 TIME 0255 A.M./P.M. 2) .143 TIME 0258 A.M./P.M.
3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: S. O'Neil #6212
MAINTENANCE TECHNICIAN: D/S J. K... #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Scratchy
ATTITUDE: Calm/Chagrined
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 alcoholic beverage.
COMMENTS: 20 min observation done by AIO Troop #2444
AIO requested the breath test.
IS submitted to the breath report.
D completed the test correctly.
CIU read at court
Q&A completed



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SEP 12 2016

SUBJECT: James E. Grogan CASE NUMBER: 111P1160770042

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.

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SEP 12 2016

SUSPECT'S SIGNATURE: (X) [Signature]

SUBJECT: James F. 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 work

WHAT STREET OR HIGHWAY WERE YOU ON? 10th St

DIRECTION OF TRAVEL? west WHERE DID YOU START? 10th St

WHAT TIME DID YOU START? 7:00 AM WHAT TIME IS IT NOW? 7:30 AM

WHAT IS TODAY'S DATE? 9/12/16 WHAT DAY OF THE WEEK IS IT? Monday

WHAT COUNTY AND CITY ARE YOU IN NOW? San Diego

WHEN DID YOU LAST EAT? 7:00 AM WHAT DID YOU EAT? breakfast

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

HOW MUCH DO YOU WEIGH? 180 lbs HAVE YOU BEEN DRINKING? no WHAT? nothing

HOW MUCH? nothing WHERE? nowhere WITH WHOM? no one

WHEN DID YOU HAVE YOUR FIRST DRINK? never AND YOUR LAST DRINK? never

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? never

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? no ARE YOU UNDER THE INFLUENCE? no

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? no HOW MUCH? nothing

WHAT? nothing WHERE? nowhere WHEN? never

WHAT LINE OF WORK ARE YOU IN? driver WHEN DID YOU LAST WORK? today

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? no WHAT? nothing

ARE YOU SICK OR INJURED? no WHAT'S WRONG? nothing

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? never

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? no WHO? no one WHY? no

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? no WHAT? nothing WHEN? never

- DO YOU HAVE:
- EPILEPSY? no
 - GLASS EYE? no
 - FALSE TEETH? no
 - EAR INFECTION? no
 - INNER EAR TROUBLE? no
 - DIABETES? no

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? never

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

INTERVIEWER: [Signature]

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