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Check if Supplement is Attached

ARREST / NOTICE TO APPEAR
Juvenile Referral Report1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for CapiasJuvenile ☒ N

OBTS Number		Agency ORI Number FLO 5 0 0 3 0 0		Agency Name BOYNTON BEACH POLICE DEPARTMENT		Agency Report Number (N.T.A.'s only) 3 4 1 1 7 1 0 0 6 6 6 3 () ()	
Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator 01			
Location of Arrest (Including Name of Business) 117 SPRUCE ST.				Location of Offense (Business Name, Address) 500 W. GATEWAY BLD.			
Date of Arrest 020417	Time of Arrest 2357	Booking Date 2.05.17	Booking Time 0030	Jail Date	Jail Time	Location of Vehicle	
Name (Last, First, Middle) MAZZARCHI, MASSIMO				Alias (Name, DOB, Soc. Sec. #, Etc.)			
Race W - White B - Black I - American Indian O - Oriental/Asian	Sex WM	Date of Birth 1.1.23	Height 73	Weight 508	Eye Color BRN	Hair Color P/Gray	Complexion Med
Build Musc.							
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) ON BOTH ARMS				Marital Status M		Religion	
Local Address (Street, Apt. Number) 117 SPRUCE ST. Boynton Bch FL 33426				Phone () NO phone		Residence Type: 1. City 2. County 3. Florida 4. Out of State 1	
Permanent Address (Street, Apt. Number) 3777 Providence RD Boynton Beach FL 33460				Phone ()		Address Source FL D/L	
Business Address (Name, Street) ()				Phone ()		Occupation	
D/L Number, State M220510734230		Soc. Sec. Number ()		INS Number ()		Place of Birth (City, State) PALM BCH FL	
Citizenship US							
Co-Defendant (Last, First, Middle)				Race		Sex	
Co-Defendant (Last, First, Middle)				Race		Sex	
Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other: Name (Last) (First) (Middle) Address (Street, Apt. Number) (City) (State) (Zip) Notified by: (Name) (City) (State) (Zip) Released To: (Name) Relationship Date Time				Date of Birth		Date of Birth	
The above address was provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2520) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No (Reason)				School Attended		Grade	
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No				Description of Property		Value of Property	
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute	
M. Manufacture/ Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin	
H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other			
Charge Description DUI		Counts 1		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number 3161193111	
Drug Activity N		Drug Type N		Amount / Unit N		Offense # 17-006663	
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number	
Drug Activity		Drug Type		Amount / Unit		Offense #	
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number	
Drug Activity		Drug Type		Amount / Unit		Offense #	
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number	
Drug Activity		Drug Type		Amount / Unit		Offense #	
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number	
Drug Activity		Drug Type		Amount / Unit		Offense #	
Location (Court, Room Number, Address) South County Courthouse • 200 W. Atlantic Avenue, Delray Beach, FL 33444							
Court Date and Time FEB 5 AM 3:20							
Month Day Year Time A.M. P.M.							
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.							
Signature of Defendant (or Juvenile and Parent/Custodian)						Date Signed B/4 108282	
HOLD for other agency <input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		Resisted Arrest <input type="checkbox"/> Other:		Signature of Arresting Officer X [Signature] 918		Name Verification (Printed by Arrestee) (PRINT)	
Intake Deputy Cpl. Hardeman 4216		I.D. # Pouch #		Name of Arresting Officer (Print) PTO DAVIS 918		I.D. #	
Transporting Officer PTO DAVIS 918 BPP		I.D. # Agency		Witness here if subject signed with a		PAGE	

OBT Number		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA		3 Request for Warrant 4 Request for Capias		1	Juvenile	N
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-17-006663						
Charge Type Check all that Apply <input type="checkbox"/> 1 Felony <input type="checkbox"/> 2 Traffic Felony		<input type="checkbox"/> 3 Misdemeanor <input checked="" type="checkbox"/> 4 Traffic Misdemeanor		<input type="checkbox"/> 5 Ordinance <input type="checkbox"/> 6 Other		Special Notes SUPP P/C				
Name (Last, First, Middle) MAZZOCCHI, MASSIMO				Alias		Race W	Sex M	Date of Birth 11.23.73		
Charge Description DUI		Charge Description								
Charge Description		Charge Description								
Victim's Name (Last, First, Middle) STATE OF FLORIDA				Race		Sex	Date of Birth			
Local Address (Street, Apt Number)		(City)	(State)	(Zip)	Phone		Address Source			
Business Address (Name, Street) 100 E BBB BOYNTON BEACH FL 33435		(City)	(State)	(Zip)	Phone 561-742-6100		Occupation			
The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The Person taken into custody... <input checked="" type="checkbox"/> Committed the below acts in my presence. <input type="checkbox"/> Was observed by _____ Who told _____ That he/she saw the arrested person commit the below acts. <input type="checkbox"/> Confessed to _____ Admitting the below facts <input checked="" type="checkbox"/> Was found to have committed the below acts, resulting from my (described) investigation.										
On The 4TH Day Of FEB. 20 17 At 11:57 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.										

I was stopped facing west at the intersection of W. Gateway Blvd. and I 95 for the red traffic signal. I observed a gray Ford F150 pickup truck exiting I95 northbound ramp turning left (west bound). The exit ramp consists of two left turn lanes; the target vehicle was occupying the left turn lane. As the target vehicle entered the intersection, the driver changed from the left lane to the right turn lane pulling directly in the path of a Kia Optima (possibly gray or silver). I activated my emergency red and blue lights and waited for the vehicular traffic to clear. Once the intersection was clear I drove west on W. Gateway Blvd and observed several more vehicles braking as the same Ford F150 was changing lanes. The vehicle was entering the right turn lane to travel north on Highridge Road. The vehicle continued north on Highridge Road at an estimated speed of 65 mph. This portion of the roadway is 30 mph. I was able to catch up to the target vehicle as it was turning into Cedar Ridge Community. The target vehicle made it through the gate and turned right onto Spruce Street. No more than 10 seconds elapsed and I was able to gain access into the community. I was the first vehicle that entered the Community after the target vehicle. As I pulled onto Spruce St and followed the roadway I located the same vehicle as it was backing into the driveway of 117 Spruce St. I pulled in front of the vehicle and exited my marked patrol vehicle. I made contact with the sole occupant (driver) later identified as W/M Massimo Mazzocchi d.o.b. 11.23.73 (by Florida D/L). I explained the purpose for my presence and requested hi driver's license and vehicle information. In speaking with Mazzocchi, I could detect the odor of an alcoholic beverage emanating from his breath, which intensified as he spoke. Mazzocchi's eyes were glassy and blood shot and his speech was thick and slurred.

Based on the driving pattern, Mazzocchi's physical indicators, and my training and experience as a previous DUI Enforcement Officer I believed that Mazzocchi was impaired. I briefed Officer N. Davis ID#918, who took over the DUI investigation. Once Mazzocchi was taken into custody and transported to the BB PD booking facility, I was the breath tech operator for this case. Ofc. Davis requested Mazzocchi provide a sample of his breath for the purpose of determining the alcohol content, which he refused.

The foregoing instrument was sworn to or affirmed and subscribed before me

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

02/04/2017

Date

(Signature of Arresting / Investigative Officer)

SGT. C. TURCO ID#768

(Print name of Arresting/Investigative Officer)

02/04/2017

Date

SCANNED
FEB 08 2017

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 5th DAY OF February 2017 AT 11:57 ☐ A.M ☒ P.M.

CASE #: 17-006663

DEFENDANT: Massimo Mazzocchi

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and time, I responded to 117 Spruce St in reference to a possible DUI. Upon arrival, I met with Sergeant Turco who advised the following:

"I was stopped facing west at the intersection of W. Gateway Blvd. and I 95 for the red traffic signal. I observed a gray Ford F150 pickup truck exiting I95 northbound ramp turning left (west bound). The exit ramp consists of two left turn lanes; the target vehicle was occupying the left turn lane. As the target vehicle entered the intersection, the driver changed from the left lane to the right turn lane pulling directly in the path of a Kia Optima (possibly gray or silver). I activated my emergency red and blue lights and waited for the vehicular traffic to clear. Once the intersection was clear I drove west on W. Gateway Blvd and observed several more vehicles braking as the same Ford F150 was changing lanes. The vehicle was entering the right turn lane to travel north on Highridge Road. The vehicle continued north on Highridge Road at an estimated speed of 65 mph. This portion of the roadway is 30 mph. I was able to catch up to the target vehicle as it was turning into Cedar Ridge Community. The target vehicle made it through the gate and turned right onto Spruce Street. No more than 10 seconds elapsed and I was able to gain access into the community. I was the first vehicle that entered the Community after the target vehicle. As I pulled onto Spruce St and followed the roadway I located the same vehicle as it was backing into the driveway of 117 Spruce St. I pulled in front of the vehicle and exited my marked patrol vehicle. I made contact with the sole occupant (driver) later identified as W/M Massimo Mazzocchi d.o.b. 11.23.73 (by Florida D/L). I explained the purpose for my presence and requested hi driver's license and vehicle information. In speaking with Mazzocchi, I could detect the odor of an alcoholic beverage emanating from his breath, which intensified as he spoke. Mazzocchi's eyes were glassy and blood shot and his speech was thick and slurred. Based on the driving pattern, Mazzocchi's physical indicators, and my training and experience as a previous DUI Enforcement Officer I believed that Mazzocchi was impaired. I briefed Officer N. Davis ID#918, who took over the DUI investigation."

I then met with Mazzocchi near the entrance of his driveway of 117 Spruce St. I introduced myself and advised the reason for my presence, to which he understood. As I spoke to him, I observed that his eyes were blood shot red and his face appeared flushed. I also could detect the odor of an unknown alcoholic beverage coming from his mouth that increased as he spoke.

Based on Sergeant Turco's observations and my interactions, I asked Mazzocchi to complete a series of Standard Field Sobriety task to which he responded "I ain't doing shit!" He then began explaining to me that his truck has been in his driveway and was not driving. He also stated he was not "drunk" and he was never stopped during a traffic stop. I then explained to him that the statement "I ain't doing shit!" can be accepted as a refusal and could be used in any criminal proceedings. He again refused to perform any task. He was given several opportunities to perform the tasks but refused each time.

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

I, Off. N. DAVIS #918 a duly certified Law Enforcement Officer or Correctional
(Person reading Implied Consent Warning)

Officer, am a member of Boynton BEACH PD, and I do swear
(Name of enforcement agency)

or affirm that on or about the 5 day of FEB, 20 17, at 0015 P.M. A.M.
(Circle One)

NAME MASSIMO MAZZOCCHI
(Type or Print) FIRST MIDDLE OR MAIDEN LAST

DL# H770910734230, state of FL, was placed under lawful arrest for
the offense of DUI by N. DAVIS #918 and
(Name of Arresting Officer)

issued Citation # _____.

That on or about the 5 day of FEB, 20 17, at 0052 P.M. A.M.
(Circle One)
in PALM BEACH County, [PLEASE CHECK THE BOX OR BOXES THAT APPLY] I did request said

person to submit to a ☐ breath, ☐ urine, or ☐ blood test to determine the content of alcohol in his or her blood or breath or the presence of chemical or controlled substances therein. I did inform said person that any refusal to submit to such test or tests would result in the suspension of his or her privilege to operate a motor vehicle for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if the driving privilege of such person had been suspended previously for refusing to submit to such test or tests. I did inform said person that he or she commits a misdemeanor, if said person refuses to submit to a lawful test as requested above, and his or her driving privilege has been previously suspended for a prior refusal to submit to a lawful test of his or her breath, urine, or blood. If driver holds a CDL or is operating a CMV, I did inform the driver that this refusal will result in the disqualification of the driver's Commercial Driver's License/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 such test.

Said person did at that time and place refuse to submit to such test or tests.

Sgt. C. J. #768
Signature of Law Enforcement Officer or
Correctional Officer

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

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this 4 day of FEB, 20 17,
by Off. Davis

who is personally known to me or who has produced
_____ as identification.

Notary Public _____

The foregoing instrument was sworn and subscribed before me:

Sgt. C. J. #768
Signature of Attesting Officer
Title Police Officer
Date 02.05.17

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. If no DUI arrest is made, attach HSMV 78005 (Notice of Commercial Driver's License/Privilege Disqualification).

CASE #: 17-006663

DEFENDANT: Massimo Mazzocchi

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.

Where you operating a motor vehicle at the time of the stop/Accident? _____

Where were you going? _____

What Street or Highway were you on? _____

What was you direction of travel? _____

Where did you start from? _____

What time did you start? _____

What time is it now? _____

What is today's date? _____

What day of the week is it? _____

What City and County 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 have you been drinking? _____

How much? _____

With whom? _____

When did you have your first drink? _____

When did you have your last drink? _____

Can you feel the effects of the alcohol? _____

Are you under the influence? _____

Have you consumed any alcohol since the stop/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? _____

Where 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 you eyes that are not corrected by glasses? _____

Do you take insulin? _____ If so, when was your last injection? _____

Have you ever gad a driver's license in any other state? _____

Where? _____

Interviewer: _____

CASE #: 17-006663

DEFENDANT: Massimo Mazzocchi

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.

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.

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of determining 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 PTO Davis of the Boynton Beach Police Department

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.

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 statements can and will be used against you in a court of law.

Suspect's Signature: _____

Read on video

CASE #: 17-006663 DEFENDANT: Massimo Mazzocchi

Arresting Officer: Officer Davis

Address: 100 E. Boynton Beach Boulevard Boynton Beach, FL 33435

Phone Numbers: Home: Work: (561) 742-6100

Name: Sergeant Turco

Address: 100 East Boynton Beach Blvd

Phone Numbers: Home: Work: 561-742-6100

Can testify to:

Name:

Address:

Phone Numbers: Home: Work:

Can testify to:

Name:

Address:

Phone Numbers: Home: Work:

Can testify to:

Name:

Address:

Phone Numbers: Home: Work:

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