

Arrest Report

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

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Report Date / Time 5/11/2019 4:51:07AM	Report Number FHP99ARR797529	Case Number/CAD Number FHPL19OFF030867 / LWRC19CAD084503	Reporting Officer Name Z. TODD
Originating Agency ORI FL0509000	Occurrence Date Time Range 5/11/2019 3:53:38 AM -	Jurisdiction	Clearance

Location of Occurrence

Location Type PUBLIC PLACE	Location Description ROADWAY	
Street Number SR-9	Street NB GATEWAY BLVD	Apt/Lot/Bldg
County PALM BEACH	City BOYNTON BEACH	State FL
		Zip 33426

Defendant

First Name NICOLAS	Middle Name AUSTIN	Last Name SANGRICCO	Suffix	Date Of Birth 4/7/1997	Age 22	Race WHITE	Sex MALE
SSN [REDACTED]	MNI #	Place of Birth LAS VEGAS, NV, USA	Height 507	Weight 190	Hair BRO	Eyes GRN	
DL or ID Number S526621971270	ID State FL	ID Type E	Address Type RESIDENCE				
Street Number 207	Street ISLE VERDE WAY	Apt/Lot/Bldg					
County PALM BEACH	City PALM BEACH GARDENS	State FL	Zip 33418	Phone Number	Extension		
Location Description RESIDENCE							

Arrest

Arrest Date/Time 5/11/2019 4:42:07AM	Arrest Location Type	Arrest Location Description
Street Number SR-9	Street NB GATEWAY BLVD	Apt/Lot/Bldg
City BOYNTON BEACH	State FL	Zip 33426
		County PALM BEACH

Charge(s)

Counts 1	Charge 316.193.1	General Offense Code	Bond Amount \$ 0.00	☐ No Bond
Charge Degree N	Charge Level MISDEMEANOR	Arrest Offense Code Description DUI-UNLAW BLD ALCH	OR	
Charge Description DUI ALCOHOL OR DRUGS				

Probable Cause

On May 11, 2019 I was on routine patrol in my marked patrol car in Palm Beach County. I responded to the scene of a possible intoxicated driver that was located on I-95 (State Road 9) northbound at Gateway Blvd. I arrived on scene and was told by the FDOT Road ranger that he previously stopped with this vehicle near Atlantic Ave and I-95 in Delray Beach. He stated that when he approached the vehicle he observed the driver asleep behind the wheel with the engine running. He then called for FHP assistance and I arrived on scene. I approached the vehicle and observed the driver asleep behind the wheel. I knocked on the window and awoke the driver. He eventually rolled down the window and I identified myself to the driver. He provided a FL DL and was identified as Nicolas Sangricco. I observed that he had bloodshot glassy eyes, slurred speech and the odor of an unknown alcoholic beverage emitting from her breath as he talked. I requested that he step out of the vehicle and walk to my patrol car. As he walked I observed that he swayed while he walked. As he stood in front of me I observed that he had an orbital sway, slurred speech, and the odor of an unknown alcoholic beverage was emitting from his breath as he talked. I also observed that he had bloodshot glassy eyes. I requested that he conduct field sobriety

Arrest Report

MAY 16 2019 3

D. Collins 7622

Todd, Z #4141

MAY 11 2019 7:11

Report Date / Time 5/11/2019 4:51:07AM	Report Number FHP99ARR797529	Case Number/CAD Number FHPL19OFF030867 / LWRC19CAD084503	Reporting Officer Name Z. TODD
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exercises and he agreed. He stated that he had an herniated disc in his back and that his eyes shake sometimes.

Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Mr. Sangricco was wearing glasses or contact lenses. It was determined that Sangricco was wearing glasses and removed them. I then checked Sangricco's eyes and observed equal tracking and equal pupil size. Sangricco was instructed to place his feet together and place his hands down at his side. He then was instructed to keep his head still and follow the stimulus with his eyes and his eyes only. He was also instructed to keep looking at the stimulus until told not to. Sangricco verbally indicated that he understood.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

I estimated the initial angle of onset to be 35°. I did not observe resting nystagmus or vertical nystagmus. I observed Sangricco to have an orbital sway. The eyes did not converge and his eyes stayed straight.

Walk and Turn:

The area was level and free of debris. He indicated that he observed the line on the ground. He was instructed to put his left foot on the line, then place his right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. He was instructed not to begin until told to do so. He verbally indicated that he has understood all instructions up to this point. He was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. He was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this. He was also instructed to keep his arms at his sides and to watch his feet during the exercise. He was also instructed to count aloud and to not stop once he begins the exercise. He was also instructed to keep his arms at his sides at all times.

While he completed the exercise I observed that he stepped off the line on multiple steps and missed heel to toe on several steps. I also observed that he stopped after completing the turn and asked for further instructions. He also had a sway as he walked on the line.

One Leg Stand:

He was instructed to stand with his feet together and to place his arms down at his side. He was instructed to maintain that position until told to do so. Once told to do so, he was instructed to raise his right leg approximately 6 inches off the ground and to keep both legs straight with both arms at his side. He was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. He verbally indicated that he understood the instructions after I demonstrated to him.

During the exercise he raised his right foot. I observed that he had an orbital sway during the exercise. He also placed his foot down. He also did not look down at his foot while completing the exercise.

Finger To Nose

He was instructed stand with his feet together and arms at his side and to have his index fingers pointed out. He was instructed to start and stay in that position until told to do so. He stated that he understood. I then demonstrated the position. He was then instructed to when told to start to close both eyes and tilt his head back. When told to do so he was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of his nose. I then demonstrated this. He was then instructed to after touching the tip of the nose to immediately bring his hand down to his side. He stated that he understood. I then demonstrated and he stated that he understood. He was instructed to raise his hand in the following order, left, right, left, right, and right, left.

- Left: Miss. Didn't put arm down.
- Right: Miss. Didn't put arm down.
- Left: Miss
- Right: Miss

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-Right: Miss

-Left: Miss

He was then placed under arrest for DUI and secured inside of my patrol car. He was then transported to the county jail. Once I arrived at the testing facility I conducted a 20-minute observation. At no time did he regurgitate or take anything by mouth. I then requested that he provide a lawful sample of his breath and he refused. Implied consent was read and he stated that he understood. He then refused again and was booked into the Palm Beach county jail.

Jail Booking Facility

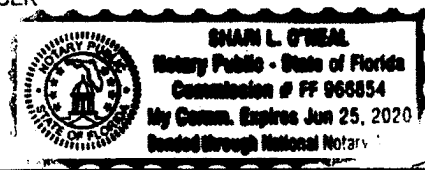
Booking Date/Time 5/11/2019 4:53:16AM	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 6/10/2019 830 AM	Court Fine
Comments			

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 Z. TODD	Officer Rank TROOPER	Officer ID No 4141	Sworn and subscribed before me, the undersigned authority This the <u>11</u> day of <u>May</u> , 2019 DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA HIGHWAY PATROL	 		
Officer Signature			

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

TESTING FACILITY TASK REPORT

AGENCY: FHP Trp. Todd #4141

SUBJECT: Sangricco, Nicolas A. CASE NUMBER: 19-069712

DATE: 05-11-19 VIDEO TAPE NUMBER: _____

BEGINNING TIME: 0533hrs ENDING TIME: 0536hrs

BREATH TESTS RESULTS: 1) REFUSED TIME 0535 A.M./P.M. 2) _____ TIME _____ A.M./P.M.

3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: S. O'Neal #6212

MAINTENANCE TECHNICIAN: Cpl. Harlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Calm, Cooperative

CLOTHING: Shirt - Turquoise Plaid Print Shorts - Blue

MEDICAL CONDITIONS: /

MEDICATIONS: /

OTHER: Eyes: Red, Glassy

Odor of unknown alcoholic beverage.

COMMENTS: 20 min. observation done by AIO Todd #4141

AIO requested the breath test.

D refused the breath request.

AIO read the implied consent on camera.

D understood the IIC as read.

D still refused the breath request after the

IIC was read.

CIW read on camera.

No QTA.

SUBJECT: SANGRICO, NICOLAS 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) _____

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) _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT: SANERICO, NICOLAS CASE NUMBER: _____

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? _____

WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START? _____

WHAT TIME DID YOU START? _____ WHAT TIME IS IT NOW? _____

WHAT IS TODAY'S DATE? _____ WHAT DAY OF THE WEEK IS IT? _____

WHAT COUNTY AND CITY 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? _____

HOW MUCH? _____ WHERE? _____ WITH WHOM? _____

WHEN DID YOU HAVE YOUR FIRST DRINK? _____ AND YOUR LAST DRINK? _____

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? _____

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

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE 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? _____

WERE 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 YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? _____

DO YOU TAKE INSULIN? _____ IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? _____ WHERE? _____

INTERVIEWER: _____

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	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)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2019015737	Date: 05/12/2019
	Specialist Name/ID: AM/31562