

ARREST REPORT

A G E N C Y	Agency Name Morganton Department Public Safety		ORI 0120100 B0003		Date/Time Arrested 09/20/2014 21:30		OCA 201406303					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input checked="" type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract 6500		Residence Tract 6900		Arrest Number 107395				
A R R E S T E E	Name (Last, First, Middle) FRANCISCO, DOMINGO PABLO			D.O.B. 01/04/1964	Age 50	Race W	Sex M	Place of Birth GUATEMALA,	Country of Citizenship US			
	Current Address 213 Herron St, MORGANTON, NC 286553800			Phone 828-764-1252		Occupation Laborer		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name RSI			Address LINCOLNTON NC				Phone 828-428-6328				
	Also Known As (Alias Names)			Hgt 5'06	Wgt 175	Hair BLK	Eyes BRO	Skin Tone MED	Consumed Drug/Alcohol <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk			
	Scars, Marks, Tattoos			Social Security #		OLN and State		Misc. # and Type				
	Nearest Relative Name			Address				Phone				
A R R E S T	If Armed, Type of Weapon NOT APPLICABLE/NONE		<input checked="" type="checkbox"/> On-View <input type="checkbox"/> Criminal Summons <input type="checkbox"/> Order for Arrest <input type="checkbox"/> Citation <input type="checkbox"/> Warrant		Place of Arrest 100 CENTER ST/E UNION ST, MORGANTON							
	Charge #1 Dwi	<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 2100	Offense Jurisdiction (if not arresting agency)		Statute # 20-138.1	Warr. Date 09/20/2014				
	Charge #2 Stop Sign Vio/ Flashing Red Light Vio	<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 4010	Offense Jurisdiction (if not arresting agency)		Statute # 20-158(B)(1)(Warr. Date 09/20/2014				
	Charge #3 Violation Of Registration Provisions	<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 4010	Offense Jurisdiction (if not arresting agency)		Statute # 20-111	Warr. Date 09/20/2014				
V E H I C L E	VYR 1992	Make CHEV	Model CAVALIER	Style 4S	Color BLU	Plate #/State CJC3156 NC 2015	VIN 1G1JC5441N7190050					
	Vehicle 1. <input type="checkbox"/> Left at Scene <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured 2. <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Name of Other _____ 3. <input checked="" type="checkbox"/> Impounded <input checked="" type="checkbox"/> Place of storage RAMSEYS Inventory on File? Y											
C O N F I N E D	Date/Time Confined 09/20/2014 23:40:39		Place Confined BURKE CATAWBA			Committing Magistrate LYNN WEBB						
	Type Bond <input type="checkbox"/> Written Promise <input type="checkbox"/> Unsecured <input checked="" type="checkbox"/> Secured <input type="checkbox"/> No Bond <input type="checkbox"/> Other		Bond Amount \$1,000.00	Trial Date 11/05/2014 09:00		Court Of District City MORGANTON						
	Assisting Officer Name/ID # THOMPSON, J. M. 1			Released By (Name/Department/ID #)			Date/Time Released					
Status Codes	L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Counterfeit / Forged F - Found											
D R U G S	DCI	Status	Quantity	Type Measure	Suspected Type		Check up to 3 types of activity for each					
							Possess	Buy	Sale	Mfg.	Importing	Operating
C O M P	Name: Complainant <input checked="" type="checkbox"/> Victim <input type="checkbox"/>			Address				Phone:				
	On September 20th 2014 at 2130 hours, I was working on the east side of town. I observed a blue passenger car travel down Center Street and fail to stop at the duly erected stop sign located at Center Street and E Union Street. The vehicle then drove straight onto E Union Street and began to slow down once already in the intersection to approximately 5 miles an hour. The vehicle then made a sharp left turn and ran over an island dividing the lanes of traffic on E Union Street. I											
S T A T U S	Arresting Officer Signature/ID # BEAVER, J. P. (B1619)			Date/Time Submitted 09/20/2014 21:30			Supervisor Signature TRIPLETT, R. E.					
	Case Status: <input type="checkbox"/> Further Inv. <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed		Case Disposition: <input checked="" type="checkbox"/> Cleared By Arrest / No Supplement Needed <input type="checkbox"/> Arrest / No Investigation			Arrestee Signature						

** Continued **

ARREST REPORT (Additional Narrative)

Agency Name	ORI	Date/Time Arrested	OCA
Morganton Department Public Safety	0120100 B0003	09/20/2014 21:30	201406303
Arrestee Name	Arrest Number		
FRANCISCO, DOMINGO PABLO	107395		

followed in behind the vehicle and noticed that it began to drift over the center line. I initiated a traffic stop on the vehicle. The vehicle came to a stop in a PVA just before Valdese Avenue.

As I approached the vehicle, I noticed that the driver looked at me, however did not roll down his window. I knocked on the window of the vehicle and the driver then rolled it down. I introduced myself as Officer Beaver with Morganton Public Safety and the reason for me stopping him was a stop sign violation. I immediately noticed the driver had red/glassy eyes and was giving me a "deer in the headlights" stare. I asked the driver for his drivers license and registration. The driver retrieved a registration card from the glove compartment and then reached for his wallet in his back pocket. The driver passed by his driver's license at a minimum of three times before retrieving it. The driver then handed me his drivers license following a work ID with his name on it. I identified the driver as Domingo Pablo Francisco. I asked the driver if he was in fact Mr. Francisco. The driver replied "yes". I also asked Francisco about where he was coming from and going. During this conversation, I detected an odor of an alcoholic beverage coming from Francisco's breath.

I went back to my vehicle and waited for my back up to arrive. I checked Francisco's driver's license history and saw that he had a previous conviction of driving while impaired. Once my back up arrived, I asked Francisco if he would mind to step out of his vehicle so I could preform some tests (SFSTs). Francisco consented and stepped out. Francisco used both hands to lift himself out of his car. I preformed a battery of standardized field sobriety tests on Francisco, the results are as follows.

The first test I had Francisco preform was the Horizontal Gaze Nystagmus (HGN) Test. During this test, Francisco had a lack of smooth pursuit in both eyes as well as distinct and sustained nystagmus at maximum deviation. Francisco also had nystagmus onset prior to 45 degrees in both eyes.

The second test I had Francisco preform was the walk and turn test. During this test, Francisco started too soon, took 7 steps on the first set and 6 steps on the second set. Francisco missed heel to toe on every step that he took both on the first set as well as the second set. Francisco also made an improper turn by moving both of his feet in a circle to complete the turn.

The third test I had Francisco preform was the one leg stand test. During this test, Francisco made 5 attempts to maintain his balance. Francisco put his foot down three times with his left foot and twice with his right foot. Francisco was unable to complete this test.

I asked Francisco to give me a sample of his breath for a roadside portable breath test. Francisco showed a positive reading for alcohol and registered a .13BAC.

At this time I formed the opinion that Francisco had consumed a sufficient quantity of an impairing substance such that his mental and physical faculties were appreciably impaired. I arrested Francisco and transported him to Burke Catawba for a chemical analysis of his breath. Although Francisco stated that he spoke English and after each instruction for the SFST's he stated he understood, I contacted a Spanish interpreter to the scene to ensure the Francisco completed understood his chemical test rights. Once the interpreter was on-scene, I advised Francisco of his chemical test rights and asked him to submit to a chemical analysis of his breath. Francisco complied and attempted to give me a sample. Francisco gave me 3 insufficient samples of breath. I restarted the Intox EC/IR II and asked Francisco if he would submit to a chemical analysis of his breath. Francisco consented and on this attempt was able to supply a sufficient breath sample with the results being .10 grams of alcohol per 210 liters of breath. I transported Francisco to the Magistrates office and served him with the following charges...

- Driving while impaired
- Stop sign violation
- Drivers license restriction violation

Francisco was given a \$1000 secured bond. I transported Francisco to Burke Catawba where he was confined. PSO J. Thompson completed an inventory list of Francisco's vehicle and informed me that he had located three (3) empty Budweiser cans in the trunk of the vehicle.