

PROBABLE CAUSE AFFIDAVIT
Sarasota County

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DEFENDANT HORRIGAN, STEPHEN PHILLIPS	SSO BK # <u>12-1205</u>	AGENCY CASE # 2012-01-1732
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ADULT CASE

JUVENILE CASE

STATE IN DETAIL WHAT THE DEFENDANT DID THAT YOU ALLEGE WAS ILLEGAL. INCLUDE EVENTS THAT LEAD UP TO THE INCIDENT; ALSO INCLUDE WHY DEFENDANT ACTED AS HE DID IF THIS IS KNOWN. HEARSAY IS PERMISSIBLE AND RELEVANT COMMENTS OF DEFENDANT OR WITNESSES INVOLVED SHOULD BE SUMMARIZED. (INCLUDE WHO, WHAT, WHERE, WHY, WHEN, HOW)

On 01/25/12 at approximately 1900hrs, I responded to Herbison Ave/S Biscayne Dr where officers had a vehicle stopped and were actively involved in a criminal investigation that resulted in 2 arrests. Units arrested Thomas Roberts DOB 06/26/82 & Allan Roberts DOB 08/31/70. Thomas Roberts was arrested for Possession of Marijuana Less Than 20 Grams and Allan Roberts was arrested for Violation of Probation. During the criminal investigation and arrests, Stephen P. Horrigan DOB 10/20/49 walked up to the active criminal investigation and started a video and audio recording the officers conducting the investigation and arrests. He further encroached to within approximately 15' of Sergeant Sirianni, continuing to audio/video record. He was advised several times to cease the recording, and vacate the area because he was impairing Sergeant Sirianni's ability to conduct his investigation and complete his arrest. After Stephen Horrigan left, he returned and continued to obstruct Sergeant Sirianni's investigation resulting in an arrest of Stephen Horrigan for Obstruction and the illegal recording of personal communications occurring in our presence. The phone was seized and placed into evidence. The case numbers related to this case are 2012-01-1730 and 2012-01-1736.

Upon my arrival at the arrests, I spoke with Sergeant Sirianni and Detective Strejcek who had Stephen Horrigan detained. Sergeant Sirianni stated that he was on a high-risk traffic stop with known gang members (related to Operation Sonnette) when Horrigan was in the median of S. Biscayne Dr adjacent to the traffic stop with a cellular phone holding it up toward the officers in what appeared to be Horrigan recording the traffic stop. Sergeant Sirianni had asked Horrigan to move on down the road (which would be North on S. Biscayne Dr) for safety reasons, because he was partially in the roadway and he was impairing their ability to focus on their investigation on the 2 gang members they had stopped. Horrigan appeared to move along and then showed up behind the vehicles of the officers that were conducting the traffic stop. He was approximately 15 feet behind Sergeant Sirianni still audio/video taping him with his cellular phone. Sergeant Sirianni asked Horrigan approximately 10-15 times to stop video/audio taping him and leave the area. Horrigan stated "this is a free country," and did not comply. Horrigan was asked for his Identification by officers since he committed the offenses of Obstruction and Intercepting Communications. Stephen Horrigan advised he didn't have a license and provided his name and date of birth, but refused to provide any further pedigree information. Horrigan then approached Sergeant Sirianni and

ADDITIONAL PAGES - ATTACHED AND INCORPORATED HEREIN

SIGNATURE OF L.E.O./AFFIANT _____ ID# 200

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 25 DAY OF January, 2012, BY

Carroll R. Rial WHO IS PERSONALLY KNOWN OR WHO PRODUCED THE FOLLOWING
(PRINT L.E.O./AFFIANT NAME)

IDENTIFICATION _____

SIGNATURE _____

L.E.O. ID# 1833

NOTARY

SUPERVISOR SIGNATURE _____

NAME _____

PRINT _____

ID# _____

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showed him he was still actively violating the Interception of Oral Communication statute as his cellular phone was still audio/video recording, in direct conflict with Sergeant Sirianni's requests.

Horrigan was subsequently arrested for Obstruction without Violence due to resisting, obstructing and opposing an officer while this officer was engaged in a high risk traffic stop and Intercepting Oral Communication when he intentionally intercepted oral communications of Sergeant Sirianni while he was conducting a high risk traffic stop. Subject was transported to South County Jail without incident. These crimes occurred in the City of North Port, County of Sarasota, Florida.

ADDITIONAL PAGES - ATTACHED AND INCORPORATED HEREIN

SIGNATURE OF L.E.O./AFFIANT

ID# 290

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 25 DAY OF January, 2012, BY

Carrolli, Roberto
(PRINT L.E.O./AFFIANT NAME)

WHO IS PERSONALLY KNOWN OR WHO PRODUCED THE FOLLOWING

IDENTIFICATION

SIGNATURE

L.E.O. ID# 1833

NOTARY

SUPERVISOR SIGNATURE

NAME

PRINT

ID#