50-2022-CT-008584-AWB

0531931

3709

# Arrest Report

FLORIDA HIGHWAY PATROL
P.O. BOX 16007, LAKE WORTH, FL 33416

NH

| Report Date / Time | Report Number | Case Number/Cad Number | Reporting Officer Name |
|---|---|---|---|
| 5/28/2022 11:03 PM | FHP99ARR845624 | FHP22ON0270816 / RCC22IN0397688 | LAMPIASI, J. TROOP K |

| Originating Agency ORI | Occur Date Time Range | Jurisdiction |
|---|---|---|
| FL0509000 | 05/28/2022 22:25:10 - | |

| OBTS Number | Other Number | Clearance |
|---|---|---|
| | | |

## Location of Occurrence

| County | Location Type | Location Description |
|---|---|---|
| PALM BEACH | PUBLIC PLACE | STATE ROAD 7 (US-441) N AT 130PL |

| Street Number | Street | Apt/Lot/Bldg | City | State | Zip Code |
|---|---|---|---|---|---|
| | STATE ROAD 7 (US-441) N | | UNINCORPORATED | FL | 33446 |

## Defendant

| First Name | Middle Name | Last Name | Suffix | Race | Sex | Height | Weight | Hair | Eyes |
|---|---|---|---|---|---|---|---|---|---|
| DONNA | MARIE | ESPOSITO | | WHITE | FEMALE | 508 | 160 | BLO | BLUe |

| MNI # | SSN | Date of Birth | Age | ID Type | Drivers License or other ID | State | OCA / Agency ID |
|---|---|---|---|---|---|---|---|
| | [redacted] | 03/03/1974 | 48 | E | E212173745831 | FL | |

| Place of Birth: | NEWTON NJ USA |
|---|---|

Address
* RESIDENCE / 4992 N. CITATION DR 106 , DELRAY BEACH, FL 33445 /

## Arrest

| Arrest Date/Time | Arrest Location Type | Arrest Location Description |
|---|---|---|
| 5/28/2022 10:43:10 PM | PUBLIC PLACE | STATE ROAD 7 (US-441) N AT 130PL |

| Street Number | Street | Apt/Lot/Bldg | County | City | State | Zip Code |
|---|---|---|---|---|---|---|
| | STATE ROAD 7 (US-441) N | | PALM BEACH | UNINCORPORATED | FL | 33446 |

## Charge : S

| Counts | Charge | Bond Amount | |
|---|---|---|---|
| 1 | 316.193.1c OR | $0.00 | ☐ No Bond |

| Charge Degree | Charge Level |
|---|---|
| S | MISDEMEANOR |
| General Offense Code | Arrest Offense Code |
| | DUI-UNLAW BLD ALCH |

Charge Description
DUI BREATH ALCOHOL 0.08 OR MORE PER 210 L

## Bond Set by Court

| Bond Amount | |
|---|---|
| | ☐ No Bond |

Bond Type(s)

MAY 29 AM 11:55

Probable Cause Sptsm 8101

NR

| Report Date / Time | Report Number | Case Number/Cad Number | Reporting Officer Name |
|---|---|---|---|
| 5/28/2022 11:03 PM | FHP99ARR845624 | FHP22ON0270816 / RCC22IN0397688 | LAMPIASI, J. |

| Originating Agency ORI | Occur Date Time Range | Jurisdiction |
|---|---|---|
| FL0509000 | 05/28/2022 22:25:10 - | |

| OBTS Number | Other Number | Clearance |
|---|---|---|
| | | |

On the above date and time, I, Trooper Specialist J. Lampiasi, was on DUI patrol in the area of State Road 7 (US Highway 441), northbound, in Palm Beach County, Florida. I observed a silver SUV traveling a high rate of speed within the left inside lane. I observed the vehicle weaving within its lane of travel. I estimated the vehicles speed to be approximately 75 mph in a posted 55mph zone. I activated my stalker DSR 2x radar in front moving same mode which received an output of 76mph. At that time I conducted a traffic stop on the vehicle.

The vehicle did not immediately pull over to the shoulder. After approx. 15-20 seconds the vehicle made a complete stop. I approached the driver side window and made contact with the driver, identified via her FL DL as Donna M. Esposito. I observed that Esposito's eyes were watery and glassy. Esposito has ptosis (droopy eyelids). I immediately smelled the odor of an alcoholic beverage emitting from within the vehicle. I advised Esposito the reason for the stop. Esposito has thick, slurred, slow speech. Her breath had an odor of an alcoholic beverage on it. Esposito advised she was trying to go home but was lost. Esposito lives in Delray but was traveling in a direction furthest away from the residence. I asked Esposito why she was doing this which again she stated she was lost from this roadway. I ran Esposito via FCIC/NCIC with valid results.

I asked Esposito if she would participate in Standardized Field Sobriety Tasks (SFST's) which she agreed. Esposito appeared uneasy and unsteady on her feet.

Espositio performed poorly on all SFST's (See dash-cam video FHP419 and full DUI Packet for details). Due to the totality of the circumstances regarding Esposito's driving, personal interaction, and SFST performance, I concluded that her normal faculties were impaired at the time she operated her motor vehicle. Esposito was arrested for DUI at 2243 hours. Esposito was placed in the rear of my patrol vehicle. Esposito requested to leave her vehicle on the shoulder locked.

Esposito was transported to the Palm Beach County Jail. Esposito was observed for a period of 20 minutes starting at 2332 and ending at 2344. I confirmed that she did not regurgitate or ingest any substance. Esposito agreed to provide a sample

| Report Date / Time | Report Number | Case Number/Cad Number | Reporting Officer Name |
|---|---|---|---|
| 5/28/2022 11:03 PM | FHP99ARR845624 | FHP22ON0270816 / RCC22IN0397688 | LAMPIASI, J. |

| Originating Agency ORI | Occur Date Time Range | Jurisdiction |
|---|---|---|
| FL0509000 | 05/28/2022 22:25:10 - | |

| OBTS Number | Other Number | Clearance |
|---|---|---|
| | | |

of her breath. Esposito's breath results are as follows: 0.132/0.135. Esposito was transferred into the custody of the Palm Beach County Sheriffs Office for booking.

**Jail Booking Facility**

| Booking Date/Time | Booking County | Booking Facility | Booking Facility Phone |
|---|---|---|---|
| 5/28/2022 11:19 PM | PALM BEACH | PALM BEACH COUNTY CORRECTIONS | (561) 688-4400 |

| Booking Facility Location | Booking Number |
|---|---|
| 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406 | |

Booking Comments

**Court**

| Court County | Court Location |
|---|---|
| PALM BEACH | 2950 STATE ROAD 15, ROOM S-100 BELLE GLADE, FL 33430 |

| Court | Court Phone | Court Appereance Date / Time | Court Fine |
|---|---|---|---|
| PALM BEACH WEST COUNTY COURTHOUSE | 561-996-4843 | 06/28/2022 9:00AM | |

Comments

| Officer Name / Rank / ID # | Involvement On Report / Reporting Role | Officer Agency Org/Unit |
|---|---|---|
| LAMPIASI, J. TPR 4635 | REPORTING OFFICER | FLORIDA HIGHWAY PATROL FHPK\LWRCC\WEST PALM\TRP K\DUI |

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 | Office Rank | Officer ID No |
|---|---|---|
| LAMPIASI, J. | TPR | 4635 |

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature: Tpr. J. Lampiasi

Sworn and subscribed before me, the undersigned authority
This the _____ day of _____, _____
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

_____
Signature of Assistant State Attorney Date

**PALM BEACH COUNTY SHERIFF'S OFFICE**
**DUI TESTING FACILITY**
**INFORMATION SHEET**

PBSO CASE # 22-072249 PBSO ZONE 4-31

AGENCY CASE # FHP22ON 6278816 CRASH CASE # _____

TIME OF STOP/CRASH 10:25PM DATE 05/28/22 DAY Saturday

SUBJECT'S NAME Ioana M. Esposito RACE W SEX F

HGT 508 WGT 160 DOB 03/03/74

LOCATION SR-7 (US-441) North South of 130 PL, Delray Beach, FL 33426

ARRESTING OFFICER'S NAME & ID J. Lampiasi 1524 4635 AGENCY FHP

DIVISION: _____

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 23:06

Arrest Time 1043PM

BREATH RESULTS:

1. .132
2. .135
3. N/A
4. N/A

TESTING OFFICER'S ID Bell 8656

# TESTING FACILITY TASK REPORT

AGENCY: FHP-K

SUBJECT: ESPOSITO, DONNA MARIE

CASE NUMBER: 22-072249

DATE: May 28, 2022

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 2332

ENDING TIME: 2344

BREATH TESTS RESULTS: 1) .132 TIME 2338 A.M.☐ P.M.☒ 2) .135 TIME 2341 A.M.☐ P.M.☒

3) XX TIME XX A.M.☐ P.M.☐ 4) XX TIME XX A.M.☐ P.M.☐

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

**TESTING OFFICER'S OBSERVATIONS**

SPEECH: SLURRED

ATTITUDE: INQUISITIVE, COOPERATIVE

CLOTHING: BLUE JUMPER, WHITE SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

**OTHER:**

EYES: GLASSY

---

**COMMENTS:**

A/O ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 2306 HOURS

SUBJECT ASKED WHAT IF SHE DOES NOT TAKE BREATH TEST

A/O READ I.C
SUBJECT ACKNOWLEDGED SHE UNDERSTOOD I.C
SUBJECT STATED SHE WOULD TAKE BREATH TEST

TECH READ BREATH TEST RESULTS
SUBJECT STATED SHE UNDERSTOOD BREATH TEST RESULTS

A/O READ RIGHTS

SUBJECT DECLINED TO ANSWER Q AND A

# FLORIDA DEPARTMENT OF LAW ENFORCEMENT
## ALCOHOL TESTING PROGRAM
### BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006238 Software: 8100.27
Date of Test: 05/28/2022

Date of Last Agency Inspection: 05/13/2022
Observation Period Began: 23:06
Subject's Name: DONNA MARIE ESPOSITO DOB: 03/03/1974 Sex: F

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:

| Test | g/210L | Time |
|---|---|---|
| Diagnostics Check | OK | 23:36 |
| Air Blank | 0.000 | 23:37 |
| Control Test | 0.082 | 23:37 |
| Air Blank | 0.000 | 23:38 |
| Subject Sample #1 | 0.132 | 23:38 |
| Air Blank | 0.000 | 23:39 |
| Air Blank | 0.000 | 23:40 |
| Subject Sample #2 | 0.135 | 23:41 |
| Air Blank | 0.000 | 23:41 |
| Control Test | 0.079 | 23:42 |
| Air Blank | 0.000 | 23:42 |
| Diagnostics Check | OK | 23:42 |

Cylinder Lot: 29821080A4
Exp: 12/05/2023

State of Florida, County of Palm Beach,

Personally appeared before me the undersigned authority, who (✓) is personally known to me or (__) produced _____ as identification, and who after being placed under oath, states:

I JOSHUA J BELL, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____ Date: 05/28/22
Signature

Sworn to (or affirmed) before me this 28 day of May, 2022

_____ Tpr. J. Lampiasi #4635
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

*FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007*

SUBJECT: Esposito, Donna Marie 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 determining 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 refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your ***breath, urine*** or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.

Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO

~~***NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,***~~

If you are a Commercial Driver License (CDL) holder or ~~were driving a~~ Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of ~~one year~~ from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.

Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> ~~NO~~

SUBJECTS SIGNATURE: (X) Read on camera

## 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) Read on camera

SUBJECT: Esposito, Donna Marie CASE NUMBER: _____

# QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME 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: Tpr. J. Lampiasi #4635

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

PBSO #0129C REV. 9/93

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:** 2022013931 | **Date:** 5/29/2022 |
| | **Specialist Name/ID:** C. Smith/39657 |