0539062 23CT5125NB 273

ARREST / NOTICE TO APPEAR

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias | 1 | JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
0501700	Jupiter Police Department	5 4 23-001177

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

If Weapon Seized — Enter Type: UNARMED

Multiple Clearance Indicator

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
S US HIGHWAY 1/BREAKWATER CT, JUPITER FL	1699 S US HIGHWAY 1/OCEAN WAY, JUPITER, FL 33477

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
03/18/2023	17:42					

DEFENDANT

Name (Last, First, Middle): IANETTI, PATRICE R — Alias: — Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White, I - American Indian, B - Black, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	09/15/1955	5'05	130	BROWN	BLONDE /	LIGHT	SMALL

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status	Religion	Indication of: Alcohol Influence / Drug Influence
M	OTHER	Yes ☒ No ☐ Unk. ☐

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
1980 SUNSET AVE 9, LAKE WORTH, FL 33463				(201) 486-0417	1

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
1980 SUNSET AVE 9, LAKE WORTH, FL 33463				(201) 486-0417	VERBAL

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
I04136177959553 / NJ	[redacted]		NEWARK, NJ, United	US

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Other: ☐ Legal Custodian — Name (Last, First, Middle) — Residence Phone

Address (Street, Apt. Number) (City) (State) (Zip) — Business Phone

Notified by: (Name)	Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated

Released To: (Name)	Relationship	Date	Time	

The above address was provided by ☐ defendant and/or ☐ defendant's parents.
The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.
☐ Yes, by: ☐ No:

School Attended — Grade

Property Crime? ☐ Yes ☒ No — Description of Property — Value of Property

CODE

Drug Activity: N. N/A, P. Possess, S. Sell, B. Buy, T. Traffic, R. Smuggle, D. Deliver, E. Use, K. Disperses/ 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

Charge Description	Statute Violation Number	Violation of ORD #
DUI - DAMAGE TO PERSON/PROPERTY	316.193(3)(C)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant — Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By — Released By — Released To

Transported By — Date Transported — Time Transported — Other

FILED PBC - GUN CLUB
'23 MAR 19 AM 7:03

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): North County PALM BEACH GARD

Court Date and Time: 04/19/2023 00:00:00

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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/Custodian) — Date Signed

No Photo Available

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy — I.D. # — Pouch #

Signature of Arresting Officer: 1255

Name of Arresting Officer (Print): ZAINO, JACOB — I.D. #: 1255

Transporting Officer — I.D. # — Agency: 1255 JPD

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X"

NOT A CERTIFIED COPY

PROBABLE CAUSE AFFIDAVIT

OBTS Number | 1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias | 1 | JUVENILE

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 23-001177

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
IANETTI, PATRICE R		W	F	09/15/1955

CHARGES

Charge Description	Charge Description
316.193(3)(C)(1) DUI - DAMAGE TO PERSON/PROPERTY	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
SMITH, DONALD RAYMOND	W	M	08/05/1955

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
14140 PARADISE POINT RD, WEST PALM BEACH, FL 33410		
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**

PROBABLE CAUSE STATEMENT

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 . . .

☐ committed the below acts in my presence.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☐ confessed to _____ admitting to the below facts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 18 day of March, 2023 at 21:19 (Specifically include facts constituting cause for arrest.)

On Saturday March 18th 2023 at approximately 1642 hours, I was dispatched to the area of S US Highway 1/Ocean Way in reference to a Hit and Run crash that had just occurred. The caller advised that a dark blue BMW (bearing NJ Tag#F66NRC) hit a red sports car and took off northbound.

After a short while of checking the area for the suspect vehicle, the red Mercedes-Benz (bearing FL Tag#ITXC51), and blue BMW were found on the side of the roadway just north of the intersection of US1/Breakwater Court. I made contact with the driver of the red Mercedes, Donald Smith (W/M 08/05/1955), and his passenger, Georgia McGivney (W/F 12/06/1967). Smith and McGivney stated that the blue BMW and W/F driver, later identified by her NJ DL as Patrice Ianetti (W/F 09/15/1955), were aggressively swerving in and out of traffic and was unable to maintain a single lane of travel. The blue BMW then sideswiped Smiths vehicle and took off northbound at a high-rate of speed. Smith stated that he followed Ianetti and her vehicle for over a mile, honking and yelling at her out the window to pull over before she finally did at the intersection where we located them. Both Smith and McGivney stated their concern for Ianetti to safely operate a vehicle and believed she was impaired due to her incoherent demeanor, aggressive and careless driving pattern, and disregard/unawareness that she hit another vehicle.

I spoke with Ianetti who was standing next to her vehicle stating that she did not understand what was going on. I immediately detected a very strong odor of an unknown alcoholic beverage emanating from her breath that intensified as she spoke. Ianetti denied being involved in an accident and stated that Smith was lying or was the one who hit her. When I showed Ianetti the large damage on her passenger door where she struck Smiths vehicle, she stated that she was not sure if that was old or new damage and it was "not that bad", even though she had clear dents/scratches all along the passenger side of her vehicle. I asked Ianetti for her vehicle registration, to which she then proceeded to sit inside of her vehicle and said "I was trying to open up my passenger

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOBLE, RILEY 1226
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

03/18/2023
DATE

1255
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ZAINO, JACOB (1255)
NAME OF OFFICER (PLEASE PRINT)

03/18/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN.

OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Copies	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 23-001177

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
IANETTI, PATRICE R		W	F	09/15/1955

PROBABLE CAUSE STATEMENT

door". I then requested Ianetti exit the vehicle and provide me with the documents I had requested. Ianetti finally did present the documents I asked for, however, had to be reminded multiple times and had very slowed responses/reflexes.

I returned to my vehicle to fill out the required crash paperwork and issued a copy to Smith before releasing him from the scene. Before he left, he again stated how he was very concerned with Ianettis ability to safely operate a motor vehicle and believes she is impaired. I then advised Ianetti that I found her to be the cause of the accident and advised her I would be changing hats and conducting a criminal DUI investigation and read her Miranda from a pre-printed card. Ianetti stated she understood, however, continued to try and argue with me stating that she did not do anything wrong and was not involved in an accident. Based on the aforementioned events, I requested that Ianetti submit to Standardized Field Sobriety Tasks to which she agreed. Before beginning the tasks, I asked Ianetti a series of questions, one being if she had any serious medical issues or physical defects to which she stated "no".

I first began with the Horizontal Gaze Nystagmus task. I instructed Ianetti to stand with her feet touching (heel & toes) and to keep her arms down at his side to which she struggled to do. I demonstrated to Ianetti that she would be following my stimulus (top of my black pen) with her eyes and her eyes only and to keep her head still at all times. Ianetti stood there starring into space and did not acknowledge me. Ianetti then took of her shoes and stated she had bunions and could not keep her feet together. I told Ianetti to do it to the best of her ability to which she stated she would. I was unable to complete the task due to Ianetti not following the stimulus and started to bend her knees and fall backwards while swaying around. Ianetti then started naming off all of her disabilities or physical issues that she did not tell me about when I had asked her prior, stating that she was unable to complete these tasks. I advised her that if she did not participate in the tasks I have requested of her that I would have to make an arrest decision based on the totality of circumstances and it can be used against her in a court of law. Ianetti stated she understood and would continue.

The second task was the Walk & Turn. I instructed/demonstrated Ianetti to stand on the silver line of tape that was laid across the sidewalk with her left foot on the line with her right foot touching her left foot (heel to toe) with her arms at her side. She was unable to maintain the starting position and stepped off the line and used her arms for balance. I instructed/demonstrated Ianetti to take nine heel-to-toe steps down the line and take a series of small steps then return down the line heel to toe nine steps. Ianetti again was not paying attention to my instructions and when I asked if she understood, she stated "I think so". I instructed/demonstrated the task again and she stated she understood and did not have any questions. Ianetti then asked if she could turn around without being told to do so and take nine steps back, which advised her, "yes that was part of the instructions I showed you twice". She proceeded down the line counting out loud properly, however, missed heel-to-toe on every step as well as stepped

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOBLE, RILEY
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

03/18/2023
DATE

1255
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ZAINO, JACOB (1255)
NAME OF OFFICER (PLEASE PRINT)

03/18/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1: Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Copies

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-001177

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
IANETTI, PATRICE R		W	F	09/15/1955

PROBABLE CAUSE STATEMENT

off the line and did not make a proper turn.

The third task was the One Leg Stand. I instructed Ianetti to stand with her feet touching (heel & toes) and to keep her arms down at his side, to which she struggled to keep her heels and toes touching without swaying around. Before I could continue any further with the instruction, Ianetti stated that she was unable to lift either leg off of the ground without falling due to her physical limitations. For her safety and risk of falling, I moved onto the next task.

The fourth task was the Finger to Nose. I instructed Ianetti to stand with her feet touching (heel & toes) and to keep her arms down at her side with her pointer fingers pointed outward. I instructed/demonstrated Ianetti that I would be calling left (L) or right(R), when I do, with her head tilted back and eyes closed, she would take the tip of the finger I called and touch it to the tip of her nose and then bring her hand back down. She was shown the difference between the tip/pad/nail. After multiple times of explaining/demonstrating the task to her, she stated she was ready. I called out the fingers in the standardized order of L, R, L, R, R, and L. When I called "L" Ianetti did not have her head tilted back and touched the pad of her finger to the bridge of her nose and did not put her hand down as instructed. I called "R" and she missed her nose the first time and then corrected touching her pad to the side of her nose while also not putting her hand down. For the remaining "L,R,R,L", Ianetti missed the tip of her nose, touched the side of her nose with the pad of her finger, and did not bring her hand down without having to be reminded.

The fifth and final task was the Romberg Alphabet. I instructed Ianetti to stand with her feet touching (heel & toes) and to keep her arms down at her side. She was instructed to tilt her head back and close her eyes while reciting the alphabet in a non-rhythmical manner. During this task, she did not rhyme, sing or incorrectly recite the alphabet, however, she did not tilt her head back and was noticeably swaying back and forth.

Based on my investigation, observations, and totality of circumstances, I had probable cause to believe that Patrice Ianetti was in actual physical control of a vehicle while under the influence of an alcoholic beverage, chemical, or controlled substance, to the point where her normal faculties were impaired, contrary to F.S 316.193. She was placed into handcuffs that were properly spaced and double-locked per department policy and placed into the rear of my patrol car at 1742 hours. While attempting to be placed into handcuffs, Ianetti did slightly brace, tense, and pull away from officers.

I then transported Ianetti to the Jupiter Medical Center for medical clearance and subsequently to the Palm Beach County Breath Alcohol Testing center, arriving at 1858hours. I placed Ianetti under a 20 minute observation period, during which she neither consumed nor regurgitated anything. We then went on video with BAT technician

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOBLE, RILEY
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

03/18/2023
DATE

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SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ZAINO, JACOB (1255)
NAME OF OFFICER (PLEASE PRINT)

03/18/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-001177

Charge Type: Check as many as apply.
☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
IANETTI, PATRICE R		W	F	09/15/1955

PROBABLE CAUSE STATEMENT

Ragin #16877. I requested Ianetti provide a breath sample to which she agreed, however, refused to listen to Ragin`s instructions and was not properly blowing into the instrument. After multiple attempts to give Ianetti the opportunity to provide a breath sample, and her arguing with BAT tech Ragin, I read her implied consent from a pre-printed card to which she stated she understood. Ianetti demanded a blood or urine test to which I advised her that I was asking for a breath sample and if she refuses to follow BAT tech Ragin`s instructions, it would be taken as a refusal. Ianetti continued to not properly blow into the instrument or follow instructions and the refusal time was marked at 1934 hours. The instrument did record a (volume not met) BrAC of approximately 0.166, however, was not a clear and concise sample due to the lack of breath provided.

I placed Ianetti in holding while all necessary paperwork was completed and subsequently booked her into the Palm Beach County Jail. She was given a criminal court date of 04/19/2023, 0830 hours.

The above incident was captured on BWC. This narrative is a summary of the events and not purported to be verbatim.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOBLE, RILEY
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

03/18/2023
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ZAINO, JACOB (1255)
NAME OF OFFICER (PLEASE PRINT)

03/18/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

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

PBSO CASE # 23-047952 PBSO ZONE 3-11

AGENCY CASE # 23001177 CRASH CASE # 23001177

TIME OF STOP/CRASH 1642 DATE 03/18/2023 DAY Saturday

SUBJECT'S NAME Ianetti (LAST) Patrice (FIRST) R (MID) RACE W SEX F

HGT 505 WGT 130 DOB 09/15/1955

LOCATION US1/Breakwater Court, Jupiter FL 33477

ARRESTING OFFICER'S NAME & ID Zaino 1255 AGENCY Jupiter PD

DIVISION:

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 1858

ARREST TIME 1742

BREATH RESULTS:

1)
2) REFUSED
3)
4)

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TESTING OFFICER'S ID 16877 PBSO VIDEOTAPE # N/A

TESTING FACILITY TASK REPORT

AGENCY: JPD

SUBJECT: Ianetti, Patrice R.

CASE NUMBER: 23-047952

DATE: Mar 18, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 19:21

ENDING TIME: 19:46

BREATH TESTS RESULTS: 1) .VNM TIME 19:28 A.M.☐ P.M.☒ 2) Refused TIME 19:34 A.M.☐ P.M.☒

3) N/A TIME ——— A.M.☐ P.M.☐ 4) N/A TIME ——— A.M.☐ P.M.☐

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

REFUSED

SPEECH: Slurred

ATTITUDE: Argumentative, talkative, agitated, repetitive, mood swings

CLOTHING: Black pants, green LS shirt, black shoes

MEDICAL CONDITIONS: YES multiple

MEDICATIONS: Zoloft, Gabapentin, Xanax, Cenapro and a lot more can't think of the names

REFUSED

OTHER:

Eyes are glassy & bloodshot
odor of unknown alcoholic beverage on breath

COMMENTS:

Arrived at center A/O started 20 minute observation period at 18:58 hrs.

Subject agreed to perform breath test.

Subject refused to follow Tech instructions to blow properly.

A/O read I/C and subject stated she understood I/C.

Subject again would not blow properly and after several attempts A/O called refusal.

A/O read rights.
Subject stated she understood rights.

A/O conducted Q&A.
Subject answered Q&A.

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23001177

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, **Officer Zaino**, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of **Jupiter Police Department**, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the **18th** day of **March**, 20 **23**, at **5:42** ☑P.M. ☐A.M.

DRIVER **Patrice** **R** **Ianetti**,
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # **I04136177959553**, state of **NJ**, was placed under lawful arrest for

the offense of **DUI - DAMAGE TO PERSON/PROPERTY** by **Officer Zaino** and
(Name of Arresting Officer)

issued citation # **AH4WMWE**.

That on or about the **18th** day of **March**, 20 **23**, at **7:34** ☑P.M. ☐A.M.

in **Palm Beach** County,

I requested that the driver submit to a **BREATH** test for the purpose of determining its alcohol content. I informed the driver that the refusal to submit to such test would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended, or if he or she had been previously fined under s. 327.35215, F.S., for refusing to submit to a breath, urine, or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended, or if he or she has been previously fined under s. 327.35215, F.S., for refusal to submit to a lawful test of his or her breath, urine, or blood. Nonetheless, the driver refused to submit to the test requested.

1255
Signature of Law Enforcement Officer or Correctional Officer

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

The foregoing instrument was sworn and subscribed before me:

1226
Signature of Attesting Officer

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this **18th** day of **March**, 20 **23**, by **Officer Officer Zaino 1255**, who is personally known to me or who has produced **Personally Known** as identification.

Notary Public _____

Title **Police Officer**

Date **03/18/2023**

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.

EFFECTIVE OCTOBER 1, 2021

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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: 80-006029 Software: 8100.27
Date of Test: 03/18/2023

Date of Last Agency Inspection: 03/10/2023
Observation Period Began: 18:58
Subject's Name: PATRICE R IANETTI DOB: 09/15/1955 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	19:24
Air Blank	0.000	19:24
Control Test	0.080	19:25
Air Blank	0.000	19:25
Subject Sample #1	VNM*	19:28
Air Blank	0.000	19:29
Air Blank	0.000	19:31
Subject Sample #2	REF**	19:33
Air Blank	0.000	19:34
Control Test	0.077	19:35
Air Blank	0.000	19:35
Diagnostics Check	OK	19:35

*Volume Not Met (0.166 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**Subject Test Refused

Cylinder Lot: 15922080A3
Exp: 08/05/2024

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 RENEE M RAGIN, 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: 03/18/23
Signature

Sworn to (or affirmed) before me this 18 day of March, 2023

1255 Ofc. J. Zaino #1255
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

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WITNESS LIST

CASE NUMBER: 23001177

ARRESTING OFFICER: Officer Zaino

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME): _____ (WORK) 561-746-6201

CAN TESTIFY TO: PC

NAME: Officer Noble

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME) _____ (WORK) 561-746-6201

CAN TESTIFY TO: PC

NAME: Donald Smith

ADDRESS 14140 PARADISE POINT RD, WEST PALM BEACH FL 33410

PHONE NUMBERS (HOME) _____ (WORK) 561-262-7587

CAN TESTIFY TO: driving pattern/wheel wittness

NAME: Georgia McGivney

ADDRESS 12104 AVILES CIR,PALM BEACH GARDENS, FL 33418

PHONE NUMBERS (HOME) _____ (WORK) 561-262-7587

CAN TESTIFY TO: PC

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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SUBJECT: _____ 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: _____

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SUBJECT: [illegible] CASE NUMBER: [illegible]

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) [signature]

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) [signature]

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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:	

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REVIEW COMPLETED BY

Booking Number: 2023007335	**Date:** 3/19/2023
	Specialist Name/ID: Chantel Daniels/30347