

190102384

0509192

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1	N
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-19-37649			
Charge Type: Check as many as Apply.		☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other	
Location of Arrest (Including Name of Business) 2200 N. SR 5, BOYNTON BEACH, FLORIDA, 33435		Location of Offense (Business Name, Address) 2200 N. SR 5, BOYNTON BEACH, FLORIDA, 33435		If Weapon Seized Enter Type Multiple Clearance Indicator			
Date of Arrest 07/04/2019		Time of Arrest 2101HRS		Booking Date		Jail Date	
Name (Last, First, Middle) ESPINOSA, ELIZABETH		Alias (Name, DOB, Soc. Sec. #, Etc)					
W - White B - Black		I - American Indian O - Oriental / Asian		Race W F		Sex F	
Date of Birth 12/27/1979		Height 502		Weight 168		Eye Color BRO	
Hair Color BRO		Complexion FAIR		Build MED			
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) N/A		Marital Status SINGLE		Religion N/A		Indication of: Alcohol Influence Drug Influence	
Local Address (Street, Apt. Number) 1878 ALISON DR,		(City) WEST PALM BEACH,		(State) FLORIDA,		(Zip) 33409	
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)	
Business Address (Street, Apt. Number)		(City)		(State)		(Zip)	
D/L Number, State E215-220-79-967-1 / FL		INS Number		Place of Birth BELLE GLADE, FL		Citizenship YES	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
☐ Parent ☐ Legal Custodian ☐ Other		Name (Last)		(First)		(Middle)	
Address (Street, Apt. Number)		(City)		(State)		(Zip)	
Notified by: (Name)		Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released	
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 561-355-2526) informed of any change of address: ☐ Yes, By: (Name) ☐ No: (Reason)		School Attended		Grade			
Property Crime? ☐ Yes ☐ No		Description of Property		Value of Property			
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute	
M. Manufacture Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbituate C. Cocaine E. Heroin	
H. Hallucinogen M. Marijuana O. Opium/deriv.		P. Paraphernalia/ Equipment		S. Synthetic		U. Unknown Z. Other	
Charge Description DUI		Counts 1		Domestic Violence ☐ Yes ☒ No		Statute Violation Number 316.193.1	
Drug Activity		Drug Type		Amount/Unit		Offense # 19-37649	
Charge Description		Counts		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Charge Description		Counts		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Charge Description		Counts		Domestic Violence ☐ Yes ☒ No		Statute Violation Number	
Drug Activity		Drug Type		Amount/Unit		Offense #	
Instruction No. 1 Mandatory Appearance in Court		Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444			
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 FULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		Court Date and Time Month JULY Day 29 Year 2019 Time 0830		Date Signed AM 11:30			
Signature of Defendant (or Juvenile and Parent/Custodian) Elizabeth Espinosa		Signature of Arresting Officer OFFICER CASTRO		Name Verification (Printed by Arrestee) (PRINT)		BU#	
HOLD for other Agency Name: ☐ Dangerous ☐ Suicidal		Resisted Arrest ☐ Other:		Name of Arresting Officer (Print) OFFICER CASTRO		I.D. # 905	
Intake Deputy DS COLLINS 7622		Pouch #		Transporting Officer OFFICER CASTRO		I.D. # 905	
Agency BBPD		Witness here is subject Signed with an "X".		Page 1			

SCANNED 1
JUL 10 7 2019

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 04 DAY OF July 2019 AT 0901 ☐ A.M. ☒ P.M.

CASE #: 19-037649

DEFENDANT: ESPINOSA, ELIZABETH

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and time I responded to the intersection of E. Gateway Blvd and SR 5 (Federal Highway) in reference to a traffic stop conducted by Officer Rini. Let it be noted that this incident occurred within the City of Boynton Beach, Palm Beach County, Florida.

While en route Officer Rini advised that the subject vehicle had just fled southbound on SR 5 at a high rate of speed. Let it be noted that at this time, at this location, the city's firework event had just ended. There were approximately 2000 people on or near the intersection of E. Gateway Blvd and SR 5 and the subject was a threat to themselves and everyone else. Officer Mastro was able to quickly locate the vehicle and stopped it at the 2000 block of SR 5, approximately 900 feet south of the intersection E. Gateway Blvd and SR 5. I then quickly made contact with Officer Rini at E. Gateway Blvd and SR5. Officer Rini advised that while he was directing traffic due to the event at the above intersection he observed a Black 2014 Ford Fusion bearing Florida tag 566RFS traveling eastbound on E. Gateway Blvd approaching the intersection. Due to the event the center of the intersection was completely closed with FDOT approved barricades, which were placed there by FDOT employees; earlier in the day. Traffic was only traveling north and southbound at this time. As the Ford approached the intersection Officer Rini began to direct the vehicle to travel south on SR 5. The driver (later identified as W/F Espinosa, Elizabeth (12/27/79) appeared to be confused and/or lost as she slowly began to travel south then attempted to drive through the barricades to travel north on S. SR 5. Officer Rini had to quickly stop the vehicle before Espinosa caused a crash with northbound traffic. Officer Rini advised while speaking with Espinosa she appeared to be confused. Officer Rini advised that when he asked for her credentials, Espinosa kept fumbling through her purse, dropping items and providing the wrong items. While Espinosa attempted to open the locked glove box with the vehicle's keys numerous times, she kept dropping the keys on the floorboard. Officer Rini advised that Espinosa's clothing was disheveled and that her eyes were bloodshot/glassy. Espinosa's speech was thick and slurred as well. Officer Rini advised that Espinosa appeared to be under the influence of an unknown substance. Officer Rini advised that while waiting for my arrival Espinosa decided to drive away at a high rate of speed without being released. See Officer Rini's supplement for further. Officer Rivera, Jivanet was also present with Officer Rini and observed the above facts.

I then made contact with Sgt. Diehl, who was standing by with Espinosa. Espinosa was still sitting in the driver seat of her vehicle. Sgt. Diehl advised that while waiting for my arrival he asked for Espinosa's credentials. Espinosa provided Sgt. Diehl a credit card and a health card, advising that it was her driver's license. Sgt. Diehl advised that Espinosa was fumbling through her purse and within the vehicle looking for her driver's license, which apparently she forgot that she had handed them to Officer Rini already.

I then made contact with Espinosa, introduced myself and checked on her welfare; which she advised that she was okay. Espinosa appeared to be lost/confused as she looked around her surroundings with wide eyes as she answered me. Due to her vehicle partially blocking a southbound lane and with all the traffic from the event I requested Espinosa to exit her vehicle and escorted her to the front of my patrol vehicle, which she agreed to. While walking, Espinosa swayed side to side. While in the front of my patrol vehicle Espinosa advised that she was heading to her residence on 10th Ave and Congress Ave (Lake Worth). Espinosa believed that she was currently on 10th Ave and US 1 in Lake Worth. When I advised her that she was in Boynton Beach she didn't believe me. While speaking with Espinosa I detected the odor of an unknown alcoholic beverage emanating from her breath. Espinosa speech was thick and slurred and her eyes were bloodshot/glassy. Espinosa denied consuming any alcoholic beverages and denied taking any prescription/illegal narcotics. Espinosa repeated herself numerous times and swayed side to side while speaking with her.

At this point I requested Espinosa to submit to a Series of Standardized Field Sobriety task, which she refused. I advised Espinosa of her Taylor Warning, which she advised that she understood. I requested a second time, which Espinosa refused again.

HORIZONTAL GAZE NYSTAGMUS:

- ☐ Left eye does not follow smoothly
- ☐ Left eye prior to 45 degrees
- ☐ Distinct jerking in left eye at maximum deviation
- ☐ Vertical Nystagmus in left eye

- ☐ Right eye does not follow smoothly
- ☐ Right eye prior to 45 degrees
- ☐ Distinct jerking in right eye at maximum deviation
- ☐ Vertical Nystagmus in right eye

WALK AND TURN:

REFUSED

ONE LEG STAND:

REFUSED

FINGER TO NOSE:

REFUSED

ROMBERG/ALPHABET:

REFUSED

Based on the above facts, Espinosa was placed into custody under suspicion of DUI (D/L and Spaced). Espinosa was then placed in the back seat of my vehicle (4734) and transported to the Palm Beach County BAT facility. I arrived at the BAT facility at 2207hrs, started my 20 minutes observations at 2212hrs and completed it at 2232hrs. Upon completion I requested Espinosa to provide a sample of her breath to determine the alcohol content, which she refused. I then read Espinosa Implied Consent, which she stated that she understood. Espinosa advised that it was fine and she was okay with her license being suspended. I then requested a second time, which Espinosa refused again. Miranda Warnings were read to Espinosa, which she advised that she understood. Espinosa completed the Q&As. During the Q&As, Espinosa advised that she had one beer at approximately 1830hrs. Espinosa advised that she was going through a rough time in life and was going through depression.

Based on the above facts I've established Probable Cause to arrest Espinosa with DUI pursuant with F.S.S. 316.193.1. Espinosa was processed and later TOT PBCJ.

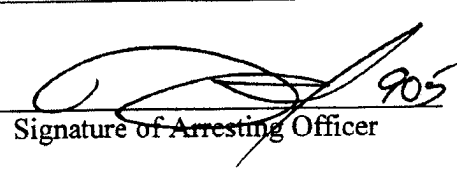
Incident was captured via in-car and BWC. Espinosa's vehicle was removed from scene by Beck's Towing

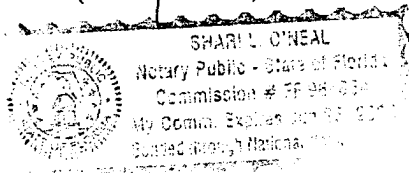
Nothing Further.

The following instrument was sworn to before me this 04 day of July 2019

By: PERSONALLY KNOWN / OFFICER CASTRO #905


Notary/Police Officer (F.S.S. 117.10)

 905
Signature of Arresting Officer





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

PBSO CASE # 19-039695 PBSO ZONE 6-12

AGENCY CASE # BBPD 19-037649 CRASH CASE # _____

TIME OF STOP/CRASH 2101HRS DATE 07/04/2019 DAY Thursday

SUBJECT'S NAME ESPINOSA ELIZABETH RACE WHITE SEX FEMALE
LAST FIRST MID

HGT 502 WGT 168 DOB 12/27/1979

LOCATION 2200 S. SR 5, BOYNTON BEACH, FLORIDA, 33435

ARRESTING OFFICER'S NAME & ID CASTRO 905 AGENCY BBPD

DIVISION: _____

NOTIFIED BY COMMO ✓

ARRIVAL AT FACILITY 2212HRS

ARREST TIME 2138HRS

BREATH RESULTS:

1)	
2)	
3)	
4)	

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # 1

SUBJECT: Esposito, Elizabeth CASE NUMBER: 14-029695

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 Off. Castro #405 of the DFPD

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) 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

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

TESTING FACILITY TASK REPORT

AGENCY: LAPD Castro # 405
SUBJECT: Espinosa, Elizabeth CASE NUMBER: 19-034645
DATE: 07-04-19 VIDEO TAPE NUMBER: /
BEGINNING TIME: 2235 ENDING TIME: 2242 hrs
BREATH TESTS RESULTS: 1) TIME 2235 A.M./P.M. 2) TIME A.M./P.M.
3) TIME A.M./P.M. 4) TIME A.M./P.M.

BREATH OPERATOR: C. Ornel #6212

MAINTENANCE TECHNICIAN: Cpl. V. Locke #16467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Accented, Slurred

ATTITUDE: Cooperative, Emotional Upset, Scared

CLOTHING: Shirt Red

MEDICAL CONDITIONS: Blood Pressure, Allergic to sulfur

MEDICATIONS: For Blood Pressure, Anti-Hypertensives on current

OTHER: Eyes: Red, Glazy, Watery from crying

Odor of unknown alcoholic beverage. #405

COMMENTS: 20 min. observation done by AIO Castro

AIO requested the breath test.

D refused the breath request.

AIO read the implied Consent on current.

D stated she understood IIC D still refused the breath request.

CHW read on current.

QTA conducted.

CASE #: 19-037649

DEFENDANT: ESPINOSA, ELIZABETH

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.

Where you operating a motor vehicle at the time of the stop/Accident? NO

Where were you going? I WAS GOING BACK HOME

What Street or Highway were you on? US1, FEDERAL HWY

What was your direction of travel? NORTH

Where did you start from? I WAS GOING NORTHBOUND

What time did you start? APPROXIMATELY 2030HRS

What time is it now? YEA, BECAUSE I'VE BEEN HERE FOR 2 HOURS

What is today's date? JULY 4TH

What day of the week is it? THURSDAY

What City and County are you in now? PALM BEACH COUNTY, WEST PALM BEACH

When did you last eat? JULY 4TH, 1245 PM

What did you eat? ON 10TH AVE

What have you been doing for the last three hours? BEING THERE WITH MY ROOMMATE

How much do you weigh? 168

Have you been drinking? NO

What have you been drinking? WATER, BEER

How much? 1 BEER

With whom? ROOMMATE

When did you have your first drink? 630PM

When did you have your last drink? 8 SOMETHING, 7 SOMETHING

Can you feel the effects of the alcohol? YES

Are you under the influence? NO

Have you consumed any alcohol since the stop/accident? NO

How much? - What? - Where? - When? -

What line of work are you in? MEDICAL ASSISTANCE

When did you last work? JULY 3RD

Do you have any physical defects or injuries? NO What? -

Are you sick or injured? NO What's wrong? -

Do you limp? NO

Did you receive a bump on the head recently? NO

Where you in an accident today? NO

Have you taken any drugs or smoked any marijuana today? NO When? -

Have you seen a doctor or dentist today? NO

Who? - Why? -

Are you taking any prescription medicines? NO

What? ANTI-DEPRESSION When? -

Do you have?	Epilepsy	<u>NO</u>	Glass Eye	<u>NO</u>	False teeth	<u>NO</u>
	Ear infection	<u>NO</u>	Inner ear trouble	<u>NO</u>	Diabetes	<u>NO</u>

Do you have any problems with your eyes that are not corrected by glasses? NO

Do you take insulin? NO If so, when was your last injection? -

Have you ever had a driver's license in any other state? NO

Where? -

Interviewer: OFFICER CASTRO #905

CASE #: 19-037649

DEFENDANT: ESPINOSA, ELIZABETH

Arresting Officer: CASTRO #905

Address: 100 E. Boynton Beach Boulevard Boynton Beach, Fl. 33435

Phone Numbers: Home: _____ Work: (561) 742-6100

Name: OFFICER RINI #878

Address: 209 N. SEACREST BLVD, BOYNTON BEACH, FLORIDA, 33435

Phone Numbers: Home: _____ Work: 561-742-6100

Can testify to: THE INVESTIGATION

Name: OFFICER RIVERA, JI

Address: 209 N. SEACREST BLVD, BOYNTON BEACH, FLORIDA, 33435

Phone Numbers: Home: _____ Work: 561-742-6100

Can testify to: THE INVESTIGATION

Name: SGT. DIEHL

Address: 209 N. SEACREST BLVD, BOYNTON BEACH, FLORIDA, 33435

Phone Numbers: Home: _____ Work: 561-742-6100

Can testify to: THE INVESTIGATION

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____

Name: _____

Address: _____

Phone Numbers: Home: _____ Work: _____

Can testify to: _____



**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	☐	539.001 FS	Other: All records relating to pawnbroker transactions.	
	☐	119.0712(2)	Other: Personal information contained within a motor vehicle record	

REVIEW COMPLETED BY

Booking Number: 2019021928

Date: 07/05/2019

Specialist Name/ID: howardt/7185