Arrest Report 0501577

NB

2688

2018CTO1679IAXXNB

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time	Report Number	Case Number/CAD Number	Reporting Officer Name
9/18/2018 12:49:25AM	FHP99ARR757137	FHPL18OFF077948 / LWRC18CAD170232	J.J. AIME

Originating Agency ORI	Occurrence Date Time Range	Jurisdiction	Clearance
FL0509000	9/17/2018 11:44:23 PM -		

Location of Occurrence

Location Type	Location Description
PUBLIC PLACE	I-95 NB EXT / NORTHLAKE BLVD

Street Number	Street	Apt/Lot/Bldg
	I-95 NB XR	

County	City	State	Zip
PALM BEACH	WEST PALM BEACH	FL	33403

Defendant

First Name	Middle Name	Last Name	Suffix	Date Of Birth	Age	Race	Sex
STEPHEN	THOMAS	ASPRINIO		7/9/1981	37	WHITE	MALE

SSN	MNI #	Place of Birth	Height	Weight	Hair	Eyes
[redacted]		DENVER COLORADO	510	180	BLO	HZL

DL or ID Number	ID State	ID Type	Address Type
A216798812490	FL	E	RESIDENCE

Street Number	Street	Apt/Lot/Bldg
717	US HIGHWAY 1	

County	City	State	Zip	Phone Number	Extension
PALM BEACH	JUPITER	FL	33477		

Location Description:

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
9/18/2018 12:11:30AM	PUBLIC PLACE	I-95 NB EXT / NORTHLAKE BLVD

Street Number	Street	Apt/Lot/Bldg	County
	I-95 NB EXT RAMP		PALM BEACH

City	State	Zip
PALM BEACH GARDENS	FL	33403

FILED
SEP 18 2018
SHARON R. BOCK
Clerk & Comptroller

Charge(s)

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	316.193.1		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
N	MISDEMEANOR	DUI-UNLAW BLD ALCH OR

Charge Description: DUI ALCOHOL OR DRUGS

Received WB
SEP 21 2018

Probable Cause

On Monday, September 17th, 2018, at approximately 11:44 pm, I was on routine patrol within the city limits of Lantana, Palm Beach County Florida. I was contacted by dispatch, via FHP radio in reference to a traffic stop conducted by Trooper Logan, ID # 548 and several others on I-95 (SR-9) northbound exit ramp to Northlake Blvd (CR-850).

The incident began northbound just north of Blue Heron Blvd (SR-708) when the Florida Highway Patrol was conducting a rolling roadblock. Upon arrival to the scene at approximately 11:56 pm, Trooper Logan approached me and advised that during the rolling roadblock which had all lanes of travel, moving at a slow rate of speed He then observed a silver two door vehicle entered the inside emergency lane and overtook all of the marked FHP units with emergency lights activated at a high rate of speed. Trooper Logan advised that while attempting to overtake the vehicle, it was so fast that the vehicle was leaving him behind. Trooper Logan began pacing the vehicle which reached up in

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Received WB

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excess of 110+ miles per hour in a posted 65 miles per hour zone and finally came to a stop on the northbound exit ramp to Northlake Blvd, on the outside emergency lane.

After speaking with Trooper Logan ID# 548, I approached the defendant which was leaning against the trunk of his vehicle, with his head down. He appeared to be going into a sleep mode. I started conversing with the defendant by asking him if he was ok and he replied he was ok and that he had to go the bathroom. At this point, he raised his head and looked towards me. I now could see that his eyes were glossy, bloodshot red and his speech was slightly slurred. I asked him where he was heading to and he replied home which he recite the exact location of his home. I then asked him, where was he coming from and he stated that he was coming from a restaurant, which he recited the exact location. He stated that he was with a couple of his friends and had one beer which at that point, I could smell the odor coming from his breath and person.

I then returned to my patrol vehicle in order to position it for roadside exercises. While returning to my patrol vehicle, Trooper Logan handed me the defendant's drivers license, which identified him as Stephen Thomas Asprinio. I then asked Mr. Asprinio to step in front of my vehicle, in the view of the camera. As Mr. Asprinio started walking, he used his hand and his vehicle for balance and stumbled on the passenger side of his vehicle.

I advise Mr. Asprinio that I was about to ask him to perform roadside exercises, in order to determine whether or not he'll be able to continue driving and he understood.

The first exercise performed, was the walk and turn. It was instructed and demonstrated on a flat surface, using an imaginary line. My Asprinio advised that he understood the instructions and was ready to proceed. Upon starting, his arms were not at his side as instructed. Upon lifting his right foot which was behind his left, he put it down for balance. He paused for a split second for balancing and missed all heel to toe steps going forward and swaying. After the ninth step, Mr. Asprinio did not turn as instructed. he rotated around and threw his arms up. On the return, he sped up a little, arms not at his side. he missed all heel to toe steps and took 10 steps.

The second exercise performed, was the one leg stand. This exercise was also instructed and demonstrated on a flat surface. Mr. Asprinio advised that he understood and was ready to proceed. Upon starting this exercise, Mr. Asprinio raised his foot very carefully for balance purposes and used his arms to balance. He did not raised his foot 6 inches as instructed and arms not at his side as instructed.

The third exercise performed, was the finger to nose. This exercise was also instructed and demonstrated. While demonstrating the exercise, Mr. Aprinio did not stand with arms at his side as instructed. He did not extend his arms and finger out and had to tell him to do it. When I called out left, he touched his nose with two fingers. The index and the middle fingers. He did not return his arm to the starting position. When I called right, the same thing occurred. He touched his nose with two fingers and did not return to the starting position.

After concluding the roadside exercises, my training and experience, I find that there were enough probable cause to place Mr. Asprinio under arrest for DUI, pursuant to chapter 316.193, Florida Statutes. Mr. Asprinio was transported to the Palm Beach County Jail for booking.

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9/18/2018 12:49:25AM	FHP99ARR757137	FHPL18OFF077948 / LWRC18CAD170232	J.J. AIME

Originating Agency ORI	Occurrence Date Time Range	Jurisdiction	Clearance
FL0509000	9/17/2018 11:44:23 PM -		

This occurred, within the city limit of Palm Beach Gardens, Florida (Palm Beach County)

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone Number
9/18/2018 12:53:22AM	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	3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406

Court	Court Phone	Court Appearance Date / Time	Court Fine
CRIMINAL JUSTICE COMPLEX	561-355-2994	10/23/2018 1:00 PM	

Comments

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	Officer Rank	Officer ID No
J.J. AIME	TROOPER	2921

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature: J Aime Jean Aime Jr

Sworn and subscribed before me, the undersigned authority
This the 18th day of September, 2018
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency

Officer Signature

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
R.F. LOGAN	TROOPER	OTHER	1769	FHPL\LWRCC\PALM BEACH\FELONY	FLORIDA HIGHWAY PATROL
T.R. KINGERY	SERGEANT	OTHER	2002	FHPL\LWRCC\PALM BEACH\LANTANA SUPERVISR	FLORIDA HIGHWAY PATROL
PETROFSKY, JOHN M	TROOPER	OTHER	3847	FHPK\LWRCC\WPB\SR91 103-118	FLORIDA HIGHWAY PATROL
Z. TODD	TROOPER	OTHER	4141	FHPL\LWRCC\PALM BEACH\SR80 4 JSOF SR702	FLORIDA HIGHWAY PATROL

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

PBSO CASE # 18-123166 PBSO ZONE 3-11

AGENCY CASE # FHPL18OFF077948 CRASH CASE #

TIME OF STOP/CRASH 11:44 am DATE 09/18/18 DAY Monday

SUBJECT'S NAME Stephen Thomas Asprino RACE W SEX Male

HGT 510 WGT DOB 07/09/1981

LOCATION I-95 NB exit ramp / Northlake Blvd

ARRESTING OFFICER'S NAME & ID Trooper Jean J Aime AGENCY PBSO

DIVISION: Traffic Division

NOTIFIED BY COMMO ✓

ARRIVAL AT FACILITY 0105hrs

ARREST TIME 12:11 am

BREATH RESULTS:

.147 / .140

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # N/A

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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: 80-006240 Software: 8100.27
Date of Test: 09/18/2018

Date of Last Agency Inspection: 09/07/2018
Observation Period Began: 01:05
Subject's Name: STEPHEN T ASPRINIO DOB: 07/09/1981 Sex: M

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	01:31
Air Blank	0.000	01:31
Control Test	0.080	01:32
Air Blank	0.000	01:32
Subject Sample #1	0.147	01:33
Air Blank	0.000	01:34
Air Blank	0.000	01:35
Subject Sample #2	0.140	01:36
Air Blank	0.000	01:37
Control Test	0.080	01:37
Air Blank	0.000	01:38
Diagnostics Check	OK	01:38

Cylinder Lot: 05218080A3
Exp: 05/05/2020

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 SHARI L O'NEAL, 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: S. O'Neal Date: 09-18-18
Signature

Sworn to (or affirmed) before me this 18 day of September, 2018

Joan Aime Jr
Signature of Notary Public-State of Florida

Trp. Aime #2921
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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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	☐	119.014(3A)(13)(1-3C)	Other: Keep Separate - Court Documents/Official Records	
	☐	119.071(2c)	Other: Active Criminal intelligence Information	

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REVIEW COMPLETED BY

Booking Number: 2018031308	**Date:** 09/18/2018
	Specialist Name/ID: WATSON/6665