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Marsy's Law CVI FL Const. Art 1 § 18(b)

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

MB Check if Supplement is Attached

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

OBTS Number		Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 0 6 1-22087876			
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		Multiple Clearance Indicator	
Location of Arrest (including Name of Business)		Location of Offense (Business Name, Address)		Date of Arrest 07/14/2022		Time of Arrest 1829		Booking Date	
Booking Time		Jail Date		Jail Time		Location of Vehicle			
Name (Last, First, Middle) Nierenberg, Brian		Alias (Name, DOB, Soc. Sec. #, Etc.)		Race W - White B - Black 1 - American Indian O - Oriental/Asian W		Sex M		Date of Birth 1/21/1984	
Height 5'8		Weight 200		Eye Color Bra		Hair Color Bra		Complexion Light	
Build Med		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) right shoulder, scars all over		Marital Status Single		Religion JEWISH		Indication of Alcohol Influence Drug Intoxication Y N Unk ☐ ☐ ☐	
Local Address (Street, Apt. Number) (City) (State) (Zip)		Phone (954) 301-4251		Residence Type: 1. City 2. County 3. Florida 4. Out of State 1		Address Source Verbal		Occupation Comcast	
Permanent Address (Street, Apt. Number) (City) (State) (Zip)		Phone ()		Business Address (Name, Street) (City) (State) (Zip)		Phone ()		D/L Number, State N651060840210, FL	
Soc. Sec. #		INS Number		Place of Birth (City, State) long island NY		Citizenship USA			
Co-Defendant (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
Co-Defendant (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
☐ Parent ☐ Legal Custodian ☐ Other		Name (Last) (First) (Middle)		Residence Phone ()		Business Phone ()			
Address (Street, Apt. Number) (City) (State) (Zip)		Notified by: (Name)		Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released. 2. TOT HRS/DYS 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 (561) 355-6511) 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. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic	
U. Unknown Z. Other		Charge Description Domestic Battery		Counts 1		Domestic Violence ☒ Y ☐ N		Statute Violation Number 784.03(1a1)	
Drug Activity N		Drug Type N		Amount / Unit		Offense # 22087876		Warrant / Capias Number	
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #	
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number	
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #	
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number	
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #	
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number	
Location (Court, Room Number, Address)		Court Date and Time Month Day Year Time A.M. P.M.		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.		Signature of Defendant (or Juvenile and Parent/Custodian) Date Signed 07/14/2022		Name Verification (Printed by Arrestee) (PRINT)	
HOLD for other agency		Signature of Arresting Officer Name of Arresting Officer (Print) D/S S. Rosenfeld		I.D. # 28288		Agency PBSO		Witness here if subject signed with an "X"	
☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other		I.D. #		Pouch #		SCANNED	

OBT Number		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA		3 Request for Warrant 4 Request for Capias		1		Juvenile	
Agency ORI Number FLO. 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 22087876					
Charge Type Check as many as apply ☐ 1 Felony ☐ 2 Traffic Felony		☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor		☐ 5 Ordinance ☐ 6 Other		Special Notes					
Name (Last, First, Middle) Nierenberg, Brian.		Alias				Race M		Sex M		Date of Birth 1/21/1984	
Charge Description Domestic Battery		784.03(1a1)				Charge Description					
Charge Description		Charge Description				Charge Description					
Local Address (Street, Apt Number)		(City)		(State)		(Zip)		Phone		Address Source	
Business Address (Name, Street)		(City)		(State)		(Zip)		Phone		Occupation	
The undersigned certifies and swears that I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) of law The Person taken into custody ☐ committed the below acts in my presence. ☐ confessed to admitting to the below facts ☐ was observed by _____ who told that he/she saw the arrested person commit the below acts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the 14 day of July 20 22 at 1830 ☐ A.M ☒ P.M (Specifically include facts constituting cause for arrest)											
☒ Marsy's Law CVI FL. Const. Art. 1 § 16(b)											
On July 14, 2022 at approximately 1800 hours, I responded to [REDACTED] in reference to a domestic dispute in progress. Upon my arrival I made contact with [REDACTED] she stepped out of the front door to speak with me, she was verbally upset and crying at this point. She began to explain to me that her and her [REDACTED] Brian Nierenberg got into an altercation this afternoon. She stated she went into his office while he was on a break from work to talk with him. She stated that she began to explain to him that she was tired and needed to get rid of some of the stray cats that he brings home since they fall under her care throughout the day. At this point she stated that they got into a heated verbal altercation, they were in each other's faces. She went on to tell me that Brain then grabbed her and pushed her into the door, then squeezed her hard and lifted her off the ground and removed her from his office. She stated that she was scared of him and that over time their arguments have gotten worse. She does not know how he will be moving forward. I made contact with Brain inside the residence, he was on the first floor inside his home office, and he came out of the office and walked out front with me. Brain told me that they did get into a verbal altercation earlier in the day. He went on to share that he did pick her up and move her out of the room after they got in each other's face. Brain stated that he only did this after she got in his face during the verbal altercation they were having. Brain was then placed in handcuffs behind his back, two pairs were placed on him due to medical reasons and they were double locked and checked for proper fit. He was then placed in the rear seat of my marked PBSO issued patrol vehicle with in car camera recording. D/S McGarraugh 6415 watch a short video on [REDACTED] phone where he did admit to grabbing her, the video was after the fact and showed Brain very agitated and irate. D/S McGarraugh completed a Case Information sheet, gave [REDACTED] a copy of the Victim's Right booklet, and took photos of [REDACTED] He then turned in all necessary paper work and photo. Based on my investigation I find probable cause for the arrest of Brian Nierenberg for simple battery domestic related F.S.S. 784.03(1a1). Brian was taken to the Palm Beach County Jail where he was turned over to Jail staff for intake.											
STATE OF FLORIDA COUNTY OF PALM BEACH		D/S S. Rosenfeld									
(Signature of Arresting/Investigative Officer)		The foregoing instrument was sworn to or affirmed and subscribed before me this 14 day of July 20 22 by D/S S. Rosenfeld									
(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced		D/S J McGarraugh 6415									
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)		6415									

Palm Beach County Sheriff's Office
DOMESTIC VIOLENCE/DATING VIOLENCE SUPPLEMENTAL PROBABLE CAUSE FORM
(Submit this form with the original Probable Cause affidavit)

Suspect: Nierenberg, Brian, DOB: 1/21/1984 Case #: 22087876

Victim: [REDACTED] DOB: [REDACTED] Race: B Sex: F

Relationship between Victim and Defendant: [REDACTED]

Photographs: Scene ☒ Yes ☐ No Victim ☒ Yes ☐ No Defendant ☐ Yes ☒ No

911 Call: ☒ Yes ☐ No Caller: [REDACTED]

Weapon Used: ☐ Yes ☒ No Type: [REDACTED]

Witness: ☐ Yes ☒ No Name: [REDACTED]

Victim Pregnant: ☐ Yes ☒ No If yes, weeks months

Injuries: ☐ Yes ☒ No Description: [REDACTED]

Medical Treatment: ☐ Yes ☒ No

At Scene: ☐ Yes ☒ No Paramedics: [REDACTED]

At Hospital: ☐ Yes ☒ No Hospital: [REDACTED] Physician: [REDACTED]

Are Children Living in Home? ☒ Yes ☐ No DCF Notified? ☐ Yes ☐ No

Name: [REDACTED] DOB: / /

Name: [REDACTED] DOB: / /

Name: [REDACTED] DOB: / /

Injunction ☐ Yes ☒ No Case #: [REDACTED]

No Contact Order ☐ Yes ☒ No Case #: [REDACTED]

Alcohol or Drugs ☐ Yes ☒ No ☐ Unknown

Prior History of Domestic/Dating Violence ☐ Yes ☒ No

Defendant's Statements ☒ Yes ☐ No If yes, ☐ written ☐ recorded ☒ Oral

First words Defendant said when you responded to scene: [REDACTED]

Verbal altercation occurred and he moved her out of the room by picking her up [REDACTED]

Victim's Statements ☒ Yes ☐ No If yes, ☐ written ☐ recorded ☒ Oral

First words Victim said when you responded to scene: [REDACTED]

Her [REDACTED] grabbed her pushed her into a door and picked her up and moved her out of the room [REDACTED]

Did the Victim contact anyone other than police within an hour of the incident regarding the incident?

☐ Yes ☒ No If yes, name: [REDACTED] phone () -

Observations of Victim (Physical & Emotional): [REDACTED]

☒ Upset ☒ Crying ☒ Fearful ☐ Hysterical ☐ Afraid ☐ Calm ☐ Nervous

☐ Complained of pain ☐ Other [REDACTED]

Victim Contact Information:

Local Address: [REDACTED]

Phone: Home [REDACTED] Work () - Cell () -

Employer: [REDACTED]

Name of Relative: [REDACTED] Phone () -

Address: [REDACTED]

SCANNED

VICTIM NOTIFICATION FORM

This form must be completed when one of the following crime(s) has been committed:

- Homicide (Ch. 782)
- Attempted Murder
- Stalking (F.S. 784.048)
- Sexual Offense (Ch. 794)
- Attempted Sexual Offense

- **Domestic Violence** - (This includes any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking or any criminal offense resulting in physical injury or death of one family member or household member by another, who is or was residing in the same single dwelling.)

**Upon completion, this form must accompany the booking paperwork.
If applying for a warrant, attach this form to the filing packet.**

1. Incident Report #: 22087876 Agency: PBSO
Offense: Domestic Battery
Suspect/Offender: Nierenberg, Brian,
D.O.B. 1/21/1984 Race: _____ Sex: M

2. Warrant # (s): _____

3.a. Victim's name: _____ D.O.B. _____ Race: B Sex: F
Address: _____
City: _____
Home #- _____ Work #: 0 Other: _____

b. Victim's next of kin, friend or neighbor: _____
Address: _____
City: _____
Home #: _____ Work #: _____ Other: _____

NOTE: PURSUANT TO F.S. 119.07, THE CONTENTS OF THIS FORM MAY BE SUBJECT TO CONFIDENTIALITY.

Victim/Relation Notification Waiver and Confidential Information Request.

(check applicable boxes)

☐ **Waiver:** I choose not to be notified when the arrestee is released from custody.

☐ **Confidential:** I request the information on this form be kept confidential (applicable only to sexual battery, stalking, child abuse, harassment or domestic violence cases).

Signature of person waiving notification: _____

Printed name of person waiving notification: _____

Deputy's Name: D/S S. Rosenfeld I.D.# 28288 Date: 07/14/2022 JUL 15 2022
White/Corrections or State Attorney (Warrant Application) Yellow/Warrants Section Pink/Central Records

SUSPECT/OFFENDER: **Nierenberg, Brian,**
(FOR WARRANTS USE ONLY) COURT CASE/WARRANT#.

SCANNED



**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	☒	FL Constitution, Article 1, 16(b)	Other: Marsy's Law	1-6
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022018087	Date: 07/15/2022
	Specialist Name/ID: C. Smith/39657

SCANNED

JUL 15 2022