

SKT # 0481128

PCN 3208

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

Juvenile

1

ADMINISTRATIVE	OBTS Number		Agency ORI Number FLO 503700		Agency Name FLORIDA ATLANTIC UNIVERSITY POLICE DEPT.		Agency Report Number (N.T.A.'s only) 16-0723	
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Seized / Type 2 ☐ 1. Yes ☐ 2. No		Multiple Clearance Indicator			
	Location of Arrest (Including Name of Business) East University Drive, FAU Boca Raton Campus				Location of Offense (Business Name, Address) East University Drive, FAU, 777 Glades Road Boca Raton, FL 33431			
	Date of Arrest 9/16/16	Time of Arrest 0216	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle East University Drive	
DEFENDANT	Name (Last, First, Middle) Holtberg, Alexander, Jeremy							
	Alias (Name, DOB, Soc. Sec. #, Etc.)							
	Race W - White B - Black I - American Indian O - Oriental/Asian W	Sex M	Date of Birth 3/11/94	Height 5'11	Weight 190	Eye Color Brown	Hair Color Black	Complexion Light
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Right bicep and lower left rib cage.				Marital Status Single	Religion Jewish	Indication of: Alcohol Influence Drug Influence ☐ Y ☐ N ☒ Unk.	
	Local Address (Street, Apt. Number) 330 Olivewood Place #218		(City) Boca Raton	(State) FL	(Zip) 33431	Phone (703) 740-7921		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2
	Permanent Address (Street, Apt. Number) 330 Olivewood Place #218		(City) Boca Raton	(State) FL	(Zip) 33431	Phone (703) 740-7921		Address Source Verbal
	Business Address (Name, Street) 		(City) 	(State) 	(Zip) 	Phone ()		Occupation Student
	D/L Number, State A65347527		Soc. Sec. Number 		INS Number 		Place of Birth (State) Maryland	Citizenship USA
	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	Name (Last) 				(First) 	(Middle) 	Residence Phone ()	
	Legal Custodian 						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 provided by ☐ defendant and / or ☐ defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk (Phone 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
	Charge Description Driving Under The Influence		Counts 1	Domestic Violence ☐ Y ☒ N	Statute Violation Number 316.193		Violation of ORD # 	
	Drug Activity N		Drug Type N	Amount / Unit 	Offense # 16-0723	Warrant / Capias Number 		Bond
CHARGE	Charge Description 		Counts 	Domestic Violence ☐ Y ☐ N	Statute Violation Number 		Violation of ORD # 	
	Drug Activity 		Drug Type 	Amount / Unit 	Offense # 	Warrant / Capias Number 		Bond
	Charge Description 		Counts 	Domestic Violence ☐ Y ☐ N	Statute Violation Number 		Violation of ORD # 	
	Drug Activity 		Drug Type 	Amount / Unit 	Offense # 	Warrant / Capias Number 		Bond
	Charge Description 		Counts 	Domestic Violence ☐ Y ☐ N	Statute Violation Number 		Violation of ORD # 	
	Drug Activity 		Drug Type 	Amount / Unit 	Offense # 	Warrant / Capias Number 		Bond
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	Drug Activity 		Drug Type 	Amount / Unit 	Offense # 	Warrant / Capias Number 		Bond
	Charge Description 		Counts 	Domestic Violence ☐ Y ☐ N	Statute Violation Number 		Violation of ORD # 	
	Drug Activity 		Drug Type 	Amount / Unit 	Offense # 	Warrant / Capias Number 		Bond
NOTICE TO APPEAR	Location (Court, Room Number, Address) 200 WEST ATLANTIC SOUTH COUNTY							
	Court Date and Time Month October Day 17 Year 2016 Time 0830 (AM) PM							
	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 CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.							
	Signature of Defendant (or Juvenile and Parent /Custodian) 				Date Signed 			
ADMIN	HOLD for other Agency Name: 		Signature of Arresting Officer 		Name Verification (Printed by Arrestee) 			
	☐ Dangerous ☐ Suicidal		Name of Arresting Officer (Print) Howard Jenkins II		I.D. # 382		(PRINT) 	
	Intake Deputy 		Transporting Officer Victor Moleon		ID # 393		Agency FAU	
	Witness here if subject signed with an "X" 		Witness here if subject signed with an "X" 					

DISTRIBUTION: WHITE - COURT COPY

GREEN - STATE ATTORNEY

YELLOW - AGENCY

PINK - AGENCY

GOLD - DEFENDANT (N.T.A.'s ONLY)

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SEP 17 2016

		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile	
ADMIN	OBTS Number		Agency ORI Number FLO 5 0 3 7 0 0		Agency Name FLORIDA ATLANTIC UNIVERSITY		Agency Report Number 1 6 - 0 7 2 3				
	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) Holtberg, Alexander, Jeremy		Alias		Race W		Sex M		Date of Birth 0 3 1 1 9 4		
CHARGES	Charge Description Driving Under The Influence F.S.S 316.193		Charge Description								
	Charge Description		Charge Description								
VICTIM	Victim's Name (Last, First, Middle)		Race		sex		Date of Birth				
	Local Address (Street, Apt Number)		(City)		(State)		(zip)		Phone ()		
Business Address (Name, Street)		(City)		(State)		(zip)		Phone ()		Occupation	
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 commit the below acts. ☐ confessed to _____ ☐ was found to have committed the below acts, resulting from my (described) investigation. admitting to the below facts. On the 16th day of September 20 16 at 1:29 ☒ A.M. ☐ P.M. (Specifically include facts constituting cause for arrest.) On Friday, September 16th, 2016 at approximately 1:29 AM at the location of Indian River street at the intersection of Dade Ave. which is within the jurisdictional limits of Florida Atlantic University (FAU) Boca Raton Campus, within the city of Boca Raton, within Palm Beach County and the State of Florida, the above named defendant did commit the violation of Driving under the influence of alcoholic beverage. Holtberg did then and there unlawfully drive, or was in actual physical control of a motor vehicle, to-wit: a dark green motor scooter, bearing Florida tag MAWA24, while he was under the influence of an alcoholic beverage to the extent that his normal faculties were impaired, or with a blood alcohol level of .08, to-wit: .304. First Observation While parked facing Eastbound, in my marked patrol car, I observed a dark green in color motor scooter driven by a white male, who was later identified as Holtberg, traveling southbound on Dade Ave. toward the intersection at Indian River Street. The motor scooter failed to come to a complete stop prior to reaching the stop sign on the North side of the intersection. The motor scooter exited the roadway to the West, traveling down a grass embankment, before turning, and travelling back onto the road, now on Indian River Street, travelling Eastbound. At this time, I began to follow the motor scooter. The scooter approached the intersection of Indian River Street and East University Drive, where the scooter again did not come to a full and complete stop. The scooter travelled Northbound in the pedestrian crosswalk, and up onto the sidewalk, before turning Eastbound, still in the pedestrian crosswalk. In the middle of East University Drive, the motor scooter struck a curb, and travelled up onto the grass, before exiting the curb and attempting to travel Northbound on East University Drive. At that time, I activated my vehicle's emergency lights, and initiated a traffic stop. Observation after the stop As I approached the motor scooter, Holtberg remained on the scooter, and appeared unsteady. In speaking with Holtberg, there was a strong odor of an unknown alcoholic beverage emanating from his person. Holtberg stated that he had previously consumed 2 beers, of an unknown size. Holtberg's eyes were bloodshot red, his speech was slurred. I asked Holtberg to provide me with his Driver's License and motor vehicle registration. Holtberg stepped off of the motor scooter, and in doing so, had a hard time maintaining his balance. Holtberg provided me with his Virginia Driver's license, but was unable to locate his motor vehicle registration. Holtberg advised me that he had located his registration. Once it was provided to me, it was a copy of his Selective Service registration, not his motor vehicle registration. Field Sobriety Exercises In reference to further D.U.I. investigation, Boca Raton Police Department was contacted to assist me in recording the field sobriety exercises. Boca Police Department Officer Jesinek responded to the scene. The exercises were conducted on the northbound travel lanes of East University Drive, which were blocked from traffic. There were no surface defects noted. Walk and Turn (explained and demonstrated): I administered the exercise, while Officer Ponce of Florida Atlantic University Police Department took notes. Holtberg started the exercise early before I was done giving instructions. Holtberg was then instructed to walk Northbound and count 9 heel to toe steps, turn around in a circular motion, and walk Southbound 9 heel to toe steps. Holtberg was instructed to keep his hands by his side while walking. During the exercise, Holtberg raised his arms approximately 6 inches to maintain his balance, he stopped while walking, and stepped off of the line numerous times. He walked 10 steps Northbound, and 7 steps Southbound. Following the exercise, Holtberg began to become aggravated, and repeatedly asked me to explain why he needed to take these field sobriety tests, and continually explained that he had not hurt anyone. One Leg Stand (explained and demonstrated): I administered the exercise, while Officer Ponce of Florida Atlantic University Police Department took notes. Holtberg was instructed to stand with his feet together, arms by his side, and raise one foot approximately 6 inches off the ground, and count to 30 while looking at the raised foot. Once the test began, Holtberg raised his foot approximately 3 inches off of the ground, counted to 3, and then placed his foot back on the ground, turned around, and asked that I just place him under arrest. I asked Holtberg if he did in fact wish to not complete the field sobriety tests, and he indicated that he did not. At that point, I placed Holtberg under arrest for Driving under the influence pursuant to F.S.S 316.193. At that time, he was taken to Boca Raton Police Department, and after a 20 minute observation period, two breathalyzer tests was conducted. At that time, Holtberg provided a breath sample of .304 and .301. Following the breathalyzer test, Holtberg was processed and transported to Palm Beach County Jail.											
ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME		119		382		382				
	NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S 117.10)		9/16/16		DATE		NAME OF OFFICER (PLEASE PRINT)		DATE		
								SCANNED		PAGE	
								SEP 17 2016		OF	

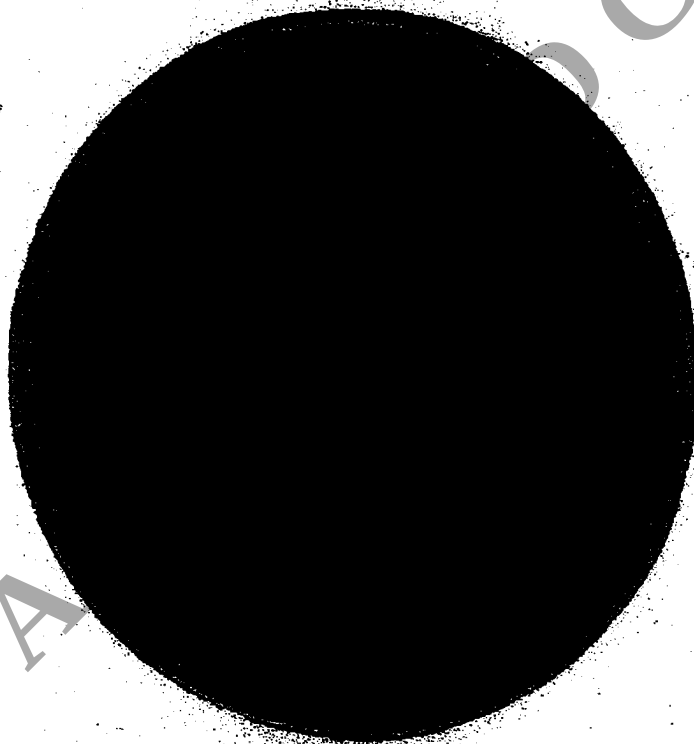
Obs 0238

10-15 0216

BRPD-Case #16-13528

FAU PD case #16-0723

D. U. I. INFLUENCE REPORT



**Boca Raton Police Services Department
100 Northwest Second Avenue
Boca Raton, Florida 33432**

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SEP 17 2016

WITNESS LIST

ARRESTING OFFICER: FAU Jenkins #382

Name: Ofc. Ponce FAU PD Phone # Home - Work -

Address: #ID358

Can testify to: sec report

Name: Ofc. Crawford Phone # Home - Work -

Address: -

Can testify to: Breath test

Name: Ofc. Tesionch Phone # Home - Work -

Address: -

Can testify to: Roadside video

Name: Phone # Home Work

Address:

Can testify to:

Name: Phone # Home Work

Address:

Can testify to:

Name: Phone # Home Work

Address:

Can testify to:

Name: Phone # Home Work

Address:

Can testify to:

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BOCA RATON POLICE DEPARTMENT

Agency Case# FAU PD #16-0923

BRPD case #16-13528

PART II D.U.I. REPORT
To be filled out at testing facility

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is: Friday, September, 16th, 2016
(day) (month) (date) (year)

B. The time is now approximately 2:59 AM/PM

C. The following is in reference to case number 2016-13528 / FAU 16-723

D. Present at this time is Officer Jenkins / Crawford of the Boca Raton Police
Department. (Officer's Name)

E. Officer Jenkins, Have you arrested Alexander Holtberg
(Defendant's name)

In violation of Florida State Statute 316.193?

FAU Campus

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida?

G. Mr./Mrs./Ms. Holtberg, I am required to
Inform you these proceedings are being video taped.

Operator Note: Video tape breath request, breath sample, and interview

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BOCA RATON POLICE DEPARTMENT

Agency Case # 16-13529

H. **AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.**

Note: Read only the paragraph applicable to the type of test you are requesting.

- Asuix
- "sure"
1. (A) I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.
- B. I am now requesting that you submit to a lawful test of your **URINE** for the purpose of determining its alcohol content.
- C. I am now requesting that you submit to a lawful test of your **BLOOD** for the purpose of determining its alcohol content and the presence of chemical or controlled substances.

IMPLIED CONSENT WARNINGS

Note: Read only if the subject does not comply with your request.

2. I am _____ of the _____

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 signature: _____

ALSO READ FOR CDI HOLDERS

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr/Mrs/Ms. _____ has refused to submit to a breath test.

The date is _____ (Month) _____ (Day) _____ (Year) and the time _____ AM/PM

A refusal form will be completed by the arresting officer.

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BOCA RATON POLICE DEPARTMENT
TESTING FACILITY TASK REPORT

SUBJECT: Holtberg, Alexander

CASE #: 16-13528 DATE: 9/16/16

BREATH TESTS RESULTS:

1) TIME .304/0308 AM/PM 2) TIME .301/0312 AM/PM
3) TIME — AM/PM 4) TIME — AM/PM

BREATH OPERATOR: Off. Crawford

MAINTENANCE TECHNICIAN: Off. Brock

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slightly slurred, soft and mumbled at times

ATTITUDE: Calm and upset at times

CLOTHING: shorts, t-shirt, sneakers, ball cap

MEDICAL CONDITIONS: ADHD, anxiety. Self medicating w/ alcohol

OTHER: —

COMMENTS: His eyes are extremely bloodshot and
glassy. I can smell an odor of an alcoholic
beverage emanating from his breath.

BOCA RATON POLICE DEPARTMENT

Agency Case # 16-13528

ADULT CONSTITUTIONAL WARNINGS
(Juvenile warning on reverse side)

"I am required to warn you before you make any statement that you have the following rights":

- 1) You have the right to remain silent and not answer any questions.
- 2) Any statement you make must be freely and voluntarily given.
- 3) You have the right to the presence of a lawyer and representation 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 statement 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 be and will be used against you in a court of law.

DO YOU UNDERSTAND THESE RIGHTS AS I HAVE READ THEM TO YOU AND DO YOU WISH TO SPEAK TO ME?

(X) 

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? _____

Where were you going? _____

What street or highway were you on? _____

Direction of travel? _____

Where did you start driving from? _____

What City (County) were you stopped in? _____

What time did you start? _____ AM/PM What time is it now _____

What is today's date? _____ What day of the week is it? _____

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BOCA RATON POLICE DEPARTMENT

Agency Case # 16-13528

When did you last eat? _____ What did you eat? _____

What have you been doing the past three hours prior to this stop/accident? _____

How much do you weigh? _____ Have you been drinking? _____ What were you drinking? _____

How much? _____ Where? _____ With whom were you drinking? _____

When did you have your first drink? _____ AM/PM When did you stop drinking? _____ AM/PM

How did you consume your last two drinks? _____

Are you under the influence of alcohol now? Yes ☐ No ☐

Can you feel the affects of alcohol? Yes ☐ No ☐

Have you consumed alcohol since the accident? Yes ☐ No ☐

Can you feel the affects of alcohol? Yes ☐ No ☐

Have you consumed alcohol since the accident? Yes ☐ No ☐ How much? _____ What? _____

Where? _____

What line of work are you in? _____

When did you last work? _____

Do you have any physical defects or injuries? Yes ☐ No ☐ If yes, explain: _____

Are you sick or injured? Yes ☐ No ☐ If yes explain: _____

Do you limp? _____ Did you get a bump on the head? _____

Were you involved in an accident today? _____

Have you taken any drugs or smoked marijuana today? _____

What? _____ When? _____

Have you seen a doctor or dentist today? _____ Who? _____

Are you taking any prescription medicines? Yes ☐ No ☐ What? _____ When? _____

Do you have: Epilepsy? Yes ☐ No ☐ Inner ear trouble? Yes ☐ No ☐
 Glass Eye? Yes ☐ No ☐ Ear Infection? Yes ☐ No ☐
 False Teeth? Yes ☐ No ☐ Diabetes? Yes ☐ No ☐

Any eye problems not correctable by glasses or contact lenses? _____

Do you take insulin? Yes ☐ No ☐ If yes, when was your last injection? _____

Have you ever had a driver's license in any other state? _____

I am now ending this videotaping. The time now is approximately 03:11 AM/PM

The date is 09 (month) 16 (day) 2016 (year).

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SEP 17 2016

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: BOCA RATON PD
Instrument Serial Number: 80-001183 Software: 8100.27
Date of Test: 09/16/2016

Date of Last Agency Inspection: 08/23/2016

Observation Period Began: 02:38

Subject's Name: ALEXANDER J HOLTBERG

DOB: 03/11/1994 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	03:06
	Air Blank	0.000	03:06
	Control Test	0.078	03:07
	Air Blank	0.000	03:07
	Subject Sample #1	0.304	03:08
	Air Blank	0.000	03:09
	Air Blank	0.000	03:10
	Subject Sample #2	0.301	03:12
	Air Blank	0.000	03:12
	Control Test	0.078	03:12
	Air Blank	0.000	03:13
	Diagnostics Check	OK	03:13

Cylinder Lot: 28515080A3

Exp: 11/05/2017

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 A CRAWFORD, 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: _____

Signature

Date: 9/16/16

Sworn to (or affirmed) before me this 16th day of September, 2016

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.