

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

ADMINISTRATIVE	OBTS Number		Agency ORI Number 0500200		Agency Name Boca Raton Police Department		Agency Report Number (N.T.A.'s only) 3, 2 2019-014258	
	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: None/not Applicable		Multiple Clearance Indicator N			
DEFENDANT	Location of Arrest (Including Name of Business) 4700 N FEDERAL HWY, BOCA RATON, FL				Location of Offense (Business Name, Address) 4700 N FEDERAL HWY, BOCA RATON, FL 33431			
	Date of Arrest 10/21/2019	Time of Arrest 04:40	Booking Date 10/21/2019	Booking Time 04:50	Jail Date 10/21/2019	Jail Time 00:00	Location of Vehicle EMERALD TOWING	
DEFENDANT	Name (Last, First, Middle) BURSTIN, NATHANIEL LEWIS				Alias (Name, DOB, Soc. Sec. #, Etc.)			
	Race W - White B - Black O - Oriental/Asian W	Sex M	Date of Birth 07/12/1983	Height 5'10	Weight 180	Eye Color BROWN	Hair Color BROWN	Complexion MEDIUM
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) None				Marital Status S	Religion	Indication of Alcohol Influence Yes ☒ No ☐ Unk. ☐	
	Local Address (Street, Apt. Number) 851 NW 6TH TER, BOCA RATON, FL 33486				(City)	(State)	(Zip)	Phone (973) 725-6219
	Permanent Address (Street, Apt. Number) 851 NW 6TH TER, BOCA RATON, FL 33486				(City)	(State)	(Zip)	Phone (973) 725-6219
	Business Address (Name, Street) PORTFOLIO, N/A				(City)	(State)	(Zip)	Phone
	D/L Number, State B623632832520 / FL				Soc. Sec. Number	INS Number	Place of Birth (City, State) BOCA RATON, FL	Citizenship US
	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
	Name (Last, First, Middle) ☐ Parent ☐ Legal Custodian				Residence Phone			
Address (Street, Apt. Number) (City) (State) (Zip)				Business Phone				
JUVENILE	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	
CODE	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.				School Attended			
	Property Crime? ☐ Yes ☒ No				Description of Property			
CHARGE	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 DUI - PROPERTY DAMAGE/INJURY TO PROPERTY OR PERSON ENHANCED				Statute Violation Number 316.193(3C1)		Violation of ORD #	
CHARGE	Drug Activity N	Drug Type N	Amount / Unit /	Offense #	Counts 1	Domestic Violence ☐ Y ☒ N	Warrant / Capias Number	Bond OR
	Charge Description				Statute Violation Number		Violation of ORD #	
CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence ☐ Y ☐ N	Warrant / Capias Number	Bond
	Charge Description				Statute Violation Number		Violation of ORD #	
IN TAKE	Health / Apparent Physical Condition of Defendant FAIR				Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries Explain: None			
	Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☒ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health				PROPERTY - Received By VAN CAMP		Released By VAN CAMP	
NOTICE TO APPEAR	Transported By VAN CAMP				Date Transported 10/21/2019	Time Transported 00:00	Other	
	☒ 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) South County 200 W Atlantic Ave Delray Beach, FL 33444 Court Date and Time 11/18/2019 08:30:00			
APPEAR	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.				No Photo Available			
	Signature of Defendant (or Juvenile and Parent/Custodian) [Signature]				Date Signed 2019 OCT 21			
ADMIN	HOLD for Other Agency ☐ Dangerous ☐ Suicidal ☐ Other				Name Verification (Printed by Arrestee) [Signature]			
	Name of Arresting Officer (Print) VAN CAMP, J. A.				ID # 747	(PRINT) OCT 21 AM 8:42		
Transporting Officer SCHWISS, CIVIL				ID # 705	Agency BOCA			
Witness here if subject signed with an "X"				PAGE 1 OF 1				

0511931

SCHWISS #745

21
260

OBT3 Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Copies		1	JUVENILE	
A	D	M	I	N	D	E	F			
Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT			Agency Report Number 3 2 2019-014258					
Charge Type: ☐ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other					Special Notes:					
Name (Last, First, Middle) BURSTIN, NATHANIEL LEWIS						Race W		Sex M		
						Date of Birth 07/12/1983				
Charge Description 316.193(3C1) DUI- PROPERTY DAMAGE/ INJURY TO PROPERTY					Charge Description					
Charge Description					Charge Description					
Victim's Name (Last, First, Middle) STATE OF FLORIDA,					Race		Sex		Date of Birth	
Local Address (Street, Apt. Number) 100 NW 2ND AVE, BOCA RATON, FL 33432					(City)		(State)		(Zip)	
Business Address (Name, Street)					(City)		(State)		(Zip)	
Phone (561) -					Address Source DEFENDANT		Occupation			
Phone (56) -										
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 _____ admitting to the below facts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the 21 day of October, 2019 at 03:05 (Specifically include facts constituting cause for arrest.) On 10-20-2019 at 2349 hours, I responded to 4700 N. Federal Hwy. in reference to a three-vehicle crash investigation. The caller stated that one of the vehicles involved in the crash was completely engulfed in flames. Boca Raton Fire Rescue responded to the scene and put the fire out and provided medical attention to the drivers and passengers involved in the crash. Upon my arrival to the scene, I observed a significant amount of damage to each of the three vehicles involved and one of the vehicles was completely charred from the flames. There were significant gouge marks in the roadway indicating a high-speed collision. The vehicles also traveled a significant distance away from the area of impact. CSO Lintzeris and I conducted the crash investigation that indicated the following: V1 and V2 were traveling in the inside through lane on N. Federal Hwy. V2 was directly in front of V1. V3 was traveling in the outside through lane on N. Federal Hwy. Based on the roadway evidence, and the statement provided by D3, V1 collided with the rear of V2 at a high rate of speed. After the initial collision between V1 and V2, V1's momentum carried it into V3's lane of travel, causing V3 to strike the rear of V1. V1 rotated in the roadway and came to a final rest in the grassy median. V3 traveled in a northeast direction and struck two trees located on the east side of N. Federal Hwy and struck two trees. V3 caught on fire from the collision. D3 was able to escape the vehicle before it became engulfed in flames. V2 was pushed across N. Federal Hwy. (across southbound lanes of travel) onto the west side of N. Federal Hwy. D1 and the passenger of V2 were transported to the Delray Medical Center as a trauma patient. Ofc. Castillo, Ofc. Murphy, Firefighter Lesmes and Firefighter Lamey all observed D1, later identified via FLDL as Nathaniel Burstin, behind the wheel of the vehicle following the crash.										
SWORN AND SUBSCRIBED BEFORE ME MCINNIS, BRYAN MICHAEL NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 10/21/2019 DATE										
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER VAN CAMP, JEFFERY ALAN (747) NAME OF OFFICER (PLEASE PRINT) 10/21/2019 DATE										
PAGE 1 OF 3										

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2019-014258				
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other					Special Notes:			
Name (Last, First, Middle) BURSTIN, NATHANIEL LEWIS					Race W		Sex M		Date of Birth 07/12/1983
Ofc. Calhoun responded to the Delray Medical Center to make contact with Burstin. Ofc. Calhoun was informed by medical personnel that Burstin was displaying signs of alcohol impairment. After Burstin received medical attention, Ofc. Calhoun began questioning Burstin about the crash. Burstin told Ofc. Calhoun that he was never involved in an accident and that he drove himself to the hospital after drinking too much. Ofc. Calhoun was recording during this interaction, the video was classified and submitted into BRPD Evidence. I responded to the hospital at 0145 hours and made contact with Burstin in Delray Medical Center Room#1. Upon making contact with Burstin, I immediately detected the strong odor of an alcoholic beverage coming from his breath. I read Burstin his constitutional rights from a pre-printed BRPD issued card, he stated he understood and would speak without an attorney present. Burstin had a slurred speech he was drowsy. As I was speaking to him, there were time where it appeared as if Burstin was falling asleep and his eyes were closed. Burstin seemed very confused about the accident and said that "traffic wasn't moving very much" and he was "inching his way up" and that another car collided with the rear of his vehicle. Burstin went on to say that he had left the Black Rose, which is a local bar. Burstin said that he was trying to go to another bar when he got into an accident. Burstin said that while at the Black Rose he consumed "one drink." When asked what type of drink he consumed, Burstin said a "Tito's and soda." Burstin then stated that he thought the crash occurred in the parking lot of where we were right now. When I asked him where we were, Burstin said "somewhere in Royal Palm Place". It should be noted that the Black Rose is in the above-mentioned plaza. I asked Burstin if he would consent to the roadside exercises while he lay in the hospital bed. Burstin said that he would attempt the tasks but wanted to "pee" first. Delray ER medical staff provided Burstin with a urinal while he urinated. We attempted to move on and attempt the tasks but Burstin began vomiting and we had to wait several minutes for him to stop vomiting. I then asked Burstin if he was taking any medications. Burstin said that he takes Lexapro, which he took this morning. He stated that he was not impaired right now. He went on to say that "he wouldn't drive home" and would have to get an UBER. The first task was the Finger to Nose Exercise. Burstin had to re-direct his finger to his nose on two different finger to nose sequences. The second task was the Rhomberg Alphabet. Burstin recited the Alphabet correctly but he continued to have slurred speech and he sang the Alphabet. The third task was the number sequence 30-60. Burstin did this task correctly. The fourth task the Rhomberg Balance (estimate 30 seconds). Burstin estimated 30									
SWORN AND SUBSCRIBED BEFORE ME  MCINNIS, BRYAN MICHAEL NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10) 10/21/2019 DATE SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  VAN CAMP, JEFFERY ALAN (747) NAME OF OFFICER (PLEASE PRINT) 10/21/2019 DATE									
								PAGE 2 OF 3	

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OCT 21 2019

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

OBI'S Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2019-014258				
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other					Special Notes:			
D E F	Name (Last, First, Middle) BURSTIN, NATHANIEL LEWIS					Race W		Sex M	
	Alias					Date of Birth 07/12/1983			
seconds in 46 seconds. At 0306 hours, I placed Burstin under arrest for DUI with property damage per F.S.S. 316.193(3C1). As I placed him under arrest, Burstin seemed confused and asked how I was arresting him for DUI when he wasn't driving. I transported him to the Boca Raton Police Department booking facility where Ofc. R. White responded to conduct the Intoxilyzer 8000. At 0350 hours, Burstin provided the breath sample of .099 and at 0400 Burstin provided the breath sample of .092. These breath samples were collected over 4 hours after the time of the accident. After processing, Burstin was taken to the Palm Beach County Jail without incident.									
NOT A CERTIFIED COPY									
A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME <i>Bryan Michael</i>								
	MCINNIS, BRYAN MICHAEL NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) SIGNATURE OF ARRESTING / INVESTIGATING OFFICER VAN CAMP, JEFFERY ALAN (747) NAME OF OFFICER (PLEASE PRINT)								
	10/21/2019 DATE 10/21/2019 DATE								
	PAGE 3 OF 3								

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STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

**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: 80-006622 Software: 8100.27
Date of Test: 10/21/2019

Date of Last Agency Inspection: 10/09/2019

Observation Period Began: 03:28

Subject's Name: NATHANIEL L BURSTIN

DOB: 07/12/1983 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	03:48
Air Blank	0.000	03:49
Control Test	0.080	03:49
Air Blank	0.000	03:49
Subject Sample #1	0.099	03:50
Air Blank	0.000	03:51
Air Blank	0.000	03:53
Subject Sample #2	VNM*	03:56
Air Blank	0.000	03:57
Air Blank	0.000	03:58
Subject Sample #3	0.092	04:00
Air Blank	0.000	04:01
Control Test	0.079	04:01
Air Blank	0.000	04:02
Diagnostics Check	OK	04:02

*Volume Not Met (0.071 - Breath Sample Not
Reliable to Determine Breath Alcohol Level)

Cylinder Lot: 22419080A3

Exp: 10/05/2021

State of Florida, County of PALM BEACH,

Personally appeared before me the undersigned authority, who (X) is personally known to me or
() produced _____ as identification, and who after being placed under oath,
states:

I RYAN P. WHITE, 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] 724 Date: 10/21/2019
Signature

Sworn to (or affirmed) before me this 21st day of OCTOBER, 2019

Signature of Notary Public-State of Florida [Signature] Printed Name of Notary Public-State of Florida J. VanCen

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.

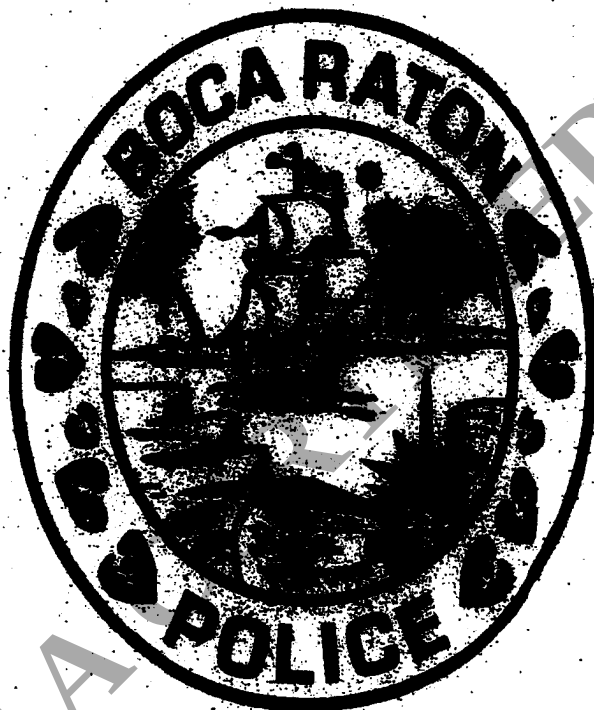
2019-014258

10-152 0306

20mm C 0328

WIM NATHANIEL
BURSTIN

DUI INFLUENCE REPORT



BOCA RATON POLICE SERVICES DEPARTMENT

100 NW 2nd Avenue

Boca Raton, FL 33432

BOCA RATON POLICE SERVICES DEPARTMENT

DUI INFLUENCE REPORT - PART I

On the 21ST day of OCTOBER, at 0245 (AM/PM)

Subject: W/M NATHANIEL BURSTIN Case Number: 2019-014258

PERSONAL CONTACT

Driving Pattern:

SEE PC

Observation of Driver:

Driver's Statement:

Odors:

GENERAL OBSERVATIONS

Speech:

Attitude:

Clothing:

Medical Problems:

Medications:

Other:

SEE PC

Horizontal Gaze Nystagmus:

- ☐ Left eye does not follow smoothly
- ☐ Left eye jerks at 45 degrees angle or less
- ☐ Distinct jerking left eye maximum deviation

- ☐ Right eye does not follow smoothly
- ☐ Right eye jerks at 45 degrees angle or less
- ☐ Distinct jerking right eye maximum deviation

Can not do, Why? _____

Walk and turn: _____

Can not do, Why? _____

One leg stand: _____

Can not do, Why? _____

Finger to nose: _____

Can not do, Why? _____

Alphabet (speech pattern): _____

Can not do, Why? _____

SEE PC

Breath/Blood test results: 0.099 @ 0350 / 0.092 @ 0400

State of Florida, County of Palm Beach,

Sworn and subscribed before me this 10/21/2019 (date) by OFC RYAN P. WHITE

Notary/Clerk of Court/ Officer (FSS 117.10)

Date

Signature of Arresting Officer

Name of Officer (print)

ARRESTING OFFICER: OFF. JEFFERY VAN CAMP 10747

Name: OFF. JEFFERY VAN CAMP Phone # (901) 338-1234 Work # _____

Address: 100 NW 2ND AVE BOCA RATON, FL 33432

Can testify to: DUI INVESTIGATION

Name: OFF. ASHTON HORNE Phone # (901) 338-1234 Work # _____

Address: 100 NW 2ND AVE BOCA RATON, FL 33432

Can testify to: DUI INVESTIGATION

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

SCANNED
OCT 21 2019

BOCA RATON POLICE SERVICES DEPARTMENT

JUVENILE CONSTITUTIONAL WARNINGS

Rights of suspects prior to custodial questioning.

Identify yourself and state:

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

- (1) You have the right to remain silent and not answer any questions. *Tell me in your own words what you think this means.*
(*You do not have to talk to me or answer any questions about this offense. You can be quiet if you want.*)
- (2) Any statement you make must be freely and voluntarily given. *Tell me in your own words what you think this means.*
(*If you do talk to me it has to be because you want to and not because anyone is forcing you to speak.*)
- (3) You have a right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning. *Tell me in your own words what you think this means.*
(*You can talk to a lawyer before we ask you any questions and you can have him/her with you now, during our questioning.*)
- (4) If you cannot afford a lawyer, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning. *Tell me in your own words what you think this means.*
(*If you do not have money for a lawyer and you want one, a lawyer will be given to you for free.*)
- (5) If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. *Tell me in your own words what you think this means.*
(*If you decide to talk to me then change your mind, you can stop answering my questions at any time.*)
- (6) I can make no threats or promises to induce you to make a statement. This must be of your own free will. *Tell me in your own words what you think this means.*
(*I am not allowed to threaten you or make you any promises to get you to talk to me. If you decide to talk, it must be because you want to.*)
- (7) Any statement can be and will be used against you in a court of law. *Tell me in your own words what you think this means.*
(*Anything you say to me can and will be told to the judge or a jury in court. A judge is a person who decides if you have done something wrong. Sometimes a group of people called a jury decide this, but the Judge is the person who decides what punishment you get.*)
- (8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____

BOCA RATON POLICE SERVICES DEPARTMENT
TESTING FACILITY TASK REPORT

SUBJECT: WIM NATHANIEL BURSTIN

CASE#: 2019-014258

DATE: 10/21/2019

BREATH TEST RESULTS

1) TIME 0.099 / 0350 (AM) PM

2) TIME 0.092 / 0410 (AM) PM

3) TIME _____ AM/PM

4) TIME _____ AM/PM

BREATH OPERATOR: OFC RYAN P. WHITE ID 724

MAINTENANCE TECHNICIAN: OFC JEFFERY VAN CAMP ID 717

TESTING OFFICER'S OBSERVATIONS

SPEECH: SUGGEST, SUGGEST

ATTITUDE: IRRITATED

CLOTHING: HOSPITAL SCRUBS - PAPER

MEDICAL CONDITION: ANTI-DEPRESSANT - LEXAPRO

OTHER: _____

COMMENTS: _____

DUI INFLUENCE REPORT - PART II

To be filled out at testing facility

Agency Case # 2019 - 014258

I. INTRODUCTION

(Instrument Operator faces video camera)

A. The day is 22nd Sunday, OCTOBER, 21st, 2019.
(day) (month) (date) (year)

B. The time is now approximately 0347 AM PM.

C. The following is in reference to case number 2019-014258.

D. Present at this time is OFF. J. VAN CAMP of the Boca Raton Police Department.
(Officer's Name)

E. Officer J. VAN CAMP, have you arrested NATHANIEL BUZSTIN in violation of
Florida State Statute 316.193? (Defendant's name)

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

G. Mr. Mrs./Ms. NATHANIEL BUZSTIN, I am required to inform you these
proceedings are being video recorded.

Operator Note: Video record breath request, breath sample, and interview.

II. 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.

- * 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 the presence of chemical or controlled substances.
- 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.

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: _____

Note: Also read for CDL 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.

Note: 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 _____, _____, _____, and the time is _____ AM/PM.
(month) (day) (year)

A refusal form will be completed by the arresting officer.

Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional 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 a right to the presence 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 and representation 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.
- (8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____

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? _____

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 effects of alcohol? ☐ Yes ☐ No

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

Can you feel the effects 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? ☐ Yes ☐ No Did you get a bump on the head? ☐ Yes ☐ No

Were you in an accident today? _____

Have you taken any drugs or smoked marijuana today? _____

What? _____ When? _____

Have you seen a doctor or dentist today? ☐ Yes ☐ No Who? _____

Are you taking any prescription medications? ☐ 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 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 video recording. The time is now approximately 0404 AM PM.

The date is OCTOBER 12, 21ST, 2019.
(month) (day) (year)



**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	☐	415.107 (1)	Other: Elderly Abuse	
	☐	119.0712 (2)	Other: Personal Information Contained in a Motor Vehicle Record	

REVIEW COMPLETED BY

Booking Number: 2019034183	Date: 10/21/2019
	Specialist Name/ID: M. Tooks #8557