

18UF785 (X)

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATION

OBTS Number

Agency ORI Number: FL 0500300 Agency Name: BOYNTON BEACH POLICE DEPT. Agency Report Number: 34-18-005336

Charge Type: 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other

Location of Arrest (Including Name of Business): 1880 N. CR 807, BOYNTON BEACH, FL, 33426 Location of Offense (Business Name, Address): 1880 N. CR 807, BOYNTON BEACH, FL, 33426

Date of Arrest: 01/25/2018 Time of Arrest: 2045 Booking Date: Booking Time: Jail Date: Jail Time: Location of Vehicle:

DEFENDANT

Name (Last, First, Middle): KRAVITZ, SETH DAVID Alias (Name, DOB, Soc. Sec. #, Etc):

W - White B - Black I - American Indian O - Oriental / Asian Race: W Sex: M Date of Birth: 11/21/1980 Height: 601 Weight: 170 Eye Color: GRN Hair Color: BRO Complexion: LIGHT Build: MED

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): Marital Status: N/A Religion: N/A

Local Address (Street, Apt. Number): 1800 N CR 807, BOYNTON BEACH, FLORIDA, 33426 (City, State, Zip) Phone: () - () - ()

Permanent Address (Street, Apt. Number): (City, State, Zip) Phone: () - () - ()

Business Address (Street, Apt. Number): (City, State, Zip) Phone: () - () - ()

DL Number, State: K613784804210 / FL INS Number: [REDACTED] Place of Birth: ARKANSAS Citizenship: US

CO-DEF

Co-Defendant Name (Last, First, Middle): [REDACTED] Race: Sex: Date of Birth: 1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile

Co-Defendant Name (Last, First, Middle): [REDACTED] Race: Sex: Date of Birth: 1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile

JUVENILE

Parent Legal Custodian Other Name (Last, First, Middle): (First, Middle) Residence Phone:

Address (Street, Apt. Number): (City, State, Zip) Business Phone:

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 561-355-2526) informed of any change of address: Yes, By: (Name) No: (Reason) School Attended: Grade:

Property Crime? Yes No Description of Property: Value of Property:

CODE

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

Charge Description: DUJ Counts: 1 Domestic Violence: Yes No Statute Violation Number: 316.193.1 Warrant/Capias Number: Bond:

CHARGE

Charge Description: BATTERY ON LEO Counts: 1 Domestic Violence: Yes No Statute Violation Number: 784.07.2.B Warrant/Capias Number: Bond:

CHARGE

Charge Description: RESISTING ARREST W/O VIOLENCE Counts: 1 Domestic Violence: Yes No Statute Violation Number: 843.02 Warrant/Capias Number: Bond:

CHARGE

Charge Description: Counts: Domestic Violence: Yes No Statute Violation Number: Warrant/Capias Number: Bond:

NOTICE TO APPEAR

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

Court Date and Time: Month: Day: Year: Time: P.M. A.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 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.

ADMIN.

Signature of Defendant (or Juvenile and Parent/Custodian): Date Signed:

HOLD for other Agency Name: Signature of Arresting Officer: Name Verification (Printed by Arrestee) (PRINT):

Dangerous Resisted Arrest Suicidal Other: Name of Arresting Officer (Print): OFFICER CASTRO I.D.#: 905 BU#110438

Intake Deputy: I.D.#: Pouch#: Transporting Officer: OFFICER CASTRO I.D.#: 905 Agency: BBPD Witness here is subject Signed with an "X":

201 JAN 25 AM 6:00
P.A.M. ROBERTSON
PALM BEACH COUNTY
GUN CLUB

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 25 DAY OF January 2018 AT 08:00 A.M P.M.

CASE #: 18-005336 DEFENDANT: KRAVITZ, SETH DAVID

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and approximately time units responded to the parking lot of 1800 N. CR 807 (Compson Place) in reference to a Drunk Pedestrian. Let it be noted that this incident occurred within the City of Boynton Beach, Palm Beach County, Florida. While en route, caller (who wished to remain anonymous, advised there was a W/M wearing a white t-shirt and khaki shorts stumbling throughout the parking and had entered a White in color newer model VW Jetta. Caller advised that the male had exited the Strebs restaurant. As officers arrived on scene caller advised communication that the male was still inside the vehicle.

Upon my arrival Officer Donnino and Officer Eichorst (#971) had already made contact with the male, later identified as Kravitz, Seth (11/21/80), inside a White 2017 VW Jetta bearing Florida tag NHV5U. I quickly spoke with the officers who advised that as they arrived on scene they noticed that the engine to the vehicle was off and that it was occupied. Officer Eichorst advised that while looking into the vehicle they observed Kravitz sitting in the driver seat of the vehicle with his chin resting on his chest and his eyes closed. Officer Eichorst advised that she then tapped on the driver's front window to check on Kravitz's welfare. At that moment Kravitz opened his eyes and opened the front door. Officer Eichorst advised that as the door opened she was alerted to the strong odor of an unknown alcoholic beverage emanating from within the vehicle. Officer Eichorst stated that for approximately 5 minutes, prior to my arrival, Kravitz did not say anything. Officer Eichorst advised that during those 5 minutes, she noticed that Kravitz's eyes were bloodshot/glassy and heavy. See Officer Eichorst statement for further.

I then made contact with Kravitz and identified myself. I asked Kravitz what was the reason why officers were present, which he was unsure. Kravitz advised that he lived in the apartments within the parking lot. Kravitz advised that he had just left the Bar Louie establishment and walked to his vehicle to "chill". While speaking with Kravitz I detected the odor of an unknown alcoholic beverage emitting from his breath which intensified as he spoke. Kravitz's speech was thick and slurred and part of it was unintelligible. When I asked Kravitz if he thought that it was a wise idea to have a couple of alcoholic beverages then enter a motor vehicle, which he stated "why not". When explaining to Kravitz that by being in an actual physical control of a motor vehicle while exhibiting signs of impairment constitutes probable cause to conduct a DUI investigation, he repeated stated

that he was not driving. I then requested Kravitz to exit his vehicle, which he did. While doing so he used his vehicle as support to exit then continued to lean on it. I then requested Kravitz to walk towards the front of my patrol vehicle, which he asked why. I then explained to Kravitz numerous times why he was being detained and why a DUI investigation was being conducted but Kravitz was argumentative. I request Kravitz again to walk towards the front my patrol vehicle, which he refused. Kravitz continued to be argumentative and asked numerous times why he was being detained. Based on my investigation at this point, I asked Kravitz if he would be willing to submit to a series of Road Side Sobriety Task, which he did not answer but rather continued to argue. I then asked Kravitz two additional times prior to advising Kravitz his Taylor Warnings, which he refused to answer if he understood. I then requested a fourth time, which Kravitz refused to answer. At that moment Kravitz was placed into custody under suspicion of DUI.

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|--|---|
| <input type="checkbox"/> Left eye does not follow smoothly | <input type="checkbox"/> Right eye does not follow smoothly |
| <input type="checkbox"/> Left eye prior to 45 degrees | <input type="checkbox"/> Right eye prior to 45 degrees |
| <input type="checkbox"/> Distinct jerking in left eye at maximum deviation | <input type="checkbox"/> Distinct jerking in right eye at maximum deviation |
| <input type="checkbox"/> Vertical Nystagmus in left eye | <input type="checkbox"/> Vertical Nystagmus in right eye |

WALK AND TURN:

REFUSED

ONE LEG STAND:

REFUSED

FINGER TO NOSE:

REFUSED

ROMBERG/ALPHABET:

REFUSED

Kravitz was placed into handcuff (D/L and Spaced) and placed in the back seat of vehicle 4450. Officer Pires then transported Kravitz to the Boynton Beach Police Department to continue my investigation. I arrived at BBPD at 2110hrs, started my 20 minutes observation at 2111hrs. During the 20 minutes observation period Kravitz was very uncooperative and argumentative. Kravitz demanded a lawyer numerous times and after advising Kravitz that he was not entitled to a lawyer at this time of the investigation he became irate. Kravitz then stood up from his chair, which I quickly told him to sit back down. Kravitz continued to argue and attempted to get up again, at which time I advised him that if he stood up he would be replaced in handcuffs. Moments later, while entering the information into the Intoxilyzer, Kravitz stood up while Officer Pires was in the Breath Alcohol Testing (BAT) facility as well. Officer Pires, after hearing me warn Kravitz about standing up, approached Kravitz; at which time Kravitz quickly sat back down. As Officer Pires was in front of Kravitz, Kravitz

extended both of his arms, out towards Officer Pires and intentionally pushed Officer Pires; making physical contact with both of Officer Pires' arms. Officer Pires then attempted to place Kravitz into handcuffs but Kravitz began resisted. I began to assist in placing the handcuffs on Kravitz, but Kravitz kept tensing up and resisting officer's effect. I gave numerous lawful commands to Kravitz to stop resisting, which after a brief struggle Kravitz was finally detained. At that moment due to Kravitz's behavior I asked Kravitz if he wanted to continue the investigation or seize it, which he stated that he wanted to stop. At that point my investigation with Kravitz was seized.

Based on the above stated facts I have established Probable Cause to charge Kravitz with 1M count of DUI with F.S.S. 316.193.1. Kravitz was additional charged with Battery on LEO pursuant with F.S.S. 784.07.2B and Resisting Arrest W/O Violence pursuant with F.S.S. 843.02. Jacques was later transported to PBCJ.

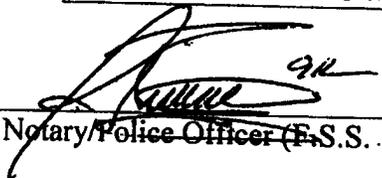
Kravitz vehicle remained on scene. The BAT video later entered into Boynton Beach Evidence Department. Incident was also captured via BWC.

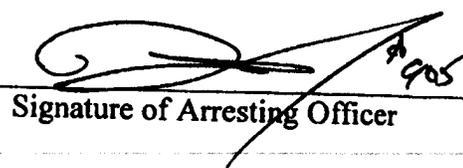
Let it be noted that prior to responded to the Boynton Beach Police Department to process Kravitz I responded to Bar Louie and spoke with Kravitz's bartender Falvey, Michael (01/15/78). Falvey advised that he remember Kravitz sitting at his outside bar with an unknown W/M. Falvey advised that Kravitz ordered and consumed "Rat Pack" drinks, which consist of Vodke and Gin. Falvey advised that Kravitz paid the bar tab utilizing a VISA credit card (last four 2234) and exited the establishment at approximately 1930hrs. Falvey advised that the other male remained at the establishment and Kravitz exited to an unknown location. A copy of Kravitz receipt with obtained and entered into the Boynton Beach Evidence Department.

Nothing further.

The following instrument was sworn to before me this 25 day of January 2018

By: PERSONALLY KNOWN / OFFICER CASTRO #905


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


Signature of Arresting Officer