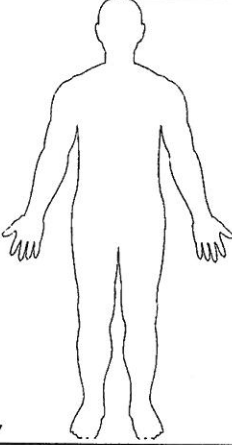
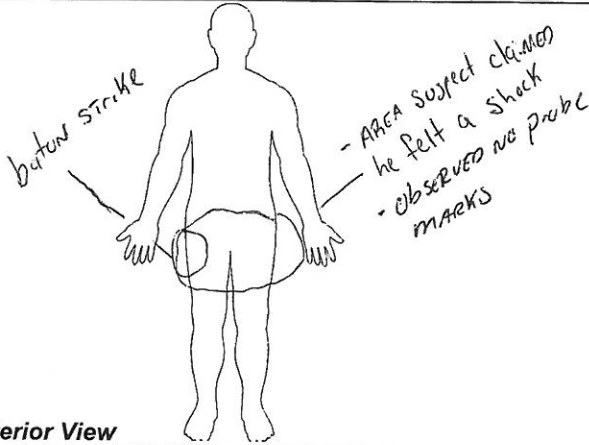
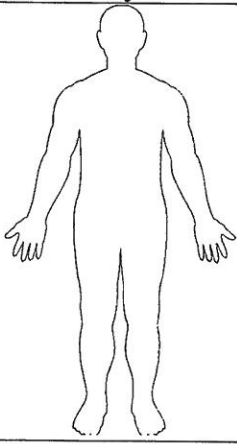
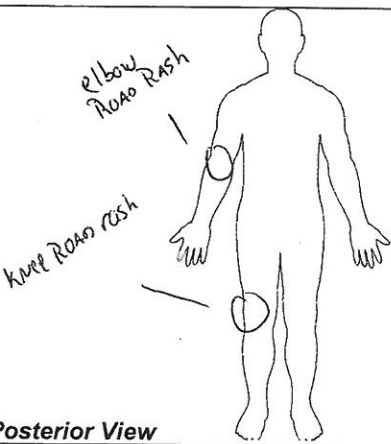


Response to Resistance Report

Key West Police Department

Case No: 15-004541

1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)	
☒ A response through the use of non-lethal weapons, ☐ Applies weaponless physical force of strikes, kicks, or "take-downs" ☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force ☐ When any person complains of injury as a result of the application of force ☐ Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)	
INCIDENT	2. Date: 10/09/2015 3. Time: 2004 hrs. 4. Location: 2778 N. Roosevelt Blvd 5. Incident type: Retail Theft
	6. Resistance Level: 7. Explanation: 8. Response Option: 9. Explanation:
	☐ Passive: ☐ Physical Control ☐ Non-lethal Weapon ☐ Deadly Force
	☒ Active: Ran Away ☒ Non-lethal Weapon Taser and Asp
10. Last Name: Martinez 11. First: Emilio 12. Race: H 13. Sex: M	
14. DOB: 08/25/1976 15. Height: 5'08" 16. Weight: 220	
17. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22	
18. Appeared to be: ☐ Intoxicated ☐ Under the influence of controlled substance ☐ Emotionally / mentally disturbed	
19. Injuries: ☐ No ☒ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)	
20. Photographed: ☐ No ☒ Yes 21. Treated: ☐ No ☒ Yes By: ☒ EMT/Paramedic on scene ☐ Hospital ☐ Detention	
SUBJECT	 22. Anterior View
	 Posterior View
23. Officer: K. Bouvier 24. Race : B 25. Sex: M 26. Age: 32 27. Height: 5'10" 28. Weight: 290lbs	
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs. Exp: 4	
31. Injuries: ☐ No ☐ Evident ☒ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)	
32. Photographed: ☐ No ☒ Yes 33. Treated: ☒ No ☐ Yes By: ☐ EMT/Paramedic on scene ☐ Hospital	
34. Response option used b/y this officer: TASER	
OFFICER	 35. Anterior View
	 Posterior View

Response to Resistance Report (continued)

Key West Police Department

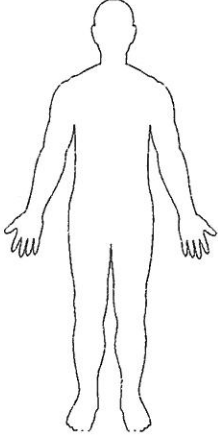
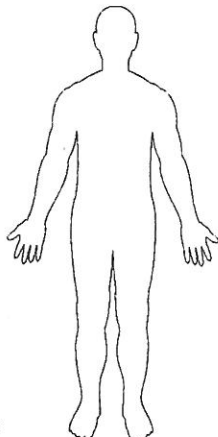
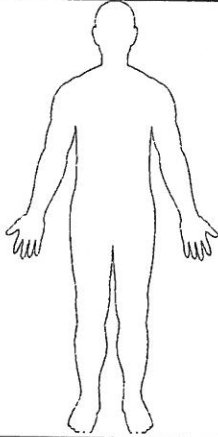
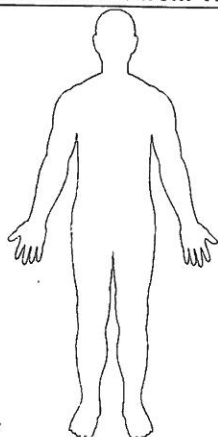
Case No: 15-004541

TASER USE ONLY	36. TASER® device serial # X12002KH2		37. TASER® device serial #	
	TASER®Cam serial # V21000VT3		TASER®Cam serial #	
	Cartridge 1 serial # C41032A56		Cartridge 1 serial #	
	Cartridge 2 serial # N/A		Cartridge 2 serial #	
	Number of cycles: 1		Number of cycles:	
	Type of contact: ☒ Probe ☐ CODS ☐ Drive Stun		Type of contact: ☐ Probe ☐ CODS ☐ Drive Stun	
	Did probes penetrate skin: ☐ Yes ☒ No		Did probes penetrate skin: ☐ Yes ☐ No	
	Target distance at probe launch: 6 Feet		Target distance at probe launch:	
	Distance between probes: unknown		Distance between probes:	
	Probes removed by (name): didn't penetrate		Probes removed by (name):	
Device downloaded by: N/A		Device downloaded by:		
☐ 38. Check and list any additional TASER® devices, cartridges or details in the incident description section.				
REPORT	39. Offense/Incident Report and/or Warrant Affidavit must include:			
	☒ All necessary criminal elements. ☒ All details of the arrest ☒ Details articulating the subject's words, mannerisms and actions that justify the use of force. ☒ Details outlining the response to resistance utilized by each officer. ☒ Detailed description of injury complaints and/or observed injuries ☒ Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.			
SUPERVISOR'S INQUIRY	40. Notified Date: 10/09/2015		41. Time: 2016 hrs.	
	42. Did you respond to the scene: ☐ No ☒ Yes (If "No", explain why)			
	43. Did you meet with the Officer: ☐ No ☒ Yes (If "No", explain why)			
	44. Were you able to locate any independent witnesses: ☒ No ☐ Yes (If "Yes," list below)			
Name		Address		Phone Number
45. Is further review recommended: ☒ No ☐ Yes		 2807		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		46. Preparing Supervisor's Signature / ID		47. Date
				10/09/2015
INT. AFF.	48. Did the review of this incident conclude that use of force was in compliance with Departmental policy? ☐ No ☒ Yes (If "No", complete section 51)		 2935	
			49. Signature of Internal Affairs Inspector	
			50. Date	
51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

Response to Resistance Report (continued)

Key West Police Department

Case No: 15-004541

OFFICER	23. Officer: M. Andruzzi		24. Race: W	25. Sex: M	26. Age: 45	27. Height: 6'0	28. Weight 235
	29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment		☒ Uniformed ☐ Plain		30. Yrs. Exp: 24		
	31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)						
	32. Photographed: ☒ No ☐ Yes		33. Treated: ☒ No ☐ Yes By: ☐ EMT/Paramedic on scene ☐ Hospital				
	34. Response option used by this officer: Expandable Baton, 1 strike to right thigh/hip area						
							
	35. Anterior View			Posterior View			
OFFICER	23. Officer: N/A		24. Race:	25. Sex:	26. Age:	27. Height	28. Weight
	29. Duty Status: ☐ On-duty ☐ Off-duty ☐ Extra duty employment		☐ Uniformed ☐ Plain		30. Yrs. Exp:		
	31. Injuries: ☐ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)						
	32. Photographed: ☐ No ☐ Yes		33. Treated: ☐ No ☐ Yes By: ☐ EMT/Paramedic on scene ☐ Hospital				
	34. Response option used by this officer: (If TASER®, also reference line number from TASER® section)						
							
	35. Anterior View			Posterior View			

KWPD

Monroe County Adult Arrest Form

☒ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

ARREST #

OBTS #

Filing Agency KWPD		Case # 0115004541		Doc. Control #		State ID #		FBI #		Sec #	
Defendant's Last Name MARTINEZ				First EMILIO		Middle JOSE		Suf		Citizenship UNITED STATES	
Race W	Eth NH	Sex M	Hgt 5'08"	Eyes BROWN	Hair BROWN	Wgt 170	Comp LIGHT	Age 39	DOB 08/25/1976	Birthplace CA	Scars, Marks, TT
Facial Hair BRD		Build MED	Marital St	Hand Use		Glasses	Speech OTHER		Parole/Probation NONE		Language Spoken ENGLISH
Permanent Address 2601 S ROOSEVELT BV Apt# 310C KEY WEST, FL 33040-								Home Phone: (000) 000-0000		Local Address:	
Email Address								Cell Phone: (000) 000-0000		Place of Employment	
Arrest Location 2334 N ROOSEVELT BV KEY WEST, FL 33040-								Work Phone: (000) 000-0000 x0000		Arresting Officer ALEXANDRE J GAUFILLET 3600	
Violation Location 2778 N ROOSEVELT BV KEYWEST, FL 33040-								Date/Time of Violation 10/09/2015 20:05		Date/Time Arrested 10/09/2015 20:22	
DL # M635-210-76-305-0		State FL	Breathalyser By		Reading	Miranda Advisement Invoked 5th/6th		By Whom GAUFILLET, ALEXANDRE J.		Indication Of: Y N UK	
Domestic Violence Not Applicable		Weapon Seized		Officer Injured No		Caution		Alcohol Influence: ☐ ☒ ☐		Drug Influence: ☐ ☒ ☐	
Drug Type: N,N		Type: N-N/A	B-Barbiturate C-Cocaine	H-Hallucinogen M-Marijuana	P-Paraphernalia/ Equipment	U-Unknown Z-Other	Activity: N,N		Activity: N-N/A	B-Buy T-Traffic	E-Use M-Manufacture/ Produce/ Cultivate

Defendant Vehicle Make:	Type:	Year:	Color:	Vehicle Registration State:
VIN#:	Tag #:		Vehicle Tag Expiration:	
Vehicle Status:	Other Identifiers or Remarks:			

CODEFENDANT

ADDRESS

PHONE #

RACE

SEX

DOB

Count	Offenses Charged	Statute	Warrant #	Court Date and Time	Citation #
1/M	THEFT PETIT THEFT 2ND DEGREE 1ST OFFENSE	812.014(3)(A)		10/29/2015 09:00	
1/M	RESIST OFFICER OBSTRUCT WO VIOLENCE	843.02		10/29/2015 09:00	

Before me this date personally appeared **ALEXANDRE J GAUFILLET 3600** who being first duly sworn deposes and says that on the **9th day of October, 2015** at **2778 N ROOSEVELT BV KEYWEST, FL 33040-** the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows

[NARR]: On October 9, 2015 at approximately 2005 hours, I (Ofc. Gaufillet), responded to a 911 hang up, at the Winn Dixie.

As I was heading to the scene, dispatch stated that this was in fact going to be a physical disturbance between a white male and the store manager. Moments later dispatch stated that the suspect was now running inbound on North Roosevelt Blvd. He was reported to be a white male, 45 years of age, wearing a white shirt, no shoes and pink shorts. Dispatch then reported that the suspect was in the area of GFS. At about

I swear the above statement is correct and true to the best of my knowledge and belief.

ALEXANDRE J GAUFILLET 3600

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDACOUNTY OF MONROE

The foregoing instrument was acknowledged before me this 9th day of OCTOBER, (year) 2015, who is personally

known to me or who has produced (ID Type) Police as identification and who DID take an oath.

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE #

SIXTEENTH JUDICIAL COURT

MONROE County

State of FLORIDA

Page 1 of 2

Form NS ARREST 3.0, REV: 04/18/2014

Monroe County Adult Arrest Form Continuation

KWPD

OBTS # _____

ARREST # _____

LAST NAME	FIRSTNAME	MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
MARTINEZ	EMILIO	JOSE		5'08"	170	W	M	08/25/1976	0115004541	ALEXANDRE J GAUFILLET

this time Ofc. Bouvier and Ofc. Andruzzi arrived in the area of GFS. They were able to locate the suspect and attempted to gain custody of him. Ofc. Bouvier stated that the suspect had run into the pool area near the Fairfield Inn. There was then a foot chase involving Ofc. Bouvier and Ofc. Andruzzi. Ofc. Andruzzi then stated that the suspect who was later identified as, Emilio Jose Martinez, was in custody across from the NAPA.

I spoke with Ofc. Andruzzi and Ofc. Bouvier. They both explained to me that Martinez would not stop for them as they chased them. Both of them were driving marked patrol cars when they arrived on scene and were wearing Key West Police Department issued uniforms. There was no doubt in their minds that Martinez was aware that he was being chased and ordered to stop by the police. Ofc. Bouvier deployed his Taser as Martinez ran from him. Ofc. Andruzzi used his expandable baton to try to affect an arrest on Martinez. Ofc. Andruzzi and Ofc. Bouvier have both written supplemental reports as to their interaction with Martinez. I was not on scene when Ofc. Bouvier and Ofc. Andruzzi interacted with Martinez.

When I arrived on scene Martinez was already in custody. I approached him and read him his Miranda Warnings. He stated to me that he understood and wished to speak to a lawyer.

After further investigation I was informed by Ofc. Blanco that no one at Winn Dixie had been punched. However, Martinez did attempt to steal three twelve packs of beer totaling \$55.97. Martinez walked past the last point of purchase with no attempt to pay for the beer. He was confronted by Winn Dixie management. A disturbance occurred and Martinez ran from the area. Winn Dixie stated they wanted to press charges for Retail Theft.

I obtained three written statements in reference to the Retail Theft which were placed into the Key West police Departments record section. Winn Dixie management (Emelina McLosham) stated that they would check for video surveillance tomorrow when an operator arrived to work.

Rescue was requested to the scene for Martinez. Martinez stated he had no injuries and refused treatment by rescue when they arrived.

Emilio Martinez was placed under arrest for Retail Theft FSS 812.014(3)(a). He was also charged for Resisting an Officer without Violence FSS 843.02. He was transported to the MCDC without incident. My BWC was operational during this encounter. My in car COBAN was activated once Martinez was placed inside my patrol vehicle. No further information at this time.

I swear the above statement is correct and true to the best of my knowledge and belief.

ALEXANDRE J GAUFILLET 3600

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION/UNIT

STATE OF FLORIDA

COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 9TH day of October, (year) 2015, who is personally

known to me or who has produced (ID Type) Police as identification and who DID take an oath.

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE # _____

SIXTEENTH JUDICIAL COURT

MONROE County

State of FLORIDA

Key West Police Department

Report 10/09/2015 23:56

Incident Report

Case # 01-15-004541

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004541	10/09/2015 23:56			Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	THEFT/LARCENY OFFENSE		CLEARED BY ARREST	10/10/2015	
	Common Name				
	WINN DIXIE - 2778 N ROOSEVELT BV KEYWEST, FL 33040 (MONROE County)				
	Map Reference : 3321XX2AN		Drug Related : No		
	Location Type : HIGHWAY/ROADWAY		Total Damaged Property Value : \$0.00		
	Beat Assignment : 5		Total Stolen Property Value : \$0.00		
	Alcohol Related : No		Total Recovered Property Value : \$0.00		

P R O P E R T Y 1	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	MISCELLANEOUS	TASER	TASER
	Serial #	Color	Description	Condition
	UNKNOWN		TASER CARTRIDGE	USED
	UCR Type : MISCELLANEOUS		Value : \$1.00	
	Quantity/Weight : 1			
End of Property: 1				

N A R R A T I V E 1	Topic	SUPPLEMENTAL
	On Friday October 9, 2015 at approximately 8:00pm, I, Ofc. K. Bouvier responded to 2760 N. Roosevelt Blvd. (Win-Dixie Supermarket) in reference to a call of a battery.	
	While I was enroute I was informed by Key West Police Communications Channel One (Comm One) that the suspect was running a way from the area.	
	The suspect was later identified as Emilio Martinez.	
	Ofc. M. Andruzi spotted Mr. Martinez on 7th Street next to the Fair Field Inn. Mr. Martinez then ran onto the hotel property. Ofc. M. Andruzzi followed Mr. Martinez into the pool area of the hotel while I ran to the front of the property anticipating Martinez would exit onto N. Roosevelt Blvd. Mr. Martinez did exit the hotel property onto N. Roosevelt when I saw Mr. Martinez I ordered him to stop running. Mr. Martinez ignored my instructions and continued to run. I fire my Key West Police Department issued Taser at Mr. Martinez, only one probe from the Taser connected and as a result the Taser had no effect.	
	While I was attempting to holster the Taser and maintain pursuit of Mr. Martinez I lost my footing and fell into the roadway. As I recovered and continued the foot pursuit I was unaware that I had not secured the Taser.	
After a short time later Mr. Martinez was taken into custody.		
Once Mr. Martinez was secured, I did an equipment check of my person, ensuring I hadn't lost the body-cam, COBAN mic, my cellular phone or any other equipment as a result of my fall. It was at this moment I realized that I must have dropped the Taser during the fall.		

Reporting Officer	Department	Report Status:
KRISTOPHER BOUVIER (3356)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT MATTHEW HALEY (2807)	KEY WEST POLICE DEPARTMENT	10/10/2015 02:53

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Key West Police Department

Report 10/09/2015 23:56

Incident Report

Case # 01-15-004541

As Det. J. Dean and I were going toward the location of my fall, a bystander who observed the pursuit handed me the Taser that was dropped.

I returned to the area where I fired the Taser and I was able to locate the Taser cartridge, however I was unable to locate any Anti-Felon Identification Disks (AFIDS).

Ofc. D. Blanco and I met with the manager of Win-Dixie who said that Mr. Martinez did not strike her intentionally. The manager said she would provide a disk with security footage of Mr. Martinez stealing beer from the store.

I placed the spent Taser cartridge into the Key West Police Property Division as evidence.

My KWPD issued body-cam and my COBAN system were both activated during this call.

Case Status:Cleared By Arrest

///NOTHING FOLLOWS///

End of Narrative: 1

Reporting Officer KRISTOPHER BOUVIER (3356)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT MATTHEW HALEY (2807)	Department KEY WEST POLICE DEPARTMENT	Date / Time 10/10/2015 02:53

Key West Police Department

Report 10/09/2015 20:36

Incident Report

Case # 01-15-004541

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004541	10/09/2015 20:36	10/09/2015 20:04	10/09/2015 20:12	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	THEFT/LARCENY OFFENSE		CLEARED BY ARREST	10/09/2015	10/09/2015 20:32
	Common Name				
	WINN DIXIE - 2778 N ROOSEVELT BV KEYWEST, FL 33040 (MONROE County)				
Day of Week : FRIDAY			Beat Assignment : 5		
Dispatched : 10/09/2015 20:05			Alcohol Related : No		
Responded : 10/09/2015 20:05			Drug Related : No		
Arrived : 10/09/2015 20:08			Total Damaged Property Value : \$0.00		
Map Reference : 3321XX2AN			Total Stolen Property Value : \$33.28		
Location Type : HIGHWAY/ROADWAY			Total Recovered Property Value : \$0.00		

O F F E N S E 1	State Classification		Attempted/Committed
	Statute/Ordinance		COMMITTED
	Location Type		Disposition Date
	DEPARTMENT/DISCOUNT STORE		10/09/2015
	Federal Classification : THEFT PETIT THEFT 2ND DEGREE 1ST OFFENSE-812.014(3)(A) EMILIO MARTINEZ (SUSP,Primary Role); WINN DIXIE (VICT,Primary Role) Structure Occupancy : OCCUPIED		
End of Offense: 1			

O F F E N S E 2	State Classification		Attempted/Committed
	Statute/Ordinance		COMMITTED
	Location Type		Disposition Date
	HIGHWAY/ROADWAY		10/09/2015
	Federal Classification : RESIST OFFICER OBSTRUCT WO VIOLENCE-843.02 K BOUVIER (OTHER PERSON,Primary Role); M ANDRUZZI (OTHER PERSON,Primary Role); EMILIO MARTINEZ (SUSP,Primary Role); WINN DIXIE (VICT,Primary Role) State Disposition : ADULT/ADULT+JUVENILES		
End of Offense: 2			

P E R S O N 1	Person Type	Business/Person Name		Business Phone
	SUSPECT/ARRESTEE	EMILIO JOSE MARTINEZ		(000) 000-0000 - 0000
	Home Phone	Person Address		
	(000) 000-0000	2601 S ROOSEVELT BV Apt. 310C KEY WEST FL 33040 ,MONROE County		
	Other Phone	Employer Address		
	(000) 000-0000			
	Race	Sex	DL Exp. Date	DL Number
	WHITE	Male	08/25/2020	M635-210-76-305-0
	Birth Date	Birth Place		
	08/25/1976	CA, UNITED STATES		
Age : 39		Hair Length : MEDIUM		
DL State : FL		Hair Style : OTHER		
DL Country : UNITED STATES		Facial Hair : BEARD ONLY		
Ethnic Origin : NON-HISPANIC		Teeth : OTHER		
Min. Height : 5'08"		Eye Color : BROWN		
Min. Weight : 170 lbs		Build : MEDIUM/AVERAGE		
Max. Weight : 190 lbs		Complexion : LIGHT		
Adult/Juvenile : ADULT		Marital Status : UNKNOWN		
Coat : NONE		Speech : OTHER		
Hat : NONE		Residency Type : CITY		
Shirt : NONE		Residency Status : FULL YEAR		
Pants : RED SHORTS		Citizenship : UNITED STATES		

Reporting Officer	Department	Report Status:
ALEXANDRE J GAUFILLET (3600)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT MATTHEW HALEY (2807)	KEY WEST POLICE DEPARTMENT	10/09/2015 23:24

Key West Police Department

Report 10/09/2015 20:36

Incident Report

Case # 01-15-004541

Shoes : NONE		Body Marks:		
Hair Color : BROWN				
End of Person: 1				
PERSON 2	Person Type	Business/Person Name		Business Phone
	VICTIM	WINN DIXIE		(305) 394-4726
	Home Phone	Person Address		
		2778 N ROOSEVELT BV KEY WEST FL 33040 ,MONROE County		
	Other Phone	Employer Address		
	Race	Sex	SSN	DL Exp. Date
Birth Date	Birth Place			
Relationship : UNDETERMINED OF EMILIO MARTINEZ				
Body Marks:				
End of Person: 2				

PERSON 3	Person Type	Business/Person Name		Business Phone
	OTHER PERSON	K BOUVIER		(000) 000-0000 - 0000
	Home Phone	Person Address		
	(305) 809-1000	1604 N ROOSEVELT BV KEY WEST FL 33040 ,MONROE County		
	Other Phone	Employer Address		
	(000) 000-0000	1604 N ROOSEVELT BV KEY WEST FL 33040 ,MONROE County		
	Race	Sex	SSN	DL Exp. Date
BLACK	Male			
Birth Date	Birth Place			
Min. Age : 21				
Max. Age : 50				
Adult/Juvenile : ADULT				
Employer : KEY WEST POLICE DEPARTMENT				
Relationship : OTHER OF EMILIO MARTINEZ, OTHER OF WINN DIXIE				
Body Marks:				
End of Person: 3				

PERSON 4	Person Type	Business/Person Name		Business Phone
	OTHER PERSON	M ANDRUZZI		(000) 000-0000 - 0000
	Home Phone	Person Address		
	(305) 809-1000	1604 N ROOSEVELT BV KEY WEST FL 33040 ,MONROE County		
	Other Phone	Employer Address		
	(000) 000-0000	1604 N ROOSEVELT BV KEY WEST FL 33040 ,MONROE County		
	Race	Sex	SSN	DL Exp. Date
WHITE	Male			
Birth Date	Birth Place			
Min. Age : 21				
Max. Age : 50				
Adult/Juvenile : ADULT				
Employer : KEY WEST POLICE DEPARTMENT				
Relationship : OTHER OF EMILIO MARTINEZ, OTHER OF WINN DIXIE, OTHER OF K BOUVIER				
Body Marks:				
End of Person: 4				

PERSON 5	Person Type	Business/Person Name		Business Phone
	WITNESS	CONVADO LEYUA MEAS		(000) 000-0000 - 0000
	Home Phone	Person Address		
	(000) 000-0000	9TH AV Apt. C3 KEY WEST FL 33040 ,MONROE County		
	Other Phone	Employer Address		
	(786) 314-0779	Use Address from Incident Location Information		
	Race	Sex	SSN	DL Exp. Date
WHITE	Male			
Birth Date	Birth Place			

Reporting Officer	Department	Report Status:
ALEXANDRE J GAUFILLET (3600)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT MATTHEW HALEY (2807)	KEY WEST POLICE DEPARTMENT	10/09/2015 23:24

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Key West Police Department

Report 10/09/2015 20:36

Incident Report

Case # 01-15-004541

08/23/1988		
Age : 27 Ethnic Origin : HISPANIC Adult/Juvenile : ADULT Employer : WINN DIXIE	Relationship : OTHER OF EMILIO MARTINEZ, EMPLOYEE OF WINN DIXIE, OTHER OF K BOUVIER, OTHER OF M ANDRUZZI Residency Type : CITY Residency Status : FULL YEAR Body Marks:	
End of Person: 5		

PERSON 6	Person Type	Business/Person Name		Business Phone	
	WITNESS	YURISAN CARIDAD		(000) 000-0000 - 0000	
	Home Phone (000) 000-0000	Person Address 2778 N ROOSEVELT BV KEY WEST FL 33040 ,MONROE County			
	Other Phone (305) 894-0491	Employer Address Use Address from Incident Location Information			
	Race WHITE	Sex Male	SSN	DL Exp. Date	DL Number
	Birth Date 04/02/1990	Birth Place			
	Age : 25 Adult/Juvenile : ADULT Employer : WINN DIXIE Relationship : OTHER OF EMILIO MARTINEZ, EMPLOYEE OF WINN DIXIE, OTHER OF K BOUVIER, OTHER OF M ANDRUZZI, ACQUAINTANCE OF CONVADO LEYUA MEAS		Residency Type : CITY Residency Status : FULL YEAR Body Marks:		
End of Person: 6					

PROPERTY 1	Category	Property Type	Make	Model	
	STOLEN AND RECOVERED	BEER BOTTLE	FOUNDERS		
	Serial #	Color	Description	Condition	
			12 PACK OF BEER	NEW	
Associations : OWNER IS WINN DIXIE Relationship to Offense(s) : YES IS Offense 1 Quantity/Weight : 2 Value : \$18.79 Stolen Location : Use Address from Incident Location Information			Recovery Location : Use Address from Incident Location Information Recovered By : E. MCLOSHAM/MANAGER Recovery Date and Time : 10/09/2015 20:05 Recovery Value : \$37.58		
End of Property: 1					

PROPERTY 2	Category	Property Type	Make	Model	
	STOLEN AND RECOVERED	BEER BOTTLE	MAGIC HAT		
	Serial #	Color	Description	Condition	
			12 PACK	NEW / COOKED	
Associations : OWNER IS WINN DIXIE Relationship to Offense(s) : YES IS Offense 1 Quantity/Weight : 1 Value : \$14.49 Stolen Location : Use Address from Incident Location Information			Recovery Location : Use Address from Incident Location Information Recovered By : E. MCLOSHAM/MANAGER Recovery Date and Time : 10/09/2015 20:05 Recovery Value : \$14.49		
End of Property: 2					

Reporting Officer ALEXANDRE J GAUFILLET (3600)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT MATTHEW HALEY (2807)	Department KEY WEST POLICE DEPARTMENT	Date / Time 10/09/2015 23:24

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Key West Police Department

Report 10/09/2015 20:36

Incident Report

Case # 01-15-004541

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Topic ORIGINAL

On October 9, 2015 at approximately 2005 hours, I (Ofc. Gaufillet), responded to a 911 hang up, at the Winn Dixie.

As I was heading to the scene, dispatch stated that this was in fact going to be a physical disturbance between a white male and the store manager. Moments later dispatch stated that the suspect was now running inbound on North Roosevelt Blvd. He was reported to be a white male, 45 years of age, wearing a white shirt, no shoes and pink shorts. Dispatch then reported that the suspect was in the area of GFS. At about this time Ofc. Bouvier and Ofc. Andruzzi arrived in the area of GFS. They were able to locate the suspect and attempted to gain custody of him. Ofc. Bouvier stated that the suspect had run into the pool area near the Fairfield Inn. There was then a foot chase involving Ofc. Bouvier and Ofc. Andruzzi. Ofc. Andruzzi then stated that the suspect who was later identified as, Emilio Jose Martinez, was in custody across from the NAPA.

I spoke with Ofc. Andruzzi and Ofc. Bouvier. They both explained to me that Martinez would not stop for them as they chased them. Both of them were driving marked patrol cars when they arrived on scene and were wearing Key West Police Department issued uniforms. There was no doubt in their minds that Martinez was aware that he was being chased and ordered to stop by the police. Ofc. Bouvier deployed his Taser as Martinez ran from him. Ofc. Andruzzi used his expandable baton to try to affect an arrest on Martinez. Ofc. Andruzzi and Ofc. Bouvier have both written supplemental reports as to their interaction with Martinez. I was not on scene when Ofc. Bouvier and Ofc. Andruzzi interacted with Martinez.

When I arrived on scene Martinez was already in custody. I approached him and read him his Miranda Warnings. He stated to me that he understood and wished to speak to a lawyer.

After further investigation I was informed by Ofc. Blanco that no one at Winn Dixie had been punched. However, Martinez did attempt to steal three twelve packs of beer totaling \$55.97. Martinez walked past the last point of purchase with no attempt to pay for the beer. He was confronted by Winn Dixie management. A disturbance occurred and Martinez ran from the area. Winn Dixie stated they wanted to press charges for Retail Theft.

I obtained three written statements in reference to the Retail Theft which were placed into the Key West police Departments record section. Winn Dixie management (Emelina McLosham) stated that they would check for video surveillance tomorrow when an operator arrived to work.

Rescue was requested to the scene to check on Martinez. He stated he had no injuries and refused treatment.

Emilio Martinez was placed under arrest for Retail Theft FSS 812.014(3)(a). He was also charged for Resisting an Officer without Violence FSS 843.02. He was transported to the MCDC without incident. My BWC was operational during this encounter. My in car COBAN was activated once Martinez was placed inside my patrol vehicle. No further information at this time.

End of Narrative: 1

Reporting Officer ALEXANDRE J GAUFILLET (3600)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT MATTHEW HALEY (2807)	Department KEY WEST POLICE DEPARTMENT	Date / Time 10/09/2015 23:24

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Key West Police Department

Report 10/10/2015 01:37

Incident Report

Case # 01-15-004541

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004541	10/10/2015 01:37	10/09/2015 20:04	10/09/2015 20:12	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	THEFT/LARCENY OFFENSE		CLEARED BY ARREST	10/09/2015	10/09/2015 20:32
	Common Name				
	WINN DIXIE - 2778 N ROOSEVELT BV KEYWEST, FL 33040 (MONROE County)				
	Day of Week : FRIDAY		Beat Assignment : 5		
	Dispatched : 10/09/2015 20:05		Alcohol Related : No		
	Responded : 10/09/2015 20:05		Drug Related : No		
	Arrived : 10/09/2015 20:08		Total Damaged Property Value : \$0.00		
	Map Reference : 3321XX2AN		Total Stolen Property Value : \$0.00		
	Location Type : HIGHWAY/ROADWAY		Total Recovered Property Value : \$0.00		

N A R R A T I V E	Topic	SUPPLEMENTAL
	This report should be read in conjunction with all other reports under this case number.	
	1	On 10/09/2015 at approx. 2005 hours I (Officer Andruzzi) responded to a call at the Winn Dixie Store located at 2778 N. Roosevelt. Dispatch stated a white male with pink shorts and a white shirt punched the Winn Dixie Store Manager. As I was responding Key West Dispatch related the suspect was now running inbound on Roosevelt Blvd. and was approaching the GFS Store located on Roosevelt Blvd.
	As I approached the corner of Seventh Street and Roosevelt I observed an individual matching the description of the suspect from the Winn Dixie Store. I was driving in a Key West marked police vehicle and wearing a Key West Police Department uniform. The subject, now known as Emilio Martinez, was running towards my police vehicle. As I stopped my vehicle Martinez ran around the back of it and continued running into the Fairfield Inn pool area. I exited my vehicle and gave chase on foot. Martinez exited the pool area and into the hotel parking lot. Martinez was confronted by Officer Bouvier who yelled Key West Police and told Martinez to stop. I observed Martinez run around Officer Bouvier. I observed Officer Bouvier deploy his taser at Martinez with negative results. Martinez continued to run out of the parking lot and across Roosevelt Blvd. I continued to chase Martinez on foot and told him several times to stop. Martinez refused to stop fleeing. As I ran behind Martinez I struck Martinez on the right hip with my expandable baton in an attempt to stop him from running. Martinez continued to run inbound Roosevelt Blvd. Martinez crossed Roosevelt Blvd. and came to a stop. As I approached Martinez I ordered him to the ground. Martinez got on the ground on his hands and knees. I ordered Martinez to the ground verbally and assisted him by pushing down on his back. Martinez was handcuffed and placed under arrest.	
	Martinez was transported to the Monroe County Jail by Officer Gaufillet for processing.	
During the beginning of the foot pursuit I activated my BWC. After Martinez was secured I discovered my BWC was not flashing but the lens camera was in fact open. I attempted to download my BWC video to the Coban System and discovered no video recorded due to a malfunction.		
End of Narrative: 1		

Reporting Officer	Department	Report Status:
MICHAEL ANDRUZZI (3579)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT MATTHEW HALEY (2807)	KEY WEST POLICE DEPARTMENT	10/10/2015 02:52

Key West Police Department

Report 10/10/2015 19:13

Incident Report

Case # 01-15-004541

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004541	10/10/2015 19:13			Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	THEFT/LARCENY OFFENSE		CLEARED BY ARREST	10/09/2015	
	Common Name				
	WINN DIXIE - 2778 N ROOSEVELT BV KEYWEST, FL 33040 (MONROE County)				
	Map Reference : 3321XX2AN		Drug Related : No		
	Location Type : HIGHWAY/ROADWAY		Total Damaged Property Value : \$0.00		
	Beat Assignment : 5		Total Stolen Property Value : \$0.00		
	Alcohol Related : No		Total Recovered Property Value : \$0.00		

P R O P E R T Y 1	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	PHOTOGRAPHS	DIGITAL PHOTOS	
	Serial #	Color	Description	Condition
			PHOTOS OF SUSP AND OFC INJURY	N/A
	UCR Type : MISCELLANEOUS		Value : \$1.00	
	Quantity/Weight : 9		Rec. Officer : HALEY, MATTHEW	
End of Property: 1				

N A R R A T I V E 1	Topic	SUPPLEMENTAL
	While Mr. Martinez was in custody he told Sgt. M. Haley that he felt the shock from the Taser. However, three separate visual inspections of Mr. Martinez were conducted by myself, Ofc. A. Gaulfillet and Sgt. M. Haley, none of us were able to locate any marks or bruising that would indicate the probes from the Taser penetrated Mr. Martinez's skin.	
	Photos of Mr. Martinez and I were placed onto the COBAN Digital Property Manager by Sgt. M. Haley.	
	///NOTHING FOLLOWS///	
End of Narrative: 1		

Reporting Officer	Department	Report Status:
KRISTOPHER BOUVIER (3356)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT MATTHEW HALEY (2807)	KEY WEST POLICE DEPARTMENT	10/10/2015 23:38

Additional Call Information

Call #	152820327
Additional Information	DETAILS
Message:	

Call Number: 152820327 Call Type.: 032 S32 THEFT Police
 Entry Day/Tm: 10/09/15 20:04:55 021 S22V DISTURBANCE-VERBAL Police
 CmnN: WINN DIXIE Agency.....: 001 KEY WEST
 Location...: 2778 N ROOSEVELT BV Apt:
 City.....: KEYWEST Block#: 2700 Loc ID: C Mapr: 3321XX2AN
 Intersectn.: GULFVIEW KENNEDY
 Caller Name: F: YURISAN M:
 Address...: Apt:
 City/State: Phone#: CELL Source: 911
 Call Taker.: 3507 CORN SHANNON QPADEV000H
 Dispatcher.: 2836 BEATTIE MICHAEL QPADEV0002

N A R R A T I V E

MALE 911 CALLER - REQ OFC THEN DROPPED PHONE SOUNDS 20:05:09
 Call change from S22V to S52 BY QPADEV000H P 01 0000003507 20:05:02
 LIKE PHYSICAL IN BACKGROUND 20:05:15
 LOTS OF VOICES YELLING 20:05:26
 SECOND CALLER - MALE FIGHTING MANAGER IN THE STORE 20:06:14
 OUTSIDE IN FRONT - NO WEAPONS 20:06:29
 Call change from S52 to S22P BY QPADEV000H P 01 0000003507 20:06:22
 Call change from S22P to S22P BY QPADEV0002 P 01 0000002836 20:06:28
 SUSP RUNNING TO CHOICE 20:06:41
 W/M LATE 30 YOA - WHI SHIRT AND SHORTS 20:06:43
 SUBJ LEFT HAT AND FLIP FLOPS INSIDE STORE 20:07:11
 H/M CROSSING NORTH ROOSEVELT 20:07:16
 PNK SHORTS BAREFOOT 45 YOA 20:07:16
 (EMPL SECOND CALLER 757 502 5914) 20:07:48
 RUNNING ACROSS FROM GFS 20:08:01
 NEAR GFS 20:08:01
 THIRD CALLER 786 314 0779 - NO FURTHER INFORMATION 20:08:22
 ON SEVENTH 20:08:37
 RUNNING NEAR FAIRFIELD 20:09:06
 P85 RAN INTO HOTEL 20:09:31
 IN POOL AREA 20:09:31
 Call change from S22P to T31 BY QPADEV0002 P 01 0000002836 20:09:47
 P85 ACROSS THE STREET 20:09:55
 SOUTH ON THE BOULEVARD 20:10:31
 P90 HEADING TO WINN DIXIE 20:10:49
 IC M88 ACROSS FROM NAPA 20:11:52

10/09/15

SunGard CAD

PAGE 2

22:31:18

CAD CALL INFORMATION

152820327

TWO UNSECURED CARS ON SEVENTH BY FAIRFIELD 20:12:16
 TD P85 AT FAIRFIELD 20:12:43
 CARTRIDGE POPPED OFF THE TASER 20:12:43
 P90 SECURING VEHICLES 20:13:05
 P96 TO WIN NDIDIXE TO TALK TO VICTIM 20:26:08
 Call change from T31 to S32 BY QPADEV0002 P 01 0000002836 21:06:43
 retail theft 21:06:54

P E R S O N I N F O

Person Type: ARRS ARREST (PERSON) User ID: SCORN
Race.: W Sex: M Age: - Hgt: 508 - Wgt: - Person #: 1
Weapon: Build.: Hair...: Eyes:
Hat...: Jacket: Shirt...: Pants:
Shoes: Facial: Glasses: S:
Flight Dir: Mode: OL#: M635210763050 DL /FL
Last: MARTINEZ F: EMILIO M: JOSE
DOB: 8251976
Addr: 176 SPANISH MAIN DR Apt:
City: CUDJOE KEY FL Phone#: - ()
- ()

Last Changed: 10/09/15 21:31:31

Additional:

*NONE Unit Status History Information

10/09/15 20:05:03 18 ROUTE CALL TIME RT !
10/09/15 20:05:15 18 ROUTE CALL TIME RT !
10/09/15 20:05:27 18 ROUTE CALL TIME RT !

D65 Unit Status History Information

10/09/15 20:11:00 4 DISPATCHED D ! 3386 DEAN, JEF
10/09/15 20:11:00 6 AT SCENE 97 !
10/09/15 20:32:01 20 AVAILABLE AV !

U N I T L O C A T I O N S

1 2334 N ROOSEVELT BV Apt: 10/09/15
City: KEYWEST ST: ZIP: Block#: 2300 20:14:10
Common Name: NAPA AUTO PARTS

M88 Unit Status History Information

10/09/15 20:06:08 4 DISPATCHED D ! 3579 ANDRUZZI, MIC
10/09/15 20:06:10 32 ENROUTE 51 !

10/09/15 SunGard CAD PAGE 3
22:31:18 CAD CALL INFORMATION 152820327

10/09/15 20:08:05 6 AT SCENE 97 !
10/09/15 20:41:10 47 ENROUTE TO STATION ES !
10/09/15 20:44:24 40 IN STATION / OFFICE IS !
10/09/15 21:28:57 20 AVAILABLE AV !

U N I T L O C A T I O N S

1 2334 N ROOSEVELT BV Apt: 10/09/15
City: KEYWEST ST: ZIP: Block#: 2300 20:11:57
Common Name: NAPA AUTO PARTS

P85 Unit Status History Information

10/09/15 20:06:17 4 DISPATCHED D ! 3356 BOUVIER, KRI
10/09/15 20:06:19 32 ENROUTE 51 !
10/09/15 20:08:45 6 AT SCENE 97 !
10/09/15 20:40:18 47 ENROUTE TO STATION ES !
10/09/15 20:44:19 40 IN STATION / OFFICE IS !

U N I T L O C A T I O N S

1 2334 N ROOSEVELT BV Apt: 10/09/15
City: KEYWEST ST: ZIP: Block#: 2300 20:13:50
Common Name: NAPA AUTO PARTS
2 2778 N ROOSEVELT BV Apt: 10/09/15
City: KEYWEST ST: ZIP: Block#: 2700 20:35:11
Common Name: WINN DIXIE

P90 Unit Status History Information

10/09/15 20:05:42 4 DISPATCHED D ! 3600 GAUFILLET, ALE
10/09/15 20:05:42 11 DESIGNATED PRIMARY U P !

10/09/15 20:06:00 32 ENROUTE 51 !
10/09/15 20:13:16 6 AT SCENE 97 !
10/09/15 20:22:00 43 IN CUSTODY/ARRESTED IC !
10/09/15 20:36:09 44 ENROUTE TO JAIL EJ !
10/09/15 20:39:27 6 AT SCENE 97 !
10/09/15 20:56:44 45 AT JAIL AJ !
10/09/15 20:56:53 15 STOP UNIT TIME CHECK SP !
10/09/15 21:05:36 9 STARTED SELF-INITIAT SI !
10/09/15 21:05:47 10 ENDED SELF-INITIATED AV !
10/09/15 21:57:03 16 RESET UNIT TIME CHEC OK !
P96 Unit Status History Information
10/09/15 20:10:36 4 DISPATCHED D ! 3673 BLANCO,DAN
10/09/15 20:10:36 6 AT SCENE 97 !
10/09/15 20:52:01 47 ENROUTE TO STATION ES !
10/09/15 21:50:41 20 AVAILABLE AV !

U N I T L O C A T I O N S

10/09/15 SunGard CAD PAGE 4
22:31:18 CAD CALL INFORMATION 152820327

1 2778 N ROOSEVELT BV Apt: 10/09/15
City: KEYWEST ST: ZIP: Block#: 2700 20:25:54
Common Name: WINN DIXIE

S34 Unit Status History Information

10/09/15 20:13:32 4 DISPATCHED D ! 2807 HALEY,MAT
10/09/15 20:13:32 6 AT SCENE 97 !
10/09/15 20:13:38 32 ENROUTE 51 !
10/09/15 20:16:07 6 AT SCENE 97 !
10/09/15 21:01:46 20 AVAILABLE AV !
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U N I T L O C A T I O N S

1 2334 N ROOSEVELT BV Apt: 10/09/15
City: KEYWEST ST: ZIP: Block#: 2300 20:13:56
Common Name: NAPA AUTO PARTS

D I S P O S I T I O N S

1 136 TASER DISPLAY Case# 1 - 00-000000 Unit: P85
2 055 INC REPORT NUMBER Case# 1 - 15-004541 Unit: P90