

Response to Resistance Report

Key West Police Department

Case No: 19-5636

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: 09.24.19 3. Time: 0115 4. Location: 1221 Duval St 5. Incident type: S36B LEO

6. Resistance Level

- ☐ Passive:
☒ Active:
☒ Aggressive:
☐ Deadly Force:

7. Explanation

Charged at an officer
Grabbed officer's wrist

8. Response Option

- ☐ Physical Control
☒ Non-lethal Weapon
☐ Deadly Force

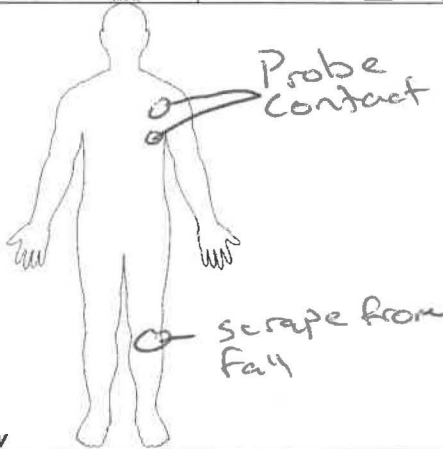
9. Explanation

TASER

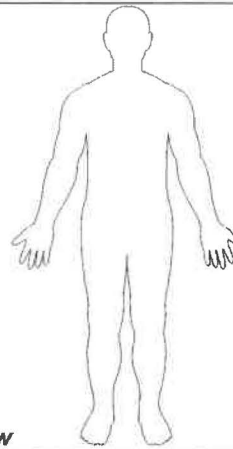
SUBJECT

10. Last Name: Murray 11. First: Michael Shane 12. Race: W 13. Sex: M
14. DOB: 10.06.77 15. Height: 5.09 16. Weight: 175
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

22. Anterior View



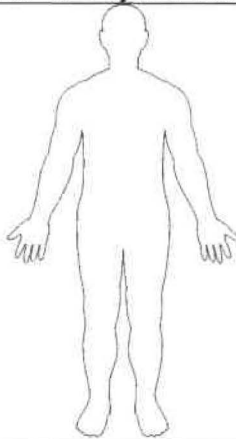
Posterior View



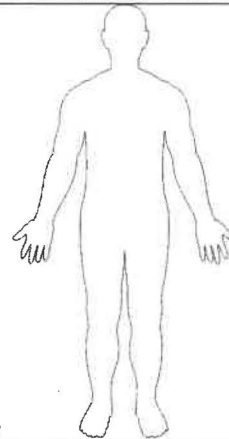
OFFICER

23. Officer: Andrew Hudson 24. Race: W 25. Sex: M 26. Age: 32 27. Height: 6.00 28. Weight: 170
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 5.5
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



Response to Resistance Report (continued)

Key West Police Department

Case No:

19-5636
Error Reference source
not found.

TASER USE ONLY	36. TASER® device serial # X120058EC	37. TASER® device serial #											
	TASER®Cam serial # V21001C88	TASER®Cam serial #											
	Cartridge 1 serial # C41077N2A	Cartridge 1 serial #											
	Cartridge 2 serial #	Cartridge 2 serial #											
	Number of cycles: 2	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: 4'	Target distance at probe launch:											
	Distance between probes: 4"	Distance between probes:											
	Probes removed by (name): A. Hudson	Probes removed by (name):											
Device downloaded by: J Castillo	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.												
	40. Notified Date: 09.24.19 41. Time: 0115												
SUPERVISOR'S INQUIRY	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)												
<table border="1"><thead><tr><th>Name</th><th>Address</th><th>Phone Number</th></tr></thead><tbody><tr><td>Courtney Shaw</td><td>1221 Duval St Key West, FL 33040</td><td>858.333.2846</td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></tbody></table>		Name	Address	Phone Number	Courtney Shaw	1221 Duval St Key West, FL 33040	858.333.2846						
Name	Address	Phone Number											
Courtney Shaw	1221 Duval St Key West, FL 33040	858.333.2846											
INT. AFF.	45. Is further review recommended: ☒ No ☐ Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS												
	46. Preparing Supervisor's Signature / ID 239 09.24.19												
	47. Date												
	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)												
49. Signature of Internal Affairs Inspector 10/1/19													
50. Date													
51. If section 48 is "No" record the Professional Standards Control Number: 52. Date Entered:													

		INCIDENT/INVESTIGATION REPORT						Case# 19-005636		
								Date / Time Reported 09/24/2019 01:12 Tue		
INCIDENT DATA	Agency Name Key West Police Department		ORI FL0440100						Last Known Secure 09/24/2019 01:12 Tue	
	Location of Incident 1221 Duval St, Key West FL 33040-		Premise Type Highway / Street / Road/		Beat/GP B2, GPB2		At Found 09/24/2019 01:12 Tue			
	#1	Crime Incident(s) Battery SCA	(Com)	Weapon / Tools HANDS, FIST, FEET				Activity		
				Entry		Exit		Security		
MO	#2	Crime Incident Obstruction Of Justice XOX	(Com)	Weapon / Tools				Activity		
				Entry		Exit		Security		
	#3	Crime Incident	()	Weapon / Tools				Activity		
				Entry		Exit		Security		
VICTIM	# of Victims 2		Type: SOCIETY/PUBLIC/STATE		Injury:		Domestic: N			
	V1	Victim/Business Name (Last, First, Middle) Society		Victim of Crime # 2	DOB Age	Race	Sex	Relationship To Offender	Resident Status N/A	Military Branch/Status
	Home Address							Home Phone		
	Employer Name/Address						Business Phone		Mobile Phone	
	VYR	Make	Model	Style	Color	Lic/Lis	VIN			
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim) Type: LAW ENFORCEMENT (LEO) Injury: None									
OTHERS INVOLVED	Code V2	Name (Last, First, Middle) HUDSON, ANDREW JOHN		Victim of Crime # 1,	DOB Age 32	Race W	Sex M	Relationship To Offender ST	Resident Status Resident	Military Branch/Status
	Home Address 1604 N Roosevelt Blvd Key West, FL 33040							Home Phone 305-809-1000		
	Employer Name/Address KWPD, 1604 N Roosevelt Blvd						Business Phone		Mobile Phone	
	Type:	Name (Last, First, Middle)		Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	Home Address							Home Phone		
	Employer Name/Address						Business Phone		Mobile Phone	
PROPERTY	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)									
	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description		Make/Model	Serial Number
		35	EVID	\$0.00		1	IN-CAR VIDEO 3940		COBAN	
		35	EVID	\$0.00		1	TASER VIDEO 3940		TASER	
		35	EVID	\$0.00		1	BODYWORN CAMERA 3940		AXON	
Officer/ID# HUDSON, ANDREW JOHN (3940)										
Invest ID# (0)					Supervisor SIMS, FRED CARTER (2301)					
Status	Complainant Signature			Case Status Cleared By Arrest		09/24/2019		Case Disposition: Cleared By Arrest		09/24/2019

Incident Report Additional Name List

Key West Police Department

OCA: 19-005636

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	SHAW, COURTNEY RIANNA		06/24/1993	26	W	F
	Address 7101 Peter Pan Ave , San Diego, CA 92114-		H:888-333-2846			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 19-005636

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found						
D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity

Assisting Officers
SIMS, F.C. (2301), DEHANAS, B.T. (3756), GILLESPIE, A.M. (3757), DANTU, N. (3835), ARGUELLO, V.S. (3917)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

Victim <i>Society</i>	Offense <i>BATTERY</i>	OCA <i>19-005636</i>
		Date / Time Reported <i>Tue 09/24/2019 01:12</i>

On 09/24/2019 at approximately 0112, while on routine patrol in the City of Key West, I was dispatched to 1221 Duval Street (VIP Gentlemens Club) reference a male in front of the business making the workers feel uncomfortable. The caller stated the male was wearing a coral color shirt, had a gray beard and believed the subject was acting as if he was deaf.

On arrival I saw a male matching the above description standing in the middle of Duval St. I called out to the subject, who was later identified as Michael S. Murray DOB 10/06/1977, to come to the side of the roadway to speak with me. Murray then shook his head no, put both hands in the air with his fists balled and middle fingers extended. I walked to Murray and pointed to the sidewalk. Murray again shook his head no. I placed my right hand on his left shoulder in an effort to lead him to the sidewalk. Murray grabbed both of my hands and began to aggressively push toward me. I was able to free my hands.

Officer Dantu attempted to gain control of Murray by taking him by his wrists. Murray began to become more aggressive by pushing and pulling. I then drew my agency issued TASER, gave loud repetitive verbal warnings and deployed one full cycle. Both probes from the cartridge penetrated Murray's shirt and stuck into his front left chest abdomen area. Murray fell to the ground and removed the lower probe. Officer Dantu attempted to gain control of Murray's hands. Murray again refused to comply and would not roll onto his stomach. I then used my TASER and applied one drive stun cycle to his lower left thigh. Murray then complied, rolled onto his stomach and placed his hands behind his back. It should be noted, at this time I could smell a strong odor of alcoholic beverage coming from Murray.

Murray was walked to the side of the roadway where I removed to last remaining TASER probe.

Sergeant Sims was notified and responded.

I did observed two signature marks on Murray's chest area from the deployed barbs.

Rescue responded at which time Murray refused medical attention.

I then met with an employee of VIP, Courtney R. Shaw DOB 06/24/1993, who told me Murray had been in front of the business for a long period of time. She said they tried to help him by giving him a pen and paper. He wrote on the paper that he is deaf and for her to call the police on him. He also wrote, "I'm not happy on this island". She also stated he was in the middle of Duval pointing both his middle fingers at her.

Shaw provided a sworn written statement detailing what she witnessed.

Murray was then placed under arrest for Obstruction and Battery on LEO. Murray was placed into the rear passenger seat of my patrol car with camera active. Murray was transported to the Monroe County Detention Center without incident.

All of the above was captured on my bodyworn, in-car and TASER cameras.

The TASER cartridge was placed into property as evidence.

Nothing further at this time.

Incident Report Suspect List

Key West Police Department

OCA: 19-005636

1	Name (Last, First, Middle) <i>MURRAY, MICHAEL SHANE</i>						Also Known As			Home Address <i>5537 COLLEGE RD KEY WEST, FL 33040</i>																																						
	Business Address <i>UNKNOWN, UNKNOWN, UNKNOWN</i>																																															
	DOB <i>10/06/1977</i>	Age <i>41</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>U</i>	Hgt <i>509</i>	Wgt <i>155</i>	Hair <i>BLN</i>	Eye <i>BRO</i>	Skin <i>FAR</i>	Driver's License / State. <i>M600557773660 FL</i>																																					
	Scars, Marks, Tattoos, or other distinguishing features																																															
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td>SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="3">Model</td> <td>Color</td> <td>Caliber</td> <td colspan="2">Dir of Travel</td> <td>Mode of Travel</td> </tr> <tr> <td colspan="2">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="3">VIN</td> </tr> </table>													Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight		SSN	Weapon, Type	Feature	Make		Model			Color	Caliber	Dir of Travel		Mode of Travel	VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN		
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VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN																																							

Notes

Physical Char

*BUILD / MEDIUM, VERAGE
HAIR TYPE, SHORT*

Incident Report Related Property List

Key West Police Department

OCA: 19-005636

1 Property Description IN-CAR VIDEO 3940		Make COBAN		Model		Caliber	
Color	Serial No.	Value \$0.00		Qty 1.000	Unit EA	Jurisdiction Locally	
Status Evidence	Date 09/24/2019	NIC #	State #	Local #		OAN	
Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex

Notes

2 Property Description TASER VIDEO 3940		Make TASER		Model		Caliber	
Color	Serial No.	Value \$0.00		Qty 1.000	Unit EA	Jurisdiction Locally	
Status Evidence	Date 09/24/2019	NIC #	State #	Local #		OAN	
Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex

Notes

3 Property Description BODYWORN CAMERA 3940		Make AXON		Model		Caliber	
Color	Serial No.	Value \$0.00		Qty 1.000	Unit EA	Jurisdiction Locally	
Status Evidence	Date 09/24/2019	NIC #	State #	Local #		OAN	
Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex

Notes

CASE SUPPLEMENTAL REPORT

Printed: 10/01/2019 11:33

Key West Police Department

OCA: **19005636**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *09/24/2019*Offense: *BATTERY*Investigator: *DANTU, NICHOLAS (3835)*Date / Time: *09/24/2019 04:13:44, Tuesday*Supervisor: *SIMS, FRED CARTER (2301)*Supervisor Review Date / Time: *09/24/2019 05:04:16, Tuesday*Contact: *Murray, Michael Shane
5537 College Rd, Key West*Reference: *General Supplemental Report*

On 9/24/2019, at about 0112 hrs, I (Ofc. Dantu) was dispatched to 1221 Duval Street in reference to a person causing a disturbance at the VIP Gentleman's Club.

Upon arrival, I saw Ofc. Hudson communicating with Michael Murray. Ofc. Hudson was using his hands to communicate because Murray was hearing impaired.

I observed Murray giving/showing his middle finger on both hands to Ofc. Hudson. I observed Murray grab Ofc. Hudson by both of Ofc. Hudson's wrists.

When Murray grabbed Ofc. Hudson's wrists I attempted to restrain Murray by grabbing hold of his arms and breaking his grip from Ofc. Hudson. I attempted to place Murray's hands behind his back in order to handcuff Murray. Murray resisted.

Ofc. Hudson said TASER, TASER, TASER. I let go of Murray. Ofc. Hudson TASED Murray. Murray slowly sat on the ground.

I attempted to handcuff Murray. Murray resisted once again. Ofc. Hudson used his TASER to drive stun Murray. I handcuffed Murray. Ofc. Hudson and I escorted Murray to the side of the street.

Murray became calm. I obtained a witness statement form from Courtney Shaw who works at the VIP Gentleman's Club at 1221 Duval Street. Shaw witnessed the event that took place.

Ofc. Hudson arrested Murray and transported Murray to Monroe County Detention Center.

I uploaded my BWC footage to evidence.com

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 10/01/2019 11:33

*Key West Police Department*OCA: **19005636**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:** *09/24/2019***Offense:** *BATTERY***Investigator:** *DANTU, NICHOLAS (3835)***Date / Time:** *09/25/2019 04:49:22, Wednesday***Supervisor:** *SIMS, FRED CARTER (2301)***Supervisor Review Date / Time:** *09/25/2019 05:17:42, Wednesday***Contact:****Reference:** *General Supplemental Report*

On 9/24/2019, I (Ofc. Dantu) came into work and picked up the wrong AXON camera and attached it to my vest. I picked up Ofc. Litton's camera and continued to use it until about 0430 before I realized I had picked up the wrong camera.

I uploaded the footage to evidence.com
I let Sgt. Sims know what had happened.

Sgt. Sims was able to log into evidence.com, access Ofc. Litton's AXON account and categorize all six videos that I had recorded on Ofc. Litton's AXON camera.

Investigator Signature

Supervisor Signature