

# Response to Resistance Report

Key West Police Department

Case No: 21-3356

**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)

**2. Date:** 06/26/2021      **3. Time:** 0145 Hrs      **4. Location:** 200 block Duval St.      **5. Incident type:** Trespassing/Resist

INCIDENT	<b>6. Resistance Level</b>	<b>7. Explanation</b>	<b>8. Response Option</b>	<b>9. Explanation</b>
	<input checked="" type="checkbox"/> Passive: <input checked="" type="checkbox"/> Active: <input type="checkbox"/> Aggressive: <input type="checkbox"/> Deadly Force:	Failing to comply Fleeing on foot	<input type="checkbox"/> Physical Control <input checked="" type="checkbox"/> Non-lethal Weapon <input type="checkbox"/> Deadly Force	TASER

**10. Last Name:** Tenor      **11. First:** Alfieri      **12. Race:** B      **13. Sex:** M

**14. DOB:** 11/07/1991      **15. Height:** 6'04      **16. Weight:** 190

**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	<b>22. Anterior View</b>	<b>Posterior View</b>

**23. Officer:** Andrew Litton      **24. W**      **25. Sex:** M      **26. Age:** 31      **27. Height:** 5'09"      **28. Weigh:** 205 lbs

**29. Duty Status:**  On-duty  Off-duty  Extra duty employment  Uniformed  Plain clothes      **30. Yrs Exp:** 2.5

**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:** Arm bar escort to the ground.

OFFICER	<b>35. Anterior View</b>	<b>Posterior View</b>

# Response to Resistance Report (continued)

Key West Police Department

Case No: 21-3356

<b>TASER USE ONLY</b>	<b>36. TASER® device serial # X1200CT7Y</b>		<b>37. TASER® device serial #</b>		
	TASER®Cam serial # V21002AT8		TASER®Cam serial #		
	Cartridge 1 serial # <b>C41079T7E</b>		Cartridge 1 serial #		
	Cartridge 2 serial #		Cartridge 2 serial #		
	Number of cycles: 1		Number of cycles:		
	Type of contact: <input checked="" type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun		Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun		
	Did probes penetrate skin: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No		
	Target distance at probe launch: 15-20 Feet		Target distance at probe launch:		
	Distance between probes: 20-24 Inches		Distance between probes:		
	Probes removed by (name): Ofc. Litton		Probes removed by (name):		
Device downloaded by: Sgt. Stockton		Device downloaded by:			
<input checked="" type="checkbox"/> <b>38. Check and list any additional TASER® devices, cartridges or details in the incident description section.</b>					
<b>REPORT</b>	<b>39. Offense/Incident Report and/or Warrant Affidavit must include:</b>				
	<input checked="" type="checkbox"/> All necessary criminal elements.				
	<input checked="" type="checkbox"/> All details of the arrest				
	<input checked="" type="checkbox"/> Details articulating the subject's words, mannerisms and actions that justify the use of force.				
	<input checked="" type="checkbox"/> Details outlining the response to resistance utilized by each officer.				
	<input checked="" type="checkbox"/> Detailed description of injury complaints and/or observed injuries				
<input checked="" type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.					
<b>SUPERVISOR'S INQUIRY</b>	<b>40. Notified Date:</b> 06/26/2021		<b>41. Time:</b> 0150 hrs		
	<b>42. Did you respond to the scene:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "No", explain why)				
	I responded to LKMC to complete RRI. Was unable to respond to initial scene due to other priority calls.				
	<b>43. Did you watch all relevant videos associated with the use of force?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	<b>44. Did you meet with the Officer(s):</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	<b>45. During your review did you find any potential policy violations or training issues associated with the incident?</b>				
	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
	<b>46. Were you able to locate any independent witnesses:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
	Name		Address		Phone Number
<b>47. Is further review recommended:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		3022		06/26/2021	
<b>FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS</b>		48. Preparing Supervisor's Signature / ID		49. Date	
<b>INT. AFF.</b>	<b>50. Did the review of this incident conclude that use of force was in compliance with Departmental policy?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", complete section 51)		3317		6/30/2021
			51. Signature of Internal Affairs Inspector		52. Date
	<b>53. If section 48 is "No" record the Professional Standards Control Number:</b>		<b>54. Date Entered:</b>		

# INCIDENT/INVESTIGATION REPORT

I N C I D E N T  D A T A	Agency Name <i>Key West Police Department</i>	Case# <i>21-003356</i>
	ORI <i>FL0440100</i>	Date / Time Reported <i>06/26/2021 01:45 Sat</i>
	Location of Incident <i>202 DUVAL ST, Key West FL 33040-</i>	Premise Type <i>Bar / Nightclub / Lounge</i>
	#1 Crime Incident(s) <i>Disorderly Conduct DCA</i>	Weapon / Tools <i>NOT APPLICABLE/NONE</i>
		Beat/GP <i>B1, GPB1</i>
#2 Crime Incident <i>Resist Arrest / Escape XOM</i>	At Found <i>06/26/2021 01:45 Sat</i>	

D A T A	MO	
	# of Victims <i>2</i>	Type: <i>BUSINESS</i>
	Injury: _____ Domestic: <i>N</i>	
	V1	Victim/Business Name (Last, First, Middle) <i>RICKS</i>
	Home Address <i>202 DUVAL ST, Key West, FL 33040-</i>	Home Phone

V I C T I M	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: <i>SOCIETY/PUBLIC/STATE</i>	Injury: _____			

O T H E R S	Code <i>V2</i>		Name (Last, First, Middle) <i>SOCIETY</i>	Victim of Crime # <i>2</i>	DOB <i>//</i>	Race	Sex	Relationship To Offender <i>ST</i>	Resident Status <i>N/A</i>	Military Branch/Status	
	Home Address									Home Phone	
	Employer Name/Address							Business Phone	Mobile Phone		
	Code		Name (Last, First, Middle)		Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	Home Address									Home Phone	

I N V O L V E D	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
	<i>35</i>	<i>EVID</i>		<i>\$0.00</i>		<i>1</i>	<i>AXON BWC 3958</i>			
	<i>35</i>	<i>EVID</i>		<i>\$0.00</i>		<i>1</i>	<i>CD W/ SURVEILLANCE FOOTAGE</i>			
	<i>99</i>	<i>EVID</i>		<i>\$0.00</i>		<i>1</i>	<i>SPENT TASER CARTRIDGE</i>			

P R O P E R T Y	Officer/ID# <i>LITTON, ANDREW J. (3958)</i>	Invest ID# <i>(0)</i>	Supervisor <i>(0)</i>
	Status	Complainant Signature	Case Status <i>Cleared By Arrest</i>
	Case Disposition: <i>Cleared By Arrest</i>	<i>06/26/2021</i>	<i>06/26/2021</i>

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-003356

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S						

Assisting Officers  
*TORRECILLAS, J. (3759), PEREZ, R. (4010), MALAK, T.J. (4045), HOWELL, W.N. (4059)*

Suspect Hate / Bias Motivated:

NARRATIVE

## REPORTING OFFICER NARRATIVE

Key West Police Department

		OCA 21-003356
Victim RICKS	Offense DISORDERLY CONDUCT	Date / Time Reported Sat 06/26/2021 01:45

On 06/26/2021 at approximately 0130 hours, I (Ofc. A. Litton) was on foot patrol of the 200 block of Duval Street when the staff at Rick's Bar, 202 Duval Street, witnessed a liquid dripping from the upstairs balcony onto the walkway below.

The Rick's Bar staff was unsure what the liquid was, so they cordoned the area while I witnessed them stop dozens of patrons from walking under the dripping liquid, while some patrons ignored the staff's request and walked through the puddle on the ground. The managers quickly reviewed the video surveillance footage and identified a subject with a vibrant, multicolored shirt and a distinguishable hairstyle, black dreadlock style with blonde tips, urinating in the far corner of the balcony above Angelina's Pizzeria. The Rick's Bar staff located the subject and escorted him downstairs and out of the bar. The staff members informed me the video showed it was indeed urine dripping from the upstairs balcony and told me they had the suspect already out of the bar.

I walked to the entrance to the upstairs of Rick's Bar complex to speak with the managers and the suspect, later identified as Alfieri Tenor. The manager of Rick's Bar was speaking with Tenor and showed him the video of him on his cell phone. Tenor agreed with the manager stating he was in the corner, however he was only dancing and not urinating. The management staff informed me they wished to have Tenor issued a trespass warning for the property so he could no longer return to Rick's Bar.

I requested Tenor's ID when he turned his back to me and began to walk away, into Duval Street between two taxis parked in the taxi stand. I told Tenor to stop walking away from me when he turned to face me but continued to back away. Tenor stated, "I'm walking away from you," and continued to step away. I attempted to grab Tenor's arm when he quickly turned and ran North on Duval Street. I ran after Tenor who entered the intersection of Duval Street and Greene Street when I deployed my Key West Police issued Taser. The Taser probes struck Tenor in the middle of his back and his right buttocks, achieving neuro-muscular incapacitation, causing Tenor's momentum to carry him forward onto his stomach. Tenor struck his left eyebrow on the street causing a laceration above his eye. Tenor's hands also remained under him as he fell causing minor abrasions to both his wrists. Officer N. Howell assisted to turn Tenor onto his stomach when I placed him in handcuffs.

We sat Tenor on the curb to await Key West Rescue 2's arrival. Tenor remained seated as he continued to not follow commands given and appeared to remain a flight risk. I removed the Taser probes from Tenor's back and buttocks and placed them in an evidence bag along with the spent Taser cartridge and the RFIDs I located in the street. Tenor was placed in the ambulance and Key West Rescue 2 transported him to Lower Keys Medical Center for treatment. Officer N. Howell rode in the ambulance and was met at the hospital by Sergeant D. Kouri and me. Once at the hospital, Officer N. Howell photographed Tenor's injuries and sent them to me to later upload to Evidence.com. Tenor's injuries were treated at Lower Keys Medical Center where he was medically cleared for me to transport him to MCDC without further incident. I attempted to photograph where the Taser probes struck Tenor but remaining uncooperative with detention deputies and myself, I was unable to photograph the second probe.

Axon BWC was activated during this incident and later uploaded to Evidence.com along with photos taken at the scene and of Tenor's injuries. Officer N. Howell obtained a copy of the surveillance footage which I later placed into Key West Police property.

Based on the facts and evidence of this case, Alfieri Tenor violated FSS 509.143, disorderly conduct on the premise of a licensed establishment. After a liquid substance was noticed dripping from the balcony above Angelina's Pizzeria, Rick's Bar staff quickly identified Alfieri Tenor from video surveillance urinating from the upstairs

**REPORTING OFFICER NARRATIVE**

*Key West Police Department*

OCA <i>21-003356</i>
Date / Time Reported <i>Sat 06/26/2021 01:45</i>

Victim <i>RICKS</i>	Offense <i>DISORDERLY CONDUCT</i>
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balcony. Tenor admitted to being the person in the security video where the urine originated from. Rick`s Bar staff attempted to cordon the area the best they could, but I witnessed people step in the urine and almost have it dripped on them as they walked out of the establishment. Tenor`s actions of urinating from the upstairs balcony in a crowded bar are of a nature to corrupt the public morals and outrage the sense of public decency.

Based on the facts and evidence of this case, Alfieri Tenor violated FSS 843.02, resisting an officer without violence. Tenor refused to identify himself during a trespassing investigation stemming from him urinating off the second story balcony of Rick`s Bar. Tenor backed away from officers until he was able to quickly turn and attempt to run away. Tenor was ultimately met with incapacitating Taser deployment to prevent his escape.

# Incident Report Suspect List

Key West Police Department

OCA: 21-003356

<b>1</b>	Name (Last, First, Middle) <i>TENOR, ALFIERI RAMIRO</i>					Also Known As					Home Address <i>10160 REFLECTIONS BLVD - 207 SUNRISE, FL 33351</i>				
	Business Address														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.					
<i>11/07/1991</i>	<i>29</i>	<i>B</i>	<i>M</i>	<i>N</i>	<i>604</i>		<i>BLK</i>	<i>BRO</i>	<i>MED</i>	<i>T560016914070 FL</i>					
Scars, Marks, Tattoos, or other distinguishing features															
<b>Reported Suspect Detail</b>															
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							
Notes										Physical Char					

## Incident Report Related Property List

Key West Police Department

OCA: 21-003356
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<b>1</b>	Property Description <b>AXON BWC 3958</b>	Make	Model	Caliber
	Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>
	Status <b>Evidence</b>	Date <b>06/26/2021</b>	NIC #	State #
	Name (Last, First, Middle)		DOB	Age
			Race	Sex
	Jurisdiction <b>Locally</b>			
	Date <b>06/26/2021</b>		Local #	OAN

Notes

<b>2</b>	Property Description <b>CD W/ SURVEILLANCE FOOTAGE</b>	Make	Model	Caliber
	Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>
	Status <b>Evidence</b>	Date <b>06/26/2021</b>	NIC #	State #
	Name (Last, First, Middle)		DOB	Age
			Race	Sex
	Jurisdiction <b>Locally</b>			
	Date <b>06/26/2021</b>		Local #	OAN

Notes

<b>3</b>	Property Description <b>SPENT TASER CARTRIDGE</b>	Make	Model	Caliber
	Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>
	Status <b>Evidence</b>	Date <b>06/26/2021</b>	NIC #	State #
	Name (Last, First, Middle)		DOB	Age
			Race	Sex
	Jurisdiction <b>Locally</b>			
	Date <b>06/26/2021</b>		Local #	OAN

Notes



**CASE SUPPLEMENTAL REPORT**  
*NOT SUPERVISOR APPROVED*

Printed: 06/27/2021 19:24

OCA: **21003356**

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Investigator: *HOWELL, WILLIAM N (4059)*

Date / Time: *06/26/2021 01:45:03, Saturday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

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On Saturday, 06/26/2021 at approximately 0145 hours; Ofc. Litton and I (Ofc. Howell) were on a foot patrol of the 200 Block of Duval Street. Ofc. Litton and I were flagged down by Rick's Bar security and managers regarding an unknown male subject possibly trespassing.

Ofc. Litton and I met with Rick's Bar managers Raymundo M. Acedera (DOB: 03/15/1985, Witness) and Mirta D. Valdez (DOB: 09/17/1985, Witness) who stated an unknown black male subject urinated from the Rick's Up Dance Bar balcony, onto the public sidewalk below. Acedera and Valdez provided Ofc. Litton and I security footage of the incident however stated they only wished to trespass the unknown black male subject.

Ofc. Litton and I approached the unknown black male subject and asked for his identification. The unknown black male subject refused at least twice while backing away from us. Ofc. Litton and I later identified the unknown black male subject, by his Florida Driver's License, as Alfieri R. Tenor (DOB: 11/07/1991, Arrestee). Tenor walked past Ofc. Litton and I, towards Duval Street. Tenor fled, on foot, running north towards Greene Street. Ofc. Litton and I followed Tenor. As we neared Greene Street, due to Tenor's level of resistance rising by fleeing, Ofc. Litton displayed and deployed his taser. Tenor fell within the intersection of Duval Street and Greene Street. I immediately grabbed Tenor's wrists and assisted Ofc. Litton in handcuffing Tenor. Ofc. Litton and I searched Tenor's pockets for weapons, subsequent to detention, and sat Tenor on the nearby curb. I instructed Tenor to cross his ankles to prevent him from attempting to flee again. Ofc. Litton removed the taser prongs from Tenor's lower back and right shoulder. Tenor continuously attempted to struggle with me and to stand to his feet. Tenor yelled and screamed throughout the encounter, accusing Ofc. Litton and I of being "racist" and screaming, "You only handcuffed me because I'm black." Ofc. Litton and I placed Tenor in the recovery position while waiting for Key West Fire/Rescue arrive. Tenor continuously screamed and yelled obscenities after Key West Fire/Rescue was on scene.

After Key West Fire/Rescue arrived on scene and cleaned Tenor's injuries, Ofc. Litton and I escorted Tenor to the ambulance. Tenor was transported to Lower Keys Medical Center in Rescue 2. Tenor continuously made aggressive actions/statements towards Ofc. Litton and I as well as the Key West Fire/Rescue and constantly attempted to stand up to flee on foot again. I rode in the transport due to Tenor's aggressive actions.

Ofc. Litton met Rescue 2 at Lower Keys Medical Center. Ofc. Litton transported Tenor to Monroe County Detention Center after Tenor was medically cleared. I returned to the scene at 202 Duval Street and retrieved a copy of the security footage from Valdez. Valdez burned a copy of the security footage showing Tenor urinating from the balcony and fleeing on foot from Ofc. Litton and me, onto a DVD. I uploaded copies of the security footage to Evidence.com and Ofc. Litton submitted the DVD to Key West Property and Evidence.

My BWC was activated for the foot chase, tasing, encounter, subsequent search of Tenor and transport to Lower Keys

Investigator Signature: \_\_\_\_\_

**CASE SUPPLEMENTAL REPORT**  
*NOT SUPERVISOR APPROVED*

Printed: 06/27/2021 19:24

OCA: **21003356**

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Investigator: *HOWELL, WILLIAM N (4059)*

Date / Time: *06/26/2021 01:45:03, Saturday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

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Medical Center. I uploaded the videos to Evidence.com.

At this time, no further information.

Investigator Signature: \_\_\_\_\_