

Response to Resistance Report

Key West Police Department

Case No: 15-401399/15-401400

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: 09/02/15 3. Time: 0028 hrs 4. Location: 1213 14th Street 5. Incident type: Critical Crash

6. Resistance Level 7. Explanation 8. Response Option 9. Explanation

- ☐ Passive: ☐ Physical Control
☒ Active: Fled from officer ☒ Non-lethal Weapon TASER
☐ Aggressive: ☐ Deadly Force
☐ Deadly Force:

SUBJECT

10. Last Name: Mendoza-Zapata 11. First: Ramon 12. Race: Hisp 13. Sex: Male

14. DOB: 03/11/88 15. Height: 5'-7" 16. Weight: 167

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

Small cuts
Pre-existing
From crash

Small cuts
Pre-existing
From crash

Small
cuts from
Pre-existing
crash

22. Anterior View

Probe 1

Probe 2

Posterior View

OFFICER

23. Officer: David Fraga 24. Race: W 25. Sex: M 26. Age: 27 27. Height: 5' 11" 28. Weight: 280

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 3

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) 36

35. Anterior View

Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 15-401399/15-401400

TASER USE ONLY	36. TASER® device serial # X12002KXF		37. TASER® device serial #	
	TASER®Cam serial # V21000VHM		TASER®Cam serial #	
	Cartridge 1 serial # C41032A4K		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: 8 Foot		Target distance at probe launch:	
	Distance between probes: 14"		Distance between probes:	
	Probes removed by (name): Leahy/ Rescue		Probes removed by (name):	
Device downloaded by: Sgt. F. Duponty		Device downloaded by:		
<input type="checkbox"/> 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: <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.			
	40. Notified Date: 09/02/2015 41. Time: 0029 hrs			
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
SUPERVISOR'S INQUIRY	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	44. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	Name	Address	Phone Number	
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS				
46. Preparing Supervisor's Signature / ID <i>Sgt. Frank Duponty 1951</i>		47. Date 09/02/2015		
48. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", complete section 51)		49. Signature of Internal Affairs Inspector <i>Sgt. R. Smith #2935</i>		
50. Date 9/8/15		51. If section 48 is "No" record the Professional Standards Control Number:		
52. Date Entered:		53. Date Entered:		

Key West Police Department

Report 09/02/2015 02:57

Incident Report

Case # 01-15-401400

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-401400	09/02/2015 02:57	09/02/2015 00:22	09/02/2015 00:23	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	TRAFFIC RELATED OFFENSE (CRIMINAL)		CLEARED BY ARREST	09/05/2015	09/02/2015 02:35
	Common Name				
STADIUM MOBILE HOME PARK - 1213 14TH ST KEY WEST, FL 33040 (MONROE County)					
Day of Week : WEDNESDAY					
Dispatched : 09/02/2015 00:24					
Responded : 09/02/2015 00:24					
Arrived : 09/02/2015 00:28					
Related Cases : 15-401399[TRAF-TRAFFIC ACCIDENTS]					
Location Type : HIGHWAY/ROADWAY					
Beat Assignment : 5					
Alcohol Related : Yes					
Drug Related : Unknown					
Total Damaged Property Value : \$0.00					
Total Stolen Property Value : \$0.00					
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
	HIGHWAY/ROADWAY		09/02/2015
Federal Classification : FLEE/ELUDE POLICE FAIL TO OBEY LEO ORDER TO STOP-316.1935(1)		State Disposition : ADULT/ADULT+JUVENILES	
RAMON MENDOZA-ZAPATA (SUSP,Primary Role);		Federal Disposition : CLEARED BY ARREST	
STATE OF FLORIDA (VICT,Primary Role)		# of People Arrested : 1	
Computer Theft : No			
Evidence Collected : Yes			
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		09/02/2015
Federal Classification : RESIST OFFICER OBSTRUCT WO VIOLENCE-843.02		State Disposition : ADULT/ADULT+JUVENILES	
RAMON MENDOZA-ZAPATA (SUSP,Primary Role);		Federal Disposition : CLEARED BY ARREST	
STATE OF FLORIDA (VICT,Primary Role)		# of People Arrested : 1	
Computer Theft : No			
Evidence Collected : Yes			
End of Offense: 2			

O F F E N S E 3	State Classification		Attempted/Committed
	Statute/Ordinance		COMMITTED
	Location Type		Disposition Date
	HIGHWAY/ROADWAY		09/02/2015
Federal Classification : TRAFFIC VIOL OPERATE MOTOR VEHICLE WO VALID LICENSE-322.03(1)		State Disposition : ADULT/ADULT+JUVENILES	
RAMON MENDOZA-ZAPATA (SUSP,Primary Role);		Federal Disposition : CLEARED BY ARREST	
STATE OF FLORIDA (VICT,Primary Role)		# of People Arrested : 1	
Computer Theft : No			
Evidence Collected : Yes			
End of Offense: 3			

P E R S O N 1	Person Type	Business/Person Name			Business Phone
	SUSPECT/ARRESTEE	RAMON URIEL MENDOZA-ZAPATA			
	Home Phone	Person Address			
		6500 MALONEY AV Apt. 52 KEY WEST FL 33040 ,MONROE County			
	Other Phone	Employer Address			
Race	Sex	SSN	DL Exp. Date	DL Number	
WHITE	Male			M532738880910	
Birth Date	Birth Place				

Reporting Officer	Department	Report Status:
DAVID PAUL FRAGA (3464)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT DONALD JULIAN BARRIOS (1850)	KEY WEST POLICE DEPARTMENT	09/05/2015 05:40

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Key West Police Department

Report 09/02/2015 02:57

Incident Report

Case # 01-15-401400

03/11/1988		
Age : 27	Hair Color : BLACK	
DL State : FL	Hair Length : MEDIUM	
DL Country : UNITED STATES	Hair Style : UNCOMBED	
Ethnic Origin : HISPANIC	Facial Hair : GOTEE	
Min. Height : 5'07"	Teeth : VERY WHITE	
Min. Weight : 175 lbs	Eye Color : BROWN	
Adult/Juvenile : ADULT	Build : MEDIUM/AVERAGE	
Relationship : STRANGER OF STATE OF FLORIDA	Complexion : TANNED	
Extent of Injury : MINOR	Glasses : No	
Medical Treatment : TREATED AT THE SCENE	Hand Use : RIGHT HANDED	
Coat : NONE	Status : ARRESTEE	
Hat : NONE	Speech : SLURRED	
Shirt : RED SHIRT	Residency Type : COUNTY	
Pants : PANTS	Residency Status : FULL YEAR	
Shoes : CROCS	Body Marks:	
End of Person: 1		

P E R S O N 2	Person Type	Business/Person Name			Business Phone
	VICTIM	STATE OF FLORIDA			
	Home Phone	Person Address			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	DL Number
	Birth Date	Birth Place			
Relationship : STRANGER OF RAMON MENDOZA-ZAPATA					
Victim Type : GOVERNMENT					
Will File Charges : Yes					
Can Identify Offender : Yes					
Extent of Injury : NONE					
Medical Treatment : NOT NEEDED					
Body Marks:					
End of Person: 2					

P E R S O N 3	Person Type	Business/Person Name			Business Phone
	VICTIM	JUAN MANUEL TOVAR			
	Home Phone	Person Address			
	(305) 942-1116	4 11TH AV KEY WEST FL 33040 ,MONROE County			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	DL Number
WHITE	Male			T164337126300	
Birth Date	Birth Place				
07/23/1971					
Age : 44					
DL State : FL					
DL Country : UNITED STATES					
Ethnic Origin : HISPANIC					
Adult/Juvenile : ADULT					
Relationship : STRANGER OF RAMON MENDOZA-ZAPATA					
Body Marks:					
End of Person: 3					

V E H I C L E 1	Tag #	Tag Expiration	Year	Make	Model	Vehicle Style
	026WSR	05/21/2016	2009	KIA	ACCENT	
	Tag Country	Tag State	Vehicle Type		VIN	Category
	UNITED STATES	AR			KMHCHN46C79U312941	
Top Color : SILVER						
Damage Code : DURING OTHER OFFENSE						
Keys in Vehicle : Yes						
Vehicle Locked : No						
Association : OWNER IS RAMON MENDOZA-ZAPATA						
End of Vehicle: 1						

Reporting Officer	Department	Report Status:
DAVID PAUL FRAGA (3464)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT DONALD JULIAN BARRIOS (1850)	KEY WEST POLICE DEPARTMENT	09/05/2015 05:40

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Key West Police Department

Report 09/02/2015 02:57

Incident Report

Case # 01-15-401400

P R O P E R T Y 1	Category EVIDENCE/SEIZED	Property Type DIGITAL DISK	Make	Model
	Serial #	Color	Description CD W/ PHOTOS	Condition
	UCR Type : MISCELLANEOUS Quantity/Weight : 1 Value : \$1.00 Rec. Officer : FRAGA, DAVID P.		Recovery Location : Use Address from Incident Location Information Recovered By : OFC. FRAGA Recovery Date and Time : 09/02/2015 00:30 Recovery Value : \$1.00	
	End of Property: 1			

P R O P E R T Y 2	Category EVIDENCE/SEIZED	Property Type TASER CARTRIDGE	Make	Model
	Serial # C41032A4K	Color	Description SPENT TASER CARTRIDGE	Condition
	UCR Type : MISCELLANEOUS Quantity/Weight : 1 Value : \$1.00 Rec. Officer : FRAGA, DAVID P.		Recovery Location : Use Address from Incident Location Information Recovered By : OFC. FRAGA Recovery Date and Time : 09/02/2015 00:30 Recovery Value : \$1.00	
	End of Property: 2			

P R O P E R T Y 3	Category EVIDENCE/SEIZED	Property Type AFIDS	Make	Model
	Serial # C41032A4K	Color	Description AFIDS FROM TASER	Condition
	UCR Type : MISCELLANEOUS Quantity/Weight : 1 Value : \$1.00 Recovery Location : Use Address from Incident Location Information		Recovered By : OFC. FRAGA Recovery Date and Time : 09/02/2015 00:30 Recovery Value : \$1.00	
	End of Property: 3			

P R O P E R T Y 4	Category EVIDENCE/SEIZED	Property Type DVD	Make	Model
	Serial #	Color	Description TASER VIDEO	Condition
	UCR Type : MISCELLANEOUS Quantity/Weight : 1 Value : \$1.00 Rec. Officer : FRAGA, DAVID P. Recovery Location : KEY WEST POLICE DEPARTMENT		Recovery Location : 1604 N ROOSEVELT BV KEY WEST FL 33040 Recovered By : OFC. FRAGA Recovery Date and Time : 09/02/2015 00:30 Recovery Value : \$1.00	
	End of Property: 4			

N A R R A T I V E 1	Topic ORIGINAL
	<p>On 09/02/15 at approximately 0024 hours, I (Ofc. Fraga) was dispatched to 5th Street and North Roosevelt Blvd. reference a hit and run traffic accident with injuries (KWPD CASE # 15-401399) Due to the distance I was from the accident scene, I went looking for the suspect vehicle. Dispatch advised the vehicle was silver in color and had a broken windshield.</p> <p>I went West down Flagler and attempted to look for the vehicle. As I approached Kennedy and Flagler Ave., I observed a silver car with a shattered windshield driving East on Flagler. The vehicle had an abundant amount of front end damage and was smoking as well. I made a U-Turn at Kennedy Drive and got behind the silver vehicle. The vehicle was a Hyundai Accent bearing Arkansas tag 026WSR.</p>

Reporting Officer DAVID PAUL FRAGA (3464)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/05/2015 05:40

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Key West Police Department

Report 09/02/2015 02:57

Incident Report

Case # 01-15-401400

I turned on my blue overhead lights and activated my siren. The vehicle pulled into the turning lane at Flagler Ave. and 14th Street, stopped, and continued driving North on 14th Street. I followed behind the vehicle for about 1300 Feet with my blue lights on and using my siren. The Kia finally drove over a sidewalk and headed towards the office building at Stadium Mobile Home Park. I exited my vehicle and ran to the driver side of the Kia. I ordered the driver, later identified as Ramon Mendoza out of his vehicle. Mendoza did not have the vehicle in park, when he exited, his vehicle crashed into a wooden railing causing minor damage.

I ordered Mendoza to get on the ground. I had my X26P Taser pointed at Mendoza. Mendoza walked towards me slowly and after several verbal commands to "get on the ground," Mendoza began to lay on the ground belly first. Mendoza then jumped up and begin running. I activated my Taser and struck Mendoza in the left forearm and bicep. The Taser ran for one cycle (5 seconds) and caused NMI (Neuromuscular Incapacitation) causing Mendoza to fall to the ground.

Ofc. Leahy arrived on scene shortly after and detained Mendoza while he was on the ground. Mendoza was assisted off the ground and KWFD Rescue was called to the scene to remove probes and evaluate Mendoza. While standing next to Mendoza I could smell a strong odor of alcohol coming from his person. After Mendoza was evaluated he was placed into the rear of my patrol vehicle. A check in F/NCIC revealed Mendoza does not have a license. Mendoza was subsequently arrested on other charges (KWPD CASE# 15-401399).

I transported Mendoza to the Monroe County Detention Center without incident. My COBAN was running during the incident. My BWC was activated shortly after Mendoza was tased.

CASE STATUS: CLEARED BY ARREST

Mendoza is charged with FSS 316.1935 (2), Flee and Elude with lights and sirens. Mendoza failed to stop his vehicle when I attempted to stop him with my KWPD marked patrol car, blue overhead lights and my siren activated.

Mendoza is charged with FSS 843.02, Resisting Officer without violence. Mendoza was given a lawful order to get on the ground. Mendoza instead jumped up and begin to run away.

Mendoza is charged with FSS 322.03 (1) Driving without a license. Through a check in F/NCIC it was determined Mendoza never had a license.

End of Narrative: 1

Reporting Officer DAVID PAUL FRAGA (3464)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/05/2015 05:40

KWPD

Monroe County Adult Arrest Form

☐ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

ARREST #

OBTS #

Filing Agency KWPD		Case # 0115401400		Doc. Control #		State ID #		FBI #		SS #	
Defendant's Last Name MENDOZA-ZAPATA				First RAMON		Middle URIEL		Suf		Alias	
Race W		Eth H		Sex M		Hgt 5'07"		Eyes BROWN		Hair BLACK	
Wgt 175		Comp TANNED		Age 27		DOB 03/11/1988		Birthplace		Scars, Marks, TT	
Facial Hair GOTEE		Build MED		Marital St		Hand Use RH		Glasses No		Speech SLURRED	
Permanent Address 6500 MALONEY AV Apt# 52 KEY WEST, FL 33040-				Home Phone:				Local Address:			
Email Address				Cell Phone:				Place of Employment		Occupation	
Arrest Location 1213 14TH ST KEY WEST, FL 33040-				Area/ Zone 5		Work Phone:		Arresting Officer DAVID 3464			
Violation Location 1213 14TH ST KEY WEST, FL 33040-				Area/ Zone 5		Date/Time of Violation 09/02/2015 00:23				Date/Time Arrested 09/02/2015 00:28	
DL # M532-738-88-091-0		State FL		Breathalyzer By		Reading		Miranda Advisement Waived		By Whom WILLIAMS, CYNTHIA V.	
Domestic Violence No		Weapon Seized		Officer Injured No		Caution		Indication Of:		Y N UK	
Drug Type: N,N,N		Type: N-N/A A-Amphetamine		B-Barbiturate C-Cocaine E-Heroin		H-Hallucinogen M-Marijuana O-Opium		P-Paraphernalia/ Equipment S-Synthetic		U-Unknown Z-Other	
Activity: N,N,N		Activity: N-N/A P-Possess S-Sell		B-Buy T-Traffic A-Smuggle D-Deliver		E-Use M-Manufacture/ Produce/ Cultivate		K-Dispense/ Distribute Z-Other			

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
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Count	Offenses Charged	Statute	Warrant #	Court Date and Time	Citation #
1/F	FLEE/ELUDE POLICE FAIL TO OBEY LEO ORDER TO STOP-316.1935(1)	EE/ELUDE POLICE I			
1/M	RESIST OFFICER OBSTRUCT WO VIOLENCE-843.02	SIST OFFICER OBS			
1/M	TRAFFIC VIOL OPERATE MOTOR VEHICLE WO VALID LICENSE-322.03(1)	AFFIC VIOL OPERAT			

Before me this date personally appeared **DAVID 3464** who being first duly sworn deposes and says that on the **2nd day of September, 2015** at **1213 14TH ST KEY WEST, 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 09/02/15 at approximately 0024 hours, I (Ofc. Fraga) was dispatched to 5th Street and North Roosevelt Blvd. reference a hit and run traffic accident with injuries. Due to the distance I was from the accident scene, I went looking for the suspect vehicle. Dispatch advised the vehicle was silver in color and had a broken windshield.

I went West down Flagler and attempted to look for the vehicle. As I approached Kennedy and Flagler Ave., I observed a silver car with a

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

DAVID 3464

FRANK T DUPONTY 1951

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDACOUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year)_____, 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
MENDOZA-ZAI	RAMON	URIEL		5'07"	175	W	M	03/11/1988	0115401400	DAVID 3464

shattered windshield driving East on Flagler. The vehicle had an abundant amount of front end damage and was smoking as well. I made a U-Turn at Kennedy Drive and got behind the silver vehicle. The vehicle was a Hyundai Accent bearing Arkansas tag 026WSR.

I turned on my blue overhead lights and activated my siren. The vehicle pulled into the turning lane at Flagler Ave. and 14th Street, stopped, and continued driving North on 14th Street. I followed behind the vehicle for about 1300 Feet with my blue lights on and using my siren. The Kia finally drove over a sidewalk and headed towards the office building at Stadium Mobile Home Park. I exited my vehicle and ran to the driver side of the Kia. I ordered the driver, later identified as Ramon Mendoza out of his vehicle. Mendoza did not have the vehicle in park, when he exited, his vehicle crashed into a wooden railing causing minor damage.

I ordered Mendoza to get on the ground. I had my X26P Taser pointed at Mendoza. Mendoza walked towards me slowly and after several verbal commands to "get on the ground," Mendoza began to lay on the ground belly first. Mendoza then jumped up and begin running. I activated my Taser and struck Mendoza in the left forearm and bicep. The Taser ran for one cycle (5 seconds) and caused NMI (Neuromuscular Incapacitation) causing Mendoza to fall to the ground.

Ofc. Leahy arrived on scene shortly after and detained Mendoza while he was on the ground. Mendoza was assisted off the ground and KWFD Rescue was called to the scene to remove probes and evaluate Mendoza. While standing next to Mendoza I could smell a strong odor of alcohol coming from his person. After Mendoza was evaluated he was placed into the rear of my patrol vehicle. A check in F/NCIC revealed Mendoza does not have a license. Mendoza was subsequently arrested on other charges (KWPD CASE# 15-401399).

I transported Mendoza to the Monroe County Detention Center without incident. My COBAN was running during the incident. My BWC was activated shortly after Mendoza was tased.

CASE STATUS: CLEARED BY ARREST

Mendoza is charged with FSS 316.1935 (2), Flee and Elude with lights and sirens. Mendoza failed to stop his vehicle when I attempted to stop him with my KWPD marked patrol car, blue overhead lights and my siren activated.

Mendoza is charged with FSS 843.02, Resisting Officer without violence. Mendoza was given a lawful order to get on the ground. Mendoza instead jumped up and begin to run away.

Mendoza is charged with FSS 322.03 (1) Driving without a license. Through a check in F/NCIC it was determined Mendoza never had a license.

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

DAVID 3464

FRANK T DUPONTY 1951

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 _____ day of _____, (year) _____, 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 2 of 2

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

Key West Police Department

Report 09/02/2015 03:04

Incident Report

Case # 01-15-401399

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-401399	09/02/2015 03:04	09/02/2015 00:23	09/02/2015 00:23	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	TRAFFIC RELATED OFFENSE (CRIMINAL)		CLEARED BY ARREST	09/02/2015	09/02/2015 03:00
	Common Name				
	5TH ST AND N Roosevelt BV KEY WEST, FL 33040 (MONROE County)				
	Day of Week : WEDNESDAY		Beat Assignment : 5		
	Dispatched : 09/02/2015 00:23		Alcohol Related : Unknown		
	Responded : 09/02/2015 00:23		Drug Related : Unknown		
	Arrived : 09/02/2015 00:23		Total Damaged Property Value : \$0.00		
	Related Cases : 300530[TOWH-TOW HISTORY]		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 1	Topic	SUPPLEMENTAL
	On 09/02/2015, at approximately 0023 hours, I, Ofc. Leahy assisted in the apprehension of a suspect who had committed a hit and run at the intersection of 5th St. and N. Roosevelt Blvd.	
	I heard Ofc. Fraga advise, he was behind the suspect vehicle, on 14th St., traveling towards Northside Dr. I heard Ofc. Fraga say, he had one subject at "TASER" point. I heard Ofc. Fraga say, he had deployed his "TASER."	
	I arrived on scene moments after Ofc. Fraga's radio traffic. I saw Ofc. Fraga standing near a male subject who was lying on his back. I exited my patrol vehicle and approached the suspect, later identified by his foreign ID card as Roman Mendoza-Zapata (Arrestee). I handcuffed (double locked) Mendoza-Zapata and placed him into custody.	
	I donned my personal protective gloves and removed one of the "TASER" probes which was lodged in the upper, inside area of Mendoza-Zapata's left arm. I saw the other probe was lodged in the lower inside area of Mendoza-Zapata's left arm. The probe appeared to be lodged deeper in the arm, so I thought it was best to wait for Key West Rescue 3, and have them remove the probe.	
	I conducted as search of Mendoza-Zapata's person. I recovered a wallet, cell phone and US currency from Mendoza-Zapata's person. I subsequently handed the items over to Ofc. Fraga.	
	Key West Rescue arrived on scene and removed the other "TASER" probe from Mendoza-Zapata's left arm.	
	I placed the "TASER" cartridge/probes into an evidence bag.	
	Ofc. Williams stood by with Mendoza-Zapata.	
	I had Ofc. Fraga place crime scene tape around the area, where Mendoza-Zapata has crashed his vehicle, at 1213 14th St.	
Ofc. Fraga and I collected two "TASER" affids, which were placed in an evidence bag.		

Reporting Officer	Department	Report Status:
BRIAN P LEAHY (2965)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT FRANK T DUPONTY (1951)	KEY WEST POLICE DEPARTMENT	09/02/2015 04:50

Key West Police Department

Report 09/02/2015 03:04

Incident Report

Case # 01-15-401399

	<p>Ofc. Fraga took possession of both the "TASER" cartridge/probes and affids.</p> <p>I assisted in removing Mendoza-Zapata from the ambulance to the rear of Ofc. Fraga's patrol vehicle.</p> <p>The incident was captured on my "BWC" and my in-car video recording system "COBAN"</p> <p>I subsequently responded to 5th St. and N. Roosevelt Blvd. and assisted in the tow of the victim scooter. I completed a tow slip for the scooter. Arnolds Towing picked up the scooter.</p> <p>I had no further involvement in this incident.</p>
	End of Narrative: 1

Reporting Officer BRIAN P LEAHY (2965)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT FRANK T DUPONTY (1951)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 04:50

KWPD

Monroe County Adult Arrest Form

☐ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

ARREST #

OBTS #

Filing Agency KWPD		Case # 0115401399		Doc. Control #		State ID #		FBI #		SS #	
Defendant's Last Name MENDOZA-ZAPATA		First RAMON		Middle URIEL		Suf		Alias		Citizenship	
Race W	Eth H	Sex M	Hgt 5'08"	Eyes BROWN	Hair BROWN	Wgt 170	Comp TANNED	Age 27	DOB 03/11/1988	Birthplace HONDURAS	Scars, Marks, TT
Facial Hair GOTEE	Build MED	Marital St	Hand Use	Glasses No	Speech FOREIGN	Parole/Probation UNKNOWN	Language Spoken SPANISH				
Permanent Address 6500 MALONEY AV Apt# 52 KEY WEST, FL 33040-								Home Phone:		Local Address:	
Email Address								Cell Phone:		Place of Employment	
Arrest Location 1213 14TH ST KEY WEST, FL 33040-								Area/Zone 5		Work Phone:	
Violation Location 1213 14TH ST KEY WEST, FL 33040-								Area/Zone 5		Date/Time of Violation 09/02/2015 00:23	
Date/Time Arrested 09/02/2015 00:28											
DL # M532-738-88-091-0		State FL		Breathalyser By		Reading		Miranda Advisement Waived		By Whom WILLIAMS, CYNTHIA V.	
Domestic Violence No		Weapon Seized		Officer Injured No		Caution		Indication Of:		Y N UK	
								Alcohol Influence:		<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	
								Drug Influence:		<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	
Drug Type: U,U,U		Type: N-N/A A-Amphetamine		B-Barbiturate C-Cocaine E-Heroin		H-Hallucinogen M-Marijuana O-Opium		P-Paraphernalia/ Equipment S-Synthetic		U-Unknown Z-Other	
Activity: UNKNOWN, UNKNOWN, UNKNOWN		Activity: N-N/A P-Possess S-Sell		B-Buy T-Traffic A-Smuggle D-Deliver		E-Use M-Manufacture/ Produce/ Cultivate		K-Dispense/ Distribute Z-Other			

Defendant Vehicle Make: HYUNDAI	Type: AUTO	Year: 2009	Color: SILVER	Vehicle Registration State: ARKANSAS
VIN #: KMHCN46C79U312941	Tag #: 026WSR	Vehicle Tag Expiration: 05/31/2016		
Vehicle Status: Seized		Other Identifiers or Remarks:		

#	CODEFENDANT	ADDRESS	PHONE #	RACE	SEX	DOB
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Count	Offenses Charged	Statute	Warrant #	Court Date and Time	Citation #
1/F	HIT AND RUN FAIL TO STOP REMAIN AT CRASH INVOLVE DEATH-316.027(1)(B)	T AND RUN FAIL TO		09/17/2015 09:00	
1/F	TRAFFIC VIOL DRIVE WO LIC CAUSES DEATH/SERIOUS INJURY W VEH-322.34	TRAFFIC VIOL DRIVE V		09/17/2015 09:00	
1/M	HIT AND RUN LEAVE SCENE OF CRASH INVOLVE DAMAGE TO PROP-316.061(1)(F)	HIT AND RUN LEAVE S		09/17/2015 09:00	

Before me this date personally appeared **EDWARD CUTIE 3463** who being first duly sworn deposes and says that on the **2nd day of September, 2015** at **1213 14TH ST KEY WEST, 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 Wednesday, September 2, 2015 around 12:25 AM, I (Officer E. Cutie) responded to the corner of N. Roosevelt Blvd. and Macmillan Dr. in reference to a hit and run with serious injuries.

Upon arrival, I saw a male I identified as Juan Tovar in the street bleeding from his head and face. Tovar was being assisted into a seated position by Darren Smidt and Stephen Vach (witnesses). KWFD Rescue arrived on scene and transported Tovar to Lower Keys Medical Center,

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

EDWARD CUTIE 3463

DONALD JULIAN BARRIOS 1850

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDACOUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year) _____, 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

KRPD

Monroe County Adult Arrest Form Continuation

OBTS # _____

ARREST

LAST NAME	FIRSTNAME	MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
MENDOZA-ZAI	RAMON	URIEL		5'08"	170	W	M	03/11/1988	0115401399	EDWARD CUTIE 3463

where he was later flown to Miami for treatment of his injuries.

I spoke with Marsello Billups, another witness, who said he was traveling East in the inside lane on N. Roosevelt Blvd. Billups said a gray car, later identified as a grey Hyundai Accent bearing Arkansas tag 026WSR, was traveling East on N. Roosevelt Blvd in the outside lane, behind Tovar on his scooter. Billups said he watched as the gray Hyundai struck Tovar from behind, in front of 2222 N. Roosevelt Blvd. (Yamaha). Billings said Tovar and his scooter began to flip down the road to their resting places. Billups said the gray Hyundai fled then the area. Billups said he told a motorcycle with two passengers, that had arrived shortly after, to follow gray Hyundai. I obtained a sworn written statement from Billups and placed it in the Key West Police Records Section.

I spoke with Vach who said he was riding his bicycle on the sidewalk along the North side of N. Roosevelt Blvd. Vach was not able to describe the gray Hyndaui very well but said he may have seen a white van. Vach said he saw Tovar get hit from behind by the other vehicle and Tovar went tumbling down the street with his scooter. Vach said the other vehicle did not stop.

I spoke with Smidt who did not witness the crash but was on scene helping Tovar until emergency services arrived.

Angela Gonzalez and Danielle Robinson, who were not on scene when I arrived and did not witness the crash. Gonzalez and Robinson said they arrived after the crash but saw the gray Hyundai fleeing form the area when they began following it. Gonzalez and Robinson tried to follow the vehicle South on 7th St but eventually lost him in that area..

With the descriptions and direction of travel provided to Key West Police Dispatch by all witnesses, Officer D. Fraga located the gray Hyundai bearing Arkansas tag 026WSR by 3100 Flagler Ave. (Habana Plaza). Ofc. Fraga attempted to stop the gray Hyundai but it fled and went North on 14th St. Ofc. Fraga was able to get the vehicle stopped at 1213 14th St., after crashed into a building, where he was able to identify the driver as Ramon Mendoza-Zapata. Mendoza-Zapata did not have a valid license and after checking him through the Florida Department of Highway Safety and Motor Vehicles (DAVID) and F/NCIC we learned he has never been issued a license.

I cited (A3DK0RE) Mendoza-Zapata for Leaving the Scene of a Crash Involving Serious Injury, a violation of F.S.S. 316.027(1)(a).

I cited (A3DK0SE) Mendoza-Zapata for Driving Without a License Causing Serious Injury with Vehicle, a violation of F.S.S. 322.034.

I cited (A3DK0TE) Mendoza-Zapata for Leaving the Scene of a Crash Involving Property Damage, a violation of F.S.S. 316.061(1).

Mendoza-Zapata was arrested by Ofc. Fraga for other charges and transported to the Monroe County Detention Center without incident. I met Ofc. Fraga at the Monroe County Detention Center where I also arrested Mendoza-Zapata for the above charges.

This case was cleared by arrest.

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

EDWARD CUTIE 3463

DONALD JULIAN BARRIOS 1850

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDACOUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year) _____, 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 2 of 2

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

Key West Police Department

Report 09/02/2015 04:50

Incident Report

Case # 01-15-401399

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-401399	09/02/2015 04:50	09/02/2015 00:23	09/02/2015 00:23	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	TRAFFIC RELATED OFFENSE (CRIMINAL)		CLEARED BY ARREST	09/02/2015	09/02/2015 05:00
	Common Name				
	YAMAHA - 2222 N ROOSEVELT BV KEY WEST, FL 33040 (MONROE County)				
	Day of Week : WEDNESDAY		Beat Assignment : 5		
	Dispatched : 09/02/2015 00:23		Alcohol Related : Unknown		
	Responded : 09/02/2015 00:23		Drug Related : Unknown		
	Arrived : 09/02/2015 00:24		Total Damaged Property Value : \$0.00		
	Related Cases : 15-401400[TRAF-TRAFFIC		Total Stolen Property Value : \$0.00		
	ACCIDENTS];A3DK0RE[CITA-CITATIONS];A3DK0SE[CITA-CITATIONS		Total Recovered Property Value : \$0.00		
];A3DK0TE[CITA-CITATIONS]				
	Location Type : HIGHWAY/ROADWAY				

O F F E N S E 1	State Classification		Attempted/Committed
			COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
		HIGHWAY/ROADWAY	09/02/2015
	Federal Classification : HIT AND RUN FAIL TO STOP REMAIN AT CRASH INVOLVE INJURY-316.027(1)(A) JUAN TOVAR (VICT,Primary Role); STATE OF FLORIDA (VICT,Primary Role); MARSELLO BILLUPS (WITNESS,Primary Role); STEPHEN VACH (WITNESS,Primary Role); DARREN SMIDT (WITNESS,Primary Role); ANGELA GONZALEZ (WITNESS,Primary Role); DANIELLE ROBINSON (WITNESS,Primary Role); RAMON MENDOZA-ZAPATA (SUSP,Primary Role) Attack Reason : UNKNOWN Weapon 1 : OTHER Computer Theft : No		
End of Offense: 1			

O F F E N S E 2	State Classification		Attempted/Committed
			COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
		HIGHWAY/ROADWAY	09/02/2015
	Federal Classification : TRAFFIC VIOL DRIVE WO LIC CAUSES DEATH/SERIOUS INJURY W VEH-322.34(6)(A) JUAN TOVAR (VICT,Primary Role); STATE OF FLORIDA (VICT,Primary Role); MARSELLO BILLUPS (WITNESS,Primary Role); STEPHEN VACH (WITNESS,Primary Role); DARREN SMIDT (WITNESS,Primary Role); ANGELA GONZALEZ (WITNESS,Primary Role); DANIELLE ROBINSON (WITNESS,Primary Role); RAMON MENDOZA-ZAPATA (SUSP,Primary Role) Attack Reason : UNKNOWN Weapon 1 : OTHER Computer Theft : No		
End of Offense: 2			

Reporting Officer	Department	Report Status:
OFC EDWARD CUTIE (3463)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT DONALD JULIAN BARRIOS (1850)	KEY WEST POLICE DEPARTMENT	09/02/2015 05:44

Key West Police Department

Report 09/02/2015 04:50

Incident Report

Case # 01-15-401399

O F F E N S E 3	State Classification		Attempted/Committed
	Statute/Ordinance	Location Type HIGHWAY/ROADWAY	Disposition Date 09/02/2015
	Federal Classification : HIT AND RUN LEAVE SCENE OF CRASH INVOLVE DAMAGE TO PROP-316.061(1) JUAN TOVAR (VICT,Primary Role); STATE OF FLORIDA (VICT,Primary Role); MARSELLO BILLUPS (WITNESS,Primary Role); STEPHEN VACH (WITNESS,Primary Role); DARREN SMIDT (WITNESS,Primary Role); ANGELA GONZALEZ (WITNESS,Primary Role); DANIELLE ROBINSON (WITNESS,Primary Role); RAMON MENDOZA-ZAPATA (SUSP,Primary Role) Attack Reason : UNKNOWN Weapon 1 : OTHER Computer Theft : No		
	Criminal Activity 1 : OTHER Evidence Collected : Yes State Disposition : ADULT/ADULT+JUVENILES Federal Disposition : CLEARED BY ARREST # of People Arrested : 1		
End of Offense: 3			

P E R S O N 1	Person Type SUSPECT/ARRESTEE	Business/Person Name RAMON URIEL MENDOZA-ZAPATA			Business Phone
	Home Phone	Person Address 6500 MALONEY AV Apt. 52 KEY WEST FL 33040			
	Other Phone	Employer Address			
	Race WHITE	Sex Male	SSN	DL Exp. Date	DL Number M532738880910
	Birth Date 03/11/1988	Birth Place HONDURAS			
	Age : 27 DL State : FL Ethnic Origin : HISPANIC Min. Height : 5'08" Min. Weight : 170 lbs Adult/Juvenile : ADULT Relationship : UNDETERMINED OF STATE OF FLORIDA, STRANGER OF MARSELLO BILLUPS, STRANGER OF STEPHEN VACH, STRANGER OF DARREN SMIDT, STRANGER OF ANGELA GONZALEZ, STRANGER OF DANIELLE ROBINSON Hair Color : BROWN Hair Length : SHORT Hair Style : CREWCUT				
	Facial Hair : GOTEE Eye Color : BROWN Build : MEDIUM/AVERAGE Complexion : TANNED Glasses : No Speech : FOREIGN Residency Type : COUNTY Residency Status : FULL YEAR Citizenship : HONDURAS Body Marks:				
	End of Person: 1				

P E R S O N 2	Person Type VICTIM	Business/Person Name JUAN MANUEL TOVAR			Business Phone
	Home Phone (305) 942-1116	Person Address 4 11TH AV Apt. E KEY WEST FL 33040			
	Other Phone	Employer Address			
	Race WHITE	Sex Male	SSN	DL Exp. Date	DL Number T1604337126300
	Birth Date 07/23/1971	Birth Place			
	Age : 44 DL State : FL Min. Height : 5'09" Adult/Juvenile : ADULT				
	Hospital Taken To : Lower Keys Medical Center Pants : Black SHORTS Shoes : Sneakers Hair Color : BROWN				
	End of Person: 2				

Reporting Officer OFC EDWARD CUTIE (3463)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 05:44

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Key West Police Department

Report 09/02/2015 04:50

Incident Report

Case # 01-15-401399

Relationship : UNDETERMINED OF RAMON MENDOZA-ZAPATA, UNDETERMINED OF STATE OF FLORIDA, STRANGER OF MARSELLO BILLUPS, STRANGER OF STEPHEN VACH, STRANGER OF DARREN SMIDT, STRANGER OF ANGELA GONZALEZ, STRANGER OF DANIELLE ROBINSON Victim Type : INDIVIDUAL ADULT Will File Charges : Unknown Can Identify Offender : Unknown Sobriety of Victim : SOBER Extent of Injury : SERIOUS Injury Type 1 : LACERATION Medical Treatment : EMERGENCY ROOM	Hair Length : SHORT Eye Color : UNKNOWN Build : MEDIUM/AVERAGE Speech : SOFT SPOKEN Residency Type : COUNTY Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:
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End of Person: 2

P E R S O N 3	Person Type	Business/Person Name			Business Phone
	VICTIM	STATE OF FLORIDA			
	Home Phone	Person Address			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	DL Number
	Birth Date	Birth Place			
Relationship : UNDETERMINED OF RAMON MENDOZA-ZAPATA, UNDETERMINED OF MARSELLO BILLUPS, UNDETERMINED OF STEPHEN VACH, UNDETERMINED OF DARREN SMIDT, UNDETERMINED OF ANGELA GONZALEZ, UNDETERMINED OF DANIELLE ROBINSON Victim Type : GOVERNMENT Will File Charges : Yes					
Can Identify Offender : Yes Body Marks:					

End of Person: 3

P E R S O N 4	Person Type	Business/Person Name			Business Phone
	WITNESS	MARSELLO EADDY BILLUPS			
	Home Phone (305) 587-8990	Person Address 3314 NORTHSIDE DR Apt. 15 KEY WEST FL 33040			
	Other Phone	Employer Address			
	Race BLACK	Sex Male	SSN	DL Exp. Date	DL Number B412545740300
	Birth Date 01/30/1974	Birth Place UNITED STATES			
Age : 41 DL State : FL Min. Height : 6'03" Min. Weight : 230 lbs Adult/Juvenile : ADULT Relationship : STRANGER OF RAMON MENDOZA-ZAPATA, UNDETERMINED OF STATE OF FLORIDA, STRANGER OF STEPHEN VACH, STRANGER OF DARREN SMIDT, STRANGER OF ANGELA GONZALEZ, STRANGER OF DANIELLE ROBINSON Hair Color : BROWN Hair Length : SHORT Hair Style : CREWCUT					
Eye Color : BROWN Build : TALL/AVERAGE Complexion : DARK Speech : NORMAL Residency Type : CITY Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:					

End of Person: 4

Reporting Officer OFC EDWARD CUTIE (3463)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 05:44

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Key West Police Department

Report 09/02/2015 04:50

Incident Report

Case # 01-15-401399

P E R S O N 5	Person Type	Business/Person Name			Business Phone
	WITNESS	STEPHEN DOUGLAS VACH			
	Home Phone (305) 296-5773	Person Address 1209 FLAGLER AV Apt. 12 KEY WEST FL 33040			
	Other Phone	Employer Address			
	Race WHITE	Sex Male	SSN	DL Exp. Date	DL Number V2007845044200
	Birth Date 12/02/1950	Birth Place UNITED STATES			
	Age : 64 Min. Height : 5'11" Min. Weight : 170 lbs Adult/Juvenile : ADULT Relationship : STRANGER OF RAMON MENDOZA-ZAPATA, UNDETERMINED OF STATE OF FLORIDA, STRANGER OF MARSELLO BILLUPS, STRANGER OF DARREN SMIDT, STRANGER OF ANGELA GONZALEZ, STRANGER OF DANIELLE ROBINSON Shirt : WHITE Pants : BLACK Shoes : SNEAKERS Hair Color : SALT/PEPPER				
End of Person: 5					

P E R S O N 6	Person Type	Business/Person Name			Business Phone
	WITNESS	DARREN JOHANN SMIDT			
	Home Phone (305) 395-1257	Person Address 2512 HARRIS AV Apt. B KEY WEST FL 33040			
	Other Phone	Employer Address			
	Race WHITE	Sex Male	SSN	DL Exp. Date	DL Number S530170812171
	Birth Date 06/17/1981	Birth Place			
	Age : 34 DL State : FL Min. Height : 5'08" Min. Weight : 170 lbs Adult/Juvenile : ADULT Relationship : STRANGER OF RAMON MENDOZA-ZAPATA, UNDETERMINED OF STATE OF FLORIDA, STRANGER OF MARSELLO BILLUPS, STRANGER OF STEPHEN VACH, STRANGER OF ANGELA GONZALEZ, STRANGER OF DANIELLE ROBINSON Shirt : WHITE Pants : SHORTS Shoes : SNEAKERS Hair Color : BROWN				
End of Person: 6					

P E R S O N 7	Person Type	Business/Person Name			Business Phone
	WITNESS	ANGELA MARIE GONZALEZ			
	Home Phone (305) 699-7877	Person Address 3515 NORTHSIDE DR KEY WEST FL 33040			
	Other Phone	Employer Address			
Race WHITE	Sex Female	SSN	DL Exp. Date	DL Number G524013815040	

Reporting Officer OFC EDWARD CUTIE (3463)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 05:44

Key West Police Department

Report 09/02/2015 04:50

Incident Report

Case # 01-15-401399

Birth Date 01/04/1981	Birth Place UNITED STATES
Age : 34 DL State : FL Min. Height : 5'06" Min. Weight : 130 lbs Adult/Juvenile : ADULT	
Relationship : STRANGER OF RAMON MENDOZA-ZAPATA, UNDETERMINED OF STATE OF FLORIDA, STRANGER OF MARSELLO BILLUPS, STRANGER OF STEPHEN VACH, STRANGER OF DARREN SMIDT, FRIEND OF DANIELLE ROBINSON Residency Type : CITY Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:	
End of Person: 7	

P E R S O N 8	Person Type WITNESS	Business/Person Name DANIELLE DENISE ROBINSON			Business Phone
	Home Phone (305) 509-7530	Person Address 230 VIRGINIA ST KEY WEST FL 33040			
	Other Phone	Employer Address			
	Race BLACK	Sex Female	SSN	DL Exp. Date	DL Number R152164783890
	Birth Date 10/29/1978	Birth Place UNITED STATES			
	Age : 36 DL State : FL Min. Height : 5'06" Min. Weight : 150 lbs Adult/Juvenile : ADULT				
Relationship : STRANGER OF RAMON MENDOZA-ZAPATA, UNDETERMINED OF STATE OF FLORIDA, STRANGER OF MARSELLO BILLUPS, STRANGER OF STEPHEN VACH, STRANGER OF DARREN SMIDT, FRIEND OF ANGELA GONZALEZ Residency Type : CITY Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:					
End of Person: 8					

V E H I C L E 1	Tag # 026WSR	Tag Expiration 05/31/2016	Year 2009	Make HYUNDAI	Model ACCENT	Vehicle Style SEDAN
	Tag Country UNITED STATES	Tag State AR	Vehicle Type AUTO	VIN KMHCN46C79U312941	Category	
	UCR Vehicle : MISCELLANEOUS Top Color : SILVER Bottom Color : SILVER Vehicle Disposition : TOWED BY P.D. Damage Code : DURING OTHER OFFENSE Insured : Yes			Keys in Vehicle : Yes Vehicle Locked : No Stolen Value : \$1 Insured By : VIKING INS CO. OF WISCONS Association : OWNER IS RAMON MENDOZA-ZAPATA		
	End of Vehicle: 1					

V E H I C L E 2	Tag # 1264RK	Tag Expiration 07/23/2016	Year 2009	Make YAMAHA	Model	Vehicle Style MOTORCYCLE
	Tag Country UNITED STATES	Tag State FL	Vehicle Type MOTORCYCLE	VIN LPRSE48Y89A001667	Category	
	UCR Vehicle : MISCELLANEOUS Model Free Form : MOTOR SCOO Top Color : BLUE Bottom Color : BLUE Permit/Decal # : 05157541			Vehicle Disposition : TOWED BY P.D. Keys in Vehicle : Yes Vehicle Locked : No Stolen Value : \$1 Association : OWNER IS JUAN TOVAR		
	End of Vehicle: 2					

Reporting Officer OFC EDWARD CUTIE (3463)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 05:44

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Key West Police Department

Report 09/02/2015 04:50

Incident Report

Case # 01-15-401399

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Topic ORIGINAL

On Wednesday, September 2, 2015 around 12:25 AM, I (Officer E. Cutie) responded to the corner of N. Roosevelt Blvd. and Macmillan Dr. in reference to a hit and run with serious injuries.

Upon arrival, I saw a male I identified as Juan Tovar in the street bleeding from his head and face. Tovar was being assisted into a seated positron by Darren Smidt and Stephen Vach (witnesses). KWFD Rescue arrived on scene and transported Tovar to Lower Keys Medical Center, where he was later flown to Miami for treatment of his injuries.

While on scene Marsello Billups arrived and identified himself as a witness. Billups said he was traveling East in the inside lane on N. Roosevelt Blvd. Billups said a gray car, later identified as a grey Hyundai Accent bearing Arkansas tag 026WSR, was traveling East on N. Roosevelt Blvd in the outside lane, behind Tovar on his scooter. Billups said he watched as the gray Hyundai struck Tovar from behind, in front of 2222 N. Roosevelt Blvd. (Yamaha). Billings said Tovar and his scooter began to flip down the road to their resting places. Billups said the gray Hyundai fled then the area. Billups said he told a motorcycle with two passengers, that had arrived shortly after, to follow gray Hyundai. I obtained a sworn written statement from Billups and placed it in the Key West Police Records Section.

I spoke with Vach who said he was riding his bicycle on the sidewalk along the North side of N. Roosevelt Blvd. Vach was not able to describe the gray Hyndai very well but said he may have seen a white van. Vach said he saw Tovar get hit from behind by the other vehicle and Tovar went tumbling down the street with his scooter. Vach said the other vehicle did not stop.

I spoke with Smidt who did not witness the crash but was on scene helping Tovar until emergency services arrived.

While on scene Angela Gonzalez and Danielle Robinson arrived and said they did not witness the crash but arrived right after crash had occurred. Gonzalez and Robinson said they saw the gray Hyundai fleeing from the area when they began following it. Gonzalez and Robinson tried to follow the vehicle South on 7th St but eventually lost him in that area..

With the descriptions and direction of travel provided to Key West Police Dispatch by all witnesses, Officer D. Fraga located the gray Hyundai bearing Arkansas tag 026WSR by 3100 Flagler Ave. (Habana Plaza). Ofc. Fraga attempted to stop the gray Hyundai but it fled North on 14th St. Ofc. Fraga was able to get the vehicle stopped at 1213 14th St., after crashing into a building (see case #15-401400), where he was able to identify the driver as Ramon Mendoza-Zapata. Mendoza-Zapata did not have a valid license and after checking him through the Florida Department of Highway Safety and Motor Vehicles (DAVID) and F/NCIC we learned he has never been issued a license.

I cited (A3DK0RE) Mendoza-Zapata for Leaving the Scene of a Crash Involving Serious Injury, a violation of F.S.S. 316.027(1)(a).

I cited (A3DK0SE) Mendoza-Zapata for Driving Without a License Causing Serious Injury with Vehicle, a violation of F.S.S. 322.034.

I cited (A3DK0TE) Mendoza-Zapata for Leaving the Scene of a Crash Involving Property Damage, a

Reporting Officer OFC EDWARD CUTIE (3463)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 05:44

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Key West Police Department

Report 09/02/2015 04:50

Incident Report

Case # 01-15-401399

violation of F.S.S. 316.061(1).
Mendoza-Zapata was arrested by Ofc. Fraga for other charges (see cae #15-401400) and transported him to the Monroe County Detention Center without incident. I met Ofc. Fraga at the Monroe County Detention Center where I also arrested Mendoza-Zapata for the above charges.
This case was cleared by arrest.
End of Narrative: 1

Reporting Officer OFC EDWARD CUTIE (3463)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 05:44

Key West Police Department

Report 09/02/2015 04:49

Incident Report

Case # 01-15-401399

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-401399	09/02/2015 04:49	09/02/2015 00:23	09/02/2015 00:23	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	TRAFFIC RELATED OFFENSE (CRIMINAL)		CLEARED BY ARREST	09/02/2015	09/02/2015 03:00
	Common Name				
STADIUM MOBILE HOME PARK - 1213 GLYNN R. ARCHER JR. DR KEY WEST, FL 33040 (MONROE County)					
Day of Week : WEDNESDAY					
Dispatched : 09/02/2015 00:23					
Responded : 09/02/2015 00:23					
Arrived : 09/02/2015 00:23					
Location Type : HIGHWAY/ROADWAY					
Beat Assignment : 5					
Alcohol Related : Unknown					
Drug Related : Unknown					
Total Damaged Property Value : \$0.00					
Total Stolen Property Value : \$0.00					
Total Recovered Property Value : \$0.00					

P R O P E R T Y 1	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	PHOTOGRAPHS	COBAN DPM	N/A
	Serial #	Color	Description	Condition
	0115401399		PHOTOS OF ARRESTEE/CRASH SCENE	NEW
	UCR Type : MISCELLANEOUS		Recovery Location : STADIUM MOBILE HOME PARK	
Quantity/Weight : 17		Recovery Location : 1213 GLYNN R. ARCHER JR. DR KEY WEST FL 33040		
Value : \$1.00		Recovered By : OFC. C. RHINHART		
Rec. Officer : RHINHART, CHRISTOPHER L.		Recovery Date and Time : 09/02/2015 00:30		
State Number : 3672		Recovery Value : \$1.00		
End of Property: 1				

N A R R A T I V E 1	Topic	SUPPLEMENTAL
	On 09/02/2015, at approximately 0023 hours, I, Ofc. C. Rhinhart responded and assisted Ofc. D. Fraga at 1213 Glynn R. Archer Jr. Dr., regarding the apprehension of a hit and run suspect and crash investigation.	
	I heard Ofc. Fraga advise, he was behind the suspect vehicle, on 14th St., traveling towards Northside Dr. I heard Ofc. Fraga say, he had one subject at "TASER" point. I heard Ofc. Fraga say, he had deployed his "TASER."	
	Upon my arrival on scene, I blocked the roadway with my Key West Police cruiser to prevent further unnecessary traffic from entering the crash/crime scene area.	
	I obtained witness information from (Witness) Angela M. Gonzalez and (Witness) Danielle D. Robinson.	
Gonzalez and Robinson stated they observed the suspect vehicle leave the crash scene at N. Roosevelt Blvd. and 5th St. outbound on N. Roosevelt Blvd. Gonzalez and Robinson said the suspect vehicle turned left onto 7th St. Gonzalez stated they attempted to follow the suspect vehicle with obvious substantial damage in an attempt to notify Law Enforcement. Gonzalez advised she lost track of the suspect vehicle on 7th St.		
Gonzalez stated she saw police lights on 14th St. and noticed the suspect vehicle that she was previously following. Gonzalez and Robinson said they wanted to report what they observed at the crash scene at N. Roosevelt Blvd. and 5th St.		

Reporting Officer	Department	Report Status:
OFC CHRISTOPHER LEE RHINHART (3672)	PATROL DIVISION	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT DONALD JULIAN BARRIOS (1850)	KEY WEST POLICE DEPARTMENT	09/02/2015 05:48

Key West Police Department

Report 09/02/2015 04:49

Incident Report

Case # 01-15-401399

	<p>I took digital photos of the crash/crime scene and uploaded them into the COBAN DPM system.</p> <p>I also took photos of (Arrestee) Mendoza-Zapata's "TASER" injuries and uploaded them into the COBAN DPM system.</p> <p>This event was captured on my in car COBAN audio/video and my Viewu body camera.</p> <p>The Viewu body camera footage was also uploaded into the COBAN DPM system.</p>
	End of Narrative: 1

Reporting Officer OFC CHRISTOPHER LEE RHINHART (3672)	Department PATROL DIVISION	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 05:48

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Key West Police Department

Report 09/02/2015 04:51

Incident Report

Case # 01-15-401399

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-401399	09/02/2015 04:51	09/02/2015 00:23	09/02/2015 00:23	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	TRAFFIC RELATED OFFENSE (CRIMINAL)		OPEN	09/02/2015	09/02/2015 02:30
	Common Name				
	1215 MACMILLAN DR KEY WEST, FL 33040 (MONROE County)				
	Day of Week : WEDNESDAY		Alcohol Related : Yes		
	Dispatched : 09/02/2015 00:23		Drug Related : Unknown		
	Responded : 09/02/2015 00:23		Total Damaged Property Value : \$0.00		
	Arrived : 09/02/2015 00:23		Total Stolen Property Value : \$0.00		
	Location Type : HIGHWAY/ROADWAY		Total Recovered Property Value : \$0.00		
	Beat Assignment : 5				

N A R R A T I V E	Topic	SUPPLEMENTAL
	<p>On September 2nd, 2015 at approximately 0023 hours, dispatch advised that a hit and run with injuries had just occurred. The suspect vehicle was possibly a gray sedan with a shattered windshield. I drove the Flagler Ave route from White St. Officer Fraga advised he was behind the possible suspect vehicle. Officer Fraga then advised the driver was fleeing in front of Stadium Trailer Park. Officer Fraga advised he had the driver Taser point and then Taser deployed. I was on scene a short time after Taser deployment. I observed Ofc. Fraga with Taser deployed and Ofc. Leahy securing the suspect on the ground. I assisted securing the suspect, later identified to be Ramon Zapata. Ramon spoke little English therefore, I translated English to Spanish during most of the interaction with Ramon. I translated to the best of my abilities.</p>	
	<p>Ramon made spontaneous utterances prior to him being questioned on a crash and dui investigation. Ramon said the following: We (police) did not know how bad he had it and all the problems he has to deal with. This (incident) is going to affect him in getting his legal paperwork in this country. This (incident) was going to affect is kids. He asked where his car was and I pointed to car.</p>	
	<p>Ramon reported that he was not injured or in pain. Ramon complained of handcuff discomfort. I checked the handcuffs 3 times and they were applied loose. Ramon got cleared by rescue. Ramon had a strong odor of an alcoholic beverage emanating from his person. Ramon could not maintain his balance while standing or walking. Ramon's eyes were bloodshot and glassy. Ramon's speech was slurred and many times inarticulate.</p>	
	<p>Officer Keohane arrived on scene and I translated for her. I read Ramon Miranda Warnings in Spanish from a Miranda cue card. Ramon understood his rights and waived Miranda. The following is a summary of the interview between Ofc. Keohane and Ramon that I translated to the best of my abilities:</p>	
	<p>Ramon left work and went to Bare Assests with friends. He was on his way home to Stock Island after he left Bare Assests. He was driving and no one else was in the car with him. He denied knowing anything about a crash involving him. He denied knowing how his car obtained a shattered windshield or how he obtained broken glass particles on his clothing.</p>	
	<p>Officer Keohane stepped away from Ramon, while I remained in his presence. Ramon began crying</p>	

Reporting Officer	Department	Report Status:
CYNTHIA V WILLIAMS (2703)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT DONALD JULIAN BARRIOS (1850)	KEY WEST POLICE DEPARTMENT	09/02/2015 05:51

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Key West Police Department

Report 09/02/2015 04:51

Incident Report

Case # 01-15-401399

and began talking to me without being questioned. Ramon commented on him not seeing his family in Honduras for over 9 years therefore, he did not care if he got deported because if he did, he could see his family again. Ramon commented on him knowing why he was there (meaning in the moment) and it was because he crashed. Ramon then told me he could have run away but he didn't. I asked Ramon why he began to run and I asked him if it was due to fear. Ramon said he ran because he was "in part" afraid. I asked Ramon if he was wearing his seatbelt and he said he was.

Through Ofc. Keohane, I informed Ramon that the crash investigation was complete and that he was being investigated for potentially driving under the influence. I asked Ramon if he was willing to do FSE and he consented. Ramon stated he did not have any medical ailments that would prevent him doing the FSE. I translated the HGN exercise. I observed both obvious HGN and VGN. I translated the Walk n Turn exercise. Initially Ramon attempted the Walk n Turn but missed many ques. Ramon stopped and said he could not do it because he had been drinking. I translated the One Leg Stand exercise. Ramon missed many ques. Ramon stopped and said he could not do the exercise.

I read the request for Blood Draw in Spanish from a cue card. Ramon consented to a blood draw. I notified Ramon of the criminal charges he was arrested for.

No further action or involvement on my behalf. My COBAN and Body Cam captured the investigation.

End of Narrative: 1

Reporting Officer CYNTHIA V WILLIAMS (2703)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 09/02/2015 05:51