Response to Resistance Report Key West Police Department

	10		
7. A	Response to Resistance Report will be completed	d 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		
H	When any person sustains an apparent substantial or fatal	Injury as a result of the application of force	1
H	When any person complains of injury as a result of the app		
	Discharge of firearm in the line of duty off-duty or on-duty (c. Date: 10/26/15 3. Time: 11:48am 4. Loc	The state of the s	
		cation: 1111 12 th St, suite-401 5. Incident type: Warrant Service	_
NCIDENT		8. <u>Response Option</u> 9. <u>Explanation</u>	
	Passive:	Physical Control Assisted subject to the ground	
S	Active: subject refused to be handcuffed	Non-lethal Weapon Used taser to gain compliance	
-	Aggressive:	Deadly Force	
	Deadly Force:		
	10. Last Name: Shine 11. Fit	irst: Derek 12. Race: black 13. Sex: male	٦
	14. DOB: 10/23/87 15. He	eight: 5'08" 16. Weight: 170	
	17. Did you observe the subject: No Yes	If NO, explain why in Section 42. If "YES", complete sections 18-22	2
	18. Appeared to be: Intoxicated Under the influen	nce of controlled substance	٦
	19. Injuries: No Evident Alleged (If Evident	or Alleged, describe and indicate areas on charts in Section 22)	
	20. Photographed: No X Yes 21. Treated: No	Yes By: EMT/Paramedic on scene Hospital Detentio	n
5		\ \ \ \	1
SUBJECT			
МB	/ / 4 }		
S	// /	0.1	
		1000	
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	an I say	W M	1
	\ / \ /	\ / \ /	1
	22. Anterior View	Destarion Views /) \	
		Posterior View	4
1		Sex: M 26. Age:35 27. Height: 6'04" 28. Weight: 350	-
ł		employment Uniformed Plain clothes 30. Yrs Exp: 11	4
ŀ		or Alleged, describe and indicate areas on charts in Section 35)	4
1		i i i i i i i i i i i i i i i i i i i	\dashv
ŀ	34. Response option used by this officer: (If TASER®, a	also reference line number from TASER® section)	4
1	()	{ }	
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OFFICER			1
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)] () () (
	35. Anterior View	Posterior View	

Case No: _____15-4813

Response to Resistance Report (continued) Key West Police Department

_	Γ		
	36. TASER® device serial # X12002KT4	37. TASER® device serial # X12002KM5	
	TASER®Cam serial # V21000VMV	TASER®Cam serial # V21000VRD	
3	Cartridge 1 serial # C4102N6DM	Cartridge 1 serial # H091500442	
ONLY	Cartridge 2 serial #	Cartridge 2 serial #	
	Number of cycles: 2	Number of cycles: 1	
JSE	Type of contact: ☑ Probe ☐ CODS ☐ Drive Stun	Type of contact: ☐ Probe ☐ CODS ☐ Drive Stun	
TASER USE	Did probes penetrate skin: ⊠ Yes ☐ No	Did probes penetrate skin: ⊠ Yes ☐ No	
ASE	Target distance at probe launch: 4 feet	Target distance at probe launch: 4 feet	
F	Distance between probes: 12 to 16 inches apart	Distance between probes: 12 to 16 inches apart	
	Probes removed by (name): Ofc. M. Chaustit	Probes removed by (name): Ofc. M. Chaustit	
	Device downloaded by: Sgt. H. Wood	Device downloaded by: Sgt. H. Wood	
	☐ 38. Check and list any additional TASER® device	s, cartridges or details in the incident description section	n.
REPORT	All necessary criminal elements. All details of the arrest Details articulating the subject's words, mannerisms and Details outlining the response to resistance utilized by each Detailed description of injury complaints and/or observed Details outlining the decontamination, first aid or medical	ach officer. d injuries	
		1. Time: 11:48am	
	42. Did you respond to the scene: No X Yes (If "N		
INQUIRY	43. Did you meet with the Officer: No X Yes (If "N	o", explain why)	
g			\neg
			_
R'S		*	
SC			
SUPERVISOR'S			\dashv
P.	44. Were you able to locate any independent witnesses:	No Yes (If "Yes," list below)	
S	Name	Address Phone Number	
-			
			,
	45 Is further review recommended. MAIS TV	8A 114 PM 2091 10/26/15	\dashv
	45. Is further review recommended: No Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS	10/20/13	
	48. Did the review of this incident conclude that use	46. Preparing Supervisor's Signature / ID 47. Date	
H.	of force was in compliance with Departmental	VE DE Sulphone	
INT. AFF.	M	9 Signaturant Internal Afford Incometant	
Z		9. Signature of Internal Affairs Inspector 50. Date	
	51. If section 48 is "No" record the Professional Standard	ds Control Number: 52. Date Entered:	

Case No: _____15-4813

Response to Resistance Report (continued) Key West Police Department

Case No: 15-4813Error! Reference source not found.

	23. Officer: Michael Chaustit 24. Race: W 25. Sex: M 26. Age: 37 27. Height 6'00" 28. Weight 280
	29. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain 30. Yrs Exp: 8
	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)
OFFICER	
	35. Anterior View Posterior View
	23. Officer: 24. Race: 25. Sex: 26. Age: 27. Height 28. Weight
	29. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain 30. Yrs Exp:
	31. Injuries: 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)
OFFICER	

Key West Police Department

Incident Report

Report 10/26/2015 12:10

Case # 01-15-004813

_											
1	Case		Report		Occurred From		Occurred To		Report Type		
N			10/26/20	15 12:10	10/26/2015 11:48		10/26/2015 11:48		Original		
C		. Classification TRUCT/RESIST OFF	EENIGE		Case Status	CECT	Case Status Date		Cleared		
D		mon Name	FENSE		CLEARED BY AR	REST	10/26/2015		0/26/2015 11:50		
E	FL DEPARTMENT OF CORRECTIONS - 1111 12TH ST Apt401 KEYWEST, FL 33040 (MONROE County)										
1 _ 1	Day o	of Week: MONDAY atched: 10/26/2015	44.50				ssignment : 5				
	Respo	onded: 10/26/2015	11:50			2010 H.	Related : No elated : No				
Н	Arrive	ed: 10/26/2015 11:50	0	82		Total D	amaged Property Value: \$0.0	00			
		Reference : 3321XX2 ion Type : COMMER		FICE BUILDIN	G	Total S	tolen Property Value : \$0.00 ecovered Property Value : \$0.	00			
0		State Classification		TIOL DOLLD		Totali	ecovered Froperty value . 40.	.00			
F					-				Attempted/Committed COMMITTED		
E	F Statute/Ordinance Location Type								Disposition Date		
S	Federal Classification: RESIST OFFICER OBSTRUCT WO VIOLENCE-843.02 DEREK SHINE (SUSP, Primary Role, User Defined); STATE OF FLORIDA (VICT Primary Role User Defined)										
					End of Offense	e: 1					
P		Person Type		Business/Per	non Nama				1		
E		SUSPECT/ARRES	STEE	DEREK SHINE					Business Phone		
R	Y	Home Phone	,,,,,	Person Addre]		
S	1			[' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	KEY WEST FL 33040 ,N	MONROE	County				
O N	1	Other Phone		Employer Add	dress			,			
		Race BLACK		Sex Male	SSN		DL Exp. Date	DL N	umber		
		Birth Date 10/23/1987		Birth Place KEY WEST, FI	L, UNITED STATES						
	1	Age: 28	LIANIC				eight: 160 lbs				
	1	Occupation : MECH Ethnic Origin : NON	HANIC N-HISPAI	NIC			eight : 175 lbs venile : ADULT				
	1	Min. Height: 5'07"				Body M					
		Max. Height: 5'08"			End of Person:	1					
_						1					
P		Person Type		Business/Pers					Business Phone		
E R	- 1	VICTIM Home Phone		Person Addres							
S		Home Phone		Person Addres	SS						
0	Other Phone Employer Address										
		Race		Sex	SSN		DL Exp. Date	DL Nu	mber		
		Birth Date		Birth Place							
		Victim Type : GOVE Will File Charges : Y Can Identify Offende	Yes	т .		Sobriety Body Ma	of Victim : SOBER arks:				
					End of Person:	2					

Reporting Officer OFC MICHAEL J CHAUSTIT (3141)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved	
Supervising Officer		Date/Time	
Verifying Officer SGT HOLLIS WOODROW JR. WOOD (2091)	Department KEY WEST POLICE DEPARTMENT	Date / Time 10/26/2015 16:43	

Incident Report

Report 10/26/2015 12:10

Case # 01-15-004813

NARRATIVE

Topic ORIGINAL

On October 26, 2015, I responded to the probation and parole office located at 1111 12th street Suite 401, to assist with a transport.

I arrived and met with Officer Castro who advised Derek Shine had an active arrest warrant for violation of probation. Ofc. Malgrat and I made contact with Mr. Shine and he was told he had a warrant for his arrest. I instructed Mr. Shine to place his hands behind his back. Mr. Shine placed his hands behind his back, however, he kept moving to my left. I told Mr. Shine to stop moving. He then pushed me and moved toward the door. I grabbed onto Mr. Shine to prevent him from running. Mr. Shine kept pushing me around my waist. I assisted Mr. Shine out of the probation office and onto the floor in the hall way. Ofc. Malgrat gave Mr. Shine loud verbal commands to stop. Mr. Shine planted his feet on the ground and tried to run away from us. Ofc. Malgrat and I both fired our Tasers. Both Taser's activated and Mr. Shine received a five second cycle. Ofc. Malgrat and I gave Mr. Shine several loud verbal commands to roll over and place his hands behind his back. Mr. Shine rolled and tried to run again. Ofc. Malgrat and I activated our Taser's again and Mr. Shine received a second five second cycle. Ofc. Malgrat and I gave Mr. Shine loud verbal commands to roll over and place his hands behind his back. Mr. Shine complied and I was able to handcuff Mr. Shine. I asked Mr. Shine if he had any pain other that where the Taser probes struck him. Mr. Shine said, "No and he was fine."

KWFD responded to the scene to evaluate Mr. Shine. KWFD transported Mr. Shine to Lower Keys Medical center for further evaluation and treatment. Lower Keys Medical Center medically cleared Mr. Shine and he was transported to MCDC for processing without incident.

End of Narrative:

Reporting Officer OFC MICHAEL J CHAUSTIT (3141)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT HOLLIS WOODROW JR. WOOD (2091)	Department KEY WEST POLICE DEPARTMENT	Date / Time 10/26/2015 16:43

Incident Report

Report 10/26/2015 16:53

Case # 01-15-004813

	Case # 01-15-004813	Report 10/26/2015 16:53	Occurred From	Occurred To	Report Type Supplemental
	Dept. Classification OBSTRUCT/RESIST O	FFENSE	Case Status CLEARED BY ARREST	Case Status Date 10/27/2015	Cleared
E	Common Name FL DEPARTMENT OF	CORRECTIONS - 1111 12TH	ST Apt401 KEYWEST, FL 33	040 (MONROE County)	
N T	Map Reference : 3321X	X2AN ERCIAL/OFFICE BUILDING	Drug Re Total Da Total Sto	ated : No maged Property Value : \$0.00 blen Property Value : \$0.00 covered Property Value : \$0.00	

		T						
PR		Category EVIDENCE/SEIZED	Property Type TASER CARTE	RIDGE	Make	Model		
O P	1	Serial # H091500442		Color	Description	Condition		
E R T Y	SER .	Quantity/Weight : 1 Value : \$0,000,001.00	Value : \$0,000,001.00 Recovery Value : \$0,000,001.00 Recovery Location : Use Address from Incident Location					
				End of Prop	erty: 1			
P R		Category EVIDENCE/SEIZED	Property Type TASER CARTR	RIDGE	Make	Model		
OP	2	Serial # C4102N6DM		Color	Description	Condition		
E R T Y		UCR Type: MISCELLANEOU Quantity/Weight: 1 Value: \$0,000,001.00 Recovery Location: Use Add Information			Recovered By : M. Malgrat Recovery Date and Time : 10/26/20 Recovery Value : \$0,000,001.00	15 11:58		
				End of Prop	erty: 2			
P R		Category EVIDENCE/SEIZED	Property Type DIGITAL DISK		Make	Model		
O P	3	Serial #	-	Color	Description CD W/Taser Video		Condition	
UCR Type: MISCELLANEOUS Quantity/Weight: 1 Yalue: \$0,000,001.00 Recovery Location: Use Address from Incident Location Information Recovered By: M. Chaustit Recovery Date and Time: 10/27/2015 10:49 Recovery Value: \$0,000,001.00								
1				End of Prope	erty: 3			

N Topic SUPPLEMENTAL

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On 10/26/2015 1150 hours, Ofc Chaustit and I (Ofc M Malgrat) responded to the Probation/Parole office at 1111 12th Street in reference to a subject with an active warrant. Upon arrival, we made contact with Probation Officer Castro who told us she held an active warrant for Derek Shine. We made contact with Shine and advised him he had an active warrant. Ofc Chaustit told Shine to put his hands behind his back. Shine complied, but began to turn towards Ofc Chaustit. Shine pushed in to Ofc Chaustit and attempted to flee the office. Ofc Chaustit was able to get Shine to the ground. I gave Shine loud commands to stay on the ground and put his hands behind his back. Shine got up and planted his feet and attempted to run. I deployed by Taser at Shine's back and it achieved it's desired

Reporting Officer OFC MICHAEL MALGRAT (2809)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved	
Supervising Officer		Date/Time	
Verifying Officer SGT HOLLIS WOODROW JR. WOOD (209	Department 1) KEY WEST POLICE DEPARTMENT	Date / Time 10/27/2015 11:44	

Key West Police Department

Incident Report

Report 10/26/2015 16:53

Case # 01-15-004813

effect (NMI). Shine fell to the ground and at the end of the 5 second cycle I gave Shine loud verbal commands to stay down and put his hands behind his back. I instructed Shine that he would be Tased again if he failed to comply. Shine attempted to get up and flee. I delivered another 5 second cycle to Shine and upon it's completion I ordered Shine to place his hands behind his back. Shine complied and was handcuffed by Ofc Chaustit. Shine was transported to the ER by ambulance for medical clearance. I stood by with Ofc Chaustit at the ER until Shine was medically cleared. Once medically cleared Shine was transported to MCDC by Ofc Chaustit with no further incident. Taser Cartridges and Taser Video were placed in evidence. Photos were placed in COBAN DPM.

Reporting Officer OFC MICHAEL MALGRAT (2809)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved	
Supervising Officer		Date/Time	
Verifying Officer SGT HOLLIS WOODROW JR. WOOD (2091)	Department KEY WEST POLICE DEPARTMENT	Date / Time 10/27/2015 11:44	

KWPD						Coun	ty Ac	dult Arre	st Fo	orm					RRANT	AFFIDAVIT
Filing Agency			Case #		Doc. Co		Sta	te ID #			FBI #	1			SS#	AFFIDAVII
KWPD			0115004	813												
Defendant's L SHINE	ast Na	me	First DEREK		Middle			S	uf		Alias				Citizenship	
Race Eth S B NH M		Hgt 5'07"	Eyes BROWN	Hair BLACK	Wgt 160	Comp DARK		Age 28	DOB 10/23	3/1987	Birth KEY W	place EST, FL	ace Scars, M ST, FL		, Marks, T	Т
MTBRD N	Build MED	Mar	ital St	Hand Use		Glasse	es	Speech NORMAL	_		Parol	e/Probatio	n	Lang	uage Spo	ken
Permanent Ad 24 9TH AV KEY		FL 3304	0-	4.0				Home P	hone:		Local	Address:				
Email Address	3		*			-		Cell Pho	ne:		Place	of Employ	ment		Occupat MECHAN	
Arrest Locatio 1111 12TH ST Ap		KEY WE	ST, FL 330	40-		Area/ Zone	j	Work Ph	one:		Arres MICH	ting Offic AEL 3141	er			
Violation Loca 1111 12TH ST A		KEY W	EST, FL 330)40-		Area/ Zone	5	Date/Tim 10/26/2		/iolation 1:50			150000	te/Time 26/201	Arrested	1
DL # State Breathalyser By		Read	ing M	iranda	a Advisem	ent	By Whon	n		Inc	dication	Of:	Y N UK			
Domestic Viole	ence	Weapo	on Seized		Office	er Injure	d	Caution						ohol In ug Infl	fluence: [uence: [388
Drug Type:	Type: N-N// A-Am	Ā C	B-Barbiturate C-Cocaine ne E-Heroin	H-Hallucinoge M-Marijuana O-Opium	n P-Paraph Equipmer S-Synthet	ıt	U-Unkr Z-Othe		Acti	ivity:	Activi N-N/A P-Pos S-Sel	T-Traffi ssess A-Smu	c M- ggle	Use Manufac Produce Cultivate	ture/ Dist / Z-Othe	pense/ tribute er
Defendant Veh	icle M	ake:	Гуре:	i a	Year:	Col	or:	18		Vehicle	Regist	ration Stat	e:			
VIN#:						Tag	#;	•		Vehicle	Tag Ex	piration:				
Vehicle Status:					8)	Oth	er Ide	ntifiers or	Rem	arks:						
# CODEFEN	NDAN'	T.	0"		DRESS			21.1.1			NE#		ACE			ООВ
Count RESIS	T OFFIC	ER OBS		es Charged VIOLENCE-843.02	2		s	Statut IST OFFICER		Warran	11 #	Court Dat	e and	Time	Citatio	n#
							\dashv									
							-				\dashv					-
efore me this dectober, 2015 at harged and the IARR]: On Octob	t 1111 facts	12TH S	ST Apt# 4	101 KEY WE le cause to b	ST, FL 33 believe the	8040- the same	e abo	ove name as follows	d defe	endent co	ommitte	ed the abo	ove of	fenses		<u>'</u> 1
arrived and met wontact with Mr. Shaced his hands b	vith Off nine an	icer Cas d he wa	stro who a	dvised Derek nad a warrant	Shine had for his arr	an activest. I in:	e arre	est warrant ed Mr. Shir	for vi	olation of polace his h	probation	on. Ofc. Ma ehind his ba	algrat ack. N	and I m ⁄Ir. Shin	ade e	
Is wear the abo	ove sta	ate men	t is correc	and true to	the best o	of my kn	o wle	dge and b	e lief.		£:					
MICHAEL 314	1				W	OODRO	W JR	. WOOD				_	KEY	WEST	POLICE D	EPARTMENT
OFFICER/	ELEC	CTRO	NIC SIC	SNATURE	AF	PPRO	VINC	3 SUPE	RVIS	SOR			DIVIS	SION/L	JNIT	
STATE OF FLO	strume		acknowle	JNTY OF <u>MC</u> dged before m ype) <u>Police</u>	ne this						, wh	o is persor	nally			

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE #
SIXTEENTH JUDICIAL COURT

MONROE County State of FLORIDA Page <u>1</u> of <u>2</u>

Monroe County Adult Arrest Form Continuation

KWPD

ARREST#

State of FLORIDA

OBTS #

ARTICLOT W				-					
LAST NAME	FIRSTNAME MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
SHINE	DEREK		5'07"	160	В	M	10/23/1987	0115004813	MICHAEL 3141

door. I grabbed onto Mr. Shine to prevent him from running. Mr. Shine kept pushing me around my waist. I assisted Mr. Shine out of the probation office and onto the floor in the hall way. Ofc. Malgrat gave Mr. Shine loud verbal commands to stop. Mr. Shine planted his feet on the ground and tried to run away from us. Ofc. Malgrat and I both fired our Tasers. Both Taser's activated and Mr. Shine received a five second cycle. Ofc. Malgrat and I gave Mr. Shine several loud verbal commands to roll over and place his hands behind his back. Mr. Shine rolled and tried to run again. Ofc. Malgrat and I activated our Taser's again and Mr. Shine received a second five second cycle. Ofc. Malgrat and I gave Mr. Shine loud verbal commands to roll over and place his hands behind his back. Mr. Shine complied and I was able to handcuff Mr. Shine. I asked Mr. Shine if he had any pain other that where the Taser probes struck him. Mr. Shine said, "No and he was fine."

KWFD responded to the scene to evaluate Mr. Shine. KWFD transported Mr. Shine to Lower Keys Medical center for further evaluation and treatment. Lower Keys Medical Center medically cleared Mr. Shine and he was transported to MCDC for processing without incident.

I swear the above statement is correct and true to the best of my knowledge and belief.		
MICHAEL 3141	WOODROW JR. WOOD	KEY WEST POLICE DEPARTMENT
OFFICER/ELECTRONIC SIGNATURE	APPROVING SUPERVISOR	DIVISION / UNIT
STATE OF FLORIDA COUNTY OF MONR The foregoing instrument was acknowledged before me to known to me or who has produced (ID Type) Police as it	nis, day of, (year), who	o is personally
LAW ENFORCEMENT OFFICER / CORRECTIONS OFFI SIXTEENTH JUDICIAL COURT MONROE County	CER PER STATE STATUTE #	Page <u>2</u> of <u>2</u>
Ctata of EL ODIDA		Form NS ARREST 3.0, REV: 04/18/2014