# Response to Resistance Report Key West Police Department

Ke	y West Police Department		Case No:	17-5024
1	A Pesnansa ta Pasistanaa Panart will be ass			
x	A Response to Resistance Report will be con A response through the use of non-lethal weapons		ervisor for:	(Check all that apply)
lĥ	Applies weaponless physical force of strikes, kicks			
			11 611	
	When any person sustains an apparent substantial When any person complains of injury as a result of	the application of fee	sult of the application of	of force
١Ħ	Discharge of firearm in the line of duty off-duty or of	on-duty (other then for	e Izainina masiataasaa	b-10-0-1-0-1
	Discharge of firearm in the line of duty off-duty or of 2. Date: 10/14/17 3. Time: 2:00	4. Location: 920 C		
_	6. Resistance Level 7. Explanation			Incident type: Trespassing
INCIDENT		6. <u>Re</u>	sponse Option	9. <u>Explanation</u>
Ë	X Passive: Refuse to sit	L	Physical Control	
2	X Active: Tried to grab TASE	:R x	Non-lethal Weapon	TASER
	Aggressive:		Deadly Force	
	Deadly Force:			
	10. Last Name: Smith	11. First: Branden	12. F	Race: w 13. Sex: m
	<b>14. DOB</b> : 10/9/91	15. Height: 5 11	16. V	Veight: 200
	17. Did you observe the subject: No X Yes			f "YES", complete sections 18-22
	18. Appeared to be: X Intoxicated X Under the in	offluence of controlled s	ubstance Emotio	onally / mentally disturbed
	19. Injuries: No X* Evident Alleged (If E	Evident or Alleged, des		eas on charts in Section 22)
	20. Photographed: No X Yes 21. Treated:		MT/Paramedic on sc	
<b>F</b>			\	
SUBJECT				
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	22 Antonion Minus			
	22. Anterior View  23. Officer: Tellier  24. Race: w	Posterior Vi		
			6. Age:38 27. Height.	
-		duty employment X Ur		
-				on charts in Section 35)
-	32. Photographed: X No Yes 33. Treated.		EMT/Paramedic o	
-	34. Response option used by this officer: (If TAS	ER®, also reference	line number from T	ASER® section)
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OFFICER				
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	35. Anterior View	Posterior Vie	w () \)	

Case No:

# Response to Resistance Report (continued) Key West Police Department

	17-5024Error! Reference
Case No:	source not found.

	T			
	36. TASER® device serial		37. TASER® device serial #	
	TASER®Cam serial # v2100		TASER®Cam serial #	
	Cartridge 1 serial # c41058ch	n	Cartridge 1 serial #	
ONLY	Cartridge 2 serial #		Cartridge 2 serial #	V
O	Number of cycles: 1		Number of cycles:	
USE	Type of contact: x Probe	CODS Drive Stun	Type of contact: Probe CODS	S Drive Stun
R	Did probes penetrate skin: x \	Yes No	Did probes penetrate skin: ☐ Yes ☐	
TASER	Target distance at probe laun	ich: 1'	Target distance at probe launch:	
7	Distance between probes: un	k**	Distance between probes:	
	Probes removed by (name): 0	Ofc Gillespie**	Probes removed by (name):	
	Device downloaded by: Sgt R	Rodriguez	Device downloaded by:	
	☐ 38. Check and list any ad	ditional TASER® devices	, cartridges or details in the incid	ent description section.
	39. Offense/Incident Report a			
	X All necessary criminal elemer		· morado.	
RT	X All details of the arrest			
REPORT	x Details articulating the subjec	t's words, mannerisms and ac	tions that justify the use of force.	
8	x Details outlining the response			
	x Detailed description of injury of			
			eatment provided to the officer and/or su	biect.
	40. Notified Date: 10/14/17		. Time: 0200	
	42. Did you respond to the sc			
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	**subject pulled out one of the p			
INQUIRY	43. Did you meet with the Office	cer: No X Yes (If "No",	explain why)	
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R.				
ERVISOR'S				
ER!	44.44			
SUPE	44. Were you able to locate an	y independent witnesses: L	No X Yes (If "Yes," list below)	
S	Name Carl Weiner	915 Washington St	Address	Phone Number
-		910 Washington St		631-335-0023
			4	
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	45. Is further review recommer FORWARD COMPLETED ORIGINAL REPO	ART TO INTERNAL APPAIRS	1-1/1 1/1/1619	10/14/17
$\dashv$	48. Did the review of this incide		Preparing Supervisor's Signature / ID	47. Date
H.	of force was in compliance with		20 10 10	. 7 /
	policy? No Yes (If "No	307	Signature of Hy (93)	4/81/17
		,	Signature of Internal Affairs Inspector	50. Date
	51. If section 48 is "No" record	the Professional Standards	Control Number: 52. D	ate Entered:

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# **Incident Report Additional Name List**

Key West Police Department

OCA: 17-005024

### Additional Name List

1	Name (	Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1)	WI	1	WEINER, CARL		03/07/1950	67	W	M
		Address	915 Washington St , Key West, FL 33040-		Н:			
	Em	ıpl/Addr			B:			
				Mo	obile #:			

### **INCIDENT/INVESTIGATION REPORT**

Key West Police Department

Case # 17-005024

Statu Code	s L=	Lost	S = Stolen  R = Re	covered D = Dar	maged $Z = Seized$ $B = Burned$ $C = Counterfeit / B$	Forged F = Found
	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D						
R				,		
U						
G S						
5						
	Assist	ing Off	icers			

Suspect Hate / Bias Motivated:

NARRATIVE		
,		

TELLIER, J.J. (3544), TELLIER, J.J. (3544), HANSELL, M. (3648), DEHANAS, B.T. (3756), TRIPP, J. (1679), MOGERLEY,

REPO	DRTING OFFICER NARRATIVE	OCA
Key West Police Department		17-005024
Victim	Offense	Date / Time Reported
Society	RESIST ARREST / ESCAPE	Sat 10/14/2017 01:43

On 10/14/2017, at approximately 0143 hours, I responded to 916 Elizabeth St. in reference to a physical altercation between two males.

Upon arrival, I met with Misty (person who reported incident). Misty said she was in her hotel room when her male friend came home after a night of drinking. Misty said she witnessed her friend and another white male (later identified as Branden Smith) were engaged in a verbal argument in front of the hotel room. Misty said there wasn't any physical touching between her friend and Branden. Misty said she observed Branden to have one of his hands wrapped in some sort of towel because it was bleeding. Misty said Branden was bleeding from his hand before the argument with her friend. Misty said Branden was acting very aggressive and erratic towards them. Misty said Branden left when she told him that she was calling the police. Misty said as Branden walked away, he was yelling and screaming at people passing by.

Officer Tellier, Officer Dehanas and I looked for Branden in the surrounding area. Officer Dehanas located Branden in front of 920 Catherine St.

I arrived at 920 Catherine St. and observed Branden on the front porch pacing and yelling for Officer Dehanas to "Shoot me". Officer Tellier and I tried to talk to Branden and get him to come off of the porch. The more we spoke to Branden, the more he got irritated. Branden pounded on the door to the home several times, then started speaking gibberish Branden continued to yell, pace and tell us to shoot him. Officer Tellier pulled his Taser and ordered Branden to come off of the porch. Branden made aggressive movements by clenching his fists and posturing up towards Officer Tellier. Branden tried to grab the Taser out of Officer Tellier's hand. That is when Officer Tellier Tased Branden. Branden then clenched and as the Taser was cycling tried to pull out the Probes that were stuck in his chest.

I observed the Taser cycling, so I grabbed Branden and pushed him against the front door of the home and then Branden and I fell to the ground. Branden was still trying to get up. I used loud verbal commands for Branden to "give me your hands". Branden continued to resist by pulling away from me and not giving me his hands. Officer Tellier then drive stunned Branden. Officer Dehanas and I put hand cuffs on Branden and took him into custody.

Rescue showed up on scene and evaluated Branden. Branden had a small laceration to his for head and was bleeding from his hands. Rescue transported Branden to Lower Keys Medical Center. Due to Branden's high heart rate, Lower Keys had to do full examination on Branden. I issued Branden a Notice To Appear.

Officer Dehanas had a Carl Weiner riding along with him. Weiner provided a sworn written statement.

Have no further information at the time of this incident. ///END OF REPORT///

R CS3NC

# **Incident Report Suspect List**

Key West Police Department

OCA: 17-005024

Page 5

1	Name (Last, First, SMITH, BRA) Business Address	IDEN B					Also I	Also Known As					Home Address 38 MIRIAM ST - H KEY WEST, FL			
	DOB 10/09/1991	Age 26	Race W	Sex M	Eth	Hgt 511	Wgt	Н	air	Eye	Skin			License / State. 062913690 F	TL	
	Scars, Marks, Ta	ttoos, or o	other dist	inguish	ing feat	ures	•	•	•							
	Reported Susp	ect Deta	ail Su	ispect A	ge	R	ace	Sex	Eth	Heigh	nt		Weight		SSN	
	Weapon, Type	Featur	e	Mak	e	М	odel			Colo	or	Calil		Dir of Travel Mode of Travel		
	VehYr/Make/Mod	lel		Drs	Style	:	C	olor		Lic/St			•	VIN		
	Notes									P	hysical Cl	har				

# **Incident Report Related Property List**

Key West Police Department

OCA: 17-005024

Property Description				Make			Model	E00E4	C.F.	10	Caliber
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# **Incident Report Related Property List**

Key West Police Department

OCA: 17-005024

5	Property Description				Make			Model			Caliber
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	Evidence	10/14/2017									
	Name (Last, First, Middle	)				DOB			Age	Race	Sex
	* No name *										

Notes

#### **CASE SUPPLEMENTAL REPORT**

Printed: 10/30/2017 10:46

Key West Police Department

OCA: 17005024

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

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred: 10/14/2017

Offense: RESIST ARREST / ESCAPE

Investigator: DEHANAS, BRETT T (3756)

Date / Time: 10/14/2017 03:23:46, Saturday

Supervisor: TRIPP, JOSEPH (1679)

Supervisor Review Date / Time: 10/14/2017 06:01:06, Saturday

Contact:

Reference: General Supplemental Report

On 10/14/17, at approximately 0143hrs, I (Ofc. DeHanas) responded to a report of a physical disturbance at 916 Elizabeth St. (Chelsea House).

Key West Police Department Communications (COMM1) advised the following over channel one: the suspect left the scene and was possibly walking outbound (east) on Truman Ave. The suspect was a white male, wearing a long, camouflage shirt.

As I was driving around, I heard a scream. I saw a white male (Branden), with no shirt on near the 900 Block of Catherine St. Branden was walking east on Catherine St. toward my patrol car and had a light colored, pattern shirt hanging on his left shoulder. I got out of my patrol car and he told me "What's up, you gonna kill me?", and kept walking east on Catherine St. I told Branden to stop several times and he kept walking east on Catherine St. Branden kept asking me if I was going to kill him and kept repeating, "kill me" as he continued to walk. I told Branden that no one was going to kill him. I told Branden to sit down and continued to walk away from me. Branden jumped over the fence at 920 Catherine St. As Branden jumped over the fence, he tripped/stumbled and fell to the ground. Once Branden got up, he asked me if I was going to "kill him".

Branden kept asking if I was going to shoot him and kept telling me that he "didn't do anything wrong". I told Branden that no one said he did anything wrong. Branden started to knock on the door of 920 Catherine St. Ofc. Tellier asked Branden if he was going to get off the porch. Branden continued to disobey simple verbal commands. Ofc. Tellier displayed his taser, pointed it at Branden and told him to sit on the ground. Branden tried to grab the end of Ofc. Tellier's taser. Ofc. Tellier tased Branden. Ofc. Gillespie grabbed Branden and took him to the ground. I put handcuffs on Branden.

Rescue came to the scene to medically clear Branden.

Carl H. Weiner, who was participating in the Ride-A-Long program, completed a witness statement. I gave the signed witness statement to Ofc. Gillespie.

My body worn camera was activated during this incident. I later uploaded my BWC footage onto the Key West Police Department COBAN Server.

Investigator Signature Supervisor Signature

#### **CASE SUPPLEMENTAL REPORT**

Printed: 10/30/2017 10:46

Key West Police Department

OCA: 17005024

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

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred: 10/14/2017

Offense: RESIST ARREST / ESCAPE

Investigator: TELLIER, JEREMEY J (3544)

Date / Time: 10/14/2017 04:27:07, Saturday

Supervisor: TRIPP, JOSEPH (1679)

Supervisor Review Date / Time: 10/14/2017 06:03:59, Saturday

Contact:

Reference: General Supplemental Report

On 10/14/2017 at 0143 hours I, (Ofc. J. Tellier) was dispatched to the corner of Truman Ave and Elizabeth Street in reference to a trespasser. The caller stated a while male (who was wearing a camo shirt) was fighting with people on the property.

Upon my arrival, Ofc. Gillespie was already on scene and speaking with the reporting person. She stated the trespasser (later identified as Branden Smith) had already left the area, and that the fight was a verbal argument.

A white male on a scooter rode up to the scene, and told me that Smith was a few blocks away stumbling down the street trying to antagonize motorists into fighting him. Ofc. Gillespie, Ofc. Dehanas, and I searched the area for Smith.

Ofc. Dehanas aired over channel one that he located Smith on the 900 Block of Catherine Street. I drove to the location (920 Catherine Street). Smith was standing on the porch of this address, shirtless, demanding we shoot him. He was sweating heavily, pacing pack and forth. I asked him what his name was and he stated it was Tony Montana (scarface). Ofc. Gillespie was on scene by this time. We each took turns trying to build a repor with Smith so we could calm him down, and get him to comply with our simple orders (get off the porch, and sit down). I walked towards him and tried to get him to walk out to the street with us. As I was speaking to him, Smith was rolling his shoulder, stepping side to side, and balling his fists up (Posturing).

Judging by his current demeanor and actions, Branden Smith needed to be taken into protective custody as a Marchman. This was the third location where an incident occurred from his level of impairment. We had been asking him to step out onto the street and talk to us, but he refused. I walked onto the porch, unholstered my taser turned it on, pointed it to his chest, and ordered him to sit down. I ordered him three time to sit down. I tried to grab his right bicep to guide him towards the street and he pulled away. With his left hand, Smith reached out and tried to grab my taser. I took a step back and fired my taser with two probes hitting Smith in the stomach. He winced in pain but did not fall to the floor.

Ofc. Gillespie grabbed Smith and wrestled him to the ground. Smith was still actively trying to resist our efforts to handcuff him (trying to stand up and roll onto his side), so I drive stunned him in his left shoulder. Ofc. Dehanas and Ofc. Gillespie were able to handcuff Smith. We sat Smith up and now he was calm, and compliant.

I requested a supervisor and a rescue unit be dispatched to the scene.

Smith was transported to the emergency room for having an abnormally high heart rate, and issued an NTA by Ofc.

Investigator Signature Supervisor Signature

#### **CASE SUPPLEMENTAL REPORT**

Printed: 10/30/2017 10:46

Key West Police Department

OCA: 17005024

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

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred: 10/14/2017

Offense: RESIST ARREST / ESCAPE

Investigator: TELLIER, JEREMEY J (3544)

Date / Time: 10/14/2017 04:27:07, Saturday

Supervisor: TRIPP, JOSEPH Supervisor Review Date / Time: 10/14/2017 06:03:59, Saturday

Contact:

Reference: General Supplemental Report

Gillespie.

I recovered photos, afids, and my spent taser cartridge from the scene. My BWC recorded my dealings in this case. No further information.

Investigator Signature

Supervisor Signature

### **KEY WEST POLICE DEPARTMENT**

Pageol STATEMENT FORM   INCIDENT#
17-5029 DATE
CARL WEINER 10-14-17
NAME
DATE OF BIRTH SPACE RACE SEX M
DRIVER'S LICENSE # W560-120-50-887-0 STATE FL
ADDRESS 9/5 WASHINGON ST KW FL 33040 STREET CITY STATE ZIP
BUSINESS ADDRESS STREET CITY STATE ZIP
TELEPHONE 63/-335-0023 HOME ( ) BUSINESS ( ) CELLULAR
E-mail Address CWEINER MO JOAOL.COM
PLEASE PRINT LEGIBLY
I hereby state the following: SUSPECT WAS WALKING UP CATHERINE
ST. WHEN ORDERED BY POLICE OFFICERTO STOP
SUPPORT ROSPONDED "NO! JUST SHOOT ME" REPEATED
COMMAND TO STOP/SIT WERE IGNORD. SUSPORT
APTOMPTOD TO JUMP BUT FELL HODD FIRST OVER
FINER AND CLIMBED ONTO PORCH, BEGAN KNOCKINH
ON DOOR OF HOUSE, OFFICERS CONTINUED TO ORDER
SUSPECT TO SIT, SUSPECT CONTINUED TO SCHOOT "SHOOT
MB" OFFICE TAZED SUSPERT AND WAS BRIGHT
TO THE GRAUND BY SECOND OFFICER AND HANDCUFFE
I am willing to cooperate in the prosecution of this case.
I am NOT willing to cooperate in the prosecution of this case.
I have read each page of this statement consisting of page(s) and swear or affirm that it is true to the best of my knowledge or belief./
Signed 1404 2017  Date 1404 2017
Notary Public Or Officer Authorized to Administer An Oath