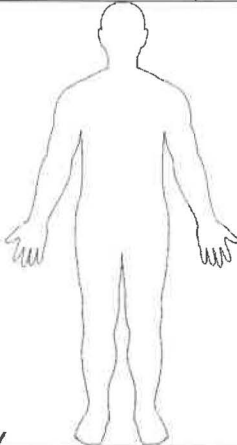
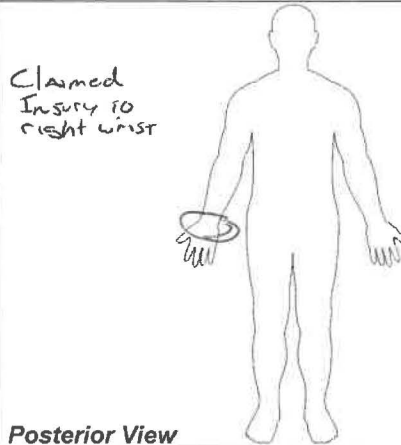
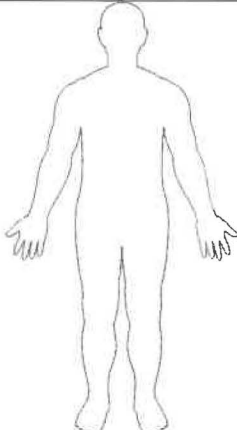
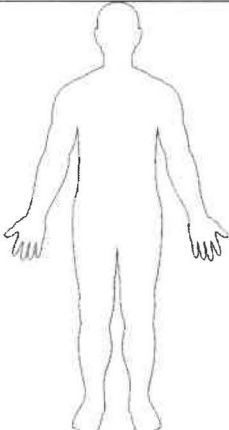


Response to Resistance Report

Key West Police Department

Case No: 20-1258

1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)						
<input type="checkbox"/> A response through the use of non-lethal weapons,						
<input checked="" type="checkbox"/> Applies weaponless physical force of strikes, kicks, or "take-downs"						
<input type="checkbox"/> When any person sustains an apparent substantial or fatal injury as a result of the application of force						
<input type="checkbox"/> When any person complains of injury as a result of the application of force						
<input type="checkbox"/> Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)						
INCIDENT	2. Date: 02/26/20	3. Time: 2310	4. Location: Charles/Duval	5. Incident type: Resisting		
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation		
	<input type="checkbox"/> Passive:		<input checked="" type="checkbox"/> Physical Control	Take-Down		
	<input checked="" type="checkbox"/> Active:	Grabbing Officer, Pulling Away	<input type="checkbox"/> Non-lethal Weapon			
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force			
<input type="checkbox"/> Deadly Force:						
SUBJECT	10. Last Name: Baez		11. First: Francisco	12. Race: W / H	13. Sex: M	
	14. DOB: 12/11/1963		15. Height: 5'05"	16. Weight: 145		
	17. Did you observe the subject: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22					
	18. Appeared to be: <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input checked="" type="checkbox"/> Emotionally / mentally disturbed					
	19. Injuries: <input type="checkbox"/> No <input type="checkbox"/> Evident <input checked="" type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)					
	20. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 21. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention					
						
	22. Anterior View		Posterior View			
	OFFICER	23. Officer: EJ Cuneo				
		24. Race: W 25. Sex: M 26. Age: 32 27. Height: 5'04 28. Weight: 180				
29. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes 30. Yrs Exp: 7						
31. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)						
32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital						
34. Response option used by this officer: (If TASER®, also reference line number from TASER® section)						
						
35. Anterior View		Posterior View				

Response to Resistance Report (continued)

Key West Police Department

20-1258
 Error! Reference source
 not found.

Case No:

TASER USE ONLY	36. TASER® device serial #		37. TASER® device serial #	
	TASER®Cam serial #		TASER®Cam serial #	
	Cartridge 1 serial #		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles:		Number of cycles:	
	Type of contact: <input 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 type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Target distance at probe launch:		Target distance at probe launch:	
	Distance between probes:		Distance between probes:	
	Probes removed by (name):		Probes removed by (name):	
	Device downloaded by:		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: 02/26/20		41. Time: 2310	
	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				
INT. AFF.	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)			
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:	

INCIDENT DATA		INCIDENT/INVESTIGATION REPORT										Case# 20-001258									
		Agency Name Key West Police Department										Date / Time Reported 02/26/2020 23:11 Wed									
		ORI FL0440100										Last Known Secure 02/26/2020 23:11 Wed									
		Location of Incident Charles And Duval St, Key West FL 33040-				Premise Type Highway / Street / Road/		Beat/GP		At Found 02/26/2020 23:11 Wed											
#1	Crime Incident(s) (Com) Resist Arrest / Escape XOM				Weapon / Tools NOT APPLICABLE/NONE						Activity										
	Entry		Exit		Security																
#2	Crime Incident ()				Weapon / Tools						Activity										
	Entry		Exit		Security																
#3	Crime Incident ()				Weapon / Tools						Activity										
	Entry		Exit		Security																
MO																					
VICTIM	# of Victims 1		Type: SOCIETY/PUBLIC/STATE				Injury:				Domestic: N										
	V1		Victim/Business Name (Last, First, Middle) Society				Victim of Crime # 1		DOB Age		Race Sex		Relationship To Offender		Resident Status N/A		Military Branch/Status				
	Home Address										Home Phone										
	Employer Name/Address										Business Phone		Mobile Phone								
	VYR		Make		Model		Style		Color		Lic/Lis		VIN								
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim) Type: Injury:																				
OTHERS	Code		Name (Last, First, Middle)				Victim of Crime #		DOB Age		Race Sex		Relationship To Offender		Resident Status		Military Branch/Status				
	Home Address										Home Phone										
	Employer Name/Address										Business Phone		Mobile Phone								
	Code		Name (Last, First, Middle)				Victim of Crime #		DOB Age		Race Sex		Relationship To Offender		Resident Status		Military Branch/Status				
	Home Address										Home Phone										
	Employer Name/Address										Business Phone		Mobile Phone								
PROPERTY	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)																				
	VI #		Code		Status Frm/To		Value		OJ		QTY		Property Description		Make/Model		Serial Number				
	35		EVID		\$0.00						1		AXON BWC 3922								
	35		EVID		\$0.00						1		COBAN 5247								
Officer/ID# CUNEO, EDWARD J. (3922)																					
Invest ID# (0)										Supervisor KOURL, DAVID G (3022)											
Status		Complainant Signature				Case Status Cleared By Arrest				02/27/2020				Case Disposition: Cleared By Arrest				02/27/2020		Page 1	

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 20-001258

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

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

Assisting Officers

KOURI, D.G. (3022), BRABLC, M. (3925), LITTON, A.J. (3958), PURCELL, C. (3967), VAZQUEZ, B. (3467)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim Society	Offense RESIST ARREST / ESCAPE	OCA 20-001258 Date / Time Reported Wed 02/26/2020 23:11
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On 02/26/2020 at 2311 hours I, Ofc. Cuneo along with Ofc. Brablc were working a detail in the 200 block of Duval St. We were stationed at the intersection of Charles and Duval St.

As we were talking a male came up to us and said, "Hey, I know it's not your job to deal with drunk people but". Before the male could finish, another male later identified as Francisco Baez was located behind the male. Baez began to give Ofc. Brablc and I the middle finger and shout, "Fuck you and I will fuck you up". It shall be noted that Ofc. Brablc and I were in full and complete uniform. I observed Baez to have red, watery and glassy eyes. He was slurring his speech and had a sway to his posture while he stood. His nostrils were flared.

I walked over to Baez and told him to place his hands behind his back. Ofc. Brablc and I then walked him over to a wall, where we were able to use it to place Baez up against as we hand cuffed him. I attempted to place handcuffs on Baez. While I did this, Baez clinched his arms together, preventing us from placing him in handcuffs. I had to use positive force to place the handcuffs on Baez, as he was resisting our legal and lawful arrest. Eventually I was able to get the handcuffs on Baez, which were eventually double locked and checked for tightness.

Baez continued to resist. Baez became stiff and would not move. Baez became combative, attempting to grab my arm while he was handcuffed. Baez then attempted to push away from the wall with his body. I then performed a takedown, a maneuver in which I took Baez down to the ground from standing position. I assisted Baez to the ground preventing any injury to his person and to mine. When Baez fell to the ground my right leg was centered between both of his. Baez then took both of his legs and wrapped them around my right leg. It took the male who flagged us down to undue Baez's legs for me to move. At that point, Ofc. Brablc and I stood by with Baez on the ground until a transport unit arrived.

I then called for a supervisor to the scene. When Sgt Kouri and Sgt Vazquez arrived I briefed them on the events that transpired.

Baez was eventually placed in the rear of my patrol vehicle where the COBAN was activated and I transported him to Monroe County Detention Center for further processing. While on the way to MCDCC, Baez continued to tell me he was going to kill me when he got out of the car. This aggressive behavior continued through the sally port and into the intake section of the jail. Baez continued to threaten the deputies. Eventually Baez was placed in the restraint chair. He was processed by MCSO Deputies.

My BWC was activated, but due to the fast pace of the sequence of events, I was not able to capture all of it on my BWC.

Based on the above facts I, Ofc. Cuneo find probable cause for the following charge against Baez:

FSS 843.02 Resisting officer without violence to his or her person

While working a detail, in full and complete uniform, Ofc. Brablc and I were approached by Baez who began to shout, "Fuck you and I will fuck you up" all while giving the middle finger to us. When Ofc. Brablc and I went to take Baez into custody, Baez resisted and opposed our legal and lawful duties by stiffing up, preventing us from placing him in handcuffs. When we had handcuffed Baez, he attempted to push himself back from the wall with his body, forcing me to use a takedown on him. Baez was uninjured.

Incident Report Suspect List

Key West Police Department

OCA: 20-001258

1	Name (Last, First, Middle) <i>BAEZ, FRANCISCO</i>					Also Known As					Home Address <i>STREETS OF KEY WEST KEY WEST, FL 33040</i>																																													
	Business Address <i>NONE, NONE</i>																																																							
	DOB <i>12/11/1963</i>	Age <i>56</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>H</i>	Hgt <i>505</i>	Wgt <i>150</i>	Hair <i>BRO</i>	Eye <i>BRO</i>	Skin <i>FAR</i>	Driver's License / State. <i>B200240634510 FL</i>																																													
	Scars, Marks, Tattoos, or other distinguishing features																																																							
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td colspan="3">SSN</td> </tr> <tr> <td colspan="2">Weapon, Type</td> <td colspan="2">Feature</td> <td colspan="2">Make</td> <td colspan="2">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td colspan="3">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="3">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="4">VIN</td> </tr> </table>															<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN			Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel Mode of Travel			VehYr/Make/Model			Drs	Style		Color		Lic/St		VIN			
<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																													
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VehYr/Make/Model			Drs	Style		Color		Lic/St		VIN																																														
Notes										Physical Char																																														

Incident Report Related Property List

Key West Police Department

OCA: 20-001258

1		Property Description AXON BWC 3922			Make		Model		Caliber		
Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA		Jurisdiction Locally	
Status Evidence		Date 02/26/2020		NIC #		State #		Local #		OAN	
Name (Last, First, Middle) * No name *						DOB		Age		Race	
										Sex	

Notes

2		Property Description COBAN 5247			Make		Model		Caliber		
Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA		Jurisdiction Locally	
Status Evidence		Date 02/26/2020		NIC #		State #		Local #		OAN	
Name (Last, First, Middle) * No name *						DOB		Age		Race	
										Sex	

Notes