

Response to Resistance Report

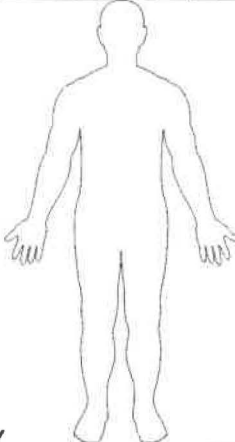
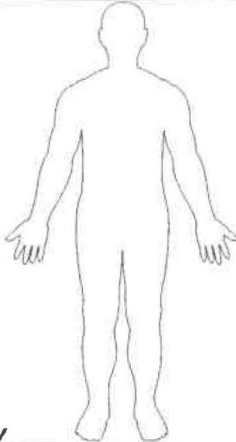
Key West Police Department

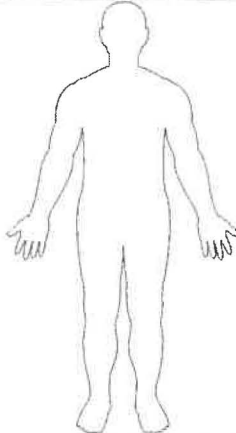
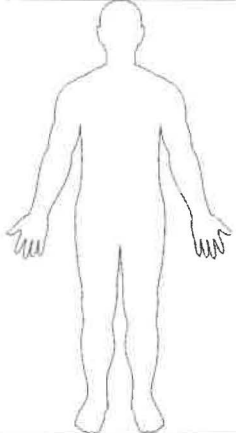
Case No: 20-1834

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: 03.31.2020	3. Time: 2345 PM	4. Location: 3200 N. Roosevelt	5. Incident type: S34/Resisting
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input type="checkbox"/> Passive:		<input type="checkbox"/> Physical Control	
	<input checked="" type="checkbox"/> Active: Pulling away, Slapping Officer hand, Fleeing	<input checked="" type="checkbox"/> Non-lethal Weapon TASER X26P	<input type="checkbox"/> Deadly Force	

SUBJECT	10. Last Name: Weber	11. First: Timothy	12. Race: White	13. Sex: M
	14. DOB: 07/28/86	15. Height: 6.02	16. Weight: 180	
	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 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 checked="" type="checkbox"/> Evident <input 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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input checked="" type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention			
				
	22. Anterior View		Posterior View	

OFFICER	23. Officer: Avery Bozzetti	24. Race: W	25. Sex: M	26. Age: 27	27. Height: 6'03	28. Weight: 175
	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: 1yr					
	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: TASER					
	35. Anterior View					
						
			Posterior View			

Response to Resistance Report (continued)

Key West Police Department

Case No: 20-1834

TASER USE ONLY	36. TASER® device serial # X1200CT4W		37. TASER® device serial #	
	TASER®Cam serial # V21002AVC		TASER®Cam serial #	
	Cartridge 1 serial # In Property Locker 9		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: 10 feet		Target distance at probe launch:	
	Distance between probes: 2 feet		Distance between probes:	
	Probes removed by (name): Ofc. Cleyton Morris		Probes removed by (name):	
Device downloaded by: Sgt. Kouri		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.			
SUPERVISOR'S INQUIRY	40. Notified Date: 3.31.2020		41. Time: 2345 PM	
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	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	
INT. AFF.	45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		3072	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		03.31.2020	
	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)		47. Date	
	49. Signature of Internal Affairs Inspector		46. Preparing Supervisor's Signature / ID	
51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

INCIDENT/INVESTIGATION REPORT

I N C I D E N T D A T A	Agency Name Key West Police Department		INCIDENT/INVESTIGATION REPORT		Case# 20-001834				
	ORI FL0440100				Date / Time Reported 03/31/2020 22:49 Tue				
	Location of Incident 3200 N Roosevelt Blvd, Key West FL 33040-				Last Known Secure 03/31/2020 22:49 Tue				
					At Found 03/31/2020 22:49 Tue				
D E T A I L S	#1	Crime Incident(s) Obstruction Of Justice XOX	(Com)	Weapon / Tools NOT APPLICABLE/NONE		Activity			
				Entry Exit Security					
	#2	Crime Incident Trespassing XOT	(Com)	Weapon / Tools		Activity			
				Entry Exit Security					
	#3	Crime Incident	()	Weapon / Tools		Activity			
				Entry Exit Security					
MO									
V I C T I M	# of Victims 1		Type: SOCIETY/PUBLIC/STATE		Injury: Domestic: N				
	V1	Victim/Business Name (Last, First, Middle) Society			Victim of Crime # 1,2	DOB Age	Race Sex Relationship To Offender Resident Status Military Branch/Status		
		Home Address					Home Phone		
		Employer Name/Address				Business Phone	Mobile Phone		
		VYR	Make	Model	Style	Color	Lic/Lis VIN		
O T H E R S	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)								
	Type:		Injury:						
	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			
I N V O L V E D	Type:		Injury:						
	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			
	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)								
P R O P E R T Y	VI #	Code	Status Fm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
		35	EVID	\$0.00		1	BWC 4058		
		99	EVID	\$0.00		1	TASER CARTRIDGE / 4058		
		99	EVID	\$0.00		3	TASER AFID		
Officer/ID# BOZZETTI, CHRISTIAN A (4058)									
Invest ID# (0)					Supervisor VAZQUEZ, BILLY (3467)				
Status	Complainant Signature			Case Status Cleared By Arrest		04/01/2020		Case Disposition: Cleared By Arrest 04/01/2020	

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 20-001834

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

VAZQUEZ, B. (3467), LITTON, A.J. (3958), MORRIS, C.B. (3926), PURCELL, C. (3967)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

20-001834

Victim

Society

Offense

OBSTRUCTION OF JUSTICE

Date / Time Reported

Tue 03/31/2020 22:49

On March 31, 2020, at approximately 2249 hours, I (Ofc. Bozzetti) was on a routine area check of the Sears Town Shopping Center Plaza. During my area check I observed a male lying on the ground outside of Sears. He was lying directly under a no loitering sign, and just to his right was a Key West Police Department authorization to trespass sign.

It should be noted that Ofc. Morris and I spoke with this individual, later identified as Timothy Weber, earlier in the day at Key Plaza, and explained to him that he was not allowed to Loiter at any of the shopping plazas in Key West. We told Weber to go to Kots Homeless Shelter for the night, multiple times.

I approached Weber and attempted to wake him up using as series of sternum rubs. Weber was swatting my hand away as I was sternum rubbing him. On the third sternum rub, Weber woke up. I had Weber sit upright and attempted to explain to him that he was trespassing. Weber was making incoherent statements the whole time I was explaining this to him. I told Weber to stop talking, in an effort to explain to him that he was trespassing. Weber replied with "go fuck yourself" and "don't touch me". Weber started standing up, and I told him to sit back down. He did not comply with my command. I attempted to grab Weber to force him to sit down. Weber physically resisted, pushing me away, and telling me not to touch him. I pulled my taser out, pointed it at Weber, and repeatedly told him to sit down or he would be tased. Weber continued to not comply with my demands. Weber picked his backpack up, while contentiously telling me not to touch him, and calling me a "pussy". Weber started to walk away from me. I told Weber multiple times to sit down or he would be tased. I attempted to grab his right arm twice while he was walking away, and he ripped it away from me both times. I tried to grab Weber's arm two more times, and he physically evaded me both times. I created some separation between us to allow the taser to work properly, and with the red dot centered on his back, deployed my taser. Weber fell to the ground, and rolled on to his back. I allowed the initial 5 second cycle of the taser to finish.

Ofc. Morris arrived and placed Weber under arrest. Ofc. Purcell, Ofc. Litton and Sgt. Vazquez arrived on scene shortly after. One probe struck Weber in the left shoulder blade, and the other probe struck him in the right shoulder blade. Ofc. Morris removed the probes from Weber's back. Sgt. Vazquez photographed the puncture sights. Ofc. Morris inverted the taser probes and placed them inside the cartridge, and then in an evidence bag, along with 3 AFIDS from the taser cartridge. Weber sustained an injury to the face from his fall. Key West Fire Department Rescue 3 arrived on scene to treat Weber's injuries. KWFD Rescue 3 medically cleared Weber. Ofc. Morris transported Weber to the Monroe County Detention Center. Weber was medically cleared, and taken in to the jail for booking without incident.

Since Weber willfully entered and remained on a property other than a structure or conveyance, as to which notice against entering or remaining was given by a posted trespassing sign, he is in violation of F.S.S 810.09(1A-1).

Since Weber resisted, obstructed or opposed a police officer, in the execution of legal process or in the lawful execution of any legal duty, without offering or doing violence to the person of the officer, he is in violation of F.S.S 843.02.

My Body Worn Camera was activated during this incident.

Incident Report Suspect List

Key West Police Department

OCA: 20-001834

1	Name (Last, First, Middle) WEBER, TIMOTHY J					Also Known As					Home Address 1 GENREAL DELIVERY KEY WEST, FL 33040				
	Business Address NONE														
	DOB 07/28/1986	Age 33	Race W	Sex M	Eth N	Hgt 602	Wgt 180	Hair BRO	Eye BLU	Skin LGT	Driver's License / State. SM707921 OH				
Scars, Marks, Tattoos, or other distinguishing features															
Reported Suspect Detail															
Suspect Age		Race		Sex		Eth		Height		Weight		SSN			
Weapon, Type		Feature		Make		Model		Color		Caliber		Dir of Travel Mode of Travel			
VehYr/Make/Model		Drs		Style		Color		Lic/St		VIN					
Notes							Physical Char								

Incident Report Related Property List

Key West Police Department

OCA: 20-001834

1 Property Description BWC 4058		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit EA	Jurisdiction Locally		
Status Evidence	Date 03/31/2020	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes

2 Property Description TASER CARTRIDGE / 4058		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit EA	Jurisdiction Locally		
Status Evidence	Date 03/31/2020	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes

3 Property Description TASER AFID		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 3.000	Unit EA	Jurisdiction Locally		
Status Evidence	Date 03/31/2020	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes