

Response to Resistance Report

Key West Police Department

Case No: 19-2003

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: 3/28/19 3. Time: 0158 hrs 4. Location: 934 TRUMAN AVE. 5. Incident type: FIGHT

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

- ☒ Passive: WOULD NOT COMPLY ☐ Physical Control
☒ Active: PULL AWAY, WALK AWAY ☒ Non-lethal Weapon TASER
☐ Aggressive: ☐ Deadly Force
☐ Deadly Force:

SUBJECT

10. Last Name: PERRY 11. First: MARTIN 12. Race: BK 13. Sex: M

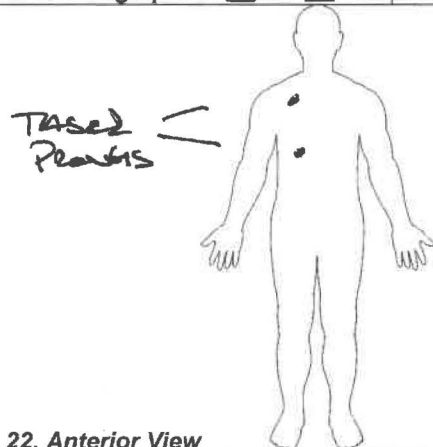
14. DOB: 11/13/78 15. Height: 6'00 16. Weight: 200

17. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

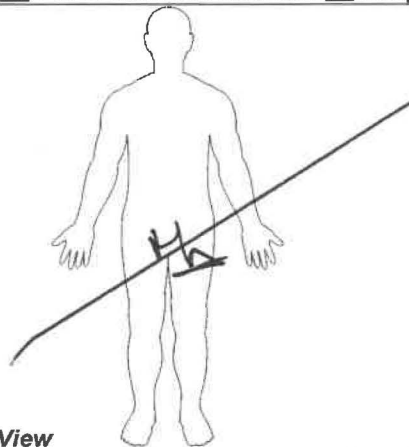
18. Appeared to be: ☒ Intoxicated ☒ Under the influence of controlled substance ☐ Emotionally / mentally disturbed

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



22. Anterior View



Posterior View

OFFICER

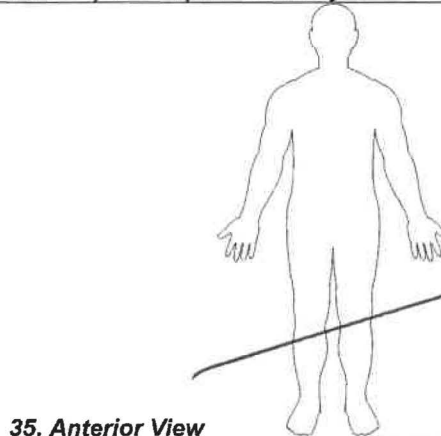
23. Officer: Mark Siracuse 24. Race: W 25. Sex: M 26. Age: 32 27. Height: 5' 08 28. Weight: 160

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 9

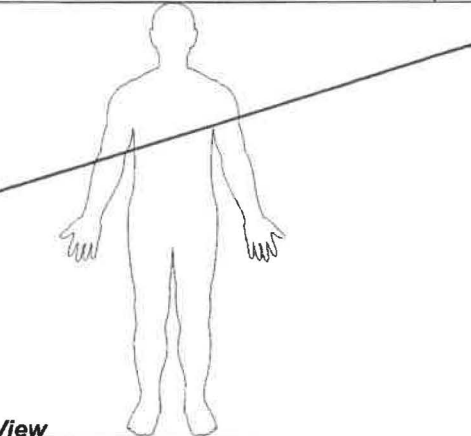
31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

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: 19-2003

TASER USE ONLY	36. TASER® device serial # X120059E9		37. TASER® device serial #		
	TASER®Cam serial # V21001Y11		TASER®Cam serial #		
	Cartridge 1 serial # C4104HEN2		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 checked="" type="checkbox"/> CODS <input type="checkbox"/> Drive Stun		
	Did probes penetrate skin: Yes <input type="checkbox"/> No		Did probes penetrate skin: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	Target distance at probe 5 FEET		Target distance at probe launch:		
	Distance between probes: 12 INCHES		Distance between probes:		
	Probes removed by (name): Ofc. TYLER		Probes removed by (name):		
Device downloaded by: Sgt SIRACUSE		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: 3/28/19		41. Time: 0202 hours		
	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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)				
Name		Address		Phone Number	
MICHAEL PONNATH		SAILBOAT "THE REGAL 1" GARRISON BIGHT D33		NONE	
MASHAYLA REEDE		1110 WHITE STREET #2		906 430 7661	
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		Sgt Rodriguez 2298		3/28/19	
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		46. Preparing Supervisor's Signature / ID		47. Date	
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)		49. Signature of Internal Affairs Inspector		50. Date
					4/2/19
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

INCIDENT DATA		INCIDENT/INVESTIGATION REPORT										Case# 19-002003																																																																																											
		Agency Name <i>Key West Police Department</i>										Date / Time Reported 03/28/2019 01:57 Thu																																																																																											
		ORI FL0440100																																																																																																					
		Location of Incident 934 Truman Ave Apt. 3, Key West FL 33040-				Premise Type Other Residence - Other		Beat/GP B4, GPB4		Last Known Secure 03/28/2019 01:57 Thu		At Found 03/28/2019 01:57 Thu																																																																																											
#1	Crime Incident(s) Disorderly Conduct DCA			(Com)		Weapon / Tools HANDS, FIST, FEET				Activity																																																																																													
	Entry		Exit		Security																																																																																																		
#2	Crime Incident Resist Arrest / Escape XOM			(Com)		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 # 1,2		DOB Age		Race Sex N/A		Relationship To Offender Military Branch/Status																																																																																										
	Home Address										Home Phone																																																																																												
	Employer Name/Address								Business Phone		Mobile Phone																																																																																												
	VYR		Make		Model		Style		Color		Lic/Lis		VIN																																																																																										
OTHERS	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)																																																																																																						
	Type: INDIVIDUAL Injury:																																																																																																						
	Code IO		Name (Last, First, Middle) PAUL, TAMMY LYNN				Victim of Crime #		DOB 11/05/1981 Age 37		Race Sex W F		Relationship To Offender Resident Military Branch/Status																																																																																										
	Home Address 6500 Maloney Ave - 73 Key West, FL 33040										Home Phone 321-210-3083																																																																																												
	Employer Name/Address UNK (UNK)								Business Phone		Mobile Phone 321-210-3082																																																																																												
INVOLVED	Type: Injury:																																																																																																						
	Code		Name (Last, First, Middle)				Victim of Crime #		DOB Age		Race Sex		Relationship To Offender Resident Status Military Branch/Status																																																																																										
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PROPERTY	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>VI #</th> <th>Code</th> <th>Status Frm/To</th> <th>Value</th> <th>OJ</th> <th>QTY</th> <th>Property Description</th> <th>Make/Model</th> <th>Serial Number</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>99</td> <td>EVID</td> <td>\$30.00</td> <td></td> <td>1</td> <td>OTHER MISCELLANEOUS</td> <td></td> <td>C4104HEN2</td> </tr> <tr> <td></td> <td>35</td> <td>EVID</td> <td>\$1.00</td> <td></td> <td>1</td> <td>AXON BWC, 3836</td> <td></td> <td></td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>													VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number	1	99	EVID	\$30.00		1	OTHER MISCELLANEOUS		C4104HEN2		35	EVID	\$1.00		1	AXON BWC, 3836																																																																	
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Officer/ID# HAYNIE, THOMAS G (3836)																																																																																																							
Invest ID# (0) Supervisor SIRACUSE, MARK W (3366)																																																																																																							
Status Complainant Signature Case Status Cleared By Arrest 03/29/2019 Case Disposition: Cleared By Arrest 03/29/2019 Page 1																																																																																																							

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 19-002003

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
 RODRIGUEZ, P.D. (2298), SIRACUSE, M.W. (3366), ANGLIN, T.H. (2872), LEAHY, B.P. (2965), HANSELL, M. (3648),
 LITTON, A.J. (3958), PURCELL, C. (3967), TYLER, B. (3914), GETCHEL, T.D. (3924)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

19-002003

Victim

Society

Offense

DISORDERLY CONDUCT

Date / Time Reported

Thu 03/28/2019 01:57

On Thursday, March 28, 2019 at 2:00 AM, KWPD officers were dispatched to Wing Masters at 934 Truman Avenue for a physical disturbance. The reporting party told Key West Dispatch there were two males and one female fighting.

Sergeant Siracuse was the first to arrive on scene. Bystanders pointed Sergeant Siracuse toward one of the involved parties, Martin Perry. Sergeant Siracuse gave Perry multiple orders to stop, i.e., "Stop, Police!", "Stop or you're going to get tased". Perry ignored Sergeant Siracuse's orders and continued to walk away. Sergeant Siracuse grabbed Perry by his right arm. Perry pulled away, at which point Sergeant Siracuse tased him. After the tasing, Sergeant Siracuse was able to detain Perry.

Perry's wife, Tammy Paul, who was the female involved, told me a Hispanic male with a red and white shirt and dark jeans started fighting with Perry for no reason. Tammy later told us the Hispanic male lives next door to them but neither of them know his name. Sergeant Siracuse advised the Hispanic male fled south on White Street.

A bartender, Michael Ponnath, from Don's Place at 1000 Truman told us earlier in the night he observed Perry causing issues with multiple people in the area. Michael told us he observed Perry going after someone with a bottle in his hand. Michael said he slapped the bottle out of Perry's hand.

Perry had a bloody mouth and swollen cheek from the physical disturbance we were dispatched to. I rode with Key West Rescue and Perry to the Lower Keys Medical Center for medical clearance. Once cleared, I transported Perry to the Monroe County Detention Center and turned him over to the detention deputies without incident.

Perry did violate F.S.S. 843.02 RESISTING OFFICER WITHOUT VIOLENCE TO HIS OR HER PERSON by walking away from Sergeant Siracuse, ignoring Sergeant Siracuse's orders, and pulling away when Sergeant Siracuse grabbed his arm while Sergeant Siracuse was engaged in the legal process of detaining Perry for being involved in a physical disturbance. At the time, Sergeant Siracuse was a police officer. Branden should have known he was a police officer as he identified himself as such and was dressed in his police uniform.

Perry did also violate F.S.S. 877.03 BREACH OF PEACE; DISORDERLY CONDUCT by engaging in brawling and fighting as witnessed by several witnesses in this incident. I also observed abrasions and swelling to Perry's knuckles, evident of wounds which could have been sustained in a fight.

Incident Report Suspect List

Key West Police Department

OCA: 19-002003

1	Name (Last, First, Middle)					Also Known As					Home Address																																																																							
	PERRY, MARTIN QUENTIN										3419 CARNS AVE ORLANDO, FL 32806 305-748-7240																																																																							
	Business Address OCEAN GRILL, CHEF, 1075 DUVAL																																																																																	
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.																																																																							
	11/13/1978	40	B	M	N	508	160	BLK	BRO	BLK	[REDACTED]																																																																							
Scars, Marks, Tattoos, or other distinguishing features																																																																																		
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</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="2">Dir of Travel</td> </tr> <tr> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td></td> <td colspan="2">Mode of Travel</td> </tr> <tr> <td colspan="2">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="2"></td> <td colspan="3">VIN</td> </tr> <tr> <td colspan="2"></td> <td></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="3"></td> </tr> </table>															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																
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Notes							Physical Char																																																																											

Incident Report Related Property List

Key West Police Department

OCA: 19-002003

1	Property Description AXON BWC, 3836			Make		Model		Caliber	
	Color	Serial No.	Value \$1.00		Qty 1.000	Unit EA	Jurisdiction Locally		
	Status Evidence	Date 03/28/2019	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex

Notes

2	Property Description OTHER MISCELLANEOUS			Make		Model		Caliber	
	Color	Serial No. C4104HEN2	Value \$30.00		Qty 1.000	Unit	Jurisdiction Locally		
	Status Evidence	Date 03/28/2019	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex

Notes

OCA: 19002003

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

Investigator: *SIRACUSE, MARK W (3366)*Date / Time: *03/28/2019 03:36:16, Thursday*Supervisor: *(0)*Supervisor Review Date / Time: *03/28/2019 04:01:23, Thursday*

Contact:

Reference: *General Supplemental Report*

On 3/28/19 at approximately 0200 hours, I (Sgt. M. Siracuse) responded to a large physical disturbance across from Don's Place near Wingmasters' restaurant.

Upon arrival, I observed a large crowd in the street and numerous witnesses pointed southbound on Grinnell Street. I noticed they were mostly pointing at a black male, later identified as Martin Perry, who was initially walking southbound on Grinnell. I activated my emergency lights and got out of my marked patrol vehicle. I was wearing my class B KWPd uniform and I activated my BWC.

I observed Perry turn and begin walking quickly northbound on the sidewalk. I saw Perry was bleeding from the mouth and hands and it was clear to me he was involved in the fight. I attempted to stop Perry as he walked toward the apartments above Wingmasters.

I gave Perry multiple clear, loud, verbal commands to stop. Perry ignored my commands and continued walking away from me. A witness yelled "You better call for backup," and others tried to tell Perry to stop. I again yelled, "Police, stop or you're going to get tased," but Perry continued walking. Perry was a large black male with dreadlocks, approximately 6 feet tall and 200 lbs. I grabbed Perry's right arm and told him again to stop. Perry ripped his arm out of my hand and continued walking.

I deployed my Taser and both prongs entered the front right side of Perry's abdomen. Perry fell to the ground and once the Taser finished cycling, I ordered Perry to roll over and place his hands behind his back. Perry complied. I knelt on Perry's back, holstered my Taser, and handcuffed him. I informed dispatch I had one subject tased and requested backup as well as rescue.

Perry was placed in an ambulance and later treated for his injuries at the ER. Officer Haynie rode with rescue to the ER and completed the arrest affidavit for Perry. On scene, I photographed Perry's injuries and the original location of the fight. I also met with two independent witnesses (Michael Ponnath and Mashayla Reede) and gathered their information for the RRI. Sgt. Rodriguez arrived on scene to assist with the RRI. The witnesses stated Perry was out of control and had engaged in a fight above Wingmasters as well as attempted to attack someone in the back bar of Don's Place with a bottle.

My BWC, in car Coban video, and Taser cam were all activated for the incident.

I had Ofc. C. Purcell place my Taser cartridge and Afid into the KWPd property and evidence section.

Investigator Signature: _____