

# Response to Resistance Report

Key West Police Department

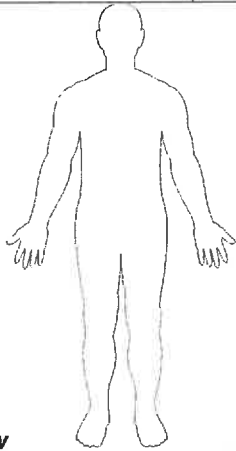
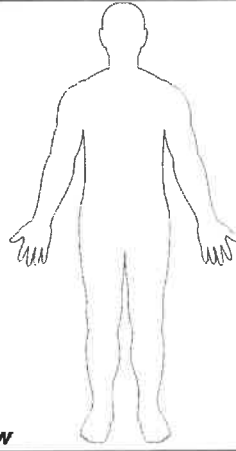
Case No: 22-6039

**1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)**

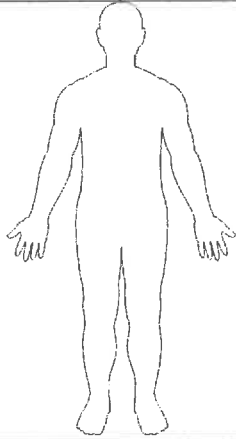
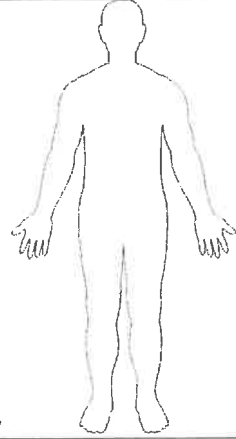
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of force
- Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)

<b>INCIDENT</b>	<b>2. Date:</b> 10/22/2022		<b>3. Time:</b> 2239		<b>4. Location:</b> 1020 Eaton Street		<b>5. Incident type:</b> S13P	
	<b>6. Resistance Level</b>		<b>7. Explanation</b>		<b>8. Response Option</b>		<b>9. Explanation</b>	
	<input checked="" type="checkbox"/> Passive:	Ignoring Verbal Commands		<input checked="" type="checkbox"/> Physical Control	Takedown			
<input checked="" type="checkbox"/> Active:	Pulling away/Kicking		<input type="checkbox"/> Non-lethal Weapon					
<input type="checkbox"/> Aggressive:			<input type="checkbox"/> Deadly Force					
<input type="checkbox"/> Deadly Force:								

<b>10. Last Name:</b> Putzy	<b>11. First:</b> Brian	<b>12. Race:</b> W	<b>13. Sex:</b> M
<b>14. DOB:</b> 12/13/1988	<b>15. Height:</b> 6'2"	<b>16. Weight:</b> 170	
<b>17. Did you observe the subject:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes      If NO, explain why in Section 42. If "YES", complete sections 18-22			
<b>18. Appeared to be:</b> <input checked="" type="checkbox"/> Intoxicated <input checked="" type="checkbox"/> Under the influence of controlled substance <input checked="" type="checkbox"/> Emotionally / mentally disturbed			
<b>19. Injuries:</b> <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 22 )			
<b>20. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>21. Treated:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention			

<b>SUBJECT</b>		
	<b>22. Anterior View</b>	<b>Posterior View</b>

<b>23. Officer:</b> Scott Ham	<b>24. Race:</b> W	<b>25. Sex:</b> M	<b>26. Age:</b> 31	<b>27. Height:</b> 6'00	<b>28. Weight:</b> 210
<b>29. Duty Status:</b> <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 <b>30. Yrs Exp:</b> 3					
<b>31. Injuries:</b> <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)					
<b>32. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>33. Treated:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
<b>34. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b>					

<b>OFFICER</b>		
	<b>35. Anterior View</b>	<b>Posterior View</b>

# Response to Resistance Report (continued)

Key West Police Department

Case No:  
20-4420

<b>TASER USE ONLY</b>	<b>36. TASER® device serial #</b>		<b>37. TASER® device serial #</b>	
	TASER®Cam serial #		TASER®Cam serial #	
	Cartridge 1 serial #		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles: 1		Number of cycles:	
	Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/>		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"/> <b>38. Check and list any additional TASER® devices, cartridges or details in the incident description section.</b>				
<b>REPORT</b>	<b>39. Offense/Incident Report and/or Warrant Affidavit must include:</b> <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.			
<b>SUPERVISOR'S INQUIRY</b>	<b>40. Notified Date:</b> 10/22/22		<b>41. Time:</b> 2248	
	<b>42. Did you respond to the scene:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	<b>43. Did you meet with the Officer:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	<b>44. Were you able to locate any independent witnesses:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
		Name	Address	Phone Number
		Ethan Dueitt	10338 Gulfcrest Rd Churchula,AL 36521	251-689-9438
	Tammy Harrow	288 St. George Street Saint Augustine, FL 32084	904-460-7432	
<b>45. Is further review recommended:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		2962	10/22/2022	
<b>FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS</b>		46. Preparing Supervisor's Signature / ID	47. Date	
<b>INT. AFF.</b>	<b>48. Did the review of this incident conclude that use of force was in compliance with Departmental policy?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes (If "No", complete section 51)		49. Signature of Internal Affairs Inspector	
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:	



# Incident Report Additional Name List

Key West Police Department

OCA: 22-006039

## Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	HARROW, TAMMY LYNN		10/18/1971	51	W	F
	Address 288 ST GEORGE ST, SAINT AUGUSTINE, FL 32084-		H: 251-689-0438			
	Empl/Addr		B: - -			
			Mobile #: - -			
2) WI 2	DUEITT, ETHAN RAY		08/19/1989	33	W	M
	Address 10338 GULFCREST RD, CHUNCHULA, AL 36521-		H: 251-689-9438			
	Empl/Addr		B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-006039

Status Codes	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found					
	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S						

Assisting Officers  
*SLAUNWHITE, D.R. (4154)*

Suspect Hate / Bias Motivated:

## INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 22-006039

*Key West Police Department*

NARRATIVE

**REPORTING OFFICER NARRATIVE**

*Key West Police Department*

OCA 22-006039
Date / Time Reported Sat 10/22/2022 22:39

Victim  
*Society*

Offense  
*ASSAULT / THREATS*

On October 22, 2022, at approximately 2239 hours, I, Ofc. S. Ham was flagged down by a male driver stating that a white male approximately on the 900 block of Eaton St., was acting irate and attempting to fight anyone that passed him. The male driver stated that the white male was in the middle of the road yelling and causing a scene.

I located the male laying across the sidewalk in-front of 1020 Eaton St. I approached the male who was yelling at himself. The male was later identified as Brian Putzy. I introduced myself as Ofc. S. Ham with the Key West Police Department and Brian said he was talking on his phone to his ex-girlfriend. Brian`s phone was located inside of his jacket pocket and was not being used. I asked Brian why he was laying on the sidewalk and he stated he was waiting for his confirmation for the hotel at the Kimpton. Brian stated he had his phone inside the office charging so he could obtain his confirmation number. I asked Brian for his identification, and he provided me a temporary paper ID card out of Wisconsin. I asked Brian when he arrived in Key West, and he stated today.

Ofc. A. Bernatova arrived on scene. Ofc. Bernatova introduced herself and Brian immediately began yelling at her for having an accent. Brian then began to stand up and Ofc. Bernatova and I told Brian to stay seated. Brian began yelling again that he was going to leave and stepped towards Ofc. Bernatova with his left arm raised and pointed at her. We advised Brian to put his arm down and to step back. Brian initially took a step back and began yelling some more, using vulgar language. I advised Brian that his yelling was creating a scene and he was going to be arrested for disorderly conduct. Brian then stepped towards Ofc. Bernatova once more with his left arm pointed at her face again and in an aggressive manner. Ofc. Bernatova grabbed Brian by his right arm, and I Grabbed a hold of his left. We advised Brian to put his arms behind his back and he began to pull away. We told Brian to stop pulling away and resisting. Brian continued to pull away. I maintained control of Brian`s left wrist with my left hand, grabbed ahold of Brian`s right trap with my right hand and in one motion completed a knee bump to the backside of Brian`s left leg. Brian fell back in a controlled manner and Ofc. Bernatova landed on top. Brian rolled to his stomach and tucked both arms beneath him. Ofc. Bernatova maintained control of Brian`s lower half while I retrieved his left arm from underneath. I advised Brian to release his right arm and place it behind his back and he did. Ofc. Bernatova began to handcuff Brian as he began tensing up again. Ofc. Bernatova and I attempted to roll Brian to his side in a recovery position, but he would not stop pulling away from us and tensing his body.

I advised KWPD dispatch over com1 for a supervisor because of the take down.

Ofc. D. Slaunwhite arrived on scene and Brian continued to yell and squirm while on the ground. Brian made numerous threats to harm myself and Ofc. Bernatova, by stating he was going to "kick our asses." Ofc. Slaunwhite attempted to roll Brian over to his side into a recovery position and Brian kicked his legs upwards and out in an attempt to kick Ofc. Bernatova and Ofc. Slaunwhite. Ofc. Slaunwhite maintained control of Brian`s legs as I retrieved a hobble out of the rear of my patrol vehicle. I applied the hobble onto Brian`s legs.

Sgt. N. Revoredo arrived on scene and asked Brian if he sustained any injuries. Brian continued to yell, make threats, and stated that he worked for the FBI. Ofc. Slaunwhite and I assisted Brian to his feet and escorted him to the rear of my patrol vehicle. While searching Brian incident to arrest, Brian made another threat to myself and Ofc. Slaunwhite to cut our heads off. I sat Brian into the backseat of my patrol vehicle.

Ofc. Slaunwhite obtained two KWPD written statements. One was from a ride along that was with me from the start of the altercation (Tammy Harrow). Tammy`s statement stated the following: "While being seated as a ride along with Ofc. Ham. He approached the subject. Subject became aggressive. A female officer arrived, and the subject began yelling obscene things and acting aggressively towards both officers. He stepped forward like he was going to grab them and was put to the ground and restrained. The entire time he was yelling that he was an FBI agent and making threats."

**REPORTING OFFICER NARRATIVE**

*Key West Police Department*

OCA 22-006039
Date / Time Reported Sat 10/22/2022 22:39

Victim Society	Offense ASSAULT / THREATS
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The second witness was staying at the Kimpton hotel at 1020 Eaton St. and had stepped outside after hearing the yelling. The second witness was identified as Ethan Dueitt. Ethan filled a KWPD sworn statement that stated the following: "I watched the guy out of control and go after the woman police officer and both man and woman officer took the guy down easy as they could without hurting him. He kept screaming and cussing, also threatening the officer's lives. All officer's handled the situation great."

I transported Brian to Monroe County Detention Center with minimal incidents. Brian made multiple threats on the ride to MCDC to harm myself and Ofc. Bernatova. Brian began spitting in the backseat and speaking to his reflection in the plexiglass. I advised Monroe County Deputies of Brians behavior and requested some assistance in bringing him into intake. Four Deputies came down to assist but advised they could not help taking Brian out of the vehicle. I asked Brian to step out of the car and he refused. Brian asked for handcuffs on his legs, and I told him that's not how we handle the situation. I began to assist Brian with stepping out by grabbing his right shoulder and pulling him towards the outside of vehicle. Brian pulled away again and leaned back into the car. Brian eventually stepped out of my patrol vehicle. While walking Brian with one Deputy, Brian spit towards the direction of the other two deputies. Brian was advised not to spit on any of them and Brian spit once more. Deputies and I laid Brian down on the ground and waited for them to grab a restraint chair and spit hood for Brian. Brian was escorted into intake and turned over to MCDC Deputies.

Brian yelled obscene remarks, disrupting the peace and quiet of the people staying inside of the Kimpton, causing them to exit their room and watch while Brian made threats and motions to harm Ofc. Bernatova and I. There is probable cause to believe Brain was in violation of F.S.S. 877.03 Disorderly Conduct.

Brian stepped towards Ofc. Bernatova and I in an aggressive manner with his left hand raised towards Ofc. Bernatova's face. After grabbing a hold of Brian's arms to detain him Brian pulled away to prevent himself from being handcuffed. A controlled knee bump was used to take Brian down to the ground where he continued to pull away and not give up his arms that were buried beneath him. Brian kicked his legs in an upward and outward motion in an attempt to strike Ofc. Bernatova and Ofc. Slaunwhite. Brian was placed in a hobble to prevent further kicking. There is probable cause to believe that Brian was in violation of F.S.S. 843.01 Resist officers with violence.

Brian made multiple verbal threats and two aggressive motions towards Ofc. Bernatova and I. Brian stated, "I'm going to kick your asses." Brian also stated to Ofc. Slaunwhite and I that he was going to cut our heads off. There is probable cause to believe that Brian was in violation of F.S.S 784.07-2A Assault on LEO.

My Axon BWC and Axon Fleet in-car were activated. All KWPD written statements have been submitted into KWPD records department.

## Incident Report Suspect List

Key West Police Department

OCA: 22-006039

<b>1</b>	Name (Last, First, Middle) <i>PUTZY, BRIAN MARC</i>					Also Known As					Home Address <i>1893 WHISTLING STRAIGHTS DR - 204 ALTOONA, WI 54720</i>				
	Business Address														
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.				
	<i>12/13/1988</i>	<i>33</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>602</i>	<i>170</i>	<i>BRO</i>	<i>HAZ</i>	<i>LGT</i>	<i>P3200738845302 WI</i>				
Scars, Marks, Tattoos, or other distinguishing features															
<b>Reported Suspect Detail</b>															
Suspect Age			Race	Sex	Eth	Height			Weight			SSN			
Weapon, Type	Feature		Make		Model			Color		Caliber	Dir of Travel				
VehYr/Make/Model			Drs	Style		Color		Lic/St			VIN				
Notes										Physical Char					



## Incident Report Related Property List

Key West Police Department

OCA: 22-006039
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<b>1</b>	Property Description <b>AXON BWC 4009</b>			Make <b>AXON</b>		Model <b>BWC</b>		Caliber	
	Color	Serial No.		Value <b>\$0.00</b>		Qty <b>1.000</b>		Unit	Jurisdiction <b>Locally</b>
	Status <b>Evidence</b>	Date <b>10/22/2022</b>	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) <b>* No name *</b>				DOB		Age	Race	Sex

Notes

<b>2</b>	Property Description <b>AXON FLEET 4009</b>			Make <b>AXON FLEET</b>		Model <b>IN-CAR</b>		Caliber	
	Color	Serial No.		Value <b>\$0.00</b>		Qty <b>1.000</b>		Unit	Jurisdiction <b>Locally</b>
	Status <b>Evidence</b>	Date <b>10/22/2022</b>	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) <b>* No name *</b>				DOB		Age	Race	Sex

Notes

OCA: 22006039

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

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Investigator: *BERNATOVA, ANDREA (4193)*Date / Time: *10/22/2022 23:43:15, Saturday*Supervisor: *REVOREDO, NICK (2962)*Supervisor Review Date / Time: *10/23/2022 03:24:16, Sunday*

Contact:

Reference: *General Supplemental Report*

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On October 22, 2022, at approximately 2239 hours, I, Ofc. Bernatova, responded to 1020 Eaton Street, in reference to a suspicious person.

KWPD Dispatch advised there is a male in the middle of the road trying to fight pedestrians.

\*\*\*BWC activated\*\*\*

Upon arrival, I assisted Ofc. Ham (already present on scene) with the interview of the male subject, later identified by Wisconsin ID as Brian Putzy, DOB 12/13/1988.

Putzy was sitting on the sidewalk in front of 1020 Eaton Street and was getting increasingly agitated by Ofc. Ham and I asking him questions.

Putzy said we should either arrest him or let him go and stop wasting his time.

I tried to explain to Putzy we are talking to him to investigate a complaint from a concerned passerby, but Putzy yelled through me and stood up.

Both Ofc. Ham and I asked Putzy to stay seated but he would not sit back down.

Putzy kept yelling questions as us and yelled through us trying to answer him.

Ofc. Ham asked Putzy to calm down and Putzy kept challenging Ofc. Ham and I by not sitting back down, yelling at us and pointing his index finger in turns to mine and Ofc. Ham's faces in aggressive manner.

Due to Putzy not obeying lawful orders and taking steps towards Ofc. Ham and I, I asked Putzy to turn around and place his hands behind his back, while preparing my handcuffs.

Putzy tensed up and pulled his arms away from me. I took hold of Putzy's right arm and Ofc. Ham took hold of Putzy's left arm in order to place him in handcuffs.

Putzy pulled his weight away from us and attempted to throw us off balance.

Ofc. Ham swiped Putzy off his feet and placed him on a sidewalk in a controlled manner while I still had hold of Putzy's right arm.

Investigator Signature: \_\_\_\_\_

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# CASE SUPPLEMENTAL REPORT

Printed: 10/23/2022 03:27

OCA: **22006039**

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Investigator: *BERNATOVA, ANDREA (4193)*

Date / Time: *10/22/2022 23:43:15, Saturday*

Supervisor: *REVOREDO, NICK (2962)*

Supervisor Review Date / Time: *10/23/2022 03:24:16, Sunday*

Contact:

Reference: *General Supplemental Report*

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Once on the ground, Ofc. Ham and I slowly got ahold of Putzy's wrists and placed him in handcuffs. Putzy was resisting the whole time by tensing up and pulling away from us, screaming insults. Putzy also said he will kill me and chop my head off tomorrow.

Putzy was placed under arrest for disorderly conduct, resisting, and assault on Law Enforcement Officer(s) and transported to Monroe County Detention Center by Ofc. Ham.

Investigator Signature: \_\_\_\_\_