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)

INCIDENT

2. Date: 10/22/2022 **3. Time:** 2239 **4. Location:** 1020 Eaton Street **5. Incident type:** S13P

6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
☒ Passive:	Ignoring Verbal Commands	☒ Physical Control	Takedown
☒ Active:	Pulling away/Kicking	☐ Non-lethal Weapon	
☐ Aggressive:		☐ Deadly Force	
☐ Deadly Force:			

SUBJECT

10. Last Name: Putzy **11. First:** Brian **12. Race:** W **13. Sex:** M

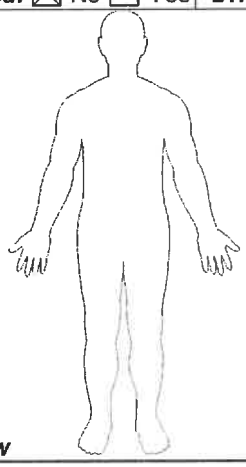
14. DOB: 12/13/1988 **15. Height:** 6'2" **16. Weight:** 170

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

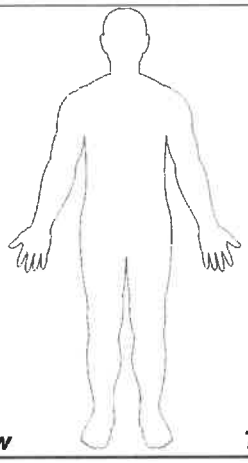
18. Appeared to be: ☒ Intoxicated ☒ Under the influence of controlled substance ☒ Emotionally / mentally disturbed

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 **TASER PROBE MARKS**

OFFICER

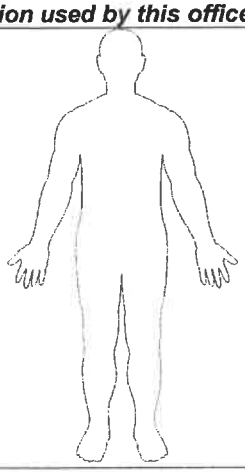
23. Officer: Scott Ham **24. Race:** W **25. Sex:** M **26. Age:** 31 **27. Height:** 6'00 **28. Weight:** 210

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes **30. Yrs Exp: 3**

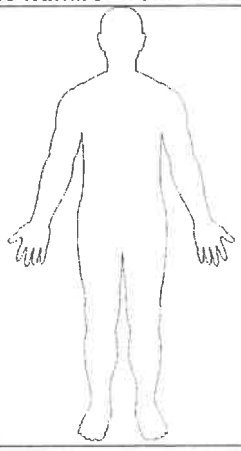
31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

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)**



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No:
20-4420

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: 1	Number of cycles:
Type of contact: ☐ Probe ☐ CODS ☐	Type of contact: ☐ Probe ☐ CODS ☐ Drive Stun
Did probes penetrate skin: ☐ Yes ☐ No	Did probes penetrate skin: ☐ Yes ☐ 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:

☐ ***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:

☒ All necessary criminal elements.
☒ All details of the arrest
☒ Details articulating the subject's words, mannerisms and actions that justify the use of force.
☒ Details outlining the response to resistance utilized by each officer.
☒ Detailed description of injury complaints and/or observed injuries
☒ Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.

SUPERVISOR' S INQUIRY

40. Notified Date: 10/22/22 ***41. Time:*** 2248

42. Did you respond to the scene: ☐ No ☒ Yes (If "No", explain why)

43. Did you meet with the Officer: ☐ No ☒ Yes (If "No", explain why)

44. Were you able to locate any independent witnesses: ☐ No ☒ Yes (If "Yes," list below)

Name	Address	Phone Number
Ethan Dueitt	10338 Gulfcrest Rd Chunchula,AL 36521	251-689-9438
Tammy Harrow	288 St. George Street Saint Augustine, FL 32084	904-460-7432

45. Is further review recommended: ☒ No ☐ Yes
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS

2962 — 46. Preparing Supervisor's Signature / ID

10/22/2022 — 47. Date

INT. AFF.

48. Did the review of this incident conclude that use of force was in compliance with Departmental policy? ☐ No ☒ Yes (If "No", complete section 51)

3317 — 49. Signature of Internal Affairs Inspector

2/13/2023 — 50. Date

51. If section 48 is "No" record the Professional Standards Control Number:

52. Date Entered:

INCIDENT/INVESTIGATION REPORT

Agency Name	Key West Police Department
ORI	FL0440100
Case#	22-006039
Date / Time Reported	10/22/2022 22:39 Sat
Last Known Secure	10/22/2022 22:39 Sat
At Found	10/22/2022 22:39 Sat

INCIDENT DATA

Location of Incident	Gang Relat	Premise Type	Beat/GP
1020 EATON ST, Key West FL 33040	NO	Highway / Street /	B3, GPB3

	Crime Incident(s)		Weapon / Tools	Activity
#1	Assault / Threats SCB	(Com)	NOT APPLICABLE/NONE	
#2	Disorderly Conduct DCA	(Com)		
#3	Resist Arrest / Escape XOM	(Com)		

	Entry	Exit	Security
#1			
#2			
#3			

MO

VICTIM

# of Victims 2 | Type: SOCIETY/PUBLIC/STATE | Injury: | Domestic: N

	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
V1	Society	2					N/A	

Home Address	Email	Home Phone

Employer Name/Address	Business Phone	Mobile Phone

VYR	Make	Model	Style	Color	Lic/Lis	VIN

OTHERS INVOLVED

CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)

Type: LAW ENFORCEMENT (LEO) | Injury: None

Code	Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
V2	HAM, RANDOLPH SCOTT J	1, 3	07/26/1991 Age 31	W	M	ST	Resident	

Home Address	Email	Home Phone
1604 N ROOSEVELT BLVD KEY WEST, FL 33040		305-809-1111

Employer Name/Address	Business Phone	Mobile Phone
Key West Police Department (OFFICER)		

Type: | Injury:

Code	Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status

Home Address	Email	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 4009	AXON/Bwc	
	35	EVID	$0.00		1	AXON FLEET 4009	AXON FLEET/In-car	

Officer/ID# HAM, RANDOLPH (4009)

Invest ID# (0) | Supervisor (0)

Status | Complainant Signature | Case Status Cleared By Arrest 10/23/2022 | Case Disposition: Cleared By Arrest 10/23/2022 | Page 1

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
DRUGS						

Assisting Officers

SLAUNWHITE, D.R. (4154)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 22-006039 *Key West Police Department*

NARRATIVE

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."

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*

1	Name (Last, First, Middle)	Also Known As	Home Address
	PUTZY, BRIAN MARC		*1893 WHISTLING STRAIGHTS DR - 204 ALTOONA, WI 54720*
	Business Address		

DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.
12/13/1988	*33*	*W*	*M*	*N*	*602*	*170*	*BRO*	*HAZ*	*LGT*	*P3200738845302 WI*

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

Draft Only

Incident Report Related Property List

Key West Police Department

OCA: *22-006039*

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

Notes

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

Notes

Draft Only

CASE SUPPLEMENTAL REPORT

Printed: 10/23/2022 03:27

OCA: *22006039*

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

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*

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 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 agressive 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:_____

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

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*

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:_____

KEY WEST POLICE DEPARTMENT

Page 1 of 1

STATEMENT FORM

INCIDENT # 22-5039
DATE 10-22-2022

NAME Tammy (FIRST) Lynn (MIDDLE) Harrow (LAST)
DATE OF BIRTH 10/18/71 RACE W SEX F
DRIVER'S LICENSE # H600812718780 STATE FL
ADDRESS _____ STREET _____ CITY _____ STATE _____ ZIP
BUSINESS ADDRESS _____ STREET _____ CITY _____ STATE _____ ZIP
TELEPHONE ( ) _____ HOME ( ) _____ BUSINESS 904 460-7432 CELLULAR
E-mail Address _____

PLEASE PRINT LEGIBLY

I hereby state the following: While being sealed as a rude along w/ Ofc Ham He approached the subject. Subject became agressive. A female officer arrived & the subject began yelling obscene things & acting agressively towards both officers. He stepped forward like he was going to grab them & was put to the ground & restrained. The entire time he was yelling that he was an FBI agent & making threats.

✓ I am willing to cooperate in the prosecution of this case.
Initials

_____ I am NOT willing to cooperate in the prosecution of this case.
Initials

I have read each page of this statement consisting of 1 page(s) and swear or affirm that it is true to the best of my knowledge or belief.

Tammy Harrow — Signed — Date 10/22/22

Notary Public Or Officer-Authorized to Administer An Oath — Date 10/22/22

KEY WEST POLICE DEPARTMENT

Page 1 of 1

STATEMENT FORM

INCIDENT # 22-6039
DATE 10-22-2022

NAME Ethan (FIRST) Ray (MIDDLE) Dweitt (LAST)

DATE OF BIRTH 08/19/1989 RACE White SEX M

DRIVER'S LICENSE # 7540970 STATE Al

ADDRESS 10338 Gulfcrest Rd (STREET) Chunchula (CITY) Al (STATE) 36501 (ZIP)

BUSINESS ADDRESS (STREET) (CITY) (STATE) (ZIP)

TELEPHONE (251) 689-9438 (HOME) ( ) (BUSINESS) ( ) (CELLULAR)

E-mail Address N/A

PLEASE PRINT LEGIBLY

I hereby state the following: I watched the guy out of Controll and go after the women Police Officer, and both man and women officer took the guy down easy as they could without hurting him. He Kept Screaming and Cussing, also threating the officers lifes. All officers handle the sitution great.

_____ I am willing to cooperate in the prosecution of this case.
Initials

E.D. I am NOT willing to cooperate in the prosecution of this case.
Initials

I have read each page of this statement consisting of 1 page(s) and swear or affirm that it is true to the best of my knowledge or belief.

Signed _____ Date 10/22/22

Notary Public Or Officer-Authorized to Administer An Oath _____ Date 10/22/22