

Response to Resistance Report

Key West Police Department

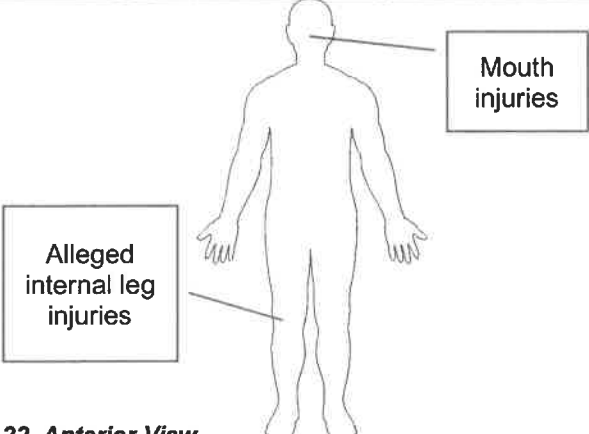
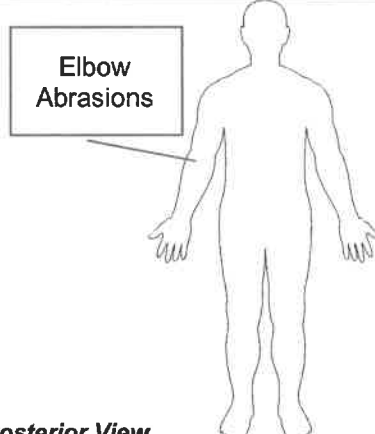
Case No: 22-1634

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

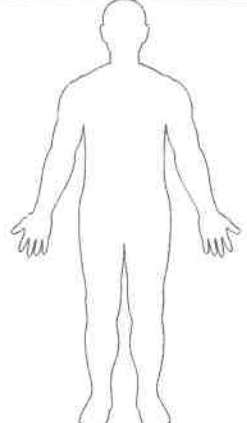
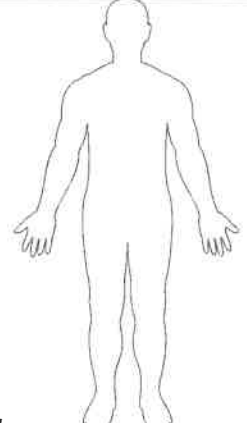
- ☐ A response through the use of non-lethal weapons,
☒ Applies weaponless physical force of strikes, kicks, or "take-downs"
☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force
☒ When any person complains of injury as a result of the application 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: 03/19/2022	3. Time: 0439 hrs	4. Location: Virginia St. / Duval St.	5. Incident type: S33 / Resisting
	6. Resistance Level:	7. Explanation	8. Response Option	9. Explanation
	☒ Passive:	Refused to comply w/commands	☒ Physical Control	Take down
	☒ Active:	Bracing and kicking the patrol vehicle to avoid being taken into custody	☐ Non-lethal Weapon	
	☐ Aggressive:		☐ Deadly Force	
	☐ Deadly Force:			

SUBJECT	10. Last Name: West	11. First: Phillip	12. Race: B	13. Sex: M
	14. DOB: 07/07/1991	15. Height: 5'10"	16. Weight: 160	
	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			

SUBJECT	 22. Anterior View	 Posterior View
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OFFICER	23. Officer: Roy Owens	24. Race: W	25. Sex: M	26. Age: 44	27. Height: 6'00"	28. Weight: 210
	29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 6 MO					
	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: Escort/Take Down					

OFFICER	 35. Anterior View	 Posterior View
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Response to Resistance Report (continued)

Key West Police Department

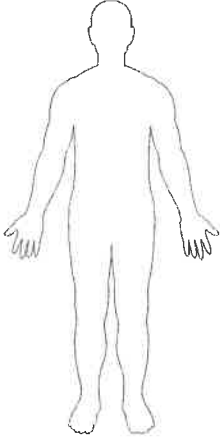
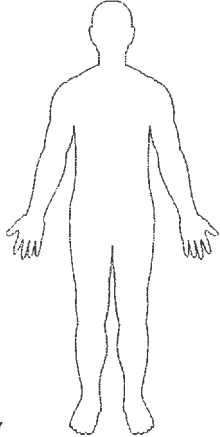
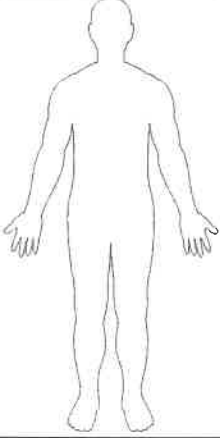
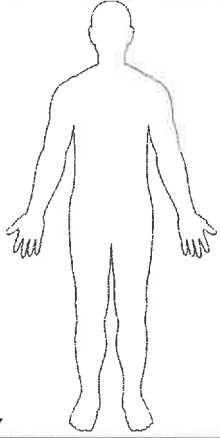
Case No: 22-1634

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: ☐ Probe ☐ CODS ☐ Drive Stun		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: 03/19/2022		41. Time: 0557 hrs	
	42. Did you respond to the scene: ☐ No ☒ Yes (If "No", explain why)			
	43. Did you watch all relevant videos associated with the use of force? ☐ No ☒ Yes (If "No", explain why)			
	44. Did you meet with the Officer(s): ☐ No ☒ Yes (If "No", explain why)			
	45. During your review did you find any potential policy violations or training issues associated with the incident? ☒ No ☐ Yes (If "Yes," list below)			
	46. Were you able to locate any independent witnesses: ☐ No ☒ Yes (If "Yes," list below)			
	Name	Address		Phone Number
	Latosha West (Phillips Mother)	5 Betty Rose Dr. Big Coppitt, FL		305-879-2006
INT. AFF.	47. Is further review recommended: ☒ No ☐ Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS			
	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? ☐ No ☐ Yes If "No", complete section 51)		48. Preparing Supervisor's Signature / ID <u>J. H. 3631</u> 49. Date <u>3/25/2022</u>	
	51. Signature of Internal Affairs Inspector		52. Date	
53. If section 48 is "No" record the Professional Standards Control Number:				54. Date Entered:

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1634

OFFICER	23. Officer: Christian Bozzetti 24. Race: W 25. Sex: M 26. Age: 29 27. Height: 6'02" 28. Weight: 175							
	29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☐ Uniformed ☒ Plain						30. Yrs Exp: 2.5	
	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: Assist with detaining the subject								
OFFICER								
	35. Anterior View				Posterior View			
	23. Officer: William Howell 24. Race: W 25. Sex: M 26. Age: 36 27. Height: 6'01" 28. Weight: 220							
	29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain						30. Yrs Exp: 2.5	
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: Escort/Take Down and assist with detaining the subject								
OFFICER								
	35. Anterior View				Posterior View			

INCIDENT DATA

MOV
I
C
T
I
M

OTHERS INVOLVED

PROPERTY

Status

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-001634

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

HAMMERS, J.L. (3631), HOWELL, W.N. (4059), BOZZETTI, C.A. (4058)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>Society</i>	Offense <i>CRIMINAL MISCHIEF / VANDALISM</i>	OCA <i>22-001634</i>
		Date / Time Reported <i>Sat 03/19/2022 04:37</i>

On 3/19/2022 at 0439 hours, I (Ofc. Roy Owens) and Ofc. N. Howell were dispatched to 414 Virginia St. in reference to a verbal disturbance.

Upon arrival, I met with Phillip West, who told me he was trying to get his food from the residence. Ofc. Howell informed me that West had threatened his mother earlier in the day. West rambled and did not make sense when asked basic questions. I asked West about why we were called to the residence for this incident, and he continued to ramble about various subjects. Ashley James, the girlfriend of West stated West has not properly taken his medications for the past few months.

It was my belief that without proper care and treatment West posed an imminent threat of bodily harm to himself or to his family members in the near future, as evidence of recent behavior. Ofc. Howell and I attempted to Baker Act West, and he began to resist. After West was placed in handcuffs, we began escorting him to the car. West dropped down to the ground crying becoming dead weight. Ofc. Howell and I grabbed West under his arms and carried him to the patrol car. West continued to resist. West stated he would swallow his gold teeth to kill himself. I told West multiple times to spit out his gold in color teeth and not to swallow them. West stated multiple time he would kill Ofc. Howell, Ofc. Bozetti and myself. West increased his level of resistance and began kicking his feet and pulling away. West was given multiple clear verbal commands to stop resisting, however, he refused to comply. Ofc. Howell and I placed West on the ground, and he continued to resist.

West's feet were restrained in a hobble. When Ofc. Howell and I tried to put West into the back seat of the patrol car he kicked the door and dented the rear driver's side door. West also kicked the front driver's door and dented it near the door handle. West stated he was injured on his head; shoulder and stated he couldn't feel his legs. I requested EMS on scene as well as the shift SGT for a response to resistance incident. Key West Rescue 2 arrived on scene to assess West's injuries. West refused treatment by EMS and became increasingly resistant. SGT Hammers arrived on scene to document the response to resistance incident.

West was eventually placed in the back seat of the patrol car. I activated the in car COBAN system at this time. While in the vehicle West continued to remove his seat belt. West banged his head against the window multiple times and proceeded to kick the inside of the passenger rear door. I opened the passenger side door to re-apply the seat belt and West attempted to get out of the vehicle. I regained control of West and placed him back in the patrol vehicle. West continued to show increased resistance, refusing to comply with officer's orders. SGT Hammers and I removed West from the vehicle to re-apply a set of hobbles and attach them through the front seat area. West sustained minor abrasions to his arms and legs during this incident. SGT Hammers was notified and arrived on scene to document the response to resistance incident.

I transported West to MCDC without further incident.

The damage to the patrol vehicle is approximately \$1500.00. I took photographs of the damage and uploaded them to EVIDENCE.com.

Since West willfully and maliciously damaged property belonging to another, and the damage is estimated at \$1000.00 or greater he was in violation of F.S.S. 806.13-1b3.

Since West resisted officers during the execution of their duties, he was in violation of F.S.S. 843.02.

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>Society</i>	Offense <i>CRIMINAL MISCHIEF / VANDALISM</i>	OCA <i>22-001634</i>
		Date / Time Reported <i>Sat 03/19/2022 04:37</i>

My BWC and in car COBAN were activated during this incident.

Incident Report Suspect List

Key West Police Department

OCA: 22-001634

1	Name (Last, First, Middle)					Also Known As					Home Address				
	WEST, PHILLIP NATHANIAL WILLI										414 VIRGINIA ST KEY WEST, FL 33040 305-783-6330				
	Business Address														
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.				
	07/07/1991	30	B	M	N	510	160	BRO	BRO	DRK	W230674912470 FL				
Scars, Marks, Tattoos, or other distinguishing features															
TAT OTHR OTHER / MULTIPLE TATOOS ON ARMS AND LEGS															
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					

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 03/21/2022 02:16

OCA: **22001634**

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

Investigator: *BOZZETTI, CHRISTIAN A (4058)*

Date / Time: *03/21/2022 02:00:59, Monday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 03/19/2022, around 04:40 hours, I (Ofc. Bozzetti) Ofc. Howell and Ofc. Owens were dispatched to 414 Virginia St., reference a verbal disturbance.

On arrival, we spoke with an involved male, later identified as Phillip West. After investigating the incident, Ofc. Owens and Ofc. Howell attempted to take West into protective custody under the Baker Act. After West was placed into handcuffs he began resisting and pulling away from Ofc. Howell and Ofc. Owens. West stopped walking, fell to the ground, and began flopping around. West was doing whatever he could to stop us from gaining control of him and placing him in the rear seat of the vehicle. We placed West's feet in a hobble and eventually gained enough control of him to be able to place him in the backseat of the vehicle. While Ofc. Owens and Ofc. Howell were escorting West to the backseat of the vehicle, West kicked Ofc. Owens' car twice. West's kicks created 2 large dents on Ofc. Owens' car.

Once he was in the back seat of the vehicle, he continued to act erratically and began kicking the inside of the vehicle. I assisted Sgt. Hammers in securing the hobble to the vehicle, so that West could not continue to kick the inside of the vehicle.

Once West was safely secured inside the vehicle, Ofc. Owens transported him to the MCDC.

West sustained minor abrasions to his arms and legs. West had a gold grill on his bottom teeth which cut his gums, causing him to bleed from his mouth. He also complained of shoulder pain. KWFD Rescue arrived on scene to medically evaluate West, however, West refused in medical treatment.

This was the end of my involvement in this case.

My BWC was activated during this incident.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT

Printed: 03/21/2022 05:15

*NOT SUPERVISOR APPROVED*OCA: **22001634**

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

Investigator: *HOWELL, WILLIAM N (4059)*Date / Time: *03/19/2022 04:37:09, Saturday*Supervisor: *(0)*Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On Saturday, 03/19/2022 at approximately 0437 hours; Ofc. Bozzetti, Probationary Ofc. Owens, and I (Ofc. Howell) were dispatched to 414 Virginia Street regarding a potential suspicious incident.

I arrived on scene first and encountered an unknown black male subject walking eastbound on the 400-Block of Virginia Street, toward Duval Street. The unknown black male subject appeared to be extremely flustered and possibly under the influence of alcohol and/or narcotics. Shortly afterward, Ofc. Bozzetti and Probationary Ofc. Owens arrived on scene. The unknown black male subject provided Probationary Ofc. Owens his name, Phillip N. West (DOB: 07/07/1991, Arrestee). Probationary Ofc. Owens continued to attempt to speak with West. At this point, West's mother and ex-girlfriend arrived on scene. I stepped away to speak to West's mother and ex-girlfriend.

West's mother and ex-girlfriend explained that West is supposed to take medication however, he has failed to in at least a few weeks. West's mother informed me that West threatened her earlier in the day, 03/19/2022. West's ex-girlfriend informed me that West also threatened her and their children earlier in the day as well, 03/19/2022. After speaking at length with West's mother and ex-girlfriend, I spoke with Probationary Ofc. Owens and we decided that West met the requirements for a Baker Act.

Probationary Ofc. Owens and I placed West in handcuffs. Probationary Ofc. Owens and I took West into protective custody. West immediately became aggressive and began attempting to pull away from Probationary Ofc. Owens and me. Probationary Ofc. Owens and I quickly gained control of West and walked him to Probationary Ofc. Owens' patrol vehicle. Probationary Ofc. Owens and I attempted to searched West subsequent to arrest. West again became aggressive and attempted to pull away Probationary Ofc. Owens and me. West began attempting to headbutt Probationary Ofc. Owens. Probationary Ofc. Owens moved away and West dropped to the ground. West rolled over on his back and continuously attempted to kick Probationary Ofc. Owens and me. Probationary Ofc. Owens and I once again gained control of West and brought West to his feet. West suddenly and swiftly attempted to kick me. Due to West's actions and level of resistance rising, I placed West in an arm bar and placed West's upper body on the hood of Probationary Ofc. Owens' patrol vehicle in a controlled manner. After a few minutes, West stated he was calm. Probationary Ofc. Owens and I attempted to place West in rear seat of Probationary Ofc. Owens' patrol vehicle. West again suddenly and swiftly pulled away while kicking Probationary Ofc. Owens patrol vehicle twice. At this point, due to West's actions and his level of resistance rising Probationary Ofc. Owens performed a takedown and placed West on the ground in a controlled manner. Ofc. Bozzetti, Probationary Ofc. Owens, and I hobbled West's ankles. Probationary Ofc. Owens and I placed West in the rear seat of Probationary Ofc. Owens' patrol vehicle several times. West continuously headbutted the plexiglass divider and glass windows. West continuously attempted to kick out the rear glass windows several times, as well.

West sustained minor abrasions on his left arm, near his elbow, as well on the back side of his head due to his

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 03/21/2022 05:15

OCA: **22001634**

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

Investigator: *HOWELL, WILLIAM N (4059)*

Date / Time: *03/19/2022 04:37:09, Saturday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

resistance. During the altercation, West attempted to swallow his removable, yellow-colored dental jewelry. West sustained minor lacerations to the inside of his mouth while attempting to swallow and bite down on his removable, yellow-colored dental jewelry. West had a small amount of blood dripping from the corners of his mouth. West refused medical attention from Key West Fire/Rescue on scene several times.

West appeared to be under the influence of alcohol. West's speech was slurred, and his eyes were glassy and bloodshot. West's breath had the odor of alcoholic intoxicants. West appeared to be under the influence of narcotics. West's speech was incoherent and unintelligible at times. West's pupils were contracted, and his eyes were bloodshot. West's balance was impaired to the point that he occasionally stumbled while walking.

My BWC was activated for the encounter, arrest, takedowns, and subsequent search of West. I uploaded the videos to Evidence.com.

At this time, no further information.

Investigator Signature: _____

