

Response to Resistance Report

Key West Police Department

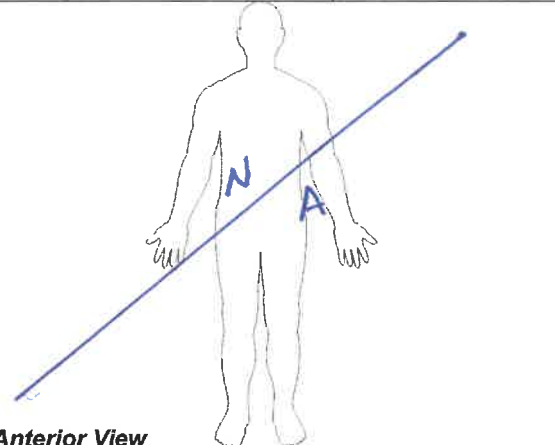
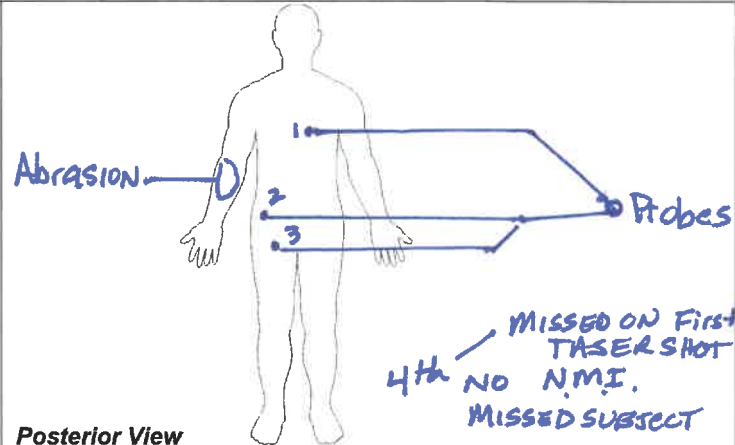
Case No: 23-6079

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

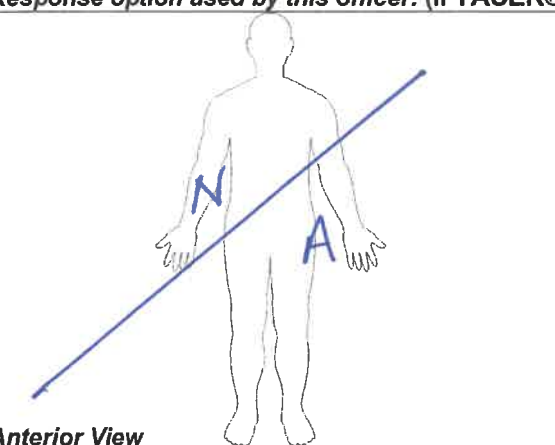
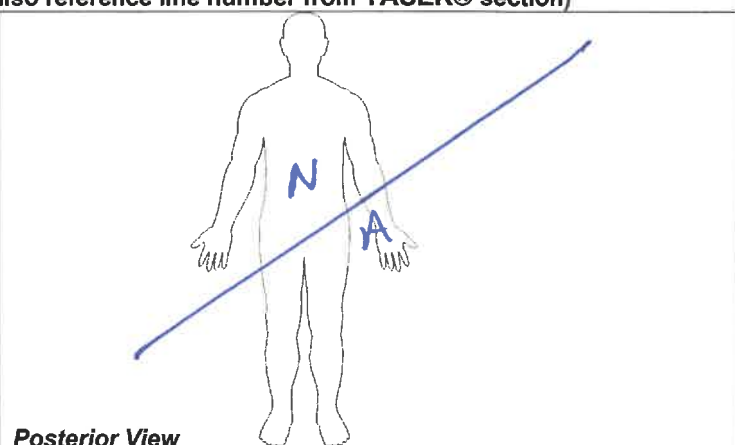
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of 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: 11-5-23	3. Time: 0723	4. Location: 2826 NRoosevelt	5. Incident type: S34
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive: non compliance <input checked="" type="checkbox"/> Active: defeated ofcs attempts <input checked="" type="checkbox"/> Aggressive: pushed ofc <input type="checkbox"/> Deadly Force:		<input checked="" type="checkbox"/> Physical Control Arm Bar <input checked="" type="checkbox"/> Non-lethal Weapon Taser <input type="checkbox"/> Deadly Force	

10. Last Name: Williams	11. First: Jon	12. Race: B	13. Sex: M
14. DOB: 5/28/23	15. Height: 6"00"	16. Weight: 210	
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 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 checked="" type="checkbox"/> Detention			

SUBJECT	 <p>22. Anterior View</p>	 <p>Posterior View</p>
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23. Officer: Matt Johnson	24. Race: W	25. Sex: M	26. Age: 35	27. Height: 5-07	28. Weight: 165
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: 15					
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: (If TASER®, also reference line number from TASER® section)					

OFFICER	 <p>35. Anterior View</p>	 <p>Posterior View</p>
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Handwritten notes in the bottom left corner, including a date and some illegible text.

Response to Resistance Report (continued)

Key West Police Department

Case No: 23-6079

TASER USE ONLY	36. TASER® device serial # X400180C0	37. TASER® device serial # N/A	
	Battery serial #X44643371	Battery serial #	
	Cartridge 1 serial # X4924W5WX serial #2 X482K78DP	Cartridge 1 serial #1 serial #2	
	Cartridge 2 serial #3 serial # 4	Cartridge 2 serial # 3 serial #4	
	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: 6ft	Target distance at probe launch:	
	Distance between probes: 18-24 in	Distance between probes:	
	Probes removed by (name): OFC and EMS	Probes removed by (name):	
Device downloaded by: Johnson	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: 11-5-23		
	41. Time: 0723		
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)		
	43. Did you watch all relevant videos associated with the use of force? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)		
	44. Did you meet with the Officer(s): <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)		
	45. During your review did you find any potential policy violations or training issues associated with the incident?		
	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)		
	46. Were you able to locate any independent witnesses: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)		
	Alexander King	2826 N Roosevelt	786-881-9890
47. Preparing Supervisor / Printed Name <u>Sgt. Frank Duponty 1951</u>		49. Date 11-5-23	
48. Preparing Supervisor / Signature / ID <u>Sgt. Frank Duponty 1951</u>		52. Date <u>1/17/24</u>	
INT. AFF.	50. 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		
	51. Signature of Internal Affairs Inspector <u>[Signature]</u> 52. Date <u>1/17/24</u>		

**INCIDENT/INVESTIGATION
REPORT**

INCIDENT DATA	Agency Name <i>Key West Police Department</i>		Case# <i>23-006079</i>			
	ORI <i>FL0440100</i>		Date / Time Reported <i>11/05/2023 07:11 Sun</i>			
	Location of Incident <i>2826 N ROOSEVELT BLVD, Key West FL 33040</i>		Gang Relat <i>NO</i>	Premise Type <i>Auto Dealership</i>	Beat/GP <i>B5, GPB5</i>	Last Known Secure <i>11/05/2023 07:11 Sun</i>
	At Found <i>11/05/2023 07:11 Sun</i>		#1 Crime Incident(s) <i>Battery Felony</i>		Weapon / Tools <i>Other</i>	Activity <i>N</i>
	#1 (Com)		Entry	Exit	Security	

MO	# of Victims <i>1</i> Type: <i>INDIVIDUAL</i>		Injury: <i>None</i>			Domestic: <i>N</i>				
	V1	Victim/Business Name (Last, First, Middle) <i>OFFICER JOHNSON, M</i>		Victim of Crime # <i>1,2</i>	DOB <i>//</i>	Race <i>W</i>	Sex <i>M</i>	Relationship To Offender <i>1ST</i>	Resident Status <i>Resident</i>	Military Branch/Status
	Home Address <i>1604 N ROOSEVELT BLVD, Key West, FL 33040-</i>				Email			Home Phone <i>305-809-1000</i>		
	Employer Name/Address <i>KEY WEST POLICE DEPARTMENT 1604 N. ROOSEVELT (POLICE OFFICER)</i>					Business Phone		Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis	VIN			

OTHER INVOLVED	CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)										
	Type:	Injury:									
	Code	Name (Last, First, Middle)			Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	Home Address			Email			Home Phone				
	Employer Name/Address					Business Phone		Mobile Phone			
	Type:	Injury:									

PROPERTY	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)									
	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description		Make/Model	Serial Number
	67	EVID		\$0.00		1	TASER EQUIPMENT			
	27	EVID		\$0.00		1	BWC TO AXON JOHNSON 3273			

Officer/ID# <i>JOHNSON, MATTHEW C (3273)</i>		Invest ID# <i>(0)</i>		Supervisor <i>(0)</i>	
Status	Complainant Signature	Case Status <i>Cba</i>	<i>11/05/2023</i>	Case Disposition:	Page 1

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 23-006079

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

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
23-006079
Date / Time Reported
Sun 11/05/2023 07:11

Victim	Offense
OFFICER JOHNSON, M	BATTERY

-- Jon Pierre Williams Arrest Narrative:

On Sunday, November 5, 2023, at approximately 0711 hours, I (Officer Johnson) responded to Key West Kia (2826 N. Roosevelt Blvd). in reference to two people sleeping in a white car. The caller was the manager for the property, Josh Bottoms. Upon arrival, I saw a white Toyota parked in the handicapped parking space in front of the Kia dealership. There was a black male sleeping in the back seat with the door open and his feet sticking out. There was a black male sleeping in the front seat. I circled the car and conducted a plain view search before attempting to wake them up. I attempted to wake up the person in the back seat first, but he didn't wake up. I decided it was more important to try to wake the person behind the wheel of the car because it was running.

I attempted to wake up the person behind the wheel of the car. He was later identified by his Texas drivers license as Jon Williams. Williams would not wake up. I continued to ask him to wake up and I continued to identify myself as a police officer. I used my un-extended baton to apply a sternum rub technique to attempt to wake him. Williams kept trying to push my arm away. I grabbed Williams by the arms and continued the sternum rub and shake him to wake him up. Williams continued to swat at me with his hands and refused to wake up. I told Williams not to touch me. Eventually Williams woke up fully. I identified myself as a police officer again. Williams said he heard me. I advised him that he was trespassing on private property. I told Williams to provide me with his identification. Williams refused to give me his identification. Williams got out of the car. I ordered Williams to put his hands behind his back. William refused and pushed me out of the way in order to get away. I threatened to taser Williams if he did not comply. I pushed Williams against the car and grabbed his left wrist. Williams twisted his arm around and pulled free. Williams started to walk away. I yelled out the word Taser. I threatened to Taser Williams and ordered him to the ground. Williams continued to walk away. I deployed the Taser. The upper prong pierced the skin in Williams upper back. The lower prong did not make penetration into the skin. I saw the upper prong had penetrated so I deployed the taser again just below the hip line in order to get full neuromuscular incapacitation. The top prong of the second shot entered the skin just below Williams' hip line and the lower probe entered the skin in the left buttock. Williams experienced full neuromuscular incapacitation and fell to the ground. I ordered Williams to his stomach and told him to put his arms behind his back. Williams partially complied. I placed Williams in handcuffs, double locked.

I had rescue respond to inspect and treat Williams. I searched and placed Williams in the back of my patrol car. I read Williams his Miranda rights. Williams waived his rights and wished to talk to me. Williams stated he came to the property to sleep. I explained to Williams why he was arrested. Williams stated that he apologized for what had happened.

Officer Calvert was a back up officer. Sgt. Duponty responded to the scene for the response to resistance incident. Officer Calvert identified the passenger in the car. See Officer Calvert's supplemental report.

I transported Williams to Monroe County Jail without incident. The incident was recorded on my BWC and in car camera. I did not sustain any injuries. I was wearing a Key West Police uniform.

Charges:

Charge #1 Battery of Law enforcement officer FSS. 784.07

The Defendant, Jon Williams, did intentionally touch or strike the victim, Officer M. Johnson, against his will by pushing him out of his way. Officer M. Johnson was a Key West police officer engaged in a lawful duty at the time of the incident. Officer Johnson clearly identified as a police officer and was wearing a Key West Police uniform.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 23-006079
Date / Time Reported Sun 11/05/2023 07:11

Victim <i>OFFICER JOHNSON, M</i>	Offense <i>BATTERY</i>	Date / Time Reported <i>Sun 11/05/2023 07:11</i>
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Charge # 2 Resisting an officer with violence FSS. 843.01

The defendant, Jon Williams, did willfully resist, obstruct, and oppose a Key West Police Officer (Officer M. Johnson) in the execution of a legal duty by offering or doing violence to the officer.

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Incident Report Suspect List

Key West Police Department

OCA: 23-006079

1	Name (Last, First, Middle) <i>WILLIAMS, JON PIERRE</i>					Also Known As					Home Address <i>7808 LONGBOW LN ARLINGTON, TX 78002 817-730-8763</i>				
	Business Address <i>HOME DEPOT</i>														
	DOB <i>05/21/1983</i>	Age <i>40</i>	Race <i>B</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>600</i>	Wgt	Hair <i>BLK</i>	Eye <i>BRO</i>	Skin <i>DRK</i>	Driver's License / State <i>46188067 TX</i>				
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							
Veh Yr / Make / Model		Drs	Style	Color		Lic Plate / State		VIN							
Notes							Physical Char								

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 11/05/2023 13:21

OCA: **23006079**

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

Investigator: *CALVERT, MONICA M (3451)*

Date / Time: *11/05/2023 08:37:18, Sunday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On Sunday, November 5, 2023 Ofc. M. Johnson and I (Ofc. M. Calvert) responded to 2628 N. Roosevelt Blvd, Kia of Key West, in reference to a call from the General Manager Joshua Bottoms that there were trespassers on the property that he wanted removed.

Upon arrival, Ofc. Johnson was already on scene and had approached a white 4-door Toyota that had the driver's side front door and passenger side rear - door open, and was occupied by two black males, who were sleeping inside. I saw another male standing at the back of the property and he identified himself as a reporting party via hand motion and pointed at the car confirming that it was the trespassers. Ofc. Johnson told me they were both asleep, started to try and wake the rear passenger and then made his way over to the driver, to start the attempts to wake him up. I continued to awaken the rear seat passenger. After several verbal attempts and tapping the bottom of the rear passengers feet, he woke up. I told him we were there because they were trespassing on Kia's property. During this time Ofc. Johnson was still unable to awaken the driver, and began sternum rubs to arouse the driver seat occupant. The subject, later identified as Jon Williams by his Texas DL, began putting his arms up and moving them around to resist Ofc. Johnson's efforts. I heard Ofc. Johnson giving loud verbal commands and identifying himself as a Key West Police Officer several times, before he yelled, "don't push me." I was still on the passenger side with the other male, identified by his AL DL as Jamaricq Williams, who was compliant at the time, awake and sitting. I moved to the front passenger side and pulled out my Taser, after I heard Ofc. Johnson's statement and saw Jon actively resisting Ofc. Johnson attempts for compliance. When Jon got out of the car I went to the other side, Ofc. Johnson had his Taser out and powered on, and I put mine away when able. Jon continued to not comply with verbal commands to put his hands behind his back, and pull his arms away from Ofc. Johnson and I, and make pushing/shoving motions to get us away. He did not make physical contact with me. Ofc. Johnson told him to stop and he started to walk away and still not comply with loud, verbal and lawful commands. Ofc. Johnson told him he would be tased, I moved back and Ofc. Johnson shot, with one probe making contact and the other not. Then Ofc. Johnson deployed the second cartridge making full contact and the subject started to fall to the ground next to the passenger side of the vehicle. I kept his head from impacting the ground and was still watching the other subject, Jamaricq, who had not moved from his position in the rear passenger seat.

I advised over Ch 1 that a taser had been deployed.

Sgt. Duponty responded to the scene.

Officers Howell and Roscoe responded to assist further.

Once more officers were on scene I obtained the identification from the rear passenger, who was valid and clear. I

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 11/05/2023 13:21

OCA: **23006079**

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Investigator: *CALVERT, MONICA M (3451)*

Date / Time: *11/05/2023 08:37:18, Sunday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

advised him again that we were called by the managers of KIA due to him and his friend trespassing on the property. I explained how it was trespassing and that we were providing simple directions, and it did not need to escalate. Jamaricq did not have any charges and was able to drive the car away back to Marathon Key, where he stated they were currently staying.

All this was recorded on my BWC and my in-car Axon was activated by Ofc. Johnson's Taser, which was facing the direction of where we had the interaction with the two subjects inside the vehicle.

I spoke to a manager of Kia on the scene, Alexander King, who stated to me on BWC that he was jogging and noticed the trespassers and after attempting to wake them himself, he called the GM Josh Bottoms who contacted KWPD Dispatch. King told me he watched everything and stated that Officer Johnson and I gave them many chances to comply with our lawful orders, and he could not believe that the driver (Jon) was still resisting. King also stated Kia has outdoor cameras if needed, and I passed this on to Ofc. Johnson and Sgt. Duponty.

Nothing further at this time.

Investigator Signature: _____