



Response to Resistance EVT-00000363-1

Primary Officer: Peters, Tiffini (3269)

Overview

Event Information

Reporting

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"
- Discharge of firearm in the line of duty, off-duty or on-duty (other than for training, maintenance or ballistics testing)
- When any person complains of injury as a result of the application of force
- When any person sustains an apparent substantial or fatal injury as a result of the application of force

Event Details

INCIDENT ID 24-4038	DATE 08/03/2024	TIME 02:07
LOCATION Charles Street and Duval Street, Key West FL 33040		
INCIDENT TYPE S2 - Intoxicated Person		
OTHER AGENCIES INVOLVED? N - No		

Persons

Cooper, Joshua Thomas

Person Role

ROLE
Subject

Person Details

LAST NAME Cooper	FIRST NAME Joshua	MIDDLE NAME Thomas	SUFFIX
DOB 04/09/2003	AGE 21	SEX M	RACE W
ETHNICITY Not Hispanic or Latino	HEIGHT 6' 6"	WEIGHT 180	CLOTHING TYPE Loose / Hanging

Identifying Documents

Document

ID TYPE
Driver's License

Persons (continued)

Cooper, Joshua Thomas (continued)

ISSUING STATE Florida	
ID NUMBER C160-438-03-129-0	
EXPIRATION DATE 04/09/2027	CLASS CLASS E
RESTRICTIONS N/A	

Contact

Address

ADDRESS TYPE H - Home
LOCATION 718 W Shore Drive, Summerland Key FL 33042

Phone Number

PHONE NUMBER TYPE Mobile	PHONE NUMBER (772) 216-0784
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E-Mail

Response to Resistance Circumstances

DID YOU OBSERVE THE SUBJECT? Yes
APPEARED TO BE <input type="checkbox"/> Emotionally/Mentally disturbed <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Not Applicable
SUBJECT ARRESTED Yes

Dunn, Eiren Christopher

Person Role

ROLE Subject

Person Details

LAST NAME Dunn	FIRST NAME Eiren	MIDDLE NAME Christopher	SUFFIX	
DOB 10/25/2001	AGE 22	SEX M	RACE W	ETHNICITY Not Hispanic or Latino
HEIGHT 5' 10"	WEIGHT 185	CLOTHING TYPE Loose / Hanging		

Identifying Documents

Document

ID TYPE Driver's License

Persons (continued)

Dunn, Eiren Christopher (continued)

ISSUING STATE Florida	
ID NUMBER D500-203-01-385-0	
EXPIRATION DATE 10/25/2025	CLASS CLASS E
RESTRICTIONS N/A	

Contact

Address

ADDRESS TYPE H - Home
LOCATION 201 Coppitt Road #203A, Big Coppitt FL 33040

Phone Number

PHONE NUMBER TYPE Mobile	PHONE NUMBER (305) 797-2684
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E-Mail

Response to Resistance Circumstances

DID YOU OBSERVE THE SUBJECT? Yes
APPEARED TO BE <input type="checkbox"/> Emotionally/Mentally disturbed <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Not Applicable <input type="checkbox"/> Under the influence of controlled substance
SUBJECT ARRESTED Yes

Officers

Kouri, David (3022)

Officer Details

ROLE Involved	OFFICER / EMPLOYEE Kouri, David (3022)	POSITION Sergeant	DIVISION Night Patrol Division
PATROL SHIFT Bravo Night Shift	EMPLOYEE YEARS OF SERVICE 18		
UNIFORMED OR PLAIN CLOTHES Uniformed	EMPLOYEE WAS ON DUTY On Duty		

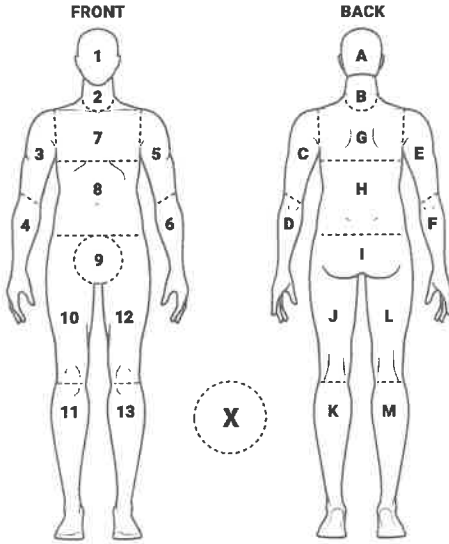
EMPLOYEE RACE White	EMPLOYEE ETHNICITY Not Hispanic or Latino	EMPLOYEE SEX Male
EMPLOYEE AGE 37	EMPLOYEE HEIGHT 6' 0"	EMPLOYEE WEIGHT 175
INJURIES No		

Officers (continued)

Kouri, David (3022) (continued)

BODY WORN CAMERA (BWC) ACTIVATED DURING INCIDENT

No Yes



Beerbower, Michael (2259)

Officer Details

ROLE Involved	OFFICER / EMPLOYEE Beerbower, Michael (2259)	POSITION Officer	DIVISION Night Patrol Division
PATROL SHIFT Bravo Night Shift	EMPLOYEE YEARS OF SERVICE 1		
UNIFORMED OR PLAIN CLOTHES Uniformed	EMPLOYEE WAS ON DUTY On Duty		

EMPLOYEE RACE White	EMPLOYEE ETHNICITY Not Hispanic or Latino	EMPLOYEE SEX Male
EMPLOYEE AGE 54	EMPLOYEE HEIGHT 6' 0"	EMPLOYEE WEIGHT 220

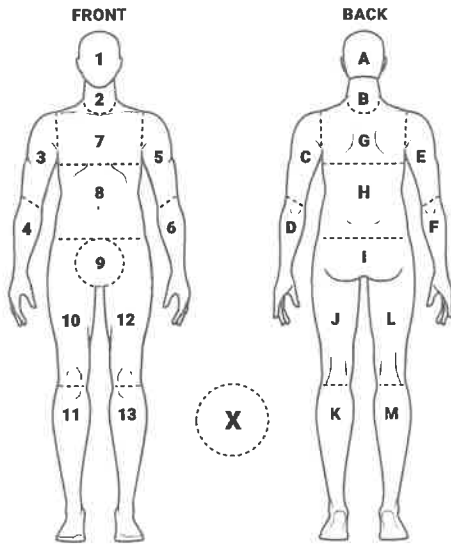
INJURIES
No

BODY WORN CAMERA (BWC) ACTIVATED DURING INCIDENT

No Yes

Officers (continued)

Beerbower, Michael (2259) (continued)



Response Action

Response Action

FORCE USED AGAINST P - Person		
PERSON FORCE USED AGAINST Cooper, Joshua Thomas		
RESISTANCE LEVEL		
<input checked="" type="checkbox"/> Active	<input type="checkbox"/> Aggressive	<input type="checkbox"/> Deadly Force
<input checked="" type="checkbox"/> Passive		
EXPLANATION OF RESISTANCE LEVEL As officers attempted to place Cooper in handcuffs, he began tensing his body, pulling away and was attempting to pull his arms away from the officers' physical control. After being escorted to the patrol car, Cooper began to physically resist again, pulling away from Sergeant Kouri. Sergeant Kouri conducted a takedown, bringing Cooper to the ground in a controlled manner.		

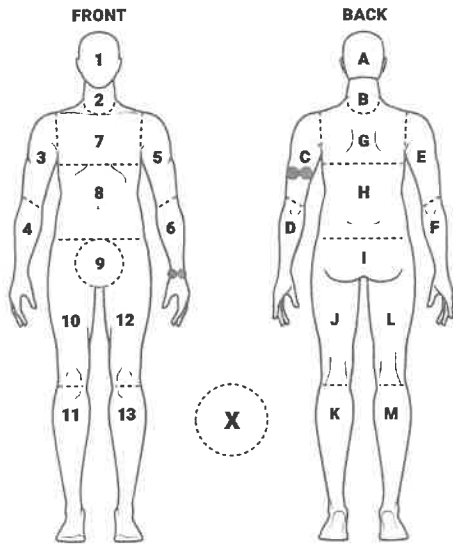
Force

Force

INVOLVED OFFICER Kouri, David (3022)	FORCE TYPE Hands-On - Compliance Techniques
NUMBER OF APPLICATIONS 1	

Response Action (continued)

Response Action



Force Location

BODY REGION Left Back Upper Arm	DETAILED LOCATION Left Back Upper Arm (Unspecified)
NUMBER OF IMPACTS 1	INJURY SUSTAINED FROM DIRECT FORCE Evident
TREATED No	INJURY DETAILS Abrasions
PHOTOGRAPHED Yes	

BODY REGION Left Front Forearm	DETAILED LOCATION Left Wrist
NUMBER OF IMPACTS 1	INJURY SUSTAINED FROM DIRECT FORCE Evident
TREATED No	INJURY DETAILS Small cut
PHOTOGRAPHED Yes	

Related Injuries

Response Action

FORCE USED AGAINST P - Person
PERSON FORCE USED AGAINST Dunn, Eiren Christopher
RESISTANCE LEVEL <input checked="" type="checkbox"/> Active <input type="checkbox"/> Aggressive <input type="checkbox"/> Deadly Force <input checked="" type="checkbox"/> Passive

Response Action (continued)

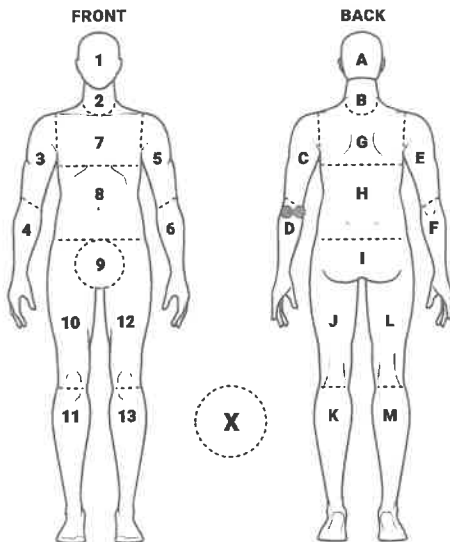
Response Action

EXPLANATION OF RESISTANCE LEVEL
 As officers attempted to place Dunn in handcuffs, he began tensing his body, pulling away and was attempting to pull his arms away from the officers' physical control. After being escorted to the patrol car, Dunn began to physically resist again, pulling away from Officer Beerbower. Officer Beerbower conducted a takedown, bringing Dunn to the ground in a controlled manner.

Force

Force

INVOLVED OFFICER Beerbower, Michael (2259)	FORCE TYPE Hands-On - Compliance Techniques
NUMBER OF APPLICATIONS 1	



Force Location

BODY REGION Left Back Forearm	DETAILED LOCATION Left Elbow
NUMBER OF IMPACTS 1	INJURY SUSTAINED FROM DIRECT FORCE Evident
TREATED No	INJURY DETAILS Abrasions
PHOTOGRAPHED Yes	

Related Injuries

Investigation

Investigation Details

Report Information

Investigation (continued)

Investigation Details

OFFENSE/INCIDENT REPORT AND/OR WARRANT AFFIDAVIT MUST INCLUDE
<input checked="" type="checkbox"/> All details of the arrest
<input checked="" type="checkbox"/> All necessary criminal elements
<input checked="" type="checkbox"/> Detailed description of injury complaints and/or observed injuries
<input checked="" type="checkbox"/> Details articulating the subject's words, mannerisms and actions that justify the Response to Resistance
<input checked="" type="checkbox"/> Details outlining the Response to Resistance utilized by each officer
<input checked="" type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject

Narrative

NARRATIVE OF INCIDENT See arrest affidavits and supplementals for further information.
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Supervisor's Inquiry

NOTIFIED DATE 08/03/2024	NOTIFIED TIME 02:09
DID SUPERVISOR RESPOND TO THE SCENE Yes	DID SUPERVISOR WATCH ALL RELEVANT VIDEOS ASSOCIATED WITH THE RESPONSE TO Yes
DID SUPERVISOR MEET WITH THE OFFICER(S)? Yes	
DURING SUPERVISOR'S REVIEW DID YOU FIND AN POTENTIAL POLICY VIOLATIONS OR TRAINING ISSUES ASSOCIATED WITH THE INCIDENT? No	
WAS SUPERVISOR ABLE TO LOCATE ANY INDEPENDENT WITNESSES? No	

Supervisor Comments

SUPERVISOR Peters, Tiffini (3269)	RANK Sergeant	REVIEW DATE 08/03/2024
COMMENTS		

Professional Standards Division

Reviewer

REVIEWER Dean, Jeffrey (3386)	RANK Lieutenant	REVIEW DATE 08/13/2024
COMMENTS		
DID THE REVIEW OF THIS INCIDENT CONCLUDE THAT THE RESPONSE TO RESISTANCE WAS IN COMPLIANCE WITH DEPARTMENTAL POLICY? Yes		

INCIDENT/INVESTIGATION REPORT

Agency Name <i>Key West Police Department</i>
ORI <i>FL0440100</i>

Case# <i>24-004038</i>
Date / Time Reported <i>08/03/2024 02:07 Sat</i>
Last Known Secure <i>08/03/2024 02:07 Sat</i>
At Found <i>08/03/2024 02:07 Sat</i>

Location of Incident <i>CHARLES ST AND DUVAL ST, Key West FL</i>	Gang Relat <i>NO</i>	Premise Type <i>Highway/road/alley/st</i>	Beat/GP
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#	Crime Incident(s)	(Com)	Weapon / Tools	Entry	Exit	Security	Activity
#1	<i>Disorderly Conduct DCA</i>	(Com)					
#2	<i>Resist Arrest / Escape XOM</i>	(Com)					
#3	<i>Crime Incident</i>	()					

INCIDENT DATA

MO

# of Victims <i>1</i>	Type: <i>SOCIETY/PUBLIC/STATE</i>	Injury:	Domestic: <i>N</i>
V1 <i>Society</i>	Victim/Business Name (Last, First, Middle)	Victim of Crime # <i>1,2</i>	DOB Age
Home Address	Email	Race	Sex
Employer Name/Address	Business Phone	Relationship To Offender	Resident Status <i>N/A</i>
VYR	Make	Model	Style
Color	Lic/Lis	VIN	Military Branch/Status

VICTIM

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 Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	Home Address
Home Address		Email		Business Phone		Mobile Phone		Home Phone	
Employer Name/Address		Business Phone		Mobile Phone		Home Address		Home Phone	
Type:					Injury:				
Code	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	Home Address
Home Address		Email		Business Phone		Mobile Phone		Home Phone	
Employer Name/Address		Business Phone		Mobile Phone		Home Address		Home Phone	

OTHERS INVOLVED

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 Fm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number		
	<i>27</i>	<i>EVID</i>	<i>\$0.00</i>		<i>3</i>	<i>BWC 2259</i>	<i>AXON/Bwc</i>			
	<i>27</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>AXON REAR-FACING IN-CAR</i>	<i>AXON/In-car</i>			
	<i>27</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>BWC 4352</i>				
	<i>27</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>FLEET 4352</i>				

PROPERTY

Officer/ID# <i>BEERBOWER, MICHAEL (2259)</i>	Invest ID# <i>(0)</i>	Supervisor <i>PETERS, TIFFINI (3269)</i>
Complainant Signature	Case Status <i>Cleared By Arrest</i>	Case Disposition: <i>08/03/2024</i>

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 24-004038

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

KOURI, D. (3022), PETERS, T. (3269), ANGLIN, T.H. (2872), UA, C. (4264), THORNBRUGH, E. (4303), HESSE, J. (4305), BURNS, A. (4352)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>Society</i>		Offense <i>DISORDERLY CONDUCT</i>	OCA <i>24-004038</i>
			Date / Time Reported <i>Sat 08/03/2024 02:07</i>

On 08/03/2024 at approximately 0207 hours I, Ofc. M. Beerbower (2259) was on foot patrol at the intersection of Charles St. and Duval St. with Ofc. A. Burns and Sgt D. Kouri. At that time two white males who were later identified as Joshua Thomas Cooper (FL DL 04/09/2003) and Eiren Christopher Dunn (FL DL 10/25/2001) approached Officers Burns and me. Cooper and Dunn began to yell vulgarities and obscenities at the Ofc. Burns and me. They then began extending their middle fingers, while actively "flipping us off". Cooper and Dunn continued these actions, while elevating their voices louder and louder. Cooper then began using his hand and motioning as if he was masturbating an invisible penis in the direction of Ofc. Burns, Sgt Kouri, and me. These vulgar and obscene gestures continued, as a crowd began to grow. Multiple subjects in the crowd stated they were offended by the words and actions of these subjects and were disgusted by the level of disrespect that was occurring. Additional people followed in making statements regarding how offended they were, based on the words and actions of the subjects.

As the subjects continued this behavior, the determination was made that they had exceeded the elements of FSS 877.03 Disorderly Conduct and an arrest was necessary. With Sgt Kouri's assistance, I attempted to detain Cooper, however he began to actively resist. Cooper began tensing his body, pulling away and attempting to pull his arms away from my physical control. I continuously gave Cooper verbal commands to stop resisting, however he would not listen and continued to actively resist. Only with the assistance of Sgt. Kouri and Ofc. Burns was I able to finally place Cooper into custody.

While still trying to place Cooper into custody, Dunn approached me from the rear, forcefully bumping into me and shouting for me to leave Cooper alone. This action was done by Dunn while trying to film the incident with his cell phone. I turned and lifted his knee to push Dunn and create distance from him, as the situation was already hostile. I gave Dunn several verbal commands to back up from Officers. Once Cooper was in custody, I attempted to take Dunn into custody as well. Dunn began to physically resist, by pushing away, bracing his arms and attempting to pull away. After another brief struggle, Dunn was placed into handcuffs.

With Sgt. Kouri's assistance, I began escorting Dunn over to Charles Street, where three (3) marked KWPD SUVs were located. While escorting Dunn, he continuously attempted to throw his body to the ground and was acting as if he was "dead weight." Dunn struggled for the duration of the walk towards Charles Street. While Sgt. Kouri and I were escorting Dunn, Ofc. Burns was escorting Cooper, who was also pulling away from her and continuing to resist. Sgt. Kouri released Dunn and moved to assist Ofc. Burns in escorting Cooper to marked KWPD SUV.

When Sgt. Kouri moved to assist Ofc. Burns, Dunn began to resist, struggle and fight with me again. He continued verbal obscenities and began jerking his arms away from me and kept attempting to turn his body towards me despite repeated verbal commands for him to stop resisting and to turn away from me. Due to Dunn ignoring my commands and continuing to try and turn his body towards me, I took him to the ground in a controlled manner. I ordered Dunn to roll over onto his stomach, but he continued to resist by posturing his body, widening his feet, and arching his back. Ofc. Burns returned to assist me in moving Dunn onto his stomach. Even after being placed on his stomach, Dunn continued to resist by widening his feet to establish a base and attempting to raise his upper body off the ground.

As I maintained control of Dunn on the ground, I saw that Cooper had begun to physically resist Sgt Kouri causing him to take Cooper to the ground in a controlled manner (See Sgt. Kouri's supplemental report) At that point I notified dispatch that we needed additional officers to assist us.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 24-004038
Date / Time Reported Sat 08/03/2024 02:07

Victim

Society

Offense

DISORDERLY CONDUCT

While waiting for additional officers to arrive, Dunn and Cooper continued to resist, yell obscenities and pull away, however, we were able to maintain control of them at that point. Once additional officers arrived, we were able to place Dunn and Cooper into separate KWPD vehicles and transport them to the Monroe County Detention Center. I transported Dunn and Ofc. Burns transported Cooper. (see Ofc. Burns supplemental report).

It should be noted that both Cooper and Dunn appeared to be highly intoxicated. They smelled heavily of alcoholic beverage and had slurred speech.

It should also be noted that once Cooper and Dunn were in the MCDC, they continued to be belligerent with me and with MCSO detention deputies. Both subjects disregarded instructions from the detention deputies and continued yelling that we were "Bitch ass cops" and nothing but "Pussies". Dunn and Cooper's actions were such that both remained in hand restraints during the entire booking procedure. In the case of Dunn, he began to physically resist deputies while receiving his medical evaluation. Deputies were forced to physically escort Dunn to a holding cell while he screamed obscenities and dropped his body in the same "dead weight" fashion he had used while being taken into custody.

Given the above facts and evidence I found probable cause to charge Joshua Thomas Cooper with the following:

One (1) count of Disorderly Conduct: Contrary to FSS 877.03, Cooper did commit acts of a nature to corrupt the public morals, or outrage the sense of public decency, or affect the peace and quiet of persons who may witness them, by yelling vulgar obscenities at the intersection of Charles St. and Duval St. and by making hand motions as if he were masturbating an invisible penis, causing several people in the crowd to state that they were offended.

One (1) count of Resisting officer without violence to his or her person: Contrary to FSS 843.02, Cooper did resist, obstruct, or oppose KWPD officers who were attempting to take him into custody without offering or doing violence to them, by disregarding verbal commands and continuously tensing his body and jerking away as officers were attempting to place him into custody.

Given the above facts and evidence, I found probable cause to charge Eiren Christopher Dunn with the following:

One (1) count of Disorderly Conduct: Contrary to FSS 877.03, Dunn did commit acts of a nature to corrupt the public morals, or outrage the sense of public decency, or affect the peace and quiet of persons who may witness them, by yelling vulgar obscenities and using vulgar hand gestures at the intersection of Charles St. and Duval St. causing several people in the crowd to state that they were offended.

One (1) count of Resisting officer without violence to his or her person: Contrary to FSS 843.02, Dunn did resist, obstruct, or oppose KWPD officers who were attempting to take him into custody without offering or doing violence to them, by disregarding verbal commands and continuously tensing his body and jerking away as officers were attempting to place him into custody.

My BWC was activated and uploaded to Evidence.com.

My AXON rear-facing in-car camera was activated during transport to the MCDC and uploaded to Evidence.com.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA <i>24-004038</i>
Date / Time Reported <i>Sat 08/03/2024 02:07</i>

Victim <i>Society</i>	Offense <i>DISORDERLY CONDUCT</i>	Date / Time Reported <i>Sat 08/03/2024 02:07</i>
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Incident Report Suspect List

Key West Police Department

OCA: 24-004038

1	Name (Last, First, Middle) <i>COOPER, JOSHUA THOMAS</i>					Also Known As					Home Address <i>718 W SHORE DR SUMMERLAND KEY, FL 33042 772-216-0784</i>				
	Business Address <i>UNKNOWN, UNKNOWN</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State					
<i>04/09/2003</i>	<i>21</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>606</i>	<i>180</i>	<i>BRO</i>	<i>BRO</i>	<i>FAR</i>	<i>C160438031290 FL</i>					
Scars, Marks, Tattoos, or other distinguishing features															

<i>Reported Suspect Detail</i>		Suspect Age			Race	Sex	Eth	Height	Weight	SSN	
Weapon, Type		Feature		Make		Model		Color	Caliber	Dir of Travel	
Veh Yr / Make / Model		Drs	Style		Color		Lic Plate / State		VIN		
Mode of Travel											

Notes _____ Physical Char _____

2	Name (Last, First, Middle) <i>DUNN, EIREN CHRISTOPHER BPO</i>					Also Known As					Home Address <i>201 COPPITT RD - 203A KEY WEST, FL 33040 305-797-2684</i>				
	Business Address <i>UNKNOWN, FISHERMAN</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State					
<i>10/25/2001</i>	<i>22</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>510</i>	<i>135</i>	<i>BRO</i>	<i>BRO</i>	<i>LGT</i>	<i>D500203013850 FL</i>					
Scars, Marks, Tattoos, or other distinguishing features															

<i>Reported Suspect Detail</i>		Suspect Age			Race	Sex	Eth	Height	Weight	SSN	
Weapon, Type		Feature		Make		Model		Color	Caliber	Dir of Travel	
Veh Yr / Make / Model		Drs	Style		Color		Lic Plate / State		VIN		
Mode of Travel											

Notes _____ Physical Char _____

*BUILD, LIGHT
HAIR TYPE, SHORT
TEETH, STRAIGHT
SPEECH, NORMAL*

Incident Report Related Property List

Key West Police Department

OCA: 24-004038

1	Property Description BWC 2259			Make AXON		Model BWC		Caliber	
Color		Serial No.		Value \$0.00		Qty 3.000		Unit EA	Jurisdiction Locally
Status Evidence		Date 08/03/2024	NIC #		State #		Local #		OAN
Name (Last, First, Middle) * No name *					DOB		Age	Race	Sex

Notes

2	Property Description AXON REAR-FACING IN-CAR			Make AXON		Model IN-CAR		Caliber	
Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally
Status Evidence		Date 08/03/2024	NIC #		State #		Local #		OAN
Name (Last, First, Middle) * No name *					DOB		Age	Race	Sex

Notes

3	Property Description BWC 4352			Make		Model		Caliber	
Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally
Status Evidence		Date 08/03/2024	NIC #		State #		Local #		OAN
Name (Last, First, Middle) * No name *					DOB		Age	Race	Sex

Notes

4	Property Description FLEET 4352			Make		Model		Caliber	
Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally
Status Evidence		Date 08/03/2024	NIC #		State #		Local #		OAN
Name (Last, First, Middle) * No name *					DOB		Age	Race	Sex

Notes

CASE SUPPLEMENTAL REPORT

Printed: 09/11/2024 16:30

Key West Police Department

OCA: 24004038

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

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred: 08/03/2024

Offense: DISORDERLY CONDUCT

Investigator: KOURI, DAVID (3022)

Date / Time: 08/03/2024 04:21:05, Saturday

Supervisor: PETERS, TIFFINI (3269)

Supervisor Review Date / Time: 08/03/2024 05:34:06, Saturday

Contact:

Reference: General Supplemental Report

On Saturday August 3rd, 2024 at around 0200 hours, I (Sgt. Kouri) responded to the 200 block of Duval Street to assess the crowd and bar capacity situation, due to it being a Friday night. Weekend nights typically yield higher law enforcement related calls for service. I met with Officers Beerbower and Burns, who were on "foot patrol" on Lower Duval Street.

It should be noted that my BWC was currently at KWPD, plugged into a docking station for uploading purposes. This was also notated in the CAD notes of the incident which follows.

While briefly on foot patrol, I was conversing with several local subjects known to me through personal and professional encounters. While engaging in positive conversation and participating in community oriented policing, two white males who were later identified as Joshua Cooper and Eiren Dunn approached Officers Burns and Beerbower. These individuals began to yell a barrage of vulgarities and obscenities at the Officers. They then began extending their middle fingers, while actively "flipping off" the Officers and myself. They continued these actions, while yelling vulgar profanities towards the Officers. One of the subjects then began using his hand and motioning as if he was masturbating an invisible penis in the direction of the Officers. These vulgar and obscene gestures continued, as a crowd began to grow. Multiple subjects in the crowd stated they were offended by the words and actions of these subjects and were disgusted by the level of disrespect that was occurring. Additional people followed in making statements regarding how offended they were, based on the words and actions of the subjects.

As the subjects continued this behavior, the determination was made that they had exceeded the elements delineated in FSS 877.03 Disorderly Conduct and an arrest was necessary. Ofc. Beerbower and I attempted to detain Cooper, however he began to actively resist. Cooper began tensing his body, pulling away and attempting to pull his arms away from our physical control. I was able to maintain physical control of Cooper by holding onto his hair with my left hand and attempting to maintain control of his left hand and wrist with my right hand. It should be noted the Cooper is 6'06". Ofc. Beerbower and I continuously gave Cooper verbal commands to stop resisting, however he would not listen and continued to actively resist. While placing Cooper into custody after the struggle, his belligerent companion, Dunn approached Ofc. Beerbower from the rear, forcefully bumping into him. This action was done by Dunn while trying to film the incident with his cell phone. Ofc. Beerbower turned and lifted his knee to push Dunn and create distance from him, in the already hostile situation. Dunn was given several more verbal commands to back up from the Officers. Once Cooper was in custody, we attempted to take Dunn into custody as well. Dunn began to also physically resist, by pushing away, bracing his arms and attempting to pull away. After another brief struggle, Dunn was placed into handcuffs.

Ofc. Beerbower and I began escorting Dunn over to Charles Street, where three (3) marked KWPD SUVs were located.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 09/11/2024 16:30

Key West Police Department

OCA: **24004038**

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

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred: *08/03/2024*

Offense: *DISORDERLY CONDUCT*

Investigator: *KOURI, DAVID (3022)*

Date / Time: *08/03/2024 04:21:05, Saturday*

Supervisor: *PETERS, TIFFINI (3269)*

Supervisor Review Date / Time: *08/03/2024 05:34:06, Saturday*

Contact:

Reference: *General Supplemental Report*

While escorting Dunn, he continuously attempted to throw his body to the ground and was acting as if he was "dead weight." Dunn struggled for the duration of the walk towards Charles Street. While Ofc. Beerbower and I were escorting Dunn, Ofc. Burns was escorting Cooper, who was also pulling away from her and continuing to resist. I left Ofc. Beerbower with Dunn and I assisted Ofc. Burns with escorting Cooper over to the rear driver side of a marked KWPD SUV.

While I was searching Cooper, I saw that Ofc. Beerbower had to take Dunn to the ground in a controlled manner, due to him continuing to resist, struggle and fight with Ofc. Beerbower. I instructed Ofc. Burns to assist Ofc. Beerbower, who was now on the ground with Dunn. Once Ofc. Burns walked away, Cooper began to physically resist me once again and was trying to overpower me and pull away from my grasp. I took Cooper to the ground in a controlled manner and was able to gain physical control of him until other officers arrived on scene to assist.

With other Officers on scene, both subjects still continued to resist, yell obscenities and pull away. However we were able to maintain control of the subjects, who were all placed into the rear of KWPD Patrol SUVs and transported to Jail on charges of disorderly conduct and resisting arrest.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 09/11/2024 16:30

Key West Police Department

OCA: 24004038

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

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred: *08/03/2024*

Offense: *DISORDERLY CONDUCT*

Investigator: *BURNS, ALYSON (4352)*

Date / Time: *08/03/2024 21:46:18, Saturday*

Supervisor: *PETERS, TIFFINI (3269)*

Supervisor Review Date / Time: *08/03/2024 22:21:34, Saturday*

Contact:

Reference: *General Supplemental Report*

On August 3, 2024, at approximately 0207 hours, I (Ofc. A. Burns) and Ofc. M. Beerbower were on routine foot patrol on the 200 block of Duval Street (near the intersection of Charles Street/Duval Street).

Two white males who were later identified by their Florida drivers license as Joshua T. Cooper (DOB: 04/09/2003, Arrestee) and Eiren C. Dunn (DOB: 10/25/2001, Arrestee), approached Ofc. Beerbower and me. Sgt. D. Kouri arrived shortly before the incident occurred. Cooper and Dunn began to yell obscenities and vulgarities towards Ofc. Beerbower, Sgt. Kouri, and me. A black male in a red shirt approached the two males and informed them to leave. As the two males began to walk away, Cooper had turned around to face us and began flipping us off by extending his middle fingers towards us. Cooper then placed his hand in front of his genitals and began motioning that he was masturbating an invisible penis in our direction. All the while both males were continuing to yell obscenities and vulgarities causing a crowd to form. Several bystanders from the crowd had made statements exclaiming they felt offended by the two males` actions and their actions were very disrespectful.

The decision for arrest was determined to place Cooper and Dunn into custody for disorderly conduct. Ofc. Beerbower and Sgt. Kouri were actively attempting to place Cooper into custody, but Cooper began resisting Ofc. Beerbower and Sgt. Kouri. I was assisting Ofc. Beerbower who was attempting to place handcuffs onto Cooper and while doing so Cooper began tensing his arms and pulling away, refusing to let Ofc. Beerbower place the handcuffs on him. Ofc. Beerbower and Sgt. Kouri were giving lawful commands to Cooper to stop resisting and place his hands behind his back.

While placing Cooper into handcuffs, Dunn had approached Ofc. Beerbower, Sgt. Kouri and I from behind and was videotaping. Dunn proceeded to get closer to us and interfered while Cooper was being placed into handcuffs. Ofc. Beerbower turned to face Dunn and repeatedly told Dunn to stay back. Dunn refused to listen to the lawful command. Ofc. Beerbower lifted his knee and pushed Dunn backwards to create distance between Dunn and us. Once Cooper was officially placed into handcuffs, Ofc. Beerbower placed Dunn into custody. Sgt. Kouri assisted Ofc. Beerbower and Dunn began to resist Ofc. Beerbower and Sgt. Kouri. Ofc. Beerbower and Sgt. Kouri successfully placed Dunn into handcuffs.

I escorted Cooper to the patrol vehicles that were located on Charles Street. Ofc. Beerbower and Sgt. Kouri escorted Dunn to the patrol vehicles.

While I was escorting Cooper when we approached the patrol vehicles Cooper began to slow his walk and lean his body weight backwards in attempt to not approach the patrol vehicles. It should be noted Cooper is 6'06". Cooper began to pull away from me and started to walk towards the building that was under construction. Cooper had thrown

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himself against the plywood, twice, while yelling out, "Are y'all ready for this lawsuit?". Sgt. Kouri later assisted me with Cooper. While Sgt. Kouri was assisting me Ofc. Beerbower had placed Dunn on the ground in a controlled manner. I then assisted Ofc. Beerbower with Dunn and Sgt. Kouri had placed Cooper onto the ground in a controlled manner.

Ofc. Beerbower and I rolled Dunn onto his stomach. Dunn was told numerous times to stop resisting and lifting his head but Dunn constantly refused to listen. I assisted Ofc. Beerbower lifting Dunn off the ground to his patrol vehicle. At that time another officer had searched and placed Cooper into the left rear passenger seat of my patrol vehicle.

At that time other officers arrived on scene to assist. While escorting Dunn to Ofc. Beerbower's patrol vehicle, Dunn stopped walking and threw his body weight backwards. Dunn was searched and placed into Ofc. Beerbower's patrol vehicle.

It should be noted when both males had only one officer escorting them, they would become more resistant. During the whole interaction the males were yelling obscenities and vulgarities.

I transported Joshua to the Monroe County Detention Center, without incident, as well as Cooper's belongings.

My BWC (4352) was activated for this incident as well as my FLEET.

At this time, no further information.

Investigator Signature

Supervisor Signature