

Response to Resistance Report

Key West Police Department

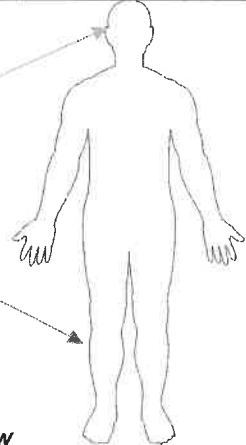
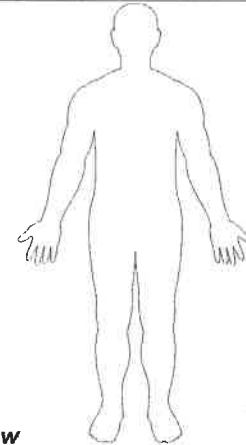
Case No: 22-6517

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

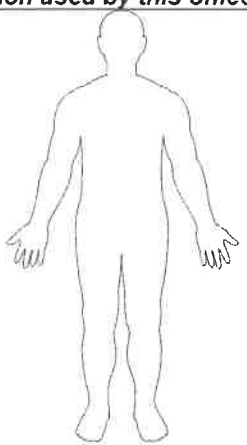
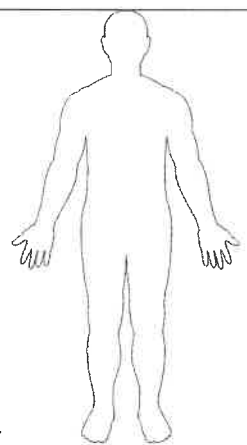
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of 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: 11/14/2022		3. Time: 2020 hrs		4. Location: 1300 15 th Ct. Lot 81		5. Incident type: S0/S36A	
	6. Resistance Level		7. Explanation		8. Response Option		9. Explanation	
	<input checked="" type="checkbox"/> Passive:		Tensing, pulling away		<input checked="" type="checkbox"/> Physical Control		Leg sweep takedown	
	<input checked="" type="checkbox"/> Active:		_____		<input type="checkbox"/> Non-lethal Weapon		_____	
<input type="checkbox"/> Aggressive:		_____		<input type="checkbox"/> Deadly Force		_____		
<input type="checkbox"/> Deadly Force:		_____		_____		_____		

10. Last Name: Weber		11. First: Preston		12. Race: W		13. Sex: M	
14. DOB: 09/21/1968		15. Height: 5'06"		16. Weight: 150			
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 checked="" 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 checked="" 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 type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention							

SUBJECT	<div style="border: 1px solid black; padding: 2px; width: fit-content;">Abrasions</div>	 <p>22. Anterior View</p>	 <p>Posterior View</p>
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23. Officer: Erik Roberts		24. Race: W		25. Sex: M		26. Age: 32		27. Height: 6.01		28. Weight: 300	
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: 1 yr					
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: Leg Sweep Takedown											

OFFICER	 <p>35. Anterior View</p>	 <p>Posterior View</p>
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Response to Resistance Report (continued)

Key West Police Department

Case No: 22-6517

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: <input 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 type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No		
	Target distance at probe launch:		Target distance at probe launch:		
	Distance between probes:		Distance between probes:		
	Probes removed by (name):		Probes removed by (name):		
Device downloaded by:		Device downloaded by:			
<input type="checkbox"/> 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: 11/14/2022		41. Time: 2020		
	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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)				
	06.28 BWC				
	BWC was activated late, however, in-car camera captured the incident				
	46. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
	Name		Address		Phone Number
47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		3755		11/14/2022	
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		48. Preparing Supervisor's Signature / ID		49. Date	
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 type="checkbox"/> Yes (If "No", complete section 51)				
	51. Signature of Internal Affairs Inspector		52. Date		
	53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:		

INCIDENT/INVESTIGATION REPORT

INCIDENT DATE

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

Case# <i>22-006517</i>
Date / Time Reported <i>11/14/2022 20:15 Mon</i>
Last Known Secure <i>11/14/2022 20:15 Mon</i>
At Found <i>11/14/2022 20:15 Mon</i>

Location of Incident <i>1300 15TH CT Apt. 50, Key West FL 33040</i>	Gang Relat <i>NO</i>	Premise Type <i>Highway / Street /</i>	Beat/GP <i>B5, GPB5</i>
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#	Crime Incident(s)	(Com)	Weapon / Tools	Activity
#1	<i>Assault / Threats SCB</i>	(Com)	<i>IMPLIED GUN/TOY GUN</i>	
#2	<i>Resist Arrest / Escape XOM</i>	(Com)		
#3	<i>Crime Incident</i>	()		

# of Victims	<i>5</i>	Type: <i>INDIVIDUAL</i>	Injury: <i>None</i>	Domestic: <i>N</i>					
V1	Victim/Business Name (Last, First, Middle) <i>RICHE, CHRISLORD JEAN</i>		Victim of Crime # <i>1</i>	DOB <i>06/01/1987</i> Age <i>35</i>	Race <i>B</i>	Sex <i>M</i>	Relationship To Offender <i>NE</i>	Resident Status <i>Resident</i>	Military Branch/Status
Home Address <i>1213 14TH ST - LOT 265, Key West, FL 33040-</i>					Email		Home Phone <i>305-832-9210</i>		
Employer Name/Address <i>UNKNOWN (UNKNOWN)</i>					Business Phone		Mobile Phone		
VYR	Make	Model	Style	Color	Lic/Lis	VIN			

CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)										
Type: <i>INDIVIDUAL</i> Injury: <i>None</i>										
Code	Name (Last, First, Middle)			Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
<i>V2</i>	<i>WILLIAMS, ROYAN</i>			<i>1</i>	<i>10/06/1976</i> Age <i>46</i>	<i>B</i>	<i>M</i>	<i>ST</i>	<i>Resident</i>	
Home Address <i>1213 14TH ST - 109 KEY WEST, FL 33040</i>					Email		Home Phone <i>863-484-4858</i>			
Employer Name/Address <i>UNK (UNK)</i>					Business Phone		Mobile Phone <i>863-484-4858</i>			
Type: <i>INDIVIDUAL</i> Injury: <i>None</i>										
Code	Name (Last, First, Middle)			Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
<i>V3</i>	<i>HAMILTON, MICHAEL DWAYNE</i>			<i>1</i>	<i>11/05/1989</i> Age <i>33</i>	<i>B</i>	<i>M</i>	<i>ST</i>	<i>Resident</i>	
Home Address <i>1213 14TH ST - B KEY WEST, FL 33040</i>					Email		Home Phone <i>305-684-9342</i>			
Employer Name/Address <i>UNK (UNK)</i>					Business Phone		Mobile Phone <i>305-684-9342</i>			

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/Td	Value	OJ	QTY	Property Description	Make/Model	Serial Number	
	<i>35</i>	<i>EVID</i>	<i>\$0.00</i>		<i>2</i>	<i>AXON BWC S36A 4194</i>	<i>AXON/Bwc</i>		
	<i>35</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>AXON FLEET S36A 4194</i>	<i>AXON/Fleet</i>		
	<i>99</i>	<i>EVID</i>	<i>\$0.00</i>		<i>5</i>	<i>AXON CAPTURE PHOTOS</i>	<i>AXON/Capture</i>		
	<i>35</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>AXON IN-CAR S36A 4194</i>	<i>AXON/In-car</i>		

Officer/ID#	<i>ROBERTS, ERIK (4194)</i>	Supervisor	<i>(0)</i>
Invest ID#	<i>(0)</i>	Case Disposition:	<i>Cleared By Arrest 11/14/2022</i>
Status	Complainant Signature	Case Status	<i>Cleared By Arrest 11/14/2022</i>

Incident Report Additional Name List

Key West Police Department

OCA: 22-006517

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) VI 4	FERNANDO, PAULWELL PEDRO	1	01/02/1978	44	B	M
	Address 1213 14TH ST Apt. B, KEY WEST, FL 33040-		H: 305-676-1772			
	Empl/Addr Unk		B: - -			
			Mobile #: - -			
2) VI 5	Society	2				
	Address		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			
3) IO 1	FALKE, AMANDA SUZANNE		02/24/1981	41	W	F
	Address 1300 15TH CT LOT Apt. 50, KEY WEST, FL 33040-		H: 305-923-0638			
	Empl/Addr Denny's		B: 305-294-5065			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-006517

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
 ROJAS, R. (1899), TORRECILLAS, J. (3759), CONATY, J.T. (3755), REVOREDO, N. (2962), ROSCOE, R. (4011),
 BERNATOVA, A. (4193)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 22-006517

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 22-006517
Date / Time Reported Mon 11/14/2022 20:15

Victim

RICHE, CHRISLORD JEAN

Offense

ASSAULT / THREATS

On Monday 11/14/2022 at approximately 2017 hrs. I (Ofc. E. Roberts) responded to 1300 15th Ct. (Poinciana Trailer Park) Lot 50 reference a man brandishing a firearm.

On arrival I was flagged down by Chrislord Riche and Royan Williams who were pointing to Preston Weber who was standing on the front porch of the residence with Amanda Falke. Riche and Williams yelled "He has the gun! It's him!", still pointing at Weber. I Weber stepped down from the porch and began to approach me. I ordered him to stop. He complied and stated that he did not have a gun. I attempted to place hand cuff restraints on Weber and he attempted to pull away from my custodial hold to defeat being restrained. I then utilized a leg sweep technique and redirected Weber to the ground where I applied the hand cuff restraints. I searched Weber's person and found no weapons. He continuously stated that he had no firearms in his possession.

I then spoke with Williams who told me the following:

Williams, Riche, Michael Hamilton and Paulwell Fernando were standing outside in the street behind two adjacent driveways (Belonging to Riche and Weber) when Weber came from inside his residence and entered his van. Weber then began to rev the engine. When he exited the van, he brandished what was described as a "9mm" handgun at the men. Williams drew his own concealed weapon in defense, fearing for the safety of his friends as well as himself. Weber then sat it on the rear bumper, picked it up and walked away between the van and the trailer. It was at this time Williams called 911.

Williams' story was corroborated by Riche, Hamilton and Fernando. Riche also stated that Weber pointed his gun directly at him.

I spoke with Falke who told me that she was inside the kitchen of the residence during the altercation and was unsure of the events that occurred outside.

After Miranda advisement Weber persisted that he was not in possession of any weapons. He provided consent to search his house, as well as his van. A search of the house yielded no result. Upon searching the inside of Weber's van Ofc. J. Rojas located a black in color plastic replica made in the style of a beretta 9mm handgun lying on a shelf. Photographs were taken of the weapon and uploaded to Evidence.com via the Axon capture App. The replica cycled with a functional slide and trigger. It was collected and submitted to the KWPD Property Division.

Due to the facts and evidence stated above I found probable cause that Preston Weber did willingly and knowingly Assault Chrislord Riche, Royan Williams, Michael Hamilton and Paulwell Fernando by using what appeared to be a firearm to cause a well-founded fear for their safety contrary to FS 784.011-Assault. All victims refused to pursue charges against Weber and provided refusal forms that were submitted to the KWPD Records Division.

Due to Weber's physical resistance and attempting to defeat hand cuff restraints I find probable cause that Preston Weber did willingly and knowingly resist or oppose an officer or other person legally authorized to execute process in the execution of legal process or in the lawful execution of any legal duty, without offering or doing violence to the person of the officer contrary to FS 843.02-Resisting without violence.

Weber was transported to the Monroe County Detention Center in my patrol car.

My Axon In-Car Recording System was activated during transport and uploaded to Evidence.com.

My Axon BWC was activated during this incident and Uploaded to Evidence.com.

My Axon Fleet Recording System was activated during this incident and uploaded to Evidence.com.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 22-006517
Date / Time Reported Mon 11/14/2022 20:15

Victim
RICHE, CHRISLORD JEAN

Offense
ASSAULT / THREATS

Incident Report Suspect List

Key West Police Department

OCA: 22-006517

1	Name (Last, First, Middle) <i>WEBER, PRESTON SCOTT</i>						Also Known As			Home Address <i>1300 15TH CT LOT - 50 KEY WEST, FL 33040 305-923-9907</i>		
	Business Address <i>SELF-EMPLOYED MECHANIC, AUTO REPAIR</i>											
	DOB <i>09/21/1968</i>	Age <i>54</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>506</i>	Wgt <i>180</i>	Hair <i>BRO</i>	Eye <i>BRO</i>	Skin <i>LGT</i>	Driver's License / State. <i>W160677683410 FL</i>	
Scars, Marks, Tattoos, or other distinguishing features												
Reported Suspect Detail												
Weapon, Type		Feature		Make		Model		Color		Caliber	SSN	
Dir of Travel			Mode of Travel									
VehYr/Make/Model			Drs	Style		Color		Lic/St		VIN		
Notes						Physical Char						

Incident Report Related Property List

Key West Police Department

OCA: 22-006517

1	Property Description AXON BWC S36A 4194			Make AXON		Model BWC		Caliber	
	Color	Serial No.	Value \$0.00	Qty 2.000	Unit EA	Jurisdiction Locally			
	Status Evidence	Date 11/14/2022	NIC #	State #	Local #	OAN			
	Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex		

Notes

2	Property Description AXON FLEET S36A 4194			Make AXON		Model FLEET		Caliber	
	Color	Serial No.	Value \$0.00	Qty 1.000	Unit EA	Jurisdiction Locally			
	Status Evidence	Date 11/14/2022	NIC #	State #	Local #	OAN			
	Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex		

Notes

3	Property Description AXON CAPTURE PHOTOS			Make AXON		Model CAPTURE		Caliber	
	Color	Serial No.	Value \$0.00	Qty 5.000	Unit EA	Jurisdiction Locally			
	Status Evidence	Date 11/14/2022	NIC #	State #	Local #	OAN			
	Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex		

Notes

4	Property Description AXON IN-CAR S36A 4194			Make AXON		Model IN-CAR		Caliber	
	Color	Serial No.	Value \$0.00	Qty 1.000	Unit EA	Jurisdiction Locally			
	Status Evidence	Date 11/14/2022	NIC #	State #	Local #	OAN			
	Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex		

Notes

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 11/14/2022 22:51

OCA: **22006517**

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

Investigator: *ROJAS BURGOS, JESUS (4250)*

Date / Time: *11/14/2022 21:25:50, Monday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 11/14/2022, at approximately 2020 hours, Ofc. Torrecillas and I (Ofc. Rojas) responded to 1300-81 15th CT (Poinciana trailer park), reference an armed subject. On arrival I assisted Ofc. Roberts by searching for a handgun, the victims said the subject had threatened them with. We received consent from the subject, identified as Preston Weber and is girlfriend Amanda Falke whom live together, to search the home and Weber's work truck parked on the same property.

After searching the residence, I searched the interior of Weber's truck and located a realistic replica of a black 9mm handgun, located on a shelf near the back interior of the truck. I notified Ofc. Torrecillas about the toy gun and Ofc. Roberts took photographs of the toy gun and its surroundings for evidence.

I collected the toy gun and transported it to the Key West Police Department. I submitted it to the Evidence and Property Department as evidence.

My body worn camera (BWC) was activated.

End Supplemental.

Investigator Signature: _____

Incident Report Related Property List

Key West Police Department

OCA: 22-006517

1	Property Description BWC 4250			Make AXON		Model		Caliber	
	Color Black	Serial No.	Value \$0.00		Qty 1.000	Unit	Jurisdiction Locally		
	Status Evidence	Date 11/14/2022	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex	

Notes

2	Property Description TOY 9MM HANDGUN			Make BUZZBEE		Model TOY GUN		Caliber	
	Color Black	Serial No.	Value \$15.00		Qty 1.000	Unit	Jurisdiction Locally		
	Status Evidence	Date 11/14/2022	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) Weber, Preston Scott			DOB 09/21/1968		Age 54	Race W	Sex M	

Notes