

Key West Police Department

Report 06/08/2014 19:35

Incident Report

Case # 01-14-002798

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-14-002798	06/08/2014 19:35	06/08/2014 19:00	06/08/2014 19:30	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	OBSTRUCT/RESIST OFFENSE		CLEARED BY ARREST	06/08/2014	06/08/2014 23:00
	Common Name				
ROBERT GABRIEL APTS - 320 ANGELA ST KEYWEST, FL 33040 (MONROE County)					
Day of Week : SUNDAY					
Dispatched : 06/08/2014 19:00			Beat Assignment : 2		
Responded : 06/08/2014 19:00			Alcohol Related : No		
Arrived : 06/08/2014 19:00			Drug Related : Yes		
Map Reference : 1102RG6XO			Total Damaged Property Value : \$0.00		
Location Type : HIGHWAY/ROADWAY			Total Stolen Property Value : \$0.00		
			Total Recovered Property Value : \$0.00		

O F F E N S E 1	State Classification			Attempted/Committed
				COMMITTED
	Statute/Ordinance		Location Type	Disposition Date
	843.02		HIGHWAY/ROADWAY	
Federal Classification : RESIST OFFICER WITHOUT VIOLENCE # of Premises : 01				
JOSEPH MARTINEZ (SUSP,Primary Role,User Defined);				
STATE OF FLORIDA (VICT,Primary Role,User Defined)				
End of Offense: 1				

O F F E N S E 2	State Classification			Attempted/Committed
				COMMITTED
	Statute/Ordinance		Location Type	Disposition Date
	893.147(1)		HIGHWAY/ROADWAY	
Federal Classification : PARAPHERN USE OR POSSESS # of Premises : 01				
JOSEPH MARTINEZ (SUSP,Primary Role,User Defined);				
STATE OF FLORIDA (VICT,Primary Role,User Defined)				
Evidence Collected : Yes				
End of Offense: 2				

O F F E N S E 3	State Classification			Attempted/Committed
				COMMITTED
	Statute/Ordinance		Location Type	Disposition Date
	810.09(2)(D)		HIGHWAY/ROADWAY	
Federal Classification : TRESP PROP NOT STRUCT/CONVEY # of Premises : 01				
JOSEPH MARTINEZ (SUSP,Primary Role,User Defined);				
KEY WEST HOUSING AUTHORITY (VICT,Primary Role,User Defined)				
End of Offense: 3				

P E R S O N 1	Person Type	Business/Person Name			Business Phone
	SUSPECT/ARRESTEE	JOSEPH GABRIEL MARTINEZ			
	Home Phone	Person Address			
		1200 VARELA ST Apt. UP KEY WEST FL 33040 ,MONROE County			
	Other Phone	Employer Address			
	Race	Sex	DL Exp. Date	DL Number	
	WHITE	Male	10/07/2022	M635-487-83-367-0	
Birth Date	Birth Place				
10/07/1983	FL, UNITED STATES				
Age : 30		Facial Hair : NONE			
Occupation : CARPENTER		Teeth : BROKEN			
DL State : FL		Eye Color : BROWN			
DL Country : UNITED STATES		Build : MEDIUM/AVERAGE			
Min. Height : 5'05"		Complexion : TANNED			

Reporting Officer	Department	Report Status:
OFC MARK W SIRACUSE (3366)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT F Blasberg (1598)	KEY WEST POLICE DEPARTMENT	06/08/2014 23:37

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Key West Police Department

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Case # 01-14-002798

Min. Weight : 140 lbs Adult/Juvenile : ADULT Shirt : WHITE T SHIRT Pants : RED SHORTS Shoes : SANDALS Hair Color : BROWN Hair Length : MEDIUM Hair Style : CREWCUT	Glasses : No Caution : FLIGHT RISK Status : ARRESTEE Speech : NORMAL Residency Type : CITY Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:
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End of Person: 1

P E R S O N 2	Person Type	Business/Person Name			Business Phone
	VICTIM	STATE OF FLORIDA			
	Home Phone	Person Address			
		FL			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	DL Number
Birth Date	Birth Place				
Victim Type : GOVERNMENT		Can Identify Offender : Yes			
Will File Charges : Yes		Body Marks:			

End of Person: 2

P E R S O N 3	Person Type	Business/Person Name			Business Phone
	VICTIM	KEY WEST HOUSING AUTHORITY			(305) 296-5621
	Home Phone	Person Address			
		1400 KENNEDY DR KEY WEST FL 33040 ,MONROE County			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	DL Number
Birth Date	Birth Place				
Victim Type : BUSINESS		Can Identify Offender : Yes			
Will File Charges : Yes		Body Marks:			

End of Person: 3

P R O P E R T Y 1	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	BICYCLE	SWITCHBLADE	CRUISER
	Serial #	Color	Description	Condition
	BLK16LD	GREEN	BICYCLE	
Associations : OWNER IS JOSEPH MARTINEZ		Quantity/Weight : 1		
Relationship to Offense(s) : YES IS Offense 3		Value : \$100.00		

End of Property: 1

Reporting Officer OFC MARK W SIRACUSE (3366)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT F Blasberg (1598)	Department KEY WEST POLICE DEPARTMENT	Date / Time 06/08/2014 23:37

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Key West Police Department

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Incident Report

Case # 01-14-002798

P R O P E R T Y 2	Category EVIDENCE/SEIZED	Property Type DRUG PARAPHERNALIA	Make NEEDLE	Model
	Serial #	Color CLEAR	Description NEEDLE	Condition
	Associations : OWNER IS JOSEPH MARTINEZ Relationship to Offense(s) : YES IS Offense 2 Quantity/Weight : 1		Value : \$1.00 Drug Activity : POSSESS Drug Type : PARAPHERNALIA/EQUIPMENT	
End of Property: 2				

P R O P E R T Y 3	Category EVIDENCE/SEIZED	Property Type TASER CARTRIDGE	Make TASER	Model
	Serial #	Color BLACK	Description 100M2DE	Condition
	Relationship to Offense(s) : YES IS Offense 3 Quantity/Weight : 1		Value : \$30.00	
End of Property: 3				

N A R R A T I V E 1	Topic	ORIGINAL
	<p>On 06/08/2014, Det. B. Leahy and I (Det. M. Siracuse) were working an off duty detail for the Key West Housing Authority. At approximately 1900 hours, Det. Leahy and I were in our unmarked police vehicle when we saw a white male, later identified as Joseph Martinez, on his bicycle in front of the Stock Island Grocery Store (1100 Emma Street). This area is known for an abundance of street level narcotics sales and has been the source of numerous drug related complaints in the Fort Village Area.</p> <p>Det. Leahy and I began following Martinez, who was rapidly leaving the area eastbound on Julia Street. Martinez made a left turn and rode his bicycle northbound on Howe Street, where he turned eastbound on Truman Avenue (going the wrong way on a one way street). Martinez then turned northbound on Thomas Street, ran the stop sign at Thomas and Olivia and proceeded westbound on Olivia Street, again going the wrong way on a one way street. Det. Leahy and I activated our emergency lights and proceeded westbound on Olivia Street. Martinez made a right turn and turned down a small bicycle path (Baptist Ln.) that cuts northbound to Petronia Street. Martinez was traveling quickly and appeared to be trying to elude us. Det. Leahy and I made a right turn and proceeded northbound on Emma Street. Martinez cut across Petronia Street and continued northbound on Chapman Lane. Det. Leahy and I made a right turn on Angela Street and observed Martinez run the stop sign at Chapman Ln. and Angela St. Det. Leahy and I pulled behind Martinez at the intersection of Angela Street and Thomas Street, where Martinez ran another stop sign. I activated my emergency lights and siren and attempted a traffic stop on Martinez on the 300 block of Angela Street. Martinez briefly looked back at us as he crossed the intersection, however did not stop.</p> <p>Martinez made a right turn and cut between parked cars in front of Robert Gabriel Apartments (320 Angela Street). Det. Leahy and I stopped our vehicle and proceeded to chase Martinez on foot as he hopped the curb and began riding eastbound on the sidewalk that borders the north side of Robert Gabriel Apartments. Martinez's bicycle chain fell off its gears and the bicycle became inoperable. Martinez then dropped the bicycle on the sidewalk and began running on foot. Det. Leahy was running behind Martinez and yelled three times, "Key West Police stop or I'm going to tase you." I ran along the</p>	
	<p>Reporting Officer OFC MARK W SIRACUSE (3366)</p> <p>Supervising Officer</p> <p>Verifying Officer SGT F Blasberg (1598)</p>	

Reporting Officer OFC MARK W SIRACUSE (3366)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT F Blasberg (1598)		Date / Time 06/08/2014 23:37

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Key West Police Department

Report 06/08/2014 19:35

Incident Report

Case # 01-14-002798

left side of Det. Leahy and yelled, "Police stop or you're going to get tased." Martinez ignored our clear, loud, verbal commands and continued running. I deployed my Taser and fired both prongs at Martinez's back. Both prongs made contact with Martinez, one in the back of his neck and the other in his lower back. Martinez became immobilized and fell forward, striking his head on the concrete.

I handcuffed Martinez, however he was unconscious from the fall. Det. B. Leahy asked for Rescue and a supervisor to respond to the scene. I quickly searched Martinez and located a syringe in his left shorts pocket. The needle was capped however appeared to be "dirty," or used. Detectives know Martinez from prior law enforcement interaction and narcotics investigations as a habitual drug abuser.

After approximately one minute, Martinez regained consciousness and Det. Leahy read him his Miranda rights. Martinez invoked his rights and did not wish to speak with us. Martinez was transported to the Lower Keys Medical Center for clearance. Once medically cleared, Ofc. Bouvier transported Martinez to the Monroe County Detention Center.

Det. Leahy placed the needle, bicycle, and taser cartridge in the KWPD property section as evidence. The needle will be sent to the FDLE lab for further analysis.

I issued Martinez two citations, one for traveling the wrong way on a one way street (8987-EVA) and another for running a stop sign (8988-EVA).

Martinez's Charges:

Resisting an officer without violence. Martinez refused to stop his bicycle for detectives in an unmarked police vehicle with lights and siren activated. Additionally, Martinez fled on foot and ignored Detectives commands to stop running, leading them on a brief foot chase through Robert Gabriel Apartments. Martinez did so in violation of F.S.S. 843.02

Possession of drug paraphernalia. Search incident to arrest, I located a used syringe in Martinez's left pocket. The syringe appeared used and Martinez is a known drug offender, believed to use heroin, crack cocaine, and oxycodone. The needle will be sent to FDLE for further analysis. Martinez did so in violation of F.S.S. 893.147(1)

Trespassing on Housing Authority Property. While fleeing from police Martinez entered the property of Robert Gabriel Apartments (320 Angela Street). Martinez does not reside at that complex and had no reason to be on the property, other than to avoid being taken into custody. This property is marked No Trespassing on behalf of the Key West Housing Authority. Martinez did so in violation of F.S.S. 810.09(2)(D)

End of Narrative: 1

Reporting Officer OFC MARK W SIRACUSE (3366)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT F Blasberg (1598)	Department KEY WEST POLICE DEPARTMENT	Date / Time 06/08/2014 23:37

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Key West Police Department

Report 06/09/2014 13:38

Incident Report

Case # 01-14-002798

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-14-002798	06/09/2014 13:38	06/08/2014 19:00	06/08/2014 19:30	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	OBSTRUCT/RESIST OFFENSE		CLEARED BY ARREST	06/08/2014	06/08/2014 23:00
	Common Name				
ROBERT GABRIEL APTS - 320 ANGELA ST KEYWEST, FL 33040 (MONROE County)					
Day of Week : SUNDAY					
Dispatched : 06/08/2014 19:00			Beat Assignment : 2		
Responded : 06/08/2014 19:00			Alcohol Related : No		
Arrived : 06/08/2014 19:00			Drug Related : Yes		
Map Reference : 1102RG6XO			Total Damaged Property Value : \$0.00		
Location Type : HIGHWAY/ROADWAY			Total Stolen Property Value : \$0.00		
			Total Recovered Property Value : \$0.00		

N A R R A T I V E	Topic	ORIGINAL
	1	<p>On 06/08/2014, at approximately 1900 hours, Det. Siracuse and I, Detective Leahy, were working an off duty detail for the Key West Housing Authority. Det. Siracuse and I were in a KWPD unmarked police vehicle when we saw a white male, later identified as Joseph Martinez, on his bicycle in front of the Stock Island Grocery Store (1100 Emma St.). This area is known for narcotic activity and complaints of narcotic activity from residents of the Fort Village Apartments and residents of the surrounding neighborhood.</p> <p>Det. Siracuse (Det. Siracuse driving) and I began following Martinez, who left the area traveling east on Julia St. in what appeared to be in a hurry, on his bike. Martinez made a left and continued north on Howe St., then turned east on Truman Ave. (going the wrong way on a one way street). Truman Ave. runs westbound only. Martinez then turned north on Thomas Street, and continued towards Olivia St. subsequently running through the stop sign at the intersection of Olivia and Thomas St. and then continuing west on Olivia St the wrong way. Det. Siracuse activated his overhead lights and proceeded west on Olivia St. in an attempt to stop Martinez. Martinez made a right turn and proceeded towards Baptist Lane and subsequently onto Chapman Ln. Det Siracuse drove around the block in an attempt to catch up to Martinez on Chapman Ln. As Det. Siracuse turned the corner onto Angela St. we saw Martinez exit Chapman Ln. while running the stop sign at Chapman Ln. and Angela St. Martinez proceeded to run the stop sign at the intersection of Angela and Thomas St., where Det. Siracuse activated his overhead lights and siren to initiate a traffic stop on Martinez on the 300 block of Angela St. Martinez glanced back at us, and continued east, at a fast pace on the 300 block of Angela St. At this point we believed that Martinez was attempting to elude us.</p> <p>Martinez made a sharp right turn and cut between two parked cars within the Robert Gabriel Apartments' parking lot (320 Angela St.). Det. Siracuse stopped his vehicle, I exited the vehicle and proceeded to chase Martinez on foot. Martinez struck a curb that separated the parking lot from the sidewalk in front of the Robert Gabriel Apartments. Martinez continued east on the sidewalk but was having trouble maintaining control of the bike because the chain had fallen off. Martinez jumped off the bike and continued to run on foot towards the east end of the Robert Gabriel Apartments property. I yelled at Martinez three times, "Key West Police stop or I'm going to tase you." I saw Det. Siracuse enter the parking lot from Angela St. and heard him yell, "Police stop or you're going to get tased." Martinez ignored Det. Siracuse's loud verbal commands and continued running. I heard the Taser deploy and saw Martinez fall forward to the concrete, face first. Both Det. Siracuse and I continued to</p>

Reporting Officer BRIAN P LEAHY (2965)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT PABLO D. RODRIGUEZ (2298)	Department KEY WEST POLICE DEPARTMENT	Date / Time 06/09/2014 16:28

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Key West Police Department

Report 06/09/2014 13:38

Incident Report

Case # 01-14-002798

<p>give loud verbal commands to Martinez while he was lying on the ground. Det. Siracuse handcuffed Martinez. Martinez appeared to be unconscious. I quickly contacted KWPD Dispatch with a quick disposition of the traffic stop and immediately asked for rescue and a supervisor. I responded back to Det. Siracuse's vehicle to pull it up to Det. Siracuse's location and secured it. As I returned to Det. Siracuse I saw a syringe lying on the curb, which Det. Siracuse said he removed from Martinez's shorts pocket.</p> <p>After approximately one minute, Martinez regained consciousness. I spoke to Martinez to make sure he was alert and could understand me. I advised Martinez of his Miranda rights. Martinez invoked his rights and did not wish to speak to me without a lawyer present. Martinez was transported to the Lower Keys Medical Center and subsequently cleared and transported to the Monroe County Detention Center.</p> <p>I collected the syringe, Taser cartridge and Martinez's bike from the scene and subsequently placed the syringe and Taser cartridge into KWPD Property and Evidence as evidence. The bike was placed into KWPD Property and Evidence for safekeeping.</p> <p>This case was cleared by arrest by Det. Siracuse.</p>
End of Narrative: 1

Reporting Officer BRIAN P LEAHY (2965)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT PABLO D. RODRIGUEZ (2298)	Department KEY WEST POLICE DEPARTMENT	Date / Time 06/09/2014 16:28

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KWPD

Monroe County Adult Arrest Form

- ARREST
- WARRANT
- COMPLAINT AFFIDAVIT

ARREST #

OBTS #

Filing Agency KWPD		Case # 0114002798		Doc. Control #		State ID #		FBI #		SSN		
Defendant's Last Name MARTINEZ			First JOSEPH		Middle GABRIEL		Suf		Alias		Citizenship UNITED STATES	
Race W	Eth M	Sex M	Hgt 5'05"	Eyes BROWN	Hair BROWN	Wgt 140	Comp TANNED	Age 30	DOB 10/07/1983	Birthplace FL		Scars, Marks, TT
Facial Hair NONE		Build MED	Marital St	Hand Use		Glasses No	Speech NORMAL		Parole/Probation		Language Spoken	
Permanent Address 1200 VARELA ST Apt# UP KEY WEST, FL 33040-						Home Phone:			Local Address:			
Email Address						Cell Phone:			Place of Employment		Occupation CARPENTER	
Arrest Location 320 ANGELA ST KEY WEST, FL 33040-				Area/ Zone <input type="checkbox"/>		Work Phone:			Arresting Officer MARK 3366			
Violation Location 320 ANGELA ST KEY WEST, FL 33040-				Area/ Zone <input type="checkbox"/>		Date/Time of Violation 06/08/2014 19:00			Date/Time Arrested 06/08/2014 19:04			
DL # M635-487-83-367-0		State FL	Breathalyser By		Reading	Miranda Advisement		By Whom		Indication Of: Y N UK		
Domestic Violence		Weapon Seized		Officer Injured		Caution FLIGHT RISK		Alcohol Influence: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Drug Influence: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Drug Type: P		Type:	B-Barbiturate	H-Hallucinogen	P-Paraphernalia/ Equipment	U-Unknown	Z-Other	Activity: P		B-Buy	E-Use	K-Dispense/ Distribute
			N-N/A	C-Cocaine	M-Marijuana					T-Traffic	M-Manufacture/ Produce/	Z-Other
			A-Amphetamine	E-Heroin	O-Opium	S-Synthetic				A-Smuggle	Cultivate	
										D-Deliver		

Defendant Vehicle Make:	Type:	Year:	Color:	Vehicle Registration State:
VIN#:	Tag #:		Vehicle Tag Expiration:	
Vehicle Status:	Other Identifiers or Remarks:			

CODEFENDANT ADDRESS PHONE # RACE SEX DOB

Count	Offenses Charged	Statute	Warrant #	Court Date and Time	Citation #
1/M	TRESP PROP NOT STRUCT/CONVEY	ESP PROP NOT STF	810.09(2)(D)		
1/M	PARAPHERN USE OR POSSESS	RAPHERN USE OR I	893.147(1)		
1/M	RESIST OFFICER WITHOUT VIOLENCE	SIST OFFICER WITH	843.02		

Before me this date personally appeared **MARK 3366** who being first duly sworn deposes and says that on the **8th day of June, 2014** at **320 ANGELA ST KEY WEST, FL 33040-** the above named defendent committed the above offenses charged and the facts showing probable cause to believe the same are as follows

[NARR]: On 06/08/2014, Det. B. Leahy and I (Det. M. Siracuse) were working an off duty detail for the Key West Housing Authority. At approximately 1900 hours, Det. Leahy and I were in our unmarked police vehicle when we saw a white male, later identified as Joseph Martinez, on his bicycle in front of the Stock Island Grocery Store (1100 Emma Street). This area is known for an abundance of street level narcotics sales and has been the source of numerous drug related complaints in the Fort Village Area.

I swear the above statement is correct and true to the best of my knowledge and belief.

MARK 3366

F Blasberg 1598

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year) _____, who is personally

known to me or who has produced (ID Type) Police as identification and who DID take an oath.

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE # _____
SIXTEENTH JUDICIAL COURT

MONROE County
State of FLORIDA

Monroe County Adult Arrest Form Continuation

KWPD

OBTS # _____

ARREST #

LAST NAME	FIRSTNAME	MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
MARTINEZ	JOSEPH	GABRIEL		5'05"	140	W	M	10/07/1983	0114002798	MARK 3366

Det. Leahy and I began following Martinez, who was rapidly leaving the area eastbound on Julia Street. Martinez made a left turn and rode his bicycle northbound on Howe Street, where he turned eastbound on Truman Avenue (going the wrong way on a one way street). Martinez then turned northbound on Thomas Street, ran the stop sign at Thomas and Olivia and proceeded westbound on Olivia Street, again going the wrong way on a one way street. Det. Leahy and I activated our emergency lights and proceeded westbound on Olivia Street. Martinez made a right turn and turned down a small bicycle path (Baptist Ln.) that cuts northbound to Petronia Street. Martinez was traveling quickly and appeared to be trying to elude us. Det. Leahy and I made a right turn and proceeded northbound on Emma Street. Martinez cut across Petronia Street and continued northbound on Chapman Lane. Det. Leahy and I made a right turn on Angela Street and observed Martinez run the stop sign at Chapman Ln. and Angela St. Det. Leahy and I pulled behind Martinez at the intersection of Angela Street and Thomas Street, where Martinez ran another stop sign. I activated my emergency lights and siren and attempted a traffic stop on Martinez on the 300 block of Angela Street. Martinez briefly looked back at us as he crossed the intersection, however did not stop.

Martinez made a right turn and cut between parked cars in front of Robert Gabriel Apartments (320 Angela Street). Det. Leahy and I stopped our vehicle and proceeded to chase Martinez on foot as he hopped the curb and began riding eastbound on the sidewalk that borders the north side of Robert Gabriel Apartments. Martinez's bicycle chain fell off its gears and the bicycle became inoperable. Martinez then dropped the bicycle on the sidewalk and began running on foot. Det. Leahy was running behind Martinez and yelled three times, "Key West Police stop or I'm going to tase you." I ran along the left side of Det. Leahy and yelled, "Police stop or you're going to get tased." Martinez ignored our clear, loud, verbal commands and continued running. I deployed my Taser and fired both prongs at Martinez's back. Both prongs made contact with Martinez, one in the back of his neck and the other in his lower back. Martinez became immobilized and fell forward, striking his head on the concrete.

I handcuffed Martinez, however he was unconscious from the fall. Det. B. Leahy asked for Rescue and a supervisor to respond to the scene. I quickly searched Martinez and located a syringe in his left shorts pocket. The needle was capped however appeared to be "dirty," or used. Detectives know Martinez from prior law enforcement interaction and narcotics investigations as a habitual drug abuser.

After approximately one minute, Martinez regained consciousness and Det. Leahy read him his Miranda rights. Martinez invoked his rights and did not wish to speak with us. Martinez was transported to the Lower Keys Medical Center for clearance. Once medically cleared, Ofc. Bouvier transported Martinez to the Monroe County Detention Center.

Det. Leahy placed the needle, bicycle, and taser cartridge in the KWPD property section as evidence. The needle will be sent to the FDLE lab for further analysis.

I issued Martinez two citations, one for traveling the wrong way on a one way street (8987-EVA) and another for running a stop sign (8988-EVA).

Martinez's Charges:

Resisting an officer without violence. Martinez refused to stop his bicycle for detectives in an unmarked police vehicle with lights and siren activated. Additionally, Martinez fled on foot and ignored Detectives commands to stop running, leading them on a brief foot chase through Robert Gabriel Apartments. Martinez did so in violation of F.S.S. 843.02

Possession of drug paraphernalia. Search incident to arrest, I located a used syringe in Martinez's left pocket. The syringe appeared used and Martinez is a known drug offender, believed to use heroin, crack cocaine, and oxycodone. The needle will be sent to FDLE for further analysis. Martinez did so in violation of F.S.S. 893.147(1)

Trespassing on Housing Authority Property. While fleeing from police Martinez entered the property of Robert Gabriel Apartments (320 Angela Street). Martinez does not reside at that complex and had no reason to be on the property, other than to avoid being taken into custody. This property is marked No Trespassing on behalf of the Key West Housing Authority. Martinez did so in violation of F.S.S. 810.09(2)(D)

I swear the above statement is correct and true to the best of my knowledge and belief.

MARK 3366

F Blasberg 1598

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year) _____, who is personally

known to me or who has produced (ID Type) Police as identification and who DID take an oath.

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE #
SIXTEENTH JUDICIAL COURT

MONROE County
State of FLORIDA

Response to Resistance Report

Key West Police Department

Case No: 14-2798

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

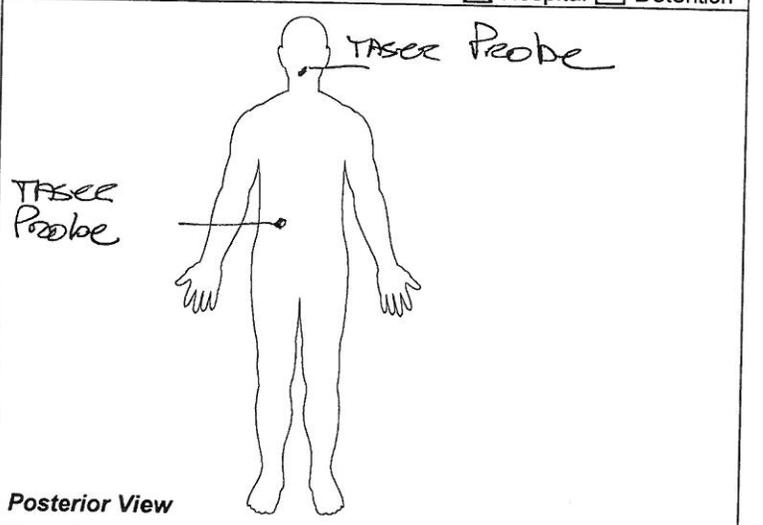
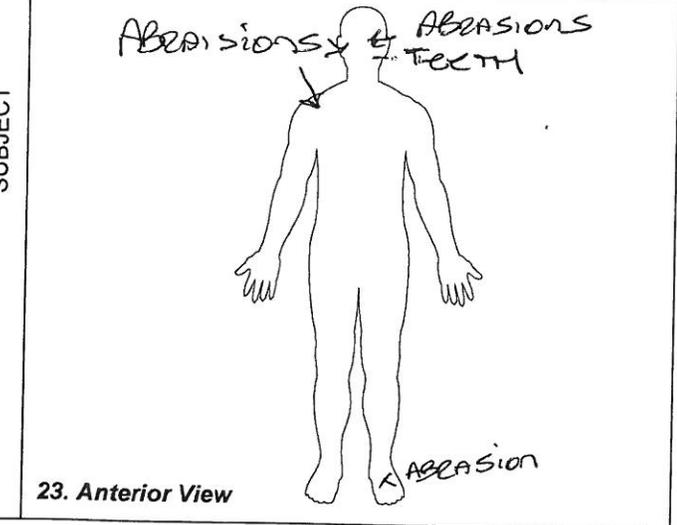
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of force
- Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)

2. Date: 6/8/14 3. Time: 1900 4. Location: 320 Angela 5. Incident type: Resisting

6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
<input checked="" type="checkbox"/> Passive:	Non-Compliance	<input type="checkbox"/> Physical Control	
<input checked="" type="checkbox"/> Active:	Flight	<input checked="" type="checkbox"/> Non-lethal Weapon	TASER
<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
<input type="checkbox"/> Deadly Force:			

10. Description of Incident: (If additional space is needed, continue in section 51 or use separate page if needed)
 Detectives Leahy and Siracuse were on duty, plain clothes in an unmarked police car. Around the "Stock Island Grocery", they observed a W/M, later identified as MARTINEZ, riding his bicycle South on Emma and then east on Julia then onto Howe St and then went down Truman Ave. eastbound, which is the wrong way on that portion of the roadway. MARTINEZ then turned left onto Thomas and went northbound and ran the stop sign on Thomas and Olivia, then went west on Olivia which is the wrong way for that portion of the roadway. MARTINEZ then turned onto Baptist and went down Chapman Ln. MARTINEZ then ran the stop sign at Chapman and Angela and turned right onto Angela and ran the stop sign there at Thomas St.. Detectives then activated the cars emergency lights and sirens which MARTINEZ acknowledged by looking back and disregarded by pedaling his bicycle faster in an attempt to flee. As he was fleeing, MARTINEZ jumped the curb near the middle 300 block of Angela adjacent to Robert Gabriel Apts. and in the process the bicycle chain separated and the bicycle was no longer operational.

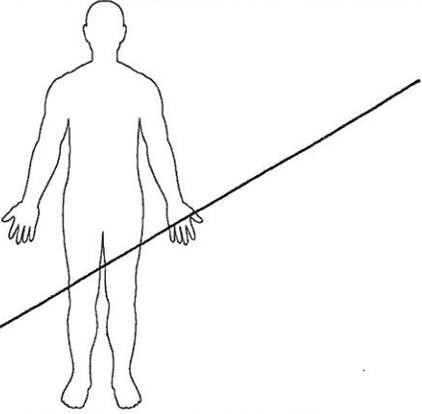
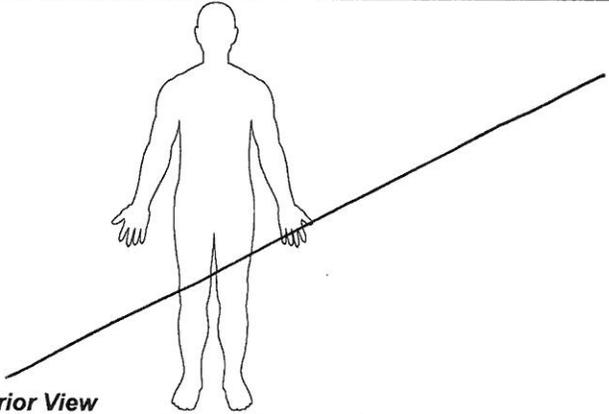
11. Last Name: Martinez 12. First: Joseph 13. Race: W 14. Sex: Male
 15. DOB: 10/7/1983 16. Height: 505 17. Weight: 145
 18. Did you observe the subject: No Yes If NO, explain why in Section 5. If "YES", complete sections 19-23
 19. Appeared to be: Intoxicated Under the influence of controlled substance Emotionally / mentally disturbed
 20. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 23)
 21. Photographed: No Yes 22. Treated: No Yes By: EMT/Paramedic on scene Hospital Detention



Response to Resistance Report (continued)

Key West Police Department

Case No: 14-2798

OFFICER	24. Officer: Siracuse Mark		25. Race: White		26. Sex: M		27. Age: 27		
	28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input checked="" type="checkbox"/> Plain clothes		29. Yrs Exp: 4						
	30. 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 33)								
	31. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		32. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital						
	33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) TASER								
	 34. Anterior View				 Posterior View				
TASER USE ONLY	35. TASER® device serial # X00684477				36. TASER® device serial #				
	TASER®Cam serial # V13000488				TASER®Cam serial #				
	Cartridge 1 serial # 100M2DE				Cartridge 1 serial #				
	Cartridge 2 serial #				Cartridge 2 serial #				
	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 N/A				Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No				
	Target distance at probe launch: 15'-19'				Target distance at probe launch:				
	Distance between probes: 2.5'				Distance between probes:				
	Probes removed by (name): Det Siracuse				Probes removed by (name):				
Device downloaded by: Sgt. Blasberg				Device downloaded by:					
<input type="checkbox"/> 37. Check and list any additional TASER® devices, cartridges or details in the incident description section.									
SUPERVISOR'S INQUIRY	38. Notified Date: 8JUNE2014				39. Time: 1911				
	40. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)								
	41. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)								
	42. 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			
43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				Sgt. F. Blasberg/1598		FSB		08JUNE2014	
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS				44. Preparing Supervisor's Signature / ID		45. Date			
46. 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 (If "No", complete section 49)				47. Signature of Internal Affairs Inspector		1679		6/9/14	
49. If section 46 is "No" record the Professional Standards Control Number:				50. Date Entered:					

Response to Resistance Report (continued)

Key West Police Department

Case No: 14-2798

INCIDENT

51. Description (Section 10 continued) MARTINEZ dismounted and Detectives exited and began a foot chase. Det. Leahy shouted, "Key West Police! Stop or I will Tase you!" This was yelled three times by Det Leahy. MARTINEZ disregarded and Det Siracuse yelled, Police! Stop! Or you will be Tased!" MARTINEZ again disregarded the commands and Det Siracuse deployed his Taser which incapacitated MARTINEZ (NMI)
 Detectives were not injured in the event. MARTINEZ suffered abrasions to the face, a possible concussion and two chipped front teeth. MARTINEZ was medically cleared from the ER, transported over to the MDCD and remanded to their custody

OFFICER

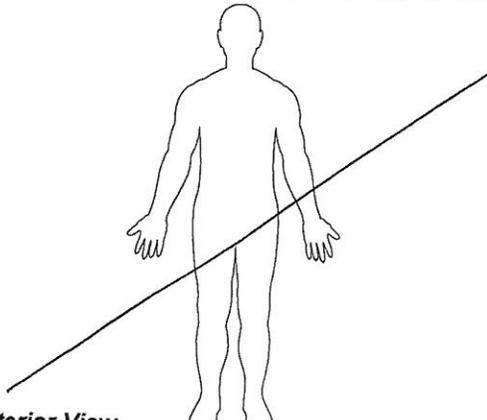
24. Officer: Leahy, B **25. Race:** W **26. Sex:** M **27. Age:** 45

28. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain clothes **29. Yrs Exp:** 7

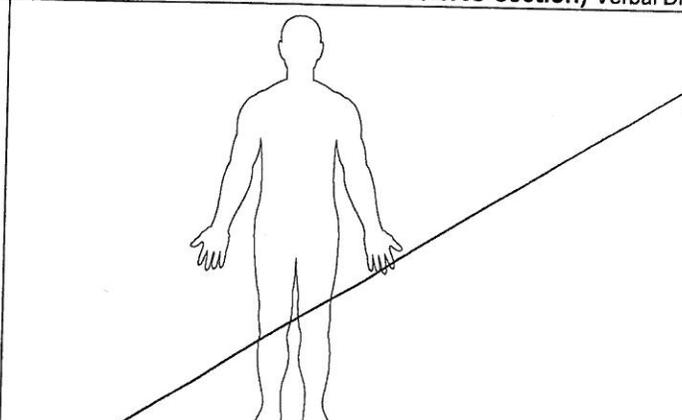
30. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34)

31. Photographed: No Yes **32. Treated:** No Yes **By:** EMT/Paramedic on scene Hospital

33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) Verbal Direction



34. Anterior View



Posterior View

OFFICER

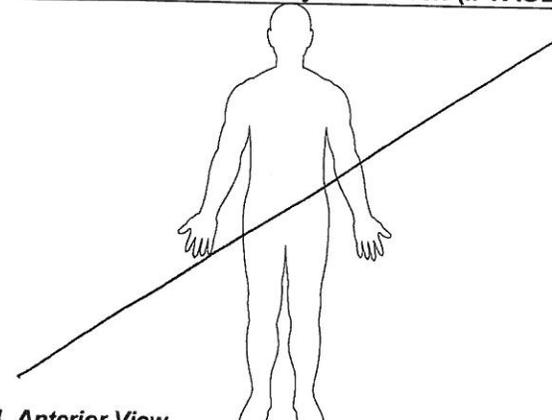
24. Officer: **25. Race:** **26. Sex:** **27. Age:**

28. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain clothes **29. Yrs Exp:**

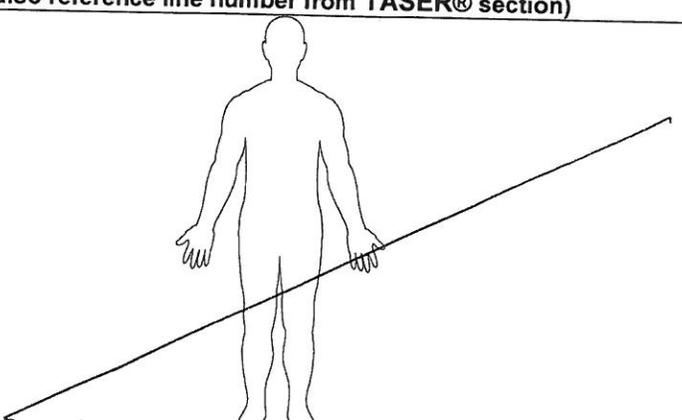
30. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34)

31. Photographed: No Yes **32. Treated:** No Yes **By:** EMT/Paramedic on scene Hospital

33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)



34. Anterior View



Posterior View