



CITY OF KEY WEST  
Citizen Review Board  
P.O. Box 1946  
Key West, FL 33041  
(305) 809-3887 Telephone  
(305) 293-9827 Facsimile

December 22, 2011

VIA REGULAR US MAIL

Mr. Michael Anthony Webb  
8501-5 Astronaut Blvd.  
Cape Canaveral, FL 32920

Complaint File: **CRB No. 11-007**  
**KWPD-IA File No. PS11-005**

Dear Mr. Webb:

The investigation into your complaint file through the Citizen Review Board is complete and has been forwarded from the police department. The Board review of your complaint is scheduled for Monday, January 9, 2012 at 6: p.m. at Old City Hall, 510 Greene Street, Key West, Florida. All meetings are open to the public and we encourage your attendance.

The Board appreciates the time you have taken to lodge this complaint. If you change your mailing address, please send in written notice to this office so our files can reflect same. Please note that all documents and communications received by this office are considered public records.

Respectfully,

A handwritten signature in cursive script that reads "Susan C. Srch".

Susan C. Srch  
Executive Director  
Cc: File



Citizen Review Board  
City of Key West Florida  
Executive Director's Memo

TO: Chief Donie Lee/Lt. David Smith  
FROM: Susan C. Srch  
DATE: November 1, 2011  
RE: CRB Complaint 11-007/Transfer to IA

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Attached please find a complaint filed by Mr. Tony Webb against a male officer, badge # 3034(?) ), and an unidentified female officer, for use of *Excessive force and Rudeness*. This incident occurred in the area of Turtle Kraals at the Key West Bight in the early morning hours of Wednesday, October 26, 2011. There is also a police report, # 11-5464, for stolen property that is associated with this incident.

**PLEASE ALSO NOTE THAT THIS COMMUNICATION SHALL SERVE AS THE CRB'S PUBLIC RECORDS REQUEST UNDER FLORIDA PUBLIC RECORDS LAW CHAPTER 119 FOR:**

- 1) COPIES OF ANY EXISTING I-COP VIDEO ON OCTOBER 26, 2011 INVOLVING OR RELATED TO THE ALLEGATIONS CONTAINED IN MR. WEBB'S COMPLAINT OR DOCUMENTING INTERACTIONS BETWEEN MR. WEBB AND THESE OFFICERS. (IF SAID ITEMS EXIST).**
- 2) COPIES/RECORDINGS OF ANY EXISTING CAD DISPATCH LOGS AND/OR THIS OFFICERS COMMUNICATIONS ON THE AFTERNOON OF OCTOBER 26, 2011, SPECIFICALLY THIS OFFICER'S COMMUNICATIONS, INVOLVING OR RELATED TO THE ALLEGATIONS CONTAINED IN MR. WEBB'S COMPLAINT (IF SAID ITEMS EXIST).**
- 3) COPIES OF ANY FIELD INTERVIEW REPORTS/INCIDENT REPORTS AND/OR POLICE REPORTS RELATING TO THIS OFFICER'S INTERACTIONS WITH MR. WEBB, INCLUDING PICTURES TAKEN OF MR. WEBB ON THE MORNING OF OCTOBER 26, 2011. (IF SAID ITEMS EXIST).**

Please acknowledge below receipt of this request and letter/enclosures and report back to the CRB with your findings within the 45 day time frame. Should an investigation under the Florida Officer's Bill of Rights commence, then you may delay the delivery of the aforementioned public records until the conclusion of this formal investigation. If an investigation under the Florida Officer's Bill of Rights is NOT commenced, then please timely tender the above items as soon as possible. Thanks.

## Citizen Review Board

#3 East Quay Road, Key West, FL 33040

PO Box 1946, Key West, FL 33041

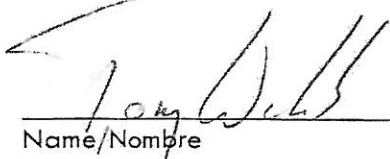
(305) 809-3887 Fax (305) 293-9827

email: [crb@keywestcity.com](mailto:crb@keywestcity.com)

<http://www.keywestcity.com/department/board.asp?fDD=36-153>

- What you need to know before completing the attached complaint form:
- This complaint and any attachment become public record. If you have already filed a report with Key West Police Department Internal Affairs, and you want that complaint to remain confidential until the investigation is complete, you may want to refrain from filing at this time.
- Complaints should be filed as soon as possible the time you became aware of the incident or after resolution of any criminal charges.
- Anyone who has criminal charges pending related to this complaint should consult an attorney before filing the complaint with the CRB and such pending charges may delay the progress of the investigation of your complaint with the CRB. Further, any statements made to the CRB are public record and can be used by anyone to incriminate the complainant. All statements will be uploaded to the internet
- Complainants must advise the CRB of any changes of address or phone number; failure to provide the CRB current information or means for CRB to contact the complainant may result in dismissal of the case.
- All documents received by this office, including medical records, photo IDs, communications and alike become public records and will be disclosed on the Internet and viewable by anyone or any person. You should consider this fact before sending any matters or materials to this office.
- The CRB and its employees and agents are not your legal representatives. You should seek independent legal representations to understand your legal rights regarding the matters referenced in your complaint.
- The CRB jurisdiction is limited to City of Key West Police Officers and NOT Monroe county sheriffs, correction officers, Florida Fish and Wildlife Officers, FDLE representatives, Florida Highway Patrol Officers, Federal Agents, Military personal and alike.

I have read and understand the information provided to me on this page.

  
Name/Nombre

10-31-11  
Date/Fecha

# COMPLAINT FORM

## Citizen Review Board

#3 East Quay Road, Key West, FL 33040

PO Box 1946, Key West, FL 33041

<http://www.keywestcity.com>

[email: crb@keywestcity.com](mailto:crb@keywestcity.com)

(305) 809-3887 Fax (305) 293-9827

Please provide as much information as you can about the incident(s). Use additional pages if necessary.

Suministre la mayor cantidad de información posible acerca del (de los) incidente(s). Utilice páginas adicionales si fuese necesario

### A. COMPLAINANT INFORMATION DATOS DEL DENUNCIANTE

Name: Michael Anthony Webb Date of Birth: 07-21-53  
Nombre Fecha de nacimiento

Address: 8501-5 Astronaut Blvd. CAPE CANAVERAL, FL 32920  
(Dirección) Street (Ciudad) City (Estado) State (Código Postal) Zip

Mailing Address: tom@eSpaceTickets.com  
Dirección postal PO Box or Street, City, State and Zip

Work Address: SAME  
(Dirección del trabajo)

Home Phone: ( ) 321 266-4321 Work Phone: ( ) 321 266-4321 Cellular: ( ) 321-266-4321  
Teléfono Particular Teléfono del Trabajo Celular

B. NATURE OF COMPLAINT: CIRCLE ALL THAT APPLY. Naturaleza de la denuncia: Circular le todas las que apliquen.  
Battery/Force Rudeness Deficient Svc Profanity Truthfulness Issue Driving False Arrest Excessive Force Searches  
Other: \_\_\_\_\_

### C. INFORMATION ABOUT THE OFFICER(S) INVOLVED IN THE INCIDENT DATOS DEL (DE LOS) OFICIAL (ES) INVOLUCRADO(S) EN EL INCIDENTE

Name: \_\_\_\_\_ Badge #: \_\_\_\_\_ Vehicle #: \_\_\_\_\_  
Nombre Placa No: Patrulla No.

Please provide a physical description of officer:  
Describa la apariencia física del oficial: \_\_\_\_\_

Name: \_\_\_\_\_ Badge #: \_\_\_\_\_ Vehicle #: \_\_\_\_\_  
Nombre Placa No: Patrulla No.

Please provide a physical description of officer:  
Describa la apariencia física del oficial: \_\_\_\_\_

Name: \_\_\_\_\_ Badge #: \_\_\_\_\_ Vehicle #: \_\_\_\_\_  
Nombre Placa No: Patrulla No.

Please provide a physical description of officer:  
Describa la apariencia física del oficial: \_\_\_\_\_

**D. VICTIM/WITNESS INFORMATION**  
**DATOS DE LA VICTIMA/TESTIGO**

Did you witness the incident? Yes  No   
¿Fue usted testigo del incidente denunciado? Si  No

If you are filing a complaint on behalf of someone else, what is your relationship, if any, to the person(s):  
Si usted está presentando una denuncia en nombre de otra(s) persona(s), indique cuál es su relación, si la hay, con esa(s) persona(s):

Parent  Spouse  Relative  Guardian  Child  Friend  Other   
Padre/Madre  Conyuge  Familiar  Tutor  Hijo/a  Amigo/a  Otra

Please provide as much of the following information as you can about the person(s) on whose behalf the complaint is filed and any witness(es) to the incident:  
Suministre la mayor cantidad posible de la información que se solicita a continuación, sobre la (las) persona(s) en nombre de la(s) cual(es) presenta la denuncia, y sobre el (los) testigo(s) del incidente:

**Victim/Witness #1**

**Victima/Testigo No. 1**

Is this person a: victim  witness   
Esta persona es: víctima  testigo

Name: \_\_\_\_\_  
Nombre \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Dirección: \_\_\_\_\_ Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_  
Zip Code \_\_\_\_\_ Contact numbers: Telephone \_\_\_\_\_ Cell \_\_\_\_\_  
Código Postal \_\_\_\_\_ Teléfono \_\_\_\_\_

**Victim/Witness #2**

**Victima/Testigo No. 2**

Is this person a : victim  witness   
Esta persona es: víctima  testigo

Name: \_\_\_\_\_  
Nombre \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Dirección: \_\_\_\_\_ Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_  
Zip Code \_\_\_\_\_ Contact numbers: Telephone \_\_\_\_\_ Cell \_\_\_\_\_  
Código Postal \_\_\_\_\_ Teléfono \_\_\_\_\_

**Victim/Witness #3**

**Victima/Testigo No. 3**

Is this person a : victim  witness   
Esta persona es: víctima  testigo

Name: \_\_\_\_\_  
Nombre \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Dirección: \_\_\_\_\_ Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_  
Zip Code \_\_\_\_\_ Contact numbers: Telephone \_\_\_\_\_ Cell \_\_\_\_\_  
Código Postal \_\_\_\_\_ Teléfono \_\_\_\_\_

E. INFORMATION ABOUT THE INCIDENT  
INFORMACION ACERCA DEL INCIDENTE

Please provide as much information as possible, using additional pages if necessary.  
Suministre la mayor cantidad de informacion posible, utilizando páginas adicionales si fuese necesario.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_ Case # if applicable: \_\_\_\_\_  
Fecha: \_\_\_\_\_ Hora: \_\_\_\_\_ Lugar: \_\_\_\_\_ No. de Caso, si corresponde: \_\_\_\_\_

See Attached page

Attach additional pages if necessary. Page number \_\_\_\_ of \_\_\_\_ pages of narrative

Are you being prosecuted for this incident or do you have a pending criminal case? Yes \_\_\_\_ No \_\_\_\_

Have you ever been convicted of a felony? Yes \_\_\_\_ No \_\_\_\_

"I hereby certify that, to the best of my knowledge, and under the penalty of perjury, the statements made herein are true." I hereby acknowledge and understand that any documents, materials, medical records, e-mail and other communication delivered to the CRB office becomes public record and shall be viewable on the internet by anyone or any entity.

[Signature]  
Signature of Complainant

OCT. 31, 2011  
Date signed

Complaint Received by:	Complaint Reviewed by:	Action Taken:
Date complaint forwarded to Chief of Police: _____		

On Wednesday October 26, 2011 Tony Webb was assaulted by two Key West Police Officers.

I arrived in Key West by solo-sailing my sailboat 2,000 nautical miles. It was a journey of a life time and it was very nice to arrive at the Key West Byght Dinghy Dock that is managed by the City of Key West.

The arrival was near sunset at approximately 1800 hours. The dinghy was secured to a white cable. Upon my return at approximately 0030 hours it was apparent my dinghy was no longer affixed to the dinghy dock. I immediately called 911 to notify authorities.

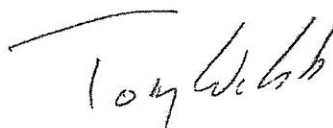
A police officer arrived and very politely processed the report. I was not told by that officer I was to vacate the area. The report number is Case Number 11-5464.

I decided to go enjoy the Fantasy Fest festivities and would return with hopes the dinghy would be returned. Upon my return the dinghy was not there. I asked several people if they would be so kind if they would give me a ride back to my vessel that is anchored in the harbor. Because it was out of the way those request were denied. Then there was hope of a fellow mariner providing the aid. He said it would be up to the person in charge and she was very rude in handling the request. I wished them well and walked off. They called the Key West Police Department and lodged a complaint. Two police officers arrived. They spoke with me and told me it would be OK for me to stay underneath the shelter from the rain. I was waiting for my ride from a friend (Mr. Eric Denhart) who was coming to pick me up via his boat.

Then two officers appeared around 0600 and asked for my driver's license. I complied with that request. I also produced my Veterans Administration ID and the male officer rudely responded something to the effect of he did not care if I served my country. I also informed them I own an aerospace company that is headquartered at Cape Canaveral. They did not care about that either. I then realized that they were not good cops but there to rouse me. I complied too all of their orders and remained seated. Then the private security guard was called and he stated to the officers that he had told me to leave that I was trespassing. That conversation never happened and it can be verified by the video camera that was directly in my viewing area.

The male officer took a picture of me and then told me to leave the area. I complied with their request. I wish for the record to state that I am 58 years old. My back was injured when I was assisting a friend of mine at who is a manager for building the new launch control facility at Kennedy Space Center, when I was helping him clean out his anchor locker. He knows very well the back has been injured.

I was walking down the tight passageway next to the Loggerhead Museum leaving the area when the male officer grabbed my arm and started pushing me forward. I told him he was hurting my back and to stop. He stated, "you are on my time now". He kept pushing me forward to the point I was scared I was going to fall. Then at the area where people make their payment for the Dry Tortugas the woman officer grabbed my other arm and I stated my back was feeling better. It was as if I was being lifted up in the air. I told the officer she was hurting my arm. She had such a grip on my arm that bruise marks

A handwritten signature in black ink that reads "Tony Webb". The signature is written in a cursive style with a long horizontal line above the first name.

were left. Then past the scuba dive shop in the middle of the road I was thrown to the ground by the martial art pressure points being exerted on my right hand. The woman officer applied such pressure that my index finger is in great pain and goes into a muscle spasm. It is very painful. I begged them to stop hurting me. Then the male officer stated something to the effect - the pressure points will hurt you. Then the woman grabbed my T-shirt that my deceased wife gave to me and began to tear it. I begged her not to tear my T-shirt. They placed me back on my feet and again began the quick walk. There at the end of the street they said for me not to come back over here. That is I did I would be placed in jail for 30 days. I could no longer wait for my ride back to my vessel. I was now in tears from this brutal assault. The male officer was walking away and at about 20 yards I yelled out I what your badge numbers. He stated 30 34 and walked away.

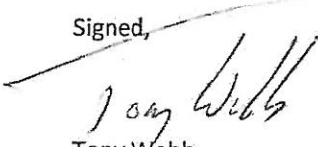
I was now in shock of this horrible action. I sat on the sidewalk in a fettle position. I then went inside the coffee shop and ordered a coffee. There I broke down into tears and was politely asked to go sit at the table. The people there were very kind to me.

About 15 minutes later Eric arrived and gave me the ride back to my vessel.

I began calling and broadcasting over the VHF radio my stolen dinghy. About an hour later is was found and a report was made to the Key West harbormaster. I was on the phone with them when the report came in.

I will affirm the above statement is correct and I respectfully request that the video camera tape be utilized to prove there was excessive police action that resulted in assaulting me and injuring my body. I hereby make a demand that these officers be reprimanded for their violent actions.

Signed,



Tony Webb

Donald J. Lee, Jr.

Chief of Police



Key West

**POLICE DEPARTMENT**

TO: Lt. David Smith, Professional Standards

FROM: Donald J. Lee Jr., Chief of Police

A handwritten signature in black ink, appearing to be "DL", enclosed in a circle.

DATE: December 13, 2011

RE: PS 11-005 Webb

I have reviewed the investigation and finding of fact completed by Capt. Smith. I concur with his finding.



**RESPECT - INTEGRITY - FAIRNESS - SERVICE**

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111  
www.keywestcity.com



Donald J. Lee, Jr.  
Chief of Police



Key West  
**POLICE DEPARTMENT**

**TO:** Lt. David Smith  
**FROM:** Captain Scott D. Smith  
**DATE:** December 8, 2011  
**RE:** Conclusion/Finding of Fact PS 11-005

On December 8, 2011, I received a completed Internal Affairs File (PS – 11-005) and was asked to complete a finding of fact. The complaint was originated by Chief Lee and the subject Officer's were Officer Tiffany Beeman and Officer Stephen Mitchell. The charges were as follows:

Officer Tiffany Beeman

02.08.02 – Use of force

02.21.04.03 B (2) - Decorum:

Officer Stephen Mitchell

02.08.02 – Use of force

02.21.04.03 B (2) - Decorum:

I was provided with the following information and reports:

- Three (3) taped interviews
- CAD Printouts
- Two Photos
- An investigative predicate report
- An Investigative summary
- Other misc. memos and paperwork

I completely reviewed the file and all of the above listed information. After the review I conclude the following:



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Donald J. Lee, Jr.

Chief of Police



Key West

**POLICE DEPARTMENT**

Officer Tiffany Beeman

02.08.02 – Use of force - Not Sustained

02.21.04.03 B (2) – Decorum – Not Sustained

Officer Stephen Mitchell

02.08.02 – Use of force – Not Sustained

02.21.04.03 B (2) – Decorum- Not Sustained



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Donald J. Lee, Jr.

Chief of Police



Key West

**POLICE DEPARTMENT**

**TO:** Captain Scott Smith  
**FROM:** Lt. David Smith  
**DATE:** December 8, 2011  
**RE:** PS 11-005 Webb; Review and Conclusion Fact

Attached is a completed report from the Office of Internal Affairs, who conducted an inquiry into the above referenced complaint. Please review the report and all supporting documentation in order to make a conclusion of fact by preponderance of the evidence, for each allegation/suspicion for each subject member. If there are multiple allegations, a conclusion of fact should be determined for each.

There are **TWO** allegations per officer in this report which requires a finding:

Officer Stephen Mitchell:

- 02.08.02 Use of Force
- 02.21.04.03 (B)(2) Decorum

Officer Tiffany Beeman:

- 02.08.02 Use of Force
- 02.21.04.03 (B)(2) Decorum

Respectfully request you have your "finding" completed and returned to my office by December 15, 2011. This file will remain OPEN until a response is received from you. Thank you for your assistance in this matter.

Please contact me at your convenience if you have any questions, or if I can be of any further assistance in this matter.

CC: File



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**Donald J. Lee, Jr.**  
**Chief of Police**



**Key West**  
**POLICE DEPARTMENT**

TO: Captain Scott D. Smith, Operations  
FROM: Lt. David T. Smith, Professional Standards  
DATE: 16 November 2011  
RE: PS 11-005, Review

**INVESTIGATIVE PREDICATE**

On 01 November 2011, I received a complaint via the CRB from a Mr. Anthony Webb. Mr. Webb made allegations of excessive force and rudeness based on an encounter he had with an unknown female and unknown male officer near the Turtle Kraals on or about the 26<sup>th</sup> of October, 2011.

In a letter attached to the complaint, Mr. Webb stated that he was a victim of a theft of his dinghy and was told he could stay on the property by officers that encountered him earlier in the night. He stated that later in the morning, two other officers arrived and said he was trespassing. He said the new officers employed the use of pressure points and at one point thrown to the ground while removing him from the property.

Mr. Webb wrote that he observed video cameras in the area that would have captured the "violent actions" of the officers.

I reviewed the complaint forwarded from Mr. Webb with Chief Donald Lee. After speaking with him, Chief Lee requested I conduct a Review of the incident to identify the officers involved and locate possible video from the area of the incident.

**INVESTIGATION**

**Interview Tony Webb**

On 08 November 2011 I met with Mr. Webb at the Office of Professional Standards within the Key West Police Department for his interview. During the interview Mr. Webb elaborated somewhat on his written statement and described the officers involved.

Mr. Webb said that he was on the property because his dinghy had been stolen earlier in the night. He told me he filed a police report, which I was able to locate and attach to this file. He said that due to inclement weather, he was told by the officers that responded to the stolen vessel report that he could remain on the property.



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Sometime later, another couple of officers arrived and spoke with Mr. Webb and told him again that he could hang out there and left the area without incident. It wasn't until @ 0700 in the morning that the final two officers, later identified as Officer Stephen Mitchell and Officer Tiffany Beeman, arrived and told him he was trespassing and needed to leave the area or go to jail.

Mr. Webb said that the two officers approached him and told him he needed to leave or go to jail. He said he tried to tell them he was told by other officers that he could remain there but they told him he had to leave anyhow. He said he tried to give a Veteran's ID and they didn't care about that or that he owned an aerospace company in Cape Canaveral.

Mr. Webb said the officers wanted him to leave the area and he said he complied by getting up and walking away. He said that at some point he was grabbed on the arm by the male officer and began to be pushed along while the officer said something like "you are on my time now". Mr. Webb said that as they continued toward the area of leaving the property (toward Caroline Street) he was grabbed by the female "by her fingers" on his arm. He said the officers lifted him up which caused him to tell them his back was feeling better. As they got to area closest to Caroline Street, Mr. Webb said the female officer threw him to the ground causing him to strike his forehead on the roadway. He said the officers then picked him up again and escorted him off the property telling him not to return or he would be arrested.

Mr. Webb said he asked the officer for his badge number and he yelled out 3024.

Mr. Webb said what the officer did to him was "truly despicable and must be punished". I asked what that meant and he said he would leave it to the Chief of Police.

### **Interview Officer Stephen Mitchell**

Officer Mitchell said he recalled the incident. He said he and Officer Beeman were on a call in the area and were approached by a security guard and told there was a male at the front door of the Turtle Kraals restaurant. The guard said he had asked the man to leave and he refused.

Once they were finished with the call they were on they made contact with the male, later identified as Mr. Webb. Officer Mitchell said he was told about the stolen vessel and that Mr. Webb told the officers he was waiting for a ride. Officer Mitchell told Mr. Webb he couldn't wait in the doorway of the restaurant because they would be opening soon. Officer Mitchell said he gave Mr. Webb alternative locations on the property to wait but the doorway of the restaurant was not one of them. Officer Mitchell said it took three warnings to get up and leave before Mr. Webb decided to get up to leave. Officer Mitchell explained to Mr. Webb that he was being warned against trespassing on the property. Officer Mitchell said he told Mr. Webb two more times to leave the property for a total of five warnings, and when he did not comply by leaving, Officer Mitchell said he grabbed Mr. Webb's arm and started to escort him off the property.

Officer Mitchell said that Officer Beeman at some point grabbed Mr. Webb as well and as they were walking, Mr. Webb started dragging his feet and started telling the officers about secret agents and NASA and that the officers didn't know who they were dealing with. He said at one point Officer Beeman applied pressure to his wrist and Mr. Webb yelled out and dropped to one knee. The officers told him to stand back up and he complied. He said they gave a final warning for trespassing on the property.

Officer Mitchell said Mr. Webb never complained specifically about any injuries or requested a supervisor for injuries or any other issues.



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Officer Mitchell added that Mr. Webb appeared aggressive and was very loud. He said Mr. Webb never mentioned Vietnam that he recalled. I asked Officer Mitchell if he ever had probable cause to arrest Mr. Webb and he said he did. I asked why he didn't arrest him and he said he figured Mr. Webb already had a bad night since his boat had been stolen earlier in the night. Officer Mitchell stated that based on the non-compliance of Mr. Webb could have resulted in a trespass charge and when he refused to walk and be escorted off the property he could have also been charged with resisting arrest without violence.

Officer Mitchell said he never, nor observed Officer Beeman, throw Mr. Webb to the ground or inflict excessive pain or force. Pressure points were used but in an effort to get Mr. Webb to leave the property as they are trained to do. He added that he thought he and Officer Beeman were quite fair in how they handled the incident with Mr. Webb.

### **Interview Officer Tiffany Beeman**

I spoke with Officer Beeman who said she recalled the encounter with Mr. Webb. She explained the encounter started the same as Officer Mitchell up to the point of leaving the property.

Officer Beeman confirmed the officers gave several verbal warnings to leave the property. She said as they escorted him off the property, Mr. Webb began to "dig his feet in" to the ground as if not wanting to walk. She said that as they got about halfway down (entrance road) Mr. Webb tried to yank his arm from her grasp at which point he partially got out of her grip and she employed a bent wrist transporter to gain compliance through pain to get him to walk off the property. She added that as then bent wrist technique was being applied, Mr. Webb's feet came out from under him and he began to fall toward the ground. She said they supported his weight and went to his knees. She said after that he got back up and they successfully got him off the property.

Officer Beeman said other than saying Ouch when she was bending his wrist, Mr. Webb never complained about any injuries.

Officer Beeman said she used the technique to gain compliance as she was taught and when he stopped resisting the technique was released.

Officer Beeman said she never, nor did she see Officer Mitchell, use any excessive or unnecessary force on Mr. Webb. Officer Beeman thought she was not rude to Mr. Webb and she confirmed Mr. Webb was very loud in their dealings with him. She did say that she and Officer Mitchell had to raise their voices several times just to speak over Mr. Webb.

I asked how many warnings for trespassing were provided to Mr. Webb and she said "four of five." I asked if she thought probable cause existed to arrest Mr. Webb and she said she did. She also confirmed the officers could have arrested and charged Mr. Webb for resisting arrest without violence.

I asked Officer Beeman why she didn't choose to arrest Mr. Webb. She said she likes to give everyone the ability to leave on their own. She added some people don't understand they are trespassing when they are in a place that has access to others. She wanted to make sure he understood that.



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**Video**

I went to the Key West Bight in an effort to locate video from the alleged take down of Mr. Webb on the entrance road to Land's End Village. I made contact with the Key West Bight Dock Master's Office and spoke with Diane Cooper (city employee).

Cooper showed me the entire bank of camera angles they have at on the property where the incident took place. Unfortunately, the area of the front of the main parking lot and road coming into the Turtle Kraals area where Mr. Webb, Officer Mitchell and Officer Beeman said the take down/falling took place, is not covered by video surveillance.

**INVESTIGATIVE SUMMARY**

Mr. Webb complained on the officers for the use of excessive force and rudeness. The most serious allegation is the excessive force. Mr. Webb provided photos to the CRB and they were forwarded to me. The photos depict small circles of bruising on the inside of the bicep area of Mr. Webb's arm. There are not other injuries reported in this incident. Mr. Webb stated he hit his forehead but never received an injury and if he did it was not documented along with the injuries of his arm provided in his complaint. The officers involved both state Mr. Webb only fell to his knees and got back up with assistance from them and never did hit his head or any other portion of his body.

The rudeness reported by Mr. Webb was that the officers didn't care about his past or current employment as they related to his line of work or service to the Country. In speaking with the officers, more specifically Officer Beeman, the past or current employment of Mr. Webb was irrelevant to their decision to have him removed from the property at the request of management (security guard).

The officers did reportedly use discretion for two individual reasons when making the decision to leave Mr. Webb with his freedom and not arrest him and take him to jail. Officer Mitchell reported he thought Mr. Webb already had a bad enough night with the theft of his dinghy and Officer Beeman wanted him to clearly understand that he was trespassing and not to return in lieu of arresting him.

**ADMINISTRATIVE PROCEEDINGS FL. SS 112.532**

"I the undersigned do hereby swear under penalty or perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in FSS. 112.532 and 112.533, Florida Statutes."



**RESPECT - INTEGRITY - FAIRNESS**

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111  
www.keywestcity.com



City of Key West  
Key West, Florida



**DIANE COOPER**  
TENANT ADMINISTRATOR

Historic Seaport  
Key West Bight  
201 William Street  
Key West, FL 33040

Phone: (305) 809-3801  
Fax: (305) 293-8308  
Email: [dcooper@keywestcity.com](mailto:dcooper@keywestcity.com)

11/08/11 SunGard CAD PAGE  
 9:11:04 CAD CALL INFORMATION 11300015

Call Number: 113000156 Call Type.: 108 S13P SUSPICIOUS PERSON Polic  
 Entry Day/Tm: 10/27/11 5:05:13 108 S13P SUSPICIOUS PERSON Polic

CmnN: TURTLE KRAALS Agency.....: 001 KEY WEST  
 Location...: 231 MARGARET ST Apt:  
 City.....: KEYWEST Block#: 200 Loc ID: C Mapr: 1052KB1XC  
 Intersectn.: DEAD END CAROLINE

Caller Name: Last:GRIFFIN First:FAITH Mid: See Caller:  
 Address...: PASSERBY Apt:  
 City/State: Phone#: 352-460-5635 CELL Source: 911

Call Taker.: 3384 SELLERS FREDRICK QPADEV000F  
 Dispatcher.: 2836 BEATTIE MICHAEL DISPATCH2

NARRATIVE

w/m-khaki shorts-blu shirt and glasses-dirty blo hair 5:05:34  
 subj is harrassing passersby 5:05:47  
 subj is at front door to turtle kraals 5:07:45  
 ow subj 5:11:17

PERSON INFO

Person Type: SUSP SUSPECT User ID: NSMITH  
 Race.: W Sex: M Age: - Hgt: 510 - Wgt: - Person #:  
 Weapon: Build.: Hair...: Eyes:  
 Hat...: Jacket: Shirt...: Pants:  
 Shoes: Facial: Glasses: SSN: 252781844

Flight Dir: Mode: OL#: W100541532610 FL DL  
 Name: L: WEBB F: MICHAEL M: A DOB: 72119  
 Addr: 0 Apt: 10/27/  
 City: Phone#: - ( ) Last Changed: 5:16:  
 Additional: VALID

P22 Unit Status History Information

10/27/11	5:07:32	4	DISPATCHED	D	1745 GOMEZ, JUL
10/27/11	5:07:32	11	DESIGNATED PRIMARY U P		
10/27/11	5:07:34	32	ENROUTE	51	
10/27/11	5:09:08	6	AT SCENE	97	
10/27/11	5:31:14	20	AVAILABLE	AV	

P87 Unit Status History Information

10/27/11	5:07:46	4	DISPATCHED	D	3009 VILLAREAL, GEO
10/27/11	5:07:47	32	ENROUTE	51	
10/27/11	5:09:06	6	AT SCENE	97	
10/27/11	5:31:14	20	AVAILABLE	AV	

11/08/11  
9:11:04

SunGard CAD  
CAD CALL INFORMATION

PAGE  
11300015

D I S P O S I T I O N S

1 001 NO REPORT

Case# 1 - 00-000000 Unit: P22

11/08/11  
9:11:23

SunGard CAD  
CAD CALL INFORMATION

PAGE  
11300001

Call Number: 113000016      Call Type.: 010 S10 STOLEN VEHICLE/BOAT      Polic  
Entry Day/Tm: 10/27/11 0:36:00      010 S10 STOLEN VEHICLE/BOAT      Polic

CmnN: TURTLE KRAALS      Agency.....: 001 KEY WEST  
Location...: 231 MARGARET      ST      Apt:  
City.....: KEYWEST      Block#: 200      Loc ID: C Mapr: 1052KB1XC  
Intersectn.: DEAD END      CAROLINE

Caller Name: Last:WEBB      First:MICHAEL      Mid: See Caller:  
Address...: 1801 N ROOSEVELT      BV      Apt:  
City/State: KEYWEST      FL Phone#: 321-266-4321 CELL      Source: 911

Call Taker.: 3384 SELLERS      FREDRICK      QPADEV000F  
Dispatcher.: 2836 BEATTIE      MICHAEL      DISPATCH2

N A R R A T I V E

RP ADV THAT HIS DINGY WAS STOLEN-DISCOVERED MOMENTS AGO      0:37:37  
RP IS NEAR TURTLE KRAALS      0:37:10

RED 2011 SEAMAX DINGY ENTERED INTO F/NCIC AS STOLEN      2:30:27  
PCN B112429504      NIC B810185445      2:30:27  
ENTERED BY 3288      2:30:27  
VERIFIED BY 2836      2:30:27  
10272011      2:30:27

V E H I C L E      I N F O

Vehicle Type: SUSP Suspect  
License# FL7590PC      Year: 11      Make: SEAMAX      Model: DINGY  
State:      VIN : YLS4SA46J011      Color: RED/

P E R S O N      I N F O

Person Type: RPRT      PERSON REPORTING      User ID: NSMITH  
Race.: W      Sex: M      Age: -      Hgt: 510 -      Wgt: -      Person #:  
Weapon:      Build.:      Hair...:      Eyes:  
Hat...:      Jacket:      Shirt...:      Pants:  
Shoes:      Facial:      Glasses:      SSN: 252781844

Flight Dir:      Mode:      OL#: W100541532610 FL DL  
Name: L: WEBB      F: MICHAEL      M: A      DOB: 72119  
Addr: 0      Apt: 10/27/  
City: CAPE CANAVERAL      FL Phone#: -      ( ) Last Changed: 1:13:  
Additional: VALID

\*NONE      Unit Status History Information

10/27/11 0:37:16 18 ROUTE CALL TIME RT |

P55      Unit Status History Information

11/08/11  
9:11:23

SunGard CAD  
CAD CALL INFORMATION

PAGE  
11300001

10/27/11	0:41:54	4	DISPATCHED	D	3020 BETZ, FRA
10/27/11	0:41:54	11	DESIGNATED PRIMARY U P		
10/27/11	0:41:55	32	ENROUTE	51	
10/27/11	0:47:06	9	STARTED SELF-INITIAT SI		
10/27/11	1:09:56	10	ENDED SELF-INITIATED AV		
10/27/11	1:11:21	9	STARTED SELF-INITIAT SI		
10/27/11	1:18:34	10	ENDED SELF-INITIATED AV		
10/27/11	1:25:07	9	STARTED SELF-INITIAT SI		

P86

Unit Status History Information

10/27/11	0:54:26	4	DISPATCHED	D	3418 ANE, ANT
10/27/11	0:54:26	6	AT SCENE	97	
10/27/11	0:54:26	11	DESIGNATED PRIMARY U P		
10/27/11	0:54:37	32	ENROUTE	51	
10/27/11	1:00:07	6	AT SCENE	97	
10/27/11	1:24:38	47	ENROUTE TO STATION	ES	
10/27/11	1:29:32	40	IN STATION / OFFICE	IS	
10/27/11	2:06:51	20	AVAILABLE	AV	

A D D I T I O N A L C A L L A D D R E S S E S

1 1801 N ROOSEVELT BV Apt:  
City: KEYWEST ST: ZIP: Block#: 1800  
Common Name: DINGHY DOCKS

D I S P O S I T I O N S

1 055 INC REPORT NUMBER Case# 1 - 11-005464 Unit: P86  
2 049 INCIDENT REPORT Case# 1 - 00-000000 Unit: P86

# Key West Police Department

Date Report Prepared 10/27/2011 01:22

## Incident Report

Case # 01-11-005464

<b>I N C I D E N T</b>	<b>Case #</b>	<b>Date Report Prepared</b>	<b>Occurred From</b>	<b>Occurred To</b>	<b>Report Type</b>
	01-11-005464	10/27/2011 01:22	10/26/2011 18:30	10/27/2011 00:35	Original
	<b>Dept. Classification</b>	<b>Case Status</b>	<b>Case Status Date</b>	<b>Cleared</b>	
	THEFT/LARCENY/FRAUD OFFENSE	OPEN	10/27/2011	10/27/2011 01:30	
	<b>Common Name</b> TURTLE KRAALS - 231 MARGARET ST KEYWEST, FL 33040 (MONROE County)				
Day of Week : WEDNESDAY Dispatched : 10/27/2011 00:41 Responded : 10/27/2011 00:41 Arrived : 10/27/2011 00:54 Map Reference : 1052KB1XO Location Type : MOTOR VEHICLE			Beat Assignment : 3 Alcohol Related : NO Drug Related : NO Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$1500.00 Total Recovered Property Value : \$0.00		

<b>O F F E N S E</b>	<b>UCR by Records Personnel ONLY</b>			<b>Attempted/Committed</b>
	812.014(2)(C)(6) 2792			COMMITTED
	<b>FSS or MOV Number</b>		<b>Location Type</b>	<b>Disposition Date</b>
	812.014(2)(C)(6) 2792		MOTOR VEHICLE	
Offense : THEFT GRAND-MOTOR VEHICLE UNKNOWN UNKNOWN (SUSP,Primary Role); MICHAEL WEBB (VICT,Primary Role) Attack Reason : N/A			Weapon 1 : N/A Computer Theft : NO # of Premises : 1	
End of Offense: 1				

<b>P E R S O N</b>	<b>Person Type</b>		<b>Business/Person Name</b>			<b>Business Phone</b>
	SUSPECT/ARRESTEE		UNKNOWN UNKNOWN			
	<b>Home Phone</b>		<b>Person Address</b>			
	<b>Other Phone</b>		<b>Employer Address</b>			
<b>Race</b>		<b>Sex</b>	<b>SSN</b>	<b>DL Exp. Date</b>	<b>DL Number</b>	
UNKNOWN		Unknown				
<b>Birth Date</b>		<b>Birth Place</b>				
Adult or Juvenile : UNKNOWN						
End of Person: 1						

<b>P E R S O N</b>	<b>Person Type</b>		<b>Business/Person Name</b>			<b>Business Phone</b>
	VICTIM		MICHAEL ANTHONY WEBB			
	<b>Home Phone</b>		<b>Person Address</b>			
	(321) 266-4321		300 COLUMBIA DR CAPE CANAVERAL FL 32920			
	<b>Other Phone</b>		<b>Employer Address</b>			
<b>Race</b>		<b>Sex</b>	<b>SSN</b>	<b>DL Exp. Date</b>	<b>DL Number</b>	
WHITE		Male	252-78-1844	07/21/2018	W100-541-53-261-0	
<b>Birth Date</b>		<b>Birth Place</b>				
07/21/1953						
Age : 58 DL State : FL DL Country : UNITED STATES Ethnic Origin : NON-HISPANIC Min. Height : 5'10" Min. Weight : 150 lbs Adult or Juvenile : ADULT Relationship : UNDETERMINED OF UNKNOWN UNKNOWN Victim Type : INDIVIDUAL ADULT Will File Charges : YES Can Identify Offender : NO Sobriety of Victim : HAD BEEN DRINKING Extent of Injury : NONE Shirt : BLUE TEE SHIRT			Pants : CARGO SHORTS Shoes : SANDALS Hair Color : GRAY/PARTIALLY GRAY Hair Length : MEDIUM Hair Style : OTHER Facial Hair : NONE Eye Color : HAZEL Build : LIGHT Complexion : LIGHT Glasses : YES Speech : NORMAL Residency Type : FLORIDA Residency Status : FULL YEAR Citizenship : UNITED STATES			
End of Person: 2						

<b>Reporting Officer</b> ANTONIO AVRELIO ANE (3418)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Report Status:</b> Approved
<b>Officer Name</b>		<b>Date/Time</b>
<b>Verifying Officer</b> SGT FRANCISCO ZAMORA (1402)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Date / Time</b> 10/27/2011 20:50

# Key West Police Department

Date Report Prepared 10/27/2011 01:22

## Incident Report

Case # 01-11-005464

<b>V E H I C L E</b>	<b>Tag #</b> FL7590PC	<b>Tag Expiration</b>	<b>Year</b> 2011	<b>Make</b> OTHER	<b>Model</b>	<b>Vehicle Style</b> BOAT
	<b>Tag Country</b> UNITED STATES	<b>Tag State</b> FL	<b>Vehicle Type</b> BOAT	<b>VIN</b> YLS4SA46J011	<b>Category</b> STOLEN	
	Model Free Form : B810185445 Top Color : RED Bottom Color : RED Keys in Vehicle : NOT APPLICABLE Vehicle Locked : NOT APPLICABLE Stolen Value : \$1500		NCIC Number : B810185445 NCIC Entry Date : 10/27/2011 State Number : B112429504 Association : OWNER IS MICHAEL WEBB Stolen Location : Use Address from Incident Location Information			
End of Vehicle: 1						

<b>N A R R A T I V E</b>	<b>Topic</b> ORIGINAL
<b>1</b>	<p>On October 27, 2011, at approximately 0041 hours, I (Ofc. Ane) responded to 231 Margaret Street (Turtle Krawls Marina) in reference to a stolen vehicle report.</p> <p>Upon arrival, I met with a white male, identified as Michael Anthony Webb, who said he docked his boat at approximately 1830 hours (10/26/2011) to a floating dock at the marina. Webb said when he returned at approximately 0030 hours (10/27/2011) his boat was gone. Webb said he was sure he tied the vessel down, so that it could not float away.</p> <p>Webb did not know of any suspects at the time of this report.</p> <p>Webb described the vessel as red 2011 SeaMax with a white "Webb" harness over the 15 Mercury engine. The vessel's registration showed the vessel bearing FL/DO # FL7590PC and HIN# YLS4SA46J011.</p> <p>I saw a video camera over looking the area where Webb's vessel was docked on the north west corner of Turtle Krawls roof. I was unable to obtain a copy of the video at the time of this report, because the business was closed. I will try to obtain a copy of the video at a later time.</p> <p>I sent this report to KWPD COMM 2 to be entered into F/NCIC as a stolen vehicle. I provided Webb with his case number and instructions on how to obtain a copy of this report.</p> <p>Vessel and Owner Information:</p> <p>Make: SeaMax</p> <p>Model: Dingy</p> <p>Year: 2011</p> <p>Color: Red</p> <p>FL/DO:# FL7590PC</p> <p>Distinguishing Marks: White "Webb" harness over the 15 Mercury engine</p> <p>HIN:YLS4SA46J011</p> <p>Owner: Michael Anthony Webb</p>

<b>Reporting Officer</b> ANTONIO AVRELIO ANE (3418)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Report Status:</b> Approved
<b>Officer Name</b>		<b>Date/Time</b>
<b>Verifying Officer</b> SGT FRANCISCO ZAMORA (1402)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Date / Time</b> 10/27/2011 20:50

# Key West Police Department

Date Report Prepared 10/27/2011 01:22

## Incident Report

Case # 01-11-005464

Email: Tony@Espacetickets.com	
End of Narrative: 1	
<b>N A R R A T I V E</b>  <b>2</b>	<b>Topic</b> F/NCIC ENTRY  RED 2011 SEAMAX DINGY ENTERED INTO F/NCIC AS STOLEN PCN B112429504 NIC B810185445 ENTERED BY 3288 VERIFIED BY 2836 10272011
End of Narrative: 2	

<b>Reporting Officer</b> ANTONIO AVRELIO ANE (3418)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Report Status:</b> Approved
<b>Officer Name</b>		<b>Date/Time</b>
<b>Verifying Officer</b> SGT FRANCISCO ZAMORA (1402)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Date / Time</b> 10/27/2011 20:50

# Key West Police Department

Date Report Prepared 10/27/2011 01:22

## Incident Report

Case # 01-11-005464

<b>I N C I D E N T</b>	<b>Case #</b>	<b>Date Report Prepared</b>	<b>Occurred From</b>	<b>Occurred To</b>	<b>Report Type</b>
	01-11-005464	10/27/2011 01:22	10/26/2011 18:30	10/27/2011 00:35	Supplemental
	<b>Dept. Classification</b>		<b>Case Status</b>	<b>Case Status Date</b>	<b>Cleared</b>
	THEFT/LARCENY/FRAUD OFFENSE				10/28/2011 14:45
	<b>Common Name</b>				
TURTLE KRAALS - 231 MARGARET ST KEYWEST, FL 33040 (MONROE County)					
Day of Week : WEDNESDAY			Beat Assignment : 3		
Dispatched : 10/28/2011 14:00			Alcohol Related : NO		
Responded : 10/28/2011 14:00			Drug Related : NO		
Arrived : 10/28/2011 14:15			Total Damaged Property Value : \$0.00		
Map Reference : 1052KB1XO			Total Stolen Property Value : \$0.00		
Location Type : MOTOR VEHICLE			Total Recovered Property Value : \$0.00		

<b>N A R R A T I V E</b>	<b>Topic</b>	SUPPLEMENTAL
	<b>1</b>	On friday, 28 Oct 2011, I responded to the dinghy dock at Key West Bight Marina for a recovered dinghy. There I met Tony Webb, the victim.
		He told me he found his red inflatable boat with motor and items intact at the A and B Marina on 27 Oct 2011 several hours after he reported it stolen.
		This report sent to KWPD Communication for removal from F/NCIC.
		END OF REPORT

End of Narrative: 1

<b>N A R R A T I V E</b>	<b>Topic</b>	F/ncic clear
	<b>2</b>	Pulled original report ref FL7590PC vessel has been cleared from f/ncic on 10/28/11 cleared by 3205 pcn B112429504 nic B810185445

End of Narrative: 2

<b>Reporting Officer</b>	<b>Department</b>	<b>Report Status:</b> Open
<b>Officer Name</b>		<b>Date/Time</b>
<b>Verifying Officer</b>	<b>Department</b>	<b>Date / Time</b>