

Response to Resistance Report

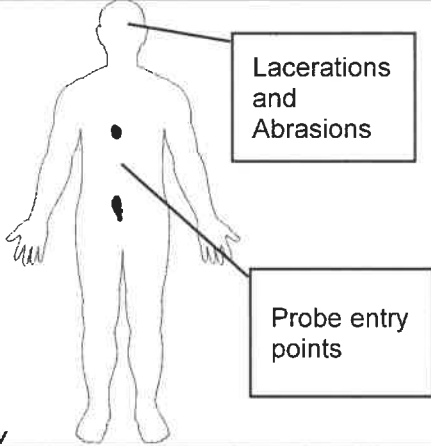
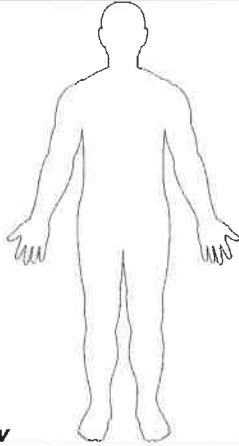
Key West Police Department

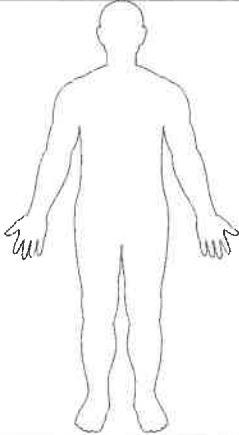
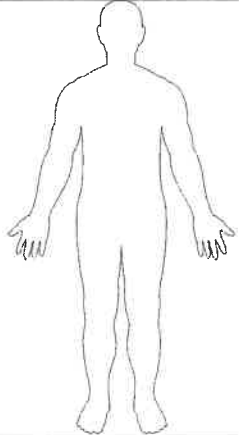
Case No: 22-6212

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: 10/30/2022	3. Time: 0130	4. Location: 1075 Duval "Circle K"	5. Incident type: S22P / S0
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Ignored Verbal Commands	<input type="checkbox"/> Physical Control	
	<input checked="" type="checkbox"/> Active:	Began to walk away, then at Ofc.	<input checked="" type="checkbox"/> Non-lethal Weapon	TASER
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input checked="" type="checkbox"/> Deadly Force:	Armed with 10" fillet knife		

SUBJECT	10. Last Name: Tidwell	11. First: Matthew	12. Race: W	13. Sex: M
	14. DOB: 01/09/1978	15. Height: 6'02"	16. Weight: 170	
	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 checked="" type="checkbox"/> Emotionally / mentally disturbed			
	19. Injuries: <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)			
	20. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 21. Treated: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input checked="" type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention			
				
	22. Anterior View		Posterior View	

OFFICER	23. Officer: Scott Ham	24. Race: W	25. Sex: M	26. Age: 31	27. Height: 6"	28. Weight: 210
	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: 3					
	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: TASER Probe Deployment					
						
	35. Anterior View		Posterior View			

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-6212

TASER USE ONLY	36. TASER® device serial # X1200CT84		37. TASER® device serial #	
	TASER®Cam serial # V21001KH1		TASER®Cam serial #	
	Cartridge 1 serial # C41088MRX		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles: 2		Number of cycles:	
	Type of contact: <input checked="" type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun		Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun	
	Did probes penetrate skin: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Target distance at probe launch: 10-15 feet		Target distance at probe launch: N/A	
	Distance between probes: 12-20 inches		Distance between probes: N/A	
	Probes removed by (name): KWFD		Probes removed by (name): N/A	
Device downloaded by: Left in Office for Sgt. Stockton		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: 10/30/2022		41. Time: 0125	
	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)			
	Officer drew TASER on a combative, disturbed subject armed with a 10" fillet knife. Officers' firearm should have been drawn as first response option due to the situation. This conflicts with basic training. PAF completed			
	46. Were you able to locate any independent witnesses: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
	Name		Address	
	Phone Number			
INT. AFF.	47. Is further review recommended: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		10/30/2022	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		48. Preparing Supervisor's Signature / ID	
	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	
53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:		

		INCIDENT/INVESTIGATION REPORT				Case# 22-006212			
		Agency Name Key West Police Department		Date / Time Reported 10/30/2022 01:16 Sun					
INCIDENT DATA	ORI FL0440100		Last Known Secure 10/30/2022 01:16 Sun		At Found 10/30/2022 01:16 Sun				
	Location of Incident 1075 DUVAL ST, Key West FL 33040-		Premise Type Highway / Street / Road/	Beat/GP B2, GPB2					
	#1	Crime Incident(s) Disorderly Conduct DCA	(Com)	Weapon / Tools KNIFE		Activity			
				Entry	Exit	Security			
	#2	Crime Incident Resist Arrest / Escape XOM	(Com)	Weapon / Tools		Activity			
			Entry	Exit	Security				
	#3	Crime Incident	()	Weapon / Tools		Activity			
			Entry	Exit	Security				
MO									
VICTIM	# of Victims 1		Type: SOCIETY/PUBLIC/STATE		Injury: Domestic: N				
	V1	Victim/Business Name (Last, First, Middle) Society		Victim of Crime # 1,2	DOB Age	Race Sex Relationship To Offender Resident Status Military Branch/Status N/A			
	Home Address					Home Phone			
	Employer Name/Address				Business Phone	Mobile Phone			
	VYR	Make	Model	Style	Color	Lic/Lis VIN			
OTHERS INVOLVED	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)								
	Type:		Injury:						
	Code	Name (Last, First, Middle)		Victim of Crime #	DOB Age	Race Sex Relationship To Offender Resident Status Military Branch/Status			
	Home Address					Home Phone			
	Employer Name/Address				Business Phone	Mobile Phone			
	Type:		Injury:						
	Code	Name (Last, First, Middle)		Victim of Crime #	DOB Age	Race Sex Relationship To Offender Resident Status Military Branch/Status			
	Home Address					Home Phone			
	Employer Name/Address				Business Phone	Mobile Phone			
PROPERTY	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/Tc	Value	OJ	QTY	Property Description	Make/Model	Serial Number
		35	EVID	\$0.00		1	AXON BWC 4009	AXON/Bwc	
		35	EVID	\$0.00		1	AXON FLEET 4009	AXON/Fleet	
		35	EVID	\$0.00		1	TASER VIDEO 4009		
Officer/ID# HAM, RANDOLPH (4009)									
Invest ID# (0)					Supervisor (0)				
Status	Complainant Signature			Case Status Cleared By Arrest 10/30/2022			Case Disposition: Cleared By Arrest 10/30/2022		Page 1

Incident Report Additional Name List

Key West Police Department

OCA: 22-006212

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	REED, DANNY KEITH		10/11/1972	50	W	M
	Address 5537 COLLEGE RD , KEY WEST, FL 33040-		H: - -			
	Empl/Addr Performer		B: - -			
			Mobile #: - -			
2) WI 2	KINDER, GENE ANTHONY		11/18/1973	48	W	M
	Address 6933 JERSEY MILL RD , ALEXANDRIA, OH		H: 954-200-5193			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-006212

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found						
D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity

Assisting Officers
ANE, A.A. (3418), HERNANDEZ, L. (3452), ADORNO, S.D. (4155)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 22-006212

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

22-006212

Victim

Society

Offense

DISORDERLY CONDUCT

Date / Time Reported

Sun 10/30/2022 01:16

On October 30, 2022, at approximately 0120 hours, I, Ofc. S. Ham was dispatched to 1075 Duval St. (Circle K), reference a physical disturbance.

Upon arrival, a group of males walked past me as I approached the establishment. The suspect later identified as Matthew Tidwell, was bleeding from the face. Matthew matched the description of the suspect provided by KWPD dispatch. I pulled my TASER as I approached Matthew because KWPD dispatch advised that Matthew had just fought one male and was attempting to fight others. I then saw that Matthew had a filet knife with an orange handle in his right hand. I instructed Matthew to drop the knife and he did. I gave Matthew a few commands to step away from the knife and take a seat. Matthew eventually backed away from the knife and approached the wall beside Circle K.

There was a small crowd of people standing around the establishment as I continued to tell Matthew to sit down. Matthew stated he was going to have a seat on the steps of the establishment. Matthew took a few steps towards the establishment and then turned towards me. Matthew yelled stating that he wasn't going to sit down, and I was going to have to tase him. Matthew turned away from me and acted as if he was going to walk away. I told Matthew to stop, or he was going to be tased. Matthew stopped and turned towards me yelling I was going to have to tase him. Matthew then took a step towards me. I told Matthew to not take another step and he did. I deployed my TASER, striking Matthew in the torso. Matthew fell to the ground as he experienced NMI (neuromuscular incapacitation). Matthew attempted to remove the probes once he was on the ground, and I deployed another five-second cycle, once again achieving NMI. Matthew's cooperation increased, and I was able to place him into handcuffs. I maintained control of Matthew sitting on the sidewalk while Ofc. S. Adorno and Ofc. A. Ane spoke to witnesses on scene.

Ofc. S. Adorno stated to me that only one of the witnesses saw the altercation from the beginning. Ofc. Adorno stated to me the other three witnesses only saw Matthew walking back from his bicycle with the knife yelling that he was going to kill him. Ofc. Adorno stated the witness that saw the entire altercation was identified by his Florida ID card as Danny Reed. Ofc. Adorno stated the following to me that he was advised from Danny: Danny stated that Matthew was yelling at a family that was walking on the opposite side of the street. Danny stated the mother, told the father not to engage Matthew. Danny stated they had a young child approximately 10 years old. Danny stated Matthew went after the kid in an aggressive manner, as if he was going to attack him. Danny stated the father got between them and punched Matthew once in the face. Danny stated Matthew went down to the ground and the father of the kid began to walk away. Danny stated Matthew got up and ran towards his bicycle near Duval square to grab a knife. Danny stated Matthew ran back towards the front of Circle K holding the filet knife. Danny stated Matthew was irate with the knife yelling "where did he go, I'm going to kill him." Danny stated Matthew did not threaten anyone else there with the knife, just held it in his hand.

I spoke with Ofc. A. Ane who stated he spoke with the original reporting party and witness (Gene Kinder). Ofc. Ane stated the following to me that he was advised by Gene: Gene stated he saw Matthew kicking over trash cans and trying to fight everyone. Gene stated that he watched Matthew try and throw punches with one other male and then he called 911. Gene stated he did not see Matthew walk back to his bicycle to obtain the knife.

Ofc. L. Hernandez collected the filet knife and submitted it into KWPD property and evidence.

Key West Rescue personnel arrived on scene and removed the TASER prongs. Key West Rescue personnel attempted to clean up Matthew's face and inspect for injuries, but Matthew began spitting. Matthew was placed in a spit hood by Ofc. Hernandez. Key West Rescue transported Matthew to Lower Keys Medical Center without incident. I rode with Key West Rescue to assist with transport.

Matthew was looked over by doctor and taken in for a CT scan. Doctor at the ER advised me that Matthew had

Incident Report Suspect List

Key West Police Department

OCA: 22-006212

1	Name (Last, First, Middle) <i>TIDWELL, MATHEW FORREST</i>						Also Known As				Home Address <i>1213 14 ST LOT 259 KEY WEST, FL 33040 937-356-9918</i>																																					
	Business Address <i>NONE, NONE</i>																																															
	DOB <i>01/09/1978</i>	Age <i>44</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>602</i>	Wgt <i>170</i>	Hair <i>BLD</i>	Eye <i>BLU</i>	Skin <i>MED</i>	Driver's License / State. <i>T34054678009 FL</i>																																					
	Scars, Marks, Tattoos, or other distinguishing features																																															
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td>SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="2">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td colspan="2">Dir of Travel</td> <td>Mode of Travel</td> </tr> <tr> <td colspan="2">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="3">VIN</td> </tr> </table>													<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN	Weapon, Type	Feature	Make		Model		Color		Caliber	Dir of Travel		Mode of Travel	VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN		
<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																					
Weapon, Type	Feature	Make		Model		Color		Caliber	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: 22-006212

1	Property Description AXON BWC 4009				Make AXON		Model BWC		Caliber		
Color		Serial No.		Value \$0.00		Qty 1.000		Unit		Jurisdiction Locally	
Status Evidence		Date 10/30/2022		NIC #		State #		Local #		OAN	
Name (Last, First, Middle) Kinder, Gene Anthony						DOB 11/18/1973		Age 48		Race W Sex M	

Notes

2	Property Description AXON FLEET 4009				Make AXON		Model FLEET		Caliber		
Color		Serial No.		Value \$0.00		Qty 1.000		Unit		Jurisdiction Locally	
Status Evidence		Date 10/30/2022		NIC #		State #		Local #		OAN	
Name (Last, First, Middle) Kinder, Gene Anthony						DOB 11/18/1973		Age 48		Race W Sex M	

Notes

3	Property Description TASER VIDEO 4009				Make		Model		Caliber		
Color		Serial No.		Value \$0.00		Qty 1.000		Unit		Jurisdiction Locally	
Status Evidence		Date 10/30/2022		NIC #		State #		Local #		OAN	
Name (Last, First, Middle) Kinder, Gene Anthony						DOB 11/18/1973		Age 48		Race W Sex M	

Notes