

# Response to Resistance Report

Key West Police Department

Case No: 22-6517

<b>1. A Response to Resistance Report will be completed by the supervisor for:</b> (Check all that apply)																																							
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	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)																																						
<b>INCIDENT</b>	<b>2. Date:</b> 11/14/2022 <b>3. Time:</b> 2020 hrs <b>4. Location:</b> 1300 15 <sup>th</sup> Ct. Lot 81 <b>5. Incident type:</b> S0/S36A																																						
	<table style="width:100%; border: none;"> <tr> <td style="width: 25%;"><b>6. Resistance Level</b></td> <td style="width: 25%;"><b>7. Explanation</b></td> <td style="width: 25%;"><b>8. Response Option</b></td> <td style="width: 25%;"><b>9. Explanation</b></td> </tr> <tr> <td><input checked="" type="checkbox"/> Passive:</td> <td>Tensing, pulling away</td> <td><input checked="" type="checkbox"/> Physical Control</td> <td>Leg sweep takedown</td> </tr> <tr> <td><input checked="" type="checkbox"/> Active:</td> <td></td> <td><input type="checkbox"/> Non-lethal Weapon</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Aggressive:</td> <td></td> <td><input type="checkbox"/> Deadly Force</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Deadly Force:</td> <td></td> <td></td> <td></td> </tr> </table>	<b>6. Resistance Level</b>	<b>7. Explanation</b>	<b>8. Response Option</b>	<b>9. Explanation</b>	<input checked="" type="checkbox"/> Passive:	Tensing, pulling away	<input checked="" type="checkbox"/> Physical Control	Leg sweep takedown	<input checked="" type="checkbox"/> Active:		<input type="checkbox"/> Non-lethal Weapon		<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force		<input type="checkbox"/> Deadly Force:																					
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<b>10. Last Name:</b> Weber <b>11. First:</b> Preston <b>12. Race:</b> W <b>13. Sex:</b> M <b>14. DOB:</b> 09/21/1968 <b>15. Height:</b> 5'06" <b>16. Weight:</b> 150 <b>17. Did you observe the subject:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes     If NO, explain why in Section 42. If "YES", complete sections 18-22 <b>18. Appeared to be:</b> <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed <b>19. Injuries:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input checked="" type="checkbox"/> Alleged   (If Evident or Alleged, describe and indicate areas on charts in Section 22 ) <b>20. Photographed:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>21. Treated:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention																																							
<b>SUBJECT</b>	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="text-align: center;"><b>22. Anterior View</b></p> </div> <div style="width: 45%;"> <p style="text-align: center;"><b>Posterior View</b></p> </div> </div>																																						
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	<p style="text-align: center;"><b>Posterior View</b></p>																																						

# Response to Resistance Report (continued)

Key West Police Department

Case No: 22-6517

TASER USE ONLY	<b>36. TASER® device serial #</b>		<b>37. TASER® device serial #</b>	
	TASER®Cam serial #		TASER®Cam serial #	
	Cartridge 1 serial #		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles:		Number of cycles:	
	Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun		Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun	
	Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Target distance at probe launch:		Target distance at probe launch:	
	Distance between probes:		Distance between probes:	
	Probes removed by (name):		Probes removed by (name):	
Device downloaded by:		Device downloaded by:		
<input type="checkbox"/> <b>38. Check and list any additional TASER® devices, cartridges or details in the incident description section.</b>				
REPORT	<b>39. Offense/Incident Report and/or Warrant Affidavit must include:</b> <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.			
	<b>40. Notified Date:</b> 11/14/2022		<b>41. Time:</b> 2020	
	<b>42. Did you respond to the scene:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	<b>43. Did you watch all relevant videos associated with the use of force?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	<b>44. Did you meet with the Officer(s):</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	<b>45. During your review did you find any potential policy violations or training issues associated with the incident?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
SUPERVISOR'S INQUIRY	<b>06.28 BWC</b>			
	<b>BWC was activated late, however, in-car camera captured the incident</b>			
	<b>46. Were you able to locate any independent witnesses:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	Name	Address		Phone Number
	<b>47. Is further review recommended:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		3755	11/14/2022
			48. Preparing Supervisor's Signature / ID	49. Date
INT. AFF.	<b>50. Did the review of this incident conclude that use of force was in compliance with Departmental policy?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes If "No", complete section 51)		51. Signature of Internal Affairs Inspector	
	52. Date			
<b>53. If section 48 is "No" record the Professional Standards Control Number:</b>				
<b>54. Date Entered:</b>				

INCIDENT DATA		INCIDENT/INVESTIGATION REPORT										
		Agency Name <i>Key West Police Department</i>					Case# <i>22-006517</i>					
		ORI <i>FL0440100</i>					Date / Time Reported <i>11/14/2022 20:15 Mon</i>					
		Location of Incident <i>1300 15TH CT Apt. 50, Key West FL 33040</i>					Last Known Secure <i>11/14/2022 20:15 Mon</i>					
		Gang Relat <i>NO</i>		Premise Type <i>Highway / Street /</i>		Beat/GP <i>B5, GPB5</i>		At Found <i>11/14/2022 20:15 Mon</i>				
MO	#1	Crime Incident(s) <i>Assault / Threats SCB</i>				(Com)		Weapon / Tools <i>IMPLIED GUN/TOY GUN</i>				Activity
		Entry		Exit		Security						
	#2	Crime Incident <i>Resist Arrest / Escape XOM</i>				(Com)		Weapon / Tools				Activity
		Entry		Exit		Security						
	#3	Crime Incident				( )		Weapon / Tools				Activity
		Entry		Exit		Security						
VICTIM	# of Victims <i>5</i>		Type: <i>INDIVIDUAL</i>		Injury: <i>None</i>				Domestic: <i>N</i>			
	V1	Victim/Business Name (Last, First, Middle) <i>RICHE, CHRISLORD JEAN</i>				Victim of Crime # <i>1</i>	DOB <i>06/01/1987</i>	Race <i>B</i>	Sex <i>M</i>	Relationship To Offender <i>NE</i>	Resident Status <i>Resident</i>	Military Branch/Status
	Home Address <i>1213 14TH ST - LOT 265, Key West, FL 33040-</i>					Email				Home Phone <i>305-832-9210</i>		
	Employer Name/Address <i>UNKNOWN (UNKNOWN)</i>					Business Phone				Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis		VIN				
	CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)											
	Type: <i>INDIVIDUAL</i> Injury: <i>None</i>											
	V2	Name (Last, First, Middle) <i>WILLIAMS, ROYAN</i>				Victim of Crime # <i>1</i>	DOB <i>10/06/1976</i>	Race <i>B</i>	Sex <i>M</i>	Relationship To Offender <i>ST</i>	Resident Status <i>Resident</i>	Military Branch/Status
Home Address <i>1213 14TH ST - 109 KEY WEST, FL 33040</i>					Email				Home Phone <i>863-484-4858</i>			
Employer Name/Address <i>UNK (UNK)</i>					Business Phone				Mobile Phone <i>863-484-4858</i>			
OTHERS INVOLVED	Type: <i>INDIVIDUAL</i> Injury: <i>None</i>											
	V3	Name (Last, First, Middle) <i>HAMILTON, MICHAEL DWAYNE</i>				Victim of Crime # <i>1</i>	DOB <i>11/05/1989</i>	Race <i>B</i>	Sex <i>M</i>	Relationship To Offender <i>ST</i>	Resident Status <i>Resident</i>	Military Branch/Status
	Home Address <i>1213 14TH ST - B KEY WEST, FL 33040</i>					Email				Home Phone <i>305-684-9342</i>		
	Employer Name/Address <i>UNK (UNK)</i>					Business Phone				Mobile Phone <i>305-684-9342</i>		
	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)											
	VI #	Code	Status Frm/Tc	Value	OJ	QTY	Property Description		Make/Model		Serial Number	
	35	EVID		\$0.00		2	AXON BWC S36A 4194		AXON/Bwc			
	35	EVID		\$0.00		1	AXON FLEET S36A 4194		AXON/Fleet			
99	EVID		\$0.00		5	AXON CAPTURE PHOTOS		AXON/Capture				
35	EVID		\$0.00		1	AXON IN-CAR S36A 4194		AXON/In-car				
PROPERTY	Officer/ID# <i>ROBERTS, ERIK (4194)</i>											
	Invest ID# <i>(0)</i>					Supervisor <i>(0)</i>						
	Status	Complainant Signature				Case Status <i>Cleared By Arrest 11/14/2022</i>		Case Disposition: <i>Cleared By Arrest 11/14/2022</i>		Page 1		

# Incident Report Additional Name List

Key West Police Department

OCA: 22-006517

## Additional Name List

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

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-006517

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

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

Suspect Hate / Bias Motivated:

## INCIDENT/INVESTIGATION REPORT

Key West Police Department

Narr. (cont.) OCA: 22-006517

NARRATIVE

## REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

22-006517

Victim

RICHE, CHRISLORD JEAN

Offense

ASSAULT / THREATS

Date / Time Reported

Mon 11/14/2022 20:15

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

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

I then spoke with Williams who told me the following:

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

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

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

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

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

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

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

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

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

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

## REPORTING OFFICER NARRATIVE

*Key West Police Department*

OCA

*22-006517*

Victim

*RICHE, CHRISLORD JEAN*

Offense

*ASSAULT / THREATS*

Date / Time Reported

*Mon 11/14/2022 20:15*

# Incident Report Suspect List

Key West Police Department

OCA: 22-006517

1	Name (Last, First, Middle) <b>WEBER, PRESTON SCOTT</b>						Also Known As			Home Address <b>1300 15TH CT LOT - 50 KEY WEST, FL 33040 305-923-9907</b>																																																		
	Business Address <b>SELF-EMPLOYED MECHANIC, AUTO REPAIR</b>																																																											
	DOB <b>09/21/1968</b>	Age <b>54</b>	Race <b>W</b>	Sex <b>M</b>	Eth <b>N</b>	Hgt <b>506</b>	Wgt <b>180</b>	Hair <b>BRO</b>	Eye <b>BRO</b>	Skin <b>LGT</b>	Driver's License / State. <b>W160677683410 FL</b>																																																	
	Scars, Marks, Tattoos, or other distinguishing features																																																											
<table border="1"> <tr> <td colspan="2"><b>Reported Suspect Detail</b></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td>Height</td> <td colspan="2">Weight</td> <td colspan="2">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></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="2">Mode of Travel</td> <td></td> </tr> <tr> <td colspan="2"></td> <td></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2">VIN</td> <td></td> </tr> </table>													<b>Reported Suspect Detail</b>		Suspect Age		Race	Sex	Eth	Height	Weight		SSN		Weapon, Type	Feature	Make		Model		Color		Caliber	Dir of Travel			VehYr/Make/Model		Drs	Style		Color		Lic/St		Mode of Travel												VIN		
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									VIN																																																			
Notes						Physical Char																																																						



# Incident Report Related Property List

Key West Police Department

OCA: 22-006517

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

Notes

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

Notes

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

Notes

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

Notes

**CASE SUPPLEMENTAL REPORT**  
*NOT SUPERVISOR APPROVED*

Printed: 11/14/2022 22:51

OCA: **22006517**

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

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Investigator: *ROJAS BURGOS, JESUS (4250)*

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

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

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

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

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

My body worn camera (BWC) was activated.

End Supplemental.

Investigator Signature: \_\_\_\_\_

# Incident Report Related Property List

Key West Police Department

OCA: 22-006517

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

Notes

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

Notes