

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)

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**

- | | | | | |
|-----------------|---|----------------------------------|---|-------|
| INCIDENT | <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 | | |

10. Last Name: Tidwell **11. First:** Matthew **12. Race:** W **13. Sex:** M

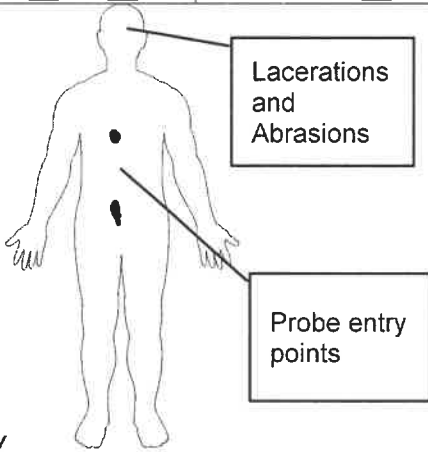
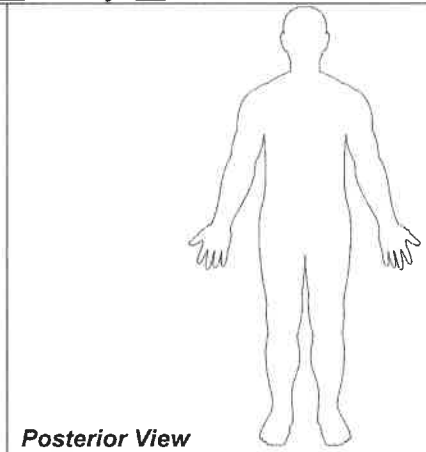
14. DOB: 01/09/1978 **15. Height:** 6'02" **16. Weight:** 170

17. Did you observe the subject: No Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

18. Appeared to be: Intoxicated Under the influence of controlled substance Emotionally / mentally disturbed

19. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)

20. Photographed: No Yes **21. Treated:** No Yes **By:** EMT/Paramedic on scene Hospital Detention

SUBJECT	 <p style="text-align: center;">22. Anterior View</p>	 <p style="text-align: center;">Posterior View</p>
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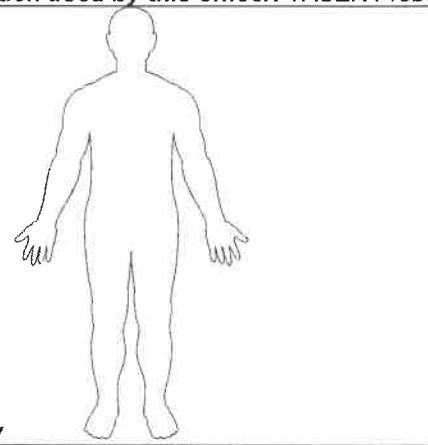
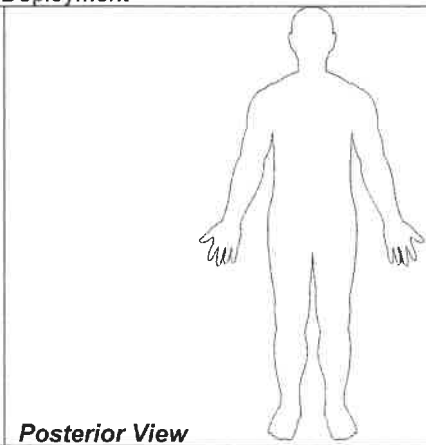
23. Officer: Scott Ham **24. Race:** W **25. Sex:** M **26. Age:** 31 **27. Height:** 6" **28. Weight:** 210

29. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain clothes **30. Yrs Exp:** 3

31. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

32. Photographed: No Yes **33. Treated:** No Yes **By:** EMT/Paramedic on scene Hospital



34. Response option used by this officer: TASER Probe Deployment

OFFICER	 <p style="text-align: center;">35. Anterior View</p>	 <p style="text-align: center;">Posterior View</p>
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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
	47. Is further review recommended: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS				
48. Preparing Supervisor's Signature / ID 			49. Date 10/30/2022		
INT. AFF.	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input checked="" 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: 2/13/2023		

INCIDENT/INVESTIGATION REPORT

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Agency Name <i>Key West Police Department</i>		Case# <i>22-006212</i>	
ORI <i>FL0440100</i>		Date / Time Reported <i>10/30/2022 01:16 Sun</i>	
Location of Incident <i>1075 DUVAL ST, Key West FL 33040-</i>		Premise Type <i>Highway / Street / Road/</i>	Beat/GP <i>B2, GPB2</i>
		Last Known Secure <i>10/30/2022 01:16 Sun</i>	
		At Found <i>10/30/2022 01:16 Sun</i>	
#1	Crime Incident(s) <i>Disorderly Conduct DCA</i> (Com)	Weapon / Tools <i>KNIFE</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

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# of Victims <i>1</i>	Type: SOCIETY/PUBLIC/STATE	Injury: Domestic: N
V1	Victim/Business Name (Last, First, Middle) <i>Society</i>	Victim of Crime # <i>1,2</i> DOB Age
		Race Sex Relationship To Offender Resident Status Military Branch/Status <i>N/A</i>
Home Address		Home Phone
Employer Name/Address		Business Phone Mobile Phone
VYR	Make	Model Style Color Lic/Lis VIN

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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)
Home Address	Home Phone
Employer Name/Address	Business Phone Mobile Phone
Type:	Injury:
Code	Name (Last, First, Middle)
Home Address	Home Phone
Employer Name/Address	Business Phone Mobile Phone

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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# <i>HAM, RANDOLPH (4009)</i>	Supervisor <i>(0)</i>
Invest ID# <i>(0)</i>	
Status Complainant Signature	Case Status <i>Cleared By Arrest 10/30/2022</i>
Case Disposition: <i>Cleared By Arrest 10/30/2022</i>	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					
	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S						

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

<i>Key West Police Department</i>		OCA 22-006212
Victim <i>Society</i>	Offense <i>DISORDERLY CONDUCT</i>	Date / Time Reported <i>Sun 10/30/2022 01:16</i>

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

REPORTING OFFICER NARRATIVE

<i>Key West Police Department</i>		OCA <i>22-006212</i>
Victim <i>Society</i>	Offense <i>DISORDERLY CONDUCT</i>	Date / Time Reported <i>Sun 10/30/2022 01:16</i>

sustained a broken nose and nothing else. Matthew was medically cleared by the ER.

I transported Matthew to Monroe County Detention Center without incident. Upon arrival, Monroe County nursing staff denied Matthew for uncontrolled bleeding from his nose. I transported Matthew back to Lower Keys Medical Center for another medical clearance. Matthew was cleaned up at the ER and medically cleared a second time.

Matthew was kicking over garbage cans and attempting to fight people passing by. Matthew was struck one time in the face for attempting to attack the unknown male's son. Matthew then retrieved a filet knife from his bicycle and began yelling to everyone, "where did he go, I'm going to kill him." Matthew was holding a filet knife in his hands and yelling when I arrived on scene. There is probable cause to believe that Matthew was in violation of F.S.S. 877.03 Disorderly Conduct.

Matthew was holding a filet knife in his right hand when I arrived and refused to take a seat after dropping the knife. I gave Matthew multiple commands to sit down and not approach me. Matthew refused to listen and began to approach me after multiple warnings. I deployed my TASER striking him in the chest and lower abdomen. Matthew was in violation of F.S.S. 843.02 Resisting without violence.

My Axon BWC, Axon Fleet in-car and TASER video camera were activated and uploaded.

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													
Reported Suspect Detail														
Weapon, Type		Feature		Make		Model		Color		Caliber		Dir of Travel		
VehYr/Make/Model		Drs		Style		Color		Lic/St		VIN		Mode of Travel		
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

