Response to Resistance Report Key West Police Department

1 . ⊠	A Response to Resistance Report will be con	pleted by the supervisor for:	(Check all that apply)							
	Applies weaponless physical force of strikes, kicks,	or "take-downs"								
	When any person sustains an apparent substantial	r fatal injury as a result of the application	of force							
	When any person complains of injury as a result of									
	Discharge of firearm in the line of duty off-duty or or 2. Date: 11/8//17 3. Time: 0220									
			Incident: Battery LEO							
INCIDENT		8. Response Option	9. <u>Explanation</u>							
	Passive:	Physical Control								
N N	Active: Kicking, punching	tensing 💹 Non-lethal Weapor	Taser							
	Aggressive: Struck officer	Deadly Force								
-	Deadly Force:									
	10. Last Name: Cobb	11. First: Robert 12. F	Race: W 13. Sex: M							
	14. DOB: 8/13/54	15. Height: 5'10" 16. V	Veight: 250							
	17. Did you observe the subject: No Yes	If NO, explain why in Section 42.								
		influence of controlled substance 🔀 Em	notionally / mentally disturbed							
		ident or Alleged, describe and indicate ar								
	20. Photographed: No Yes 21. Treated:	No ⊠ Yes <i>By:</i> ⊠ EMT/Paramedic or	scene Hospital Detention							
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SUBJECT										
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	22. Anterior View	Posterior View								
	23. Officer: Nicholas Galbo 24. Race : W	25. Sex: M 26. Age: 34 27. Heigh	t : 5'5" 28. Weight: 160							
-		luty employment 🔀 Uniformed 🔲 Plair								
-	31. Injuries: No Evident Alleged (If Ev	dent or Alleged, describe and indicate are	as 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									
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OFFICER										
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	35. Anterior View	Posterior View								

Case No: ______ 17-5500

Response to Resistance Report (continued) Key West Police Department

	36. TASER® device serial #X12002KX8	37. TASER® device serial #						
	TASER®Cam serial # V21000VTH	TASER®Cam serial #						
	Cartridge 1 serial# C4102N298	Cartridge 1 serial #						
Γ	Cartridge 2 serial # C41055713	Cartridge 2 serial #						
ONLY	Number of cycles: 4	Number of cycles:						
TASER USE	Type of contact: ☐ Probe ☐ CODS ☐ Drive Stun	Type of contact: ☐ Probe ☐ CODS ☐ D	Orive Stun					
R	Did probes penetrate skin: ⊠ Yes ☐ No	Did probes penetrate skin: ☐ Yes ☐ No						
SE								
1	Distance between probes: 1 foot each	Distance between probes:						
	Probes removed by (name): Ofc. N. Galbo	Probes removed by (name):						
	Device downloaded by: Sgt. J. Castillo	Device downloaded by:						
	☐ 38. Check and list any additional TASER® devices		escription section.					
REPORT	39. Offense/Incident Report and/or Warrant Affidavit must	actions that justify the use of force. ch officer. injuries	st.					
		. Time: 0220						
	42. Did you respond to the scene: No X Yes (If "No							
OR'S INQUIRY	43. Did you meet with the Officer: No Yes (If "No"	', explain why)						
SUPERVISOR'S	44. Were you able to locate any independent witnesses: Name Michael Radcliffe 725 Thomas Street	No ∑ Yes (If "Yes," list below) Address Phone Num (559) 817-7599						
	FORWARD COMPLETED ORIGINAL PERCENT TO INTERNAL ASSESSED	t. J. Castillo #2653	1/8/17					
-	40	i. Preparing Supervisor's Signature / ID	47. Date					
AFF	48. Did the review of this incident conclude that use of force was in compliance with Departmental policy? No Yes (If "No", complete section 51)	Signature of Internal Affairs Inspector	///28//1 50. Date					
	51. If section 48 is "No" record the Professional Standards	Control Number: 52. Date E	ntered:					

Case No: 17-5500

					Mor	roe Cou	ınty	Adult A	rres	t Form			X ARRE	ST		
KEY WEST P	D					01	DT0						☐ WARE			
ARREST #							BIS	#					COMP	LAINT AFF		
Filing Agenc			Case #		Doc. Co	ontrol#	Sta	ate ID#			FBI		I SS#			
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Email Addres	S	(T, DIC	FINE KE	1, FL 3304	3			Di	<u> </u>							
•								Phone (Cell):		Place of E	nploymer		pation		
Arrest Location	n					Area/I		Phone (\	Vork').	UNK Arresting C	fficer	UNK			
601 WHITEH							Ш	(.	· · · · · · · ·	,.	GALBO, NI		(3319)			
Violation Loca	ition					Area/		Date/Tim	ne of	Violation	TON LEDO, IN		Time Arrested			
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DL#		State	Breathal	yzer By	Read	ling M		da Advise			Vhom?	11700	Indication of:	YN		
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Domestic Viol	епсе	Weap	on Seized		Office	er Injured?	7	Language	e Spo	ken?	Caution		Drug Influence:	e: 🛛 🗌		
Drug Type:	Type:	В	-Barbiturate	H-Hallucinon	en P-Paraph	omolio/III	Unlen		A adi	.:A	A - 41 - 14					
	N-N/A	С	-Cocaine	M-Marijuana	Equipme		Onkn Other		Activ	/ity:			Use K-Dis	pense/		
	A-Amp	hetamin	e E-Heroin	O-Opium	S-Synthe	tic					P-Possess A-	N-N/A T-Traffic M-Manufacture/ Distribute P-Possess A-Smuggle Produce/ Z-Other				
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Defendant's Ve	hicle M	ake. I	Type:		TVaari	V0.1										
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Abiala Ctatura									- 1		ay Expiration	1:				
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DUNT			OFF	ENSES CH	IARGE				Statu	ito I V	Variant #	I 0 1				
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MULLEHEAD S	II. KEY	WEST.	FI 33040								day of Novem	0.000				
ove named de	efendar	nt comm	nitted the a	bove offen:	ses charged	d and the f	facts	showing	prob	able caus	e to believe t	he same	are as follows			
reunesuay 11/	0/1/,1	(Office)	r Galbo), w	as flagged	down in refe	erence to a	a vei	rbal argur	ment	in front of	601 Whitch	and Channel	Lauren autotzaile			
le subject, late	r identi	fied as	Robert Col	bb (suspec	t), was tryin	g to start a	a figh	ht with an	other	male, Mi	chael Radclif	fe (witnes	s)			
												,	-1.			
told that Cobb	had p	ossibly	put a glass	beer bottle	e in his back	k pocket w	/hen	he saw n	ne pu	II off the	roadway.					
ear the above	statem	nent is o	correct and	true to the	best of my	knowleda	e an	d helief								
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ICER/ELECT	RONIC	SIGNA	ATURE		APPP	OVING SI	IDE	DVICOR								
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foregoing inst wn to me or w	ho has	produc	ed (ID Type	e) Police	e this as identifi	day o	f d who	o DID		ar) an oath.	_, who is per	sonally				

SIXTEENTH JUDICIAL COURT MONROE County State of FLORIDA

Monroe County Adult Arrest Form

KEY	WEST	PD
ARR	EST#	

OBTS	#	
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I approached Cobb and asked him what was going on. Cobb immediately became belligerent towards me and stated, "Fuck you." I had Cobb sit down on the bench and asked him for his identification. Cobb appeared intoxicated and was slurring his speech. He began to reach into his back left pocket and stated, "I have something for you." Cobb kept moving around and I was unsure if he possibly had a weapon or beer bottle, so I changed my stance to better see him. Cobb pulled out a black wallet and when I asked him for his identification, he threw his wallet at me. I told Cobb I just needed his identification and he then immediately jumped up from the bench and began to come towards me. Cobb was shouting "Fuck you," and appeared to have an aggressive manner. Based on my training, I felt Cobb's intention was to physically harm me and fight. I was able to push Cobb back and attempted to create distance between us. Cobb then took a punch at me, with a closed fist, and I tried to move out of the way. I was able to get myself back enough from Cobb that he did not punch me directly, however he was able to physically hit me in my mouth. I was not injured and was able to get back several feet from Cobb to deploy my Taser in the dart firing mode. I Tased Cobb and it was not effective. Cobb did not receive NMI and Cobb appeared to pull the probes out with his hands, and made the motion like he was throwing them into the road. I turned my Taser off and reloaded a new Taser cartridge. I requested backup over Key West Communications COM1. With my Taser pointed at Cobb, I gave him loud verbal commands to get on the ground. Cobb was still shouting obscenities at me and was non-compliant. I continued to tell Cobb to get on the ground and he still refused. Cobb then turned his body and made a sharp movement away from me. I believed Cobb was going to stand up and attempt to flee the scene so I deployed my Taser again. Both probes make contact with Cobbs back, and it did not appear to be affecting him. With my Taser still cycling, and the
compliance from Cobb. Eventually Officer Murphy and I were able to gain control of Cobb's hands and he was secured in handcuffs.
KWFD Rescue was requested and responded to the scene because Cobb had been tased.
Radcliffe told Sergeant Castillo that Cobb was trying to start a fight in the area. Radcliffe also told Sergeant Castillo he witnessed Cobb punch me in the face and resist with officers.
While Rescue was trying to tend to Cobb and prior to him being I transported to the jail, Cobb continued to resist and shout at officers. Cobbs was still using obscenities and telling officers he was going to fight. Cobb had to be kept on his side to prevent him from attacking officers or paramedics. Cobb was kicking his feet trying to hit me with them when I went to search him. After he was cleared by paramedics on scene, Cobb was secured in the backseat of my patrol car.
I transported Cobb to MCDC.
Upon arrival at the jail, Cobb refused to exit my car. Cobb would lean his body away from me and prevent himself from moving. Cobb is a larger individual and has approximately 80 to 100 pounds on me. I requested Deputies come downstairs to assist me in getting Cobb out of my vehicle. While still in the vehicle, Cobb was shouting "Fuck you," at me and the stated, "When I get out of jail and see you in the street, i'm going to fucking kill you." Cobb made threats towards me and my safety, Threats Against a Law Enforcement Officer, violation of F.S.S 336.12 (2), when he stated to me that when he is released from jail he's going to find me in the street and kill me.
With the assistance of Deputies, Cobb exited my vehicle.
I swear the above statement is correct and true to the best of my knowledge and belief.
OFFICER/ELECTRONIC SIGNATURE APPROVING SUPERVISOR DIVISION / UNIT
STATE OF FLORIDA COUNTY OF MONROE
The foregoing instrument was acknowledged before me this day of, (year), who is personally known to me or who has produced (ID Type)Police_ as identification and whoDID_ take an oath.

SIXTEENTH JUDICIAL COURT MONROE County State of FLORIDA

Monroe County Adult Arrest Form

KEY	WEST	PD
ARR	EST#	

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Dura to Calab being to a late to the control of the
Due to Cobb being tased, I tried to take pictures of Cobb inside the jail intake area. Cobb refused to comply with me and his arms had to be
held and controlled by Deputies. As I tried to take photographs of Cobb for the incident report and RRI, Cobb kicked his foot up at me and
was able to kick my hand. Cobb tried to kick the camera out of my control. I took what photographs I could but was unable to get close ups
of any possible marks or photos of where he was tased. Cobb was not injured and he did not request or require medical treatment.
y personal medical realization of was tased. Good was not injured and ne did not require in reduce treatment.
Adv. DIMC was a skiller for the desired
My BWC was active for the incident.
I entered the photographs, along with my BWC and Taser cartridges into property as evidence.
I charged Cobb with two counts of Battery on a Law Enforcement Officer, violation of F.S.S. 784.07(2)(B) for punching me in my face on
coops and facilities are in the beautiful of a Law Enforcement Officer, violation of F.S.S. 74.07(2)(B) for punching me in my face on
scene, and for kicking me in my hand at the jail. I charged Cobb with Resisting Arrest With Violence, violation of F.S.S. 843.01, for
actively fighting with me and trying to cause me physical harm while in the process of detaining him and preforming my lawful duties. I
charged Cobb with Resisting Arrest Without Violence, violation of F.S.S. 843.02, for refusing to comply. Cobb was tensing up his arms and
trying to keep his hand tucked under his body to prevent officers from placing them in handcuffs.
///ARREST. END OF REPORT///
THE OF RELOCION
· ·
I swear the above statement is correct and true to the best of my knowledge and belief.
OFFICER/ELECTRONIC SIGNATURE APPROVING SUPERVISOR DIVISION / LINIT
Dividion of the
STATE OF <u>FLORIDA</u> COUNTY OF <u>MONROE</u>
The foregoing instrument was acknowledged before me this day of, (year), who is personally
known to me or who has produced (ID Type) Police as identification and who DID take an oath.
SIXTEENTH JUDICIAL COURT

SIXTEENTH JUDICIAL COURT MONROE County State of FLORIDA

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	Agency Name Key West Police Department ORI FL0440100								INCIDENT/INVESTIG						Case#					17-005500		
																				Date / Time Reported		
									** Contains Restricted Names **							T	ot V		1/08/2017 Secure	22:16 Wed		
C									Premise Type						Zone/Tract					22:16 Wed		
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, autus		•		4.00			Cleared	By Arrest			11/00/2	017	CI	Positie	D. 4		,	11/00	/2017	Page 1		

Incident Report Additional Name List

Key West Police Department

OCA: 17-005500

Additional Name List

** Contains Restricted Names **

				Contains Restricted Names					
	Name Code/#			Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) 1	WI	1	RADCLIFFE, MICHAEL VANCE		02/12/1954	63	W	\overline{M}
		1	Address	725 Thomas St , Key West, FL 33040-		H: 559-81	7-759	99	
		Em	pl/Addr	Unk		В:			
					Mol	bile #:			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 17-005500

Code	Status 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													
- 1													
-		-											
	Assisting Officers MURPHY, K.K. (1590), BLANCO, D. (3673), CASTILLO, J.M. (2653)												

Suspect Hate / Bias Motivated:

INCIDEN	ITIMI	/FSTIG	MOIT	REPORT
HACIDEI	a i viia i		ALICIN	REFURI

Narr. (cont.) OCA: 17-005500	Key West Police Department
NARRATIVE	

	REPORTING OFFICER NARRATIVE	OCA
Key West Police Department		17-005500
Victim	Offense	Date / Time Reported
GALBO, NICHOLAS	BATTERY FELONY	Wed 11/08/2017 22:16

On Wednesday 11/8/17, I (Officer Galbo), was flagged down in reference to a verbal argument in front of 601 Whitehead Street. I was advised a male subject, later identified as Robert Cobb (suspect), was trying to start a fight with another male, Michael Radcliffe (witness).

I was told that Cobb had possibly put a glass beer bottle in his back pocket when he saw me pull off the roadway.

I approached Cobb and asked him what was going on. Cobb immediately became belligerent towards me and stated, "Fuck you." I had Cobb sit down on the bench and asked him for his identification. Cobb appeared intoxicated and was slurring his speech. He began to reach into his back left pocket and stated, "I have something for you." Cobb kept moving around and I was unsure if he possibly had a weapon or beer bottle, so I changed my stance to better see him. Cobb pulled out a black wallet and when I asked him for his identification, he threw his wallet at me. I told Cobb I just needed his identification and he then immediately jumped up from the bench and began to come towards me. Cobb was shouting "Fuck you," and appeared to have an aggressive manner. Based on my training, I felt Cobb's intention was to physically harm me and fight. I was able to push Cobb back and attempted to create distance between us. Cobb then took a punch at me, with a closed fist, and I tried to move out of the way. I was able to get myself back enough from Cobb that he did not punch me directly, however he was able to physically hit me in my mouth. I was not injured and was able to get back several feet from Cobb to deploy my Taser in the dart firing mode. I Tased Cobb and it was not effective. Cobb did not receive NMI and Cobb appeared to pull the probes out with his hands, and made the motion like he was throwing them into the road. I turned my Taser off and reloaded a new Taser cartridge. I requested backup over Key West Communications COM1. With my Taser pointed at Cobb, I gave him loud verbal commands to get on the ground. Cobb was still shouting obscenities at me and was non-compliant. I continued to tell Cobb to get on the ground and he still refused. Cobb then turned his body and made a sharp movement away from me. I believed Cobb was going to stand up and attempt to flee the scene so I deployed my Taser again. Both probes make contact with Cobbs back, and it did not appear to be affecting him. With my Taser still cycling, and the cartridge on, I used my Taser in the cartridge on drive stun mode to try and achieve NMI. Cobb was not handcuffed and he was trying to swing his arms and punch me to get away. Officer Murphy arrived on scene and we were able to escort Cobb forward off the bench and onto the ground. Cobb pulled his left arm underneath his body and held it to his chest. I delivered another cartridge on drive stun to Cobb's upper body to try and gain compliance from Cobb. Eventually Officer Murphy and I were able to gain control of Cobb's hands and he was secured in handcuffs.

KWFD Rescue was requested and responded to the scene because Cobb had been tased.

Radcliffe told Sergeant Castillo that Cobb was trying to start a fight in the area. Radcliffe also told Sergeant Castillo he witnessed Cobb punch me in the face and resist with officers.

While Rescue was trying to tend to Cobb and prior to him being I transported to the jail, Cobb continued to resist and shout at officers. Cobbs was still using obscenities and telling officers he was going to fight. Cobb had to be kept on his side to prevent him from attacking officers or paramedics. Cobb was kicking his feet trying to hit me with them when I went to search him. After he was cleared by paramedics on scene, Cobb

	REPORTING OFFICER NARRATIVE	OCA
Key West Police Department		17-005500
Victim	Offense	Date / Time Reported
GALBO, NICHOLAS	BATTERY FELONY	Wed 11/08/2017 22:16

was secured in the backseat of my patrol car.

I transported Cobb to MCDC.

Upon arrival at the jail, Cobb refused to exit my car. Cobb would lean his body away from me and prevent himself from moving. Cobb is a larger individual and has approximately 80 to 100 pounds on me. I requested Deputies come downstairs to assist me in getting Cobb out of my vehicle. While still in the vehicle, Cobb was shouting "Fuck you," at me and the stated, "When I get out of jail and see you in the street, I'm going to fucking kill you." Cobb made threats towards me and my safety, Threats Against a Law Enforcement Officer, violation of F.S.S 836.12 (2), when he stated to me that when he is released from jail he's going to find me in the street and kill me.

With the assistance of Deputies, Cobb exited my vehicle.

Due to Cobb being tased, I tried to take pictures of Cobb inside the jail intake area. Cobb refused to comply with me and his arms had to be held and controlled by Deputies. As I tried to take photographs of Cobb for the incident report and RRI, Cobb kicked his foot up at me and was able to kick my hand. Cobb tried to kick the camera out of my control. I took what photographs I could but was unable to get close ups of any possible marks or photos of where he was tased. Cobb was not injured and he did not request or require medical treatment.

My BWC was active for the incident.

I entered the photographs, along with my BWC and Taser cartridges into property as evidence.

I charged Cobb with two counts of Battery on a Law Enforcement Officer, violation of F.S.S. 784.07(2)(B) for punching me in my face on scene, and for kicking me in my hand at the jail. I charged Cobb with Resisting Arrest With Violence, violation of F.S.S. 843.01, for actively fighting with me and trying to cause me physical harm while in the process of detaining him and preforming my lawful duties. I charged Cobb with Resisting Arrest Without Violence, violation of F.S.S. 843.02, for refusing to comply. Cobb was tensing up his arms and trying to keep his hand tucked under his body to prevent officers from placing them in handcuffs.

///ARREST. END OF REPORT///

Incident Report Suspect List

Key West Police Department

OCA: 17-005500

1	Name (Last, First, Middle) COBB, ROBERT H J						Als	Also Known As					Home Address GENERAL DELIVERY		
										BIG PINE KEY, FL 33043					
	Business Address UNK, UNK														
	DOB Age Race Sex Eth Hgt Wgt Hair Eye Skin										Driver's License / State.				
									MEL		C100768542930 FL				
	Scars, Marks, Ta	attoos, or o	other dist	inguishi	ng feat	ures	-			- 1					
\dashv	D		., C.	omaat A	~~	l r	Race	Sex	Eth	Heigh			Waiaht		l ssn
	Reported Susp	ect Deta	ail si	ispect A	ge		Cace	Sex	Eun	neigi	ıı		Weight SS		3314
	Weapon, Type Feature Make					N	Model			Colo	Color Ca		liber	Dir of Travel	
												Mode of Travel	1		
	VehYr/Make/Model Drs Style				е	Color			Lic/St	Lic/St		VIN			
	Notes Physical											har			

OCA: 17-005500

1	Property Description				Make			Model			Caliber
	PHOTOGRAPH U	PLOAD 3318									
	Color	Serial No.		Value			Qty	-	Unit	Jurisd	iction
			_			\$1.00		4.000			Locally
	Status	Date	NIC#		State #			Local #		OAN	
	Evidence	11/08/2017									
	Name (Last, First, Middle)				DOB			Age	Race	Sex
	Radcliffe, Michael	Vance					02/12/	1954	63	W	M
	Notes										

2	Property Description				Make			Model			Caliber
	TASER CARTRIDGE				TASER		CARTRIDGE				
	Color	Serial No.		Value			Qty		Unit	Juriso	liction
-	Black					\$2.00		2.000			Locally
	Status	Date	NIC#		State #			Local #		OAN	
	Evidence	11/08/2017							0.5		
1	Name (Last, First, Middle)				DOB			Age	Race	Sex
	Radcliffe, Michael	Vance					02/12/	1954	63	W	M

Notes

used taser cartridge sn#C4102N298 sn#C41055713

3	Property Description				Make			Model			Caliber
	BWC UPLOAD 3318										
	Color	Serial No.		Value			Qty		Unit	Jurisd	iction
						\$1.00		1.000			Locally
	Status	Date	NIC#		State #			Local #		OAN	
	Evidence	11/08/2017									
	Name (Last, First, Middle)				DOB			Age	Race	Sex
Į	Radcliffe, Michael			02/12/	1954	63	W	M			

Notes