

Response to Resistance Report

Key West Police Department

Case No: 18-0051

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: 1/3/18 3. Time: 14:17hrs 4. Location: 1075 Duval St 5. Incident type: Trespasser Arrest

6. Resistance Level 7. Explanation 8. Response Option 9. Explanation

☐ Passive: ☐ Physical Control
☒ Active: Subject pulled away while being arrested ☒ Non-lethal Weapon Subject tased for resisting
☐ Aggressive: ☐ Deadly Force
☐ Deadly Force:

10. Last Name: Pelton 11. First: Brady 12. Race: W 13. Sex: M
14. DOB: 11/19/82 15. Height: 5'07 16. Weight: 140
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

22. Anterior View Posterior View

Probe
Probe

23. Officer: Billy Vasquez 24. Race: W 25. Sex: M 26. Age: 28 27. Height: 5'09" 28. Weight: 175
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 5 1/2
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: (If TASER®, also reference line number from TASER® section)

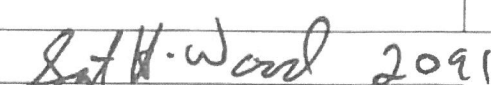

35. Anterior View Posterior View

Sore
Knee

Response to Resistance Report (continued)

Key West Police Department

Case No: 18-0051

TASER USE ONLY	36. TASER® device serial # X12002KXF		37. TASER® device serial #	
	TASER®Cam serial # None		TASER®Cam serial #	
	Cartridge 1 serial # C41058C69		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles: 1		Number of cycles:	
	Type of contact: <input checked="" type="checkbox"/> Probe <input type="checkbox"/> CODS <input checked="" 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: 1 foot		Target distance at probe launch:	
	Distance between probes: 2 inches		Distance between probes:	
	Probes removed by (name): Rescue 1		Probes removed by (name):	
	Device downloaded by: AXON in evidence.com		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: 1/3/18		41. Time: 14:17hrs	
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	44. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
Name		Address		Phone Number
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		 2091		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		46. Preparing Supervisor's Signature / ID		47. Date 1/1/18
INT. AFF.	48. 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)		 #2935	
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered: 2/20/18	

☒ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

OBTS #

Filing Agency KEY WEST PD			Case # 18-000051		Doc. Control #		State ID #		FBI			SS #		
Defendant's Last Name PELTON				First BRADLY		Middle LEE		SUF		Alias			Citizenship	
Race	Eth	Sex M	Hgt 505	Eyes BRO	Hair	Wgt 135	Comp	Age 35	DOB 11/19/1982	Birthplace		Scars, Marks, TT		
Facial Hair		Build		Marital St		Hand Use		Glasses	Speech		Parole/Probation		Language Spoken	
Permanent Address 9982 SCHOLAR DR, PINCKNEY, MI 48169								Phone (Home):		Local Address:				
Email Address								Phone (Cell):		Place of Employment		Occupation		
Arrest Location 1075 DUVAL ST						Area/ <input type="checkbox"/>		Phone (Work):		Arresting Officer VAZQUEZ, BILLY (3467)				
Violation Location 1075 DUVAL ST, KEY WEST, FL 33040						Area/ <input type="checkbox"/>		Date/Time of Violation 01/03/2018 14:10			Date/Time Arrested 01/03/2018 16:38			
DL # P435098497886		State MI		Breathalyzer By		Reading		Miranda Advisement		By Whom?		Indication of: Alcohol Influence: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> Drug Influence: <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Domestic Violence		Weapon Seized NOT APPLICABLE/NONE				Officer Injured?		Language Spoken?		Caution				
Drug Type:		Type: B-Barbiturate H-Hallucinogen P-Paraphernalia/ U-Unknown N-N/A C-Cocaine M-Marijuana Equipment Z-Other A-Amphetamine E-Heroin O-Opium S-Synthetic						Activity:		Activity: B-Buy E-Use K-Dispense/ N-N/A T-Traffic M-Manufacture/ Distribute P-Possess A-Smuggle Produce/ Z-Other S-Sell D-Deliver Cultivate				

Defendant's Vehicle Make:	Type:	Year:	Color:	Vehicle Registration State:
VIN #			Tag #	Vehicle Tag Expiration:
Vehicle Status:			Other identifiers or remarks:	

#	CODEFENDANT:	ADDRESS	PHONE #	RACE	SEX	DOB
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COUNT	OFFENSES CHARGE	Statute	Warrant #	Court Date and Time	Citation #
1/M	DRUG PARAPHERNALIA; DEFINED	893.145			
2/M	RESIST / OBSTRUCT OFFICER W/O VIOLENCE	843.02			
3/F	EVIDENCE TAMPER OR FABRICATE PHYSICAL EVIDENCE	918.13			
4/M	TRESPASS IN STRUCTURE OR CONVEYANCE	810.08			

On January 3rd, 2018 at about 1416 hours, I, Ofc. B Vazquez, responded to 1075 Duval Street, in reference to a trespasser on the front staircase.

Upon arrival, I observed a white male, later identified by his Michigan DL as Bradly Lee Pelton. I asked Pelton for his Identification and

I swear the above statement is correct and true to the best of my knowledge and belief.

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 who DID take an oath.

SIXTEENTH JUDICIAL COURT
MONROE County
State of FLORIDA

Monroe County Adult Arrest Form

KEY WEST PD

ARREST #

OBTS #

explained to him that he was trespassing. Pelton became agitated and was hesitant to give me his ID.

Ofc. Fernandez arrived on scene. Ofc. Fernandez began to speak with Pelton and I went inside to speak with the reporting person Craig Pledger. Pledger was not inside the store but was standing behind Ofc. Fernandez. I exited the store and began to speak with Pledger. Pledger stated Pelton was cursing at him and refusing to leave the staircase. Pledger stated he then called the police.

While I was speaking with Pledger, I observed Ofc. Fernandez removed his handcuffs and attempted to place Pelton into custody. Pelton began to turn away, by twisting his body away from Ofc. Fernandez. I ran over to assist. Ofc. Fernandez was able to grab Pelton's right arm. Pelton suddenly and swiftly moved his left arm to the front of his body, out of my field of sight. I gave loud verbal commands for Pelton to place his hand behind his back. Pelton refused. I observed Pelton's left hand come from in front of his body, and I observed a green unknown object clinked in his fist. Pelton suddenly began to violently swing his clenched fist in an outward motion away from his body. Due to the uncertainty of the object and Pelton refusing to follow our commands, I removed my department issued TASER X26P and deployed it. The TASER probes struck Pelton in the middle of his back. I continued to give loud verbal commands for Pelton to drop the object and place his hands behind his back. Pelton suddenly threw the unknown object under an adjacent ice freezer. Ofc. Fernandez and I were finally able to place Pelton into custody.

There is probable cause to believe Pelton did unlawfully and intentionally commit the following:

Pelton did unlawfully and intentionally resist Ofc. Fernandez and my effort in placing him in handcuffs.

Pelton did unlawfully possess a FTP cocaine glass smoking pipe.

Pelton did unlawfully and intentionally tamper with the FTP pipe, by throwing it under the adjacent ice machine.

Pelton did unlawfully trespass on the ground of 1075 Duval Street, after being asked to leave multiple times by the property manager.

Pelton was transported to MCDC after being cleared by LKMC.

Cleared by arrest.

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 who DID take an oath.

SIXTEENTH JUDICIAL COURT
MONROE County
State of FLORIDA

INCIDENT DATA

V
I
C
T
I
M

OTHERS INVOLVED

PROPERTY

Incident Report Additional Offense List

Key West Police Department

OCA: 18-000051

Offense List (Continued)

Page 2

Counter	Offense Description	Fel/Misd	Statute	Completed/Attempted
# 4	TRESPASSING		XOT	Com

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 18-000051

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
	E	EVI	1.000		TASER CARTRIDGE	

Assisting Officers

WOOD, H. (2091), HAMMERS, J.L. (3631), FERNANDEZ, J.J. (2607)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

		OCA 18-000051
Victim STATE OF FLORIDA	Offense DRUG POSSESSION OF PARAPHERNALIA /	Date / Time Reported Wed 01/03/2018 14:10

On January 3rd, 2018 at about 1416 hours, I , Ofc. B Vazquez, responded to 1075 Duval Street, in reference to a trespasser on the front stair case.

Upon arrival, I observer a white male, late identified by MI DL as Bradly Lee Pelton. I asked Pelton for his Identification and explained to him that he was trespassing. Pelton became agitated and was hesitant to give me his ID.

Ofc. Ferenandez arrived on scene. Ofc. Ferenandez began to speak with Pelton and I went inside to speak with the reporting person Craig Pledger. Pledger was not inside the store but was standing behind Ofc. Fernandez. I exited the store and began to speak with Pledger. Pledger stated Pelton was cursing at him and refusing to leave the staircase. Pledger stated he then called the police.

While I was speaking with Pledger, I observed Ofc. Fernandez removed his handcuffs and attempted to place Pelton into custody. Pelton began to turn away, by twisting his body away from Ofc. Ferenandez. I ran over to assist. Ofc. Fernandez was able to grab Pelton`s right arm. Pelton suddenly and swiftly moved his left arm to the front of his body out of my field of sight. I gave loud verbal commands for Pelton to place his hand behind his back. Pelton refused. I observed Peltons` left hand come from in front of his body, and I observed a green unknown object clinched in his fist. Pelton suddenly began to violently swing his clinched fist in an outward motion away from his body. Pelton`s level of resistance was increasing and it was apparent, that he was refusing to comply with us. Due to the uncertainty of the object and Pelton refusing to follow our commands, I removed my department issued TASER X26P and deployed it. The TASER probes struck Pelton in the middle of his back. I continued to give loud verbal commands for Pelton to drop the object and place his hands behind his back. Pelton suddenly threw the unknown object under an adjacent ice freezer. Ofc. Fernandez and I were finally able to place Pelton into custody.

I requested for rescue to respond to the scene to tend to Pelton.

Sgt. wood responded to the scene.

Ofc. Fernandez stayed with Pelton while Rescue treated him.

I walked backed over to the ice freezer and was able to locate the object that Pelton threw under it. The object was a glass smoking pipe that later FTP for cocaine. I placed the object into KYPD property section as evidence.

Once cleared by rescue Ofc. Fernandez placed Pelton into the rear of his patrol car. Once in his patrol car, Pelton began to bang his head on the partition several times. We attempted to restrain Pelton and calm him down. Sgt. Wood was able to calm Pelton down. Pelton had sustained a laceration to his forehead as a result of banging his head on the partition . Rescue returned to the scene. Ofc. Fernandez transported Pelton to LKMC for treatment.

Once cleared from the hospital, Once Fernandez transported him to MCDC without incident.

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

18-000051

Victim

STATE OF FLORIDA

Offense

DRUG POSSESSION OF PARAPHERNALIA /

Date / Time Reported

Wed 01/03/2018 14:10

I placed Pelton's personal belongings into the property section for safekeeping.

I placed the Glass smoking pipe FTP cocaine into the property section as evidence.

I placed the TASER cartridge and AFIDS into the property section as evidence.

This incident was captured on my AXXON BWC.

Pledger completed a sworn witness statement.

I spoke with the store manager of Circle K, who advised the camera in the front of the business did not capture this incident.

Cleared by arrest.

Incident Report Suspect List

Key West Police Department

OCA: 18-000051

1	Name (Last, First, Middle) PELTON, BRADLY LEE						Also Known As				Home Address 9982 SCHOLAR DR PINCKNEY, MI 48169 734-353-7800																																									
	Business Address																																																			
	DOB 11/19/1982	Age 35	Race W	Sex M	Eth H	Hgt 505	Wgt 135	Hair BLK	Eye BRO	Skin LGT	Driver's License / State. P435098497886 EXPIRED LI MI																																									
	Scars, Marks, Tattoos, or other distinguishing features																																																			
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</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 colspan="2">SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="3">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td colspan="3">Dir of Travel 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="4">VIN</td> </tr> </table>														Reported Suspect Detail		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			
Reported Suspect Detail		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: 18-000051

1 Property Description TASER CARTRIDGE		Make		Model		Caliber	
Color Black	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Evidence	Date 01/03/2018	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) Pelton, Bradly Lee			DOB 11/19/1982	Age 35	Race W	Sex M	

Notes

taser cartridge w afids

2 Property Description RECORDINGS:AUDIO/VIDEO		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Evidence	Date 01/03/2018	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes

axxon bwc video

3 Property Description GLASS SMOKING PIPE FTP COCAINE		Make		Model		Caliber	
Color Green	Serial No.	Value \$0.00	Qty 0.000	Unit	Jurisdiction Locally		
Status Evidence	Date 01/03/2018	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) Pelton, Bradly Lee			DOB 11/19/1982	Age 35	Race W	Sex M	

Notes

glass smoking pipe ftp cocaine

4 Property Description LUGGAGE PERSONAL BELONGINGS		Make		Model		Caliber	
Color Red	Serial No.	Value \$0.00	Qty 0.000	Unit	Jurisdiction Locally		
Status Safekeeping	Date 01/03/2018	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) Pelton, Bradly Lee			DOB 11/19/1982	Age 35	Race W	Sex M	

Notes

luggage personal belongings

CASE SUPPLEMENTAL REPORT

Printed: 02/19/2018 10:20

Key West Police Department

OCA: **18000051**

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

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *01/03/2018*Offense: *DRUG POSSESSION OF PARAPHERNALIA / EQUIPMENT*Investigator: *FERNANDEZ, JOSE J (2607)*Date / Time: *01/04/2018 07:51:18, Thursday*Supervisor: *REAM-FISHER, KATHLEEN*Supervisor Review Date / Time: *01/04/2018 10:12:19, Thursday*

Contact:

Reference: *General Supplemental Report*

On 01/03/18, at approximately 1410 hours, I (Ofc. J. Fernandez) was dispatched to 1075 Duval St., Circle K, in reference to trespasser.

Upon arrival I saw Ofc. B. Vazquez speaking to two white males in front of Circle K entrance steps. One male was sitting on the steps and the other was pacing and acting in a bizarre manner. The male which was sitting down identified himself as Micky L. Thompson, DOB 06/20/83, and the other as Bradley L. Pelton, DOB 11/19/82.

At the time Pelton was smoking a cigarette and I asked him several times to please put out his cigarette and sit down next to Thompson. Pelton refused to comply with my request and continued to pace, he then began reaching in and out of his left front pocket of his jeans. I asked Pelton to stop placing his hands into pockets and he again refused to comply with my verbal orders.

I then asked Pelton to place both of his hands behind his back and once again he refused to comply, as I attempted to handcuff his right hand, he turned from me and began to reach into his left front pocket with his left hand. Ofc. Vazquez noticed Pelton reaching in his pocket for an unknown object, I observed Ofc. Vazquez remove his TASER and deploy it. The TASER probe struck Pelton in the back area. I immediately grabbed Pelton's left hand and was able to handcuff both of his hands behind his back.

I noticed what appeared to be a small broken piece of a glass pipe, just near Pelton's head. I shifted Pelton into a sitting position on the steps to avoid him from any injury since he was laying on his stomach with both of his hands handcuffed behind his back. Ofc. B. Vazquez advised Key West Police Communications division we needed a rescue unit to respond to our location. Key West Rescue 1 responded and treated Pelton on scene, they treated him within the rescue unit and removed both TASER prongs from the center of Pelton's back.

Once cleared, I escorted Pelton to my marked Key West Police unit 5140 and secured him in the rear passenger side. Sgt. H. Wood responded and took several photographs of Pelton and documented the exact location of where the TASER prongs struck Pelton. After Sgt. H. Wood spoke to Pelton we shut the rear passenger door and we all walked over to the driver's side of my patrol unit 5140, Pelton then for no apparent reason began to bang his head against the rear prisoner cage. Sgt. H. Wood and I immediately opened the rear passenger door and asked Pelton to stop banging his head. We noticed Pelton was bleeding from his forehead. Sgt. H. Wood advised Key West Police Communications division we needed a rescue unit to respond back to our location. Key West Rescue 1 returned and treated Pelton on scene. Due to Pelton's actions he sustained a small laceration on the center of his forehead.

I transported Pelton to Lower Keys Medical Center for further medical treatment and so he could be medically cleared

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 02/19/2018 10:20

*Key West Police Department*OCA: **18000051**

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Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:** *01/03/2018***Offense:** *DRUG POSSESSION OF PARAPHERNALIA / EQUIPMENT*

Investigator: *FERNANDEZ, JOSE J (2607)***Date / Time:** *01/04/2018 07:51:18, Thursday***Supervisor:** *REAM-FISHER, KATHLEEN***Supervisor Review Date / Time:** *01/04/2018 10:12:19, Thursday***Contact:****Reference:** *General Supplemental Report*

prior to transporting him to Monroe County Detention Center.

Once cleared, I transported Pelton to Monroe County Detention Center without incident.

Investigator Signature

Supervisor Signature