

COMPLAINT/ARREST AFFIDAVIT – CIRCUIT/COUNTY COURT – PINELLAS COUNTY, FLORIDA

OBTS #		REPORT # TS20-11563	DOCKET # 1836007
Person ID 1238778		SSN# XXXXXXXXXX	
Charge Description	☐ Felony ☒ Misdemeanor ☐ Warrant ☐ Traffic ☐ Ordinance	Traffic Citation # (if any)	Court Case #
Charge RESISTING AN OFFICER; WITHOUT VIOLENCE (OBSTRUCTION)			20-05062-MM-1
Defendant's Name (Last, First, Middle) HAMM, DAVID MILLARD		DOB 11/09/1974	Sex M Race W Ht 508 Wt 175 Hair BRO Eyes Skin MED
Alias	DL # H-500-173-74-409-0	State FL	Scars/Marks/Tattoos/Physical Features
Local Address (Street, City, State, Zip Code) 37550 LAYTON RD DADE CITY FL 33525		Telephone	Place of Birth FL Citizenship US
Permanent Address (Street, City, State, Zip Code) 37550 LAYTON RD DADE CITY FL 33525		Telephone	Employed by / School
Weapon Seized Type ☐ Yes ☒ No		Indication of Drug Influence ☒ Y ☐ N ☐ UNK	Indication of Mental Health Issues ☐ Y ☒ N ☐ UNK
Co-Defendant's Name (Last, First, Middle)		DOB	Sex Race In Custody ☐ Yes ☐ No ☐ Felony ☐ Misdemeanor
Co-Defendant's Name (Last, First, Middle)		DOB	Sex Race In Custody ☐ Yes ☐ No ☐ Felony ☐ Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 25 day of APRIL, 2020,

at approximately 7:09 AM, at BECKETT WAY / STARLIGHT COVE DR, in Pinellas County did:

UNLAWFULLY OBSTRUCT OR OPPOSE OFFICER O'NEILL, A DULY AND LEGALLY CONSTITUTED LAW ENFORCEMENT OFFICER OF THE TARPON SPRINGS POLICE DEPARTMENT, WHILE IN THE LAWFUL EXECUTION OF A LEGAL DUTY, WHICH CONSISTED OF INVESTIGATING A DISORDERLY SUSPICIOUS PERSON, WITHOUT OFFERING OR DOING VIOLENCE TO THE PERSON OF THE OFFICER.

WHILE ON PATROL I OBSERVED A MOTORIST FLAGGING AND POINTING TOWARDS THE DEFENDANT WHO WAS WALKING ON THE ROADSIDE. THE DEFENDANT WAS OBSERVED BY THIS OFFICER TO BE RAISING HIS HANDS IN THE AIR AND YELLING AND CURSING LOUDLY. I STOPPED TO MAKE CONTACT WITH THE SUBJECT AND UPON SPEAKING WITH HIM, HE BECAME AGITATED AND ADVISED HE WANTED TO KNOW WHAT I WAS GOING TO DO WITH HIS NAME AND DOB INFO. HE CONTINUED TO VERBALLY DEMAND THAT I TELL HIM WHAT I WAS GOING TO DO AND CONTINUED TO YELL AND SCREAM.

AT THIS TIME I ELECTED TO PLACE THE SUBJECT IN HANDCUFFS FOR SAFETY REASONS AND ADVISED HIM TO STOP AND PLACE HIS HANDS BEHIND HIS BACK. THE SUBJECT REFUSED AND BEGAN TO STEP AWAY. I ADVISED HIM TO STOP AND REACHED OUT TO THE SUBJECT HOLDING HIM ON HIS UPPER LEFT ARM AND FOREARM. HE PULLED HIS ARM AWAY FROM MY GRIP AND STEPPED AWAY FROM ME. A SECOND OFFICER THEN DIRECTED THE SUBJECT TO STOP AND DISPLAYED HIS TASER. THE SUBJECT STOPPED AND WAS PLACED ON HIS KNEES WITH HIS HANDS BEHIND HIS BACK. AS I ATTEMPTED TO HANDCUFF THE SUBJECT, I WAS ABLE TO APPLY ONE CUFF TO HIS LEFT WRIST. THE SUBJECT THEN PULLED AWAY AND RESISTED MOVING HIS ARMS AND TORSO AWAY FROM ME. HE STATED "FUCK THIS" AND BEGAN TO STAND UP. THE SUBJECT WAS FACING ME WITH HIS ARMS OUT TO THE SIDE, HOLDING HIS HANDS IN FISTS. I STEPPED AWAY FROM THE SUBJECT AND THE TASER WAS SUBSEQUENTLY DEPLOYED. THE SUBJECT WAS THEN TAKEN INTO CUSTODY.

Contrary to Florida Statute/Ordinance 843.02.

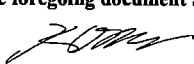
ARREST DATE: 4/25/2020 Time 7:10 AM Aggravating/Mitigating Factors

Booking Officer: ZENOSKI, A 59785 Amount of Bond 150 Bond Out Date Time

Victim Notified of Advisory? ☐ Yes ☐ No Injuries to Victim? ☐ Yes ☐ No Medical Treatment to Victim? ☐ Yes ☐ No

The Court reviewed this complaint and finds there: ☐ is probable cause ☐ is not probable cause to detain defendant ☐ Bond Action, if any:

The probable cause determination is passed for: ☐ 24 Hrs ☐ 24 Hrs on showing of extraordinary circumstances Received by Booking: 4/25/2020 8:48:22 AM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.  TARPON SPRINGS POLICE Declarant Signature Agency OFC. K. O'NEILL 400 311408728 Printed Name Declarant ID#	REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1) <table style="width:100%;"> <tr> <th>DATE</th> <th>OFFICER</th> <th>HOURS X PAY RATE</th> <th>OR</th> <th>COST</th> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table> OTHER – Describe Continuation sheet ☐ Yes ☐ No TOTAL \$ <u>\$0.00</u>	DATE	OFFICER	HOURS X PAY RATE	OR	COST															
DATE	OFFICER	HOURS X PAY RATE	OR	COST																	

Defendant HAMM, DAVID MILLARD

Court Case No: 20-05062-MM-1

ADVISORY AND SOLVENCY HEARING

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

I FURTHER CERTIFY THAT:

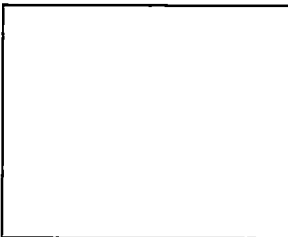
- ☐ A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- ☐ B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- ☐ C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- ☐ D. The Defendant waived the right to counsel at the first appearance only.



DATE AND TIME

JUDGE

- ☐ I hereby waive the right to counsel at the first appearance only.
- ☐ I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

DEFENDANT'S SIGNATURE

DEFENDANT'S ATTORNEY'S SIGNATURE

DATE