

# Response to Resistance Report

Key West Police Department

Case No: 14-401455

**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: 9/15/14      3. Time: 1946 hrs      4. Location: 3000 Block Riviera Dr      5. Incident type: Resist without / DUI

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

- |   |                |   |           |
|---|----------------|---|-----------|
| <input type="checkbox"/> Passive:           | _____          | <input checked="" type="checkbox"/> Physical Control  | Take Down |
| <input checked="" type="checkbox"/> Active: | Flee / Pushing | <input checked="" type="checkbox"/> Non-lethal Weapon | TASER     |
| <input type="checkbox"/> Aggressive:        | _____          | <input type="checkbox"/> Deadly Force                 | _____     |
| <input type="checkbox"/> Deadly Force:      | _____          |   |           |

10. Description of Incident: (If additional space is needed, continue in section 51 or use separate page if needed)

SEE ATTACHED KWPD MEMO FOR NARRATIVE.

11. Last Name: Sheeren      12. First: Patrick      13. Race: W      14. Sex: M

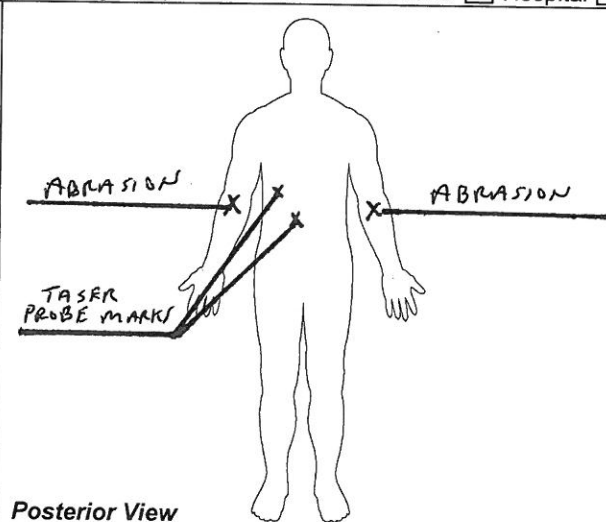
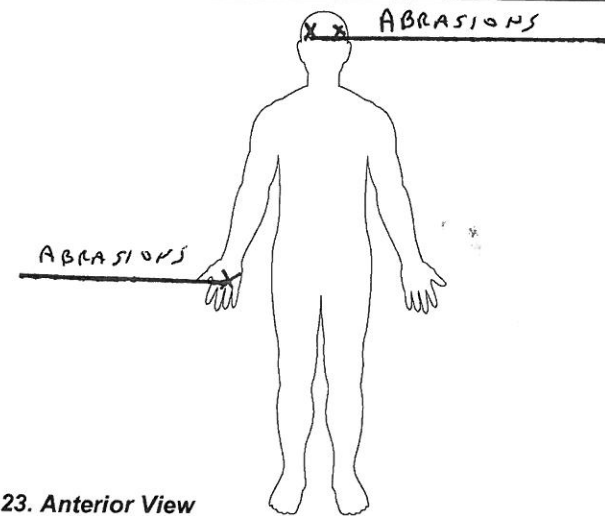
15. DOB: 5/26/87      16. Height: 6'00"      17. Weight: 180

18. Did you observe the subject:  No  Yes      If NO, explain why in Section 5. If "YES", complete sections 19-23

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

20. Injuries:  No  Evident     Alleged    (If Evident or Alleged, describe and indicate areas on charts in Section 23)

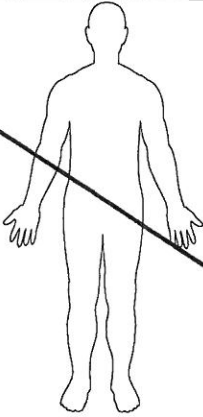
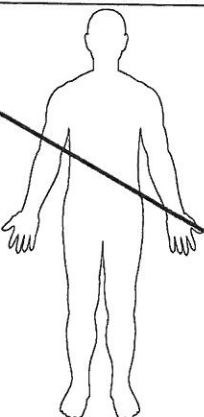
21. Photographed:  No  Yes    22. Treated:  No  Yes    By:  EMT/Paramedic on scene     Hospital     Detention



# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-401455

<b>OFFICER</b>	24. Officer: Alex Rodriguez			25. Race: W		26. Sex: M		27. Age: 23	
	28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment			<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes		29. Yrs Exp: 2			
	30. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 33)								
	31. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			32. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital			
33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) 35									
 34. Anterior View					 Posterior View				
<b>TASER USE ONLY</b>	35. TASER® device serial # X00-580580				36. TASER® device serial #				
	TASER®Cam serial # V09-013656				TASER®Cam serial #				
	Cartridge 1 serial # C4100MKDV				Cartridge 1 serial #				
	Cartridge 2 serial # N/A				Cartridge 2 serial #				
	Number of cycles: 1				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: 3 Feet				Target distance at probe launch:				
	Distance between probes: 5 inches				Distance between probes:				
	Probes removed by (name): Ofc. Rodriguez				Probes removed by (name):				
Device downloaded by: Sgt. B. Lariz				Device downloaded by:					
<input type="checkbox"/> 37. Check and list any additional TASER® devices, cartridges or details in the incident description section.									
<b>SUPERVISOR'S INQUIRY</b>	38. Notified Date: 9/15/14				39. Time: 1946 hrs				
	40. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)								
	41. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)								
	42. 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		
	Cory Heydon			3060 Riviera Dr. Key West, FL 33040			(305) 240-1319		
Carrie Mann			210 Angela St. Key West, FL 33040			(561) 299-8270			
43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes									
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS				SGT, B. LARIZ B. Lariz 2705			9/15/14		
				44. Preparing Supervisor's Signature / ID			45. Date		
<b>INT. AFF.</b>	46. 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 49)				47. Signature of Internal Affairs Inspector			48. Date	
					1619			9/18/14	
49. If section 46 is "No" record the Professional Standards Control Number:						50. Date Entered:			



Donald J. Lee, Jr.

Chief of Police



Key West

**POLICE DEPARTMENT**

**TO:** Sergeant J. Tripp, Professional Standards  
**FROM:** Sergeant B. Lariz  
**DATE:** September 15, 2014  
**RE:** RRI narrative for Case # 14-401455

On September 15, 2014 at approximately 1948 hours, I Sgt. B. Lariz responded to the 3000 block of Riviera Drive in reference to an arrestee, Patrick Sheeren being TASED. Upon arrival I met with Officers A. Rodriguez. Officer C. Richardson was with Sheeren who was sitting on the ground being treated by Care Ambulance. Once he was treated Ofc. Richardson put Sheeren in the rear of Ofc. Rodriguez's patrol car. Shortly after I partially opened the rear patrol door and talked to Sheeren. I asked Sheeren if he was injured and he said no. I asked Sheeren what happen. Sheeren was not able to describe the incident. I asked Sheeren where he lived and he was not able to answer the question. Sheeren started putting his right foot out of the patrol car. I told Sheeren to put his foot back inside, I shut the door and did not talk to him anymore. While I was talking to Sheeren I noticed he had slurred speech, blood shot eyes and there was a strong odor of alcohol emanating from his breath. This conversation was recorded on Ofc. Rodriguez's Coban, in car video system.

Ofc. Richardson said while investigating the incident Sheeren attempted to leave the scene. Sheeren told Ofc. Richardson that he was leaving and started to walk away. Ofc. Richardson told him to stop and put his hands in front of Sheeren. Sheeren pushed Ofc. Richardson's hands away. Sheeren then pushed away from him, so Ofc. Richardson conducted a leg sweep take down. Once on the ground Sheeren was grabbing and pushing at Ofc. Richardson trying to break free and grabbed Ofc. Richardson around his torso. Ofc. Rodriguez advised he was going to use his TASER. Ofc. Rodriguez deployed his TASER and the probes struck Sheeren's left middle and lower back. Ofc. Richardson was then able to handcuff Sheeren.



**RESPECT - INTEGRITY - FAIRNESS - SERVICE**

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111  
[www.keywestcity.com](http://www.keywestcity.com)





**Donald J. Lee, Jr.**  
**Chief of Police**



**Key West**  
**POLICE DEPARTMENT**

I met with the two witnesses, Cory Heydon and Carrie Mann separately. Heydon and Mann's statements were consistent with each other. They said that the officers showed restraint and felt they could have used more force. Heydon said Sheeren pushed Officer Richardson and the force used by the officers was "Perfectly warranted." Mann said the officers were "Polite" and "Cordial." They both wrote sworn statements, which were sent to the KWPD Records Section to be filed with the report.

Due to Sheeren resisting arrest, I did not remove him from the car to take photos. I advised Ofc. Rodriguez to take photos of Sheeren once they were at the jail, which he did. Later I placed those photos, photos of Ofc. Richardson's injuries, which I took and the TASER video all on one disc. I provided Ofc. Rodriguez with the disc and he placed it in the KWPD Property Section as evidence.

Although Sheeren told me he was not injured he had several minor abrasions on the top of his right hand, on the right side of his forehead, above his left eye, right elbow and left elbow.

Officer Richardson sustained an abrasion on his left elbow and it was slightly swollen. He did not require medical treatment. I completed a notice of injury report.

Ofc. Rodriguez arrested Sheeren and charged him with D.U. I. and resisting arrest without violence.



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[www.keywestcity.com](http://www.keywestcity.com)



# Response to Resistance Report

Key West Police Department

Case No: 14-004247

**1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)**

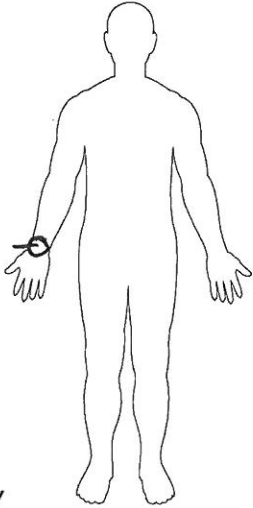
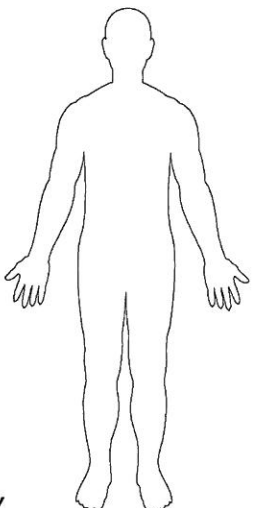
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of force
- Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)

**2. Date:** 9/6/14      **3. Time:** 1140      **4. Location:** 2900 N. Roosevelt Bv      **5. Incident type:** Resisting

6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
<input checked="" type="checkbox"/> Passive:	Refusing to comply	<input checked="" type="checkbox"/> Physical Control	Handcuff/wrist lock
<input type="checkbox"/> Active:		<input type="checkbox"/> Non-lethal Weapon	
<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
<input type="checkbox"/> Deadly Force:			

**10. Description of Incident: (If additional space is needed, continue in section 51 or use separate page if needed)**  
 The subject, David Melville, was lying on the sidewalk in front of Radio Shack, 2900 N. Roosevelt Blvd. An employee had called to have him removed. He refused to comply with orders from me and Ofc Malgrat. This included giving his name and information. Finally, Ofc Malgrat escorted him to the police car using a wrist lock. At the car Ofc Malgrat made sure the handcuffs were double locked before placing him in the patrol car. At the jail, Melville refused to get out of the car. After several warnings, Ofc Malgrat had to, again, use a wrist lock to get him to comply. Once in the jail, Ofc Malgrat saw that Melville was slightly bleeding from an area on his right wrist that looked like a skin tear. Melville is 74 years old and it appears his skin is prone to tears. Melville did not require medical attention other than the tear area cleaned. He was charged with resisting without violence.

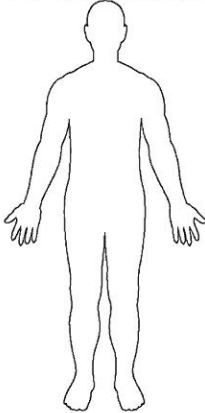
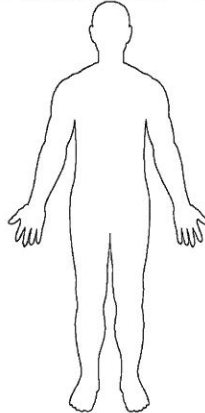
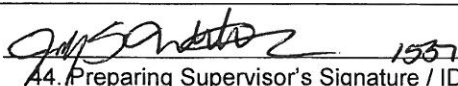

**11. Last Name:** Melville      **12. First:** David      **13. Race:** W      **14. Sex:** M  
**15. DOB:** 08/31/1940      **16. Height:** 5'9"      **17. Weight:** 170  
**18. Did you observe the subject:**  No  Yes      If NO, explain why in Section 5. If "YES", complete sections 19-23  
**19. Appeared to be:**  Intoxicated     Under the influence of controlled substance     Emotionally / mentally disturbed  
**20. Injuries:**  No  Evident     Alleged    (If Evident or Alleged, describe and indicate areas on charts in Section 23)  
**21. Photographed:**  No  Yes    **22. Treated:**  No  Yes    **By:**  EMT/Paramedic on scene     Hospital  Detention

SUBJECT	 <p><b>23. Anterior View</b></p>	 <p><b>Posterior View</b></p>
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# Response to Resistance Report (continued)

Key West Police Department

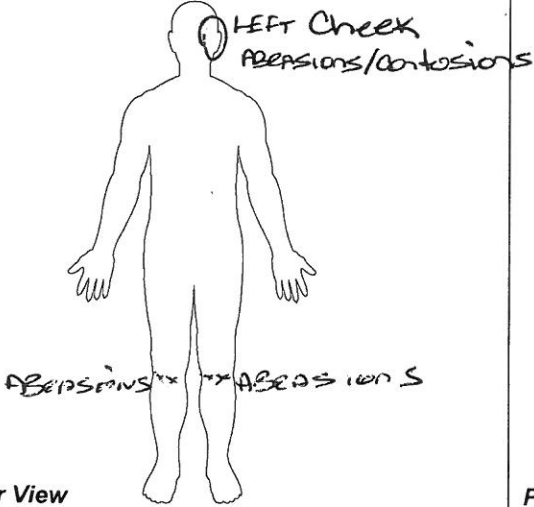
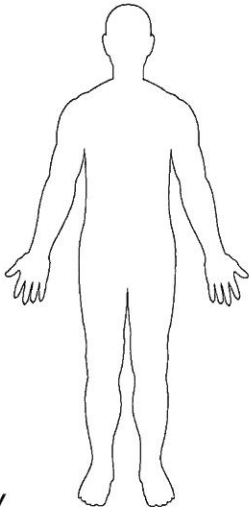
Case No: 14-004247

<b>OFFICER</b>	24. Officer: Michael Malgrat		25. Race: W	26. Sex: M	27. Age: 34
	28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment		<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes		29. Yrs Exp: 10
	30. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 33)				
	31. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		32. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)					
 <p>34. Anterior View</p>			 <p>Posterior View</p>		
<b>TASER USE ONLY</b>	35. TASER® device serial # NA		36. TASER® device serial # NA		
	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"/> 37. Check and list any additional TASER® devices, cartridges or details in the incident description section.					
<b>SUPERVISOR'S INQUIRY</b>	38. Notified Date: 9/6/14		39. Time: 1140		
	40. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)				
	41. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)				
	42. 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
43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS			
				9/6/14	
		44. Preparing Supervisor's Signature / ID		45. Date	
<b>INT. AFF.</b>	46. 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 49)				
					9/12/14
			47. Signature of Internal Affairs Inspector		48. Date
49. If section 46 is "No" record the Professional Standards Control Number:				50. Date Entered:	

# Response to Resistance Report

Key West Police Department

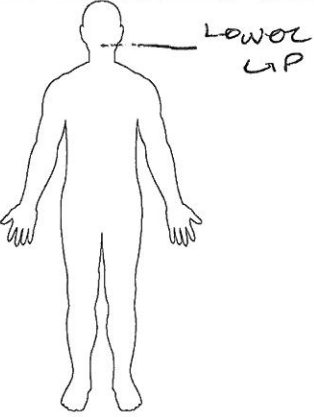
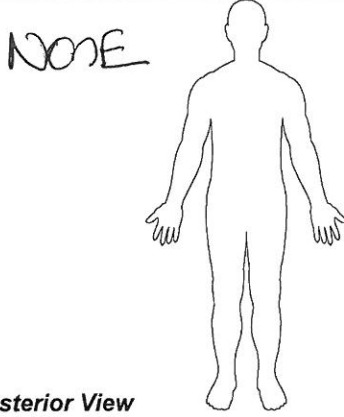
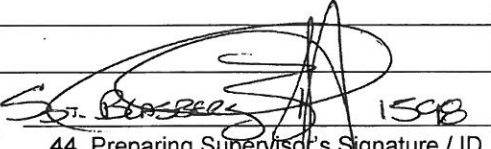

Case No: 14-4284

<b>1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)</b> <input type="checkbox"/> A response through the use of non-lethal weapons, <input checked="" type="checkbox"/> Applies weaponless physical force of strikes, kicks, or "take-downs" <input type="checkbox"/> When any person sustains an apparent substantial or fatal injury as a result of the application of force <input type="checkbox"/> When any person complains of injury as a result of the application of force <input type="checkbox"/> Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)																									
<b>2. Date:</b> 09SEPT2014 <b>3. Time:</b> 0020 <b>4. Location:</b> 1420 Flagler <b>5. Incident type:</b> Disturbance/Domestic																									
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:25%;"><b>6. Resistance Level</b></th> <th style="width:25%;"><b>7. Explanation</b></th> <th style="width:25%;"><b>8. Response Option</b></th> <th style="width:25%;"><b>9. Explanation</b></th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> Passive:</td> <td>Non-compliance</td> <td><input checked="" type="checkbox"/> Physical Control</td> <td>Strikes/leg sweep</td> </tr> <tr> <td><input checked="" type="checkbox"/> Active:</td> <td>Pushing/jerking/tensing</td> <td><input type="checkbox"/> Non-lethal Weapon</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Aggressive:</td> <td>Punches</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> </tbody> </table>		<b>6. Resistance Level</b>	<b>7. Explanation</b>	<b>8. Response Option</b>	<b>9. Explanation</b>	<input checked="" type="checkbox"/> Passive:	Non-compliance	<input checked="" type="checkbox"/> Physical Control	Strikes/leg sweep	<input checked="" type="checkbox"/> Active:	Pushing/jerking/tensing	<input type="checkbox"/> Non-lethal Weapon		<input checked="" type="checkbox"/> Aggressive:	Punches	<input type="checkbox"/> Deadly Force		<input type="checkbox"/> Deadly Force:							
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<b>INCIDENT</b>	<b>10. Description of Incident: (If additional space is needed, continue in section 51 or use separate page if needed)</b> Call originated as a disturbance at the residence of 1420 Flagler Ave. Upon officers (J. Young and J. Dean) arrival, a W/F later identified as April Roberts (R163017668740) and Peter Hawxhurst appeared to have been in some sort of altercation and both were extremely intoxicated. Ofc. Young tried to interview Roberts but she attempted to walk inside of the residence. Ofc. Young grabbed her wrist to stop her at which point Peter attempted to intervene. Ofc. Dean arrived and saw what was transpiring/about to transpire and grabbed a hold of Peter before he could intervene. Peter would not listen to direction (he was told to sit on the curb) and when Ofc. Dean attempted to persuade him (placed his hands on his shoulders), Peter then tried to push around Ofc. Dean who then brought Peter to the ground to subdue him. Once on the ground, Peter and Ofc. Dean began to wrestle; Ofc. Dean a top of Peter which prompted Peter to attempt to strike Ofc. Dean. Ofc. Dean yelled to "stop" which Peter ignored and then struck Peter twice in the face area to try and stop Peter from striking him. Ofc. Dean then shouted for Peter to stop resisting (again) and Peter then punched Ofc. Dean in the face ("once or twice"). Ofc. Dean then struck Peter with a few more strikes which caused him to cease his overt aggressive actions and Ofc. Dean was able to roll him over onto his stomach. Ofc. Tellier arrived at this point and helped Ofc. Dean handcuff Peter who was still jerking and tensing his arms																								
<b>SUBJECT</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"><b>11. Last Name:</b> Hawxhurst</td> <td style="width:33%;"><b>12. First:</b> Peter</td> <td style="width:15%;"><b>13. Race:</b> W</td> <td style="width:19%;"><b>14. Sex:</b> M</td> </tr> <tr> <td><b>15. DOB:</b> 22FEB1973</td> <td><b>16. Height:</b> 6'01"</td> <td colspan="2"><b>17. Weight:</b> 230</td> </tr> <tr> <td colspan="4"><b>18. Did you observe the subject:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes    If NO, explain why in Section 5. If "YES", complete sections 19-23</td> </tr> <tr> <td colspan="4"><b>19. Appeared to be:</b> <input checked="" type="checkbox"/> Intoxicated    <input type="checkbox"/> Under the influence of controlled substance    <input type="checkbox"/> Emotionally / mentally disturbed</td> </tr> <tr> <td colspan="4"><b>20. Injuries:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident    <input type="checkbox"/> Alleged    (If Evident or Alleged, describe and indicate areas on charts in Section 23)</td> </tr> <tr> <td colspan="4"><b>21. Photographed:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes    <b>22. Treated:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes    <b>By:</b> <input checked="" type="checkbox"/> EMT/Paramedic on scene    <input checked="" type="checkbox"/> Hospital    <input type="checkbox"/> Detention</td> </tr> </table> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;">  <p><b>23. Anterior View</b></p> </div> <div style="text-align: center;">  <p><b>Posterior View</b></p> </div> </div>	<b>11. Last Name:</b> Hawxhurst	<b>12. First:</b> Peter	<b>13. Race:</b> W	<b>14. Sex:</b> M	<b>15. DOB:</b> 22FEB1973	<b>16. Height:</b> 6'01"	<b>17. Weight:</b> 230		<b>18. Did you observe the subject:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes    If NO, explain why in Section 5. If "YES", complete sections 19-23				<b>19. 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>20. Injuries:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input type="checkbox"/> Alleged    (If Evident or Alleged, describe and indicate areas on charts in Section 23)				<b>21. Photographed:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>22. Treated:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>By:</b> <input checked="" type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Detention			
<b>11. Last Name:</b> Hawxhurst	<b>12. First:</b> Peter	<b>13. Race:</b> W	<b>14. Sex:</b> M																						
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<b>19. 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>20. Injuries:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input type="checkbox"/> Alleged    (If Evident or Alleged, describe and indicate areas on charts in Section 23)																									
<b>21. Photographed:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>22. Treated:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>By:</b> <input checked="" type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Detention																									

# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-4284

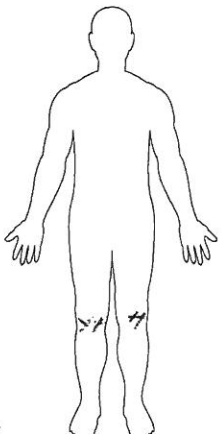
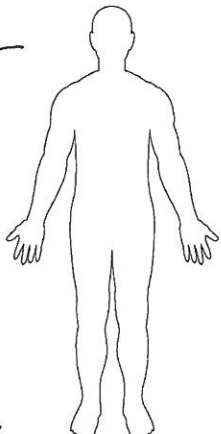
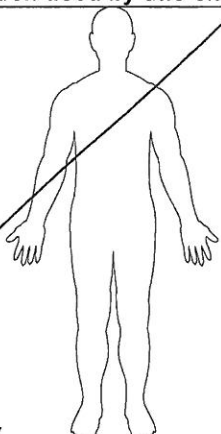
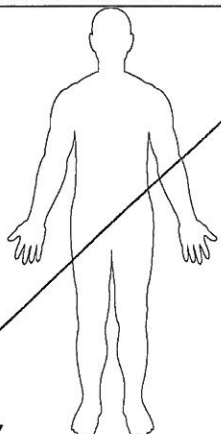
<b>OFFICER</b>	24. Officer: Dean, J				25. Race: W		26. Sex: M		27. Age: 26							
	28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment						<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes		29. Yrs Exp: 4							
	30. Injuries: <input type="checkbox"/> No <input type="checkbox"/> Evident <input checked="" type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 33)															
	31. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			32. Treated: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			By: <input checked="" type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital									
	33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) Strikes															
<b>OFFICER</b>																
	34. Anterior View					34. Posterior View										
<b>TASER USE ONLY</b>	35. TASER® device serial #					36. TASER® device serial #										
	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 checked="" 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"/> 37. Check and list any additional TASER® devices, cartridges or details in the incident description section.																
<b>SUPERVISOR'S INQUIRY</b>	38. Notified Date: 09SEPT2014					39. Time: 0022										
	40. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)															
	41. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)															
	42. 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									
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 30%; height: 20px;"></td> <td style="width: 30%; height: 20px;"></td> <td style="width: 40%; height: 20px;"></td> </tr> <tr> <td style="width: 30%; height: 20px;"></td> <td style="width: 30%; height: 20px;"></td> <td style="width: 40%; height: 20px;"></td> </tr> </table>																
43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes								1598		9/9/2014						
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS					44. Preparing Supervisor's Signature / ID			45. Date								
<b>INT. AFF.</b>	46. 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 49)															
									1619		9/9/14					
						47. Signature of Internal Affairs Inspector			48. Date							
49. If section 46 is "No" record the Professional Standards Control Number:																
50. Date Entered:																



# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-4284

<b>INCIDENT</b>	<p><b>51. Description (Section 10 continued):</b> Ofc. Young was not involved with Peter. Due to April not fully cooperating with Ofc. Young he was occupied while Ofc. Dean was involved with Peter. Ofc. Young's COBAN was recording and was facing Peter and Ofc. Dean when the incident transpired and the incident was captured on COBAN.</p> <p>CARE was summoned to the scene but Peter was too uncooperative to be treated. Due to his facial injuries but more so of the Jails reluctance to receive injured prisoners, Peter was taken to the ER and was later cleared a short time later. Ofc. Dean received a small contusion to his lower lip and CARE provided an ice pack. Ofc. Tellier was not injured during the event.</p> <p>Photos were taken of Ofc. Dean and Peter</p> <p>As an epilogue, at the jail Peter was OC sprayed (MCSO) and placed into the restraint chair</p>		
<b>OFFICER</b>	<p><b>24. Officer:</b> Tellier, J <span style="float: right;"><b>25. Race:</b> W <b>26. Sex:</b> M <b>27. Age:</b> 35</span></p>		
	<p><b>28. Duty Status:</b> <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes <span style="float: right;"><b>29. Yrs Exp:</b> 1.5</span></p>		
	<p><b>30. Injuries:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )</p>		
	<p><b>31. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>32. Treated:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital</p>		
	<p><b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) restraints</b></p>		
<b>34. Anterior View</b>	<b>Posterior View</b>	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p><i>NONE</i></p>  </div> <div style="text-align: center;"> <p><i>NONE</i></p>  </div> </div>	
<b>OFFICER</b>	<b>34. Anterior View</b>	<b>Posterior View</b>	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  </div> <div style="text-align: center;">  </div> </div>



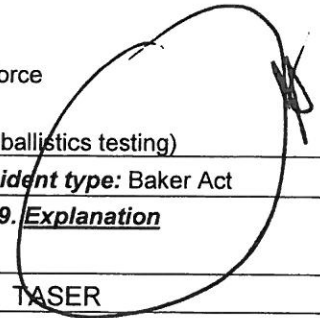
# Response to Resistance Report

Key West Police Department

Case No: 14-4360

**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: 9/15/14      3. Time: 23:01      4. Location: 1616 United St.      5. Incident type: Baker Act

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

- |   |   |
|---|---|
| <input type="checkbox"/> Passive:               | <input type="checkbox"/> Physical Control             |
| <input checked="" type="checkbox"/> Active:     | <input checked="" type="checkbox"/> Non-lethal Weapon |
| <input checked="" type="checkbox"/> Aggressive: | <input type="checkbox"/> Deadly Force                 |
| <input type="checkbox"/> Deadly Force:          |   |

Charging officer      TASER

**10. Description of Incident: (If additional space is needed, continue in section 51 or use separate page if needed)**

Officer Richardson responded to reference an unknown problem. On arrival, an elderly female opened the front door and he observed blood all over the floor and then a male subject, later identified as emerged from a back room and came charging at him. Officer Richardson deployed his TASER and the subject fell backwards onto the ground, and even though the front door swung closed, the TASER continued to cycle for 5 seconds. pulled one of the probes out of his chest. Officer Richardson gave verbal commands to move towards the doorway. Although had his hands in the air and said he would do whatever the officers wanted, he refused to comply with their commands. Officer Richardson and other officers on scene continued to command to move to the doorway due to the confined area and a large amount of broken glass and blood everywhere. refused to comply, became increasingly verbally abusive towards

INCIDENT

11. Last Name:      12. First:      13. Race:      14. Sex: M

15. DOB:      16. Height:      17. Weight:

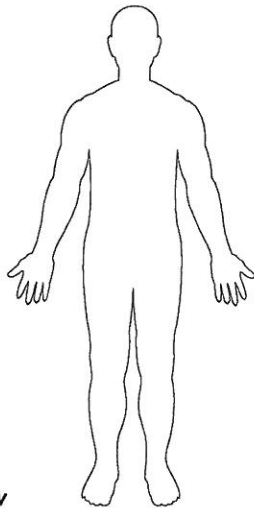
18. Did you observe the subject:  No  Yes      If NO, explain why in Section 5. If "YES", complete sections 19-23

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

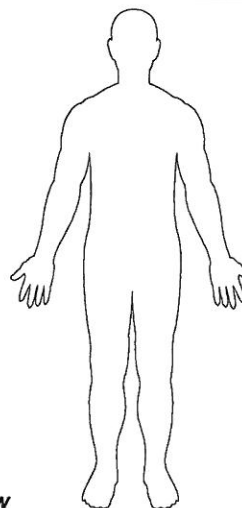
20. Injuries:  No  Evident  Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 23)

21. Photographed:  No  Yes      22. Treated:  No  Yes By:  EMT/Paramedic on scene  Hospital  Detention

SUBJECT



23. Anterior View

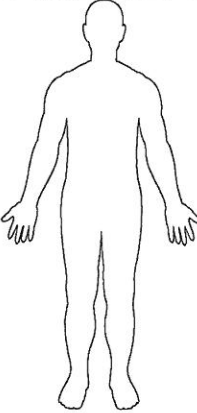
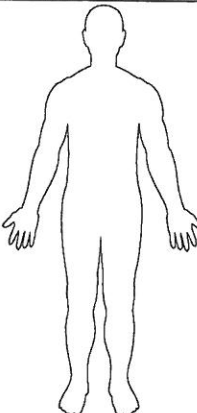


Posterior View

# Response to Resistance Report (continued)

Key West Police Department

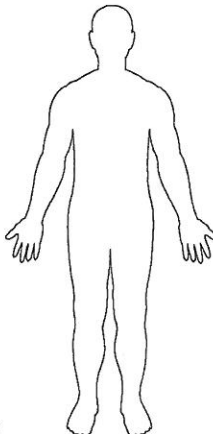
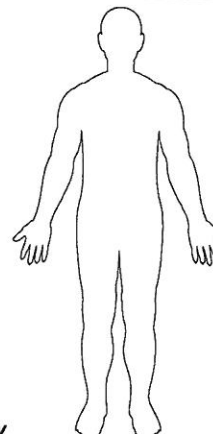
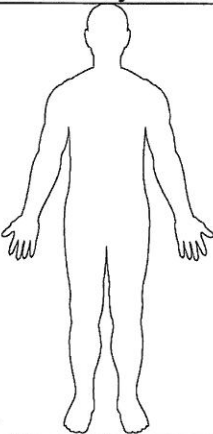
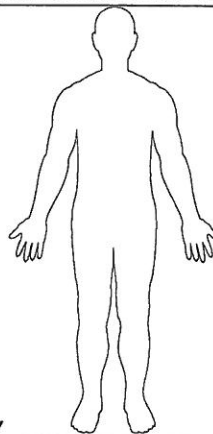
Case No: 14-4360

<b>OFFICER</b>	24. Officer: Curtiss Richardson		25. Race: W	26. Sex: M	27. Age: 28
	28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment		<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes		29. Yrs Exp: 4
	30. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 33)				
	31. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		32. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital		
33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) 35					
					
34. Anterior View			Posterior View		
<b>TASER USE ONLY</b>	35. TASER® device serial # X00-606212		36. TASER® device serial #		
	TASER®Cam serial # V08-026710		TASER®Cam serial #		
	Cartridge 1 serial # C41025VVV		Cartridge 1 serial #		
	Cartridge 2 serial # C41100M8MA		Cartridge 2 serial #		
	Number of cycles: 3		Number of cycles:		
	Type of contact: <input checked="" type="checkbox"/> Probe <input checked="" 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: 3 feet/6 feet		Target distance at probe launch:		
	Distance between probes: 5 inches/10 inches		Distance between probes:		
	Probes removed by (name): Subject/Morris		Probes removed by (name):		
Device downloaded by: Sgt. A. Jewell		Device downloaded by:			
<input type="checkbox"/> 37. Check and list any additional TASER® devices, cartridges or details in the incident description section.					
<b>SUPERVISOR'S INQUIRY</b>	38. Notified Date: 9/15/14		39. Time: 23:03		
	40. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)				
	41. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)				
	42. 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		
Susan Hawhurst	1616 United St., Key West, FL 33040	(305)296-6603			
43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS					
44. Preparing Supervisor's Signature / ID <i>Aleaka Jewell 2616</i>				45. Date 9/16/14	
<b>INT. AFF.</b>	46. 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 49)				
	47. Signature of Internal Affairs Inspector <i>[Signature] 1619</i>				48. Date 9/16/14
49. If section 46 is "No" record the Professional Standards Control Number:					50. Date Entered:

# Response to Resistance Report (continued)

Key West Police Department

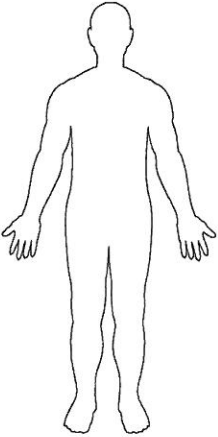
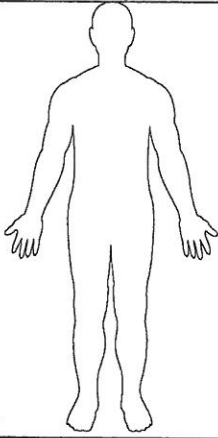
Case No: 14-4360

<b>INCIDENT</b>	<p><b>51. Description (Section 10 continued):</b>                  his mother who was also on scene and towards officers. Based upon the totality of circumstances, I authorized Ofc. Richardson to deploy his TASER again. Ofc. Richardson reloaded a cartridge, gave verbal commands to comply or he was be tased and refused by responding, "Fuck you!" Ofc. Richardson deployed his TASER at center mass as he sat on the ground facing the doorway. was temporarily incapacitated and then immediately after the five seconds, pulled one of the probes out and as he held it in his hand, Ofc. Richardson activated his TASER, due to the disconnect, delivered pain compliance only. then became compliant and was placed into handcuffs by Ofc. Stutz and Fraga. Ofc. Hammers took photos</p>	
<b>OFFICER</b>	<p><b>24. Officer:</b> _____ <b>25. Race:</b> _____ <b>26. Sex:</b> _____ <b>27. Age:</b> _____</p> <p><b>28. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes <b>29. Yrs Exp:</b> _____</p> <p><b>30. Injuries:</b> <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )</p> <p><b>31. Photographed:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>32. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital</p> <p><b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b></p>	
	 <p><b>34. Anterior View</b></p>	 <p><b>Posterior View</b></p>
<b>OFFICER</b>	<p><b>24. Officer:</b> _____ <b>25. Race:</b> _____ <b>26. Sex:</b> _____ <b>27. Age:</b> _____</p> <p><b>28. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes <b>29. Yrs Exp:</b> _____</p> <p><b>30. Injuries:</b> <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )</p> <p><b>31. Photographed:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>32. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital</p> <p><b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b></p>	
	 <p><b>34. Anterior View</b></p>	 <p><b>Posterior View</b></p>

# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-4360

<b>INCIDENT</b>	<p><b>51. Description (Section 10 continued):</b>  of _____ on scene and of the house. Ofc. Morris took photos of _____ at the hospital.  the suspect's mother, said she would be willing to give a statement after she calmed down the next day. I went to the hospital to speak to _____ and he told me the officers inflicted him with the multiple stab wounds he had on his body, which officers later learned from his mother, they were self-inflicted injuries. _____ refused to give any further information to me and would not allow me to take photos. I spoke with each of the officers on scene. I downloaded and reviewed the TASER video and photos taken and included them with this report.</p>	
<b>OFFICER</b>	<p><b>24. Officer:</b> _____ <b>25. Race:</b> _____ <b>26. Sex:</b> _____ <b>27. Age:</b> _____</p>	
	<p><b>28. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes <b>29. Yrs Exp:</b> _____</p>	
	<p><b>30. Injuries:</b> <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )</p>	
	<p><b>31. Photographed:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>32. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital</p>	
	<p><b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b></p>	
<b>34. Anterior View</b>		<b>Posterior View</b>
<b>34. Anterior View</b>		<b>Posterior View</b>

# Response to Resistance Report

Key West Police Department

Case No: 14-4437

## 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: 9/20/14      3. Time: 2342hrs      4. Location: 1st St/Harris Ave.      5. Incident type: DUI/Resist Without

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

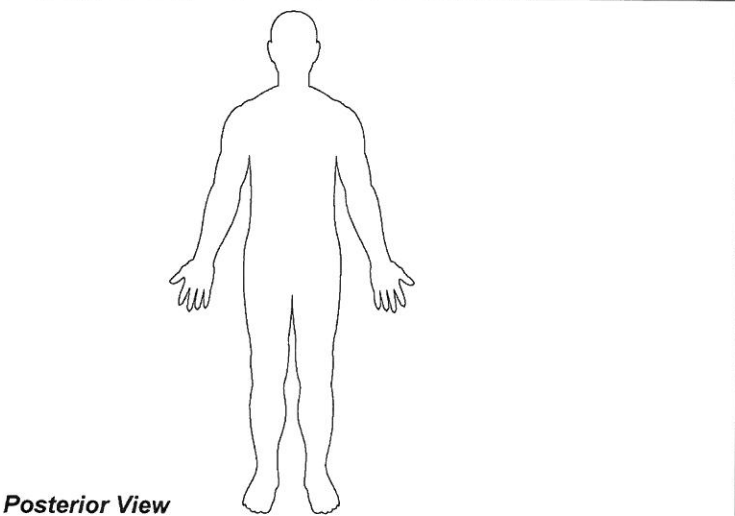
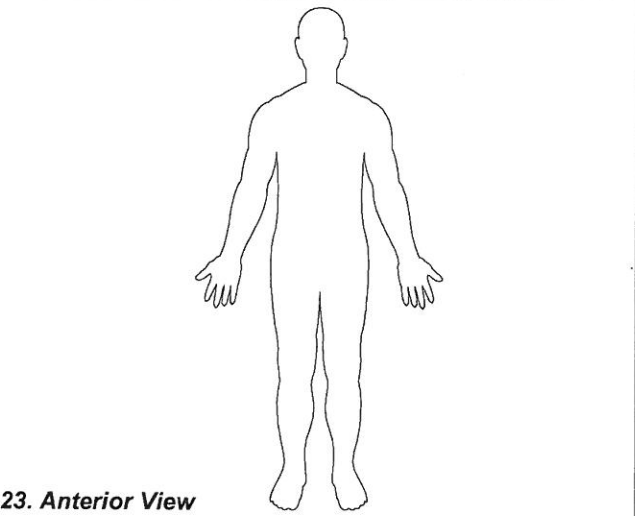
- Passive:
- Active: Getting out of vehicle       Physical Control      Take Down
- Aggressive:
- Deadly Force:
- Non-lethal Weapon
- Deadly Force

INCIDENT

10. Description of Incident: (If additional space is needed, continue in section 51 or use separate page if needed)  
Officer Rodriguez was conducting Field Sobriety Exercises and Officer Chavarria was standing by. The subject, Robert Nicholas became argumentative and then refused to complete the exercises. Ofc. Rodriguez made the decision to arrest Nicholas and when he went to put handcuffs on, Nicholas tensed and tried to pulled away. Both Ofc. Rodriguez and Ofc. Chavarria did a modified arm bar takedown on Nicholas. Nicholas resisted being handcuffed and braced his arms out in front of his body. Ofc. Chavarria delivered to knee strikes to the outside of Nicholas' left thigh. Officer Leahy, who was standing by the suspect vehicle with the remaining passengers, moved to assist Ofc. Rodriguez and Chavarria. Ofc. Leahy removed the cartridge from his TASER and delivered a one-second drive stun, followed by a four-second drive stun to Nicholas' lower back. Nicholas then complied and moved his arms behind his back and Ofc. Rodriguez and Chavarria went to handcuff him. While handcuffing, Ofc.

11. Last Name: Phillip      12. First: Neumann      13. Race: W      14. Sex: M  
15. DOB: 11/30/1988      16. Height: 5'10"      17. Weight: 170  
18. Did you observe the subject:  No  Yes      If NO, explain why in Section 5. If "YES", complete sections 19-23  
19. Appeared to be:  Intoxicated     Under the influence of controlled substance     Emotionally / mentally disturbed  
20. Injuries:  No  Evident  Alleged    (If Evident or Alleged, describe and indicate areas on charts in Section 23 )  
21. Photographed:  No  Yes    22. Treated:  No  Yes    By:  EMT/Paramedic on scene     Hospital     Detention

SUBJECT

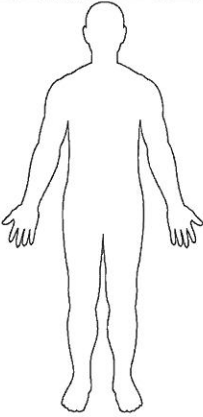
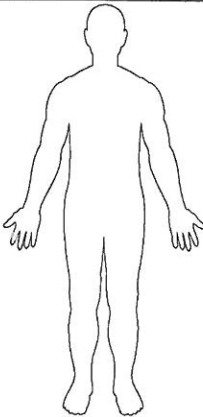




# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-4437

<b>OFFICER</b>	24. Officer: Brian Leahy			25. Race: W		26. Sex: M		27. Age: 45										
	28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment			<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes			29. Yrs Exp: 8											
	30. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 33)																	
	31. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			32. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital											
	33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) Takedown																	
																		
34. Anterior View					Posterior View													
<b>TASER USE ONLY</b>	35. TASER® device serial #					36. TASER® device serial #												
	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"/> 37. Check and list any additional TASER® devices, cartridges or details in the incident description section.																		
<b>SUPERVISOR'S INQUIRY</b>	38. Notified Date: 9/21/2014					39. Time: 00:20 hrs												
	40. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)																	
	41. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)																	
	42. 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											
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 30%; height: 20px;"></td> <td style="width: 30%;"></td> <td style="width: 40%;"></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> </tr> </table>																		
43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					44. Preparing Supervisor's Signature / ID <i>Sgt. Areakat Jewels 2616</i>													
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS					45. Date 9/22/2014													
<b>INT. AFF.</b>	46. 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 49)					47. Signature of Internal Affairs Inspector <i>[Signature]</i> 1679												
						48. Date 9/22/14												
49. If section 46 is "No" record the Professional Standards Control Number:					50. Date Entered:													



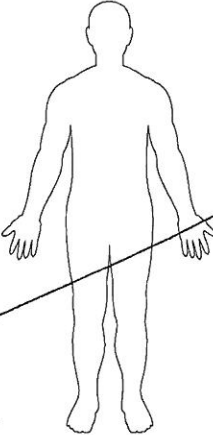
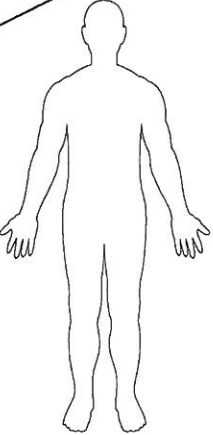


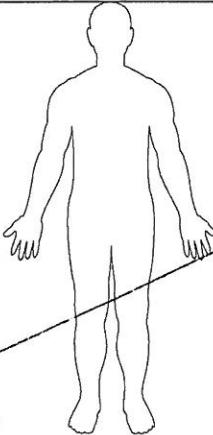
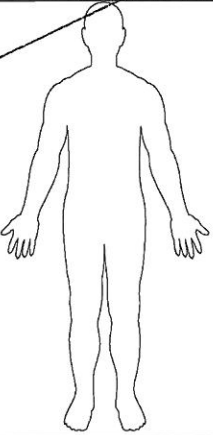
# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-4437

<b>INCIDENT</b>	<p><b>51. Description (Section 10 continued):</b>                  Neumann. I did not photograph Neumann, however, Nicholas was photographed by Ofc. Rodriguez at the jail. Both subjects were intoxicated and highly agitated during my encounter with each of them. I had my COBAN on and recording during my entire time on scene and interviewing both subjects and officers. All officers denied any injuries.</p>
-----------------	---

<b>OFFICER</b>	<b>24. Officer:</b> _____				<b>25. Race:</b> _____		<b>26. Sex:</b> _____		<b>27. Age:</b> _____		
	<b>28. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes				<b>29. Yrs Exp:</b> _____						
	<b>30. Injuries:</b> <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )										
	<b>31. Photographed:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes			<b>32. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes			<b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital				
	<b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b>										
											
<b>34. Anterior View</b>						<b>Posterior View</b>					

<b>OFFICER</b>	<b>24. Officer:</b> _____				<b>25. Race:</b> _____		<b>26. Sex:</b> _____		<b>27. Age:</b> _____		
	<b>28. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes				<b>29. Yrs Exp:</b> _____						
	<b>30. Injuries:</b> <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )										
	<b>31. Photographed:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes			<b>32. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes			<b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital				
	<b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b>										
											
<b>34. Anterior View</b>						<b>Posterior View</b>					

# Response to Resistance Report

Key West Police Department

Case No: 14-4437

**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:** 9/20/14      **3. Time:** 2342hrs      **4. Location:** 1st St/Harris Ave.      **5. Incident type:** DUI/Resist Without

6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
<input type="checkbox"/> Passive:		<input checked="" type="checkbox"/> Physical Control	Take Down; knee strikes
<input checked="" type="checkbox"/> Active:	Tensing/Pulling	<input checked="" type="checkbox"/> Non-lethal Weapon	TASER
<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
<input type="checkbox"/> Deadly Force:			

**10. Description of Incident: (If additional space is needed, continue in section 51 or use separate page if needed)**  
 Officer Rodriguez was conducting Field Sobriety Exercises and Officer Chavarria was standing by. The subject, Robert Nicholas became argumentative and then refused to complete the exercises. Ofc. Rodriguez made the decision to arrest Nicholas and when he went to put handcuffs on, Nicholas tensed and tried to pulled away. Both Ofc. Rodriguez and Ofc. Chavarria did a modified arm bar takedown on Nicholas. Nicholas resisted being handcuffed and braced his arms out in front of his body. Ofc. Chavarria delivered to knee strikes to the outside of Nicholas' left thigh. Officer Leahy, who was standing by the suspect vehicle with the remaining passengers, moved to assist Ofc. Rodriguez and Chavarria. Ofc. Leahy removed the cartridge from his TASER and delivered a one-second drive stun, followed by a four-second drive stun to Nicholas' lower back. Nicholas then complied and moved his arms behind his back and Ofc. Rodriguez and Chavarria went to handcuff him. While handcuffing, Ofc.

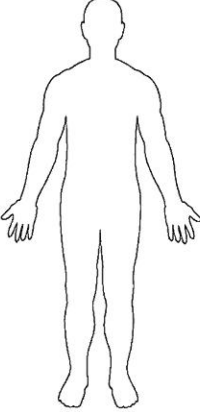
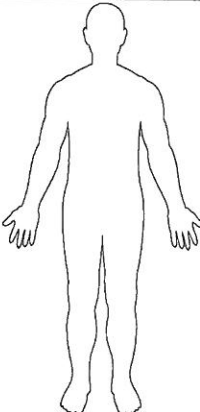
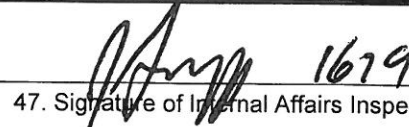
**11. Last Name:** Robert      **12. First:** Nicholas      **13. Race:** W      **14. Sex:** M  
**15. DOB:** 3/15/1989      **16. Height:** 5'10"      **17. Weight:** 180  
**18. Did you observe the subject:**  No  Yes      If NO, explain why in Section 5. If "YES", complete sections 19-23  
**19. Appeared to be:**  Intoxicated     Under the influence of controlled substance     Emotionally / mentally disturbed  
**20. Injuries:**  No  Evident     Alleged    (If Evident or Alleged, describe and indicate areas on charts in Section 23 )  
**21. Photographed:**  No  Yes    **22. Treated:**  No  Yes    **By:**  EMT/Paramedic on scene     Hospital     Detention

**23. Anterior View**      **Posterior View**

# Response to Resistance Report (continued)

Key West Police Department

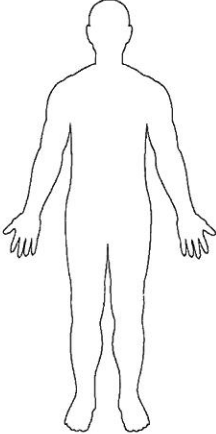
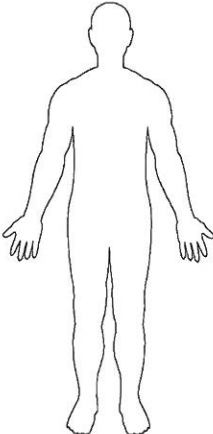
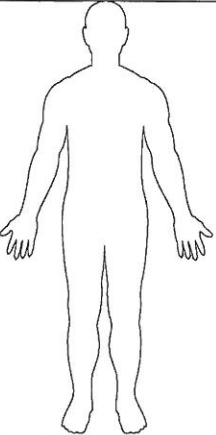
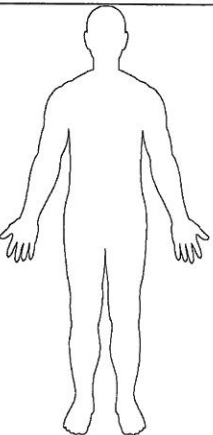
Case No: 14-4437

<b>OFFICER</b>	24. Officer: Brian Leahy			25. Race: W	26. Sex: M	27. Age: 45	
	28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes			29. Yrs Exp: 8			
	30. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 33)						
	31. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			32. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital			
33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) 35							
 34. Anterior View			 Posterior View				
<b>TASER USE ONLY</b>	35. TASER® device serial # X00-596534			36. TASER® device serial #			
	TASER®Cam serial # V08-025996			TASER®Cam serial #			
	Cartridge 1 serial # N/A			Cartridge 1 serial #			
	Cartridge 2 serial # N/A			Cartridge 2 serial #			
	Number of cycles: 2			Number of cycles:			
	Type of contact: <input 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 type="checkbox"/> Yes <input type="checkbox"/> No			Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No			
	Target distance at probe launch: N/A			Target distance at probe launch:			
	Distance between probes: N/A			Distance between probes:			
	Probes removed by (name): N/A			Probes removed by (name):			
Device downloaded by: Sgt. A. Jewell			Device downloaded by:				
<input type="checkbox"/> 37. Check and list any additional TASER® devices, cartridges or details in the incident description section.							
<b>SUPERVISOR'S INQUIRY</b>	38. Notified Date: 9/21/2014			39. Time: 00:20 hrs			
	40. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)						
	41. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)						
	42. 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		
43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes							
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS			44. Preparing Supervisor's Signature / ID <i>Areaka P. Jewell 2616</i>		45. Date 9/22/2014		
<b>INT. AFF.</b>	46. 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 49)			47. Signature of Internal Affairs Inspector 		48. Date 9/22/14	
	49. If section 46 is "No" record the Professional Standards Control Number:				50. Date Entered:		

# Response to Resistance Report (continued)

Key West Police Department

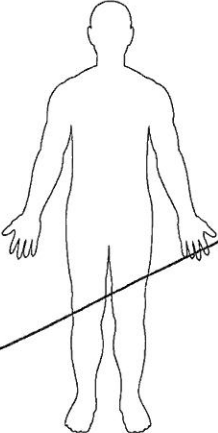
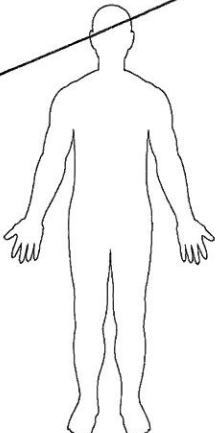
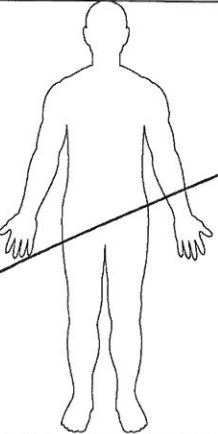
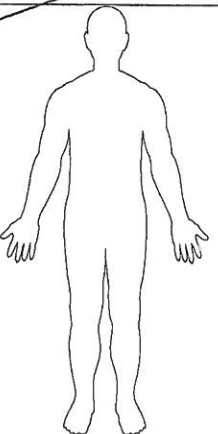
Case No: 14-4437

<b>INCIDENT</b>	<p><b>51. Description (Section 10 continued):</b>                  Rodriguez alerted Ofc. Leahy to one of the passengers in the truck climbing out of the back window of the truck. Ofc. Leahy diverted his attention to the passenger and gave him verbal commands to get back in the vehicle. Ofc. Leahy continued to give Neumann verbal commands to get back in the truck, to which he did not comply. Ofc. Leahy, with the assistance of Ofc. Chavarria removed Neumann from the truck and handcuffed him in the bed of the truck. I spoke with both Nicholas and Neumann, who both insisted they were injured due to the officers beating them, but declined my offer to call Rescue. I observed an abrasion to Nicholas' elbow, but his major complaint was his right shoulder. I did not observe any visible injuries to Nicholas' shoulder. Nor did I observe any injuries on</p>	
<b>OFFICER</b>	<p><b>24. Officer:</b> Deglys Chavarria <b>25. Race:</b> H <b>26. Sex:</b> M <b>27. Age:</b> 29</p>	
	<p><b>28. Duty Status:</b> <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes <b>29. Yrs Exp:</b> 9</p>	
	<p><b>30. Injuries:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )</p>	
	<p><b>31. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>32. 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</p>	
	<p><b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) Takedown</b></p>	
	 <p><b>34. Anterior View</b></p>	 <p><b>Posterior View</b></p>
<b>OFFICER</b>	<p><b>24. Officer:</b> Alex Rodriguez <b>25. Race:</b> H <b>26. Sex:</b> M <b>27. Age:</b> 23</p>	
	<p><b>28. Duty Status:</b> <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes <b>29. Yrs Exp:</b> 2</p>	
	<p><b>30. Injuries:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )</p>	
	<p><b>31. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>32. 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</p>	
	<p><b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section) Takedown</b></p>	
	 <p><b>34. Anterior View</b></p>	 <p><b>Posterior View</b></p>

# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-4437

<b>INCIDENT</b>	<p><b>51. Description (Section 10 continued):</b>                  Neumann. I did not photograph Neumann, however, Nicholas was photographed by Ofc. Rodriguez at the jail. Both subjects were intoxicated and highly agitated during my encounter with each of them. I had my COBAN on and recording during my entire time on scene and interviewing both subjects and officers. All officers denied any injuries.</p>	
<b>OFFICER</b>	<p><b>24. Officer:</b> _____ <b>25. Race:</b> _____ <b>26. Sex:</b> _____ <b>27. Age:</b> _____</p> <p><b>28. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes <b>29. Yrs Exp:</b> _____</p> <p><b>30. Injuries:</b> <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )</p> <p><b>31. Photographed:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>32. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital</p> <p><b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b></p>	
<b>OFFICER</b>	 <p><b>34. Anterior View</b></p>	 <p><b>Posterior View</b></p>
<b>OFFICER</b>	<p><b>24. Officer:</b> _____ <b>25. Race:</b> _____ <b>26. Sex:</b> _____ <b>27. Age:</b> _____</p> <p><b>28. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes <b>29. Yrs Exp:</b> _____</p> <p><b>30. Injuries:</b> <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34 )</p> <p><b>31. Photographed:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>32. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital</p> <p><b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b></p>	
<b>OFFICER</b>	 <p><b>34. Anterior View</b></p>	 <p><b>Posterior View</b></p>



# Response to Resistance Report

Key West Police Department

Case No: 14-4434

**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: 9/20/14      3. Time: 2154 hrs      4. Location: 423 Simonton St.      5. Incident type: Resist without

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

- |   |              |  |             |
|---|--------------|--|-------------|
| <input type="checkbox"/> Passive:           |              | <input checked="" type="checkbox"/> Physical Control | Transporter |
| <input checked="" type="checkbox"/> Active: | Pulling away | <input type="checkbox"/> Non-lethal Weapon           |             |
| <input type="checkbox"/> Aggressive:        |              | <input type="checkbox"/> Deadly Force                |             |
| <input type="checkbox"/> Deadly Force:      |              |  |             |

10. Description of Incident: (If additional space is needed, continue in section 51 or use separate page if needed)

SEE ATTACHED MEMO

INCIDENT

11. Last Name: Colbert      12. First: Kiah      13. Race: W      14. Sex: M

15. DOB: 01/20/1990      16. Height: 6'02"      17. Weight: 210

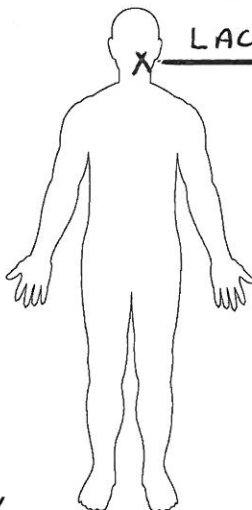
18. Did you observe the subject:  No  Yes      If NO, explain why in Section 5. If "YES", complete sections 19-23

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

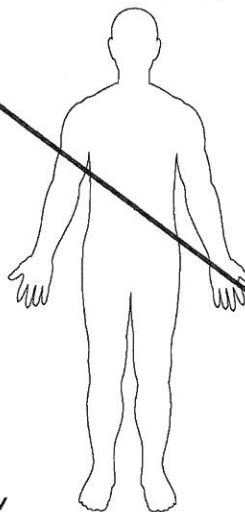
20. Injuries:  No  Evident     Alleged    (If Evident or Alleged, describe and indicate areas on charts in Section 23 )

21. Photographed:  No  Yes    22. Treated:  No  Yes    By:  EMT/Paramedic on scene     Hospital     Detention

SUBJECT



23. Anterior View



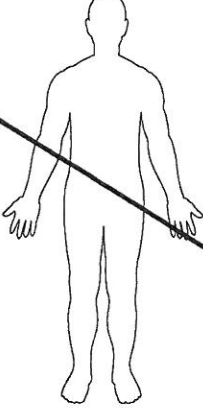
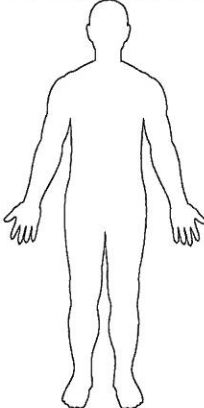
Posterior View

# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-4434

<b>24. Officer:</b> Karl Malsheimer	<b>25. Race:</b> W	<b>26. Sex:</b> M	<b>27. Age:</b> 24
<b>28. Duty Status:</b> <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment		<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes	
<b>29. Yrs Exp:</b> 3			
<b>30. Injuries:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 33)			
<b>31. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		<b>32. Treated:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital	
<b>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</b>			


OFFICER		
	<b>34. Anterior View</b>	<b>Posterior View</b>

TASER USE ONLY	<b>35. TASER® device serial #</b> TASER®Cam serial # Cartridge 1 serial # Cartridge 2 serial # Number of cycles: 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 Target distance at probe launch: Distance between probes: Probes removed by (name): Device downloaded by:	<b>36. TASER® device serial #</b> TASER®Cam serial # Cartridge 1 serial # Cartridge 2 serial # Number of cycles: 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 Target distance at probe launch: Distance between probes: Probes removed by (name): Device downloaded by:
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37. Check and list any additional TASER® devices, cartridges or details in the incident description section.

SUPERVISOR'S INQUIRY	<b>38. Notified Date:</b> 9/20/14	<b>39. Time:</b> 2214 hrs
	<b>40. Did you respond to the scene:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)	
	<b>41. Did you meet with the Officer:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)	
	<b>42. 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>43. Is further review recommended:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS	SGT. B. LARIZ B. SAIZ 2705 44. Preparing Supervisor's Signature / ID	9/20/14 45. Date
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INT. AFF.	<b>46. Did the review of this incident conclude that use of force was in compliance with Departmental policy?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", complete section 49)	47. Signature of Internal Affairs Inspector 	1679 48. Date 9/22/14
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<b>49. If section 46 is "No" record the Professional Standards Control Number:</b>	<b>50. Date Entered:</b>
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# Response to Resistance Report (continued)

Key West Police Department

Case No: 14-4434

INCIDENT	<del>51. Description (Section 10 continued):</del>	
OFFICER	<del>24. Officer: David Fraga</del>	
	<del>25. Race: W</del>	
	<del>26. Sex: M</del>	
	<del>27. Age: 26</del>	
	<del>28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes</del>	
<del>29. Yrs Exp: 2</del>		
<del>30. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34)</del>		
<del>31. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</del>		
<del>32. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital</del>		
<del>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</del>		
<del>34. Anterior View</del>		
<del>Posterior View</del>		
OFFICER	<del>24. Officer:</del>	
	<del>25. Race:</del>	
	<del>26. Sex:</del>	
	<del>27. Age:</del>	
	<del>28. Duty Status: <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes</del>	
<del>29. Yrs Exp:</del>		
<del>30. Injuries: <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 34)</del>		
<del>31. Photographed: <input type="checkbox"/> No <input type="checkbox"/> Yes</del>		
<del>32. Treated: <input type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital</del>		
<del>33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)</del>		
<del>34. Anterior View</del>		
<del>Posterior View</del>		


Donald J. Lee, Jr.

Chief of Police



Key West

**POLICE DEPARTMENT**

**TO:** Sergeant J. Tripp, Professional Standards  
**FROM:** Sergeant B. Lariz   
**DATE:** September 20, 2014  
**RE:** RRI narrative for Case # 14-4434

On September 20, 2014 at approximately 2214 hours I, Sgt. B. Lariz responded to 423 Simonton St. per Officer Malsheimer's request. Upon arrival I met with Officers Fraga and Malsheimer. They explained to me that they woke up a subject, Kiah Colbert who was sleeping on the porch of a closed business, Duck and Dolphin Antiques, 601 Fleming St. During this conversation Colbert was in the ambulance, on scene being treated and I did not make contact with him. Shortly after Colbert was transported to the Lower Keyes Medical Center by Care Ambulance to have a laceration on his chin treated and Ofc. Malsheimer followed them.

After waking Colbert up from sleeping on the porch of a closed business and blocking the entrance/exit, Colbert resisted/obstructed the officers. Colbert refused to identify himself. When the officers tried to handcuff Colbert he tensed and pulled away from them. Ofc. Malsheimer applied pressure to Colbert's right wrist to gain compliance but was only able to get the handcuffs on Colbert's right wrist. They then pushed Colbert against the window of a business and were able to handcuff him even though he was still pulling away from them. After Colbert was handcuffed Ofc. Malsheimer was holding onto his right arm when he intentionally stood straight up and leaned forward with his body weight. Colbert is 6'02" tall and weighs 210 pounds. Due to Colbert's weight, Ofc. Malsheimer was not able to prevent him from falling. When Colbert landed he sustained a laceration on his chin.

I then responded to the Lower Keyes Medical Center where I met with Ofc. Malsheimer and Colbert. As I walked into the emergency room I could hear Colbert yelling at the medical staff to leave him alone, refusing to get stitches and demanding for the handcuffs to be removed. Due to Colbert's belligerent behavior Ofc. Malsheimer and I entered the room. Colbert continued to say he would not allow them to put stitches on the laceration but he would allow them to apply a bandage, which they did. I tried to talk to Colbert about the incident but he would just curse and not answer the questions. Colbert repeatedly called us Faggots, Duche Bags and requested his attorney. Colbert kept trying to get up, so Ofc. Malsheimer and I had to hold him on the bed by holding his shoulders. While talking to



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**Donald J. Lee, Jr.**

**Chief of Police**



**Key West**

**POLICE DEPARTMENT**

Colbert I noticed an odor of alcohol on his breath, slurred speech and he had bloodshot eyes. I told Colbert numerous times what his charge was but he would still repeatedly ask what his charge was. I asked Colbert if he had been drinking and he said that he had two beers. I assisted Ofc. Malsheimer with walking Colbert to Ofc. Malsheimer's patrol car without incident. Ofc. Malsheimer then transported Colbert to the Monroe County Detention center. Due to Colbert's aggressive behavior I did not attempt to photograph him on scene. I had Ofc. Malsheimer take photos of Colbert once he was at the Monroe County Detention Center.

I was not able to locate any independent witnesses.

There was a surveillance camera at 423 Simonton St., Bike Fit Key West, which was pointing in the area where the arrest was made. I returned to 423 Simonton St. and left my business card with my work and cellular number. I left a note on the card with the case #, date and time of incident requesting they call in reference to obtaining the video if possible.



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# Response to Resistance Report

Key West Police Department

Case No: 14-4444

**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)

INCIDENT

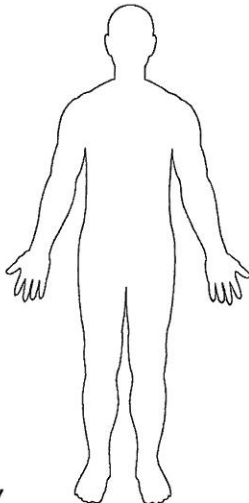
**2. Date:** 9/21/14      **3. Time:** 0347      **4. Location:** Caroline at Duval      **5. Incident type:** Resisting/MARCHMAN

6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
<input type="checkbox"/> Passive:		<input checked="" type="checkbox"/> Physical Control	Take-down
<input checked="" type="checkbox"/> Active:	Pulling and tensing	<input type="checkbox"/> Non-lethal Weapon	
<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
<input type="checkbox"/> Deadly Force:			

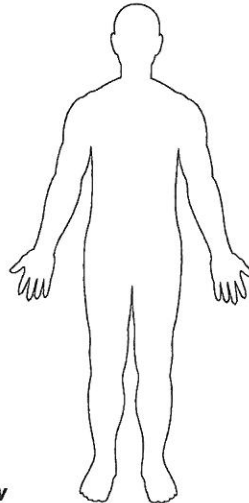
**10. Description of Incident:** (If additional space is needed, continue in section 51 or use separate page if needed)  
 Officer Bouvier witnessec \_\_\_\_\_ interfering with an uncooperative arrest situation. Bouvier tried to detain him and started pulling away. He took \_\_\_\_\_ to the ground. I (Sgt. Tripp) arrived while this was in process and helped Bouvier with the very last part of the take-down and handcuffing procedure. \_\_\_\_\_ was apparently "trying to help" but was extremely intoxicated. Bouvier took him into protective custody. \_\_\_\_\_ had minor scrapes on his knees and redness on his right cheek. He did not require treatment. I photographed him. I did this report as the "supervisor" and gave it to Lt. Brandenburg to review as the "IA inspector", which is my usual assignment.

SUBJECT

**11. Last Name:** \_\_\_\_\_ **12. First:** \_\_\_\_\_ **13. Race:** w **14. Sex:** m  
**15. DOB:** \_\_\_\_\_ **16. Height:** \_\_\_\_\_ **17. Weight:** \_\_\_\_\_  
**18. Did you observe the subject:**  No  Yes If NO, explain why in Section 5. If "YES", complete sections 19-23  
**19. Appeared to be:**  Intoxicated  Under the influence of controlled substance  Emotionally / mentally disturbed  
**20. Injuries:**  No  Evident  Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 23 )  
**21. Photographed:**  No  Yes **22. Treated:**  No  Yes **By:**  EMT/Paramedic on scene  Hospital  Detention



23. Anterior View



Posterior View

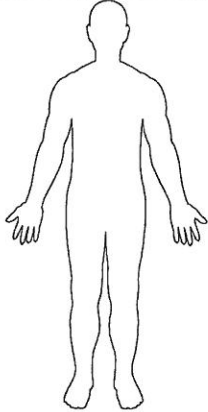
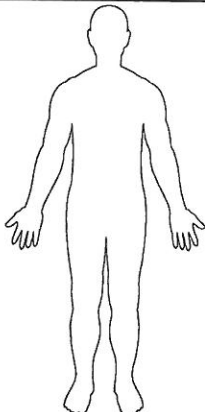
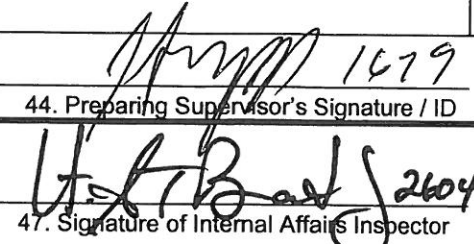


# Response to Resistance Report (continued)

Key West Police Department

14-4444Error! Reference source not found.

Case No:

<b>OFFICER</b>	24. Officer: Bouvier		25. Race: b		26. Sex: m		27. Age: 30		
	28. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes						29. Yrs Exp: 3		
	30. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 33 )								
	31. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			32. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital		
33. Response option used by this officer: (If TASER®, also reference line number from TASER® section)									
 34. Anterior View					 Posterior View				
<b>TASER USE ONLY</b>	35. TASER® device serial #				36. TASER® device serial #				
	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"/> 37. Check and list any additional TASER® devices, cartridges or details in the incident description section.									
<b>SUPERVISOR'S INQUIRY</b>	38. Notified Date: 9/21/14				39. Time: 0347				
	40. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)								
	41. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why in section 10)								
	42. 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		
43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes									
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS				44. Preparing Supervisor's Signature / ID		9/22/14		45. Date	
<b>INT. AFF.</b>	46. 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 49)						47. Signature of Internal Affairs Inspector		48. Date
									9/22/14