

Response to Resistance Report

Key West Police Department

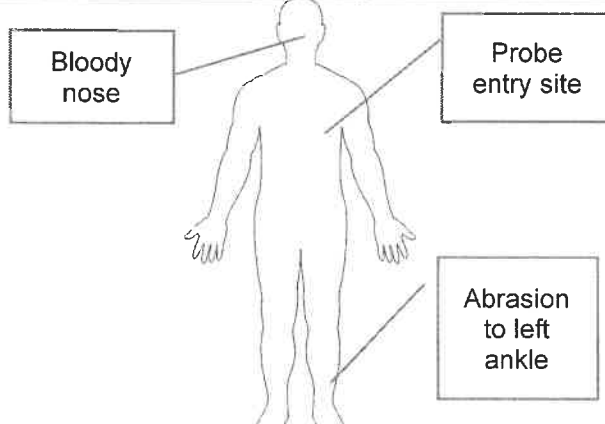
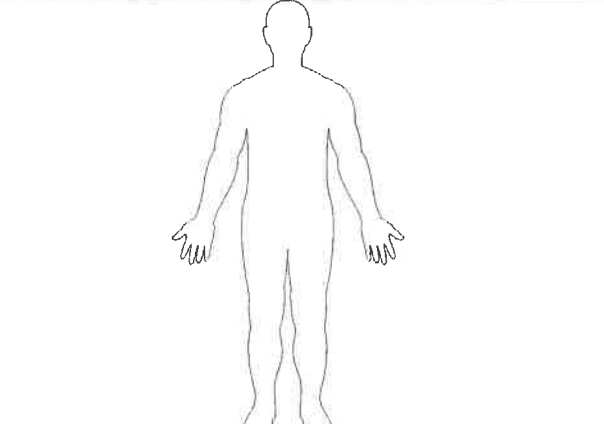
Case No: 22-1670

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

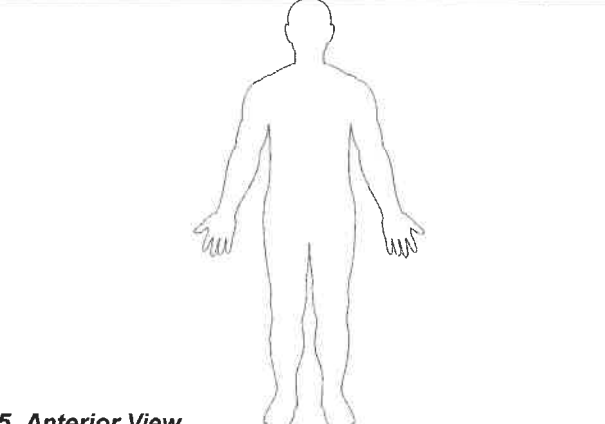
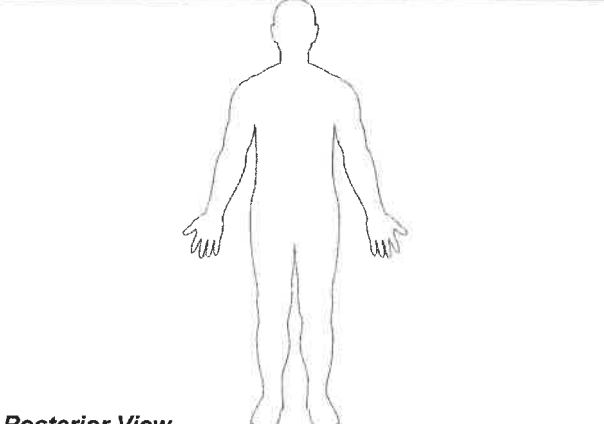
- ☒ A response through the use of non-lethal weapons,
☐ Applies weaponless physical force of strikes, kicks, or "take-downs"
☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force
☐ When any person complains of injury as a result of the application 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: 03/20/2022	3. Time: 1827 Hrs	4. Location: 1106 Angela Street	5. Incident type: S36B
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Refused to comply, aggressive	<input type="checkbox"/> Physical Control	
	<input type="checkbox"/> Active:	nature and potential for harm	<input checked="" type="checkbox"/> Non-lethal Weapon	TASER PROBE DEPLY
	<input type="checkbox"/> Aggressive:	due to size	<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

SUBJECT	10. Last Name: Eltringham	11. First: John	12. Race: W	13. Sex: M
	14. DOB: 08/25/1974	15. Height: 6'03"	16. Weight: 270 lbs	
	17. Did you observe the subject: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
	18. Appeared to be: <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed			
	19. Injuries: <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 22)			
	20. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 21. Treated: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input checked="" type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Detention			

SUBJECT		
	22. Anterior View	Posterior View

OFFICER	23. Officer: Leo Hernandez	24. W	25. Sex: M	26. Age: 46	27. Height: 5'04"	28. Weigh: 150 lbs
	29. 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 30. Yrs Exp: 2.5					
	31. 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 35)					
	32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
34. Response option used by this officer: Taser probe deployment.						

OFFICER		
	35. Anterior View	Posterior View

Response to Resistance Report (continued)

Key West Police Department

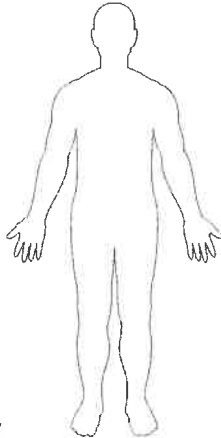
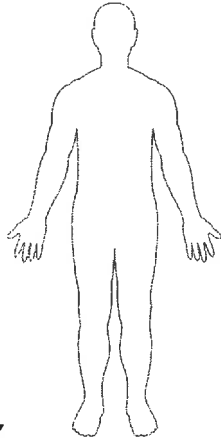
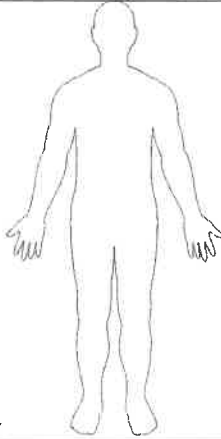
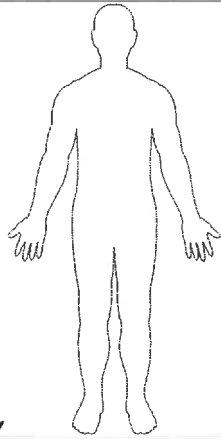
Case No: 22-1670

TASER USE ONLY	36. TASER® device serial # X1200CRPK		37. TASER® device serial #		
	TASER®Cam serial # V21002AK9		TASER®Cam serial #		
	Cartridge 1 serial # C41088MDT		Cartridge 1 serial #		
	Cartridge 2 serial #		Cartridge 2 serial #		
	Number of cycles: 1		Number of cycles:		
	Type of contact: <input checked="" type="checkbox"/> Probe <input type="checkbox"/> CODS <input 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: 5 feet		Target distance at probe launch:		
	Distance between probes: 18 inches		Distance between probes:		
	Probes removed by (name): Ofc. Hernandez		Probes removed by (name):		
Device downloaded by: Sgt. Stockton		Device downloaded by:			
<input type="checkbox"/> 38. Check and list any additional TASER® devices, cartridges or details in the incident description section.					
REPORT	39. Offense/Incident Report and/or Warrant Affidavit must include:				
	<input checked="" type="checkbox"/> All necessary criminal elements.				
	<input checked="" type="checkbox"/> All details of the arrest				
	<input checked="" type="checkbox"/> Details articulating the subject's words, mannerisms and actions that justify the use of force.				
	<input checked="" type="checkbox"/> Details outlining the response to resistance utilized by each officer.				
	<input checked="" type="checkbox"/> Detailed description of injury complaints and/or observed injuries				
<input checked="" type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.					
SUPERVISOR'S INQUIRY	40. Notified Date: 03/20/2022		41. Time: 2033 hrs		
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	43. Did you watch all relevant videos associated with the use of force? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	44. Did you meet with the Officer(s): <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	45. During your review did you find any potential policy violations or training issues associated with the incident?				
	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)				
	Timing of the BWC activation prior to the use of force.				
	46. 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
INT. AFF.	47. Is further review recommended: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		3631		
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		03/24/2022		
	48. Preparing Supervisor's Signature / ID		49. Date		
	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input type="checkbox"/> Yes If "No", complete section 51		51. Signature of Internal Affairs Inspector		
53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:		52. Date	

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1670 **Error! Reference source not found.**

OFFICER	23. Officer: Randal Hartle 24. Race: W 25. Sex: M 26. Age: 32 27. Height: 5'09" 28. Weight: 240					
	29. Duty Status: <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain 30. Yrs Exp: 21					
	31. 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 35)					
	32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
34. Response option used by this officer: Assisted in handcuffing						
OFFICER						
	35. Anterior View			Posterior View		
	23. Officer: 24. Race: 25. Sex: 26. Age: 27. Height 28. Weight					
	29. 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 30. Yrs Exp:					
31. 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 35)						
32. Photographed: <input type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital						
34. Response option used by this officer: (If TASER®, also reference line number from TASER® section)						
OFFICER						
	35. Anterior View			Posterior View		

INCIDENT DATA

MOV
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C
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M

OTHERS INVOLVED

PROPERTYStatus

Incident Report Additional Name List

Key West Police Department

OCA: 22-001670

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	CUNNINGHAM, JOHN HAROLD		06/23/1960	61	W	M
	Address 522 GRINNELL STREET, KEY WEST, FL 33040-		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-001670

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found

D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity

Assisting Officers

HARTLE, R.W. (2520), HOWELL, W.N. (4059), ADORNO, S.D. (4155), ANDRADE, E. (4158)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>ELTRINGHAM, AMY LOUISE</i>	Offense <i>BATTERY</i>	OCA <i>22-001670</i> Date / Time Reported <i>Sun 03/20/2022 18:25</i>
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-- John David Eltringham Arrest Narrative:

On Sunday March 20, 2022, at about 1827 hours, I, (Ofc. L. Hernandez), was dispatched to the area of Grinnell and Angela Street, reference a domestic violence incident.

Upon arrival, I met with a male, later identified as John Harold Cunningham (DOB 06/23/1960) (witness), who flagged me down and advised me the male and female involved in the domestic violence incident were walking together on Angela Street towards White Street.

As I was driving towards White Street, I could see the female walking in front of the male, as she was trying to get away from him, at about 50-75 feet apart from each other. I caught up to the male, John David Eltringham (DOB 08/25/1974) (Arrestee), identified by his Maryland driver's license. John was visibly and evidently upset, I asked him to stop and face me, he hesitated but did stop. I ordered John to stop and have a sit on the curb and he began to scream and refused. I asked John several more times to comply and he began to make movements towards the direction of his wife, Amy Louise Eltringham (DOB 01/23/1975) (victim). I ordered John again to stop and have a seat and he said he was not going to comply. Ofc. R. Hartle arrived on scene to provide backup assistance and asked John to comply, and John declined. I unholstered my taser and pointed towards John's direction. I warned John he was going to get tased and he said "tase me, I don't care, tase me". I ordered John again to comply and he again refused and made movements towards the direction of his wife again. I deployed my taser to physically control John. The taser probes contacted John's left side of his torso causing John to fall down to the ground through neuromuscular incapacitation.

Once on the ground, I immediately ordered John to place his hands behind his back, I placed him in handcuffs, checked them for tightness and double locked them. I then place John in a recovery position and removed both probes from his body while using personal protective equipment (gloves). John's active resistance behavior by making movements towards his wife while being ordered to sit down after being warned multiple times to comply by myself and Ofc. Hartle and his physical statue (John is 6'3" 270 lbs) gave us no other alternative to control the volatile situation but to use my taser. I believe due to the totality of circumstances the force I used was reasonably necessary. Key West Rescue 1 arrived on scene and after assessing John medically, they transported him to Lower Keys Medical Center Emergency Room for further treatment. After John was medically cleared by the ER I transported him to the Monroe County Detention Center where he was turned over to Detention Deputies without issues.

Cunningham, who witnessed the incident between John and Amy, completed a sworn written statement where he noted John was standing over Amy, while she was on the ground screaming from the top of her lungs for help. Cunningham goes on to say that Amy eventually gets up and walks away from John and he followed her. Amy had a scraped right knee with some fresh blood emanating from it and some red marks on her face. When I asked Amy what had occurred and how she sustained her injuries she refused to talk to me other than saying she just wanted to go back home. John had a few scratches on the right side of his neck. When I asked John what had occurred and how he sustained the scratches to his neck he did not want to talk to me about it. Both John and Amy were under the influence of alcoholic intoxicant (s) as per their strong odor of alcoholic beverage (s) emanating from their breath, flushed faces, and droopy eyes. John and Amy are currently married for over 28 years, have 2 children in common and reside together. This incident meets the criteria of domestic violence as described if FSS 741.28. I provided Amy with a victim's rights brochure and explained to Amy her rights. The brochure had my full name, ID # and case number written on it.

REPORTING OFFICER NARRATIVE*Key West Police Department*

Victim <i>ELTRINGHAM, AMY LOUISE</i>	Offense <i>BATTERY</i>	OCA <i>22-001670</i>
		Date / Time Reported <i>Sun 03/20/2022 18:25</i>

According to the witness statement, based on all facts, evidence and totality of circumstances I believe John was the primary aggressor in this domestic violence incident. I believe John has committed the misdemeanor criminal offense of battery touch or strike in violation of FSS 784.03 - John actually and intentionally touched and struck Amy causing bodily harm against her will.

Based on all facts, evidence, and totality of circumstances, I believe John committed the misdemeanor criminal offense of resisting an officer without violence to his / her person as described in FSS 843.02. John was encountered by two uniformed police officers, Ofc. Hartle and I were wearing our Key West Police Class B issued uniforms that clearly identifies us as police officers. John resisted our lawful commands and tried to move away from us as we were lawfully ordering him to stand down and was warned multiples times to comply to no avail as we were trying to conduct our investigation.

Sgt. J. Hammers responded to the scene and completed a response to resistance report.

My BWC and Axon Fleet (3452) were both activated during this incident and have been uploaded to Evidence.com

End of domestic violence report. Cleared by arrest.

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Incident Report Suspect List

Key West Police Department

OCA: 22-001670

1	Name (Last, First, Middle) <i>ELTRINGHAM, JOHN DAVID</i>					Also Known As					Home Address <i>1 SILVER MAPLE COURT BALTIMORE, MD 21220 443-986-7095</i>																																													
	Business Address <i>RETIRED, RETIRED</i>																																																							
	DOB <i>08/25/1974</i>	Age <i>47</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>603</i>	Wgt <i>270</i>	Hair <i>BRO</i>	Eye <i>BLU</i>	Skin <i>LGT</i>	Driver's License / State. <i>E436429135663 MD</i>																																													
	Scars, Marks, Tattoos, or other distinguishing features <i>TAT OTHR OTHER / MULTIPLE TATOOS ON ARMS AND LEGS</i>																																																							
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td colspan="3">SSN</td> </tr> <tr> <td colspan="2">Weapon, Type</td> <td colspan="2">Feature</td> <td colspan="2">Make</td> <td colspan="2">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td colspan="3">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="4">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="3">VIN</td> </tr> </table>															<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN			Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel Mode of Travel			VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN		
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VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN																																													
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CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 03/22/2022 23:34

OCA: **22001670**

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

Investigator: *HARTLE, RANDALL W (2520)*

Date / Time: *03/22/2022 16:20:48, Tuesday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On Sunday 3-20-2022 close to 6:30 pm, I (Officer Hartle) heard a call come out over channel 1 about a domestic battery in progress between a male and female at Angela Street and Grinnell. I was working a special traffic detail and about to call off duty when this call came out. The caller said a woman was on the ground screaming for help. I went to this location and found a man walking his dog. He pointed in the direction of Angela and Frances Street. He advised that the male and female had walked off in that direction (and pointed to the east). I started that way and saw Officer Hernandez out in the roadway in front of 1105 Angela Street (Just east of Frances Street). As I pulled up, I Heard Officer Hernandez giving loud verbal commands to a large white male (Later identified as John Eltringham). Eltringham was in a slightly bladed fighting stance with his arms out and appeared very angry. He was not listening to Officer Hernandez, so I verbally engaged him also told him to sit down. Eltringham seemed very intoxicated and was bleeding from his nose. Eltringham then moved out of the street onto the sidewalk with his back to the fence. Eltringham was still acting very aggressive and was yelling that he was not going to sit down. Eltringham was then advised that he would be tased if he did not listen. He then yelled to fucking tase me then. Officer Hernandez did tase Eltringham. Eltringham was then secured, and Officer Hernandez placed him in hand cuffs. Other officers started arriving and with the scene in control, I cleared with an assist. My BWC was activated while securing Eltringham.

Investigator Signature: _____

