

Response to Resistance Report

Key West Police Department

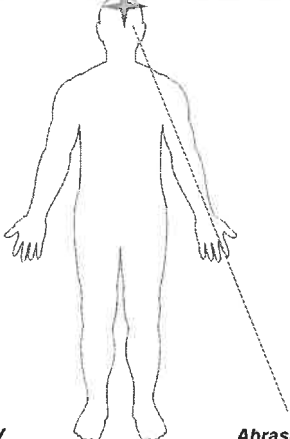
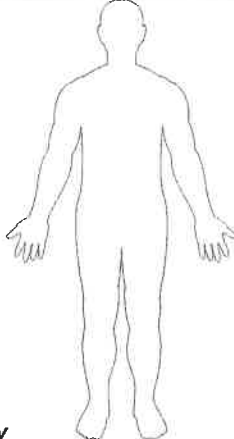
Case No: 22-1804

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

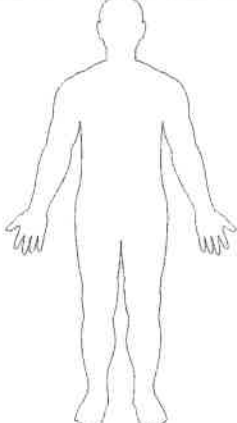
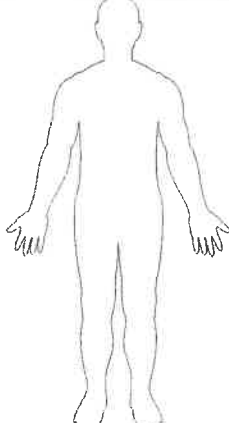
- ☐ A response through the use of non-lethal weapons,
☒ Applies weaponless physical force of strikes, kicks, or "take-downs"
☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force
☐ When any person complains of injury as a result of the application 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: 03/27/22	3. Time: 0316	4. Location: 129 Duval Street	5. Incident type: Resisting w/ viol.
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Ignoring verbal commands	<input checked="" type="checkbox"/> Physical Control	Body drag takedown
	<input checked="" type="checkbox"/> Active:	Tensing, pulling away	<input type="checkbox"/> Non-lethal Weapon	
	<input checked="" type="checkbox"/> Aggressive:	Striking officer	<input type="checkbox"/> Deadly Force	
<input type="checkbox"/> Deadly Force:				

SUBJECT	10. Last Name: Poor	11. First: Joshua	12. Race: W	13. Sex: M
	14. DOB: 01/26/1991	15. Height: 5'07"	16. Weight: 220	
	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 checked="" 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 type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention			

SUBJECT		
	22. Anterior view Abrasions/lacerations	Posterior View

OFFICER	23. Officer: Denis Agleev	24. Race: W	25. Sex: M	26. Age: 37	27. Height: 5'07"	28. Weight: 170
	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: (If TASER®, also reference line number from TASER® section) Mod. Leg sweep					

OFFICER		
	35. Anterior View	Posterior View

Response to Resistance Report (continued)

Key West Police Department

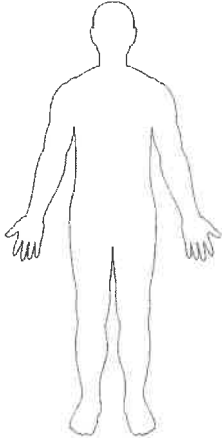
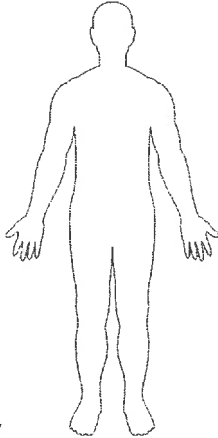
Case No: 22-1804

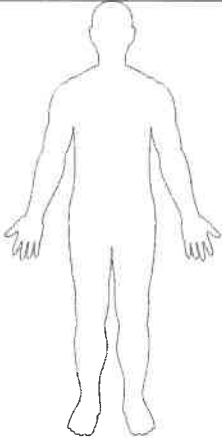
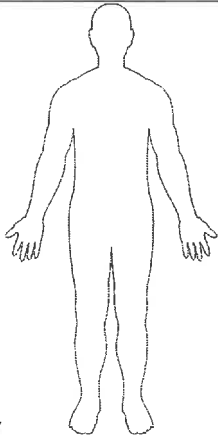
TASER USE ONLY	36. TASER® device serial #		37. TASER® device serial #	
	TASER®Cam serial #		TASER®Cam serial #	
	Cartridge 1 serial #		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles:		Number of cycles:	
	Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> 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"/> 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: 03/27/22		41. Time: 0316	
	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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	46. 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
	Joshua Blake	5537 College Road		
INT. AFF.	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		03/27/22	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		48. Preparing Supervisor's Signature / ID	
	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:	

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1804

OFFICER	23. Officer: Jessie Torrecillas		24. Race: W	25. Sex: M	26. Age: 42	27. Height: 5'07"	28. Weight: 206
	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		30. Yrs Exp: 5.5		
	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: (If TASER®, also reference line number from TASER® section)						
							
	35. Anterior View			Posterior View			

OFFICER	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)						
							
	35. Anterior View			Posterior View			

INCIDENT DATA

MOV
I
C
T
I
M

OTHERS INVOLVED

PROPERTY

Status

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-001804

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

TORRECILLAS, J. (3759), WAITE, K.J. (3646), PEREZ, R. (4010)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
22-001804
Date / Time Reported
Sun 03/27/2022 03:03

Victim	Offense	
Society	BATTERY FELONY	

-- Poor Joshua Aaron Arrest Narrative:

On March 27, 2022, at approximately 0300 hours I, Officer Agleev, was flagged down on Duval Street, reference a passed-out person in front of 129 Duval Street.

Upon arrival to the above-mentioned address, I observed a white male, later identified as Joshua Poor (Arrestee), passed out partially blocking the sidewalk in front of a business store. Poor had a backpack under his head, and deep asleep.

I asked Poor to sit up and speak with me. I advised Poor, it was a city ordinance violation to sleep on a sidewalk, and block pedestrian traffic. I asked Poor to sit up and provide me with his ID. I offered Poor my hand to help him sit up. Poor grabbed my hand but refused to sit up. Poor continuously refused to identify himself. I ordered Poor to place the hands behind the back and grabbed his arm. Poor strongly pulled away and attempted to kick me. I got on my radio and requested a back-up unit. Poor stood up and told me to get away from him. I displayed my TASER device and advised Poor he could get tased for aggressive resisting. I ordered Poor to sit down. I holstered my TASER and advised Dispatch about TASER display.

While I was talking on my radio, Poor raised his hands, clutched his fists, and started approaching me, while yelling profanities. I made two steps back and stopped. Poor stepped towards me, grabbed my arms, and pushed me. Poor attempted to swing at me. I raised my both arms protecting myself from Poor's advances. I grabbed Poor with both arms, pulled him towards me, and redirected him to the ground. Officer Torrecillas, Officer R. Perez, and a security guard from Rick's Bar (see Officer Torrecillas' supplemental report) assisted me with handcuffing Poor. While on the ground Poor continued pulling away and rotating his body.

I handcuffed Poor behind his back, Officer Waite placed hobble device on Poor's legs. I placed Poor into my patrol vehicle. Poor's California and Texas State IDs were recovered from his backpack during the search, incident to arrest.

Sergeants Sims and Conaty responded to the scene and talked to Poor, reference a Respond to Resistance Incident. Poor did not need any medical attention.

I transported Poor to the Monroe County Detention Center. MCDC deputies advised, Poor had previous arrests from 4 different states. The charges included grand theft and aggravated assault.

Based on the facts and evidence I believe there is probable cause that Joshua Poor on 03/27/2022 did violate F.S.S. 784.07(2)(b), when he knowingly and intentionally kicked me, grabbed my arms, and pushed me, while I was in the lawful execution of my legal duty.

Based on the facts and evidence I believe there is probable cause that Joshua Poor on 03/27/2022 did knowingly and intentionally grabbed my arms and pushed me, Officer Agleev, while I was in the lawful execution of my legal duty. Poor violate F.S.S. 843.01, Resisting an Officer with Violence.

Based on facts and evidence I believe there is probable cause, that Joshua Poor on 03/27/2022 did violate F.S.S. 843.02, Resisting an Officer without Violence by:

1. resisting me by twisting his body and pulling away his arms, while attempting to break my efforts to handcuff

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

22-001804

Victim

Society

Offense

BATTERY FELONY

Date / Time Reported

Sun 03/27/2022 03:03

him;

2. refusing to identify himself to me while I was in the lawful execution of my legal duty.

During the encounter I was in KWPD class B uniform, easily identified as a police officer. The incident took place in front of my KWPD marked police vehicle.

My BWC and Fleet-In-Car were activated and uploaded to Axon Evidence.

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Incident Report Suspect List

Key West Police Department

OCA: 22-001804

1	Name (Last, First, Middle) <i>AARON, POOR JOSHUA</i>					Also Known As					Home Address <i>1 GENERAL DELIVERY KEY WEST, FL 33040</i>																																													
	Business Address <i>NONE</i>																																																							
	DOB <i>01/26/1991</i>	Age <i>31</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>507</i>	Wgt <i>220</i>	Hair <i>BRO</i>	Eye <i>BLU</i>	Skin <i>LGT</i>	Driver's License / State. <i>Y8386937 CA</i>																																													
	Scars, Marks, Tattoos, or other distinguishing features																																																							
<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		
<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																													
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VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN																																													
Notes										Physical Char																																														

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 03/27/2022 05:57

OCA: **22001804**

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

Investigator: *TORRECILLAS, JESSIE (3759)*

Date / Time: *03/27/2022 04:11:12, Sunday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On March 27, 2022, at approximately 0313 hours, I, Officer J. Torrecillas responded to 129 Duval St. as a backup officer to Officer D. Agleev.

Upon arrival, I saw Joshua Poor (arrestee), advancing forward towards Ofc. Agleev. Ofc. Agleev placed his hand on Poor's chest to back him off. Poor forcefully pushed Ofc. Agleev. Ofc. Agleev grabbed Poor, and Poor began fighting by grabbing Ofc. Agleev.

I exited my patrol car and grabbed Poor. Poor continued fighting and Ofc. Agleev and I took Poor to the ground. Poor continued resisting once on the ground by not letting go of Ofc. Agleev and kicking his legs continuously. I grabbed Poor's legs to control his legs and stop him from kicking. Ofc. Agleev controlled Poor's upper body as I maintained control of his legs.

Joshua Blake (witness) arrived, as well as another bystander (unidentified), and assisted us in rolling poor onto his stomach so we could handcuff him.

Officer R. Perez arrived on scene and retrieved a hobble. Ofc. Perez and I applied the hobble to Poor's legs.

Blake provided me with a sworn written statement. In his statement, Blake stated the following:

He was working the front door of Rick's Bar when he saw Poor fighting with Ofc. Agleev and me. He went to the incident location and assisted us by holding Poor down. Once Poor was secured, he returned to work.

See Blake's written statement form for further information.

I attempted to activate my BWC as I exited my patrol car but after further review, realized my BWC was activated after Poor was handcuffed. Both Ofc. Agleev and my BWC's were knocked off during the incident. My BWC video was uploaded to Evidence.com.

Ofc. Agleev provided Blake with a Key West Police business card with a case number. I submitted Blake's written statement to the Key West Police Department Records Department.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 03/27/2022 05:57

OCA: **22001804**

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

Investigator: *PEREZ, RANDY (4010)*

Date / Time: *03/27/2022 04:12:01, Sunday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 03/27/2022, at 0311 hours, I (Ofc. R. Perez) was dispatched to 129 Duval St. in reference to an intoxicated subject. While in route I heard Ofc. Agleev ask for back up.

Upon arrival I saw Ofc. Agleev, Ofc. Torrecillas, and two bystanders trying to detain a male on the ground. The male was later identified by his California DL as Joshua Poor. I ran toward the group and told one of the bystanders to allow me to assist. The bystander moved and I placed my left knee on Poor's buttocks to assist with holding him down. Ofc. Agleev was able to pry Poor's left hand out from under him. I held Poor's left hand until Ofc. Agleev was able to pry Poor's right hand free and place them in handcuffs. I told Ofc. Torrecillas that I was going to grab a hobble. I got up ran toward my vehicle and grabbed my hobble. We placed the hobble on Poor's legs and tied the hobble. Poor was then placed in the back of Ofc. Agleev's Patrol vehicle.

My AXON BWC was activated after we gained control of Poor.

Investigator Signature: _____

