

# Response to Resistance Report

Key West Police Department

Case No: 15-2027

## 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: 4/20/15 4/30/15 3. Time: 00:20 4. Location: 525 Duval Street 5. Incident type: Trespasser

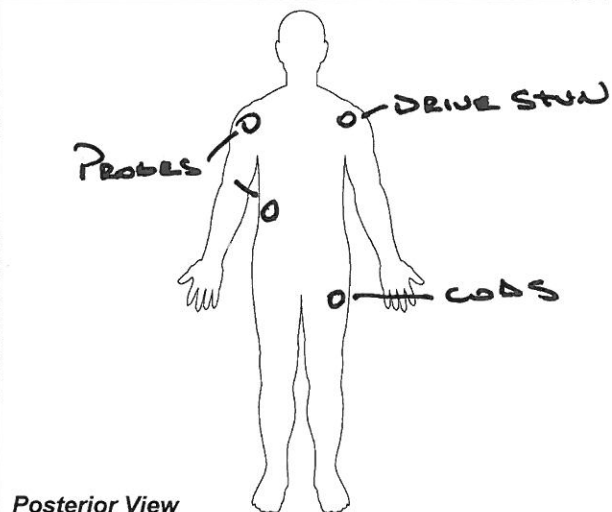
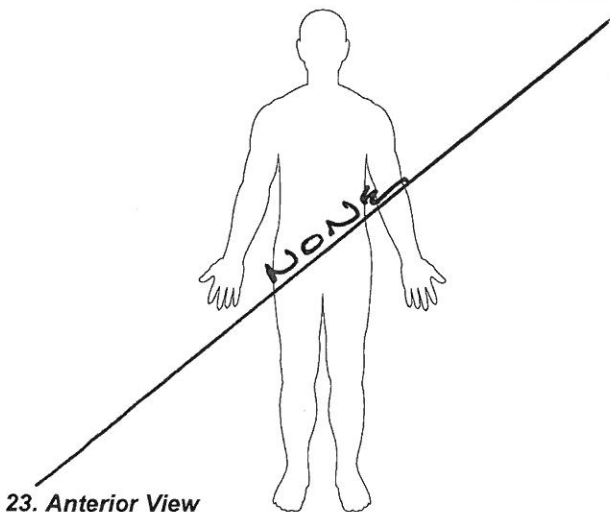
6. Resistance Level 7. Explanation 8. Response Option 9. Explanation

- ☒ Passive: Non compliance
- ☒ Active: Clinching, pushing, pulling
- ☐ Aggressive:
- ☐ Deadly Force:
- ☐ Physical Control
- ☒ Non-lethal Weapon TASER
- ☐ Deadly Force

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

I was on duty at the Key West Police Department. Over the radio, I heard Officer Galbo requesting back up. I arrived and found Troy Carswell on his side, on the sidewalk. I watched Officer Galbo remove two Taser probes (one from Left shoulder, one from Left flank area). Speaking with Officer Galbo, I learned the following: Officer Galbo responded to a trespasser at 525 Duval Street (Willie T's). Officer Galbo met with the Manager, Charles Loven, who pointed out Carswell as the suspect. Officer Galbo approached Carswell (to give him a trespass warning and remove him from the area) and asked him to walk out of the property to speak with him because the music was too loud. Officer Galbo said he knew Carswell to have a violent history and told him to sit down. Carswell did not sit down and said, "Fuck you nigger" several times. Officer Galbo unholstered his Taser, pointed it at Carswell and he complied. Carswell refused to give information (Name, DOB). Officer Galbo attempted to handcuff Carswell. Once Officer Galbo got one hand cuffed, Carswell pulled away. Officer Galbo delivered three Drive Stuns to the Right shoulder without effect. Carswell continued to push and try to get away from Officer Galbo. Several bystanders attempted to help Officer Galbo by holding Carswell. Officer Galbo ordered the bystanders to let go and Tased Carswell with probes. Carswell would not comply and place hands behind his back, tensed up and sat up as to get away. Officer Galbo delivered two more CODS to gain compliance. Carswell finally complied

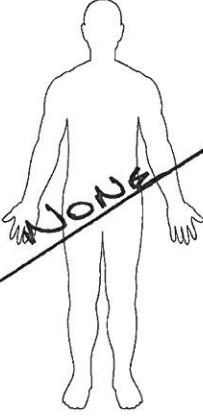
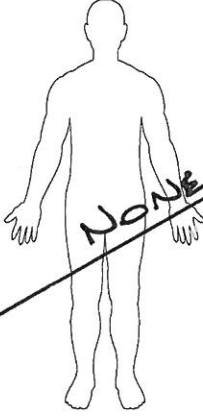
11. Last Name: Carswell 12. First: Troy 13. Race: W 14. Sex: M  
15. DOB: 5/6/70 16. Height: 510 17. Weight: 190  
18. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 5. If "YES", complete sections 19-23  
19. Appeared to be: ☒ Intoxicated ☒ Under the influence of controlled substance ☒ 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

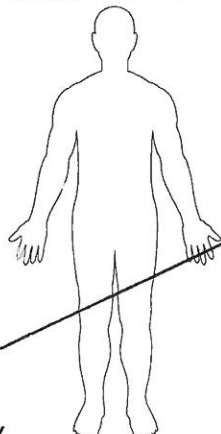
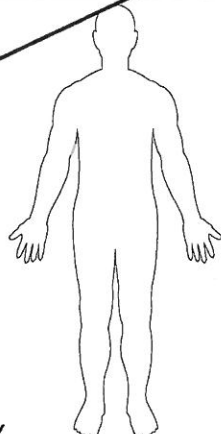
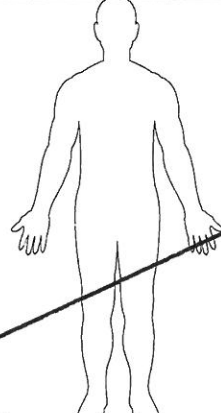
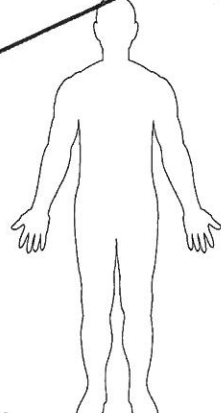
Case No: 15-2027

<b>OFFICER</b>	24. Officer: Nick Galbo				25. Race: W		26. Sex: M		27. Age: 32	
	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: 5			
	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) TASER-35									
<b>OFFICER</b>										
	34. Anterior View					34. Posterior View				
<b>TASER USE ONLY</b>	35. TASER® device serial # X12002KX8					36. TASER® device serial #				
	TASER®Cam serial # V21000VTH					TASER®Cam serial #				
	Cartridge 1 serial # C41011WFP					Cartridge 1 serial #				
	Cartridge 2 serial # N/A					Cartridge 2 serial #				
	Number of cycles: 3 Drive Stuns, 1 Probes, 2 CODS					Number of cycles:				
	Type of contact: <input checked="" type="checkbox"/> Probe <input checked="" type="checkbox"/> CODS <input checked="" type="checkbox"/> Drive Stun					Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun				
	Did probes penetrate skin: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					Did probes penetrate skin: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
	Target distance at probe launch: About 6 Feet					Target distance at probe launch:				
	Distance between probes: 10 Inches					Distance between probes:				
	Probes removed by (name): Nick Galbo					Probes removed by (name):				
Device downloaded by: Sgt Blasberg					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: 4/30/15					39. Time: 00:29				
	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		
	Charles Loven			525 Duval Street, Key West, Florida, 33040				(305) 896-4756		
<b>INT. AFF.</b>	43. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					44. Preparing Supervisor's Signature / ID				
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS					45. Date				
	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				
	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: 15-2027

INCIDENT	<b>51. Description (Section 10 continued):</b>			
	<p>I observed Carswell to have a strong odor of alcohol about him and I observed Carswell attempt to stand up and leave while under arrest. He continued to call us "Niggers" and threaten to hurt me as well as Officer Galbo.</p>			
	<p>Carswell complained of possible injury to his pacemaker. Rescue 2 responded and rendered first aid to Carswell. Rescue medics believed Carswell to be under the influence of unknown drug/s and to have an elevated heart rate. Medics said Carswell did not have a pacemaker. Rescue 2 and Officer Galbo drove Carswell to the Lower Keys Emergency Room. Once cleared medically, Officer Galbo transported Carswell to MCDC for booking process.</p>			
	<p>I photographed Carswell at the scene.</p>			
	<p>I reviewed the Taser videos from Officer Galbo.</p>			
	OFFICER	<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) TASER 36</b>				
 <p>34. Anterior View</p>		 <p>Posterior View</p>		
OFFICER	<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) TASER 35</b>			
	 <p>34. Anterior View</p>		 <p>Posterior View</p>	



## KEY WEST POLICE DEPARTMENT

Key West, FL

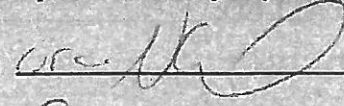
## PROPERTY RECEIPT

Check <u>ONLY ONE</u> :	<input checked="" type="radio"/> Trial Evidence	<input type="radio"/> Lab Evidence	<input type="radio"/> Found Property
<input type="radio"/> Prisoner Property	<input type="radio"/> Safekeeping (Return)	<input type="radio"/> Stolen/Recovered	<input type="radio"/> For Destruction

CASE NUMBER: 15-2027	DATE/TIME IMPOUNDED: 4/30/15 0022	BIN NUMBER (ECO use only):
EXACT ADDRESS WHERE PROPERTY WAS IMPOUNDED: 525 DUAL STREET	TYPE OF CASE: RESTITUTION w/o	
<input type="radio"/> Felony		<input checked="" type="radio"/> Misdemeanor
CODES:	S = SUSPECT	A = ARRESTEE
V = VICTIM	O = OWNER	R = REPORTING PERSON

CODE	NAME (LAST, FIRST, MIDDLE)	RACE	SEX	DOB	ADDRESS	PHONE
A	CARSWELL, TROY S	W	M	5/6/70	General Decker	—
V	STATE OF FL					

ITEM #	QUANTITY/WEIGHT/COUNT	DESCRIPTION (including identifying marks, serial number, color, etc.)
1	1	TASER CARTRIDGE SN# C41011WJFP
2	1	TASER V-BOW CD
3	2	AFIDS FROM TASER

<b>HOLD REQUESTED - REQUESTING PERSON/PURPOSE:</b>		<b>FORFEITURE/SEIZED?</b>		<b>NCIC CHECK?</b>	
<input type="radio"/> YES <input checked="" type="radio"/> NO		<input type="radio"/> YES <input checked="" type="radio"/> NO		<input type="radio"/> YES <input type="radio"/> NO	
I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt. (Please read the information on the back of this sheet for an explanation of your rights according to law.)			I hereby acknowledge that the above represents all property impounded by me in the official performance of my duty as a Key West Police Officer.		
Signature (x):			Impounding Officer (x) 		
			Employee ID# 338 GACPC		
Received By:	Reason:	Date/Time Received:			
Received By:	Reason:	Date/Time Received:			
Received By:	Reason:	Date/Time Received:			
Received By:	Reason:	Date/Time Received:			
Received By:	Reason:	Date/Time Received:			

WHITE COPY - Person surrendering property

YELLOW COPY - Property Division

PINK COPY - Records

BLUE COPY - Officer's Copy

# KEY WEST POLICE DEPARTMENT

## STATEMENT FORM

Page 1 of 1

INCIDENT #	<u>K-2027</u>
DATE	<u>4-30-15</u>

NAME Charles Dean Loren  
FIRST MIDDLE LAST  
 DATE OF BIRTH 2/16/64 RACE C SEX M  
 DRIVER'S LICENSE # L 150-144-64-056-0 STATE FL  
 ADDRESS 1-66 Abroad - Fleming Key 33040  
STREET CITY STATE ZIP  
 BUSINESS ADDRESS 525 Pinal Key West FL 33040  
STREET CITY STATE ZIP  
 TELEPHONE ( ) 305-896-4756 ( )   
HOME BUSINESS CELLULAR  
 E-mail Address Loren Gray a Gmail

### PLEASE PRINT LEGIBLY

I hereby state the following: I called non emergency police  
number - I had asked a guy to leave  
property for bothering guest's - Asking  
for drink's / money ECT... - He left and  
was standing on the railing still bothering  
people - Officer came - I went back to work  
few minutes later I noticed a disturbance  
on sidewalk - came out saw the guy fighting  
with officer - they were tied up on ground  
guy was trying to get on top of officer -  
me and 2 or 3 other people tried to help -  
officer got upper hand - Told us to step back  
we did - Guy refused to listen to command's  
Got tased -

CLL I am willing to cooperate in the prosecution of this case.  
 Initials

I am NOT willing to cooperate in the prosecution of this case.  
 Initials

I have read each page of this statement consisting of 1 page(s) and swear or affirm that it is true to the best of my knowledge or belief.

C. D. Loren

4-30-15

# Key West Police Department

Report 04/30/2015 00:51

## Incident Report

Case # 01-15-002027

<b>I N C I D E N T</b>	<b>Case #</b>	<b>Report</b>	<b>Occurred From</b>	<b>Occurred To</b>	<b>Report Type</b>
	01-15-002027	04/30/2015 00:51	04/30/2015 00:20	04/30/2015 00:22	Original
	<b>Dept. Classification</b>		<b>Case Status</b>	<b>Case Status Date</b>	<b>Cleared</b>
	OBSTRUCT/RESIST OFFENSE		CLEARED BY ARREST	04/30/2015	04/30/2015 01:22
	<b>Common Name</b> WILLIE T S - 525 DUVAL ST KEYWEST, FL 33040 (MONROE County)				
Day of Week : THURSDAY Dispatched : 04/30/2015 00:22 Responded : 04/30/2015 00:22 Arrived : 04/30/2015 00:24 Map Reference : 1072XX1XO Location Type : HIGHWAY/ROADWAY			Beat Assignment : 1 Alcohol Related : Yes Drug Related : Unknown Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$0.00 Total Recovered Property Value : \$0.00		

<b>O F F E N S E</b>	<b>State Classification</b>		<b>Attempted/Committed</b>
			COMMITTED
	<b>Statute/Ordinance</b>	<b>Location Type</b>	<b>Disposition Date</b>
		HIGHWAY/ROADWAY	
Federal Classification : RESIST OFFICER OBSTRUCT WO VIOLENCE-843.02 Troy Carswell (SUSP,Primary Role); State of Florida (VICT,Primary Role) Attack Reason : UNKNOWN		Weapon 1 : HANDS/FISTS/FEET Computer Theft : Not Applicable # of Premises : 1	
End of Offense: 1			

<b>P E R S O N</b>	<b>Person Type</b>	<b>Business/Person Name</b>		<b>Business Phone</b>	
	SUSPECT/ARRESTEE	Troy Shane Carswell			
	<b>Home Phone</b>	<b>Person Address</b>			
		GENERAL DELIVERY			
	<b>Other Phone</b>	<b>Employer Address</b>			
	<b>Race</b>	<b>Sex</b>	<b>SSN</b>	<b>DL Exp. Date</b>	<b>DL Number</b>
	WHITE	Male		05/06/1994	054648586
	<b>Birth Date</b>	<b>Birth Place</b>			
	05/06/1970				
Age : 44 Occupation : NONE DL State : GA DL Country : UNITED STATES Ethnic Origin : NON-HISPANIC Min. Height : 6'00" Min. Weight : 200 lbs Adult/Juvenile : ADULT Shirt : None Pants : Shorts Shoes : None Hair Color : BALD Hair Length : BALD Hair Style : BALD ON TOP Facial Hair : MUSTACHE AND BEARD					
Teeth : BROKEN Eye Color : BLUE Build : MEDIUM/AVERAGE Complexion : MEDIUM Glasses : Unknown Hand Use : RIGHT HANDED Caution : VIOLENT Status : ARRESTEE Religion : UNKNOWN Marital Status : UNKNOWN Speech : LOUD Citizenship : UNITED STATES Weapon Held : HANDS/FISTS/FEET Body Marks:					
End of Person: 1					

<b>P E R S O N</b>	<b>Person Type</b>	<b>Business/Person Name</b>		<b>Business Phone</b>
	VICTIM	State of Florida		
	<b>Home Phone</b>	<b>Person Address</b>		
	<b>Other Phone</b>	<b>Employer Address</b>		
<b>Race</b>	<b>Sex</b>	<b>SSN</b>	<b>DL Exp. Date</b>	<b>DL Number</b>

<b>Reporting Officer</b> NICHOLAS J GALBO (3318)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Report Status:</b> Approved
<b>Supervising Officer</b>		<b>Date/Time</b>
<b>Verifying Officer</b> SGT FRANK BLASBERG (1598)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Date / Time</b> 04/30/2015 03:13

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# Key West Police Department

Report 04/30/2015 00:51

## Incident Report

Case # 01-15-002027

Birth Date	Birth Place
Relationship : STRANGER OF Troy Carswell	
Victim Type : GOVERNMENT	
Body Marks:	
End of Person: 2	

PERSON 3	Person Type	Business/Person Name			Business Phone
	WITNESS	Charles Dean Loven			
	Home Phone	Person Address			
	(305) 896-4756	FLEMING KEY KEY WEST FL 33040 ,MONROE County			
	Other Phone	Employer Address			
		Use Address from Incident Location Information			
	Race	Sex	SSN	DL Exp. Date	DL Number
	WHITE	Male		10/29/2008	L150144640560
Birth Date	Birth Place				
02/16/1964	UNITED STATES				
Age : 51 Occupation : Manager DL State : FL DL Country : UNITED STATES Ethnic Origin : NON-HISPANIC Min. Height : 6'00" Min. Weight : 200 lbs Adult/Juvenile : ADULT Employer : Willie t's Relationship : STRANGER OF Troy Carswell Shirt : T-shirt Pants : Shorts Shoes : Sneakers Hair Color : BROWN					
Hair Length : MEDIUM Eye Color : BROWN Build : MEDIUM/AVERAGE Complexion : MEDIUM Glasses : Unknown Hand Use : RIGHT HANDED Religion : UNKNOWN Marital Status : UNKNOWN Speech : NORMAL Residency Type : CITY Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:					
End of Person: 3					

PROPERTY 1	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	TASER CARTRIDGE	Taser	Taser
	Serial #	Color	Description	Condition
	C41011WFP	BLACK	Taser Cartridge	Used
	UCR Type : MISCELLANEOUS Relationship to Offense(s) : YES IS Offense 1 Quantity/Weight : 1 Value : \$1.00			
Recovery Location : Use Address from Incident Location Information Recovered By : Ofc. N. Galbo Recovery Date and Time : 04/30/2015 00:22 Recovery Value : \$1.00				
End of Property: 1				

PROPERTY 2	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	DIGITAL DISK	Cd	CD
	Serial #	Color	Description	Condition
		SILVER	Taser video Cd	New
	UCR Type : MISCELLANEOUS Relationship to Offense(s) : YES IS Offense 1 Quantity/Weight : 1 Value : \$1.00			
Recovery Location : Use Address from Incident Location Information Recovered By : Ofc. N. Galbo Recovery Date and Time : 04/30/2015 00:22 Recovery Value : \$1.00				
End of Property: 2				

Reporting Officer	Department	Report Status:
NICHOLAS J GALBO (3318)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT FRANK BLASBERG (1598)	KEY WEST POLICE DEPARTMENT	04/30/2015 03:13

# Key West Police Department

Report 04/30/2015 00:51

## Incident Report

Case # 01-15-002027

<b>P R O P E R T Y</b>  <b>3</b>	<b>Category</b> EVIDENCE/SEIZED	<b>Property Type</b> AFIDS	<b>Make</b> Taser	<b>Model</b> Afids
	<b>Serial #</b>	<b>Color</b> MULTI-COLORED	<b>Description</b> Taser Afids	<b>Condition</b> Used
	UCR Type : MISCELLANEOUS Relationship to Offense(s) : YES IS Offense 1 Quantity/Weight : 2 Value : \$1.00		Recovery Location : Use Address from Incident Location Information Recovered By : Ofc. N. Galbo Recovery Date and Time : 04/30/2015 00:22 Recovery Value : \$1.00	
	End of Property: 3			

<b>N A R R A T I V E</b>  <b>1</b>	<b>Topic</b> ORIGINAL
	<p>On Thursday 4/30/15, at approximately 0022 hours, I (Officer Galbo) responded top 525 Duval Street, Willie T's reference a trespasser. Upon arrival I met with Charles Loven (witness), who is an employee at the business. Loven told me a white male wearing no shirt and a baseball hat had been disturbing patrons of the bar and had refused to leave.</p> <p>The business was busy so I asked Loven to point out the individual and he pointed to a male later identified by his Georgia driver license as Troy Carswell (suspect). Carswell was no longer inside the main bar area of the business but he was still on their property when I arrived and when Loven identified him to me. Loven said he wanted Carswell trespassed from the property.</p> <p>I approached Carswell and identified myself as an Officer with the Key West Police Department and was wearing my Class B uniform at the time. There was a band playing so I asked Carswell to walk with me off the property and to the business next store where we could talk and not have to shout at each other. Carswell agreed and we both walked several feet to a quiet area in front of Walgreens. I recognized Carswell and I have had previous dealings with him. At the time I did not recall his name but knew that he has a history of fighting and of violence. I told Carswell to sit down on the curb area so we could speak. Carswell was being loud and originally did not want to comply. He became loud and began to argue with me and shouted "Fuck you nigger" several times to me. Carswell was not free to leave and in order to complete my trespass warning and investigation I needed to gather his prudent information. In order to gain compliance I un holstered my Taser and told Carswell to sit down. He began to walk to the edge of the curb and after telling him several times to sit down he finally did. I requested additional officers respond and advised on Key West COM1 that I had one at Taser point.</p> <p>Once Carswell was sitting down he was still shouting and being loud and expressed several times that he did not like me. I asked Carswell for him name and he replied, "Fuck you." I asked Carswell again for his name and he continued to state "Fuck you." and told me he was not going to tell me his name or provide any information to me. A crowd had began to form now and several people stopped to watch what was going on between Carswell and I. After asking him several more times and continuing to get the same response I told Carswell to put his hands behind his back. Carswell refused to comply and I told him he was under arrest and to put his hands behind his back. I went to place Carswell in handcuffs and was able to secure his right arm in the cuff. I told Carswell to place his other hand behind his back and he refused. Carswell was still sitting down and he was attempting to pull the one hand I did have handcuffed away. I maintained control of his hand and continued to tell him to put his hands behind his back. I could hear several people around us shouting at Carswell to comply and not resist. I told him again to put his hands behind his back or he would be Tased. Carswell refused and I</p>

<b>Reporting Officer</b> NICHOLAS J GALBO (3318)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Report Status:</b> Approved
<b>Supervising Officer</b>		<b>Date/Time</b>
<b>Verifying Officer</b> SGT FRANK BLASBERG (1598)	<b>Department</b> KEY WEST POLICE DEPARTMENT	<b>Date / Time</b> 04/30/2015 03:13

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7



# Key West Police Department

Report 04/30/2015 00:51

## Incident Report

Case # 01-15-002027

used my Taser in the cartridge off drive stun mode for pain compliance to attempt to gain his compliance. I delivered one cycle to the upper right area of his shoulder and continued to tell him to put his hands behind his back. I was still unable to gain compliance so I delivered another drive stun cycle to him. Carswell still did not comply so I told Carswell to get on the ground and attempted to gain control of him by attempting to take him down and get him prone out. Carswell began to push his body up and back into me and he was trying to knock me backwards and off my feet so he could get up. I told Carswell to stop resisting and he still was pushing his body back into me and was attempting to take me to the ground. Several bystanders began to help me and tried to pull Carswell back from me. Prior to them helping me Carswell was attempting to fight with me and get me on the ground. Once I was able to gain my footing I told anyone holding onto Carswell or helping me to stop and let go. I then deployed my Taser with the cartridge on in order to gain compliance from Carswell. He went to the ground and once on the ground he still was actively trying to get away from me and still refused to put his hands behind his back. I delivered another cycle to Carswell with the probes on in order to gain compliance. I was now able to secure both his hands in handcuffs and requested a supervisor respond to the scene.

I was able to get a statement form from Loven, who was one of the people who had helped me when Carswell began to fight with me. Several other people who had helped me left prior to me gathering their information. Loven wrote that when he saw Carswell fighting with me, he and several other people stepped in to help me.

I placed the Taser cartridge, Afids collected at the scene and Taser video CD into the Key West Police Property and Evidence Section as evidence.

Because Carswell was Tased, KWFD Rescue was requested and responded to the scene. Carswell was transported to Lower Key Medical Center by KWFD Rescue and I rode with them to the hospital. Carswell received medical clearance and I transported him to MCDC.

I completed a Field Interview on Carswell and issued him a trespass warning for 525 Duval Street, FI #200603

I arrested and charged Carswell with Resisting Without Violence, violation of F.S.S. 843.02 for refusing to provided his information to me during a criminal investigation and for tensing up his arms, pulling his arms and body away from me while I was attempting to arrest him.

///ARREST. END OF REPORT///

End of Narrative: 1

Reporting Officer NICHOLAS J GALBO (3318)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT FRANK BLASBERG (1598)	Department KEY WEST POLICE DEPARTMENT	Date / Time 04/30/2015 03:13

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KWPD

## Monroe County Adult Arrest Form

☐ ARREST  
☐ WARRANT  
☐ COMPLAINT AFFIDAVIT

ARREST #

OBTS #

Filing Agency KWPD		Case # 0115002027		Doc. Control #		State ID #		FBI #	
Defendant's Last Name Carswell		First Troy		Middle Shane		Suf		Alias	
Citizenship UNITED STATES									
Race W	Eth NH	Sex M	Hgt 6'00"	Eyes BLUE	Hair BALD	Wgt 200	Comp MEDIUM	Age 44	DOB 05/06/1970
Birthplace		Scars, Marks, TT							
Facial Hair MTBRD	Build MED	Marital St	Hand Use RH	Glasses Unknown	Speech LOUD	Parole/Probation		Language Spoken	
Permanent Address GENERAL DELIVERY					Home Phone:		Local Address:		
Email Address					Cell Phone:		Place of Employment		Occupation NONE
Arrest Location 525 DUVAL ST KEY WEST, FL 33040-					Area/Zone <input type="checkbox"/>		Work Phone:		Arresting Officer NICHOLAS 3318
Violation Location 525 DUVAL ST KEY WEST, FL 33040-					Area/Zone <input type="checkbox"/>		Date/Time of Violation 04/30/2015 00:22		Date/Time Arrested 04/30/2015 00:42
DL # 054648586	State GA	Breathalyzer By		Reading	Miranda Advisement	By Whom		Indication Of: Y N UK	
Domestic Violence		Weapon Seized		Officer Injured	Caution VIOLENT		Alcohol Influence: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Drug Type: N		Type: N-N/A A-Amphetamine		B-Barbiturate C-Cocaine E-Heroin	H-Hallucinogen M-Marijuana O-Opium	P-Paraphernalia/ Equipment S-Synthetic	U-Unknown Z-Other	Activity: N	Activity: N-N/A P-Possess S-Sell
								B-Buy T-Traffic A-Smuggle D-Deliver	E-Use M-Manufacture/ Produce/ Cultivate
								K-Dispense/ Distribute Z-Other	

Defendant Vehicle Make:	Type:	Year:	Color:	Vehicle Registration State:
VIN#:	Tag #:		Vehicle Tag Expiration:	
Vehicle Status:	Other Identifiers or Remarks:			

# CODEFENDANT

ADDRESS

PHONE #

RACE

SEX

DOB

Count	Offenses Charged	Statute	Warrant #	Court Date and Time	Citation #
1/M	RESIST OFFICER OBSTRUCT WO VIOLENCE-843.02	SIST OFFICER OBS			

Before me this date personally appeared **NICHOLAS 3318** who being first duly sworn deposes and says that on the **30th day of April, 2015** at **525 DUVAL ST KEY WEST, FL 33040-** the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows

[NARR]: On Thursday 4/30/15, at approximately 0022 hours, I (Officer Galbo) responded to 525 Duval Street, Willie T's reference a trespasser. Upon arrival I met with Charles Loven (witness), who is an employee at the business. Loven told me a white male wearing no shirt and a baseball hat had been disturbing patrons of the bar and had refused to leave.

The business was busy so I asked Loven to point out the individual and he pointed to a male later identified by his Georgia driver license as Troy

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

NICHOLAS 3318

Blasberg

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDACOUNTY OF MONROE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, (year) \_\_\_\_\_, who is personally

known to me or who has produced (ID Type) Police as identification and who DID take an oath.

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE #

SIXTEENTH JUDICIAL COURT

MONROE County

State of FLORIDA

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Form NS ARREST 3.0, REV: 04/18/2014

KWPD

## Monroe County Adult Arrest Form Continuation

OBTS # \_\_\_\_\_

## ARREST #

LAST NAME	FIRSTNAME	MIDDLE NAME	SUF.	HGT	WGT	R C	SEX	DOB	Case #	Arresting Officer
Carswell	Troy	Shane		6'00"	200	W	M	05/06/1970	0115002027	NICHOLAS 3318

Carswell (suspect). Carswell was no longer inside the main bar area of the business but he was still on their property when I arrived and when Loven identified him to me. Loven said he wanted Carswell trespassed from the property.

I approached Carswell and identified myself as an Officer with the Key West Police Department and was wearing my Class B uniform at the time. There was a band playing so I asked Carswell to walk with me off the property and to the business next store where we could talk and not have to shout at each other. Carswell agreed and we both walked several feet to a quiet area in front of Walgreens. I recognized Carswell and I have had previous dealings with him. At the time I did not recall his name but knew that he has a history of fighting and of violence. I told Carswell to sit down on the curb area so we could speak. Carswell was being loud and originally did not want to comply. He became loud and began to argue with me and shouted "Fuck you nigger" several times to me. Carswell was not free to leave and in order to complete my trespass warning and investigation I needed to gather his prudent information. In order to gain compliance I un holstered my Taser and told Carswell to sit down. He began to walk to the edge of the curb and after telling him several times to sit down he finally did. I requested additional officers respond and advised on Key West COM1 that I had one at Taser point.

Once Carswell was sitting down he was still shouting and being loud and expressed several times that he did not like me. I asked Carswell for him name and he replied, "Fuck you." I asked Carswell again for his name and he continued to state "Fuck you." and told me he was not going to tell me his name or provide any information to me. A crowd had began to form now and several people stopped to watch what was going on between Carswell and I. After asking him several more times and continuing to get the same response I told Carswell to put his hands behind his back. Carswell refused to comply and I told him he was under arrest and to put his hands behind his back. I went to place Carswell in handcuffs and was able to secure his right arm in the cuff. I told Carswell to place his other hand behind his back and he refused. Carswell was still sitting down and he was attempting to pull the one hand I did have handcuffed away. I maintained control of his hand and continued to tell him to put his hands behind his back. I could hear several people around us shouting at Carswell to comply and not resist. I told him again to put his hands behind his back or he would be Tased. Carswell refused and I used my Taser in the cartridge off drive stun mode for pain compliance to attempt to gain his compliance. I delivered one cycle to the upper right area of his shoulder and continued to tell him to put his hands behind his back. I was still unable to gain compliance so I delivered another drive stun cycle to him. Carswell still did not comply so I told Carswell to get on the ground and attempted to gain control of him by attempting to take him down and get him prone out. Carswell began to push his body up and back into me and he was trying to knock me backwards and off my feet so he could get up. I told Carswell to stop resisting and he still was pushing his body back into me and was attempting to take me to the ground. Several bystanders began to help me and tried to pull Carswell back from me. Prior to them helping me Carswell was attempting to fight with me and get me on the ground. Once I was able to gain my footing I told anyone holding onto Carswell or helping me to stop and let go. I then deployed my Taser with the cartridge on in order to gain compliance from Carswell. He went to the ground and once on the ground he still was actively trying to get away from me and still refused to put his hands behind his back. I delivered another cycle to Carswell with the probes on in order to gain compliance. I was now able to secure both his hands in handcuffs and requested a supervisor respond to the scene.

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

NICHOLAS 3318

Blasberg

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDACOUNTY OF MONROE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, (year) \_\_\_\_\_, who is personally

known to me or who has produced (ID Type) Police as identification and who DID take an oath.

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE # \_\_\_\_\_

SIXTEENTH JUDICIAL COURT

MONROE County

State of FLORIDA

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Form NS ARREST 3.0, REV: 04/18/2014

# Monroe County Adult Arrest Form Continuation

KWPD

OBTS # \_\_\_\_\_

## ARREST #

LAST NAME	FIRSTNAME	MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
Carswell	Troy	Shane		6'00"	200	W	M	05/06/1970	0115002027	NICHOLAS 3318

///ARREST. END OF REPORT///

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NICHOLAS 3318

Blasberg

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA

COUNTY OF MONROE

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SIXTEENTH JUDICIAL COURT

MONROE County

State of FLORIDA