

Response to Resistance Report

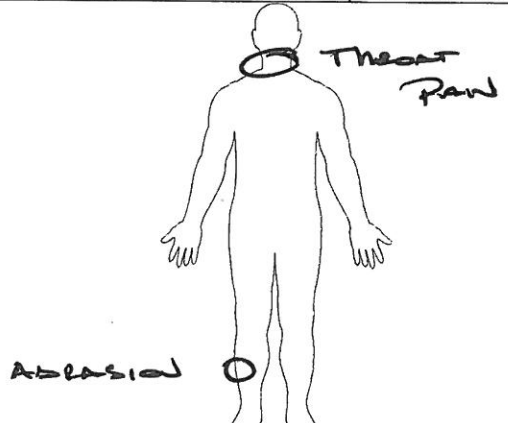
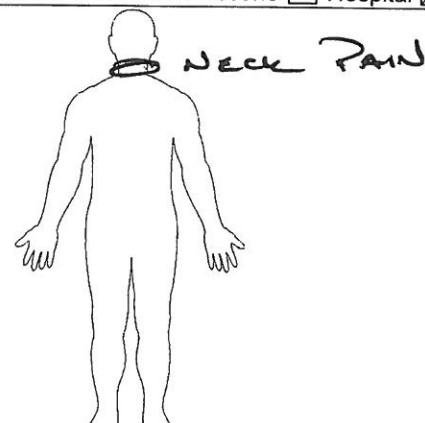
Key West Police Department

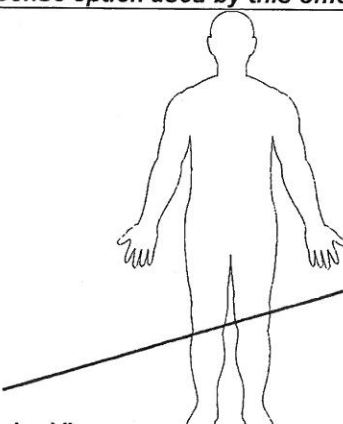
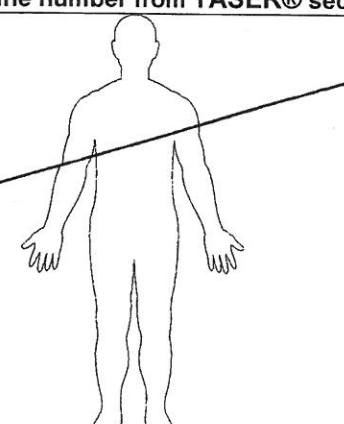
Case No: 15-4871

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: 10/29/2015	3. Time: 2248	4. Location: 430 Duval St.	5. Incident type: Warrant, DWLS
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Non compliance	<input checked="" type="checkbox"/> Physical Control	Take-down used
	<input checked="" type="checkbox"/> Active:	Tensing/jerking	<input type="checkbox"/> Non-lethal Weapon	
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

SUBJECT	10. Last Name: Davis	11. First: Daniel	12. Race: W	13. Sex: M
	14. DOB: 10/6/1971	15. Height: 5'10	16. Weight: 180	
	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 checked="" 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 checked="" 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 type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention			
				
	22. Anterior View		Posterior View	

OFFICER	23. Officer: Brian Leahy	24. Race: W	25. Sex: M	26. Age: 47	27. Height: 5'10	28. Weight: 215
	29. Duty Status: <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input checked="" type="checkbox"/> Extra duty employment			<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes		30. Yrs Exp: 9
	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) TASER					
						
	35. Anterior View		Posterior View			

Response to Resistance Report (continued)

Key West Police Department

Case No: 15-4871

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: 2	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: 5-7'	Target distance at probe launch:												
	Distance between probes: 8-10"	Distance between probes:												
	Probes removed by (name):	Probes removed by (name):												
Device downloaded by:	Device downloaded by:													
<input checked="" 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: 10/29/2015													
	41. Time: 2248													
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)													
	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)													
44. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)														
<table border="1"><thead><tr><th>Name</th><th>Address</th><th>Phone Number</th></tr></thead><tbody><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></tbody></table>			Name	Address	Phone Number									
Name	Address	Phone Number												
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes														
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS														
INT. AFF.	46. Preparing Supervisor's Signature / ID													
	47. Date													
	48. 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 51)													
49. Signature of Internal Affairs Inspector														
50. Date														
51. If section 48 is "No" record the Professional Standards Control Number:														
52. Date Entered:														

KWPD

Monroe County Adult Arrest Form

☐ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

ARREST #

OBTS #

Filing Agency KWPD		Case # 0115004870		Doc. Control #		State ID #		FBI #		SS #	
Defendant's Last Name Davis		First Daniel		Middle Glen		Suf		Alias		Citizenship UNITED STATES	
Race W	Eth NH	Sex M	Hgt 5'10"	Eyes HAZEL	Hair BROWN	Wgt 160	Comp LIGHT	Age 44	DOB 10/06/1971	Birthplace UNITED STATES	Scars, Marks, TT
Facial Hair STUB	Build LGHT	Marital St	Hand Use	Glasses Unknown	Speech NORMAL	Parole/Probation		Language Spoken			
Permanent Address 901 VON PHISTER ST KEY WEST, FL 33040-						Home Phone:		Local Address:			
Email Address						Cell Phone:		Place of Employment		Occupation UNKNOWN	
Arrest Location 430 DUVAL ST KEY WEST, FL 33040-						Area/Zone <input type="checkbox"/>		Work Phone:		Arresting Officer Daniel 3673	
Violation Location 430 DUVAL ST KEY WEST, FL 33040-						Area/Zone <input type="checkbox"/>		Date/Time of Violation 10/29/2015 22:38		Date/Time Arrested 10/29/2015 22:38	
DL # D120-167-71-366-1		State FL	Breathalyzer By		Reading	Miranda Advisement		By Whom		Indication Of: Y N UK	
Domestic Violence No		Weapon Seized		Officer Injured No		Caution		Alcohol Influence: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		Drug Influence: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
Drug Type:		Type:		B-Barbiturate		H-Hallucinogen		P-Paraphernalia/		U-Unknown	
				N-N/A		C-Cocaine		M-Marijuana		Z-Other	
				A-Amphetamine		E-Heroin		O-Opium		S-Synthetic	
Activity:		Activity:		B-Buy		E-Use		K-Dispense/			
				N-N/A		T-Traffic		M-Manufacture/		Distribute	
				P-Possess		A-Smuggle		Produce/		Z-Other	
				S-Sell		D-Deliver		Cultivate			

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/F	TRAFFIC VIOL DRIVE WHILE LIC SUSP 3RD OR SUBSQ OFF-322.34(2)(C)	AFFIC VIOL DRIVE V	MCSO15ARR004		
1/M	TRAFFIC OFFENSE FAIL TO HAVE REQ ENDORSEMENT ON DRIVERS LIC-322	AFFIC OFFENSE FA	MCSO015ARR00		

Before me this date personally appeared **Daniel 3673** who being first duly sworn deposes and says that on the **29th day of October, 2015** at **430 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 10/29/2015 at approximately 10:34 PM, I (Ofc. Blanco) was dispatched to 430 Duval reference a possible wanted person. Upon arrival I met with Ofc. Leahy who advised that Daniel Davis (Arrestee) had an active warrant out of Monroe County Florida.

Ofc. Leahy advised me that the warrant was confirmed through Key West Police Dispatch

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

Daniel 3673

POLICE PATROL

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

Page 1 of 2

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

KWPD

Monroe County Adult Arrest Form Continuation

ARREST #

OBTS # _____

LAST NAME	FIRSTNAME	MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
Davis	Daniel	Glen		5'10"	160	W	M	10/06/1971	0115004870	Daniel 3673

The subject with the warrant was identified as Daniel Glen Davis (DOB 10/06/2015). On 10/15/2015 Judge Helms signed a warrant for the arrest of Daniel Davis for the following

- Driving while license suspended 3rd subsequent offense.
The bond amount on Davis \$500.00

- Failure to have required endorsement on drivers license.
The bond amount on Davis \$500.00

Davis was arrested and transported to the Monroe County Detention Center where he was turned over to detention staff without incident.

Warrant Information:

Warrant#: MCSO15ARR004730

Charge:

-Driving while license suspended 3rd subsequent offense.
-Failure to have required endorsement on drivers license.

Judge: B. Helms

Signed: 10/15/15

Bond: Total 1,000

Case Status:Cleared By Arrest

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

Daniel 3673

POLICE PATROL:

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

Page 2 of 2

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

Key West Police Department

Report 10/29/2015 23:10

Incident Report

Case # 01-15-004870

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004870	10/29/2015 23:10	10/29/2015 22:34	10/29/2015 22:34	Original
	Dept. Classification	Case Status	Case Status Date	Cleared	
	WARRANT ARREST	CLEARED BY ARREST	10/30/2015	10/29/2015 22:57	
	Common Name CROWN PLAZA LA CONCHA - 430 DUVAL ST KEYWEST, FL 33040 (MONROE County)				
Day of Week : THURSDAY Dispatched : 10/29/2015 22:34 Responded : 10/29/2015 22:34 Arrived : 10/29/2015 22:34 Map Reference : 1072XX1XO Location Type : HIGHWAY/ROADWAY			Beat Assignment : 1 Alcohol Related : No Drug Related : No Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$0.00 Total Recovered Property Value : \$0.00		

O F F E N S E 1	State Classification		Attempted/Committed COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
	Federal Classification : TRAFFIC OFFENSE FAIL TO HAVE REQ ENDORSEMENT ON DRIVERS LIC-322.57(2) Daniel Davis (SUSP,Primary Role); STATE OF FLORIDA (VICT,Primary Role) Computer Theft : No		
	State Disposition : ADULT/ADULT+JUVENILES Federal Disposition : CLEARED BY ARREST # of People Arrested : 1		
End of Offense: 1			

O F F E N S E 2	State Classification		Attempted/Committed COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
	Federal Classification : TRAFFIC VIOL DRIVE WHILE LIC SUSP 3RD OR SUBSQ OFF-322.34(2)(C) Daniel Davis (SUSP,Primary Role); STATE OF FLORIDA (VICT,Primary Role) Computer Theft : No		
	State Disposition : ADULT/ADULT+JUVENILES Federal Disposition : CLEARED BY ARREST # of People Arrested : 1		
End of Offense: 2			

P E R S O N 1	Person Type	Business/Person Name		Business Phone
	SUSPECT/ARRESTEE	Daniel Glen Davis		
	Home Phone	Person Address 901 VON PHISTER ST KEY WEST FL 33040 ,MONROE County		
	Other Phone	Employer Address		
	Race	Sex	DL Exp. Date	DL Number
	WHITE	Male	10/06/2020	D120167713661
	Birth Date	Birth Place		
	10/06/1971	UNITED STATES		
	Age : 44 Occupation : UNKNOWN DL State : FL DL Country : UNITED STATES Ethnic Origin : NON-HISPANIC Min. Height : 5'10" Max. Height : 5'10" Min. Weight : 160 lbs Max. Weight : 165 lbs Adult/Juvenile : ADULT Relationship : STRANGER OF STATE OF FLORIDA Shirt : Tank top Pants : Shorts Hair Color : BROWN		Hair Length : SHORT Hair Style : UNCOMBED Facial Hair : STUBBLE Eye Color : HAZEL Build : LIGHT Complexion : LIGHT Glasses : Unknown Status : ARRESTEE Speech : NORMAL Residency Type : CITY Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:	

Reporting Officer OFC Daniel A Blanco (3673)	Department PATROL DIVISION	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT PABLO D. RODRIGUEZ (2298)	Department KEY WEST POLICE DEPARTMENT	Date / Time 10/30/2015 03:39

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Key West Police Department

Report 10/29/2015 23:10

Incident Report

Case # 01-15-004870

End of Person: 1					
PERSON 2	Person Type	Business/Person Name			Business Phone
	VICTIM	STATE OF FLORIDA			
	Home Phone	Person Address			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	DL Number
	Birth Date	Birth Place			
Relationship : STRANGER OF Daniel Davis Victim Type : GOVERNMENT Will File Charges : Yes Can Identify Offender : Yes					
Sobriety of Victim : SOBER Extent of Injury : NONE Body Marks:					
End of Person: 2					

NARRATIVE 1	Topic	ORIGINAL
	<p>On 10/29/2015 at approximately 10:34 PM, I (Ofc. Blanco) was dispatched to 430 Duval reference a possible wanted person. Upon arrival I met with Ofc. Leahy who advised that Daniel Davis (Arrestee) had an active warrant out of Monroe County Florida.</p>	
	<p>Ofc. Leahy advised me that the warrant was confirmed through Key West Police Dispatch</p>	
	<p>The subject with the warrant was identified as Daniel Glen Davis (DOB 10/06/2015). On 10/15/2015 Judge Helms signed a warrant for the arrest of Daniel Davis for the following</p>	
	<p>- Driving while license suspended 3rd subsequent offense. The bond amount on Davis \$500.00</p>	
	<p>- Failure to have required endorsement on drivers license. The bond amount on Davis \$500.00</p>	
	<p>Davis was arrested and transported to the Monroe County Detention Center where he was turned over to detention staff without incident.</p>	
	<p>Warrant Information: Warrant#: MCSO15ARR004730 Charge: Judge: B. Helms Signed: 10/15/15 Bond: Total 1,000</p>	
	<p>I activated my BWC and Coban for this incident.</p>	
	<p>Case Status: Cleared By Arrest</p>	
End of Narrative: 1		

Reporting Officer OFC Daniel A Blanco (3673)	Department PATROL DIVISION	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT PABLO D. RODRIGUEZ (2298)	Department KEY WEST POLICE DEPARTMENT	Date / Time 10/30/2015 03:39

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KWPD

Monroe County Adult Arrest Form

☐ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

ARREST #

OBT'S #

Filing Agency KWPD		Case # 0115004871		Doc. Control #		State ID #		FBI #		
Defendant's Last Name Davis		First Daniel		Middle Glen		Suf		Alias		
Citizenship UNITED STATES										
Race W	Eth NH	Sex M	Hgt 5'10"	Eyes HAZEL	Hair BROWN	Wgt 160	Comp LIGHT	Age 44	DOB 10/06/1971	
Birthplace UNITED STATES		Scars, Marks, TT								
Facial Hair STUB		Build LGHT		Marital St		Hand Use		Glasses Unknown	Speech NORMAL	
Parole/Probation NONE		Language Spoken ENGLISH								
Permanent Address 901 VON PHISTER ST KEY WEST, FL 33040-					Home Phone:					Local Address:
Email Address					Cell Phone:					Place of Employment
Occupation UNKNOWN										
Arrest Location 430 DUVAL ST KEY WEST, FL 33040-					Work Phone:					Arresting Officer BRIAN P LEAHY 2965
Violation Location 430 DUVAL ST KEY WEST, FL 33040-					Date/Time of Violation 10/29/2015 22:34					Date/Time Arrested 10/29/2015 22:38
DL # D120-167-71-366-1		State FL		Breathalyzer By		Reading		Miranda Advisement Waived		
By Whom RODRIGUEZ, PABLO D.		Indication Of: Y N UK								
Domestic Violence		Weapon Seized		Officer Injured		Caution		Alcohol Influence: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		
Drug Influence: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>										
Drug Type: U,U,U,U		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: UNKNOWN, UNKNOWN, UNKNOWN,		Activity: B-Buy N-N/A P-Possess S-Sell		E-Use T-Traffic A-Smuggle D-Deliver		K-Dispense/ Distribute Z-Other		

Defendant Vehicle Make: HONDA	Type: MOTORCYCLE	Year: 2002	Color: WHITE	Vehicle Registration State: FLORIDA
VIN#:	Tag #: 2944RT	Vehicle Tag Expiration: 10/06/2016		
Vehicle Status:		Other Identifiers or Remarks: TOWED BY ARNOLDS		

CODEFENDANT

ADDRESS

PHONE #

RACE

SEX

DOB

Count	Offenses Charged	Statute	Warrant #	Court Date and Time	Citation #
1/F	TRAFFIC VIOL DRIVE WHILE LIC SUSP 3RD OR SUBSQ OFF-322.34(2)(C)	AFFIC VIOL DRIVE V			
1/M	TRAFFIC OFFENSE FAIL TO HAVE REQ ENDORSEMENT ON DRIVERS LIC-322.34(2)(C)	AFFIC OFFENSE FA			
1/M	TRAFFIC VIOL OPERATE MOTOR VEHICLE WO VALID LICENSE-322.03(1)	AFFIC VIOL OPERA			
1/M	RESIST OFFICER OBSTRUCT WO VIOLENCE-843.02	SIST OFFICER OBS			

Before me this date personally appeared **BRIAN P LEAHY 2965** who being first duly sworn deposes and says that on the **29th day of October, 2015** at **430 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 10/29/2015, at approximately 2234 hours, I, Ofc. Leahy was working an extra-duty detail at 430 Duval St. (La Concha Hotel) reference Fantasy Feast. I was in full KWPD Class B uniform.

I heard a motorcycle revving it's motor loudly over and over again while it was approaching the hotel. I walked to Duval St. and observed a white male, later identified as Daniel Glen Davis (Arrestee), driving a white motorcycle, north on Duval St. Davis was revving the engine of the

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

BRIAN P LEAHY 2965

MATTHEW HALEY 2807

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

Page 1 of 4

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	RC	SEX	DOB	Case #	Arresting Officer
Davis	Daniel	Glen		5'10"	160	W	M	10/06/1971	0115004871	BRIAN P LEAHY 2965

motorcycle and also was not wearing any eye protection while operating the motorcycle. I yelled to Davis to get his attention but he did not hear me because of the revving of the engine. Davis made a u-turn in front of 406 Duval St., and proceeded south towards my location. I stepped out in front of Davis and had him pull over. I initiated a traffic stop on Davis for the above violations.

I asked Davis for a valid license. Davis said he did not have it with him. I asked Davis if his license was valid and he just didn't have it with him. Davis said, yes, his license was good. Davis also said he had a valid motorcycle endorsement. Davis provided me with his name and date of birth. I ran Davis' information through FCIC/NCIC. KWPD Dispatch advised me, Davis' had an active arrest warrant, (MCSO Case # MCSO15OFF006313) reference traffic offenses.

I walked to Davis and took hold of his left hand. I told Davis to drop a cigarette he was holding. I told Davis not to do say anything stupid or he would be "Tased. I placed one handcuff on Davis's left hand and had him step off the motorcycle. The motorcycle's kickstand was not properly set, so it fell over. I attempted to take a hold of Davis' right hand, but he pulled his right hand into his body, thwarting my efforts to handcuff him. I told Davis to get on the ground, and that he had a warrant. Davis continued to tense his right arm, resisting my efforts in handcuff him. I turned my body and while still holding Davis' left hand and arm I guided him to the ground. While Davis was resisting arrest, he had knocked off my Body Worn Camera (BWC) to the ground. The BWC hit the ground and shut off. While on the ground I was able to secure both of Davis' hands in handcuffs. With the help of a citizen, who identified himself as an off-duty law enforcement officer, we stood Davis to his feet.

Ofc. Blanco arrived on scene.

KWPD Dispatch advised Davis did not posses a valid Florida driver's license, but only an ID card. KWPD Dispatch advised Davis did not possess a motorcycle endorsement.

Ofc. Blanco conducted a search of Davis' person. Ofc. Blanco removed a black wallet from Davis' pants pocket. When the wallet was opened, a authentic gold badge belonging to a Correction Deputy from the Monroe County Sheriff's Office was displayed. In the middle of the wallet showed a Monroe County Sheriff's Office business card belonging to a Sgt. Chuck Kellenberger of the Monroe County Sheriff's Office. The badge and card were placed in the wallet the same way an actual police officer or sheriff's deputy would display it. I confirmed with the Monroe County Sheriff's Office that Davis is currently or had never been employed with the Monroe County Sheriff's Office.

Ofc. Blanco had placed Davis in the rear of his patrol vehicle. Ofc. Blanco began to complete criminal traffic citations for Davis. I asked Davis if had been injured and if he wanted Key West Rescue. Dais said his neck and back were injured and he wanted rescue.

I contacted Sgt. Rodriguez who arrived on scene, reference response to resistance.

I explained to Sgt. Rodriguez what had occurred during the incident and showed him the badge and ID card. Sgt. Rodriguez made contact with Davis and advised Davis of his Miranda Rights. Davis waived his rights and agreed to speak to Sgt. Rodriguez about the MCSO Correction Deputy badge. Sgt. Rodriguez told me, Davis said, a deputy had given it to him, but he would not say who it was. Later on during the investigation, Davis said a deputy did not give him the badge, but Dr. Covington had given it to him. I will subsequently place the badge into KWPD Property and Evidence for further investigation.

Key West Rescue 2 arrived on scene and removed Davis from the patrol vehicle. Due to Davis' claim of neck and back injury. They placed him on a backboard and placed a neck collar around his neck. Davis was placed into the ambulance. I rode with Key West Rescue to Lower Keys Medical Center. I photographed Davis's person. I photographed a cut on Davis' left shin. The cut appeared to be an old scab, which was opened up by the nylon belt from the backboard. Once at the emergency room, Davis said he wasn't injured anymore, and he wanted to leave and go to jail. The hospital released Davis upon his refusal of any medical attention.

Ofc. Blanco transported Davis to the Monroe County Detention Center.

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

BRIAN P LEAHY 2965

MATTHEW HALEY 2807

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

Page 2 of 4

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	RC	SEX	DOB	Case #	Arresting Officer
Davis	Daniel	Glen		5'10"	160	W	M	10/06/1971	0115004871	BRIAN P LEAHY 2965

Ofc. Blanco completed the arrest affidavit for the warrant.

Warrant information:

Warrant # MCSO15ARR004730

Signed by the Honorable Judge Helms on 10/15/2015.

1 count of DWLS 3rd or Subsq. Off. Bond \$500.00

1 count fail to have required endorsement of drivers license, Bond \$500.00

During the investigation, I learned that Deputy Bragg had stopped Davis, on 10/10/2015, for not wearing eye protection. I learned from Deputy Bragg's report that Davis told Deputy Bragg he had a license in the state of Alabama and a motorcycle endorsement out of Arizona. Deputy Bragg at the time, could only confirm Davis had a valid ID card from Florida but was unable to get a valid return from Arizona and Alabama, so Deputy Bragg had Davis park the motorcycle and had someone pick him up, releasing him pending an investigation.

On 10/13/2015, Deputy Bragg received information from the Arizona Department of Motor Vehicles advising Davis' driving privileges had ben suspended since 2005 and showed motorcycle endorsement. Deputy Bragg also confirmed Davis had a valid license and ID card out of Alabama, but no motorcycle endorsement. KWPD Dispatch advised me that Davis' driving privileges, were in fact, suspended in Alabama.

Deputy Bragg had a criminal history check done for Davis. It showed convictions in Monroe County on 12/13/2012 and 10/31/2012 for DWLS and operating a motorcycle without proper enforcement. The criminal history showed a conviction in Arizona, on 10/04/2005, for DWLS. It also showed a felony conviction on 09/04/2008 in Arizona for Aggravated Driving Under the Influence (DUI) while license suspended for DUI.

During the investigation, Davis told me he had two prior convictions for DWLS with knowledge.

Based on the facts and evidence, I believe there is probable cause, that on 10/29/2015, Daniel Glen Davis did knowingly and intentionally operate a motor vehicle while license suspended/revoked 3rd subsequent offense in violation of FSS 322.34 (2)(c) by having a suspended Arizona driver's license and 3 prior convictions.

Based on the facts and evidence, I believe there is probable cause, that on 10/29/2015, Daniel Glen Davis did knowingly and intentionally operate a motorcycle while not having an endorsement to operate a motorcycle on his suspended Arizona driver's license, suspended Alabama driver's license and Florida ID card.

Based on the facts and evidence, I believe there is probable cause, that on 10/29/2015, Daniel Glen Davis did knowingly and intentionally operate a motor vehicle while not having or ever acquiring a valid drier's license in the State of Florida in violation of FSS 322.03 no driver's license never had one issued.

Based on the facts and evidence, I believe there is probable cause, that on 10/29/2015, Daniel Glen Davis did knowingly and intentionally pull his arm away and tense up while I was attempting to handcuff him for the MCSO warrant violating FSS 843.02 resist officer without violence.

I issued Davis three criminal citations, for the above offenses. Davis is to appear before the Honorable Judge Miller, on 11/06/2015, at 0830 hours, at 302 Fleming St.

Davis signed all three criminal citations.

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

BRIAN P LEAHY 2965

MATTHEW HALEY 2807

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA

COUNTY OF MONROE

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SIXTEENTH JUDICIAL COURT

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State of FLORIDA

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

KWPB

Monroe County Adult Arrest Form Continuation

OBTS # _____

ARREST

LAST NAME	FIRSTNAME	MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
Davis	Daniel	Glen		5'10"	160	W	M	10/06/1971	0115004871	BRIAN P LEAHY 2965

The incident was captured on my BWC.

This incident is cleared by arrest.

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

BRIAN P LEAHY 2965

MATTHEW HALEY 2807

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDACOUNTY OF MONROE

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SIXTEENTH JUDICIAL COURT

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