

Response to Resistance Report

Key West Police Department

Case No: 15-4915

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: 11/01/15 3. Time: 0108 hrs 4. Location: 602 Southard Street 5. Incident type: Burglary

6. Resistance Level

- ☐ Passive:
☐ Active:
☒ Aggressive:
☐ Deadly Force:

7. Explanation

Charged at Officer

8. Response Option

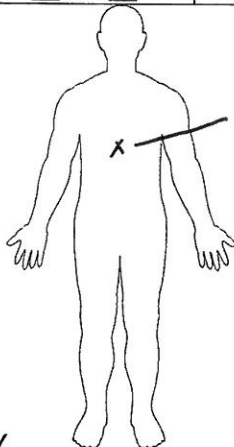
- ☐ Physical Control
☒ Non-lethal Weapon
☐ Deadly Force

9. Explanation

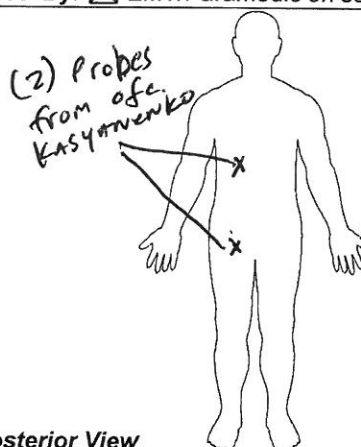
TASER

SUBJECT

10. Last Name: Cormack 11. First: Richard 12. Race: W 13. Sex: M
14. DOB: 02/10/1990 15. Height: 6'05" 16. Weight: 250
17. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22
18. Appeared to be: ☒ Intoxicated ☒ Under the influence of controlled substance ☐ Emotionally / mentally disturbed
19. Injuries: ☐ No ☒ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)
20. Photographed: ☐ No ☒ Yes 21. Treated: ☐ No ☒ Yes By: ☒ EMT/Paramedic on scene ☐ Hospital ☐ Detention



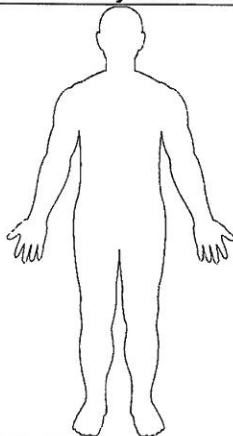
22. Anterior View



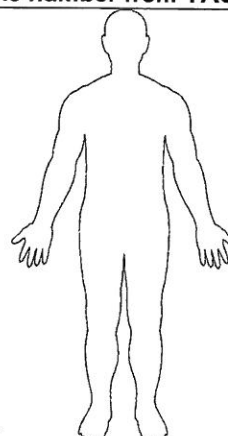
Posterior View

OFFICER

23. Officer: Thomas Stutz 24. Race: W 25. Sex: M 26. Age: 37 27. Height: 5'09" 28. Weight: 160
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 7.5
31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)
32. Photographed: ☒ No ☐ Yes 33. Treated: ☒ No ☐ Yes By: ☐ EMT/Paramedic on scene ☐ Hospital
34. Response option used by this officer: (If TASER®, also reference line number from TASER® section) 36



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

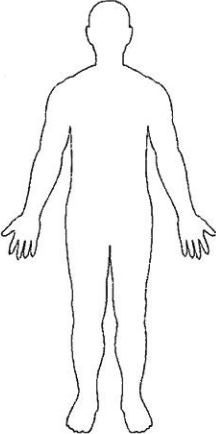
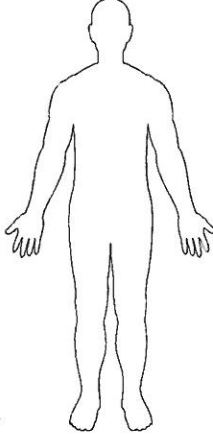
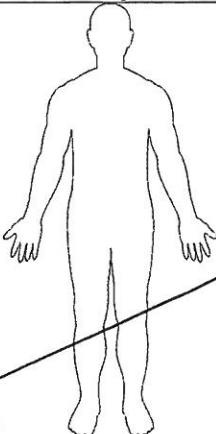
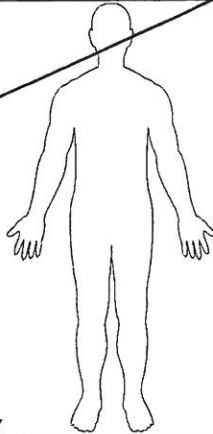
Case No: 15-4915

TASER USE ONLY	36. TASER® device serial # X12002KHC		37. TASER® device serial # X12002KPA	
	TASER®Cam serial # V21000VV1		TASER®Cam serial # V21000VVT	
	Cartridge 1 serial # C41025T4E		Cartridge 1 serial # C4102NAM5	
	Cartridge 2 serial # N/A		Cartridge 2 serial # N/A	
	Number of cycles: 1		Number of cycles: 1	
	Type of contact: <input checked="" type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun		Type of contact: <input checked="" 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: 5 feet		Target distance at probe launch: 8-10 FEET	
	Distance between probes: Only 1 probe made contact		Distance between probes: 2 FEET	
	Probes removed by (name): Ofc. Kasyanenko		Probes removed by (name): Ofc. Rhinhart	
	Device downloaded by: Sgt. Donny Barrios		Device downloaded by: Sgt. Donny Barrios	
	<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: 11/01/15		41. Time: 0110 hrs	
	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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
Name		Address		Phone Number
Kyle Hogue		1304 White Street, Key West, FL 33040		305-923-5755
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		1850 / 520		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		46. Preparing Supervisor's Signature / ID		47. Date
INT. AFF.	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	
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:	

Response to Resistance Report (continued)

Key West Police Department

Case No: 15-4915

OFFICER	23. Officer: Igor Kasyanenko		24. Race: W	25. Sex: M	26. Age: 28	27. Height: 6'01"	28. Weight: 215 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		30. Yrs Exp: 2		
	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) 37						
							
	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				

Key West Police Department

Report 11/01/2015 01:40

Incident Report

COPY

01-15-004915

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004915	11/01/2015 01:40	11/01/2015 00:57	11/01/2015 01:34	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	BURGLARY RELATED OFFENSE		CLEARED BY ARREST	11/01/2015	11/01/2015 00:59
	Common Name 602 SOUTHARD ST Apt. .1 KEYWEST, FL 33040 (MONROE County)				
Day of Week : SUNDAY Dispatched : 11/01/2015 00:59 Responded : 11/01/2015 00:59 Arrived : 11/01/2015 01:04 Map Reference : 1122XX6XO Location Type : RESIDENCE-SINGLE FAMILY					
Beat Assignment : 3 Alcohol Related : Yes Drug Related : Unknown 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
	APARTMENT/CONDO		11/01/2015
	Federal Classification : BURGL WITH ASSAULT OR BATTERY-810.02(2)(A) RICHARD CORMACK (SUSP,Primary Role,Assault Homicide); DARRYL CICHON (VICT,Primary Role,Assault Homicide) Attack Reason : UNKNOWN Weapon 1 : HANDS/FISTS/FEET How Entry : DOOR (FRONT) Forced Entry : No Computer Theft : Not Applicable		
End of Offense: 1			

O F F E N S E 2	State Classification		Attempted/Committed COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
	APARTMENT/CONDO		11/01/2015
	Federal Classification : RESIST OFFICER WITH VIOLENCE-843.01 RICHARD CORMACK (SUSP,Primary Role) Attack Reason : OTHER Weapon 1 : HANDS/FISTS/FEET Computer Theft : Not Applicable # of Premises : 01		
End of Offense: 2			

P E R S O N 1	Person Type	Business/Person Name		Business Phone
	SUSPECT/ARRESTEE	RICHARD WILLIAM THOMAS CORMACK		
	Home Phone	Person Address		
		2409 FOGARTY AV KEY WEST FL 33040 ,MONROE County		
	Other Phone	Employer Address		
	Race	Sex	DL Exp. Date	DL Number
	WHITE	Male	02/10/2020	C652759900500
Birth Date	Birth Place			
02/10/1990	UNITED STATES			
Age : 25		Hair Style : PULLED BACK		
DL State : FL		Facial Hair : MUSTACHE AND GOTEE		
DL Country : UNITED STATES		Teeth : OTHER		
Ethnic Origin : NON-HISPANIC		Eye Color : BROWN		
Min. Height : 6'5 "		Build : TALL/HEAVY		
Min. Weight : 255 lbs		Complexion : MEDIUM		
Adult/Juvenile : ADULT		Caution : VIOLENT		
Assault Circumstances : OTHER FELONY INVOLVED		Status : ARRESTEE		

Reporting Officer	Department	Report Status:
OFC THOMAS J STUTZ (3138)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT FRANK T DUPONTY (1951)	KEY WEST POLICE DEPARTMENT	11/01/2015 04:03

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Key West Police Department

Report 11/01/2015 01:40

Incident Report

Case # 01-15-004915

P E R S O N 2	Coat : NONE Hat : NONE Shirt : NONE Pants : JEANS Shoes : SNEAKERS Hair Color : BLOND Hair Length : LONG		Speech : SLURRED Residency Type : CITY Residency Status : FULL YEAR Citizenship : UNITED STATES Weapon Held : HANDS/FISTS/FEET Body Marks:	
	End of Person: 1			
	Person Type	Business/Person Name		Business Phone
	VICTIM	DARRYL STEWART CICHON		
	Home Phone	Person Address 602 SOUTHARD ST Apt. 1 KEY WEST FL 33040 ,MONROE County		
	Other Phone (305) 504-3074	Employer Address		
	Race WHITE	Sex Male	DL Exp. Date 06/25/2021	DL Number C250177642250
	Birth Date 06/25/1964	Birth Place UNITED STATES		
	Age : 51 DL State : FL DL Country : UNITED STATES Ethnic Origin : NON-HISPANIC Min. Height : 5'05" Min. Weight : 150 lbs Adult/Juvenile : ADULT Assault Circumstances : OTHER FELONY INVOLVED Relationship : STRANGER OF RICHARD CORMACK Victim Type : INDIVIDUAL ADULT Will File Charges : Yes Can Identify Offender : Yes Sobriety of Victim : SOBER Extent of Injury : SERIOUS Injury Type 1 : ABRASIONS/BRUISES Injury Type 2 : POSSIBLE BROKEN BONE Medical Treatment : EMERGENCY ROOM Hospital Taken To : Lower Keys Medical Center Coat : NONE		Hat : NONE Shirt : TANK TOP Pants : SHORTS Shoes : NONE Hair Color : BALD Hair Length : BALD Hair Style : BALD ON TOP Facial Hair : NONE Teeth : OTHER Eye Color : BROWN Build : MEDIUM/AVERAGE Complexion : MEDIUM Glasses : Unknown Speech : NORMAL Residency Type : CITY Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:	
	End of Person: 2			

P E R S O N 3	Person Type	Business/Person Name		Business Phone
	WITNESS	KYLE DOWNS HOGUE		
	Home Phone	Person Address 1304 WHITE ST KEY WEST FL 33040 ,MONROE County		
	Other Phone (305) 923-5755	Employer Address		
	Race WHITE	Sex Male	DL Exp. Date 03/24/2022	DL Number H200504951041
	Birth Date 03/24/1995	Birth Place UNITED STATES		
	Age : 20 DL State : FL DL Country : UNITED STATES Ethnic Origin : NON-HISPANIC Min. Height : 6'02" Min. Weight : 170 lbs Adult/Juvenile : ADULT Relationship : STRANGER OF RICHARD CORMACK Coat : NONE Hat : BABSBALL CAP		Hair Length : SHORT Hair Style : CREWCUT Facial Hair : NONE Teeth : OTHER Eye Color : BROWN Build : TALL/AVERAGE Complexion : MEDIUM Glasses : No Speech : NORMAL Residency Type : CITY	

Reporting Officer OFC THOMAS J STUTZ (3138)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT FRANK T DUPONTY (1951)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/01/2015 04:03

Key West Police Department

Report 11/01/2015 01:40

Incident Report

Case # 01-15-004915

P E R S O N 4	Shirt : TEE SHIRT Pants : SHORTS Shoes : SNEAKERS Hair Color : BROWN		Residency Status : FULL YEAR Citizenship : UNITED STATES Body Marks:	
	End of Person: 3			
	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 : OTHER OF RICHARD CORMACK, OTHER OF KYLE HOGUE Victim Type : GOVERNMENT Will File Charges : Yes Can Identify Offender : Yes Sobriety of Victim : SOBER Extent of Injury : NONE Injury Type 1 : NONE Medical Treatment : NOT NEEDED Hospital Taken To : None Body Marks:				
End of Person: 4				

N A R R A T I V E 1	Topic	ORIGINAL
	<p>On Sunday, November 1, 2015 at approximately 0059 hours Ofc. Kasyanenko, Ofc. Rhinhart and I (Ofc. Stutz) responded to the area of Southard St. and Simonton St. for a report of a physical disturbance. Key West Police Dispatch advised the caller, later identified as witness Kyle Hogue, reported the sounds of a fight coming from an apartment and a person screaming "Help me!"</p> <p>Ofc. Kasyanenko arrived on scene first and was directed by Hogue to 602 Southard St apartment 1. I arrived shortly after and observed Ofc. Kasyanenko trying to calm an agitated male subject, later identified as Richard Cormack. I observed Cormack was screaming at another male, later identified as Darryl Cichon. I approached Cichon and observed the left side of his face was heavily bruised and swollen. I observed Cichon had a small laceration of his left eye and complained of pain in his back. I asked Cichon what happened. Cichon stated he was in his home, resting on the couch. Cichon stated he got up do some dishes and an unknown male entered his home and began beating him. Cichon motioned toward Cormack and identified him as the suspect. I asked Cichon if he knew Cormack. Cichon stated he had never met Cormack. As Cichon tried to speak to me, Cormack began screaming at Cichon and threatened to beat him again.</p> <p>I then approached Cormack and asked him if he knew Cichon. Cormack told me it was none of my business and to go "Fuck myself". I asked Cormack for his identification. Cormack began screaming his name and tensing his fists. I advised Ofc. Kasyanenko that Cormack was in violation of multiple statutes and needed to be detained. I advised Cormack to place his hands behind his back. Cormack did not comply. I unholstered and pointed my TASER at Cormack. I again told Cormack to place his hands behind his back. Ofc. Kasyanenko told Cormack to comply or he would be TASERED. Cormack placed his hands behind his back. Ofc. Rhinhart and Ofc. Kasyanenko began to place Cormack into handcuffs. I observed Cormack begin to tense and pull his arms away from Ofc. Kasyanenko and Ofc. Rhinhart. I observed Cormack pull one of his arms free and began charging</p>	

Reporting Officer OFC THOMAS J STUTZ (3138)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT FRANK T DUPONTY (1951)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/01/2015 04:03

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Key West Police Department

Report 11/01/2015 01:40

Incident Report

Case # 01-15-004915

towards me. I ordered Cormack to stop and deployed my TASER. One probe struck Cormack in the center of his chest. The other probe did not connect and Cormack continued to charge forward. Ofc. Kasyanenko deployed his TASER from behind Cormack. I observed Neuromuscular Incapacitation (NMI) was achieved and Cormack fell to the ground. After the TASER cycle completed, I gave Cormack loud verbal commands to place his hands behind his back. Cormack complied and was handcuffed by Ofc. Rhinhart. Cormack continued to be non-compliant and began spitting at officers on scene. Cormack was placed into a spit hood by Ofc. Rhinhart.

Key West Fire Rescue was already on scene treating Cichon for his injuries when Cormack was taken into custody. Sgt. D. Barrios responded to the scene in reference to the response to resistance report. Cormack refused medical treatment on scene. Ofc. Rhinhart and Ofc. Kasyanenko removed the probes from Cormack's chest and back. Photographs were taken of Cormack's injuries. Ofc. D. Fraga responded to the scene and transported Cormack to the processing area located at 510 Greene St.

I again spoke to Cichon about the incident. Cichon again stated he was in his kitchen when Cormack entered the residence. I asked Cichon if the doors were closed or locked. Cichon stated the doors and screen were open. Cichon stated Cormack entered the residence, screamed at him, then grabbed him. Cichon stated Cormack picked him up and slammed him onto the floor. Cichon stated Cormack began hitting him and throwing him around the living area. Cichon stated he was repeatedly picked up and "slammed" onto the floor. I asked Cormack to show me his residence. I observed the front door and screen to the residence were open. I observed the interior screen to the apartment was torn. I observed the door led directly to the kitchen. I observed directly to the left of the entry door was another doorway leading to the living area. I observed on the floor of the living area was a pool of fresh blood. I observed the couch in the living area had multiple fresh blood stains across the cushions.

Ofc. Kasyanenko photographed the scene and Cichon's injuries and later entered them into Key West Police Department COBAN system.

I then spoke to witness, Kyle Hogue, about the incident. Hogue stated he was staying in an adjoining apartment to the victim. Hogue stated he heard screaming coming from Cichon's apartment. Hogue stated he could hear a males voice screaming profanity and what sounded like another male pleading for help. Hogue stated he heard the sounds of someone being slammed on the ground repeatedly and screaming, "Help me!" Hogue stated he opened the door between the two apartments and could see one male, he described as Cormack, begin hitting the other man (Cichon). Hogue stated Cormack struck Cichon until he stopped screaming for help. Hogue stated he immediately called the police and directed Ofc. Kasyanenko when he arrived. Hogue provided a sworn statement for this incident.

I provided Cichon with a case number for this incident and a Victim's Rights Brochure. Cichon was then transported to the Lower Keys Medical Center for further treatment.

I found probable cause to believe Cormack violated the following Florida State Statutes:

F.S.S 810.02(2)(A): Burglary with Battery on the Occupant:

Cormack did enter the dwelling, 602 Southard St. Apartment 1, with the intent to commit a crime there in, by repeatedly striking Cichon against his will causing injury (Battery).

Reporting Officer OFC THOMAS J STUTZ (3138)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT FRANK T DUPONTY (1951)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/01/2015 04:03

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Key West Police Department

Report 11/01/2015 01:40

Incident Report

Case # 01-15-004915

	<p>F.S.S 843.01 Resisting with Violence:</p> <p>During the course of our lawful duties, placing Cormack into custody for violation of Florida State Statute, Cormack did break free from Officer Rhinhart and Ofc. Kasyanenko as they attempted to hand-cuff him. Cormack proceeded to charge towards me (Ofc. Stutz) while raising his fist above his head. After subdued, Cormack continued to spit and kick at officers when they approached him.</p> <p>These events were recorded on both my Body Worn Camera (BWC) and my TASER camera.</p> <p>End of Narrative: 1</p>
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Verifying Officer SGT FRANK T DUPONTY (1951)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/01/2015 04:03

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Key West Police Department

Report 11/01/2015 01:11

Incident Report

Case # 01-15-004915

COPY

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004915	11/01/2015 01:11	11/01/2015 00:57	11/01/2015 00:57	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	BURGLARY RELATED OFFENSE		CLEARED BY ARREST	11/02/2015	11/01/2015 00:59
	Common Name				
LIASON MARKETING COMPANY - 602 SOUTHard ST Apt. .1 KEYWEST, FL 33040 (MONROE County)					
Day of Week : SUNDAY					
Dispatched : 11/01/2015 00:59			Beat Assignment : 3		
Responded : 11/01/2015 00:59			Alcohol Related : Yes		
Arrived : 11/01/2015 00:59			Drug Related : Unknown		
Map Reference : 1122XX6XO			Total Damaged Property Value : \$0.00		
Location Type : APARTMENT/CONDO			Total Stolen Property Value : \$0.00		
			Total Recovered Property Value : \$0.00		

P R O P E R T Y 1	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	PHOTOGRAPHS		
	Serial #	Color	Description	Condition
		MULTI-COLORED	Photos of victims injuries	
	UCR Type : MISCELLANEOUS		Recovery Location : 1604 N ROOSEVELT BV KEY WEST FL 33040	
Quantity/Weight : MULTIPLE		Recovered By : I. Kasyanenko		
Value : \$0.00		Recovery Date and Time : 11/01/2015 21:09		
Recovery Location : KWPD		Recovery Value : \$0.00		
End of Property: 1				

P R O P E R T Y 2	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	TASER CARTRIDGE	TASER	25ft
	Serial #	Color	Description	Condition
	C4102NAM5	BLACK	TASER CARTRIDGE	
	UCR Type : MISCELLANEOUS		Recovery Location : Use Address from Incident Location Information	
Quantity/Weight : 1		Recovered By : I. Kasyanenko		
Value : \$0.00		Recovery Date and Time : 11/01/2015 21:11		
Rec. Officer : KASYANENKO, IGOR		Recovery Value : \$0.00		
End of Property: 2				

P R O P E R T Y 3	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	TASER CARTRIDGE	TASER	25ft
	Serial #	Color	Description	Condition
	C41025T4E	BLACK	TASER CARTRIDGE	
	UCR Type : MISCELLANEOUS		Recovered By : I. Kasyanenko	
Quantity/Weight : 1		Recovery Date and Time : 11/01/2015 21:13		
Rec. Officer : KASYANENKO, IGOR		Recovery Value : \$0.00		
Recovery Location : Use Address from Incident Location Information				
End of Property: 3				

Reporting Officer	Department	Report Status:
IGOR KASYANENKO (3599)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT DONALD JULIAN BARRIOS (1850)	KEY WEST POLICE DEPARTMENT	11/02/2015 02:52

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Key West Police Department

Report 11/01/2015 01:11

Incident Report

Case # 01-15-004915

N A R R A T I V E 1	Topic	SUPPLEMENTAL
	<p>On Sunday, 11/1/15, at approximately 0059 hrs, I (Ofc. I. Kasyanenko) was dispatched to the corner of Simonton St. and Southard St. in reference to two males fighting inside of the apartment complex. Caller later identified as Kyle Hogue (Witness), by his Florida driver's license, informed dispatch that one of the males was yelling "help me". On arrival, Hogue flagged me down and directed me to 602 Southard St. Apt #1.</p>	
	<p>While walking to the apartment, I observed a large tall male, approximately 6 foot and 6 inches in height, walking out of the dark yard of the apartment complex. The male was shirtless and sweaty, I recognized the male as Richard Cormack (Suspect) from previous encounters. Right behind Richard came out another male Darryl Cichon (Victim). As soon as Darryl saw me, he pointed at Richard and said that he attacked him in his apartment. I observed Darryl with significant injuries on his face and head area. Darryl's left side of the face was swollen/bruised and he had a laceration on his left eye. I requested Darryl to have a seat. I then requested Richard to have a seat, Richard ignored my request and started to walk in a opposite direction. I followed Richard and asked him to stop again, Richard kept walking away. I had to catch up with Richard and grabbed him by his arm and walked him towards the area with more light. Richard finally complied and sat down. I did not observed any injuries on Richard.</p>	
	<p>Ofc. Stutz arrived on scene at this time. Ofc. Stutz went over to speak with Darryl about what happened.</p>	
	<p>Richard started to yell profanities at Darryl and said he will kick his ass. Richard had a slurred speech and blood shot eyes. Richard appeared agitated and very aggressive towards Darryl.</p> <p>Ofc. Rhinhart arrived on scene at this time.</p> <p>Ofc. Stutz came over and asked Richard why he was screaming at Darryl and if he knew what he has done. Richard said "Fuck you, you don't know me" to Ofc. Stutz. Richard then started to get aggressive towards Ofc. Stutz. Ofc. Stutz informed Richard he was going to be placed in handcuffs at this time, due to violation of multiple statutes. Myself and Ofc. Rhinhart stood Richard up, to place him in handcuffs. Richard became enraged and started screaming at Ofc. Stutz, telling him he was not scared of him. Ofc. Stutz turned his TASER on, due to Richard being so aggressive towards him and refusing to follow our commands. As I was attempting to place handcuffs on Richard, Richard started to tense up and started to pull away from mine and Ofc. Rhinhart's grip. Richard finally ripped away from our grip and started charging towards Ofc. Stutz. Ofc. Stutz informed Richard that he was going to get TASED prior to him pulling away from us. Ofc. Stutz deployed his TASER as Richard was walking towards him in aggressive manner. Ofc. Stutz's TASER did not get full Neuromuscular Incapacitation (NMI) and Richard was still walking towards Ofc. Stutz with his fist clinched. I then deployed my TASER and hit Richard in his back, my TASER deployment was able to achieve full NMI and Richard fell on the ground. Ofc. Stutz gave loud verbal command to Richard to put his hands behind his back. Richard finally complied, but still said "Fuck you", to Ofc. Stutz.</p> <p>Richard continued being aggressive towards us throughout the investigation. Sgt. D. Barrios arrived on scene and attempted to calm Richard down. Richard did not calm down and got aggressive towards Sgt. Barrios. Richard spit in our direction numerous times. Ofc. Rhinhart placed a spit hood on Richards</p>	

Reporting Officer IGOR KASYANENKO (3599)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/02/2015 02:52

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Key West Police Department

Report 11/01/2015 01:11

Incident Report

Case # 01-15-004915

	<p>head to prevent him from spitting on us.</p> <p>I took pictures of Darryl's injuries, I uploaded the photos into KWPD COBAN SYSTEM.</p> <p>I collected both TASER cartridges and AFID's and placed them into KWPD property/evidence section.</p> <p>This incident was recorded on my BWC.</p> <p>I have no further involvement in this case.</p>
	End of Narrative: 1

Reporting Officer IGOR KASYANENKO (3599)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/02/2015 02:52

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Key West Police Department

Report 11/02/2015 00:38

Incident Report

Case # 01-15-004915

COPY

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004915	11/02/2015 00:38	11/01/2015 01:09	11/01/2015 01:09	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	BURGLARY RELATED OFFENSE		CLEARED BY ARREST	11/02/2015	11/01/2015 01:42
	Common Name 602 SOUTHARD ST Apt. .1 KEYWEST, FL 33040 (MONROE County)				
P R O P E R T Y	Day of Week : SUNDAY		Beat Assignment : 3		
	Dispatched : 11/01/2015 01:09		Alcohol Related : Yes		
	Responded : 11/01/2015 01:09		Drug Related : Unknown		
	Arrived : 11/01/2015 01:11		Total Damaged Property Value : \$0.00		
	Map Reference : 1122XX6XO		Total Stolen Property Value : \$0.00		
	Location Type : RESIDENCE-SINGLE FAMILY		Total Recovered Property Value : \$0.00		

P R O P E R T Y	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	DIGITAL DISK		
	Serial #	Color	Description	Condition
		WHITE	Disk's with TASER Videos	
	Quantity/Weight : 2 Value : \$0,000,001.00 Rec. Officer : BARRIOS, DONALD J. Recovery Location : 1604 N ROOSEVELT BV KEY WEST FL 33040		Recovered By : Sgt Donny Barrios Recovery Date and Time : 11/01/2015 23:00 Recovery Value : \$0,000,001.00	
End of Property: 1				

P R O P E R T Y	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	PHOTOGRAPHS		
	Serial #	Color	Description	Condition
			Photographs of damage	
	Value : \$0,000,001.00 Rec. Officer : BARRIOS, DONALD J. Recovery Location : 1604 N ROOSEVELT BV KEY WEST FL 33040		Recovered By : Sgt Donny Barrios Recovery Date and Time : 11/01/2015 20:00 Recovery Value : \$0,000,001.00	
End of Property: 2				

N A R R A T I V E	Topic	SUPPLEMENTAL
	On Sunday November 1, 2015 at approximately 0109 hours, I (Sergeant Donny Barrios) was called to the scene at 602 Southard Street, in regards to a tasing.	
	Upon arrival, I saw a white male, later identified as Richard Cormack, laying face down in the yard next to the building. I saw Officer's Thomas Stutz and Igor Kasyanenko, standing to the side of Cormack and had their TASER'S deployed. Cormack was yelling and his words were mumbled. He said "Don't touch me, Fuck, all you all!"	
	Officer Kasyanenko briefed me on the incident and said both he and Officer Stutz deployed their TASER'S on Cormack.	
	I assisted with getting Cormack rolled over to a sitting position. I am very familiar with Cormack from numerous Law Enforcement encounters as well as him growing up in Key West. I identified myself to Cormack and he said "Fuck you Barrios"! I was unable to reason with Cormack, due to him being under the influence or either alcohol and or drugs. Cormack was covered in dirt, from the dirt parking lot.	

Reporting Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT FRANK T DUPONTY (1951)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/02/2015 03:27

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Key West Police Department

Report 11/02/2015 00:38

Incident Report

Case # 01-15-004915

Cormack began to spit towards Officers and I requested Officer Rhinhart to get a spit hood, and it was placed on Cormacks head. Officer Rhinhart took photographs of the locations of the TASER prongs while I assisted with holding Cormack. Officer Rhinhart and Officer Kasyanenko then removed the TASER prongs. Officer Kasyanenko took possession of both TASER cartridges to be placed into evidence. KWFD was on scene and put bandaids over the prong puncture wounds.

I requested Officer Fraga to respond with the transport van. Cormack continued to kick his legs and tried to pull away from Officers, while we were escorting to the Transport Van. Cormack was then placed into the transport van and taken to Old City for booking.

Once Cormack was placed into the Transport Van, I met with Officer Stutz and Kasyanenko, inside of the apartment. I saw fresh blood on the floor and on the couch, that was a result of Cormack beating Darryl Cichon (Victim). Cichon was treated on scene by KWFD, for injuries sustained from Cormack. Initially Cichon refused to go to the hospital, but then changed his mind and was transported by KWFD to the Lower Keys Medical Center.

I went to Old City Hall to meet with Officer Stutz, who was completing the arrest affidavit for Cormack. Once at Old City Hall, Officer Fraga told me Cormack continued to resist his efforts to walk him from the Transport Van to Old City Hall. Officer Fraga had to pin Cormack up against the passenger side of the Van. Cormack began to hit his head against the side of the van. I was unable to see any dents at that time. When I arrived at the Key West Police Station for briefing, I asked Officer Fraga if there was any damage done to the van. He walked out to the Van, which was parked at the Police Station and noticed 3 small dents, which were consistent with Cormack banging his head. Officer Fraga told me about them and I went out to inspect the van. I saw the dents and took photographs and later placed them into COBAN DPM. I notified Lt. Tripp of the damage that was discovered.

I downloaded Officer Stutz and Officer Kasyanenko's TASER'S and placed the disk's into property.

I completed a Response to Resistance report and forwarded it to Sgt. Randy Smith of Internal Affairs.

My BWC was activated during my time on scene.

End of Narrative: 1

Reporting Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT FRANK T DUPONTY (1951)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/02/2015 03:27

Key West Police Department

Report 11/02/2015 00:19

Incident Report

Case # 01-15-004915

COPY

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-15-004915	11/02/2015 00:19	11/01/2015 00:57	11/01/2015 01:34	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	BURGLARY RELATED OFFENSE		CLEARED BY ARREST	11/01/2015	11/01/2015 00:59
	Common Name				
602 SOUTHARD ST Apt. .1 KEYWEST, FL 33040 (MONROE County)					
Day of Week : SUNDAY					
Dispatched : 11/01/2015 00:59					
Responded : 11/01/2015 00:59					
Arrived : 11/01/2015 01:04					
Map Reference : 1122XX6XO					
Location Type : RESIDENCE-SINGLE FAMILY					
Beat Assignment : 3					
Alcohol Related : Yes					
Drug Related : Unknown					
Total Damaged Property Value : \$0.00					
Total Stolen Property Value : \$0.00					
Total Recovered Property Value : \$0.00					

P R O P E R T Y	Category	Property Type	Make	Model	
	EVIDENCE/SEIZED	PHOTOGRAPHS	COBAN		
	Serial #	Color	Description	Condition	
	0115004915		PHOTOS OF SUSPECT TASED	NEW	
	UCR Type : MISCELLANEOUS			Recovery Location : Use Address from Incident Location Information	
Quantity/Weight : 10			Recovered By : OFC. C. RHINHART		
Value : \$1.00			Recovery Date and Time : 11/01/2015 01:20		
Rec. Officer : RHINHART, CHRISTOPHER L.			Recovery Value : \$1.00		
State Number : 3672					
End of Property: 1					

N A R R A T I V E	Topic	SUPPLEMENTAL
	On Sunday, November 1, 2015 at approximately 0059 hours Ofc. Kasyanenko, Ofc. Stutz and I (Ofc. Rhinhart) responded to the area of Southard St. and Simonton St. for a report of a physical disturbance. Key West Police Dispatch advised the caller, later identified as witness Kyle Hogue, reported the sounds of a fight coming from an apartment and a person screaming "Help me!"	
	Ofc. Kasyanenko arrived on scene first and was directed by Hogue to 602 Southard St apartment 1. I arrived shortly after and observed Ofc. Kasyanenko and Ofc. Stutz trying to calm an agitated male subject, later identified as Richard Cormack. I observed Cormack screaming at another male, later identified as Darryl Cichon.	
	I then approached Cormack to assist Ofc. Kasyanenko and Ofc. Stutz. I observed Cormack yelling at Ofc. Stutz screaming "Go fuck yourself". Cormack began screaming his name and tensing his fists. I heard Ofc. Stutz advise Ofc. Kasyanenko that Cormack was in violation of multiple statutes and needed to be detained. While I was standing to the side of Cormack, I observed Ofc. Stutz instructing Cormack to place his hands behind his back. Cormack did not comply. Ofc. Stutz un holstered and pointed his TASER at Cormack. Ofc. Stutz again told Cormack to place his hands behind his back. Ofc. Kasyanenko told Cormack to comply or he would be TASERED. Cormack placed his hands behind his back. Ofc. Kasyanenko and I began to place Cormack into handcuffs. I felt Cormack begin to tense and pull his arms away from Ofc. Kasyanenko and I. Cormack then pulled one of his arms free and began charging towards Ofc. Stutz. Ofc. Stutz ordered Cormack to stop and deployed his TASER. One probe struck Cormack in the center of his chest. The other probe did not connect and Cormack continued to charge forward. Ofc. Kasyanenko then deployed his TASER from behind Cormack. I observed Neuromuscular Incapacitation (NMI) was achieved and Cormack fell to the ground. After the TASER cycle completed, Ofc. Stutz gave Cormack loud verbal commands to place	

Reporting Officer	Department	Report Status:
OFC CHRISTOPHER LEE RHINHART (3672)	PATROL DIVISION	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT DONALD JULIAN BARRIOS (1850)	KEY WEST POLICE DEPARTMENT	11/02/2015 02:42

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Key West Police Department

Report 11/02/2015 00:19

Incident Report

Case # 01-15-004915

	<p>his hands behind his back. Cormack complied and I handcuffed Cormack on the ground. Cormack continued to be non-compliant and began spitting at officers on scene. I placed a department issued spit hood on Cormack to stop him from spitting.</p> <p>Ofc. Kasyanenko and I removed the probes from Cormack's chest and back. I took photographs of Cormack's injuries from the TASING. Ofc. D. Fraga responded to the scene and transported Cormack to the processing area located at 510 Greene St.</p> <p>The photographs were uploaded into the COBAN DPM system for documentation and future reference.</p> <p>This event was captured on my VIEVU body worn camera and COBAN in car audio/video.</p> <p>The VIEVU body worn camera footage was uploaded into the COBAN DPM system for evidentiary purposes and future reference.</p>
	End of Narrative: 1

Reporting Officer OFC CHRISTOPHER LEE RHINHART (3672)	Department PATROL DIVISION	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT DONALD JULIAN BARRIOS (1850)	Department KEY WEST POLICE DEPARTMENT	Date / Time 11/02/2015 02:42

KWPD

Monroe County Adult Arrest Form

COPYARREST
WARRANT
COMPLAINT AFFIDAVIT

ARREST #

OBTS #

Filing Agency KWPD		Case # 0115004915		Doc. Control #		State ID #		FBI #	
Defendant's Last Name CORMACK		First RICHARD		Middle WILLIAM THOMAS		Suf		Alias	
Race W		Eth NH	Sex M	Hgt 6'5"	Eyes BROWN	Hair BLOND	Wgt 255	Comp MEDIUM	Age 25
DOB 02/10/1990		Birthplace UNITED STATES		Scars, Marks, TT		Citizenship UNITED STATES			
Facial Hair MUGT		Build THVY		Marital St		Hand Use		Glasses	Speech SLURRED
Parole/Probation UNKNOWN		Language Spoken ENGLISH		Permanent Address 2409 FOGARTY AV KEY WEST, FL 33040-		Home Phone:		Local Address:	
Email Address		Cell Phone:		Place of Employment		Occupation			
Arrest Location 602 SOUTHARD ST Apt# 1 KEY WEST, FL 33040-		Area/ Zone 3		Work Phone:		Arresting Officer THOMAS J STUTZ 3138			
Violation Location 602 SOUTHARD ST Apt# 1 KEY WEST, FL 33040-		Area/ Zone 3		Date/Time of Violation 11/01/2015 00:57		Date/Time Arrested 11/01/2015 01:34			
DL # C652-759-90-050-0		State FL		Breathalyzer By		Reading		Miranda Advisement Not Advised	
By Whom		Indication Of:		Y		N		UK	
Domestic Violence No		Weapon Seized		Officer Injured No		Caution VIOLENT		Alcohol Influence: <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Drug Influence: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>		Drug Type:		Type:		B-Barbiturate		H-Hallucinogen	
U,U		N-N/A		C-Cocaine		M-Marijuana		P-Paraphernalia/ Equipment	
A-Amphetamine		E-Heroin		O-Opium		S-Synthetic		U-Unknown Z-Other	
Activity:		Activity:		B-Buy		E-Use		K-Dispense/ Distribute	
UNKNOWN		UNKNOWN		N-N/A		T-Traffic		M-Manufacture/ Produce/	
P-Possess		A-Smuggle		S-Sell		D-Deliver		Z-Other 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	BURGL WITH ASSAULT OR BATTERY-810.02(2)(A)	RGL WITH ASSAULT			
1/F	RESIST OFFICER WITH VIOLENCE-843.01	SIST OFFICER WITH			

Before me this date personally appeared **THOMAS J STUTZ 3138** who being first duly sworn deposes and says that on the **1st day of November, 2015** at **602 SOUTHARD ST Apt# 1 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 Sunday, November 1, 2015 at approximately 0059 hours Ofc. Kasyanenko, Ofc. Rhinhart and I (Ofc. Stutz) responded to the area of Southard St. and Simonton St. for a report of a physical disturbance. Key West Police Dispatch advised the caller, later identified as witness Kyle Hogue, reported the sounds of a fight coming from an apartment and a person screaming "Help me!"

Ofc. Kasyanenko arrived on scene first and was directed by Hogue to 602 Southard St apartment 1. I arrived shortly after and observed Ofc.

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

THOMAS J STUTZ 3138

FRANK T DUPONTY 1951

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 3

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
CORMACK	RICHARD	WILLIAM THOMA		6'5"	255	W	M	02/10/1990	0115004915	THOMAS J STUTZ 3138

Kasyanenko trying to calm an agitated male subject, later identified as Richard Cormack. I observed Cormack was screaming at another male, later identified as Darryl Cichon. I approached Cichon and observed the left side of his face was heavily bruised and swollen. I observed Cichon had a small laceration of his left eye and complained of pain in his back. I asked Cichon what happened. Cichon stated he was in his home, resting on the couch. Cichon stated he got up do some dishes and an unknown male entered his home and began beating him. Cichon motioned toward Cormack and identified him as the suspect. I asked Cichon if he knew Cormack. Cichon stated he had never met Cormack. As Cichon tried to speak to me, Cormack began screaming at Cichon and threatened to beat him again.

I then approached Cormack and asked him if he knew Cichon. Cormack told me it was none of my business and to go "Fuck myself". I asked Cormack for his identification. Cormack began screaming his name and tensing his fists. I advised Ofc. Kasyanenko that Cormack was in violation of multiple statutes and needed to be detained. I advised Cormack to place his hands behind his back. Cormack did not comply. I unholstered and pointed my TASER at Cormack. I again told Cormack to place his hands behind his back. Ofc. Kasyanenko told Cormack to comply or he would be TASERED. Cormack placed his hands behind his back. Ofc. Rhinhart and Ofc. Kasyanenko began to place Cormack into handcuffs. I observed Cormack begin to tense and pull his arms away from Ofc. Kasyanenko and Ofc. Rhinhart. I observed Cormack pull one of his arms free and began charging towards me. I ordered Cormack to stop and deployed my TASER. One probe struck Cormack in the center of his chest. The other probe did not connect and Cormack continued to charge forward. Ofc. Kasyanenko deployed his TASER from behind Cormack. I observed Neuromuscular Incapacitation (NMI) was achieved and Cormack fell to the ground. After the TASER cycle completed, I gave Cormack loud verbal commands to place his hands behind his back. Cormack complied and was handcuffed by Ofc. Rhinhart. Cormack continued to be non-compliant and began spitting at officers on scene. Cormack was placed into a spit hood by Ofc. Rhinhart.

Key West Fire Rescue was already on scene treating Cichon for his injuries when Cormack was taken into custody. Sgt. D. Barrios responded to the scene in reference to the response to resistance report. Cormack refused medical treatment on scene. Ofc. Rhinhart and Ofc. Kasyanenko removed the probes from Cormack's chest and back. Photographs were taken of Cormack's injuries. Ofc. D. Fraga responded to the scene and transported Cormack to the processing area located at 510 Greene St.

I again spoke to Cichon about the incident. Cichon again stated he was in his kitchen when Cormack entered the residence. I asked Cichon if the doors were closed or locked. Cichon stated the doors and screen were open. Cichon stated Cormack entered the residence, screamed at him, then grabbed him. Cichon stated Cormack picked him up and slammed him onto the floor. Cichon stated Cormack began hitting him and throwing him around the living area. Cichon stated he was repeatedly picked up and "slammed" onto the floor. I asked Cormack to show me his residence. I observed the front door and screen to the residence were open. I observed the interior screen to the apartment was torn. I observed the door led directly to the kitchen. I observed directly to the left of the entry door was another doorway leading to the living area. I observed on the floor of the living area was a pool of fresh blood. I observed the couch in the living area had multiple fresh blood stains across the cushions.

Ofc. Kasyanenko photographed the scene and Cichon's injuries and later entered them into Key West Police Department COBAN system.

I then spoke to witness, Kyle Hogue, about the incident. Hogue stated he was staying in an adjoining apartment to the victim. Hogue stated he heard screaming coming from Cichon's apartment. Hogue stated he could hear a males voice screaming profanity and what sounded like another male pleading for help. Hogue stated he heard the sounds of someone being slammed on the ground repeatedly and screaming, "Help me!" Hogue stated he opened the door between the two apartments and could see one male, he described as Cormack, begin hitting the other man (Cichon). Hogue stated Cormack struck Cichon until he stopped screaming for help. Hogue stated he immediately called the police and directed Ofc. Kasyanenko when he arrived. Hogue provided a sworn statement for this incident.

I provided Cichon with a case umber for this incident and a Victim's Rights Brochure. Cichon was then transported to the Lower Keys Medical Center for further treatment.

I found probable cause to believe Cormack violated the following Florida State Statutes:

F.S.S 810.02(2)(A): Burglary with Battery on the Occupant:

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

THOMAS J STUTZ 3138

FRANK T DUPONTY 1951

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA

COUNTY 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 3

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
CORMACK	RICHARD	WILLIAM THOMA		6'5"	255	W	M	02/10/1990	0115004915	THOMAS J STUTZ 3138

Cormack did enter the dwelling, 602 Southard St. Apartment 1, with the intent to commit a crime there in, by repeatedly striking Cichon against his will causing injury (Battery).

F.S.S 843.01 Resisting with Violence:

During the course of our lawful duties, placing Cormack into custody for violation of Florida State Statute, Cormack did break free from Officer Rhinhart and Ofc. Kasyanenko as they attempted to hand-cuff him. Cormack proceeded to charge towards me (Ofc. Stutz) while raising his fist above his head. After subdued, Cormack continued to spit and kick at officers when they approached him.

These events were recorded on both my Body Worn Camera (BWC) and my TASER camera.

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

THOMAS J STUTZ 3138

FRANK T DUPONTY 1951

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 3 of 3

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