

Response to Resistance Report

Key West Police Department

Case No: 18-0100

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: 01/06/2018

3. Time: 0130 Hrs

4. Location: 501 Greene Street

5. Incident type: S02

6. Resistance Level

7. Explanation

8. Response Option

9. Explanation

☒ Passive:

Would not comply

☒ Physical Control

Handcuffs

☐ Active:

☒ Non-lethal Weapon

TASER Drive Stun

☐ Aggressive:

☐ Deadly Force

☐ Deadly Force:

10. Last Name:

11. First:

12. Race: W

13. Sex: M

14. DOB: 11/14/1981

15. Height: 5-11

16. Weight: 200

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

SUBJECT

Drive STUN (2)
It's Movement

Drive STUN (1)

22. Anterior View

Posterior View

23. Officer: Anthony Gillespie

24. Race: W

25. Sex: M

26. Age: 49

27. Height: 5-11

28. Weight: 260

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 1.5

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

OFFICER

35. Anterior View

Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 18-0100

TASER USE ONLY	36. TASER® device serial # X12002KPX	37. TASER® device serial #
	TASER®Cam serial # V21000VTF	TASER®Cam serial #
	Cartridge 1 serial # NOT USED	Cartridge 1 serial #
	Cartridge 2 serial # NOT USED	Cartridge 2 serial #
	Number of cycles: 2	Number of cycles:
	Type of contact: <input type="checkbox"/> Probe <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Target distance at probe launch: Drive Stun	Target distance at probe launch:
	Distance between probes: Drive Stun	Distance between probes:
	Probes removed by (name): N/A	Probes removed by (name):
Device downloaded by: Sgt Duponty	Device downloaded by:	
<input type="checkbox"/> 38. Check and list any additional TASER® devices, cartridges or details in the incident description section.		
REPORT	39. Offense/Incident Report and/or Warrant Affidavit must include:	
	<input checked="" type="checkbox"/> All necessary criminal elements. <input checked="" type="checkbox"/> All details of the arrest <input checked="" type="checkbox"/> Details articulating the subject's words, mannerisms and actions that justify the use of force. <input checked="" type="checkbox"/> Details outlining the response to resistance utilized by each officer. <input checked="" type="checkbox"/> Detailed description of injury complaints and/or observed injuries <input checked="" type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.	
SUPERVISOR'S INQUIRY	40. Notified Date: 01/06/2018	
	41. Time: 0130 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)	
INT. AFF.	44. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)	
	Name	Address
INT. AFF.	45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS	
	46. Preparing Supervisor's Signature / ID <i>Sgt. Frank Duponty 1951</i>	
	47. Date 01/06/2018	
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 <i>SLA. PS #2935</i>	
INT. AFF.	50. Date 2/20/18	
	51. If section 48 is "No" record the Professional Standards Control Number:	
INT. AFF.	52. Date Entered:	

I N C I D E N T D A T A	Agency Name Key West Police Department		INCIDENT/INVESTIGATION REPORT										Case# 18-000100							
	ORI FL0440100												Date / Time Reported 01/05/2018 23:22 Fri							
	Location of Incident 501 Green Street, Key West FL 33040-		Premise Type Highway / Street / Road/			Zone/Tract			Last Known Secure 01/05/2018 23:22 Fri											
									At Found 01/05/2018 23:22 Fri											
M O	#1	Crime Incident(s) Battery SCA			(Com)			Weapon / Tools HANDS, FIST, FEET				Activity								
		Entry			Exit			Security												
	#2	Crime Incident			()			Weapon / Tools				Activity								
		Entry			Exit			Security												
	#3	Crime Incident			()			Weapon / Tools				Activity								
		Entry			Exit			Security												
V I C T I M	# of Victims 3		Type: LAW ENFORCEMENT (LEO)				Injury: None				Domestic: N									
	V1	Victim/Business Name (Last, First, Middle) GILLESPIE, ANTHONY MAR				Victim of Crime # 1,		DOB 03/20/1980		Age 37		Race W	Sex M	Relationship To Offender ST	Resident Status Resident	Military Branch/Status				
	Home Address 1604 N ROOSEVELT BVLD, Key West, FL 33040-										Home Phone 305-809-1000									
	Employer Name/Address KEY WEST POLICE										Business Phone		Mobile Phone							
	VYR	Make	Model	Style	Color	Lic/Lis		VIN												
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)																			
O T H E R I N V O L V E D	Type: LAW ENFORCEMENT (LEO)		Injury: None																	
	Code V2	Name (Last, First, Middle) MOGERLEY, NEIL				Victim of Crime # 1,		DOB 10/04/1985		Age 32		Race W	Sex M	Relationship To Offender ST	Resident Status Resident	Military Branch/Status				
	Home Address 1604 N Roosevelt Blvd Key West, FL 33040										Home Phone 305-809-1111									
	Employer Name/Address Key West Police										Business Phone		Mobile Phone							
	Type: BUSINESS		Injury: None																	
	Code V3	Name (Last, First, Middle) STATE OF FLORIDA				Victim of Crime # 1,		DOB Age				Race	Sex	Relationship To Offender ST	Resident Status N/A	Military Branch/Status				
P R O P E R T Y	Home Address										Home Phone									
	Employer Name/Address										Business Phone		Mobile Phone							
	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)																			
	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description				Make/Model		Serial Number							
		35	EVID	\$0.00		1	BWC 3757													
Officer/ID# MOGERLEY, NEIL (3819)																				
Invest ID# (0)										Supervisor DUPONTY, FRANK T (1951)										
Status	Complainant Signature				Case Status <i>Cleared By Arrest</i>				01/10/2018				Case Disposition: <i>Cleared By Arrest</i>				01/06/2018		Page 1	

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 18-000100

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

D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
	U	EVI	1.000	GM	UNKNOWN	Use

Assisting Officers

DUPONTY, F.T. (1951), CONATY, J.T. (3755), DEHANAS, B.T. (3756), GILLESPIE, A.M. (3757), VALDES-MARRERO, A. (3820)

Suspect Hate / Bias Motivated:

NARRATIVE

Incident Report Additional Name List

Key West Police Department

OCA: 18-000100

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	WILLIS, JEREMY DUANE		10/17/1984	33	W	M
Address 1413 South St , Key West, FL 33040-			H: 269-626-6466			
Empl/Addr			B: - -			
			Mobile #: - -			

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

18-000100

Victim

GILLESPIE, ANTHONY MAR

Offense

BATTERY

Date / Time Reported

Fri 01/05/2018 23:22

On January 05, 2017, at at about 23:22 Officer Gillespie and I (Ofc. Mogerley), responded to a report of a female that fell in the street that was trying to get onto a scooter at 501 Green Street. Key West Fire and Rescue responded.

Upon arrival there was a blond heavy set female leaning against the wall of Sloppy Joes. People on the sidewalk pointed at her saying she was the one that fell. I spoke with the female and asked what happened and she seemed to be highly intoxicated. She said she fell on the street and had a sprained ankle. Officer Gillespie spoke to someone that knew her and he told him that she injured her ankle prior at roller derby. There was no noticeable defects in the sidewalk or street area. She kept saying she did not need rescue. She had an extreme sway while standing and was slurring her words. I asked her for her identification and she opened her purse handing me everything in her purse. She Identified herself as Paige Nielsen (' ' ' '), by a valid Florida driver's license and a United States Navy Police ID.

Nielson refused to have rescue evaluate her. Due to her intoxication level I asked dispatch to have Navy Police come and take responsibility of her. Nielson started to become non compliant, stumbling while she walked, and raising her voice. I placed her into handcuffs (double locked and checked for tightness), and sat her on the ground.

While we were dealing with Nielson another male later identified as [REDACTED], was intoxicated and kept walking up and interfering as we were dealing with Nielson. I told him several times to leave or he would be arrested for interfering with police. [REDACTED] left the area. This same male was kicked out of Hogs Breath and Sloppy Joes for being intoxicated and causing problems. [REDACTED] came back to the area and was stumbling as he was walking and started to come up to us as we were dealing with Nielson. I placed him into handcuffs (double locked and checked for tightness), and took him into protective custody (Marchman act). and sat him on the sidewalk. I went to get my police car parked on the next block.

When I returned Officer Gillespie informed me Nielsen started kicking mopeds and kick Officer Gillespie in right upper thigh area. Officer Gillespie said it was a very slight pain in his leg but no injuries when she kicked him. Officer Gillespie and I stood her up and walked her to the back of my police car. When I was opening the door Nielsen kicked me in my right upper leg with her left foot. This caused a slight pain but no injuries when she kicked me. She tried to kick a few more times but missed. Officer Gillespie placed her into the back of the police car and put her seatbelt on. Nielsen was trying to kick the window out on my police car.

I left to transport her to the Monroe County Correctional Center and Officer Gillespie stayed [REDACTED] to transport him.

While I was enroute to the correctional center Nielsen began saying she couldn't breathe and was choking. I called for rescue. Nielsen started screaming louder and was talking so I was able to know she was breathing. I drove her right to the hospital as I was closer than rescue, and I could hear her talking and breathing the entire way. I brought her into the emergency room where she was checked by a doctor and cleared to go to the Jail. Officer Marrero met me at the emergency room.

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>GILLESPIE, ANTHONY MAR</i>	Offense <i>BATTERY</i>	OCA <i>18-000100</i>
		Date / Time Reported <i>Fri 01/05/2018 23:22</i>

Once she was cleared I transported her to the Monroe County Correctional Center where she was booked on charges of battery on a Law Enforcement Officer.

Paige Nielsen committed the offense (two counts) of Battery on a Law Enforcement Officer (FSS 784.07), by kicking Officer Gillespie and myself.

Incident Report Suspect List

Key West Police Department

OCA: 18-000100

1	Name (Last, First, Middle) NIELSEN, PAIGE MARIE						Also Known As				Home Address KEY WEST, FL 33040	
	Business Address US NAVY, POLICE											
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.	
		24	W	F		507	230	BLN				
Scars, Marks, Tattoos, or other distinguishing features												

Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight		SSN
Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel
											Mode of Travel
VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN
Notes						Physical Char					

2	Name (Last, First, Middle)						Also Known As				Home Address	
	Business Address											
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.	
		11/14/1981	36	W	M							
Scars, Marks, Tattoos, or other distinguishing features												
Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight		SSN	
Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel	
											Mode of Travel	
VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN	
Notes						Physical Char						

Incident Report Related Property List

Key West Police Department

OCA: 18-000100

1	Property Description BWC 3757			Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000	Unit	Jurisdiction Locally	
	Status Evidence	Date 01/06/2018	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex

Notes

2	Property Description UNKNOWN			Make BLUE		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000	Unit GM	Jurisdiction Locally	
	Status Evidence	Date 01/06/2018	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex

Notes

Blue jar containing glass pipe for destruction.

CASE SUPPLEMENTAL REPORT

Printed: 02/19/2018 10:06

Key West Police Department

OCA: 18000100

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

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred: 01/05/2018

Offense: BATTERY

Investigator: GILLESPIE, ANTHONY M (3757)

Date / Time: 01/06/2018 02:30:40, Saturday

Supervisor: DUPONTY, FRANK T (1951)

Supervisor Review Date / Time: 01/06/2018 03:56:29, Saturday

Contact:

Reference: General Supplemental Report

On 01/05/2018, at approximately 2322 hours, I was on foot, patrolling Duval St. Ofc. Mogerley and I responded to 501 Greene St. in reference to a medical assist.

Upon arrival, I acted as back up to Ofc. Mogerley when dealing with Paige Marie Nielsen, a highly intoxicated female that had fallen onto the ground and couldn't stand. Nielsen complained that her left ankle was sprained. I spoke to Jermy D Willis while on scene. Willis is Nielsen's roller derby coach. Willis said Nielsen hurt her left ankle during roller derby and it is not a new injury.

While dealing with Nielsen, a white male (later identified as) came up to the scene and continually attempted to speak with the Nielsen. Schaefer had nothing to do with the Nielsen incident, but he would not walk away. did not know Nielsen in any way. continually walked up to Nielsen and spoke to her while Ofc. Mogerley and I were conducting our investigation. I ordered to walk away several times, but he did not. had previously been kicked out of two bars on Duval St. earlier in the night.

appeared to be intoxicated. had a strong odor of an alcoholic beverage coming from his breath and person. was unsteady on his feet and had a half empty bottle of wild turkey liquor in his hand. I ordered to leave the scene a final time walked around the Rescue unit that was on scene and came right back to the scene on the other side, behind me, next to Ofc. Mogerley.

Ofc. Mogerley ordered to leave several more times, but would not. Ofc. Mogerley placed into hand cuffs, and sat him on the ground. was placed into protective custody as per Marchman Act.

I assisted Ofc. Mogerley with transporting to MCDC.

I searched incident to arrest. During my search I found a blue jar containing a glass pipe. Both items were turned in for destruction.

As I placed into my car, would not put his legs into the vehicle. I ordered several times to place his feet inside the vehicle, or he would be Tased. would not comply. I attempted to lift's legs with my hands, to place them inside the vehicle, but pushed his legs down and would not let me lift them. said "I am very strong" as he pushed his legs out of my grasp.

I drive stunned r in the right thigh area with the first cycle. The first cycle was ineffective due was wearing several layers of pants. I ordered him into the car again, or he would be Tased again. did not comply.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 02/19/2018 10:06

*Key West Police Department*OCA: **18000100**

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

Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:** *01/05/2018***Offense:** *BATTERY*

Investigator: *GILLESPIE, ANTHONY M (3757)***Date / Time:** *01/06/2018 02:30:40, Saturday***Supervisor:** *DUPONTY, FRANK T (1951)***Supervisor Review Date / Time:** *01/06/2018 03:56:29, Saturday***Contact:****Reference:** *General Supplemental Report*

I drive stunned in the right side, stomach area with the second cycle. Schaefer put his feet inside the vehicle.

Sgt. Duponty responded to the scene.

Rescue medically cleared Schaefer on scene.

I entered 3 photographs of Schaefer into the COBAN server as evidence.

My BWC was activated during the incident. At some point during the incident my BWC was accidentally turned off.
My in car COBAN was activated during the incident.

I have no further information at the time of this report.///END OF REPORT///

Investigator Signature

Supervisor Signature

ARREST REPORT

AGENCY INFO	Agency Name Key West Police Department		ORI FL0440100		Date/Time Arrested 01/06/2018 01:29 Sat		Case # 18000100		
	Taken		Arrest Tract GPB1		Residence Tract		Arrest Number 5069		
ARRESTEE INFO	Name (Last, First, Middle) NIELSEN, PAIGE			D.O.B. 0	Age 24	Race W	Sex F	Place of Birth	Citizenship
	Current Address			Phone		Occupation		Residence Status	
	Employer's Name			Address				Phone	
	Also Known As (Alias Names)					Hgt	Wgt	Hair	Eyes
	Scars, Marks, Tattoos					Social Security #		Skin Tone	
	Nearest Relative Name			Address				Phone	
	If Armed, Type of Weapon Not Applicable/none			Type of Arrest FELONY ARREST			Place of Arrest 501 GREENE ST, KEY WEST		
ARREST INFO	Charge #1 Battery On Leo / Firefighter / Emt Reclassified		Type Fel	Counts 2	IBR Code 0810	Warrant/Summons #		Statute # 784.07-2B	Warr. Date
	Charge #2		Type	Counts	IBR Code	Warrant/Summons #		Statute #	Warr. Date
	Charge #3		Type	Counts	IBR Code	Warrant/Summons #		Statute #	Warr. Date
VEHICLE INFO	VYR	Make	Model		Style				
	Color	Plate #/State/Plate Year		VIN					
	Vehicle								
CONFINED	Date/Time Confined		Place Confined			Committing Magistrate			
	Type Bond		Bond Amount		Trial Date	Time	Court Of	City	
	Arresting Officer Name/ID #/Bureau MOGERLEY, NEIL (3819) OPER								
STATUS	Assisting Officer Name/ID #/Bureau GILLESPIE, ANTHONY M (3757) PAT PAT OPER				Released By (Name/Department/ID #)			Date/Time Released	
	Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown/Lost								
DRUGS	Code	Status	Quantity	Type Measure	Suspected Type			Up to 3 types of activity for each	
Other Name	Name			Address			Phone		
	Name			Address			Phone		
NARRATIVE	On January 05, 2017, at at about 23:22 Officer Gillespie and I (Ofc. Mogerley), responded to a report of a female that fell in the street that was trying to get onto a scooter at 501 Green Street. Key West Fire and Rescue responded.								
	Upon arrival there was a blond heavy set female leaning against the wall of Sloppy Joes. People on the sidewalk pointed at her saying she was the one that fell. I spoke with the female and ** Continued **								
STATUS	Arresting Officer Signature/ID #/Bureau MOGERLEY, NEIL (3819) OPER								
	Case Status Cleared By Arrest				Arrestee Signature				

r_ar1br

Printed By: RSMITH,

ARREST REPORT (Additional Narrative)

Agency Name Key West Police Department	ORI FL0440100	Date/Time Arrested 01/06/2018 01:29	Case # 18000100
Arrestee Name NIELSEN, PAIGE			Arrest Number 5069

asked what happened and she seemed to be highly intoxicated. She said she fell on the street and had a sprained ankle. She kept saying she did not need rescue. She had an extreme sway while standing and was slurring her words. I asked her for her identification and she opened her purse handing me every thing in her purse. She Identified herself as Paige Nielsen (dob: , by a valid Florida driver's license and a United States Navy Police ID.

Nielson refused to have rescue evaluate her. Due to her intoxication level I asked dispatch to have Navy Police come and take responsibility of her. Nielson started to become non compliant, stumbling while she walked, and raising her voice. I placed her into handcuffs (double locked and checked for tightness), and sat her on the ground.

While we were dealing with Nielson another male later identified as Matthew Schaefer (dob:11/14/1981), was intoxicated and kept walking up and interfering as we were dealing with Nielson. I told him several times to leave or he would be arrested for interfering with police. Schaefer left the area. This same male was kicked out of Hogs Breath and Sloppy Joes for being intoxicated and causing problems. Schaefer came back to the area and was stumbling as he was walking and started to come up to us as we were dealing with Nielson. I placed him into handcuffs (double locked and checked for tightness), and took him into protective custody (Marchman act). and sat him on the sidewalk. I went to get my police car parked on the next block.

When I returned Officer Gillespie informed me Nielsen started kicking mopeds and kick Officer Gillspie in right upper thigh area. Officer Gillespie said it was a very slight pain in his leg but no injuries when she kicked him. Officer Gillespie and I stood her up and walked her to the back of my police car. When I was opening the door Nielsen kicked me in my right upper leg with her left foot. This caused a slight pain but no injuries when she kicked me. She tried to kick a few more times but missed. Officer Gillespie placed her into the back of the police car and put her seatbelt on. Nielsen was trying to kick the window out on my police car.

I left to transport her to the Monroe County Correctional Center and Officer Gillespie stayed Schaefer to transport him.

While I was enroute to the correctional center Nielsen began saying she couldn't breath and was choking. I called for rescue. Nielsen started screaming louder and was talking so I was able to know she was breathing. I drove her right to the hospital as I was closer than rescue, and I could hear her talking and breathing the entire way. I brought her into the emergency room where she was checked by a doctor and cleared to go to the Jail. Officer Marrero met me at the emergency room.

Once she was cleared I transported her to the Monroe County Correctional Center where she was booked on charges of battery on a Law Enforcement Officer.

Paige Nielsen committed the offense (two counts) of Battery on a Law Enforcement Officer (FSS 784.07), by kicking Officer Gillespie and myself.

ARREST REPORT

AGENCY	Agency Name Key West Police Department		ORI FL0440100		Date/Time Arrested 01/06/2018 00:41 Sat		Case # 18000100			
	Taken		Arrest Tract GPB1		Residence Tract		Arrest Number 5070			
ARRESTEE	Name (Last, First, Middle) SCHAEFER, MATTHEW W			D.O.B. 11/14/1981	Age 36	Race W	Sex M	Place of Birth	Citizenship US	
	Current Address 430 Clark St, , Marseilles, IL 61341			Phone 2503508000		Occupation		Residence Status Non-Resident		
	Employer's Name			Address			Phone - -			
	Also Known As (Alias Names)					Hgt 5	Wgt	Hair	Eyes	Skin Tone
	Scars, Marks, Tattoos			Social Security #		OLN and State		Misc. # and Type		
	Nearest Relative Name			Address			Phone			
ARREST	If Armed, Type of Weapon		Type of Arrest MISDEMEANOR ARREST			Place of Arrest 501 GREENE ST, KEY WEST				
	Charge #1 Resist / Obstruct Officer W/o Violence		Type Misd	Counts 1	IBR Code 2650	Warrant/Summons #		Statute # 843.02	Warr. Date	
	Charge #2		Type	Counts	IBR Code	Warrant/Summons #		Statute #	Warr. Date	
	Charge #3		Type	Counts	IBR Code	Warrant/Summons #		Statute #	Warr. Date	
VEHICLE	VYR	Make	Model		Style					
	Color	Plate #/State/Plate Year		VIN						
	Vehicle									
CONFIDENT	Date/Time Confined		Place Confined			Committing Magistrate				
	Type Bond		Bond Amount		Trial Date	Time	Court Of	City		
	Arresting Officer Name/ID #/Bureau GILLESPIE, ANTHONY M (3757) OPER									
	Assisting Officer Name/ID #/Bureau DEHANAS, BRETT T (3756) PAT PAT OPER			Released By (Name/Department/ID #)			Date/Time Released			
Status Codes	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown/Lost									
DRUGS	Code	Status	Quantity	Type Measure	Suspected Type		Up to 3 types of activity for each			
Other Name	Name			Address			Phone			
	Name			Address			Phone			
NARRATIVE	On 01/05/2018, at approximately 2322 hours, I was on foot, patrolling Duval St. Ofc. Mogerley and I responded to 501 Greene St. in reference to a medical assist.									
	Upon arrival, I acted as back up to Ofc. Mogerley when dealing with Paige Marie Nielsen, a highly intoxicated female that had fallen onto the ground and couldn't stand.									
STATUS	Arresting Officer Signature/ID #/Bureau GILLESPIE, ANTHONY M (3757) OPER									
	Case Status Cleared By Arrest			Arrestee Signature						

** Continued **

r_ar1br

Printed By: RSMITH,

ARREST REPORT (Additional Narrative)

Agency Name Key West Police Department	ORI FL0440100	Date/Time Arrested 01/06/2018 00:41	Case # 18000100
Arrestee Name SCHAEFER, MATTHEW W			Arrest Number 5070

While dealing with Nielsen, a white male (later identified as Matthew W Schaefer) came up to the scene and continually attempted to speak with the Nielsen. Schaefer had nothing to do with the Nielsen incident, but he would not walk away. Schaefer did not know Nielsen in any way. Schaefer continually walked up to Nielsen and spoke to her while Ofc. Mogerley and I were conducting our investigation. I ordered Schaefer to walk away several times, but he did not. Schaefer had previously been kicked out of two bars on Duval St. earlier in the night.

Schaefer appeared to be intoxicated. Schaefer had a strong odor of an alcoholic beverage coming from his breath and person. Schaefer was unsteady on his feet and had a half empty bottle of wild turkey liquor in his hand. I ordered Schaefer to leave the scene a final time. Schaefer walked around the Rescue unit that was on scene and came right back to the scene on the other side, behind me, next to Ofc. Mogerley.

Ofc. Mogerley ordered Schaefer to leave several more times, but Schaefer would not. Ofc. Mogerley placed Schaefer into hand cuffs, and sat him on the ground. Schaefer was placed into protective custody as per Marchman Act.

I assisted Ofc. Mogerley with transporting Schaefer to MCDC.

As I placed Schaefer into my car, Schaefer would not put his legs into the vehicle. I order Schaefer several times to place his feet inside the vehicle, or he would be Tased. Schaefer would not comply. I attempted to lift Schaefer's legs with my hands, to place them inside the vehicle, but Schaefer pushed his legs down and would not let me lift them. Schaefer said " I am very strong" as he pushed his legs out of my grasp.

I drive stunned Schaefer in the right thigh area with the first cycle. The first cycle was ineffective due to Schaefer was wearing several layers of pants. I ordered him into the car again, or he would be Tased again. Schaefer did not comply. I drive stunned Schaefer in the right side, stomach area with the second cycle. Schaefer put his feet inside the vehicle.

Sgt. Duponty responded to the scene.

Rescue medically cleared Schaefer on scene.

Matthew W Schaefer resisted without violence when he would not comply with my direct order to place his feet inside of the vehicle. Schaefer did violated FSS 843.02 Resisting officer without violence to his or her person.