

Response to Resistance Report

Key West Police Department

Case No: 18-2652

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: 05/12/2018 3. Time: 10200 4. Location: MCDC 5. Incident type: S83

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

- | | | | |
|---|------------------|--|-------------|
| <input checked="" type="checkbox"/> Passive: | Non-Compliant | <input checked="" type="checkbox"/> Physical Control | Knee Strike |
| <input checked="" type="checkbox"/> Active: | Pulling Away | <input type="checkbox"/> Non-lethal Weapon | |
| <input checked="" type="checkbox"/> Aggressive: | Kicking Officers | <input type="checkbox"/> Deadly Force | |
| <input type="checkbox"/> Deadly Force: | | | |

10. Last Name: Ruggiero 11. First: Michael 12. Race: White 13. Sex: M

14. DOB: 02/24/1984 15. Height: 5'9" 16. Weight: 200

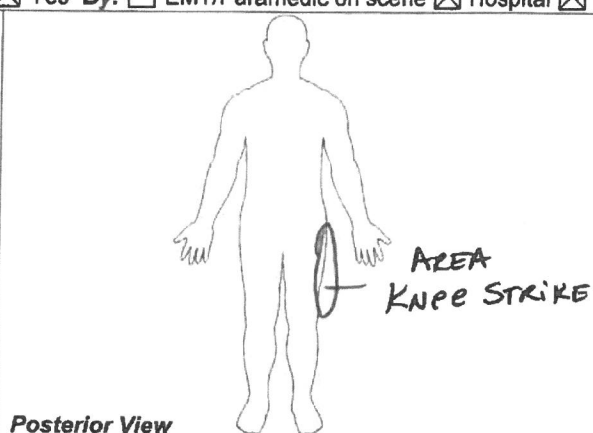
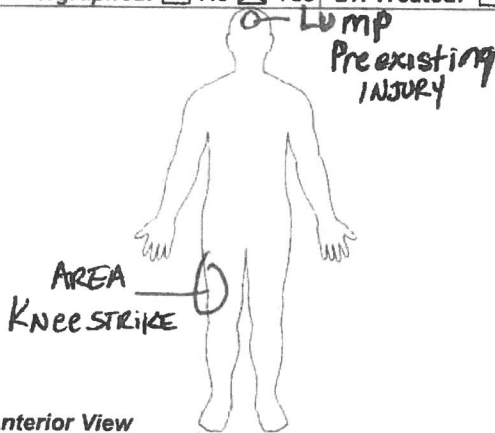
17. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

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



23. Officer: Neil Mogerley 24. Race: W 25. Sex: M 26. Age: 32 27. Height: 6'1 28. Weight: 250

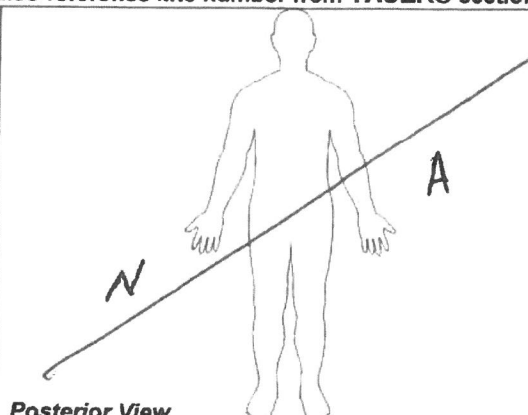
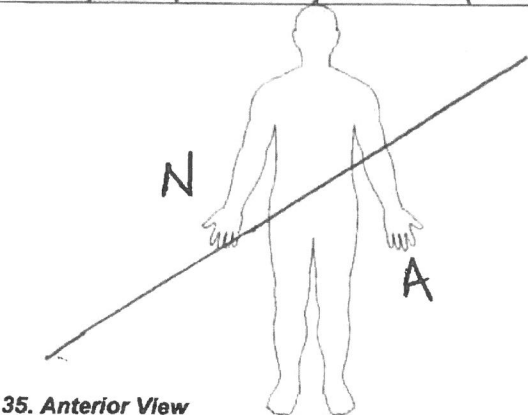
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☐ Uniformed ☐ Plain clothes 30. Yrs Exp: 9

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)

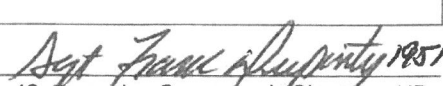

OFFICER



Response to Resistance Report (continued)

Key West Police Department

Case No: 18-2652

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:		Target distance at probe launch:	
	Distance between probes:		Distance between probes:	
	Probes removed by (name):		Probes removed by (name):	
Device downloaded by:		Device downloaded by:		
<input type="checkbox"/> 38. Check and list any additional TASER® devices, cartridges or details in the incident description section.				
REPORT	39. Offense/Incident Report and/or Warrant Affidavit must include: <input checked="" type="checkbox"/> All necessary criminal elements. <input checked="" type="checkbox"/> All details of the arrest <input checked="" type="checkbox"/> Details articulating the subject's words, mannerisms and actions that justify the use of force. <input checked="" type="checkbox"/> Details outlining the response to resistance utilized by each officer. <input checked="" type="checkbox"/> Detailed description of injury complaints and/or observed injuries <input checked="" type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.			
SUPERVISOR'S INQUIRY	40. Notified Date: 05/12/2018		41. Time: 0206	
	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
SGT Tom Careaga		MCDC		305-293-7400
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	
			05/12/2018 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	
		6/13/18 50. Date		
51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

Monroe County Adult Arrest Form

☒ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

KEY WEST PD
 ARREST #

OBTS #

Filing Agency KEY WEST PD		Case # 18-002652		Doc. Control #		State ID #		FBI		SS #	
Defendant's Last Name RUGGIERO				First MICHAEL		Middle A		SUF		Alias Citizenship	
Race W	Eth	Sex M	Hgt 600	Eyes	Hair	Wgt	Comp	Age 34	DOB 02/24/1984	Birthplace	Scars, Marks, TT
Facial Hair		Build	Marital St	Hand Use		Glasses	Speech		Parole/Probation		Language Spoken
Permanent Address 2669 GALAHAD CT, DYER, IN								Phone (Home): (305) 296-5513		Local Address:	
Email Address								Phone (Cell):		Place of Employment Occupation	
Arrest Location 511 GREENE ST						Area/ <input type="checkbox"/>		Phone (Work):		Arresting Officer DANTU, NICHOLAS (3835)	
Violation Location 511 GREENE ST, KEY WEST, FL 33040						Area/ <input type="checkbox"/>		Date/Time of Violation 05/11/2018 23:07		Date/Time Arrested 05/12/2018 02:51	
DL # R260541840640		State IN	Breathalyzer By		Reading	Miranda Advisement		By Whom?		Indication of: Y N UK	
Domestic Violence		Weapon Seized NOT APPLICABLE/NONE		Officer Injured?		Language Spoken?		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 Equipment 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's 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 CHARGE	Statute	Warrant #	Court Date and Time	Citation #
1/M	VIOLATION OF DOMESTIC VIOLENCE INJUNCTION	741.31-4A			
2/M	RESIST OFFICER WITH VIOLENCE	843.01			

Before me this date personally appeared who being first duly sworn deposes and says that on the 11st day of May, 2018 at 511 GREENE 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
 On 11 May 2018, about 2230 hours, I (Ofc. Dantu) was dispatched to 3930 S. Roosevelt Blvd, Apt # 407 S in reference to an injunction violation.

Upon arrival, I met with Portia Flowers who told me her ex boyfriend, Michael Antonio Ruggiero violated their injunction:

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

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.

SIXTEENTH JUDICIAL COURT
 MONROE County
 State of FLORIDA

Monroe County Adult Arrest Form

KEY WEST PD
ARREST #

OBTS # _____

case # 2018-DR-274-K

Division: Key West Family Court

Order Extending Injunction for Protection Against Domestic Violence.

According to the Injunction, Ruggiero was not to go to Flowers place of employment: Wet Willies, Duval Central, Duval Street, Key West, FL 33040.

According to Flowers, Ruggiero went to both places of employment on 11 May 2018. Flowers told me Ruggiero went to Wet Willies and then to Duval Central. Flowers said her boss at Wet Willies told her that Ruggiero was coming to Wet Willies. Flowers said she left Wet Willies and went to Duval Central. Flowers told me while she was at Duval Central, Ruggiero entered the premises and spoke with her boss at Duval Central, Eric.

I confirmed the injunction with KWPd dispatch. I drove to Duval Central on Duval Street to speak to the owner, Eric. Eric confirmed that Ruggiero had come to Duval Central earlier on 11 May 2008 and he confirmed Flowers was on the premises while Ruggiero was there.

I located Ruggiero at 511 Greene Street. Ofc. Perez and I spoke with Ruggiero and at first he was co-operative. Ruggiero admitted he had gone to Wet Willies and Duval Central earlier on 11 May 2018.

I explained to Ruggiero that he violated his injunction against him. I arrested Ruggiero. Once I had handcuffed Ruggiero he started to resist with violence. He refused to get into the Police Vehicle, he tried to kick out the window and kept repeating that he wanted me and Ofc. Perez to kill him. While I tried to get Ruggiero into the Police vehicle he tried to kick me.

When I arrived at the Monroe County Detention Center, Ruggiero became violent and once again resisted. Officers Mogerley and Valdez who were at the jail helped restrain Ruggiero and get him into the restraint chair. Ruggiero tried to kick Ofc. Valdez and head-butt Ofc. Mogerley. Once again Ruggiero was asking that we kill him.

Based on the facts and evidence in this case there is probable cause to believe on 11 May 2018 a violation by Ruggiero of Order Extending Injunction for Protection Against Domestic Violence, case #2018-DR-274-K occurred and on 12 May 2018, about 0200 hours, Ruggiero was charged with resisting with violence under Florida Statute 843.01:

Ruggiero knowingly and willfully resisted, obstructed and opposed a law enforcement officer by engaging in violent conduct against law enforcement officers.

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

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.

SIXTEENTH JUDICIAL COURT
MONROE County
State of FLORIDA

INCIDENT DATA

#3	Crime Incident
----	----------------

Zone/Tract	B1, GPB1
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Case#	18-002652
Date / Time Reported	05/11/2018 23:07 Fri
Last Known Secure	05/11/2018 23:07 Fri
At Found	05/11/2018 23:07 Fri

Weapon / Tools <i>NOT APPLICABLE/NONE</i>		Activity
Entry	Exit	Security
Weapon / Tools		Activity
Entry	Exit	Security
Weapon / Tools		Activity
Entry	Exit	Security

MO

# of Victims		1		Type: INDIVIDUAL		Injury: None				Domestic: N			
V1	Victim/Business Name (Last, First, Middle)					Victim of Crime #	DOB		Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	FLOWERS, PORTIA						02/15/1977						
Home Address												Home Phone	
410 3RD STREET, Big Coppit, FL 33040-												917-671-8961	
Employer Name/Address									Business Phone			Mobile Phone	
VYR	Make	Model	Style	Color	Lic/Lis				VIN				

V
I
C
T
I
M

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)										
Type:		Injury:								
Code	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status		
Home Address							Home Phone			
Employer Name/Address					Business Phone		Mobile Phone			

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Home Address							Home Phone			
Employer Name/Address					Business Phone		Mobile Phone			

OTHERS INVOLVED

[illegible]

PROPERTY

Officer/ID#	DANTU, NICHOLAS (3835)		
Invest ID#	(0)	Supervisor	(0)
Complainant Signature	Case Status Cleared By Arrest	05/12/2018	Case Disposition: Cleared By Arrest 05/12/2018
			Page 1

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 18-002652

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

D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity

Assisting Officers

VALDES-MARRERO, A. (3820), MOGERLEY, N. (3819), PEREZ, S. (3834), CONATY, J.T. (3755)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

OCA

18-002652

Date / Time Reported

Fri 05/11/2018 23:07

Key West Police Department

Victim

FLOWERS, PORTIA

Offense

COURT VIOLATION

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Incident Report Suspect List

Key West Police Department

OCA: 18-002652

1	Name (Last, First, Middle) <i>RUGGIERO, MICHAEL A</i>						Also Known As				Home Address <i>2669 GALAHAD CT DYER, IN</i>																																				
	Business Address																																														
	DOB <i>02/24/1984</i>	Age <i>34</i>	Race <i>W</i>	Sex <i>M</i>	Eth	Hgt <i>600</i>	Wgt	Hair	Eye	Skin	Driver's License / State. <i>R260541840640 IN</i>																																				
	Scars, Marks, Tattoos, or other distinguishing features																																														
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td>SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="3">Model</td> <td>Color</td> <td>Caliber</td> <td colspan="3">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="2">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="3">VIN</td> </tr> </table>												<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN	Weapon, Type	Feature	Make		Model			Color	Caliber	Dir of Travel Mode of Travel			VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN		
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Notes						Physical Char																																									

Supplements - Case #: 18-002652 : Supplement

On 5/12/18, I was at the Monroe County Correctional Center and Officer Dantu was bringing in a combative male that he had arrested. The Jail Sgt. requested Officer Marrero and I help him get the male into a restraint chair.

The male was in the back of Ofc. Dantu's car and he was laying down and refusing to get out. We lifted him out of the car and placed him onto the ground. The male was not moving and I gave him a sternum rub, and he became alert. He started to try to kick us and roll around. We restrained him on the ground. The jail Sgt. brought the restraint chair and we moved him into the chair. As we were attempting to strap him in he was trying to kick Ofc. Marrero, I delivered a knee strike to his right leg to gain compliance. The male was actively resisting us by pulling his body away and trying to prevent us from restraining him in the chair. He was screaming things like "kill me" and "shoot me". I had to push his waist down on the chair to get the belt attached. and hold his upper body down while he was trying to use his upper torso to hit us. The male was strapped down to the chair and he was brought into booking.

The male was later transported in the chair to the Lower Keys Medical Center. I assisted in bringing him down to the ambulance, and putting him into the ambulance. He was left in the restraint chair while transported to the emergency room to prevent injury to himself, medical staff and Officers.

This ends my involvement in the case.