Response to Resistance Report Key West Police Department

1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply) A response through the use of non-leftal weapons, Applies weaponless physical force of strike-downs" When any person sustains an apparent substantial of fatal lipury 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 balletics testing) Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or balletics testing) B. Bassones Oxford B. Passive: Passive: Value Active: Waking Away/Puling Away/Bracing Deadly Force 10. Last Name: Russiel 11. First: Berry 11. Last Name: Russiel 11. First: Berry 12. Last Name: Russiel 11. First: Berry 13. Last Name: Russiel 11. First: Berry 14. DOB: 0900/149 15. Height: 601" 15. Hight: So1" 16. Weight: 145 17. Did you observe the subject: No Section 42. If "VES", complete sections 18-22 18. Appeared to be: 30. Treated: No Yes By: EMT/Parametic on scene Hospital 20 Detention 22. Anterior View 23. Officer: Billy Varquez 24. Race: W 25. Sec: M 26. Age: 30 27. Height: 5'8 28	Key	West Police Department	Case No: 20-150	5
6. Resistance Level 7. Explanation 8. Response Option 9. Explanation Passive: Image: Control Take Down OC SPRAY Active: Walking Away/Pulling Away/Bracing Non-lethal Weapon OC SPRAY Deadly Force: Deadly Force Deadly Force 10. Last Name: Russiel 11. First: Berry 12. Race: W 13. Sex: M 14. DOB: 0901/49 15. Height: 6'01" 16. Weight: 185 17. Did you observe the subject: No [Ves] If NO, explain why in Section 42. If YES; complete sections 18-22 18. Appeared to be: No [Under the influence of controlled substance is emotionally / metally disturbed 19. Injurtes: No [Evident Or Alleged (Evident or Alleged describe and indicate areas on charts in Section 22) 20. Photographed: No [Ves] 21. Treated: No [Ves] By: [EMT/Paramedic on scene] Hospital [O Detention 21. Drotographed: No [Ves] 24. Race: W 25. Sex: M 26. Age: 30. 27. Height: 5'8 28. Weight: 160 22. Anterior View 23. Officer: Billy Vazquez 24. Race: W 25. Sex: M 26. Age: 30. 27. Height: 5'8 28. Weight: 160 29. Duty Status: On-outy [O ff-duty] Extra duty employment [O informed] Height ends is Section 35] 30. Yrs Exp: 7 <	\boxtimes	A response through the use of non-lethal weapons, Applies weaponless physical force of strikes, kicks, or "take- When any person sustains an apparent substantial or fatal in When any person complains of injury as a result of the appli Discharge of firearm in the line of duty off-duty or on-duty (of	lowns" jury as a result of the application of force ation of force her than for training, maintenance or ballistics testing)	
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KWPD FORM047 Version Date: 051215 Page 1 of <u>3</u>

Response to Resistance Report (continued) Key West Police Department

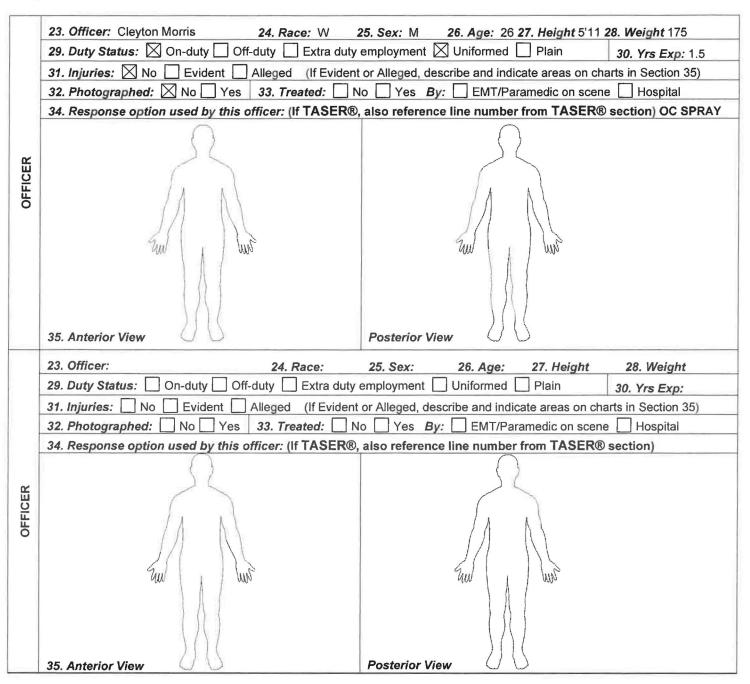
Case	No:	20-	1505
Case	INO.	20-	100

	36. TASER® device serial #		37. TASER® device serial #	
	TASER®Cam serial #		TASER®Cam serial #	
	Cartridge 1 serial #		Cartridge 1 serial #	
\succ	Cartridge 2 serial #		Cartridge 2 serial #	
ONLY	Number of cycles: 1		Number of cycles:	
ШS	Type of contact: Probe	CODS 🗌 Drive Stun	Type of contact: Probe	CODS 🔲 Drive Stun
TASER USE	Did probes penetrate skin:	Yes 🗌 No	Did probes penetrate skin: 🗌 Y	es 🗌 No
SEI	Target distance at probe launc	h:	Target distance at probe launch	
TA	Distance between probes:		Distance between probes:	
	Probes removed by (name):		Probes removed by (name):	
	Device downloaded by: N/A		Device downloaded by:	
	38. Check and list any add	ditional TASER® device	s, cartridges or details in the i	ncident description section.
REPORT	Details outlining the respons	ents. ct's words, mannerisms and se to resistance utilized by ea complaints and/or observed	l actions that justify the use of force. ach officer.	d/or subject.
	40. Notified Date: 03/08/2020	4	1. Time: 2307	
	42. Did you respond to the sce	ene: 🗌 No 🛛 Yes (If "N	lo", explain why)	
or' s inquiry	<i>43. Did you meet with the Offic</i>	c er: 🗌 No 🔀 Yes (If "N	o", explain why)	
VISOR'				
ER			No Yes (If "Yes," list belo	
SUPER	Name William J Gau (10-08-73)	General Delivery Key Wes	Address	Phone Number 305-879-1693
	Winam o Cau (10-00-70)	Ceneral Delivery Rey Wes	9L	000-070-1000
			/ /	
	45. Is further review recomment forward completed original rep	nded: No Yes	6. Preparing Supervisor's Signature	
INT. AFF.	48. Did the review of this incid of force was in compliance win policy? No Yes (If "No 51. If section 48 is "No" record	th Departmental o", complete section 51)	49. Signature of Internal Affairs Inspector	<u>3/16/20</u> 50. Date 52. Date Entered:

Response to Resistance Report (continued)

Key West Police Department

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Case No: 20-150 S
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	Ag	ency N	Jame					7 II	NCIDE	NT/INV	EST	IGAT	ION	C	ase#		
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C	Log	otion	of Incide		100				Premise	Tumo			Beat/GP		ist Kno	own Secure 03/07/2020	23:07 Sat
I				an Roosevelt Bly	dK	ov Wo	et FI 331	040_		nvenience	Store	,	B4, GPB	Ι Δ †	Found	1	23:07 Sat
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D	#2	Cri	me Incid	lent				()	Weapon /	Tools							Activity
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	R_{0}	CSIII	3R		P	rinted H	By: JCASTI	LLO, 5005				Sys#: 139	469			03	/18/2020 10:15

Incident Report Additional Name List

Key West Police Department

OCA: 20-001505

Additional Name List

	Nam	e Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1)	WI	1	GAU, WILLIAM JOSEPH		10/08/1973	46	W	М
		Address	3002 Sw 20th St Aptb101, Ocala, FL 34474-		н:305-87	9-167	3	
	E	Empl/Addr			B:			
				M	obile #:			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 20-001505

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
F	_					
t						
E						
-	_					
F						

Suspect Hate / Bias Motivated:

NARRATIVE

	REPORTING OFFICER NARRATIVE	OCA
Key West Police Department		20-001505
Victim	Offense	Date / Time Reported
Society	RESIST ARREST / ESCAPE	Sat 03/07/2020 23:07

On Saturday, March 8, 2020, at 2307 hours, I (Officer Morris) was on patrol in the area of 1890 N Roosevelt Blvd. when I observed two males standing in front of the business (Circle K). I parked my patrol car in the parking lot of the Garrison Bight Marina and watched the two individuals, who appeared to be loitering. Note: KWPD is authorized to remove/trespass any individuals who remain on the property.

After watching the two males for approximately five to ten minutes, I approached the two individuals. I introduced myself and explained to both individuals, that they were loitering on the property. I immediately recognized one of the individuals from a previous unrelated call, but was unsure what his name was. I called him "Barry", thinking that was his name, and he corrected me saying that wasn't his name. "Barry" was later identified as Beirry O Russeill. I again asked both individuals for their identification. Directly above the two individuals was a KWPD authorization to trespass sign. While pointing to the sign, I explained that the sign was placed there by order of the owner of the property and the owner has given the KWPD authorization to trespass people from the property. Russeill argued with me and explained that he was free to leave. Russeill said he was free to go inside the building and I explained to him that he was not free to leave, due to the fact he was failing to identify himself. I asked KWPD dispatch to send another unit because Russeill was being confrontational. I again asked Russeill for his identification and he began packing his belongings that were on top an adjacent soda crate behind him. I again explained to Russeill that he was not free to leave because I had to identify him so I could issue him a trespass warning for the property. The other male, William Gau, provided me with his Florida Driver's License, without incident.

After asking him for his identification another time I removed my pepper spray and explained to Russeill that if he would not produce an ID he would be pepper sprayed. Russeill continued to pack his belongings and tell me he was leaving. Russeill again refused to give me his ID. Due to Russeill verbally and physically refusing to comply or respond with my lawful request for him to produce his identification, I removed my department issued OC spray and I delivered one long burst or spray. The spray contacted Russeill in the face and eye area.

Once pepper sprayed, I continued to give Russeill loud verbal commands to produce his identification. Russeill suddenly reached into his back-left pocket and removed his wallet and handed it to me. Sgt. Vazquez arrived on scene.

Sgt. Vazquez provided me with the following statement:

I arrived on scene, and observed a subject known to me from previous law enforcement encounters as Beirry Russeill. Russeill appeared to be pepper sprayed and standing about ten feet in front Ofc. Morris, ignoring Ofc. Morris's verbal commands. I immediately approached Russeill and gave him a loud verbal command to put his hands behind his back. Russeill refused. I grabbed Russeill by his right arm and attempted to place him in custody. Russeill suddenly and swiftly attempted to take a step back, in an apparent attempt to physically evade my efforts in placing him in custody. I redirected Russeill to ground, in a controlled manner using an Arm bar takedown technique. Once on the ground I continued to give loud verbal commands for Russeill to place his hands behind his back. Russeill refused and continued to physically resist us. Ofc. Morris and I repositioned ourselves. Ofc. Morris and I had to physically place Russeill's hands behind his back. Ofc. Morris was finally able to place Russeill in

	REPORTING OFFICER NARRATIVE	OCA
Key West Police Department		20-001505
Victim	Offense	Date / Time Reported
Society	RESIST ARREST / ESCAPE	Sat 03/07/2020 23:07

handcuffs.

Once in custody, I requested Rescue to the scene to decontaminate Russeill."

KWFR arrived on scene and decontaminated Beirry.

Officer Lopez arrived on scene with the KWPD transport van and transported Beirry to the Monroe County Detention Center. While inside the intake room, Beirry consistently refused to obey simple orders such as to stay seated on the bench. Beirry made numerous statements that he would meet me next time on his turf and asked me to meet him so we could fight.

Arrest information:

Based on the facts and evidence, there is probable cause that on 3/7/2020, at approximately 2307 hours, at 1890 N. Roosevelt Blvd., Beirry Russeill refused to obey lawful commands to produce identification and remain on scene, thus becoming physically resistant to officers on scene, contrary to F.S.S. 843.02 RESIST / OBSTRUCT OFFICER W/O VIOLENCE.

The incident was captured on my AXON BWC.

Incident Report Suspect List

Key West Police Department

OCA: 20-001505

1	Name (Last, First, RUSSEILL, I Business Address	BEIRRY	0		_		Also Kr	nown As			270 KE	Address 6 FLAGLER A Y WEST, FL 33 -363-9130	
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver	's License / State.	
	08/01/1949	70	B		N	601	185	BLK	BRO	MED	R24	40074492810 F	FL
	Scars, Marks, Ta										1		
	Reported Susp	ect Deta	<i>ail</i> Su	ispect A	ge	R	ace S	ex Eth	Heigh	t	Weigl	nt	SSN
	Weapon, Type	Featur	e	Mak	e	М	odel		Colo	r	Caliber	Dir of Travel Mode of Travel	
	VehYr/Make/Mod	lel		Dr	s Style	9	Col	lor	Lic/St			VIN	
	Notes								<u>P</u>	hysical Cha	ar		

BUILD, SLIM/THIN/SMALL FACIAL HAIR, NO FACIAL HAIR HAIR TYPE, MEDIUM TEETH, OTHER

Incident Report Related Property List

Key West Police Department

OCA: 20-001505

1	Property Description				Make			Model			Caliber
1	AXON BWC 3467										
	Color	Serial No.		Value			Qty		Unit	Jurisc	liction
						\$0.00		1.000			Locally
	Status	Date	NIC #		State #			Local #		OAN	
	Evidence	03/08/2020									
ĺ	Name (Last, First, Middle))				DOB		A	uge 1	Race	Sex
	* No name *										
1	Notes										

2	Property Description				Make		-	Model			Caliber
~	AXON BWC 3926										
	Color	Serial No.		Value			Qty		Unit	Jurisd	iction
						\$0.00		1.000			Locally
	Status	Date	NIC #		State #		1	Local #		OAN	
	Evidence	03/08/2020									
	Name (Last, First, Middle))				DOB		A	ge F	lace	Sex
	* No name *										
1.2	NT 4										

Notes

CASE SUPPLEMENTAL REPORT

		OCA: 20001505
TION BELOW I	S CONFIDENTIAL - FOR USE BY AUTHORIZED	PERSONNEL ONLY
	Case Mng Status: NA	Occurred: 03/07/2020
(3467)	Date / Time: (03/08/2020 00:28:39, Sunday
(3386)	Supervisor Review Date / Time: (03/09/2020 10:52:13, Monday
	EEST ESCAPE (3467)	<i>(3467)</i> Date / Time: (

On March 8th, 2020 at about 2307 hours, I Sgt. Vazquez was report writing at the KWPD, when I heard Ofc. Morris over our police radio, requesting back up at 1890 N. Roosevelt Blvd. (Circle K). I left the station, and began traveling to Circle K. While enroute, I heard Ofc. Morris over our police radio, that he had a subject pepper sprayed.

I arrived on scene, and observed a subject known to me from previous law enforcement encounters as Beirry Russeill. Russeill appeared to be pepper sprayed and standing about ten feet in front Ofc. Morris, ignoring Ofc. Morris's verbal commands. I immediately approached Russeill and gave him a loud verbal command to put his hands behind his back. Russeill refused. I grabbed Russeill by his right arm and attempted to place him in custody. Russeill suddenly and swiftly attempted to take a step back, in an apparent attempt to physically evade my efforts in placing him in custody. I redirected Russeill to ground, in a controlled manner using an Arm bar takedown technique. Once on the ground I continued to give loud verbal commands for Russeill to place his hands behind his back. Russeill refused and continued to physically resist us. Ofc. Morris and I repositioned ourselves. Ofc. Morris and I had to physically place Russeill's hands behind his back. Ofc. Morris was finally able to place Russeill in handcuffs. Once in custody, I requested Rescue to the scene to decontaminate Russeill.

Sgt. Kouri arrived on scene to complete an RRI.

Ofc. Morris transported