

Response to Resistance Report

Key West Police Department

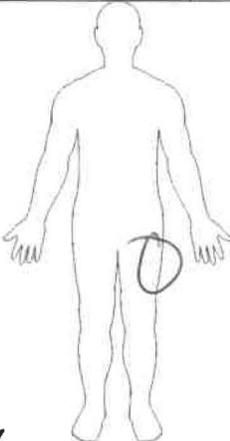
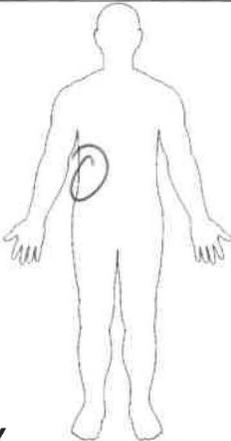
Case No: 20-1579

1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)

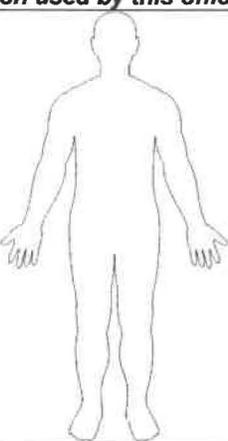
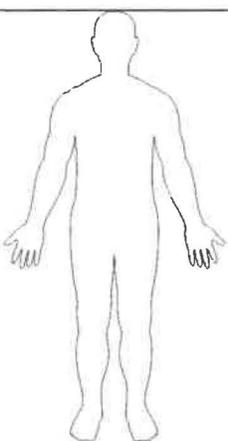
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of 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: 03/10/2020		3. Time: 1530 Hrs		4. Location: 1700 blk Bertha St		5. Incident: Resisting	
	6. Resistance Level		7. Explanation		8. Response Option		9. Explanation	
	<input type="checkbox"/> Passive:				<input type="checkbox"/> Physical Control			
	<input checked="" type="checkbox"/> Active:		<u>Pulling Away/ Trying to Flee</u>		<input checked="" type="checkbox"/> Non-lethal Weapon		<u>Taser</u>	
<input type="checkbox"/> Aggressive:				<input type="checkbox"/> Deadly Force				
<input type="checkbox"/> Deadly Force:								

10. Last Name: Archer		11. First: Michael		12. Race: W		13. Sex: M	
14. DOB: 9/30/65		15. Height: 5'11"		16. Weight: 180			
17. Did you observe the subject: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22							
18. Appeared to be: <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed							
19. Injuries: <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)							
20. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 21. Treated: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input checked="" type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Detention							

SUBJECT	 <p>22. Anterior View</p>	 <p>Posterior View</p>
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23. Officer: Brett DeHanas		24. Race : W		25. Sex: M		26. Age: 27		27. Height : 5'10"		28. Weight: 155	
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 clothes											
30. Yrs Exp:											
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: Taser Usage	
 <p>35. Anterior View</p>	 <p>Posterior View</p>

Response to Resistance Report (continued)

Key West Police Department

Case No: 20-1579

TASER USE ONLY	36. TASER® device serial # X120058D4		37. TASER® device serial #	
	TASER®Cam serial # V21001KH3		TASER®Cam serial #	
	Cartridge 1 serial # C41058CE1		Cartridge 1 serial #	
	Cartridge 2 serial # N/A		Cartridge 2 serial #	
	Number of cycles: 2		Number of cycles:	
	Type of contact: <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Target distance at probe launch: 3ft		Target distance at probe launch:	
	Distance between probes:		Distance between probes:	
	Probes removed by (name): Officer Dehanas		Probes removed by (name):	
Device downloaded by: Sgt. J. Dean		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: 3/10/2020		41. Time: 1530	
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	44. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	Name		Address	
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		Sgt. Jeffrey Dean 3386		3/13/2020
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		46. Preparing Supervisor's Signature / ID		47. Date
48. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", complete section 51)		49. Signature of Internal Affairs Inspector		50. Date
				3/16/20
51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

INCIDENT/INVESTIGATION REPORT

Agency Name Key West Police Department
ORI FL0440100

Case# 20-001579
Date / Time Reported 03/10/2020 15:14 Tue
Last Known Secure 03/10/2020 15:14 Tue
At Found 03/10/2020 15:14 Tue

Location of Incident 1704 Bertha St - BLK, Key West FL 33040-	Premise Type All Other Other	Beat/GP B6, GPB4	
#1 Crime Incident(s) (Com) Drug Possession Controlled Substance DRA	Weapon / Tools NOT APPLICABLE/NONE		Activity
#2 Crime Incident (Com) Obstruction Of Justice XOJ	Weapon / Tools		Activity
#3 Crime Incident ()	Weapon / Tools		Activity

MO

VICTIM

# of Victims 1	Type: SOCIETY/PUBLIC/STATE	Injury:	Domestic: N
V1 Victim/Business Name (Last, First, Middle) Society	Victim of Crime # 1,2	DOB Age	Race Sex Relationship To Offender Resident Status Military Branch/Status N/A
Home Address		Home Phone	
Employer Name/Address		Business Phone	Mobile Phone
VYR	Make	Model	Style Color Lic/Lis VIN

OTHERS INVOLVED

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	
Employer Name/Address	
Type:	Injury:
Code Name (Last, First, Middle)	Victim of Crime # DOB Age Race Sex Relationship To Offender Resident Status Military Branch/Status
Home Address	
Employer Name/Address	

PROPERTY

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
99	EVID		\$0.00		1	TASER CARTRIDGE, AFIDS, BLAST DOORS		CA1058CE1
35	EVID		\$0.00		1	TASER VIDEO TO AXON- 3385		
35	EVID		\$0.00		1	BWC TO AXON-3385		
35	EVID		\$0.00		4	AXON BWC/3756	BWC FOOTAGE/Bwc Footage	

Officer/ID# DEHANAS, BRETT T (3756)	Invest ID# (0)	Supervisor VAZQUEZ, BILLY (3467)
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Status	Complainant Signature	Case Status <i>Cleared By Arrest</i>	03/10/2020	Case Disposition: <i>Cleared By Arrest</i>	03/10/2020	Page 1
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INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 20-001579

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

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S	<i>E</i>	<i>EVI</i>	<i>0.500</i>	<i>GM</i>	<i>MARIJUANA</i>	<i>Poss</i>

Assisting Officers
DEAN, J. (3386), DEHANAS, B.T. (3756), CUNEO, E.J. (3922), BEEMAN, T.J. (3385)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
20-001579
Date / Time Reported
Tue 03/10/2020 15:14

Victim
Society

Offense
DRUG POSSESSION CONTROLLED

On 03/10/20, at approximately 1514hrs, I encountered Michael Archer Nelson near 1704 Bertha Street.

This incident involves Michael, who I arrested for resisting without violence and possession of marijuana.

I encountered Michael as I was driving south in the 1700 block of Bertha Street. Michael was sitting on the ground with his belongings scattered around him. I previously spoke to Michael the same day (03/10/20) about hanging his clothes over the fence of a property that was not his. That interaction ended with me driving away with no further law enforcement action taken. I parked my car in the 1700 block of Bertha Street, just past 1704 Bertha Street where Michael was sitting.

I noticed that Michael had an open container of an alcoholic beverage in his possession, as it was in front of him and with the belongings that were scattered around him. Michael began to stand up after I started talking to him about the open container. I told Michael to sit down multiple time and he continued to stand up. Michael stated, "you aren't going to tell me what the fuck to do". I pinned Michael against the fence of 1704 Bertha Street in an effort to gain better control and secure Michael with my handcuffs. I told Michael to put his hands behind his back several times and that I was going to deploy my TASER device on him. Michael failed to comply.

Michael forcibly struggled with me when I attempted to secure him with my handcuffs. Michael struggled by jerking, tugging and tensing up. There was a point when Michael attempted to turn around toward me as I was attempting to secure him with my handcuffs. As I was struggling with Michael, Ofc. T. Beeman showed up and assisted me. Michael continued to struggle with both of us by not complying and allowing either of us to secure him with my handcuffs.

In the course of our struggles, my body worn camera became detached from its magnetic back plate and fell to the ground.

Ofc. T. Beeman and I stepped backed and displayed our TASER device. Ofc. T. Beeman and I gave Michael multiple warnings to place his hands behind his back or we were going to deploy our TASER device on him. Michael stated to us that he was "not going to do that" when we asked him to put his hands behind his back. I told Michael I was going to deploy my TASER device on him, and he replied, "go for it". I deployed my TASER device on Michael after several attempts to warn him to place his hands behind his back. Michael fell backwards toward the ground. I told Michael to place his hands behind his back. I told Michael I would deploy my TASER device again if he failed to comply with my order. Michael did not comply. I deployed my TASER device a second time on Michael. Ofc. T. Beeman secured Michael with my handcuffs.

Ofc. T. Beeman informed Key West Police Department Communications that I had deployed my TASER device, a supervisor was needed, and rescue was needed to evaluate Michael.

Rescue personnel and Sgt. Dean responded.

Ofc. T. Beeman showed me a small, clear plastic baggie with a dark green-brownish substance that she found in a pack of cigarettes that were in Michael's possession. The green-brownish substance field tested positive (FTP) for marijuana.

I gave Ofc. T. Beeman the expended TASER cartridge and FTP marijuana to be submitted to the Property and

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
20-001579
Date / Time Reported
Tue 03/10/2020 15:14

Victim Society	Offense DRUG POSSESSION CONTROLLED	Date / Time Reported Tue 03/10/2020 15:14
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Evidence Section of the Key West Police Department.

I followed rescue as they transported Michael to the emergency room. Michael apologized to me while he was in the emergency room. I transported Michael to the Monroe County Detention Center (MCDC) after he was cleared from the emergency room.

Michael asked me what he was being charged with when I was escorting him to the booking area of the MCDC. I told Michael I was charging him with resisting and marijuana possession. Michael told me the marijuana was given to him.

Possession Information:

Ofc. T. Beeman informed me the FTP marijuana weighed 0.5 grams.

Charging Description:

STATUTE, DESCRIPTION

893.13-6B, Possession of marijuana not more than 20 grams

On 03/10/20, at approximately 1514hrs, I (Ofc. B. DeHanas) find probable cause to believe that Michael Archer Nelson did actually and intentionally violate Florida State Statute by having in his possession 0.5 grams of a green-brownish leafy substance that field tested positive for marijuana. Michael`s actions are contrary to Florida State Statute 893.13-6B, possession of marijuana not more than 20 grams.

843.02, Resisting without violence to his or her person

On 03/10/20, at approximately 1541hrs, I (Ofc. B. DeHanas) find probable cause to believe that Michael Archer Nelson did actually and intentionally violate Florida State Statute by resisting my efforts to conduct a lawful investigation. Michael intentionally pulled and jerked away from me as I was attempting to lawfully secure him with my handcuffs. Michael refused to place his hands behind his back as I instructed him to do. During the course of this incident, I was wearing my Key West Police Department Class B uniform. During the course of this incident I was conducting a lawful investigation and was a sworn officer employed by the Key West Police Department. Michael should have known by my lawful commands and uniform that I was authorized to carry out the actions of a sworn law enforcement officer. Michael`s actions are contrary to Florida State Statute 843.02, resisting without violence to his or her person.

My BWC was activated during this incident. I later uploaded my BWC footage onto the Key West Police Department AXON

Incident Report Suspect List

Key West Police Department

OCA: 20-001579

1	Name (Last, First, Middle) <i>ARCHER, MICHAEL N</i>					Also Known As					Home Address <i>104 ROLYNN DR NASHVILLE, TN 37210 615-586-7138</i>				
	Business Address <i>UNEMPLOYED</i> <i>000-000-0000, UNEMPLOYED, UNEMPLOYED</i>														
	DOB <i>09/30/1965</i>	Age <i>54</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>511</i>	Wgt <i>150</i>	Hair <i>BR</i>	Eye <i>BL</i>	Skin <i>MED</i>	Driver's License / State. <i>059049194 TN</i>				
Scars, Marks, Tattoos, or other distinguishing features															

<i>Reported Suspect Detail</i>		Suspect Age	Race	Sex	Eth	Height	Weight	SSN
Weapon, Type	Feature	Make	Model		Color	Caliber	Dir of Travel	
Veh Yr/Make/Model		Drs	Style	Color	Lic/St	VIN		

Notes

Physical Char

*BUILD, LIGHT
 FACIAL HAIR, STUBBLE
 GLASSES, NONE
 HAIR TYPE, MEDIUM
 HAIRSTYLE, GREASY
 HAND USE, RIGHT
 SPEECH, NORMAL
 BUILD, LIGHT
 FACIAL HAIR, STUBBLE
 GLASSES, NONE
 HAIR TYPE, MEDIUM
 HAIRSTYLE, GREASY
 HAND USE, RIGHT
 SPEECH, NORMAL*

Incident Report Related Property List

Key West Police Department

OCA: 20-001579

1	Property Description TASER CARTRIDGE, AFIDS, BLAST DOORS			Make		Model		Caliber	
	Color	Serial No. C41058CE1	Value \$0.00		Qty 1.000	Unit	Jurisdiction Locally		
	Status Evidence	Date 03/10/2020	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex	

Notes

TASER BELONGS TO OFC DEHANAS

2	Property Description MARIJUANA			Make		Model		Caliber	
	Color	Serial No.	Value \$0.00		Qty 0.500	Unit GM	Jurisdiction Locally		
	Status Evidence	Date 03/10/2020	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex	

Notes

3	Property Description TASER VIDEO TO AXON- 3385			Make		Model		Caliber	
	Color	Serial No.	Value \$0.00		Qty 1.000	Unit	Jurisdiction Locally		
	Status Evidence	Date 03/10/2020	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex	

Notes

4	Property Description BWC TO AXON-3385			Make		Model		Caliber	
	Color	Serial No.	Value \$0.00		Qty 1.000	Unit	Jurisdiction Locally		
	Status Evidence	Date 03/10/2020	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex	

Notes

Incident Report Related Property List

Key West Police Department

OCA: 20-001579

5	Property Description AXON BWC/3756	Make BWC FOOTAGE	Model BWC FOOTAGE	Caliber		
	Color	Serial No.	Value \$0.00	Qty 4.000	Unit EA	Jurisdiction Locally
	Status Evidence	Date 03/10/2020	NIC #	State #	Local #	OAN
	Name (Last, First, Middle) * No name *		DOB	Age	Race	Sex

Notes