Response to Resistance Report Key West Police Department

	Response to Resistance Report will be completed 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 i 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 (o	-downs" njury as a resu ication of force	ılt of the application of	
		ation: 2521-2		cident type: S34
INCIDENT	6. Resistance Level Passive: Active: Spit on 2 officers/kicked 1 Deadly Force:		Physical Control Non-lethal Weapon Deadly Force	9. Explanation Pushed subject against car
		st: Melissa	12. Ra	ice: W 13. Sex: F
		ight: 5.02		eight: 110
	17. Did you observe the subject: No Yes			"YES", complete sections 18-22
	18. Appeared to be: Intoxicated Under the influen			tionally / mentally disturbed
				as on charts in Section 22)
			EMT/Paramedic on s	
		res by.	1 EWITH alamedic on s	scene nospital Detention
SUBJECT	22. Anterior View 23. Officers, Noil Magazian 24. Bassalia 25.	Posterior Vi	ew	W 20 Weight 250
-			6. Age: 33 27. Height:	
	29. Duty Status: On-duty Off-duty Extra duty er			
-				s on charts in Section 35)
+	32. Photographed: No Yes 33. Treated: No		EMT/Paramedic	
ł	34. Response option used by this officer: (If TASER®, a	iso reference	line number from 17	ASER® section)
OFFICER	True de la constant d		Tank A	
	35 Anterior View	Postorior Vic	DW () ()	

Case No: 20.2155

Response to Resistance Report (continued) Key West Police Department

Case No: #25 not found:

	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 #									
ONLY	Number of cycles:	Number of cycles:									
SE	Type of contact: ☐ Probe ☐ CODS ☐ Drive Stun	Type of contact: ☐ Probe ☐ CODS ☐ Drive Stun									
Ö	Did probes penetrate skin: ☐ Yes ☐ No	Did probes penetrate skin: ☐ Yes ☐ No									
TASER USE	Target distance at probe launch:	Target distance at probe launch:									
T	Distance between probes:	Distance between probes:									
	Probes removed by (name):	Probes removed by (name):									
	Device downloaded by:	Device downloaded by:									
	☐ 38. Check and list any additional TASER® device	es, cartridges or details in the incident description section									
REPORT	39. Offense/Incident Report and/or Warrant Affidavit m	d actions that justify the use of force. each officer. ed injuries									
	40. Notified Date: 05.05.20	41. Time: 2200									
Ì		No", explain why)									
Ī		rrestee was at the jail. Officers noticed she had blood somewhere									
Ī	On her face. Possible this came from when she was re-directed into a patrol car in order to control the arrestee's violent										
	Actions. She had spit on two officers and kicked another. S	ubject was treated at the jail.									
_											
INQUIRY	43. Did you meet with the Officer: No X Yes (If "	No", explain why)									
S	Ofc. Mogerley was not the arresting officer, that was Ofc. D	eese. She was instructed to take photographs of the subject using									
S	AXON Capture.										
à											
SO											
ERVISOR'	44. Were you able to locate any independent witnesses	No Voc. (If "Voc." liet below)									
SUPE	Name	Address Phone Number									
S											
	45. Is further review recommended: No Yes	2.30(05.05.20									
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS	230 05.05.20 46. Preparing Supervisor's Signature / ID 47. Date									
	48. Did the review of this incident conclude that use	To. 1 Spaning Supervisor & Orginature / ID 47. Date									
F	of force was in compliance with Departmental	Chiho									
INT. AFF	policy? No Yes (If "No", complete section 51)	49. Signature of Internal Affairs Inspector 50. Date									
Z		·									
	51. If section 48 is "No" record the Professional Standa	rds Control Number: 52. Date Entered:									

	Age	ency N	lame						NCIDE	N I / IIN V	E9 I	IGATI	ON		Cas	se#	00 002155		
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D		BI Cri	me Incid	dent				(Com)	Weapon /	Tools								Activ	ity
A T	#2	Di		ly Conduct						634030-076		Fxit				Secui	rity		
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	VY		Make	Model															
		CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim) Type: INDIVIDUAL Injuries Possible																	
0	Code Name (Last, First, Middle) Victim of																	tarv	
T H	V2	177	OSTER	R, MATTHE	V TH	IOMAS	5		121,07,27			9/1978	To Offender				Branch/	Status	
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วเสเนร		r		consiste a			Cleared	Status d By Arrest		05/06	/2020	Cle	ared	By A	rrest		05/06/2020	Page	1.5

OCA: 20-002155

Additional Name List

]	Name	Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1)	VI	4	MOGERLEY, NEIL FREDERICK	1,	10/04/1985	34	W	M
		Address	1604 N ROOSEVELT BLVD , KEY WEST, FL 33040-		H: 305-809	9-111	1	
	Eı	mpl/Addr	Key West Police		В:			
				M	obile#:			
2)	VI	5	DEESE, JOELLE YVONNE	1,	03/10/1996	24	W	F
		Address	1604 N ROOSEVELT BLVD , KEY WEST, FL 33040-		H: 305-809	9-100	0	
	Er	mpl/Addr			B:			
				Me	obile #:			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 20-002155

Statu Code	s L=	Lost	S = Stolen R = Re	covered D = Dan	naged Z = Seized B = Burned C = Counterfeit / I	Forged F = Found
	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R		_				
U G						
S						
	Assist	ing Off	icers			
	SIM	1S, F. 0	C. (2301), MOG	ERLEY, N. (38	19), HUDSON, A.J. (3940), HERNANDEZ	⁷ , L. (3452)

Suspect Hate / Bias Motivated:

NARRATIVE			

REPORTING OFFICER NARRATIVE Key West Police Department 20-002155 Victim Offense Society BATTERY FELONY Date / Time Reported Tue 05/05/2020 21:00

On May 5th, 2020 at approximately 2102 hours, I (Officer Deese) was dispatched to 2521 Fogarty Avenue in reference to a group of people actively trying to break into an occupied apartment.

Upon arrival, I met with Officers Leo Hernandez and Andrew Hudson who were out with all parties. Ofc. Hernandez was collecting the identification of the 4 subjects that were outside of the apartment door and Ofc. Hudson was speaking with the male who lived in the apartment.

I immediately recognized the female as Melissa Wright from previous law enforcement encounters. I began speaking with Matthew Foster the resident of the property. Foster was identified by his name and date of birth. He stated him and Wright had been out on a boat together all day when she got really intoxicated. Foster stated they went over to one of his friend's house when she started getting violent and breaking things in the house. Foster said him and Wright immediately left and went back home to their Fogarty Avenue address. He stated she began to drink more and started threatening him. He asked her to leave and not to come back to the house until she was sober. He stated she had left the property and he had also left to go up the keys.

Foster stated he returned home, and he was sitting on the couch with his dog watching Tv when he heard the locks on his door start to rattle. He stated he heard whispering outside the door when he approached it. He stated he held the dead bolt closed and called 911. He stated he knew it was Melissa Wright, his ex-girlfriend, but was not sure who else was with her.

At this time, Ofc. Hernandez allowed the three other males that were with her to leave the area. Officers on scene gave wright the opportunity to collect some of her belongings from the property and find a place to stay for the night if she chose to do so. Wright walked out of the back yard and forfeited the option to retrieve her belongings from the property while officers were present. Ofc. Hernandez handed her purse to her and she left the scene.

While Ofc. Hudson, Mogerley, Hernandez and I were debriefing outside of the property, Wright walked back up and was hovering in the area. Officers strongly suggested that she keep her distance from the property based on the history of the domestic issues from the couple.

At this time, Officers cleared the scene. Ofc. Mogerley and I were walking down 8th Street toward our vehicles when we began hearing Melissa wright bang on what sounded like the back door of the property. She was also screaming but I could not make out specifics of what she was saying. All four officers approached the property and heard wright banging on the back door and screaming obscenities. Ofc. Hernandez and Ofc. Mogerley approached her and asked her to step down off the back porch. Wright was sitting on the back wooden deck and would not get up. Foster stated he wanted her to be arrested and removed from the property as she was constantly yelling and screaming obscenities and there was no peace on the property. Due to her yelling and screaming and the commotion she was causing, additional neighbors to came out of their properties in the surrounding area to investigate. The property that Wright resides in is a multi-unit property as well.

At this time, Ofc. Mogerley asked her to stand up again and walk downstairs. Wright asked Mogerley if she was going to jail. When he stated yes, she was going to jail, she stood up and tried to run downstairs. At this time, Ofc. Mogerley took physical control of Wright and Ofc. Leo Hernandez began placing handcuffs on her. Wright was still visibly tensing and trying to pull out of the officer's grip. I went upstairs to help control Wright. I was standing to Wright's right side, which her head was also facing. At this time, Wright made eye contact with me said "fuck you

Reporting Officer: DEESE, JOELLE R_CS3NC

REPO	DRTING OFFICER NARRATIVE	OCA
Key West Police Department		20-002155
Victim	Offense	Date / Time Reported
Society	BATTERY FELONY	Tue 05/05/2020 21:00

bitch I hope you die and burn" and spit at me. Her saliva landed on my face and my neck.

At this time, Ofc. Mogerley, Ofc. Hernandez and Ofc. Husdon escorted Wright downstairs while I was wiping the saliva off of my face. I spoke with Foster and further informed him on the process of getting Wright evicted.

I exited the property and witnessed Officers searching Wright's purse and her person. At this time. Wright was leaning against the hood of a patrol car while getting searched and Wright spit on Ofc. Hudson. Wright's saliva landed on Ofc. Hudson's right thigh. Ofc. Hudson placed a spit hood on Wright to prevent her from further spitting on anyone. During this, Wright repeatedly said "fuck you bitch" Ofc. Mogerley and Ofc. Hernandez started to escort Wright to my patrol vehicle when she kicked Ofc. Mogerley in the leg and tried to escape from his grasp. See Ofc. Mogerley's supplemental report for more specifics. Ofc. Mogerley physically regained control of Wright and positioned her against the back of my patrol car while Ofc. Hernandez and I placed a hobble around her legs to prevent her from further kicking.

Wright was placed in the back of my patrol car where she continued to tense and try and pull out of the officer's grasp. During transport to the Monroe County Detention Center, she repeatedly yelled "fuck you bitch" and "get me the fuck out of here". Wright repeatedly kicked the inside of my patrol car while screaming.

One we arrived at Monroe County Detention Center, I witnessed fresh blood on Wright's face but could not locate where it was coming from due to the spit mask located on her head. I was unable to remove the spit mask due to her spitting history, myself and detention deputies did not feel it was safe to remove the spit mask. I believe the injury came from the struggle she had while the officers were trying to physically gain control of her and transport her to my vehicle.

Once at the jail, she was placed into the restraint chair where she continued to scream and yell "fuck you" and "fuck you bitch". Wright was turned over to the Monroe County Detention Center.

Based on the facts and evidence, I believe there is probable cause that on May 5th, 2020, Melissa wright did knowingly and intentionally affect the peace and quiet of persons who witness them, or engaged in is such conduct as to constitute a breach of the peace of disorderly conduct violating F.S.S 877.03 Breach of peace; disorderly conduct.

Based on the facts and evidence, I believe there is probable cause that on May 5th, 2020, Melissa Wright did knowingly and intentionally resist officers by trying to run down the stairs, violating F.S.S 842.02 Resisting officer without violence to his or her person.

Based on the facts and evidence, I believe there is probably cause that on May 5th, 2020, Melissa Wright did knowingly, intentionally and willfully resist, obstruct, or oppose any officer offering to do violence to an officer Violating F.S.S 842.01 Resisting Officer with violence to his or her person.

Based on the facts and evidence, I believe there is probable cause that on May 5th, 2020, Melissa Wright did knowingly and intentionally batter an officer on three separate occasions. Wright did knowingly and intentionally spit on myself and Ofc. Hudson while trying to detain her. Melissa Wright did knowingly and intentionally kick Ofc. Mogerley. This violates F.S.S 784.07(2B) Assault or Battery of Law Enforcement Officers.

Reporting Officer: DEESE, JOELLE R_CS3NC

REPORTING OFFICER NARRATIVE Key West Police Department 20-002155 Victim Offense Society BATTERY FELONY Date / Time Reported Tue 05/05/2020 21:00

Ofc. Hudson, Ofc. Mogerley and Ofc. Hernandez all completed separate supplemental reports under the same case number.

My axon BWC was activated during the incident and uploaded to Axon evidence.com.

I took pictures of Wright once at the jail to get a synopsis of her injuries.

Reporting Officer: DEESE, JOELLE R_CS3NC

Incident Report Suspect List

Key West Police Department

OCA: 20-002155

1	Name (Last, First,						Also	Kno	wn As					ldress FOGARTY A	VF _ 2	
•	WRIGHT, M	ELISSA	JAMII	LLE								1 -		VEST, FL 33		
	Business Address	BENIH	ANA									3	305-896-6710			
		305-29	4-6400	, SER	VER											
	DOB	Age	Race	Sex	Eth	Hgt	Wgt		Hair	Eye	Skin	Dr	iver's l	License / State.		
	05/13/1989	30	W	F	N	505	1	10	BRO	HAZ	LGT	' 1	V623	550896730 F	FL	
	Scars, Marks, Ta	ttoos, or c	ther dist	inguish	ing feat	ures	-	,								
	Reported Susp	ect Deta	<i>iil</i> Sı	spect A	ge	R	ace	Sex	Eth	Heigh	t	W	eight		SSN	
		Т -		T				_					-			
	Weapon, Type	Featur	е	Mak	e	M	odel			Colo	r	Caliber		Dir of Travel		
														Mode of Travel		
	VehYr/Make/Mod	lel		Drs	Style	•		Colo	r	Lic/St				VIN		
	Notes									P	hysical Cl	nar				

BUILD, SLIM/THIN/SMALL FACIAL HAIR, NO FACIAL HAIR HAIR TYPE, LONG HAND USE, UNKNOWN

OCA: 20-002155

Property Description BWC 3452				Make			Model			C	Caliber
Color	Serial No.		Value			Qty		Unit		Jurisdict	
Status Evidence	Date 05/05/2020	NIC#		State #	\$0.00	<u> </u>	1.000 Local #	<u>EA</u>	0.	AN L	ocally
Name (Last, First, Mid					DOB		1	Age	Rac	e	Sex
Notes							•				
Property Description INCAR COBAN.	5164			Make COBAN			Model INCA	R		C	aliber
Color	Serial No.		Value		\$0.00	Qty	1.000	Unit		Jurisdicti <i>L</i>	ion <i>ocally</i>
Status Evidence	Date 05/06/2020	NIC#		State #			Local #		O,	AN	
Name (Last, First, Mid	dle)				DOB		I A	Age	Race	e	Sex
*No name *											
*No name * Notes Property Description AXON BWC 3946			Value	Make AAXON		Qty	Model BWC	Unit		Ci	aliber
* No name * Notes Property Description AXON BWC 3946 Color Status	Serial No. Date	NIC#	Value		\$0.00	Qty	Model	Unit	J	Ci	aliber
* No name * Notes Property Description AXON BWC 3946 Color	Serial No. Date 05/06/2020	NIC#	Value	AAXON		Qty	Model BWC 3.000 Local #	Unit	J	Uurisdicti L AN	aliber
* No name * Notes Property Description AXON BWC 3946 Color Status Evidence Name (Last, First, Mide	Serial No. Date 05/06/2020	NIC#	Value	AAXON	\$0.00	Qty	Model BWC 3.000 Local #	Unit	J OA	Uurisdicti L AN	aliber ion ocally
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Notes

pictures of wrights injuries from response to resistance

Incident Report Related Property List

Key West Police Department

OCA: 20-002155

5	Property Description				Make			Model			Caliber
	BWC-3819										
	Color	Serial No.		Value			Qty		Unit	Juris	diction
						\$0.00		1.000			Locally
	Status	Date	NIC#		State #			Local #		OAN	
	Evidence	05/06/2020									
	Name (Last, First, Midd	le)				DOB		Α	ge	Race	Sex
	*No name *										

Notes

CASE SUPPLEMENTAL REPORT

Printed: 05/26/2020 09:47

Key West Police Department

OCA: 20002155

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

Case Status: CLEARED BY ARREST Case Mng Status: NA Occurred: 05/05/2020

Offense: BATTERY FELONY

Investigator: HERNANDEZ, LEONARDO (3452) Date / Time: 05/05/2020 23:29:49, Tuesday

Supervisor: SIMS, FRED CARTER (2301) Supervisor Review Date / Time: 05/06/2020 03:13:46, Wednesday

Contact: Reference: General Supplemental Report

On Tuesday May 5, 2020, at about 2126 hours, I, Ofc. (L. Hernandez) was dispatched to 2521 Fogarty Avenue, in reference to a burglary in progress.

Upon arrival, Ofc. A. Hudson and I made entry through the side gate of property that leads to the rear where the unit in question is located. Upstairs were 3 white males and a white female later identified as Melissa Jamille Wright (DOB 05/13/1989) identified by her Florida Driver License, Alexandr David Johnson (DOB 11/22/1992) identified by his Florida Driver License, Luis Gilberto Jaime (DOB 11/28/1989) identified by his Florida Driver License and Cable R. Fait (DOB 05/19/2000) identified by his Maine Identification Card.

Johnson was actively trying to open the door to unit # 2 with a metal tool, which is where Wright resides, saying that he was doing it because Wright asked him to. Johnson said that Wright told him she forgot her keys inside the unit.

While we removed all the subject's downstairs, a white male later identified as Matthew Thomas Foster (DOB 11/09/1978) identified by his Florida Driver License, came out of unit # 2. Foster and Wright are in a dating relationship for about 6 months. Foster stated that he did not want Wright in his apartment and wants her removed. Foster was told by Ofc. Hudson and I that he needs to seek an eviction order from the Monroe County Courts to do so.

Wright's breath was emitting a strong odor of alcoholic beverage. Wright said that she just wanted to grab her purse and leave. We gave Wright her purse and she left the scene but returned, as we were leaving the scene and she headed upstairs to the unit. As we approached the property, Foster stuck his head out the upstairs unit's window and said "I want her arrested for assault." Foster stated that she Wright said she was going to kill him.

When we met with Wright, she was on her cellphone upstairs, sitting on the outside of unit # 2. I asked Wright to get off her phone. Wright said, "I am not going to jail". Ofc. Mogerly told Wright to get downstairs, Wright refused and when Ofc. Mogerly tried to lead her downstairs she pulled her self-back towards the door of unit # 2 and started to scream, "no, no" "I am not going to jail, fuck you all".

Ofc Mogerly grabbed Wright by her arms and I handcuffed her (checked handcuffs tightness and double locked them). As we were removing her from the front door of the unit # 2, Wright consciously, purposely and maliciously spit on Ofc. Deese's face who was standing a few feet away from her. Wright also, consciously, purposely and maliciously spit on Ofc. Hudson. Wright's spit landed on Ofc. Hudson's police uniform.

When we finally removed Wright from the property and placed her in front of my patrol vehicle she kept screaming

Investigator Signature Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 05/26/2020 09:47

Key West Police Department

OCA: 20002155

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

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred: 05/05/2020

Offense: BATTERY FELONY

Investigator: HERNANDEZ, LEONARDO (3452)

Date / Time: 05/05/2020 23:29:49, Tuesday

Supervisor: SIMS, FRED CARTER (2301)

Supervisor Review Date / Time: 05/06/2020 03:13:46, Wednesday

Contact: Reference: General Supplemental Report

and pushing back when Ofc. Mogerly was trying to keep her against the patrol vehicle. Wright kept trying to defeat our efforts of arresting her by moving side to side and pushing and ignoring our loud and clear commands ordering her stop.

Wright kicked Ofc. Mogerly on his outer right thigh. At this point Ofc. Deese retrieved a hobble from her patrol vehicle. Ofc. Deese and I placed the hobble on Wright's legs and Ofc. Mogerly and I placed her inside Ofc. Deese's patrol vehicle.

In both written sworn statements obtained from Johnson and Foster it states that Wright threatened to kill Foster. Foster's written sworn statement says "Melissa Wright drank so much alchol that she became violent with me. She spits, kicks, hits, she disrespects."

This incident was recorded using my BWC 3452.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 05/26/2020 09:47

Key West Police Department

OCA: 20002155

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

Case Status: CLEARED BY ARREST Case Mng Status: NA Occurred: 05/05/2020

Offense: BATTERY FELONY

Investigator: MOGERLEY, NEIL (3819) Date / Time: 05/05/2020 23:47:27, Tuesday

Supervisor: SIMS, FRED CARTER (2301) Supervisor Review Date / Time: 05/06/2020 02:00:50, Wednesday

Contact: Reference: General Supplemental Report

On May 5, 2020, Ofc. Deese, Hudson, Hernandez, and I (Ofc. Mogerley), responded to a report of 4 people breaking into a house at 2521 Fogarty Ave. in the City of Key West. During this call a female named Melissa Wright was intoxicated and causing problems. Wright left the area and we were walking back to our Police cars. We could hear Wright back on the property yelling and screaming. We could hear items being broken and smashed on the porch. We walked back to the property and the male who lived there wanted her arrested for threatening him and being disorderly.

I asked wright several times to go down the stairs and she was refusing to go. Wright asked me if she was going to jail, and I told her yes. Wright told me "no" and got up and tried walking away from us. I grabbed Wright's arms and pulled them behind her back, and placed her against the door. Wright was trying to pulling her arms away from me. Ofc. Hernandez placed handcuffs on her. Wright was yelling at Ofc. Deese and then spit on her. I escorted her down the stairs and out to the street. When we approached the gate to the yard, Wright forcefully kicked the door open. As we got to the Police car Wright started pulling away and kicking her feet. I placed her against the hood of the police car and we took the purse off of her. I conducted a search incident to arrest. Wright spit on Ofc. Hudson. A spit hood was placed on Wright. Wright was trying to pull away and I placed her in a wrist lock to gain control of her. I escorted her to Ofc. Deese's Police Car. Wright kicked me in the right upper thigh as we were walking. I placed her against the back of the police car to gain control of her. Ofc. Deese and Hernanadez placed Wright in a hobble strap. We placed Wright into the back of the Police car and Ofc. Deese transported her to the correctional center.

I had a temporary pain in the thigh where wright kicked me, and you could see her foot print on my pants. When Wright spit on Ofc. Deese her spit landed on Ofc. Deese's face and mouth. Ofc. Hudson also got Wright's spit on him.

When at the correctonal center it was noticted Wright had blood in her hair and was yelling and screaming. Wright had ripped the spit hood off of her head and pulled her feet out of the hobble. The nurse could not tell where the blood came from and told us it may have been her nose. I notified Sgt. Siracuse that we noticed blood in her hair.

This incident was recorded on my BWC.

Investigator Signature

Supervisor Signature