

**Sean T. Brandenburg**

**Chief of Police**



**Key West**

**POLICE DEPARTMENT**

August 12, 2020

Citizen Review Board

PO Box 1946

Key West, FL 33040

Citizen Review Board,

On June 26, 2020, the Key West Police Department received a complaint from Mr. John Aydent Jr. through the Citizen Review Board. Mr. Aydent explained his son Nicholas Aydent (age 27), who has a history of Epilepsy, had a seizure while walking his dog. Mr. Aydent stated in his complaint that his son was tased four times before being handcuffed. Mr. Aydent believes the use of the taser is harmful due to his son's condition.

As a result of this complaint, I conducted an inquiry into this incident. I reviewed the incident report and body worn camera (BWC) videos related to the incident.

On June 5, 2020 Nicholas Aydent's neighbor, Mike (unknown last name), called 911 after witnessing Nicholas having a seizure. Key West Fire/Rescue responded to the location. Upon their arrival, rescue personnel attempted to evaluate Nicholas. Nicholas became combative with them then ran away from them. At that time, rescue personnel requested an officer to respond. Officer Thomas Haynie and Officer Andrew Litton responded. Ofc. Haynie's BWC footage shows rescue personnel attempting to talk to Nicholas and asking him to sit down. Nicholas appeared frantic and out of breath. He was shirtless and had no shoes on as well. Nicholas began walking away again, so Ofc. Haynie grabbed Nicholas by the left arm. Nicholas attempted to break free from Ofc. Haynie's grip and tried to pry Ofc. Haynie's hands off of him. Officer Litton grabbed Nicholas' right arm and they were briefly able to get Nicholas to sit on the ground. Nicholas then stood up and broke free from the officers' grip. The officers struggled with Nicholas for a few moments. It should be noted the brief struggle to get Nicholas under control caused all three of them to move into the roadway (Northside Drive) and there was vehicle traffic approaching them. When Nicholas began to run away from the officers, Ofc. Haynie gave Nicholas verbal commands to stop or he would be tased. Nicholas did not stop and continued running. Ofc. Haynie deployed his Taser, striking



**RESPECT - INTEGRITY - FAIRNESS - SERVICE**

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111  
[www.keywestcity.com](http://www.keywestcity.com)



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Nicholas in the back, and Nicholas fell to the ground. It is important to note this was done for the protection of Nicholas. Due to his altered mental state it appeared he was unaware of traffic and could easily have ran in front of a moving vehicle, causing serious injury or death. The officers attempted to gain control of Nicholas and secure him in handcuffs. Nicholas continued to struggle with the officers and would not listen to their commands to place his hands behind his back. Ultimately, Ofc. Haynie delivered four additional Taser cycles until they were able to get Nicholas secured in handcuffs. Once Nicholas was in handcuffs, he continued to struggle with the officers. Rescue personnel eventually sedated Nicholas and transported him to the hospital for further evaluation.

After completing this inquiry, I have determined the actions of Officer Haynie and Officer Litton were within Key West Police Department policies and procedures pertaining to the use of the Taser. However, all officers are trained to constantly reassess an active response to resistance situation and recognize whether their response is achieving the desired outcome; which is safely securing a resisting subject in handcuffs. In the video, it is clear that Nicholas continued to struggle with the officers after each five second Taser cycle; indicating the Taser was not affecting Nicholas. The video also showed Officer Haynie and Officer Litton demonstrated a lack of proper technique in physically controlling Nicholas prior to and after the use of the Taser. As a result of this, Officer Haynie and Officer Litton did receive a supervisor's counseling regarding this incident and they will be receiving remedial training on the proper mechanics of physically controlling a resisting subject.

Although we sympathize with Nicholas, and understand the seriousness of his medical condition, the officers still had an obligation to ensure he received proper medical care. Nicholas' altered mental state was preventing him from understanding that the officers and rescue personnel were there to provide him with medical care. They could not allow Nicholas to leave on his own and risk further injury.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jason Castillo".

Lieutenant Jason Castillo  
Key West Police Department



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# COMMUNICATIONS

## Event Report

Event ID: **201560280**

Call Ref #: 710

Date/Time Received: 06/04/20 19:57:04

Rpt #: 20-002458	Prime 73	Services Involved			
Call Source: W911	Unit: HAYNIE, THOMAS G	LAW	FIRE		
Location: <b>3330-313 NORTHSIDE DR</b>		DIST: 40.34 ft 313			
X-ST: <b>PEACOCK</b>	Jur: CAD	Service: LAW	Agency: KWPD		
<b>TOPPINO DR</b>	St/Beat: B5	District: EAST	RA: DII		
Business: MARINERS COVE 313	Phone:	GP: GPB5			
Nature: <b>MEDICAL ASSIST PD/FD</b>	Alarm Lvl: 1	Priority: 1	Medical Priority:		
Reclassified Nature:					
Caller: MIKE	Addr: NEIGHBOR TO SEIZURE PATIENT			Phone: (305) 393-3509	Alarm: Alarm Type:
Vehicle #:	St:	Report Only: No	Race:	Sex:	Age:
Call Taker: DDUMOVICH	Console: 5003				
Geo-Verified Addr.: Yes	Nature Summary Code:	Disposition: R	Close Comments:		

Notes: UDTs: {73} IN CUSTODY [06/04/20 20:02:15 NSMITH]  
 {73} 1 TAZED [06/04/20 20:00:48 NSMITH]  
 [FIRE] {R3} NEED THEM TO EXPEDITE [06/04/20 19:57:53 DDUMOVICH]  
 [FIRE] {R3} NEED LEO, KNOWN COMBATIVE PATIENT [06/04/20 19:57:14 DDUMOVICH]  
 Event spawned from MEDICAL ASSIST. [06/04/2020 19:57:04 DDUMOVICH]  
 POSSIBLY BANGED HIS FACE, A LITTLE BIT OF BLOOD [06/04/20 19:54:17 JHOLT]  
 AIRED CH1 [06/04/20 19:53:57 NSMITH]  
 neighbor is having a seizure - neighbor is outside [06/04/20 19:53:09 JHOLT]

### Times

Call Received: 06/04/20 19:57:04	Time From Call Received	
Call Routed: 06/04/20 19:57:04		Unit Reaction: 000:01:31 (1st Dispatch to 1st Arrive)
Call Take Finished: 06/04/20 19:57:04		En-Route: (1st Dispatch to 1st En-Route)
1st Dispatch: 06/04/20 19:57:35	000:00:31 (Time Held)	On-Scene: 005:57:23 (1st Arrive to Last Clear)
1st En-Route: 06/04/20 19:57:35	000:00:31	
1st Arrive: 06/04/20 19:59:06	000:02:02 (Reaction Time)	
Last Clear: 06/05/20 01:56:29	005:59:25	

### Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments (may truncate in portrait)	Close Code	User
84	3958	DXY	DispatchXY	06/04/20 19:57:35	399914.30,85594.46		NSMITH
84	3958	D	Dispatched	06/04/20 19:57:35	Stat/Beat: CW		NSMITH
84	3958	E	En-Route	06/04/20 19:57:35	Stat/Beat: CW		NSMITH
73	3836	E	En-Route	06/04/20 19:57:35	Stat/Beat: CW		NSMITH
73	3836	DXY	DispatchXY	06/04/20 19:57:35	399453.50,85267.09		NSMITH
73	3836	D	Dispatched	06/04/20 19:57:35	Stat/Beat: CW		NSMITH

73	3836	A	Arrived	06/04/20 19:59:06		NSMITH
84	3958	A	Arrived	06/04/20 19:59:24		NSMITH
86	3646	DXY	DispatchXY	06/04/20 20:00:51	403903.40,84282.34	NSMITH
86	3646	D	Dispatched	06/04/20 20:00:51	Stat/Beat: CW;84	NSMITH
86	3646	E	En-Route	06/04/20 20:00:51	Stat/Beat: CW;84	NSMITH
86	3646	A	Arrived	06/04/20 20:00:51	Stat/Beat: CW;84	NSMITH
20	3022	D	Dispatched	06/04/20 20:01:00	Stat/Beat: SGT;73	NSMITH
20	3022	E	En-Route	06/04/20 20:01:00	Stat/Beat: SGT;73	NSMITH
20	3022	A	Arrived	06/04/20 20:01:00	Stat/Beat: SGT;73	NSMITH
73	3836	IC	{73} IN CUSTODY	06/04/20 20:02:15		NSMITH
84	3958	L	Location Change	06/04/20 20:15:54	5900 COLLEGE RD /FOLLOWING RES	NSMITH
20	3022	R	Return to Qtr	06/04/20 20:16:06		NSMITH
73	3836	L	Location Change	06/04/20 20:20:37	5900 COLLEGE RD	NSMITH
84	3958	H	At Hospital	06/04/20 20:20:38		NSMITH
73	3836	H	At Hospital	06/04/20 20:31:32		NSMITH
86	3646	C	Cleared	06/04/20 20:45:19	AU	AU NSMITH
73	3836	R	Return to Qtr	06/04/20 21:10:54		NSMITH
84	3958	R	Return to Qtr	06/04/20 21:11:46		NSMITH
86	3646	DXY	DispatchXY	06/04/20 21:42:34	394595.30,82204.45	NSMITH
86	3646	D	Dispatched	06/04/20 21:42:34	Stat/Beat: CW;84	NSMITH
86	3646	E	En-Route	06/04/20 21:42:34	Stat/Beat: CW;84	NSMITH
86	3646	A	Arrived	06/04/20 21:42:34	Stat/Beat: CW;84	NSMITH
86	3646	Q	At Quarters	06/04/20 21:42:35		NSMITH
73	3836	Q	At Quarters	06/04/20 22:27:35		NSMITH
84	3958	Q	At Quarters	06/04/20 22:27:35		NSMITH
20	3022	Q	At Quarters	06/04/20 22:27:35		NSMITH
86	3646	C	Cleared	06/04/20 22:31:27	AU	AU NSMITH
73	3836	C	Cleared	06/04/20 22:35:25	R	R NSMITH
84	3958	C	Cleared	06/04/20 22:53:02	R	AU NSMITH
20	3022	C	Cleared	06/05/20 01:56:29	AU	AU NSMITH

## Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments (may truncate in portrait)	Close Code	User
		TS	Time Spawned	06/04/20 19:57:04	Initial call received at 06/04/2020 19:52:		DDUMOVICH
		VEV	Viewed Event	06/04/20 19:57:06	User First Viewed Event CAD		DDUMOVICH
		ARM	Added Remarks	06/04/20 19:57:14	Notes sent from FIRE event #201560279		DDUMOVICH
		VEV	Viewed Event	06/04/20 19:57:20	User First Viewed Event CAD		NSMITH
		ARM	Added Remarks	06/04/20 19:57:53	Notes sent from FIRE event #201560279		DDUMOVICH
		ARM	Added Remarks	06/04/20 20:00:48			NSMITH
		ARM	Added Remarks	06/04/20 20:00:48	Sent to: Linked Events		NSMITH
		VPR	Viewed Premise	06/04/20 20:01:05	Location Information		DDUMOVICH
		VPR	Viewed Premise	06/04/20 20:01:09	Location Information		NSMITH
		VCH	Viewed Call Hist (Neigh	06/04/20 20:01:16	Location Information		NSMITH
		ARM	Added Remarks	06/04/20 20:02:15			NSMITH
		ARM	Added Remarks	06/04/20 20:02:15	Sent to: Linked Events		NSMITH
		RS	Reset Watchdog Timer	06/04/20 20:02:15	Units: 20,73,86,84 >>> 10Min.		NSMITH
		RS	Reset Watchdog Timer	06/04/20 20:13:18	Units: 20,73,84,86 >>> 20Min.		NSMITH

	RPT	Requested Report#	06/04/20 20:19:37	KWPD Report #20-002458	NSMITH
	CHG	Changed PrimeUnit	06/04/20 20:20:28	84 --> 73	NSMITH
	VEV	Viewed Event	06/04/20 20:21:35	User First Viewed Event CAD	JHOLT
	RS	Reset Watchdog Timer	06/04/20 20:31:29	Units: 73 >>> 20Min.	NSMITH
73	3836	NCI	QRY:Drivers	06/04/20 20:34:05 UNIT:73 OLN=A353635924280	Unit:73
	RS	Reset Watchdog Timer	06/04/20 20:34:33	Units: 86 >>> 60Min.	NSMITH
	DLQ	Driver License Query	06/04/20 20:35:14	1) OLN:A353635924280 State: FL Name	NSMITH
	DLQ	Driver License Query	06/04/20 20:35:14	2) NICHOLAS PAUL	NSMITH
	ENT	Entered memoNmCom	06/04/20 20:35:25	PATIENT	NSMITH
73	3836	NCI	QRY:Drivers	06/04/20 21:06:25 UNIT:73 OLN=A353472602150	Unit:73

Related Names
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Last, First, MI Suffix	Type	Race	Sex	HT	WT	Eyes	DOB	Age	Home / Mobile Ph	Work Ph
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Mike	CALL				0				(305) 393-3509	
------	------	--	--	--	---	--	--	--	----------------	--

Address: Neighbor To Seizure Patient, Key West, FL

OIn:

OIn St:

Notes:

Nicholas Paul Aydent	QRY	W	M	510	0	11/28/9	27
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Address: 3330-308 Northside Dr, Key West, FL 33040

OIn: A353635924280

OIn St: FL

Notes:

PATIENT

John Leonard Aydent		M		507	0	06/15/6	59
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Address: 1413 6Th St, Key West, FL 33040

OIn: A353472602150

OIn St: FL

Notes:

		INCIDENT/INVESTIGATION REPORT						Case# 20-002458				
								Date / Time Reported 06/04/2020 19:57 Thu				
INCIDENT DATA	Agency Name		Key West Police Department						Last Known Secure 06/04/2020 19:57 Thu			
	ORI		FL0440100						At Found 06/04/2020 19:57 Thu			
	Location of Incident			Premise Type		Beat/GP						
	3330 NORTHSIDE DR Apt. 313, Key West FL 33040-			Highway / Street / Road/		B5, GPB5						
	#1	Crime Incident(s) (Com)			Weapon / Tools				Activity			
		Incident Report ZOD			NOT APPLICABLE/NONE							
					Entry		Exit		Security			
	#2	Crime Incident ( )			Weapon / Tools				Activity			
					Entry		Exit		Security			
	#3	Crime Incident ( )			Weapon / Tools				Activity			
					Entry		Exit		Security			
MO												
VICTIM	# of Victims 0		Type:		Injury:				Domestic: N			
	V1	Victim/Business Name (Last, First, Middle)			Victim of Crime #		DOB		Race Sex		Relationship To Offender	
							Age				Resident Status	
											Military Branch/Status	
		Home Address							Home Phone			
		Employer Name/Address							Business Phone		Mobile Phone	
OTHERS INVOLVED	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)											
	Type: INDIVIDUAL Injury: Internal Injuries Possible											
	Code IO	Name (Last, First, Middle)			Victim of Crime #		DOB		Race Sex		Relationship To Offender	
		AYDENT, NICHOLAS PAUL					11/28/1992		W M		Resident	
							Age 27				Resident	
PROPERTY	Home Address							Home Phone				
	3330 NORTHSIDE DR - 308 KEY WEST, FL 33040							305-731-7519				
	Employer Name/Address							Business Phone		Mobile Phone		
	Havana Cabana (POOL ATENTAND)											
	Type: INDIVIDUAL Injury:											
	Code PG	Name (Last, First, Middle)			Victim of Crime #		DOB		Race Sex		Relationship To Offender	
	AYDENT, JOHN LEONARD J					06/15/1960		W M		Resident		
						Age 59				Resident		
Home Address							Home Phone					
1413 6TH ST KEY WEST, FL 33040							703-963-7795					
Employer Name/Address							Business Phone		Mobile Phone			
Margaritaville Resort, 245 FRONT ST (MANAGMENT)												
L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)												
PROPERTY	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description		Make/Model		Serial Number	
		35	EVID	\$0.00		1	AXON BWC/3646					
		35	EVID	\$0.00		1	IN-CAR COBAN, 3836					
		35	EVID	\$0.00		1	AXON BWC, 3836					
		99	EVID	\$0.00		1	TASER CARTRIGE W/ AFIDS					
		35	EVID	\$0.00		1	AXON BWC 3958					
		35	EVID	\$0.00		1	COBAN IN-CAR 3958					
		99	EVID	\$0.00		10	PHOTOS UPLOADED TO EVIDENCE.COM					
Officer/ID# HAYNIE, THOMAS G (3836)												
Invest ID# (0)							Supervisor KOURI, DAVID G (3022)					
Status	Complainant Signature				Case Status Information Only		06/04/2020		Case Disposition:		Page 1	

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 20-002458

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

KOURI, D.G. (3022), LITTON, A.J. (3958), WAITE, K.J. (3646)

Suspect Hate / Bias Motivated:

NARRATIVE

**REPORTING OFFICER NARRATIVE**

Key West Police Department

OCA

20-002458

Victim

Offense

INCIDENT REPORT

Date / Time Reported

Thu 06/04/2020 19:57

On Thursday, June 4, 2020 at 7:57 PM, Officer Litton and I were dispatched to the Mariner's Cove Apartments at 3330 Northside Drive for a medical assist. The reporting party, who didn't leave information, told Key West Dispatch his neighbor was having a seizure outside. The reporting party stated his neighbor's face was banged up and he observed blood. Key West Rescue arrived before us and requested for us to expedite as they were out with a known combative patient.

Officer Litton and I arrived at 7:59 PM. I observed the patient, later identified as Nicholas Aydent, stumbling down the sidewalk, heading west, in front of the Santa Clara Condominiums at 3312 Northside Drive. I observed an EMT walking behind Nicholas. Nicholas was shirtless, covered in sweat, mumbling incoherently, and had a dazed look on his face. Nicholas stopped in front of my police car, which I parked on the sidewalk. I exited the car and observed the EMT trying to reason with Nicholas. It was obvious Nicholas was having a medical issue and if we didn't assist rescue in detaining him, he would have been a harm to himself. Nicholas told the EMT he was ok and just needed help. I also tried reasoning with Nicholas. I asked if he would, "please let them take care of you". Nicholas stumbled between my police car and the fence at the Santa Clara Condominiums. I went around the back of my car and grabbed Nicholas while giving loud verbal commands. Officer Litton and I grabbed Nicholas' wrists and assisted him to the ground, in a seated position. Nicholas mumbled incoherently and pulled away from us the whole time. After a few seconds of being on the ground, Nicholas got back up and slipped from our grip, then fell into a bush. Officer Litton and I grabbed Nicholas once again. He swung around and escaped our grip again then began running down the sidewalk. I ran after Nicholas, warned him I would deploy my Taser, then deployed my Taser after he continued running. The Taser probes struck Nicholas in the middle of his back. Nicholas' body responded to the Taser and went into neuromuscular incapacitation. Nicholas fell to the ground. After the Taser cycle ran out, Nicholas continued to struggle with Officer Litton and I. I gave several loud verbal commands for Nicholas to put his hands behind his back. Nicholas continued tensing his arms and swinging them away from us. I deployed four more Taser cycles. After every cycle, Nicholas continued to struggle. After the last cycle we were able to handcuff Nicholas on both wrists. After I handcuffed Nicholas, I straddled his lower back and maintained control of his hands. I asked Nicholas several times if he was ok and encouraged him to relax.

Key West Rescue sedated Nicholas. I assisted Key West Rescue with placing Nicholas onto a stretcher. Sergeant Kouri responded to the scene and collected the necessary information for a response to resistance report.

Officer Litton and I responded to the emergency room at the Lower Keys Medical Center and stood by with Nicholas. After around thirty minutes, Nicholas came to. Nicholas was apologetic and didn't remember what happened. Nicholas' dad, John Aydent, was at the emergency room. John told us Nicholas had Epilepsy and suffered from "Focal Awareness" seizures. One of the EMT's told me they struggled with Nicholas before we arrived. The EMT said Nicholas had a t-shirt on which slipped off in the struggle.

Officer Litton photographed Nicholas' injuries. Nicholas had abrasions on his shoulders, knees and elbows. I collected the Taser cartridge and AFIDS and submitted them as evidence.

I activated my KWPD issued bodycam and in-car Coban during this call.



# Incident Report Related Property List

Key West Police Department

OCA: 20-002458

1 Property Description <b>AXON BWC/3646</b>		Make		Model		Caliber	
Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>	Unit <b>EA</b>	Jurisdiction <b>Locally</b>		
Status <b>Evidence</b>	Date <b>06/04/2020</b>	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) <b>* No name *</b>			DOB	Age	Race	Sex	

Notes

2 Property Description <b>IN-CAR COBAN, 3836</b>		Make		Model		Caliber	
Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>	Unit <b>EA</b>	Jurisdiction <b>Locally</b>		
Status <b>Evidence</b>	Date <b>06/04/2020</b>	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) <b>* No name *</b>			DOB	Age	Race	Sex	

Notes

3 Property Description <b>AXON BWC, 3836</b>		Make		Model		Caliber	
Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>	Unit <b>EA</b>	Jurisdiction <b>Locally</b>		
Status <b>Evidence</b>	Date <b>06/04/2020</b>	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) <b>* No name *</b>			DOB	Age	Race	Sex	

Notes

4 Property Description <b>TASER CARTRIGE W/ AFIDS</b>		Make		Model		Caliber	
Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>	Unit <b>EA</b>	Jurisdiction <b>Locally</b>		
Status <b>Evidence</b>	Date <b>06/04/2020</b>	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) <b>* No name *</b>			DOB	Age	Race	Sex	

Notes

# Incident Report Related Property List

Key West Police Department

OCA: 20-002458

5 Property Description <b>AXON BWC 3958</b>		Make		Model		Caliber	
Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>	Unit	Jurisdiction <b>Locally</b>		
Status <b>Evidence</b>	Date <b>06/04/2020</b>	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) <b>* No name *</b>			DOB	Age	Race	Sex	

Notes

6 Property Description <b>COBAN IN-CAR 3958</b>		Make		Model		Caliber	
Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>	Unit	Jurisdiction <b>Locally</b>		
Status <b>Evidence</b>	Date <b>06/04/2020</b>	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) <b>* No name *</b>			DOB	Age	Race	Sex	

Notes

7 Property Description <b>PHOTOS UPLOADED TO EVIDENCE.COM</b>		Make		Model		Caliber	
Color	Serial No.	Value <b>\$0.00</b>	Qty <b>10.000</b>	Unit	Jurisdiction <b>Locally</b>		
Status <b>Evidence</b>	Date <b>06/05/2020</b>	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) <b>* No name *</b>			DOB	Age	Race	Sex	

Notes

Key West Police Department

OCA: 20002458

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

Case Status: INFORMATION ONLY

Case Mng Status: NA

Occurred: 06/04/2020

Offense: INCIDENT REPORT

Investigator: LITTON, ANDREW J. (3958)

Date / Time: 06/04/2020 21:34:29, Thursday

Supervisor: KOURI, DAVID G (3022).

Supervisor Review Date / Time: 06/05/2020 03:21:48, Friday

Contact:

Reference: General Supplemental Report

On 06/04/2020 at approximately 2000 hours, Officer T. Haynie and (Ofc. A. Litton) were dispatched to 3330 Northside Drive, Mariner's Cove, in reference to a medical assist. Key West Rescue 3 advised they needed officers to expedite so I activated my overhead lights and sirens.

While driving down Northside Drive, I was flagged down by Key West Rescue as he followed a shirtless male subject, later identified as Nicholas Aydent, towards Santa Clara Condominiums. When I exited the vehicle, Key West Rescue advised Aydent was a seizure patient and was postictal. Aydent was making incoherent statements, saying he was okay followed by stating he needed help. Aydent appeared to be in an altered state of consciousness and could not follow or understand the commands given by the EMT, Officer T. Haynie or myself.

At one point, Aydent appeared to comply with the orders given and he began to sit down on the sidewalk. Aydent then quickly jumped to his feet and continued to walk down Northside Drive. Officer T. Haynie grabbed Aydent's arm while I grabbed his other and we assisted Aydent to a seated position. Aydent attempted to stand up and I again assisted him back to a seated position. Then, Aydent managed to get to his feet while flailing his arms, which slipped out of both my and Ofc. T. Haynie's hands causing Aydent to fall into the bushes next to the sidewalk. Aydent stood up and both Officer T. Haynie and I attempted to take Aydent to the ground, but I could not obtain a grip on Aydent's sweaty wrist or arm. Aydent slipped away from us and ran West on Northside Drive when Officer T. Haynie deployed his Taser into Aydent's back. Officer T. Haynie achieved neuromuscular incapacitation and Aydent fell to the ground.

Aydent continued to be noncompliant as we attempted to place him in handcuffs. Officer T. Haynie deployed additional cycles of his Taser until the handcuffs were secured on Aydent's wrists. Key West Rescue informed me they have had previous medical calls with Aydent on multiple occasions and he has similar reactions whenever he is postictal. Aydent was held on the ground until EMTs administered ketamine. Aydent was then placed into the ambulance and transported to Lower Keys Medical Center and I followed.

Aydent's father, Jack Aydent, was already at the hospital waiting for us. Jack informed me of Nicholas' epileptic condition and advised he has focal awareness seizures, which do not resemble the typical seizures associated with epilepsy. Jack explained Nicholas is mobile and conscious during his seizures, where he will walk or sometimes run in an aimless manner. Nicholas will remain unaware of his surroundings during these seizures.

Nicholas Aydent suffered minor abrasions on his shoulders, elbows, and knees during this incident. Aydent began to regain his awareness after about 30 minutes in the hospital, when he was able to sustain a conversation with his father, Officer T. Haynie and myself. Aydent remained under care at the Lower Keys Medical Center when I cleared.

Investigator Signature

Supervisor Signature

# CASE SUPPLEMENTAL REPORT

Printed: 06/29/2020 10:01

Key West Police Department

OCA: **20002458**

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

Case Status: *INFORMATION ONLY*

Case Mng Status: *NA*

Occurred: *06/04/2020*

Offense: *INCIDENT REPORT*

Investigator: *LITTON, ANDREW J. (3958)*

Date / Time: *06/04/2020 21:34:29, Thursday*

Supervisor: *KOURI, DAVID G (3022)*

Supervisor Review Date / Time: *06/05/2020 03:21:48, Friday*

Contact:

Reference: *General Supplemental Report*

Coban in-car and Axon BWC were activated during this incident and later uploaded to Evidence.com. 10 photos of Aydent were taken and uploaded to Evidence.com.

Investigator Signature

Supervisor Signature

# Response to Resistance Report

Key West Police Department

Case No: 20-2458

## 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: 6/4/20 3. Time: 2000 hrs 4. Location: 3300 Blk Northside Dr 5. Incident type: Medical

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

☐ Passive: ☒ Physical Control Take Down  
☒ Active: Tensing / Pulling away / Running ☒ Non-lethal Weapon TASER  
☐ Aggressive: ☐ Deadly Force  
☐ Deadly Force:

10. Last Name: Aydent 11. First: Nicholas 12. Race: W 13. Sex: M  
14. DOB: 11/28/1992 15. Height: 5'10' 16. Weight: 175  
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

22. Anterior View Posterior View

Abrasions Abrasions

23. Officer: Thomas Haynie 24. Race: W 25. Sex: M 26. Age: 31 27. Height: 5'6 28. Weight: 135  
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 2.5  
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)

35. Anterior View Posterior View

## Key West Police Department

Case No: 20-2458

KWPD FORM047  
Version Date: 051215  
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