Response to Resistance Report
Key West Police Department Case No: 20-4262

1.	A Response to Resistance Report will be complet	ad by the aun	amileo e fam.					
	A response through the use of non-lethal weapons	eu by the sup	ervisor for: (C	Check all that apply)				
	Applies weaponless physical force of strikes, kicks, or "ta	ke downe"						
	When any person sustains an apparent substantial or fall	al injuny oo o so						
	When any person complains of injury as a result of the a	an injury as a res	suit of the application of	force				
	Discharge of firearm in the line of duty off-duty or on-duty	other then for	e Indining on the co					
	2. Date: 10/17/20 3. Time: 1800 4. L	costion: 2004						
_	6 Decister 1 1 5 5 5	ocation: 2001		ncident type: Child Neglect				
Ž	Passive:		sponse Option	9. Explanation				
INCIDENT	Fassive.	🛚	Physical Control	Leg Sweep - Take Down				
Ž	Active: Bracing, Pushing, Pulling, T	ensing	Non-lethal Weapon					
	Aggressive:		Deadly Force					
	Deadly Force:							
	10. Last Name: Allen 11. I	First: Keith	12. Ra	ce: Black 13. Sex: Male				
	14. DOB: 5/19/1992 15. I	leight: 5'6"						
	17. Did you observe the subject: No X Yes	Height: 5'6" If NO, explain why in Section 42. If "YES", complete sections 18-22 sence of controlled substance Emotionally / mentally disturbed and or Alleged, describe and indicate areas on charts in Section 22)						
	The sections 10-22							
	19. Injuries: No Evident Alleged (If Eviden	t or Alleged, des	caribo and indicate area	tionally / mentally disturbed				
		Ves But	True and indicate area	is on charts in Section 22)				
 -	The Miles I was a second of the second of th	Tes By:	_ EMI/Paramedic on s	scene Hospital Detention				
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SUBJECT			/ / / /					
SUBJECT								
	Thu \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	the influence of controlled substance Emotionally / mel	2					
			100	99				
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	22. Anterior View	Posterior Vie	au / / /					
	23. Officer: Cleyton Morris 24. Race: W 25							
			. Age: 27 27. Height:					
	31. Injuries: No Evident Alleged (15 Tolday)	employment 🖂	Uniformed Plain o	clothes 30. Yrs Exp: 2				
	31. Injuries: No Evident Alleged (If Evident	or Alleged, desc	ribe and indicate areas	on charts in Section 35)				
	32. Photographed: No Yes 33. Treated: No	o Yes By:	EMT/Paramedic o	n scene Hospital				
	34. Response option used by this officer: (If TASER®, also reference line number from TASER® section)							
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	35. Anterior View	Posterior View	. // (

Response to Resistance Report (continued) Key West Police Department

Z Error!	0 - 4262 Reference source	9
	not found.	

			С	ase No:	not found.			
	36. TASER® device serial #		37. TASER® device	sorial #				
	TASER®Cam serial #		TASER®Cam serial					
TASER USE ONLY	Cartridge 1 serial #			Cartridge 1 serial #				
۲	Cartridge 2 serial #		Cartridge 2 serial #					
O	Number of cycles:		Number of cycles:					
SE	Type of contact: Probe	CODS Drive Stun	Type of contact:	Probe C	ODS T Drive Stup			
R U	Did probes penetrate skin:		Did probes penetrate					
\SE	Target distance at probe launc	h:	Target distance at pro					
7	Distance between probes:		Distance between pro					
	Probes removed by (name):		Probes removed by (r					
	Device downloaded by:		Device downloaded b	۸,				
	38. Check and list any add	itional TASER® de	evices, cartridges or details	s in the in	cident description soction			
REPORT	All necessary criminal elements All details of the arrest Details articulating the subject Details outlining the response Detailed description of injury of Details outlining the decontants	t's words, mannerisme to resistance utilized complaints and/or obs	by each officer.		/or subject N/A			
	40. Notified Date: 10/17/20		41. Time: 1800	Omoci and	roi subject. N/A			
	42. Did you respond to the scene: No Yes (If "No", explain why)							
1			, , , , , , , , , , , , , , , , , , , ,					
	43. Did you watch all relevant v	ideos associated wit	th the use of force? No	Yes (If "N	o", explain why)			
UIRY	44. Did you meet with the Office	r(s): No X Yes	(If "No", explain why)					
တ	45. During your review did you ☐ No ☐ Yes (If "Yes," list	below)						
VISOF	Language used by Ofc. Morris. Verbal commands.	It was addressed ar	nd discussed. Ofc. Morris red	eived train	ning on more eloquent			
监	46. Were you able to locate any	independent witness	ses: No Yes (If "Yes,	" list below)				
DS -	Name		Address	iist below)	Phone Number			
					Frione Number			
-								
	7. Is further review recommended: No Yes 4 2022 10/17/20							
-	FORWARD COMPLETED ORIGINAL REPORT	TO INTERNAL AFFAIRS	48. Preparing Supervisor's		10/11/20			
. I	50. Did the review of this inciden		\cap	3	- TO, Date			
AFF. SUPERVISOR'S INQUIRY REPORT	of force was in compliance with	Departmental	4/10-	3366-	10/23/20			
<u> </u>	policy? No 🛭 Yes If "No", co	mplete section 51)	51. Signature of Internal Affa	irs Inspecto	or 52 Date			
- 10	53. If section 48 is "No" record th	ne Professional Stan		•	327			
		The state of the s	Condor Hullingl.	54	. Date Entered:			

54. Date Entered:

On Saturday, October 17th, 2020 at approximately 1750, I (Officer Morris) was dispatched as a backup Officer for Officer Waite to 2001 South Roosevelt Blvd. (The Barbary), reference a trespasser.

Upon arrival, I met with the manager, who advised me that there was a black male parked on the east end of the property. The manager said the male had been on the property for approximately 7 hours and he wanted the male removed and trespass warned. I drove my marked patrol car to the east end of the property and located a black car parked in a parking spot. The vehicle was running and I found two young children in the back seat of the vehicle.

The manager walked through the middle of the property and again approached Officer Waite and I. The manager said the male was near the pool and was wearing a black shirt. Officer Litton arrived on scene and I asked him to stay with the vehicle, with the two unattended children inside. Officer Waite and I approached the black male, who was standing near the pool area and Officer Waite began speaking with him. Officer Waite explained to the male that he was trespassing, and asked for his identification. The male subject refused to provide any identification. Officer Waite asked the male to step out to the parking lot to speak with us, because we could not hear him due to loud music that was playing in the pool area.

The male walked to the parking lot, however he continued to refuse to produce his identification. Officer Waite advised the male to place his hands behind his back. The male tensed his arms in front of his body, refusing to place his hands behind his back. Officer Waite, Officer Litton, and I managed to place the male's hands behind his back and place him into handcuffs, after a brief struggle. The male continued to pull away from me after he was in handcuffs. I asked the male to sit down in reference to Officer Safety concerns, due to his actions and demeanor. The male also refused this verbal command. I continued to ask the male to sit down. The male continued to tense his body and physically and verbally refused to sit down. Due to the males continued resistance by tensing his body, pushing and pulling away, and also attempting to walk away in an attempt to flee, he exhibited active resistance. I conducted a leg sweep on the males left leg and I guided him to the ground, in a controlled manner.

I contacted SGT. Vazquez and SGT. D. Kouri reference the take down and they responded and completed an RRI.

I stood by for scene security. I searched the male, Keith Allen, and transported the male to the Monroe County Detention Center.

M	P	1. 11110000	NG PERSON CODE		2. TYPE MISS	ING			13.6	ECOVERY INFORMATI	ON	ACCIONA	AND DESCRIPTION OF THE PERSON
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s	S		3. MISSING AND	RECOVERED	0 0 4	4. DISABLED		7. VOLUNTARY ADUL 8. UNKNOWN	. 2			CUS1	/ ENFORCEMENT
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		G. ARE ALL KNOWN OFFENDERS IN CUSTODY? WYES DINO H. CAN THE SUSPECT(S) BE LOCATED? DIVES DINO											
В	R	I. CAN THE SUSPECT(S) BE NAMED? YES INO IF YES EXPLAIN HOW AND BY WHOM SUSPECT WAS NAMED.											
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1'	- 1	-						K. CAN THE SUSPE	CT'S VEHIC	CLE BE LOCATED?	YES DNO		
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On October 17, 2020, at approximately 1741 hours, I, Ofc. Waite, was dispatched to The Barbary Beach House, located at 2001 S Roosevelt Blvd, in reference to a suspicious person. The caller advised a black male, whom was not a guest at the hotel, has been loitering throughout the property since around 10:00 a.m. Just prior to my arrival, the caller, identified later as Reed Warner, told the dispatcher the subject entered a black Toyota Corolla and drove north through the property entering a construction site. Ofc. Morris was first on scene and was able to locate the vehicle as it sat parked on the east side of the property. On arrival, I observed a black Toyota Corolla, bearing FL Tag JYER02, parked, with the engine running, near the pool entrance on the east side of the property. Ofc. Morris approached the vehicle and told me there were two small children sitting in the back seat unattended. I looked inside the vehicle and observed the children, as they sat in their car seats, one each behind the driver's seat and front passenger seat. The inside of the vehicle appeared to be unsanitary at first glance as it was full of garbage, diapers, and old food. The caller, Warner, approached us and advised the male subject was near the pool area and refusing to leave the property. Ofc. Litton arrived on scene and watched over the children while Ofc. Morris and I made contact with the male subject, identified later as Keith Allen.

As Ofc. Morris and I entered the pool area, we observed Allen walking west through the property, away from his vehicle. I approached Allen, whom was speaking into his cell phone, and introduced myself. Allen glanced at me and continued speaking into his phone, ignoring Ofc. Morris and I. I asked Allen about the children inside of his vehicle. Allen hung up the phone and asked Ofc. Morris and I if we went inside his vehicle. Ofc. Morris and I explained to Allen that we looked inside of his vehicle, at which point we observed two small children sitting unattended in the back seat. Allen stated the children in the vehicle were his, and said we were not permitted to look inside of his vehicle. I informed Allen that he had been asked to leave the property by Hotel staff and was currently trespassing on private property. Allen stated he was not asked to leave and began walking away from me towards his vehicle. I told Allen he was not free to leave and explained to him that I needed his identification to document a trespass warning on behalf of the hotel. I explained to Allen he would be free to leave, once the trespass warning was complete. Allen refused to provide his identification and continued stating he was leaving. Ofc. Morris and I explained to Allen that we were conducting a trespass investigation and if he continued to obstruct our investigation, he would be arrested for resisting and trespassing. Allen continued to refuse to identify himself, at which point myself and Ofc. Morris placed Allen into handcuffs and advised him he was under arrest reference trespassing and resisting without violence. While attempting to place the handcuffs onto Allen, he began tensing his muscles and pulling away from myself and Ofc. Morris' grasp. Because of Allen's physically evasive movements and his attempts to defeat our efforts and attempts of handcuffing him, I instructed Allen to stop resisting or he would be Tased. Allen complied immediately and placed his hands behind his back. Once in handcuffs, Allen told us he was a private investigator from Broward County currently conducting an investigation at the hotel. I explained to Allen that the Key West Police Department was not made aware of his investigation, a standard operating procedure commonly used by private investigators in case a member of the public reports the investigator for suspicious activity. Ofc. Morris began searching Allen's person, incident to arrest, and was able to locate a Florida Statewide Firearm License. Ofc. Morris was unable to locate Allen's identification card. Using Allen's name and date of birth, Key West Communications Channel 2 was able to provide a return for Allen. Channel 2 advised Allen's driver's license was suspended as of September 2, 2020 and the status of his Statewide Firearm License was also suspended. I asked Allen if there was a firearm inside of the

vehicle and he told me there was. Because there were two children locked inside of the vehicle with a firearm, I asked Allen for the weapons location. Allen refused to provide the weapons location but advised it was secure and out of his children's reach. Because the children were secure in their car seats, one asleep and both too young to remove themselves from the seats, I asked for Arnold's Towing to respond and unlock the doors. Arnolds Towing arrived shortly after and we were able to make entry into the vehicle.

As I opened the driver's side door, I could immediately smell the odor of rotten food and marijuana emanating from the inside of the vehicle. The entire interior of the vehicle was covered in garbage, old food, and dirty diapers. Near the front passenger seat, I located a small black container covered in ashes and reeking of marijuana. I opened the container and observed several "roaches", the discarded remnants of a marijuana cigarette or "blunt", at the bottom of the container. Ofc. Torrecillas took possession of the container and conducted a field test of the roaches and their contents. The contents field tested positive for marijuana. Ofc. Torrecillas searched the driver's side of the vehicle. Under the driver's seat, Ofc. Torrecillas located a holstered Glock 17 pistol (serial number BDKE922). The pistol was loaded with a magazine containing 17 rounds of 9mm ammunition and an additional 9mm round was located in the chamber. Ofc. Torrecillas ran the weapon's serial number through the Florida Crime Information Center and the National Crime Information Center. The weapon returned valid and clear. While searching the vehicle I glanced at the gas gauge and observed the gas tank meter to be nearly empty. The outside temperature at the time was approximately 88 degrees Fahrenheit. Had the vehicle run out of gas, the children would have been subjected to extreme heat as they did not have the means or ability to escape. The children, 35-month-old Keithen Prince Allen and 16-month-old Keinyah Talie Allen were removed from the vehicle. Keithen, who was asleep until we made entry into the vehicle, appeared to be lethargic and malnourished. After observing his condition, Sgt. Kouri immediately requested that dispatch have the Key West Fire Department respond and assess the children. Sgt. Vazquez removed Keinyah from her car seat at which point I observed her diaper to be bulging downward, completely full of urine, and hanging away from her body. I was able to locate a container of cleansing wipes and a package of diapers inside of the vehicle. I changed Keinyah into a clean diaper and handed her back to Sgt. Vazquez. I contacted the Department of Children and Families (DCF), notifying the agency of the case and condition of the children. The operator (Brittany / 443) advised a Child Protection Investigator (CPI) would be notified and in contact with me shortly. I removed the children's car seats from the vehicle, anticipating the need to transport the children from the scene to the Key West Police Department, where they would be turned over to the Department of Children and Families. Under Keinyah's car seat, I observed and photographed dried human feces, molded bread, and dried rotten milk that had been soaked into the seat's cloth-like material. Under Keithen's seat, I located a pink women's "dildo" sex toy.

Because Allen refused to answer questions regarding his children, we were unsure of the last time they were fed. Hotel staff brought the children food and bottles of water. Key West Fire Department Rescue 3 responded and advised they would be transporting the children to Lower Keys Medical Center for a medical evaluation due to their physical appearance, lethargic demeanor, and uninterest in food or

liquids. CPI Ball from the Department of Children and Families contacted me via dispatch and advised she would respond to Lower Keys Medical Center to make contact with the children.

In order to continue my investigation, Ofc. Morris transported Allen to the Monroe County Detention Center while I remained on scene gathering witness statements. Employee's Oksana Semashko, Edward Penick, and Reed Warner agreed to provide handwritten witness statements regarding their encounter with Allen.

Semashko stated she was working the front desk at approximately 10:00 a.m., when Allen approached her asking for a property map and brochure. Semashko provided Allen with a property map and asked if she could assist him with anything. Allen replied no. Semashko then asked Allen if he was looking for someone or if he would like to make a reservation. Again, Allen replied no. Semashko stated Allen walked away and proceeded to walk around the property taking pictures for approximately 1 hour. Semashko advised a large group checked into the hotel, drawing her attention away from Allen. At approximately 4pm, Semashko stated she noticed Allen was still on the property at which point she notified her Chief Engineer, Edward Penick, of his suspicious activity.

Upon being notified of Allen's suspicious activity, Penick stated he and Warner approached Allen and attempted to question him. Penick stated Allen did not respond to them and walked outside. Penick stated he followed Allen into the parking lot, at which point Allen entered a black Toyota Corolla and left traveling north through property. Penick followed the vehicle until it pulled into a parking space near the pool.

Warner advised he approached Allen with Penick and asked him to leave the property. Warner stated Allen raised a phone to his ear and walked past him, ignoring his request. Warner stated Allen walked to his vehicle and drove behind the building. Warner said he dialed 911 and walked towards the pool area where he spotted Allen speaking on his phone. Warner asked Allen to leave the property a second time however he continued to remain on property.

Because the employee's reported witnessing Allen walking around the property for approximately 7 hours, I asked them, if at any point, they recalled seeing Allen's children. The employees stated Allen was not accompanied by his children while he walked throughout the property.

Ofc. Litton responded to Lower Keys Medical Center to meet with CPI Ball. CPI Ball advised she was able to make contact with Keithen and Keinyah's mother, Nephtalie Allen. CPI Ball advised Nephtalie was currently in Pompano Beach, Florida and willing to drive down to Key West to retrieve her children. Due to the condition the children were found in, Ball advised Nephtalie she would be transporting the

children to a CPI agent in Pompano Beach. The CPI Agent in Pompano Beach would then conduct a home inspection of the Allen's residence, prior to turning the children over to Nephtalie.

Allen's vehicle was towed by Arnolds Towing. Sgt. Vazquez completed the tow slip.

Ofc. Torrecillas submitted the marijuana, Glock 17 pistol, Glock 17 magazine, and 18 rounds of 9mm ammunition into property as evidence. See his supplemental for further information.

My BWC was activated throughout this call and will be submitted as evidence.

Keith Allen did knowingly, intentionally, and without being authorized, licensed, or invited, willfully enter and remain at the Barbary Beach House after being warned by a person, authorized by the owner to depart and refused to do so contrary to F.S. 810.08 - Trespass in structure or conveyance.

Keith Allen did knowingly and intentionally resist and obstruct Ofc. Morris and during the lawful execution of our legal duties contrary to F.S. 843.02 - Resisting officer without violence to his or her person.

Based on the facts and evidence, testimony provided by hotel staff, and information from the Department of Children and Families who advised 35-month-old Keithen Prince Allen and 16-month-old Keinyah Talie Allen's closest family member is located in Pompano Beach, Florida, Keith Allen did knowingly and willfully abuse Kiethen and Keinyah by leaving the children unattended in a vehicle for approximately 8 hours with low gas in approximately 88-degree Fahrenheit weather. During Kiethen and Keinyah's time in the vehicle, the children were subject to the reeking smell of rotten food and the odor marijuana. The children were left in close proximity to a loaded firearm, human feces, and rotten food. For an unknown amount of time, Kienyah was left in a dirty bulging diaper, soaked with urine, subjecting her to possible rashes, discomfort, and infection. Due to the children's lethargic appearance, medical personnel felt it necessary to transport Kiethen and Keinyah by ambulance to Lower Keys Medical Center and have them medically evaluated by a physician. Keith Allen did knowingly and willfully abuse his children without causing great bodily harm, permanent disability, or permanent disfigurement contrary to FS 828.03 (2) (C) - Abuse, aggravated abuse, and neglect of a child.

Based on the facts and evidence, Keith Allen was in possession of 20 grams or less of cannabis contrary to F.S. 893.13 (6) (B) – Cannabis possession; less then 20 grams.

Based on the facts and evidence, Keith Allen was in possession of a small black container which he used to store and contain cannabis, a controlled substance, contrary to F.S. 893.147 (1) (A) – Possession of drug paraphernalia.

Keith Allen was in possession of a readily accessible concealed firearm, a Glock 17 pistol, loaded with a magazine containing 17 rounds of 9mm ammunition with an additional 9mm round in the chamber. The firearm was located within arm's reach under the driver's seat of Allen's vehicle. Allen's Florida Statewide Firearm License is currently listed under the status "suspended" contrary to F.S. 790.01 - Unlicensed carrying of concealed weapons or concealed firearms.