

# Response to Resistance Report

Key West Police Department

Case No: 21-0019

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

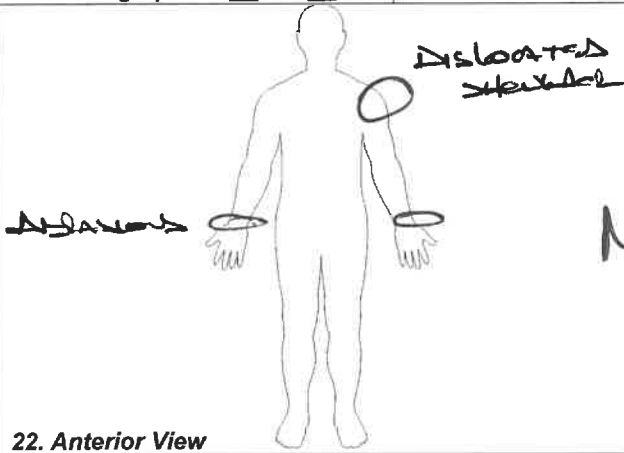
2. Date: 01/01/21 3. Time: 2230 Hrs 4. Location: Fleming/Duval St 5. Incident type: S83

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

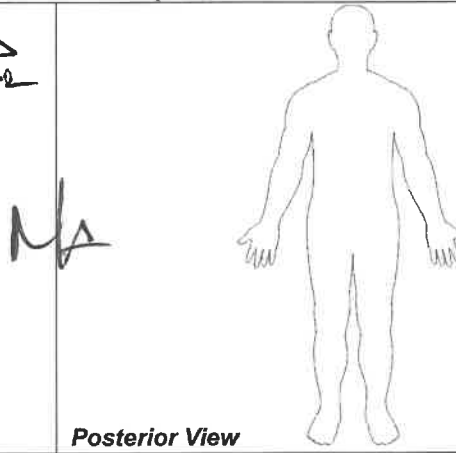
- ☐ Passive: ☒ Physical Control Take-down  
☒ Active: Pulled away ☐ Non-lethal Weapon  
☐ Aggressive: ☐ Deadly Force  
☐ Deadly Force:

SUBJECT

10. Last Name: McCormick 11. First: Kimberly 12. Race: W 13. Sex: F  
14. DOB: 09/11/72 15. Height: 5'02" 16. Weight: 120  
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



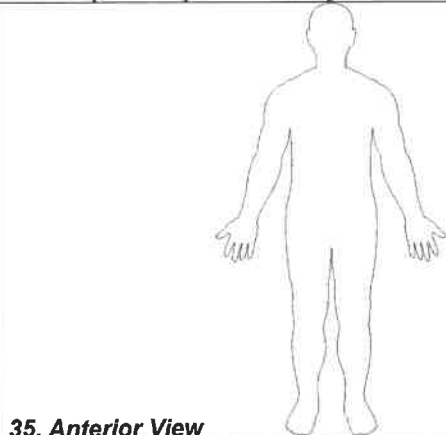
22. Anterior View



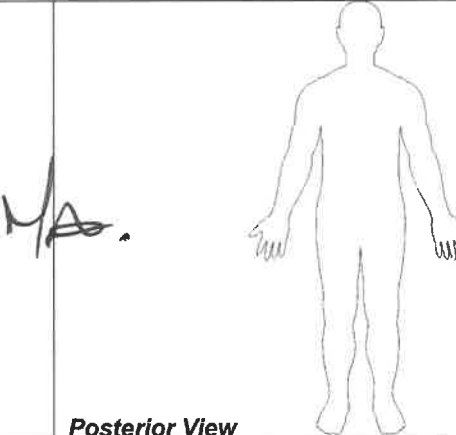
Posterior View

OFFICER

23. Officer: Scott Ham 24. Race: W 25. Sex: M 26. Age: 30 27. Height: 6'00" 28. Weight: 210  
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 15MO  
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: Take-down



35. Anterior View



Posterior View

# Response to Resistance Report (continued)

Key West Police Department

21-0019Error! Reference source not found.

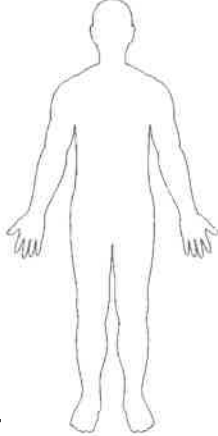
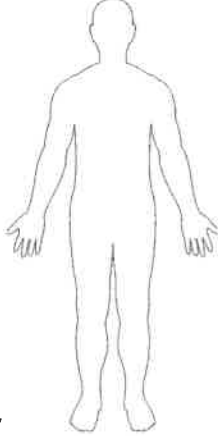
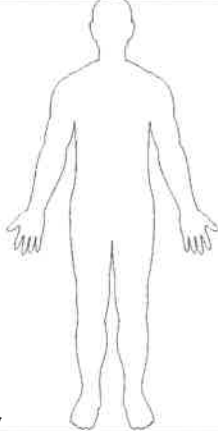
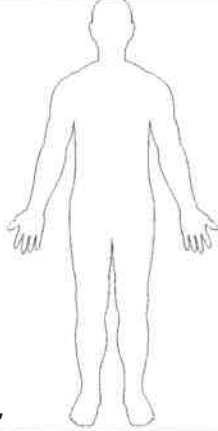
Case No:

TASER USE ONLY	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 # _____	
	Number of cycles: _____	Number of cycles: _____	
	Type of contact: <input 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 type="checkbox"/> Yes <input type="checkbox"/> No	Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Target distance at probe launch: _____	Target distance at probe launch: _____	
	Distance between probes: _____	Distance between probes: _____	
	Probes removed by (name): _____	Probes removed by (name): _____	
Device downloaded by: _____	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: 01/02/21		
	41. Time: 2230 Hrs		
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)		
	43. Did you watch all relevant videos associated with the use of force? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)		
	44. Did you meet with the Officer(s): <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)		
	45. During your review did you find any potential policy violations or training issues associated with the incident? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)		
	46. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)		
	Name	Address	Phone Number
INT. AFF.	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		
	48. Preparing Supervisor's Signature / ID	49. Date	
	50. 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	51. Signature of Internal Affairs Inspector	52. Date
53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:	

# Response to Resistance Report (continued)

Key West Police Department

Case No: 21.0019

<b>OFFICER</b>	<b>23. Officer:</b> Chase Purcell		<b>24. Race:</b> W	<b>25. Sex:</b> M	<b>26. Age:</b> 25	<b>27. Height:</b> 6.00	<b>28. Weight:</b> 235
	<b>29. Duty Status:</b> <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						<b>30. Yrs Exp:</b> 2.6Y
	<b>31. Injuries:</b> <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)						
	<b>32. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>33. Treated:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital						
	<b>34. Response option used by this officer:</b> Take-down						
							
	<b>35. Anterior View</b>		<b>Posterior View</b>				
<b>OFFICER</b>	<b>23. Officer:</b> Mathew Haley		<b>24. Race:</b> W	<b>25. Sex:</b> M	<b>26. Age:</b> 47	<b>27. Height:</b> 5'10"	<b>28. Weight:</b> 175
	<b>29. Duty Status:</b> <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						<b>30. Yrs Exp:</b> 15
	<b>31. Injuries:</b> <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)						
	<b>32. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>33. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital						
	<b>34. Response option used by this officer:</b> Take-down						
							
	<b>35. Anterior View</b>		<b>Posterior View</b>				

Key West Police Department

OCA: 21000019

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

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *01/01/2021*Offense: *RESIST ARREST / ESCAPE*Investigator: *HALEY, MATTHEW W (2807)*Date / Time: *01/03/2021 00:47:29, Sunday*Supervisor: *RODRIGUEZ, PABLO D (2298)*Supervisor Review Date / Time: *01/03/2021 18:59:45, Sunday*

Contact:

Reference: *General Supplemental Report*

On 01/01/2020, at approximately 2230 hours, I (Lieutenant Matthew Haley) was working the Duval Street area for the curfew enforcement. I was in my Key West Police Vehicle utilizing the public address system to inform patrons in the area that the curfew was now in effect and to leave.

I proceed from the 400 block of Duval Street to the 500 Block of Duval Street, stopping my vehicle mid-block. Other officers who were on foot, encountered a problem with patrons who would not leave the area by the La Concha Hotel, 430 Duval Street. I exited my vehicle and went back to help assist.

When I arrived by the La Concha Hotel, 430 Duval Street, I observed several KWPD Officers in the process of detaining suspect(s) or suspect(s) had already been detained handcuffed lying on the ground. I helped escort a female suspect up, who was later identified as Ruth Ruffman. Ruffman was placed into KWPD Transport Van, while doing this, my BWC was knocked off.

I observed another female who was later identified as Kimberly McCormick, being non complaint with the officers and in violation of the curfew. I went up and grabbed the left wrist of Kimberly McCormick to place her in handcuffs. McCormick pushed away from me, knocking off my BWC. I along with Officer Purcell each grabbed McCormick by the arms (I had the left arm, Officer Purcell had the right arm) and escorted her to the ground. Once on the ground, Officer Purcell utilized "flexcuffs" to detain McCormick. McCormick was passed off to other officers at the scene as I looked for my BWC which got knocked off.

McCormick was in violation of Florida State Statute 252.50, Health Safety-Violation of Disaster Preparedness Emergency Management Act and violation of Florida State Statute 843.02 Resist Officer without Violence.

My BWC was on but did get knocked off. My BWC was uploaded into the Axon server.

Investigator Signature

Supervisor Signature

Key West Police Department

OCA: 21000019

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Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred: 01/01/2021

Offense: RESIST ARREST / ESCAPE

Investigator: PURCELL, CHASE (3967)

Date / Time: 01/03/2021 00:35:53, Sunday

Supervisor: RODRIGUEZ, PABLO D (2298)

Supervisor Review Date / Time: 01/03/2021 19:09:41, Sunday

Contact:

Reference: General Supplemental Report

On 1/1/2021 at approximately 2230 hours I, Officer Purcell, along with members of the mounted patrol, motors, and several other officers on foot and in vehicles began to patrol Duval St in reference to City of Key West curfew emergency directive 2020-20.

We began the patrol at the intersection of Front St and Duval St. We traveled south on Duval St informing all individuals on the street and sidewalk that the curfew was in effect and they must leave. While on the 400 block of Duval St I observed a group of males and females acting irate toward Sgt P. Rodriguez. Several Officers on foot broke off to assist Sgt. P Rodriguez the with irate individuals. I continued further down Duval St with Sgt Vazquez. I began to hear a disturbance and yelling from the group that had broken off to assist Sgt. P Rodriguez. I could not see what was happening to cause the disturbance. Sgt Vazquez and I ran back to assist. I observed several Officers on the ground placing someone in handcuffs. A white male and female were standing extremely close to the officers yelling and acting irate. I directed the male and female away from the officers and instructed them they must leave the curfew was in effect. The male and female continued to scream at me but walked away. I returned to the corner of Fleming St and Duval St. I observed a white female (later identified as Kimberly Mc Cormick) yelling from the sidewalk in front of 430 Duval St. Kimberly was violating the city curfew and did not appear to be making any attempt to vacate the area. I observed Lt Haley moving to place Kimberly in custody. I began to move towards Kimberly and my Axon BWC was knocked off my vest before I could activate it. I observed Lt Haley Grabbing Kimberly's left arm. Kimberly pushed away from Lt Haley, turned towards him, and balled her right hand into a fist. I took control of Kimberly's Right arm. Lt Haley and I performed a two-man straight arm takedown to put Kimberly in a prone position on the ground. Officer Ham assisted me while I placed flex cuffs on Kimberly. I stood Kimberly up and escorted her to the transport van. Kimberly complained the flex cuffs were too tight on her wrists. Before placing Kimberly in the transport van, I utilized Flex cuff cutters to remove Kimberly's flex cuffs. I removed Kimberly's purse from her person and placed her in a new set of flex cuffs. I observed no signs of injuries on Kimberly's wrists. Captain Torres supervised me as I verified Kimberly's flex cuffs were not over tightened.

Investigator Signature

Supervisor Signature



Key West Police Department

OCA: 21000019

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Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *01/01/2021*Offense: *RESIST ARREST / ESCAPE*Investigator: *HAM, RANDOLPH (4009)*Date / Time: *01/03/2021 01:37:37, Sunday*Supervisor: *RODRIGUEZ, PABLO D (2298)*Supervisor Review Date / Time: *01/03/2021 19:01:59, Sunday*

Contact:

Reference: *General Supplemental Report*

On January 1, 2021 at approximately 2230, I, Ofc. S. Ham along with members of mounted patrol, motors, several other officers on foot and vehicles began to patrol Duval St., in reference to City of Key West Curfew Emergency Directive 2020-20.

While approaching the intersection of Fleming and Duval Street we came in contact with a group of males and females. The group was on the sidewalk heading North on Duval Street.

I saw Ofc. K. Waite arguing with the group telling them they needed to go home. I saw Ofc. Waite attempt to detain one of the females and she began pulling away. One of the males, later identified as Alan Michael Castillo, tried to get between Ofc. Waite and the female. Ofc. L. Hernandez and I refocused our attention to A. Castillo in order to gain control of him. Ofc. Hernandez grabbed A. Castillo by his left arm, and I grabbed him by his right arm. A. Castillo attempted to pull away from Ofc. Hernandez and I. Ofc. Hernandez and I redirected A. Castillo to the ground. I assisted Ofc. Hernandez handcuff A. Castillo.

I looked back and saw Ofc. D. Agleev on the ground with another female, later identified as Danielle Shulmann. I approached Ofc. Agleev and assisted him in placing Danielle Shulmann in handcuffs.

After assisting Ofc. Agleev, I saw Sgt. Kouri, Ofc. N. Howell and Ofc. C. Bozzetti attempting to control another male on the ground, later identified as Daniel Shulmann. I saw Daniel Shulmann's legs going in the air as if he was attempting to kick Ofc. Howell. I grabbed Daniel Shulmann's left leg and controlled it to keep him from kicking any officers. I handcuffed Daniel Shulmann and escorted him to the transport van.

While standing by behind the transport van another male, later identified as Jordan Ruffman approached from the East side of Duval St. Ruffman was told the curfew is in affect he must leave and walked towards us. Sgt. Kouri took control of Ruffman and redirected him to Ofc. Agleev. I grabbed Ruffman by his left arm and assisted in redirecting Ruffman to the ground. I assisted in handcuffing Ruffman.

I observed a female, later identified as Kimberly Mc Cormick, yelling from the sidewalk in front of 430 Duval St. I observed Lt. Haley grab Mc Cormick's left arm and Ofc. Purcell grab the right arm. I observed Ofc. Purcell and Lt. Haley redirect Mc Cormick to the ground. I assisted Ofc. Purcell as he placed Mc Cormick in flex cuffs.

After our foot patrol was completed, I followed Sgt. P. Rodriguez to Lower Keys Medical Center with Mc Cormick on board. I waited at the LKMC with Mc Cormick until she was cleared, and I transported her to Monroe County Detention Center without incident.

Investigator Signature

Supervisor Signature

**CASE SUPPLEMENTAL REPORT**

Printed: 01/25/2021 13:05

*Key West Police Department*OCA: **21000019**

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**Case Status:** *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:** *01/01/2021***Offense:** *RESIST ARREST / ESCAPE***Investigator:** *HAM, RANDOLPH (4009)***Date / Time:** *01/03/2021 01:37:37, Sunday***Supervisor:** *RODRIGUEZ, PABLO D (2298)***Supervisor Review Date / Time:** *01/03/2021 19:01:59, Sunday***Contact:****Reference:** *General Supplemental Report*

Due to the suddenness of this incident I was unable to activate my Axon BWC.

Investigator Signature

Supervisor Signature

Key West Police Department

OCA: 21000019

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Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred: 01/01/2021

Offense: RESIST ARREST / ESCAPE

Investigator: DEAN, JEFFREY (3386)

Date / Time: 01/05/2021 15:55:13, Tuesday

Supervisor: RODRIGUEZ, PABLO D (2298)

Supervisor Review Date / Time: 01/05/2021 17:10:57, Tuesday

Contact:

Reference: General Supplemental Report

On January 1, 2020, at approximately 2230 hours, the Key West Police Department alongside the City of Key West Code Compliance Department and the City of Key West Public Works Department began clearing Duval Street of all pedestrians in response to Emergency Directive 2020-20.1 which stated that "Beginning on Thursday, December 31, 2020, at 10:00 p.m. and ending Sunday, January 3, 2021, at 6:00 a.m., a curfew will be in effect city-wide, from 10:00 p.m. each evening through 6:00 a.m. the next morning." As the police department was clearing Duval Street all pedestrians were informed that a curfew was in effect and asked to return to their residence or hotel. At the 400 block of Duval Street Key West Police Department encountered a group of eight people who remained in the downtown area despite being told multiple times by officers that they must to return to his residence or hotel and despite being given multiple opportunities to leave the area.

At the time the officers encountered resistance on the 400 block of Duval St, I (Sergeant Jeffrey Dean) was riding in the passenger seat of a marked patrol vehicle, which had just made its way through the intersection of Fleming and Duval. Up until that time, my primary role had been making the repeated announcements of, "The curfew is in effect. You must leave.". Upon hearing the disturbance, I exited the patrol vehicle (the driver, Lieutenant J. Castillo, stayed behind with the vehicle) and ran towards the disturbance.

As I approached the disturbance, I observed officers arresting a subject on the east side of the street near the sidewalk. I also observed a large male and a female approaching the officers as they were trying to effect the arrest. I, along with several other officers, ordered the male and female to leave the area. The two subjects were argumentative but complied. The other officers and I escorted the two subjects a safe distance away and I returned to the disturbance.

Upon returning, I observed Lieutenant M. Haley and Officer C. Purcell effecting an arrest of a female, later identified as Kimberley McCormick, on west side of the sidewalk. I saw McCormick offer resistance to Lieutenant Haley and Officer Purcell by bracing against them and attempting to pull her arms away. Lieutenant Haley and Officer Purcell were able to quickly overcome McCormick's resistance and performed a take down.

At that time, all resisting subjects appeared to be secured. I returned to Lieutenant Castillo's patrol vehicle and continued to make announcements as the curfew was enforced.

My BWC was active at the time of the incident.

I had no further involvement at that time.

Investigator Signature

Supervisor Signature