

# Response to Resistance Report

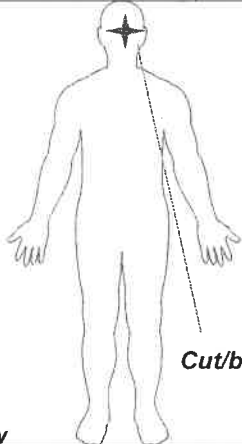
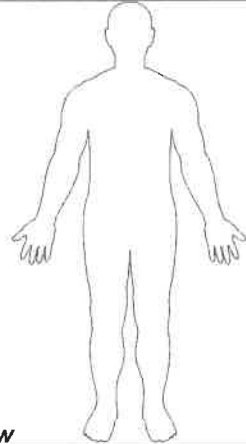
Key West Police Department

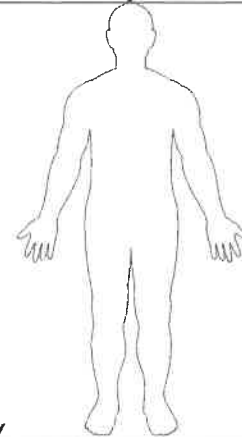
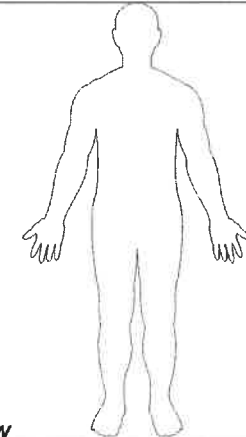
Case No: 21.1590

## 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)

<b>INCIDENT</b>	<b>2. Date:</b> 3.24.21	<b>3. Time:</b> 0127	<b>4. Location:</b> 421 Angela Street	<b>5. Incident type:</b> Resist w/ Viol.
	<b>6. Resistance Level</b>	<b>7. Explanation</b>	<b>8. Response Option</b>	<b>9. Explanation</b>
	<input checked="" type="checkbox"/> Passive:	Refusing to leave	<input checked="" type="checkbox"/> Physical Control	Take down
	<input checked="" type="checkbox"/> Active:	Tensing, pulling away, bracing	<input type="checkbox"/> Non-lethal Weapon	
	<input checked="" type="checkbox"/> Aggressive:	Grabbing officer, attempting to strike	<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

<b>SUBJECT</b>	<b>10. Last Name:</b> Maher	<b>11. First:</b> Mary	<b>12. Race:</b> W	<b>13. Sex:</b> F
	<b>14. DOB:</b> 07.04.1980	<b>15. Height:</b> 5'09"	<b>16. Weight:</b> 140	
	<b>17. Did you observe the subject:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
	<b>18. Appeared to be:</b> <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed			
	<b>19. Injuries:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22 )			
	<b>20. Photographed:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>21. Treated:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>By:</b> <input checked="" type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention			
				
	<b>22. Anterior View</b>		<b>Posterior View</b>	

<b>OFFICER</b>	<b>23. Officer:</b> Jorge Lopez	<b>24. Race:</b> H	<b>25. Sex:</b> M	<b>26. Age:</b> 26	<b>27. Height:</b> 5'05"	<b>28. Weight:</b> 165
	<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 clothes <b>30. Yrs Exp:</b> 1.5					
	<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> (If TASER®, also reference line number from TASER® section)					
						
<b>35. Anterior View</b>		<b>Posterior View</b>				

# Response to Resistance Report (continued)

Key West Police Department

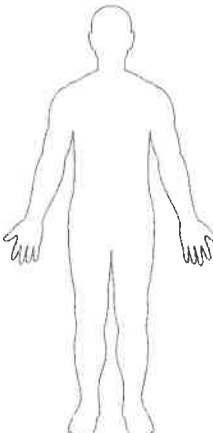
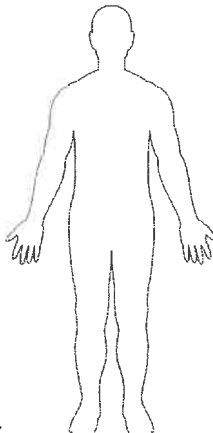
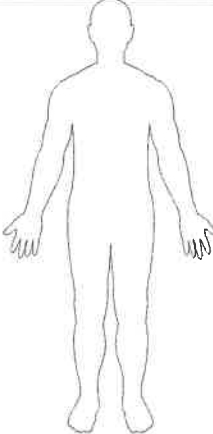
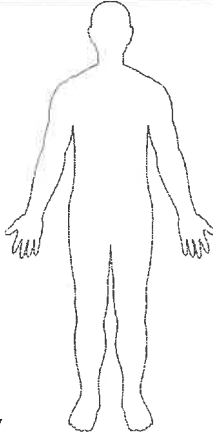
Case No: 21.1590 **Error! Reference source not found.**

TASER USE ONLY	<b>36. TASER® device serial #</b>		<b>37. TASER® device serial #</b>	
	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"/> <b>38. Check and list any additional TASER® devices, cartridges or details in the incident description section.</b>			
REPORT	<b>39. Offense/Incident Report and/or Warrant Affidavit must include:</b> <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.			
	<b>40. Notified Date:</b> 3.24.21		<b>41. Time:</b> 0128	
	<b>42. Did you respond to the scene:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	<b>43. Did you watch all relevant videos associated with the use of force?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	<b>44. Did you meet with the Officer(s):</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	<b>45. During your review did you find any potential policy violations or training issues associated with the incident?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
SUPERVISOR'S INQUIRY	<b>46. Were you able to locate any independent witnesses:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
	Name		Address	
	Steven Dale McDaniel		1418 Johnson Street, Key West, FL 33040	
	Benjamin Thomas Kester		4542 Elvanhoe Street, Gilbert, AZ 85295	
	Raymond Lawrence Gruhn		1907 Gatewood Drive, Gurnee, IL 60031	
INT. AFF.	<b>47. Is further review recommended:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS</b>		<b>48. Preparing Supervisor's Signature / ID</b> <i>A. RODRIGUEZ 3465</i>	
	<b>50. Did the review of this incident conclude that use of force was in compliance with Departmental policy?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If "No", complete section 51)		<b>49. Date</b> 3.24.21	
	<b>51. Signature of Internal Affairs Inspector</b> <i>JMR 3384</i>		<b>52. Date</b> 3/24/21	
	<b>53. If section 48 is "No" record the Professional Standards Control Number:</b>		<b>54. Date Entered:</b>	

# **Response to Resistance Report (continued)**

Key West Police Department

Case No: 21.1590 **Error! Reference source not found.**

<b>OFFICER</b>	<b>23. Officer:</b> Joelle Deese <b>24. Race:</b> W <b>25. Sex:</b> M <b>26. Age:</b> 25 <b>27. Height:</b> 5'07" <b>28. Weight:</b> 140							
	<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> 1.5
	<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> (If TASER®, also reference line number from TASER® section)							
								
	35. Anterior View				Posterior View			
<b>OFFICER</b>	<b>23. Officer:</b> <b>24. Race:</b> <b>25. Sex:</b> <b>26. Age:</b> <b>27. Height:</b> <b>28. Weight:</b>							
	<b>29. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain							<b>30. Yrs Exp:</b>
	<b>31. Injuries:</b> <input 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 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> (If TASER®, also reference line number from TASER® section)							
								
	35. Anterior View				Posterior View			

## INCIDENT DATA

#3	Crime Incident
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( )	Weapon / Tools	
	Entry	Exit

	Activity
Security	

MO

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

OTHERS INVOLVED

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)										
Type:			Injury:							
Code	Name (Last, First, Middle)		Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
Home Address							Home Phone			
Employer Name/Address					Business Phone			Mobile Phone		

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)										
Type:			Injury:							
Code	Name (Last, First, Middle)		Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
Home Address							Home Phone			
Employer Name/Address					Business Phone			Mobile Phone		

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[illegible]

Officer/ID#	MAYORGA LOPEZ, JORGE (3722)		
Invest ID#	(0)	Supervisor	(0)
Complainant Signature	Case Status Cleared By Arrest 03/24/2021	Case Disposition: Cleared By Arrest 03/24/2021	Page 1

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-001590

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  
 RODRIGUEZ, A. (3465), DEESE, J. (3946)

Suspect Hate / Bias Motivated:

NARRATIVE

# REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>Society</i>	Offense <i>RESIST ARREST / ESCAPE</i>	OCA <i>21-001590</i> Date / Time Reported <i>Wed 03/24/2021 01:17</i>
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On March 24, 2021 at 0117 hours, Ofc. Deese and I, Ofc. Lopez were dispatched to 421 Angela Street Apartment B. The caller told Key West Dispatch a female was banging and screaming on the door. A second caller reported a female banging on a door.

Upon arrival, I observed a female standing on the front porch of the house. The female was later identified with her Florida driver's license as Mary Maher, (dob:07/04/1980). I asked Mary what block we were on and she said, "Olivia". I informed Mary we were on Angela Street. I told Mary to step outside on the sidewalk to help her get home safe. Mary told me she was staying on this property. I repeated one more time this is not the house where she is staying. I told Mary I was going to help figure out where exactly she was staying. Mary walked up the front door of the house and tried to open it. The door was locked and then she proceeded to sit down on one of the chairs on the front porch. I told Mary again to step outside on the sidewalk to assist her get home.

Ofc. Deese and I walked up to Mary and I grabbed Mary's left arm. Ofc. Deese attempted to get Mary's right arm and Mary pulled away from Ofc. Deese. Mary grabbed Ofc. Deese's left hand and Ofc. Deese pulled her left hand away. Ofc. Deese told Mary, "Do not grab me". Mary began to get agitated and refused to get up. Ofc. Deese was able to gain control of Mary's right arm. Ofc. Deese and I were escorting Mary out of the property and Mary was tensing up her right arm. Ofc. Deese and I continued walking Mary towards the front gate of the property. As we approached the front gate Mary pulled her left arm away from Ofc. Deese.

Mary then used her left arm and attempted to lift it over and behind Ofc. Deese's head. Mary was able to hook her left arm behind Ofc. Deese's neck very briefly while Ofc. Deese was opening the gate. Mary used her left hand and pushed Ofc. Deese's breast/left shoulder area in a violent manner. Mary attempted to grab the fence post as we were walking through the gate. The female continued to try and pull away from our grasp by pulling her arms and moving her body back and forth. Ofc. Deese and I escorted Mary to the ground by grabbing her arms and pulling her to the ground. Mary landed her front body to the curb area. I was grabbing Mary's right hand and Mary was moving her right elbow front to back multiple times. I was placing handcuffs on Mary and she was still pulling both hands away. I instructed Mary to stop pulling away several times. I was able to place handcuffs on Mary and I assisted to her sitting up.

Mary was highly intoxicated. I smelled a strong odor of an alcoholic beverage emanating from her body.

I radioed Key West Dispatch requesting Key West Rescue on scene. I requested Sgt. A. Rodriguez on scene reference the injuries on Mary.

Key West Fire Rescue and Sgt. A. Rodriguez arrived on scene shortly after. Mary was medical cleared by Key West Fire Rescue.

I placed Mary in the rear passenger side of my patrol vehicle. I transported Mary to the Monroe County Detention Center. My in-car Coban has a malfunction and my body worn camera was activated during the entire incident. (3722).

I instructed Mary to step out of my patrol vehicle several times and Mary said she was not getting out of my vehicle. I explained to Mary failure to follow my instructions she could possibly be charged with more charges against her. Mary finally stepped outside of my patrol vehicle and I walked Mary to the booking area inside the Jail.

**REPORTING OFFICER NARRATIVE***Key West Police Department*

Victim <i>Society</i>	Offense <i>RESIST ARREST / ESCAPE</i>	OCA <i>21-001590</i>
		Date / Time Reported <i>Wed 03/24/2021 01:17</i>

This was captured with my body worn camera, 3722.

Based on the facts and evidence, Mary Maher knowingly and willfully resist and oppose to follow my verbal commands. Mary conducted herself in a hostile manner towards Ofc. Deese and I. Ofc. Deese and I instructed Mary to step outside of the property several times and Mary did not comply. Mary then used her left arm and attempted to lift it over and behind Ofc. Deese's head. Mary was able to hook her left arm behind Ofc. Deese's neck very briefly. Mary used her left hand and pushed Ofc. Deese's breast/left shoulder area in a violent manner. Ofc. Deese and I instructed Mary to stop pulling her arms away several times and Mary did not comply. Ofc. Deese and I were wearing our class B uniforms and we were recognizable as Key West Police Officers. Ofc. Deese and I had the Key West Police insignia embroidered on each side of our sleeves. Contrary to F.S.S. 843.01.

# Incident Report Suspect List

Key West Police Department

OCA: 21-001590

1	Name (Last, First, Middle) <i>MAHER, MARY VERONICA</i>						Also Known As				Home Address <i>1060 SW 32ND ST FORT LAUDERDALE, FL 33315 954-644-3088</i>																																									
	Business Address <i>NONE, NONE</i>																																																			
	DOB <i>07/04/1980</i>	Age <i>40</i>	Race <i>W</i>	Sex <i>F</i>	Eth <i>U</i>	Hgt <i>509</i>	Wgt <i>180</i>	Hair <i>BRO</i>	Eye <i>BRO</i>	Skin <i>FAR</i>	Driver's License / State. <i>M600598807440 FL</i>																																									
	Scars, Marks, Tattoos, or other distinguishing features																																																			
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td colspan="2">SSN</td> </tr> <tr> <td colspan="2">Weapon, Type</td> <td colspan="2">Feature</td> <td colspan="2">Make</td> <td colspan="2">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td colspan="2">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="4">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="2">VIN</td> </tr> </table>														<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN		Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel Mode of Travel		VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN	
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VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN																																									
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OCA: 21001590

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

Investigator: DEESE, JOELLE (3946)

Date / Time: 03/24/2021 02:58:32, Wednesday

Supervisor: RODRIGUEZ, ALEXANDER (3465) Supervisor Review Date / Time: 03/24/2021 02:59:36, Wednesday

Contact:

Reference: General Supplemental Report

On March 24th, 2021, at approximately 0117 hours, I (Officer Deese) was dispatched to 421 Angela Street in reference to a white female "banging" on the door of the aforementioned property.

Upon arrival, I witnessed a white, female with blonde hair standing on the front porch of the house by the front door. There were two white males standing on the top floor balcony of the property. I asked them if they were the callers, to which they responded, yes. I asked them if they knew the woman downstairs, to which they replied, no.

At this time, Ofc. Lopez and I asked the female what was going on and if she knew where she was staying. Her response was "here". Ofc. Lopez asked the female if she knew what block of the street she was on. She stated "Olivia". I informed the female that she was not on Olivia Street. Both Ofc. Lopez and I asked the female to leave the property. Ofc. Lopez told her we would help her locate where she was staying. Ofc. Lopez informed her again that we were on Angela Street, not Olivia Street. The female continued to state that she was staying at the property. At this time, she walked over to the front door and attempted to use the keypad to make entry.

At this time, the female sat in one of the plastic Adirondack chairs there were located on the front porch. She began to dig through her purse. Ofc. Lopez informed her again that she was on private property and she needed to leave. At this time, I entered the front gate of the property and walked up on to the front porch. Ofc. Lopez and I approached her from each side and told her again to get up out of the chair and leave. The female began to get agitated, clapped her hands in front of her face a few times, and refused to get up. I went to grab her left bicep to assist her out of the plastic chair. The female began waving her arms in attempt to evade my grasp. The female used her right hand to slap my hand away from her bicep. At this time, I grabbed her right wrist with my left hand and used my right hand to grab her bicep. The female grabbed my left hand and pulled it off of her wrist. I told the female "do not grab me". Ofc. Lopez was able to physically lift the female out of the plastic chair and he began to walk her to the stairs. The female was able to break free from my grasp. She used her left arm to wrap around one of the columns on the porch. I had to physically grab her by the fingers and peel her hand off of the column to get her to release it. The female began to use her body weight to lean backwards against Ofc. Lopez and I and refused to move forward off of the porch. The female also tensed up and refused to move. I had control of the females left bicep and left forearm at this time and Ofc. Lopez had control of her right arm. Ofc. Lopez and I had to physically push the female off of the porch and toward the fence. Once we were at the fence, I used my left hand to open the fence for us to exit. I still had my right hand on the female's bicep. The female then used her left arm and attempted to lift it over and behind my head. The female was able to hook her left arm behind my neck very briefly after I had released her forearm while opening the fence. At this time, I told the female not to grab me and took back control of her left arm. The female attempted to grab the fence post with her left arm as we were walking through the gate. The female continued to try and pull away from our grasp by pulling her arms and moving her body back and forth.

Investigator Signature: \_\_\_\_\_

OCA: 21001590

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

Investigator: DEESE, JOELLE (3946)

Date / Time: 03/24/2021 02:58:32, Wednesday

Supervisor: RODRIGUEZ, ALEXANDER (3465) Supervisor Review Date / Time: 03/24/2021 02:59:36, Wednesday

Contact:

Reference: General Supplemental Report

At this time, Ofc. Lopez and I physically forced the female to the ground, face down while maintaining control of both arms. The female and I both fell to the ground at the time of the take down. I was able to get my right foot loose from under her body and assisted Ofc. Lopez in handcuffing her. The female was laying on her left side and would not pull her hands behind her back. Ofc. Lopez was able to get one handcuff on her right wrist, but she would still not bring her left hand behind her back. I had to physically pry her left arm out from under her and pull it behind her back. The female continued to attempt to pull her arms away from Ofc. Lopez and I. Ofc. Lopez attempted to get her left wrist handcuffed. The female continued to pull her right arm away, which pulled the handcuffs far enough away from her left wrist where we could not get it cuffed. We had to physically pull both arms together and lock them in a position for us to safely handcuff her.

Ofc. Lopez was able to sit the female up, so she was no longer laying on her side. At this time, she was bleeding from the left side of her face, underneath her eye and her eyebrow. Ofc. Lopez requested an ambulance and rescue personnel to our location to evaluate her. Ofc. Lopez also requested Sgt. A. Rodriguez to respond to our location.

The female was identified by her Florida Driver's License as Mary Veronica Maher, DOB 07/04/1980.

Key West Rescue personnel was able to evaluate her and treat her injuries. Ofc. Lopez transported Maher to the Monroe County Detention Center.

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

Investigator Signature: \_\_\_\_\_