

Response to Resistance Report

Key West Police Department

Case No: 21-2337

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: 05.03.21 **3. Time:** 2025 **4. Location:** Duval/Fleming St **5. Incident type:** Resist w/ viol/ Batt LEO

INCIDENT	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input type="checkbox"/> Passive: <input checked="" type="checkbox"/> Active: <input checked="" type="checkbox"/> Aggressive: <input type="checkbox"/> Deadly Force:	Interference with arrest Punched officer	<input checked="" type="checkbox"/> Physical Control <input type="checkbox"/> Non-lethal Weapon <input type="checkbox"/> Deadly Force	Take down

10. Last Name: Quiroga **11. First:** Nicole **12. Race:** W **13. Sex:** F

14. DOB: 12/07/1971 **15. Height:** 5'02" **16. Weight:** 155

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

SUBJECT	22. Anterior View	Posterior View

23. Officer: Tony Ane **24. Race:** W **25. Sex:** M **26. Age:** 30 **27. Height:** 5'10" **28. Weight:** 205

29. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain clothes **30. Yrs Exp:** 9

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) Leg Sweep

OFFICER	35. Anterior View	Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 21-2337 **Error! Reference source not found.**

TASER USE ONLY	36. TASER® device serial # N/A		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: 05.03.2021		41. Time: 2027		
	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
47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		48. Preparing Supervisor's Signature / ID <u>A. Rodriguez 3465</u>		49. Date 05.03.2021	
50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input 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:		

INCIDENT/INVESTIGATION REPORT

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Agency Name <i>Key West Police Department</i>			INCIDENT/INVESTIGATION REPORT			Case# <i>21-002337</i>					
ORI <i>FL0440100</i>						Date / Time Reported <i>05/03/21 23:01 Mon</i>					
Location of Incident <i>505 DUVAL ST, Key West FL 33040</i>						Gang Relat		Premise Type <i>Highway / Street /</i>		Beat/GP <i>B1, GPB1</i>	
						Last Known Secure <i>05/03/21 20:00 Mon</i>			At Found <i>05/03/21 23:01 Mon</i>		
#1	Crime Incident(s) <i>Battery Felony BFE</i>		(Com)	Weapon / Tools <i>HANDS, FIST, FEET</i>		Activity					
				Entry	Exit	Security					
#2	Crime Incident <i>Resist Arrest / Escape XOM</i>		(Com)	Weapon / Tools		Activity					
				Entry	Exit	Security					
#3	Crime Incident		()	Weapon / Tools		Activity					
				Entry	Exit	Security					

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# of Victims	<i>2</i>		Type:	<i>LAW ENFORCEMENT (LEO)</i>			Injury:	<i>Other Major Injuries</i>			Domestic:	<i>N</i>					
V1	Victim/Business Name (Last, First, Middle) <i>ANE, ANTONIO</i>				Victim of Crime #	<i>1,</i>	DOB	<i>06/27/90</i>	Race	<i>A</i>	Sex	<i>M</i>	Relationship To Offender	<i>ST</i>	Resident Status	<i>Resident</i>	Military Branch/Status
Home Address <i>1604 N ROOSEVELT BLVD, Key West, FL 33040-</i>													Home Phone <i>305-809-1000</i>				
Employer Name/Address <i>KEY WEST POLICE DEPARTMENT 1604 N. ROOSEVELT BLVD (POLICE</i>											Business Phone		Mobile Phone				
VYR	Make	Model	Style	Color	Lic/Lis	VIN											

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CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type: <i>SOCIETY/PUBLIC/STATE</i>													Injury:				
V2	Name (Last, First, Middle) <i>SOCIETY</i>				Victim of Crime #	<i>2,</i>	DOB	<i>//</i>	Race		Sex		Relationship To Offender	<i>N/A</i>	Resident Status	<i>N/A</i>	Military Branch/Status
Home Address													Home Phone				
Employer Name/Address											Business Phone		Mobile Phone				
Type:													Injury:				
	Name (Last, First, Middle)				Victim of Crime #		DOB		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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L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found
("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
	<i>35</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>AXON 3418</i>		

Officer/ID#	<i>ANE, ANTONIO A (3418)</i>		Supervisor	<i>RODRIGUEZ, ALEXANDER (3465)</i>	
Invest ID#	<i>(0)</i>		Case Status <i>Cleared By Arrest</i>		<i>05/03/21</i>
Status	Complainant Signature		Case Disposition: <i>Cleared By Arrest</i>		<i>05/03/21</i>



INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-002337

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S						

Assisting Officers
AGLEEV, D. (4007), RODRIGUEZ, A. (3465), DANTU, N. (3835)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 21-002337
Date / Time Reported Mon 05/03/21 23:01

Victim
ANE, ANTONIO

Offense
BATTERY FELONY



On Monday, May 3, 2021, at approximately 2000 hours, I, Ofc. Ane, responded to 505 Duval Street to assist Ofc. N. Dantu and Ofc. D. Agleev with a large fight.

Upon arrival, I began to collect video footage and witness statements from several bystanders who watched the aforementioned fight. My involvement in that investigation will be documented in a separate supplemental report for KWPD Case Number 21-2336.

During the course of our investigation, we developed probable cause to arrest one of the males involved in the fight, James Brown. I looked over to where Brown was standing and saw him walking away from the scene. Brown was standing in front of Kilwins, 505 Duval Street, then turned around and began to walk towards Fleming Street, with his wife Nicole Quiroga. Ofc. Dantu, Ofc. Agleev and I went over to Brown, who had just turned the corner onto Fleming Street and was walking northbound. Ofc. N. Dantu and Ofc. D. Agleev were ahead of me and as I turned the corner onto Fleming Street, I saw them struggling with Brown, attempting to place him in handcuffs. It was clear Brown was tensing his body as Officers N. Dantu and D. Agleev were placing their handcuffs on Brown.

I turned my back to Officers N. Dantu and D. Agleev, as Quiroga became confrontational towards them. She began to record them on her cell phone, while screaming and demanding they answer questions. She then attempted to place herself in their way, as they were trying to take Brown into custody. Ofc. N. Dantu, Ofc. D. Agleev and myself were all dressed in our department issued Class B uniforms, which clearly identify us as Law Enforcement Officers. I grabbed Quiroga's arm and told her to back up. Quiroga would ignore my commands and continue to try and approach Officers N. Dantu and D. Agleev. This would continue for another minute or so, until Officers N. Dantu and D. Agleev were able to walk Brown back to Ofc. N. Dantu's patrol vehicle.

As Ofc. N. Dantu and Ofc. D. Agleev were escorting Brown to their vehicle, I followed behind them. I was approximately 10-15ft behind them to help with any possible crowd control issues. As we were passing Kilwins, Quiroga attempted to sprint past me towards Ofc. N. Dantu and Ofc. D. Agleev, who had their backs to her.

When Quiroga was next me, I grabbed her arm and told her to stop. Her cell phone fell out of her hand and down to the ground. I looked down to see where her cell phone went, when she quickly pulled her arm out of my hand and punched the left side of my head. I believe she hit me with the bottom portion of her forearm, in a club like motion, as I heard her multiple bracelets rattling on my head.

With my right hand, I cupped the back of her neck and with my left hand, I grabbed behind her left tricep. This is maneuver is called a "Collar tie up" and would make it more difficult for her to strike me again, as I had more physical control of her upper body. I then performed a modified leg sweep, redirecting her to the ground. Quiroga immediately rolled her body with her face down. She then cradled both arms under her chest, in an attempt to prevent me from placing her in handcuffs. I placed my right knee on the left side of her lower back, approximately 1 to 2 inches above her left buttocks and 3 to 4 inches away from her spine to ensure she would likely be uninjured during this altercation. Given the placement of my knee, the pressure is applied to her hips and is unlikely to cause any undue harm or injury. I then cupped the inside of her left forearm and pried her arm out from underneath of her chest, in a lever type motion. I placed her left wrist in a handcuff, then held it pinned to her lower back. I told her numerous times to stop resisting and give me her other hand. She refused to comply and I had to pry her right arm away from her chest, before placing her right wrist in handcuffs.

Once restrained, I notified Sgt. A. Rodriguez and asked he respond to my location to document my response to

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 21-002337
Date / Time Reported Mon 05/03/21 23:01

Victim ANE, ANTONIO	Offense BATTERY FELONY	
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Quiroga`s resistance.

I placed Quiroga in my patrol vehicle and transported her to MCDC without incident.

This investigation was recorded via my department issued body worn camera, which I later uploaded to evidence.com.

Nicole Quiroga is being charged with one count of Battery on a Law Enforcement Officer, contrary to FSS. 784.07(2)(b) and one count of Resisting arrest with violence, contrary to FSS. 843.01.

Incident Report Suspect List

Key West Police Department

OCA: 21-002337

1	Name (Last, First, Middle) <i>QUIROGA, NICOLE SUZANNE</i>					Also Known As					Home Address <i>510 FLEMING ST KEY WEST, FL 33040</i>				
	Business Address <i>REFUSED</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.					
<i>12/07/71</i>	<i>49</i>	<i>W</i>	<i>F</i>	<i>N</i>	<i>502</i>	<i>155</i>	<i>BLN</i>	<i>BLU</i>	<i>LGT</i>	<i>Q620637719470 FL</i>					
Scars, Marks, Tattoos, or other distinguishing features															
Reported Suspect Detail															
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				
Notes										Physical Char					