Response to Resistance Report

Key West Police Department

Case No: 22-1804

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: 03/27/22 **3. Time:** 0316 **4. Location:** 129 Duval Street **5. Incident type:** Resisting w/ viol.

6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
☒ Passive:	Ignoring verbal commands	☒ Physical Control	Body drag takedown
☒ Active:	Tensing, pulling away	☐ Non-lethal Weapon	
☒ Aggressive:	Striking officer	☐ Deadly Force	
☐ Deadly Force:			

SUBJECT

10. Last Name: Poor **11. First:** Joshua **12. Race:** W **13. Sex:** M

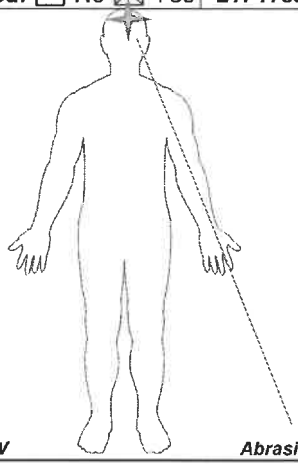
14. DOB: 01/26/1991 **15. Height:** 5'07" **16. Weight:** 220

17. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

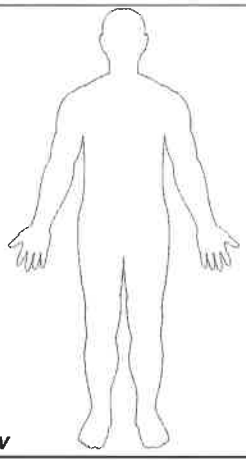
18. Appeared to be: ☒ Intoxicated ☐ Under the influence of controlled substance ☒ Emotionally / mentally disturbed

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 *Abrasions/lacerations*



Posterior View

OFFICER

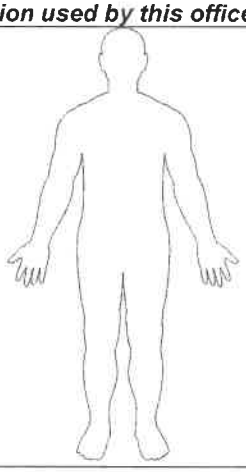
23. Officer: Denis Agleev **24. Race:** W **25. Sex:** M **26. Age:** 37 **27. Height:** 5'07" **28. Weight:** 170

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes **30. Yrs Exp:** 2.5

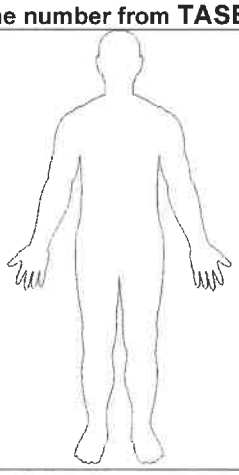
31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

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) *Mod. Leg sweep*



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1804

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: ☐ Probe ☐ CODS ☐ Drive Stun	Type of contact: ☐ Probe ☐ CODS ☐ Drive Stun
Did probes penetrate skin: ☐ Yes ☐ No	Did probes penetrate skin: ☐ Yes ☐ 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:

☐ ***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:

☒ All necessary criminal elements.
☒ All details of the arrest
☒ Details articulating the subject's words, mannerisms and actions that justify the use of force.
☒ Details outlining the response to resistance utilized by each officer.
☒ Detailed description of injury complaints and/or observed injuries
☒ Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.

SUPERVISOR' S INQUIRY

40. Notified Date: 03/27/22 ***41. Time:*** 0316

42. Did you respond to the scene: ☐ No ☒ Yes (If "No", explain why)

43. Did you watch all relevant videos associated with the use of force? ☐ No ☒ Yes (If "No", explain why)

44. Did you meet with the Officer(s): ☐ ***No*** ☒ ***Yes (If "No", explain why)***

45. During your review did you find any potential policy violations or training issues associated with the incident?

☒ No ☐ Yes (If "Yes," list below)

46. Were you able to locate any independent witnesses: ☐ No ☒ Yes (If "Yes," list below)

Name	Address	Phone Number
Joshua Blake	5537 College Road	

47. Is further review recommended: ☒ No ☐ Yes

FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS

230 — 48. Preparing Supervisor's Signature / ID

03/27/22 — 49. Date

INT. AFF.

50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? ☐ No ☐ 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: 22-1804

OFFICER

23. Officer: Jessie Torrecillas ***24. Race:*** W ***25. Sex:*** M ***26. Age:*** 42 ***27. Height*** 5'07" ***28. Weight*** 206

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain ***30. Yrs Exp:*** 5.5

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***

OFFICER

23. Officer: ***24. Race:*** ***25. Sex:*** ***26. Age:*** ***27. Height*** ***28. Weight***

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

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***

INCIDENT/INVESTIGATION REPORT

Agency Name	Key West Police Department
ORI	FL0440100
Case#	22-001804
Date / Time Reported	03/27/2022 03:03 Sun
Last Known Secure	03/27/2022 03:03 Sun
At Found	03/27/2022 03:03 Sun

INCIDENT DATA

Location of Incident	Gang Relat	Premise Type	Beat/GP
129 DUVAL ST, Key West FL 33040	NO	Highway / Street /	B1, GPB1

	Crime Incident(s)		Weapon / Tools	Activity
#1	Battery Felony BFE	(Com)	HANDS, FIST, FEET	
			Entry / Exit / Security	
#2	Obstruction Of Justice XOX	(Com)	Weapon / Tools	
			Entry / Exit / Security	
#3		( )	Weapon / Tools	
			Entry / Exit / Security	

MO

VICTIM

# of Victims 2 | Type: SOCIETY/PUBLIC/STATE | Injury: | Domestic: N

	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
V1	Society	2					N/A	

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: LAW ENFORCEMENT (LEO) | Injury: Lacerations

Code	Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
V2	AGLEEV, DENIS	1	11/21/1983 Age 38	W	M	ST	Resident	

Home Address: 1604 N. ROOSEVELT BLVD KEY WEST, FL 33040 | Home Phone: 305-809-1111

Employer Name/Address: KWPD, 1604 N ROOSEVELT BLVD (OFFICER) | Business Phone: 305-809-1000 | Mobile Phone

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

PROPERTY

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
	35	EVID	$0.00		2	BWC 4007	AXON/Bwc	
	35	EVID	$0.00		1	FLEET 4007	AXON/Fleet	

Officer/ID# AGLEEV, DENIS (4007)

Invest ID# (0) | Supervisor SIMS, FRED CARTER (2301)

Status

Complainant Signature | Case Status: Cleared By Arrest 03/27/2022 | Case Disposition: Cleared By Arrest 03/27/2022 | Page 1

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # *22-001804*

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
DRUGS						

Assisting Officers

TORRECILLAS, J. (3759), WAITE, K.J. (3646), PEREZ, R. (4010)

Suspect Hate / Bias Motivated:

NARRATIVE

-- Poor Joshua Aaron Arrest Narrative:
On March 27, 2022, at approximately 0300 hours I, Officer Agleev, was flagged down on Duval Street, reference a passed-out person in front of 129 Duval Street.

Upon arrival to the above-mentioned address, I observed a white male, later identified as Joshua Poor (Arrestee), passed out partially blocking the sidewalk in front of a business store. Poor had a backpack under his head, and deep asleep.

I asked Poor to sit up and speak with me. I advised Poor, it was a city ordinance violation to sleep on a sidewalk, and block pedestrian traffic. I asked Poor to sit up and provide me with his ID. I offered Poor my hand to help him sit up. Poor grabbed my hand but refused to sit up. Poor continuously refused to identify himself. I ordered Poor to place the hands behind the back and grabbed his arm. Poor strongly pulled away and attempted to kick me. I got on my radio and requested a back-up unit. Poor stood up and told me to get away from him. I displayed my TASER device and advised Poor he could get tased for aggressive resisting. I ordered Poor to sit down. I holstered my TASER and advised Dispatch about TASER display.

While I was talking on my radio, Poor raised his hands, clutched his fists, and started approaching me, while yelling profanities. I made two steps back and stopped. Poor stepped towards me, grabbed my arms, and pushed me. Poor attempted to swing at me. I raised my both arms protecting myself from Poor`s advances. I grabbed Poor with both arms, pulled him towards me, and redirected him to the ground. Officer Torrecillas, Officer R. Perez, and a security guard from Rick`s Bar (see Officer Torrecillas` supplemental report) assisted me with handcuffing Poor. While on the ground Poor continued pulling away and rotating his body.

I handcuffed Poor behind his back, Officer Waite placed hobble device on Poor`s legs. I placed Poor into my patrol vehicle. Poor`s California and Texas State IDs were recovered from his backpack during the search, incident to arrest.

Sergeants Sims and Conaty responded to the scene and talked to Poor, reference a Respond to Resistance Incident. Poor did not need any medical attention.

I transported Poor to the Monroe County Detention Center. MCDC deputies advised, Poor had previous arrests from 4 different states. The charges included grand theft and aggravated assault.

Based on the facts and evidence I believe there is probable cause that Joshua Poor on 03/27/2022 did violate F.S.S. 784.07(2)(b), when he knowingly and intentionally kicked me, grabbed my arms, and pushed me, while I was in the lawful execution of my legal duty.

Based on the facts and evidence I believe there is probable cause that Joshua Poor on 03/27/2022 did knowingly and intentionally grabbed my arms and pushed me, Officer Agleev, while I was in the lawful execution of my legal duty. Poor violate F.S.S. 843.01, Resisting an Officer with Violence.

Based on facts and evidence I believe there is probable cause, that Joshua Poor on 03/27/2022 did violate F.S.S. 843.02, Resisting an Officer without Violence by:
1. resisting me by twisting his body and pulling away his arms, while attempting to break my efforts to handcuff

him;

2. refusing to identify himself to me while I was in the lawful execution of my legal duty.

During the encounter I was in KWPD class B uniform, easily identified as a police officer. The incident took place in front of my KWPD marked police vehicle.

My BWC and Fleet-In-Car were activated and uploaded to Axon Evidence.

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Incident Report Suspect List

Key West Police Department

OCA: *22-001804*

1	Name (Last, First, Middle)	Also Known As	Home Address
	AARON, POOR JOSHUA		*1 GENERAL DELIVERY KEY WEST, FL 33040*
	Business Address *NONE*		

DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.
01/26/1991	*31*	*W*	*M*	*N*	*507*	*220*	*BRO*	*BLU*	*LGT*	*Y8386937 CA*

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

Draft Only

CASE SUPPLEMENTAL REPORT

NOT SUPERVISOR APPROVED

Printed: 03/27/2022 05:57

OCA: ***22001804***

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

Investigator: *TORRECILLAS, JESSIE (3759)*
Date / Time: *03/27/2022 04:11:12, Sunday*
Supervisor: *(0)*
Supervisor Review Date / Time: *NOT REVIEWED*
Contact:
Reference: *General Supplemental Report*

On March 27, 2022, at approximately 0313 hours, I, Officer J. Torrecillas responded to 129 Duval St. as a backup officer to Officer D. Agleev.

Upon arrival, I saw Joshua Poor (arrestee), advancing forward towards Ofc. Agleev. Ofc. Agleev placed his hand on Poor`s chest to back him off. Poor forcefully pushed Ofc. Agleev. Ofc. Agleev grabbed Poor, and Poor began fighting by grabbing Ofc. Agleev.

I exited my patrol car and grabbed Poor. Poor continued fighting and Ofc. Agleev and I took Poor to the ground. Poor continued resisting once on the ground by not letting go of Ofc. Agleev and kicking his legs continuously. I grabbed Poor`s legs to control his legs and stop him from kicking. Ofc. Agleev controlled Poor`s upper body as I maintained control of his legs.

Joshua Blake (witness) arrived, as well as another bystander (unidentified), and assisted us in rolling poor onto his stomach so we could handcuff him.

Officer R. Perez arrived on scene and retrieved a hobble. Ofc. Perez and I applied the hobble to Poor`s legs.

Blake provided me with a sworn written statement. In his statement, Blake stated the following:
He was working the front door of Rick`s Bar when he saw Poor fighting with Ofc. Agleev and me. He went to the incident location and assisted us by holding Poor down. Once Poor was secured, he returned to work.

See Blake`s written statement form for further information.

I attempted to activate my BWC as I exited my patrol car but after further review, realized my BWC was activated after Poor was handcuffed. Both Ofc. Agleev and my BWC`s were knocked off during the incident. My BWC video was uploaded to Evidence.com.

Ofc. Agleev provided Blake with a Key West Police business card with a case number. I submitted Blake`s written statement to the Key West Police Department Records Department.

Investigator Signature:_____

CASE SUPPLEMENTAL REPORT

NOT SUPERVISOR APPROVED

Printed: 03/27/2022 05:57

OCA: ***22001804***

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

Investigator: *PEREZ, RANDY (4010)*
Date / Time: *03/27/2022 04:12:01, Sunday*
Supervisor: *(0)*
Supervisor Review Date / Time: *NOT REVIEWED*
Contact:
Reference: *General Supplemental Report*

On 03/27/2022, at 0311 hours, I (Ofc. R. Perez) was dispatched to 129 Duval St. in reference to an intoxicated subject. While in route I heard Ofc. Agleev ask for back up.

Upon arrival I saw Ofc. Agleev, Ofc. Torrecillas, and two bystanders trying to detain a male on the ground. The male was later identified by his California DL as Joshua Poor. I ran toward the group and told one of the bystanders to allow me to assist. The bystander moved and I placed my left knee on Poor`s buttocks to assist with holding him down. Ofc. Agleev was able to pry Poor`s left hand out from under him. I held Poor`s left hand until Ofc. Agleev was able to pry Poor`s right hand free and place them in handcuffs. I told Ofc. Torrecillas that I was going to grab a hobble. I got up ran toward my vehicle and grabbed my hobble. We placed the hobble on Poor`s legs and tied the hobble. Poor was then placed in the back of Ofc. Agleev`s Patrol vehicle.

My AXON BWC was activated after we gained control of Poor.

Investigator Signature:_____