

Response to Resistance Report

Key West Police Department

Case No: 23-4666

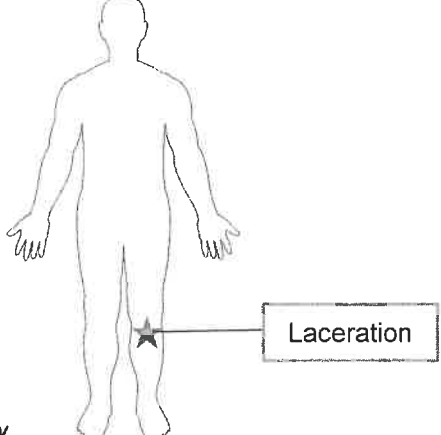
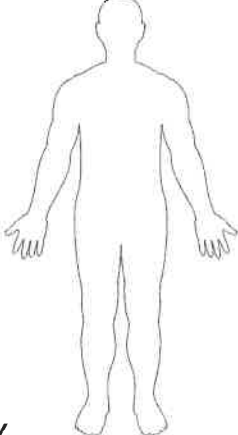
1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)

- ☐ 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)

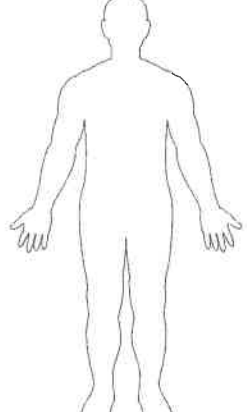
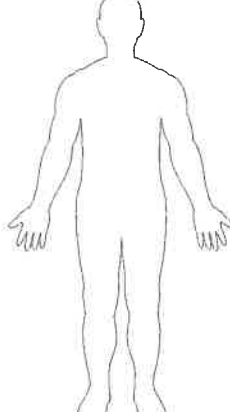
2. Date: 08/17/2023 3. Time: 2310 4. Location: 5501 College Road 5. Incident type: L&P

INCIDENT	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input type="checkbox"/> Passive:		<input checked="" type="checkbox"/> Physical Control	Straight arm takedown
	<input checked="" type="checkbox"/> Active:	Walking away, pulling away	<input type="checkbox"/> Non-lethal Weapon	
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

10. Last Name: Greer 11. First: James 12. Race: W 13. Sex: M
14. DOB: 11/17/1981 15. Height: 5'08" 16. Weight: 180
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
	 <p>Laceration</p>	

23. Officer: Josue Ramos Martinez 24. Race: W 25. Sex: M 26. Age: 31 27. Height: 5'08" 28. Weight: 222
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 10m
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: Takedown

OFFICER	35. Anterior View	Posterior View
		

Response to Resistance Report (continued)

Key West Police Department

Case No: 23-4666

TASER USE ONLY	36. TASER® device serial #		37. TASER® device serial #	
	Battery serial #		Battery serial #	
	Cartridge 1 serial #1	serial #2	Cartridge 1 serial #1	serial #2
	Cartridge 2 serial #3	serial # 4	Cartridge 2 serial # 3	serial #4
	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: 08/17/2023		41. Time: 2316 hours	
	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.	Sgt. Malsheimer		KW 7388	8/17/23
	47. Preparing Supervisor / Printed Name		48. Preparing Supervisor / 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		51. Signature of Internal Affairs Inspector	52. Date

INCIDENT/INVESTIGATION REPORT

I N C I D E N T D A T A	Agency Name <i>Key West Police Department</i>		INCIDENT/INVESTIGATION REPORT										Case# <i>23-004666</i>	
	ORI <i>FL0440100</i>												Date / Time Reported <i>08/17/2023 22:46 Thu</i>	
	Location of Incident <i>1403 TRUMAN AVE, Key West FL 33040</i>				Gang Relat NO		Premise Type <i>Highway/road/alley/st</i>				Beat/GP B3, GPB3		Last Known Secure <i>08/17/2023 22:46 Thu</i>	
													At Found <i>08/17/2023 22:46 Thu</i>	

D E T A I L S	#1	Crime Incident(s) <i>Loitering And Prowling /curfew Violation XOS</i>	(Com)	Weapon / Tools <i>None</i>					Activity <i>N</i>	
				Entry		Exit		Security		
	#2	Crime Incident <i>Resist Arrest / Escape XOM</i>	(Com)	Weapon / Tools <i>None</i>					Activity <i>N</i>	
				Entry		Exit		Security		
	#3	Crime Incident	()	Weapon / Tools					Activity	
				Entry		Exit		Security		

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

O T H E R S	CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)												
	Type:												
	Code	Name (Last, First, Middle)				Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
				Age									
	Home Address						Email				Home Phone		
	Employer Name/Address						Business Phone				Mobile Phone		

I N V O L V E D	Type:												
	Injury:												
	Code	Name (Last, First, Middle)				Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
				Age									
	Home Address						Email				Home Phone		
	Employer Name/Address						Business Phone				Mobile Phone		

P R O P E R T Y	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)													
	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description				Make/Model		Serial Number	
		27	EVID	\$1.00		1	4263 AXON BWC							
		27	EVID	\$1.00		1	4263 COBAN IN-CAR							
		04	5	\$1,000.00		1	ELECTRIC BICYCLE				HYPER/E-ride		KK21F00860	

Status	Officer/ID# <i>RAMOS MARTINEZ, JOSUE (4263)</i>	Tot Rec Val: \$1,000.00	
	Invest ID# <i>(0)</i>	Supervisor <i>(0)</i>	
	Complainant Signature	Case Status <i>Cleared By Arrest</i>	Case Disposition: <i>08/18/2023</i>
			Page 1

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 23-004666

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
MALSHEIMER, K.E. (3388), CLARK, T.E. (3484), REVOREDO, N. (2962), VAZQUEZ, B. (3467), MOORE, F. (4261)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

Victim <i>Society</i>	Offense <i>LOITERING AND PROWLING /CURFEW</i>	OCA <i>23-004666</i> Date / Time Reported <i>Thu 08/17/2023 22:46</i>
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-- James Eric Greer Arrest Narrative:

On 08/17/2023, at approximately 22:46 hours, I (Officer Josue Ramos) was dispatched to 1403 Truman Ave to the report of a suspicious incident with a man attempting to enter multiple residences along the 1400 Block of Truman Ave.

Earlier in the evening the same man was asked to leave a traffic stop by Lieutenant Billy Vazquez, as he was interfering with a traffic stop (incident number #232290208) At the time of the previous incident the man was not in possession of an Electric Bicycle, he was on foot walking Southbound on N Roosevelt Blvd.

Lieutenant B. Vazquez stated he was conducting a patrol of the 1400 Block of Truman heading outbound towards N. Roosevelt Blvd when he noticed the same man, who was later identified as James Eric Greer (D.O.B 11/17/1981), struggling as he walked and dragged an electric bicycle that he did not have in his possession at the earlier encounter. Lieutenant B. Vazquez turned his marked Key West patrol vehicle around and caught up to Greer in front of 1403 Truman Ave. Lieutenant B Vazquez stated when he caught up to Greer he was not in possession of the bicycle and was attempting to gain entrance into the fenced yard at 1403 Truman Ave. Lieutenant B. Vazques stated he detained Greer for questioning regarding loitering and prowling, due to the increased burglaries that have been reported in the area.

Sergeant Nick Revoredo, Sergeant Karl Malsheimer, Officer Thomas Clark, Officer Frances Moore, and I arrived to assist Lieutenant B. Vazquez.

I assisted Sergeant N. Revoredo as he advised Greer of his Miranda Rights. While speaking to Greer I smelled alcohol emanating from Greers breathe. Greer invoked his Miranda Rights and refused to speak to us about his actions. Greer instead started to get agitated asking multiple times the reasoning for his detainment. He was advised multiple times why he was being detained and questioned. Greer became agitated and began to yell profanities at us. Since Greer was not cooperative in dispelling our beliefs that a crime had been committed, a crime was being committed, or a crime was about to be committed, Greer was placed under arrest by Sergeant N. Revoredo and I.

Seargeant K. Malsheimer advised me that a resident of 1403 Truman Ave was asked if she knew Greer or had any relation to him. The resident stated she had no idea who Greer was and had never seen him before.

I searched Greer incident to arrest and found nothing of note on him. Sergeant N. Revoredo and I escorted Greer to my marked Key West Police Department Patrol Unit and placed him inside.

While enroute to the Monroe County Detention Center Greer became more agitated and animated in the rear of my patrol vehicle. Often hurling insults and yelling profanities at me.

I arrived at MCSO and attempted to escort Greer inside to the entrance of the MCSO detention center receiving area. I opened the door to my KWPd patrol vehicle, Greer stepped out and attempted to walk away from me. I gained control of Greers arms, and he continued to brace and pull away from me. I gained control of Greer again and advised him that if he did not stop tensing and pulling away from me, he would be directed to the ground. Greer started to yell profanities turned towards me and attempted to pull away from me in an aggressive manner. I redirected Greer to the ground using a shoulder lock takedown and gained control of him once more. I notified dispatch of the incident and requested a supervisor to my location. Once Greer was on the ground all force ceased. I assisted Greer back onto his feet and escorted him to the receiving area of the MCSO detention center. In the lobby

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

23-004666

Victim

Society

Offense

LOITERING AND PROWLING /CURFEW

Date / Time Reported

Thu 08/17/2023 22:46

of the detention center Greer became agitated and continued to yell profanities at myself and MCSO deputies, disobeying orders to sit multiple times.

Sergeant K. Malsheimer arrived to document the Use of Force at the MCSO detention center, but Greer continued to be unruly.

Officer F. Moore advised me that the electric bicycle Lieutenant B. Vazquez had observed Greer dragging was located and recovered at 1419 Truman Ave without the electric battery, along with Greers belongings.

Lieutenant B. Vazquez observed Greer dragging an electric bicycle and observed Greer attempting to enter a residence, he had no relation to. The occupying resident of 1403 Truman Ave was asked if she knew Greer and she stated she had no idea of who Greer is. Greer was also observed to be in an area that has had a recent increase in burglaries, at a time not normal for the residents of the area to be out. Since Greer was not able to dispel Sergeant N. Revoredo's or my belief that a crime had been committed, a crime was being committed, or a crime was about to be committed and since he invoked his Miranda Rights and refused to explain his actions. I find James Eric Greer to be in violation of FSS 856.021 (Loitering and Prowling).

In the course of my investigation, I found Greer has a history of Burglary and has been arrested for Burglary in the past. On (08/24/2021) Greer was arrested for Burglary at 622 United St. (Case #21004594)

Since James Eric Greer attempted to walk away from me inside of MCSO detention center garage, and then continued to brace and pull away from me aggressively after he had been warned to stop his actions, and since he pulled away from me as I escorted him causing me to redirect him to the ground to gain compliance, I find James Eric Greer to be in violation of FSS 843.02 (Resist/ Obstruct Officer Without Violence).

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

My COBAN In-car camera was activated for the incident and later uploaded.

Due to the inability to find the owner of the electric bicycle or the location in which Greer obtained it, there is a possibility of additional charges against Greer.

I had no further involvement with this incident.

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Incident Report Suspect List

Key West Police Department

OCA: 23-004666

1	Name (Last, First, Middle) <i>GREER, JAMES ERIC</i>					Also Known As					Home Address <i>2221 PATTERSON AVE KEY WEST, FL 33040 305-395-3552</i>																																															
	Business Address <i>ALONZO'S OYSTER BAR, WAITER</i>																																																									
	DOB <i>11/17/1981</i>	Age <i>41</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>508</i>	Wgt <i>180</i>	Hair <i>BRO</i>	Eye <i>BRO</i>	Skin <i>FAR</i>	Driver's License / State <i>G660445814170 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="3">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 colspan="2">Caliber</td> <td colspan="3">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="4">Veh Yr / Make / Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="3">Lic Plate / State</td> <td colspan="3">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			Veh Yr / Make / Model				Drs	Style		Color		Lic Plate / State			VIN		
<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																															
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Veh Yr / Make / Model				Drs	Style		Color		Lic Plate / State			VIN																																														
Notes										Physical Char																																																

Incident Report Related Property List

Key West Police Department

OCA: 23-004666

1 Property Description 4263 AXON BWC				Make		Model		Caliber					
Color		Serial No.		Value \$1.00		Qty 1.000		Unit		Jurisdiction Locally			
Status Evidence		Date 08/17/2023		NIC #		State #		Local #		OAN			
Name (Last, First, Middle) * No name *						DOB		Age		Race		Sex	

Notes

2 Property Description 4263 COBAN IN-CAR				Make		Model		Caliber					
Color		Serial No.		Value \$1.00		Qty 1.000		Unit		Jurisdiction Locally			
Status Evidence		Date 08/17/2023		NIC #		State #		Local #		OAN			
Name (Last, First, Middle) * No name *						DOB		Age		Race		Sex	

Notes

3 Property Description ELECTRIC BICYCLE				Make HYPER		Model E-RIDE		Caliber					
Color Teal		Serial No. KK21F00860		Value \$1,000.00		Qty 1.000		Unit		Jurisdiction Locally			
Status Recovered		Date 08/17/2023		NIC #		State #		Local #		OAN			
Name (Last, First, Middle) * No name *						DOB		Age		Race		Sex	

Notes

