

Response to Resistance Report

Key West Police Department

Case No: 18-7283

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: 12/23/2018 3. Time: 2129 Hrs 4. Location: 3841 N. Roosevelt 5. Incident type: S34/S31

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

- ☒ Passive: Would not comply ☒ Physical Control Take Down
☒ Active: Actively pulled away to evade ☐ Non-lethal Weapon
☐ Aggressive: arrest ☐ Deadly Force
☐ Deadly Force:

10. Last Name: Ferrez 11. First: Jeffrey 12. Race: H 13. Sex: M

14. DOB: 02/19/1999 15. Height: 5-07 16. Weight: 140

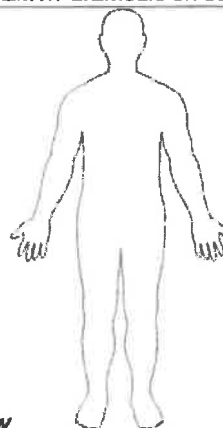
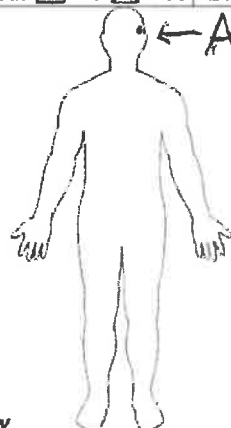
17. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

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



23. Officer: Anthony Gillespie 24. Race: W 25. Sex: M 26. Age: 49 27. Height: 5-11 28. Weight: 260

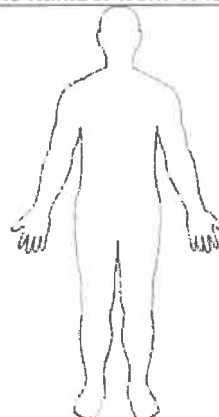
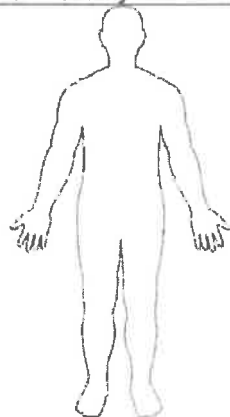
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 2.5

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) 36

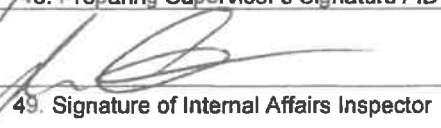
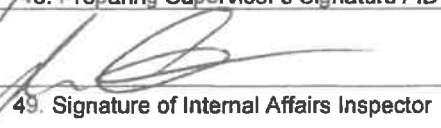
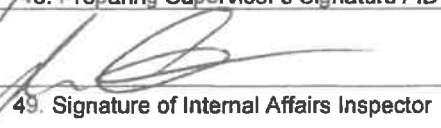
OFFICER



Response to Resistance Report (continued)

Key West Police Department

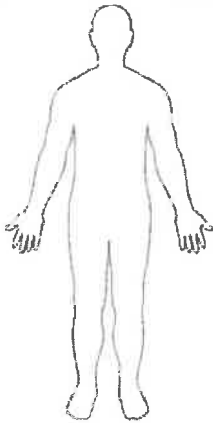
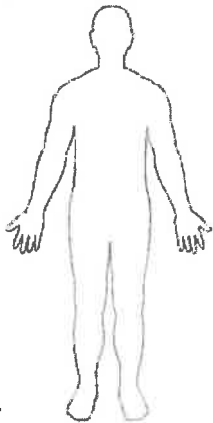
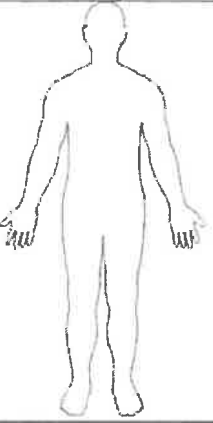
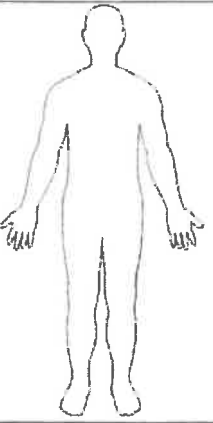
Case No: 18-7283

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): N/A	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: 12/23/2018													
	41. Time: 2130 Hours													
	42. Did you respond to the scene: ☐ No ☒ Yes (If "No", explain why)													
	43. Did you meet with the Officer: ☐ No ☒ Yes (If "No", explain why)													
44. Were you able to locate any independent witnesses: ☐ No ☒ Yes (If "Yes," list below)														
<table border="1"><thead><tr><th>Name</th><th>Address</th><th>Phone Number</th></tr></thead><tbody><tr><td>Raymond C. Bryne</td><td>1711 Seminary Street, Key West, FL 33040</td><td>(305) 699-7108</td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></tbody></table>			Name	Address	Phone Number	Raymond C. Bryne	1711 Seminary Street, Key West, FL 33040	(305) 699-7108						
Name	Address	Phone Number												
Raymond C. Bryne	1711 Seminary Street, Key West, FL 33040	(305) 699-7108												
45. Is further review recommended: ☒ No ☐ Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS														
<table border="1"><tr><td> / 3317</td><td>12/23/2018</td></tr><tr><td>46. Preparing Supervisor's Signature / ID</td><td>47. Date</td></tr></table>			 / 3317	12/23/2018	46. Preparing Supervisor's Signature / ID	47. Date								
 / 3317	12/23/2018													
46. Preparing Supervisor's Signature / ID	47. Date													
INT. AFF.	48. Did the review of this incident conclude that use of force was in compliance with Departmental policy? ☐ No ☒ Yes (If "No", complete section 51)													
	<table border="1"><tr><td> / 11/3/19</td><td>11/3/19</td></tr><tr><td>49. Signature of Internal Affairs Inspector</td><td>50. Date</td></tr></table>		 / 11/3/19	11/3/19	49. Signature of Internal Affairs Inspector	50. Date								
	 / 11/3/19	11/3/19												
49. Signature of Internal Affairs Inspector	50. Date													
51. If section 48 is "No" record the Professional Standards Control Number: 52. Date Entered:														

Response to Resistance Report (continued)

Key West Police Department

Case No: 18-7283

OFFICER	23. Officer: Matthew Hansell		24. Race: W	25. Sex: M	26. Age: 45	27. Height: 5-7	28. Weight: 175
	29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment		☒ Uniformed ☐ Plain		30. Yrs Exp: 14+		
	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 DATA

PROPERTY

Incident Report Additional Name List

Key West Police Department

OCA: 18-007283

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	BYRNE, RAYMOND CLARK		03/24/1968	50	W	M
	Address 1711 Seminary St , Key West, FL 33040-		H: 305-699-7108			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 18-007283

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
	E	EVI	1.000	GM	MARIJUANA	Poss

Assisting Officers
 DEAN, J. (3386), GILLESPIE, A.M. (3757), STOCKTON, J. (3317)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

		OCA 18-007283
Victim MARRIOTT BEACHSIDE	Offense DRUG POSSESSION CONTROLLED	Date / Time Reported Sun 12/23/2018 21:14

On 12-23-2018, I, K-9 Ofc. Matthew Hansell and Ofc. Gillespie, responded to Marriott Beachside Resort in reference to a non guest refusing to leave the hotel property.

Upon arrival, we met with security officer Raymond Byrne and the arrestee Jeffrie Ferrez. Byrne told us Ferrez had been seen on the property two other times today attempting to gain access to a room. Byrne escorted Ferrez off the property each time only to have him return. Byrne requested we trespass Ferrez from the property.

I questioned Ferrez about why he was on the property and he gave several conflicting statements about what room he was staying in and who he was staying with. Byrne told me Ferrez was not a guest of the hotel.

While talking with Ferrez I could smell an odor of marijuana coming from him. I attempted to detain Ferrez and he began to tensed up and pull his hands into his body and turn away from me.

I grabbed Ferrez by the right arm along with Ofc. Gillespie and we completed a take down of Ferrez chest first to the ground. I gave Ferrez several verbal commands to stop resisting and for him to quit pulling his hands into his body. I was finally able to get Ferrez hands out form under him and placed him into hand cuffs.

A search of Ferrez person located approximately one gram of marijuana in a blunt cigar wrap in his back right pocket, as well as loose marijuana in a clear bag in his front right pocket. The marijuana later field testing positive.

Ferrez was taken by Officer Gillespie to his patrol vehicle and placed in the back seat for transport to Lower Keys Medical Center for clearance.

I informed Sgt. Dean of the take down and he along with Sgt. Stockton responded to the scene. I had Byrne fill out a witness statement before leaving for the jail.

Once Ofc. Gillespie arrived at Lower Keys Medical Center, Ferrez continued to resist arrest and tried to tense and pull away from Ofc. Gillespie. Ofc. Gillespie escorted Ferrez back to the ground and held him there until Sgt. Dean and Sgt. Stockton arrived.

Ferrez was later cleared by the ER and transported by Ofc. Gillespie to the Monroe County Jail. The marijuana was placed into evidence.

Ferrez was informed of the trespass and warned not return to Marriott Beachside.

I placed the marijuana, approximatley 2 grams into property and evidence.

My Axon body camera was on for this incident.

Case Status Cleared with Arrest.

Incident Report Suspect List

Key West Police Department

OCA: 18-007283

1	Name (Last, First, Middle) FERREZ, JEFFRI ANDRES					Also Known As					Home Address 2512 EAGLE POINT CT DES MOINES, IA 50320				
	Business Address NONE, NONE														
DOB 02/19/1999		Age 19	Race W	Sex M	Eth H	Hgt 508	Wgt 140	Hair BLK	Eye BRO	Skin OLI	Driver's License / State. 916AL2714 IA				
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				
Veh Yr/Make/Model				Drs	Style		Color		Lic/St		VIN				
Notes							Physical Char								

Incident Report Related Property List

Key West Police Department

OCA: 18-007283

1 Property Description MARIJUANA				Make		Model		Caliber	
Color	Serial No.		Value \$5.00		Qty 1.000	Unit GM		Jurisdiction Locally	
Status Evidence	Date 12/23/2018	NIC #		State #		Local #		OAN	
Name (Last, First, Middle) Byrne, Raymond Clark				DOB 03/24/1968		Age 50		Race W	Sex M

Notes

2 Property Description AXON 3648 HANSELL				Make		Model		Caliber	
Color	Serial No.		Value \$5.00		Qty 1.000	Unit DU		Jurisdiction Locally	
Status Evidence	Date 12/23/2018	NIC #		State #		Local #		OAN	
Name (Last, First, Middle) Byrne, Raymond Clark				DOB 03/24/1968		Age 50		Race W	Sex M

Notes

CASE SUPPLEMENTAL REPORT

Printed: 12/26/2018 09:41

Key West Police Department

OCA: **18007283**

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

Case Status: **CLEARED AS OTHER**Case Mng Status: **NA**Occurred: **12/23/2018**Offense: **VOID**Investigator: **GILLESPIE, ANTHONY M (3757)**Date / Time: **12/23/2018 23:13:11, Sunday**Supervisor: **STOCKTON, JOSEPH (3317)**Supervisor Review Date / Time: **12/24/2018 02:58:08, Monday**

Contact:

Reference: **General Supplemental Report**

On 12/23/2018, at approximately 2114 hours, Officer Hansell and I (Officer Gillespie) responded to 3841 N. Roosevelt Blvd. (Key West Marriott Beachside) in reference to a trespasser on the property.

Upon arrival, I met with Beachside security in the parking area under building 3, who was out with a Hispanic male (later identified as Jeffrey Andres Ferrez). Security informed me he had escorted Ferrez off of the property 3 times previously in the past several hours and would like Ferrez trespasses from the property.

I spoke with Ferrez. Ferrez's story changed several times and was inconsistent. Officer Hansell smelled an odor of Marijuana coming from Ferrez. Ferrez was holding a lap top computer under his hooded sweat shirt. Hansell instructed Ferrez to give him his computer so we could set it aside while we continued with our investigation. Officer Hansell attempted to grab Ferrez's right arm. Ferrez pulled away from Officer Hansell. I grabbed Ferrez by the left arm in an attempt to control him. Ferrez pulled away from me and tensed his arm as I attempted to place his hands behind his back. I redirected Ferrez to the ground, using his left arm, in an attempt to gain control of him.

I assisted Officer Hansell to place hands cuffs on Ferrez's right wrist. Ferrez was laying on his stomach on top of his left arm. I ordered Ferrez to give me his arm, but Ferrez refused. I attempted several times to pull his left arm free. I was finally able to free his left arm, and Officer Hansell placed hand cuffs on his left wrist.

I placed Ferrez into the backseat of my patrol car. I attempted to place the seat belt onto Ferrez and he scooted himself across the rear seat to the other side of the car. I was able to seat belt Ferrez on my second attempt.

I transported Ferrez to Lower Keys Medical Center for medical clearance. After arriving at Lower Keys, I instructed Ferrez to exit my vehicle, but he refused. I called on COMM1 for a secondary unit to respond. Ferrez heard me call for a second unit and decided to exit the car.

I escorted Ferrez toward the entrance of the Hospital. While escorting Ferrez inside, he started to pull away from me and tense up his arms. I told him to stop pulling away from me, but Ferrez continued. Just inside the doorway to the hospital, I initiated a second take down, using his left arm, in order to gain control of Ferrez. Ferrez continued to kick and pull away while laying face down on the floor. Hospital staff requested that I take Ferrez into a hospital room. Hospital staff assisted me in getting Ferrez to a room. While inside the room, on the hospital bed, Ferrez continued to yell, kick, and roll around. Hospital staff had to restrain Ferrez by the feet and left arm, while I restrained Ferrez by his right arm.

The on-duty Emergency Room Doctor medically cleared Ferrez. I transported Ferrez to MCDC without further

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 12/26/2018 09:41

Key West Police Department

OCA: **18007283**

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Case Status: *CLEARED AS OTHER*

Case Mng Status: *NA*

Occurred: *12/23/2018*

Offense: *VOID*

Investigator: *GILLESPIE, ANTHONY M (3757)*

Date / Time: *12/23/2018 23:13:11, Sunday*

Supervisor: *STOCKTON, JOSEPH (3317)*

Supervisor Review Date / Time: *12/24/2018 02:58:08, Monday*

Contact:

Reference: *General Supplemental Report*

incident.

I have no further information at the time of this report.///END OF REPORT///

Investigator Signature

Supervisor Signature