

Response to Resistance Report

Key West Police Department

Case No: 21-003495

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: 07/03/2021 **3. Time:** 12:30 PM **4. Location:** 340 Ely Ave **5. Incident:** Runaway Juvenile

INCIDENT	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	<u>Not complying</u>	<input checked="" type="checkbox"/> Physical Control	<u>Beerbower Pain Compliance</u>
<input checked="" type="checkbox"/> Active:	<u>Tensing up/Pulling Away</u>	<input type="checkbox"/> Non-lethal Weapon	<u>Duponty Leverage Control</u>	
<input checked="" type="checkbox"/> Aggressive:	<u>Kicking Officers</u>	<input type="checkbox"/> Deadly Force		
<input type="checkbox"/> Deadly Force:				

10. Last Name: Henry **11. First:** Thad **12. Race:** W **13. Sex:** M

14. DOB: 12/29/2006 **15. Height:** 6' **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

23. Officer: Kenneth Beerbower **24. Race :** W **25. Sex:** M **26. Age:** 49 **27. Height :** 5-9 **28. Weight:** 260 lbs

29. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain clothes **30. Yrs Exp:** 23

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: Pressure point Pain Compliance

OFFICER

35. Anterior View

Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 21-003495

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: <u>2</u>	Number of cycles:
	Type of contact: <input type="checkbox"/> Probe <input checked="" 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 checked="" 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: 07/03/2021	
	41. Time: 12:30	
	42. Did you respond to the scene: <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)	
	<u>Sgt. Duponty was only sergeant working, involved in incident.</u>	
	<u>RRJ packet reviewed by Lt. M. Haley. I was not working day of incident.</u>	
	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)	
	44. Were you able to locate any independent witnesses: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)	
	Name	Address
NAS Police Kyle Mikolaizyk	28455 Gulf Blvd Pig Pine Key Florida	989-906-1572
NAS Police Victor Lopez		514-640-1583
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		<u>Reviewed by Maria Haley</u>
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		07/03/2021
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? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", complete section 51)	
	<u>[Signature]</u>	
	49. Signature of Internal Affairs Inspector	
51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered: <u>8/11/2021</u>

Response to Resistance Report (continued)

Key West Police Department

Case No: 21-003495

OFFICER	23. Officer: Frank Duponty 24. Race: W 25. Sex: M 26. Age: 52 27. Height 5'-8" 28. Weight 260					
	29. Duty Status: <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					30. Yrs Exp: 25
	31. Injuries: <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)					
	32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
	34. Response option used by this officer: Leverage Control					
	35. Anterior View			Posterior View		
OFFICER	23. Officer: _____ 24. Race: _____ 25. Sex: _____ 26. Age: _____ 27. Height _____ 28. Weight _____					
	29. Duty Status: <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain					30. Yrs Exp: _____
	31. Injuries: <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)					
	32. Photographed: <input type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
	34. Response option used by this officer: (If TASER®, also reference line number from TASER® section)					
	35. Anterior View			Posterior View		

Incident Report Additional Name List

Key West Police Department

OCA: 21-003495

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) PG 1	BEASLEY, KAYCE FIELDS		02/23/1975	46	W	F
	Address 316 HOLLANDALE CT, WILLMINGTON, NC 28412-		H: 252-717-8005			
	Empl/Addr Speech Theraphy		B: - -			
			Mobile #: - -			
2) PG 2	HENRY, TERRANCE PATRICK		08/20/1975	45	W	M
	Address 309 SE 6TH AVE, POMPANO BEACH, FL 33060-		H: 850-637-2221			
	Empl/Addr Usmc		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-003495

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

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

		OCA 21-003495
Victim DUPONTY, FRANK	Offense BATTERY	Date / Time Reported Sat 07/03/2021 08:22

On July 3, 2021, at approximately 0822 hours, I (Ofc. Valdes Marrero) responded to 1604 N. Roosevelt Blvd. (KWPD) in reference to a runaway juvenile incident.

Upon arrival, I met with the child's biological father (identified as Terrance Henry per his FL DL). Henry advised that him and his son had a disagreement the day prior (July 2, 2021) and his son was upset. Henry advised that his son's name is Thad Henry (DOB 12/28/2006, 14YOA). Henry said that Thad was upset about an incident that happened with his sister while they were out eating ice cream at Haggen-Dazs on Duval St.

Henry said that him and his daughter (Madison Henry) slept in the same room (#248) due to the disagreement between him and Thad. Henry said that his girlfriend (Carolyn Guthrie) slept with Thad in a separate room to avoid a confrontation. Henry said that around 0010 hours, Guthrie came to his room and told him that Thad had left their room. Henry said he called his ex-wife to tell her about it but didn't think much of it at the time. Henry thought that Thad had gone outside to get some air and cool off. Henry said once they woke up in the morning and realized Thad was still missing, he decided to contact KWPD. Henry also said he noticed that the rental bicycle Thad was riding the day prior was missing from the parking area.

Henry described Thad as a white male, 14 years of age, around 5'11 - 6ft tall, 195lb. Thad was last seen wearing a long sleeve blue shirt with dark colored shorts. Thad was last seen in the area of the Trumbo Base (340 Ely Ave.) Thad was possibly riding a blue colored rental bicycle from "Eaton Bikes" with the #843 engraved on the frame. Thad was last seen approximately around 0010 hours on July 3, 2021 by his stepmother, Carolyn Guthrie, which was sleeping in the same room as him.

Sgt. Duponty and I responded to the Navy Base and inspected the rooms where the family was staying. I notified military personal in the base and they advised they will search the premises and also review security footage from the gate.

Once in the room where Thad was sleeping in, Guthrie discovered she was missing approximately \$500 to \$600 USD. Guthrie said she had 4 \$100 bills, and the rest was in different denominations. Guthrie believes that Thad took the money prior to leaving the room. Sgt. Duponty also located a shirt who had previously been worn by Thad. The shirt was collected and I placed it into evidence for DNA collection and entry into F/NCIC. Thad was entered as missing into N/FCIC as missing.

At approximately 1215 hours, Ofc. Shouldice was notified that Thad was possibly near the Key West Aquarium. Ofc. Betz, Ofc. Stevens and I responded to the location. Ofc. Steven made contact with Thad prior to my arrival and explained Thad what was going on. Once I arrived on scene, Ofc. Stevens informed me that Thad was refusing to go back with his father, Henry. Ofc. Steven said that Thad told him he would rather go to jail instead of being back with his Henry. I spoke with Thad and he emphasized he did not want to be with Henry because he was too controlling over him and they have been involved in physical altercations in the past. I finally convinced Thad to let us help him, but ultimately, we would have to go back to the hotel where they all were staying.

I transported Thad from the Key West Aquarium and back to the Flying Navy Base Hotel to meet with Sgt. Duponty and Henry. Thad was not placed in handcuffs while in the back of my police car to avoid further escalating the situation.

Once I arrived at the Flying Navy Hotel, Sgt. Duponty opened the back door to my police vehicle where Thad was

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
21-003495
Date / Time Reported
Sat 07/03/2021 08:22

Victim	Offense
DUPONTY, FRANK	BATTERY

sitting in. Sgt. Duponty asked Thad to exit the patrol vehicle, but Thad immediately refused to do so and tensed up. Sgt. Duponty attempted to place Thad in handcuffs due to the active level of resistance he was portraying, but Thad continued to tense, push, kick, and scream obscenities at us. Sgt. Duponty was finally able to restrain Thad using handcuffs in the front of his body. Thad continued to actively resist violently towards Sgt. Duponty and I, eventually kicking Sgt. Duponty in the groin area and me on my leg. Thad tried to stand up again and exit the vehicle, but Sgt. Duponty redirected him by pushing him back into the vehicle. When Sgt. Duponty executed the redirection maneuver, Sgt. Duponty's left hand hit Thad's right shoulder, glanced off of it, and hit Thad's neck. Sgt. Duponty immediately realized and subsequently grabbed Thad's upper back to hold him down. When Sgt. Duponty's hand slipped from Thad's shoulder and onto his neck, it caused a small laceration near his throat area. The laceration was possibly caused by Sgt. Duponty's fingernail or a pair of handcuff keys that Sgt. Duponty was holding onto in his hand. The laceration did not require medical attention.

Since the situation kept escalating, I radioed for more officers to our location to help with the situation. Ofc. Beerbower and Ofc. Tellier responded and assisted as needed. Thad continued to actively and violently resist against all the officers on scene, to the extent where I had to use a "Hobble" restrain on his legs, to prevent him from continuing to kick.

Even after Thad was properly restrained with handcuffs in the front of his body and a hobble device, he refused to exit the patrol vehicle willingly. Ofc. Beerbower had to physically remove Thad from the patrol vehicle while I held onto the hobble device so Thad wouldn't trip over it. Thad was laid on the ground and placed on a grassy area where we could safely reposition the handcuffs onto his back. Sgt. Duponty had to display his Taser device in order for Thad to comply and make him stop actively resisting. Thad eventually calmed down and agreed to cooperate with officers.

Key West Fire Rescue was dispatched to the scene to medically assess Thad for any injuries he may have sustained. Key West Fire Rescue medically cleared Thad without any problems. Both of Thad's biological parents were notified of the incident. Henry responded to the scene and was briefed on the situation and was made aware that Thad was being placed under arrest on felony charges. I also spoke via cellphone with Thad's biological mother, Kayce Beasley, who lives in North Carolina. I explained the situation to Beasley and told her that Thad was being transported to MCDC where he will be facing 3 felony charges. Beasley understood and said she will try and come down to Key West in an attempt to pick up Thad if he is released.

I transported Thad to MCDC without incidents. I notified DJJ and Miami JASS of the incident. Thad was also removed from N/FCIC as missing. DCF was also notified.

After Thad was released to the custody of MCDC deputies, at approximately 1715 hours I was notified by the on-duty correction's sergeant to go back and pick him up because he was being released. The on-duty correction's sergeant advised that Thad had been processed into the system and they could not hold him for the 6 hours as mandated by the State. I notified Henry that Thad was being released, and due to an abundance of caution we would take custody of him until Beasley arrived in Key West to pick him up. Henry agreed to let KWPD take custody of Thad. Henry also notified Beasley about the outcome and she agreed to pick him up at the KWPD once she arrives.

Ofc. Perez and I went back to MCDC and transported Thad back to the KWPD where he remained until Beasley arrived to pick him up. Sgt. A. Rodriguez was notified of the incident and he assigned a nighttime officer to supervise Thad until Beasley arrived.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA <i>21-003495</i>
Date / Time Reported <i>Sat 07/03/2021 08:22</i>

Victim <i>DUPONTY, FRANK</i>	Offense <i>BATTERY</i>	
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My agency issued AXON BWC and FLEET in car cameras were activated and the videos were uploaded to the server. Pictures of injuries were also uploaded to the server as evidence.

Incident Report Suspect List

Key West Police Department

OCA: 21-003495

1	Name (Last, First, Middle) <i>HENRY, THAD</i>					Also Known As					Home Address <i>316 HOLLANDALE CT WILLMINGTON, NC 28412</i>				
	Business Address <i>STDUDENT, STUDENT</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.					
<i>12/28/2006</i>	<i>14</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>511</i>	<i>200</i>	<i>BRO</i>	<i>BRO</i>	<i>LGT</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					

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Mr. Duponty reports
Printed: 07/04/2021 12:05

OCA: **21003495**

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

Investigator: *DUPONTY, FRANK T (1951)*

Date / Time: *07/04/2021 11:44:35, Sunday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 07/03/2021, at about 8:22 AM, police dispatch advised over the radio someone just entered the police station through the front doors. I went to investigate and discovered officers talking to a male and female. The male was the father of a runaway juvenile named Thad Henry. They came to the police station to report that Thad Henry ran away and requested our help with locating his son (see Officer Marrero's report). I request for all available officers to look at the picture BOLO and assist in the search. The juvenile was staying at the Fly Navy Building on Trumbo Point. I went to the bike rack at this location to verify that Thad took a bike with him when he ran away; this information was provided by Terry, Thad's father. The bike in question was not there. I searched some obvious locations around Key West looking for Thad or the missing bike with negative Results. I called Officer Marrero on the police radio and asked him to meet me at the Fly Navy building at 9:30 AM, so we could start our investigation where Thad ran away from.

Officer Marrero and I met with two NAS Police Officers at the entrance to the Fly Navy building and we went to the rooms where Thad was staying. We interviewed the family and discovered that Thad was diagnosed with ODD, Oppositional Defiant Disorder, and had taken about \$500.00 to \$600.00 in cash from his father's girlfriend's purse. Terry also informed Officer Marrero that Thad has run away several other times in the past. I also took a freshly worn blue shirt of Thad's and handed it to Officer Marrero for DNA submission per missing persons protocol.

At about 12:15 PM, Thad was located by police at the Aquarium, # 1 Whitehead Street. I requested Officer Marrero transport Thad to The Fly Navy building, and I would meet him there. I arrived first and when Officer Marrero made arrival, he told me that Thad did not want to go with his father. I walked over to the rear passenger's side of Officer Marrero's police car where Thad was sitting. I opened the rear door to the police car and I immediately saw that Thad was not secured with handcuffs. I asked Thad to step out, but I could see that he was seat belted in. I reached into the car to unsecure the seat belt from Thad. As this is happening Thad immediately replied, "for what". I could tell by his defiant body posture, and the look on his face, that he may be a flight risk. I pulled out my handcuffs to secure Thad and place him in protective custody because we were on a military base and did not want risk him running away on the base. I was able to put one side of the handcuffs on Thad's right wrist then he began to resist by grabbing his right wrist with his left hand, preventing me from securing his left wrist. I was able to gain control of Thad by pushing my body weight against his body as he attempted to exit the police vehicle. As Thad attempted to exit the police vehicle, he intentionally kicked me, striking me in the groin area (see video). It is at this point my left or right hand hit Thad's neck causing a small scratch on his neck that was treated and photographed. I did have Officer Marrero's keys in my right hand while I was attempting to gain physical control of the resistance that Thad was directing towards me. My BWC was not activated at the beginning of this incident and was knocked off of my uniform and onto the floor of the police car.

Officer Marrero was assisting me with controlling Thad but because of Thad continuing to kick Officers I requested

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT

Printed: 07/04/2021 12:05

*NOT SUPERVISOR APPROVED*OCA: **21003495**

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

Investigator: *DUPONTY, FRANK T (1951)*Date / Time: *07/04/2021 11:44:35, Sunday*Supervisor: *(0)*Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

Officer Marrero to get a leg restraint device (hobble) and secure Thad's legs. Officer Marrero Secured Thad's legs and Officer Beerbower took control of Thad as I retrieved my BWC from the car. I activated my BWC to help capture video of us securing Thad's handcuffs from the front to the rear. Officers Beerbower, Marrero and Tellier escorted Thad to the grass and attempted to resecure Thad's handcuffs to the rear. Thad kept resisting by tensing his body and I saw Officer Beerbower applying the Mandibular Nerve pressure (behind the ear) technique to gain compliance with the minimum amount of control necessary to get Thad to comply to our verbal commands. I was also displaying my TASER with the cartridge off to use if Officer Beerbowers' techniques were defeated. I told Thad if he did not comply, he was going to get TASED. I did not have to use my TASER. Officer Beerbower applied pain compliance (Mandibular Nerve pressure) twice due to Thad complying initially, but continuing to tense up again (see video). After Thad was properly secured and placed in the recovery position, I requested rescue to respond to the scene for medical evaluation.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

OCA: **21003495**

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

Investigator: *BEERBOWER, KENNETH EUGENE*

Date / Time: *07/04/2021 09:48:22, Sunday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 7/3/21 at approximately 1235 hours, I responded to 340 Ely Drive (Trumbo Point Base) to assist officers with a combative subject.

Upon arrival, I observed Officer Valdez- Marrero and Sergeant Duponty attempting to restrain a male subject (Thad Henry) in the rear seat of a patrol vehicle. Sgt. Duponty was physically restraining Henry's arms at his waist and using his body leverage to keep Henry inside of the vehicle. Sgt. Duponty was engaged in dialog with Henry attempting to calm Henry down and explain the potential consequences to his resistance. Henry was defiant and verbally combative while Sgt. Duponty spoke to him. Sgt. Duponty informed Henry that he was not properly restrained and that his hands would have to be cuffed behind his back. Henry was insistent that he would not be returned to his father and expressed that he was willing to be arrested if it meant not being placed in the custody of his father. Sgt. Duponty made several attempts to reason with Henry and get him to comply with his instructions, but Henry remained defiant. When it became clear that Henry would not comply, Sgt. Duponty instructed Officer Valdez-Marrero to retrieve a hobble restraint and place it around Henry's legs. Once the restraint was in place, Sgt. Duponty instructed Officer Valdez-Marrero, Officer Tellier and I to assist Henry out of the vehicle and properly restrain him by handcuffing him behind his back.

I asked Henry to exit the vehicle, but he refused to do so. I grabbed Henry's right forearm and attempted to pull him out of the vehicle. At this point Henry actively resisted my attempts by tensing up his arms and using his weight to keep his body in the seated position. I informed Henry that he would have to comply and again attempted to remove him from the seat. I had to physically lift Henry out of the seat and place him in a standing position next to the rear passenger door. Officer Tellier attempted to remove the handcuffs from Henry's wrist, but Henry resisted by lowering his body weight and keeping his hands tucked close to his body. Henry continued to be verbally combative throughout this process. Officer Tellier suggested we lower Henry to the ground to attempt to gain further control of his arms. Officer Valdez-Marrero and I agreed, and we placed Henry on the ground next to the vehicle. Henry was lying on his left side and continued to actively resist by keeping his hands clenched together and his arms tucked into his chest, preventing Officer Tellier from accessing the handcuffs. Using my right thumb, I applied pressure behind Henry's right ear (Mandibular Nerve) to attempt to gain compliance. I only applied the minimal amount of control necessary to gain compliance. Upon doing so, Henry relaxed his arms but continued to keep his hands clenched together. I again applied a minimal amount of pressure to Henry's right ear to get him to unclench his hands. Henry complied and was able to be properly secured with handcuffs behind his back. Once Henry was secured, we rolled him onto his right side and placed him in a recovery position to maintain his airway and provide proper monitoring.

Sgt. Duponty contacted KWPD dispatch and requested an ambulance be dispatched to the scene to provide precautionary medical attention to Henry. While waiting for KWFR to arrive, Henry was conscious alert and speaking with officers. Upon arrival of KWFR, Officer Valdez-Marrero and I assisted Henry into the ambulance where he was

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 07/04/2021 11:53

OCA: **21003495**

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

Investigator: *BEERBOWER, KENNETH EUGENE*

Date / Time: *07/04/2021 09:48:22, Sunday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

medically evaluated and cleared to be transported to the jail.

My BWC was activated during this event.

On 7/4/21 I contacted the Department of Children and Families. I informed them of the circumstances surrounding this case and provided them with the case number.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Officer J. Tellier Sup
Printed: 07/04/2021 09:24

OCA: **21003495**

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

Investigator: *TELLIER, JEREMEY J (3544)*

Date / Time: *07/03/2021 15:04:24, Saturday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 07/03/2021 at approximately 1240 hours I, (Ofc. J. Tellier) responded to the Fly Navy building on Trumbo Navy base as a backup officer to Ofc. A. Marrero. He located a missing juvenile and the juvenile was being combative and resisting.

Upon my arrival, Ofc. A. Marrero was standing at the front of his patrol car, holding a hobble restraint. Ofc. K. Beerbower was standing at the back of the patrol car. Sgt. F. Duponty was standing at the prisoner door, talking to the juvenile (Thad Henry). From what I saw Sgt. Duponty was attempting to calm Thad down, and explain that he was not going to dictate what the police were going to do about this situation. During their conversation I heard that Thad had kicked Sgt. Duponty in the groin, and resisted being handcuffed.

Thad was handcuffed in the front of his body, and due to his demeanor, it was deemed that he needed to be handcuffed, with his hands behind his back. Thad had to be pulled from the car by Ofc. K. Beerbower, and he attempted to brace himself in the car. While standing, Thad had his arms tensed, and it was believed that if we uncuffed him standing up, he would resist with even more violence. I recommended that Ofc. Beerbower and I take Thad to the ground to safely and effectively recuff him. There was grass next to the car, so we laid him on his stomach. As soon as Thad touch the ground, he brought his hands together and close to his body. His hands were already cuffed, so a three point pin handcuffing technique was not an option. Ofc. Beerbower used pain compliance with a pressure point behind Thad`s right ear. That relaxed his arms. I was able to uncuff his right hand, and get it behind his back. I reached under and got Thad left hand. The handcuffing was completed without further incident. Thad was placed on his right side, in the recovery position.

I remained on scene to answer questions from US Navy personnel, direct traffic, and observe Thad as he was inside Ofc. A. Marrero`s patrol car. This was the extent of my involvement in this case.

Investigator Signature: _____