

Response to Resistance Report

Key West Police Department

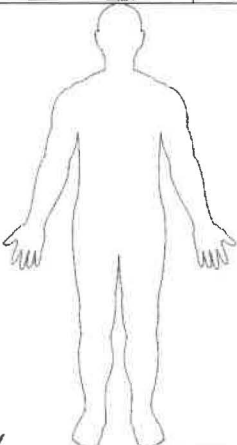
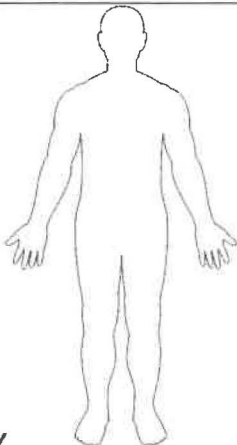
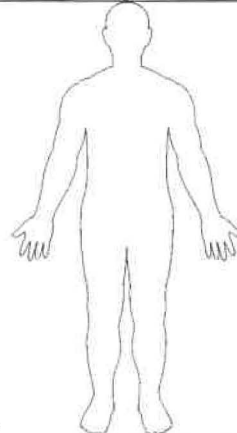
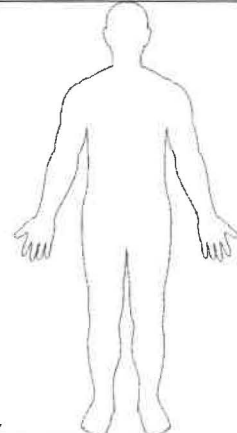
Case No:

19-4074

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: 7/4/19	3. Time: 1851	4. Location: 951 Caroline St	5. Incident type: s34
	6. Resistance Level ☒ Passive: Refusing Verbal Commands ☒ Active: Pulling Tensing ☐ Aggressive: ☐ Deadly Force:	7. Explanation	8. Response Option ☒ Physical Control ☐ Non-lethal Weapon ☐ Deadly Force	9. Explanation Transporter/Takedown
SUBJECT	10. Last Name: Goldsmith	11. First: Matthew	12. Race: W	13. Sex: M
	14. DOB: 3/10/90	15. Height: 6'1	16. Weight: 168	
	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	
OFFICER	23. Officer: Daniel Blanco 24. Race: W 25. Sex: M 26. Age: 34 27. Height: 5'9 28. Weight: 225			
	29. Duty Status: ☐ On-duty ☐ Off-duty ☒ Extra duty employment ☐ Uniformed ☒ Plain clothes 30. Yrs Exp: 4.5			
	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)			
OFFICER				
	35. Anterior View		Posterior View	

Response to Resistance Report (continued)

Key West Police Department

Case No:

19-4074

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: 7/4/2019		41. Time: 1852	
	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)			
Name		Address		Phone Number
Matthew Delia		1113 Truman Ave D, Key West, FL 33040		813-477-9276
45. Is further review recommended: ☒ No ☐ Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS				
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)		46. Preparing Supervisor's Signature / ID	
			47. Date	
	49. Signature of Internal Affairs Inspector		50. Date	
51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

INCIDENT DATA

MOV
I
C
T
I
MOTHERS INVOLVED

PROPERTY

Status

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 19-004074

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 BLANCO, D. (3673), MORRIS, C.B. (3926)						

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

19-004074

Victim

Society

Offense

OBSTRUCTION OF JUSTICE

Date / Time Reported

Thu 07/04/2019 18:48

On 07/04/2019 at approximately 1900 hours, I (Ofc. A. Litton) responded to 951 Caroline Street, Dante's Restaurant, to assist in transporting an arrestee for Officer D. Blanco.

When I arrived, Matthew Goldsmith was detained on the ground. Goldsmith was seen by Dante's employee, Matthew Delia, urinating into a trash can in the Dante's parking garage. Delia notified Officer Blanco who told Goldsmith he had to leave the premises. Goldsmith retrieved his belongs and walked back into the restaurant. Goldsmith was told multiple times to leave the premises before Officer Blanco was forced to transport Goldsmith off the property. Goldsmith tensed up and tried to pull away from Officer Blanco, who then was forced to take Goldsmith to the ground. Goldsmith was detained until backup arrived to assist Officer Blanco.

Goldsmith refused rescue for any injuries that occurred during this incident. Goldsmith suffered a minor abrasion to his shoulder. I transported Goldsmith to MCDC, without incident.

Goldsmith violated FSS 810.09(2)(B), trespassing, when he remained on the premises after he was asked multiple times by Dante's employee and by Officer Blanco to leave.

Goldsmith violated FSS 843.02, resisting an officer without violence, while he was being transported off the premises, Goldsmith tensed his body and attempted to pull his arm away from Officer Blanco in an effort to disrupt Officer Blanco in the execution of his legal duties.

Axon BWC was activated during this incident.

Incident Report Suspect List

Key West Police Department

OCA: 19-004074

1	Name (Last, First, Middle)					Also Known As					Home Address																																											
	GOLDSMITH, MATTHEW LYLE										153 NORFOLK ST - 3B NEW YORK, NY 10001-2 914-960-1422																																											
	Business Address																																																					
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.																																											
	03/10/1990	29	W	M	N	601	168	BRO	BRO	MED	398242706 NY																																											
Scars, Marks, Tattoos, or other distinguishing features																																																						
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</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>Caliber</td> <td colspan="2">Dir of Travel</td> </tr> <tr> <td colspan="2">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="2">VIN</td> <td colspan="2"></td> </tr> </table>															Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight		SSN			Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel		VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN			
Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																											
Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel																																											
VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN																																													
Notes							Physical Char																																															

Incident Report Related Property List

Key West Police Department

OCA: 19-004074

1	Property Description AXON BWC 3958				Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000		Unit	Jurisdiction Locally	
	Status Evidence	Date 07/04/2019	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex	

Notes

2	Property Description AXON BWC 3673				Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000		Unit	Jurisdiction Locally	
	Status Evidence	Date 07/05/2019	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex	

Notes

OCA: 19004074

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

Investigator: BLANCO, DANIEL (3673)

Date / Time: 07/05/2019 07:22:14, Friday

Supervisor: BLASBERG, FRANK (1598)

Supervisor Review Date / Time: 07/05/2019 10:57:37, Friday

Contact:

Reference: General Supplemental Report

On 7/4/2019, at approximately 6:48 PM, I (Ofc. Blanco) was working an off-duty detail at Dante's (951 Caroline Street). One of the security personnel working at Dante's advised me that he witnessed a white male (Matthew Goldsmith/arrestee) urinating into a garbage bin located in the parking garage under Conch Harbor. I made contact with Goldsmith as he was walking back into the pool area of Dante's. Dante's security advised Goldsmith of what they saw and asked him to leave the property.

Goldsmith was highly intoxicated, I smelled alcohol imitating from his breath, Goldsmith displayed a staggered walk and was slurred in speech.

I advised Goldsmith that he was no longer welcome on the property due to his level of intoxication and public urination. I told Goldsmith to gather his belongings and leave the property. Goldsmith walked towards the area located near the DJ booth (eastside of the pool) and picked up a pair of sandals. Goldsmith put his sandals on and walked towards the Grinnell street side exit of Dante's. Approximately 40 feet from the exit he stopped and asked why he was being kicked out, I advised him that he was no longer welcome due to his level of intoxication and public urination. I repeated that Dante's has the right to refuse service and right to ask him to leave. Goldsmith became agitated and began speaking in a louder voice, he repeated, this isn't fair. I asked Goldsmith to leave the property numerous times as I pointed to the Grinnell Street side exit. Goldsmith stated that he wanted to go that way, as he pointed behind me towards Dante's bar and common area. I told Goldsmith that the nearest exit was right there (as I pointed to the Grinnell street side exit) and that he can exit that way. Goldsmith took a step forward towards me with his hands up, I repeated that he needs to exit towards the Grinnell Street side. He refused to walk towards the Grinnell street side exit, I grabbed his left arm and placed it behind his back (hammer lock) escorting him off the property. Upon initially grabbing his arm, Goldsmith tensed his arm and pulled away from me. I escorted Goldsmith to the taxi loop located on the Grinnell Street side where I sat him down on the curb.

Goldsmith yelled that he was going to sue me and the department. Goldsmith yelled that he wanted a lawyer and that I was assaulting him. Goldsmith attempted to pull his left arm forward towards the front of his body in an attempt to free himself, I redirected his torso, stomach first onto the sidewalk. One of the security guards on scene witnessed the entire incident and assisted me by grabbing Goldsmith's right arm and securing it behind Goldsmith's back. Goldsmith continued to yell and scream until the other KWPD Officers arrived.

Goldsmith had a small abrasion on his left shoulder and small abrasion (scrape) on the left side of his face, near the side burn.

Goldsmith did trespass after warning and resisted by tensing and pulling. He resisted by tensing and pulling on two separate instances throughout the incident.

Investigator Signature: _____