



KEY WEST POLICE DEPT.
 1604 N. ROOSEVELT BLVD.
 Key West, FL, 33040
 (305) 809-1000

Response to Resistance EVT-00000166-1

Response to Resistance EVT-00000166-1

Primary Officer: DEAN, JEFFREY (3386)

Overview

Event Information

Reporting

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"

Discharge of firearm in the line of duty, off-duty or on-duty (other than for training, maintenance or ballistics testing)

When any person complains of injury as a result of the application of force

When any person sustains an apparent substantial or fatal injury as a result of the application of force

Event Details

INCIDENT ID 24001833	DATE 06/13/2024	TIME 20:59
LOCATION 2405 N Roosevelt Blvd, Key West, FL, 33040, USA		
INCIDENT TYPE S22 - Disturbance - Physical/Fight		
OTHER AGENCIES INVOLVED?		

Persons

Unknown Person

Person Role

ROLE
Subject

Person Details

LAST NAME Diaz	FIRST NAME Michelle	DOB 04/18/1990	SEX F
RACE W	ETHNICITY Hispanic or Latino		
CLOTHING TYPE Loose / Hanging			

Response to Resistance Circumstances

DID YOU OBSERVE THE SUBJECT? No	SUBJECT ARRESTED Yes
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Officers

GOLOVANOV, IVAN (4262)

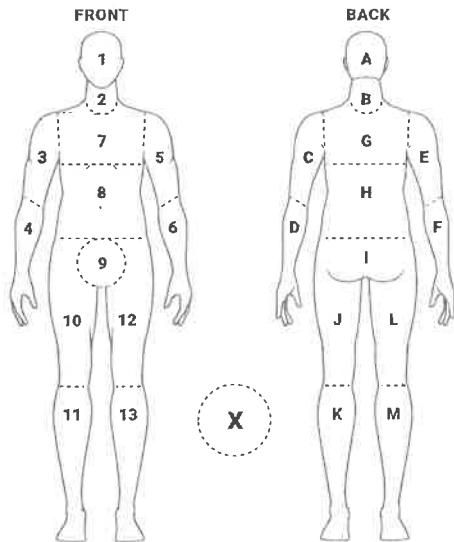
Officer Details

ROLE Involved	OFFICER / EMPLOYEE GOLOVANOV, IVAN (4262)	POSITION Officer	DIVISION Night Patrol Division
PATROL SHIFT Bravo Night Shift		EMPLOYEE YEARS OF SERVICE 1.5	
UNIFORMED OR PLAIN CLOTHES Uniformed		EMPLOYEE WAS ON DUTY On Duty	

EMPLOYEE RACE White	EMPLOYEE ETHNICITY Not Hispanic or Latino	EMPLOYEE SEX Male
EMPLOYEE AGE 36	EMPLOYEE HEIGHT 5' 10"	EMPLOYEE WEIGHT 200

INJURIES
No

BODY WORN CAMERA (BWC) ACTIVATED DURING INCIDENT
 No Yes



Response Action

Response Action

FORCE USED AGAINST P - Person
PERSON FORCE USED AGAINST Unknown Person
RESISTANCE LEVEL <input type="checkbox"/> Active <input type="checkbox"/> Aggressive <input type="checkbox"/> Deadly Force <input checked="" type="checkbox"/> Passive

Response Action (continued)

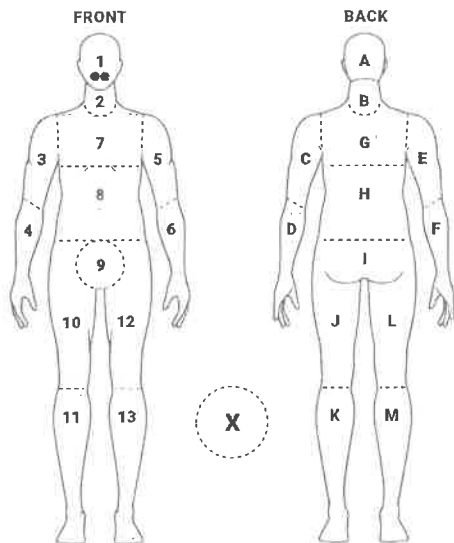
Response Action

EXPLANATION OF RESISTANCE LEVEL Separation from other involved parties
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Force

Force

INVOLVED OFFICER GOLOVANOV, IVAN (4262)	FORCE TYPE Hands-On - Soft Empty Hands
NUMBER OF APPLICATIONS 1	



Force Location

BODY REGION Face	DETAILED LOCATION Teeth
NUMBER OF IMPACTS 1	INJURY SUSTAINED FROM DIRECT FORCE Alleged
TREATED No	INJURY DETAILS Complained about teeth
PHOTOGRAPHED No	

Related Injuries

Investigation

Investigation Details

Report Information

OFFENSE/INCIDENT REPORT AND/OR WARRANT AFFIDAVIT MUST INCLUDE

Investigation (continued)

Investigation Details

<input checked="" type="checkbox"/>	All details of the arrest
<input checked="" type="checkbox"/>	All necessary criminal elements
<input type="checkbox"/>	Detailed description of injury complaints and/or observed injuries
<input type="checkbox"/>	Details articulating the subject's words, mannerisms and actions that justify the Response to Resistance
<input type="checkbox"/>	Details outlining the Response to Resistance utilized by each officer
<input type="checkbox"/>	Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject

Narrative

NARRATIVE OF INCIDENT While reviewing video for a CRB complaint, I (Lieutenant Dean), realized there was a complaint about a use of force against Officer J. Lopez. Upon reviewing BWC video, I observed that Officer Lopez did not use any take downs or strikes when taking Michelle Diaz into custody. However, I did observe on Officer Golovanov's BWC, as he is separating Michelle Diaz from her mother and sister, Michelle appears to trip over her mother's legs. At that same time, Officer Golovanov's attention appears to be on Michelle's sister who was being handcuffed. It does not appear that Officer Golovanov realized Michelle fell as he immediately assists other officers with her sister. Officer Lopez then runs up and grabs Michelle, apparently also unaware that her fall was a possible result from her contact with Officer Golovanov. Michelles injuries were not visible or obvious. It was not clear that a RRI report was required by KWPD policy until a complete review of all officers BWCs was conducted.

Supervisor's Inquiry

NOTIFIED DATE 04/23/2024	NOTIFIED TIME 14:00
DID SUPERVISOR RESPOND TO THE SCENE No	WHY DID SUPERVISOR NOT RESPOND TO THE SCENE? See above narrative
DID SUPERVISOR WATCH ALL RELEVANT VIDEOS ASSOCIATED WITH THE RESPONSE TO Yes	DID SUPERVISOR MEET WITH THE OFFICER(S)? No
WHY DIDN'T SUPERVISOR MEET WITH THE OFFICER(S)? See above narrative	
DURING SUPERVISOR'S REVIEW DID YOU FIND AN POTENTIAL POLICY VIOLATIONS OR TRAINING ISSUES ASSOCIATED WITH THE INCIDENT? Yes	
LIST POTENTIAL POLICY VIOLATION(S) OR TRAINING ISSUE(S) Professionalism - Officer J. Lopez will be receiving remedial training in de-escalation.	
WAS SUPERVISOR ABLE TO LOCATE ANY INDEPENDENT WITNESSES? No	

Supervisor Comments

SUPERVISOR DEAN, JEFFREY (3386)	RANK Lieutenant	REVIEW DATE 06/13/2024
COMMENTS		

Professional Standards Division

Reviewer

REVIEWER CASTILLO, JASON (2653)	RANK Captain	REVIEW DATE 06/13/2024
COMMENTS		

Investigation (continued)

Investigation Details

DID THE REVIEW OF THIS INCIDENT CONCLUDE THAT THE RESPONSE TO RESISTANCE WAS IN COMPLIANCE WITH DEPARTMENTAL POLICY? Yes

INCIDENT/INVESTIGATION REPORT

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Agency Name Key West Police Department				Case# 24-001833	
ORI FL0440100				Date / Time Reported 03/30/2024 20:59 Sat	
Location of Incident 2405 N ROOSEVELT BLVD, Key West FL 33040				Last Known Secure 03/30/2024 20:59 Sat	
Gang Relat NO		Premise Type Highway/road/alley/st		At Found 03/30/2024 20:59 Sat	
Beat/GP B5, GPB5		Weapon / Tools		Activity	
#1	Crime Incident(s) Resist Arrest / Escape XOM	(Com)	Entry	Exit	Security
#2	Crime Incident	()	Entry	Exit	Security
#3	Crime Incident	()	Entry	Exit	Security

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

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CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)

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

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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 Fm/Tc	Value	OJ	QTY	Property Description	Make/Model	Serial Number
27	EVID		\$0.00		1	BWC 3722	AXON	
27	EVID		\$0.00		1	BWC 4352		
27	EVID		\$0.00		1	FLEET AXON 3372		
27	EVID		\$0.00		1	BWC 4352		
27	EVID		\$0.00		1	FLEET AXON 3372		

Officer/ID#	BURNS, ALYSON (4352)	Supervisor	KOURI, DAVID (3022)
Invest ID#	(0)	Case Status	Cleared By Arrest
Status	Complainant Signature	Case Disposition:	03/31/2024

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # *24-001833*

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
KOURI, D. (3022), ANGLIN, T.H. (2872), DANTU, N. (3835), ANDRADE, E. (4158), GOLOVANOV, I. (4262), UA, C. (4264), MAYORGA LOPEZ, J. (3722)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 24-001833

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 24-001833
Date / Time Reported Sat 03/30/2024 20:59

Victim Society

Offense RESIST ARREST / ESCAPE

Jesus Diaz Arrest Narrative:

On March 30, 2024, at approximately 2059 hours, Ofc. J. Lopez and I (Ofc. A. Burns) responded to 2405 North Roosevelt Boulevard (Lions Eye Clinic of Monroe), in reference to a medical assist.

Key West Dispatched informed Ofc. Lopez and I of an unresponsive subject. CPR was in progress on the unresponsive subject. I responded priority 1 (emergency lights and sirens) to the location.

Key West Fire Rescue was already on scene.

While driving to the location Key West Dispatched informed Ofc. Lopez and I that an altercation was occurring between a group of people.

Upon arrival, Ofc. Lopez and I observed a group of approximately ten people crowded underneath the awning in front of the entrance of the Lions Eye Clinic. The group of people were being loud and obnoxious.

Ofc. Lopez and I when we exited the patrol vehicle heard two males distinctively yelling at one another in a heated verbal exchange. A male in a white tank top and dark colored shorts and another male in a red shirt wearing dark colored pants were in the heated verbal exchange. Ofc. Lopez and I walked over to the two males within the group.

Ofc. Lopez had instructed the male in the white tank top and dark colored shorts to sit down. The male was later identified by his Florida driver's license as Jesus Diaz (DOB: 04/17/1968, Arrestee). Jesus was not complying with Ofc. Lopez's command. Ofc. Lopez had told Jesus to sit down numerous times. An unknown male in a red shirt and dark colored pants grabbed Ofc. Lopez's right wrist. At this time the other members of the group began to crowd Ofc. Lopez and me. I had told the other members of the group several times to step back and away from Ofc. Lopez and me.

The other members of the group started to yell, scream, and question Ofc. Lopez's and I's actions. An unknown member of the group had yelled out, "Walk where?" After Ofc. Lopez had informed Jesus to walk. A female from the group had yelled out several times, "What are y'all doing to him?" as well as "What are you doing?" The female who yelled out those two questions was later identified as Michell M. Diaz (DOB: 04/18/1990, Arrestee).

The members of the group were preventing Ofc. Lopez and I from doing our lawful duties. The group was informed by Ofc. Lopez and I several times to back away from us.

Ofc. Lopez reached for Jesus to separate him from the other members of the group. When Ofc. Lopez reached for Jesus; Jesus had grabbed a hold of Ofc. Lopez and pulled him into him. I pushed my way through the other members trying to get a hold of Jesus's left arm. Other members of the group had a hold of Jesus's left arm. I instructed them to let go of Jesus and to back away numerous times. Ofc. Lopez had a hold of Jesus's right arm. I had put my arm out to prevent the people from the group to come closer to Ofc. Lopez and I and Jesus. I had a hold of Jesus's left arm after Ofc. Lopez and I broke away from the crowd.

Jesus was instructed by Ofc. Lopez to walk with us and away from the group. Jesus was resisting Ofc. Lopez and I by not moving. Ofc. Lopez had to pull Jesus' arm to get him to move. Jesus was refusing to listen to lawful commands issued to him.

We informed Key West Dispatch to send more patrol officers to our location. Sgt. D. Kouri, Ofc. E. Andrade, and Ofc. I. Golovanov were shortly on scene.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 24-001833
Date / Time Reported Sat 03/30/2024 20:59

Victim Society	Offense RESIST ARREST / ESCAPE
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Ofc. Lopez and I escorted Jesus to Ofc. Lopez's patrol vehicle. Jesus was placed up against the rear side of the patrol vehicle. I placed handcuffs onto Jesus. While placing handcuffs onto Jesus, Ofc. Lopez pulled his taser out of his holster and aimed it, at a female in a white shirt, telling them "To get back," repeatedly. I pat searched Jesus for any potentially dangerous weapons. I placed Jesus into the rear seat of Ofc. Lopez's patrol vehicle. Jesus had asked what he did several times.

Jesus Diaz was transported to the Monroe County Detention Center, shortly after.

Based on the facts and evidence I believed there was probable cause that on 03/30/2024 Jesus Diaz was violating FSS 843.02, resisting without violence, Jesus resisted and obstructed Ofc. Lopez and I from performing our lawful duties as Key West Police Officers.

My BWC was activated (4352). Ofc. Lopez's in-car FLEET AXON was activated (3372).

At this time, no further information.

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Michelle Marie Diaz Arrest Narrative:

On March 30, 2024, at approximately 2059 hours, Ofc. J. Lopez and I (Ofc. A. Burns) responded to 2405 North Roosevelt Boulevard (Lions Eye Clinic of Monroe), in reference to a medical assist.

After placing Jesus into Ofc. Lopez's patrol vehicle. I stayed next to Ofc. Lopez's patrol vehicle with Jesus.

There was another altercation happening at the front side of the establishment again. I heard a lot of screaming emanating from several individuals located on the front side of the establishment. Ofc. Lopez ran towards the front of the establishment.

Ofc. Lopez provided me with the following information:

Sgt. D. Kouri pulled away a female from the crowd that was engaging in an altercation. Once Sgt. D. Kouri removed the female away from the crowd, Sgt. D. Kouri began walking up to the crowd, Ofc. Lopez seen the female turning her upper body towards her left side of her body and she placed her left hand on the ground. The female extended her entire right arm out towards Sgt. D. Kouri's legs. Ofc. Lopez immediately grabbed the female's left wrist and immediately brough her right arm back. As she was holding her right hand close to her face, she said, "I'm not doing nothing." The female was caught by surprised when Ofc. Lopez immediately grabbed her left wrist as she was reaching for Sgt. D. Kouri's legs.

The female was later identified as Michelle Diaz, (04/18/1990).

Ofc. Lopez instructed Michelle to lay down on the ground, and Michelle kept saying, "I'm not doing nothing." Ofc. Lopez instructed Michelle to stop resisting, as she continued moving her hands constantly. It should be noted Michelle was also tensing up her arms, and I loudly instructed her to stop tensing up. Ofc. Lopez placed handcuffs on her, and he escorted her to his patrol vehicle.

I searched Michelle and then placed Michell in the rear passenger seat of Ofc. Lopez's patrol vehicle.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA <i>24-001833</i>
Date / Time Reported <i>Sat 03/30/2024 20:59</i>

Victim <i>Society</i>	Offense <i>RESIST ARREST / ESCAPE</i>
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Based on the facts and evidence I believed there was probable cause that on 03/30/2024 Michell Diaz was violating FSS 843.02, resisting without violence, Michell resisted Ofc. Lopez as she continued to move her hands after being told to stop as well as tensioning up her arms.

My BWC was activated (4352). Ofc. Lopez's in-car FLEET AXON was activated (3372).

At this time, no further information.

Incident Report Suspect List

Key West Police Department

OCA: 24-001833

1	Name (Last, First, Middle) <i>DIAZ, JESUS</i>						Also Known As				Home Address <i>1213 WILLIAM ST - 1 KEY WEST, FL 33040 305-879-6042</i>			
	Business Address <i>UNEMPLOYED, UNKNOWN</i>													
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State				
<i>04/17/1968</i>	<i>55</i>	<i>W</i>	<i>M</i>	<i>H</i>	<i>507</i>	<i>170</i>	<i>BLK</i>	<i>XXX</i>	<i>OTH</i>	<i>D200420681370 FL</i>				
Scars, Marks, Tattoos, or other distinguishing features														

<i>Reported Suspect Detail</i>		Suspect Age	Race	Sex	Eth	Height	Weight	SSN
Weapon, Type	Feature	Make	Model		Color	Caliber	Dir of Travel	
Veh Yr / Make / Model		Drs	Style	Color	Lic Plate / State		VIN	
Mode of Travel								

Notes

Physical Char

*BUILD, MEDIUM/AVERAGE
BUILD, MUSCULAR
FACIAL HAIR, STUBBLE
HAIR TYPE, SHORT
HAND USE, UNKNOWN
TEETH, OTHER*

2	Name (Last, First, Middle) <i>DIAZ, MICHELLE MARIE</i>						Also Known As				Home Address <i>1200 1ST ST - D2 KEY WEST, FL 33040 305-780-1092</i>			
	Business Address <i>UNKNOWN, UNKNOWN</i>													
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State				
<i>04/18/1990</i>	<i>33</i>	<i>W</i>	<i>F</i>	<i>H</i>	<i>501</i>	<i>100</i>	<i>BRO</i>	<i>BRO</i>	<i>MED</i>	<i>D200553906380 FL</i>				
Scars, Marks, Tattoos, or other distinguishing features														

<i>Reported Suspect Detail</i>		Suspect Age	Race	Sex	Eth	Height	Weight	SSN
Weapon, Type	Feature	Make	Model		Color	Caliber	Dir of Travel	
Veh Yr / Make / Model		Drs	Style	Color	Lic Plate / State		VIN	
Mode of Travel								

Notes

Physical Char

*BUILD, MEDIUM/AVERAGE
BUILD, POT BELLY
BUILD, SLIM/THIN/SMALL
FACIAL HAIR, NO FACIAL HAIR
HAIR TYPE, LONG
HAIR TYPE, MEDIUM
HAND USE, UNKNOWN
TEETH, OTHER*

Incident Report Related Property List

Key West Police Department

OCA: 24-001833

1	Property Description BWC 3722				Make AXON		Model		Caliber		
	Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally	
	Status Evidence		Date 03/31/2024	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) * No name *					DOB		Age	Race	Sex	

Notes

2	Property Description BWC 4352				Make		Model		Caliber		
	Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally	
	Status Evidence		Date 03/30/2024	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) * No name *					DOB		Age	Race	Sex	

Notes

3	Property Description FLEET AXON 3372				Make		Model		Caliber		
	Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally	
	Status Evidence		Date 03/30/2024	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) * No name *					DOB		Age	Race	Sex	

Notes

4	Property Description BWC 4352				Make		Model		Caliber		
	Color		Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally	
	Status Evidence		Date 03/31/2024	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) * No name *					DOB		Age	Race	Sex	

Notes

Incident Report Related Property List

Key West Police Department

OCA: 24-001833

5	Property Description FLEET AXON 3372	Make	Model	Caliber
	Color	Serial No.	Value \$0.00	Qty 1.000
			Unit	Jurisdiction Locally
	Status Evidence	Date 03/31/2024	NIC #	State #
			Local #	OAN
	Name (Last, First, Middle) * No name *	DOB	Age	Race
				Sex

Notes

CASE SUPPLEMENTAL REPORT

Printed: 04/23/2024 14:06

Key West Police Department

OCA: **24001833**

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

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred: *03/30/2024*

Offense: *RESIST ARREST / ESCAPE*

Investigator: *MAYORGA LOPEZ, JORGE (3722)*

Date / Time: *03/31/2024 00:38:10, Sunday*

Supervisor: *KOURI, DAVID (3022)*

Supervisor Review Date / Time: *03/31/2024 02:10:06, Sunday*

Contact:

Reference: *General Supplemental Report*

On March 30, 2024, at approximately 2059 hours, Ofc. Burns and I, Ofc. Lopez, (Field training officer) were dispatched to Lion`s Club located at 2405 N. Roosevelt Boulevard. Key West Dispatch received approximately over seven 911 calls advising a male was not breathing. Key West Dispatch advised a person on scene began performing CPR.

Ofc. Burns and I were in a marked Key West Police vehicle equipped with emergency lights and sirens. Ofc. Burns activated her emergency lights and sirens, responded as priority one.

Key West Dispatch advised Key West Rescue arrived on scene. The paramedics advised shortly after the male was breathing again. Key West Dispatch advised Key West Rescue indicated there is an altercation going on.

When Ofc. Burns and I pulled behind the Key West Fire Truck, I saw two Hispanic males standing on the front side of the above-mentioned business. As I was walking towards the males standing on the front side of the building, I could hear a male`s voice yelling, "Stop!" several times. One of the Hispanic males was later identified as Jesus Diaz, (dob:04/17/1968). The unknown Hispanic male placed his right hand on Diaz`s left bicep area as if he was attempting to stop Diaz. When I was getting closer to the Diaz and the unknown male, I noticed the unknown male removed his hand from Diaz. Another unknown male walked up towards us. I instructed Diaz to sit down on the bench in an attempt to separate him from the unknown male and deescalate the situation. Diaz refused to follow my verbal commands. Diaz said, "For what!?"

The unknown Hispanic male began stepping in-between me and Diaz. The unknown Hispanic male wearing a red polo shirt elevated his left elbow in an attempt to use it as a form of barrier when I was getting close to Diaz. Another unknown Hispanic walked up to us and grabbed my right wrist for a moment. I grabbed Diaz`s right arm, and I instructed him to come with me. Diaz was not moving, and I gave him loud verbal commands. I instructed him to move towards where I was walking to.

I needed to remove Diaz from the front side of the building to deescalate the situation, during this time I had tree Hispanic males trying to prevent me from removing Diaz. I instructed the three males to walk away, and all three males disregarded my verbal commands. I got a hold of Diaz`s hand and Diaz pulled his hand away from me, which subsequently pulled my body towards him and almost lost my balance.

I continued pulling Diaz away from the crowd. A large crowd formed around Ofc. Burns and I were getting surrounded by approximately six males and one female. The six males and one female were approximately within 1-2 feet away from Ofc. Burns and I, and they were consistently following us.

When I placed Diaz against the patrol vehicle, he moved his left side shoulder, and my body worn camera was knocked down to the ground.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 04/23/2024 14:06

*Key West Police Department*OCA: **24001833**

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

Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:** *03/30/2024***Offense:** *RESIST ARREST / ESCAPE***Investigator:** *MAYORGA LOPEZ, JORGE (3722)***Date / Time:** *03/31/2024 00:38:10, Sunday***Supervisor:** *KOURI, DAVID (3022)***Supervisor Review Date / Time:** *03/31/2024 02:10:06, Sunday***Contact:****Reference:** *General Supplemental Report*

In my body worn camera I can be heard, yelling at people to get back. I told several people to get back as they were walking towards Ofc. Burns and me. I instructed Ofc. Burns to conduct a pat down for weapons while I was keeping a visual on the crowd that were surrounding us. I used my left hand to maintain control of Diaz's left hand, while Ofc. Burns was conducting a pat down, I pulled my department issued Taser, I turned it on, and I had it pointed towards the tree males that were standing close to my patrol vehicle. I yelled loud verbal commands to the males instructing them to get back numerous times.

Ofc. Burns placed handcuffs on the Diaz, and she placed him in the rear passenger seat of my patrol vehicle.

I picked my body worn camera and I placed it back on my vest.

Sgt. D. Kouri, Ofc. Andrade, Ofc. Golovanov and K9 Ofc. Angling arrived on scene.

Ofc. Burns stayed next to my patrol vehicle with Diaz.

There was another altercation happening at the front side of the establishment again. I heard a lot of screaming emanating from the individuals located on the front side of the establishment. As soon as I was running towards the above-mentioned area, Sgt. D. Kouri pulled away a female from the crowd that was engaging in an altercation. Once Sgt. D. Kouri removed the female away from the crowd, Sgt. D. Kouri began walking up to the crowd, I saw the female turning her upper body towards her left side of her body and she placed her left hand on the ground. The female extended her entire right arm out towards Sgt. D. Kouri's legs. I immediately grabbed the female's left wrist and immediately brought her right arm back. As she was holding her right hand close to her face, she said, "I'm not doing nothing." The female was caught by surprised when I immediately grabbed her left wrist as she was reaching for Sgt. D. Kouri's legs.

The female was later identified as Michelle Diaz, (04/18/1990).

I instructed Michelle to lay down on the ground, and Michelle kept saying, "I'm not doing nothing." I instructed Michelle to stop resisting, as she continued moving her hands constantly. It should be noted Michelle was also tensing up her arms, and I loudly instructed her to stop tensing up. I placed handcuffs on her, and I escorted her to my patrol vehicle.

Ofc. Burns searched Michelle and then she placed Michell in the rear passenger seat of my patrol vehicle.

My body worn camera was activated during this incident, 3722.

Michelle kept repeating herself without being questioned. Michelle said she was trying to stop another female

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 04/23/2024 14:06

Key West Police Department

OCA: **24001833**

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Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred: *03/30/2024*

Offense: *RESIST ARREST / ESCAPE*

Investigator: *MAYORGA LOPEZ, JORGE (3722)*

Date / Time: *03/31/2024 00:38:10, Sunday*

Supervisor: *KOURI, DAVID (3022)*

Supervisor Review Date / Time: *03/31/2024 02:10:06, Sunday*

Contact:

Reference: *General Supplemental Report*

from hitting the Sergeant D. Kouri. However, she was the person quick to turn and extending her arm completely towards Sgt. D. Kouri's legs as soon as he turned.

Michelle and Diaz kept making statements about their family members having a medical emergency as a form of an excuse. Michelle and Diaz did not appear to be very concerned about their relatives when they were engaging in an altercation. The same altercation I attempted to deescalate by separating the parties involved.

It is evident, Diaz, Michelle, and the unknown Hispanic males involved in this incident do not follow simple instructions by the police.

Diaz's actions, and his lack of cooperation after he was given clear simple instructions to follow, led to the results of a crowd forming and surrounding us. Diaz's family members and unknown Hispanic males created a significant problem for our Officer Safety.

Investigator Signature

Supervisor Signature