

Response to Resistance Report

Key West Police Department

Case No: 19-0620

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: 1/28/2019 3. Time: 1830 4. Location: 3326 N Roosevelt Bv 5. Incident type: s49

6. Resistance Level

- ☒ Passive:
☒ Active:
☐ Aggressive:
☐ Deadly Force:

7. Explanation

Pulling/Tensing
Refusing commands

8. Response Option

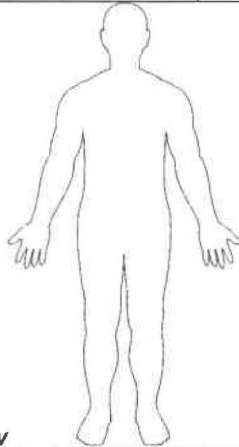
- ☒ Physical Control
☐ Non-lethal Weapon
☐ Deadly Force

9. Explanation

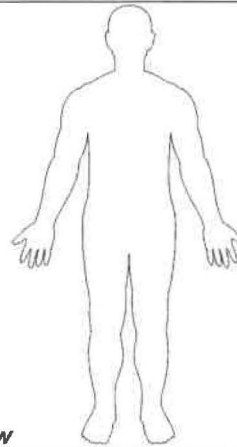
Take down

SUBJECT

10. Last Name: Aydent 11. First: Nicholas 12. Race: W 13. Sex: M
14. DOB: 11/28/1992 15. Height: 5'10 16. Weight: 190
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



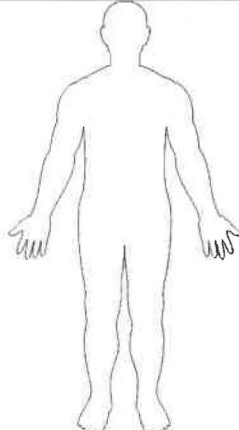
22. Anterior View



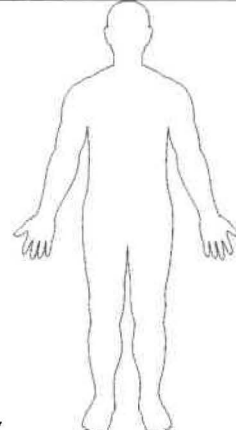
Posterior View

OFFICER

23. Officer: Kyles Murphy 24. Race: B 25. Sex: M 26. Age: 55 27. Height: 5'07 28. Weight: 185
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 22
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

Response to Resistance Report (continued)

Key West Police Department

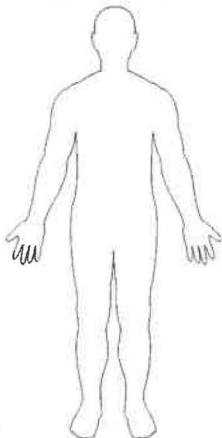
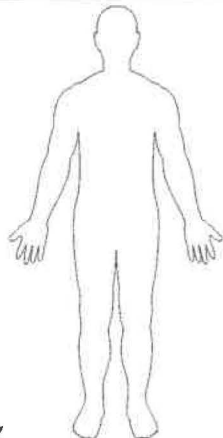
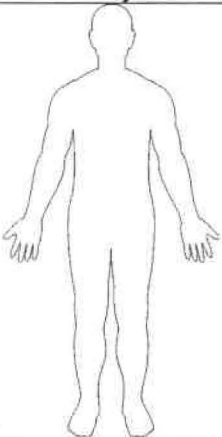
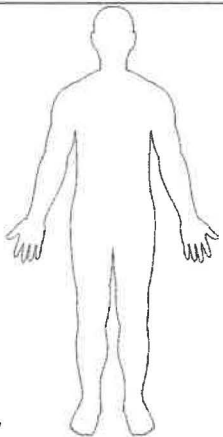
Case No: 19-0620

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: 1/28/2019		
	41. Time: 1830		
	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
	Huseyin Ustun	3920 S Roosevelt Blvd 410E, Key West, FL	395-304-0004
	Karen Booth	414 Hanson Walk Ln, Apex, NC	919-395-2493
Samantha Basara	1537 Chatham Ct, St Augustine, FL	904-657-7664	
45. Is further review recommended: ☒ No ☐ Yes		1/28/2019	
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		46. Preparing Supervisor's Signature / ID	
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)		
	49. Signature of Internal Affairs Inspector		
	50. Date 2/7/19		
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: 19-0620

OFFICER	23. Officer: Matthew Hansell						24. Race: W		25. Sex: M		26. Age: 46		27. Height 5'7"		28. Weight 180			
	29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain												30. Yrs Exp: 16					
	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								
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OFFICER																		
	35. Anterior View									Posterior View								

INCIDENT DATA

MOV
I
C
T
I
M

OTHERS INVOLVED

PROPERTY

Status

Incident Report Additional Name List

Key West Police Department

OCA: 19-000620

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	USTUN, HUSEYIN BARAN		12/03/1986	32	W	M
	Address 3920 S Roosevelt Blvd 410e , Key West, FL 33040-		H: 305-304-0004			
	Empl/Addr		B: - -			
			Mobile #: - -			
2) WI 2	BOOTH, KAREN MEISENBACH		01/12/1978	41	W	F
	Address 414 Hanson Ln , , NC 27539-		H: 919-395-2493			
	Empl/Addr		B: - -			
			Mobile #: - -			
3) WI 3	BASARA, SAMANTHA		06/05/1996	22	W	F
	Address 1537 Chatham Ct , St Augustine, FL 32092-		H: 904-657-7664			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 19-000620

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

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim	Offense <i>INCIDENT REPORT</i>	OCA 19-000620 Date / Time Reported Mon 01/28/2019 18:19
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On Monday, January 28, 2019 at approximately 1819 hours, I was dispatched 3326 N Roosevelt Blvd. for a male having a seizure in front of Royal Furniture.

On Monday, January 28, 2019 at approximately 1819 hours, I was dispatched 3326 N Roosevelt Blvd. for a male having a seizure in front of Royal Furniture.

Upon my arrival, Key West Fire Rescue #3 was also arriving on scene and immediately tried to treat the patient, later identified as Nicholas Aydent. Nicholas was uncontrollable by being physically aggressive and resisting us. Firefighter, Riely Barber, said that they knew Nicholas, responded to calls on him in the past, and that he becomes very violent.

Ofc. Hansell and I assisted the KWFD Medics in trying to hold Nicholas down without hurting him while the medics could give him a shot. We got Nicholas secured enough for the medics to give him a shot which had very little effect on him.

Ofc. Hansell and I had to use an armbar take-down to get Nicholas to the ground. Nicholas appeared to be suffering from an altered mental status and his aggressive actions could have caused great bodily harm to himself, to the public, to me, to Ofc. Hansell, and to the firefighters.

More firefighters arrived on scene and we were able to control Nicholas a lot better. Nicholas was given two more shots and after a short while it took effect and calmed him down. Nicholas did not sustain any injuries during this incident.

Nicholas was then placed on and strapped into the gurney and transported to Lower Keys Medical Center for further evaluation.

I spoke with three independent witnesses who said they saw Nicholas having a seizure, they called 911, and they said they were pleased in the way the Key West Police and Key West Firefighters handled the situation.

No firefighter or police officer was injured during this incident.

This incident was captured on my BWC #1590

Incident Report Related Property List

Key West Police Department

OCA: 19-000620

1	Property Description BWC#1590			Make		Model		Caliber	
	Color	Serial No.		Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
	Status Evidence	Date 01/28/2019	NIC #	State #	Local #		OAN		
	Name (Last, First, Middle) Barber, Riely Thomas				DOB 03/27/1987		Age 31	Race W	Sex M

Notes

CASE SUPPLEMENTAL REPORT

Printed: 01/29/2019 04:39

OCA: **19000620**

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

Investigator: *HANSELL, MATTHEW (3648)*

Date / Time: *01/28/2019 18:43:17, Monday*

Supervisor: *DEAN, JEFFREY (3386)*

Supervisor Review Date / Time: *01/29/2019 04:36:14, Tuesday*

Contact:

Reference: *General Supplemental Report*

On 01-28-2019, I, K-9 Ofc. Matthew Hansell of the Key West Police Department, responded to a medical assist in the Publix parking lot located at 3326 N. Roosevelt Blvd.

Prior to arrival, Ofc. Murphy requested I step it up as the male subject was being difficult. As I arrived on scene I could here the male, later identified as Nicholas Aydent, yelling and actively trying to pull away from Ofc. Murphy.

One of the Key West Fire and Rescue personnel who was assisting was telling us that Aydent is having a seizure and acts out in this manor when he is seizing.

I assisted Ofc. Murphy by grabbing Aydent by the right arm and escorting him to the ground. While on the ground Aydent continued to scream and try and get up. I told Aydent to relax as I held him down on the ground.

Aydent seemed to ignore all commands to relax and tried to stand up. It took myself, Ofc. Murphy and four medics to pin Aydent up against the side of the Key West Fire and Rescue vehicle.

Once Rescue was able to get their treatment (shot), administered, Aydent calmed down enough to be placed on a stretcher.

Aydent was eventually secured by medics and taken to Lower Keys Medical Center.

Aydent did not suffer any injuries as a result of the take down.

Sgt. Stockton arrived on scene and was briefed.

My Axon camera was used for this incident.

Case Status Other.

Investigator Signature: _____