

Response to Resistance Report

Key West Police Department

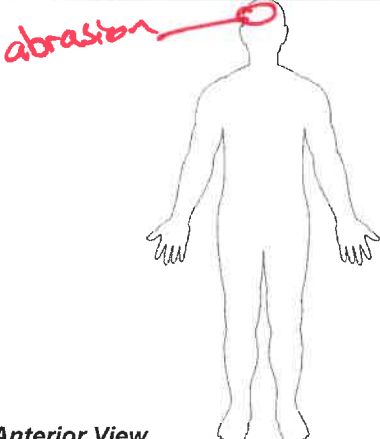
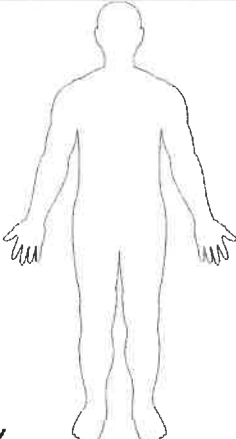
Case No: 21.5460

1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)

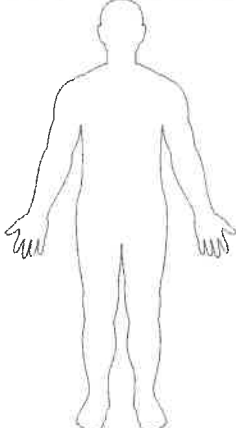
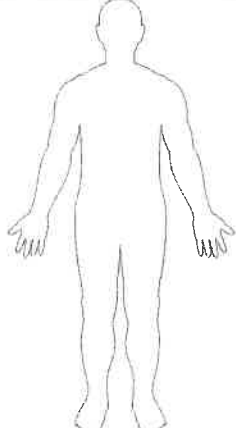
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of 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: 10.06.21	3. Time: 0200	4. Location: 1321 Simonton St	5. Incident type: Trespasser
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input type="checkbox"/> Passive:	_____	<input checked="" type="checkbox"/> Physical Control	Arm bar takedown
	<input checked="" type="checkbox"/> Active:	Actively pulled away	<input type="checkbox"/> Non-lethal Weapon	_____
	<input type="checkbox"/> Aggressive:	_____	<input type="checkbox"/> Deadly Force	_____
	<input type="checkbox"/> Deadly Force:	_____		

10. Last Name: Freeman	11. First: Ross	12. Race: W	13. Sex: M
14. DOB: 03.79.76	15. Height: 5.10	16. Weight: 200	
17. Did you observe the subject: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
18. Appeared to be: <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed			
19. Injuries: <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)			
20. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 21. Treated: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention			

SUBJECT	 <p>22. Anterior View</p>	 <p>Posterior View</p>
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23. Officer: Christian Bozzetti	24. Race: W	25. Sex: M	26. Age: 28	27. Height: 6.03	28. Weight: 180
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 clothes 30. Yrs Exp: 2.0					
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: (If TASER®, also reference line number from TASER® section)					

OFFICER	 <p>35. Anterior View</p>	 <p>Posterior View</p>
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Response to Resistance Report (continued)

Key West Police Department

Case No: 21.5460 **Error! Reference source not found.**

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: <input type="checkbox"/> Probe <input 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 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: 10.06.21		41. Time: 0244	
	42. Did you respond to the scene: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "No", explain why)			
	Ofc. Bozzetti did not inform me of the RRI until after he arrived at the jail..			
	43. Did you watch all relevant videos associated with the use of force? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	44. Did you meet with the Officer(s): <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	We met after the fact.			
	45. During your review did you find any potential policy violations or training issues associated with the incident?			
	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
	Ofc. Bozzetti and Ofc. Arguello did not notify me of the RRI while on scene.			
	The information for lines 18-22 was provided by Ofc. Bozzetti.			
46. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
Name		Address		Phone Number
47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		2301		10.06.21
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		48. Preparing Supervisor's Signature / ID		49. Date
INT. AFF.	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input type="checkbox"/> Yes (If "No", complete section 51)			
	51. Signature of Internal Affairs Inspector		52. Date	
	53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:	

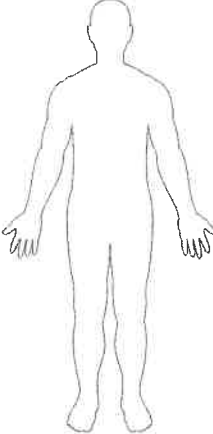
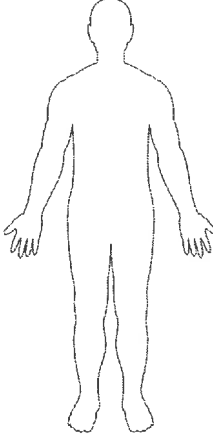
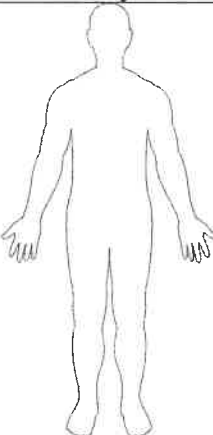
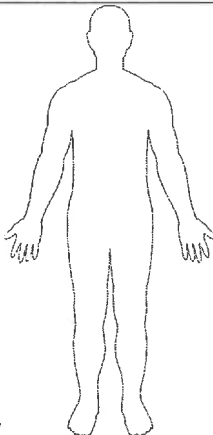
Response to Resistance Report (continued)

Key West Police Department

21.5460

Error! Reference source not found.

Case No: _____

OFFICER	23. Officer: Victor Arguello 24. Race: H 25. Sex: M 26. Age: 34 27. Height: 5.08 28. Weight: 195					
	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: 3.5
	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 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			
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/INVESTIGATION REPORT

INCIDENT DATA

Agency Name <i>Key West Police Department</i>
ORI <i>FL0440100</i>

Case# <i>21-005460</i>
Date / Time Reported <i>10/06/2021 02:02 Wed</i>
Last Known Secure <i>10/06/2021 02:02 Wed</i>
At Found <i>10/06/2021 02:02 Wed</i>

Location of Incident <i>1321 SIMONTON ST, Key West FL 33040</i>	Gang Relat NO	Premise Type <i>Hotel / Motel Other</i>	Beat/GP B4, GPB4	
#1 Crime Incident(s) <i>Resist Arrest / Escape XOM</i>	(Com)	Weapon / Tools <i>NOT APPLICABLE/NONE</i>		Activity
		Entry	Exit	Security
#2 Crime Incident <i>Trespassing XOT</i>	(Com)	Weapon / Tools		Activity
		Entry	Exit	Security
#3 Crime Incident	()	Weapon / Tools		Activity
		Entry	Exit	Security

MO

VICTIM

# of Victims <i>2</i>	Type: <i>BUSINESS</i>	Injury:	Domestic: <i>N</i>
V1 Victim/Business Name (Last, First, Middle) <i>SOUTHWINDS MOTEL</i>	Victim of Crime # <i>2</i>	DOB <i>///</i> Age	Race Sex Relationship To Offender Resident Status Military Branch/Status <i>ST N/A</i>
Home Address <i>1321 SIMONTON ST, Key West, FL 33040-</i>		Home Phone <i>305-296-2215</i>	
Employer Name/Address		Business Phone	Mobile Phone
VYR	Make	Model	Style Color Lic/Lis VIN

OTHERS INVOLVED

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type: <i>SOCIETY/PUBLIC/STATE</i>	Injury:
V2 Code Name (Last, First, Middle) <i>SOCIETY</i>	Victim of Crime # <i>1</i>
Home Address	
Employer Name/Address	
Type: <i>INDIVIDUAL</i>	Injury:
RP Code Name (Last, First, Middle) <i>NGUYEN, ADAM THANH</i>	Victim of Crime # <i>04/16/1990</i> Age <i>31</i>
Home Address <i>3330 NORTHSIDE DR - 327 KEY WEST, FL 33040</i>	
Employer Name/Address <i>SOUTHWINDS, 1321 SIMONTON ST (MANAGER)</i>	

PROPERTY

L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found
("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
	<i>35</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>BWC/3917</i>		
	<i>35</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>BWC/4058</i>		
	<i>35</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>FLEET/4058</i>		

Officer/ID# <i>BOZZETTI, CHRISTIAN A (4058)</i>	Invest ID# <i>(0)</i>	Supervisor <i>RODRIGUEZ, PABLO D (2298)</i>
Complainant Signature		Case Status <i>10/06/2021</i>
Case Disposition: <i>Cleared By Arrest</i>		<i>10/06/2021</i>

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-005460

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 21-005460
Date / Time Reported Wed 10/06/2021 02:02

Victim
SOUTHWINDS MOTEL

Offense
RESIST ARREST / ESCAPE

On 10/06/2021, at 02:03 hours, I (Ofc. Bozzetti) was dispatched to 1321 Simonton Street, Southwinds Motel Bar, reference an intoxicated male that was refusing to leave the property.

I arrived in my clearly marked Key West Police Department patrol vehicle. Ofc. Arguello was already on scene speaking with the male, later identified by his Oregon DL as Ross Freeman. I approached Freeman wearing my Key West Police Department class B uniform, making me easily identifiable as a law enforcement officer. Freeman was sitting in a chair in the lounging area in front of the Southwinds Motel Bar. The manager of the business, later identified by his FL DL as Adam Nguyen, advised us he told Freeman several times that the bar was closed, and he needed to leave, however, Freeman refused. Nguyen also confirmed that Freeman was not a guest at the Southwinds Motel.

Ofc. Arguello and I told Freeman multiple times that he needed to leave the property, or we would have to arrest him for trespassing. Freeman continuously refused to leave. We asked him what hotel he was staying at in an effort to assist him, however, Freeman told us that he was staying "right here". After multiple unsuccessful efforts to get Freeman to leave the property on his own, I took control of his right wrist and began to escort him away from the chair he was sitting in. Freeman immediately tensed up and pulled against me. Ofc. Arguello took control of his left arm and assisted in escorting him away from the chair he was sitting in. Freeman continued to resist and pull away from us. Freeman was given multiple clear and loud verbal commands to stop resisting. I attempted to place Freeman in handcuffs, however, he continued to resist and pull away, therefore I was unable to handcuff him while he was standing. Ofc. Arguello and I escorted Freeman to the ground in a controlled manner using a modified armbar technique. Once Freeman was on the ground, we were able to gain control of him and I placed him in handcuffs without further incident.

Ofc. Arguello searched Freeman's person incident to arrest and placed him in the rear seat of my patrol vehicle. I transported Freeman to the MCDC without incident.

Freeman sustained a very small abrasion above his right eye. I photographed the injury and Sgt. Sims documented the response to resistance incident.

Since Freeman was on the property of the Southwinds Motel, and refused to leave after multiple orders by an authorized person, he was in violation of F.S.S. 810.09

Since Freeman resisted a law enforcement officer in the legal execution of their duties, he was in violation of F.S.S. 843.02.

My BWC was activated during this incident.

Incident Report Suspect List

Key West Police Department

OCA: 21-005460

1	Name (Last, First, Middle) <i>FREEMAN, ROSS ELLIOTT</i>					Also Known As					Home Address <i>7110 SE CAVALIER ST MILWAUKIE, OR 97267 503-730-6669</i>				
	Business Address <i>UNKNOWN</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.					
<i>03/19/1976</i>	<i>45</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>510</i>	<i>220</i>	<i>BRO</i>	<i>BRO</i>	<i>LGT</i>	<i>5490024 OR</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

Printed: 10/06/2021 04:09

OCA: **21005460**

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

Investigator: *ARGUELLO, VICTOR S (3917)*

Date / Time: *10/06/2021 02:51:18, Wednesday*

Supervisor: *SIMS, FRED CARTER (2301)*

Supervisor Review Date / Time: *10/06/2021 04:04:28, Wednesday*

Contact:

Reference: *General Supplemental Report*

On Wednesday, October 6, 2021 at approximately 0202 hours, Ofc. Bozzetti and I (Ofc. Arguello) were dispatched to 1321 Simonton Street (South winds Motel), reference an intoxicated male (later identified as Ross Freeman) refusing to leave the property.

Upon arrival, I met with the property Manager (later identified as Adam Nguyen). Nguyen told me he tried getting Freeman to leave the property, but he refused. Freeman was sitting on a chair in the property. I asked Freeman where he was staying, he told me "right here". I told Freeman he could not stay there, and he was told by the Manager to leave the property already. I told Freeman to tell me where he was staying, so I could help him get there, he refused to tell me where he was staying. Freeman kept on asking if I was serious, I told him I was several times. Ofc. Bozzetti told Freeman to leave the property. I told Freeman to leave the property several times, but he refused. Bozzetti attempted to place handcuffs on Freeman but he kept pulling away. We redirected Freeman to the ground using an arm bar take down. I held Freeman's left arm, while Bozzetti held his right arm. Bozzetti was able to place handcuffs on Freeman.

This incident was recorded on my BWC.

Investigator Signature: _____