

Response to Resistance Report

Key West Police Department

Case No: 22-0757

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: 02/05/2022	3. Time: 2140 hrs	4. Location: 3444 NNR Laureate	5. Incident type: S34 & Resisting
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input type="checkbox"/> Passive:	Verbal Noncompliance	<input checked="" type="checkbox"/> Physical Control	Take down
	<input checked="" type="checkbox"/> Active:	Fighting Stance, Pulling Away	<input type="checkbox"/> Non-lethal Weapon	
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
<input type="checkbox"/> Deadly Force:				

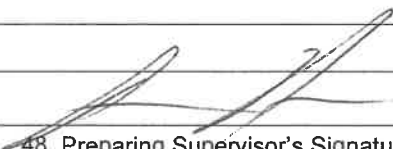
SUBJECT	10. Last Name: Neilly	11. First: Terence	12. Race: W	13. Sex: M
	14. DOB: 01-20-1957	15. Height: 6'01	16. Weight: 210	
	17. Did you observe the subject: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
	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			
22. Anterior View		Posterior View		

OFFICER	23. Officer: Christian A. Bozzetti	24. Race: W	25. Sex: M	26. Age: 28	27. Height: 6'02"	28. Weight: 185
	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					
	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: Knee Strike					
35. Anterior View		Posterior View				

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-0757

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: 4		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.			
	40. Notified Date: 02/05/2022		41. Time: 2155 hrs	
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	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)			
	45. During your review did you find any potential policy violations or training issues associated with the incident? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
SUPERVISOR'S INQUIRY	46. Were you able to locate any independent witnesses: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
	Name	Address		Phone Number
	Tasrine Brown	6300 3 rd Street KW. Laureate Employee		305-363-9462
	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS			
				3072
	48. Preparing Supervisor's Signature / ID			49. Date
	02/05/2022			
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:	

INCIDENT DATA

V
I
C
T
I
M

OTHERS INVOLVED

PROPERTY

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-000757

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
HANSELL, M. (3648), KOURI, D.G. (3022)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 22-000757

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 22-000757
Date / Time Reported Sat 02/05/2022 21:37

Victim

THE LAUREATE

Offense

TRESPASSING

-- Terence Neilly Arrest Narrative:

On 02/05/2022, around 21:37 hours, I (Ofc Bozzetti) was dispatched to 3444 N Roosevelt Blvd, The Laureate, reference a male refusing to leave the property.

On arrival, I observed an older male, later identified as Terence Neilly, asleep on a couch inside the hotel lobby. The front desk employee, later identified as Tasmine Brown, stated Neilly did not have a reservation and became extremely rude when asked to leave. I woke Neilly up and explained that he needed to leave the property. He became argumentative, said he was not going to leave and that he was going to hit me in the balls. I asked him one more time to leave on his own accord, or I would be forced to arrest him. Neilly postured up, while remaining seated on the couch, and stated he was not leaving. I reached for his left arm, and he pulled away and began actively resisting me. I gained control of his left arm and escorted him to the ground using a modified straight arm takedown. K-9 Ofc. Hansell arrived as soon as the subject was taken to the ground and assisted me with gaining control of Neilly. I placed him into handcuffs and escorted him to my patrol car.

Sgt. Kouri arrived on scene and documented the RRI. Neilly had a very small abrasion above his left eye, however, he stated it was an old injury.

I transported Neilly to the MCDC. He was brought upstairs to be seen by the MCDC nurse. The nurse stated he had an old cut on the top of his head that re-opened and would not stop bleeding. I transported Neilly to the LKMC for medical clearance. At the hospital Neilly refused to answer any questions and began yelling at the staff. Neilly began to stand up from his seat and I told him to sit back down and started to assist him in sitting back down in his seat. Without warning, Neilly performed a surprisingly quick front kick with his right leg, striking me in the left kneecap. I grabbed Neilly and placed him back on the bed and waited until he was done trying to fight me. Neilly apologized and said he was done kicking. I repositioned Neilly into a seated position on the bed. I was uninjured from the kick. Since I was inside the hospital, my BWC was not activated for the kick.

The doctor provided me with refusal paperwork, and I transported Neilly back to the MCDC to be booked.

Since Neilly refused to leave The Laureate's property after order by an authorized person, he was in violation of F.S.S. 810.09-2B.

Since Neilly resisted an officer in the legal execution of their duties, he was in violation of F.S.S. 843.02.

My BWC and In-Car AXON were activated during all encounters with Neilly, except for inside the hospital.

Incident Report Suspect List

Key West Police Department

OCA: 22-000757

1	Name (Last, First, Middle) <i>NEILLY, TERENCE</i>						Also Known As				Home Address <i>1 GENRAL DELIVERY KEY WEST, FL 33040</i>																																					
	Business Address																																															
	DOB <i>01/20/1957</i>	Age <i>65</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>601</i>	Wgt <i>170</i>	Hair <i>GRY</i>	Eye <i>BLU</i>	Skin <i>LGT</i>	Driver's License / State. <i>N22747326201574 NJ</i>																																					
	Scars, Marks, Tattoos, or other distinguishing features																																															
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></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>SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="3">Model</td> <td>Color</td> <td>Caliber</td> <td colspan="3">Dir of Travel Mode 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="3">VIN</td> </tr> </table>													<i>Reported Suspect Detail</i>		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		
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VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN																																							
Notes						Physical Char																																										

Incident Report Related Property List

Key West Police Department

OCA: 22-000757

1	Property Description BWC/4058				Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally	
	Status Evidence	Date 02/05/2022	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex	
	<u>Notes</u>									

2	Property Description FLEET/4058				Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally	
	Status Evidence	Date 02/05/2022	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex	
	<u>Notes</u>									

CASE SUPPLEMENTAL REPORT

Printed: 02/06/2022 00:59

OCA: **22000757**

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

Investigator: *HANSELL, MATTHEW (3648)*

Date / Time: *02/05/2022 22:35:27, Saturday*

Supervisor: *HAMMERS, JESSE L (3631)*

Supervisor Review Date / Time: *02/06/2022 00:27:59, Sunday*

Contact:

Reference: *General Supplemental Report*

On 02-05-22, I K-9 Ofc. Matthew Hansell of the Key West Police Department, responded to the Laurette Hotel located at 3444 N. Roosevelt Blvd in reference to a male refusing to leave the lobby.

As I pulled into the parking lot, I could see Ofc. Bozzetti, through the front window.

I could see that Ofc. Bozzetti was bent over and it looked like he was struggling with a male who was on the ground and trying to get up.

I ran inside the lobby to assist Ofc. Bozzetti with trying to secure the suspect Terence Neilly, who was actively resisting arrest by pulling his arms underneath his body and turning side to side all the while cursing at Ofc. Bozzetti. I was able to grab Neilly's right hand and together we were able to bring Neilly's hands behind his back and place him into custody.

I assisted with searching Neilly before he was placed in Ofc. Bozzetti's patrol vehicle. I secured Neilly's luggage, which was taken with him by Ofc. Bozzetti to the Monroe County Detention Center.

My BWC was used for this case.

EOR

Investigator Signature: _____

