

Response to Resistance Report

Key West Police Department

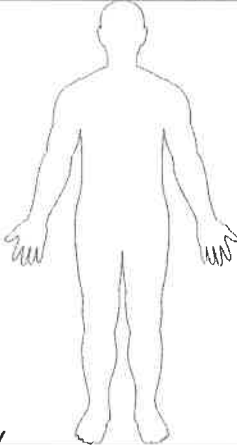
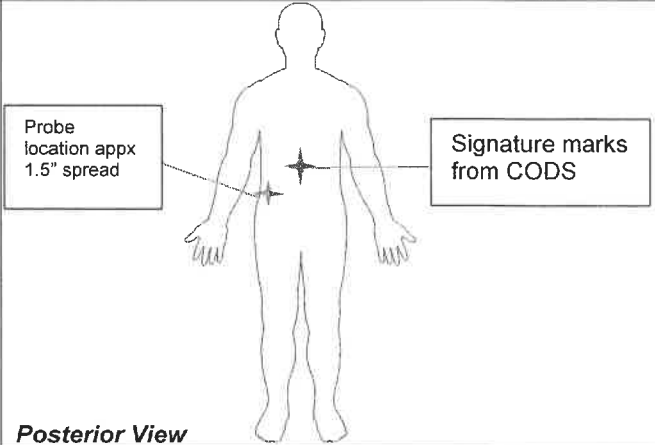
Case No: 22-3731

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

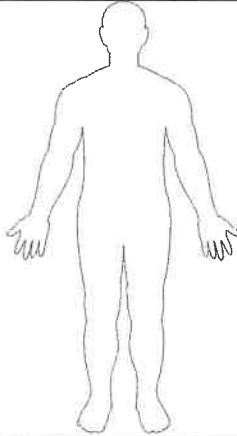
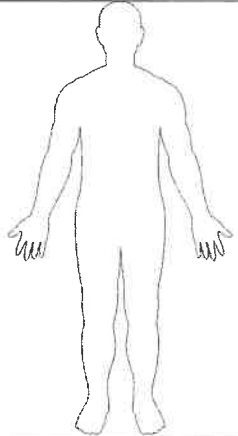
- ☒ A response through the use of non-lethal weapons,
☐ Applies weaponless physical force of strikes, kicks, or "take-downs"
☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force
☐ When any person complains of injury as a result of the application 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: 07/02/2022	3. Time: 1913	4. Location: 902 Whitehead St	5. Incident type: Battery
	6. Resistance Level:	7. Explanation:	8. Response Option:	9. Explanation:
	<input checked="" type="checkbox"/> Passive:	Ignoring verbal commands	<input type="checkbox"/> Physical Control	
	<input checked="" type="checkbox"/> Active:	Tensing, pulling arms away	<input checked="" type="checkbox"/> Non-lethal Weapon	
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	TASER
	<input type="checkbox"/> Deadly Force:			

10. Last Name: Creciun	11. First: Peter	12. Race: W	13. Sex: M
14. DOB: 10/31/1975	15. Height: 5'10"	16. Weight: 200	
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 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 checked="" type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Detention			

SUBJECT		
	22. Anterior View	Posterior View

23. Officer: Leo Hernandez	24. Race: H	25. Sex: M	26. Age: 47	27. Height: 5'04"	28. Weight: 145
29. Duty Status: <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input checked="" type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes 30. Yrs Exp: 3					
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: TASER					

OFFICER		
	35. Anterior View	Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-3731

TASER USE ONLY	36. TASER® device serial # X1200CRPK		37. TASER® device serial #	
	TASER®Cam serial # V21002AK9		TASER®Cam serial #	
	Cartridge 1 serial # C410C7H2R		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles: 2		Number of cycles:	
	Type of contact: <input checked="" type="checkbox"/> Probe <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Target distance at probe launch: 0"- on skin		Target distance at probe launch:	
	Distance between probes: 1.5"		Distance between probes:	
	Probes removed by (name): KWFD EMT B. Rose		Probes removed by (name):	
Device downloaded by: Sgt. J. Stockton		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: 07/02/2022		41. Time: 1913 hours	
	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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
	GO 03.29.02.04-F.1 Elec. Control Weapon, Deployment Procedures- Continuous evaluation			
	Verbal de-escalation, stress management			
	46. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	Name		Address	
47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		A. Rodriguez 3465		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		07/02/2022		
		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:	

INCIDENT DATA

MOV
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OTHERS INVOLVED

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Status

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-003731

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

AGLEEV, D. (4007), HERNANDEZ, L. (3452), PEREZ, R. (4010)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

22-003731

Victim

TAYLOR, NESHE

Offense

BATTERY AGGRAVATED

Date / Time Reported

Sat 07/02/2022 19:02

On June 7, 2022, at approximately 1902 hours, Ofc. Hernandez, Ofc. Agleev, Ofc. R. Perez, and I, Ofc. Bernatova, responded to 902 Whitehead Street (Kimpton Lighthouse Hotel), in reference to a battery.

BWC activated

Upon arrival, I saw white female, later identified by her Arizona driver's license as Neshe Taylor, DOB 06/06/1973.

Taylor was sitting on the floor of the hotel pool/bar's bathroom and was bleeding from the laceration above her right knee, and upper lip. Taylor had multiple blood stains on her clothing as well.

A small folding knife with blood stains was recovered from Taylor by Ofc. Agleev. The knife was later submitted to KWPD Property/Evidence Section by K9 Ofc. M. Hansell (see supplemental report).

Taylor was treated and transported by Key West Rescue to Lower Keys Medical Center, where she was treated for her injuries, and later discharged.

While at the hospital, I read Taylor Miranda Warnings from prepared card, Taylor acknowledged understanding, and said she wished to speak to me.

Taylor told me the following (post Miranda Warnings):

She and her boyfriend (identified by his Florida driver's license as Peter Creciun, DOB 10/31/1975), drove down to Key West today around 1100 hours. They have been in the romantic relationship for approximately 4 months and reside together as a family in West Palm Beach. Their room was not ready, so they went bar hopping on Duval Street, where they consumed alcoholic beverages (approximately 6-7 beers each) and had dinner. After they came back to the hotel, they took a shower and went to bed. Creciun fell asleep, but Taylor could not sleep. She went to bathroom, and when she came back to the bedroom, she found Creciun on the floor next to the bed. She helped Creciun back on bed and started rubbing his back. She discovered scratch marks on his back and asked him what they are from. Creciun mumbled they are from him having sex with a gay man and fell back asleep. Taylor went to the hotel bar, ordered a drink, and complained to the bartender about the situation. Taylor was very upset, and when she came back to the room, she poured cold water on Creciun to wake him up. Creciun got upset, and verbal argument followed. Creciun was getting more and more agitated and started punching Taylor with his closed right fist to her right arm, and then her throat, face, and upper torso. Taylor is right-handed, but she had a small folding knife in the left front pocket of her jean shorts. She pulled the knife out with her left hand, and stabbed Creciun once to his abdomen. Creciun yelled at her that he is going to kill her because she stabbed him and tried to take the knife from her. Taylor curled up to her left side into fetal position, trying to prevent Creciun from taking the knife from her. Taylor thinks that's when she suffered the laceration to her right leg, but she was not sure. Creciun kept punching her, and even picked up the coffee table, and threatened to hit her with it by lifting it over his head. Taylor kept yelling at him to stop, and when he backed away for a moment, Taylor ran towards the door, and escaped from the room. Taylor went back to the hotel bar and told the bartender what happened. Bartender called 911, and Taylor went to lock herself into bar/pool's bathroom until the help arrived.

I photographed Taylor's injuries and uploaded the photographs to Axon.

Ofc. Agleev and Ofc. Hernandez went to the hotel room 37 to contact Creciun, while I talked to Taylor in the

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

22-003731

Victim

TAYLOR, NESHE

Offense

BATTERY AGGRAVATED

Date / Time Reported

Sat 07/02/2022 19:02

bathroom. Ofc. Hernandez told me he asked Creciun to surrender to police custody for further investigation of the incident, and Creciun argued. Officers went hands on with Creciun, the scuffle ensued, and Ofc. Hernandez deployed his Taser cartridge, and Taser in drive stun mode in order to get Creciun safely into custody (see supplemental report).

Creciun was treated by Key West Rescue and transported to Lower Keys Medical Center for further treatment for the stab wound to his abdomen.

At the Lower Keys Medical Center, I talked to Creciun.

I read Creciun Miranda Warnings from prepared card, he acknowledged the understanding, and said he wished to speak to me.

Creciun told me the following (post Miranda Warnings):

He and Taylor drove down to Key West on his motorcycle and went to the hotel. Because the room was not ready, they went to have drinks at the downtown bars. After they came back to the hotel, they showered, and went to bed. Creciun fell asleep. He woke up to Taylor pouring cold water on him and accusing him of cheating on her. He bent his knees while still laying on his back, and that was when Taylor stabbed him to his abdomen with her right hand. Creciun grabbed her right hand (holding the knife) with his right hand, pushed her towards the door, opened the door with his left hand, pushed Taylor out the door, and slammed the door shut.

I asked Creciun if he at any point punched Taylor, and he said no.

I observed fresh looking tear on Creciun`s right knuckle, and I asked him how it happened.

Creciun said that after getting stabbed, he possibly punched Taylor in shock.

I photographed Creciun`s injuries and knuckles and uploaded the photographs to Axon.

I asked Creciun, why he did not cooperate with the police right away. Creciun told me that he asked Officers based on what State Statute are they giving him orders, and the Officers failed to respond to his satisfaction.

Based on all the facts, totality of circumstances, and conflicting statements about who the primary aggressor was, I found probable cause, that Taylor and Creciun committed mutual battery on each other.

I found probable cause, that Taylor intentionally and knowingly struck Creciun using deadly weapon (knife), violating FSS 784.045(1)(a)(2) Aggravated Battery with Deadly Weapon, Domestic Violence (based on the fact that Taylor and Creciun reside together as a family, and have been in the romantic relationship for approximately four months).

After Taylor got medically cleared by hospital staff, I placed her under arrest, and transported her to Monroe County Detention Center.

I found probable cause that Creciun intetionally caused great bodily harm to Taylor (by punching her to her face

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

22-003731

Victim

TAYLOR, NESHE

Offense

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Date / Time Reported

Sat 07/02/2022 19:02

causing injuries that required stitches), violating FSS 784.041(1)(b) Felony Battery, Domestic Violence (based on the fact that Taylor and Creciun reside together as a family, and have been in the romantic relationship for approximately four months).

Based on all the facts and circumstances, I found probable cause, that Creciun committed misdemeanor offense of Resisting Officer Without Violence, violating FSS 843.02 by disobeying Officer's verbal commands. Ofc. Hernandez and Ofc. Agleev were legally authorized to execute the process of arrest, and at the time were in full Key West Police Department uniforms, with the badges clearly displayed.

Creciun will be placed under arrest once he gets released from the hospital care.

Both Taylor and Creciun were provided with Victim's Rights Brochure with KWPD case number.

This case is cleared by two arrests.

Incident Report Suspect List

Key West Police Department

OCA: 22-003731

1	Name (Last, First, Middle)					Also Known As					Home Address																																																																									
	CRECIUN, PETER MICHAEL										1214 56TH PLACE NORTH WEST PALM BEACH, FL 33411 954-600-2965																																																																									
	Business Address SEAMAX, DRIVER																																																																																			
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.																																																																									
	10/31/1975	46	W	M	N	510	200	BRO	BRO	FAR	C625673753910 FL																																																																									
Scars, Marks, Tattoos, or other distinguishing features																																																																																				
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2	Name (Last, First, Middle)					Also Known As					Home Address																																																																									
	TAYLOR, NESHE										1214 56TH PLACE NORTH WEST PALM BEACH, FL 33411 202-271-8022																																																																									
	Business Address NONE, DISABLED VET																																																																																			
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OCA: 22003731

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

Investigator: *HERNANDEZ, LEONARDO* (3452)

Date / Time: 07/03/2022 19:35:29, Sunday

Supervisor: *RODRIGUEZ, ALEXANDER* (3465) Supervisor Review Date / Time: 07/03/2022 22:28:04, Sunday

Contact: -

Reference: *General Supplemental Report*

On Saturday July 2nd, 2022, at about 1906 hours, I, (Ofc. L. Hernandez), while on an off-duty detail in the downtown area of Key West, Florida, I heard Key West Dispatch Com.1 dispatching Ofc. A. Bertanova to a stabbing / battery incident at 902 Whitehead Street (Lighthouse Guest House).

I radioed Key West Dispatch Com. 1 letting them know I was in route to the incident to assist. I arrived the scene at about 1907 hours. It was aired over the radio that a female had been "beaten by her boyfriend and that she defended herself by using a knife on him and that she was hiding in the restroom by the pool". I unholstered my duty weapon as I approached the entrance of the guest house. As I was approaching the pool area, guest house staff informed me that a female, later identified as Neshe Taylor (DOB 06/06/1973) was inside the bar area restroom. I approached the restroom door, I noticed stains / marks of blood on it. I knocked on the door and announced myself "Key west Police open the door". Taylor opened the door and sat back down on the floor. Taylor had a 1 ½ to 2-inch laceration on her right thigh and she was bleeding from her nose and mouth as well.

I saw a black pocketknife sitting next to her right and I ordered her not to reach for it. I radioed Key West Dispatch and asked for a Key West Fire Rescue unit to respond. I asked Taylor how she sustained the injuries, and she said her boyfriend named Peter did it with a knife. Taylor gave me a description of Peter. I asked Taylor if she was aware of any other weapons in the room and she said she did not know.

Key West Fire Rescue, Ofc. A. Bertanova and Ofc. D. Agleev arrived on scene. I told Key West Fire Rescue it was safe to come in and treat Taylor. I gave Ofc. Bertanova the pocketknife I recovered from Taylor. Ofc. D. Agleev and I then headed to room 37 which is where Peter and Taylor were staying. A front desk employee handed me the key to the room. While outside room 37 I announced myself stating "Key West Police open the door", I said "Peter open the door, Key West Police". As I am trying to open the room, I announce myself again, but nothing is being said or heard.

Ofc. D. Agleev and I made entry as I am calling Peter to come out. Ofc. Agleev and I were standing approximately 5-6 feet from the center of the room, behind the bed. A white male, later identified as Peter, steps in from behind the door that leads to a side balcony. I asked Peter to get down on the ground, Peter yells "I was stabbed on my stomach, I need an ambulance" as he lifts his shirt to show me. I told Peter we had an ambulance on scene, and I gave him loud and clear commands again to get down on the ground. Peter refused to comply while asking what the lawful order was. I told Ofc. Agleev not to holster his weapon and I reached for Peter, grabbing him by his right arm and pulling him towards the bed. Peter immediately began to tense up and refused to turn around and give us his arms so we can place him in custody. I unholstered my TASER and placed it on Peters left side of his lower abdomen making contact with his body in drive stun mode (taser cartridge was not removed during tasing, prones made contact on the left side of Peter's body near his ribcage) while we were on the bed. I briefly removed the TASER from Peter's body as we were rolling over the bed. I ordered Peter to stop resisting and he did not comply. We rolled over the bed onto the ground

Investigator Signature: _____

OCA: 22003731

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Investigator: *HERNANDEZ, LEONARDO* (3452)

Date / Time: 07/03/2022 19:35:29, Sunday

Supervisor: *RODRIGUEZ, ALEXANDER* (3465) Supervisor Review Date / Time: 07/03/2022 22:28:04, Sunday

Contact:

Reference: *General Supplemental Report*

while I had my TASER still unholstered I used it in drive stun mode again (taser cartridge was not removed during tasing, prones made contact on the left side of Peter's body near his ribcage) on the lower back area of his body making contact. I beleive I ran two cycles on my TASER during this incident.

We were eventually able to place Peter in handcuffs. After Peter was secured and the scene was safe to enter, Key West Fire Recue made entry and treated Peter who was then transported to Lower Keys Medical Center for further medical treatment.

Due to the totality of circumstances, nature of the incident, Peter actively resisting, not complying with lawful orders, Peter trying to defeat our efforts of placing him in custody and the fact that we did not know at the moment if there were any other weapons on scene or what his state of mind was I believe the level of force used to detain Peter was necessary to keep Peter and us safe and to control the volatile situation. There were multiple alcoholic intoxicants containers opened on scene. I noticed Taylor had slurred and slow speech, bloodshot and droopy eyes. I noticed Peter's face was red and flushed, his eyes were droopy and bloodshot, and a strong odor of alcoholic beverage was emanating from his breath and person.

This was my involvement on this incident. Refer to supplemental report from Ofc. D. Agleeve and incident an arrest report from Ofc. A. Bertanova for more information. I then went back to my detail in the downtown area.

My BWC - Body worn camera (3452) was activated during this incident. Nothing further.
at

Investigator Signature: _____

OCA: 22003731

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

Investigator: *AGLEEV, DENIS (4007)*Date / Time: *07/02/2022 20:15:49, Saturday*Supervisor: *CONATY, JAY THOMAS (3755)*Supervisor Review Date / Time: *07/03/2022 01:56:27, Sunday*

Contact:

Reference: *General Supplemental Report*

On July 2, 2022, at approximately 1900 hours I, Officer D. Agleev, responded to 902 Whitehead Street (Lighthouse Hotel), reference a female stabbing a male during a domestic altercation.

Upon arrival I observed Officer Hernandez walking away from the restroom by the pool area holding a small pocketknife black in color. Rescue personnel was rushing into the restroom to help a female, who was inside the restroom. I did not see or talk to the female.

Officer Bernatova responded to scene and stayed with the female. Officer Hernandez and I went to the Room 37 to contact the male half. According to the information, received by Officer Hernandez from the female, the male could still be armed with a knife. I opened the room door with a master key provided by a hotel employee. Officer Hernandez and I went in with our pistols drawn.

Once inside the room, we observed a white male, later identified as Peter Creciun, walking inside from the balcony. Once we saw, Creciun was not armed, we holstered our weapons. Officer Hernandez gave Creciun verbal commands to get on the ground. Creciun refused to obey the verbal commands. Officer Hernandez and I grabbed Creciun's arms attempting to handcuff him.

Creciun placed his hands on the bed, tensed up and refused to put his hands behind his back. After several verbal warnings Officer Hernandez deployed his TASER device. Creciun slid from the bed onto the floor.

Once on the floor Creciun moved his hands behind the back. I handcuffed Creciun and double locked my cuffs. I assisted Creciun into sitting position.

Rescue personnel checked Creciun's injuries and transported him to the Lower Keys Medical Center.

I took several photos of Creciun's injuries before he was transported. He had an approximately $\frac{3}{4}$ " long laceration on his abdomen, which was not actively bleeding. The TASER prongs landed on the left side of Creciun's body approximately 2" away from each other.

I took several photos of the scene. There were reddish spots of what appeared to be blood on the floor inside the room #37, and on the floor and walls of the restroom by the pool.

My BWC was activated and uploaded to Axon Server.

The pictures I took with my Axon Capture App were uploaded to Axon Evidence.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT

Printed: 07/03/2022 23:06

OCA: **22003731**

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Investigator: *HANSELL, MATTHEW* (3648)

Date / Time: *07/02/2022 20:32:18, Saturday*

Supervisor: *CONATY, JAY THOMAS* (3755)

Supervisor Review Date / Time: *07/02/2022 20:36:29, Saturday*

Contact:

Reference: *Suspect Interview*

On 07-02-2022, I K-9 Ofc. Matthew Hansell of the Key West Police Department, responded to 902 Whitehead St. in reference to a report of a domestic in which both parties possibly stabbed one another. Prior to my arrival both subjects were seperated in different areas of the hotel.

I assisted with collecting evidence to include a small folding knife and a tazer cartridge and parts used by Ofc. L. Hernandez, who tazed the male half of this call. I took all evidence to the police station and placed it into an evidence locker.

My BWC was used for this event.

Investigator Signature: _____