

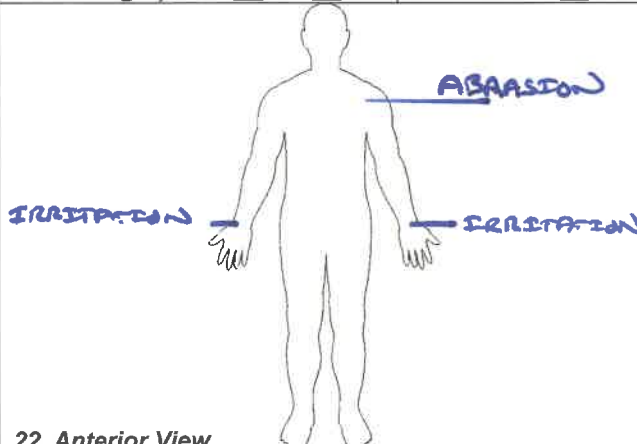
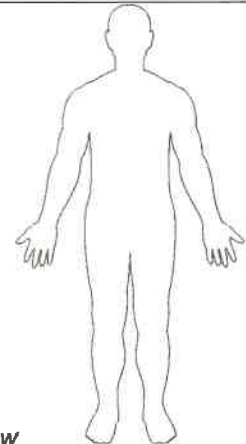
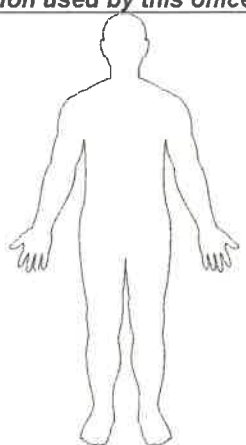
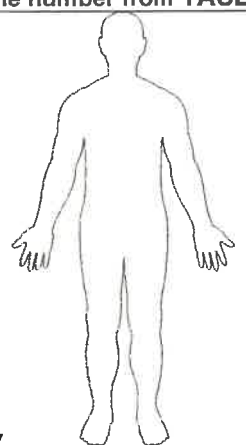
Response to Resistance Report

Key West Police Department

Case No: 22-4675

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: 8/15/22	3. Time: 1700 Hrs	4. Location: 1016 Varela Street	5. Incident type: Baker Act
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Ignored verbal commands	<input checked="" type="checkbox"/> Physical Control	Take Down
	<input checked="" type="checkbox"/> Active:	Pulled away	<input type="checkbox"/> Non-lethal Weapon	
SUBJECT	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			
	10. Last Name: Fry	11. First: Olivia	12. Race: W	13. Sex: F
	14. DOB: 6/15/2002	15. Height: 5'06	16. Weight: 140	
	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 checked="" type="checkbox"/> Under the influence of controlled substance <input checked="" 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			
	22. Anterior View		Posterior View	
				
OFFICER	23. Officer: Thomas Stutz			
	24. Race: W 25. Sex: M 26. Age: 44 27. Height: 5' 09 28. Weight: 190			
	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: 14			
	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) Take down			
35. Anterior View		Posterior View		
				

Response to Resistance Report (continued)

Key West Police Department

22-4675

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: None, No MNI, One Probe only		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 One only	
	Target distance at probe:		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: 8/16/22		41. Time: 1730 hours	
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
INQUIRY	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	44. 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	
	Jordan Boerger	City Mooring Field	(734) 292 - 5242	
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS				
Mark Siracuse 3366		8/16/22		
46. Preparing Supervisor's Signature / ID 		3366	47. Date	
INT. AFF.	48. 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)			
	49. Signature of Internal Affairs Inspector		50. Date	
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:	

INCIDENT DATA

MO

V
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C
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M

OTHERS INVOLVED

PROPERTYStatusR CS1IBR

Incident Report Additional Name List

Key West Police Department

OCA: 22-004675

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	BEDARD, KELLY CHRIS		08/11/1959	63	W	M
Address	15 AQUAMARINE DR, KEY WEST, FL 33040-		H: 305-434-7660			
Empl/Addr	Guidance Care Center		B: 786-644-3825			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-004675

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

OCA

22-004675

Victim

Offense

BAKER / MARCHMAN ACT

Date / Time Reported

Mon 08/15/2022 15:43

On August 15, 2022, at approximately 1600 hours, Ofc. Johnson and I (Ofc. Stutz) were dispatched to 1016 Varela St. Rear for a report of a suicidal subject. While en route, Key West Police Dispatch advised Carla Fry, the mother of the suicidal person, had contacted the police after her daughter, Olivia Fry, made several threats to kill herself via text. Carla also advised that Olivia had a lengthy history of suicidal ideations and that she threatened to jump into traffic if she saw police coming to the residence.

Ofc. Johnson and I arrived on scene and began to approach the residence. Carla approached in her vehicle and relayed further information about Olivia's past mental health history. Carla also warned that Olivia may refuse to answer the door, but she had a key if needed. Carla requested we not make Olivia aware that she was in the area as Olivia has been violent toward her in the past.

Ofc. Johnson and I then made contact with Olivia in an upstairs apartment at the rear of the property. Initially, Olivia refused to identify herself, refused to exit the apartment, and stated she did not want to talk to police. I spoke to Olivia briefly and was able to get her to exit the residence voluntarily. Upon talking to Olivia outside the residence, she told me of her long history with the mental health system. I asked Olivia if she was thinking about hurting herself. Olivia stated she has been having suicidal ideations since the time she was 7 years old, Olivia is currently 20 years old. As I continued to speak to Olivia, I discussed with her the need for mental health evaluation. Olivia stated she understood her need for evaluation but was reluctant to go voluntarily for treatment.

Ofc. Johnson stood by with Olivia while I met with Carla to determine what Olivia had stated to her. Carla then showed me multiple text messages from Olivia, which were sent over the course of several hours. Olivia sent 9 separate text messages stating "I'm going to kill myself." Olivia's last text message was giving her mother her funeral and organ donation preferences. Carla stated Olivia then stopped responding via text or telephone calls and she contacted the police department and the Guidance Care Center.

I was the approached by Guidance Care Center Counselor Kelly Bedard. Kelly advised that he had been contacted earlier in the day in reference to Olivia being confrontational with Carla and using suicidal language. Kelly advised he came to the residence and conducted an evaluation and spoke to Olivia. Kelly stated that at that time Olivia had calmed down and did not appear to be a threat to herself or others. Kelly stated that since that time Olivia continued to make suicidal comments to Carla and there was a fear she may become harmful to herself or Carla.

After meeting with Carla and Kelly, I returned to speak to Olivia. I again addressed her need for care and asked her if she wanted to go to DePoo Hospital for a voluntary examination by a mental health counselor. Olivia stated she understood her need to go, but advised that if she went voluntarily and told them the truth about her suicidal ideations then she knew the Doctors would Baker Act her. Olivia's boyfriend, later identified as Jordan Boerger, arrived on scene and also tried to request Olivia seek immediate treatment. I later spoke to Jordan who advised that Olivia had sent him messages that she was going to kill herself and to not come to the residence because she didn't want him to find her body.

At that time, since Olivia would not go voluntarily, after being advised of her need for treatment, and her comments about self harm I attempted to take her into custody as a Baker Act. Upon taking her arm, Olivia began tensing and pulling away. Olivia pulled her arms into her chest in an attempt to keep from being taken into custody. Ofc. Johnson and I made multiple attempts to place her hands behind her back while giving her loud verbal commands to stop resisting. Olivia continued to resist and went to her knees. As she offered continuous resistance she was placed on her stomach and ultimately handcuffed, double locked. As Olivia was struggling, both Jordan and Carla

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

22-004675

Victim

Offense

BAKER / MARCHMAN ACT

Date / Time Reported

Mon 08/15/2022 15:43

told Olivia to stop resisting and to go with us to be evaluated.

Olivia had a small abrasion on her right shoulder and was treated on scene by Key West Rescue. Sgt. Siracuse also responded to the scene and I briefed him about the response to resistance incident.

I placed Olivia into my patrol car and transported her to Depoo Hospital for evaluation. While en route, Olivia made multiple further statements that she was going to kill herself.

While being evaluated for in-take at DePoo Hospital, Olivia tested positive for COVID and was ultimately denied entry and was referred to Lower Keys Medical Center. I contacted Key West Rescue to assist with transport due to Olivia's new found medical condition. Olivia was transported to the Emergency Department at Lower Keys Medical Center for both COVID treatment and the Baker Act.

I completed the Baker Act forms and Olivia was left at the Lower Keys Medical Center for further treatment and evaluation.

My Body Worn Camera and Fleet Camera were activated for this incident and later entered into Key West Police Department Property and Evidence Section.

//END OF REPORT//

OCA: 22004675

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

Investigator: JOHNSON, MATTHEW C (3273)

Date / Time: 08/15/2022 20:22:54, Monday

Supervisor: SIRACUSE, MARK W (3366)

Supervisor Review Date / Time: 08/16/2022 11:21:25, Tuesday

Contact:

Reference: General Supplemental Report

On August 15, 2022, at approximately 1543 hours, I (Officer Johnson) was dispatched as a back up unit to 1016 Varela St in reference to a person making threats of suicide.

Upon arrival, I was flagged down by a woman claiming to be the mother of the person making threats of suicide (later identified as Olivia). The mother provided directions to Olivia's room. Officer Stutz attempted to contact Olivia by knocking on her door. Olivia was reluctant to open the door. Olivia refused at first, but Officer Stutz managed to convince her to come out on the conditions that I walk down the alley way and stayed out of her sight. I moved down the alley maintain visual of Officer Stutz. I observed Officer Stutz talking to Olivia, but I could not hear most of the conversation.

Once Officer Stutz finished his conversation he left and asked me to talk to Olivia about our mounted patrol program. I asked Olivia if she was going to be ok for the rest of today. Olivia stated, "I mean I am not going to tell you no; you know." and nervously laughed after that statement. I advised Olivia that we could find her help and she stated, "I just don't want to get baker acted or put in outpatient again."

Officer Stutz returned and attempted to convince Olivia to voluntarily get treatment. Olivia refused to get treatment. Olivia was advised that she must go get treatment. Olivia refused and tried to walk away. Officer Stutz and I then began to physically detain her. Olivia attempted to pull away multiple times and stated "no" multiple times. Olivia dropped to the ground to avoid being arrested. Olivia Pulled and twisted her arms to evade arrest. Officer Stutz and I repositioned her to her stomach for better control to make the arrest. Olivia continued to pull away and tense to avoid arrest. I told Olivia to put her hands behind her back. My body camera was knocked off and fell to the ground during the resistance. Olivia was able to grab ahold of the handcuffs and would not let them go. I told Olivia to let go of the handcuffs. Eventually we were able to free the handcuffs from her grip and place them on her wrists. Olivia tried to tighten the handcuffs around her wrist. I told Olivia to stop tightening the handcuffs. I told Olivia to stop so I could double lock the handcuffs to keep them from tightening.

Olivia continued to resist while walking to the police car. Olivia pulled away and tried to turn around multiple times. Olivia was placed in the back of the patrol car but refused to put her feet in. Olivia Complained about her handcuffs causing her pain and were adjusted several times. A supervisor was requested and responded to the scene. Rescue responded to the scene. While Olivia was being looked at by rescue, she pulled the handcuffs from behind her back under her legs and brought them up in front of her body.

Olivia had several minor injuries after the arrest. Olivia had scrapes to the left shoulder, back and some impression marks on her wrists from the handcuffs. Olivia also had several preexisting injuries over her body including knees, back and arms. The preexisting injuries appeared to be mostly bruising and old abrasions. Olivia stated that some of the injuries she had were preexisting.

The handcuffs were repositioned behind her back, and she was taken to Depoo hospital.

Incident was recorded by body worn camera.

Investigator Signature: _____

