

Response to Resistance Report

Key West Police Department

Case No: 22-5126

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: 09/05/2022 3. Time: 0110 4. Location: 202 Duval Steet 5. Incident type: S34/Resisting

6. Resistance Level 7. Explanation 8. Response Option 9. Explanation

Passive: Ignored Verbal Commands Physical Control Take Down

Active: Pulling, Bracing, Tensing Non-lethal Weapon

Aggressive: Deadly Force

Deadly Force:

10. Last Name: Venhaus 11. First: Douglas 12. Race: W 13. Sex: M

14. DOB: 12-4-69 15. Height: 6'03 16. Weight: 215

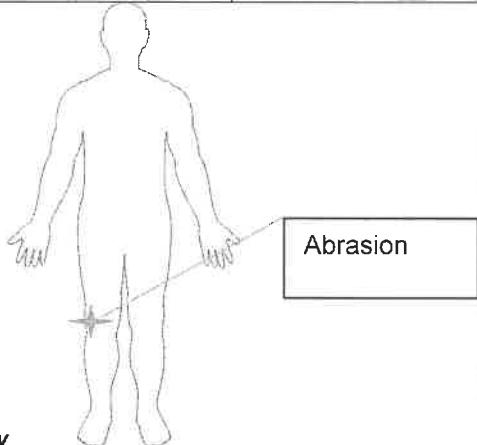
17. Did you observe the subject: No Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

18. Appeared to be: Intoxicated Under the influence of controlled substance Emotionally / mentally disturbed

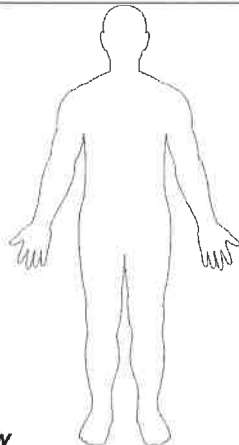
19. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)

20. Photographed: No Yes 21. Treated: No Yes By: EMT/Paramedic on scene Hospital Detention

SUBJECT



Anterior View



Posterior View

23. Officer: Leo Hernandez 24. Race: W 25. Sex: M 26. Age: 47 27. Height: 5'04" 28. Weight: 140

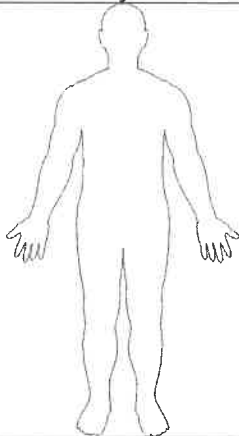
29. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain clothes 30. Yrs Exp: 3

31. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

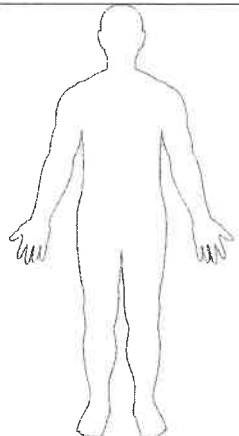
32. Photographed: No Yes 33. Treated: No Yes By: EMT/Paramedic on scene Hospital

34. Response option used by this officer: Takedown

OFFICER



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

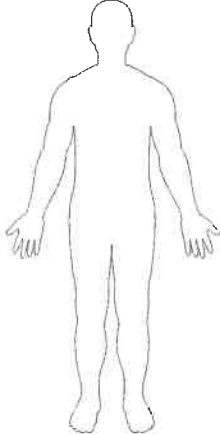
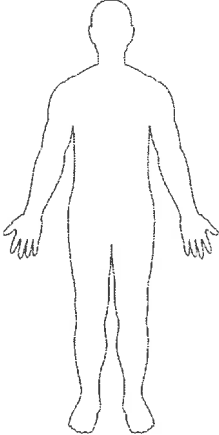
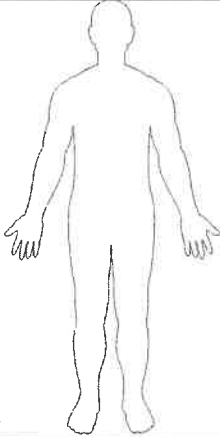
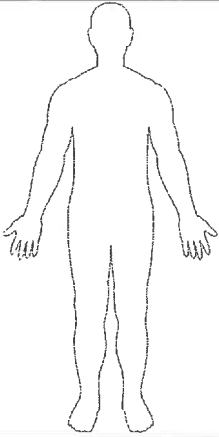
Case No: 22-5126

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: N/A		Target distance at probe launch: N/A		
	Distance between probes: N/A		Distance between probes: N/A		
	Probes removed by (name): N/A		Probes removed by (name): N/A		
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: 09/05/2022		41. Time: 0115		
	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)				
	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
	Ricks Bar Staff				
	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		D. Kouri 3022		09/05/2022	
		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 checked="" type="checkbox"/> Yes (If "No", complete section 51)				
			3317		
			2/13/2023		
		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

Case No: 22-5126

OFFICER	23. Officer: Samuel Adorno 24. Race: W 25. Sex: M 26. Age: 23 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 30. Yrs Exp: 1	
	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: Takedown	
 <p>35. Anterior View</p>	 <p>Posterior View</p>	
OFFICER	23. Officer: Roy Owens 24. Race: W 25. Sex: M 26. Age: 44 27. Height: 5'11" 28. Weight: 230	
	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: 1	
	31. 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 35)	
	32. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 33. Treated: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input checked="" type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital	
	34. Response option used by this officer: Assist in handcuffing after being TASED	
 <p>35. Anterior View</p>	 <p>Posterior View</p>	

INCIDENT/INVESTIGATION REPORT

I N C I D E N T D A T A	Agency Name Key West Police Department				INCIDENT/INVESTIGATION REPORT				Case# 22-005126						
	ORI FL0440100								Date / Time Reported 09/05/2022 01:07 Mon						
	Location of Incident 202 DUVAL ST, Key West FL 33040				Gang Relat NO		Premise Type Bar / Nightclub /		Beat/GP B1, GPB1		Last Known Secure 09/05/2022 01:07 Mon				
											At Found 09/05/2022 01:07 Mon				
D E T A I L	#1 Crime Incident(s) Disorderly Conduct DCA				(Com)		Weapon / Tools NOT APPLICABLE/NONE				Activity				
							Entry		Exit		Security				
	#2 Crime Incident Resist Arrest / Escape XOM				(Com)		Weapon / Tools				Activity				
						Entry		Exit		Security					
#3 Crime Incident Trespassing XOT				(Com)		Weapon / Tools				Activity					
						Entry		Exit		Security					
MO															
V I C T I M	# of Victims 2		Type: BUSINESS				Injury:				Domestic: N				
	Victim/Business Name (Last, First, Middle) V1 RICKS				Victim of Crime # 1,		DOB // : : Age		Race	Sex	Relationship To Offender ST	Resident Status N/A	Military Branch/Status		
	Home Address 202 DUVAL ST, Key West, FL 33040-						Email				Home Phone 305-296-4890				
	Employer Name/Address						Business Phone				Mobile Phone				
	VYR		Make	Model	Style	Color	Lic/Lis		VIN						
CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)															
O T H E R S	Type: SOCIETY/PUBLIC/STATE				Injury:										
	Code V2		Name (Last, First, Middle) SOCIETY				Victim of Crime # 2,3		DOB // : : Age		Race	Sex	Relationship To Offender	Resident Status N/A	Military Branch/Status
	Home Address						Email				Home Phone				
	Employer Name/Address						Business Phone				Mobile Phone				
	Type: Injury:														
Code		Name (Last, First, Middle)				Victim of Crime #		DOB Age		Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
Home Address						Email				Home Phone					
Employer Name/Address						Business Phone				Mobile Phone					
L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)															
P R O P E R T Y	VI #	Code	Status Frm/Tg	Value	OJ	QTY	Property Description			Make/Model		Serial Number			
		35	EVID	\$0.00		1	BWC 3452								
		35	EVID	\$0.00		1	AXON FLEET 3452								
		99	EVID	\$0.00		1	AXON VIDEO								
Officer/ID# HERNANDEZ, LEONARDO (3452)															
Invest ID# HERNANDEZ, LEONARDO (3452)						Supervisor RODRIGUEZ, ALEXANDER (3465)									
Complainant Signature				Case Status <i>Cleared By Arrest</i>				09/05/2022		Case Disposition: <i>Cleared By Arrest</i>		09/05/2022		Page 1	

Incident Report Additional Name List

Key West Police Department

OCA: 22-005126

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	ACEDERA, RAYMUNDO MURILLO		03/15/1985	37	W	M
Address	1911 STAPLES AVE , KEY WEST, FL 33040-		H: 401-692-2321			
Empl/Addr	Ricks, 202 Duval St		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # **22-005126**

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
HAM, R. (4009), ADORNO, S.D. (4155), OWENS, R.A. (4126)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 22-005126

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

		OCA 22-005126
Victim RICKS	Offense DISORDERLY CONDUCT	Date / Time Reported Mon 09/05/2022 01:07

On Monday September 5, 2022, at about 0107 hours, I, (Ofc. L. Hernandez), was on foot patrol at the 200 block of Duval Street. Ofc. Samuel Adorno, Ofc. Roy Owens and I, were flagged down by staff of Rick's Bar at 202 Duval Street, reference a male that needed to be trespassed from the establishment.

Upon arrival, we met with the male, later identified as Douglas Edward Venhaus (DOB 12/04/1969) (Arrestee). Venhaus had been asked to leave by Rick's management and security staff and he was refusing to. We made contact with Venhaus at the far end bar called Dirty Harrys of the establishment. We told Venhaus he was being asked to leave and that he needed to. Venhaus was clearly under the influence of alcoholic intoxicant (s) as per his strong odor of alcoholic beverages emanating from his breath and person, slurred speech, glassy and watery and bloodshot eyes, and unsteady walk.

Vanhaus was arguing and being belligerent while still inside the establishment. When we made it to the entrance of the establishment Venhaus was still being belligerent and was coming towards us as we kept telling him to walk away. While walking in rapid and in an attacking manner Venhaus began to scream at us using verbal profanities. I warned Vanhaus he was going to be the subject of arrest for disorderly conduct if he did not walk away. Vanhaus moved in towards me at about 2-3 feet away while yelling at me. I unholstered my taser and pointed at him while telling him to get back and walk away. Vanhaus was being pulled away by a male friend but became loose and began to come towards me again. I reached out to try to detain Vanhaus and he tried to run away. Ofc. S. Adorno, an employee of Rick's later identified as Raymundo Murillo Acedera (DOB 03/15/1985) (Witness), and I grabbed Vanhaus and he actively resisted by tensing up and trying to pull away from us. We brought Vanhaus down to the ground in a control manner. As we were taking Vanhaus down to the ground I still had my taser unholsted and I accidentally deployed my taser making contact with Ofc. Roy Owens genital area. Ofc. Roy Owens was conscious, alert, and uninjured. Vanhaus kept trying to defeat our attempts of placing him in handcuffs by tensing up and keeping his arms under him. Ofc. Randolph Ham gained control of Vanhaus right arm. Vanhaus tried to use his legs as leverage so we could not detain him. I kept giving loud and clear commands to Vanhaus to get on his belly and comply. I tried to get Vanhaus to comply after his continued resistance by utilizing pain compliance. The pain compliance I used was controlled elbow strikes to Vanhaus' lat muscles on his back and knee spikes to his oblique muscles on the left side of his body. We were finally able to place Vanhaus in handcuffs, I checked them for tightness and double locked them.

Ofc. S. Adorno and I walked Vanhaus to my patrol vehicle where I conducted an incident to arrest search of his person and then I placed him in the rear of my patrol vehicle, Axon Fleet rear camera activated. We contacted our watch supervisors, Sgt. David Kouri and Sgt. Alex Rodriguez to respond to the scene to conduct a response to resistance investigation. Sgt. D. Kouri and Sgt. A. Rodriguez arrived and completed their RRI. Vanhaus was actively resisting, and his level of resistance had to be met with a reasonable and necessary response to prevent the risk of harming himself, ourselves and others. I transported Vanhaus to the Monroe County Detention Center where he was turned over to the Detention Deputies without issues.

Based on all facts, evidence, and totality of circumstances, I believe we have probable cause Vanhaus committed the misdemeanor criminal offense of trespassing, failed to leave property when ordered by owner as defined in FSS 810.09-2B - Vanhaus was defying the order he was given to leave the establishment by property management.

Based on all facts, evidence, and totality of circumstances, I believe we have probable cause Vanhaus committed the misdemeanor criminal offense of resisting an officer to his / her person without violence as defined in FSS 843.02 - Vanhaus obstructed us from our lawful duty during a lawful detainment and subsequent arrest by actively resisting. Vanhaus tried to flee the scene when he was being told he was being detained. Vanhaus actively tried to defeat our attempts of placing him in handcuffs by tensing up and keeping his arms under him and using the bending of his legs as leverage to avoid arrest.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA <i>22-005126</i>
Date / Time Reported <i>Mon 09/05/2022 01:07</i>

Victim <i>RICKS</i>	Offense <i>DISORDERLY CONDUCT</i>	Date / Time Reported <i>Mon 09/05/2022 01:07</i>
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Based on all facts, evidence, and totality of circumstances, I believe we have probable cause Vanhaus committed the misdemeanor criminal offense of disorderly conduct as described in FSS 877.03 - Vanhaus belligerent behavior in nature corrupted the public morals, outraged the sense of public decency. Vanhaus behavior drew a large crowd of bystanders.

My BWC and Axon Fleet were both activated during this incident.

End of report. Cleared by arrest.

Incident Report Suspect List

Key West Police Department

OCA: 22-005126

1	Name (Last, First, Middle) <i>VENHAUS, DOUGLAS E</i>					Also Known As					Home Address <i>1218 BLUE SPRUCE COLUMBIA, IL 62236</i>				
	Business Address														
	DOB <i>12/04/1969</i>	Age <i>52</i>	Race <i>W</i>	Sex <i>M</i>	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.				
	Scars, Marks, Tattoos, or other distinguishing features														
Reported Suspect Detail															
Weapon, Type		Feature		Make		Model			Color		Caliber		Dir of Travel		SSN
VehYr/Make/Model			Drs	Style			Color		Lic/St			VIN			
Notes										Physical Char					

Incident Report Related Property List

Key West Police Department

OCA: 22-005126

1	Property Description BWC 3452			Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000	Unit EA	Jurisdiction Locally	
	Status Evidence	Date 09/05/2022	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex

Notes

2	Property Description AXON FLEET 3452			Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000	Unit EA	Jurisdiction Locally	
	Status Evidence	Date 09/05/2022	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex

Notes

3	Property Description AXON VIDEO			Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000	Unit EA	Jurisdiction Locally	
	Status Evidence	Date 09/05/2022	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex

Notes

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 09/05/2022 05:19

OCA: **22005126**

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

Investigator: *ADORNO, SAMUEL D (4155)*

Date / Time: *09/05/2022 04:30:39, Monday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On September 5, 2022, at approximately 0105 hours, Ofc. Hernandez and I (Ofc. Adorno) were flagged down at Ricks Bar (202 Duval St) to attend the rear at Durty Harrys reference a trespasser.

Upon arrival, we observed the security team at Ricks guiding a male individual toward the front of the establishment. While we assisted Ricks security team, the male individual continued to act belligerent, turn toward the employees and officers, yelling to not touch him. As the male was removed off the property, he continued to take several steps toward Ofc. Hernandez and myself in an aggressive manner. The male was advised several times to turn around and walk away. The male, later identified as Venhaus, continued to act and talk in an aggressive manner and attacking manner, flaring his hands approximately 2 feet away from Ofc. Hernandez and my self's face. Venhaus continued to approach us as we gave him several other warnings to walk away and go home. It should be noted, it was clear Venhaus was intoxicated, he had an odor of an alcoholic beverage emitting from his breath, slurred speech, was unbalanced, and had glassy and watery eyes. After numerous of warnings, Venhaus continued to step toward the officers. As Venhaus approached us again, Ofc. Hernandez unholstered his taser and advised him to walk away due to his aggression. Venhaus had two other friends on scene who tried multiple times to pull him away, with Venhaus ripping away from them and continuing to become aggressive with officers on scene. After several warnings, Ofc. Hernandez advised Venhaus to turn around and place his hands behind him. Venhaus began to resist and tense his hands, trying to pull them away. Venhaus then attempted to run away at this time. A Ricks employee jumped onto his back, as I reached out and grabbed Venhaus, guiding him to the floor in a controlled manner. As Ofc. Hernandez assisted in the take down, Ofc. Hernandez still had his taser unholstered and accidentally deployed his taser and made contact with Ofc. Owens genital area. As Venhaus was on the floor, he tried to utilize his legs to keep himself from laying on his stomach. At this moment, I grabbed both of Venhaus's legs and pulled them outwards. At this time, we were able to place him in handcuffs and place him in the rear of Ofc. Hernandez vehicle.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 09/05/2022 02:54

OCA: **22005126**

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

Investigator: *OWENS, ROY A (4126)*

Date / Time: *09/05/2022 02:42:44, Monday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 09/05/2022 at 0107, Ofc. S. Adorno, Ofc. L. Hernandez and I (Ofc. R Owens), were flagged down by Ricks staff for a trespass.

Upon arrival to Ricks Bar in the back in Dirty Harry's, an unidentified white male was being told he had to leave the property. The subject later identified as, Douglas Venhaus, argued with Ricks staff and Ofc. Hernandez about leaving. Ofc. Hernandez told Venhaus to leave the property and not to come back. Venhaus turned towards Ofc. Hernandez and I, two or three times continuing to argue. When Venhaus was removed from the property Ofc. Hernandez told him numerous times to walk away and not come back onto the property and displayed his TASER. I told Venhaus at least two times to walk away and leave and Venhaus refused to leave. Venhaus started to walk away and came back to Ofc. Hernandez stating, he (Venhaus) was a lawyer and an insurance agent. Ofc. Hernandez told Venhaus to leave, or he was going to be arrested for disorderly conduct. Before Ofc. Hernandez was able to secure his TASER, Venhaus approached Ofc. Hernandez again. Ofc. Hernandez appeared to pull out his handcuffs to place Venhaus under arrest when Venhaus turned and attempted to run. In my view, Ofc. Hernandez and Ofc. Adorno appeared to grab Venhaus to take control of him. Venhaus resisted officers' orders to release his hands and lay on his stomach. Ofc. Hernandez delivered strikes with his elbow to Venhaus' back at which point Ofc. Hernandez TASER accidentally discharged in my direction. The TASER prongs hit me in my left leg and my left testicle. I pulled the TASER prong out of my left leg and the second prong did not penetrate skin. I stood up and Venhaus was in custody. Venhaus was escorted to Ofc. Hernandez's patrol vehicle and searched incident to arrest.

My AXON BWC was activated for this incident. I had no further involvement in this incident.

Investigator Signature: _____

