

# Response to Resistance Report

Key West Police Department

Case No: 23-1622

**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)

**2. Date:** 03/14/23      **3. Time:** 2230      **4. Location:** 200 block of Duval St      **5. Incident type:** Resisting/S34

INCIDENT	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Ignoring verbal commands	<input checked="" type="checkbox"/> Physical Control	Takedown/Ground Control
<input checked="" type="checkbox"/> Active:	Tensing, walking/pulling away	<input type="checkbox"/> Non-lethal Weapon		
<input checked="" type="checkbox"/> Aggressive:	Pushing and Kicking	<input type="checkbox"/> Deadly Force		
<input type="checkbox"/> Deadly Force:				

**10. Last Name:** Demarco      **11. First:** Dylan      **12. Race:** W      **13. Sex:** M

**14. DOB:** 09/06/2002      **15. Height:** 5'10      **16. Weight:** 175

**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	22. Anterior View	Posterior View

**23. Officer:** Ofc. J. Lopez      **24. Race:** H      **25. Sex:** M      **26. Age:** 29      **27. Height:** 5'06"      **28. Weight:** 155

**29. Duty Status:**  On-duty  Off-duty  Extra duty employment     Uniformed  Plain clothes    **30. Yrs Exp:** 3.5

**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:** Modified arm bar/leg sweep takedown

OFFICER	35. Anterior View	Posterior View

# Response to Resistance Report (continued)

Key West Police Department

Case No: 23-1622

<b>TASER USE ONLY</b>	<b>36. TASER® device serial #</b>		<b>37. TASER® device serial #</b>		
	Battery serial #		Battery serial #		
	Cartridge 1 serial #1:	serial #2	Cartridge 1 serial #1	serial #2	
	Cartridge 2 serial #3	serial # 4	Cartridge 2 serial # 3	serial #4	
	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"/> <b>38. Check and list any additional TASER® devices, cartridges or details in the incident description section.</b>					
<b>REPORT</b>	<b>39. Offense/Incident Report and/or Warrant Affidavit must include:</b> <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.				
<b>SUPERVISOR'S INQUIRY</b>	<b>40. Notified Date:</b> 03/14/23		<b>41. Time:</b> 2230 hours		
	<b>42. Did you respond to the scene:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	<b>43. Did you watch all relevant videos associated with the use of force?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	<b>44. Did you meet with the Officer(s):</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	<b>45. During your review did you find any potential policy violations or training issues associated with the incident?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
	<b>46. Were you able to locate any independent witnesses:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
	Name		Address		Phone Number
<b>INT. AFF.</b>	Sgt. Nicholas Revoredo				
	47. Preparing Supervisor / Printed Name		48. Preparing Supervisor / Signature / ID		
			49. Date		
<b>50. Did the review of this incident conclude that use of force was in compliance with Departmental policy?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				51. Signature of Internal Affairs Inspector  52. Date <u>4/26/2023</u>	



# INCIDENT/INVESTIGATION REPORT

Agency Name  
**Key West Police Department**

ORI  
**FL0440100**

Case#  
**23-001622**

Date / Time Reported  
**03/14/2023 22:34 Tue**

Last Known Secure  
**03/14/2023 22:34 Tue**

At Found  
**03/14/2023 22:34 Tue**

Location of Incident  
**211 DUVAL ST/CHARLES ST, Key West FL**

Gang Relat

Premise Type  
**Highway/road/alley/st**

Beat/GP  
**B1, GPB1**

#	Crime Incident(s)	(Com)	Weapon / Tools	Activity
#1	Battery Felony BFE	(Com)	Personal Weapons	N
#2	Resist Arrest / Escape XOM	(Com)	Personal Weapons	N
#3	Crime Incident	( )	Weapon / Tools	Activity

MO

# of Victims **2** Type: **LAW ENFORCEMENT (LEO)** Injury: **Possible Internal Injury** Domestic: **N**

VI	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	<b>MAYORGA-LOPEZ, JORGE LUIS</b>	<b>1</b>	<b>10/05/1993</b> Age <b>29</b>	<b>W</b>	<b>M</b>	<b>IST</b>	<b>Non-Resident</b>	

Home Address  
**1604 N ROOSEVELT BLV, Key West, FL 33040-**

Employer Name/Address  
**KEY WEST POLICE DEPARTMENT 1604 N ROOSEVELT BLVD (POLICE)**

VYR Make Model Style Color Lic/Lis VIN

VICTIM

OTHERS INVOLVED

CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)

Type: **SOCIETY/PUBLIC/STATE** Injury:

Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
<b>V2</b>	<b>SOCIETY</b>	<b>2</b>	<b>/ /</b> Age				<b>N/A</b>	

Home Address

Employer Name/Address

Type: Injury:

Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status

Home Address

Employer Name/Address

PROPERTY

1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status Firm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
	27	EVID	\$0.00		1	BWC, 3722	AXON	

Officer/ID# **MAYORGA LOPEZ, JORGE (3722)**

Invest ID# **(0)** Supervisor **KOURI, DAVID G (3022)**

Status Complainant Signature Case Status **Cleared By Arrest 03/15/2023** Case Disposition: Page 1

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 23-001622

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  
*REVOREDO, N. (2962), ROBERTS, E. (4194)*

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
23-001622
Date / Time Reported
Tue 03/14/2023 22:34

Victim	Offense	Date / Time Reported
MAYORGA-LOPEZ, JORGE LUIS	BATTERY FELONY	Tue 03/14/2023 22:34

-- Dylan J Demarco Arrest Narrative:

On March 14, 2023, at approximately 2330 hours, I, Ofc. Lopez was on foot patrol near the intersection of Duval Street and Charles Street. While I was standing at the above-mentioned intersection, I noticed a security staff member escorting one male out of Irish Kevin's, (211 Duval Street). The security staff member was back inside the establishment while the male stood in front of the entrance. The male was standing in front of the main entrance and facing towards the entrance. The male continued standing on the sidewalk and he appeared as if he was looking for a reaction from the staff members. The male was later identified with his New Jersey driver's license as Dylan DeMarco, (dob:09/06/2002).

I crossed the street towards the entrance of Irish Kevin's to intervene and prevent Dylan from fighting the security staff members. I recognized Dylan from earlier this afternoon while I was working an off-duty detail at Dante's Pool Bar, (955 Caroline Street). When I was at Dante's I was informed by the security staff members that Dylan attempted to use someone's identification and he was not allowed to get in. Dylan left the property and then he returned to the property thinking he was going to be allowed to get in with his parents. However, he was not allowed to get in, and he left shortly after.

I walked up to Dylan, and I told him to stop. As I was grabbing Dylan's left arm and instructing him to come with me, Dylan pulled his arm away from me and he said, "I'm done" several times. I used my left hand to grab Dylan's wrist and once I placed his left arm behind him, he turned his body towards his right side, and he continued saying, "I'm done". Once Dylan turned his body towards me, he managed using his right hand to push me on my chest area and knocking down my body worn camera from my vest. As Dylan was pushing me, he said "Fuck" and he appeared to be upset. Dylan tried to get away from me after pushing me on my chest. As Dylan was trying to get away from me, I had to escort him to the ground in an attempt to place handcuffs on him.

Once Dylan was laying on the ground, (Facing down), Ofc. Roberts assisted me. While I was attempting to place handcuffs on Dylan, he began tensing up and he tried to pull his arms away. I was able to place handcuffs on him and Ofc. Roberts walked him towards his patrol vehicle. I began searching Dylan and then he started hitting his forehead against the hood of the patrol vehicle.

Ofc. Robert assisted Dylan with sitting down on the ground to prevent Dylan from hitting his forehead. Sgt. Revoredo spoke with Dylan about his injuries and then Ofc. Roberts placed Dylan inside Thornbrugh's patrol vehicle.

Ofc. Thornbrugh later transported Dylan to the Monroe County Detention Center. The nurse at the MCDC requested to have Dylan to get medically cleared at the Hospital first. Ofc. Thornbrugh later transported Dylan to the Lower Medical Center to get medically cleared. Dylan was medically cleared, and he was transported back to The Monroe County Detention Center.

Based on the facts and evidence, Dylan Demarco, did knowingly and willfully used his hand to push me on my chest. As Dylan was pushing me with his hand, he managed knocking down my body worn camera from my vest, (This was captured with my body worn camera, 3722). I was wearing my class B uniform with the Key West Police insignia on m sleeves. I was recognizable as a Police Officer. I was performing my legal duties as a Police Officer, I had to intervene, and make contact with Dylan to deescalate the situation and prevent him from fighting the security staff members at Irish Kevin's Bar. Contrary to F.S.S. 784.07

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 23-001622
Date / Time Reported Tue 03/14/2023 22:34

Victim MAYORGA-LOPEZ, JORGE LUIS	Offense BATTERY FELONY
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Based on the facts and evidence, Dylan Demarco, did knowingly and willfully used his hand to push me on my chest. As I was grabbing Dylan`s left arm and instructing him to come with me, Dylan pulled his arm away from me and he said, "I`m done" several times. I used my left hand to grab Dylan`s wrist and once I placed his left arm behind him, he turned his body towards his right side, and he continued saying, "I`m done". Once Dylan turned his body towards me, he managed using his right hand to push me on my chest area and knocking down my body worn camera from my vest. Dylan refused to follow my verbal commands and intentionally pushed on my chest. Dylan tried to get away from me after pushing me on my chest. Dylan failed to get away from me, and I had to escort him to the ground in an attempt to place handcuffs on him. I was wearing my class B uniform and the Key West Police insignia on m sleeves. I was recognizable as a Police Officer, and I was performing my legal duties as an Officer. Contrary to F.S.S. 843.01.

Based on the facts and evidence, Dylan Demarco, did knowingly and willfully tried to engage in a fight on Duval Street with the security staff members at Irish Kevin`s Bar. Dylan tried to engage the security staff members at Irish Kevin`s Bar after he was escorted out of the establishment. Dylan was standing in front of the main entrance of the establishment, (Facing the entrance) as if he was looking for a reaction from the security staff members. Dylan was still standing in front of the establishment to the point I had to cross the street and intervene to prevent Dylan from fighting. During my interaction with Dylan and the attempt I made to maintain the peace, Dylan refused to follow my verbal commands. During my interaction with Dylan, he intentionally and aggressively pushed me on my chest. During my interaction with Dylan, I smelled a strong odor of an alcoholic beverage emanating from his breath. Contrary to F.S.S. 877.03.

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# Incident Report Suspect List

Key West Police Department

OCA: 23-001622

<b>1</b>	Name (Last, First, Middle) <i>DEMARCO, DYLAN J</i>					Also Known As					Home Address <i>2 GAINSBORO DR WEST BERLIN, NJ 08091</i>				
	Business Address <i>UNK, UNK</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State					
<i>09/06/2002</i>	<i>20</i>	<i>W</i>	<i>M</i>	<i>U</i>	<i>510</i>	<i>200</i>	<i>BLN</i>	<i>BLU</i>	<i>FAR</i>	<i>D24471857109024 NJ</i>					
Scars, Marks, Tattoos, or other distinguishing features															
<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			
Veh Yr / Make / Model			Drs	Style		Color		Lic Plate / State			VIN				
Notes								Physical Char							



OCA: 23001622

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

Investigator: *ROBERTS, ERIK (4194)* Date / Time: *03/14/2023 22:58:21, Tuesday*  
 Supervisor: *RODRIGUEZ, ALEXANDER (3465)* Supervisor Review Date / Time: *03/14/2023 22:58:56, Tuesday*  
 Contact: Reference: *General Supplemental Report*

On Tuesday 03/14/2023 at approximately 2232 hrs. while on foot patrol on the 200 block of Duval St. I (Ofc. E. Roberts) observed Dylan Demarco being escorted from Irish Kevin`s Bar (211 Duval St).

Bar security escorted Demarco to the sidewalk in front of the establishment. Demarco persistently attempted to gain reentry into the establishment by physically forcing his way past security staff to no avail. Ofc. J. Mayorga-Lopez approached Demarco attempting to escort him away from the establishment. Demarco continued his persistent attempts to return and Ofc. Lopez took a custodial hold of Demarco. When Ofc. Lopez began escorting Demarco across Duval St. Demarco attempted to break Ofc. Lopez`s custodial hold and flee. Ofc. Lopez and I regained control of Demarco and redirected him to the curb in front of 208 Duval St. (Red Garter Saloon). Demarco was placed in handcuff restraints and escorted to a patrol car that was parked on Charles St. While Ofc. Lopez searched Demarco`s person he began to slam his head, face first, onto the hood of the patrol car. We then moved Demarco to a seated position on the ground where he attempted to further harm himself by thrashing his head towards the ground.

Demarco was secured in Ofc. E. Thornbrugh`s patrol car and transported to the Monroe County Detention Center.

My Axon BWC was activated during this incident and uploaded to Evidence.com.

Investigator Signature: \_\_\_\_\_

# Incident Report Related Property List

Key West Police Department

OCA: 23-001622
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1	Property Description <b>AXON BWC S34 4194</b>	Make <b>AXON</b>	Model <b>BWC</b>	Caliber
	Color	Serial No.	Value <b>\$0.00</b>	Qty <b>1.000</b>
			Unit <b>EA</b>	Jurisdiction <b>Locally</b>
	Status <b>Evidence</b>	Date <b>03/14/2023</b>	NIC #	State #
			Local #	OAN
	Name (Last, First, Middle) <b>* No name *</b>		DOB	Age
			Race	Sex

Notes