

Response to Resistance Report

Key West Police Department

Case No: 18-0237

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: 01/12/18 3. Time: 4:55 PM 4. Location: Lower Keys Medical 5. Incident type: S-20

6. Resistance Level

7. Explanation

8. Response Option

9. Explanation

☐ Passive:

☒ Active:

☒ Aggressive:

☐ Deadly Force:

Pulling away from Officer

Punched Officer in Face

☒ Physical Control

☒ Non-lethal Weapon

☐ Deadly Force

Attempting to control arm

Taser

10. Last Name:

11. First:

12. Race: W

13. Sex: M

14. DOB: 08

15. Height: 5'06

16. Weight: 150

17. Did you observe the subject: ☐ No ☒ Yes

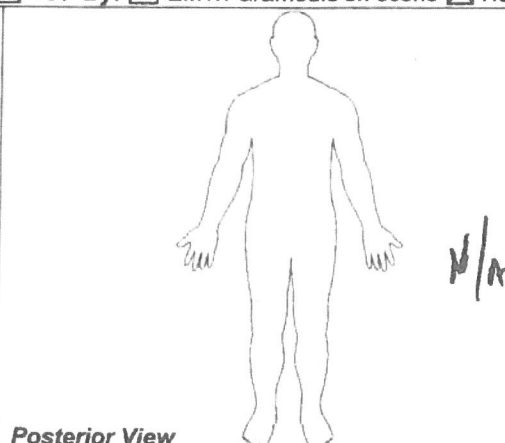
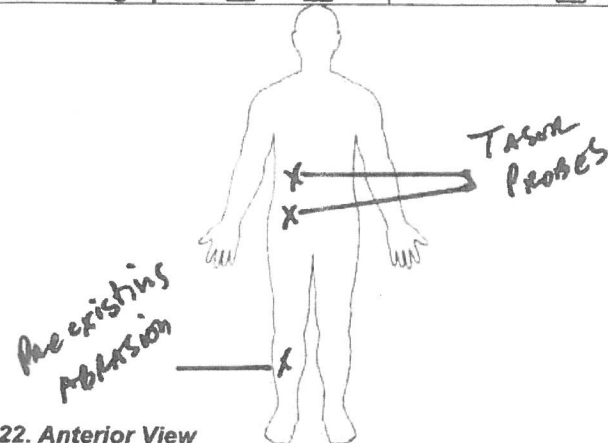
If NO, explain why in Section 42. If "YES", complete sections 18-22

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



23. Officer: Thomas Clark

24. Race: W

25. Sex: M

26. Age: 29

27. Height: 5'11"

28. Weight: 227

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes

30. Yrs Exp: 5.5

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

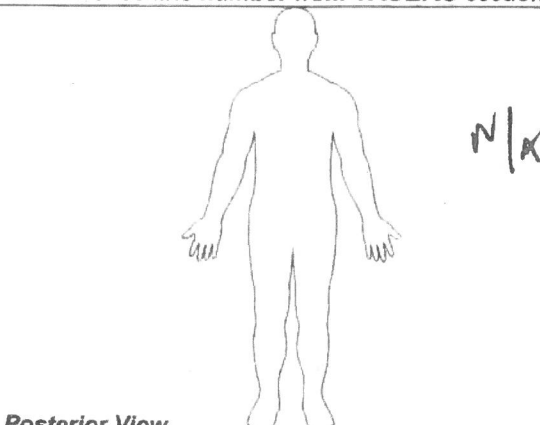
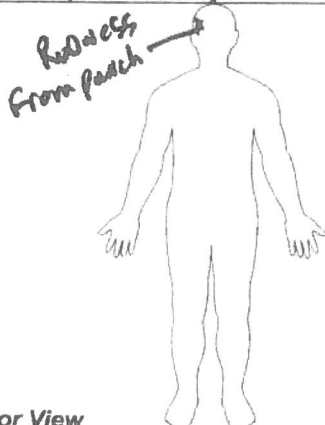
32. Photographed: ☐ No ☒ Yes

33. Treated: ☒ No ☐ Yes

By: ☐ EMT/Paramedic on scene ☐ Hospital

34. Response option used by this officer: (If TASER®, also reference line number from TASER® section) 36

OFFICER



Response to Resistance Report (continued)

Key West Police Department

Case No:

18-0237

TASER USE ONLY	36. TASER® device serial # X12002KFV		37. TASER® device serial #		
	TASER®Cam serial # V21000VV3		TASER®Cam serial #		
	Cartridge 1 serial # C4106R4NA		Cartridge 1 serial #		
	Cartridge 2 serial #		Cartridge 2 serial #		
	Number of cycles: 1		Number of cycles:		
	Type of contact: <input checked="" 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 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: 2 feet		Target distance at probe launch:		
	Distance between probes: 4-6 inches		Distance between probes:		
	Probes removed by (name): Officer Clark		Probes removed by (name):		
Device downloaded by: <u>NOT YET</u>		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: 01/12/18		41. Time: 4:55 PM		
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	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	
Officer Haynie		KWPD		305-809-1111	
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS					
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 checked="" type="checkbox"/> Yes (If "No", complete section 51)		46. Preparing Supervisor's Signature / ID		47. Date
			<u>Sgt [Signature]</u> 1850/516		01/12/18
			49. Signature of Internal Affairs Inspector		50. Date
		<u>Sgt [Signature]</u> 2935		2/20/18	
51. If section 48 is "No" record the Professional Standards Control Number:					
52. Date Entered:					

INCIDENT DATA

MO

V
I
C
T
I
M

OTHERS INVOLVED

PROPERTY

Page 1

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 18-000237

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
 HAYNIE, T.G. (3836), OCONNELL, K. (2015)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 18-000237

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

18-000237

Victim

Offense

INCIDENT REPORT

Date / Time Reported

Fri 01/12/2018 16:05

On Friday, 01/12/18, at approximately 1616hrs, Ofc. T. Haynie and I (Oc. T. Clark), responded to 3920 S. Roosevelt Bvd, Ocean Walk Apartments, in reference to a Mentally Disturbed Person.

On arrival, I could hear a male voice screaming from the mangroves. KWFD EMS were on scene.

Ofc. Haynie was wearing my BWC.

I walked closer and saw a distraught white male, later identified by name and DOB as [redacted] covered in dirt and scratches. [redacted] was screaming about how he wanted to hurt two males who ran into the mangroves.

The mangroves were very thick, and impossible to run through.

[redacted] exhibited dilated pupils and rapid speech. [redacted] was breathing rapidly and sweating profusely. [redacted] told us he had taken several different types of narcotics.

[redacted] was making swimming motions in the mud and crawled out of the mangroves.

[redacted] spoke of how he wanted to "fuck up" two males who stole his Marijuana. [redacted] said he woke up on his couch (there was a couch by the dumpster) and noticed his work boots and Marijuana were missing. He said he ran into the mangroves believing the people ran into them, but never saw anyone.

Through training and experience, I believed [redacted] to be exhibiting excited delirium.

Once [redacted] calmed down and I decided to complete a Baker Act for his safety.

Due to his behavior and the presence of narcotics in his system, I deemed it unsafe to transport him to the hospital in my patrol vehicle.

I accompanied EMS in the ambulance and transported [redacted] to the LKMC ER.

Once in the ER, I waited for the Doctor to evaluate [redacted] who seemed to be calm, apologetic and patient.

Ofc. Haynie did not have the BWC activated at this point, due to the medical scene and [redacted] apparent compliance.

[redacted] then began to exhibit, high-low behavior.

[redacted] then said he was gonna stand. The nursing staff and I asked him to stay resting back on the bed for treatment.

[redacted] then became enraged. [redacted] looked at Ofc. Haynie and I and yelled, "I'll take you both on!" and quickly began to jump up from the bed. Adam during this yelled at Ofc. Haynie and I, "I'm gonna fuck you

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

18-000237

Victim

Offense

INCIDENT REPORT

Date / Time Reported

Fri 01/12/2018 16:05

up!"

was clearly enraged and attempting to get on his feet to attack Ofc. Haynie and I, for no apparent reason.

I shoved , back as he swung his arm and punched me in the right side of my face (unknown which hand made contact). struggled with Ofc. Haynie and I as we attempted to detain him from fighting with us. swung at me more then once, pulling away from my grasp and from Ofc. Haynie's grasp. in the process of his attack, ripped my radio from my chest and my ballistic vest off.

I withdrew my Department issued Taser and quickly deployed its cartridge into his abdomen.

Adam immediately ceased fighting and resisting our attempts to place him in handcuffs.

Ofc. Haynie detained . ER nursing staff sedated /

I removed the pronges from 's abdomen.

I notified Sgt. D. Barrios of the incident.

Ofc. Haynie collected my cartridge and AFIDS, placing them into KWPD Evidence.

I completed the required Baker Act forms and turned over protective custody to LKMC ER.

Incident Report Related Property List

Key West Police Department

OCA: 18-000237

1		Property Description BWC 3484		Make BWC		Model 3484		Caliber	
Color		Serial No.		Value \$0.00		Qty 1.000		Unit Locally	
Status Evidence		Date 01/12/2018		NIC #		State #		Local # OAN	
Name (Last, First, Middle) !				DOB		Age 47		Race W Sex M	

Notes

2		Property Description TASER CARTRIDGE & AFIDS		Make TASER		Model CARTRIDGE		Caliber	
Color Black		Serial No. C4106R4NA		Value \$0.00		Qty 1.000		Unit UD Jurisdiction Locally	
Status Evidence		Date 01/12/2018		NIC #		State #		Local # OAN	
Name (Last, First, Middle) Gentile, Adam Reed				DOB 08/10/1970		Age 47		Race W Sex M	

Notes

with AFIDS

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 01/13/2018 07:03

OCA: **18000237**

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

Investigator: *HAYNIE, THOMAS* (3836)

Date / Time: *01/12/2018 18:13:17, Friday*

Supervisor: (0)

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On Friday, January 12th, 2018, at approximately 1607hrs, Officer Clark and I (Officer Haynie), were dispatched to 3930 South Roosevelt Boulevard (Oceanwalk Condos), in reference to a mentally disturbed person.

Key West Fire Department Medics were on scene.

I observed and heard a man, later identified as _____, screaming at the top of his lungs crawling toward the parking lot from in the mangroves. _____ was covered in mud. His legs and forearms were scratched up. He also had lacerations on his forearms. _____ was yelling about someone who robbed him and stole his weed. He told us the people who robbed his weed ran through the mangroves. The mangroves where the suspected robbers would have ran through were very thick. _____ told us he woke up on a couch and pointed toward the dumpster. _____ told us that he had taken several narcotics.

KWFD medics put _____ in the back of their ambulance. Officer Clark rode in the back of the ambulance to the hospital. I drove to the hospital in Officer Clark's patrol car.

The medical staff in the emergency room started getting _____'s vitals. (_____ kept saying that he wanted to sit up. I told _____ to lay back several times. At one point, (_____ sat straight up in the bed and expressed that he wanted to stand up. I placed my hand on his shoulder and told him he could not get up and needed to lay back down. Officer Clark came over to help diffuse the situation. _____ grabbed the railings on the hospital bed and tensed his arms. He told us he was going to, "take you both on", and "fuck both of you up", and attempted to stand up and confront us, glaring at us with squinted eyes. Officer Clark shoved _____ back onto the bed. _____ became combative. I grabbed _____ by his left wrist and tried to gain control. I observed _____ grab Officer Clark's vest. _____ repetitively swung his arm at Officer Clark. I observed Officer Clark's radio fall onto the bed. While I had control of his left arm, Officer Clark grabbed his Taser and tased _____ in his abdomen. After the fight, I noticed that Officer Clark's bodycam fell to the floor.

I placed handcuffs on _____

The emergency room nurses gave _____ a sedative in his upper arm.

A supervisor was called to the scene.

Officer Clark filled out Baker Act paperwork for _____

I wore Officer Clark's KWPD issued bodycam, which was activated during this call. Due to the rapid escalation of the

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 01/13/2018 07:03

OCA: 18000237

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

Investigator: *HAYNIE, THOMAS* (3836)

Date / Time: *01/12/2018 18:13:17, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

fight in the Emergency Room I did not have time to activate the bodycam. I did pick it up off the floor and activate it after was tased.

Investigator Signature: _____