

Response to Resistance Report

Key West Police Department

Case No: 18-0250

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: 1/13/18

3. Time: 1:50 PM

4. Location: 3032 N. Roosevelt

5. Incident type: S-34

6. Resistance Level

7. Explanation

8. Response Option

9. Explanation

☒ Passive:

Would not comply

☐ Physical Control

☒ Active:

Pulling away from Officer

☒ Non-lethal Weapon

Taser

☐ Aggressive:

☐ Deadly Force

☐ Deadly Force:

10. Last Name: Tirrell

11. First: David

12. Race: W

13. Sex: M

14. DOB: 03/15/1959

15. Height: 5'08"

16. Weight: 165

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

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

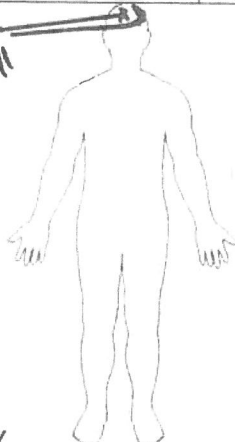
18. Appeared to be: ☒ Intoxicated ☐ Under the influence of controlled substance ☐ Emotionally / mentally disturbed

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

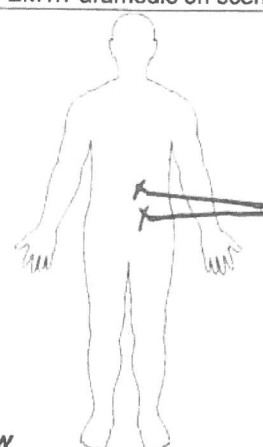
20. Photographed: ☐ No ☒ Yes 21. Treated: ☐ No ☒ Yes By: ☒ EMT/Paramedic on scene ☐ Hospital ☐ Detention

SUBJECT

Small
Abrasions
From Fall



22. Anterior View



Posterior View

23. Officer: Kevin O'Connell

24. Race: W

25. Sex: M

26. Age: 46

27. Height: 5'08"

28. Weight: 295

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

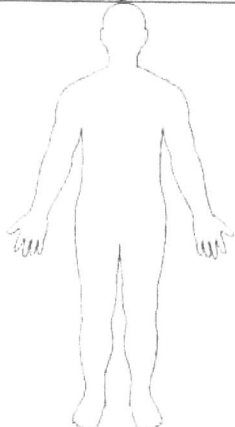
30. Yrs Exp: 22 yr

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

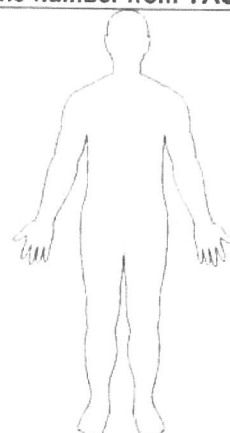
32. Photographed: ☒ No ☐ Yes 33. Treated: ☒ No ☐ Yes By: ☐ EMT/Paramedic on scene ☐ Hospital

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

OFFICER



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No:

18-0250

TASER USE ONLY	36. TASER® device serial # X12002KF7		37. TASER® device serial #	
	TASER®Cam serial # Axon X62025421		TASER®Cam serial #	
	Cartridge 1 serial # C41032992		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: 8 feet		Target distance at probe launch:	
	Distance between probes: 6 inches		Distance between probes:	
	Probes removed by (name): Officer O'Connell		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: 01/13/18		41. Time: 1431 hours	
	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
Sgt. Donny Barrios		KWPD		305-809-1000
INT. AFF.	45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		01/13/18	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		46. Preparing Supervisor's Signature / ID	
	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)		47. Date	
	49. Signature of Internal Affairs Inspector		50. Date	
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:	

Monroe County Adult Arrest Form

KEY WEST PD

ARREST #

OBTS #

☒ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

Filing Agency KEY WEST PD		Case # 18-000250		Doc. Control #		State ID #		FBI		ISS #	
Defendant's Last Name TIRRELL				First DAVID		Middle ALLAN		SUF		Alias	
Citizenship UNITED STATES											
Race W	Eth N	Sex M	Hgt 508	Eyes BLU	Hair BRO	Wgt 165	Comp OTHR	Age 58	DOB 03/15/1959	Birthplace FT LAUDERDALE, FL	
Facial Hair STUBBLE		Build POT	Marital St D	Hand Use		Glasses	Speech		Parole/Probation		Scars, Marks, TT
Permanent Address 5537 COLLEGE RD, KEY WEST, FL 33040								Phone (Home):		Local Address:	
Email Address								Phone (Cell): (856) 448-4874		Place of Employment NONE	
Arrest Location 3032 N.ROOSEVELT BLVD								Phone (Work):		Occupation HOMELESS	
Violation Location 3032 N ROOSEVELT BLVD, KEY WEST, FL 33040								Arresting Officer O'CONNELL, KEVIN (2015)		Date/Time of Violation	
DL # T640161590950								State FL		Date/Time Arrested 01/13/2018 14:31	
Domestic Violence		Weapon Seized NOT APPLICABLE/NONE		Officer Injured?		Language Spoken?		Caution		Indication of: Alcohol Influence: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> UK Drug Influence: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UK	
Drug Type:		Type: B-Barbiturate H-Hallucinogen P-Paraphernalia/ U-Unknown N-N/A C-Cocaine M-Marijuana Equipment Z-Other A-Amphetamine E-Heroin O-Opium S-Synthetic						Activity: B-Buy E-Use K-Dispense/ N-N/A T-Traffic M-Manufacture/ Distribute P-Possess A-Smuggle Produce/ Z-Other S-Sell D-Deliver Cultivate			

Defendant's Vehicle Make:	Type:	Year:	Color:	Vehicle Registration State:
VIN #	Tag #		Vehicle Tag Expiration:	
Vehicle Status:		Other Identifiers or remarks:		

CODEFENDANT: ADDRESS PHONE # RACE SEX DOB

COUNT	OFFENSES CHARGE	Statute	Warrant #	Court Date and Time	Citation #
1/M	RESIST / OBSTRUCT OFFICER W/O VIOLENCE	843.02			
2/M	TRESPASSING FAIL TO LEAVE PROPERTY UPON ORDER BY OWNER	810.09-2B			

Before me this date personally appeared who being first duly sworn deposes and says that on the
at 3032 N ROOSEVELT BLVD, KEY WEST, FL 33040
the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows
On 01/13/2018, I, Officer K.M. O'Connell was dispatched to 3032 North Roosevelt Boulevard reference a male passed out on the side of the
business. Upon my arrival I located a white male later identified as the defendant (David Tirrell), was passed out on the side of the
building.

I swear the above statement is correct and true to the best of my knowledge and belief.

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year) _____, who is personally
known to me or who has produced (ID Type) Police as identification and who DID take an oath.

SIXTEENTH JUDICIAL COURT
MONROE County
State of FLORIDA

Monroe County Adult Arrest Form

KEY WEST PD

ARREST #

OBTS #

I woke the defendant up and told him that he needed to leave the property. The defendant was slow getting up and argumentative. Once the defendant was standing I again told him he needed to leave the property at which point he stated he needed to get his bicycle that was in the front of the store. The defendant started to walk to the front of the store and again stopped wanting to argue with me. The defendant was advised to leave the property or he would be arrested.

The defendant turned as if he was going to walk towards his bicycle and then turned back around towards me. I attempted to grab the defendant by his left arm to place him under arrest, at which point he pulled away from me. I then grabbed the defendant by the front of his jacket and told him he was under arrest and started to direct him towards the front of my patrol vehicle.

As I was attempting to place handcuffs on the defendant he actively attempted to resist my attempts by pulling his arms away from me. Sgt. D. Barrios was on scene and he also attempted to handcuff the defendant and he continued to active resist by pulling away.

We disengaged the suspect and I discharged my department issued taser striking the defendant in the back. The defendant went to the ground and after a brief struggle we were able to secure the defendant in handcuffs.

The defendant was checked on scene by Key West Fire Rescue prior to being transported to the county jail.

The manager of the store Brian Cantrell stated he attempted to wake the defendant up prior to calling the Police but the defendant would not move.

Tirrell HISTORY OF VIOLENCE AND HE IS A DOCUMENTED VIOLENT OFFENDER

Based on the totality of the above listed circumstances I have probable cause to charge Tirrell with Trespassing and Resisting Arrest without Violence.

I swear the above statement is correct and true to the best of my knowledge and belief.

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year) _____, who is personally known to me or who has produced (ID Type) Police as identification and who DID take an oath.

SIXTEENTH JUDICIAL COURT
MONROE County
State of FLORIDA

INCIDENT/INVESTIGATION REPORT

Agency Name Key West Police Department
ORI FL0440100

Case# 18-000250
Date / Time Reported 01/13/2018 13:34 Sat
Last Known Secure 01/13/2018 13:34 Sat
At Found 01/13/2018 13:34 Sat

Location of Incident 3032 N Roosevelt Blvd, Key West FL 33040-	Premise Type Parking Lot / Area Other	Zone/Tract B5, GPB5	
#1 Crime Incident(s) Resist Arrest / Escape XOM	(Com) Weapon / Tools NOT APPLICABLE/NONE		Activity
#2 Crime Incident Trespassing XOT	(Com) Weapon / Tools		Activity
#3 Crime Incident 	() Weapon / Tools		Activity

MO													
VICTIM	# of Victims	2		Type:	BUSINESS			Injury:					
	V1	Victim/Business Name (Last, First, Middle) CIRCLE K STORE				Victim of Crime #	1,	DOB	Age	Race		Sex	
	Home Address 3032 N ROOSEVELT BLV, Key West, FL 33040-								Home Phone 305-292-1277				
	Employer Name/Address								Business Phone		Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis	VIN						

OTHERS	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)												
	Type: SOCIETY/PUBLIC/STATE												
	Code	Name (Last, First, Middle) SOCIETY				Victim of Crime #	2	DOB	//	Race		Sex	
	Home Address								Home Phone				
	Employer Name/Address								Business Phone		Mobile Phone		

PROPERTY	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)											
	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number			
	1	99	EVID	\$0.00		1	TASER CARTRIDGE		C41032992			
	1	99	EVID	\$0.00		1	AXON BWC 2015					
	1	99	EVID	\$0.00		1	COBAN IN CAR VIDEO 2015					
	1	99	SAFE	\$0.00		1	BICYCLE					
	1	99	SAFE	\$0.00		1	MISC PRISONER PROPERTY					

Officer/ID#	OCONEILL, KEVIN (2015)		
Invest ID#	(0)		
Status	Complainant Signature	Case Status <i>Cleared By Arrest</i>	Case Disposition: <i>Cleared By Arrest</i>

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 18-000250

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

BARRIOS, D.J. (1850)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

18-000250

Victim

CIRCLE K STORE

Offense

RESIST ARREST / ESCAPE

Date / Time Reported

Sat 01/13/2018 13:34

On 01/13/2018, I, Officer K.M. O'Connell was dispatched to 3032 North Roosevelt Boulevard reference a male passed out on the side of the business. Upon my arrival I located a white male later identified as the defendant (David Tirrell), was passed out on the side of the building.

I woke the defendant up and told him that he needed to leave the property. The defendant was slow getting up and argumentative. Once the defendant was standing I again told him he needed to leave the property at which point he stated he needed to get his bicycle that was in the front of the store. The defendant started to walk to the front of the store and again stopped wanting to argue with me. The defendant was advised to leave the property or he would be arrested.

The defendant turned as if he was going to walk towards his bicycle and then turned back around towards me. I attempted to grab the defendant by his left arm to place him under arrest, at which point he pulled away from me. I then grabbed the defendant by the front of his jacket and told him he was under arrest and started to direct him towards the front of my patrol vehicle.

As I was attempting to place handcuffs on the defendant he actively attempted to resist my attempts by pulling his arms away from me. Sgt. D. Barrios was on scene and he also attempted to handcuff the defendant and he continued to active resist by pulling away.

We disengaged the suspect and I discharged my department issued taser striking the defendant in the back. The defendant went to the ground and after a brief struggle we were able to secure the defendant in handcuffs.

Once the defendant was secured in hand restraints, I removed the probes from Tirrell.

The defendant was checked on scene by Key West Fire Rescue prior to being transported to the county jail.

The manager of the store Brian Cantrell stated he attempted to wake the defendant up prior to calling the Police but the defendant would not move.

Tirrell has a HISTORY OF VIOLENCE AND HE IS A DOCUMENTED VIOLENT OFFENDER

Based on the totality of the above listed circumstances I have probable cause to charge Tirrell with Trespassing and Resisting Arrest without Violence.

Incident Report Suspect List

Key West Police Department

OCA: 18-000250

1	Name (Last, First, Middle) <i>TIRRELL, DAVID ALLAN</i>					Also Known As					Home Address <i>5537 COLLEGE RD KEY WEST, FL 33040</i>																																													
	Business Address <i>NONE, HOMELESS</i>																																																							
	DOB <i>03/15/1959</i>	Age <i>58</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>508</i>	Wgt <i>165</i>	Hair <i>BRO</i>	Eye <i>BLU</i>	Skin <i>OTH</i>	Driver's License / State. <i>T640161590950 FL</i>																																													
Scars, Marks, Tattoos, or other distinguishing features																																																								
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td colspan="3">SSN</td> </tr> <tr> <td colspan="2">Weapon, Type</td> <td colspan="2">Feature</td> <td colspan="2">Make</td> <td colspan="2">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td colspan="3">Dir of Travel</td> </tr> <tr> <td colspan="4">Veh Yr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="3">VIN</td> </tr> </table>															Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight		SSN			Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel			Veh Yr/Make/Model				Drs	Style		Color		Lic/St		VIN		
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Veh Yr/Make/Model				Drs	Style		Color		Lic/St		VIN																																													

Notes

Physical Char

*BUILD, MEDIUM/AVERAGE
BUILD, POT BELLY
FACIAL HAIR, STUBBLE
HAIR TYPE, MEDIUM
HAIR TYPE, THINNING
TEETH, OTHER*

Incident Report Related Property List

Key West Police Department

OCA: 18-000250

1 Property Description TASER CARTRIDGE		Make		Model		Caliber	
Color	Serial No. C41032992	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Evidence	Date 01/13/2018	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) Circle K Store,			DOB	Age	Race	Sex	

Notes

2 Property Description AXON BWC 2015		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Evidence	Date 01/13/2018	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) Circle K Store,			DOB	Age	Race	Sex	

Notes

3 Property Description COBAN IN CAR VIDEO 2015		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Evidence	Date 01/13/2018	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) Circle K Store,			DOB	Age	Race	Sex	

Notes

4 Property Description BICYCLE		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Safekeeping	Date 01/13/2018	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) Circle K Store,			DOB	Age	Race	Sex	

Notes

Incident Report Related Property List

Key West Police Department

OCA: 18-000250

5	Property Description MISC PRISONER PROPERTY			Make		Model		Caliber	
Color		Serial No.		Value \$0.00		Qty 1.000		Unit	
Status Safekeeping		Date 01/13/2018		NIC #		State #		Local #	
Name (Last, First, Middle) Circle K Store,				DOB		Age		Race	
								Sex	

Notes