

Response to Resistance Report

Key West Police Department

Case No:

18-1473

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: 3/15/18

3. Time: 0447

4. Location: 2001 S. Roosevelt

5. Incident: Resisting w/o

6. Resistance Level

7. Explanation

8. Response Option

9. Explanation

☒ Passive:

Tensing / Pulling away

☐ Physical Control

☐ Active:

☒ Non-lethal Weapon

Drive Stun

☐ Aggressive:

☐ Deadly Force

☐ Deadly Force:

SUBJECT

10. Last Name: Henderson

11. First: Kyle

12. Race: W

13. Sex: M

14. DOB: 8/3/94

15. Height: 5'11"

16. Weight: 155

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

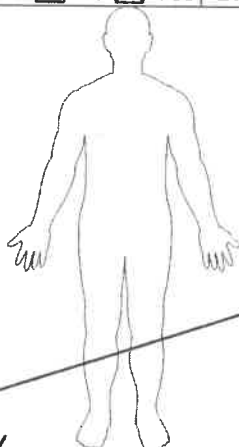
If NO, explain why in Section 42. If "YES", complete sections 18-22

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

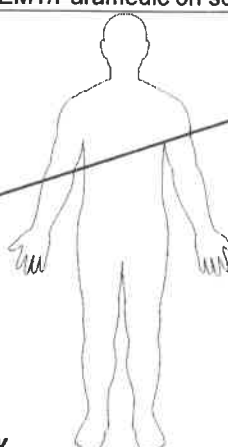
19. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)

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

22. Anterior View



Posterior View



OFFICER

23. Officer: Brett Dehanas

24. Race : W

25. Sex: M

26. Age: 26

27. Height : 5'10"

28. Weight: 155

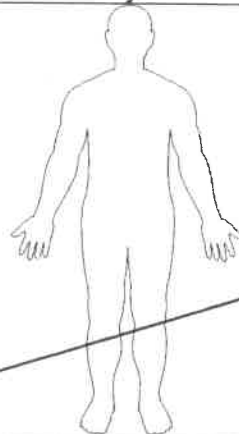
29. Duty Status: ☐ On-duty ☐ Off-duty ☒ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 1.5

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

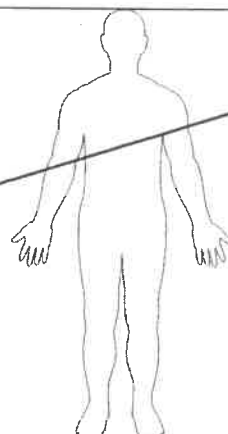
32. Photographed: ☒ No ☐ Yes 33. Treated: ☒ No ☐ Yes By: ☐ EMT/Paramedic on scene ☐ Hospital

34. Response option used by this officer: Drive stun

35. Anterior View



Posterior View



Response to Resistance Report (continued)

Key West Police Department

Case No:

18-1473

TASER USE ONLY	36. TASER® device serial # X120058D4	37. TASER® device serial #
	TASER®Cam serial # V21001KH3	TASER®Cam serial #
	Cartridge 1 serial # N/A	Cartridge 1 serial #
	Cartridge 2 serial # N/A	Cartridge 2 serial #
	Number of cycles: 1	Number of cycles: NA
	Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input checked="" 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 N/A	Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Target distance at probe launch: N/A	Target distance at probe launch:
	Distance between probes: N/A	Distance between probes:
	Probes removed by (name): N/A	Probes removed by (name):
Device downloaded by: Sgt. J. Castillo	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: 3/15/18	
	41. Time: 0447 Hrs	
	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)	
INT. AFF.	44. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)	
	Name	Address
	NA	
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		
46. Preparing Supervisor's Signature / ID		
Sgt. J. Castillo 2653		
47. Date		
3/15/18		
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)		
49. Signature of Internal Affairs Inspector		
36T. P. Smith / MS 2935		
50. Date		
4/10/18		
51. If section 48 is "No" record the Professional Standards Control Number:		
52. Date Entered:		

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# 18-001473	
	ORI FL0440100				Date / Time Reported 03/15/2018 04:43 Thu	
	Location of Incident 2001 S Roosevelt Blvd, Key West FL 33040-		Premise Type Hotel / Motel Other	Zone/Tract B6, GPB6	Last Known Secure 03/15/2018 04:43 Thu	
					At Found 03/15/2018 04:43 Thu	

V I C T I M	# of Victims 2		Type: BUSINESS		Injury:		Domestic: N					
	Victim/Business Name (Last, First, Middle) V1 SHERATON SUITES HOTEL		Victim of Crime # 3		DOB // : :		Race		Sex		Relationship To Offender ST	
	Home Address 2001 SOUTH ROOSEVELT BLVD , Key West, FL 33040-		Home Phone 305-292-9800		Employer Name/Address		Business Phone		Mobile Phone		Military Branch/Status	
	VYR		Make		Model		Style		Color		Lic/Lis	
	VIN		Make		Model		Style		Color		Lic/Lis	
	VIN		Make		Model		Style		Color		Lic/Lis	

O T H E R S I N V O L V E D	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)																			
	Type: SOCIETY/PUBLIC/STATE																			
	Code V2		Name (Last, First, Middle) SOCIETY				Victim of Crime # 1,2		DOB //		Race		Sex		Relationship To Offender		Resident Status N/A		Military Branch/Status	
	Home Address																			
	Employer Name/Address																			
	Business Phone																			

P R O P E R T Y	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	
	35		EVID		\$0.00		\$0.00		\$0.00		\$0.00		BWC 3756		BWC FOOTAGE/Bwc Footage		Serial Number	
	35		EVID		\$0.00		\$0.00		\$0.00		\$0.00		TASER VIDEO CD 3756		TASER CD/Taser Cd		Serial Number	
	35		EVID		\$0.00		\$0.00		\$0.00		\$0.00		BWC 3756		BWC FOOTAGE/Bwc Footage		Serial Number	
35		EVID		\$0.00		\$0.00		\$0.00		\$0.00		TASER CD 3756		TASER CD/Taser Cd		Serial Number		
35		EVID		\$0.00		\$0.00		\$0.00		\$0.00		COBAN 3756		COBAN FOOTAGE/Coban Footage		Serial Number		
99		EVID		\$0.00		\$0.00		\$0.00		\$0.00		SOUTH CAROLINA ID		ID/Id		Serial Number		
99		EVID		\$0.00		\$0.00		\$0.00		\$0.00		PENNSYLVANIA ID		ID/Id		Serial Number		
99		EVID		\$0.00		\$0.00		\$0.00		\$0.00		PHOTOS 3756		PHOTOGRAPHS/Photographs		Serial Number		

Officer/ID# DEHANAS, BRETT T (3756)		Invest ID# (0)		Supervisor BARRIOS, DONALD J (1850)	
Complainant Signature		Case Status Cleared By Arrest		Case Disposition: Cleared By Arrest	

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 18-001473

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

DUPONTY, F.T. (1951)

Suspect Hate / Bias Motivated:

NARRATIVE

Monroe County Adult Arrest Form

KEY WEST PD

ARREST #

OBTS #

☒ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

Filing Agency KEY WEST PD		Case # 18-001473		Doc. Control #		State ID #		FBI		SS #	
Defendant's Last Name HENDERSON				First KYLE		Middle N		SUF		Alias Citizenship UNITED STATES	
Race W	Eth N	Sex M	Hgt 511	Eyes BLU	Hair BRO	Wgt 170	Comp MED	Age 23	DOB 08/03/1994	Birthplace	Scars, Marks, TT
Facial Hair		Build	Marital St U	Hand Use		Glasses		Speech		Parole/Probation	Language Spoken
Permanent Address 1709 MYRTLE ST, SCRANTON, PA 18501								Phone (Home):		Local Address:	
Email Address								Phone (Cell):		Place of Employment	Occupation
Arrest Location 2001 S ROOSEVELT BLVD						Area/ <input type="checkbox"/>		Phone (Work):		Arresting Officer DEHANAS, BRETT T. (3756)	
Violation Location 2001 S ROOSEVELT BLVD, KEY WEST, FL 33040						Area/ <input type="checkbox"/>		Date/Time of Violation 03/15/2018 04:43		Date/Time Arrested 03/15/2018 05:43	
DL # 74852159		State PA	Breathalyzer By		Reading	Miranda Advisement		By Whom?		Indication of: Y N UK	
Domestic Violence		Weapon Seized		Officer Injured?		Language Spoken?		Caution		Alcohol Influence: <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drug Influence: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
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:		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/F	POSSESS BLANK UNLAWFULLY ISSUED DRIVERS LICENSE	322.212-1			
2/M	RESIST / OBSTRUCT OFFICER W/O VIOLENCE	843.02			
3/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 15th day of March, 2018 at 2001 S 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 03/15/18, at approximately 0443hrs, I (Ofc. DeHanas), was conducting security rounds at Sheraton Hotel (2001 S. Roosevelt Blvd.), while on an off-duty detail for the Sheraton Hotel. Sgt. Duponty was with me.

While conducting security rounds, I noticed Kyle Nathan Henderson slumped over, on the ground, near room 249. Sgt. Duponty attempted several

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 # _____

times to ask Kyle to wake up. Kyle did not follow Sgt. Duponty's request. Sgt. Duponty identified himself as Key West police.

After Sgt. Duponty attempted to wake up Kyle, he became aggressive toward Sgt. Duponty by resisting Sgt. Duponty's attempts to wake him up. Kyle was turned over on his stomach. Sgt. Duponty got on top of Kyle and told Kyle to stop resisting. I told Kyle to stop resisting and attempted to place handcuffs on him. I was only able to get one cuff on Kyle's left arm, as he had his right arm under his body. Kyle kept trying to pull his left arm away from me. Both myself and Sgt. Duponty asked Kyle to bring his arm behind his back. He did not obey those orders. I told Kyle if he did not bring his arm back, I would tase him. I asked Kyle to hand me his arm again. I warned Kyle again that if he did not hand me his arm, I would tase him. He did not release his arm to me, and I tased (drive stun/without probes) him to gain compliance. After I tased him, Kyle released his right arm and I was able to place cuffs on both arms.

Earlier, Sgt. Duponty warned Kyle that if he was not staying at the Sheraton Hotel, that he would not be allowed to stay at the hotel. While on the way to jail, I asked Kyle if he remembered being warned leaving the hotel. He told me he remembered being warned. Additionally, Sgt. Duponty told me that Kyle was not a guest at the hotel.

While at the jail, Deputy Joseph found a South Carolina driver license in Kyle's wallet. The South Carolina driver license was in addition to a Pennsylvania driver license that was issued to him with the same name. I read Kyle his Miranda Rights. Kyle told me he did not want to answer my questions about having the additional driver license.

Driver License Information:

- South Carolina driver license: Kyle Nathan Henderson (DOB: 08/03/1997)
- Pennsylvania driver license: Kyle N Henderson (DOB: 08/03/1994)

Charge Information:

- 322.212: Unauthorized possession of, and other unlawful acts in relation to, driver license or identification card. Kyle had in his possession an additional driver license other than his original Pennsylvania driver license.
- 810.08: Trespass in structure or conveyance. Kyle was previously warned by Sgt. Duponty to not being on the property if he was not a guest at the Sheraton Hotel. Sgt. Duponty also told me that Kyle was not a guest at the hotel.
- 843.02: Resisting officer without violence to his or her person. While trying to handcuff Kyle, he did not follow my basic instructions to allow me to handcuff him.

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

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

18-001473

Victim

SHERATON SUITES HOTEL

Offense

FRAUD BY IDENTITY THEFT /

Date / Time Reported

Thu 03/15/2018 04:43

On 03/15/18, at approximately 0443hrs, I (Ofc. DeHanas), was conducting security rounds at Sheraton Hotel (2001 S. Roosevelt Blvd.), while on an off-duty detail for the Sheraton Hotel. Sgt. Duponty was with me.

While conducting security rounds, I noticed Kyle Nathan Henderson slumped over, on the ground, near room 249. Sgt. Duponty attempted several times to ask Kyle to wake up. Kyle did not follow Sgt. Duponty's request. Sgt. Duponty identified himself as Key West police.

After Sgt. Duponty attempted to wake up Kyle, he became aggressive toward Sgt. Duponty by resisting Sgt. Duponty's attempts to wake him up. Kyle was turned over on his stomach. Sgt. Duponty got on top of Kyle and told Kyle to stop resisting. I told Kyle to stop resisting and attempted to place handcuffs on him. I was only able to get one cuff on Kyle's left arm, as he had his right arm under his body. Kyle kept trying to pull his left arm away from me. Both myself and Sgt. Duponty asked Kyle to bring his arm behind his back. He did not obey those orders. I told Kyle if he did not bring his arm back, I would tase him. I asked Kyle to hand me his arm again. I warned Kyle again that if he did not hand me his arm, I would tase him. He did not release his arm to me, and I tased (drive stun/without probes) him to gain compliance. After I tased him, Kyle released his right arm and I was able to place cuffs on both arms.

I requested rescue personnel to the scene to medically check on Kyle.

Ofc. Calvert took several photographs of Kyle, which I later uploaded onto the Key West Police Department COBAN Server.

I released my taser to Sgt. Castillo, where he later provided a compact disk that I later submitted to the Property and Evidence Section of the Key West Police Department.

I transported Kyle to Lower Keys Medical Center, where he was medically cleared. After being medically cleared, I transported Kyle to the Monroe County Detention Center without incident.

Earlier, Sgt. Duponty warned Kyle that if he was not staying at the Sheraton Hotel, that he would not be allowed to stay at the hotel. While on the way to jail, I asked Kyle if he remembered being warned leaving the hotel. He told me he remembered being warned. Additionally, Sgt. Duponty told me that Kyle was not a guest at the hotel.

While at the jail, Deputy Joseph found a South Carolina driver license in Kyle's wallet. The South Carolina driver license was in addition to a Pennsylvania driver license that was issued to him with the same name. I read Kyle his Miranda Rights. Kyle told me he did not want to answer my questions about having the additional driver license.

Driver License Information:

- South Carolina driver license: Kyle Nathan Henderson (DOB: 08/03/1997)
- Pennsylvania driver license: Kyle N Henderson (DOB: 08/03/1994)

REPORTING OFFICER NARRATIVE

Key West Police Department

		OCA 18-001473
Victim SHERATON SUITES HOTEL	Offense FRAUD BY IDENTITY THEFT /	Date / Time Reported Thu 03/15/2018 04:43

Charge Information:

- 322.212: Unauthorized possession of, and other unlawful acts in relation to, driver license or identification card. Kyle had in his possession an additional driver license other than his original Pennsylvania driver license.
- 810.08: Trespass in structure or conveyance. Kyle was previously warned by Sgt. Duponty to not being on the property if he was not a guest at the Sheraton Hotel. Sgt. Duponty also told me that Kyle was not a guest at the hotel.
- 843.02: Resisting officer without violence to his or her person. While trying to handcuff Kyle, he did not follow my basic instructions to allow me to handcuff him.

My body worn camera was activated during this incident. I later uploaded my BWC footage onto the Key West Police Department COBAN Server.