

# Response to Resistance Report

Key West Police Department

Case No: 19-5699

## 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: 9/27/19 3. Time: 0315 hrs 4. Location: Olivia/Simonton St. 5. Incident type: Resisting

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

- ☒ Passive: Refused to sit in vehicle. ☐ Physical Control  
☐ Active: ☒ Non-lethal Weapon Taser drive-stun  
☐ Aggressive: ☐ Deadly Force  
☐ Deadly Force:

SUBJECT

10. Last Name: Rivera 11. First: Ricardo 12. Race: W 13. Sex: M

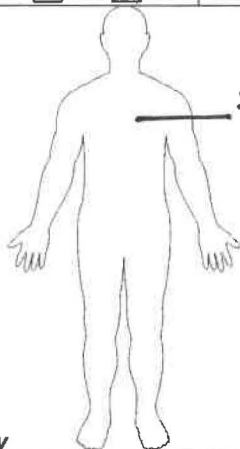
14. DOB: 8/4/79 15. Height: 6'03 16. Weight: 190

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

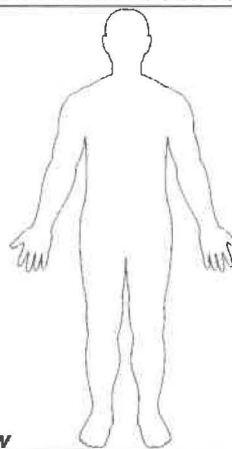
19. Injuries: ☐ No ☒ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)

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



SIGNATURE  
MARKS

22. Anterior View



Posterior View

OFFICER

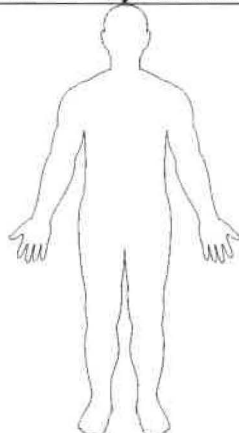
23. Officer: Chase Purcell 24. Race: W 25. Sex: M 26. Age: 24 27. Height: 6'00 28. Weight: 245

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: <1

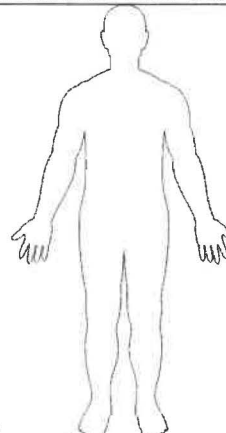
31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

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)



35. Anterior View



Posterior View

# Response to Resistance Report (continued)

Key West Police Department

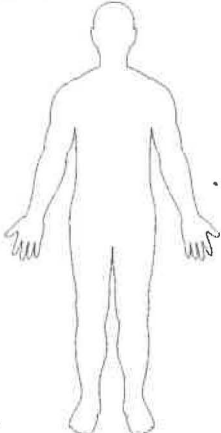
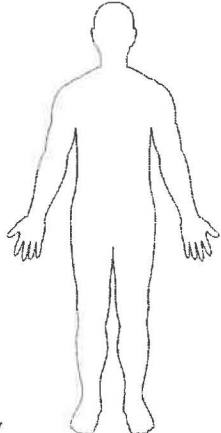
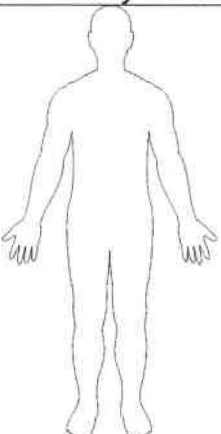
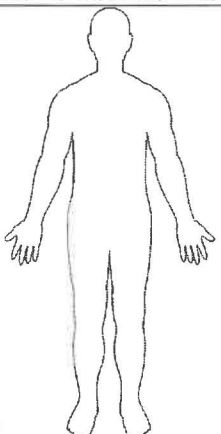
Case No: 19-5699

TASER USE ONLY	36. TASER® device serial # X120056TN		37. TASER® device serial # X120058D0		
	TASER®Cam serial # V210024E5		TASER®Cam serial # V21001KHH		
	Cartridge 1 serial #		Cartridge 1 serial #		
	Cartridge 2 serial #		Cartridge 2 serial #		
	Number of cycles: 1		Number of cycles: 1		
	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 checked="" type="checkbox"/> Drive Stun		
	Did probes penetrate skin: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input checked="" 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: Sgt. M. Siracuse <b>J. DEAN</b>		Device downloaded by: Sgt. M. Siracuse			
<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: 9/27/19		41. Time: 0319		
	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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
Name		Address		Phone Number	
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		46. Preparing Supervisor's Signature / ID <b>Sgt. J. Dean 3346</b>		47. Date 9/27/19	
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)		49. Signature of Internal Affairs Inspector <b>[Signature]</b>		50. Date 10/1/19
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

# Response to Resistance Report (continued)

Key West Police Department

Case No: 19-5699

<b>OFFICER</b>	<b>23. Officer:</b> Thomas Haynie <b>24. Race:</b> W <b>25. Sex:</b> M <b>26. Age:</b> 31 <b>27. Height:</b> 5'6 <b>28. Weight:</b> 135					
	<b>29. Duty Status:</b> <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain					<b>30. Yrs Exp:</b> 2
	<b>31. Injuries:</b> <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)					
	<b>32. Photographed:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>33. Treated:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
	<b>34. Response option used by this officer:</b> (If TASER®, also reference line number from TASER® section)					
						
	<b>35. Anterior View</b>			<b>Posterior View</b>		
<b>OFFICER</b>	<b>23. Officer:</b> <b>24. Race:</b> <b>25. Sex:</b> <b>26. Age:</b> <b>27. Height:</b> <b>28. Weight:</b>					
	<b>29. Duty Status:</b> <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain					<b>30. Yrs Exp:</b>
	<b>31. Injuries:</b> <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)					
	<b>32. Photographed:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>33. Treated:</b> <input type="checkbox"/> No <input type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
	<b>34. Response option used by this officer:</b> (If TASER®, also reference line number from TASER® section)					
						
	<b>35. Anterior View</b>			<b>Posterior View</b>		

# INCIDENT/INVESTIGATION REPORT

I N C I D E N T  D A T A	Agency Name <b>Key West Police Department</b>		INCIDENT/INVESTIGATION REPORT		Case# <b>19-005699</b>								
	ORI <b>FL0440100</b>				Date / Time Reported <b>09/27/2019 03:13 Fri</b>								
	Location of Incident <b>532 Olivia St/simonton St, Key West FL 33040-</b>				Last Known Secure <b>09/27/2019 03:13 Fri</b>								
	Premise Type <b>Highway / Street / Road/</b>				Beat/GP <b>09/27/2019 03:13 Fri</b>								
D E T A I L S	#1	Crime Incident(s) <b>Resist Arrest / Escape XOM</b>	(Com)	Weapon / Tools <b>NOT APPLICABLE/NONE</b>			Activity						
				Entry	Exit	Security							
	#2	Crime Incident	( )	Weapon / Tools			Activity						
				Entry	Exit	Security							
	#3	Crime Incident	( )	Weapon / Tools			Activity						
				Entry	Exit	Security							
MO													
V I C T I M	# of Victims <b>1</b>		Type: <b>SOCIETY/PUBLIC/STATE</b>		Injury:			Domestic: <b>N</b>					
	V1	Victim/Business Name (Last, First, Middle) <b>Society</b>			Victim of Crime # <b>1</b>	DOB <b>Age</b>	Race	Sex	Relationship To Offender	Resident Status <b>N/A</b>	Military Branch/Status		
		Home Address										Home Phone	
	Employer Name/Address							Business Phone		Mobile Phone			
	VYR	Make	Model	Style	Color	Lic/Lis	VIN						
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: <b>INDIVIDUAL</b>												
	Code <b>IO</b>	Name (Last, First, Middle) <b>COHEN, TARAH M</b>			Victim of Crime #	DOB <b>09/21/1988</b> <b>Age 31</b>	Race <b>W</b>	Sex <b>F</b>	Relationship To Offender	Resident Status <b>Resident</b>	Military Branch/Status		
		Home Address <b>3920 S Roosevelt Blvd - 411n Key West, FL 33040</b>										Home Phone	
	Employer Name/Address <b>Irish Kevins, Duval St</b>							Business Phone		Mobile Phone <b>860-817-7499</b>			
	Type:												
	Code	Name (Last, First, Middle)			Victim of Crime #	DOB <b>Age</b>	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status		
		Home Address										Home Phone	
	Employer Name/Address							Business Phone		Mobile 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 Fm/To	Value	OJ	QTY	Property Description			Make/Model			Serial Number
		35	EVID	\$0.00		1	AXON BWC 3967						
Officer/ID# <b>PURCELL, CHASE (3967)</b>													
Invest ID# <b>(0)</b>							Supervisor <b>SIRACUSE, MARK W (3366)</b>						
Status	Complainant Signature				Case Status <i>Cleared By Arrest</i> <b>09/27/2019</b>			Case Disposition: <i>Cleared By Arrest</i> <b>09/27/2019</b>			Page 1		

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 19-005699

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  
*SIRACUSE, M.W. (3366), HAYNIE, T.G. (3836)*

Suspect Hate / Bias Motivated:

NARRATIVE



**REPORTING OFFICER NARRATIVE**

Key West Police Department

Victim <i>Society</i>	Offense <i>RESIST ARREST / ESCAPE</i>	OCA <i>19-005699</i> Date / Time Reported <i>Fri 09/27/2019 03:13</i>
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On 09/27/2019 at approximately 0313 hours, I, Officer Purcell, observed a group of people standing around a car at the corner of Olivia St and Simonton St and heard a male voice yelling in a loud aggressive voice.

I exited my patrol car and observed the yelling was coming from a Hispanic male later identified as Ricardo Rivera. I approached the vehicle and asked Rivera to come speak to me by my patrol car. Rivera yelled at me "we're good". I asked Rivera again to come speak to me by my patrol car. Rivera walked with me to my patrol car.

I asked Rivera what was going on. Rivera appeared to calm down and told me he was just in an argument with his girlfriend Tarah Cohen because they didn't see eye to eye on an issue. I asked Rivera if he could provide me with his ID. Rivera said "what" as if he didn't understand what I was asking him for. I asked Rivera again for his ID. Rivera again said "what". I Asked Rivera for his driver's license. Rivera asked me why I needed it. I informed Rivera he was being detained for and investigation and I needed his ID. I explained to Rivera that he was being detained because I did not know why he was aggressively yelling and I was investigating the issue. Cohen and a white male that had been with Rivera approached us and began to speak to me and Rivera. I instructed the male and Cohen to step back and wait by their car. Cohen complied and went back to the vehicle. The male refused. I informed the male that if he did not step back he would be arrested for obstruction. The male stepped back.

I continued to ask Rivera for his ID several more times and he continued to refuse becoming more agitated. I informed Rivera that failure to provide me with his identification was considered obstruction and he could be arrested for it. Rivera replied that was fine with him and he could take an arrest. I asked Rivera again for his driver's license. Rivera became loud and began to wave his hands while telling me this was the reason kids were shooting up schools.

I instructed Rivera to put his hands behind his back. Rivera began to pull away from me. I grabbed Rivera's right arm and attempted to turn him around. Rivera continued to try and pull away from me while turning to face me. I pulled my Taser out of its holster and removed the cartage from it then pressed it against Rivera's torso. I informed Rivera that he was going to be tasered and to put his hands behind his back. Rivera complied and turned around placing his hands behind his back. I placed my Taser back in its holster and put Rivera in handcuffs.

I lead Rivera around the side of my patrol car and the white male and Cohen approached me again. I instructed Cohen and the male to go back and wait by their car. The male and Cohen sat down by my patrol car. I again instructed them to go and wait by their vehicle. Cohen stated she did not need to wait by her car and was staying where she was. The white male also stayed where he was. I requested a seconded unit through via my radio. I instructed Rivera to sit down on the curb. Rivera refused to sit down. I instructed Rivera again to sit on the curb. Rivera did not sit down. I forced Rivera into a seated position on the curb. Rivera began to yell about being forced to sit down.

The white male stood up and approached me. I instructed him to wait by the car. The male stated he was not in violation of any laws. I informed the male he could be arrested for obstruction and told him to wait by the car. The male did not go back to their vehicle but returned to sit next to Cohen. Rivera continued to yell, and Cohen began to try and talk to Rivera. I instructed Cohen to wait by their car. Cohen replied that she would wait right where she was. I informed Cohen that I did not want them right by me because they were aggravating the situation. Cohen refused to move.

I instructed Rivera to stand up and assisted him in doing so. I instructed Rivera to lean against my patrol vehicle.

**REPORTING OFFICER NARRATIVE***Key West Police Department*

Victim <i>Society</i>	Offense <i>RESIST ARREST / ESCAPE</i>	OCA <i>19-005699</i>
		Date / Time Reported <i>Fri 09/27/2019 03:13</i>

Rivera began to push back into me refusing to lean against my patrol car. I forced Rivera to lean against my patrol car in order to search him before placing him in the car.

Officer Haynie arrived on scene. Rivera began to yell again and push back against me. Officer Haynie assisted me in holding Rivera against my patrol car while we searched him. I finished searching Rivera and instructed him to get into my patrol car. Rivera pushed back against Officer Haynie and myself refusing to get into the patrol car. Officer Haynie and I took out our Tasers and told Rivera he was going to be tasered and to get into the car. Rivera continued to refuse to get into the patrol vehicle. Officer Haynie and myself utilized our Tasers to drive stun Rivera's torso forcing him into the patrol car. Officer Haynie notified dispatch that our Tasers had been used.

Based on the facts and evidence, I believe there is probable cause, that on 9/27/2019, Ricardo Rivera did knowingly and intentionally resist an officer in the legal execution of his duty, in violation of FSS 843.02.

Sgt. Siracuse arrived on scene and spoke with me and then Rivera.

I transported Rivera to the Monroe County Detention Center without further incident.

This investigation was recorded with my Axon BWC.

# Incident Report Suspect List

Key West Police Department

OCA: 19-005699

1	Name (Last, First, Middle) <i>RIVERA, RICARDO M</i>						Also Known As				Home Address <i>3920 S ROOSEVELT BLVD - 411N KEY WEST, FL 33040 305-942-0735</i>			
	Business Address													
	DOB <i>08/04/1979</i>	Age <i>40</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>H</i>	Hgt <i>603</i>	Wgt <i>200</i>	Hair <i>BLD</i>	Eye <i>BRO</i>	Skin <i>LBR</i>	Driver's License / State. <i>R160733792840 FL</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		
VehYr/Make/Model		Drs		Style		Color		Lic/St		VIN				
Notes							Physical Char							



# Incident Report Related Property List

Key West Police Department

OCA: 19-005699

1	Property Description <b>AXON BWC 3967</b>			Make		Model		Caliber	
	Color	Serial No.	Value <b>\$0.00</b>		Qty <b>1.000</b>	Unit	Jurisdiction <b>Locally</b>		
	Status <b>Evidence</b>	Date <b>09/27/2019</b>	NIC #	State #	Local #	OAN			
	Name (Last, First, Middle) <b>* No name *</b>			DOB		Age	Race	Sex	

Notes

**CASE SUPPLEMENTAL REPORT**

Printed: 10/01/2019 13:41

Key West Police Department

OCA: **19005699**

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

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *09/27/2019*Offense: *RESIST ARREST / ESCAPE*Investigator: *HAYNIE, THOMAS G (3836)*Date / Time: *09/27/2019 04:33:40, Friday*Supervisor: *SIRACUSE, MARK W (3366)*Supervisor Review Date / Time: *09/27/2019 05:56:42, Friday*

Contact:

Reference: *General Supplemental Report*

On Friday, September 27, 2019 at 3:15 AM, I was dispatched to back Officer Purcell who was dealing with a verbal disturbance at Simonton Street and Olivia Street. Key West Communications suggested I expedite as they believed the situation was escalating and Officer Purcell's radio had switched channels.

I activated my lights and sirens, responding priority one.

I arrived on scene and observed Officer Purcell holding a male subject, Ricardo Rivera, against the back-passenger's side of his car. Ricardo was in handcuffs. Ricardo was shouting and his body was tensed up. After checking Ricardo's person, incident to arrest, we began to move him toward the back seat of the car. Ricardo ignored our verbal commands to get into the back seat of Officer Purcell's patrol vehicle. Ricardo tensed his body, preventing us from being able to maneuver him into the seat. Officer Purcell and I both pulled our tasers, removed the cartridges, and drive-stunned Ricardo in his right torso. Ricardo's body reacted by bending which enabled us to get him in the back seat successfully.

I advised over Key West Communications Channel One we drive-stunned a subject.

I stood by while Officer Purcell finished his investigation and while Sergeant Siracuse arrived and conducted a Response to Resistance investigation.

I activated my KYPD issued bodycam during this call.

Investigator Signature

Supervisor Signature