

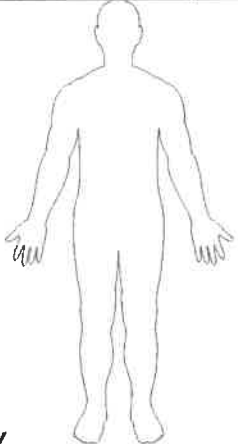
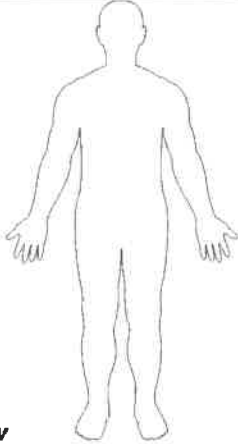
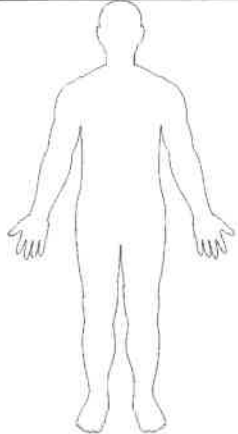
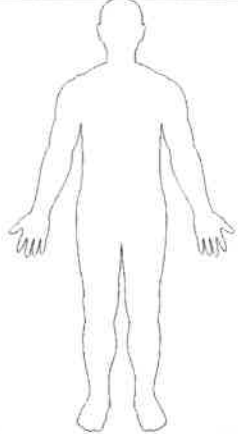
Response to Resistance Report

Key West Police Department

Case No: 21-0019

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: 01/01/21	3. Time: 2230 Hrs	4. Location: Fleming/Duval St	5. Incident type: S83
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input type="checkbox"/> Passive:		<input checked="" type="checkbox"/> Physical Control	Take Down
	<input type="checkbox"/> Active:		<input type="checkbox"/> Non-lethal Weapon	
SUBJECT	<input checked="" type="checkbox"/> Aggressive:	Grabbed/kicked/pushed/pulled	<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			
	10. Last Name: Schulmann	11. First: Daniel	12. Race: W	13. Sex: M
	14. DOB: 07/02/62	15. Height: 5' 07"	16. Weight: 170	
	17. Did you observe the subject: <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
	18. Appeared to be: <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed			
	19. Injuries: <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 22)			
	20. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 21. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention			
	22. Anterior View		Posterior View	
				
OFFICER	23. Officer: David Kouri 24. Race: W 25. Sex: M 26. Age: 27. Height: 5'10" 28. Weight: 235			
	29. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes 30. Yrs Exp:			
	31. Injuries: <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)			
	32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital			
	34. Response option used by this officer: Take-down			
	35. Anterior View		Posterior View	
				

Response to Resistance Report (continued)

Key West Police Department

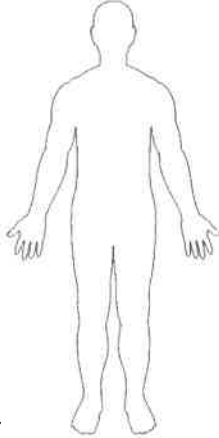
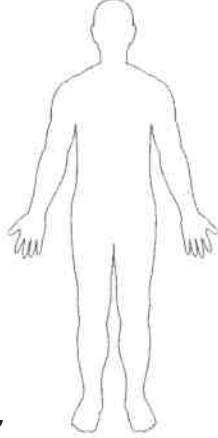
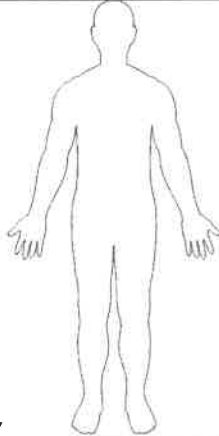
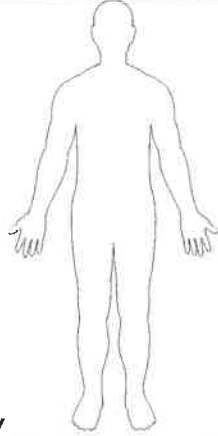
Case No: 21-0019 Error! Reference source not found.

TASER USE ONLY	36. TASER® device serial # _____	37. TASER® device serial # _____
	TASER® Cam serial # _____	TASER® Cam serial # _____
	Cartridge 1 serial # _____	Cartridge 1 serial # _____
	Cartridge 2 serial # _____	Cartridge 2 serial # _____
	Number of cycles: _____	Number of cycles: _____
	Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> COPS <input type="checkbox"/> Drive Stun	Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> COPS <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"/> 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: 01/01/21	
	41. Time: 2230	
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)	
	43. Did you watch all relevant videos associated with the use of force? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)	
	44. Did you meet with the Officer(s): <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)	
	45. During your review did you find any potential policy violations or training issues associated with the incident? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)	
	46. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)	
	Name	Address
INT. AFF.	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS	
	48. Preparing Supervisor's Signature / ID	
	49. Date	
	50. 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	
51. Signature of Internal Affairs Inspector		
52. Date		
53. If section 48 is "No" record the Professional Standards Control Number:		
54. Date Entered:		

Response to Resistance Report (continued)

Key West Police Department

Case No: 21.0019 **Error! Reference source not found.**

OFFICER	23. Officer: Neil Howell		24. Race: W	25. Sex: M	26. Age: 31	27. Height: 6' 01"	28. Weight: 225
	29. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment		<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain		30. Yrs Exp: 15MO		
	31. Injuries: <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)						
	32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital						
	34. Response option used by this officer: Take-down						
OFFICER							
	35. Anterior View		Posterior View				
	23. Officer: Avery Bozzetti		24. Race: W	25. Sex: M	26. Age: 27	27. Height: 6'03"	28. Weight: 175
	29. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment		<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain		30. Yrs Exp: 15MO		
	31. Injuries: <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)						
OFFICER	32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital						
	34. Response option used by this officer: Take-down						
							
	35. Anterior View		Posterior View				

Key West Police Department

OCA: 21000019

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

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *01/01/2021*Offense: *RESIST ARREST / ESCAPE*Investigator: *KOURI, DAVID G (3022)*Date / Time: *01/03/2021 00:50:45, Sunday*Supervisor: *RODRIGUEZ, PABLO D (2298)*Supervisor Review Date / Time: *01/03/2021 01:13:59, Sunday*

Contact:

Reference: *General Supplemental Report*

On October 28, 2020, The City of Key West enacted State of Local Emergency Directive 2020-20.1. The Directive states "Beginning on Thursday, December 31, 2020, at 10:00 p.m. and ending Sunday, January 3, 2021, at 6:00 a.m., a curfew will be in effect city-wide, from 10:00 p.m. each evening through 6:00 a.m. the next morning". The Directive continues, "All non-essential businesses shall close on or before 10:00 p.m. each night.", "Individuals shall be in their residences or lodging establishments no later than 10:30 p.m. each night", and "During the period of such curfew, no person shall make use of any street or sidewalk for any purpose."

A violation of this emergency directive is a violation of Florida State Statute 252.38 and Florida State Statute 252.50. A Law Enforcement Officer may arrest for any knowing and intentional violation of this emergency directive.

On Friday, January 1st 2021, at around 2000 hours, I (Sgt. Kouri) along with several other KWPD Officers, was assigned to the detail to enforce the Mandatory Emergency Directive Curfew. I was wearing my KWPD Department issued Class B uniform and was readily recognizable as a uniformed Police Officer.

At approximately 2230 hours, The Key West Police Department alongside the City of Key West Code Compliance Department and the City of Key West Public Works Department began clearing Duval Street of all pedestrians in response to Directive 2020-20.1. All pedestrians were informed that a curfew was in effect and asked to return to their residence.

During the Key West Police Department's efforts of gaining voluntary compliance in accordance with Directive 2020-20.1, we were met with resistance by a group of 8-12 subjects on the 400 block of Duval Street, near La Concha Hotel.

I observed as this group was refusing to follow verbal commands given by multiple Officers to vacate from the streets, due to the curfew being in effect. The group was verbally abusive towards the Officers, was using vulgar language towards the Officers, and were being extremely confrontational. I saw a white female, one of the main antagonists of the group, get within inches from one of the KWPD Officer's face and began to loudly scream at him. At this time, the Officer placed his right arm up, in an attempt to gain distance between himself and the aggressive and belligerent female. Due to the curfew violation, as well as thier aggressive and disorderly actions, I told the Officer to arrest the female. As the Officer did this, another male subject, identified as Daniel Schulman, charged violently at the Officer and screamed not to touch his daughter. Due to Schulman's violent action and aggressive advance towards the Officer, he was stopped by Ofc. Bozzetti, Ofc. Ham, Ofc. Howell and myself. Schulman began to aggressively fight with all above listed Officers. During the fight, Schulman kicked Ofc. Howell in the chest. Schulman was able to get off the ground several times during his fight with the uniformed Officers. While Schulman was on the ground fighting, he

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 01/25/2021 13:05

Key West Police Department

OCA: **21000019**

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Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *01/01/2021*Offense: *RESIST ARREST / ESCAPE*Investigator: *KOURI, DAVID G (3022)*Date / Time: *01/03/2021 00:50:45, Sunday*Supervisor: *RODRIGUEZ, PABLO D (2298)*Supervisor Review Date / Time: *01/03/2021 01:13:59, Sunday*

Contact:

Reference: *General Supplemental Report*

aggressively grabbed my ankle, in an attempt to get me off balance and take me to the ground. I advised Ofc. Bozzetti that Schulman had my ankle and Ofc. Bozzetti delivered two, controlled, closed fist strikes to Schulman's arm, which was holding my leg and ankle. During this fight, all Officers were giving loud repetitive verbal commands to Schulman to stop resisting. Schulman ignored all of these commands and continued to aggressively fight with all four Officers. After a lengthy struggle, we were able to gain physical control of Schulman and place him into handcuffs, which were double locked.

It should be noted that Schulman is a professional mixed martial arts fighter, who studies in multiple different forms of martial arts. Schulman was the North American MAS Oyama Full-Contact Karate Champion, for six (6) consecutive years. Schulman is also a member of the North American Grappling Association Hall of Fame. Schulman owns over fifty (50) mixed martial arts training gyms.

While this fight was occurring, the remainder of the antagonist group were involved in several struggles and altercations with the other Officers on scene. The actions of these individuals led to a multiple arrest situation. I placed handcuffs on a second white male subject, who Ofc. Agleev was controlling near the rear of the transport van. This subject had previously tried to attack Ofc. Waite, who was also attempting to arrest one of the other multiple antagonists of the group. While this subject was charging towards Ofc. Waite, I grabbed him in a controlled manner and handed him to Ofc. Agleev.

Due to the speed the incident occurred and because of Schulman's actions, I was unable to activate my BWC to record the incident.

All arrests were placed into the KWPD transport van.

Investigator Signature

Supervisor Signature

Key West Police Department

OCA: 21000019

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Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *01/01/2021*Offense: *RESIST ARREST / ESCAPE*Investigator: *HOWELL, WILLIAM N (4059)*Date / Time: *01/02/2021 02:55:42, Saturday*Supervisor: *RODRIGUEZ, ALEXANDER (3465)* Supervisor Review Date / Time: *01/02/2021 03:24:20, Saturday*

Contact:

Reference: *General Supplemental Report*

On Wednesday, 10/28/2020, The City of Key West enacted State of Local Emergency Directive 2020-20.1. The Directive states "Beginning on Thursday, 12/31/2020, at 2200 hours and ending Sunday, 01/03/2021, at 0600 hours, a curfew will be in effect city-wide, from 2200 hours each evening through 0600 the next morning". The Directive continues, "All non-essential businesses shall close on or before 2200 hours each night.", "Individuals shall be in their residences or lodging establishments no later than 2230 hours each night", and "During the period of such curfew, no person shall make use of any street or sidewalk for any purpose."

A violation of this emergency directive is a violation of Florida State Statute 252.50. A Law Enforcement Officer may arrest for any knowing and intentional violation of this emergency directive.

On 01/01/2021, at approximately 2230 hours, The Key West Police Department alongside the City of Key West Code Compliance Department and the City of Key West Public Works Department began clearing Duval Street of all pedestrians in response to Directive 2020-20.1. All pedestrians were informed that a curfew was in effect and asked to return to their residence.

During the Key West Police Department's efforts of gaining voluntary compliance in accordance with Directive 2020-20.1, Daniel Schulmann (DOB: 07/02/1962, Arrestee) did knowingly and intentionally refuse to vacate Duval Street and return to her residence contrary to F.S.S. 252.50.

his

Ofc. Bozzetti and I attempted to place Schulmann into handcuffs and take him into custody. Schulmann refused to turn around and pulled away from me several times. Schulmann pushed me as I grabbed for his wrist to place him into handcuffs. Given these circumstances and Schulmann's level of resistance rising, Ofc. Bozzetti and I performed a take down and guided Schulmann to the ground in a controlled manner, laying him on his back, giving him clear, concise and loud verbal commands to stop resisting. Schulmann refused to roll over and kicked at me several times, striking me in the front of my vest. I grabbed both of his legs near his knees to maintain control of his legs. Schulmann grabbed Sgt. Kouri by his ankles and refused to release his grip until Ofc. Bozzetti and I rolled Schulmann onto his stomach. Schulmann continued to physically resist until Ofc. Ham placed him in hand cuffs. Sgt. Kouri, Ofc. Bozzetti and I walked Schulmann to the transport van.

Schulmann showed no signs of injury from the takedown.

Ofc. Wynn transferred Schulmann to the Monroe County Detention Center.

My BWC was not activated for the arrest or subsequent search. My BWC was knocked off by Schulmann during his

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

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*Key West Police Department*OCA: **21000019**

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Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:** *01/01/2021***Offense:** *RESIST ARREST / ESCAPE***Investigator:** *HOWELL, WILLIAM N (4059)***Date / Time:** *01/02/2021 02:55:42, Saturday***Supervisor:** *RODRIGUEZ, ALEXANDER (3465)* **Supervisor Review Date / Time:** *01/02/2021 03:24:20, Saturday***Contact:****Reference:** *General Supplemental Report*

initial confrontation and struggle with myself and Ofc. Bozzetti.

At this time, no further information.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

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Key West Police Department

OCA: 21000019

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Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *01/01/2021*Offense: *RESIST ARREST / ESCAPE*Investigator: *BOZZETTI, CHRISTIAN A (4058)*Date / Time: *01/04/2021 19:37:32, Monday*Supervisor: *RODRIGUEZ, PABLO D (2298)*Supervisor Review Date / Time: *01/05/2021 06:28:19, Tuesday*

Contact:

Reference: *General Supplemental Report*

At approximately 2230 hours, The Key West Police Department alongside the City of Key West Code Compliance Department and the City of Key West Public Works Department, began clearing Duval Street of all pedestrians in response to Directive 2020-20.1. All pedestrians were informed that a curfew was in effect and were asked to return to their residence.

During the Key West Police Department's effort of gaining voluntary compliance in accordance with Directive 2020-20.1, we were met with resistance by a group of 8-12 subjects on the 400 block of Duval Street, near La Concha Hotel.

The group was refusing to follow verbal commands given by me and my fellow Officers, to vacate from the street, due to the curfew being in effect. The group was being confrontational and verbally abusive towards us. One of the subjects got within inches of Ofc. Waite's face and began screaming at him. Ofc. Waite attempted to take her into custody. As soon as Ofc. Waite grabbed the females arm, her father, later identified as Daniel Schullman aggressively charged at Ofc. Waite and told him not to touch his daughter. Ofc. Howell, Sgt. Kouri and I grabbed Daniel and took him to the ground. Daniel was fighting with us the entire time, and broke free from us multiple times. At one point, Daniel grabbed Sgt. Kouri's ankle and attempted to get him to the ground. Sgt. Kouri advised that Daniel had his ankle and would not let go. I delivered two, controlled closed fist strikes to Daniel's arm and he released Sgt. Kouri's leg. Daniel was eventually taken into custody.

Once all the subjects were taken into custody, we placed them in the transport van, and they were transported to the MCDC by Ofc. Wynn, without further incident.

My BWC was not activated during this incident.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

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Key West Police Department

OCA: 21000019

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Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*Occurred: *01/01/2021*Offense: *RESIST ARREST / ESCAPE*Investigator: *MALAK, TIMOTHY J (4045)*Date / Time: *01/02/2021 23:54:24, Saturday*Supervisor: *RODRIGUEZ, PABLO D (2298)*Supervisor Review Date / Time: *01/03/2021 19:09:42, Sunday*

Contact:

Reference: *General Supplemental Report*

On 1/1/21, I, Officer Malak, along with several other KWPD Officers, were acting to gain compliance with the current curfew ordinance in Key West.

While I was approaching the intersection of Fleming St and Duval St, I observed other officers of KWPD speaking to a small group. I made my way toward the group and overheard officers explaining the subjects had to go home.

The group of subject moved toward the KWPD officers and the officers gained control of them. I assisted Sgt. Kouri with securing Daniel Shulmann. I grabbed the back of Shulmann's shirt and applied the correct amount of pressure to ensure the handcuffs were applied safely. Once secured, I assisted Shulmann to the back of KWPD patrol van.

Once at the KWPD patrol van, I held onto Shulmann and two other subjects until it was their turn to be placed in the van. While holding onto Shulmann, he stated multiple times he wanted me to take my vest and belt off so he could fight me. Shulmann continued this outlandish behavior until he was placed in the KWPD transport van.

Shulmann, along with other subjects were transported to Monroe County Jail for processing.

Due to the quickly evolving incident, I was unable to activate my BWC. I cleared with nothing further.

Investigator Signature

Supervisor Signature