

# Response to Resistance Report

Key West Police Department

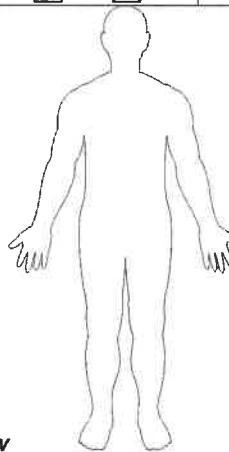
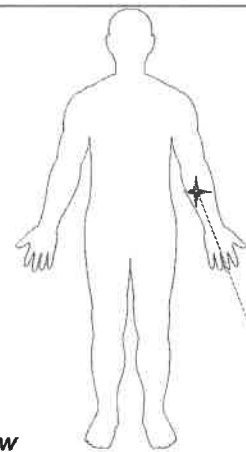
Case No: 21-3292

## 1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)

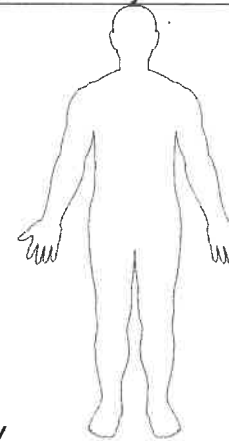
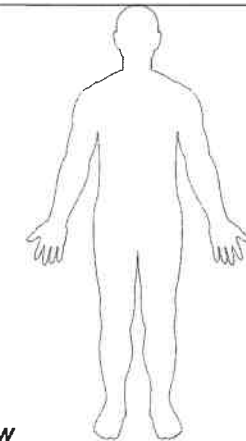
- ☐ A response through the use of non-lethal weapons,  
☒ Applies weaponless physical force of strikes, kicks, or "take-downs"  
☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force  
☐ When any person complains of injury as a result of the application of force  
☐ Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)

<b>INCIDENT</b>	<b>2. Date:</b> 06/22/2021	<b>3. Time:</b> 2132 Hrs	<b>4. Location:</b> 1107 Whitehead St.	<b>5. Incident type:</b> Trespassing/Resist
	<b>6. Resistance Level</b>	<b>7. Explanation</b>	<b>8. Response Option</b>	<b>9. Explanation</b>
	<input checked="" type="checkbox"/> Passive:	Failing to comply	<input checked="" type="checkbox"/> Physical Control	Arm bar takedown
	<input checked="" type="checkbox"/> Active:	Agg. posturing, pushing Ofc	<input type="checkbox"/> Non-lethal Weapon	
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

<b>10. Last Name:</b> Cleare	<b>11. First:</b> Stanford	<b>12. Race:</b> B	<b>13. Sex:</b> M
<b>14. DOB:</b> 12/07/1938	<b>15. Height:</b> 5'09"	<b>16. Weight:</b> 150 lbs	
<b>17. Did you observe the subject:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
<b>18. Appeared to be:</b> <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed			
<b>19. Injuries:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22 )			
<b>20. Photographed:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>21. Treated:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <b>By:</b> <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention			

<b>SUBJECT</b>		
	<b>22. Anterior View</b>	<b>Posterior View</b> <b>Scrape to R. Elbow</b>



<b>23. Officer:</b> Andrew Litton	<b>24. W</b>	<b>25. Sex:</b> M	<b>26. Age:</b> 31	<b>27. Height:</b> 5'09"	<b>28. Weigh:</b> 205 lbs
<b>29. Duty Status:</b> <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 <b>30. Yrs Exp:</b> 2.5					
<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 checked="" type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
<b>34. Response option used by this officer:</b> Arm bar escort to the ground.					

<b>OFFICER</b>		
	<b>35. Anterior View</b>	<b>Posterior View</b>

# Response to Resistance Report (continued)

Key West Police Department

Case No: 21-3292

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"/> 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 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: 06/22/2021		41. Time: 2132 hrs	
	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	
	Phone Number			
INT. AFF.	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		48. Preparing Supervisor's Signature / ID  3465	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		49. Date 06/22/2021	
	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  3317	
	52. Date 6/30/2021		53. If section 48 is "No" record the Professional Standards Control Number:	
		54. Date Entered:		

# 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>21-003292</b>					
	ORI <b>FL0440100</b>				Date / Time Reported <b>06/22/2021 21:17 Tue</b>					
	Location of Incident <b>1107 WHITEHEAD ST, Key West FL 33040-</b>				Last Known Secure <b>06/22/2021 21:17 Tue</b>					
					At Found <b>06/22/2021 21:17 Tue</b>					
M O	Premise Type <b>Bar / Nightclub / Lounge</b>		Beat/GP <b>B2, GPB2</b>		Activity					
	Weapon / Tools <b>NOT APPLICABLE/NONE</b>									
	Entry		Exit		Security					
	Weapon / Tools				Activity					
	Entry		Exit		Security					
	Weapon / Tools				Activity					
V I C T I M	#1 Crime Incident(s) (Com) <b>Resist Arrest / Escape XOM</b>		Entry		Exit					
	#2 Crime Incident (Com) <b>Trespassing XOT</b>		Entry		Exit					
	#3 Crime Incident ( )		Entry		Exit					
O T H E R  I N V O L V E D	# of Victims <b>2</b>		Type: <b>SOCIETY/PUBLIC/STATE</b>		Injury:					
	Victim/Business Name (Last, First, Middle) <b>V1 Society</b>		Victim of Crime # <b>1</b>		DOB <b>Age</b>					
	Home Address		Home Phone							
	Employer Name/Address		Business Phone		Mobile Phone					
	VYR		Make		Model					
	Style		Color		Lic/Lis					
	VIN									
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)									
	Type: <b>BUSINESS</b>									
	Injury:									
P R O P E R T Y	Code <b>V2</b>		Name (Last, First, Middle) <b>CORAL CITY ELKS LODGE NO 400</b>		Victim of Crime # <b>2</b>					
	DOB <b>/ /</b>		Race <b>Age</b>		Relationship To Offender <b>AQ</b>					
	Home Address <b>1107 WHITEHEAD ST KEY WEST, FL 33040</b>		Home Phone							
	Employer Name/Address <b>1107 WHITEHEAD ST</b>		Business Phone		Mobile Phone					
	Type: <b>INDIVIDUAL</b>									
	Injury:									
	Code <b>RP</b>		Name (Last, First, Middle) <b>SULLIVAN, KENNETH MARK</b>		Victim of Crime # <b>08/14/1955</b>					
	DOB <b>Age 65</b>		Race <b>B</b>		Sex <b>M</b>					
	Home Address <b>1200 1ST ST - D5 KEY WEST, FL 33040</b>		Home Phone <b>305-869-5514</b>							
	Employer Name/Address <b>ELKS CLUB (PRESIDENT)</b>		Business Phone <b>305-296-0070</b>		Mobile Phone <b>305-896-5514</b>					
L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)										
P R O P E R T Y	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number	
		35	EVID	\$0.00		1	AXON BWC 3958			
Officer/ID# <b>LITTON, ANDREW J. (3958)</b>										
Invest ID# <b>(0)</b>					Supervisor <b>(0)</b>					
Complainant Signature					Case Status <b>Cleared By Arrest</b>		Case Disposition: <b>Cleared By Arrest</b>		Page 1	

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-003292

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

RODRIGUEZ, A. (3465), HOWELL, W.N. (4059)

Suspect Hate / Bias Motivated:

NARRATIVE

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

OCA

21-003292

Victim

*Society*

Offense

*RESIST ARREST / ESCAPE*

Date / Time Reported

*Tue 06/22/2021 21:17*

On 06/22/2021 at approximately 2115 hours, I (Ofc. A. Litton) was dispatched to 1107 Whitehead Street, the Coral City Elks Lodge, in reference to someone trespassing on the property.

When I arrived, I met with the Exalted Ruler, Kenneth Sullivan, who explained to me the suspect inside (later identified as Stanford Cleare) has a permanent ban at the lodge for over 10 years. Sullivan escorted me inside the lodge and spoke to Cleare and explained he has a permanent ban on the property stemming from him assaulting the previous Exalted Ruler. Cleare claimed to not understand why he was served an alcoholic beverage and was refusing to leave the property. I stated to Cleare he would be taken out in handcuffs if he refused to leave the premises and asked him again to step outside and speak with me.

Cleare became hostile as he walked outside and asked what I needed to speak to him about. I requested Cleare's ID which he replied, "No, I don't have nothing. What are you going to do about it?" as he turned his back to me and began to walk away from me. Cleare did stop to speak with me and expressed that since he left the property, that should be the end of the issue. I explained it was not the end of the issue because he is trespassed from the property and never should have walked inside.

Cleare began to shout at me and got in my face in an aggressive manner as he shouted over me speaking. I placed my right hand on Cleare's chest and told him to back away because he was too close to me. Cleare then pushed my hand away and told me not to put my hands on him as he continued to step towards me. Cleare's right hand remained at his side as I grabbed Cleare's left arm and told him to place his hands behind his back as I attempted to place his left hand behind his back. Cleare pulled away from me and I performed an arm-bar takedown as he attempted to pull away. Cleare began to fall forward when I lost my grip on his arm, causing Cleare to roll onto his back. Cleare then took a defensive stance on the ground against me as I regained control of his arm while commanding him to place his hands behind his back.

Cleare continued to resist when I removed my Taser, removed the cartridge, and continued to command Cleare to roll over and place his hands behind his back or I would drive-stun him. Cleare continued to resist until I managed to roll him on his stomach and get his hands behind his back to handcuff him. Cleare still refuse to identify himself while he was in handcuffs.

I left Cleare with Officer N. Howell until I brought my patrol car to the scene. Officer N. Howell and I searched Cleare prior to placing him in my patrol vehicle. Subsequent to search, a wallet was located in Cleare's back pocket which did contain a Florida driver's license. Officer N. Howell also located a folding razor blade in Cleare's right, front pocket. All of the belongings, including the wallet and razor blade, were left with Cleare's wife on his request. Cleare's wife stated Cleare had been drinking liquor since 0900 hours.

Sergeant A. Rodriguez responded to the scene to document the RRI. Cleare suffered a minor abrasion to his right elbow which was photographed by Sergeant A. Rodriguez. I then transported Cleare to MCDC without further incident.

Axon BWC was activated during this incident and later uploaded to Evidence.com.

Based on the facts and evidence of this case, Stanford Cleare violated FSS 843.02, resisting without violence. Cleare was given numerous opportunities to identify himself during a trespassing investigation. Cleare grew increasingly combative during the encounter until he approached me in an aggressive manner. I warned Cleare to

# Incident Report Suspect List

Key West Police Department

OCA: 21-003292

1	Name (Last, First, Middle)					Also Known As					Home Address				
	CLEARE, STANFORD EUGENE										309 JULIA ST KEY WEST, FL 33040 305-292-7707				
	Business Address														
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.				
	12/07/1938	82	B	M	N	57	150	BLK	BRO	DRK	C460785384470 FL				
Scars, Marks, Tattoos, or other distinguishing features															
Reported Suspect Detail		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: 21-003292

1	Property Description				Make	Model		Caliber	
	AXON BWC 3958								
	Color	Serial No.		Value		Qty	Unit	Jurisdiction	
				\$0.00		1.000		Locally	
	Status	Date	NIC #		State #		Local #		OAN
	Evidence	06/22/2021							
Name (Last, First, Middle)					DOB		Age	Race	Sex
Sullivan, Kenneth Mark					08/14/1955		65	B	M

Notes