



Mascotte Police Department

Use Of Force Report

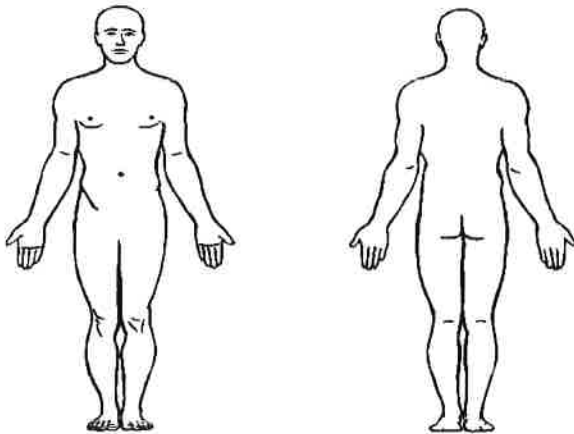
Case #: 19MA01213

Officer #	1	Officer Name:	A. Silverio	Officer ID:	M43	Body Camera?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
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Officer Injuries:

Officer Condition Before:	Normal
Officer Condition After:	Mild soreness in left shoulder

Injury notes: occurred during the physical altercation



Seen By EMS? Y N Transported? Y N Hospital?

Run #:

Officer's Narrative

On 02/25/2019 at approximately 2000 hours, i was conducting an investigation in reference to four suspicious subjects at the Mascotte Recreational Complex. During my investigation I advised the subjects I was going to be patting them down, for safety. I redirected my attention to the defendant who was standing approximately 12 feet away from me. The defendant placed his hands inside the pockets of his hoody several times, which drew more alarms and concerns for officer safety. I had prior knowledge of the defendant's history of non-compliance and violence towards law enforcement. I also had an idea of the defendant being previously issued a trespass warning from the recreational complex.

I asked the defendant to come towards me. I asked the defendant a second time. The defendant immediately asked if he was being detained. I responded that he was and told him to come towards me a third time. The defendant asked why he was being detained. I responded that they were acting suspiciously in the park and told him to come towards me a fourth time. The defendant stated "Well, I'm right here." I responded, "No, I am telling you to come here." The defendant did not move. I then told him I was giving him a lawful order. The defendant still failed to comply with my orders and responded, "I'm right here." I told him once more to come towards me and he asked, "With my dog?" I ordered the defendant to tie the leash to the picnic table. I walked over to the defendant and asked him to turn around. The defendant responded, "Turn around for what?" I asked him to turn around a second time to which he responded "No." I asked him if he wanted to go to jail. He responded "Why are you going to take me to jail." I asked him to turn around a third time. The defendant continued his non-compliance.

I attempted to grab his right arm. The defendant pulled his arm away from me, and curled his arms. He turned away from me and twisted his body several times to prevent me from gaining control and placing him in handcuffs. The defendant continued pulling away from me while hissing at his pitbull dog. The pitbull immediately began barking at me in an aggressive manner.



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I requested emergency traffic on my portable radio and continued to attempt to grab the defendant's arm to effect a take-down. I issued multiple loud verbal commands to get on the ground as I attempted to restrain the defendant. During the struggle, I slipped on dry leaves and fell onto the ground, landing on my left shoulder. I stood up and the defendant finally put his hands behind his back and allowed for me to secure him in handcuffs.

The defendant was escorted to the picnic table where I conducted a search of his pockets. I removed a Bic lighter and a box of cigarettes from his pocket and placed them on the picnic table.

As the defendant was leaning against the picnic table, he reached for and grabbed the box of cigarettes. I immediately attempted to grab the box of cigarettes from his hands. The defendant balled up his fists, squeezed my fingers and the box of cigarettes and attempted to twist my fingers.

I grabbed the defendant's arm and pulled him away from the table and attempted to escort him to my patrol vehicle. The defendant shouted, "Get the [redacted] off me!" several times and refused to walk. As the defendant pulled away from me, I effected approximately two to four knee strikes and ordered him to walk. The defendant continued to pull away, turned around and spit his saliva on me. The saliva landed on my chin, neck, and uniform shirt. He immediately began to move his mouth around appearing to spit again. As a reactionary movement in attempt to defend myself from bodily fluid exposure, I effected approximately two to four strikes to the defendant's head area with closed hand. The defendant ducked and turned his head away. I was then able to effectively escort the defendant to the ground. Ofc. J. Beyer and I then stood the defendant up on his feet and were finally able escort him inside my patrol vehicle.

A. Silverio M43

Officer Signature

E. [redacted] M1

Supervisor Signature

Officer #	1	Officer Name:	A. Silverio	Officer ID:	M43	Body Camera?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
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Supervisor Review of Incident

Incident Reviewed? Y N Approved? Y N

Notes/Corrective Actions: This incident is being referred for an internal review investigation to ensure compliance with agency directives..

Officer Statements

Dash Cam Footage

Witness Statements

CCTV Footage (If Applicable)

Body Cam Footage

Photos

I, NA, swear and affirm that the statements contained herein are true and factual to the best of my knowledge.

Supervisor Signature

In the STATE OF FLORIDA; COUNTY OF LAKE, the foregoing instrument was acknowledged before me this _____ day of 20____, by

(Seal)

Notary Signature

Personally known OR

Produced Identification

Type of Identification Produced: _____

Chief of Police Review

Approved? Y N

Chief Signature