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Daytona Beach Police Department

Use Of Force Report

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
04/08/2023	04/08/2023	02:11
Record ID Number	Case No	IA No
8045	230005178	
Date/Time Entered	Entered By	
04/08/2023 03:27	Lieutenant Richard Maher - 15303	

Incident Summary

Officers encountered subject during an in progress felony call. K9 Officer J. Martin announced his presence as well as the presence of the K9 through several loud verbal commands, K9 Martin gave subject multiple commands to lie down and warned him 4 times that the subject could be bit. Subject refused these commands and stood in the open armed with a tennis racquet. K9 Ofc. Martin deployed K9 Veizzer. Subject kicked at K9 Veizzer and wrapped his legs around K9 Veizzer's neck, choking K9 Veizzer. K9 Veizzer bit the subject in the lower left leg, below the knee. K9 Martin disarmed subject and utilized the racquet as an improvised impact weapon striking the subject several times in the head and shoulders. Subject released K9 Veizzer's neck. K9 Martin had K9 Veizzer disengage at this time. Subject refused multiple additional commands to stop resisting from several officers. Subject had a single cuff on his wrist which he swung at officers several times. K9 Lee deployed a Taser-7 probe shot, a follow up cycle (unsuccessful) and an additional cartridge. This gained temporary compliance but subject continued resisting. K9 Lee employed several closed fist strikes to the subjects back and sides, Ofc. C. Maher deployed several closed fist strikes to subject's torso. Ofc. Wiley deployed her Taser-7 (Probe shot) and two follow up drive stuns (1-ankle, 1-thigh). Officers were able to then detain the subject in handcuffs. Subject sustained several small lacerations to his head as well as a bite to his lower left leg. Subject transported to Halifax for medical treatment. Once cleared medically subject transported to VCBJ. Photographs obtained. Ofc. Wiley informed Sgt. J. Maher she felt a soreness in her right arm. Sgt. Ellington completed proper paperwork to document injury.

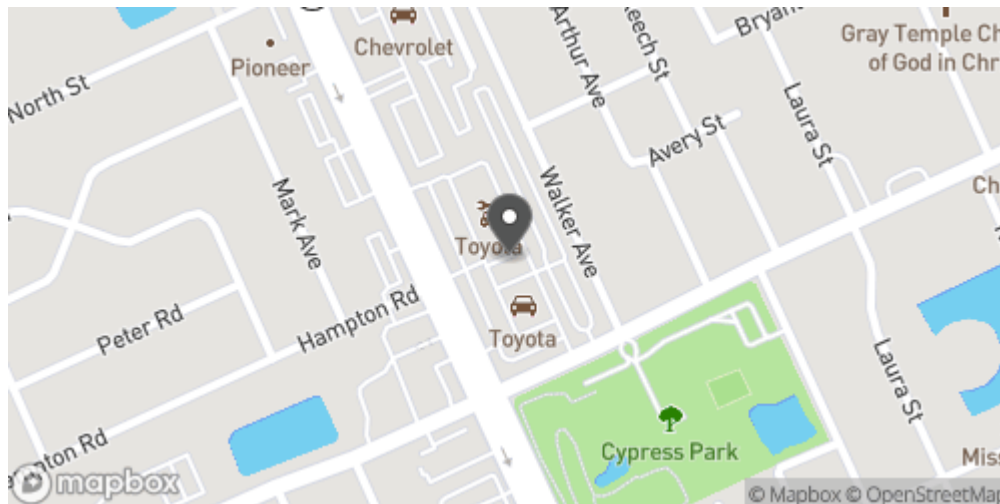
Supervisory Review: After review of report, AXON BWC footage, photographs and other supporting documentation- No policy violation observed. (NOTE- All involved VCAT personnel had already docked BWCs and were securing at time of call.)

Incident Location

Addresses

Latitude, Longitude = [29.21234, -81.04363]

451 North Nova Road, Daytona Beach, FL, 32114



- Location of Occurrence: District 1

Use of Force Details

Reason For Using Force	Service Being Rendered	More Than 1 Citizen Involved
Active Physical Resistance	Arrest-On View	No
Weather Condition	Light Condition	Distance to Citizen
Clear	Street Lights	11 feet to 14 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
Citizen Build	Citizen Height	Citizen Influence Assessment
Medium	5'10" to 6'0"	Unknown
Officer(s) Injured	Officer(s) Taken to Hospital	
Yes	Yes	

Reporting/Involved Citizen

Richard J Odonnell

Date of Birth: 05/10/1966 **Race:** White **Ethnicity:** Non Hispanic **Gender:** Male

Addresses

500 Bill France Boulevard, Daytona Beach, FL, 32120

Phone Numbers [None Entered]

Role: Primary Aggressor

Additional Snapshot Data

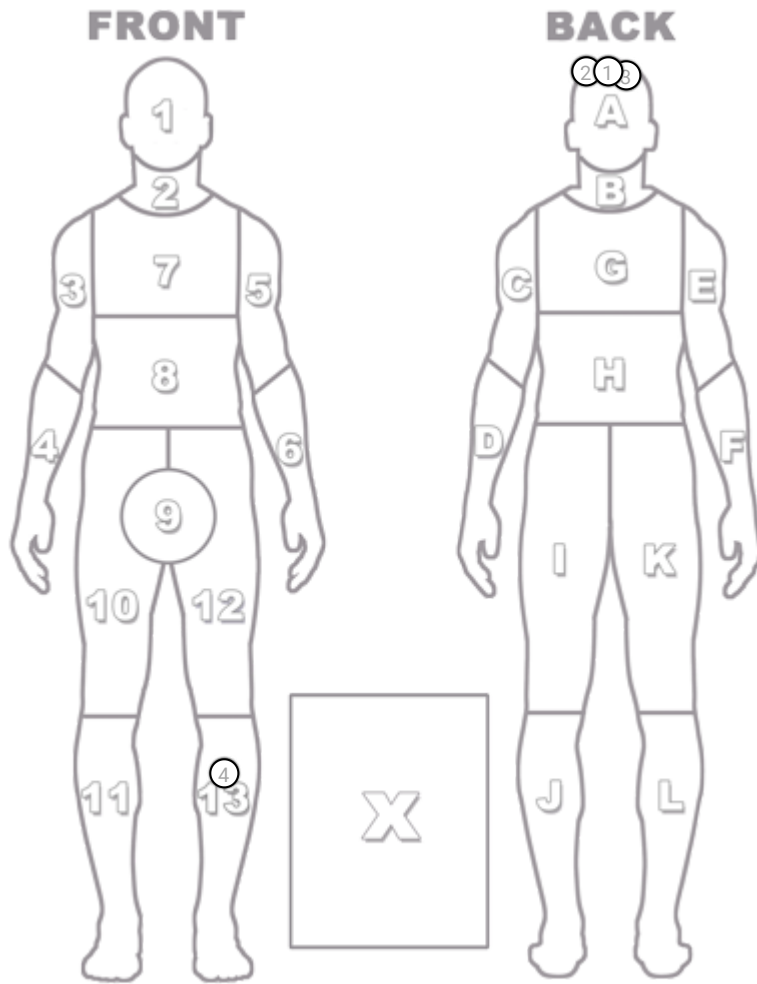
Homeless at time of involvement	Perceived Limited English	Primary Language
Yes	No	English
Sexual Orientation	Gender Expression	Experiencing Mental Crisis (Officer Assessment)
Male	Male	Unk
Experiencing Mental Crisis (Self Reported)	Armed at Time of Incident	
No	Yes	

Type of Resistance Citizen Used Against Officer

- Combative
- Active Physical
- Non-Compliant arrestee
- Other (Explain in narrat

Injuries Sustained By Citizen

Injury	Pre-existing Injury	Region	Injury Location
Head Injury	No	A, A, A	1, 2, 3
K-9 Bite Wounds	No	13	4



Charges Against Citizen

- Burglary
- Resisting Arrest with Violence
- Battery on LEO

Involved Officers

Officer Edward Lee, Jr. - 06143

Assignment at time of incident: Officer Operations Bureau/CST **Video Footage:** Camera Activated

Role: Primary Officer

Policy Outcome: Not yet entered

Force used by this Officer against Citizen

- Hands/Feet - Force Effective: No

Less lethal force used by this Officer against Citizen

- Taser-Probe Shot - Less lethal force effective: Limited

Serial Number: X40007C34

Cartridge Number: X4820E0TD

Projectile/Probe Deployment: Yes

Number of Air Cartridges Used: 2

Number of Cycles Through Probes: 2

Number of Probe Hits: 2

Total Number of Probes Deployed: 2

Probe Penetrate Subjects Skin: Yes

Additional Cartridge Deployed: Yes

Follow Up Drive Stun Conducted: No

Duration of Cycles: < 5 sec

Accidental (unauthorized) Discharge: No

Direct Stun Contact: No

Statistical Information

Reason For Limited Effect: Limited spread

Arc Display: No

Citizen painted with laser/red dot: Yes

- Taser-Probe Shot - Less lethal force effective: Limited

Serial Number: X40007C34

Cartridge Number: X4921M6TH

Projectile/Probe Deployment: Yes

Number of Air Cartridges Used: 2

Number of Cycles Through Probes: 1

Number of Probe Hits: 2

Total Number of Probes Deployed: 2

Probe Penetrate Subjects Skin: Yes

Additional Cartridge Deployed: Yes

Follow Up Drive Stun Conducted: No

Duration of Cycles: < 5 sec

Accidental (unauthorized) Discharge: No

Direct Stun Contact: No

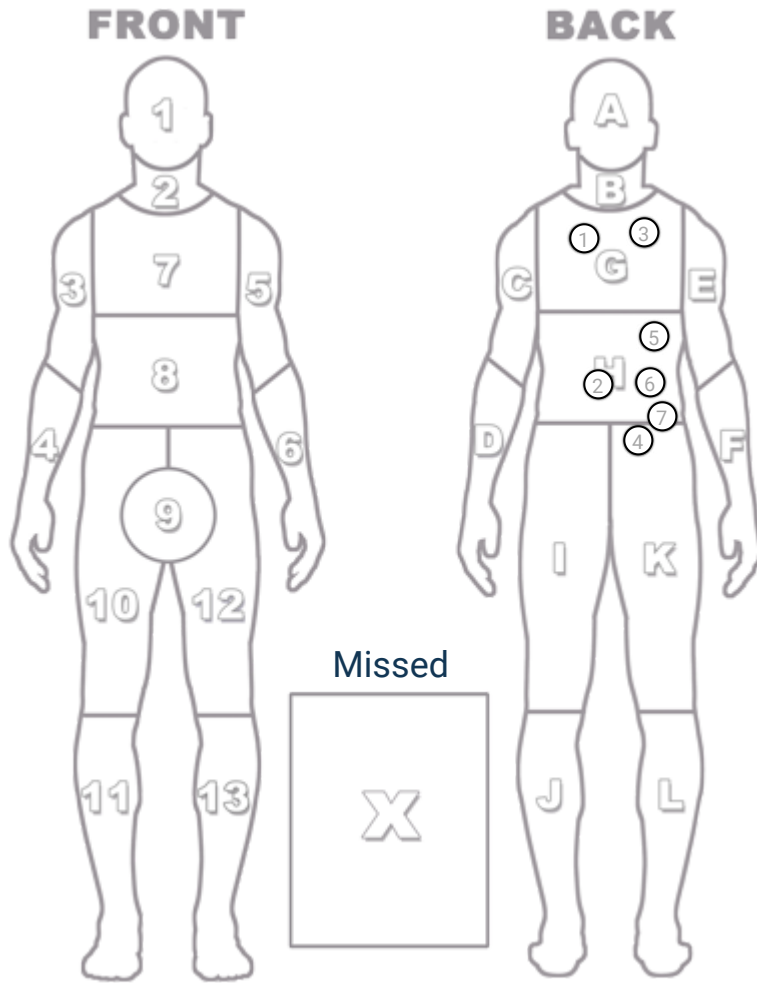
Statistical Information

Reason For Limited Effect: Wire integrity

Arc Display: No

Citizen painted with laser/red dot: Yes

Force Used	Force Effective	Region	Point of Contact
Taser-Probe Shot	Limited	G, H	1, 2
Taser-Probe Shot	Limited	G, K	3, 4
Hands/Feet	No	H, H, H	5, 6, 7



Injuries Sustained By Officer

Injury	Pre-existing Injury	Region	Injury Location
No injuries noted or visible			

Officer Christopher Maher - 33744

Assignment at time of incident: Officer Operations Bureau/Delta Platoon/Two/Patrol **Video Footage:**

Camera not Assigned

Role: Secondary Officer

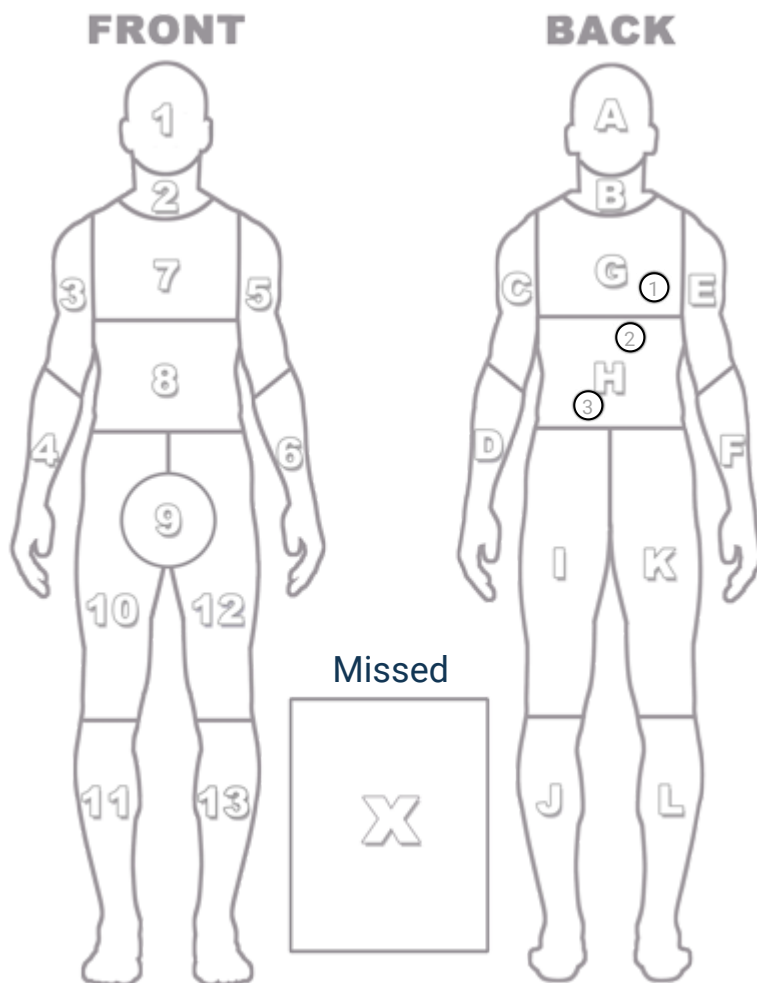
Policy Outcome: Not yet entered

Force used by this Officer against Citizen

• Hands/Feet - Force Effective: No

Less lethal force used by this Officer against Citizen

Force Used	Force Effective	Region	Point of Contact
Hands/Feet	No	G, H, H	1, 2, 3



Injuries Sustained By Officer

Injury	Pre-existing Injury	Region	Injury Location
No injuries noted or visible			

Officer Joshua Martin - 91653

Assignment at time of incident: Officer Operations Bureau/Delta Platoon/One/Patrol/ **Video Footage:** Camera Activated

Role: Primary Officer

Policy Outcome: Not yet entered

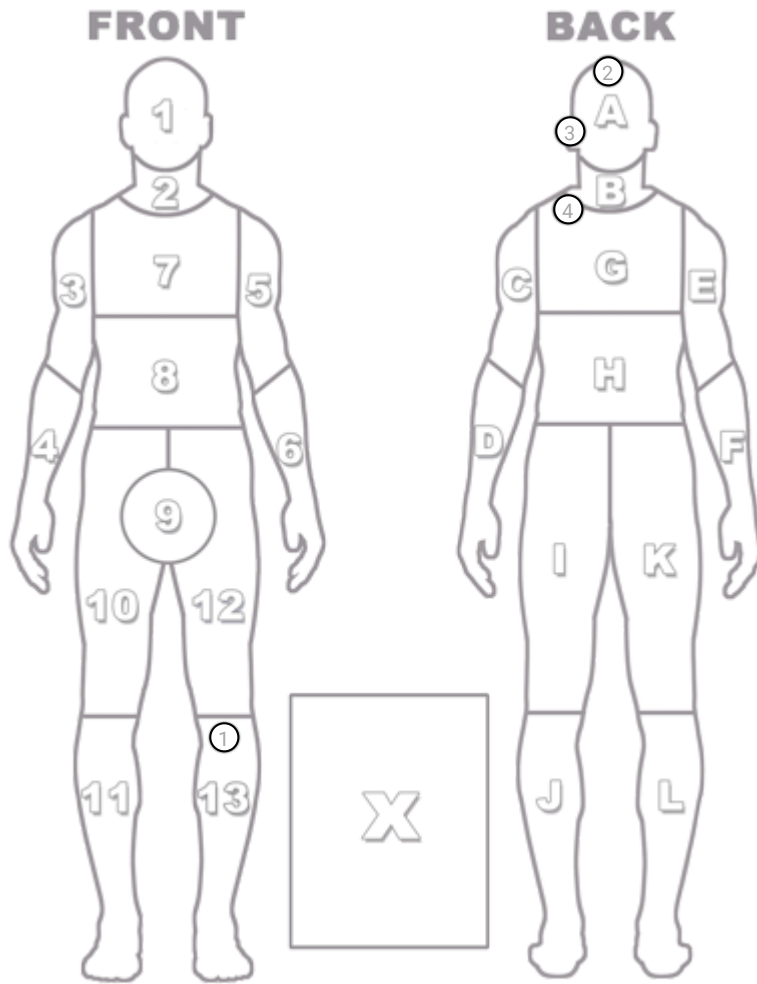
Force used by this Officer against Citizen

- K-9 Bite - Force Effective: Yes
- Necessitated Weapon - Force Effective: No

Less lethal force used by this Officer against Citizen

Force Used	Force Effective	Region	Point of Contact
K-9 Bite	Yes	13	1
Necessitated Weapon	No	A, A, G	2, 3, 4

Missed



Injuries Sustained By Officer

Injury	Pre-existing Injury	Region	Injury Location
No injuries noted or visible			

Reserve Ofc Aurian Fletcher - D39123

Assignment at time of incident: Reserve Ofc Support Bureau///Reserve Unit **Video Footage:** Camera Activated

Role: Primary Officer

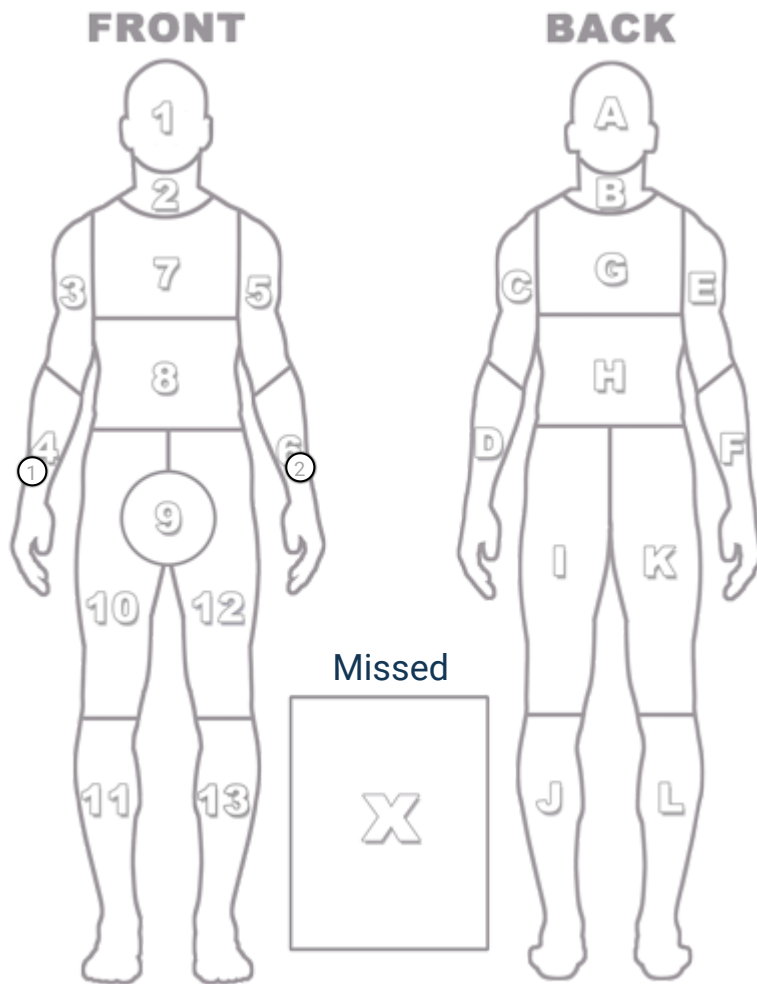
Policy Outcome: Not yet entered

Force used by this Officer against Citizen

- Restraints - Force Effective: No

Less lethal force used by this Officer against Citizen

Force Used	Force Effective	Region	Point of Contact
Restraints	No	4, 6	1, 2



Injuries Sustained By Officer

Injury	Pre-existing Injury	Region	Injury Location
No injuries noted or visible			

Officer Domonique Wiley - 56023

Assignment at time of incident: Officer Operations Bureau/POP/Two/POP **Video Footage:** Camera not Assigned

Role: Secondary Officer

Policy Outcome: Not yet entered

Force used by this Officer against Citizen**Less lethal force used by this Officer against Citizen**

• Taser-Probe Shot - Less lethal force effective: Limited

Serial Number: X40005YDF

Cartridge Number: X4923D9W6

Projectile/Probe Deployment: Yes

Number of Air Cartridges Used: 1

Number of Cycles Through Probes: 3

Number of Probe Hits: 2

Total Number of Probes Deployed: 2

Probe Penetrate Subjects Skin: Yes

Additional Cartridge Deployed: No

Follow Up Drive Stun Conducted: Yes

Duration of Cycles: < 5 sec

Accidental (unauthorized) Discharge: No

Direct Stun Contact: No

Statistical Information

Reason For Limited Effect: Wire integrity

Arc Display: No

Citizen painted with laser/red dot: Yes

• Taser-Stun Mode - Less lethal force effective: Limited

Serial Number: X40005YDF

Cartridge Number: [None Entered]

Projectile/Probe Deployment: No

Direct Stun Contact: Yes

Number of Cycles: 2

Cartridge Attached: Yes

Follow Up Drive Stun Conducted: No

Duration of Cycles: < 5 sec

Accidental (unauthorized) Discharge: No

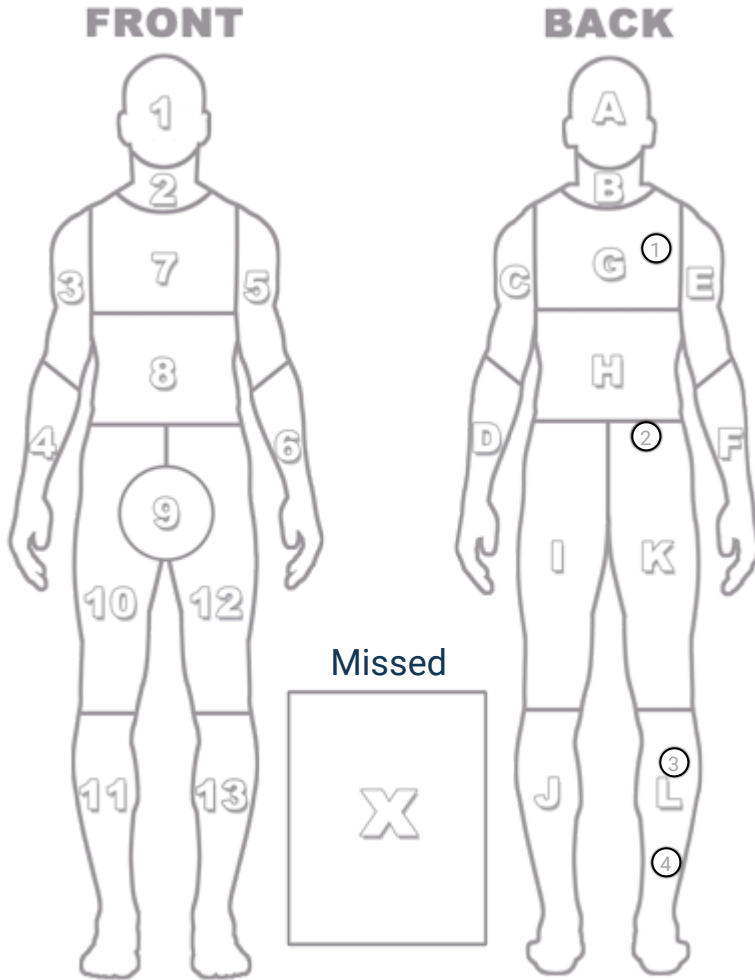
Statistical Information

Reason For Limited Effect: Wire integrity

Arc Display: No

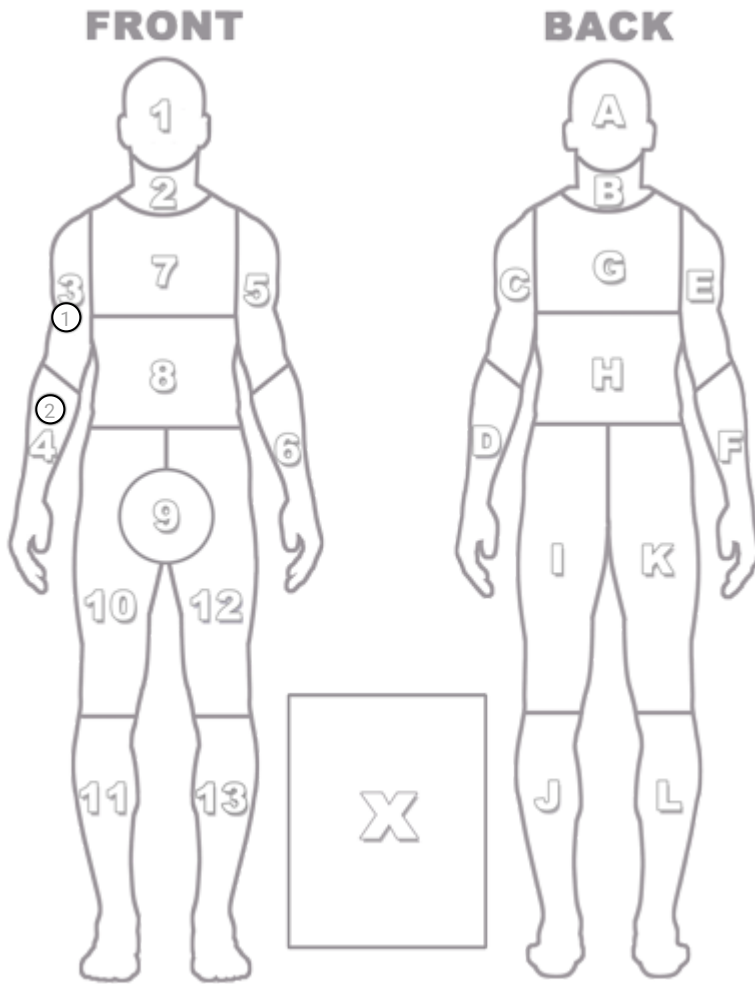
Citizen painted with laser/red dot: Yes

Force Used	Force Effective	Region	Point of Contact
Taser-Probe Shot	Limited	G, K	1, 2
Taser-Stun Mode	Limited	L, L	3, 4



Injuries Sustained By Officer

Injury	Pre-existing Injury	Region	Injury Location
Arm Injury	No	3, 4	1, 2



Officer Witnesses

Sergeant James Maher - 19243

Assignment at time of incident: Sergeant Operations Bureau/Charlie Platoon/One/Patrol

Video Footage: Camera not Assigned

Role: Secondary Officer

Officer Gabriel Marquez - 01023

Assignment at time of incident: Officer Operations Bureau/Charlie Platoon/One/Patrol

Video Footage: Camera not Assigned

Role: Secondary Officer

Officer Roger Lawson - 04473

Assignment at time of incident: Officer Operations Bureau/K-9 Unit/Citywide/

Video Footage: Camera not Assigned

Role: Secondary Officer

Officer Noah Galbreath - 79993

Assignment at time of incident: Officer Operations Bureau/Delta Platoon/Two

Video Footage: Camera not Assigned

Role: Secondary Officer

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

Date Attached	Attachment Description	Attachment Types
04/12/2023	C Maher Supplement	pdf
04/26/2023	J Martin Supplement	pdf
04/12/2023	K9 Martin AXON	mp4
04/12/2023	Taser and Probe Photos	docx
04/12/2023	K9 E Lee AXON	mp4
04/12/2023	Original Report and 707	pdf
04/12/2023	Subject Injuries	docx
04/12/2023	E Lee Supplement	pdf
04/12/2023	Ofc. Fletcher AXON	mp4
04/12/2023	Wiley Arm	docx

Assignment History

No assignment history

Chain of Command History

Routing Number: 1

From Lieutenant Richard Maher

To Captain Leonardo Conde

Cc:

Date/Time Sent 04/12/2023 22:07

Instructions From [Lieutenant Richard Maher] To [Captain Leonardo Conde]

For Review

Comments/Response From [Captain Leonardo Conde]

[Forwarded by Captain Leonardo Conde]

Routing Number: 2

From Captain Leonardo Conde

To Lieutenant Richard Maher

Cc:

Date/Time Sent 04/26/2023 17:33

Instructions From [Captain Leonardo Conde] To [Lieutenant Richard Maher]

Sent back at your request.

Comments/Response From [Lieutenant Richard Maher]

Completed with supplement from handler.

Routing Number: 3

From Lieutenant Richard Maher

To Captain Leonardo Conde

Cc:

Date/Time Sent 04/26/2023 19:55

Instructions From [Lieutenant Richard Maher] To [Captain Leonardo Conde]

For Review- Contains Handler Supplement

Comments/Response From [Captain Leonardo Conde]

All attachments and axons reviewed.

Routing Number: 4

From Captain Leonardo Conde

To Training Section

Cc:

Date/Time Sent 08/02/2023 11:54

Instructions From [Captain Leonardo Conde] To [Training Section]

Blue Team for dog bite and taser deployment

Comments/Response From [Training Section]

Any needed remedial training pertaining to this call will be completed and documented by Training Unit Personnel

Routing Number: 5

From Lieutenant Bernard Daven IV

To Detective Abisai Roman

Cc:

Date/Time Sent 08/02/2023 15:02

Instructions From [Lieutenant Bernard Daven IV] To [Detective Abisai Roman]

Any needed remedial training pertaining to this call will be completed and documented by Training Unit Personnel

Comments/Response From [Detective Abisai Roman]

[Forwarded by Detective Abisai Roman]

Routing Number: 6

From Detective Abisai Roman

To Lieutenant Bernard Daven IV

Cc:

Date/Time Sent 08/02/2023 15:24

Instructions From [Detective Abisai Roman] To [Lieutenant Bernard Daven IV]

As per DC

Comments/Response From [Lieutenant Bernard Daven IV]

No policy violations observed as it relates to the use of improvised weapons

Routing Number: 7

From Lieutenant Bernard Daven IV

To Detective Abisai Roman

Cc:

Date/Time Sent 08/02/2023 15:29

Instructions From [Lieutenant Bernard Daven IV] To [Detective Abisai Roman]

No policy violations observed as it relates to the use of improvised weapons

Comments/Response From [Detective Abisai Roman]

[Forward to IAPro by Detective Abisai Roman]
