


MEMORANDUM

To: Chief G. Monahan Jr.
From: Capt. M. Cheatham 
Re: Use of Force Review (Case#180600195)
Date: July 06, 2018

Please review the attached Use of Force packet. Any comments, suggestions, and concerns should be noted. Upon completion of final review, this packet should be forwarded to Stacy Lopez for filing.

Thank you.

cc. Lt. Pignataro

MEMORANDUM

To: File
From: Staff
Re: Use of Force Staff Review
Date: July 6, 2018

The following is a Command Staff Review of a documented "Use of Force" incident. This is a brief synopsis of the incident along with the copy of the report.

Subject 1 Name: Timothy J. Coffman DOB: 09/03/1981 OR#: 18-06-00195

Subject 1 Address: 802 Banbury Drive City: Port Orange State: FL

Date of Incident: 06/28/2018 Time of Incident: 0650 hours

Offenses Charged Subject1: 1. Burglary of Occ. Dwelling 2. Battery Leo/Firefighter/EMT
3. Loitering or Prowling 4. Resist Officer W/ Violence 5. Trespass

Type of Force Used:	<input checked="" type="checkbox"/> Verbal Commands	<input checked="" type="checkbox"/> Empty-hand Control
<input checked="" type="checkbox"/> ASR/Chemical Aerosol	<input checked="" type="checkbox"/> Striking Techniques	<input checked="" type="checkbox"/> ASP/Baton
<input checked="" type="checkbox"/> TASER	Firearm	<input checked="" type="checkbox"/> Hand-Cuffs
Effectiveness of techniques utilized: The techniques used against the subject were utilized according to the response of the officer subject factors and resulted in gaining control of the subject.		

Physical Condition of the subject(s) prior to the incident (i.e. intoxicated, prior injuries, etc): The subject appeared under a heavy influence of narcotics. His mental state was expressed as a person who was possibly hallucinating.

Subsequent Apparent Injuries: (extent of injuries incurred and who incurred and inflicted injuries). The subject, Mr. Coffman was hit with a Taser deployment possibly causing a

small puncture area from the probe placement. Because Mr. Coffman was believed to be under the influence of strong narcotics the Taser had no effect and he pulled the leads out of himself. Mr. Coffman was physically fighting officers for an extensive period of time. Mr. Coffman eventually had an adverse reaction from the events and was given immediate medical assistance. The officers were not able to take still photographs of any possible sustained from the encounter. However, body worn cameras were active and contained visual documentation.

Medical Treatment of Subject1: <input checked="" type="checkbox"/> Yes No Refused If yes, Where? 2406 Citrus Avenue By Whom? South Daytona Fire Rescue/Evac Date: 06/28/2018 Time: 0836 hours Hospitalized? <input checked="" type="checkbox"/> Yes No Location: Halifax Medical Center (Daytona Beach) Photographs of Subjects Injuries: Yes <input checked="" type="checkbox"/> No By Whom:

List Principal Officers in order of their degree of physical involvement:
Note: For the purposes of this directive, a principal officer is: "Any officer who encounters physical resistance from a subject and must use greater force than controlling techniques or restraint holds to overcome it."

1. Ofc. Clay Treat 2. Sgt. Bryan Craig 3. Ofc. David McCallister
4. Ofc. Taylor Sanderson

Injuries sustained by Officers: Officer McCallister & Officer Treat

Medical Treatment of Officers: <input checked="" type="checkbox"/> Yes No If yes, Where? By Whom: South Daytona Fire Rescue/Evac Date: 06/28/2018 Time: Hospitalized? <input checked="" type="checkbox"/> Yes No Location: Halifax Medical Center (Daytona Beach) Photographs of Officer's injuries: <input checked="" type="checkbox"/> Yes No By Whom:
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- | Witnesses: Name | Address | Telephone# |
|----------------------------|---|------------------------------------|
| 1. <u>Albert McKim</u> | <u>2330 Citrus Avenue South Daytona</u> | <u>(704)577-3692 (803)322-9617</u> |
| 2. <u>Thomas Pendleton</u> | <u>2338 Citrus Avenue South Daytona</u> | <u>(386)214-1967 (386)214-1967</u> |

SDPD: Report Attached: **707, Incident Report**

Witness Statements: **Yes**

Photographs: **Yes**

BWC: **Yes**

Supplement(s): **Yes**

Outside Agency Report Attached: **N/A**

Additional Information: **CAD**

Review Findings:

Training recommendation(s): Officer Treat, Sergeant Craig, Officer McCallister and Officer Sanderson demonstrated standards that comply with Department policy directives.

Generalized Synopsis of Events: (See next page)

On June 28, 2018, at approximately 0650 hours, a call for service was dispatched to South Daytona Police Officer Treat to respond to the area of Duncan Road and Magnolia Avenue. The call for service was described as suspicious subjects walking westbound on Duncan. Officer Treat first observed the subjects walking out from behind a residence at Lemon Road and Citrus Avenue. Officer Treat was flagged down by a nearby resident who was walking his dog. The resident informed the officer the subjects were not acting right and should not be behind the property. Officer Treat made an attempt to contact the subjects, but they quickly tried walking away. Officer Treat drove closer to the subjects, exited his patrol car, and requested them to stop and make contact with him. The male who was later identified as Mr. Timothy Coffman, looked at Officer Treat then turned and ran to another residence. Officer Treat gave chase yelling for Mr. Coffman to stop and make contact with him. Officer Treat pulled out his Department-issued Taser and deployed the device which struck Mr. Coffman in the back causing him to fall. Mr. Coffman (being possibly under the influence of heavy narcotics), got back to his feet and ripped the leads from his person, continuing to run away. Officer Treat attempted a second Taser deployment that failed to make contact with Mr. Coffman. Mr. Coffman ran to a residence with an open garage. The resident was home sitting in the garage and yelled at Mr. Coffman to get out of the garage and leave his property. Mr. Coffman continued south on Citrus Avenue running up to several residences and testing the front doors to possibly make entry. Officer Treat continued to give Mr. Coffman verbal commands telling him to stop. Officer Treat pulled his Department issued ASR (pepper-spray) and sprayed Mr. Coffman with it. Mr. Coffman located a gallon type bug sprayer near the residence and picked it up. He used it as a weapon against Officer Treat by spraying Officer Treat with the unknown chemicals and striking him with the wand attachment. Officer Treat pulled out his Department issued ASP and struck Mr. Coffman with it. There was little to no effect. Mr. Coffman, now carrying the bug sprayer continued south of the residence and tried to gain entry to several parked cars, but was unsuccessful. Officer Treat and Mr. Coffman stopped and squared off in the front yard of 2406 Citrus Avenue, both in a posture position. Officer Treat stated he knew he was physically incapable of securing Mr. Coffman by himself, so he was just attempting to buy time for responding officers. Once those Officers arrived on scene Officer Treat, Sergeant Craig, Officer Sanderson, and Officer McCallister reverted to open hand control techniques to secure Mr. Coffman. (The Officers described Mr. Coffman as extremely sweaty and felt as if he had a high fever). Mr. Coffman sprayed the Officers, to include Officer Treat, in the face with the bug sprayer. He continued to strike them several times with the spraying-wand until it broke off. During the struggle, Officer McCallister's finger slid into Mr. Coffman's mouth, to which he bit down. He bit Officer McCallister's finger breaking the skin and causing a small laceration. The Officer worked to get Officer McCallister's finger out and were able to flip Mr. Coffman onto his stomach. The Officers eventually secured him with handcuffs, but because of Mr. Coffman's continued violent tendencies, they applied RIPP restraints on his legs. Mr. Coffman eventually went limp and the Officers reassessed Mr. Coffman giving him Narcan and administering medical attention.

South Daytona Fire Rescue, as well as EVAC, responded and treated Mr. Coffman for his medical complications. He was transported to Halifax Medical Center and was eventually stabilized. On the June 29, 2018, he made first appearance and was turned over to the custody of the Volusia County Branch Jail at approximately 1830 hours. Unfortunately, he passed away on July 2, 2018, and the cause of death is being conducted by the Volusia County Medical Examiner's Office.

It is determined that the Officers used that force which was necessary to control the actions of Mr. Coffman. Mr. Coffman aggressively challenged all of the Officers he came into contact with. His actions elevated the level of force needed and utilized by the officers involved. A review of the incident along with the body camera footage confirms the amount of force utilized was the appropriate force under the circumstances and within Department policy. Their decision to utilize the force of actions was warranted and was the correct decision based on the level of resistance.

Reviewing Staff:


Lt. S. Pignataro: _____ Date: _____ Comments: _____

Capt. M. Cheatham: *M. Cheatham* Date: 07/06/18 Comments: WITHIN POLICY.

Chief G. Monahan Jr.: *G. Monahan Jr.* Date 7/6/18 Comments: Within Policy

MEMORANDUM

TO: Captain Mark Cheatham

FROM: Sergeant Bryan Craig 

RE: 180600195 – Accident/Injury

DATE: June 28, 2018

On June 28th at 0650 hours, Ofc. Treat was dispatched to Duncan Rd and Magnolia Ave in regards to a suspicious person that was wandering around a house in the area. The male was described as a white male, possibly in his 30's with a striped shirt. Ofc. Treat arrived in the area and observed the subject by a house, possibly coming from a back yard. A witness (later identified as James Allender) flagged Ofc. Treat down and explained that this suspect does not live at this house because he knows the resident is an elderly male. Ofc. Treat pulled up to the suspect for a potential burglary investigation and the suspect took off running south on Citrus. Ofc. Treat gave chase on foot and yelled on multiple occasions "Police, stop running!" The suspect ran to Ponderosa Dr. where Ofc. Treat was able to get close enough to deploy a TASER. The TASER was effective and the suspect fell to the ground momentarily. The probes and TASER lines broke and the suspect was able to return to his feet and continue running. Ofc. Treat chased him on foot to the front door area of 2338 Citrus Ave. where the suspect was cornered briefly. The suspect continued to run on foot over to 2342 Citrus Ave. where he armed himself with a Round-Up liquid lawn sprayer bottle. The sprayer was filled with an unknown substance. At this time, the suspect sprayed Ofc. Treat with the chemical multiple times. Additionally, Ofc. Treat sprayed the suspect with ASR. The ASR had no effect and appeared to have increased the suspect's agitation. The suspect continued to spray Ofc. Treat with the chemical and Ofc. Treat attempted to take positive physical control of the suspect to no avail. Ofc. Treat utilized his ASP Baton and used strikes to the muscle mass of the suspect's legs in order to gain compliance. The ASP Baton had no effect. The suspect ran again, this time over to the front yard of 2406 Citrus Ave. At this time, I arrived on scene. Ofc. Treat and I attempted to gain control of the subject by physically controlling him, but it was clearly evident that the suspect was under the influence of narcotics and his strength was overwhelming. Ofc. McCallister arrived on scene and attempted to push the face of the suspect, but Ofc. McCallister's hand entered the suspect's mouth. As a result, the suspect bit down on Ofc. McCallister's left ring finger. The suspect held Ofc. McCallister's finger in his mouth, actively biting it until we were able to take the individual into custody. Ofc. Treat went to the Halifax Hospital in Daytona and was treated for the chemical substance in the eye. Ofc. McCallister went to Halifax Hospital in Daytona and was treated for the bite to the finger. The suspect was charged accordingly and photos of the injuries are attached. The city Accident/Injury form was completed for both and an exposure packet was completed.



SOUTH DAYTONA POLICE DEPARTMENT USE OF FORCE REPORT

CASE #: 180600/95 CASE HEADER: Burglary DATE: 6.28.18

Type of Force Used:

ASP/Baton ASR/Chemical Aerosol Empty-Hand Control

Firearm Striking Techniques Verbal Commands Taser

Note: For the purposes of this directive, a principal officer is: "Any officer who encounters physical resistance from a subject and must use greater force than controlling techniques or restraint holds to overcome it."

List principal officers in order of their degree of physical involvement:

- Ofc. Clay Treat
- Sgt. Craig
- Ofc. Taylor Sanderson
- Ofc. Dave McCallister

Injuries sustained by Officers:

Laceration to Finger (Ofc. McCallister)

Witnesses (if available):

Name	Address	Phone
1. _____	_____	_____
2. _____	_____	_____

Medical Treatment Offered To Subject: Yes No Subject Refused

If Yes, Where: On Scene By Whom: Craig

Date: 6.28.18 Time: 0716 Hospitalized: Yes No

If Yes, Where: Halifax Daytona

Photos of Subject's Injuries: Yes No By Whom: _____

Supervisor: Craig Date: 6.28.18