

## **September 7, 2020 Arrest on West Third Street**

-Just before 2pm, a 2-unit Dayton Police crew witnessed a white Dodge Durango fail to stop for a red light at Hoover and Gettysburg Avenues. The officers attempted to catch up to the vehicle and initiated a traffic stop in the parking lot of the Westtown Shopping center.

-Officers approached the vehicle and made contact with the driver explaining why they stopped him and asked for his license and other documents. Officers returned to their cruiser, ran the driver's information and determined he was on parole for felonious assault.

-With this information, officers decided for safety reasons, to have the driver exit the vehicle while the citation(s) was written. The officers re-approached the vehicle and asked the driver to step out. The driver does not comply with the request. Officers explained to him the reason they would like him to step out, and politely asked multiple times for him to get out.

-The driver continued to refuse to exit, so one of the officers reached in and tried to remove him from the vehicle. The driver partially stepped out of the vehicle but then leaned back in and reached for the gearshift as if to put the car into gear. The officer was able to turn the vehicle off and both officers then physically removed the driver from the driver's seat. The officers attempted to gain control of the driver as he resisted, and a struggle ensued. The officers moved the driver to the front of the cruiser, using it in an attempt to gain control of him.

-While attempting to handcuff the driver, he was able to slip out of the officers' grasp and took off running. One officer tries to deploy his TASER, but it was not effective. The driver ran through the shopping center parking lot and eventually fell in front of a store. Once on the ground, the driver continued to resist the officers by pulling his hands and arms underneath his body. The officers

gave commands to put his hands behind his back, but they are ignored.

-One officer punched the driver three times in the right shoulder area, which did not lead to compliance. The officer then utilized his TASER, which led to the officers being able to handcuff the driver without further incident.

-The driver then complained of a medical issue. The officers immediately called for a medic from Dayton Fire to respond. The driver was taken to Miami Valley Hospital where he spent less than an hour and was then transported to jail.

-The officers also immediately contacted their sergeant to report the Response to Citizen Resistance/Aggression/Non-Compliance (RTAR). Based on standard practice, the sergeant is now investigating the incident.

-When officers took inventory of the driver's vehicle, a black handgun was found sticking out of a panel in the center console, next to where the driver's right leg would have been.

-Due to a previous conviction, the driver is unable to legally possess a firearm.

The driver was booked into the Montgomery County Jail on the following charges:

1. Carrying a concealed weapon
2. Having Weapons while under disability
3. Improper Handling of a firearm in a motor vehicle
4. Parole Violation
5. Issued multiple traffic citations