



# CITY OF MIDDLETOWN POLICE DEPARTMENT

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## *Intra Agency*

# Memo

**To: Chief Bethencourt**

**From: Lt Ewanciw**

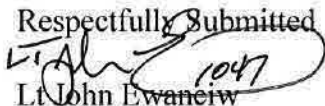
**Date: July 15, 2010**

**Re: Supervisor's Inv. Ref: R. Ramos 10-4476**

On Monday July 12, 2010 I received a supervisor's investigation packet from Sgt. Doty and Sgt Khalil, referencing an incident which occurred on Saturday July 10, 2010 at approx. 2:05am, in which a Ricky R. Ramos (DOB ) was injured while being arrested. Said incident took place in front of G's West Gate Inn located at 245 West Main St. and involved officers Artola and McDonald. Ramos who is described as being intoxicated was disorderly, refusing all attempts to calm down by the involved officers as well as by his own friends, and then aggressively ran towards the officers, at which time he was physically taken to the ground by the officers and placed under arrest. As a result of Ramos's aggressive actions towards the officers he left the officers no choice but to physically take control of him. As a result Ramos sustained minor abrasions to his left forearm and his forehead. Ramos was offered medical attention for his injuries, which he refused, although he was provided medical supplies to treat his injuries. After reviewing the documents related to this incident I find that the officer's actions were appropriate and did not violate our departmental policy. I feel that the use of physical force was justified and that sufficient force was utilized to affect the arrest of Ramos. I also feel that Ramo's state of intoxication and related actions are the sole cause of his injuries, and that due to his actions he left the officers no choice but to physically intervene to prevent themselves or other bar patrons from being injured.

In reference to the suggestions made by Sgt Doty and Sgt Khalil, of refresher training in the use of less-lethal tools prior to going hands on with a subject and the suggestion of training in decision making related to the use of force continuum, I feel neither would have altered the outcome of this incident, due to the fact that this incident happen quickly without warning not leaving the officers time to assess what less-lethal tool to use, although we can go over these ideas during our upcoming in-service training.

At this time I find that this supervisor's investigation is complete and I classify this investigation as "closed".


Respectfully Submitted  
  
Lt John Ewanciw

RB  
07/16/10

## CITY OF MIDLETOWN POLICE DEPARTMENT

# Memo

**To:** Lt. J. Ewanciw, Bureau Commander of Operations

**From:** Sgt. M. Doty, Shift Supervisor 12a-8a, 7/10/2010 

**Date:** 7/11/2010

**Re:** Case 4476-10, injury to Ramos, Ricky R., Defendant.

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After interviewing the defendant, Ricky R. Ramos, and observing his injury; interviewing the officers involved, including Sgt. Khalil; and then having reviewed and analyzed the case paperwork and Sgt. Khalil's memo documenting the injury to Mr. Ramos, I believe the following:

1. Mr. Ramos participated in the investigation of his injuries by providing Sgt. Khalil with a signed statement.
2. Mr. Ramos, a twenty-four year old male, had been consuming alcoholic beverages at the West Gate Inn and was intoxicated.
3. Mr. Ramos had been acting disorderly, causing obvious annoyance and alarm.
4. The decision to arrest Mr. Ramos for disorderly conduct was reasonable.
5. Mr. Ramos resisted his arrest.
6. Due to the surprise nature of Mr. Ramos's actions immediately prior to his arrest, neither Officer Artola, nor Officer McDonald deployed their O.C. Spray.
7. Officer McDonald did not deploy his Electronic Control Device (Taser).
8. Neither the Electronic Control Device nor O.C. Spray were utilized due to the Officer's belief that conditions were not proper without causing collateral contamination to other officers with O.C. and the surprise nature of Mr. Ramos's outburst.

9. Mr. Ramos sustained an abrasion to his left forearm and a contusion on his forehead as he fell to the ground and was taken into custody for a lawful arrest.
10. Although Mr. Ramos refused formal medical treatment for his injuries, he was provided with antiseptic wipes, antibiotic ointment and bandages for his forearm.

Conclusions:

1. I agree with Sgt. Khalil's assessment of Officers Artola and McDonald's use of force; it was reasonable, necessary and consistent with the law and departmental policy.
2. Sgt. Khalil also suggested "refresher training in use of soft hand tactics and utilization of the taser and/or oc spray prior to any soft hand tactics when suitable." This suggestion has merit, but I believe the suggestion would be better stated as training in decision making when utilizing our force continuum; and in turn, how officers form their decisions to take action, or articulate the action they've taken, both verbally and in writing.
3. Based on activity at the West Gate Inn recently, (this morning at about 01:30 there was a felony assault on the front steps of the West Gate Inn), consider looking at the establishment for ABC violations that may be contributing to disorderly and violent behavior.

## CITY OF MIDDLETOWN POLICE DEPARTMENT

# Memo

**To: SGT. DOTY**

**From: SGT. KHALIL**

**Date: 07/10/2010**

**Re: CUSTODY INJURY- DEFENDANT RICKY R. RAMOS; D.O.B  
12/25/1985; EVENT # 10-20850; CASE # 10-4476; ARREST # 10-1949**

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ON 07/10/2010 AT APPROXIMATELY 2:05 AM, PO ARTOLA AND PO MCDONALD RESPONDED TO THE WEST GATE BAR, 245 WEST MAIN ST, FOR A REPORT OF A FIGHT. UPON OFFICERS ARRIVAL SEVERAL SUBJECTS WERE ARGUING IN THE BAR. OFFICERS ESCORTED THE SUBJECTS THAT APPEARED TO BE CAUSING THE PROBLEM OUTSIDE OF THE BAR.

ONCE OUTSIDE THE BAR, SOME OF THE ABOVE SUBJECTS BEGAN CONGREGATING ACROSS THE STREET OF THE BAR AND CONTINUED TO MAKE UNREASONABLE NOISE. OFFICERS CONTINUED TO ATTEMPT TO DISPERSE THE GROUP BY VERBAL COMMANDS WITH LITTLE EFFECT. A H/M, LATER IDENTIFIED AS MR. RAMOS (DEFENDANT) STOPPED, CROSSED HIS HANDS ACROSS HIS CHEST AND STATED "FUCK THE POLICE IT DON'T MATTER. I'M GOING TO FUCK THE BOUNCER UP NEXT TIME I COME HERE." MR. RAMOS LOUD NOISE AND OBSCENE LANGUAGE CAUSED THE BARTENDER TO GO BACK INSIDE THE BAR AND LOCK THE DOOR IN FEAR FOR HIS SAFETY.

OFFICERS CONTINUED TO DISPERSE THE CROWD AND MOVE THEM OUT OF THE AREA. MR. RAMOS REFUSED TO CALM DOWN AND CONTINUED YELLING, AND CONTINUED TO TURN AROUND ATTEMPTING TO GO BACK TO THE BAR. MR. RAMOS WAS SCREAMING AND YELLING IN AN INTOXICATED MANOR DESPITE HIS FRIENDS TELLING HIM TO BE QUIET AND LEAVE THE AREA. MR. RAMOS THEN RAN IN THE MIDDLE OF THE STREET TOWARDS OFFICERS IN AN AGGRESSIVE MANNER FORCING OFFICERS MCDONALD AND ARTOLA TO USE SOFT HAND TACTICS TO STOP HIM FROM GOING BACK TO THE BAR AND TO PLACE HIM UNDER ARREST

FOR DISCON. OFFICERS BRIEFLY STRUGGLED WITH MR. RAMOS ON THE GROUND, BUT HE WAS EVENTUALLY PLACED IN HANDCUFFS. DURING THE STRUGGLE MR. RAMOS SUSTAINED A MINOR ABRASION TO HIS LOWER LEFT ARM AND MINOR BRUISING TO THE RIGHT SIDE OF HIS FOREHEAD.

MR. RAMOS APPEARED TO BE INTOXICATED. MR. RAMOS REFUSED ANY MEDICAL ATTENTION AND STATED THAT HE IS OK.

R/O SECURED SEVERAL PHOTOGRAPHS OF MR. RAMOS'S INJURIES. THE PHOTOGRAPHS WERE TAGGED AND PLACED INTO EVIDENCE.

UPON REVIEW OF ABOVE CASE, AND INTERVIEWING THE OFFICERS AND MR. RAMOS, IT CAN BE DETERMINED THAT THE ABOVE OFFICERS ACTED IN ACCORDANCE WITH THE CITY OF MIDDLETOWN POLICE DEPARTMENT POLICIES AND PROCEDURES. THE USE OF PHYSICAL FORCE BY THE OFFICERS APPEARS TO BE REASONABLE AND NECESSARY TO PREVENT MR. RAMOS FROM FURTHER INJURING HIMSELF OR OTHERS.

TRAINING SUGGESTIONS INCLUDE, REFRESHER TRAINING IN USE OF SOFT HAND TACTICS AND UTILIZATION OF THE TASER AND/OR OC SPRAY PRIOR TO ANY SOFT HAND TACTICS WHEN SUITABLE.

RESPECTFULLY SUBMITTED

*E. Khalil*  
SGT. KHALIL 1037

