

Response to Resistance Report

Key West Police Department

Case No: 21-2753

1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)

- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of force
- Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)

2. Date: 05/25/2021 **3. Time:** 2240 Hrs **4. Location:** 202 Duval St. **5. Incident type:** S36B

INCIDENT	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	REFUSED TO PROVIDE INFO	<input checked="" type="checkbox"/> Physical Control	ARM BAR ESCORT
<input checked="" type="checkbox"/> Active:	PULLING/WALKING AWAY	<input type="checkbox"/> Non-lethal Weapon		
<input checked="" type="checkbox"/> Aggressive:	PUSHING AN OFFICER	<input type="checkbox"/> Deadly Force		
<input type="checkbox"/> Deadly Force:				

10. Last Name: Williams **11. First:** David **12. Race:** W **13. Sex:** M

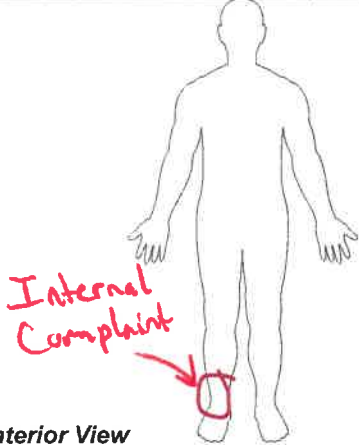
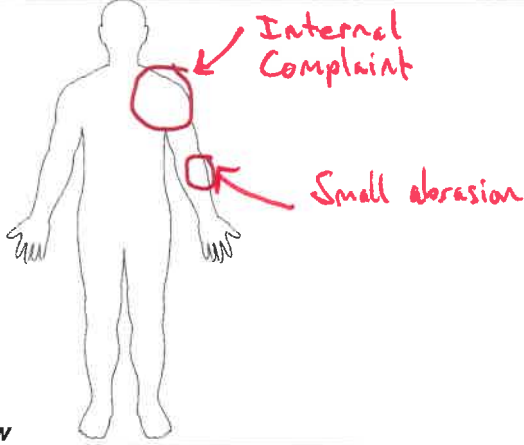
14. DOB: 07/16/1980 **15. Height:** 5'10" **16. Weight:** 236 lbs

17. Did you observe the subject: No Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

18. Appeared to be: Intoxicated Under the influence of controlled substance Emotionally / mentally disturbed

19. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)

20. Photographed: No Yes **21. Treated:** No Yes **By:** EMT/Paramedic on scene Hospital Detention

SUBJECT	22. Anterior View	Posterior View
		

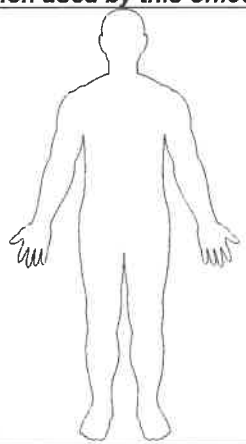
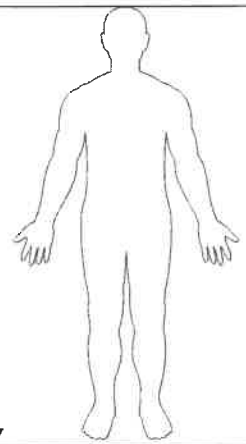
23. Officer: LEO HERNANDEZ **24. W** **25. Sex:** M **26. Age:** 46 **27. Height:** 5'04" **28. Weigh:** 150 lbs

29. Duty Status: On-duty Off-duty Extra duty employment Uniformed Plain clothes **30. Yrs Exp:** 1.5

31. Injuries: No Evident Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

32. Photographed: No Yes **33. Treated:** No Yes **By:** EMT/Paramedic on scene Hospital

34. Response option used by this officer: Arm bar escort to the ground.

OFFICER	35. Anterior View	Posterior View
		

Response to Resistance Report (continued)

Key West Police Department

Case No: 21-2753

TASER USE ONLY	36. TASER® device serial #		37. TASER® device serial #	
	TASER@Cam serial #		TASER@Cam serial #	
	Cartridge 1 serial #		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles: 3		Number of cycles:	
	Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun		Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun	
	Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Target distance at probe launch:		Target distance at probe launch:	
	Distance between probes:		Distance between probes:	
	Probes removed by (name):		Probes removed by (name):	
Device downloaded by:		Device downloaded by:		
<input type="checkbox"/> 38. Check and list any additional TASER® devices, cartridges or details in the incident description section.				
REPORT	39. Offense/Incident Report and/or Warrant Affidavit must include:			
	<input checked="" type="checkbox"/> All necessary criminal elements.			
	<input checked="" type="checkbox"/> All details of the arrest			
	<input checked="" type="checkbox"/> Details articulating the subject's words, mannerisms and actions that justify the use of force.			
	<input checked="" type="checkbox"/> Details outlining the response to resistance utilized by each officer.			
	<input checked="" type="checkbox"/> Detailed description of injury complaints and/or observed injuries			
<input checked="" type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.				
SUPERVISOR'S INQUIRY	40. Notified Date: 05/25/2021		41. Time: 2350 hrs	
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	43. Did you watch all relevant videos associated with the use of force? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	44. Did you meet with the Officer(s): <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	45. During your review did you find any potential policy violations or training issues associated with the incident? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	46. Were you able to locate any independent witnesses: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
		Name	Address	Phone Number
		Michael A. Hall	720 Whitehead St. 6B Key West, FL	305-413-6101
		Jarren J. Hampton	1351 Gardiner St. 309A Key West, FL	501-339-7318
47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		48. Preparing Supervisor's Signature / ID <u>J. Hammer 3651</u>		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		49. Date <u>05/26/2021</u>		
INT. AFF.	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input type="checkbox"/> Yes If "No", complete section 51			
	51. Signature of Internal Affairs Inspector		52. Date	
	53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:	

INCIDENT/INVESTIGATION REPORT

Agency Name <i>Key West Police Department</i>	Case# 21-002753
ORI FL0440100	Date / Time Reported 05/25/2021 22:39 Tue
Location of Incident 216 DUVAL ST, Key West FL 33040-	Last Known Secure 05/25/2021 22:39 Tue
Premise Type Highway / Street / Road/	Beat/GP B1, GPB1
At Found 05/25/2021 22:39 Tue	
#1 Crime Incident(s) (Com) <i>Battery SCA</i>	Weapon / Tools HANDS, FIST, FEET
	Entry Exit Security
#2 Crime Incident (Com) <i>Disorderly Conduct DCA</i>	Weapon / Tools
	Entry Exit Security
#3 Crime Incident (Com) <i>Resist Arrest / Escape XOM</i>	Weapon / Tools
	Entry Exit Security

MO

# of Victims 2	Type: SOCIETY/PUBLIC/STATE	Injury:	Domestic: N
V1 Victim/Business Name (Last, First, Middle) <i>Society</i>	Victim of Crime # 2,3	DOB Race Sex	Relationship To Offender Resident Status Military Branch/Status
		Age Age	N/A
Home Address		Home Phone	
Employer Name/Address		Business Phone	Mobile Phone
VYR	Make	Model	Style Color Lic/Lis VIN

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type: LAW ENFORCEMENT (LEO)				Injury: None				
Code V2	Name (Last, First, Middle) <i>HERNANDEZ, LEONARDO</i>	Victim of Crime # 1,3	DOB 01/09/1975 Age 46	Race W	Sex M	Relationship To Offender ST	Resident Status	Military Branch/Status
Home Address <i>1604 N ROOSEVELT BLVD KEY WEST, FL 33040</i>						Home Phone 305- -		
Employer Name/Address <i>Key West Police Department, 1604 N ROOSEVELT BLVD (POLICE OFFICER)</i>				Business Phone 305-809-1111		Mobile Phone 305- -		
Type:				Injury:				
Code	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
Home Address						Home Phone		
Employer Name/Address				Business Phone		Mobile Phone		

L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found
("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status Frm/Tc	Value	OJ	QTY	Property Description	Make/Model	Serial Number
34		EVID	\$0.00		1	IN CAR COBAN		
35		EVID	\$0.00		1	BWC 3452		

Officer/ID# <i>HERNANDEZ, LEONARDO (3452)</i>			
Invest ID# <i>(0)</i>	Supervisor <i>HAMMERS, JESSE L (3631)</i>		
Complainant Signature	Case Status <i>Cleared By Arrest</i>	Case Disposition: <i>Cleared By Arrest</i>	Page 1
	<i>05/26/2021</i>	<i>05/26/2021</i>	

Incident Report Additional Name List

Key West Police Department

OCA: 21-002753

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	HALL, MICHAEL ANTHONY		07/21/1995	25	B	M
	Address 720 WHITEHEAD ST Apt. 6B, KEY WEST, FL 33040-		H: 305-413-6101			
	Empl/Addr Ricks, 202 Duval St		B: - -			
			Mobile #: - -			
2) WI 2	HAMPTON, JARREN JAQUEZ		01/19/1999	22	B	M
	Address 1351 GARDINER STREET Apt. 309A, KEY WEST, FL 33040		H: 501-339-7318			
	Empl/Addr Ricks Bar, 202 Duval St		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-002753

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found							
D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity	

Assisting Officers
TORRECILLAS, J. (3759), DEESE, J. (3946)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 21-002753

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

<i>Key West Police Department</i>		OCA 21-002753
Victim <i>Society</i>	Offense <i>BATTERY</i>	Date / Time Reported <i>Tue 05/25/2021 22:39</i>

On May 25, 2021, at about 2301, while on foot patrol on the 200 block of Duval Street, I, Ofc. (L. Hernandez), observed a physical incident in progress in front of 202 Duval Street.

A male, later identified as David Anthony William (DOB 07/16/1980), was arguing with a bouncer of Rick`s Bar. David got in a fighting stance and charged at Michael Anthony Hall (DOB 07/21/1995) (Rick`s Bar bouncer). Michael had to shove David back as David got in Michael`s face and kept coming at him in an antagonizing manner.

Michael provided a sworn written statement that reads as follows:

"We kicked out a gentleman (David), 4 times out of our strip club. He (David) came back again, took off his glasses and came back on property and got in my face saying, "what`s up, what`s up". I had to extend my arms 3 times to get distance between us. That`s when the officer came up and tried to get him to walk away".

Michael declined to press assault charges against David, wanting him to just be trespassed from Rick`s Compound. A no trespass warning was completed on David.

Another bouncer at Ricks`s, Jarren Jaquez Hampton (DOB 01/19/1999), who observed the incident between David and his co-worker Michael provided a sworn written statement that reads as follows:

"I seen my co-worker (Michael) on the phone when a guy with a blue shirt (David), said something to him. The guy left and came back to Rick`s. When he was walking by me, he stared us down. He proceeded to walk onto Rick`s property after he was already forced out. Me and my co-worker walked up to him and told him he could not be on property. He walked into my co-worker`s face, so my co-worker pushed him, and I told him to leave. He proceeded to get in our faces two more times. Each time my co-worker pushed him away. After the third time the police officer came to help us".

I approached David and I asked him to follow me to Charles and Duval Street. I immediately noticed that David was under the influence of alcoholic beverage (s) as per his demeanor such as slurred speech, having issues maintaining his balance (for that reason I was guiding him to Charles and Duval to get him away from the crowds and to have him sit down). David was also emitting a strong odor of alcoholic intoxicant (s) from his breath, had glassy watery eyes and kept speaking incoherently.

When I was finally able to get David to Charles and Duval, I asked him to sit so I can get him to identify himself, interview him and prevent him from falling due to his level of intoxication. David refused to sit. I asked David for his identification and or to give me his name and David started to walk away from me. As David was walking away, I tried to grab him by his left arm and he actively and aggressively resisted me by pushing my arms away and charged at me with a fighting stance. I tried to gain compliance from David by telling him to relax and to listen, but he kept walking away saying, "I am walking way, leave me alone". I gave loud and clear verbal commands to David to stop and I informed him that he was resisting an officer by walking away and refusing to identify himself. David kept walking away.

I unholstered by taser, pointed it at David and ordered him to get down on the ground. David eventually sat on the ground, kept using his cellphone to record our encounter, got up again and I had to order him down again and I asked him to let go his cellphone so I can place him in custody. Once I holstered my taser David tried to get up again. I told David I was placing him under arrest, and he tried to defeat my attempts of placing him under arrest by tensing up and by turning away from me forcefully. I re directed David to the ground in a control manner and I placed him in handcuffs, checked them for tightness and double locked them. I placed two sets of handcuffs on David.

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>Society</i>		Offense <i>BATTERY</i>	OCA <i>21-002753</i>
			Date / Time Reported <i>Tue 05/25/2021 22:39</i>

David immediately began to get belligerent and requested a supervisor. I radioed for our on-duty supervisor. Sgt. Jessie Hammers arrived on scene and spoke with David. David said he needed medical complaining of injury to his ankle and right shoulder. Sgt. Hammers radioed for Key West Fire Rescue to respond. Key West Fire Rescue 2 arrived on scene and provided medical services to David. I suffered no injuries during this incident.

Ofc. J. Deese, Ofc. J. Torrencillas and (PO) in training J. Soza, assisted me with scene safety. (PO) in training Soza and I conducted a search incident to arrest of David and I placed him in the back of my patrol vehicle.

Based on all facts and evidence, I believe that on May 25th, 2021, David committed the felony criminal offense of battery on a law enforcement officer as defined in F.S. 784.07 (1) (d), (2) (b). David intentionally and knowingly struck me during my lawful duties as a law enforcement officer. On this night I was wearing my Key West Police Class B uniform that clearly identified me as a Police Officer.

Based on all facts and evidence, I believe that on May 25th, 2021, David committed the felony criminal offense of Resisting officer with violence to his or her person as defined in F.S. 843.01. David knowingly and willfully resisted and obstructed me during my lawful and authorized legal duty as a law enforcement officer by physically striking me and walking away while being ordered to cease and desist. On this night I was wearing my Key West Police Class B uniform that clearly identified me as a Police Officer.

Based on all facts and evidence, I believe that on Mary 25th, 2021, David committed the misdemeanor criminal offense of Disorderly conduct on the premises of an establishment; detention; arrest; immunity from liability as defined in F.S. 509.143 (2),(3),(4). David's conduct escalated to an assault on a bouncer of Rick's Bar, David with his actions threatened the life and safety of others. Per witnesses statements David was kicked out of the establishment four times and decided to return. David was highly intoxicated, belligerent and I strongly believe that if I had not intervened in the assault David would have caused more harm.

I transported David to the Monroe County Detention Center where he was turned over to Detention Deputies without any further incidents.

My BWC and in car Coban (3452) were both activated during this incident.

Nothing else to report on this incident at this time.

Incident Report Suspect List

Key West Police Department

OCA: 21-002753

1	Name (Last, First, Middle) <i>WILLIAMS, DAVID ANTHONY</i>					Also Known As					Home Address <i>3030 W KINGSLEY ST SPRINGFIELD, MO 65807</i>				
	Business Address														
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.				
<i>07/16/1980</i>	<i>40</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>510</i>	<i>236</i>	<i>BRO</i>	<i>BRO</i>	<i>LGT</i>	<i>R205119011 MO</i>					
Scars, Marks, Tattoos, or other distinguishing features															
Reported Suspect Detail															
Suspect Age			Race	Sex	Eth	Height			Weight			SSN			
Weapon, Type		Feature		Make		Model			Color		Caliber		Dir of Travel		
VehYr/Make/Model			Drs	Style		Color		Lic/St			VIN				
Notes										Physical Char					

Incident Report Related Property List

Key West Police Department

OCA: 21-002753

1	Property Description IN CAR COBAN			Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally
	Status Evidence	Date 05/25/2021	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) Hampton, Jarren Jaquez				DOB 01/19/1999		Age 22		Race B

Notes

2	Property Description BWC 3452			Make		Model		Caliber	
	Color	Serial No.		Value \$0.00		Qty 1.000		Unit EA	Jurisdiction Locally
	Status Evidence	Date 05/25/2021	NIC #		State #		Local #		OAN
	Name (Last, First, Middle) Hampton, Jarren Jaquez				DOB 01/19/1999		Age 22		Race B

Notes

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Investigator: SOZA, JUAN (4012)

Date / Time: 05/29/2021 05:11:15, Saturday

Supervisor: (0)

Supervisor Review Date / Time: NOT REVIEWED

Contact:

Reference: General Supplemental Report

On Tuesday, May 25th, 2021 at approximately 2239 hours, Ofc. Torrecillas and I (Ofc. Soza) responded to 216 Duval St to assist Officer L. Hernandez, who had requested backup.

Upon arrival I saw Ofc. Hernandez with a male (David Williams) in handcuffs on the ground. I assisted Ofc. Hernandez by standing next to Williams, while he conducted his investigation. Williams made a few attempts to get up while handcuffed and sitting on the floor.

While on scene Williams stated that his right leg and right shoulder were hurting. Williams also stated that his blood sugar levels were low and needed orange juice. Ofc. Hernandez requested rescue to our location. Williams was later medically cleared by rescue.

I assisted Ofc. Hernandez by picking Williams up from the ground. We escorted Williams to Ofc. Hernandez's patrol vehicle where I later searched him. Ofc. Hernandez placed Williams in the rear passenger seat.

My department issued body worn camera was active during this incident and I uploaded it to evidence.com

Nothing further at this time.

Investigator Signature: _____