

# Response to Resistance Report

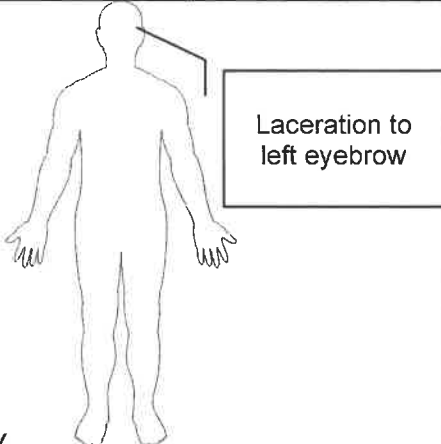
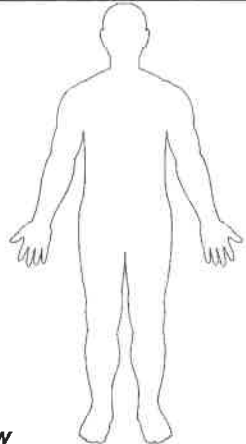
Key West Police Department

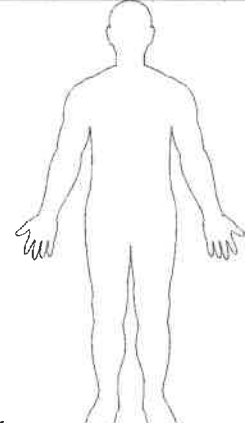
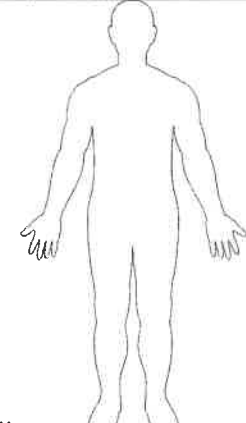
Case No: 22-1148

## 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)

INCIDENT	2. Date: 02/24/2022	3. Time: 2206	4. Location: 400 blk of Caroline St.	5. Incident type: Resisting
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Refused to comply with orders	<input checked="" type="checkbox"/> Physical Control	Hand Strikes
	<input checked="" type="checkbox"/> Active:	Bracing and tensing his leg	<input checked="" type="checkbox"/> Non-lethal Weapon	Drive Stun
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
<input type="checkbox"/> Deadly Force:				

SUBJECT	10. Last Name: Jenkins	11. First: Brian	12. Race: W	13. Sex: M
	14. DOB: 09/21/1968	15. Height: 6'03"	16. Weight: 290	
	17. Did you observe the subject: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
	18. Appeared to be: <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed			
	19. Injuries: <input type="checkbox"/> No <input checked="" type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22 )			
	20. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 21. Treated: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention			
				
	22. Anterior View		Posterior View	

OFFICER	23. Officer: Michal Brable	24. Race: W	25. Sex: M	26. Age: 35	27. Height: 6'07"	28. Weight: 270
	29. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes 30. Yrs Exp: 3.5					
	31. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)					
	32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital					
	34. Response option used by this officer: Strikes to the right thigh (pain compliance)					
						
35. Anterior View		Posterior View				



# Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1148

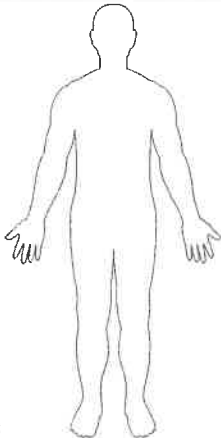
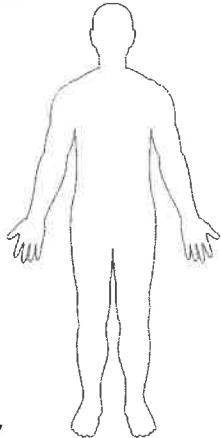
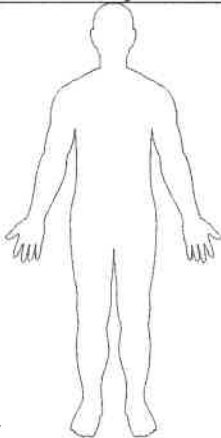
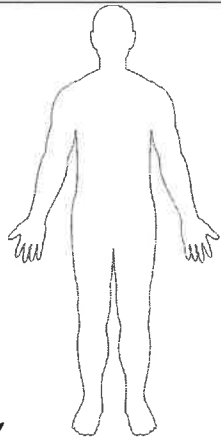
TASER USE ONLY	36. TASER® device serial # X1200CT7Y		37. TASER® device serial #	
	TASER®Cam serial # V21002AT8		TASER®Cam serial #	
	Cartridge 1 serial #		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles: 1		Number of cycles:	
	Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input checked="" 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: Sgt. Stockton		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: 02/24/2022		41. Time: 2350	
	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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	Name		Address	
INT. AFF.	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		02/24/2022	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		48. Preparing Supervisor's Signature / ID	
	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	
	53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:	



# Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1148

<b>OFFICER</b>	23. Officer: Andrew Litton		24. Race: W	25. Sex: M	26. Age: 32	27. Height: 5'09"	28. Weight: 200
	29. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment		<input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain		30. Yrs Exp: 3.5		
	31. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)						
	32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital		
	34. Response option used by this officer: Taser drive stun to the right ribs						
<b>OFFICER</b>							
	35. Anterior View		Posterior View				
	23. Officer:		24. Race:	25. Sex:	26. Age:	27. Height	28. Weight
	29. Duty Status: <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment		<input type="checkbox"/> Uniformed <input type="checkbox"/> Plain		30. Yrs Exp:		
	31. Injuries: <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)						
<b>OFFICER</b>	32. Photographed: <input type="checkbox"/> No <input type="checkbox"/> Yes		33. Treated: <input type="checkbox"/> No <input type="checkbox"/> Yes		By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital		
	34. Response option used by this officer: (If TASER®, also reference line number from TASER® section)						
							
	35. Anterior View		Posterior View				



## INCIDENT DATA

Location of Incident		Premise Type	Beat/GP	02/24/2022 21:59 Thu
412 CAROLINE ST, Key West FL 33040-		Highway / Street / Road/	B1, GPB1	At Found 02/24/2022 21:59 Thu
#1	Crime Incident(s) (Com) Resist Arrest / Escape XOM	Weapon / Tools NOT APPLICABLE/NONE		Activity
		Entry	Exit	Security
#2	Crime Incident (Com) Ordinance Violation XOP	Weapon / Tools		Activity
		Entry	Exit	Security
#3	Crime Incident ( )	Weapon / Tools		Activity
		Entry	Exit	Security

MO

# of Victims		Type: SOCIETY/PUBLIC/STATE		Injury:					Domestic: N		
V1	Victim/Business Name (Last, First, Middle)				Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	Society				1,2	Age				N/A	
Home Address									Home Phone		
Employer Name/Address								Business Phone		Mobile Phone	
VYR	Make	Model	Style	Color	Lic/Lis			VIN			

## OTHERS INVOLVED

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

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

PROPERTY

[illegible]

Invest ID#	(0)	Supervisor	HAMMERS, JESSE L	(3631)
Complainant Signature	Case Status Cleared By Arrest	02/25/2022	Case Disposition: Cleared By Arrest	02/25/2022
			Page 1	





# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-001148

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

HAMMERS, J.L. (3631), LITTON, A.J. (3958)

Suspect Hate / Bias Motivated:

NARRATIVE



**REPORTING OFFICER NARRATIVE**

Key West Police Department

Victim Society	Offense RESIST ARREST / ESCAPE	OCA 22-001148 Date / Time Reported Thu 02/24/2022 21:59
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On Thursday, February 24, 2022, at approximately 2200 hours, I (Officer M. Brable) was on routine patrol of 400 block of Caroline St. I observed a male subject laying on the sidewalk in front of a bus stop.

I stopped my patrol vehicle and told the subject (later identified as Brian Jenkins) to get up from the sidewalk and sit on the bench. Jenkins waved his arm and disregarded my request. I parked my patrol vehicle and approached Jenkins. Jenkins cooperated, got up and sat on the bench.

Officer A. Litton arrived on the scene and informed me, Jenkins was moved along after obstructing the sidewalk in front of 216 Duval St, earlier tonight. Officer Litton added, Jenkins was issued a warning and educated on the Municipal Ordinance. Jenkins was issued the warning on 02/24/2022 at 2110 hours, CAD number 220550172.

As Officer Litton and I walked away, Jenkins laid down on the sidewalk again, placed a backpack under his head and was going to light a cigarette. I observed a male and a female couple avoiding Jenkins and were forced to step into the roadway to avoid Jenkins and to continue their journey down the sidewalk.

I believed another warning would not help the situation. Based on his actions, I believed there was a probable cause for Jenkins' arrest for violation of Municipal Ordinance MOV 62-2 OBSTRUCTION OF PUBLIC RIGHT OF WAY. I told Jenkins to stand up and Officer Litton and I placed him in handcuffs. Officer Litton and I used two sets of handcuffs due to Jenkins' size.

I walked Jenkins to my patrol vehicle and asked him to face the vehicle so I could conduct a search incident to arrest. Jenkins said, "I aint facing shit, make me". Jenkins faced the vehicle and a I conducted the search. When I asked Jenkins to have a seat in my vehicle he refused. Jenkins tensed up and would not move. I was able to get most of his body into the vehicle, but once inside, Jenkins laid down on the seat and we were unable to get his legs in. I pulled Jenkins out of the vehicle to start over. Once I got Jenkins out, I noticed a laceration on his left eyebrow. It was unknow, if Jenkins suffered the laceration while trying to get Jenkins in the vehicle, or while I pulled him back out to reposition his legs. Jenkins alleged I punched him in the face, which I did not.

Once Officer Litton and I got Jenkins out of the vehicle, Jenkins laid down on the road and would not move. Jenkins said, "You asked for it". I picked Jenkins up and managed to have him sit down in the back seat. Jenkins would not get his legs inside of the vehicle. Jenkins was tensed up and refused to get his legs into the vehicle. I struck Jenkins twice in his quadriceps with a closed fist to gain pain compliance and to bend Jenkins' knees and get his feet inside. I was not successful. Officer Litton utilize his AXON Taser and, after a warning, drive stunned Jenkins to gain pain compliance. Jenkins eventually complied and got his feet inside of the vehicle.

Officer Litton notified Sergeant J. Hammer of the Taser usage and requested for Sergeant Hammers to respond to the scene.

Sergeant Hammers arrived on the scene and spoke with Jenkins. Jenkins refused medical attention.

In addition to violation of MOV 62-2 OBSTRUCTION OF PUBLIC RIGHT OF WAY, Jenkins was charged with violation of F.S.S. 843.02 RESIST / OBSTRUCT OFFICER WITHOUT VIOLENCE - by refusing to comply with my lawful orders to the inside of the patrol vehicle.

My AXON body worn camera was activated.



## REPORTING OFFICER NARRATIVE

*Key West Police Department*

OCA

*22-001148*

Victim

*Society*

Offense

*RESIST ARREST / ESCAPE*

Date / Time Reported

*Thu 02/24/2022 21:59*

Status: Cleared by arrest.



# Incident Report Suspect List

Key West Police Department

OCA: 22-001148

1	Name (Last, First, Middle) <i>JENKINS, BRIAN ANTHONY</i>					Also Known As					Home Address <i>1 GENERAL DELIVERY KEY WEST, FL 34293 941-879-2768</i>																																													
	Business Address <i>MARRIOTT COURTYARD, UNKNOWN</i>																																																							
	DOB <i>09/21/1968</i>	Age <i>53</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>603</i>	Wgt <i>260</i>	Hair <i>RED</i>	Eye <i>GRN</i>	Skin <i>LGT</i>	Driver's License / State. <i>J525061683410 FL</i>																																													
Scars, Marks, Tattoos, or other distinguishing features																																																								
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td colspan="3">SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="3">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td colspan="4">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="2">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="5">VIN</td> </tr> </table>															<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN			Weapon, Type	Feature	Make		Model			Color		Caliber	Dir of Travel Mode of Travel				VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN				
<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																													
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VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN																																															
Notes							Physical Char																																																	





**CASE SUPPLEMENTAL REPORT**  
*NOT SUPERVISOR APPROVED*

Printed: 02/25/2022 02:36

OCA: **22001148**

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

Investigator: *LITTON, ANDREW J. (3958)*

Date / Time: *02/25/2022 01:21:20, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 02/24/2022 at approximately 2200 hours, I (Ofc. A. Litton) responded to the 400 block of Caroline Street to assist Officer M. Brable with an intoxicated subject.

When I arrived, I immediately recognized Brian Jenkins, who Officer M. Brable informed me was laying across the sidewalk when he arrived. I informed Officer M. Brable that I contacted Jenkins at 216 Duval Street earlier that night, where I gave him a warning for obstructing the sidewalk (CAD 220550172). Officer M. Brable and I walked away from Jenkins after he told Officer M. Brable he was waiting for the bus to arrive. As we stood on the sidewalk by our patrol vehicles, Jenkins laid down on the ground and attempted to go back to sleep. Jenkins laid perpendicular to the street, obstructing the entire sidewalk, inhibiting anyone from passing without stepping over him or walking into the street. A couple then walked up to Jenkins and was forced to walk into the street, stepping in front of a passing vehicle, so they could continue up the sidewalk.

Officer M. Brable and I walked over to Jenkins and placed him in handcuffs for obstructing the sidewalk. We walked Jenkins to Officer M. Brable's patrol vehicle where he was searched and told to sit in the back seat. Jenkins was defiant, difficult, and confrontational during the entire encounter. Jenkins did not willingly sit inside the vehicle, so Officer M. Brable attempted to coerce Jenkins' head down and body inside the vehicle. Jenkins proceeded to tense his body, making it difficult to place him in the vehicle. Jenkins eventually fell into the back seat, leaving his body tense with his feet outside of the vehicle, refusing to sit inside. Officer M. Brable then attempted to remove Jenkins from the patrol vehicle so he could sit properly inside. Jenkins kept his body straight and forced his head against the top of the door jamb so he could not come out of the vehicle.

Jenkins was removed from the vehicle and stood outside the door as I adjusted the handcuffs and assured they were double locked. Jenkins then collapsed to the ground, forcing Officer M. Brable and I to pick him up and attempt to place his 6'4", 300 plus pound body into the back seat of the patrol vehicle. We managed to place Jenkins in the back seat but he, again, offered active resistance, using his large size and stature to defy commands to place his legs inside the vehicle. Officer M. Brable gave ample commands to Jenkins to place his legs inside the vehicle and attempted to obtain pain compliance through the use of strikes to Jenkin's common peroneal nerve on his right thigh, but the strikes had no effect. As Officer M. Brable continued to attempt to use force to place Jenkins in the patrol vehicle, I removed my department issued Taser from its holster, removed the cartridge, and placed the Taser against the right side of Jenkins' abdomen. I gave verbal commands for Jenkins to place his legs inside the vehicle or he would be drive-stunned. Jenkins continued to offer active resistance and I delivered a single cycle drive-stun to the side of Jenkins' body. Jenkins immediately complied and placed his legs inside the vehicle.

I notified Sergeant J. Hammers to respond to the scene for the response to resistance incident report. Jenkins refused any medical treatment and was transported by Officer M. Brable to MCDC without further incident. Axon BWC was

Investigator Signature: \_\_\_\_\_



# CASE SUPPLEMENTAL REPORT

Printed: 02/25/2022 02:36

NOT SUPERVISOR APPROVED

OCA: **22001148**

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Investigator: *LITTON, ANDREW J. (3958)*

Date / Time: *02/25/2022 01:21:20, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

activated during this incident and later uploaded to Evidence.com.

Investigator Signature: \_\_\_\_\_

