

Response to Resistance Report

Key West Police Department

Case No: 16-1461

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: 04/10/16 3. Time: 0159 4. Location: 5501 College Road 5. Incident: Resist WO Violence

6. Resistance Level 7. Explanation 8. Response Option 9. Explanation

- ☒ Passive: Non compliance
☒ Active: Kicking
☐ Aggressive:
☐ Deadly Force:
☒ Physical Control Handcuffs
☒ Non-lethal Weapon Pepper Spray
☐ Deadly Force

10. Last Name: Jackson 11. First: Brian 12. Race: B 13. Sex: M

14. DOB: 02/01/1976 15. Height: 6'03 16. Weight: 260

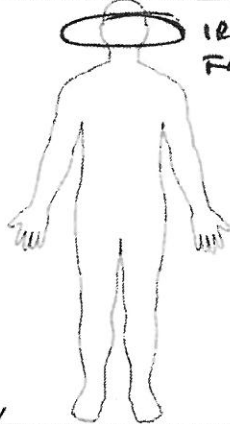
17. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

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

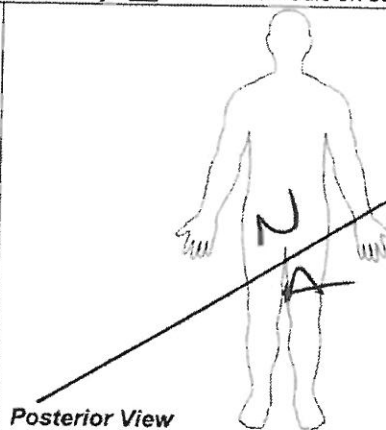
19. Injuries: ☐ No ☒ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)

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

SUBJECT



22. Anterior View



Posterior View

23. Officer: Kristopher Bouvier 24. Race : B 25. Sex: M 26. Age: 33 27. Height : 5'10 28. Weight: 270

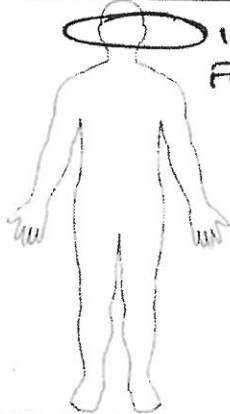
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 4

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

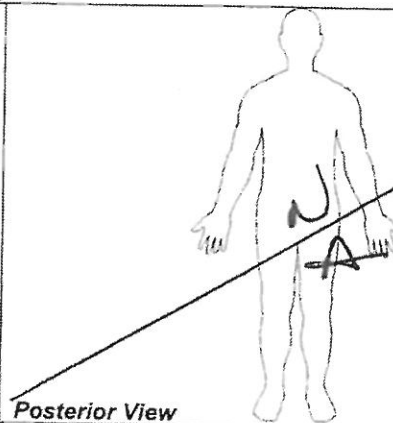
32. Photographed: ☒ No ☐ Yes 33. Treated: ☒ No ☐ Yes By: ☐ EMT/Paramedic on scene ☐ Hospital

34. Response option used by this officer: Pepper Spray

OFFICER



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

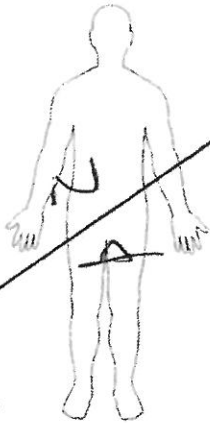
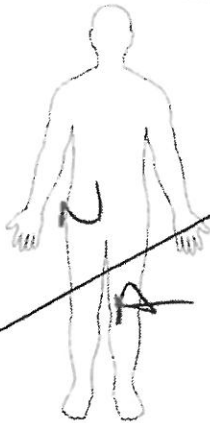
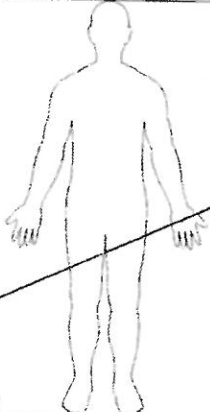
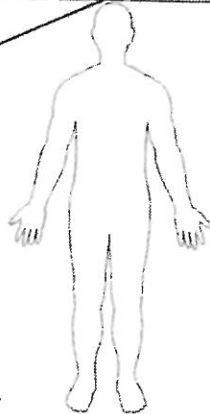
Case No: 16-1461

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: <u>2</u>	Number of cycles: <u>2</u>	
	Type of contact: <input type="checkbox"/> Probe <input checked="" type="checkbox"/> CDS <input type="checkbox"/> Drive Stun	Type of contact: <input type="checkbox"/> Probe <input checked="" type="checkbox"/> CDS <input type="checkbox"/> Drive Stun	
	Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	Did probes penetrate skin: <input checked="" 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 checked="" 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: 04/10/16		
	41. Time: 0200		
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)		
	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)		
	44. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)		
	Name	Address	Phone Number
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS			
46. Preparing Supervisor's Signature / ID <u>Sgt Pablo Rodriguez 2298</u>			
47. Date <u>04/10/16</u>			
INT. AFF.	48. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", complete section 51)		
	49. Signature of Internal Affairs Inspector <u>Sgt. P. Rodriguez 2298</u>		
	50. Date <u>4/12/2016</u>		
51. If section 48 is "No" record the Professional Standards Control Number:			
52. Date Entered:			

Response to Resistance Report (continued)

Key West Police Department

Case No: 16-1461

OFFICER	23. Officer: Tony Ane		24. Race: W		25. Sex: M		26. Age: 25		Height: 509		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: 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: None												
OFFICER	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)												
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)												
OFFICER	35. Anterior View						Posterior View					
												

Key West Police Department

Report 04/10/2016 02:56

Incident Report

Case # 01-16-001461

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-16-001461	04/10/2016 02:56	04/10/2016 02:31	04/10/2016 02:35	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	OBSTRUCT/RESIST OFFENSE		CLEARED BY ARREST	04/10/2016	04/10/2016 03:00
	Common Name				
MONROE COUNTY DETENTION CENTER - 5501 COLLEGE RD KEYWEST, FL 33040 (MONROE County)					
Day of Week : SUNDAY					
Dispatched : 04/10/2016 02:00					
Responded : 04/10/2016 02:00					
Arrived : 04/10/2016 02:03					
Map Reference : 1112XX6XO					
Location Type : JAIL/PRISON					
Beat Assignment : 1					
Alcohol Related : Yes					
Drug Related : Unknown					
Total Damaged Property Value : \$0.00					
Total Stolen Property Value : \$0.00					
Total Recovered Property Value : \$0.00					

O F F E N S E	State Classification		Attempted/Committed
	Statute/Ordinance		COMMITTED
	Location Type		Disposition Date
	JAIL/PRISON		04/10/2015
	Federal Classification : RESIST OFFICER WITH VIOLENCE-843.01		
KRISTOPHER BOUVIER (VICT,Primary Role,User Defined);			
BRIAN JACKSON (SUSP,Primary Role,User Defined)			
Attack Reason : OTHER			
Weapon 1 : HANDS/FISTS/FEET			
Computer Theft : Not Applicable			
# of Premises : 01			
Evidence Collected : Yes			
Federal Disposition : CLEARED BY ARREST			
# of People Arrested : 01			
End of Offense: 1			

P E R S O N	Person Type	Business/Person Name		Business Phone
	SUSPECT/ARRESTEE	BRIAN EMANUEL JACKSON		
	Home Phone	Person Address		
		3808 COLUMBIA PIKE Apt. 7 ARLINGTON, VT 22204		
	Other Phone	Employer Address		
	Race	Sex	DL Exp. Date	DL Number
	BLACK	Male	02/01/2020	C69638574
	Birth Date	Birth Place		
	02/01/1976	UNITED STATES		
	Age : 40			
	Occupation : UNKNOWN			
	DL State : FL			
	DL Country : UNITED STATES			
	Ethnic Origin : NON-HISPANIC			
Min. Height : 6'3 "				
Min. Weight : 230 lbs				
Adult/Juvenile : ADULT				
Coat : NONE				
Hat : NONE				
Shirt : BLACK/DARK SHIR				
Pants : TAN				
Shoes : UNKNOWN				
Hair Color : BLACK				
Hair Length : SHORT				
Facial Hair : UNKNOWN				
Eye Color : BROWN				
Build : TALL/HEAVY				
Complexion : DARK				
Glasses : Unknown				
Hand Use : UNKNOWN				
Caution : VIOLENT				
Status : ARRESTEE				
Religion : UNKNOWN				
Marital Status : COHABITATING				
Speech : LOUD				
Residency Type : OUT OF STATE				
Residency Status : FULL YEAR				
Citizenship : UNITED STATES				
Weapon Held : HANDS/FISTS/FEET				
Body Marks:				
End of Person: 1				

Reporting Officer	Department	Report Status:
KRISTOPHER BOUVIER (3356)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
MATTHEW HALEY (2807)	KEY WEST POLICE DEPARTMENT	04/10/2016 05:41

Key West Police Department

Report 04/10/2016 02:56

Incident Report

Case # 01-16-001461

P E R S O N 2	Person Type		Business/Person Name		Business Phone
	VICTIM		KRISTOPHER BOUVIER		
	Home Phone (305) 809-1111		Person Address 1604 N ROOSEVELT BV KEY WEST FL 33040		
	Other Phone		Employer Address		
	Race	Sex Male	SSN	DL Exp. Date	DL Number
	Birth Date		Birth Place		
	Adult/Juvenile : ADULT Relationship : STRANGER OF BRIAN JACKSON Victim Type : INDIVIDUAL ADULT Will File Charges : Yes Can Identify Offender : Yes Sobriety of Victim : SOBER Extent of Injury : MINOR Injury Type 1 : OTHER Medical Treatment : NOT NEEDED				
End of Person: 2					

P R O P E R T Y 1	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	TV/VIDEO/VCR/CD PLAYER	COBAN	BODY CAM
	Serial #	Color	Description	Condition
			BODY CAM VIDEO	UNKNOWN
UCR Type : MISCELLANEOUS		Value : \$1.00		
Quantity/Weight : 1		Recovery Location : Use Address from Incident Location Information		
End of Property: 1				

P R O P E R T Y 2	Category	Property Type	Make	Model
	EVIDENCE/SEIZED	PHOTOGRAPHS	Digital photo	
	Serial #	Color	Description	Condition
			Digital photo	
Quantity/Weight : 4		Rec. Officer : RODRIGUEZ, PABLO D.		
Value : \$1.00		Recovery Location : Use Address from Incident Location Information		
End of Property: 2				

N A R R A T I V E 1	Topic	ORIGINAL
	On Sunday April 10, 2016, I, Ofc. K. Bouvier responded to 801 Duval in reference to a physical fight between a man and a woman.	
	Upon arrival bystanders pointed toward a man and a woman across the street from the 801 Bar.	
	I made contact with the couple and detained the male subject. I identified the male as Brian E. Jackson, DOB 02/01/1976. The female identified herself as Joanna C. Vecchio, DOB 04/11/85. I handcuffed Mr. Jackson and placed him in the rear of my patrol car and I had Ms. Vecchio stand by with Ofc. D. Wallis while I conducted an investigation in to the possible battery.	

Reporting Officer KRISTOPHER BOUVIER (3356)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer MATTHEW HALEY (2807)	Department KEY WEST POLICE DEPARTMENT	Date / Time 04/10/2016 05:41

0
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4
6
1

Key West Police Department

Report 04/10/2016 02:56

Incident Report

Case # 01-16-001461

First I spoke with an employee from the 801 Bar who told me he only saw Mr. Jackson in Ms. Vecchio's face while she had her back against a wall. The same employee said that Mr. Jackson was pulling Ms. Vecchio down the street saying "Come on." I then spoke to an employee of The Bourbon Street Pub located at 724 Duval St. The employee told me he saw Mr. Jackson grab Ms. Vecchio by the arm and throw her. When I asked for clarification the employee described a push. The employee said Ms. Vecchio never fell to the floor. The Manager of The Bourbon Street Pub said it would take at least a week to review the security footage.

After speaking to the employees of The Bourbon Street Pub I spoke to Ms. Vecchio. Ms. Vecchio denied ever being struck by Mr. Jackson and did not have any visible injuries. Ms. Vecchio did say that Mr. Jackson was being aggressive and grabbed her. Ms. Vecchio made it clear she did not wish to pursue charges.

Although Ms. Vecchio refused to pursue charges against Mr. Jackson for grabbing her, it was clear to me that Mr. Jackson was intoxicated to the point he could be a danger to others or himself. As a result of Mr. Jackson's level of intoxication, I decided to take Mr. Jackson into protective custody.

I explained to Mr. Jackson that he was not under arrest and that he could be released as soon as he was sober. Ms. Vecchio also told Mr. Jackson that no charges were being filed and that he was only being detained for his safety.

While transporting Mr. Jackson to the jail he began to hit his head against the partition in the patrol car.

Once I arrived at the jail, I saw Ofc. A. Ane in the sally port. I asked Ofc. A. Ane for his assistance in case Mr. Jackson became violent.

When I asked Mr. Jackson to step of the car, he refused. I asked Mr. Jackson no less that five more times to exit the patrol car and he refused each time. I then removed my KWPD issued Chemical Spray from its pouch and began to shake the container in an effort to ensure the chemicals in the spray were properly mixed in the event I had to use force to remove Mr. Jackson from the car.

Once Mr. Jackson saw the chemical spray in my hand he said "If you spray me I'll fuck your fucking world, you fat bitch." After my repeating step out of the car three more times, Mr. Jackson finally stepped out of the car.

Once Mr. Jackson was out of the car, Ofc. A. Ane and I each grabbed an arm and began escorting Mr. Jackson towards the entry doors of the detention center. Mr. Jackson pulled his arm away from me in an attempt to break my hold. I asked Mr. Jackson to "Stop pulling away and please calm down." Mr. Jackson responded by saying "Get the fuck off my arm." while yanking his arm away from me in an attempt to defeat my efforts to control him. As a result Ofc. A. Ane and I redirected Mr. Jackson into the elevator door in an effort to control him. It was at the point Mr. Jackson began grabbing at my outer carrier and my shirt. Mr. Jackson than began kicking at me, kicking me at least once on my left leg.

Due to Mr. Jackson's aggressive resistance, I used my KWPD issued chemical spray to spray Mr. Jackson in the face in an effort to defeat his actions.

The chemical spray was effective and Mr. Jackson stopped kicking immediately.

Reporting Officer KRISTOPHER BOUVIER (3356)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer MATTHEW HALEY (2807)	Department KEY WEST POLICE DEPARTMENT	Date / Time 04/10/2016 05:41

Key West Police Department

Report 04/10/2016 02:56

Incident Report

Case # 01-16-001461

As the elevator door opened, Mr. Jackson and I both fell out of the elevator.

Mr. Jackson was immediately placed in a restraint chair by detention staff. As soon as detention staff was able to gain compliance of Mr. Jackson he was allowed to shower. Mr. Jackson was also seen by medical staff at the Detention Center.

Video and photos from this incident have been uploaded to the COBAN server.

Mr. Jackson is charged with violation of Florida Statute 843.01- RESISTING OFFICER WITH VIOLENCE

To Wit:

Whoever (BRIAN E. JACKSON, DOB 02/01/1976) knowingly and willfully resists (BRIAN E. JACKSON INTENTIONALLY KICKED OFFICER K. BOUVIER IN AN EFFORT TO DEFEAT THE OFFICER'S LAWFUL ACTIONS), obstructs, or opposes any officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9); (OFFICER K. BOUVIER IS CURRENTLY EMPLOYED BY THE CITY OF KEY WEST AS A POLICE OFFICER/OFFICER K. BOUVIER WAS IN HIS CLASS B UNIFORM WHEN BRIAN E. JACKSON BEGAN KICKING HIM) member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission; parole and probation supervisor; county probation officer; personnel or representative of the Department of Law Enforcement; or other person legally authorized to execute process in the execution of legal process or in the lawful execution of any legal duty, by offering or doing violence (BRIAN E. JACKSON INTENTIONALLY KICKED OFFICER K. BOUVIER IN AN EFFORT TO DEFEAT THE OFFICER'S LAWFUL ACTIONS) to the person of such officer or legally authorized person, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Case Status: Cleared By Arrest

///NOTHING FOLLOWS///

End of Narrative: 1

Reporting Officer KRISTOPHER BOUVIER (3356)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer MATTHEW HALEY (2807)	Department KEY WEST POLICE DEPARTMENT	Date / Time 04/10/2016 05:41

KWPD

Monroe County Adult Arrest Form

☐ ARREST
☐ WARRANT
☐ COMPLAINT AFFIDAVIT

ARREST #

OBTS #

Filing Agency KWPD		Case # 0116001461		Doc. Control #		State ID #		FBI #		Rec #	
Defendant's Last Name JACKSON				First BRIAN		Middle EMANUEL		Suf		Alias	
Citizenship UNITED STATES											
Race B	Eth NH	Sex M	Hgt 6'3"	Eyes BROWN	Hair BLACK	Wgt 240	Comp DARK	Age 40	DOB 02/01/1976	Birthplace UNITED STATES	Scars, Marks, TT
Facial Hair INKW	Build THVY	Marital St	Hand Use UNKW	Glasses Unknown	Speech LOUD	Parole/Probation UNKNOWN		Language Spoken ENGLISH			
Permanent Address 3808 COLUMBIA PIKE Apt# 7 ARLINGTON, VT 22204-						Home Phone:		Local Address:			
Email Address						Cell Phone:		Place of Employment		Occupation UNKNOWN	
Arrest Location 5501 COLLEGE RD KEY WEST, FL 33040-						Area/ Zone 6		Work Phone:		Arresting Officer KRISTOPHER 3356	
Violation Location 5501 COLLEGE RD KEY WEST, FL 33040-						Area/ Zone 6		Date/Time of Violation 04/10/2016 02:35		Date/Time Arrested 04/10/2016 02:35	
DL # C696-385-74		State FL	Breathalyser By		Reading	Miranda Advisement Not Advised		By Whom		Indication Of	
Domestic Violence Not Applicable		Weapon Seized		Officer Injured Yes		Caution VIOLENT				Alcohol Influence: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> UK	
Drug Type:		Type:		B-Barbiturate		H-Hallucinogen		P-Paraphernalia/		U-Unknown	
				N-N/A		C-Cocaine		M-Marijuana		Z-Other	
				A-Amphetamine		E-Heroin		O-Opium		S-Synthetic	
Activity:		Activity:		B-Buy		E-Use		K-Dispense/			
				N-N/A		T-Traffic		M-Manufacture/		Distribute	
				P-Possess		A-Smuggle		Produce/		Z-Other	
				S-Sell		D-Deliver		Cultivate			

Defendant Vehicle Make:	Type:	Year:	Color:	Vehicle Registration State:
VIN#:	Tag #:		Vehicle Tag Expiration:	
Vehicle Status:	Other Identifiers or Remarks:			

CODEFENDANT

ADDRESS

PHONE #

RACE

SEX

DOB

Count	Offenses Charged	Statute	Warrant #	Court Date and Time	Citation #
1/F	RESIST OFFICER WITH VIOLENCE-843.01	SIST OFFICER WITH			

Before me this date personally appeared **KRISTOPHER 3356** who being first duly sworn deposes and says that on the **10th day of April, 2016** at **5501 COLLEGE RD KEY WEST, FL 33040-** the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows

[NARR]: On Sunday April 10, 2016, I, Ofc. K. Bouvier responded to 801 Duval in reference to a physical fight between a man and a woman.

Upon arrival bystanders pointed toward a man and a woman across the street for the 801 Bar.

I made contact with the couple and detained the male subject. I identified the male as Brian E. Jackson, DOB 02/01/1976. The female identified

I swear the above statement is correct and true to the best of my knowledge and belief.

KRISTOPHER 3356

MATTHEW HALEY 2807

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDACOUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year) _____, who is personally

known to me or who has produced (ID Type) Police as identification and who DID take an oath.

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE # _____

SIXTEENTH JUDICIAL COURT

MONROE County

State of FLORIDA

Page 1 of 3

Form NS ARREST 3.0, REV: 04/18/2014

Monroe County Adult Arrest Form Continuation

KWPD

OBTS # _____

ARREST #

LAST NAME	FIRST NAME	MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
JACKSON	BRIAN	EMANUEL		6'3"	240	B	M	02/01/1976	0116001461	KRISTOPHER 3356

herself as Joanna C. Vecchio, DOB 04/11/85. I handcuffed Mr. Jackson and placed him in the rear of my patrol car and I had Ms. Vecchio stand by with Ofc. D. Wallis while I conducted an investigation in to the possible battery.

First I spoke with an employee from the 801 Bar who told me he only saw Mr. Jackson in Ms. Vecchio's face while she had her back against a wall. The same employee said that Mr. Jackson was pulling Ms. Vecchio down the street saying "Come on." I then spoke to an employee of The Bourbon Street Pub located at 724 Duval St. The employee told me he saw Mr. Jackson grab Ms. Vecchio by the arm and throw her. When I asked for clarification the employee described a push. The employee said Ms. Vecchio never fell to the floor. The Manager of The Bourbon Street Pub said it would take at least a week to review the security footage.

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When I asked Mr. Jackson to step of the car he refused. I asked Mr. Jackson no less than five more times to exit the patrol car and he refused each time. I then removed my KWPD issued Chemical Spray from its pouch and began to shake the container in an effort to ensure the chemicals in the spray were properly mixed, in the event I had to use force to remove Mr. Jackson from the car.

Once Mr. Jackson saw the chemical spray in my hand he said "If you spray me I'll fuck your fucking world, you fat bitch." After my repeating step out of the car, three more times, Mr. Jackson finally stepped out of the car.

Once Mr. Jackson was out of the car, Ofc. A. Ane and I each grabbed an arm and began escorting Mr. Jackson towards the entry doors of the detention center. Mr. Jackson pulled his arm away from me in an attempt to break my hold. I asked Mr. Jackson to "Stop pulling away and please calm down." Mr. Jackson responded by saying "Get the fuck off my arm." while yanking his arm away from me in an attempt to defeat my efforts to control him. As a result, Ofc. A. Ane and I redirected Mr. Jackson into the elevator door in an effort to control him. It was at the point, Mr. Jackson began grabbing at my outer carrier, and my shirt. Mr. Jackson then began kicking at me, kicking me at least once on my left leg.

Due to Mr. Jackson's aggressive resistance, I used my KWPD issued chemical spray, to spray Mr. Jackson in the face in an effort to defeat his actions.

The chemical spray was effective and Mr. Jackson stopped kicking immediately.

As the elevator door opened Mr. Jackson and I both fell out of the elevator.

Mr. Jackson was immediately placed in a restraint chair by detention staff. As soon as detention staff was able to gain compliance of Mr. Jackson, he was allowed to shower. Mr. Jackson was also seen by medical staff at the Detention Center.

I swear the above statement is correct and true to the best of my knowledge and belief.

KRISTOPHER 3356

MATTHEW HALEY 2807

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA

COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____ (year) _____, who is personally known to me or who has produced (ID Type) Police as identification and who DID take an oath.

LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE # _____

SIXTEENTH JUDICIAL COURT

MONROE County

State of FLORIDA

Page 2 of 3

Form NS ARREST 3.0, REV: 04/18/2014

KWPD

Monroe County Adult Arrest Form Continuation

OBTS # _____

ARREST # _____

LAST NAME	FIRSTNAME	MIDDLE NAME	SUF.	HGT	WGT	RC	SEX	DOB	Case #	Arresting Officer
JACKSON	BRIAN	EMANUEL		6'3"	240	B	M	02/01/1976	0116001461	KRISTOPHER 3356

Video and photos from this incident have been uploaded to the COBAN server.

Mr. Jackson is charged with violation of Florida Statute 843.01- RESISTING OFFICER WITH VIOLENCE

To Wit:

Whoever (BRIAN E. JACKSON, DOB 02/01/1976) knowingly and willfully resists (BRIAN E. JACKSON INTENTIONALLY KICKED OFFICER K. BOUVIER IN AN EFFORT TO DEFEAT THE OFFICER'S LAWFUL ACTIONS), obstructs, or opposes any officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9); (OFFICER K. BOUVIER IS CURRENTLY EMPLOYED BY THE CITY OF KEY WEST AS A POLICE OFFICER/OFFICER K. BOUVIER WAS IN HIS CLASS B UNIFORM WHEN BRIAN E. JACKSON BEGAN KICKING HIM) member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission; parole and probation supervisor; county probation officer; personnel or representative of the Department of Law Enforcement; or other person legally authorized to execute process in the execution of legal process or in the lawful execution of any legal duty, by offering or doing violence (BRIAN E. JACKSON INTENTIONALLY KICKED OFFICER K. BOUVIER IN AN EFFORT TO DEFEAT THE OFFICER'S LAWFUL ACTIONS) to the person of such officer or legally authorized person, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Case Status: Cleared By Arrest

///NOTHING FOLLOWS///

I swear the above statement is correct and true to the best of my knowledge and belief.

KRISTOPHER 3356

MATTHEW HALEY 2807

KEY WEST POLICE DEPARTMENT

OFFICER/ELECTRONIC SIGNATURE

APPROVING SUPERVISOR

DIVISION / UNIT

STATE OF FLORIDA COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of _____, (year) _____, who is personally

known to me or who has produced (ID Type) Police as identification and who DID take an oath.LAW ENFORCEMENT OFFICER / CORRECTIONS OFFICER PER STATE STATUTE # _____
SIXTEENTH JUDICIAL COURTMONROE County
State of FLORIDAPage 3 of 3

Form NS ARREST 3.0, REV: 04/18/2014

Key West Police Department

Report 04/10/2016 03:57

Incident Report

Case # 01-16-001461

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-16-001461	04/10/2016 03:57	04/10/2016 02:45	04/10/2016 03:00	Supplemental
	Dept. Classification		Case Status	Case Status Date	Cleared
	OBSTRUCT/RESIST OFFENSE		CLEARED BY ARREST	04/10/2016	04/10/2016 02:45
	Common Name				
	BOURBON STREET PUB - 724 DUVAL ST KEYWEST, FL 33040 (MONROE County)				
Day of Week : SUNDAY			Beat Assignment : 1		
Dispatched : 04/10/2016 02:45			Alcohol Related : Yes		
Responded : 04/10/2016 02:45			Drug Related : Unknown		
Arrived : 04/10/2016 02:45			Total Damaged Property Value : \$0.00		
Map Reference : 1112XX6XO			Total Stolen Property Value : \$0.00		
Location Type : JAIL/PRISON			Total Recovered Property Value : \$0.00		

N A R R A T I V E	Topic	SUPPLEMENTAL
	<p>On Sunday, April 10, 2016 at approximately 0245 hours, I, Ofc. Ane, was in the Monroe County Detention Center's (MCDC) sally port, located at 5501 College Road, Key West, FL, when Ofc. K. Bouvier arrived with a black male, Bryan Jackson, who was in protective custody under the Marchman Act.</p>	
	<p>Ofc. Bouvier asked me to help him escort Jackson into the booking lobby of MCDC, because Jackson was being combative. Ofc. K. Bouvier opened his back door, where I saw Jackson leaning over. Ofc. K. Bouvier asked Jackson to exit his vehicle several times. Jackson ignored Ofc. K. Bouvier and kept his head down. Ofc. K. Bouvier continued to ask Jackson to exit the vehicle. Jackson sat up and began to curse at Ofc. K. Bouvier. Jackson advised he was a "Fucking PJ" and "Killed people". Ofc. K. Bouvier displayed his pepper spray and told Jackson to exit the vehicle or he would be sprayed. Jackson was still being verbally combative, and tensing up but he did exit the vehicle. Ofc. K. Bouvier and I escorted Jackson into a lobby and waited for an elevator that lead to MCDC's booking area.</p>	
	<p>While waiting for the elevator, Jackson continued to pull away from Ofc. K. Bouvier and I. I attempted to speak to Jackson and told him there were no pending charges against him and he would be released once he was able to care for himself.</p>	
	<p>Once the elevator door opened, Jackson thrashed and pulled his arm away from Ofc. K. Bouvier and yelled for Ofc. K. Bouvier to "let him the fuck go". Ofc. K. Bouvier and I pushed Jackson into the elevator door in an attempt to gain control of him. Jackson became more aggressive and kicked his left leg back at Ofc. K. Bouvier in an attempt to strike him. I again braced Jackson against the elevator door and told him not to kick at Ofc. K. Bouvier. Jackson continued to resist Ofc. K. Bouvier and I.</p>	
	<p>Ofc. K. Bouvier then deployed his pepper spray at Jackson's head. The elevator door opened and Jackson, Ofc. K. Bouvier and I fell to the ground in booking area. Several MCSO Deputies then grabbed Jackson and placed him into restraint chair.</p>	
<p>I asked for a supervisor to respond to our location to document the above incident. See RRI report.</p>		
<p>This investigation was recorded via my department issue body worn camera. I later uploaded the video to the COBAN server.</p>		

Reporting Officer	Department	Report Status:
Antonio A. Ane (3418)	KEY WEST POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
MATTHEW HALEY (2807)	KEY WEST POLICE DEPARTMENT	04/10/2016 05:04

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Key West Police Department

Report 04/10/2016 03:57

Incident Report

Case # 01-16-001461

	I had no further involvement in this investigation.
	End of Narrative: 1

Reporting Officer Antonio A. Ane (3418)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer MATTHEW HALEY (2807)	Department KEY WEST POLICE DEPARTMENT	Date / Time 04/10/2016 05:04

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