

Response to Resistance Report

Key West Police Department

Case No: 17-5394

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: 11/02/2017 3. Time: 2:17 AM 4. Location: 1000 Block Grinnell 5. Incident type: S02

INCIDENT	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
INCIDENT	<input checked="" type="checkbox"/> Passive:	Would not comply	<input type="checkbox"/> Physical Control	Escort Position
	<input checked="" type="checkbox"/> Active:	Aggressively Advanced Officer	<input type="checkbox"/> Non-lethal Weapon	TASER
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

10. Last Name: Besant 11. First: Gabriel 12. Race: W 13. Sex: M

14. DOB: 01/01/1992 15. Height: 5-07 16. Weight: 170

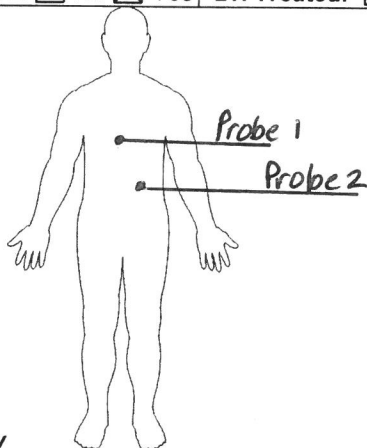
17. Did you observe the subject: ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

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

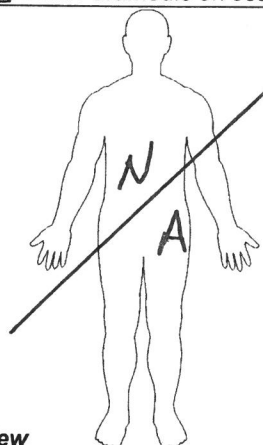
19. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)

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

SUBJECT



22. Anterior View



Posterior View

23. Officer: Anthony Gillespie 24. Race: W 25. Sex: M 26. Age: 49 27. Height: 5-11 28. Weight: 260

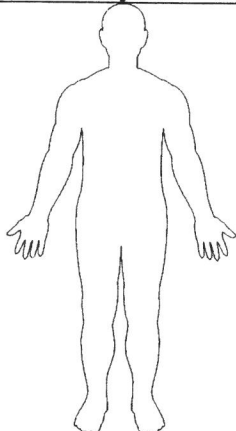
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 1.5

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

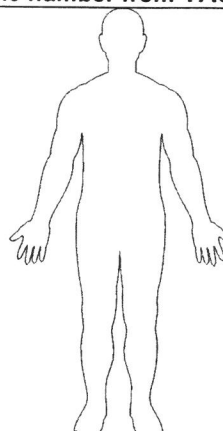
32. Photographed: ☒ No ☐ Yes 33. Treated: ☒ No ☐ Yes By: ☐ EMT/Paramedic on scene ☐ Hospital

34. Response option used by this officer: (If TASER®, also reference line number from TASER® section) 36

OFFICER



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 17-5394

TASER USE ONLY	36. TASER® device serial # X12002KPX		37. TASER® device serial #	
	TASER®Cam serial # V21000VTF		TASER®Cam serial #	
	Cartridge 1 serial # C4102N6HP		Cartridge 1 serial #	
	Cartridge 2 serial # NOT USED		Cartridge 2 serial #	
	Number of cycles: 1		Number of cycles:	
	Type of contact: <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Target distance at probe launch: 6 FT		Target distance at probe launch:	
	Distance between probes: 8 IN		Distance between probes:	
	Probes removed by (name): Officer Gillespie		Probes removed by (name):	
Device downloaded by: Sgt Duponty		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: 11/02/17		41. Time: 2:20 AM	
	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
INT. AFF.	45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		<i>Sgt Frank Duponty 1951</i>	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		11/02/2017	
			46. Preparing Supervisor's Signature / ID	
			47. Date	
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)		<i>SGT R. Smith / NJ 2985</i>		<i>11/21/17</i>
		49. Signature of Internal Affairs Inspector		50. Date
51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

Monroe County Adult Arrest Form

KEY WEST PD

ARREST #

OBTS # _____

☒ **ARREST**
☐ **WARRANT**
☐ **COMPLAINT AFFIDAVIT**

Filing Agency KEY WEST PD		Case # 17-005394		Doc. Control #		State ID #		FBI		TSS #	
Defendant's Last Name BESANT				First GABRIEL		Middle JUSTUS		SUF		Alias	
Citizenship UNITED STATES											
Race W	Eth M	Sex M	Hgt 508	Eyes BRO	Hair BRO	Wgt 160	Comp LGT	Age 25	DOB 01/01/1992	Birthplace FL	Scars, Marks, TT
Facial Hair		Build	Marital St	Hand Use		Glasses	Speech		Parole/Probation		Language Spoken
Permanent Address 2221 PATTERSON AVE, KEY WEST, FL 33040								Phone (Home): (305) 834-6250		Local Address:	
Email Address								Phone (Cell):		Place of Employment	
Arrest Location 1000 GRINNELL ST								Phone (Work):		Arresting Officer GILLESPIE, ANTHONY M. (3757)	
Violation Location 1000 GRINNELL ST, KEY WEST, FL 33040								Date/Time of Violation 11/02/2017 02:05		Date/Time Arrested 11/02/2017 03:29	
DL # B253290920010		State FL	Breathalyzer By		Reading	Miranda Advisement		By Whom?		Indication of: Y N UK	
Domestic Violence		Weapon Seized NOT APPLICABLE/NONE		Officer Injured?		Language Spoken?		Caution		Alcohol Influence: <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Drug Type:		Type:		B-Barbiturate H-Hallucinogen P-Paraphernalia/ U-Unknown		Activity:		Activity:		K-Dispense/	
				N-N/A C-Cocaine M-Marijuana Equipment Z-Other						Distribute	
				A-Amphetamine E-Heroin O-Opium S-Synthetic						Z-Other	
										S-Sell D-Deliver Cultivate	

Defendant's 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 CHARGE	Statute	Warrant #	Court Date and Time	Citation #
1/M	RESIST / OBSTRUCT OFFICER W/O VIOLENCE	843.02			

Before me this date personally appeared who being first duly sworn deposes and says that on the **2nd day of November, 2017** at **1000 GRINNELL ST, 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
On 11/02/2017, at approximately 0205 hours, I responded to the 1000 block of Grinnell St in reference to an intoxicated subject. Key West Communications advised that a male (later identified as Gabriel Justus Besant) was laying on the side walk somewhere on Grinnell St, between Truman Ave and Virginia St.

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

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.

SIXTEENTH JUDICIAL COURT
MONROE County
State of FLORIDA

Monroe County Adult Arrest Form

KEY WEST PD
ARREST #

OBTS # _____

Upon arrival, I observed Besant lying face down, half on the sidewalk and half in a parking spot in the 1000 Block of Grinnell St. I approached Besant and attempted to wake him. As I attempted to wake him, he started making strange noises and faces that made me believe that Besant may have been under the influence of some kind of drug or alcohol.

I requested on COMM 1 for rescue to assist.

Besant finally started to wake up. Besant then jumped up, ran into the street and ran into the hood of my car. Besant bounced off of my car and continued to run around behind my car and head first into a parked U-Haul type truck. Besant fell to the ground and didn't move. I approached him and attempted to wake him. Besant woke up and started talking to me. I allowed Besant to stand up next to me. Besant then started to act aggressive toward me and tried to push passed me and walk away. I pushed Besant against the U-Haul truck and told him to calm down and that rescue was on the way to check him out. Besant calmed down again. I attempted to gain information from Besant, but was unsuccessful. Besant wouldn't cooperate. Besant started to get more and more aggressive towards me. Besant started yelling at me and balling up his fists in an aggressive manner. Besant yelled "Fuck You" and charged at me, taking a couple steps toward me. I backed away from Besant as he was still coming toward me. I yelled stop and deployed my Taser.

One Taser Probe hit Besant in the center of his chest and the other hit him in the upper left side of his stomach. I executed one, 5 second round from the Taser. I ordered Besant to roll onto his back and give me his hands. Besant complied with all other lawful commands.

I placed hand cuffs on Besant and placed him under arrest.

One of the Taser probes had fallen out of Besant's upper stomach area. I removed the second Taser probe from the center of Besant's chest.

Sgt. Duponty arrived on scene.

Rescue transported Besant to Lower Keys Medical Center from treatment. Ofc. Dehanas rode with Besant in the Rescue unit to Lower Keys Medical Center.

Lower Keys Medical Center treated Besant and medically cleared him.

I transported Besant to Monroe County Detention Center without incident.

Gabriel Justus Besant did knowingly and intentionally resist, obstruct, me while lawfully executed my duties as a police officer when he charged at me. For this action Besant violated FSS 843.02 Resisting officer without violence to his or her person.

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

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.

SIXTEENTH JUDICIAL COURT
MONROE County
State of FLORIDA

INCIDENT DATA

Case#	17-005394
Date / Time Reported	11/02/2017 02:05 Thu
Last Known Secure	11/02/2017 02:05 Thu
At Found	11/02/2017 02:05 Thu

MOV
I
C
T
I
M

OTHERS INVOLVED

PROPERTY

Status	Complainant Signature	Case Status <i>Cleared By Arrest</i> 11/02/2017	Case Disposition: <i>Cleared By Arrest</i> 11/02/2017	Page 1
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INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 17-005394

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

DEHANAS, B.T. (3756), DUPONTY, F.T. (1951)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

17-005394

Victim

Society

Offense

RESIST ARREST / ESCAPE

Date / Time Reported

Thu 11/02/2017 02:05

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Upon arrival, I observed Besant lying face down, half on the sidewalk and half in a parking spot in the 1000 Block of Grinnell St. I approached Besant and attempted to wake him. As I attempted to wake him, he started making strange noises and faces that made me believe that Besant may have been under the influence of some kind of drug or alcohol.

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Lower Keys Medical Center treated Besant and medically cleared him.

I transported Besant to Monroe County Detention Center without incident.

I activated my BWC during the incident and uploaded it to the COBAN server.

The spent Taser cartridge bearing number C4102N6HP, was entered into property.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

17-005394

Victim

Society

Offense

RESIST ARREST / ESCAPE

Date / Time Reported

Thu 11/02/2017 02:05

Gabriel Justus Besant did knowingly and intentionally resist, obstruct, me while lawfully executed my duties as a police officer when he charged at me. For this action Besant violated FSS 843.02 Resisting officer without violence to his or her person.

Incident Report Suspect List

Key West Police Department

OCA: 17-005394

1	Name (Last, First, Middle) <i>BESANT, GABRIEL JUSTUS</i>						Also Known As				Home Address <i>2221 PATTERSON AVE KEY WEST, FL 33040 305-834-6250</i>																																																														
	Business Address																																																																								
	DOB <i>01/01/1992</i>	Age <i>25</i>	Race <i>W</i>	Sex <i>M</i>	Eth	Hgt <i>508</i>	Wgt <i>160</i>	Hair <i>BRO</i>	Eye <i>BRO</i>	Skin <i>LGT</i>	Driver's License / State. <i>B253290920010 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 colspan="2">Feature</td> <td colspan="2">Make</td> <td colspan="3">Model</td> <td>Color</td> <td>Caliber</td> <td colspan="5">Dir of Travel</td> </tr> <tr> <td colspan="3">Veh Yr/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">Mode of Travel</td> </tr> <tr> <td colspan="3"></td> <td></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></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					Veh Yr/Make/Model			Drs	Style		Color		Lic/St		Mode of Travel															VIN				
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CASE SUPPLEMENTAL REPORT

Printed: 11/02/2017 22:21

OCA: **17005394**

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

Investigator: *DEHANAS, BRETT T (3756)*

Date / Time: *11/02/2017 03:18:39, Thursday*

Supervisor: *DUPONTY, FRANK T (1951)*

Supervisor Review Date / Time: *11/02/2017 05:31:42, Thursday*

Contact:

Reference: *General Supplemental Report*

On 11/02/17, at approximately 0210hrs, I (Ofc. DeHanas) responded as backup for Ofc. Gillespie, near the area of Truman Ave. and Grinnell St.

Ofc. Elsmore provided me the following items:

- Item One: spent taser cartridge that Ofc. Gillespie used in this incident
- Item Two: AFIDS

I later submitted the property to the Property and Evidence Section of the Key West Police Department.

My body worn camera was activated during this incident. I later uploaded my BWC footage onto the Key West Police Department COBAN Server.

Investigator Signature: _____

Incident Report Related Property List

Key West Police Department

OCA: 17-005394

1 Property Description SPENT TASER CARTRIDGE		Make TASER		Model TASER CARTRIDGE		Caliber	
Color	Serial No. C4102N6HP	Value \$0.00		Qty 1.000	Unit EA	Jurisdiction Locally	
Status Evidence	Date 11/02/2017	NIC #	State #	Local #		OAN	
Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex

Notes

2 Property Description AFIDS		Make TASER		Model AFIDS		Caliber	
Color	Serial No.	Value \$0.00		Qty 4.000	Unit EA	Jurisdiction Locally	
Status Evidence	Date 11/02/2017	NIC #	State #	Local #		OAN	
Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex

Notes

3 Property Description BWC FOOTAGE		Make BWC FOOTAGE		Model BWC FOOTAGE		Caliber	
Color	Serial No.	Value \$0.00		Qty 2.000	Unit EA	Jurisdiction Locally	
Status Evidence	Date 11/02/2017	NIC #	State #	Local #		OAN	
Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex

Notes