

Response to Resistance Report

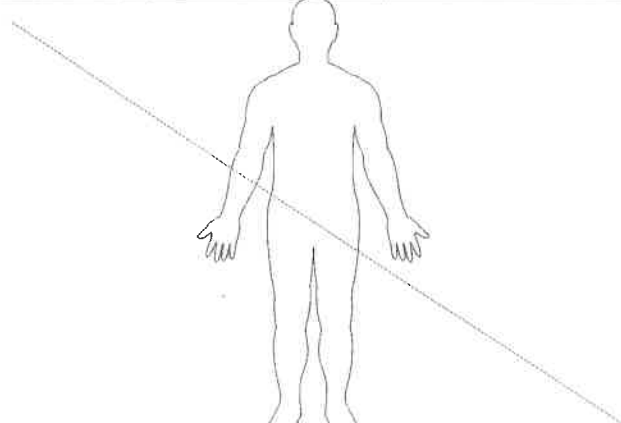
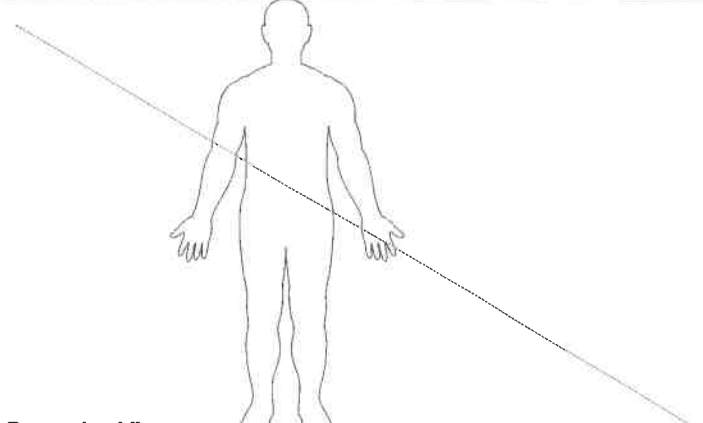
Key West Police Department

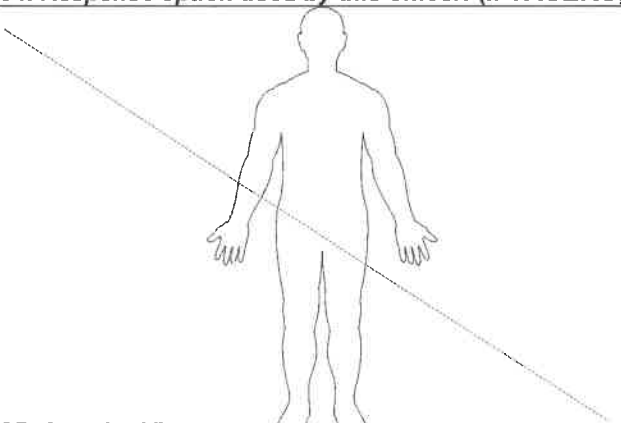
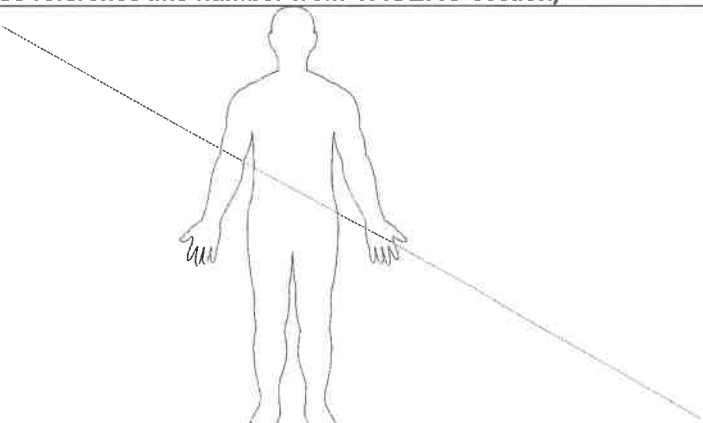
Case No: 21-0200

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: 01/12/21	3. Time: 0250	4. Location: 321 Grinnell Street	5. Incident type: Resist w/o viol.
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Refusal to obey lawful orders	<input checked="" type="checkbox"/> Physical Control	Transporter and takedown
	<input checked="" type="checkbox"/> Active:	Pulling away, tensing	<input type="checkbox"/> Non-lethal Weapon	
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

SUBJECT	10. Last Name: Fraley	11. First: Jerry Kyle	12. Race: W	13. Sex: M
	14. DOB: 08/24/90	15. Height: 6'01"	16. Weight: 175	
	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 checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)			
	20. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 21. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention			
				
	22. Anterior View		Posterior View	

OFFICER	23. Officer: Joelle Deese	24. Race: W	25. Sex: F	26. Age: 24	27. Height: 5'07"	28. Weight: 140
	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: 1					
	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: (If TASER®, also reference line number from TASER® section)					
						
	35. Anterior View		Posterior View			

Response to Resistance Report (continued)

Key West Police Department

Case No:

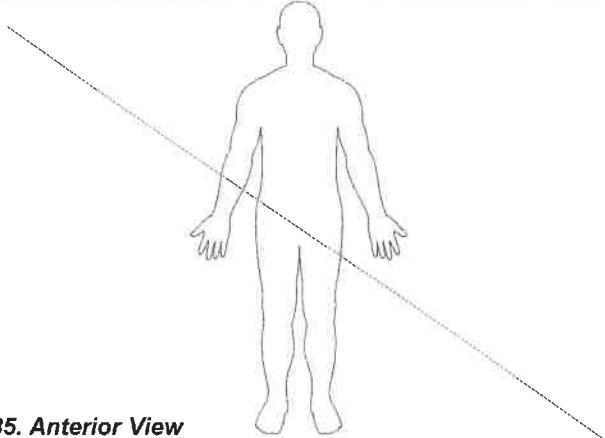
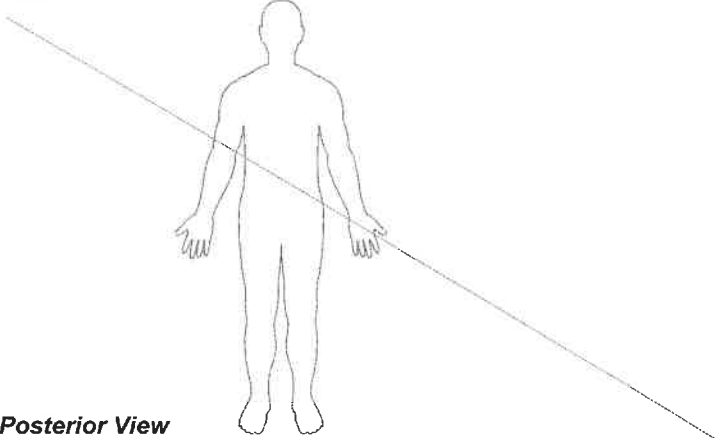
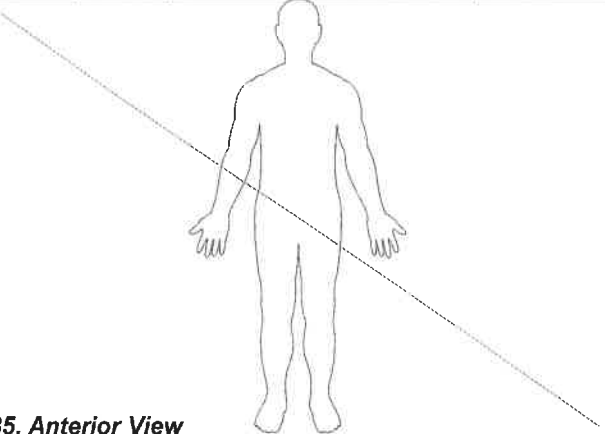
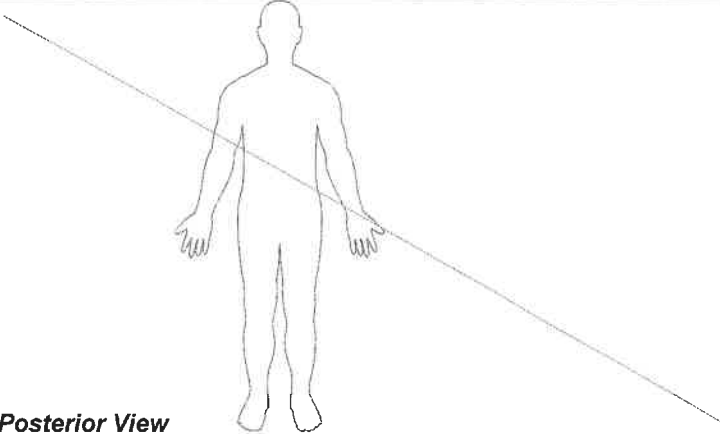
21-0200

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:	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: 01/12/21		
	41. Time: 0250		
	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	Phone Number
INT. AFF.	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		
	48. Preparing Supervisor's Signature / ID		
	49. Date		
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 checked="" type="checkbox"/> Yes (If "No", complete section 51)		
	51. Signature of Internal Affairs Inspector		
INT. AFF.	52. Date		
	53. If section 48 is "No" record the Professional Standards Control Number:		
INT. AFF.	54. Date Entered:		

Response to Resistance Report (continued)

Key West Police Department

Case No: 21-0200

OFFICER	23. Officer: Raymond Roscoe				24. Race: W	25. Sex: M	26. Age: 42	27. Height: 5'07"	28. Weight: 165
	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: 1		
	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: (If TASER®, also reference line number from TASER® section)								
									
	35. Anterior View				Posterior View				
OFFICER	23. Officer: Alex Rodriguez				24. Race: W	25. Sex: M	26. Age: 29	27. Height: 5'09"	28. Weight: 165
	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: 8.5		
	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: (If TASER®, also reference line number from TASER® section)								
									
	35. Anterior View				Posterior View				

INCIDENT/INVESTIGATION REPORT

I N C I D E N T D A T A	Agency Name Key West Police Department		INCIDENT/INVESTIGATION REPORT		Case# 21-000200				
	ORI FL0440100				Date / Time Reported 01/12/2021 02:44 Tue				
	Location of Incident 321 GRINNELL ST, Key West FL 33040-				Last Known Secure 01/12/2021 02:44 Tue				
					At Found 01/12/2021 02:44 Tue				
D E T A I L S	#1	Crime Incident(s) Resist Arrest / Escape XOM	(Com)	Weapon / Tools NOT APPLICABLE/NONE	Activity				
				Entry	Exit	Security			
	#2	Crime Incident	()	Weapon / Tools	Activity				
				Entry	Exit	Security			
	#3	Crime Incident	()	Weapon / Tools	Activity				
				Entry	Exit	Security			
MO									
V I C T I M	# of Victims 1		Type: SOCIETY/PUBLIC/STATE		Injury: Domestic: N				
	V1	Victim/Business Name (Last, First, Middle) Society		Victim of Crime # 1	DOB Age	Race Sex N/A			
	Home Address				Home Phone				
	Employer Name/Address				Business Phone	Mobile Phone			
	VYR	Make	Model	Style	Color	Lic/Lis	VIN		
O T H E R S	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)								
	Type: INDIVIDUAL		Injury:						
	Code RP	Name (Last, First, Middle) MULQUEEN, DENNIS BASIL		Victim of Crime #	DOB 10/11/1953 Age 67	Race Sex W M			
	Home Address 321 GRINNELL ST KEY WEST, FL 33040				Home Phone 248-444-1863				
	Employer Name/Address RETIRED				Business Phone	Mobile Phone			
	Type:		Injury:						
	Code	Name (Last, First, Middle)		Victim of Crime #	DOB Age	Race Sex Relationship To Offender			
I N V O L V E D	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				
P R O P E R T Y	35	EVID		\$0.00		2	AXON BWC 3946		
	35	EVID		\$0.00		1	AXON IN CAR		
	99	SAFE		\$25.00		1	POCKET KNIFE		
Officer/ID# DEESE, JOELLE (3946)		Outstanding Stolen Val [Total Stolen]: \$25.00 [\$25.00]							
Invest ID# (0)		Supervisor RODRIGUEZ, ALEXANDER (3465)							
Status	Complainant Signature		Case Status Cleared By Arrest 01/12/2021		Case Disposition: Cleared By Arrest 01/12/2021		Page 1		

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-000200

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
RODRIGUEZ, A. (3465), ROSCOE, R. (4011)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 21-000200

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

OCA

21-000200

Key West Police Department

Victim

Society

Offense

RESIST ARREST / ESCAPE

Date / Time Reported

Tue 01/12/2021 02:44

on January 12th, 2021 at approximately 0244 hours, I (Officer Deese) was dispatched to 321 Grinnell street in reference to a male trespassing and banging on the residence front door.

Upon arrival, I heard Sgt. A Rodriguez ask a gentleman to stand up and leave the porch. While I was approaching the porch, I heard Sgt. Rodriguez ask the male several more times to stand up. The male refused to stand up. I witnessed Sgt. Rodriguez approach the porch and grab the male's right wrist to try and gain control. Sgt. Rodriguez tried to pull the male out of the seat he was sitting in. Between the male's legs, on the ground appeared to be fresh vomit. Sgt. Rodriguez asked the male to stop resisting and to stand up multiple times. The male continued to refuse to stand up and began to tense his muscles and try to pull out of Sgt. A Rodriguez's grip. At this time, Ofc. Roscoe grabbed the male's left hand and began telling him to stand up. The male refused to stand up. Ofc. Roscoe and Sgt. A. Rodriguez began to pull in unison to get the male to stand. The male planted his feet on the ground and hunched over in his chair. He used his feet as leverage to pull against the officer's grasp and to keep himself planted in the chair. At this time, I grabbed the male's outer thighs and physically had to lift him out of the chair. Sgt. A. Rodriguez, Ofc. Roscoe and I had to physically lift his entire body out of the chair and walk him off of the porch. At this time, the male continued to tense his muscles and try to pull from officer's grasps. We placed the male on his back at the bottom a couple of stairs.

Once the male was on his back on the ground, Sgt. A. Rodriguez asked him to roll over onto his stomach. The male refused. Officers had to physically roll him over on to his stomach. At this time, the male tried to pin his arms to his chest and lay on them. Officers were able to physically pull his arms behind his back while the male continued to tense up and try to pull away. I was able to safely handcuff the male. Sgt. A. Rodriguez searched the male and located a wallet. In the wallet was a Florida driver's license which identified the white male as Jerry Fraley (DOB 08/24/1990).

All officers were in their marked patrol vehicles and issued uniforms with agency insignia. Any reasonable person would have been able to distinguish Sgt. A. Rodriguez, Ofc. Roscoe and I as law enforcement. Officers were giving Fraley lawful orders to remove himself from the porch and leave the property. Fraley refused to do so which in turn, caused officers to gain compliance physically.

I was unable to double lock the handcuffs due to Fraley continuously tense and pull away from officers.

I transported Fraley to the Monroe County Detention Center without incident.

Fraley refused to give me any information I was requesting (place of employment/occupation/city of birth).

At this time, I believe there is probable cause the on January 12th, 2021, Jerry Fraley did knowingly and intentionally resist by refusing to stand up and remove himself from the porch after multiple opportunities. Fraley was given lawful orders by law enforcement and he did not comply. Fraley did knowingly and intentionally tense and pull away from officers, causing them to physically remove him from the porch violating F.S.S 843.02 Resist officer with out violence.

No officers were harmed during the altercation.

Incident Report Suspect List

Key West Police Department

OCA: 21-000200

1	Name (Last, First, Middle) FRALEY, JERRY KYLE						Also Known As				Home Address 4680 GLEBE FARM RD SARASOTA, FL 34235																																		
	Business Address REFUSED																																												
	DOB 08/24/1990	Age 30	Race W	Sex M	Eth N	Hgt 511	Wgt 180	Hair BRO	Eye BLU	Skin LBR	Driver's License / State. F640431903040 FL																																		
	Scars, Marks, Tattoos, or other distinguishing features																																												
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td>Height</td> <td>Weight</td> <td colspan="2">SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="2">Model</td> <td>Color</td> <td>Caliber</td> <td colspan="2">Dir of Travel</td> <td>Mode of Travel</td> </tr> <tr> <td colspan="2">VehYr/Make/Model</td> <td>Drs</td> <td>Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="3">VIN</td> </tr> </table>													Reported Suspect Detail		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		
Reported Suspect Detail		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																																					
Notes						Physical Char																																							

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 01/12/2021 03:50

OCA: **21000200**

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

Investigator: *ROSCOE, RAYMOND (4011)*

Date / Time: *01/12/2021 03:37:18, Tuesday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 01/12/2021 at 0244 hours I was dispatched to 312 Grinnell St. for a trespassing call.

When I arrived, Sgt A. Rodriguez was on the porch of the above residence with Jerry Fraley (later identified by a FL DL).

As I approached I could see and hear Sgt. A. Rodriguez instructing Fraley, who was sitting in a chair on the porch, to get out of the chair. Fraley tensed up and refused to get out of the chair. Sgt. A. Rodriguez had ahold of Fraley's right arm, in attempt to escort him off the porch. I approached and grabbed Fraley's left arm. Fraley pulled his arm away and refused to get out of the chair.

When Ofc. Deese arrived she approached the porch and gained control of Fraley's legs. We then picked Fraley up and escorted him off the porch. We escorted Fraley to the sidewalk in front of the house. Fraley was laid on his back, then rolled onto his stomach and handcuffed.

Fraley was searched and placed into the back of Ofc. Deese's patrol car without further incident.

My BWC recorded the above interaction.

Nothing further at this time.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 01/12/2021 03:29

OCA: **21000200**

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

Investigator: *RODRIGUEZ, ALEXANDER (3465)*

Date / Time: *01/12/2021 03:16:56, Tuesday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On Tuesday, January 12, 2021 at approximately 0245 hours, I (Sgt. A. Rodriguez) responded to 321 Grinnell Street in reference to a male subject trespassing on the porch of a residence. The caller reported a male aggressively banging on the front door of the house. Ofc. R. Roscoe and Ofc. J. Deese also responded to the call.

Upon arrival, I saw a white male, later identified as Jerry Kyle Fraley, seated on a chair on the porch. Fraley appeared to have vomit on the ground in between his feet. I called to Fraley from the sidewalk and instructed him to walk off the porch and to speak with me on the sidewalk. Fraley refused, and said that I was not the police. I was driving a marked Key West Police patrol vehicle and in my uniform with agency insignia. It was clearly discernible that I was a police officer.

I continued to try to coax Fraley off the porch but he refused. I approached Fraley and attempted to gain control of his right arm in an attempt to guide him off the porch, but he tensed and pulled his arm away. I used digital pressure to the rear of his right ear in an attempt to gain compliance via a pressure point, while still attempting to maintain control of his right arm. Fraley continued to resist my lawful orders to exit the porch and to not resist.

Ofc. R. Roscoe entered the porch and gained control of Fraley's left arm and Ofc. J. Deese gained control of both of Fraley's ankles/feet (Fraley was using his feet to brace himself). Ofc. J. Deese pulled Fraley's legs out from underneath his body, and all three of us transported him to the sidewalk, and Ofc. J. Deese applied handcuffs.

Ofc. J. Deese ultimately transported Fraley to jail in reference to a resisting without violence charge.

My AXON BWC was activated for this incident.

I had no further involvement in this case.

Investigator Signature: _____