

Response to Resistance Report

Key West Police Department

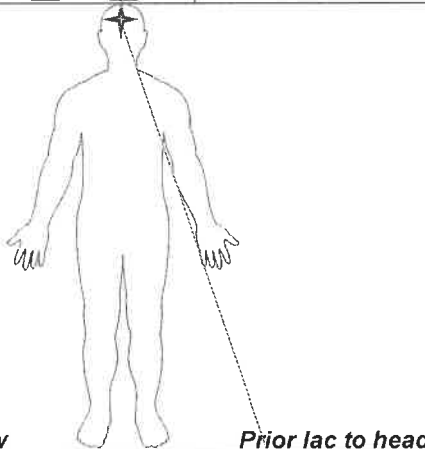
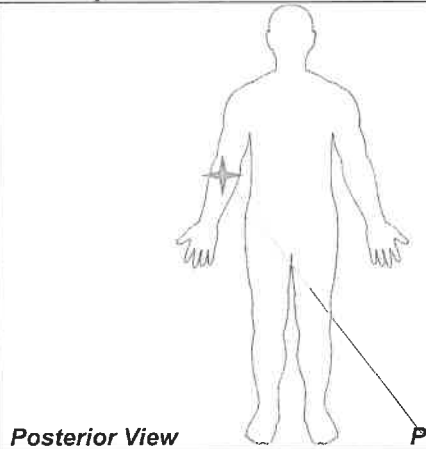
Case No: 21-4946

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

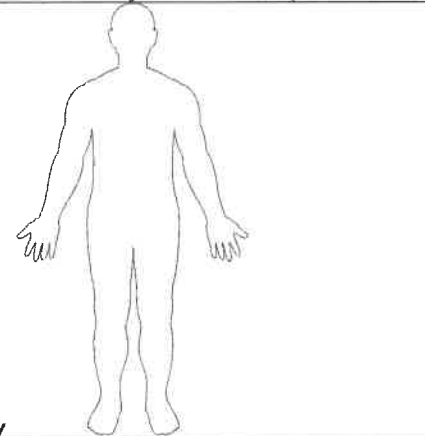
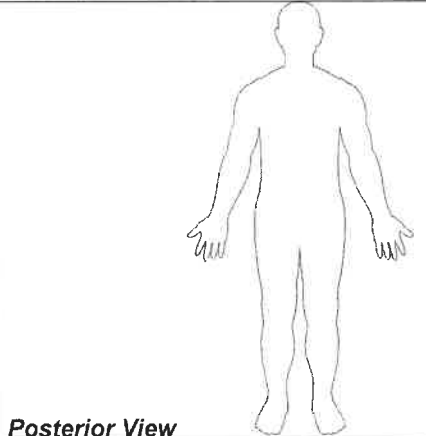
- ☐ A response through the use of non-lethal weapons,
☒ Applies weaponless physical force of strikes, kicks, or "take-downs"
☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force
☐ When any person complains of injury as a result of the application 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: 09/11/21	3. Time: 0033	4. Location: 3700 N. Roos. Blvd.	5. Incident type: Medical Assist
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input type="checkbox"/> Passive:		<input checked="" type="checkbox"/> Physical Control	Modified arm bar
	<input checked="" type="checkbox"/> Active:	Walking/Pulling away	<input type="checkbox"/> Non-lethal Weapon	
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

SUBJECT	10. Last Name: Sexton	11. First: James	12. Race: W	13. Sex: M
	14. DOB: 07/26/1947	15. Height: 6'03"	16. Weight: 185	
	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 checked="" 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 checked="" type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Detention			

SUBJECT		
	22. Anterior View	22. Posterior View

OFFICER	23. Officer: Thomas Clark	24. Race: W	25. Sex: M	26. Age: 33	27. Height: 5'11"	28. Weight: 230
	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: 9					
	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) Takedown						

OFFICER		
	35. Anterior View	35. Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 21-4946

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: 09/11/21	41. Time: 0033	
	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)		
	****Other note- injuries were sustained prior to law enforcement encounter, subj. was flown to Jackson South****		
	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		
	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input type="checkbox"/> Yes If "No", complete section 51)		
51. Signature of Internal Affairs Inspector		52. Date	
53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:	

INCIDENT DATA

MO

V
I
C
T
I
M

OTHERS INVOLVED

PROPERTY

R CS1IBR

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-004946

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

HANSELL, M. (3648), RODRIGUEZ, A. (3465)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim	Offense <i>INJURY ON CITY PROPERTY</i>	OCA <i>21-004946</i> Date / Time Reported <i>Sat 09/11/2021 00:30</i>
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INJURY CITY PROPERTY/RESPONSE TO RESISTANCE INCIDENT

On 09/11/21, at approximately 0030hrs, I (Ofc. Clark), while on routine patrol of 3700 N. Roosevelt Blvd, Exxon Gas Station, observed an injured person, bleeding heavily on the public sidewalk.

BWC activated

I saw a white male subject, later identified by name and DOB as, James Sexton 07/26/47, bleeding heavily from his left arm and forehead. Sexton was seated on the curb, bleeding into the busy roadway. I was unsure if Sexton had been hit by a vehicle.

I immediately turned my patrol vehicle around and requested EMS respond.

On approach, I attempted to find out what happened and get treatment for Sexton. Sexton smelled strongly of an alcoholic beverage, had slurred speech and I could see his skull protruding from under a large laceration in his forehead. Sexton was wearing only boxers and tennis shoes.

Sexton told me he was fine and could not tell me what happened to him. Sexton appeared dazed and confused as if he was lost. Sexton began attempting to leave, stumbling around. Increasing my fears for his safety and well being.

I was in full KWPD uniform, announced myself as a police officer and gave numerous lawful commands for Sexton to sit or not to resist. I held a grasp on Sextons wrist, but kept losing my grip on his bloody arms. Sexton pushed and pulled from my grasp and continued to attempt to walk away.

I held a well placed fear that Sexton had either been a victim of a serious crime and or accident and was a danger to himself. I feared Sexton would bleed out or stumble into the roadway.

I attempted verbal commands, physical control, which I was unable to retain due to his resistance (pushing/pulling away) and slippery/bloody arms and wrist.

I then used a controlled straight arm takedown on his right wrist, guiding him into the grass. Ofc. M. Hansell (see supplemental report) and Sgt A. Rodriguez (see Response to Resistance Incident Report) assisted me in securing Sexton as he continued to pull away from our grasps.

EMS responded to the scene and advised Sexton would be flown out by Trauma Star due to his mental state and head injury.

I took photos of the scene where I initially observed Sexton, downloading to Axon and submitting to City Of Key West Risk Management. I checked the roadway to ensure Sexton was not hit by a vehicle. Due to the bloodsplatter on the curb in front of the Exxon, I believe Sexton fell on the curb striking his head.

Sexton was flown out to Jackson South for treatment.

Ofc. Hansell notified Sexton's wife via phone call.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

21-004946

Victim

Offense

INJURY ON CITY PROPERTY

Date / Time Reported

Sat 09/11/2021 00:30

This case is information only.//

Incident Report Related Property List

Key West Police Department

OCA: 21-004946

1	Property Description BWC 3484			Make		Model		Caliber	
	Color	Serial No.	Value \$0.00	Qty 2.000	Unit	Jurisdiction Locally			
	Status Evidence	Date 09/11/2021	NIC #	State #	Local #	OAN			
	Name (Last, First, Middle) Roseum, Alice Jean			DOB 04/16/1952	Age 69	Race W	Sex F		

Notes

2	Property Description DIGITAL PHOTOS			Make		Model		Caliber	
	Color	Serial No.	Value \$0.00	Qty 6.000	Unit	Jurisdiction Locally			
	Status Evidence	Date 09/11/2021	NIC #	State #	Local #	OAN			
	Name (Last, First, Middle) Roseum, Alice Jean			DOB 04/16/1952	Age 69	Race W	Sex F		

Notes

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 09/11/2021 02:49

OCA: **21004946**

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

Investigator: *HANSELL, MATTHEW (3648)*

Date / Time: *09/11/2021 01:59:01, Saturday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 09-11-2021, I K-9 Ofc. Hansell of the Key West Police Department, responded to 3700 N. Roosevelt Blvd responded to an officer needing assistance.

Ofc. Clark had found a male bleeding from the head in front of Uppy's Gas Station. The male soon became combative and Officer Clark was unable to control the elderly male.

At one point I heard Ofc. Clark scream over the radio that he needed assistance and I could tell by the tone of his voice that he was struggling.

As I arrived on scene and I could see Ofc. Clark and the male, later identified as James Sexton in what can only be described as a tug of war as each had their hands locked together pulling in opposite directions.

I watched as a blood covered Sexton slipped from his grip of Ofc. Clark's hands, which allowed Ofc. Clark to quickly perform a straight arm take down of Sexton gently taking him to the ground.

I jumped out of my K-9 vehicle and grabbed a hold of one of Sexton's bloody hands as we held a screaming Sexton to the ground. Sexton kept saying over and over that he wanted to get up and go back to his hotel room.

Ofc. Clark and myself held Sexton on the ground and with the added assistance of Sgt. A. Rodriguez and Ofc. Kenneth Waite, were able to place Sexton into protective custody using hand cuffs.

Key West Fire Rescue arrived on scene and I stayed on scene until told by Sgt. A. Rodriguez to go to room 133 of the Hilton Garden Inn to see if Sexton's wife was still there.

Myself and Ofc. Lopez arrived at the hotel and noticed the room door a-jar. I knocked on the door and gave my Key West Police Department announcement, however no one was home.

I circulated the property looking for Sexton's vehicle and or his wife with no luck. I went to the front desk, who provided me with Sexton's wife Alice's phone number. I spoke with a very pleasant lady by phone, who said she was James wife Alice Sexton. Alice told me she was already near Coral Gables and had left the hotel earlier due to James heavy drinking and being uncontrollable.

I told Alice of the incident involving James and that he would be flown to Jackson Memorial. Alice asked if I could retrieve James very expensive watch and phone from the hotel room and put it into property for them.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 09/11/2021 02:49

OCA: **21004946**

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

Investigator: *HANSELL, MATTHEW* (3648)

Date / Time: *09/11/2021 01:59:01, Saturday*

Supervisor: (0)

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

I located both items and later placed them into property at the police station.

My BWC was used for this incident.

EOR

Investigator Signature: _____

Incident Report Related Property List

Key West Police Department

OCA: 21-004946

1	Property Description MENS SWISS DIAMOND WATCH			Make		Model		Caliber	
	Color	Serial No.	Value \$10,000.00		Qty 1.000	Unit DU		Jurisdiction Locally	
	Status Safekeeping	Date 09/11/2021	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) Sexton, James Swindle				DOB 07/26/1947		Age 74	Race W	Sex M

Notes

2	Property Description CELL PHONE			Make		Model		Caliber	
	Color	Serial No.	Value \$100.00		Qty 0.000	Unit DU		Jurisdiction Locally	
	Status Safekeeping	Date 09/11/2021	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) Sexton, James Swindle				DOB 07/26/1947		Age 74	Race W	Sex M

Notes

3	Property Description BWC / 3648			Make		Model		Caliber	
	Color	Serial No.	Value \$0.00		Qty 1.000	Unit		Jurisdiction Locally	
	Status Evidence	Date 09/11/2021	NIC #	State #		Local #		OAN	
	Name (Last, First, Middle) * No name *				DOB		Age	Race	Sex

Notes