



KEY WEST POLICE DEPT.

1604 N. ROOSEVELT BLVD.
Key West, FL, 33040
(305) 809-1000

Draft

Juvenile

Response to Resistance EVT-00000514-1

Response to Resistance EVT-00000514-1

Primary Officer: Malsheimer, Karl (3388)

Overview

Event Information

Reporting

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"
- ☐ Discharge of firearm in the line of duty, off-duty or on-duty (other than for training, maintenance or ballistics testing)
- ☒ When any person complains of injury as a result of the application of force
- ☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force

Event Details

| | | |
|--|--------------------|---------------|
| INCIDENT ID 0124005551 | DATE 10/27/2024 | TIME 15:05 |
| LOCATION 1400 Truman Ave, Key West, Monroe County, FL, 33040, USA | | |
| INCIDENT TYPE S36 - Battery | | |
| OTHER AGENCIES INVOLVED? N - No | | |

Persons



Person Role

| |
|-----------------|
| ROLE Subject |
|-----------------|

Person Details

| | | | | |
|-------------------------|-----------------|----------------------------------|-----------|-------------------------------------|
| LAST NAME [REDACTED] | NAME Barbara | MIDDLE NAME | SUFFIX | |
| DOB 10/28/2011 | AGE 12 | SEX F | RACE W | ETHNICITY Not Hispanic or Latino |
| HEIGHT 5' 4" | WEIGHT 120 | CLOTHING TYPE Loose / Hanging | | |

Identifying Documents

Document

Contact

Persons (continued)

[REDACTED] (continued)

Address

| |
|--------------------------|
| ADDRESS TYPE H - Home |
| LOCATION [REDACTED] |

Phone Number

E-Mail

Response to Resistance Circumstances

| |
|--|
| DID YOU OBSERVE THE SUBJECT? Yes |
| APPEARED TO BE <div><input type="checkbox"/> Emotionally/Mentally disturbed</div> <div><input type="checkbox"/> Intoxicated</div> <div><input checked="" type="checkbox"/> Not Applicable</div> <div><input type="checkbox"/> Under the influence of controlled substance</div> |
| SUBJECT ARRESTED Yes |

Officers

Salter, Christy (4153)

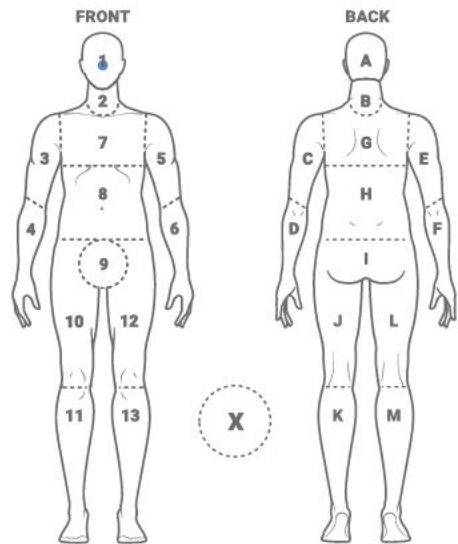
Officer Details

| | | | |
|---|--|---------------------|---|
| ROLE Involved | OFFICER / EMPLOYEE Salter, Christy (4153) | POSITION Officer | DIVISION Special Operations Division |
| EMPLOYEE YEARS OF SERVICE 1.5 | UNIFORMED OR PLAIN CLOTHES Uniformed | | |
| EMPLOYEE WAS ON DUTY Extra Duty Employment | | | |

| | | | |
|---|--|--------------------------------------|---------------------|
| EMPLOYEE RACE White | EMPLOYEE ETHNICITY Not Hispanic or Latino | EMPLOYEE SEX Female | |
| EMPLOYEE AGE 41 | EMPLOYEE HEIGHT 5' 6" | EMPLOYEE WEIGHT 140 | |
| INJURIES Evident | TREATED Yes | TREATED BY EMT/Paramedic on scene | PHOTOGRAPHS? Yes |
| BODY WORN CAMERA (BWC) ACTIVATED DURING INCIDENT <div><input type="checkbox"/> No</div> <div><input checked="" type="checkbox"/> Yes</div> | | | |

Officers (continued)

Salter, Christy (4153) (continued)



Injury Location

| | |
|--|---------------------------|
| BODY REGION Face | DETAILED LOCATION Nose |
| INJURY DETAILS Laceration to bridge of nose | |

Conaty, Jay (3755)

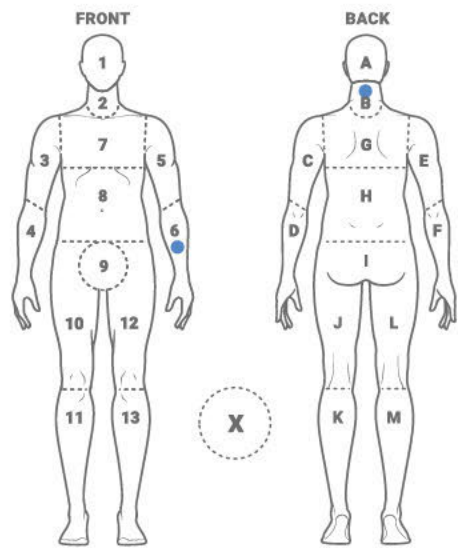
Officer Details

| | | | |
|----------------------------------|---|----------------------|---|
| ROLE Involved | OFFICER / EMPLOYEE Conaty, Jay (3755) | POSITION Sergeant | DIVISION Special Operations Division |
| EMPLOYEE YEARS OF SERVICE 8.5 | UNIFORMED OR PLAIN CLOTHES Plain Clothes | | |
| EMPLOYEE WAS ON DUTY Off Duty | | | |

| | | | | | |
|---|--|--|--|--------------------------------------|--|
| EMPLOYEE RACE White | | EMPLOYEE ETHNICITY Not Hispanic or Latino | | EMPLOYEE SEX Male | |
| EMPLOYEE AGE 39 | | EMPLOYEE HEIGHT 5' 9" | | EMPLOYEE WEIGHT 168 | |
| INJURIES Evident | | TREATED Yes | | TREATED BY EMT/Paramedic on scene | |
| | | | | PHOTOGRAPHS? Yes | |
| BODY WORN CAMERA (BWC) ACTIVATED DURING INCIDENT | | | | | |
| <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | | | | | |

Officers (continued)

Conaty, Jay (3755) (continued)



Injury Location

| | |
|--|---|
| BODY REGION Left Front Forearm | DETAILED LOCATION Left Front Forearm (Unspecified) |
| INJURY DETAILS Bite mark & abrasion | |

| | |
|---|-----------------------------------|
| BODY REGION Back of Neck | DETAILED LOCATION Back of Neck |
| INJURY DETAILS Abrasion & scratch mark | |

Response Action

Response Action

| | | |
|---|--|--|
| FORCE USED AGAINST P - Person | | |
| PERSON FORCE USED AGAINST [REDACTED] [REDACTED] | | |
| RESISTANCE LEVEL <input checked="" type="checkbox"/> Active <input checked="" type="checkbox"/> Aggressive <input type="checkbox"/> Deadly Force <input type="checkbox"/> Passive | | |
| EXPLANATION OF RESISTANCE LEVEL Active - Pulling away Aggressive - Attempting to hit officers with hands, kicked Officer Salter. Bit Sergeant Conaty and scratched his neck. | | |

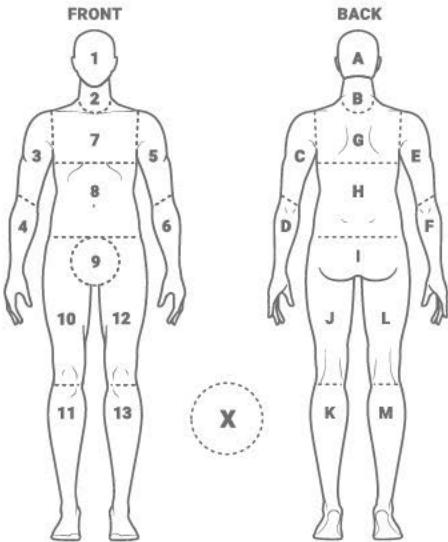
Force

Force

Response Action (continued)

Response Action

| | |
|--|--|
| INVOLVED OFFICER Conaty, Jay (3755) | FORCE TYPE Hands-On - Intentional Grounding |
| NUMBER OF APPLICATIONS 1 | |



Force Location

Related Injuries

Response Action

| | | |
|---|--|--|
| FORCE USED AGAINST P - Person | | |
| PERSON FORCE USED AGAINST [Redacted] | | |
| RESISTANCE LEVEL <input checked="" type="checkbox"/> Active <input checked="" type="checkbox"/> Aggressive <input type="checkbox"/> Deadly Force <input type="checkbox"/> Passive | | |
| EXPLANATION OF RESISTANCE LEVEL Active - Pulling away Aggressive - Attempting to hit officers with hands, kicked Officer Salter. Bit Sergeant Conaty and scratched his neck. | | |

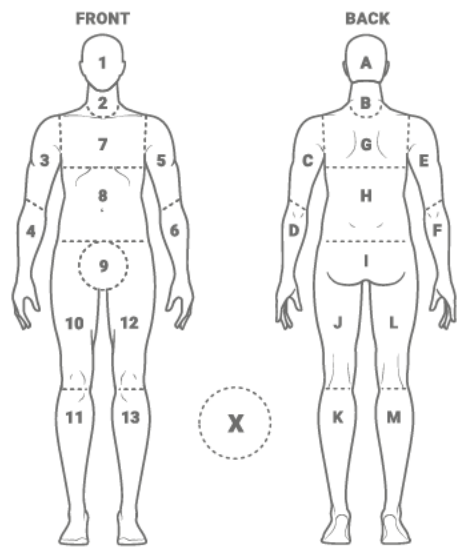
Force

Force

| | |
|--|--|
| INVOLVED OFFICER Salter, Christy (4153) | FORCE TYPE Hands-On - Joint Locks/Manipulations |
| NUMBER OF APPLICATIONS 1 | |

Response Action (continued)

Response Action



Force Location

Related Injuries

Investigation

Investigation Details

Report Information

OFFENSE/INCIDENT REPORT AND/OR WARRANT AFFIDAVIT MUST INCLUDE

☒ All details of the arrest

☒ All necessary criminal elements

☒ Detailed description of injury complaints and/or observed injuries

☒ Details articulating the subject's words, mannerisms and actions that justify the Response to Resistance

☒ Details outlining the Response to Resistance utilized by each officer

☒ Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject

Narrative

NARRATIVE OF INCIDENT

Officer Stutz (arresting officer) narrative:

On Sunday, October 28, 2024, at approximately 1505 hours, Ofc. Salter called out a physical disturbance at 1400 Truman Ave., Bayview Park, at the Children's Day Festival. Ofc. Salter was attempted to be raised via radio multiple times with no results.

Ofc. Perez and I then initiated a priority response as Ofc. Salter had not answered.

Investigation (continued)

Investigation Details

On arrival, we were directed to the center of the park where I observed, Ofc. Salter, Off-Duty Sgt. Conaty, Off Duty MCSO Robert Salter, Off Duty MCSO Traci Howanitz, and Off Duty MCSO Barbara Carbrera were detaining a juvenile female, later identified as [REDACTED] (12).

I asked Ofc. Salter what happened. Ofc. Salter advised she observed [REDACTED] punching and pushing another juvenile, later identified as [REDACTED] (12). Ofc. Salter stated as the juveniles separated and [REDACTED] fled she saw [REDACTED] grab and tear his shirt. Ofc. Salter stated she announced herself and she grabbed [REDACTED] to lead her away. I observed Ofc. Salter was wearing her class B Key West Police Uniform and was clearly recognizable as an officer. Ofc. Salter stated [REDACTED] began to pull away and then turned and punched her in the face, knocking off her glasses and causing a laceration to her nose. I photographed the injury and entered the photograph into evidence. Ofc. Salter then stated Sgt. Conaty assisted her in gaining control of [REDACTED]. In the process Sgt. Conaty was bitten on the left forearm. Ofc. Salter advised [REDACTED] was eventually taken to the ground and hand-cuffed. Ofc. Salter advised [REDACTED] continued to resist by kicking her in the legs.

I then spoke to Off-Duty Sgt. Conaty about the incident. Sgt. Conaty advised he was in the park at the event and saw Ofc. Salter struggling with [REDACTED] who was actively pulling away from her. Sgt. Conaty advised he ran over and saw Ofc. Salter get struck in the face and he immediately assisted by wrapping his arms around [REDACTED]. Sgt. Conaty advised [REDACTED] continue to struggle with her arms and pulled her head down. Sgt. Conaty advised [REDACTED] then bit him on his left forearm. I observed an obvious bite mark on Sgt. Conaty's left forearm. I photographed Sgt. Conaty's injury and entered the photograph into evidence.

I then spoke to the juvenile victim, [REDACTED] and asked him about the incident. [REDACTED] stated he was talking to [REDACTED] about rumors that people were spreading about her. [REDACTED] stated [REDACTED] became upset with him and struck him in the head. [REDACTED] advised when he tried to pull away [REDACTED] grabbed his shirt, ripping it, and continued to attack him. I observed Sawyer had an abrasion on his left elbow. [REDACTED]'s injury was photographed and entered into evidence. [REDACTED]'s father, [REDACTED] responded to the scene and was advised about the incident. [REDACTED] then took custody of [REDACTED].

I then spoke to [REDACTED] about the incident. [REDACTED] stated she was at the children's Day Event and saw multiple subjects she identified as [REDACTED] and began talking to them. [REDACTED] stated [REDACTED] began scrolling through pictures in his phone and showing her pictures of herself nude. [REDACTED] stated she recognized them as her and confronted the boys about having the photos. [REDACTED] stated as the argument escalated she saw [REDACTED] laughing and went after him. [REDACTED] stated when someone grabbed her she assumed it was one of the other boys and she turned and punched, striking Ofc. Salter. [REDACTED] admitted to continuing to resist being placed into custody. [REDACTED] admitted to biting Sgt. Conaty but stated she did not know he was a police officer.

I later spoke to [REDACTED]'s mother, identified as [REDACTED] and advised her of the incident and that [REDACTED] was being placed into custody.

Sgt. Malsheimer responded to the scene for the Response to Resistance Incident and to document Officer injuries.

My BWC and in car cameras were activated for this incident and entered into evidence.

Based on my investigation I find probable cause that the following violations of Florida State Statutes were committed:

Count 1: FSS 784.03 Battery

[REDACTED] did touch or strike [REDACTED] against his will.

Count 2: FSS 784.03 Battery

[REDACTED] did bite Sgt. Conaty on the left forearm causing injuries.

Count 3: FSS 784.07 Battery on a Law Enforcement Officer

[REDACTED] did strike Ofc. Salter in the face with a closed fist causing injury. Ofc. Salter was in performance of her official duties and wearing the Key West Police Department Class B uniform, making her obviously recognizable as an Officer.

Count 4: FSS 843.01 Resisting with Violence

[REDACTED] did knowingly and willfully resist Ofc. Salter by doing violence by striking her in the face with a closed fist and continuing to kick at Ofc. Salter by kicking her in the legs.

I transported [REDACTED] to Monroe County Jail for processing without incident and advised the Department of Juvenile Justice of this incident as well. I contacted both DJJ Officers Dayme Ochoa and Ryan Lemay who took over custody arrangements from the jail.

//End of Report//

Investigation (continued)

Investigation Details

Sergeant Conaty's narrative below:

On Sunday, October 27, 2024 at approximately 1505 hours, I (Detective Sergeant Jay Conaty) was off-duty attending the Children's Day event at Bayview Park. While walking through the event with my family, my wife alerted me to Officer Cristy Salter struggling to apprehend a suspect. I turned to see Officer Salter bleeding from the face and a female who was unknown to me (later identified as Barbara [REDACTED] DOB 10/28/2011) pulling away and swinging her arms at Officer Salter in an aggressive manner.

I immediately went over to assist Officer Salter. I approached [REDACTED] from behind and put both of my arms around her to stop her from swinging her arms at Officer Salter. Once I restrained [REDACTED]'s arms, she began kicking Officer Salter who was directly in front of her. [REDACTED] repeatedly attempted to break free from my control by pulling her arms away from her body and thrashing them. Off duty Lieutenant Robert Salter (MCSO) also attempted to assist in restraining [REDACTED]

[REDACTED] then bit down on my left forearm with her mouth and broke one of her arms free, swung her arm at me and scratched my neck on the left side. I regained control of [REDACTED]'s arms by wrapping my arms around her. Due to her continued aggressive resistance, I performed a rear leg-sweep takedown and brought [REDACTED] to the ground in a controlled manner. I also went to the ground with [REDACTED] and held her in place while Officer Salter and Lt. Salter applied handcuffs. I stood up and broke contact with [REDACTED] once she was handcuffed.

During the entire interaction, [REDACTED] continued to resist and scream obscenities at officers and bystanders. [REDACTED] repeatedly said she was going to "fucking kill" bystanders. Officers Stutz and Agleev arrived to assist and [REDACTED] was brought to a patrol car and seated in the back. [REDACTED] continued to resist and pull away the entire time.

I sustained a deep bite mark on my left forearm and several lacerations on the left side of my neck from [REDACTED] I was treated on scene by KWFD. I also documented the notice of injury with the on-duty supervisor, Sgt. Karl Malsheimer.

Officer Salter's narrative below:

On Sunday, October 27, 2024, at approximately 1500 hours, I witnessed a fight in progress while working the Children's Day detail.

I witnessed B.C. throw a closed fist punch at A.S. while holding him by the shirt, ripping the shirt as he was running in the opposite direction of her. B.C. and A.S. had a reasonable distance between them when I approached B.C. and announced, Key West Police, Stop. I placed my right hand on B.C.'s left wrist and told her to stop and talk with me. B.C. then attempted to run to get away from me. B.C. continued to run, twisting and throwing her free arm around in an attempt to get out of my grip; during this time, B.C. turned her body to face me, and I was struck in the face, causing my glasses to cut my nose and fall off my face. While I had B.C. by the wrist, off-duty officers approached and aided in securing her. Ofc. Conaty wrapped his arms around B.C., and she bit him on the left forearm. Ofc. Conaty and Lt. Salter each had an arm, and I attempted to handcuff B.C. as she kicked me and continued resisting. B.C. was redirected to the ground, causing the handcuffs to be in her possession. Lt. Salter, Ofc. Conaty and I gained control of the handcuffs, and Lt. Salter handcuffed her. B.C. stopped resisting while in the prone position; I sat her up and assisted her to a standing position. B.C. then started to scream, "Get the fuck off off me," repeatedly while twisting and attempting to pull away. B.C. was redirected back to the ground, where I kneeled on her right leg and held her right arm. While lying prone on the ground, she kept screaming, "I'm going to fucking kill you," at unknown people in the crowd. Once Ofc. Stutz and Ofc. Agleev arrived on the scene, Ofc. Agleev and I assisted B.C. to a standing position and escorted her to a marked patrol vehicle, where I searched B.C. and placed her in the back seat of Ofc. Stutz's patrol vehicle. B.C. had a minor laceration on her finger. EMS had a mobile unit on the scene for Children's Day, and they

Investigation (continued)

Investigation Details

tended to her at the scene.

My Body Worn Camera was uploaded and placed into evidence.com

Supervisor's Inquiry

| | |
|---|---|
| NOTIFIED DATE 10/27/2024 | NOTIFIED TIME 15:09 |
| DID SUPERVISOR RESPOND TO THE SCENE Yes | DID SUPERVISOR WATCH ALL RELEVANT VIDEOS ASSOCIATED WITH THE RESPONSE TO Yes |
| DID SUPERVISOR MEET WITH THE OFFICER(S)? Yes | |
| DURING SUPERVISOR'S REVIEW DID YOU FIND AN POTENTIAL POLICY VIOLATIONS OR TRAINING ISSUES ASSOCIATED WITH THE INCIDENT? No | |
| WAS SUPERVISOR ABLE TO LOCATE ANY INDEPENDENT WITNESSES? No | |

Supervisor Comments

| | | |
|---------------------------------------|------------------|---------------------------|
| SUPERVISOR Malsheimer, Karl (3388) | RANK Sergeant | REVIEW DATE 10/27/2024 |
| COMMENTS | | |

Professional Standards Division

Reviewer

| | | |
|---|--------------------|---------------------------|
| REVIEWER Dean, Jeffrey (3386) | RANK Lieutenant | REVIEW DATE 10/29/2024 |
| COMMENTS | | |
| DID THE REVIEW OF THIS INCIDENT CONCLUDE THAT THE RESPONSE TO RESISTANCE WAS IN COMPLIANCE WITH DEPARTMENTAL POLICY? Yes | | |