

Response to Resistance Report

Key West Police Department

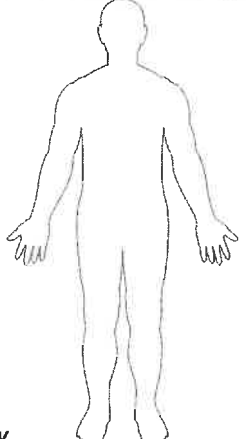
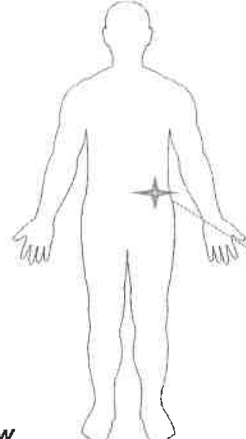
Case No: 23-0314

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

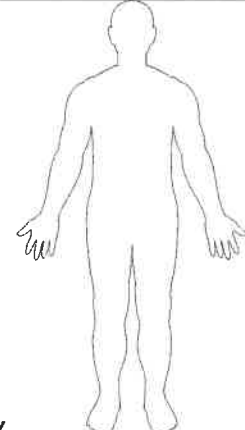
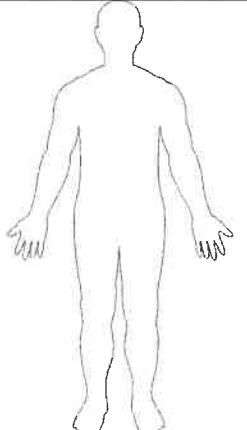
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of 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: 01/17/2023		3. Time: 1951		4. Location: 1900 Block Harris Avenue		5. Incident type: S62/Resisting	
	6. Resistance Level		7. Explanation		8. Response Option		9. Explanation	
	<input checked="" type="checkbox"/> Passive:		Ignored Verbal Commands		<input type="checkbox"/> Physical Control			
	<input checked="" type="checkbox"/> Active:		Fleeing on foot		<input checked="" type="checkbox"/> Non-lethal Weapon		TASER	
<input type="checkbox"/> Aggressive:				<input type="checkbox"/> Deadly Force				
<input type="checkbox"/> Deadly Force:								

10. Last Name: Roberts		11. First: Jermaine		12. Race: B		13. Sex: M	
14. DOB: 06/26/1979		15. Height: 5'11"		16. Weight: 180			
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 type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input 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 type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Detention							

SUBJECT	 <p>Anterior View</p>	 <p>Posterior View</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin-left: auto; margin-right: auto;">Single Probe entry point</div>
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23. Officer: David Kouri		24. Race: W		25. Sex: M		26. Age: 36		27. Height: 6'00"		28. Weight: 220	
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: 17											
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: TASER											

OFFICER	 <p>35. Anterior View</p>	 <p>Posterior View</p>
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Response to Resistance Report (continued)

Key West Police Department

Case No: 23-0314

TASER USE ONLY	36. TASER® device serial # X1200A8PV		37. TASER® device serial #		
	TASER®Cam serial # V210023MV		TASER®Cam serial #		
	Cartridge 1 serial # C410C7H1M		Cartridge 1 serial #		
	Cartridge 2 serial # N/A		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: 4 Feet		Target distance at probe launch: N/A		
	Distance between probes: n/a, only one probe penetrated		Distance between probes: N/A		
	Probes removed by (name): Sgt. D. Kouri		Probes removed by (name): N/A		
Device downloaded by: Sgt. J. Stockton		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: 01/17/2023		41. Time: 1951		
	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
47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		A Rodriguez 3465		01/17/2023	
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)				
			3317		
	51. Signature of Internal Affairs Inspector		52. Date		
53. If section 48 is "No" record the Professional Standards Control Number:				54. Date Entered:	

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 23-000314

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S						

Assisting Officers
 UA, C. (4264), BOUVIER, K. (3356), KOURI, D.G. (3022)

Suspect Hate / Bias Motivated: *NONE (NO BIAS)*

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

		OCA 23-000314
Victim Society	Offense DRUG POSSESSION CONTROLLED	Date / Time Reported Tue 01/17/2023 19:51

-- Jermaine Lamar Roberts Arrest Narrative:

On Tuesday, January 17, 2023, at approximately 7:55 PM, Ofc. Bouvier and I (Ofc. Caldwell) were dispatched to the intersection of First Street and Harris Avenue to assist in the detention and transportation of an arrestee. Upon arrival, Sgt. Kouri and Ofc. Ua had a male restrained in handcuffs on the ground leaning up against a patrol cruiser.

Sgt. Kouri handed me the identification of one Jermaine Roberts and stated he had multiple warrants for his arrest. Sgt. Kouri stated the Roberts was tased, incident to active resistance of from Roberts obstructing Sgt. Kouri without violence. Ofc. Bouvier confirmed the warrants via Key West Patrol Communications Channel 2.

While being searched by Ofc. Ua and Sgt. Kouri, Roberts was in actual physical possession of a glass smoking pipe, which contained a collectible amount of white residue inside of it. This residue tested positive for the presence of cocaine. I searched Roberts incident to arrest and found a dollar bill folded up his sock. He spontaneously uttered that the dollar bill contained Molly.

Sgt. Kouri took possession of the found substances and submitted them to the Key West Police Department Property Division (see Sgt. Kouri's supplemental report). A field test conducted by Ofc. Anglin confirmed the presence of fentanyl, as well as methamphetamine. Confirmation of Roberts' warrants were made, and Roberts was transported to Monroe County Detention Center. Upon arrival, the Detention Center stated Roberts needed to be examined by medical personnel because he was tased.

We transported Roberts to Lower Keys Medical Center to be evaluated medically. He was cleared and transported back to Monroe County Detention Center.

Based on the facts and circumstance, and prior criminal history, Roberts did obstruct Sgt. Kouri and Ofc. Ua by fleeing on foot and disregarding their lawful commands. Both officers were in class B KWPD uniforms. Roberts continued to disregard contrary to 843.02 Resisting officer without violence to his or her person.

Roberts did have in his possession a glass pipe with a white residue inside of it that field tested positive for cocaine contrary to F.S.S 893.147(1) USE OR POSSESSION OF DRUG PARAPHERNALIA.-It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia.

Roberts did have a dollar bill folded in his sock containing what he claimed was "Molly". The substance field tested positive for methamphetamine and fentanyl contrary to F.S.S. 893.13-6A Possession of Controlled Substance (x2).

This was the extent of my involvement in this case.

I activated by BWC.

I activated my Axon Fleet 5255 in car camera.

Nothing further to report.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA <i>23-000314</i>
Date / Time Reported <i>Tue 01/17/2023 19:51</i>

Victim <i>Society</i>	Offense <i>DRUG POSSESSION CONTROLLED</i>	
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Incident Report Suspect List

Key West Police Department

OCA: 23-000314

1	Name (Last, First, Middle) <i>ROBERTS, JERMAINE LAMAR</i>					Also Known As					Home Address <i>609 THOMAS ST KEY WEST, FL 33040 305-296-3879</i>				
	Business Address <i>ISLAND BOYS PRESSURE CLEANING, SELF EMP.</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State					
<i>06/26/1979</i>	<i>43</i>	<i>B</i>	<i>M</i>	<i>N</i>	<i>511</i>	<i>200</i>	<i>BLD</i>	<i>BRO</i>	<i>MBR</i>	<i>R163432792260 FL</i>					
Scars, Marks, Tattoos, or other distinguishing features															

<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN
Weapon, Type	Feature	Make		Model			Color	Caliber	Dir of Travel		Mode of Travel
Veh Yr / Make / Model		Drs	Style		Color		Lic Plate / State		VIN		

Notes _____ Physical Char _____

Incident Report Related Property List

Key West Police Department

OCA: 23-000314

1	Property Description AXON FLEET 5255			Make		Model		Caliber	
	Color	Serial No.		Value \$0.00	Qty 1.000	Unit EA	Jurisdiction Locally		
	Status Evidence	Date 01/17/2023	NIC #	State #	Local #		OAN		
	Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex	

Notes

2	Property Description BWC 4260			Make AXON		Model BODY 2		Caliber	
	Color	Serial No.		Value \$0.00	Qty 1.000	Unit E	Jurisdiction Locally		
	Status Evidence	Date 01/17/2023	NIC #	State #	Local #		OAN		
	Name (Last, First, Middle) * No name *			DOB		Age	Race	Sex	

Notes

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 01/17/2023 22:55

OCA: **23000314**

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

Investigator: *KOURI, DAVID G (3022)*

Date / Time: *01/17/2023 22:48:20, Tuesday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

The Key West Police Department has received numerous recent complaints about the potential whereabouts of Jermaine Roberts. Roberts is a known violent felony offender, with multiple active felony warrants. Departmental BOLOs have also recently been issued regarding Roberts.

On Tuesday, January 17, 2023 KWPD received additional information from a concerned citizen on Roberts' location, as well as a vehicle he could be traveling in (Grey Toyota Truck). Ofc. Ua and I were stationary at the intersection of George Street and Flagler Avenue, when a vehicle matching this description passed by our location, after turning right (east) onto Flagler Avenue. The vehicle was driven by a white male, later identified as James Cox. There was also a darker complexion male in the passenger seat, who had similar identifiable characteristics as Roberts. The vehicle made an abrupt left (north) turn onto 1st Street, from Flagler Avenue. I activated my emergency lights and attempted to conduct a traffic stop. The vehicle continued traveling on 1st Street and then turned right (east) onto Harris Avenue. I could see in the driver mirror of Cox's vehicle that he was talking to the passenger in his vehicle, while continuing driving. Cox came to a stop on the 1900 block of Harris Avenue and Roberts immediately exited the vehicle and began to flee east on foot.

Ofc. Ua and I pursued Roberts on foot, while both giving him loud repetitive verbal commands to stop. Roberts ignored these commands and continued fleeing on foot, in an attempt to defeat our legal and lawful actions. Ofc. Ua and I were both wearing out KWPD Issued Class B uniforms, and were immediately recognizable as Police Officers. Roberts ran off the roadway, onto the south sidewalk of Harris Avenue and continued to flee on foot. Robert turned right into a driveway, approximately 5 houses from where the foot pursuit began. Roberts lost his footing and fell to the ground. As I was coming around a black in color vehicle, Robert's hands were not immediately visible and I believed he was attempting to regain his footing to continue fleeing on foot in a residential neighborhood.

I deployed my department issued TASER, with the probes making contact with Roberts body (right side of his middle/lower back). Roberts experienced NMI, however, was not in custody at this time. K9 Ofc. T. Anglin was on scene with K9 Jigsaw and also began giving Roberts loud repetitive verbal commands, as did K9 Jigsaw. Roberts eventually complied with the verbal commands. Roberts was taken into custody by Ofc. Ua and placed into handcuffs.

While being searched, Roberts was in actual physical possession of a glass smoking pipe, which contained a collectible amount of white residue inside of it. This residue tested positive for the presence of cocaine. Roberts was also in possession of a folded dollar bill, which contained a white powdery substance. Roberts spontaneously uttered that the substance was "molly". However, a field test conducted by Ofc. Anglin confirmed the presence of fentanyl, as well as methamphetamine. Roberts also had in his possession \$625 in US Currency. The currency denominations were consistent with street level narcotics sales and transactions. Roberts has multiple previous law enforcement encounters and arrests regarding the sale and possession of narcotics. The US Currency was seized, and a seizure packet was

Investigator Signature: _____

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NOT SUPERVISOR APPROVED

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Investigator: *KOURI, DAVID G (3022)*

Date / Time: *01/17/2023 22:48:20, Tuesday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

completed.

I removed the TASER prong from Roberts and placed the cartridge, AFIDS and blast door into the KWPD Property Section. Photographs were taken of the prong entrance site, and later downloaded into evidence.com

My BWC and In-Car Coban were active and both later downloaded at KWPD.

Ofc. Bouvier and Ofc. Caldwell responded to the scene and transported Roberts to MCDC where he was charged accordingly.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 01/17/2023 22:51

OCA: **23000314**

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

Investigator: *ANGLIN, THOMAS H IV (2872)*

Date / Time: *01/17/2023 22:33:08, Tuesday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 17JAN23 at 1951, I (Ofc. T. ANGLIN) assisted Sgt. D. KOURI in the execution of a traffic stop on a silver 2000 Toyota Tundra, (FL Tag# 53SCF), which had a wanted subject, JERMAINE ROBERTS as a passenger in the area of 1st Street and Harris Avenue, (See original report for details).

When Sgt. D. KOURI activated his overhead lights on his marked KWPD patrol vehicle, the Toyota turned east on Harris Avenue, (From 1st Street) and appeared to slow down several times before finally stopping. As the Toyota stopped, the front seat passenger, ROBERTS immediately exited the vehicle and began fleeing on foot; heading east on Harris Avenue. Both Sgt. D. KOURI and Ofc. C. UA gave chase on foot. I quickly proceeded east on Harris Avenue, (Marked KWPD patrol vehicle with lights activated) and observed both Officers in the driveway of 1922 Harris Avenue.

I stopped my patrol vehicle, exited and retrieved K-9 JIGSAW from the rear of my patrol vehicle, (1 foot nylon traffic lead and 1 inch nylon collar). I approached ROBERTS, who was on the ground and shifting back and forth as Ofc. C. UA was attempting to handcuff him. I maintained an overwatch position with K-9 JIGSAW and Ofc. C. UA was able to handcuff ROBERTS without further incident, (See original report for details).

Ofc. C. UA searched ROBERTS person and located a folded dollar bill containing a white powdery substance. A glass cylindrical pipe with a charred brillo substance and a milky white residue was also located on ROBERTS person, (See supplemental reports for details). ROBERTS was secured in Ofc. M. CALDWELL'S patrol vehicle and transported to the Monroe County Detention Center without incident.

I departed the scene and returned to KWPD Headquarters where I conducted a field test on the white powdery substance folded inside ROBERTS one dollar bill. The white powdery substance was F.T.P. Methamphetamine and F.T.P. Fentanyl. Sgt. D. KOURI informed me that ROBERTS had informed him that the substance inside the dollar bill was, "Molly", (See original report for details).

Sgt. D. KOURI informed me that ROBERTS had \$625.00 in U.S. Currency on his person in denominations consistent with street level narcotics sales and requested that K-9 JIGSAW conduct a sniff for forfeiture proceedings.

The Money was placed in one of five (5) envelopes and lined up in the KWPD Headquarters hallway. I retrieved K-9 JIGSAW from the rear of my patrol vehicle, (six-foot nylon lead / one-inch nylon collar) and entered the hallway. I approached the row of envelopes, gave K-9 JIGSAW the command to sniff for narcotics and moved along the row of envelopes. K-9 JIGSAW gave an alert, (Body rigidity, increased respiratory effort, scanning of the nose and a sit) to the fourth (4th) envelope. I gave K-9 JIGSAW his reward and secured him in the rear of my patrol vehicle.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 01/17/2023 22:51

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Investigator: *ANGLIN, THOMAS H IV (2872)*

Date / Time: *01/17/2023 22:33:08, Tuesday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

Ofc. C. UA packaged and submitted all items retrieved into he KWPD Property and Evidence Section.

At no time did I interview ROBERTS or hear statements made.

Both my Axon BWC and Fleet cameras were active during the traffic stop and uploaded to the server.

Investigator Signature: _____

OCA: 23000314

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

Investigator: UA, CAMERON (4264)

Date / Time: 01/18/2023 00:16:03, Wednesday

Supervisor: KOURI, DAVID G (3022)

Supervisor Review Date / Time: 01/18/2023 03:04:15, Wednesday

Contact:

Reference: General Supplemental Report

On Tuesday January 17, 2023, at approximately 1945hrs, Sgt Kouri and I were stationary in his vehicle at the intersection of Flagler Ave and George St. We received information on the whereabouts of a wanted felon, Jermaine Roberts. Sgt Kouri and Sgt Rodriguez provided me with information needed to assist them in apprehending Jermaine Roberts.

Sgt Rodriguez identified the vehicle Roberts was in, (gray Toyota truck), he notified Sgt Kouri of the vehicle's location, and the vehicle finally passed our location. We followed the gray Toyota truck and were three vehicles behind. The Truck made a left onto 1st St, and we followed directly behind him. Sgt Kouri conducted a traffic stop, activating his blue overhead lights to signal to the driver to pull over. The driver turned right onto Harris Ave where the vehicle came to a final stop.

Before Sgt Kouri and I could get out of our vehicle, the passenger in the gray Toyota truck opened his door and fled. Sgt Kouri and I got out of our vehicle and began to chase him on foot. The passenger fleeing was later identified as Jermaine Roberts. Sgt Kouri and I chased Roberts for approximately 200 feet, where Roberts sharply turned right into a residential driveway but appeared to lose his footing. Roberts slid to the ground before attempting to get back up. Sgt Kouri quickly approached, deployed his duty-issued taser which struck Roberts and obtained neuromuscular incapacitation. Roberts then complied with the commands he was given. Upon completion of the initial Taser cycle, I immediately handcuffed Roberts, checking for proper fitting and double locking them.

I searched Roberts for weapons and contraband and removed everything from his pockets. Roberts was in possession of a glass pipe which was found in his right shorts pocket and a large amount of money in his left shorts pocket. Roberts was searched again later by Officer Caldwell before transporting to MCDC. Officer Caldwell found molly/fentanyl/cocaine mixed drugs wrapped in a dollar bill which fell out of one of his socks.

I weighed and field tested the drugs and glass pipe. The drugs tested positive for Fentanyl and cocaine. The glass pipe tested positive for methamphetamines. 1.5 grams of mixed fentanyl/cocaine was collected as evidence and submitted to FDLE for testing. All evidence and property were collected and submitted to KWPD Property Section.

My BWC was activated and later uploaded to Evidence.com

See Officer Caldwell's, Sgt David Kouri, and Officer Thomas Anglin's reports for more information.

Investigator Signature: _____

