

Response to Resistance Report

Key West Police Department

Case No: 19-102

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: 01/05/2019 3. Time: 0259 Hrs 4. Location: 400 Block of Fleming 5. Incident type: S21C

INCIDENT	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	☒ Passive:	Would not comply	☒ Physical Control	Take Down
	☒ Active:	Actively pulled away to evade	☐ Non-lethal Weapon	
	☐ Aggressive:	arrest	☐ Deadly Force	
	☐ Deadly Force:			

10. Last Name: Melton 11. First: Corby 12. Race: W 13. Sex: M

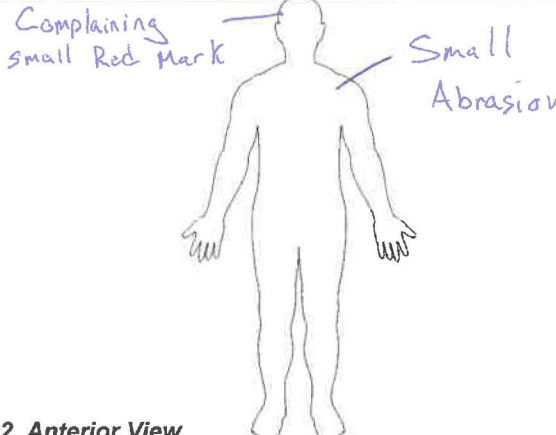
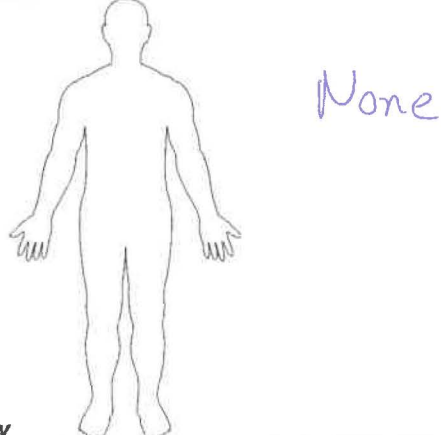
14. DOB: 12/10/1984 15. Height: 5-07 16. Weight: 160

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
		

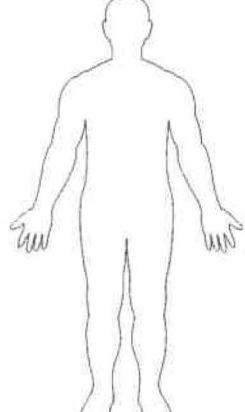
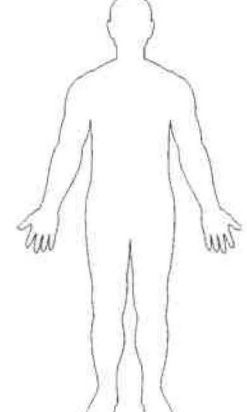
23. Officer: Anthony Gillespie 24. Race: W 25. Sex: M 26. Age: 49 27. Height: 5-11 28. Weight: 260

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 2.5

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: 19-102

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: ☐ Probe ☐ CODS ☐ Drive Stun	Type of contact: ☐ Probe ☐ CODS ☐ Drive Stun
	Did probes penetrate skin: ☐ Yes ☐ No	Did probes penetrate skin: ☐ Yes ☐ No
	Target distance at probe launch:	Target distance at probe launch:
	Distance between probes:	Distance between probes:
	Probes removed by (name): N/A	Probes removed by (name):
Device downloaded by:	Device downloaded by:	
☐ 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:	
	☒ All necessary criminal elements. ☒ All details of the arrest ☒ Details articulating the subject's words, mannerisms and actions that justify the use of force. ☒ Details outlining the response to resistance utilized by each officer. ☒ Detailed description of injury complaints and/or observed injuries ☒ Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.	
SUPERVISOR'S INQUIRY	40. Notified Date: 01/05/2019	
	41. Time: 0255 Hours	
	42. Did you respond to the scene: ☐ No ☒ Yes (If "No", explain why)	
	43. Did you meet with the Officer: ☐ No ☒ Yes (If "No", explain why)	
INT. AFF.	44. Were you able to locate any independent witnesses: ☒ No ☐ Yes (If "Yes," list below)	
	Name	Address
45. Is further review recommended: ☒ No ☐ Yes		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		
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? ☐ No ☒ Yes (If "No", complete section 51)		
49. Signature of Internal Affairs Inspector		
50. Date		
51. If section 48 is "No" record the Professional Standards Control Number:		
52. Date Entered:		

INCIDENT DATA

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OTHERS INVOLVED

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INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 19-000102

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

PEREZ, S. (3834), GILLESPIE, A.M. (3757), STOCKTON, J. (3317), HUDSON, A.J. (3940)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>Society</i>	Offense <i>BATTERY</i>	OCA <i>19-000102</i>
		Date / Time Reported <i>Sat 01/05/2019 02:35</i>

On January 5th, 2019, at approximately 0237 hours, I (Ofc Valdes Marrero) responded to the 400 block of Fleming St. in reference to a burglary of a conveyance in progress. Dispatch advised there was a male and a female attempting to break in into a cargo van that was parked. The caller was not able to provide a description on the subjects.

Upon arrival, there were two subjects (later identified per their FL DL's as Corby Melton and Christy Stephenson) near a white cargo van. The van was bearing California plate 7W66877 and the registered owner is Taylor Dixon. I detained Melton and Stephenson pending the burglary investigation. Melton and Stephenson agreed to speak with me without a lawyer present. At the end of the investigation, I determined there wasn't enough probable cause to arrest Melton or Stephenson for the burglary. Melton and Stephenson were released from the scene.

As Melton and Stephenson were walking away, they were yelling and screaming back to the officers on scene. Melton and Stephenson were causing a disturbance on the quiet street, potentially waking up neighbors and hotel guests nearby. I decided to place Melton and Stephenson under protective custody as Marchment Acts. I placed Stephenson in handcuffs and Sgt Stockton placed Melton in handcuffs.

I escorted Stephenson to my patrol vehicle. Ofc Gillespie and Ofc Hudson escorted Melton to his patrol vehicle. As I escorted Stephenson, she started tensing up and pulling away from me. I told Stephenson multiple times to stop, but she continued to be belligerent and yell close to my face. I also observed Melton resisting Ofc Gillespie by pulling away and refusing to walk. Ofc Gillespie had to take Melton to the ground to regain control of him. For more details on Melton's resisting, see Ofc Gillespie supplement report.

When I got to my patrol vehicle, I tried doing a simple search for contraband and/or weapons on Stephenson. Stephenson continued to be belligerent by pulling away from me and tensing to the point she knocked my body camera off my shirt. I was not able to preform a complete search of Stephenson due to her behavior. Stephenson continued to resist as I was trying to place her in my patrol vehicle. Stephenson tried to lean forward several times as I was securing her with the seatbelt, not complying with my verbal commands to remain still.

I transported Stephenson to MCDC. Ofc Gillespie arrived at MCDC with Molten at the same time as I did with Stephenson. Stephenson refused to exit my patrol vehicle after I told her several times to do so. Stephenson exited my patrol vehicle at her leisure.

Molten also kept resisting Ofc Gillespie while we were waiting at the sally port of MCDC. I told Stephenson to sit on the floor so I could help Ofc Gillespie control Molten. Stephenson refused to sit until I grabbed her by her shoulder and forcibly sat her down. While on the ground, Stephenson tried kicking me several times. Ofc Gillespie regained control of Molten without my assist. Ofc Gillespie went up in the elevator while I remained down in the sally port. I told Stephenson to stand back up. When Stephenson stood up, she pulled away from me knocking my body camera off my shirt once again and knee spiked me on my right thigh. I held Stephenson against a wall to regain control of her. A deputy came down to assist me with Stephenson. Stephenson was turned over to detention deputies for booking where she continued to be belligerent.

Incident Report Suspect List

Key West Police Department

OCA: 19-000102

1	Name (Last, First, Middle)					Also Known As					Home Address																																																																									
	STEPHENSON, CHRISTY MICHELLE										3680 EDGEWOOD AVE FORT MYERS, FL 33043																																																																									
	Business Address NONE																																																																																			
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.																																																																									
	10/15/1973	45	W	F	N	502	180	BRO	BRO	LGT	S315113738750 FL																																																																									
Scars, Marks, Tattoos, or other distinguishing features																																																																																				
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Physical Char

2	Name (Last, First, Middle)					Also Known As					Home Address																																																																									
	MELTON, CORBY DOW										29864 JOURNEYS END RD BIG PINE KEY, FL 33043																																																																									
	Business Address NONE, NONE																																																																																			
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.																																																																									
	12/10/1984	34	W	M	N	507	170	BRO	BRO	LGT	M435104844500 FL																																																																									
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Physical Char

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 01/05/2019 05:06

OCA: **19000102**

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

Investigator: *GILLESPIE, ANTHONY M (3757)*

Date / Time: *01/05/2019 04:45:31, Saturday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 01/05/2019, at approximately 0235 hours, I responded to the corner of Fleming St. and Duval St. in reference to an in progress Burglary of a Conveyance.

Upon arrival, several other officers were already on scene. Officer Valdes took primary on the call and conducted an investigation. At the conclusion of his investigation we released both of the suspects. As the suspects were walking away, both started screaming and arguing. Officer Valdes and I already knew both suspects appeared intoxicated and could smell alcohol coming from there breath and person. Officer Valdes approached the female suspect and took her into custody as a Marchman Act. I assisted Officer Valdes and placed her into Hand cuffs.

Sgt. Stockton took the male (Cordy Dow Melton) into custody as a Marchman Act. Sgt. Stockton placed Melton into hand cuffs. I took Melton from Sgt. Stockton and attempted to walk Melton to my patrol car in order to transport him to MCDC. I grabbed Melton by his right arm and instructed him to walk to my car. Melton walked slowly toward my car as he gave resistance with each step. I instructed him several more times to walk to my car, and Melton continued to resist while walking, by not walking. Officer Hudson grabbed Melton by his left arm to assist me with escorting Melton to my car since he wouldn't walk. While walking Melton, he continually tensed him arms and tried to pull away. I instructed him to stop pulling away, but Melton continued. As Melton pulled away, I attempted to gain control of him by pulling him toward my car. Once I pulled, Melton stopped walking and fell to the ground. I fell on top of Melton. While on top of Melton, I asked him if he were done resisting and if he was going to stop pulling away, Melton said "yes". Officer Hudson and I escorted Melton to the back of my patrol car.

I transported Melton to MCDC. Once inside of the Sally Port, Melton continued with the same actions from before when he tried not to walk. I had to assist Melton walking to the Sally Port door. While waiting for the door to open. Melton pulled away several more times, so I pushed him against the wall in order to gain control of him. While against the wall, Melton attempted to kick backwards and kick my legs. I moved my legs out of Melton's reach, so no contact was made with my legs. I had no further incidents with Melton.

I activated my BWC during this incident.

I have no further information at the time of this report.///END OF REPORT///

Investigator Signature: _____

Incident Report Related Property List

Key West Police Department

OCA: 19-000102

1	Property Description BWC 3757			Make		Model		Caliber				
	Color	Serial No.		Value \$0.00		Qty 1.000		Unit				
								Jurisdiction Locally				
	Status Evidence	Date 01/05/2019	NIC #		State #		Local #		OAN			
Name (Last, First, Middle) * No name *					DOB		Age		Race		Sex	

Notes

Draft Only