

Response to Resistance Report

Key West Police Department

Case No: 22-1073

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

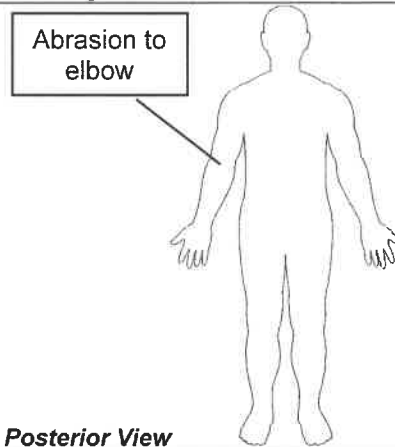
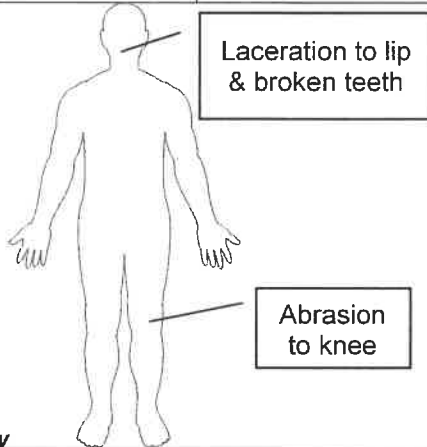
2. Date: 02/20/2022 3. Time: 2239 4. Location: 202 Duval / Ricks Bar 5. Incident type: S34/Battery LEO

6. Resistance Level 7. Explanation 8. Response Option 9. Explanation

- ☒ Passive: Refused to comply with orders ☒ Physical Control Take down
☒ Active: Bracing and Tensing ☐ Non-lethal Weapon
☒ Aggressive: Physically pushed Officer ☐ Deadly Force
☐ Deadly Force:

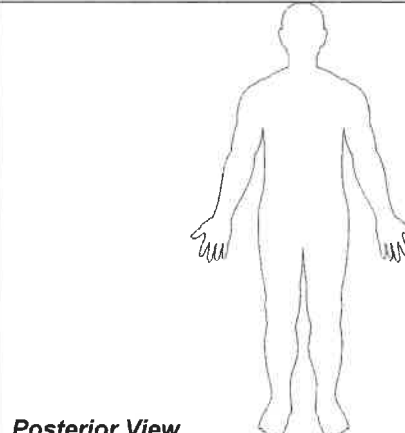
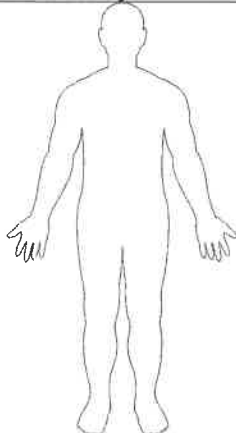
SUBJECT

10. Last Name: Simmons 11. First: Gabrielle 12. Race: W 13. Sex: F
14. DOB: 01/08/2003 15. Height: 5'03 16. Weight: 130
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



OFFICER

23. Officer: William Howell 24. Race: W 25. Sex: M 26. Age: 35 27. Height: 6'01" 28. Weight: 220
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 2
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: Takedown



Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1073

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):		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: 02/20/2022		41. Time: 2350	
	42. Did you respond to the scene: ☐ No ☒ Yes (If "No", explain why)			
	43. Did you watch all relevant videos associated with the use of force? ☐ No ☒ Yes (If "No", explain why)			
	44. Did you meet with the Officer(s): ☐ No ☒ Yes (If "No", explain why)			
	45. During your review did you find any potential policy violations or training issues associated with the incident? ☒ No ☐ Yes (If "Yes," list below)			
	46. Were you able to locate any independent witnesses: ☐ No ☒ Yes (If "Yes," list below)			
	Name		Address	
	Jason Walck		130 Peary Ct Apt B	
	Brandee Williamson		FHP Station	
INT. AFF.	47. Is further review recommended: ☒ No ☐ Yes		02/20/2022	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		48. Preparing Supervisor's Signature / ID	
	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? ☐ No ☐ Yes If "No", complete section 51)		51. Signature of Internal Affairs Inspector	
	53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:	

Incident Report Additional Name List

Key West Police Department

OCA: 22-001073

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	WALCK, JASON DAVID		06/16/1980	41	W	M
	Address 130 PEARY CT Apt. B, KEY WEST, FL 33040-		H: 305-896-8122			
	Empl/Addr Rick's Bar		B: 305-440-2605			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-001073

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

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

Victim <i>RICKS BAR</i>	Offense <i>DISORDERLY CONDUCT</i>	OCA <i>22-001073</i>
		Date / Time Reported <i>Sun 02/20/2022 22:33</i>

-- Gabrielle Grace Simmons Arrest Narrative:

On Sunday, 02/20/2022 at approximately 2233 hours; Ofc. Brable, Ofc. Litton, Ofc. Ham and I (Ofc. Howell) were dispatched to 202 Duval Street (Rick's Bar) regarding a possible physical disturbance.

I arrived on scene first and I was flagged down by several Rick's Bar managers regarding an unknown white female subject and an unknown white male subject yelling and causing a disruption to patrons, striking one another, and pushing one another to the ground several times. I encountered Gabrielle G. Simmons (DOB: 01/08/2003, Arrestee) and John P. Simmons (DOB: 08/24/2001) who attempting to push through Rick's Bar security as well as Rick's Bar managers to return to the bar. I spoke with Rick's Bar manager Jason D. Walck (DOB: 06/16/1980, Witness) who stated that G. Simmons and J. Simmons were removed from Rick's Bar several times throughout the night. I stepped in front of G. Simmons as she attempted to reenter the bar and requested her identification. G. Simmons refused to provide her identification and attempted to shove me several times. I gave G. Simmons several loud and concise verbal commands to step back onto the sidewalk, off the business's property. G. Simmons again refused to comply and attempted to swing her open hand toward my face and head. I grabbed G. Simmons by the right wrist and attempted to place her in protective custody. G. Simmons suddenly and swiftly attempted to pull her arm away and attempted to strike me with her left hand and left elbow. G. Simmons attempted to pull away from me continuously. Given these circumstances and G. Simmons' level of resistance rising, I performed a leg sweep technique and took G. Simmons to the ground in a controlled manner. I attempted to grab G. Simmons' shirt however, due to G. Simmons struggling with me, I could only grab the back of her left arm as I performed the technique. G. Simmons continued to physically resist. Off-duty Florida Highway Patrol Trooper B. Williamson (3859) assisted in restraining G. Simmons until Ofc. Brable and Ofc. Ham arrived as my back up. Trooper B. Williamson and I placed Simmons in handcuffs.

G. Simmons received some minor lacerations to her top and bottom lips from the takedown, as a result of her resistance. G. Simmons had a small amount of blood around her mouth. G. Simmons initially refused medical attention from Key West Fire/Rescue on scene several times.

I searched G. Simmons subsequent to arrest. I walked Simmons to my patrol vehicle and placed her in the passenger side, rear seat of my patrol vehicle. As I began to transport G. Simmons to Monroe County Detention Center, she decided that she actually wanted medical attention. I transported G. Simmons to Lower Keys Medical Center.

G. Simmons refused to be seen by Dr. Guerdan. G. Simmons was given a medical clearance and I transported her to Monroe County Detention Center.

G. Simmons continuously screamed and yelled obscenities throughout the transport to Lower Keys Medical Center as well as Monroe Country Detention Center.

Based on the facts and evidence, I believe there is probable cause that on 02/20/2022, Gabrielle G. Simmons did knowingly and intentionally violate F.S.S. 843.01 Resisting with Violence, by purposefully and intentionally attempting to shove me several times, attempting to continuously struggle away from me and attempting to strike me, while I was engaged in my legal, lawful duties as a uniformed law enforcement officer.

Based on the facts and evidence, I believe there is probable cause that on 02/20/2022, Gabrielle G. Simmons did knowingly and intentionally violate F.S.S. 509.143 Disorderly Conduct on The Premises of an Establishment; by purposely disturbing the peace, corrupting the public morals and attempting to disrupt patrons of the business and in

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
22-001073
Date / Time Reported
Sun 02/20/2022 22:33

Victim	Offense	Date / Time Reported
RICKS BAR	DISORDERLY CONDUCT	Sun 02/20/2022 22:33

the surrounding area.

Based on the facts and evidence, I believe there is probable cause that on 02/20/2022, Gabrielle G. Simmons did knowingly and intentionally F.S.S. 810.09-1A1 Trespass on Property Other Than Structure or Conveyance, by actually and intentionally remaining on the premises and refusing to leave the property, after being warned several times.

Ofc. Ham retrieved Rick's Bar security footage of G. Simmons and J. Simmons fighting throughout the bar and on the sidewalk. I uploaded copies to Evidence.com.

G. Simmons appeared to be under the influence of alcohol. G. Simmons' speech was slurred, and her eyes were glassy and bloodshot. G. Simmons' breath had the odor of alcoholic intoxicants.

My BWC was activated for the encounter, takedown, arrest, and subsequent search of G. Simmons. I uploaded the videos to Evidence.com.

At this time, no further information.

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-- John Patrick Simmons Arrest Narrative:

On Sunday, 02/20/2022 at approximately 2233 hours; Ofc. Brable, Ofc. Litton, Ofc. Ham and I (Ofc. Howell) were dispatched to 202 Duval Street (Rick's Bar) regarding a possible physical disturbance.

I arrived on scene first and I was flagged down by several Rick's Bar managers regarding an unknown white female subject and an unknown white male subject yelling and causing a disruption to patrons, striking one another, and pushing one another to the ground several times. I encountered Gabrielle G. Simmons (DOB: 01/08/2003, Arrestee) and John P. Simmons (DOB: 08/24/2001) who attempting to push through Rick's Bar security as well as Rick's Bar managers to return to the bar. I spoke with Rick's Bar manager Jason D. Walck (DOB: 06/16/1980, Witness) who stated that G. Simmons and J. Simmons were removed from Rick's Bar several times throughout the night. As I moved away from J. Simmons to step in front of G. Simmons as she attempted to reenter the bar, J. Simmons ran by me back into the bar. J. Simmons was again removed by Rick's Bar security and managers. As off-duty Florida Highway Patrol Trooper B. Williamson (3859) assisted in restraining G. Simmons and placing her in handcuffs, Ofc. Brable and I placed J. Simmons in handcuffs.

Ofc. Brable searched J. Simmons subsequent to arrest. Ofc. Brable and Ofc. Ham walked Simmons to Ofc. Brable's patrol vehicle and placed him in the passenger side, rear seat of Ofc. Brable's patrol vehicle.

Ofc. Brable transported J. Simmons to Monroe County Detention Center, without incident.

Based on the facts and evidence, I believe there is probable cause that on 02/20/2022, John P. Simmons did knowingly and intentionally violate F.S.S. 509.143 Disorderly Conduct on The Premises of An Establishment; by purposely disturbing the peace, corrupting the public morals and attempting to disrupt patrons of the business and in the surrounding area.

Based on the facts and evidence, I believe there is probable cause that on 02/20/2022, John P. Simmons did

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

22-001073

Victim

RICKS BAR

Offense

DISORDERLY CONDUCT

Date / Time Reported

Sun 02/20/2022 22:33

knowingly and intentionally F.S.S. 810.09-1A1 Trespass on Property Other Than Structure or Conveyance, by actually and intentionally remaining on the premises and refusing to leave the property, after being warned several times.

Ofc. Ham retrieved Rick's Bar security footage of G. Simmons and J. Simmons fighting throughout the bar and on the sidewalk. I uploaded copies to Evidence.com.

J. Simmons appeared to be under the influence of alcohol. J. Simmons' speech was slurred, and his eyes were glassy and bloodshot. J. Simmons' breath had the odor of alcoholic intoxicants.

My BWC was activated for the encounter, arrest, and subsequent search of J. Simmons. I uploaded the videos to Evidence.com.

At this time, no further information.

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Incident Report Suspect List

Key West Police Department

OCA: 22-001073

1	Name (Last, First, Middle) <i>SIMMONS, GABRIELLE GRACE</i>					Also Known As					Home Address <i>1800 ATLANTIC BLVD KEY WEST, FL 33040</i>																																													
	Business Address <i>UNKNOWN, UNKNOWN</i>																																																							
	DOB <i>01/08/2003</i>	Age <i>19</i>	Race <i>W</i>	Sex <i>F</i>	Eth <i>N</i>	Hgt <i>503</i>	Wgt <i>120</i>	Hair <i>BLN</i>	Eye <i>BLU</i>	Skin <i>FAR</i>	Driver's License / State. <i>827980305 NY</i>																																													
Scars, Marks, Tattoos, or other distinguishing features																																																								
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2	Name (Last, First, Middle) <i>SIMMONS, JOHN PATRICK</i>					Also Known As					Home Address <i>1800 ATLANTIC BLVD KEY WEST, FL 33040</i>																																													
	Business Address <i>NONE, NONE</i>																																																							
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