Response to Resistance Report

Key West Police Department

Case No: 222410124

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: 8/29/22 **3. Time:** 1540 Hrs **4. Location:** 245 Front Street **5. Incident type:** Disorderly

6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
☒ Passive:	Ignored verbal commands	☒ Physical Control	Bent Wrist Transport
☐ Active:		☐ Non-lethal Weapon	
☐ Aggressive:		☐ Deadly Force	
☐ Deadly Force:			

SUBJECT

10. Last Name: Stutes **11. First:** Jacob **12. Race:** W **13. Sex:** M

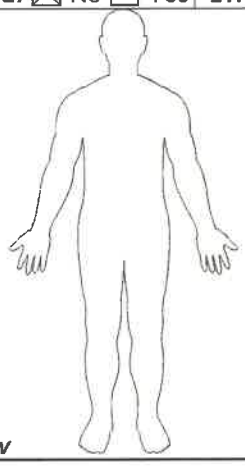
14. DOB: 6/22/88 **15. Height:** 5'10 **16. Weight:** 260

17. Did you observe the subject: ☒ No ☐ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

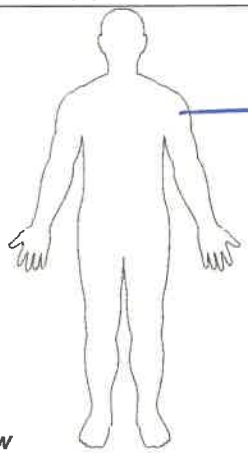
18. Appeared to be: ☐ Intoxicated ☐ Under the influence of controlled substance ☒ Emotionally / mentally disturbed

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



22. Anterior View



Posterior View

OFFICER

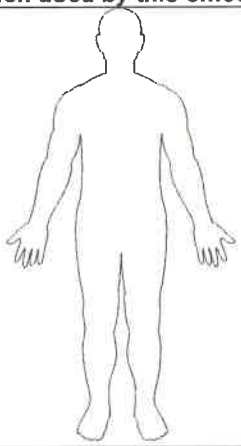
23. Officer: Jesse Young **24. Race:** W **25. Sex:** M **26. Age:** 41 **27. Height:** 5'9 **28. Weight:** 215

29. Duty Status: ☐ On-duty ☐ Off-duty ☒ Extra duty employment ☒ Uniformed ☐ Plain clothes **30. Yrs Exp:** 23

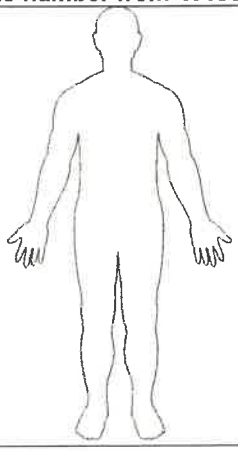
31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

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) Transport



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

222410124

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: None, No MNI, One Probe only	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 **One only**
Target distance at probe:	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 **(No Arrest Made F.I. Only)**
☒ 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 **(Alleged shoulder injury VIA Carnival e-mail)**
☐ Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject.**N/A**

INQUIRY

40. Notified Date: 8/30/22 ***41. Time:*** 0830 hours

42. Did you respond to the scene: ☒ No ☐ Yes (If "No", explain why)

Ofc. Young did contact me refence escorting someone off the pier. I was unaware of any alleged injury at the time, as this Complaint was sent the following day.

43. Did you meet with the Officer: ☐ No ☒ Yes (If "No", explain why)

44. Were you able to locate any independent witnesses: ☐ No ☒ Yes (If "Yes," list below)

Name	Address	Phone Number
Greg Whipple	Cruise ship agent – 245 Front Street	(561) 313-1099

45. Is further review recommended: ☒ No ☐ Yes

FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS

Mark Siracuse 3366 8/30/22

46. Preparing Supervisor's Signature / ID 47. Date

INT. AFF.

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/INVESTIGATION REPORT

Agency Name	Key West Police Department
ORI	FL0440100
Case#	22-005164
Date / Time Reported	08/29/2022 14:41 Mon
Last Known Secure	08/29/2022 14:41 Mon
At Found	08/29/2022 14:41 Mon

INCIDENT DATA

Location of Incident	Gang Relat	Premise Type	Beat/GP
245 FRONT ST, Key West FL 33040	NO	Air / Bus / Train	B1, GPB1

	Crime Incident(s)	(Com)	Weapon / Tools	Activity
#1	Incident Report ZOD		NOT APPLICABLE/NONE	
			Entry / Exit / Security	
#2	Crime Incident	( )	Weapon / Tools	Activity
			Entry / Exit / Security	
#3	Crime Incident	( )	Weapon / Tools	Activity
			Entry / Exit / Security	

MO

VICTIM

# of Victims 0 | Type: | Injury: | Domestic: N

V1	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status

Home Address	Email	Home Phone

Employer Name/Address	Business Phone	Mobile Phone

VYR	Make	Model	Style	Color	Lic/Lis	VIN

OTHERS INVOLVED

CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)

Type: INDIVIDUAL | Injury:

Code	Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
IO	STUTES, JACOB PAUL		06/22/1988 Age 34	W	M		Non-Resident	

Home Address	Email	Home Phone
705 DAVIDSON ST LAKE CHARLES, LA 70601		

Employer Name/Address	Business Phone	Mobile Phone

Type: | Injury:

Code	Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status

Home Address	Email	Home Phone

Employer Name/Address	Business Phone	Mobile Phone

PROPERTY

L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found
("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
	35	EVID	$2.00		2	AXON BWC (3272)		

Officer/ID# YOUNG, JESSE (3272)

Invest ID# (0) | Supervisor RODRIGUEZ, PABLO D (2298)

Status | Complainant Signature | Case Status Cleared As Other 09/07/2022 | Case Disposition: | Page 1

Incident Report Additional Name List

Key West Police Department

OCA: *22-005164*

Additional Name List

	Name Code/#		Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1)	*WI*	*1*	*WHIPPLE, GREG L J*		*09/05/1967*	*54*	*W*	*M*
	Address		*245 FRONT ST , KEY WEST, FL 33040-*		**H:** *561-313-1099*			
	Empl/Addr		*Pier B*		**B:** - -			
					Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # *22-005164*

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
DRUGS						

Assisting Officers

Suspect Hate / Bias Motivated:

NARRATIVE

On Monday, August 29, 2022, at approximately 1442 hours, I, Officer Jesse Young, was working an off duty detail at 245 Front St. (Pier B Cruise Ship Terminal).

I was checking Identification Cards and Ship Cards in the Eastern line when I heard a commotion from the area where Cruise Ship Agent Greg Whipple was seated minutes earlier. I stopped checking passenger ID`s as my attention was directed towards the commotion from the containment area of where passengers are directed to stand who forget their Identification.

I heard a male, later identified as Jacob Stutes by his Louisiana Driver`s License, being verbally abusive towards Whipple. Stutes was speaking in a tone of voice to disrupt the flow of passengers getting back on the ship. I stood by and observed Stutes as he was making statements that with him being pulled aside was due to immigration reasons and that other ships have never required anyone to produce identification. I saw Stutes aggressively produce his ship card to Whipple and instructed him to board the ship and retrieve his ID. Stutes continued to be loud and disruptive as he was restating that he has never been required to produce an ID and he was never told an ID was required to board the ship.

I spoke up towards Stutes and gained his attention to stop his tyrant rant and I instructed him that he had been told his ID was required to board the ship. I explained that there was a ship announcement prior to reaching the dock this morning. It was posted on the ship prior to exiting the gangway, a two foot by four foot sign prior to reaching the pier exit. There was also a verbal recording at or near the exit gate.

Stutes then aggressively put his ship card in my face and told me to go get his ID. I declined.

Stutes vocal tone continued to get louder, causing a further disturbance with the cruise ship passengers. With the escalation of Stutes`s behavior, being unverified as a ship passenger and attempting to incite negative responses from other passengers in line, Whipple instructed Stutes he had to leave the pier as ship security had to come out to him and verify him as a passenger. Stutes refused to leave. I instructed Stutes to leave as I opened the removable gate towards the exit. Stutes again refused to leave physically so I grabbed a hold of Stutes`s right wrist and placed him into a bent wrist transporter. At no time did I have to apply pressure to Stutes`s wrist as he now became compliant and we walked to the exit gate of the pier.

After we exited the cruise ship terminal exit gate I released my grasp of Stutes. Stutes still was extremely agitated and spoke out that he did not like Whipple and he "Needed an attitude adjustment". Stutes continued to make negative statements towards the situation which occurred. Stutes made claims that he has a lawyer and he would sue as he felt that he was singled out and he believed he was treated badly by Whipple.

I explained that Stutes was not welcome at the pier and if he were able to be identified or produce an ID he would be let back on the ship. Stutes opened his bi-fold wallet / cell phone holder and exhibited his Louisiana ID to me. Stutes made a statement that he did not produce his ID because his husband did not have his and did not want him to stand alone while his identification was verified. I instructed Stutes since he now has his ID, he may rejoin the line and be allowed on the ship.

I monitored Stutes`s behavior from a distance as he went through the security checkpoint, still adjugated and less vocal than he was previously observed.

Stutes entered the ship.

After Stutes was on board, Whipple informed Carnival Dream Security Agents that Stutes was not allowed on the pier and he was to be confined to the ship.

By BWC was active during the incident of when Stutes verbally and physically resisted.

Related CAD Number. 222410124.