



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

Draft

Response to Resistance EVT-00000318-1

Response to Resistance EVT-00000318-1

Primary Officer: Duponty, Frank (1951)

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 24-003681	DATE 07/13/2024	TIME 16:14
LOCATION 1213 14th St #11, Key West, Monroe County, FL, 33040, USA		
INCIDENT TYPE S81 - Public Assist		
OTHER AGENCIES INVOLVED? N - No		

Persons

Young, Tabatha

Person Role

ROLE
Subject

Person Details

LAST NAME Young	FIRST NAME Tabatha	MIDDLE NAME	SUFFIX
DOB 06/21/1980	AGE 44	SEX F	RACE B
ETHNICITY Unknown/Not reported	HEIGHT 5' 4"	WEIGHT 160	CLOTHING TYPE Loose / Hanging

Identifying Documents

Document

ID TYPE
Driver's License

Persons (continued)

Young, Tabatha (continued)

ISSUING STATE Florida	
ID NUMBER Y520801807210	
EXPIRATION DATE	CLASS
RESTRICTIONS	

Contact

Address

ADDRESS TYPE H - Home
LOCATION 8th Ave #3, Key West FL 33040

Phone Number

PHONE NUMBER TYPE Home	PHONE NUMBER (305) 522-7122
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E-Mail

Response to Resistance Circumstances

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

Officers

Arguello, Victor (3917)

Officer Details

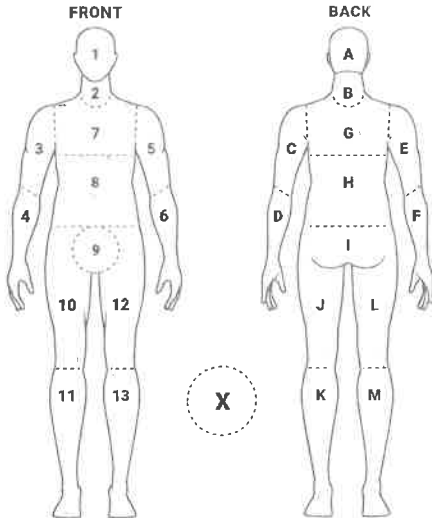
ROLE Involved	OFFICER / EMPLOYEE Arguello, Victor (3917)	POSITION Officer	DIVISION Day Patrol Division
PATROL SHIFT Alpha Day Shift	EMPLOYEE YEARS OF SERVICE 18		
UNIFORMED OR PLAIN CLOTHES Uniformed	EMPLOYEE WAS ON DUTY On Duty		

EMPLOYEE RACE White	EMPLOYEE ETHNICITY Hispanic or Latino	EMPLOYEE SEX Male
EMPLOYEE AGE 37	EMPLOYEE HEIGHT 5' 8"	EMPLOYEE WEIGHT 190
INJURIES No		

Officers (continued)

Arguello, Victor (3917) (continued)

BODY WORN CAMERA (BWC) ACTIVATED DURING INCIDENT
 No Yes



Abreu, Gabriella (3737)

Officer Details

ROLE Witness	OFFICER / EMPLOYEE Abreu, Gabriella (3737)	POSITION Officer	DIVISION Day Patrol Division
PATROL SHIFT Alpha Day Shift		EMPLOYEE YEARS OF SERVICE 6.5	
UNIFORMED OR PLAIN CLOTHES Uniformed		EMPLOYEE WAS ON DUTY On Duty	

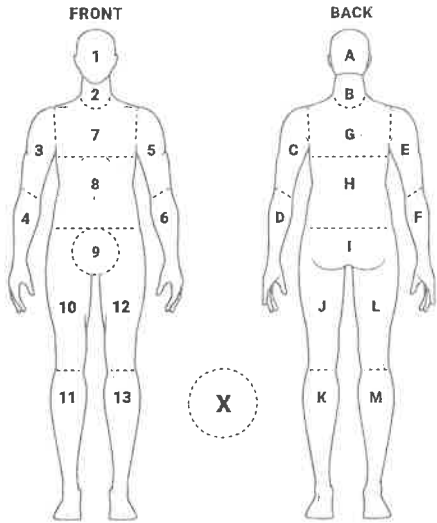
EMPLOYEE RACE White	EMPLOYEE ETHNICITY Hispanic or Latino	EMPLOYEE SEX Female
EMPLOYEE AGE 28	EMPLOYEE HEIGHT 5' 5"	EMPLOYEE WEIGHT 148

INJURIES
No

BODY WORN CAMERA (BWC) ACTIVATED DURING INCIDENT
 No Yes

Officers (continued)

Abreu, Gabriella (3737) (continued)



Response Action

Response Action

FORCE USED AGAINST

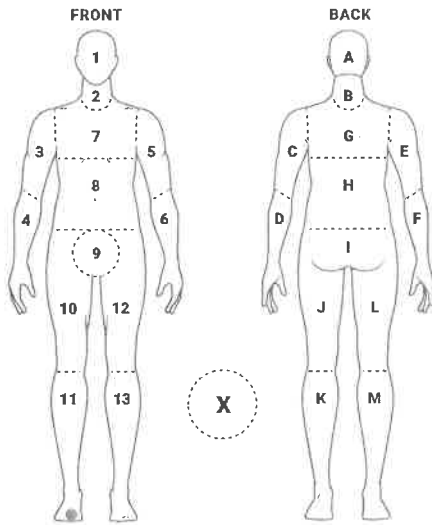
Force

Force

INVOLVED OFFICER Arguello, Victor (3917)	FORCE TYPE Hands-On - Soft Empty Hands
NUMBER OF APPLICATIONS 2	

Response Action (continued)

Response Action



Force Location

BODY REGION Right Front Lower Leg	DETAILED LOCATION Right Foot Toe(s)
NUMBER OF IMPACTS 1	INJURY SUSTAINED FROM DIRECT FORCE No injury
PHOTOGRAPHED Yes	

Related Injuries

Investigation

Investigation Details

Report Information

OFFENSE/INCIDENT REPORT AND/OR WARRANT AFFIDAVIT MUST INCLUDE <input checked="" type="checkbox"/> All details of the arrest <input checked="" type="checkbox"/> All necessary criminal elements <input checked="" type="checkbox"/> Detailed description of injury complaints and/or observed injuries <input checked="" type="checkbox"/> Details articulating the subject's words, mannerisms and actions that justify the Response to Resistance <input checked="" type="checkbox"/> Details outlining the Response to Resistance utilized by each officer <input checked="" type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject
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Narrative

NARRATIVE OF INCIDENT

Investigation (continued)

Investigation Details

Tabatha Young did not comply with Officer Arguello's verbal commands and ran from him. When Officer Arguello made contact with Young she turned around dropped or tripped and fell to the ground. This was caused by her own actions. Officer Arguello did not attempt a take down. During this altercation Young stubbed her right big toe which is the injury requiring this RRI. Young was wearing flip flops.

Supervisor's Inquiry

NOTIFIED DATE 07/13/2024	NOTIFIED TIME 16:15
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 Duponty, Frank (1951)	RANK Sergeant	REVIEW DATE 07/13/2024
COMMENTS		

Professional Standards Division

Reviewer

REVIEWER Dean, Jeffrey (3386)	RANK Lieutenant	REVIEW DATE 07/23/2024
COMMENTS		
DID THE REVIEW OF THIS INCIDENT CONCLUDE THAT THE RESPONSE TO RESISTANCE WAS IN COMPLIANCE WITH DEPARTMENTAL POLICY? Yes		

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 24-003681

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

DUPONTY, F.T. (1951), CALVERT, M.M. (3451), ARGUELLO, V.S. (3917), HOWELL, W.N. (4059), ROSCOE, R. (4011), DAVIS, S. (4270), DAVIS, S. (4270)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 24-003681

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

		OCA 24-003681
Victim ARGUELLO, VICTOR SAMUEL	Offense BATTERY	Date / Time Reported Sat 07/13/2024 15:59

-- Tabatha Anna Young Arrest Narrative:

On July 13th, 2024, Ofc. Arguello and I (Ofc. G Abreu), responded to 1213 14th Street Lot 11, Key West, FL, in reference to a civil stand by. Ofc. Arguello arrived on scene first.

Upon arrival, I exited my patrol vehicle and heard loud screaming coming from across the street from lot 11. I noticed a pair of black slide sandals in the middle of the road pointing in the direction of where the yelling was coming from. I quickly ran in that direction and witnessed Ofc. Arguello on the ground attempting to handcuff a female (later identified as Tabatha Young) and also a black male (later identified as Matthew Smith) on top of Young attempting to detain her. Please note that Young and Smith are engaged to one another. Young was on the ground on her stomach screaming and refusing to give Ofc. Arguello her hand. I told Smith to back up as he was making the situation worse by yelling at Young to calm down when she was clearly irate. Smith stated she is manic and having an "episode". Young was on her stomach and Ofc. Arguello was able to place her left hand in handcuffs. When Young had fallen on the ground, she wrapped her right arm around a thick tree branch which she held onto and refused to unwrap her hand to be placed into handcuffs. Young was issued several verbal commands to give us her hand to be placed into cuffs and she refused. Young began screaming telling me to kill her cause she was going to "go for my gun". Young also told me she was homicidal on several occasions. I gave Smith a loud verbal command to back off so I can help Ofc. Arguello place Young into handcuffs. Ofc. Arguello was able to pull Young out from the bush slightly and when he did, she turned towards him and spit in his face. Young was able to tuck her hand further under her body making it more difficult for us to place her in hand cuffs. During this entire time Young was screaming obscenities at us and requesting a supervisor. I keyed up on our main police channel and asked for another unit and a supervisor to respond. Ofc. Arguello and I were able to finally get her into handcuffs. Young was still screaming obscenities at me while she was in cuffs and on the floor. I explained to Young that my Sergeant was on the way.

Sgt. Duponty arrived on scene, and we picked Young up off the ground. While attempting to pick her up off the ground, Young began to resist and stated she wanted Ofc. Arguello to get away from her and let her go. To avoid making the situation worse and in hopes to calm her down, Ofc. Roscoe escorted Young to Ofc. Arguellos patrol car with Ofc. Calvert assisting. I requested Key West Fire Rescue to respond to check Young out due to her excited behavior and minor lacerations on her toe and hand. Key West Fire rescue arrived on scene and evaluated Young. Young was transported to Lower Keys Medical Center for treatment before transported to Monroe County Detention Center.

I spoke to Ofc. Arguello who told me the following. Ofc Arguello stated just before I arrived, Young approached him at his patrol car and began to scream that he needs to have his body camera on and needs to call his supervisor. Ofc. Arguello arrived on scene in his marked Key West Police Department issued patrol car. Ofc. Arguello was wearing a Key West Police Officer uniform and was clearly identifiable as a police officer. Ofc. Arguello stated Young turned around and began to walk towards lot 11 which she has a documented trespass warning for. Ofc. Arguello stated he gave her several commands to stop and do not go into the trailer. Ofc. Arguello stated Young was excited and screaming very loudly. Ofc. Arguello stated he removed his handcuffs from his vest to detain her so he could figure out what was going on. Ofc. Arguello stated Young began running away from him despite the verbal commands that he was giving her. Ofc. Arguello stated when he placed hands on her in an attempt to detain her, she threw herself on the ground which was near a bush and refused to give him her hands. Ofc. Arguello was in a tussle with Young until I arrived on scene to assist. Ofc. Arguello stated that when he arrived Young was in a verbal argument with Smith. Also, please note that Young initially called us for a civil stand by to gather her belongings from Smiths house. Before we arrived on scene, Young called us on 911 and told Key West Dispatch that she was inside the trailer and things were escalating. It was later discovered that Young has since been staying at the trailer on and off again and was given permission to come to the trailer by both her fiancé and his landlord.

REPORTING OFFICER NARRATIVE

Key West Police Department

		OCA 24-003681
Victim ARGUELLO, VICTOR SAMUEL	Offense BATTERY	Date / Time Reported Sat 07/13/2024 15:59

Due to Young disobeying Ofc. Arguellos' verbal lawful order to stop and place her hands behind her back and along with spitting in his face. Young was placed under arrest. Young was transported to Lower Keys medical center and then Monroe County Detention Center without incident.

Based on the above facts, I have probable cause to arrest Young for the following,

1. Battery of law enforcement officer FSS. 784.07 (e)?"Law enforcement officer" includes a law enforcement officer, a correctional officer, a correctional probation officer, a part-time law enforcement officer, a part-time correctional officer, an auxiliary law enforcement officer, and an auxiliary correctional officer, as those terms are respectively defined in s. 943.10, and any county probation officer; an employee or agent of the Department of Corrections who supervises or provides services to inmates; an officer of the Florida Commission on Offender Review; a federal law enforcement officer as defined in s. 901.1505; and law enforcement personnel of the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, or the Department of Law Enforcement.
2. 843.02?Resisting officer without violence to his or her person.-Whoever shall resist, obstruct, or oppose any officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9); member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission; county probation officer; parole and probation supervisor; personnel or representative of the Department of Law Enforcement; or other person legally authorized to execute process in the execution of legal process or in the lawful execution of any legal duty, without offering or doing violence to the person of the officer.

My body worn camera was active during this investigation.

Incident Report Suspect List

Key West Police Department

OCA: 24-003681

1	Name (Last, First, Middle) <i>YOUNG, TABATHA ANNA</i>					Also Known As					Home Address <i>3 8TH AVE KEY WEST, FL 33040 305-747-5421</i>				
	Business Address <i>CIRCLE K, CLERK</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State					
<i>06/21/1980</i>	<i>44</i>	<i>W</i>	<i>F</i>	<i>H</i>	<i>506</i>	<i>140</i>	<i>BRO</i>	<i>BRO</i>	<i>LGT</i>	<i>Y520801807210 FL</i>					
Scars, Marks, Tattoos, or other distinguishing features															
<i>Reported Suspect Detail</i>		Suspect Age <i>44</i>			Race <i>W</i>	Sex <i>F</i>	Eth	Height <i>506</i>		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

*BUILD, MEDIUM/AVERAGE
FACIAL HAIR, NO FACIAL HAIR
HAIR TYPE, LONG
HAIR TYPE, MEDIUM
HAND USE, UNKNOWN
TEETH, OTHER*

Incident Report Related Property List

Key West Police Department

OCA: 24-003681

1	Property Description BWC3917	Make	Model	Caliber
	Color	Serial No.	Value \$0.00	Qty 1.000
			Unit	Jurisdiction Locally
	Status Evidence	Date 07/14/2024	NIC #	State #
			Local #	OAN
	Name (Last, First, Middle) * No name *	DOB	Age	Race
				Sex

Notes

CASE SUPPLEMENTAL REPORT

Printed: 07/23/2024 16:22

Key West Police Department

OCA: **24003681**

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

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred: *07/13/2024*

Offense: *BATTERY*

Investigator: *ARGUELLO, VICTOR S (3917)*

Date / Time: *07/14/2024 11:14:23, Sunday*

Supervisor: *DUPONTY, FRANK T (1951)*

Supervisor Review Date / Time: *07/14/2024 16:32:18, Sunday*

Contact:

Reference: *General Supplemental Report*

On Saturday, July 13, 2024, at approximately 1600 hours, Ofc. Abreu and I (Ofc. Arguello) were dispatched 1213 14th Street lot. 11 (Stadium mobile home park), reference the reporting party (later identified as Tabitha Young) attempting to retrieve property from her ex-boyfriend's (later identified as Matthew Smith) house.

Prior arriving at the residence, Key west dispatch advised that Young and the Smith were in a verbal argument because Young was inside Smith's house. Upon arrival, Young and Smith were outside the residence. Young was irate and both parties appeared upset. I asked Young why she went inside Smith's house if he didn't want her in there, she stated she wanted a supervisor and walked towards the residence and where the Smith was standing. I ordered Young not to go inside the house, she ignored me and yelled that his name was not in the lease, and that Smith does not live there. Smith confirmed he lives in the residence. I again ordered Young not to enter the residence and she aggressively turned around and yelled, "or what!". Due to Young's disorderly behavior I attempted to detain her. I ordered Young to turn around to be handcuffed and she took off running. I grabbed Young by her arm to stop her, and she threw herself on the ground. I ordered Young to place her hands behind her back and she refused. Young was yelling and actively pulling away from me. I was able to handcuff one wrist, but she refused to place her other hand behind her back. Young turned her face towards my direction and spat in my face. I placed my knee on her back and with the help of Ofc. Abreu I was able to handcuff Young. Young proudly stated she spat in my face. Key west Fire Rescue was called to evaluate Young.

This incident was recorded on my BWC.

Investigator Signature

Supervisor Signature