Response to Resistance Report

Key West Police Department

Case No: 22-1148

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: 02/24/2022 **3. Time:** 2206 **4. Location:** 400 blk of Caroline St. **5. Incident type:** Resisting

6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
☒ Passive:	Refused to comply with orders	☒ Physical Control	Hand Strikes
☒ Active:	Bracing and tensing his leg	☒ Non-lethal Weapon	Drive Stun
☐ Aggressive:		☐ Deadly Force	
☐ Deadly Force:			

SUBJECT

10. Last Name: Jenkins **11. First:** Brian **12. Race:** W **13. Sex:** M

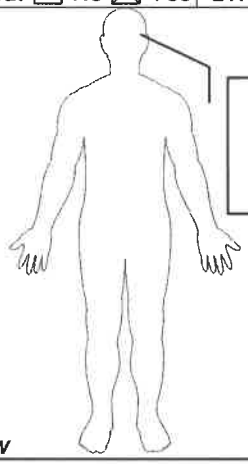
14. DOB: 09/21/1968 **15. Height:** 6'03" **16. Weight:** 290

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

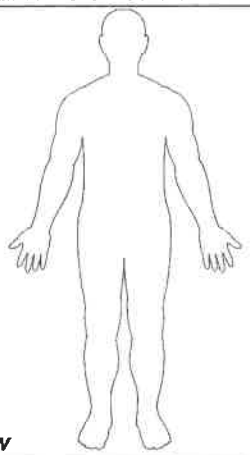
18. Appeared to be: ☒ Intoxicated ☐ Under the influence of controlled substance ☐ Emotionally / mentally disturbed

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

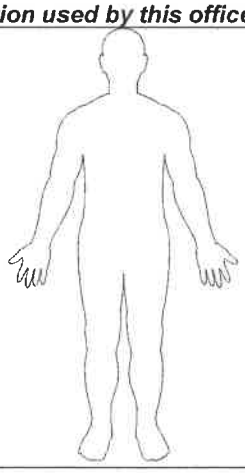
23. Officer: Michal Brablc **24. Race:** W **25. Sex:** M **26. Age:** 35 **27. Height:** 6'07" **28. Weight:** 270

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes **30. Yrs Exp:** 3.5

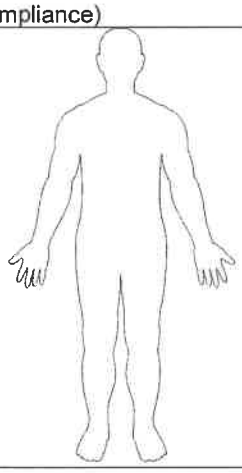
31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

32. Photographed: ☒ No ☐ Yes **33. Treated:** ☒ No ☐ Yes **By:** ☐ EMT/Paramedic on scene ☐ Hospital

34. Response option used by this officer: Strikes to the right thigh (pain compliance)



35. Anterior View



Posterior View

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1148

TASER USE ONLY

36. TASER® device serial # X1200CT7Y	37. TASER® device serial #
TASER®Cam serial # V21002AT8	TASER®Cam serial #
Cartridge 1 serial #	Cartridge 1 serial #
Cartridge 2 serial #	Cartridge 2 serial #
Number of cycles: 1	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: Sgt. Stockton	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: 02/24/2022 ***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	Phone Number

47. Is further review recommended: ☒ No ☐ Yes
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS

J. Hammond 3631 — 48. Preparing Supervisor's Signature / ID

02/24/2022 — 49. Date

INT. AFF.

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

52. Date

53. If section 48 is "No" record the Professional Standards Control Number:

54. Date Entered:

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-1148

OFFICER

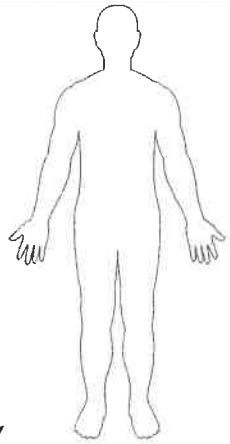
23. Officer: Andrew Litton ***24. Race:*** W ***25. Sex:*** M ***26. Age:*** 32 ***27. Height:*** 5'09" ***28. Weight:*** 200

29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain ***30. Yrs Exp:*** 3.5

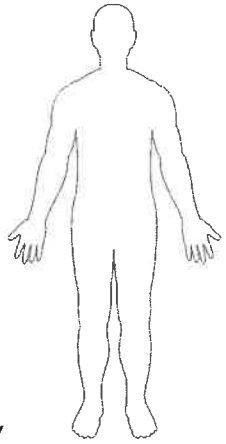
31. Injuries: ☒ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

32. Photographed: ☒ No ☐ Yes ***33. Treated:*** ☒ No ☐ Yes ***By:*** ☐ EMT/Paramedic on scene ☐ Hospital

34. Response option used by this officer: Taser drive stun to the right ribs



35. Anterior View



Posterior View

OFFICER

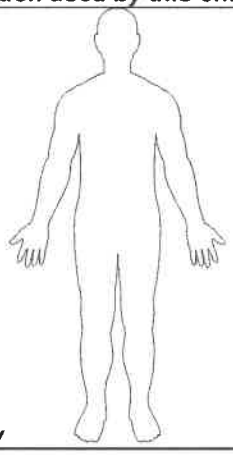
23. Officer: ***24. Race:*** ***25. Sex:*** ***26. Age:*** ***27. Height*** ***28. Weight***

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

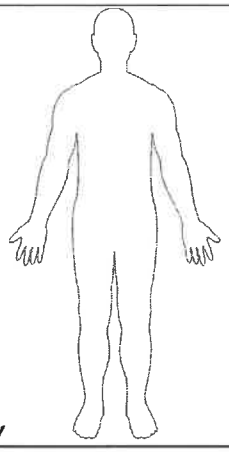
31. Injuries: ☐ No ☐ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35)

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)**



35. Anterior View



Posterior View

INCIDENT/INVESTIGATION REPORT

Agency Name	Key West Police Department
ORI	FL0440100
Case#	22-001148
Date / Time Reported	02/24/2022 21:59 Thu
Last Known Secure	02/24/2022 21:59 Thu
At Found	02/24/2022 21:59 Thu

INCIDENT DATA

Location of Incident	Premise Type	Beat/GP
412 CAROLINE ST, Key West FL 33040-	Highway / Street / Road/	B1, GPB1

	Crime Incident(s)		Weapon / Tools	Activity
#1	Resist Arrest / Escape XOM	(Com)	NOT APPLICABLE/NONE	
#2	Ordinance Violation XOP	(Com)		
#3		( )		

	Entry	Exit	Security
#1			
#2			
#3			

MO

VICTIM

of Victims 1 | Type: SOCIETY/PUBLIC/STATE | Injury: | Domestic: N

	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB / Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
V1	Society	1,2					N/A	

Home Address | 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) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type: | Injury:

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

Home Address | Home Phone

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 | 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	$0.00		1	AXON BWC 3925		

Officer/ID# BRABLC, MICHAL (3925)

Invest ID# (0) | Supervisor HAMMERS, JESSE L (3631)

Status | Complainant Signature | Case Status Cleared By Arrest 02/25/2022 | Case Disposition: Cleared By Arrest 02/25/2022 | Page 1

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # *22-001148*

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

HAMMERS, J.L. (3631), LITTON, A.J. (3958)

Suspect Hate / Bias Motivated:

NARRATIVE

Draft Only

On Thursday, February 24, 2022, at approximately 2200 hours, I (Officer M. Brablc) was on routine patrol of 400 block of Caroline St. I observed a male subject laying on the sidewalk in front of a bus stop.

I stopped my patrol vehicle and told the subject (later identified as Brian Jenkins) to get up from the sidewalk and sit on the bench. Jenkins waved his arm and disregarded my request. I parked my patrol vehicle and approached Jenkins. Jenkins cooperated, got up and sat on the bench.

Officer A. Litton arrived on the scene and informed me, Jenkins was moved along after obstructing the sidewalk in front of 216 Duval St, earlier tonight. Officer Litton added, Jenkins was issued a warning and educated on the Municipal Ordinance. Jenkins was issued the warning on 02/24/2022 at 2110 hours, CAD number 220550172.

As Officer Litton and I walked away, Jenkins laid down on the sidewalk again, placed a backpack under his head and was going to light a cigarette. I observed a male and a female couple avoiding Jenkins and were forced to step into the roadway to avoid Jenkins and to continue their journey down the sidewalk.

I believed another warning would not help the situation. Based on his actions, I believed there was a probable cause for Jenkins` arrest for violation of Municipal Ordinance MOV 62-2 OBSTRUCTION OF PUBLIC RIGHT OF WAY. I told Jenkins to stand up and Officer Litton and I placed him in handcuffs. Officer Litton and I used two sets of handcuffs due to Jenkins` size.

I walked Jenkins to my patrol vehicle and asked him to face the vehicle so I could conduct a search incident to arrest. Jenkins said, "I aint facing shit, make me". Jenkins faced the vehicle and a I conducted the search. When I asked Jenkins to have a seat in my vehicle he refused. Jenkins tensed up and would not move. I was able to get most of his body into the vehicle, but once inside, Jenkins laid down on the seat and we were unable to get his legs in. I pulled Jenkins out of the vehicle to start over. Once I got Jenkins out, I noticed a laceration on his left eyebrow. It was unknow, if Jenkins suffered the laceration while trying to get Jenkins in the vehicle, or while I pulled him back out to reposition his legs. Jenkins alleged I punched him in the face, which I did not.

Once Officer Litton and I got Jenkins out of the vehicle, Jenkins laid down on the road and would not move. Jenkins said, "You asked for it". I picked Jenkins up and managed to have him sit down in the back seat. Jenkins would not get his legs inside of the vehicle. Jenkins was tensed up and refused to get his legs into the vehicle. I struck Jenkins twice in his quadriceps with a closed fist to gain pain compliance and to bend Jenkins` knees and get his feet inside. I was not successful. Officer Litton utilize his AXON Taser and, after a warning, drive stunned Jenkins to gain pain compliance. Jenkins eventually complied and got his feet inside of the vehicle.
Officer Litton notified Sergeant J. Hammer of the Taser usage and requested for Sergeant Hammers to respond to the scene.

Sergeant Hammers arrived on the scene and spoke with Jenkins. Jenkins refused medical attention.

In addition to violation of MOV 62-2 OBSTRUCTION OF PUBLIC RIGHT OF WAY, Jenkins was charged with violation of F.S.S. 843.02 RESIST / OBSTRUCT OFFICER WITHOUT VIOLENCE - by refusing to comply with my lawful orders to the inside of the patrol vehicle.

My AXON body worn camera was activated.

Status: Cleared by arrest.

Incident Report Suspect List

Key West Police Department

OCA: *22-001148*

1	Name (Last, First, Middle)	Also Known As	Home Address
	JENKINS, BRIAN ANTHONY		*1 GENERAL DELIVERY* *KEY WEST, FL 34293* *941-879-2768*
	Business Address *MARRIOTT COURTYARD, UNKNOWN*		

DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.
09/21/1968	*53*	*W*	*M*	*N*	*603*	*260*	*RED*	*GRN*	*LGT*	*J525061683410 FL*

Scars, Marks, Tattoos, or other distinguishing features

Reported Suspect Detail	Suspect Age	Race	Sex	Eth	Height	Weight	SSN

Weapon, Type	Feature	Make	Model	Color	Caliber	Dir of Travel Mode of Travel

VehYr/Make/Model	Drs	Style	Color	Lic/St	VIN

Notes

Physical Char

Draft Only

CASE SUPPLEMENTAL REPORT

NOT SUPERVISOR APPROVED

Printed: 02/25/2022 02:36

OCA: ***22001148***

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

Investigator: *LITTON, ANDREW J. (3958)*
Date / Time: *02/25/2022 01:21:20, Friday*
Supervisor: *(0)*
Supervisor Review Date / Time: *NOT REVIEWED*
Contact:
Reference: *General Supplemental Report*

On 02/24/2022 at approximately 2200 hours, I (Ofc. A. Litton) responded to the 400 block of Caroline Street to assist Officer M. Brablc with an intoxicated subject.

When I arrived, I immediately recognized Brian Jenkins, who Officer M. Brablc informed me was laying across the sidewalk when he arrived. I informed Officer M. Brablc that I contacted Jenkins at 216 Duval Street earlier that night, where I gave him a warning for obstructing the sidewalk (CAD 220550172). Officer M. Brablc and I walked away from Jenkins after he told Officer M. Brablc he was waiting for the bus to arrive. As we stood on the sidewalk by our patrol vehicles, Jenkins laid down on the ground and attempted to go back to sleep. Jenkins laid perpendicular to the street, obstructing the entire sidewalk, inhibiting anyone from passing without stepping over him or walking into the street. A couple then walked up to Jenkins and was forced to walk into the street, stepping in front of a passing vehicle, so they could continue up the sidewalk.

Officer M. Brablc and I walked over to Jenkins and placed him in handcuffs for obstructing the sidewalk. We walked Jenkins to Officer M. Brablc`s patrol vehicle where he was searched and told to sit in the back seat. Jenkins was defiant, difficult, and confrontational during the entire encounter. Jenkins did not willingly sit inside the vehicle, so Officer M. Brablc attempted to coerce Jenkins` head down and body inside the vehicle. Jenkins proceeded to tense his body, making it difficult to place him in the vehicle. Jenkins eventually fell into the back seat, leaving his body tense with his feet outside of the vehicle, refusing to sit inside. Officer M. Brablc then attempted to remove Jenkins from the patrol vehicle so he could sit properly inside. Jenkins kept his body straight and forced his head against the top of the door jamb so he could not come out of the vehicle.

Jenkins was removed from the vehicle and stood outside the door as I adjusted the handcuffs and assured they were double locked. Jenkins then collapsed to the ground, forcing Officer M. Brablc and I to pick him up and attempt to place his 6`4", 300 plus pound body into the back seat of the patrol vehicle. We managed to place Jenkins in the back seat but he, again, offered active resistance, using his large size and stature to defy commands to place his legs inside the vehicle. Officer M. Brablc gave ample commands to Jenkins to place his legs inside the vehicle and attempted to obtain pain compliance through the use of strikes to Jenkin`s common peroneal nerve on his right thigh, but the strikes had no effect. As Officer M. Brablc continued to attempt to use force to place Jenkins in the patrol vehicle, I removed my department issued Taser from its holster, removed the cartridge, and placed the Taser against the right side of Jenkins` abdomen. I gave verbal commands for Jenkins to place his legs inside the vehicle or he would be drive-stunned. Jenkins continued to offer active resistance and I delivered a single cycle drive-stun to the side of Jenkins` body. Jenkins immediately complied and placed his legs inside the vehicle.

I notified Sergeant J. Hammers to respond to the scene for the response to resistance incident report. Jenkins refused any medical treatment and was transported by Officer M. Brablc to MCDC without further incident. Axon BWC was

Investigator Signature:_____

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Investigator: *LITTON, ANDREW J. (3958)*
Date / Time: *02/25/2022 01:21:20, Friday*
Supervisor: *(0)*
Supervisor Review Date / Time: *NOT REVIEWED*
Contact:
Reference: *General Supplemental Report*

activated during this incident and later uploaded to Evidence.com.

Investigator Signature:_____