

Response to Resistance Report

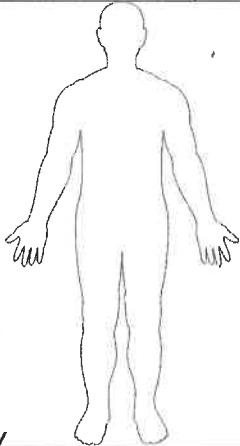
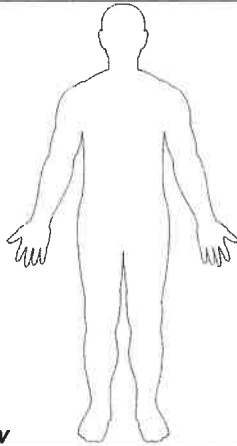
Key West Police Department

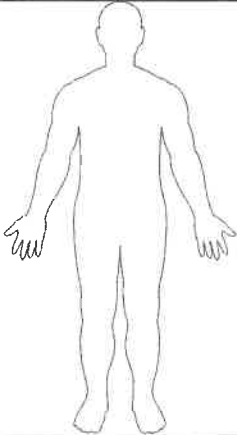
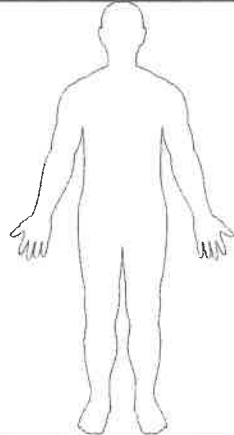
Case No: 23-4536

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: 08/10/23 | 3. Time: 2315 | 4. Location: Palm Ave / Trumbo | 5. Incident type: Resisting With |
| | 6. Resistance Level | 7. Explanation | 8. Response Option | 9. Explanation |
| | <input checked="" type="checkbox"/> Passive: | Failure to follow orders | <input checked="" type="checkbox"/> Physical Control | Takedown |
| | <input checked="" type="checkbox"/> Active: | Aggressive bracing and tensing | <input type="checkbox"/> Non-lethal Weapon | |
| | <input checked="" type="checkbox"/> Aggressive: | Kicking at Officers | <input type="checkbox"/> Deadly Force | |
| <input type="checkbox"/> Deadly Force: | | | | |

| | | | | |
|---------|---|-------------------|---|------------|
| SUBJECT | 10. Last Name: Rigel | 11. First: Jordan | 12. Race: B | 13. Sex: M |
| | 14. DOB: 08/25/1998 | 15. Height: 5'09 | 16. Weight: 140 | |
| | 17. Did you observe the subject: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22 | | | |
| | 18. Appeared to be: <input type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input checked="" type="checkbox"/> Emotionally / mentally disturbed | | | |
| | 19. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22) | | | |
| | 20. Photographed: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes 21. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention | | | |
| |  | |  | |
| | 22. Anterior View | | Posterior View | |

| | | | | | | |
|---------|--|---|----------------|--|-------------------|-----------------|
| OFFICER | 23. Officer: Sgt. A. Rodriguez | 24. Race: W | 25. Sex: M | 26. Age: 31 | 27. Height: 5'09" | 28. Weight: 165 |
| | 29. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes 30. Yrs Exp: 11 | | | | | |
| | 31. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35) | | | | | |
| | 32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital | | | | | |
| | 34. Response option used by this officer: Takedown | | | | | |
| | |  | |  | | |
| | 35. Anterior View | | Posterior View | | | |

Response to Resistance Report (continued)

Key West Police Department

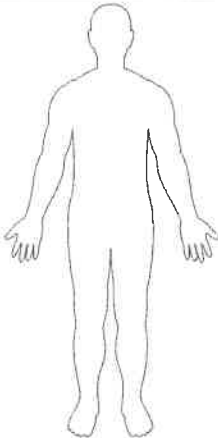
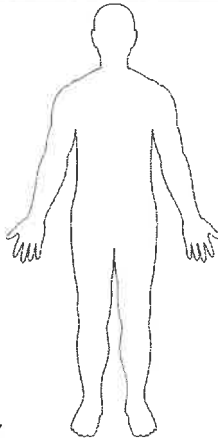
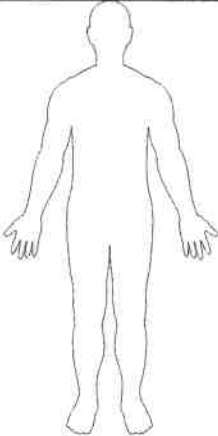
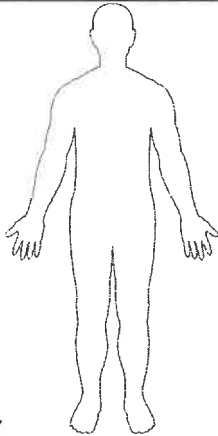
Case No: 23-4536

| | | | |
|---|---|---|--|
| TASER USE ONLY | 36. TASER® device serial # | 37. TASER® device serial # | |
| | Battery serial # | Battery serial # | |
| | Cartridge 1 serial #1: serial #2 | Cartridge 1 serial #1 | serial #2 |
| | Cartridge 2 serial #3 serial #4 | Cartridge 2 serial #3 | serial #4 |
| | Number of cycles: 1 | Number of cycles: | |
| | Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun | Type of contact: <input type="checkbox"/> Probe <input type="checkbox"/> CODS <input type="checkbox"/> Drive Stun | |
| | Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> No | Did probes penetrate skin: <input type="checkbox"/> Yes <input type="checkbox"/> 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: | | |
| <input checked="" type="checkbox"/> 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: | | |
| | <input checked="" type="checkbox"/> All necessary criminal elements. <input checked="" type="checkbox"/> All details of the arrest <input checked="" type="checkbox"/> Details articulating the subject's words, mannerisms and actions that justify the use of force. <input checked="" type="checkbox"/> Details outlining the response to resistance utilized by each officer. <input checked="" type="checkbox"/> Detailed description of injury complaints and/or observed injuries <input checked="" type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject. | | |
| SUPERVISOR'S INQUIRY | 40. Notified Date: 08/10/2023 | | 41. Time: 2330 / On Scene |
| | 42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why) | | |
| | 43. Did you watch all relevant videos associated with the use of force? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why) | | |
| | 44. Did you meet with the Officer(s): <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why) | | |
| | 45. During your review did you find any potential policy violations or training issues associated with the incident? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below) | | |
| | 46. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below) | | |
| | Name | Address | Phone Number |
| | | | |
| | | | |
| | | | |
| INT. AFF. | 47. Preparing Supervisor / Printed Name: <u>A. I. Iovni</u> | | 48. Preparing Supervisor / Signature / ID: <u>[Signature]</u> 3022 |
| | | | 49. Date: <u>8-11-23</u> |
| | 50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes | | 51. Signature of Internal Affairs Inspector: <u>[Signature]</u> 3317 |
| | | | 52. Date: <u>9/6/23</u> |

Response to Resistance Report (continued)

Key West Police Department

Case No: 23-4536

| | | | | | | |
|---------|--|--|--|--|--|------------------|
| OFFICER | 23. Officer: Ofc. S. Adorno 24. Race: W 25. Sex: M 26. Age: 24 27. Height: 6'03" 28. Weight: 200 | | | | | |
| | 29. Duty Status: <input checked="" type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain | | | | | 30. Yrs Exp: 1.5 |
| | 31. Injuries: <input checked="" type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35) | | | | | |
| | 32. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital | | | | | |
| | 34. Response option used by this officer: Takedown | | | | | |
| |  | | |  | | |
| | 35. Anterior View | | | Posterior View | | |
| OFFICER | 23. Officer: 24. Race: 25. Sex: 26. Age: 27. Height 28. Weight | | | | | |
| | 29. Duty Status: <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input type="checkbox"/> Extra duty employment <input type="checkbox"/> Uniformed <input type="checkbox"/> Plain | | | | | 30. Yrs Exp: |
| | 31. Injuries: <input type="checkbox"/> No <input type="checkbox"/> Evident <input type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 35) | | | | | |
| | 32. Photographed: <input type="checkbox"/> No <input type="checkbox"/> Yes 33. Treated: <input type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital | | | | | |
| | 34. Response option used by this officer: (If TASER®, also reference line number from TASER® section) | | | | | |
| |  | | |  | | |
| | 35. Anterior View | | | Posterior View | | |

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 08/11/2023 03:19

OCA: **23004536**

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

Investigator: *RODRIGUEZ, ALEXANDER (3465)*

Date / Time: *08/11/2023 02:49:43, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On Thursday, August 10, 2023 at approximately 2310 hours, I (Sgt. A. Rodriguez) responded to the area of Palm Avenue and Trumbo Point reference Sgt. D. Kouri requesting an urgent numerous officer response due to a traffic stop that turned volatile when numerous family members of the stopped vehicle arrived.

Upon arrival, I was informed by Ofc. J. Hesse that the two occupants of the vehicle were off to my right and should be placed into handcuffs and detained due to the positive K9 alert from K9 Jigsaw. I noticed the two male occupants of the stopped vehicle were verbally difficult by screaming profanities at officers and attempting to instigate a negative response from family members and officers. The numerous family members distracted officers' ability to conduct the investigation into the traffic stop and vehicle search to the point that all but one officer on duty was present, as he was at the jail.

I saw K9 Ofc. T. Anglin and Ofc. I Golovanov conducting a manual search of the vehicle and instructed Ofc. I. Golovanov to relocate to where we were positioned to assist with crowd control. I instructed a less difficult subject, later identified as HOES to step further away from the group, turn around, place his hands behind his back and Sgt. D. Kouri placed him into handcuffs without incident.

The second male became even more belligerent and began recording me with his phone as was evident by his extended hand containing his phone, while yelling "bitch ass nigga". I informed this male, RIGEL, that he was also going to be detained in a moment. RIGEL became even more irate and I informed him numerous times to calm down and that its a detention, not an arrest. RIGEL continued to step into my personal space, at which point I gained control of his left wrist and arm, and placed it behind his back. Ofc. S. Adorno gained control of RIGEL's right arm and RIGEL continued his verbal, and now, physical resistance by tensing his arms and pulling away, despite numerous verbal commands to stop resisting. Once RIGEL was cuffed, Ofc. S. Adorno and I walked RIGEL to his patrol vehicle to secure him into the rear of it.

Once at the rear of Ofc. S. Adorno's patrol vehicle, a pat down of RIGEL's person was attempted however his continued physical resistance made it difficult. During this search, I could smell wafts of unburnt marijuana coming from RIGEL's person. I swiped across RIGEL's front waistband and felt what I recognized through my training and experience as a plastic bag with numerous, soft round objects I suspected of being marijuana buds. This first bag was just left of center in the front waistband area. As I retrieved this bag, RIGEL's resistance amplified to more twisting and attempting to move his body from reach. I performed another sweep across his waistband and felt another plastic bag containing numerous soft objects I suspected of being marijuana buds. This second bag was just right of center in the front waistband area.

Before I was able to retrieve this second bag of marijuana, RIGEL began kicking at Ofc. S. Adorno and I. I

Investigator Signature: _____

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Investigator: *RODRIGUEZ, ALEXANDER (3465)*

Date / Time: *08/11/2023 02:49:43, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

repositioned my grip and gained control of RIGEL's left arm and shoulder area and escorted him to the ground in a controlled manner, securing him on the ground. The search was completed and the second bag of marijuana was retrieved. RIGEL's physical resistance ceased but his verbal tirade and profanities continued and he was placed into the rear of Ofc. S. Adorno's patrol vehicle without further incident.

I then proceeded to assist in a manual search of the vehicle and located two live .40 cartridges of Smith & Wesson ammunition in the coin tray area of the center console, accessible by both front seat occupants.

No further contraband was located by myself.

See other officers' supplementals for further information.

My AXON BWC was activated for this incident and I did not have a FLEET recording.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 08/11/2023 03:55

OCA: **23004536**

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

Investigator: *ANGLIN, THOMAS H IV (2872)*

Date / Time: *08/11/2023 03:46:31, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On 10AUG23 at 2257, I (Ofc. T. ANGLIN) responded to 340 Ely Avenue, at the request of Sgt. D. KOURI, who had conducted a traffic stop on a 2017 silver Nissan 4 door, (VA Tag# UJF6500). While enroute to the traffic stop, Sgt. D. KOURI requested that K-9 JIGSAW conduct a sniff of the exterior of the stopped Nissan. While speaking with Sgt. D. KOURI, (At the passenger's side window of his patrol vehicle) I could hear both Ofc. J. HESSE and Ofc. S. ADORNO repeatedly ask the occupants to step out of the stopped Nissan, (See supplemental reports for details).

I returned to my patrol vehicle and affixed my six-foot nylon lead to the one-inch nylon collar K-9 JIGSAW was wearing. I retrieved K-9 JIGSAW from the rear of my patrol vehicle and stopped at Sgt. D. KOURI'S passenger's side window to speak with him once again. I observed the passenger, later identified as JORDAN RIGEL, being loud and animated, (See body camera footage) within close proximity to the front bumper of the stopped Nissan. Sgt. D. KOURI assisted Officers in guiding RIGEL away from the stopped Nissan, (See reports and body camera footage for details).

I approached the passenger's side front bumper on the stopped Nissan, I gave K-9 JIGSAW the command to sniff for narcotics and began moving counterclockwise around the exterior of the stopped vehicle. As we approached the driver's side of the front bumper, I observed a noticeable change in K-9 JIGSAW'S normal behavior. K-9 JIGSAW'S body became rigid and his respiratory effort increased as he abruptly changed direction and rapidly moved clockwise towards the front passenger's door. K-9 JIGSAW scanned his nose up the face of the front passenger's door, hovered his nose while taking in deep deliberate breaths and sat. I gave K-9 JIGSAW his reward and secured him in the rear of my patrol vehicle.

I returned to the stopped Nissan and began my manual search of the passenger's compartment. As I began my search, I could smell the strong odor of Marijuana emanating from the interior of the vehicle. While searching, I could hear a loud commotion coming from the side of the road, (See supplemental reports and body camera footage). I approached the Officers and small crowd of people now standing on the side of the road and checked on their status. After verifying that Officers were in control, I returned to the stopped Nissan and continued my manual search.

I utilized a Cocaine field test swab and began wiping down numerous areas inside the stopped Nissan. I opened the center console arm rest storage compartment and observed a small concentration of a white powdery substance resting in the rear corner, (Closest to the passenger's side) of the top storage tray. I conducted a field test on the powdery residue and the result was F.T.P. Cocaine. I approached Sgt. D. KOURI and informed him of my discovery.

I returned to the stopped Nissan and as I continued to search the center console storage area, I overheard a loud commotion and could heard Sgt. D. KOURI request, via two-way radio for more Officers respond to the scene forthwith. I immediately approached the Officers on scene and maintained a positive hold of the driver, DETRICK HOES, whom Sgt. D. KOURI had paced in handcuffs, (See both supplemental report and body camera footage for

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Investigator: *ANGLIN, THOMAS H IV (2872)*

Date / Time: *08/11/2023 03:46:31, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

details). I escorted HOES towards Sgt. D. KOURI'S patrol vehicle and attempted to explain what was happening and answer any potential questions.

While escorting HOES to the patrol vehicle, he was argumentative and exclaimed that the vehicle was not his and our search and or potential items recovered would not be his. As we approached the rear of the patrol vehicle, I could hear both Sgt. A. RODRIGUEZ and Ofc. S. ADORNO giving commands for RIGEL to stop resisting at the rear of Ofc. S. ADORNO'S patrol vehicle, (See original report and body camera footage for details). Ofc. I. GOLOVANOV conducted a search of HOES' person and we secured him in the rear of Sgt. D. KOURI'S patrol vehicle.

Once the scene was settled down to a manageable point with the addition of newly responding Officers, I continued my manual search of the stopped Nissan and observed traces of a white powdery residue in the base of the center console storage compartment, (Larger area, towards the rear). I utilized my Cocaine field test wipe to conduct a field test on the residue and observed positive result for the presence of Cocaine, F.T.P. Cocaine.

Sgt. A. RODRIGUEZ handed me two (2) small partially torn vacuum seal baggies, each containing numerous green and brown leafy clusters, (Suspected Marijuana). Sgt. A. RODRIGUEZ assisted me in continuing the search of the stopped Nissan. Sgt. A. RODRIGUEZ located two (2) .40 Smith and Wesson hollowpoint rounds of ammunition in the forward storage cubby on the top of the center console.

Sgt. D. KOURI and I spoke with the family members on scene and explained the incident in detail and Sgt. D. KOURI provided them with information on RIGEL'S arrest. The family acknowledged that RIGEL was out of control and they even attempted to plead with him to clam down during the incident, (See Officer's reports and body camera footage for details). After both HOES and the stopped Nissan were released to the family, I gathered information for my report and departed the scene.

I took possession of the suspected Marijuana as well as the ammunition and returned to KWPD Headquarters for processing. I conducted a field test on the suspected Marijuana and the result was F.T.P. Marijuana. I packaged and submitted the Marijuana, vacuum seal baggies and ammunition into the KWPD Property and Evidence Section on behalf of Ofc. S. ADORNO.

At no time did I interview RIGEL.

Both my Axon BWC and Fleet cameras were active during this incident and uploaded to the server.

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 08/11/2023 02:41

OCA: **23004536**

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

Investigator: *KOURI, DAVID G (3022)*

Date / Time: *08/11/2023 01:47:30, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On August 10th, 2023, I (Sgt. Kouri) was traveling West on Eaton Street, approaching the intersection of Grinnell Street. The traffic signal at the aforementioned intersection was "Red" in the direction I was approaching.

A grey in color, 4 door Nissan car (VA UJF6500) was traveling South on Grinnell Street, approaching Eaton Street, towards a "Green" traffic signal. The vehicle made a left turn onto Eaton Street, however it made the turn traveling into both the left lane and right turn lane of Eaton Street. I had to rapidly stop my marked KWPD SUV and turn sharply to the right to avoid a collision with the vehicle that had just failed to maintain its designated lane of travel, as well as violated my right of way.

I turned my KWPD SUV around and initiated a traffic stop on the vehicle, which came to a stop on Palm Avenue, near the entrance of Trumbo Navy Base.

I approached the driver wearing my KWPD Department issued Class B Uniform and was readily identifiable as a Police Officer. I introduced myself to the driver, identified by his Maryland driver license as Detrick Hoes and explained to him the reason for the stop. In the passenger street was a second male subject, later identified as Jordan Rigel.

I could see an open "blunt wrap" in the cup holder, located forward of the center console. I could also smell an overpowering odor of unburnt marijuana emitting from inside of the vehicle. I was immediately able to recognize this odor through my training, experience (17 years as a Police Officer) as well as being involved in multiple narcotics related investigations. Based on this information I requested a secondary Officer to my location, as well as a K9 unit. Officers Adorno and Hesse responded, as well as K9 Ofc. T. Anglin and K9 "Jigsaw"

The driver and passenger were asked to exit the vehicle and did not comply and became argumentative. They were informed of the legality of the request and after further arguing, eventually complied with the legal and lawful request. K9 Ofc. Anglin conducted an exterior "sniff" of the vehicle utilizing K9 "Jigsaw" and advised there was a positive alert for the odor of narcotics. This "sniff" was conducted while I was attempting to run the driver and vehicle information through Law Enforcement resources, however this portion of the traffic stop was interrupted by the noncompliance of Hoes and Rigel.

At this time, several (6) of Hoe's family members arrived in a dark colored SUV and approached the traffic stop and became immediately hostile, argumentative, vulgar and verbally abusive to the Officers on scene. This also escalated the behavior of Hoes and Rigel, who became further verbally confrontational, with Rigel beginning to threaten Officers on scene. Several other Officers had to respond to the traffic stop due the hostile behavior of the eight (8) individuals now on scene.

Investigator Signature: _____

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Investigator: *KOURI, DAVID G (3022)*

Date / Time: *08/11/2023 01:47:30, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

Hoes was taken into custody without incident and handcuffed and placed in the rear of a marked KWPD SUV. Officers attempted to take Hoe compliantly into custody, however he began to actively resist, by tensing, pushing, pulling and bracing from the Officers. He continued to resist and began verbally threatening the Officers on scene. He continued to resist and was taken to the ground to gain control and compliance. Rigel attempted to kick Officers on scene, and after a continued struggle, was eventually placed into the rear of a marked KWPD SUV. (See Supplementals). During a search of Rigel's person, a clear plastic baggy containing FTP marijuana was located concealed within his shorts.

Rigel was transported to Jail by Ofc. Adorno and charged accordingly. Although FTP cocaine was found in trace amounts near the center console of the vehicle, Hoes was eventually released at the end of the investigation, issued a verbal warning for the traffic infraction and the situation was deescalated with the family members. The evidence was transported to KWPD by Ofc. Anglin, where he packaged it.

My BWC and In-Car camera were active for this investigation.

Investigator Signature: _____

