

Response to Resistance Report

Key West Police Department

Case No: 23-3691

1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)

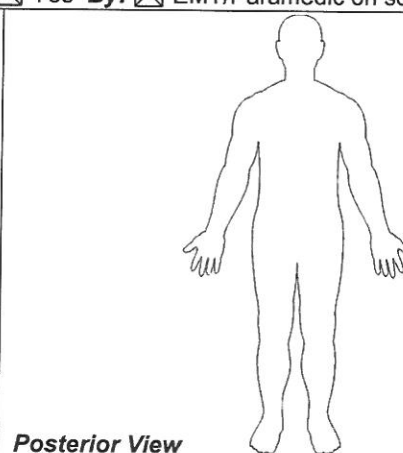
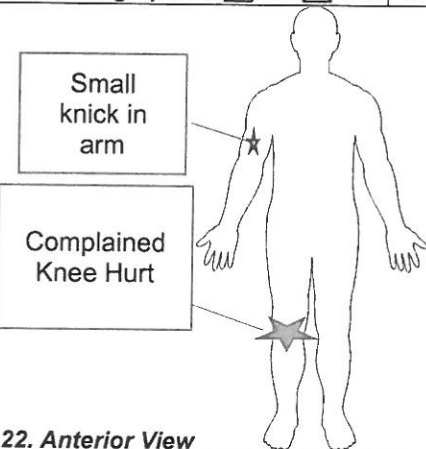
- ☐ A response through the use of non-lethal weapons,
☒ Applies weaponless physical force of strikes, kicks, or "take-downs"
☐ When any person sustains an apparent substantial or fatal injury as a result of the application of force
☒ When any person complains of injury as a result of the application 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: 06/28/23 3. Time: 0252 4. Location: Duval/Greene Street 5. Incident type: Resisting W/Out
6. Resistance Level 7. Explanation 8. Response Option 9. Explanation
☒ Passive: Ignoring verbal commands ☒ Physical Control Takedown/Ground Control
☒ Active: Pushing/Pulling ☐ Non-lethal Weapon
☒ Aggressive: Fighting Stance ☐ Deadly Force
☐ Deadly Force:

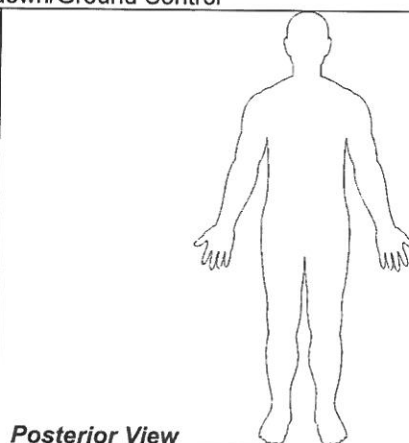
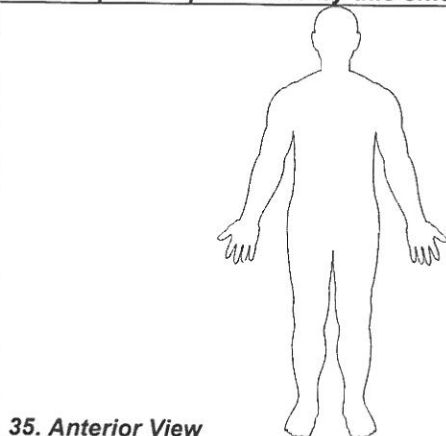
SUBJECT

10. Last Name: Ellestad 11. First: Shane 12. Race: W 13. Sex: M
14. DOB: 10/18/1973 15. Height: 6'00" 16. Weight: 265
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: Ofc. J. Torrecillas 24. Race: H 25. Sex: M 26. Age: 43 27. Height: 5'07" 28. Weight: 205
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 7
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: Modified Takedown/Ground Control



Response to Resistance Report (continued)

Key West Police Department

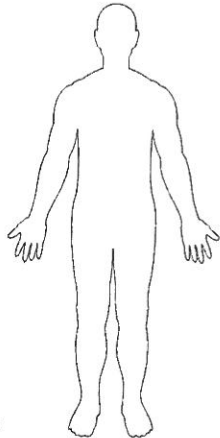
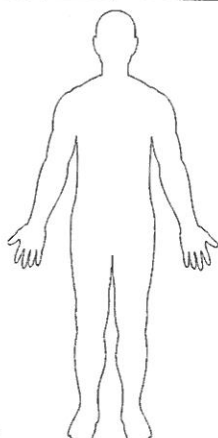
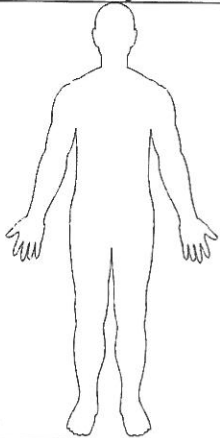
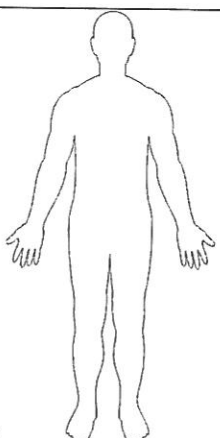
Case No: 23-3691

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: 2		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 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: 06/28/23		41. Time: 0252 hours	
	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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
	Name	Address	Phone Number	
	Curtis Grass	202 Duval Street Key West, FL 33040	305-395-0667	
	Jason Bystol	144 Sunset Lane Tavernier, FL 33070	239-728-4171	
INT. AFF.	Sgt. Nicholas Revoredo		06/28/2023	
	47. Preparing Supervisor / Printed Name		48. Preparing Supervisor / Signature / ID	
	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	
		52. Date		

Response to Resistance Report (continued)

Key West Police Department

Case No: 23-3691

OFFICER	23. Officer: Ofc. J. Gruba				24. Race: W	25. Sex: M	26. Age: 28	27. Height: 6'00"	28. Weight: 190
	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
	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: Modified Take Down/Ground Control								
									
	35. Anterior View				Posterior View				
OFFICER	23. Officer: Ofc. T. Clark				24. Race: W	25. Sex: M	26. Age: 35	27. Height: 5'11"	28. Weight: 230
	29. Duty Status: <input checked="" 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: 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: Ground Control								
									
	35. Anterior View				Posterior View				

		INCIDENT/INVESTIGATION REPORT						Case# 23-003690	
		Agency Name Key West Police Department		ORI FL0440100		Date / Time Reported 06/28/2023 02:38 Wed		Last Known Secure 06/28/2023 02:38 Wed	
INCIDENT DATA	Location of Incident 202 DUVAL ST, Key West FL 33040		Gang Relat NO	Premise Type Bar/nightclub	Beat/GP B1, GPB1		At Found 06/28/2023 02:38 Wed		
	#1	Crime Incident(s) Battery SCA	(Com)	Weapon / Tools Personal Weapons			Activity N		
				Entry	Exit	Security			
	#2	Crime Incident Assault / Threats SCB	(Com)	Weapon / Tools			Activity N		
			Entry	Exit	Security				
	#3	Crime Incident Criminal Mischief / Vandalism VAC	(Com)	Weapon / Tools			Activity N		
			Entry	Exit	Security				
MO									
VICTIM	# of Victims 3		Type: INDIVIDUAL		Injury: Apparent Minor Injury			Domestic: N	
	V1	Victim/Business Name (Last, First, Middle) FENNER, JEROME LEE		Victim of Crime # 1	DOB 04/28/1978 Age 45	Race W	Sex M	Relationship To Offender 1ST	Military Branch/Status Non-Resident
	Home Address 6810 FRONT ST, Stock Island, FL 33040-				Email			Home Phone 305-413-1689	
	Employer Name/Address RICKS BAR (SECURITY)				Business Phone			Mobile Phone	
	VYR	Make	Model	Style	Color	Lic/Lis	VIN		
	CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim) Type: BUSINESS Injury:								
OTHERS INVOLVED	V2	Name (Last, First, Middle) RICKS BAR		Victim of Crime # 3	DOB / / : : Age	Race	Sex	Relationship To Offender 1ST	Military Branch/Status N/A
	Home Address 202 DUVAL ST KEY WEST, FL 33040				Email			Home Phone	
	Employer Name/Address				Business Phone 305-296-4890			Mobile Phone	
	Type: LAW ENFORCEMENT (LEO)		Injury: None						
	V3	Name (Last, First, Middle) GRUBA, JACK ZENOBIO		Victim of Crime # 2	DOB 06/01/1995 Age 28	Race W	Sex M	Relationship To Offender 1ST	Military Branch/Status Non-Resident
	Home Address 1604 N ROOSEVELT BLVD KEY WEST, FL 33040				Email			Home Phone 305-809-1000	
Employer Name/Address Key West Police Department				Business Phone			Mobile Phone		
PROPERTY	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)								
	VI #	Code	Status Frm/To	Value	OJ	QTY	Property Description		Serial Number
	2	77	4	\$200.00		1	BARSTOOL		
		27	EVID	\$0.00		1	AXON FLEET		
		27	EVID	\$0.00		4	AXON CAPTURE		
		27	EVID	\$0.00		1	BWC 4156		
Officer/ID# GRUBA, JACK Z (4156)									
Invest ID# (0)					Supervisor (0)				
Status	Complainant Signature			Case Status Cleared By Arrest		06/28/2023		Case Disposition:	Page 1

Incident Report Additional Name List

Key West Police Department

OCA: 23-003690

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) RP 1	MILLER, DONALD LEIGH		09/10/1973	49	W	M
	Address 136 PEARY CT Apt. C, KEY WEST, FL 33040-		H: 386-233-6131			
	Empl/Addr Ricks, 202 Duval St		B: - -			
			Mobile #: - -			
2) IO 1	BYSTOL, JASON		12/23/1976	46	W	M
	Address 144 SUNSET LN, TAVERNIER, FL 33070-		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			
3) IO 2	ELLESTAD, SHANE SETH		10/18/1973	49	W	M
	Address 1707 LOFTSGORDON AVE Apt. B, MADISON, WI 53704-		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 23-003690

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
TORRECILLAS, J. (3759)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

23-003690

Victim

FENNER, JEROME LEE

Offense

BATTERY

Date / Time Reported

Wed 06/28/2023 02:38

-- Joel Lee Jensen Arrest Narrative:

On 06/28/2023, at approximately 0238 hours, Ofc. Torricillas and I, Ofc. Gruba, were dispatched to 202 Duval St, Rick's Bar, in reference to a male who had just hit a bouncer.

Upon arrival, I was flagged down by a manager at Rick's, identified as Donald Miller. Miller told me that the aggressor was around the corner in front of 430 Greene St and was not wearing a shirt. At that location I saw a man matching that description, later identified as Joel Jensen. Jensen was accompanied by two men, later identified as Jason Bystol and Shane Ellestad. When asked what happened, Jensen became very argumentative towards me and denied ever hitting anyone. While I was trying to talk to Jensen, Bystol and Ellestad kept interrupting, trying to get Jensen to walk away from me. I repeatedly told Bystol and Ellestad to stop interrupting me and to give us some space. Ellestad kept disobeying my orders to stay back. Ofc. Torrecillas told Ellestad to stay back as well. I then saw Ellestad take a fighting stance toward Ofc. Torrecillas. I assisted Ofc. Torrecillas in taking Ellestad to the ground and placing him in handcuffs. Ofc. Torrecillas placed Ellestad under arrest for resisting.

I placed Jensen into handcuffs and secured him into the back of my patrol vehicle as I spoke to the victim and reviewed footage of the incident.

The victim, identified as Jerome Fenner, told me that Jensen had been asked to leave from Rick's for throwing a bar stool in the street for an unknown reason. Jensen refused to leave and became argumentative with Fenner and Miller. During the course of trying to get Jensen to leave the property, Jensen hits Fenner on the right side of his neck. Fenner did have slight redness on his neck. Fenner said that he did want to press charges.

I reviewed video footage with Miller. The footage showed Jensen carry a barstool out from the karaoke bar and throw it into the street. Shortly after, Jensen was arguing with Miller and Fenner after being asked to leave. With his right hand, Jensen then karate chopped Fenner on the right side of his neck. Jensen then got off the property and continued yelling at Fenner. Miller told me that they were willing to press charges for the damaged barstool which cost an estimated \$200.

After reviewing the footage I transported Jensen to Monroe County Detention Center. On the way to the jail Jensen made several concerning statements towards myself and my family, once he gets out of jail. Jensen stated, "I'll make sure you never eat again." Jensen repeatedly said that he would have sexual intercourse with me. Jensen also said that he would have sexual intercourse with my mother. Jensen said that he would kill me by "poking" me in the head. Jensen made a variety of other threats throughout the drive to the jail.

Joel Jensen violated Florida State Statute 784.03-1A1, Battery, Touch or Strike. Jensen actually and intentionally touched or struck Jerome Fenner against his will. Jensen intentionally caused bodily harm to Fenner.

Joel Jensen violated Florida State Statute 806.13-1B1, Criminal Mischief, \$200 or less. Jensen injured or damaged real property belonging to Rick's Bar. The injury or damage was done willfully and maliciously.

Joel Jensen violated Florida State Statute 838.021-3B, Corrupt by Threat Public Servant or Family. Jensen intentionally and unlawfully threatened, either by word or act, to do violence to myself, Ofc. Gruba. The act of Jensen created in the mind of myself, Ofc. Gruba, a well-founded fear that the violence was about to take place. At the time I, Ofc. Gruba, was a law enforcement officer for Key West Police Department. Jensen knew I was an officer for Key West Police Department, due to my class B uniform and patrol vehicle. At the time of the threats, I, Ofc. Gruba, was engaged in the lawful performance of legal duties.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

23-003690

Victim

FENNER, JEROME LEE

Offense

BATTERY

Date / Time Reported

Wed 06/28/2023 02:38

This incident is linked to case number 23003691 for Ofc. Torrecillas arrest of Shane Ellestad.

There is BWC and in-car Axon for this incident.

End of report.

=====

Incident Report Suspect List

Key West Police Department

OCA: 23-003690

1	Name (Last, First, Middle) <i>JENSEN, JOEL LEE</i>						Also Known As			Home Address <i>4753 VERO BEACH PL KISSIMMEE, FL 34746</i>																																						
	Business Address																																															
	DOB <i>12/08/1979</i>	Age <i>43</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>600</i>	Wgt <i>350</i>	Hair <i>BLD</i>	Eye <i>BLU</i>	Skin <i>LGT</i>	Driver's License / State <i>J525432794480 FL</i>																																					
	Scars, Marks, Tattoos, or other distinguishing features																																															
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td>SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td colspan="2">Make</td> <td colspan="3">Model</td> <td>Color</td> <td>Caliber</td> <td colspan="2">Dir of Travel</td> <td>Mode of Travel</td> </tr> <tr> <td colspan="2">Veh Yr / Make / Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic Plate / State</td> <td colspan="3">VIN</td> </tr> </table>													<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		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		
<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		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																																										

Incident Report Related Property List

Key West Police Department

OCA: 23-003690

1 Property Description BWC 4156		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Evidence	Date 06/28/2023	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes

2 Property Description AXON FLEET		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 1.000	Unit	Jurisdiction Locally		
Status Evidence	Date 06/28/2023	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes

3 Property Description AXON CAPTURE		Make		Model		Caliber	
Color	Serial No.	Value \$0.00	Qty 4.000	Unit EA	Jurisdiction Locally		
Status Evidence	Date 06/28/2023	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) * No name *			DOB	Age	Race	Sex	

Notes

4 Property Description BARSTOOL		Make		Model		Caliber	
Color Brown	Serial No.	Value \$200.00	Qty 1.000	Unit EA	Jurisdiction Locally		
Status Destroyed/damaged/vand	Date 06/28/2023	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) Ricks Bar,			DOB //	Age	Race	Sex	

Notes

INCIDENT DATA

Location of Incident
430 GREENE ST, Key West FL 33040

Case#	23-003691		
Date / Time Reported	06/28/2023	00:00	Wed
Last Known Secure	06/27/2023	23:59	Tue
At Found	06/28/2023	00:00	Wed

#1	Crime Incident(s) <i>Obstruction Of Justice</i> <i>XOX</i>	(Com)	Weapon / Tools			Activity
			Entry	Exit	Security	
#2	Crime Incident	()	Weapon / Tools			Activity
			Entry	Exit	Security	
#3	Crime Incident	()	Weapon / Tools			Activity
			Entry	Exit	Security	

MO

# of Victims <i>1</i>		Type: SOCIETY/PUBLIC/STATE				Injury:		Domestic: N				
V1	Victim/Business Name (Last, First, Middle) <i>Society</i>					Victim of Crime # <i>1</i>	DOB Age	Race	Sex	Relationship To Offender	Resident Status <i>N/A</i>	Military Branch/Status
	Home Address						Email				Home Phone	
Employer Name/Address								Business Phone		Mobile Phone		
VYR	Make	Model	Style	Color	Lic/Lis			VIN				

V
I
C
T
I
M

CODES: V- Victim (Denote V2, V3)										WI = Witness		IO = Involved Other		RP = Reporting Person (if other than victim)			
Type: INDIVIDUAL										Injury:							
Code IO	Name (Last, First, Middle) JENSEN, JOEL LEE				Victim of Crime #	DOB 12/08/1979 Age 43	Race W	Sex M	Relationship To Offender	Resident Status Non-Resident	Military Branch/Status						
Home Address 4753 VERO BEACH PL KISSIMMEE, FL 34746					Email					Home Phone							
Employer Name/Address (UNKNOWN)							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							

OTHERS INVOLVED

[illegible]

PROPERTY

Officer/ID#	TORRECILLAS, JESSIE (3759)		
Invest ID#	(0)	Supervisor	REVOREDO, NICK (2962)
Complainant Signature	Case Status Cleared By Arrest	06/28/2023	Case Disposition: Page 1

Incident Report Additional Name List

Key West Police Department

OCA: 23-003691

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI I	BYSTOL, JASON ANDREW		12/23/1976	46	W	M
	Address 144 SUNSET LN, TAVERNIER, FL 33070-		H: 239-728-4171			
	Empl/Addr		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 23-003691

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

CLARK, T.E. (3484), REVOREDO, N. (2962), ROBERTS, E. (4194), GRUBA, J.Z. (4156)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 23-003691

Key West Police Department

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

23-003691

Victim

Society

Offense

OBSTRUCTION OF JUSTICE

Date / Time Reported

Wed 06/28/2023 00:00

On June 28, 2023, at approximately 0239, I, Officer J. Torrecillas, along with Officer J. Gruba, was dispatched to Rick's Bar reference a battery.

Upon arrival, I was flagged down by several people telling me Gruba was around the corner with a suspect. I walked around the corner and saw Ofc. Gruba with three males in front of the Tiki House (430 Greene St.).

Ofc. Gruba was attempting to speak to Joel Jensen (arrestee case number 23-003690), but Shane Ellestad (arrestee) and Jensen continuously yelled at him. Ofc. Gruba told Ellestad several times to back away, but Ellestad did not comply and continued to walk up to him.

I told Ellestad to step away and speak to me. Ellestad's speech was very slurred, and it was difficult to understand him as I was simultaneously watching Jensen due to his aggressive demeanor towards Ofc. Gruba.

I told Ellestad to stay where he was as I attempted to speak to the third male, Jason Bystol (witness). Bystol briefly stated Jensen and Ellestad had gotten "into it" at Rick's Bar and were told to leave. Bystol stated he did not see any physical altercation between staff and Jensen or Ellestad besides being escorted out.

Ellestad continued to approach Jensen and Jensen swatted away Ellestad. I told Ellestad again to get away from the situation. Ellestad asked me if he was being detained to which I told him no and he was free to leave. Ellestad began to walk West on Greene St. but quickly stopped and returned. Ellestad approached Jensen several times again and I continued to tell him to back up. After several attempts at telling Ellestad to back up, I told him if he approached Jensen again, I would handcuff him and take him into custody for resisting. Jensen attempted to approach again, and I backed him up by placing my hand on his chest. Jensen told me if I touched him again, he would defend himself. I told Ellestad to place his hands behind his back and grabbed his arm. Jensen pulled his arm away from me and flailed his arms to prevent me from placing handcuffs on him. Ellestad refused to comply with verbal commands to place his arms behind his back and continued to pull away. I grabbed Ellestad's shirt and directed him to the ground. Officer T. Clark, Ofc. J. Gruba and I continued to tell him to place his hands behind his back. Ellestad refused but ultimately complied. Ofc. J. Gruba handcuffed Ellestad as I held control of his right arm.

Ellestad complained of right knee pain. Key West Fire Rescue 2 responded to the scene and subsequently transported Ellestad to the Lower Keys Medical Center Emergency Room.

Upon being cleared from the emergency room, I placed Ellestad in the back of my patrol car and transported him to the Monroe County Detention Center. My Axon Fleet in-car was activated during transport and uploaded to evidence.com.

While at the emergency room, Ellestad made the spontaneous utterance that he wasn't trying to interfere with our investigation and only wanted to ask Jensen why he had punched him in the face. I advised Ofc. Gruba of the statement.

Shane Ellestad violated F.S.S. 843.02, resisting officer without violence to his or her person, for resisting, obstructing, and opposing Ofc. Gruba and my verbal commands to stay back as we investigated a report of a battery. Additionally, Shane Ellestad willfully pulled away from me to defeat my attempt at handcuffing him and continued to refuse to comply once on the ground.

Jensen was arrested by Ofc. Gruba for separate charges reference case number 23-003690.

My BWC was activated and uploaded to evidence.com.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

23-003691

Victim

Society

Offense

OBSTRUCTION OF JUSTICE

Date / Time Reported

Wed 06/28/2023 00:00

Incident Report Suspect List

Key West Police Department

OCA: 23-003691

1	Name (Last, First, Middle) <i>ELLESTAD, SHANE SETH</i>					Also Known As					Home Address <i>1707 LOFTSGORDON AVE - B MADISON, WI 53704 608-695-9277</i>																																															
	Business Address																																																									
	DOB <i>10/18/1973</i>	Age <i>49</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>600</i>	Wgt <i>240</i>	Hair <i>BLN</i>	Eye <i>BLU</i>	Skin <i>FAR</i>	Driver's License / State <i>E4237977337800 WI</i>																																															
	Scars, Marks, Tattoos, or other distinguishing features																																																									
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td colspan="3">SSN</td> </tr> <tr> <td colspan="2">Weapon, Type</td> <td colspan="2">Feature</td> <td colspan="2">Make</td> <td colspan="2">Model</td> <td colspan="2">Color</td> <td colspan="2">Caliber</td> <td colspan="3">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="4">Veh Yr / Make / Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="3">Lic Plate / State</td> <td colspan="3">VIN</td> </tr> </table>															<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		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		
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Veh Yr / Make / Model				Drs	Style		Color		Lic Plate / State			VIN																																														
Notes										Physical Char																																																

Incident Report Related Property List

Key West Police Department

OCA: 23-003691

1	Property Description AXON BWC 3759			Make AXON		Model BWC		Caliber	
Color		Serial No.		Value \$0.00		Qty 2.000		Unit	
Status Evidence		Date 06/28/2023		NIC #		State #		Local #	
Name (Last, First, Middle) * No name *		DOB		Age		Race		Sex	

Notes

2	Property Description AXON FLEET IN-CAR 3759			Make AXON		Model FLEET IN-CAR		Caliber	
Color		Serial No.		Value \$0.00		Qty 1.000		Unit	
Status Evidence		Date 06/28/2023		NIC #		State #		Local #	
Name (Last, First, Middle) * No name *		DOB		Age		Race		Sex	

Notes

OCA: 23003691

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

Investigator: CLARK, THOMAS E (3484)

Date / Time: 06/28/2023 03:15:58, Wednesday

Supervisor: REVOREDO, NICK (2962)

Supervisor Review Date / Time: 06/28/2023 04:12:29, Wednesday

Contact:

Reference: General Supplemental Report

On 06/28/23, at approximately 0251hrs, I (Ofc. T. Clark, KWPD uniform with badge displayed), responded to the intersection of Green St and Duval St, to back Ofc. J. Torrecillas and Ofc. J. Gruba (both Officers were in KWPD uniform with badge displayed).

They were dispatched to a physical disturbance in the area and requested back up.

****BWC activated moments later****

On arrival, I began to approach Ofc. Torrecillas. I saw a large white male, who appeared to be under the influence of an alcoholic beverage. The male was later identified as, Shane Ellestad.

Ofc. Torrecillas appeared to be attempting to effect and arrest on Shane. Shane was larger in size than Ofc. Torrecillas and appeared to physically resist arrest by pulling away from Ofc. Torrecillas grasp.

Ofc. Torrecillas used a takedown technique on the subject, escorting him to the ground. Shane resisted Ofc. Torrecillas's attempts to place him under arrest attempting to get to his feet. Ofc. Gruba began attempting to help Ofc. Torrecillas gain physical control over Shane. I ran over and pulled my department issued Taser out, advising Shane to stop resisting and place his hands behind his back or he would be Tasered. Shane refused lawful commands at first, but was eventually placed in handcuffs.

Shane advised he recently underwent a right knee injury. Shane advised the knee was hurting now. I requested EMS respond to the scene. I did not see any visible injury, but a pre existing scar.

Shane was transported to the hospital for treatment.

I had no further involvement in this case.

Cleared by arrest.///

Investigator Signature: _____

