

# Response to Resistance Report

Key West Police Department

Case No: 21-7185

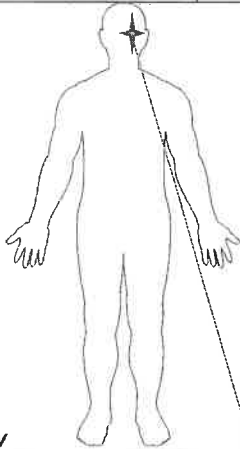
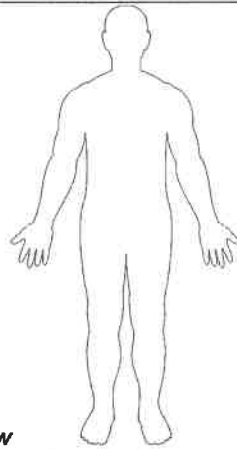
## 1. A Response to Resistance Report will be completed by the supervisor for: (Check all that apply)

- ☐ 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)

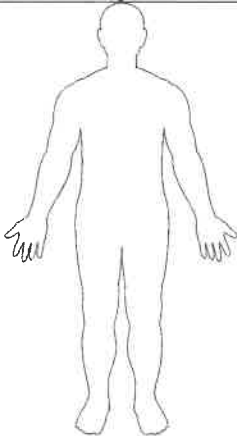
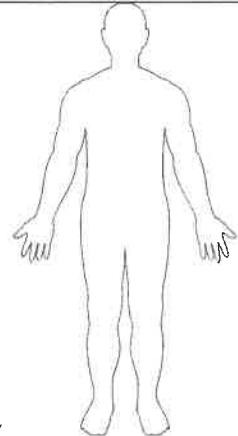
2. Date: 12/24/2021 3. Time: 2238 4. Location: 1435 Simonton St. 5. Incident type: Res w/ violence

INCIDENT  
6. Resistance Level 7. Explanation 8. Response Option 9. Explanation  
☐ Passive: ☒ Physical Control HIP TOSS TAKEDOWN/STRIKES  
☒ Active: PUSHING/PULLING AWAY, TENSING ☐ Non-lethal Weapon  
☒ Aggressive: TRYING TO STRIKE OFC ☐ Deadly Force  
☐ Deadly Force:

SUBJECT  
10. Last Name: RUPPRECHT 11. First: LANCE 12. Race: W 13. Sex: M  
14. DOB: 04.07.73 15. Height: 5.10 16. Weight: 185  
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  BRUISED EYE  Posterior View

23. Officer: Leo Hernandez 24. Race: H 25. Sex: M 26. Age: 46 27. Height: 5.04 28. Weight: 150  
29. Duty Status: ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes 30. Yrs Exp: 2.5  
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: (If TASER®, also reference line number from TASER® section) Hip Toss/Strikes

OFFICER  
 35. Anterior View  Posterior View

# Response to Resistance Report (continued)

Key West Police Department

Case No: 21-7185

TASER USE ONLY	36. TASER® device serial #		37. TASER® device serial #	
	TASER®Cam serial #		TASER®Cam serial #	
	Cartridge 1 serial #		Cartridge 1 serial #	
	Cartridge 2 serial #		Cartridge 2 serial #	
	Number of cycles:		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: 12/23/2021		41. Time: 2240 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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	Name		Address	
	Michael Minnick		725 Waddell Street #9, Key West, FL 33040	
			Minnick provided a statement, attached	
INT. AFF.	47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		A. Rodriguez 3465	
	FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		12/24/2021	
	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input type="checkbox"/> Yes (If "No", complete section 51)		48. Preparing Supervisor's Signature / ID	
	51. Signature of Internal Affairs Inspector		49. Date	
53. If section 48 is "No" record the Professional Standards Control Number:		54. Date Entered:		

		INCIDENT/INVESTIGATION REPORT						Case# 21-007185		
		Agency Name Key West Police Department		ORI FL0440100		Date / Time Reported 12/23/2021 22:28 Thu		Last Known Secure 12/23/2021 22:28 Thu		
INCIDENT DATA	Location of Incident 1435 SIMONTON ST, Key West FL 33040-		Premise Type Hotel / Motel Other		Beat/GP B4, GPB4		At Found 12/23/2021 22:28 Thu			
	#1	Crime Incident(s) Battery SCA	(Com)	Weapon / Tools HANDS, FIST, FEET				Activity		
				Entry		Exit		Security		
	#2	Crime Incident Disorderly Conduct DCA	(Com)	Weapon / Tools				Activity		
				Entry		Exit		Security		
	#3	Crime Incident Resist Arrest / Escape XOM	(Com)	Weapon / Tools				Activity		
			Entry		Exit		Security			
MO										
VICTIM	# of Victims 3		Type: LAW ENFORCEMENT (LEO)		Injury: None		Domestic: N			
	V1	Victim/Business Name (Last, First, Middle) ANDRADE, ESTEBAN		Victim of Crime # 1,	DOB 05/11/1977 Age 44	Race W	Sex M	Relationship To Offender ST	Resident Status Resident	Military Branch/Status
	Home Address 1604 N ROOSEVELT BLVD, Key West, FL 33040-							Home Phone 305-809-1111		
	Employer Name/Address KEY WEST POLICE DEPARTMENT 1604 N ROOSEVELT BLVD (POLICE)					Business Phone		Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis	VIN			
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)									
OTHERS	Type: BUSINESS		Injury:							
	Code V2	Name (Last, First, Middle) REACH RESORT		Victim of Crime # 2,	DOB / / : : Age	Race	Sex	Relationship To Offender ST	Resident Status N/A	Military Branch/Status
	Home Address 1435 SIMONTON ST KEY WEST, FL 33040							Home Phone 305-296-3535		
	Employer Name/Address Reach Resort					Business Phone		Mobile Phone		
	Type: SOCIETY/PUBLIC/STATE		Injury:							
	Code V3	Name (Last, First, Middle) SOCIETY		Victim of Crime # 3,	DOB / / : : Age	Race	Sex	Relationship To Offender	Resident Status N/A	Military Branch/Status
INVOLED	Home Address							Home Phone		
	Employer Name/Address					Business Phone		Mobile Phone		
	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/Tc	Value	OJ	QTY	Property Description		Make/Model	Serial Number
	35	EVID		\$0.00		1	BWC 4158			
	35	EVID		\$0.00		1	BWC 3452			
PROPERTY	35	EVID		\$0.00		1	AXON FLEET 3452			
	35	EVID		\$0.00		1	BWC 4158			
	35	EVID		\$0.00		1	BWC 3452			
Officer/ID# HERNANDEZ, LEONARDO (3452)										
Invest ID# HERNANDEZ, LEONARDO (3452)					Supervisor RODRIGUEZ, ALEXANDER (3465)					
Status	Complainant Signature			Case Status Cleared By Arrest 12/24/2021			Case Disposition: Cleared By Arrest 12/24/2021			Page 1

## Incident Report Additional Name List

Key West Police Department

OCA: 21-007185

### Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1 ) WI 1	MINNICK, MICHAEL JOHN		09/02/1959	62	W	M
Address	725 WADDELL AVE Apt. 9, KEY WEST, FL 33040-		H: 305-587-8219			
Empl/Addr	Unknown, Unknown		B: - -			
			Mobile #: - -			

# INCIDENT/INVESTIGATION REPORT

*Key West Police Department*

Case # 21-007185

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  
*WAITE, K.J. (3646)*

Suspect Hate / Bias Motivated:

## INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 21-007185

*Key West Police Department*

NARRATIVE

**REPORTING OFFICER NARRATIVE***Key West Police Department*

		OCA 21-007185
Victim ANDRADE, ESTEBAN	Offense BATTERY	Date / Time Reported Thu 12/23/2021 22:28

On Thursday December 23, 2021, at about 2230 hours, Ofc. E. Andrade and I, (Ofc. L. Hernandez), were dispatched to 1435 Simonton Street (Reach Resort), in reference to a verbal disturbance incident.

Upon arrival, we met with Joseph, front desk employee who had called Key West Police Dispatch to report that a male and female guest were involved in a verbal argument by the hotel's lobby and were refusing to go up to their room by request of security. Joseph led us to the head of security, Michael John Minnick (DOB 04/02/1959) (Witness) who was by the courtyard of the hotel.

A male and female later identified as Lance Brian Rupprecht (DOB 04/07/1973) (Arrestee) and his wife Evelyn Ortega (DOB 07/14/1977) (Arrestee), were walking side by side of Minnick. Brian saw us and looked at us with a surprised dazed stare. Evelyn kept holding on to Brian as he was trying to walk away from her to use the restroom. When we asked Minnick what he needed from us he said he just wanted Brian and Evelyn to go back to their room and that he would like for us to help him escort them.

We waited about 5 minutes for Brian to return from the restroom. Brian came out and Evelyn immediately started to grab on to him as Brian kept raising his arms for no reason. Ofc. Andrade and I repeatedly asked Brian and Evelyn that all we needed them to do is to go up to their room. They were both advised that they could be evicted by the hotel if they continue to act disorderly. Both Brian and Evelyn were under the influence of alcoholic intoxicant (s) as per their slurred rapid speech, unsteady balance, belligerent behavior, flushed face and strong odor of alcoholic beverage (s) emanating from their breath and body. Brian made a slight move forward towards Ofc. E. Andrade and stared at him as he extended his left arm with an opened hand saying, "why are you looking at my wife?", Ofc. E. Andrade responded by saying "do not put your hand in front of me, because she is drunk and being belligerent". Brian raised his arms as Evelyn kept calling us "homosexuals" and said, "if you pull the pin from the grenade everybody will die, right." Evelyn began to try to wrap herself around Brian by backing into him and almost caused them both to fall hitting a patio chair. Brian and Evelyn were disturbing the peace by their actions, they were being loud, screaming incoherently, highly intoxicated, swearing and refusing to follow lawful commands. I noticed the staff from the front desk were looking at the incident as were other guests that were entering or leaving the establishment.

At this point, based on facts, evidence and totality of circumstances I believe we had probable cause to arrest both Brian and Evelyn for disorderly conduct. I asked Ofc. E. Andrade to detain Evelyn as I was going to detain Brian. I tried to grab Brian by his right arm and he immediately tensed up and tried pulling away from my grip. Brian then used his left hand to grab on to my right wrist as I am telling him to stop resisting and put his arms behind his back. Brian continued to actively resist by trying to swing at me using his left arm. I re directed his aggressive resistance by using a hip toss and took Brian to the ground in a control manner. I used closed fist strikes to Brian's abdomen to limit his physical resistance and to be able to place him in handcuffs. Ofc. E. Andrade assisted me, and we were finally able to place Brian in handcuffs, checked them for tightness and double locked them. Minnick was holding Evelyn down on the patio chair and then Ofc. E. Andrade re directed his attention to her and placed her in handcuffs, checked them for tightness and double locked them. Evelyn began to actively resist by pulling away, using her arms and lower body to turn away and defeat the lawful attempts of Ofc. E. Andrade to place her under arrest. Ofc. E. Andrade then sat her down on the patio chair for her safety as she was unable to maintain her balance due to her level of intoxication. As soon as Evelyn was sat down, she began to use her legs and she kicked Ofc. E. Andrade with her right leg striking him on his left thigh.

I asked Key West Dispatch to have Key West Fire rescue and our supervisor respond to our scene due to the response level of resistance. Brian suffered a small bruise to the area under his left eye and was medically examined by Key West Fire Rescue 2 on scene and cleared with no medical need. His bruise was cleaned and bandaged. Evelyn did not suffer any injuries.

**REPORTING OFFICER NARRATIVE***Key West Police Department*

OCA

21-007185

Victim

*ANDRADE, ESTEBAN*

Offense

*BATTERY*

Date / Time Reported

*Thu 12/23/2021 22:28*

The incident was fluid, and the situation was volatile. The multiple de-escalation attempts made by Ofc. E. Andrade and I went unanswered and the actions of Brian and Evelyn with their level of resistance needed to be met with the response necessary to assure our safety and theirs by using the level of force we used.

Based on all facts, evidence and totally of circumstances we believe we have probable cause Brian has committed the felony criminal offense of resisting arrest with violence as described in F.S. 843.01 - Brian willingly and knowingly used aggressive movements and attacks directed at me to obstruct me from conducting my lawful duty of placing him under lawful arrest. We were wearing our Key West Police Class B uniforms that clearly identify us as law enforcement officers during this entire incident.

Based on all facts, evidence and totally of circumstances we believe we have probable cause Brian has committed the misdemeanor criminal offense of disorderly conduct in the premises of a licensed establishment as described in F.S. 877.03 - Brian was under the influence of alcoholic intoxicant (s). While making incoherent statements Brian drew the attention of other guests and hotel staff. Brian disturbed the peace and quiet of other guests and hotel staff with his loud comments and belligerent behavior. Brian was asked to go up to his room multiple times and refused. All of Brian's actions occurred inside the premises of the hotel which is a licensed establishment as described in F.S. 509.143.

Based on all facts, evidence and totally of circumstances we believe we have probable cause that Evelyn committed the felony criminal offense of battery on law enforcement officer as described in F.S. 784.07(2)(b). Evelyn actually and intentionally struck Ofc. E. Andrade on his left thigh with a kick using her right foot against his will during this incident.

Based on all facts, evidence and totally of circumstances we believe we have probable cause that Evelyn has committed the misdemeanor criminal offense of resisting arrest without violence as described in F.S. 843.02 - Evelyn willingly and knowingly obstructed Ofc. E. Andrade from conducting his lawful duty of placing her under lawful arrest. Evelyn pulled her arms and torso away from Ofc. E. Andrade to try to defeat his attempts of detaining her. We were wearing our Key West Police Class B uniforms that clearly identify us as law enforcement officers during this entire incident.

Based on all facts, evidence and totally of circumstances we believe we have probable cause that Evelyn has committed the misdemeanor criminal offense of disorderly conduct described in F.S. 877.03 - Evelyn was under the influence of alcoholic intoxicant (s). While making incoherent statements Evelyn drew the attention of other guests and hotel staff. Evelyn disturbed the peace and quiet of other guests and hotel staff with his loud comments and belligerent behavior. Evelyn was asked to go up to her room multiple times and refused. All of Evelyn's actions occurred inside the premises of the hotel which is a licensed establishment in violation of F.S. 509.143.

We escorted Brian to my patrol vehicle and conducted a search incident to arrest of his person before placing him in the vehicle. We transported Brian to the Monroe County Detention Center where he was turned over to Detention Deputies without incident. Evelyn was transported to the Monroe County Detention Center by Ofc. K. Waite where she was turned over to Detention Deputies without incident.

Our BWC (4158) and (3452) and Axon Fleet (3452) were all activated during this incident. End of battery report. Cleared by felony arrest.

# Incident Report Suspect List

Key West Police Department

OCA: 21-007185

<b>1</b>	Name (Last, First, Middle) <i>RUPPRECHT, LANCE BRIAN</i>						Also Known As				Home Address <i>3021 AUTUMN LN OAK HARBOR, WA 98277--901 559-816-7561</i>																																									
	Business Address <i>SELF EMPLOYED, REALTOR</i>																																																			
	DOB <i>04/07/1973</i>	Age <i>48</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>510</i>	Wgt <i>177</i>	Hair <i>BRO</i>	Eye <i>BLU</i>	Skin <i>LGT</i>	Driver's License / State. <i>WDL13R86G63B WA</i>																																									
	Scars, Marks, Tattoos, or other distinguishing features <i>TAT RGT ARM / START; TAT RGT ARM / START</i>																																																			
<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="2">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 colspan="2">Mode of Travel</td> </tr> <tr> <td colspan="2">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td colspan="2">VIN</td> <td colspan="2"></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		VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN			
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<b>2</b>	Name (Last, First, Middle) <i>ORTEGA, EVELYN</i>						Also Known As				Home Address <i>3021 AUTUMN LN OAK HARBOR, WA 98277</i>																																									
	Business Address <i>UNKNOWN, UNKNOWN</i>																																																			
	DOB <i>07/14/1977</i>	Age <i>44</i>	Race <i>W</i>	Sex <i>F</i>	Eth <i>N</i>	Hgt <i>501</i>	Wgt <i>175</i>	Hair <i>BRO</i>	Eye <i>BRO</i>	Skin <i>LGT</i>	Driver's License / State. <i>WDL6B249073B WA</i>																																									
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At appx 22: 30 on 12/23/2021 I ( Michael J. Minnick ) was called on the phone by ( Joe ) at the front desk to deal with an intoxicated woman. As I was walking down the ramp I could hear a male yelling loudly. Upon entering the lobby the woman was trying to enter the office. Tom Gilpin was standing there blocking her from going to the back office. She was under the impression that was her room. I told her it was an office and offered to show her to her room ( 228 ). She was having none of that and tried to force her way into the office. Her male friend ( Lance Rupprecht ) then arrived on scene and stuck his finger in my & Tom's face. He was highly intoxicated and was sure his friend was right about the room location. He was aggressive and unruly and I thought he was going to attack me. He accused Tom and myself of trying to have sex with the woman. I was able to convince him that the office was not his room and offered to take him to his room. He finally agreed and asked the woman to leave with me to their room. The woman was having no part of that and the finger waving and insults started towards Tom and myself. Lance Rupprecht then grabbed the woman and pushed her towards the outer lobby. I followed and offered to take them up the elevator, but she needed her purse, which was strewn all over the ground by the outside door by Sea & Sand. I made the decision to call the police because they were both yelling and screaming and still not wanting to go to their room. I asked ( Joe ) at the front desk to call 911. As Lance Rupprecht was picking up the woman's belongings I turned on my flashlight to assist him. The woman did not like the fact that I had my flashlight on and they both started to yell and scream at each other. So they finally agreed to follow me to their room. Lance mentioned he had to go to the bathroom, so I suggested he use the bathroom right there. I used that as a stalling technique in hope's that the police would get there, so I would not have to get in the elevator alone with them. Upon police arrival Lance Rupprecht was still in the men's room and the police were talking to the woman. When Lance Rupprecht came out he said " Pull the pin from grenade and boom" and became visibly agitated. The two officer's asked them to lower their voices, and offered to escort them to their rooms. Lance Rupprecht put his hands in the air and said he did not want to get shot.

The officer's continually asked to let them escort the two to their rooms. The woman did not want to go and basically pinned Lance Rupprecht to the wall. Lance Rupprecht tried to head for the elevators and the woman refused to let him pass and they both fell over and landed on the wicker chair. The woman started with the insults again calling the officer's and myself, "homosexuals" " niggers" and "fucking assholes". The officer's told them that those names did not bother them and again offered to escort them to their rooms.

The officers told them if they did not cooperate they would arrest them for disorderly conduct. Again they would not comply, so the officer told Lance to put his hands down and grabbed his arm. Lance Rupprecht resisted and started fighting with the officer. The second officer assisted with subduing Lance Rupprecht and the woman tried to get to the officer while their back was turned. I stepped in and subdued the woman and put her in the wicker chair. She got right back up, so I had to pin her in the chair while the officers were dealing with Lance Rupprecht. She tried to bite me and kick me. As soon as Lance was handcuffed 1 of the officers turned his attention to the woman. I assisted him in handcuffing her. Once cuffed he instructed her to stay in the chair. She got up, so the officer had to restrain her. She tried kicking the officer. At this point Lance Rupprecht was screaming and crying and the woman was swearing at the officer's and myself. The officer's took the two out thru the lobby and I followed with their bag of belongings to the police cars. They were given at least 5 opportunities to go to their room. But they chose not to.

This is my statement of the incident M.J.M. Michael J. Minnick

A handwritten signature in black ink, appearing to read 'MJM', with a large, stylized loop at the end.