

# Response to Resistance Report

Key West Police Department

Case No: 22-0582

## 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:** 01/29/2022 **3. Time:** 0105 **4. Location:** 801 Duval St. **5. Incident type:** Res w/o violence

**6. Resistance Level** **7. Explanation** **8. Response Option** **9. Explanation**

- ☐ Passive: ☒ Physical Control HIP TOSS TAKEDOWN  
☒ Active: PULLING AWAY, ATT. TO EVADE ☐ Non-lethal Weapon  
☐ Aggressive: ☐ Deadly Force  
☐ Deadly Force:

**10. Last Name:** Gunhus **11. First:** Amber **12. Race:** W **13. Sex:** F

**14. DOB:** 08/25/1982 **15. Height:** 5'08" **16. Weight:** 130

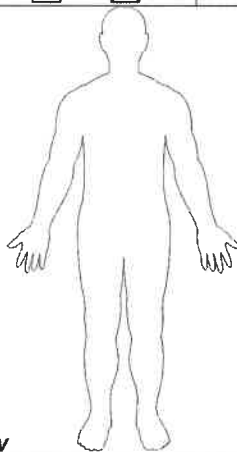
**17. Did you observe the subject:** ☐ No ☒ Yes If NO, explain why in Section 42. If "YES", complete sections 18-22

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

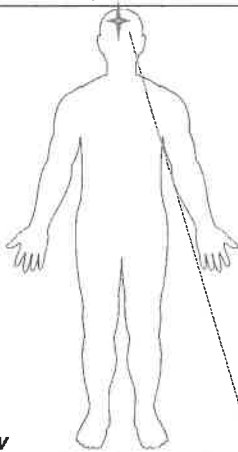
**19. Injuries:** ☐ No ☒ Evident ☐ Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)

**20. Photographed:** ☐ No ☒ Yes **21. Treated:** ☐ No ☒ Yes **By:** ☒ EMT/Paramedic on scene ☒ Hospital ☐ Detention

**SUBJECT**



22. Anterior View



Posterior View Laceration to head

**23. Officer:** Leo Hernandez **24. Race:** H **25. Sex:** M **26. Age:** 47 **27. Height:** 5'04" **28. Weight:** 150

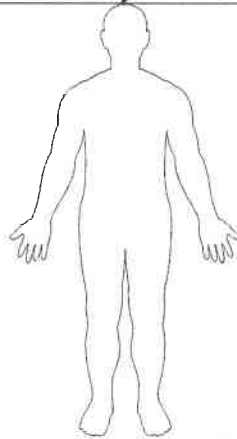
**29. Duty Status:** ☒ On-duty ☐ Off-duty ☐ Extra duty employment ☒ Uniformed ☐ Plain clothes **30. Yrs Exp:** 2.5

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

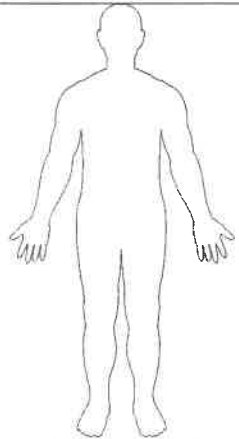
**32. Photographed:** ☒ No ☐ Yes **33. Treated:** ☒ No ☐ Yes **By:** ☐ EMT/Paramedic on scene ☐ Hospital

**34. Response option used by this officer:** (If TASER®, also reference line number from TASER® section) Hip Toss

**OFFICER**



35. Anterior View



Posterior View

# Response to Resistance Report (continued)

Key West Police Department

Case No: 22-0582

TASER USE ONLY	36. TASER® device serial # N/A		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: 01/29/2022		41. Time: 0105 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	Phone Number	
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.		01/29/2022	
	48. Preparing Supervisor's Signature / ID		49. Date	
	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)		51. Signature of Internal Affairs Inspector	
52. Date		53. If section 48 is "No" record the Professional Standards Control Number:		
54. Date Entered:				

# INCIDENT/INVESTIGATION REPORT

I N C I D E N T  D A T A	Agency Name <b>Key West Police Department</b>		INCIDENT/INVESTIGATION REPORT		Case# <b>22-000582</b>																																																																																																																																																						
	ORI <b>FL0440100</b>				Date / Time Reported <b>01/29/2022 00:45 Sat</b>																																																																																																																																																						
	Location of Incident <b>801 DUVAL ST, Key West FL 33040</b>				Last Known Secure <b>01/29/2022 00:45 Sat</b>																																																																																																																																																						
					At Found <b>01/29/2022 00:45 Sat</b>																																																																																																																																																						
D E T A I L S	#1 Crime Incident(s) <b>Resist Arrest / Escape XOM</b>		(Com)		Weapon / Tools <b>NOT APPLICABLE/NONE</b>		Activity																																																																																																																																																				
					Entry		Exit		Security																																																																																																																																																		
	#2 Crime Incident <b>Trespassing XOT</b>		(Com)		Weapon / Tools		Activity																																																																																																																																																				
					Entry		Exit		Security																																																																																																																																																		
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V I C T I M	# of Victims <b>2</b>		Type: <b>BUSINESS</b>		Injury:		Domestic: <b>N</b>																																																																																																																																																				
	V1 Victim/Business Name (Last, First, Middle) <b>BOURBON STREET PUB</b>		Victim of Crime # <b>1,</b>		DOB <b>// : :</b>		Age																																																																																																																																																				
	Home Address <b>801 DUVAL ST, Key West, FL 33040-</b>		Email		Relationship To Offender <b>ST</b>		Resident Status <b>N/A</b>																																																																																																																																																				
	Employer Name/Address		Business Phone		Home Phone		Mobile Phone																																																																																																																																																				
	VYR		Make		Model		Style		Color		Lic/Lis		VIN																																																																																																																																														
O T H E R  I N V O L V E D	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)																																																																																																																																																										
	Type: <b>SOCIETY/PUBLIC/STATE</b>																																																																																																																																																										
	Code <b>V2</b>		Name (Last, First, Middle) <b>SOCIETY</b>		Victim of Crime # <b>2,</b>		DOB <b>// : :</b>		Age		Relationship To Offender		Resident Status <b>N/A</b>		Military Branch/Status																																																																																																																																												
	Home Address		Email		Business Phone		Home Phone		Mobile Phone		Employer Name/Address		Business Phone		Mobile Phone																																																																																																																																												
	Type: <b>INDIVIDUAL</b>																																																																																																																																																										
P R O P E R T Y	Code <b>RP</b>		Name (Last, First, Middle) <b>UREY, HENRY ANTONIO</b>		Victim of Crime #		DOB <b>04/28/1965</b>		Age <b>56</b>		Relationship To Offender <b>W M</b>		Resident Status <b>Resident</b>		Military Branch/Status																																																																																																																																												
	Home Address <b>2825 STAPLES AVE KEY WEST, FL 33040</b>		Email		Business Phone <b>305-294-4737</b>		Home Phone <b>305-292-1381</b>		Mobile Phone		Employer Name/Address <b>801 Bourbon Bar, 801 DUVAL STREET (BAR BACK)</b>		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)																																																																																																																																																										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>VI #</th> <th>Code</th> <th>Status</th> <th>Frm/Tc</th> <th>Value</th> <th>OJ</th> <th>QTY</th> <th>Property Description</th> <th>Make/Model</th> <th>Serial Number</th> </tr> </thead> <tbody> <tr> <td>35</td> <td>EVID</td> <td></td> <td></td> <td>\$0.00</td> <td></td> <td>1</td> <td>BWC 3452</td> <td></td> <td></td> </tr> <tr> <td>35</td> <td>EVID</td> <td></td> <td></td> <td>\$0.00</td> <td></td> <td>1</td> <td>AXON FLEET 3452</td> <td></td> <td></td> </tr> <tr> <td>99</td> <td>EVID</td> <td></td> <td></td> <td>\$0.00</td> <td></td> <td>8</td> <td>AXON PHOTOS</td> <td></td> <td></td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>																VI #	Code	Status	Frm/Tc	Value	OJ	QTY	Property Description	Make/Model	Serial Number	35	EVID			\$0.00		1	BWC 3452			35	EVID			\$0.00		1	AXON FLEET 3452			99	EVID			\$0.00		8	AXON PHOTOS																																																																																																					
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Officer/ID# <b>HERNANDEZ, LEONARDO (3452)</b>																																																																																																																																																											
Invest ID# <b>HERNANDEZ, LEONARDO (3452)</b>																																																																																																																																																											
Supervisor <b>RODRIGUEZ, ALEXANDER (3465)</b>																																																																																																																																																											
Status Complainant Signature Case Status <b>Cleared By Arrest 01/29/2022</b> Case Disposition: <b>Cleared By Arrest 01/29/2022</b> Page 1																																																																																																																																																											

## Incident Report Additional Name List

Key West Police Department

OCA: 22-000582

### Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1 ) WI 1	DEIHL, DONALD MERLE 3		05/16/1980	41	W	M
	Address 402 BALIDO TER , KEY WEST, FL 33040-		H: 321-258-7300			
	Empl/Addr 801 Bourbon, 801 Duval St		B: - -			
			Mobile #: - -			

## INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-000582

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  
*AGLEEV, D. (4007)*

Suspect Hate / Bias Motivated:

## INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 22-000582

Key West Police Department

NARRATIVE

**REPORTING OFFICER NARRATIVE**

OCA

22-000582

Key West Police Department

Victim

BOURBON STREET PUB

Offense

RESIST ARREST / ESCAPE

Date / Time Reported

Sat 01/29/2022 00:45

-- Amber Rose Gunhus Arrest Narrative:

On Saturday January 29, 2022, at about 0048 hours, Ofc. D. Agleev and I, (Ofc. L. Hernandez), were dispatched to 801 Duval Street (801 Bourbon Bar), in reference to a female that was being asked to leave the premises and she kept refusing and kept returning.

Upon arrival, Ofc. Agleev and I made contact with the female, later identified as Amber Rose Gunhus (DOB 08/25/1982) (Arrestee). Amber was evidently under the influence of alcoholic intoxicant (s) as per her slurred slow speech, glassy and watery eyes, flushed and red face, strong odor of alcoholic beverage (s) emanating from her breath and disorderly behavior.

Amber was found inside the establishment sitting in the bar area when we arrived. A male named Henry Urey (DOB 04/28/1965) (Reporting party), told Ofc. Agleev, Amber was asked to leave multiple times, she left but came back and sat at the bar. Ofc. Agleev escorted Amber outside and stood on the Petronia Street side of the establishment. Amber was identified by her Florida driver's license and told she was being issued a trespass warning by request of the establishment. Amber kept arguing and talking over us while we were explaining that the establishment wished for her to be trespassed. Amber kept saying "why, I am going to talk to my lawyer because they can not do that". We explained to Amber that she may contact her lawyer whenever she desires but that we only needed her to leave the establishment and that she was free to go. We informed Amber multiple times she was being trespassed from the establishment and that if she returned, she would be subject to arrest. Amber was argumentative and would not understand she was not welcomed at this establishment.

Donald Merle Deihl (DOB 05/16/1980) (Witness), was the bartender that was working behind the bar when Amber was at the bar being asked to leave and also when she was being arrested. Deihl completed a sworn written statement that elaborates on the details including the times Amber was asked to leave and she refused.

Amber followed Ofc. Agleev to his patrol vehicle as we were getting ready to leave. I had to asked Amber to get off the road as she was blocking the flow of traffic. Amber was standing in the middle of Petronia Street as vehicles were trying to drive by. Amber moved to the North side of Petronia near my patrol vehicle and while I was getting ready to leave, she started walking in a fast pace towards the establishment and made entry. I followed Amber inside and to catch up to her I had to walk faster as she started to almost run inside the bar towards the rear. I caught up to her and I grabbed her right arm. Amber freed herself from my grab by pulling away. I told Amber to stop and turn around and to place her hands behind her back. Amber resisted by trying to again walk away, I managed to get a hold of her shoulders and again I told her to stop, and she kept trying to defeat my lawful attempts of placing her under arrest. I hip tossed her in a control manner and brought her to the ground. As I brought Amber to the ground the back of her head struck a concrete step causing a laceration to the back of her head approximately 2/3 inches in length. Amber began to bleed, I radioed Key West Dispatch and requested a Key West Fire Rescue unit respond to provide medical services.

As I was trying to place handcuffs on Amber, she kept resisting by tensing up and tried to fold her left arm into her abdomen. I told Amber to stop resisting and to free her arm and let go her cellphone and pocketbook she kept holding tight with her left hand. Ofc. Agleev assisted me in placing her in handcuffs, I checked them for tightness and double locked them. We escorted Amber outside where Key West Fire Rescue 2 arrived on scene and provided medical services to Amber. Amber was cleared by Rescue 2 for transport. Sgt. A. Rodriguez arrived on scene and met with Amber reference the response to resistance incident. I transported Amber to Lower Keys Medical Center Emergency Room where she was treated for her head injury and medically cleared by ER staff and on duty doctor. I transported

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

OCA

22-000582

Victim

*BOURBON STREET PUB*

Offense

*RESIST ARREST / ESCAPE*

Date / Time Reported

*Sat 01/29/2022 00:45*

Amber to the Monroe County Detention Center where she was turned over to Detention Deputies without further issues.

Amber displayed an active level of resistance that consisted of pulling away from me when I tried to make a lawful arrest and then tensing up while Ofc. Agleev and I kept repeatedly ordering her to stop resisting. I believe the use of force to detain Amber, for our safety and hers, including the totality of circumstances, and the level of resistance she was displaying was necessary to control the situation and to safely make the lawful arrest. Ofc. Agleev and I were wearing Key West Police issued Class B uniforms and agency insignias and badges that clearly identifies us as law enforcement officers during the entire encounter with Amber.

Based on all evidence and the totality of circumstances, I believe Amber committed the misdemeanor criminal offense of trespassing by failing to leave the premises by order of the property owner or authorized agent. Amber willfully entered the premises after being asked to leave by staff, defied the order and after being warned by us she willfully entered the premises in violation of F.S. 810.09(2B).

Based on all evidence and the totality of circumstances, I believe Amber committed the misdemeanor criminal offense of resisting arrest without violence by pulling away from me when I was trying to detain her and make a lawful arrest and by tensing up her arms as I was trying to place handcuffs on her in violation of F.S. 843.02.

My BWC and Axon Fleet (3452) were both activated during this incident.

End of report. Cleared by arrest.

# Incident Report Suspect List

Key West Police Department

OCA: 22-000582

1	Name (Last, First, Middle) <i>GUNHUS, AMBER ROSE</i>					Also Known As					Home Address <i>6617 BROWN RD SAINT AUGUSTINE, FL 32095 305-923-1450</i>																																													
	Business Address <i>NONE, UNEMPLOYED</i>																																																							
	DOB <i>08/25/1982</i>	Age <i>39</i>	Race <i>W</i>	Sex <i>F</i>	Eth <i>N</i>	Hgt <i>508</i>	Wgt <i>155</i>	Hair <i>BRO</i>	Eye <i>HAZ</i>	Skin <i>LGT</i>	Driver's License / State. <i>G520016828050 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 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>Caliber</td> <td colspan="3">Dir of Travel Mode of Travel</td> </tr> <tr> <td colspan="3">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="4">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			VehYr/Make/Model			Drs	Style		Color		Lic/St		VIN			
<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																													
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Notes										Physical Char																																														