

Response to Resistance Report

Key West Police Department

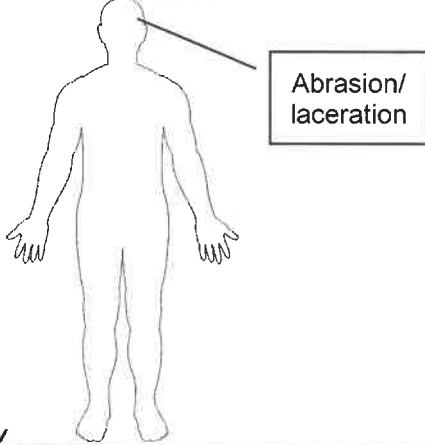
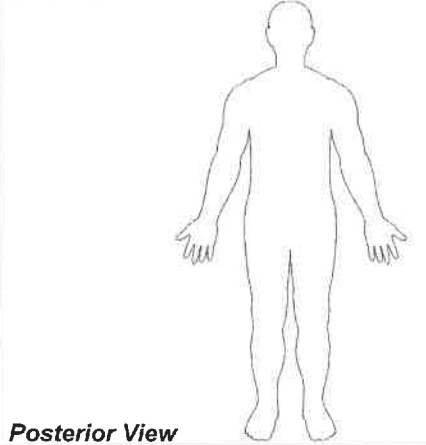
Case No: 22-2655

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

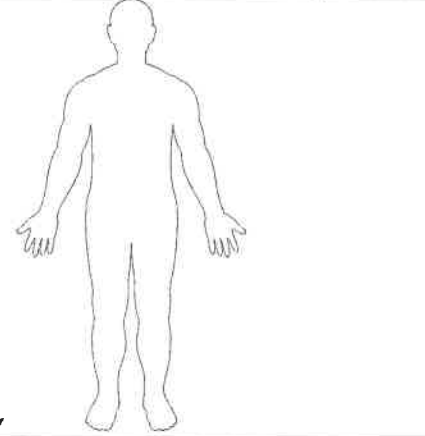
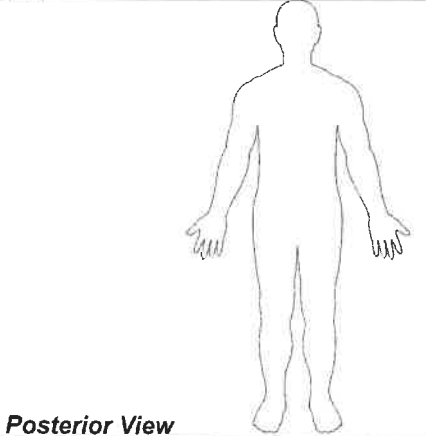
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of 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: 05/05/22		3. Time: 2315		4. Location: MCDC Elevator		5. Incident type: Resisting		
	6. Resistance Level		7. Explanation		8. Response Option		9. Explanation		
	<input checked="" type="checkbox"/> Passive:		Verbal noncompliance and threat		<input checked="" type="checkbox"/> Physical Control		Physical force injury		
	<input checked="" type="checkbox"/> Active:		Bracing and Tensing, pulling		<input type="checkbox"/> Non-lethal Weapon				
		<input type="checkbox"/> Aggressive:				<input type="checkbox"/> Deadly Force			
		<input type="checkbox"/> Deadly Force:							

10. Last Name: Shumate		11. First: Jeremiah		12. Race: W		13. Sex: M	
14. DOB: 02/28/1987		15. Height: 6'03		16. Weight: 175			
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 checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input type="checkbox"/> Emotionally / mentally disturbed							
19. Injuries: <input type="checkbox"/> No <input checked="" 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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention							

SUBJECT	 <p>22. Anterior View</p>	 <p>Posterior View</p>
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23. Officer: William Howell		24. Race: W		25. Sex: M		26. Age: 35		27. Height: 6'01"		28. Weight: 220	
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: 2.5					
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: Physical force injury											

OFFICER	 <p>35. Anterior View</p>	 <p>Posterior View</p>
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Response to Resistance Report (continued)

Key West Police Department

Case No: 22-2655

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: 05/05/22		41. Time: 2315	
	42. Did you respond to the scene: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "No", explain why)			
	Other calls occurring. Did not meet full RRI criteria. Precautionary RRI being completed. Not a substantial injury.			
	43. Did you watch all relevant videos associated with the use of force? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "No", explain why)			
	BWC not active in MCDC elevator. MCDC has video in elevator if requested. No audio			
	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	
MCDC Elevator Camera				
47. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				05/05/2022
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS				48. Preparing Supervisor's Signature / ID
INT. AFF.	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

Agency Name Key West Police Department

Case# 22-002655

ORI FL0440100

Date / Time Reported 05/05/2022 21:27 Thu

Location of Incident 800 CAROLINE ST, Key West FL 33040

Gang Relat NO

Premise Type Parking Lot / Area

Beat/GP B3, GPB3

Last Known Secure 05/05/2022 21:27 Thu

At Found 05/05/2022 21:27 Thu

Table with columns: #, Crime Incident(s), (Com), Weapon / Tools, Entry, Exit, Security, Activity. Rows #1, #2, #3.

INCIDENT DATA

MO

of Victims 1 Type: BUSINESS Injury: Domestic: N

V1 Victim/Business Name (Last, First, Middle) KEY WEST BIGHT PARKING LOT Victim of Crime # 1 DOB // : : Race Sex Relationship To Offender ST Resident Status N/A Military Branch/Status

VICTIM

Home Address 800 CAROLINE ST, Key West, FL 33040- Home Phone

Employer Name/Address Business Phone Mobile Phone

VYR Make Model Style Color Lic/Lis VIN

OTHERS

INVOICE

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type: Injury:

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

Home Address Home Phone

Employer Name/Address Business Phone Mobile Phone

Type: Injury:

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

Home Address Home Phone

Employer Name/Address Business Phone Mobile Phone

PROPERTY

L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)

Table with columns: VI #, Code, Status Fm/To, Value, OJ, QTY, Property Description, Make/Model, Serial Number. Rows for BWC 4059 and FLEET AXON 4059.

Officer/ID# HOWELL, WILLIAM N (4059)

Invest ID# (0) Supervisor (0)

Status Complainant Signature Case Status Cleared By Arrest 05/06/2022 Case Disposition: Cleared By Arrest 05/06/2022 Page 1

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-002655

Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found

	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
D R U G S						

Assisting Officers
HERNANDEZ, L. (3452)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
22-002655
Date / Time Reported
Thu 05/05/2022 21:27

Victim	Offense
KEY WEST BIGHT PARKING LOT	TRESPASSING

-- Jeremiah Andrew Shumate Arrest Narrative:

On Thursday, 05/05/2022 at approximately 2127 hours, Ofc. Hernandez and I (Ofc. Howell) completed an area check of 800 Caroline Street (Key West Bight Parking Lot, Private Parking) and discovered several unknown male subjects possibly trespassing.

Four of the unknown male subjects complied, followed basic instructions, provided forms of identification, and walked away after I issued their trespass warnings. One unknown white male subject who refused to comply several times and continuous remained in the immediate area after I explained he needed to leave at least five times, later identified as Jeremiah A. Shumate (DOB: 05/10/1995, Arrestee). Shumate who was laying within the bushes and bike rack on the property of the private lot, near the Margaret Street side of the business with the other five unknown male subjects. Shumate initially refused to comply with basic instructions. Shumate eventually complied with my instructions. At this point, Ofc. Hernandez arrived as by back up. Ofc. Hernandez and I provided the other four male subjects with trespass warnings and moved them along. Shumate continuously ignored my legal, lawful orders to leave the immediate premises. As I placed Shumate in handcuffs, he attempted to pull away several times. I gave Shumate several loud, concise verbal commands to stop pulling away. I was eventually able to gain control to Shumate and place him in handcuffs.

Ofc. Hernandez searched Shumate subsequent to arrest. Ofc. Hernandez walked Shumate to my patrol vehicle. During Ofc. Hernandez search, Shumate continuously attempted to pull away from Hernandez.

Shumate remained argumentative while I attempted to provide him with warning regarding other city ordinances. Shumate continuously screamed obscenities toward me.

I transported Shumate to the Monroe County Detention Center. Shumate continuously yelled obscenities throughout the transport.

Based on the facts and evidence, I believe there is probable cause that on 05/05/2022, Jeremiah A. Shumate did knowingly and intentionally violate F.S.S. 843.02 Resisting without Violence, by actually and intentionally attempting to pull away from the me as while I placed him in handcuffs, while I was engaged in my legal, lawful duties as a uniformed law enforcement officer.

Based on the facts and evidence, I believe there is probable cause that on 05/05/2022, Jeremiah A. Shumate did knowingly and intentionally F.S.S. 810.09-1A1 Trespass on Property Other Than Structure or Conveyance, by actually and intentionally remaining on the premises and refusing to leave the property, after being warned several times.

My BWC was activated for the encounter, arrest, and subsequent search of Shumate. My FLEET AXON was activated for the transport of Shumate to Monroe County Detention Center. I uploaded the videos to Evidence.com.

At this time, no further information.

-- Jason Elliott Polacikova Arrest Narrative:

On Thursday, 05/05/2022 at approximately 2127 hours, Ofc. Hernandez and I (Ofc. Howell) completed an area

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 22-002655
Date / Time Reported Thu 05/05/2022 21:27

Victim KEY WEST BIGHT PARKING LOT	Offense TRESPASSING
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check of 800 Caroline Street (Key West Bight Parking Lot, Private Parking) and discovered several unknown male subjects possibly trespassing.

I encountered Jason E. Polacikova (DOB: 05/10/1995, Arrestee). I discovered Polacikova laying within the bushes and bike rack on the property of the private lot, near the Margaret Street side of the business with the other five unknown male subjects. At this point, Ofc. Hernandez arrived as by back up. Ofc. Hernandez and I provided the other four male subjects with trespass warnings and moved them along.

I placed Polacikova in handcuffs and walked him to my patrol vehicle. I searched Polacikova subsequent to arrest.

I transported Polacikova to the Monroe County Detention Center. Polacikova continuously yelled obscenities throughout the transport, without incident.

Polacikova was issued a trespass warning for 800 Caroline Street on 01/02/2022 at approximately 0428 hours.

My BWC was activated for the encounter, arrest, and subsequent search of Polacikova. My FLEET AXON was activated for the transport of Polacikova to Monroe County Detention Center. I uploaded the videos to Evidence.com.

At this time, no further information.

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Incident Report Suspect List

Key West Police Department

OCA: 22-002655

1 Name (Last, First, Middle) <i>SHUMATE, JEREMIAH ANDREW</i>						Also Known As				Home Address <i>5537 COLLEGE RD KEY WEST, FL 33040 786-751-0649</i>			
Business Address													
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.			
<i>05/10/1995</i>	<i>26</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>603</i>	<i>175</i>	<i>BRO</i>	<i>BLU</i>	<i>LGT</i>	<i>S530421951700 FL</i>			
Scars, Marks, Tattoos, or other distinguishing features													

<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN
Weapon, Type	Feature	Make		Model			Color	Caliber	Dir of Travel		
VehYr/Make/Model		Dr	Style	Color		Lic/St		VIN			

Notes _____ Physical Char _____

2 Name (Last, First, Middle) <i>POLACIKOVA, JASON ELLIOTT</i>						Also Known As				Home Address <i>5537 COLLEGE RD KEY WEST, FL 33040</i>			
Business Address													
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.			
<i>12/26/1973</i>	<i>48</i>	<i>B</i>	<i>M</i>	<i>N</i>	<i>511</i>	<i>125</i>	<i>BLK</i>	<i>BRO</i>	<i>OLI</i>	<i>P422425734660 FL</i>			
Scars, Marks, Tattoos, or other distinguishing features													

<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN
Weapon, Type	Feature	Make		Model			Color	Caliber	Dir of Travel		
VehYr/Make/Model		Dr	Style	Color		Lic/St		VIN			

Notes _____ Physical Char _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 05/06/2022 00:58

OCA: **22002655**

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

Investigator: *HOWELL, WILLIAM N (4059)*

Date / Time: *05/06/2022 00:25:22, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

On Thursday, 05/05/2022 at approximately 2127 hours, Ofc. Hernandez and I (Ofc. Howell) completed an area check of 800 Caroline Street (Key West Bight Parking Lot, Private Parking) and discovered several unknown male subjects possibly trespassing.

Four of the unknown male subjects complied, followed basic instructions, provided forms of identification, and walked away after I issued their trespass warnings. One unknown white male subject who refused to comply several times and continuous remained in the immediate area after I explained he needed to leave at least five times, later identified as Jeremiah A. Shumate (DOB: 05/10/1995, Arrestee). Shumate who was laying within the bushes and bike rack on the property of the private lot, near the Margaret Street side of the business with the other five unknown male subjects. Shumate initially refused to comply with basic instructions. Shumate eventually complied with my instructions. At this point, Ofc. Hernandez arrived as by back up. Ofc. Hernandez and I provided the other four male subjects with trespass warnings and moved them along. Shumate continuously ignored my legal, lawful orders to leave the immediate premises. As I placed Shumate in handcuffs, he attempted to pull away several times. I gave Shumate several loud, concise verbal commands to stop pulling away. I was eventually able to gain control to Shumate and place him in handcuffs.

Ofc. Hernandez searched Shumate subsequent to arrest. Ofc. Hernandez walked Shumate to my patrol vehicle. During Ofc. Hernandez search, Shumate continuously attempted to pull away from Hernandez.

Shumate remained argumentative as I removed him from my patrol vehicle and attempted to pull away from me several times. I instructed him with stop attempting to face me, Shumate replied, "NO I should spit on you." Shumate immediately became aggressive and suddenly and swiftly began attempting to pull away from me and refused to comply with my legal, lawful orders to "stop trying to turn around." Due to Shumate's actions, continuous threats, and level of resistance rising I shoved Shumate's shoulders into the corner of the elevator in a controlled manner to prevent him from spitting on me. Shumate continued to attempt to turn his head toward as if he intended to follow through with his threats of spitting on me. I placed my left hand on the back of Shumate's head to prevent him from turning toward me, for approximately thirty seconds for the remainder of the elevator ride. Shumate continuously screamed obscenities toward me.

I continued to walk Shumate to the Monroe County Detention Center. Shumate continuously yelled obscenities throughout the elevator ride. Shumate's actions were so aggressive that Monroe County Detention Deputies initially refused to remove Shumate's handcuffs until he calmed down. Shumate remained in handcuffs until he was medically cleared.

Due to Shumate's actions and resistance, he received a small half inch laceration above his left eyebrow. Shumate was

Investigator Signature: _____

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 05/06/2022 00:58

OCA: **22002655**

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Investigator: *HOWELL, WILLIAM N (4059)*

Date / Time: *05/06/2022 00:25:22, Friday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *General Supplemental Report*

treated by the medical staff of Monroe County Detention Center and medically cleared.

My BWC was not activated for the use of force concerning Shumate however, the Monroe County Detention Center has security cameras within the elevators. My FLEET AXON was activated for the transport of Shumate to Monroe County Detention Center. I uploaded the videos to Evidence.com.

At this time, no further information.

Investigator Signature: _____