

# Response to Resistance Report

Key West Police Department

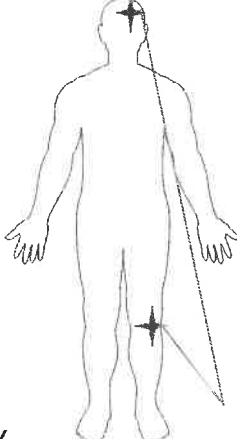
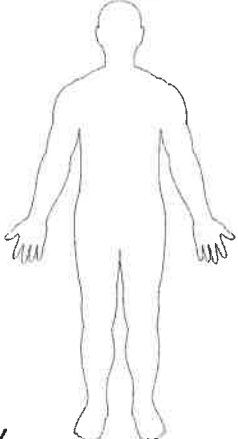
Case No: 22-2697

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

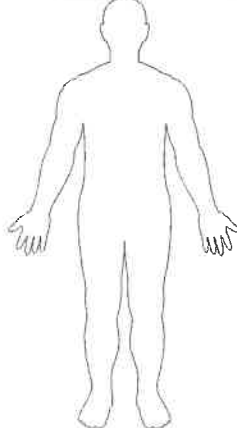
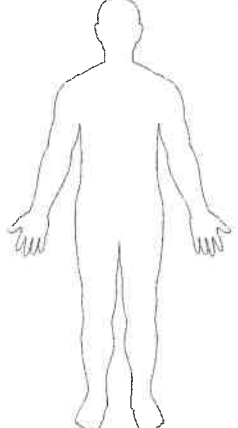
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of force
- Discharge of firearm in the line of duty off-duty or on-duty (other than for training, maintenance or ballistics testing)

<b>INCIDENT</b>	2. Date: 05/07/2022		3. Time: 2135		4. Location: Caroline/William St		5. Incident type: Escape	
	6. Resistance Level		7. Explanation		8. Response Option		9. Explanation	
	<input checked="" type="checkbox"/> Passive:	Tensing/pulling away		<input checked="" type="checkbox"/> Physical Control	Take down			
	<input checked="" type="checkbox"/> Active:	Fleeing from detention (patrol car)		<input type="checkbox"/> Non-lethal Weapon				
<input type="checkbox"/> Aggressive:			<input type="checkbox"/> Deadly Force					
<input type="checkbox"/> Deadly Force:								

10. Last Name: Swor		11. First: Carlie		12. Race: W		13. Sex: F	
14. DOB: 10/09/1997		15. Height: 5'08"		16. Weight: 165			
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							

<b>SUBJECT</b>	 <p>22. Anterior View <span style="float: right;">Pre-existing scratches</span></p>	 <p>Posterior View</p>
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23. Officer: Jack Gruba		24. Race: W		25. Sex: M		26. Age: 26		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 clothes		30. Yrs Exp: 0.5							
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: TASER drive stun											

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

Key West Police Department

Case No: 22-2697

<b>TASER USE ONLY</b>	<b>36. TASER® device serial #</b>		<b>37. TASER® device serial #</b>		
	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"/> <b>38. Check and list any additional TASER® devices, cartridges or details in the incident description section.</b>					
<b>REPORT</b>	<b>39. Offense/Incident Report and/or Warrant Affidavit must include:</b>				
	<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.					
<b>SUPERVISOR'S INQUIRY</b>	<b>40. Notified Date:</b> 05/07/2022		<b>41. Time:</b> 2135 hours		
	<b>42. Did you respond to the scene:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	<b>43. Did you watch all relevant videos associated with the use of force?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	<b>44. Did you meet with the Officer(s):</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)				
	<b>45. During your review did you find any potential policy violations or training issues associated with the incident?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)				
	<b>06.28 BWC – late activation, unable to due to rapidness of situation</b>				
	<b>46. Were you able to locate any independent witnesses:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
	Name		Address		Phone Number
<b>47. Is further review recommended:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		A. Rodriguez 3465		05/07/2022	
<b>FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS</b>		48. Preparing Supervisor's Signature / ID		49. Date	
<b>INT. AFF.</b>	<b>50. Did the review of this incident conclude that use of force was in compliance with Departmental policy?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes If "No", complete section 51)				
	51. Signature of Internal Affairs Inspector		52. Date		
<b>53. If section 48 is "No" record the Professional Standards Control Number:</b>				<b>54. Date Entered:</b>	

# INCIDENT/INVESTIGATION REPORT

Agency Name <i>Key West Police Department</i>		Case# <i>22-002697</i>
ORI <i>FL0440100</i>		Date / Time Reported <i>05/07/2022 21:05 Sat</i>
Location of Incident <i>218 DUVAL ST, Key West FL 33040</i>	Gang Relat 	Last Known Secure <i>05/07/2022 21:05 Sat</i>
	Premise Type <i>Bar / Nightclub /</i>	At Found <i>05/07/2022 21:05 Sat</i>
	Beat/GP <i>B1, GPB1</i>	
#1 Crime Incident(s) <i>Disorderly Conduct DCA</i>	(Com)	Weapon / Tools <i>NOT APPLICABLE/NONE</i>
		Activity 
#2 Crime Incident <i>Resist Arrest / Escape XOM</i>	(Com)	Weapon / Tools 
		Activity 
#3 Crime Incident <i>Resist Arrest / Escape XOM</i>	(Com)	Weapon / Tools 
		Activity 

MO										
# of Victims <i>1</i>	Type: <i>BUSINESS</i>			Injury:			Domestic: <i>N</i>			
V1 <i>TEASERS</i>	Victim/Business Name (Last, First, Middle)			Victim of Crime # <i>1,2</i>	DOB <i>// : : /</i>	Race 	Sex 	Relationship To Offender <i>ST</i>	Resident Status <i>N/A</i>	Military Branch/Status
Home Address <i>218 DUVAL ST, Keywest, FL 33040-</i>				Email				Home Phone <i>305-923-3261</i>		
Employer Name/Address						Business Phone		Mobile Phone		
VYR	Make	Model	Style	Color	Lic/Lis	VIN				

O T H E R S	CODES: V - Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)									
RP <i>BATY, KEVIN D</i>	Name (Last, First, Middle)			Victim of Crime #	DOB <i>09/14/1976</i>	Race <i>B</i>	Sex <i>M</i>	Relationship To Offender	Resident Status <i>Resident</i>	Military Branch/Status
Home Address <i>218 DUVAL ST KEY WEST, FL 33040</i>				Email				Home Phone <i>305-647-8912</i>		
Employer Name/Address <i>TEASERS, 218 DUVAL (SECURITY GUARD)</i>						Business Phone <i>305-296-4090</i>		Mobile Phone		
IO <i>COTO, DANIEL</i>	Name (Last, First, Middle)			Victim of Crime #	DOB <i>06/17/1981</i>	Race <i>W</i>	Sex <i>M</i>	Relationship To Offender	Resident Status <i>Resident</i>	Military Branch/Status
Home Address <i>3930 S ROOSEVELT BLVD - 412E KEY WEST, FL 33040</i>				Email				Home Phone <i>305-570-9197</i>		
Employer Name/Address <i>TEASERS (MANAGER)</i>						Business Phone		Mobile Phone		

P R O P E R T Y	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)									
VI # <i>35</i>	Code <i>EVID</i>	Status Fm/To <i>EVID</i>	Value <i>\$0.00</i>	OJ	QTY <i>1</i>	Property Description <i>BWC 4156</i>	Make/Model	Serial Number		
						<i>COBAN 4156</i>				
Officer/ID# <i>GRUBA, JACK Z (4156)</i>										
Invest ID# <i>GRUBA, JACK Z (4156)</i>						Supervisor <i>RODRIGUEZ, ALEXANDER (3465)</i>				
Status <i>Cleared By Arrest</i>	Complainant Signature				Case Status <i>Cleared By Arrest</i>	Date <i>05/08/2022</i>	Case Disposition: <i>Cleared By Arrest</i>		Date <i>05/08/2022</i>	Page 1

# Incident Report Additional Offense List

Key West Police Department

OCA: 22-002697

Offense List (Continued)

Page 2

Counter	Offense Description	Fel/Misd	Statute	Completed/Attempted
# 4	TRESPASSING		XOT	Com

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-002697

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  
*RODRIGUEZ, A. (3465), BERNATOVA, A. (4193)*

Suspect Hate / Bias Motivated:

NARRATIVE

**REPORTING OFFICER NARRATIVE**

*Key West Police Department*

		OCA 22-002697
Victim <i>TEASERS</i>	Offense <i>DISORDERLY CONDUCT</i>	Date / Time Reported <i>Sat 05/07/2022 21:05</i>

On May 7, 2022, at approximately 2100 hours, I, Ofc. Gruba, was on foot patrol on the 200 block of Duval St., when I was flagged down by an employee at Teasers, 218 Duval St. The employee told me that there was an altercation going on in the establishment.

I walked up the stairs and saw a female, later identified as Carlie Marie Swor, DOB: 10/09/1997, being detained by Teasers' security. I could tell that the female on the ground was in a combative state, so I placed her in handcuffs and had her sit on a bench close by. The female had abrasions on her face, neck, and knees from the scuffle with security at Teasers.

I talked to the security guard (Kevin Devon Baty), that had kicked Swor out of the establishment. Baty told me and wrote a statement saying that Swor had refused to pay the \$20 cover charge to get in. After refusing to pay Swor ran past Baty, towards the bar. Baty walked up to Swor and asked her to leave. Swor refused to leave. Baty and another security guard attempted to escort Swor to the door. Swor then punched Baty in the stomach and swung at his head but missed. Baty pushed Swor away and continued to tell her to leave, to which she refused. Baty and the other security guard were able to get Swor to the ground and attempted to call 911. This is when I was flagged down and arrived on scene.

Baty did tell me that he wanted Swor trespasses from the property for being asked multiple times to leave the property and refusing using violence. Baty did not wish to pursue charges for battery.

When I talked to Swor I could tell she was highly intoxicated due to her high level of emotions, mood rapidly changing, slurred speech, droopy eyes, and inability to walk straight. When I asked Swor what had happened she would not give me any answers and started to go off on nonsensical tangents. I took the handcuffs off of Swor and she seemed to settle down. Ofc. Bernatova arrived on scene and we escorted Swor out of the establishments to Ofc. Bernatova's squad car on the 400 block of Caroline St. Swor started to go off on nonsensical tangents and started cussing Ofc. Bernatova and myself out. Swor placed her hand on me inadvertently while cussing me out. I placed Swor under arrest for trespassing and disorderly conduct. I handcuffed her, checked for tightness and double locked the cuffs.

Ofc. Bernatova and I escorted Swor to my squad car on the 400 block of Greene St. On the way over, Swor continued to cuss the both of us out and tried multiple times to pull away. Once we got to the squad car, Ofc. Bernatova conducted a search of her person. Swor was then placed into the back of my squad car with a seatbelt fastened. I turned on my in-car COBAN and cracked the rear windows for fresh airflow for the arrestee.

As I was transporting Swor to Monroe County Detention Center, she attempted to escape. Swor had freed both hands for the handcuffs, unbuckled her seatbelt, and opened the rear passenger side door by sticking her arm out of the cracked window and opening it from the outside. I realized she was doing this and stopped the vehicle at Elizabeth St. and Caroline St. I got out of the vehicle and redirected Swor to the ground. Swor did not have any visible injuries from the redirection. Swor would not comply when I directed her to get on her stomach and put her hands behind her back. I was eventually able to cuff Swor. This time I checked for tightness and went several clicks tighter. I double locked them and placed her in the back of my squad car. Sgt. A. Rodriguez arrived on scene and I told him what had just occurred. I then went back enroute to the jail. When I arrived at the jail, Swor had gotten one of her hands out of the handcuffs again. I placed it back on the wrist that she had gotten it off of. Unfortunately, Swor left me no choice but to tighten the handcuffs as far as they would go. Swor was then handed over to detention deputies. When getting medically checked out, Swor was screaming and cussing at the nurse, detention deputies and

**REPORTING OFFICER NARRATIVE**

Key West Police Department

OCA 22-002697
Date / Time Reported Sat 05/07/2022 21:05

Victim TEASERS	Offense DISORDERLY CONDUCT
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myself.

I have probable cause to arrest Swor for violating F.S.S. 810.08 Trespass- in structure or conveyance. Swor willfully entered or remained in Teasers. Teasers was in the lawful possession of security, Kevin Baty, giving him the authority to deny authorization of entry. Swor entering or remaining in Teasers was without authorization, license, or invitation by Baty or any other person authorized to give that permission.

I have probable cause to arrest Swor for violating F.S.S. 509.143 Disorderly conduct on the premises of an establishment. Swor committed acts that were of a nature that corrupted the public morals. Outraged the sense of public decency. Also engaged in trying to fight the security staff of Teasers.

I have probable cause to arrest Swor for violating F.S.S 843.02 Resisting without violence. Swor resisted, obstructed and opposed my (Ofc. Gruba) lawful commands. At the time I (Ofc. Gruba) was engaged in the lawful execution of a legal duty. At the time I (Ofc. Gruba) was an officer, legally authorized to execute process. At the time, Swor knew I (Ofc. Gruba) was an officer, legally authorized to execute process.

I have probable cause to arrest Swor for violating F.S.S. 944.40 (Attempted) Escape. Swor was under arrest. Swor was being transported to a place of confinement. Swor escaped from handcuffs, unbuckled her seatbelt, reached out the cracked window and opened the door from the outside. Swor then tried to run away, disobeying my lawful commands to return.

There is BWC 4156 and in-car COBAN for this incident.

End of arrest report.

# Incident Report Suspect List

Key West Police Department

OCA: 22-002697

<b>1</b>	Name (Last, First, Middle) <i>SWOR, CARLIE MARIE</i>					Also Known As					Home Address <i>1324 10TH ST CLARKSTON, WA 99403</i>				
	Business Address														
	DOB <i>10/09/1997</i>	Age <i>24</i>	Race <i>W</i>	Sex <i>F</i>	Eth <i>N</i>	Hgt <i>508</i>	Wgt <i>165</i>	Hair <i>BLN</i>	Eye <i>BLU</i>	Skin <i>LGT</i>	Driver's License / State. <i>WDL74NS0863B WA</i>				
	Scars, Marks, Tattoos, or other distinguishing features														
<b>Reported Suspect Detail</b>															
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				
Notes										Physical Char					