

Response to Resistance Report

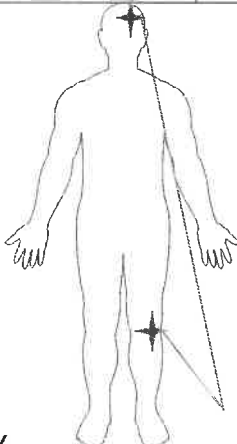
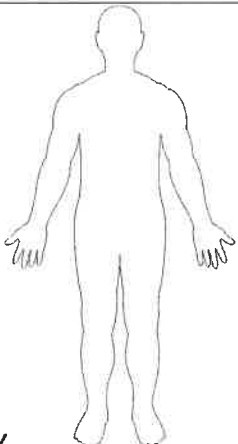
Key West Police Department

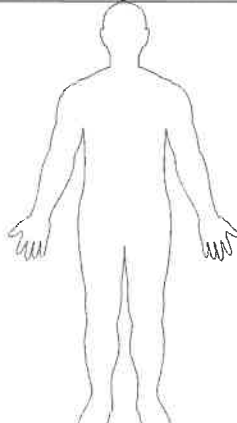
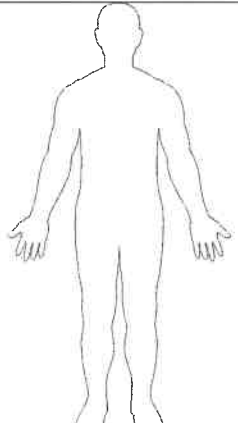
Case No: 22-2697

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)

INCIDENT	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:			

SUBJECT	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			
				
	22. Anterior View		Posterior View	

OFFICER	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					
						
	35. Anterior View		Posterior View			

Response to Resistance Report (continued)

Key West Police Department

Case No: 22-2697

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.			
	40. Notified Date: 05/07/2022		41. Time: 2135 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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
SUPERVISOR'S INQUIRY	06.28 BWC – late activation, unable to due to rapidness of situation			
	46. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	Name		Address	
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		05/07/2022	
	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# 22-002697		
								Date / Time Reported 05/07/2022 21:05 Sat		
INCIDENT DATA	Agency Name Key West Police Department		ORI FL0440100						Last Known Secure 05/07/2022 21:05 Sat	
	Location of Incident 218 DUVAL ST, Key West FL 33040		Gang Relat	Premise Type Bar / Nightclub /		Beat/GP B1, GPB1		At Found 05/07/2022 21:05 Sat		
	#1	Crime Incident(s) Disorderly Conduct DCA		(Com)	Weapon / Tools NOT APPLICABLE/NONE			Activity		
					Entry		Exit		Security	
MO	#2	Crime Incident Resist Arrest / Escape XOM		(Com)	Weapon / Tools			Activity		
					Entry		Exit		Security	
	#3	Crime Incident Resist Arrest / Escape XOM		(Com)	Weapon / Tools			Activity		
					Entry		Exit		Security	
VICTIM	# of Victims 1		Type: BUSINESS		Injury:				Domestic: N	
	V1	Victim/Business Name (Last, First, Middle) TEASERS			Victim of Crime # 1,2	DOB / / : : Age	Race B	Sex M	Relationship To Offender ST	Resident Status N/A
	Home Address 218 DUVAL ST, Keywest, FL 33040-					Email			Home Phone 305-923-3261	
	Employer Name/Address					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)									
	Type: INDIVIDUAL Injury:									
	Code RP	Name (Last, First, Middle) BATY, KEVIN D			Victim of Crime #	DOB 09/14/1976 Age 45	Race B	Sex M	Relationship To Offender	Resident Status Resident
Home Address 218 DUVAL ST KEY WEST, FL 33040					Email			Home Phone 305-647-8912		
Employer Name/Address TEASERS, 218 DUVAL (SECURITY GUARD)					Business Phone 305-296-4090			Mobile Phone		
OTHERS INVOLVED	Type: INDIVIDUAL Injury:									
	Code IO	Name (Last, First, Middle) COTO, DANIEL			Victim of Crime #	DOB 06/17/1981 Age 40	Race W	Sex M	Relationship To Offender	Resident Status Resident
	Home Address 3930 S ROOSEVELT BLVD - 412E KEY WEST, FL 33040					Email			Home Phone 305-570-9197	
	Employer Name/Address TEASERS (MANAGER)					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/To	Value	OJ	QTY	Property Description		Make/Model	Serial Number
		35	EVID	\$0.00		1	BWC 4156			
		35	EVID	\$0.00		1	COBAN 4156			
PROPERTY	Officer/ID# GRUBA, JACK Z (4156)									
	Invest ID# GRUBA, JACK Z (4156)					Supervisor RODRIGUEZ, ALEXANDER (3465)				
	Status	Complainant Signature			Case Status Cleared By Arrest		Case Disposition: Cleared By Arrest		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						
D R U G S	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity

Assisting Officers
 RODRIGUEZ, A. (3465), BERNATOVA, A. (4193)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

22-002697

Victim

TEASERS

Offense

DISORDERLY CONDUCT

Date / Time Reported

Sat 05/07/2022 21:05

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 trespass 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

Victim

TEASERS

Offense

DISORDERLY CONDUCT

Date / Time Reported

Sat 05/07/2022 21:05

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

1	Name (Last, First, Middle)					Also Known As					Home Address																																																																									
	SWOR, CARLIE MARIE										1324 10TH ST CLARKSTON, WA 99403																																																																									
	Business Address																																																																																			
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.																																																																									
	10/09/1997	24	W	F	N	508	165	BLN	BLU	LGT	WDL74NS0863B WA																																																																									
Scars, Marks, Tattoos, or other distinguishing features																																																																																				
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</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</td> </tr> <tr> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td></td> <td colspan="3">Mode of Travel</td> </tr> <tr> <td colspan="4">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="3">VIN</td> </tr> <tr> <td colspan="4"></td> <td></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="3"></td> </tr> </table>															Reported Suspect Detail		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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