

Response to Resistance Report

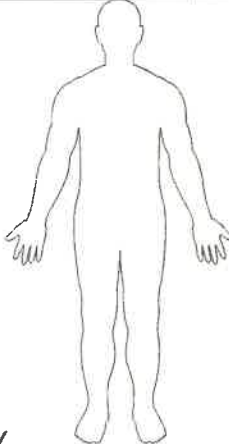
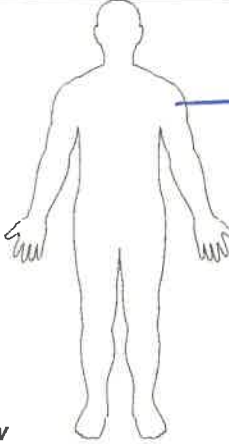
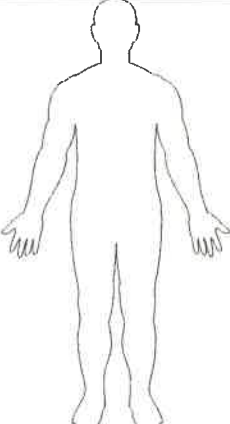
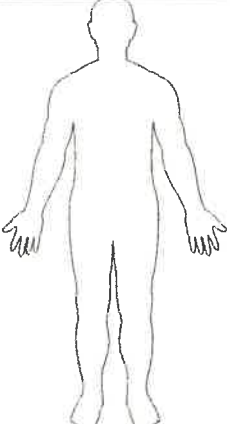
Key West Police Department

Case No: 222410124

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: 8/29/22	3. Time: 1540 Hrs	4. Location: 245 Front Street	5. Incident type: Disorderly
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	Ignored verbal commands	<input checked="" type="checkbox"/> Physical Control	Bent Wrist Transport
	<input type="checkbox"/> Active:		<input type="checkbox"/> Non-lethal Weapon	
SUBJECT	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			
	10. Last Name: Stutes	11. First: Jacob	12. Race: W	13. Sex: M
	14. DOB: 6/22/88	15. Height: 5'10	16. Weight: 260	
	17. Did you observe the subject: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
	18. Appeared to be: <input type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input checked="" type="checkbox"/> Emotionally / mentally disturbed			
	19. Injuries: <input type="checkbox"/> No <input type="checkbox"/> Evident <input checked="" type="checkbox"/> Alleged (If Evident or Alleged, describe and indicate areas on charts in Section 22)			
	20. Photographed: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 21. Treated: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention			
	22. Anterior View		Posterior View	
				
OFFICER	23. Officer: Jesse Young 24. Race: W 25. Sex: M 26. Age: 41 27. Height: 5'9 28. Weight: 215			
	29. Duty Status: <input type="checkbox"/> On-duty <input type="checkbox"/> Off-duty <input checked="" type="checkbox"/> Extra duty employment <input checked="" type="checkbox"/> Uniformed <input type="checkbox"/> Plain clothes 30. Yrs Exp: 23			
	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: (If TASER®, also reference line number from TASER® section) Transport			
	35. Anterior View		Posterior View	
				

Response to Resistance Report (continued)

Key West Police Department

222410124

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: None, No MNI, One Probe only		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 One only	
	Target distance at probe:		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 type="checkbox"/> All details of the arrest (No Arrest Made F.I. Only)			
	<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 type="checkbox"/> Detailed description of injury complaints and/or observed injuries (Alleged shoulder injury VIA Carnival e-mail)			
<input type="checkbox"/> Details outlining the decontamination, first aid or medical treatment provided to the officer and/or subject. N/A				
INQUIRY	40. Notified Date: 8/30/22		41. Time: 0830 hours	
	42. Did you respond to the scene: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "No", explain why)			
	Ofc. Young did contact me refence escorting someone off the pier. I was unaware of any alleged injury at the time, as this			
	Complaint was sent the following day.			
	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	44. Were you able to locate any independent witnesses: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)			
	Name	Address		Phone Number
	Greg Whipple	Cruise ship agent – 245 Front Street		(561) 313-1099
45. Is further review recommended: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		Mark Siracuse 3366		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		8/30/22		
		46. Preparing Supervisor's Signature / ID 		
		47. Date		
INT. AFF.	48. 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)			
	49. Signature of Internal Affairs Inspector		50. Date	
	51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:	

		INCIDENT/INVESTIGATION REPORT										Case# 22-005164												
												Date / Time Reported 08/29/2022 14:41 Mon												
INCIDENT DATA	Agency Name		Key West Police Department										Last Known Secure 08/29/2022 14:41 Mon											
	ORI		FL0440100										At Found 08/29/2022 14:41 Mon											
	Location of Incident					Gang Relat		Premise Type		Beat/GP														
	245 FRONT ST, Key West FL 33040					NO		Air / Bus / Train		B1, GPB1														
	#1		Crime Incident(s) (Com)				Weapon / Tools				Activity													
		Incident Report ZOD				NOT APPLICABLE/NONE																		
		Entry				Exit				Security														
MO	#2		Crime Incident ()				Weapon / Tools				Activity													
			Entry				Exit				Security													
	#3		Crime Incident ()				Weapon / Tools				Activity													
		Entry				Exit				Security														
VICTIM	# of Victims 0		Type:		Injury: Domestic: N																			
	V1		Victim/Business Name (Last, First, Middle)				Victim of Crime #		DOB		Race		Sex		Relationship To Offender		Resident Status		Military Branch/Status					
									Age															
			Home Address				Email								Home Phone									
			Employer Name/Address								Business Phone				Mobile Phone									
		VYR		Make		Model		Style		Color		Lic/Lis		VIN										
OTHERS INVOLVED	CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)																							
	Type: INDIVIDUAL Injury:																							
	Code IO		Name (Last, First, Middle)				Victim of Crime #		DOB		Race		Sex		Relationship To Offender		Resident Status		Military Branch/Status					
			STUTES, JACOB PAUL						06/22/1988		W		M				Non-Resident							
			Home Address				Email								Home Phone									
		705 DAVIDSON ST LAKE CHARLES, LA 70601																						
		Employer Name/Address								Business Phone				Mobile Phone										
		Type: Injury:																						
		Code				Name (Last, First, Middle)				Victim of Crime #		DOB		Race		Sex		Relationship To Offender		Resident Status		Military Branch/Status		
		Home Address				Email								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)																							
	VI #		Code		Status Frm/To		Value		OJ		QTY		Property Description				Make/Model				Serial Number			
			35		EVID		\$2.00				2		AXON BWC (3272)											
		Officer/ID#				YOUNG, JESSE (3272)																		
		Invest ID#				(0)																		
		Supervisor				RODRIGUEZ, PABLO D (2298)																		
Status	Complainant Signature				Case Status				Cleared As Other				09/07/2022				Case Disposition:				Page 1			

Incident Report Additional Name List

Key West Police Department

OCA: 22-005164

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	WHIPPLE, GREG L J		09/05/1967	54	W	M
Address	245 FRONT ST, KEY WEST, FL 33040-		H: 561-313-1099			
Empl/Addr	Pier B		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-005164

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

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

22-005164

Victim

Offense

INCIDENT REPORT

Date / Time Reported

Mon 08/29/2022 14:41

On Monday, August 29, 2022, at approximately 1442 hours, I, Officer Jesse Young, was working an off duty detail at 245 Front St. (Pier B Cruise Ship Terminal).

I was checking Identification Cards and Ship Cards in the Eastern line when I heard a commotion from the area where Cruise Ship Agent Greg Whipple was seated minutes earlier. I stopped checking passenger ID's as my attention was directed towards the commotion from the containment area of where passengers are directed to stand who forget their Identification.

I heard a male, later identified as Jacob Stutes by his Louisiana Driver's License, being verbally abusive towards Whipple. Stutes was speaking in a tone of voice to disrupt the flow of passengers getting back on the ship. I stood by and observed Stutes as he was making statements that with him being pulled aside was due to immigration reasons and that other ships have never required anyone to produce identification. I saw Stutes aggressively produce his ship card to Whipple and instructed him to board the ship and retrieve his ID. Stutes continued to be loud and disruptive as he was restating that he has never been required to produce an ID and he was never told an ID was required to board the ship.

I spoke up towards Stutes and gained his attention to stop his tyrant rant and I instructed him that he had been told his ID was required to board the ship. I explained that there was a ship announcement prior to reaching the dock this morning. It was posted on the ship prior to exiting the gangway, a two foot by four foot sign prior to reaching the pier exit. There was also a verbal recording at or near the exit gate.

Stutes then aggressively put his ship card in my face and told me to go get his ID. I declined.

Stutes vocal tone continued to get louder, causing a further disturbance with the cruise ship passengers. With the escalation of Stutes's behavior, being unverified as a ship passenger and attempting to incite negative responses from other passengers in line, Whipple instructed Stutes he had to leave the pier as ship security had to come out to him and verify him as a passenger. Stutes refused to leave. I instructed Stutes to leave as I opened the removable gate towards the exit. Stutes again refused to leave physically so I grabbed a hold of Stutes's right wrist and placed him into a bent wrist transporter. At no time did I have to apply pressure to Stutes's wrist as he now became compliant and we walked to the exit gate of the pier.

After we exited the cruise ship terminal exit gate I released my grasp of Stutes. Stutes still was extremely agitated and spoke out that he did not like Whipple and he "Needed an attitude adjustment". Stutes continued to make negative statements towards the situation which occurred. Stutes made claims that he has a lawyer and he would sue as he felt that he was singled out and he believed he was treated badly by Whipple.

I explained that Stutes was not welcome at the pier and if he were able to be identified or produce an ID he would be let back on the ship. Stutes opened his bi-fold wallet / cell phone holder and exhibited his Louisiana ID to me. Stutes made a statement that he did not produce his ID because his husband did not have his and did not want him to stand alone while his identification was verified. I instructed Stutes since he now has his ID, he may rejoin the line and be allowed on the ship.

I monitored Stutes's behavior from a distance as he went through the security checkpoint, still adjudged and less vocal than he was previously observed.

REPORTING OFFICER NARRATIVE*Key West Police Department*

OCA

22-005164

Victim

Offense

Date / Time Reported

*INCIDENT REPORT**Mon 08/29/2022 14:41*

Stutes entered the ship.

After Stutes was on board, Whipple informed Carnival Dream Security Agents that Stutes was not allowed on the pier and he was to be confined to the ship.

By BWC was active during the incident of when Stutes verbally and physically resisted.

Related CAD Number. 222410124.

