

# Response to Resistance Report

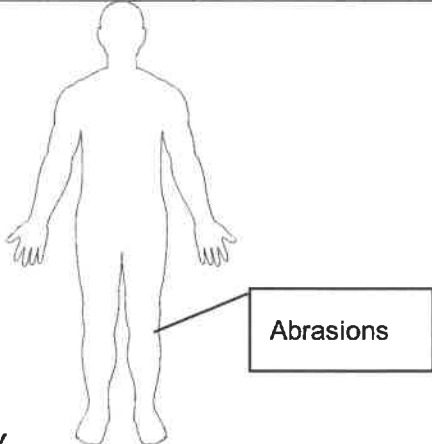
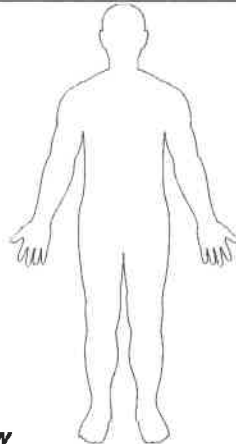
Key West Police Department

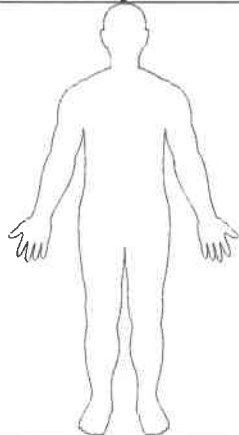
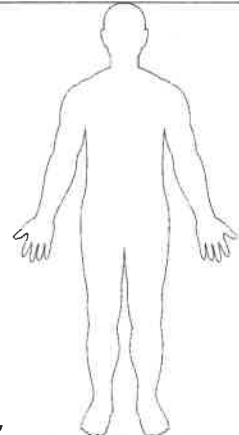
Case No: 22-5891

## 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: 10/16/2022	3. Time: 1745	4. Location: 2900 NRB. Publix	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	Takedown
	<input checked="" type="checkbox"/> Active:	Stood up and began to leave	<input type="checkbox"/> Non-lethal Weapon	
	<input type="checkbox"/> Aggressive:		<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

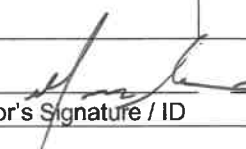
SUBJECT	10. Last Name: Powell	11. First: William	12. Race: W	13. Sex: M
	14. DOB: 11/02/1967	15. Height: 5'11"	16. Weight: 190	
	17. Did you observe the subject: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If NO, explain why in Section 42. If "YES", complete sections 18-22			
	18. Appeared to be: <input checked="" type="checkbox"/> Intoxicated <input type="checkbox"/> Under the influence of controlled substance <input checked="" 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: Jorge Lopez	24. Race: W	25. Sex: M	26. Age: 28	27. Height: 5'05"	28. Weight: 160
	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: OC Spray					
						
35. Anterior View		Posterior View				

# Response to Resistance Report (continued)

Key West Police Department

Case No: 22-5891

TASER USE ONLY	<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: N/A		Target distance at probe launch: N/A	
	Distance between probes: N/A		Distance between probes: N/A	
	Probes removed by (name): N/A		Probes removed by (name): N/A	
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>				
REPORT	<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>40. Notified Date:</b> 10/15/2022		<b>41. Time:</b> 1745	
	<b>42. Did you respond to the scene:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why) Was already on scene			
	<b>43. Did you watch all relevant videos associated with the use of force?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "No", explain why) On scene from beginning			
	<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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
SUPERVISOR'S INQUIRY	<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	
INT. AFF.	<b>47. Is further review recommended:</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <b>FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS</b>		SGT. M. SANCHEZ  10/16/2022 48. Preparing Supervisor's Signature / ID 49. Date	
	<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						Case# 22-005891	
		Agency Name Key West Police Department		ORI FL0440100		Date / Time Reported 10/15/2022 17:34 Sat		Last Known Secure 10/15/2022 17:34 Sat	
I N C I D E N T  D A T A	Location of Incident 2900 N ROOSEVELT BLVD Apt. 1102, Key West		Gang Relat NO	Premise Type Highway / Street /	Beat/GP B5, GPB5		At Found 10/15/2022 17:34 Sat		
	#1	Crime Incident(s) Disorderly Conduct DCA	(Com)	Weapon / Tools NOT APPLICABLE/NONE			Activity		
		Entry		Exit		Security			
	#2	Crime Incident Resist Arrest / Escape XOM	(Com)	Weapon / Tools			Activity		
	Entry		Exit		Security				
	#3	Crime Incident	( )	Weapon / Tools			Activity		
	Entry		Exit		Security				
MO									
V I C T I M	# of Victims 1		Type: SOCIETY/PUBLIC/STATE		Injury:		Domestic: N		
	V1	Victim/Business Name (Last, First, Middle) Society		Victim of Crime # 1,2	DOB Age	Race	Sex	Relationship To Offender	Military Branch/Status
	Home Address				Email			Home Phone	
	Employer Name/Address				Business Phone			Mobile Phone	
	VYR	Make	Model	Style	Color	Lic/Lis	VIN		
O T H E R S  I N V O L V E D	CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)								
	Type:		Injury:						
	Code	Name (Last, First, Middle)		Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Military Branch/Status
	Home Address				Email			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	Military Branch/Status
	Home Address				Email			Home Phone	
	Employer Name/Address				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 #		Code	Status Frm/To	Value	OJ	QTY	Property Description		Make/Model
35		EVID		\$0.00		1	BWC, 3722.		AXON
35		EVID		\$0.00		1	FLEET, 3722		AXON
34		EVID		\$0.00		1	BWC 3366		
Officer/ID# MAYORGA LOPEZ, JORGE (3722)									
Invest ID# (0)					Supervisor KOURI, DAVID G (3022)				
Status	Complainant Signature			Case Status Cleared By Arrest		10/16/2022		Case Disposition: Cleared By Arrest 10/16/2022	
Page 1									

# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 22-005891

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

SIRACUSE, M.W. (3366), HAYNIE, T. (3836), OWENS, R.A. (4126)

Suspect Hate / Bias Motivated:

NARRATIVE

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

OCA

22-005891

Victim

*Society*

Offense

*DISORDERLY CONDUCT*

Date / Time Reported

*Sat 10/15/2022 17:34***-- William Edward Powell Arrest Narrative:**

On October 15, 2022, at approximately 1735 hours, Ofc. Roy was dispatched to The Verizon Store located in Key Plaza, (2900 N. Roosevelt Boulevard). The caller told Key West Dispatch a male is highly intoxicated screaming at an employee inside the store. The caller told Key West Dispatch the male refused to leave the store and then the male knocked over a metal sign and there is possible property damage.

I, Ofc. Lopez had to break from a separate call to respond to the above location and assist Ofc. Roy.

When I was driving towards Key Plaza, Key West Communications advised the male left on foot towards Publix. Key West Communications provided the description of the male, (White male with gray hair, wearing blue shorts, a Key West blue shirt, and wearing sunglasses). Key West Communications advised the caller observed the suspect walking inside Publix. When I parked my patrol vehicle in front of Publix, Sgt. Siracuse was inside the store attempting to locate the suspect.

When I was walking towards the entrance of Publix, I observed a male matching the description. The male appeared as if he just walked out of Publix. On contact with the male, I introduced myself to the male and I instructed him to stop while Ofc. Roy speaks with the caller.

As I began to inform the male the reason why I am instructing him to stop, the male said, "I got mad at that fucking guy in there". I informed the male he is matching the description of the male involved in an incident. The male later identified himself as William Powell, (dob:11/02/1967). William continued saying he got mad. William then told me the salesperson in the store ripped him off. William noticed Sgt. Siracuse's patrol vehicle and Ofc. Haynie's patrol vehicle were parked in the area. William began complaining about having several Officers here for this incident. I informed William that Sgt. Siracuse and Ofc. Haynie were on their way home as they work the dayshift. I requested William to provide me with his identification and he said he did not have it on him. William continued complaining to Sgt. Siracuse that it does not require to have all these Officers here for this issue. I explained one more time to William that the other two Officers are getting off duty and I am the Officer that just called on duty. However, William did not understand, and he became argumentative. I instructed William to sit down, and he did not sit down. Ofc. Haynie instructed William to sit down and then he sat down.

As I was speaking with William, I smelled a strong odor of an alcoholic beverage on his breath.

I wrote William's name and date of birth on my notepad while waiting for Ofc. Roy to finish speaking with the caller. William continued yelling and Ofc. Haney explained him to lower his voice for me to be able to provide Dispatch with his information. Ofc. Haynie listened to what William had to say about his disagreement with Verizon. William continued complaining about having 5 cops here for this reason. However, Ofc. Roy was speaking with the caller, and I was the Officer who had to stay with him. William said, "You aren't my boss mother fucker" and I told him that he is correct, I am not his boss. However, he needs to listen to my instructions. William said, "No" and then he said, "No I'm not". William placed his right hand on the ground and began getting up. I grabbed William's left arm, and I instructed him to stay seated and to place his hands behind his back. William pulled his arm away from me and he stood up. Ofc. Haynie grabbed William's right arm and he was actively pulling his arms away from us. William did not stop pulling his arms away from us. I had to place my leg in front of William's leg in order for him to lose his balance and then escort him to the ground. William got on his knees, and he was still trying to get back up. Ofc. Haynie had to place his knee on William's waist area to stop him from getting back up while I was placing handcuffs on him. We sat William on the ground and then he began asking for a supervisor. Sgt. Siracuse explained

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

OCA

22-005891

Victim

*Society*

Offense

*DISORDERLY CONDUCT*

Date / Time Reported

*Sat 10/15/2022 17:34*

to William that he was there the entire time.

Ofc. Haynie and I walked William to my patrol vehicle. Ofc. Haynie began searching William while I was holding his right arm. William turned his face towards me, and he said, "Go head tough guys" several times as he continued leaning his head towards my face. I instructed William not to get on my face and he said, "Or what". I placed William in the rear passenger side of my patrol vehicle.

This incident was recorded with my body worn camera, 3722.

Sgt. Siracuse later did the response to resistance incident.

Based on the facts and evidence, William Powell did resist and oppose to follow my verbal instructions while I was performing my legal duties as a Police Officer. Ofc. Roy was interviewing the caller while I had William detained. William became belligerent and he refused to follow simple verbal instructions by pulling his arms away from us due to his actions. Ofc. Haynie and I were wearing our class B uniform with the Key West Police insignia on our sleeves. Ofc. Haynie and I were recognizable as Police Officers. Contrary to F.S.S. 843.02.

Based on the facts and evidence, William Powell did breach the peace and the sense of public decency with his belligerent behavior. William was instructed to be seated on the side of the road. However, he stood up and when I attempted to place handcuffs on him, he continued actively resisting. William's actions put us on the right lane of traffic affecting the right lane of traffic for the public/residents to use. (It Should be noted there were several vehicles in the area and his actions could have caused an accident with the amount of foot traffic and vehicle traffic at this time of the day). Contrary to F.S.S. 877.03.

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# Incident Report Suspect List

Key West Police Department

OCA: 22-005891

1	Name (Last, First, Middle) <i>POWELL, WILLIAM EDWARD</i>					Also Known As					Home Address <i>3561 S CENTRAL AVE - 103 FLAGLER BEACH, FL 32136</i>																																													
	Business Address <i>UNK, UNK</i>																																																							
	DOB <i>11/02/1967</i>	Age <i>54</i>	Race <i>W</i>	Sex <i>M</i>	Eth	Hgt <i>511</i>	Wgt <i>200</i>	Hair <i>GRY</i>	Eye	Skin <i>FAR</i>	Driver's License / State. <i>P400925674020 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</td> </tr> <tr> <td colspan="2">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="5">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			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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VehYr/Make/Model		Drs	Style		Color		Lic/St		VIN																																															
Notes										Physical Char																																														

# Incident Report Related Property List

Key West Police Department

OCA: 22-005891

<b>1</b> Property Description <b>BWC, 3722.</b>				Make <b>AXON</b>		Model		Caliber	
Color	Serial No.		Value <b>\$0.00</b>		Qty <b>1.000</b>	Unit <b>EA</b>		Jurisdiction <b>Locally</b>	
Status <b>Evidence</b>	Date <b>10/15/2022</b>	NIC #		State #		Local #		OAN	
Name (Last, First, Middle) <b>* No name *</b>					DOB		Age	Race	Sex

Notes

<b>2</b> Property Description <b>FLEET, 3722</b>				Make <b>AXON</b>		Model		Caliber	
Color	Serial No.		Value <b>\$0.00</b>		Qty <b>1.000</b>	Unit <b>EA</b>		Jurisdiction <b>Locally</b>	
Status <b>Evidence</b>	Date <b>10/15/2022</b>	NIC #		State #		Local #		OAN	
Name (Last, First, Middle) <b>* No name *</b>					DOB		Age	Race	Sex

Notes

<b>3</b> Property Description <b>BWC 3366</b>				Make		Model		Caliber	
Color	Serial No.		Value <b>\$0.00</b>		Qty <b>1.000</b>	Unit		Jurisdiction <b>Locally</b>	
Status <b>Evidence</b>	Date <b>10/15/2022</b>	NIC #		State #		Local #		OAN	
Name (Last, First, Middle) <b>* No name *</b>					DOB		Age	Race	Sex

Notes



# CASE SUPPLEMENTAL REPORT

Printed: 12/06/2022 10:40

Key West Police Department

OCA: 22005891

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

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred: *10/15/2022*

Offense: *DISORDERLY CONDUCT*

Investigator: *SIRACUSE, MARK W (3366)*

Date / Time: *10/16/2022 07:08:41, Sunday*

Supervisor: *RODRIGUEZ, PABLO D (2298)*

Supervisor Review Date / Time: *10/16/2022 16:19:52, Sunday*

Contact:

Reference: *General Supplemental Report*

On 10.15.22, at approximately 1745 hours, I (Sgt. M. Siracuse) responded to 2900 N. Roosevelt Blvd. reference a disorderly subject at the Verizon Wireless store.

Dispatch had advised a white male wearing blue shorts and blue Key West shirt was fighting with Verizon personnel and then began tearing down signage inside the store. We were last advised the male suspect, later identified as William Powell, had walked toward Publix.

Ofc. J. Lopez was first to make contact with Powell in the parking lot. Powell appeared disturbed and slightly under the influence of alcohol and/or narcotics. After several verbal commands to sit down on a nearby curb he finally did. Powell was constantly contesting the number of Officers on scene. While other officers checked with Verizon reference damage and trespassing accusations, Ofc. Lopez attempted to ID Powell and gather information. Prior to the conclusion of our investigation, Powell (who had not produced any physical form of ID), stated he was standing up and leaving and began to do so. Ofc. J. Lopez grabbed his left arm and proceeded to do an arm bar takedown into the parking lot. Ofc. Haynie was also present and assisted by trying to place Powell's right arm behind his back. Powell continued to yell and pull his arms away from the officers.

I knelt across Powell's back and he received verbal commands to stop resisting and place his hands behind his back. Powell was handcuffed and sat up. Officers Lopez, Haynie and I placed Powell into the rear of Officer Lopez's patrol vehicle and secured him with the seatbelt. Powell was yelling during the remainder of our encounter, threatening to sue us for our actions and claiming Verizon employees were scammers.

Powell sustained abrasions to his knees from the takedown. I asked Ofc. Lopez to photograph his injuries and he did so, later providing them to me. I uploaded the photographs into evidence.com.

My BWC video was uploaded under this case number and Powell was arrested for disorderly conduct and resisting arrest.

Investigator Signature

Supervisor Signature