Response to Resistance Report Key West Police Department

1. A	Response to Resistance Report will be completed A response through the use of non-lethal weapons, Applies weaponless physical force of strikes, kicks, or "take When any person sustains an apparent substantial or fatal When any person complains of injury as a result of the appl Discharge of firearm in the line of duty off-duty or on-duty (or	-downs" injury as a result ication of force	t of the application of	
	2. Date: 09/03/2022 3. Time: 2317 4. Loc	ation:1300 Whit	te Street 5. Ir	ncident type: S31/Resisting
INCIDENT	6. Resistance Level Passive: Ignored Verbal Commands Active: Pulling, Bracing, Tensing Aggressive: Deadly Force:		Physical Control Non-lethal Weapon Deadly Force	9. Explanation Take Down
	10. Last Name: Gabriel 11. Fit	st: Daniel	12. Ra	ce: B 13. Sex: M
		ight: 5'11"		eight: 175
	17. Did you observe the subject: No X Yes			"YES", complete sections 18-22
				tionally / mentally disturbed
				as on charts in Section 22)
	20. Photographed: No Yes 21. Treated: No			
	20.7 Notographica. 10 21 Co 21. Neutea. 21.0		LIVITA aramedie on s	rospital Determon
SUBJECT	Anterior View 23 Officer: Set A Podriguez 24 Press W 25	Posterior Vie		
			Age: 31 27. Height.	
1	29. Duty Status: On-duty Off-duty Extra duty e			
+	31. Injuries: No Evident Alleged (If Evident			
-		o ∐ Yes <i>By:</i>	EMT/Paramedic	on scene Hospital
1	34. Response option used by this officer: Takedown			
OFFICER	The state of the s		aw A	w.

Case No: 22-5097

Response to Resistance Report (continued) Key West Police Department

Case No: 22-5097

	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 #	
ONLY	Number of cycles:		Number of cycles:	
SE	Type of contact: Probe	CODS Drive Stun	Type of contact: Probe CODS	☐ Drive Stun
2	Did probes penetrate skin: 🔲 Y	′es □ No	Did probes penetrate skin: ☐ Yes ☐	No
TASER USE	Target distance at probe launch	n: 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:	
	☐ 38. Check and list any add	itional TASER® devic	ces, cartridges or details in the incide	nt description section.
	39. Offense/Incident Report an	d/or Warrant Affidavit n	nust include:	
	All necessary criminal eleme			
RT	All details of the arrest			
REPORT	Details articulating the subject	ct's words, mannerisms a	and actions that justify the use of force.	
R	Details outlining the response	e to resistance utilized by	each officer.	
	Detailed description of injury	complaints and/or observ	ved injuries	1
	Details outlining the decontain	nination, first aid or medi	ical treatment provided to the officer and/or su	ubject.
	40. Notified Date: 09/03/2022		41. Time: 2300	
	42. Did you respond to the sce	ne: No 🛛 Ye	es (If "No", explain why)	
	43. Did you watch all relevant v	ideos associated with	the use of force? No XYes (If "No", ex	xplain why)
_	44. Did you meet with the Office	er(s): No X Yes (lf "No", explain why)	
INQUIRY				
ğ	45. During your review did you	ı find any potential poli	icy violations or training issues associated	d with the incident?
S	No Yes (If "Yes," lis			
ķ	- 150	<u> </u>		
RVISOR'				
₹.	46. Were you able to locate an	v indopandant witness	es: No Yes (If "Yes," list below)	
SUPER	Name	, maepenaem withesse	Address	Phone Number
S				T HONO Hambon
			D	
	47. Is further review recommen	nded: No Yes		
	FORWARD COMPLETED ORIGINAL REPO		D Keuri 3022 48. Preparing Supervisor's Signature / ID	09/04/2022
	50. Did the review of this incide	ont conclude that use	46. Preparing Supervisor's Signature 7 ID	49. Date
<u>н.</u>	of force was in compliance wit		11/1/2 2717	2/13/22
INT. AFF	policy? No Yes If "No", o	•	51 Signature of Internal Affairs Inspector	52. Date
Z	,	zemproto ocolion o i j	The state of internal Analis inspector	oz. Date
	53. If section 48 is "No" record	the Professional Stand	ards Control Number: 54. Da	ate Entered:

Response to Resistance Report (continued) Key West Police Department

_		
	23. Officer: Tim Malak 24. Race: W 2	25. Sex: M 26. Age: 32 27. Height 6'00" 28. Weight 220
	29. Duty Status: On-duty Off-duty Extra duty	employment Uniformed Plain 30. Yrs Exp: 11
	31. Injuries: No Evident Alleged (If Evident	or Alleged, describe and indicate areas on charts in Section 35)
	32. Photographed: No Yes 33. Treated: N	o Yes By: EMT/Paramedic on scene Hospital
	34. Response option used by this officer: Takedown	
OFFICER	nul lim	True de la constant d
	35. Anterior View	Posterior View
	23. Officer: 24. Race:	25. Sex: 26. Age: 27. Height: 28. Weight:
		employment Uniformed Plain 30. Yrs Exp:
		or Alleged, describe and indicate areas on charts in Section 35)
		o Yes By: EMT/Paramedic on scene Hospital
	34. Response option used by this officer: Assist in take	edown and handcuffing
OFFICER		
OFF	Thus Thus	The state of the s
	35. Anterior View	Posterior View

Case No: 22-5097

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D	#2	Cri	me Incid					(Com)	Weapon /	Tools								Activity
A T	Π2	Dr Dl		session Of F	'araj	pherna	lia / Equi _l	oment -	Entry			Exit				Secur	rity	
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МО																		
	# of		ms 2				PUBLIC/S7	ГАТЕ		Injury:	-	on I	_				Domestic: N	
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T	Ho	me A	ddress													Hor	me Phone	
I M	Em	ploye	r Name/	Address									Bus	ines	Phone		Mobile Pho	one
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	CO	DES:	V- Vic	tim (Denote V2	V3)	0=0	Owner (if oth	er than viv	ctim) R =	Reporting	Person	(if other	than v	ictim				
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INCIDENT/INVESTIGATION REPORT

Key West Police Department Case # 22-005097

Statu: Code:	S L=	Lost	S = Stolen R = Re	covered D = Dam	aged $Z = Seized$ $B = Burned$ $C = Counterfeit / F$	Forged F = Found
	UCR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity
	В	EVI	1.000	GM	COCAINE (OTHER THAN CRACK)	Poss
D						
R						
U G						
S						
		_				
	Assist	ting Off	icers			

Suspect Hate / Bias Motivated:

NARRATIVE			_

ANGLIN, T.H. (2872), KOURI, D.G. (3022), RODRIGUEZ, A. (3465), HOWELL, W.N. (4059)

•	OCA		
Key West Police Department		22-005097	
Victim	Offense	Date / Time Reported	
Society	DRUG POSSESSION CONTROLLED	Sat 09/03/2022 22:15	

-- Daniel Gabriel 3 Arrest Narrative:

On 9/3/22 at approximately 2215hrs, I responded to the 1300 block of United St., to assist with a traffic stop. Upon arrival, I observed Sgt Rodriguez standing at the driver's side of a black Chevy SUV with the door open. As I approached, I also observed Sgt Kouri with the passenger side open as well.

I could hear both Sergeants giving commands to their respected occupant to step out of the vehicle, with both refusing. Sgt Rodriguez grabbed on to the driver, identified as Daniel Gabriel, and attempted to extract him from the vehicle. I assisted Sgt Rodriguez with the extraction of Gabriel, and used an arm drag take down to gain complete control of Gabriel. Once on the ground, Sgt Rodriguez placed Gabriel in handcuffs and rolled him into the recovery position.

Gabriel complained of no injuries and did not want an ambulance for the incident. See Sgt Rodriguez` report for complete details on the initial stop of the vehicle and Sgt. Kouri's report for more detail into the RRI portion.

While completing the Gabriel incident, Sgt. Kouri was able to get the passenger, Lorraine Catena, out of the vehicle and secured.

K9 Officer Anglin arrived on the scene to complete a sniff of the exterior of the vehicle. K9 Officer Anglin advised us of a positive alert to the vehicle, see K9 Anglin's report for complete detail on the K9 usage.

K9 Officer Anglin, Sgt. Rodriguez, and Sgt Kouri conducted a search of the vehicle and found trace amounts of a substance FTP for Cocaine. There was a small plastic baggie with residue FTP for cocaine in the center council of the vehicle as well.

Once the vehicle search was completed, a custodial search of Gabriel was completed. During the search of Gabriel's person, a small clear plastic baggie was located in right front right pocket. The baggie had a white powdery substance inside that FTP cocaine. I made Gabriel aware of this finding, with him acting shocked about it.

Once the search was completed of Gabriel, I assisted him the rear of my patrol vehicle, where he was seat belted and later transported to Monroe County Detention center.

Catena was subsequently released from the scene and the vehicle was towed by Arnold's towing.

Gabriel was transported to the Monroe County Detention center without incident.

K9 Officer Anglin processed the evidence for this case and advised me the FTP cocaine substance weighed out at .lg. For complete detail on the evidence portion, see K9 Anglin's evidence submission report.

My BWC and in car Fleet system were active for this incident, nothing further.

Daniel Gabriel knowingly and intentionally possessed a substance on his person that Field Tested Positive for Cocaine. Therefore, Gabriel is being charged with FSS 893.13(6)(a), possession of Cocaine.

Daniel Gabriel Knowing and intentionally possessed a clear plastic baggie, used in the transportation or holding of a substance FTP for Cocaine. Therefore, Gabriel is being charged with FSS 893-147.1, possession of drug

v.	REPORTING OFFICER NARRATIVE	OCA
Key West Police Department		22-005097
Victim	Offense	Date / Time Reported
Society	DRUG POSSESSION CONTROLLED	Sat 09/03/2022 22:15

paraphernalia.

Daniel Gabriel willfully and with intent, acted in a way that obstructed the duties of a uniformed police officer. Therefore, Gabriel is being charged with FSS 843.02, Resisting arrest W/O violence.

Incident Report Suspect List

Key West Police Department

OCA: 22-005097

1	Name (Last, First, GABRIEL, D Business Address	ANIEL	3				Also	Known	As			333	Address 0 NORTHSIDI 7 WEST, FL 33	
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	На	ir	Eye	Skin	Driver	's License / State.	
	07/21/1966	56	В	M	N	511						G16	64160662610 1	FL
	Reported Susp	ect Deta	<i>ail</i> Sı	ispect A	ge	R	ace	Sex	Eth	Heigl	nt	Weigh	nt	SSN
	Weapon, Type	Featur	re	Make	0	М	lodel			Col	or	Caliber	Dir of Travel Mode of Travel	1
	VehYr/Make/Mod	lel		Drs	Styl	e		Color		Lic/St		•	VIN	
	Notes										Physical C	har		

		4.

Incident Report Related Vehicle List

Key West Police Department

OCA: 22-005097

1	VehYr/Make/Mod 2020 (Style	UT	Co	lor BLU	Lic/Lis /Decal GTHH21 FL 2023, (00543781	VIN	3GNAXKEV7LS591724
	IBR Status	I		Date 09	9/03/20	1	cation				
	Condition		Valu		\$0.	Of	ffense Code 1810	Jurisdiction Locally	State #		NIC#
	Name (Last, First, Middle) Billups, Horace J				Also Known	3330 NORTHSIDE DR - 325					
	Business Address										EST, FL 33040 5-294-2375
	DOB 01/15/1967	Age 55	Race B	Sex H	600 \(\frac{1}{600}\)	Vgt 265	1 '	s, Tattoos, or other distinguis	ning features		

Notes

CASE SUPPLEMENTAL REPORT

NOT SUPERVISOR APPROVED

OCA: 22005097

Printed: 09/03/2022 23:40

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

Investigator: RODRIGUEZ, ALEXANDER (3465) Date / Time: 09/03/2022 23:17:52, Saturday

Supervisor: (0) Supervisor Review Date / Time: NOT REVIEWED

Contact: Reference: General Supplemental Report

On Saturday, September 3, 2022 at approximately 2215 hours, I (Sgt. A. Rodriguez) conducted a traffic stop on a black Chevrolet SUV bearing Florida license plate GTHH21 at the intersection of United Street and White Street. The traffic stop was for an obscured license plate- the license plate frame blocked the writing at the top and bottom of the license plate, violating FSS 320.061.

I made contact with the driver, identified by his Florida driver's license as Daniel Gabriel, and noticed a small, clear plastic bag with a white powdery residue within the center console pocket.

I requested K9 Ofc. T. Anglin and an additional officer respond to my location. Sgt. D. Kouri responded and arrived shortly after. I returned to my patrol vehicle and began to run Gabriel through F/NCIC on my in car computer. Gabriel then held a piece of paper outside of the driver's window.

I returned to Gabriel and retrieved the insurance card he produced.

A few moments later, Sgt. D. Kouri asked me to return to the vehicle on our police radio. Upon walking up to Gabriel, I could see he was reaching for the center console, where the aforementioned baggie was located. Sgt. D. Kouri instructed Gabriel to stop his actions and to exit the vehicle.

Gabriel refused, I opened the door and gained control of Gabriel's left wrist/arm. I gave Gabriel loud verbal commands to stop resisting and to get out of the car. Gabriel was tensing his arms, as well as using the gear selector and steering wheel to brace himself.

Ofc. T. Malak arrived and also began giving Gabriel orders to exit the car. I placed one handcuff on Gabriel's left wrist and began utilizing the B pillar of the vehicle to perform a vehicle extraction technique. Gabriel exited the vehicle against his will and continued his resistance at which point Ofc. T. Malak and I transferred control of Gabriel's left wrist/arm. I gained control of Gabriel's right arm as he was rotated out of the vehicle, still offering resistance by tensing.

Ofc. T. Malak utilized a straight arm takedown on Gabriel and took him down to the ground in a controlled manner. I placed the second handcuff onto Gabriel's right wrist and evaluated him for any injuries (none present).

K9 Ofc. T. Anglin utilized K9 Jigsaw for a sniff of the exterior of the vehicle in which he positively alerted to the odor of narcotics from within the vehicle.

A manual search of the vehicle revealed trace amounts of cocaine throughout the vehicle. The residue within the

Investigator Signature:		

CASE SUPPLEMENTAL REPORT

NOT SUPERVISOR APPROVED

OCA: **22005097**

Printed: 09/03/2022 23:40

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

Investigator: RODRIGUEZ, ALEXANDER (3465)

Date / T

Date / Time: 09/03/2022 23:17:52, Saturday

Supervisor: (0)

Supervisor Review Date / Time: NOT REVIEWED

Contact:

Reference: General Supplemental Report

baggie mentioned earlier field tested positive for cocaine.

A search incident to arrest of Gabriel for resisting without violence revealed a bag of cocaine from his right front pocket.

All items located were turned over to K9 Ofc. T. Anglin for processing.

Ofc. T. Malak took custody of Gabriel and transported him to jail.

Arnold's Towing removed the vehicle from the scene.

My vehicle's AXON and BWC were activated for this incident.

Investigator Signature:_____

CASE SUPPLEMENTAL REPORT

NOT SUPERVISOR APPROVED

OCA: 22005097

Printed: 09/04/2022 23:47

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

Investigator: ANGLIN, THOMAS H IV (2872) Date / Time: 09/04/2022 22:42:50, Sunday

Supervisor: (0) Supervisor Review Date / Time: NOT REVIEWED

Contact: Reference: General Supplemental Report

On 03SEP22 at 2216, I (Ofc. T. ANGLIN) responded to the intersection of United Street and White Street, at the request of Sgt. D. KOURI, who was on a traffic stop with Sgt. .A. RODRIGUEZ, who had conducted a traffic stop on a blue 2020 Chevrolet SUV, (FL Tag# GTHH21). Upon my arrival to the traffic stop, Sgt. A. RODRIGUEZ informed me that both occupants were detained prior to my arrival and he and Sgt. D. KOURI observed what appeared to be small bag of Cocaine inside the stopped Chevrolet, (See supplemental reports for details). Sgt. A. RODRIGUEZ requested that K-9 JIGSAW conduct a sniff of the exterior of the stopped Chevrolet.

I affixed my six-foot nylon lead to the one-inch nylon collar K-9 JIGSAW was wearing. I retrieved K-9 JIGSAW from the rear of my patrol vehicle and approached the passenger's side front bumper on the stopped Chevrolet. I gave K-9 JIGSAW the command to sniff for narcotics and moved counter-clockwise around the exterior of the stopped Chevrolet. I observed a noticeable change in K-9 JIGSAW'S normal behavior as he approached the driver's door. K-9 JIGSAW'S respiratory effort increased and his body became rigid as he scanned his nose up the face of the driver's door. K-9 JIGSAW took in several deep breaths at the window and sat. I gave K-9 JIGSAW his reward and secured him in the rear of my patrol vehicle.

Sgt. D. KOURI, Sgt. A. RODRIGUEZ and I manually searched the interior of the stopped Chevrolet. I observed trace amounts of a white powdery substance on the driver's seat and floorboard. I conducted a field test on the white powdery residue and the results were F.T.P. Cocaine.

Sgt. D. KOURI located a small clear Zip loc type baggy containing a white powdery residue inside the center console area, (See report for details). I conducted field test on the white powdery residue and the result was F.T.P. Cocaine.

Officers searched the driver, DANIEL GABRIEL and located a small Zip Loc type baggy containing a white powdery substance in GABRIEL'S pocket, (See reports for details). I conducted a field test on the white powdery substance and the result was F.T.P. Cocaine.

I took possession of the Cocaine and drug paraphernalia as Ofc. T. MALAK transported GABRIEL to the Monroe County Detention Center for processing. I later packaged and submitted the items recovered into the KWPD Property and Evidence Section.

Both my Axon fleet and BWC were active during the traffic sto and uploaded into the server.

T	
Investigator Signature:	