

# Response to Resistance Report

Key West Police Department

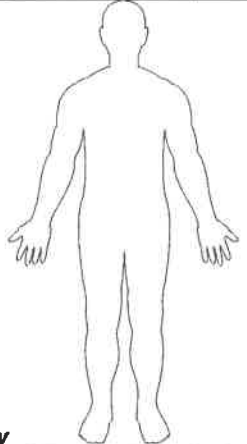
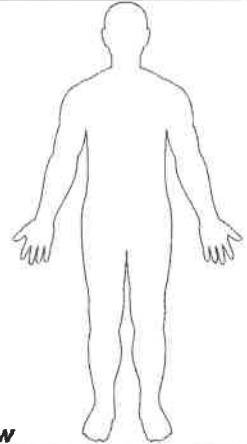
Case No: 23-0260

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

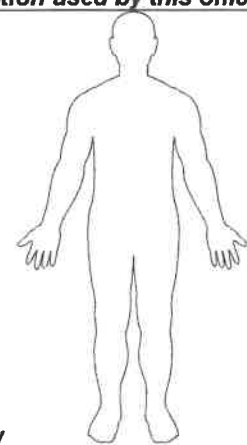
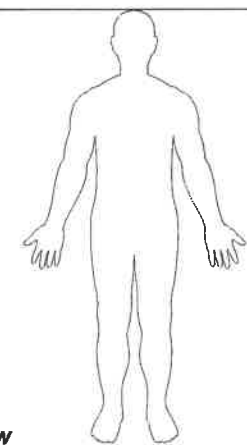
- A response through the use of non-lethal weapons,
- Applies weaponless physical force of strikes, kicks, or "take-downs"
- When any person sustains an apparent substantial or fatal injury as a result of the application of force
- When any person complains of injury as a result of the application of 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: <u>01/14/2023</u>		3. Time: <u>2030</u>		4. Location: <u>409 Caroline Street</u>		5. Incident type: <u>22P</u>	
	<b>6. Resistance Level</b>		<b>7. Explanation</b>		<b>8. Response Option</b>		<b>9. Explanation</b>	
	<input type="checkbox"/> Passive:		<input checked="" type="checkbox"/> Physical Control	<u>Tackle</u>		<input checked="" type="checkbox"/> Active:	<u>Pulling away</u>	
<input checked="" type="checkbox"/> Aggressive:	<u>Punching/Kicking</u>		<input type="checkbox"/> Non-lethal Weapon			<input type="checkbox"/> Deadly Force:		
<input type="checkbox"/> Deadly Force:								

10. Last Name: <u>Fritts</u>		11. First: <u>Korey</u>		12. Race: <u>W</u>		13. Sex: <u>M</u>	
14. DOB: <u>10/30/1989</u>		15. Height: <u>5'11"</u>		16. Weight: <u>180</u>			
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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes By: <input type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital <input type="checkbox"/> Detention							

<b>SUBJECT</b>	 <p>22. Anterior View</p>	 <p>Posterior View</p>
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23. Officer: <u>Jack Gruba</u>		24. Race: <u>W</u>		25. Sex: <u>M</u>		26. Age: <u>26</u>		27. Height: <u>6'00"</u>		28. Weight: <u>190</u>	
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: <u>1</u>											
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: <u>Takedown - tackle</u>											

<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: 23-0260

<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> 01/14/2023		<b>41. Time:</b> 2035 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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
	<b>46. Were you able to locate any independent witnesses:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," list below)				
	Name		Address		Phone Number
	Joshua Rays Slocumb		1000 Croyden Dr, Dayton, OH 45420		937-414-5003
	<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>		K. Malsheimer 3388		01/14/2023	
		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 checked="" type="checkbox"/> Yes (If "No", complete section 51)				
			51. Signature of Internal Affairs Inspector		
<b>53. If section 48 is "No" record the Professional Standards Control Number:</b>				<b>54. Date Entered:</b>	
				3/8/2023	



# INCIDENT/INVESTIGATION REPORT

I N C I D E N T  D A T A	Agency Name <i>Key West Police Department</i>		Case# <i>23-000260</i>							
	ORI <i>FL0440100</i>		Date / Time Reported <i>01/14/2023 20:29 Sat</i>							
	Location of Incident <i>409 CAROLINE ST, Key West FL 33040</i>		Gang Relat <i>NO</i>	Premise Type <i>Bar/nightclub</i>	Beat/GP <i>B1, GPB1</i>					
			Last Known Secure <i>01/14/2023 20:29 Sat</i>		At Found <i>01/14/2023 20:29 Sat</i>					
D E T A I L	#1	Crime Incident(s) <i>Disorderly Conduct DCA</i>	(Com)	Weapon / Tools	Activity					
				Entry	Exit	Security				
	#2	Crime Incident <i>Resist Arrest / Escape XOM</i>	(Com)	Weapon / Tools	Activity					
				Entry	Exit	Security				
	#3	Crime Incident	( )	Weapon / Tools	Activity					
				Entry	Exit	Security				
M O										
V I C T I M	# of Victims <i>1</i>	Type: SOCIETY/PUBLIC/STATE		Injury:		Domestic: N				
	V1	Victim/Business Name (Last, First, Middle) <i>Society</i>		Victim of Crime # <i>1,2</i>	DOB <i>Age</i>	Race	Sex	Relationship To Offender	Resident Status <i>N/A</i>	Military Branch/Status
	Home Address				Email			Home Phone		
	Employer Name/Address						Business Phone		Mobile Phone	
	VYR	Make	Model	Style	Color	Lic/Lis	VIN			
	CODES: V- Victim (Denote V2, V3) WI = Witness IO = Involved Other RP = Reporting Person (if other than victim)									
O T H E R S	Type: INDIVIDUAL		Injury:							
	Code <i>RP</i>	Name (Last, First, Middle) <i>LOPEZ, PAUL FERNANDO</i>		Victim of Crime #	DOB <i>07/16/1976 Age 46</i>	Race <i>W</i>	Sex <i>M</i>	Relationship To Offender	Resident Status <i>Resident</i>	Military Branch/Status
	Home Address <i>3314 NORTHSIDE DR KEY WEST, FL 33040</i>				Email			Home Phone <i>407-334-9311</i>		
	Employer Name/Address <i>HANKS (MNGR)</i>						Business Phone		Mobile Phone <i>407-334-9311</i>	
	Type: INDIVIDUAL		Injury:							
	Code <i>IO</i>	Name (Last, First, Middle) <i>CROSSLAND, VINCENT ALEXANDER</i>		Victim of Crime #	DOB <i>12/07/1986 Age 36</i>	Race <i>B</i>	Sex <i>M</i>	Relationship To Offender	Resident Status	Military Branch/Status
Home Address <i>31107 AVENUE I BIG PINE KEY, FL 33043</i>				Email			Home Phone			
Employer Name/Address						Business Phone		Mobile Phone		
P R O P E R T Y	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)									
	VI #	Code	Status Frm/Td	Value	OJ	QTY	Property Description		Make/Model	Serial Number
		<i>27</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>AXON BWC 4303</i>		<i>AXON/Bwc</i>	
		<i>27</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>AXON FLEET INCAR 3759</i>		<i>AXON/Incar</i>	
		<i>77</i>	<i>EVID</i>	<i>\$0.00</i>		<i>1</i>	<i>PHOTOS</i>			
	Officer/ID# <i>THORNBROUGH, ELAM (4303)</i>									
	Invest ID# <i>(0)</i>		Supervisor <i>(0)</i>							
Status	Complainant Signature			Case Status <i>Cleared By Arrest</i>		<i>01/14/2023</i>		Case Disposition. <i>01/14/2023</i>		Page 1



# Incident Report Additional Name List

Key West Police Department

OCA: 23-000260

## Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	SLOCUMB, JOSH HAYS		07/14/1978	44	W	M
	Address 1000 CROYDEN DR, DAYTON, OH 45420-		H: 937-414-5003			
	Empl/Addr		B: - -			
			Mobile #: - -			





# INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 23-000260

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  
*TORRECILLAS, J. (3759), GRUBA, J.Z. (4156)*

Suspect Hate / Bias Motivated: *NONE (NO BIAS)*

## INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 23-000260

*Key West Police Department*

NARRATIVE



## REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 23-000260
Date / Time Reported Sat 01/14/2023 20:29

Victim

Society

Offense

DISORDERLY CONDUCT

On 1/14/2023, I Officer Thornbrugh alongside Officer Torrecillas were dispatched to Hank`s Hair of the dog in reference to an active fight.

Upon arrival I witnessed Officer Gruba actively attempting to restrain a subject. Officer Torrecillas and I assisted in restraining the subject. The subject was actively resisting by rolling around on the ground, tucking his hands under his chest, and interlocking his fingers behind his neck. Once the subject was detained, we escorted him away from the bar and across the street. Due to the subject`s uncooperative behavior and continuous shouting, we placed him in the back of my patrol car.

I spoke with Paul Lopez, who is the manager of Hank`s Hair of the Dog. Paul stated the following:  
A patron approached Paul and informed him, the subject was smoking marijuana in the rear of the property. Paul approached the subject and informed him he was not allowed to smoke marijuana on the property, and he needed to leave. The subject pushed Paul and stated he was not going anywhere. Paul located his security guard Vincent Crossland.

Vincent stated the following:

Vincent approached the subject and informed him he needed to leave, the subject pushed Vincent in the chest with two open hands, and subsequently punched Vincent. Vincent stated he threw a punch at the subject in self defense because he was in fear.

Paul stated when the two were separated, the subject started to leave the property, on his way out he hit a few guest and pushed them.

When the subject got to the exit, he kicked a sign belonging to Hank`s, which was when Officer Gruba intervened. Officer Gruba instructed the subject to stop, the subject pushed Officer Gruba and attempted to run away. Officer Gruba took the subject to the ground in attempt to restrain the subject. See Officer Gruba`s supplemental for further information.

The Subject was identified as Korey Fitts.

While enroute to the Monroe County Detention Facility, Korey made an excited utterance: "All I did was smoke a blunt."

Josh Slocumb (witness) provided a sworn written witness statement that stated the following:

I saw the man kick the sign, and then fight and resist officer. I grabbed him around the waist and helped officer take down man.

Paul Lopez and Vincent Crossland both declined to press charges against Korey for battery.

Paul stated that he did wish to Trespass Corey from Hank`s Hair of the Dog.

I find probable cause exist for the arrest of Korey Fritts for FSS 843.01 Resisting Officer with violence.

I find probable cause exist for the arrest of Korey Fritts for FSS 877.03 Breach of peace disorderly conduct.

BWC (4303) was activated for these events. Officer Torrecillas` Axon Fleet Incar was activated during transport.

Slocumb`s witness statement was submitted to the Key West Police Department Records Department.



OCA: 23000260

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

Investigator: GRUBA, JACK Z (4156)

Date / Time: 01/14/2023 21:00:29, Saturday

Supervisor: CONATY, JAY THOMAS (3755)

Supervisor Review Date / Time: 01/15/2023 02:07:01, Sunday

Contact:

Reference: General Supplemental Report

On 01/14/2023, at approximately 2029 hours, Ofc. Thornbrugh, Ofc. Torrecillas, and I, Ofc. Gruba, were dispatched to 409 Caroline St, Hanks Bar, in reference to a male who was fighting with bar staff.

Upon arrival, I saw a male walking directly towards me. The male saw me, wearing my class B uniform, and then aggressively kicked a bar sign as he was leaving the bar. Based on the aggressive posture, intense look on his face and people yelling at him from the bar, I concluded that this was the male that was fighting with bar staff. I grabbed the male by the shoulder, later identified as Korey Fritts. Fritts attempted to push me off, knocking my body worn camera in the process. I redirected Fritts to the ground, by pulling his legs out from underneath him. Once on the ground, I told Fritts that I was an officer and to stop resisting. A crowd formed around us and several people in the crowd were yelling at Fritts, "He's a cop!" Fritts continued to resist by pushing me, trying to get away from me. To gain compliance from Fritts, I straddled his back and placed my right forearm across Fritts' face, reducing his ability to fight me. Ofc. Thornbrugh and Ofc. Torrecillas arrived on scene. I told Fritts to place his hands behind his back. Fritts kept his hands underneath himself. After several commands and attempts to get Fritts' hands, Ofc. Thornbrugh took out his Taser and had it pointed at Fritts' back. Ofc. Torrecillas was able to get Fritts' right hand and then we were able to get Fritts' left handcuffed behind his back. Fritts was then brought over and placed into Ofc. Torrecillas' vehicle. While in Ofc. Torrecillas' vehicle Fritts would sporadically bang his head against the metal bars, next to the window.

An independent witness, later identified as Joshua Slocumb, saw and assisted me with restraining Fritts until other officers arrived. Slocumb filled out a witness statement form and talked to Sgt. Malsheimer and Sgt. Conaty about my response to resistance.

Ofc. Thornbrugh and Ofc. Torrecillas transported Fritts to the jail.

I talked to Fritts' girlfriend and female friends. Fritts' girlfriend, later identified as Cassandra Posadas, told me that a bouncer wearing a gray sweatshirt and red hat, punched Fritts first after Fritts agreed to leave. One of the female friends of Fritts told me that they had been smoking weed in the back bar area. When the bouncer came up Fritts had the marijuana joint in his hand. Fritts was told to leave. Fritts was a little argumentative, the bouncer punched him and then a fight ensued. Once the fight ended Fritts went into the enclosed area where Fritts was sucker punched by a man out of nowhere. When I asked what the guy looked like, the three females were unsure. The second fight was eventually broken up and Fritts left the bar, this is when I came into contact with Fritts.

I went into Hanks Bar to talk to some independent witnesses. At the rear bar I talked to the manager, identified as Paul Lopez, who told me that he saw Fritts smoking weed. Lopez went up to Fritts to tell him to leave. Fritts pushed both him and his bouncer. Fritts then punched the bouncer in the face and a fight ensued. Lopez did not see the second fight. Lopez told me that he did not have access to the video footage, but should have it by the end of the night or by the

Investigator Signature: \_\_\_\_\_



OCA: **23000260**

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

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Investigator: *GRUBA, JACK Z (4156)*Date / Time: *01/14/2023 21:00:29, Saturday*Supervisor: *CONATY, JAY THOMAS (3755)*Supervisor Review Date / Time: *01/15/2023 02:07:01, Sunday*

Contact:

Reference: *General Supplemental Report*

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following night. I told Lopez I would follow up with him to try and obtain that footage.

I talked to an individual at the rear bar, identified as Michael Bryant. Bryant told me that he saw the bouncer go up to Fritts and ask him to leave. Bryant told me that the bouncer could have handled the situation better by being less abrasive. Bryant said that he saw Fritts push the bouncer and then punch the bouncer in the face. The fight then ensued. Bryant did not see the second fight, but his friend Robert Benton did.

Benton told me that Fritts went into the enclosed bar and started yelling at a male, who he thought was one of Fritts' friends. Fritts then punched the friend. Benton grabbed Fritts from behind and attempted to subdue Fritts, who Benton described as highly aggressive and appearing to be under the influence of cocaine or some stimulant drug. Fritts then left the bar.

Later on in the night I received footage taken from a cell phone of part of the incident. The video shows Fritts throwing swings at the security guard. The security guard did not throw any punches at Fritts. The two got separated. Fritts then goes back after the security guard, throwing several more punches, until he was pulled away again. This video will be uploaded to evidence.com.

My BWC was activated during this incident.

End of report.

Investigator Signature: \_\_\_\_\_

