

Response to Resistance Report

Key West Police Department

Case No: 23-1840

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: 3.27.2023		3. Time: 0800		4. Location: L.K.M.C.		5. Incident type: Criminal Traffic	
	6. Resistance Level		7. Explanation		8. Response Option		9. Explanation	
	<input type="checkbox"/> Passive:		_____		<input type="checkbox"/> Physical Control		_____	
	<input checked="" type="checkbox"/> Active:		Ran from Ofc. @ E.R.		<input type="checkbox"/> Non-lethal Weapon		_____	
<input checked="" type="checkbox"/> Aggressive:		Took fighting stance toward Ofc.		<input type="checkbox"/> Deadly Force		_____		
<input type="checkbox"/> Deadly Force:		_____		_____		_____		

10. Last Name: Richard		11. First: Bailey		12. Race: W		13. Sex: M	
14. DOB: 4/8/95		15. Height: 5'8		16. Weight: 170			
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 checked="" 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 checked="" type="checkbox"/> EMT/Paramedic on scene <input checked="" type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention							

SUBJECT	<p>22. Anterior View</p>	<p>Posterior View</p>
----------------	--------------------------	-----------------------

23. Officer: Michal Brabc		24. Race: W		25. Sex: M		26. Age: 35		27. Height: 6'7		28. Weight: 270	
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: 4			
31. 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 35)											
32. Photographed: <input type="checkbox"/> No <input checked="" 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) Takedown											


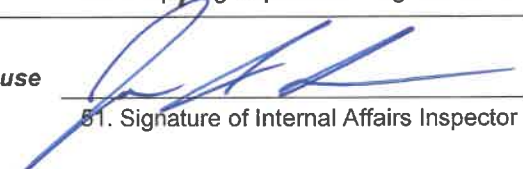
OFFICER	<p>35. Anterior View</p>	<p>Posterior View</p>
----------------	--------------------------	-----------------------

Response to Resistance Report (continued)

Key West Police Department

23-1840

Case No: _____

TASER USE ONLY	36. TASER® device serial #		37. TASER® device serial #		
	Battery serial #		Battery serial #		
	Cartridge 1 serial #1	serial #2	Cartridge 1 serial #1	serial #2	
	Cartridge 2 serial #3	serial # 4	Cartridge 2 serial # 3	serial #4	
	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.					
SUPERVISOR'S INQUIRY	40. Notified Date: 3.27.2023		41. Time: 0800		
	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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)				
	46. 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
	Dr. Guerdon		5900 College Rd.		305 294 5535
	Sgt. M. Siracuse				3.27.23
47. Preparing Supervisor / Printed Name		48. Preparing Supervisor / Signature / ID		49. Date	
INT. AFF.	50. Did the review of this incident conclude that use of force was in compliance with Departmental policy? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				
				51. Signature of Internal Affairs Inspector	52. Date 4/26/2023

INCIDENT/INVESTIGATION REPORT

Agency Name
Key West Police Department

ORI
FL0440100

Case#
23-001840

Date / Time Reported
03/27/2023 05:05 Mon

Last Known Secure
03/27/2023 05:05 Mon

At Found
03/27/2023 05:05 Mon

Location of Incident
4100 OVERSEAS HWY, Key West FL 33040

Gang Relat
NO

Premise Type
Highway/road/alley/st

Beat/GP

INCIDENT DATE

#	Crime Incident(s)	(Com)	Weapon / Tools	Activity
#1	Stolen Property Possession STA		Entry _____ Exit _____ Security _____	P
#2	Criminal Mischief / Vandalism VAC		Entry _____ Exit _____ Security _____	
#3	Drug Possession Controlled Substance DRA		Entry _____ Exit _____ Security _____	P

MO

VICTIM

# of Victims	3	Type:	SOCIETY/PUBLIC/STATE			Injury:	Domestic: N			
V1	Society	Victim of Crime #	3,4,5	DOB	Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
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: BUSINESS					Injury: None					
V2	LOWER KEYS MEDICAL	Victim of Crime #	2	DOB	// : :	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
Home Address			Email			Home Phone				
5900 W JR COLLEGE RD KEYWEST, FL 33040						305-294-5531				
Employer Name/Address			Business Phone			Mobile Phone				
Type: INDIVIDUAL					Injury: None					
V3	YEARY, ROBERT	Victim of Crime #	1	DOB	08/24/1980	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
Home Address			Email			Home Phone				
102 VITAL ST LAFAYETTE, LA 70506										
Employer Name/Address			Business Phone			Mobile Phone				
			UNK (UNK)							

PROPERTY

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/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number		
2	77	4	\$1,000.00		1	GLASS DOOR				
	27	EVID	\$0.00		4	AXON BWC 3925				
	11	6	\$2.00		1	RAZOR BLADES	UNK			
	11	EVID	\$1.00		1	ROLLED UP BUSINESS CARD				
	65	5	\$0.00		5	ID CARDS				
	11	6	\$1.00		1	ROLLED UP BUSINESS CARD				
	02	1	\$2,000.00		1	GRY, 461FVK LA	TOYT Corolla	1NXBR32E37Z853404		

Officer/ID# **BRABLC, MICHAL (3925)**

Invest ID# **(0)** Supervisor **SIRACUSE, MARK W (3366)**

Status Complainant Signature _____ Case Status **Cleared By Arrest** Date **03/27/2023** Case Disposition: _____ Page 1

Incident Report Additional Offense List

Key West Police Department

OCA: 23-001840

Offense List (Continued)

Page 2

Counter	Offense Description	Fel/Misd	Statute	Completed/Attempted
# 4	DRUG EQUIPMENT VIOLATIONS		DRUG EQUIPMENT	Com
# 5	TRAFFIC OFFENSE (NON-DUI)		VEC	Com

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 23-001840

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	<i>L</i>	<i>6</i>	<i>2.300</i>	<i>GM</i>	<i>AMPHETAMINES/METHAMPHETAMINES</i>	<i>Poss</i>

Assisting Officers
HAM, R. (4009), HERNANDEZ, L. (3452), ROSCOE, R. (4011), MALAK, T.J. (4045), UA, C. (4264)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 23-001840
Date / Time Reported Mon 03/27/2023 05:05

Victim
Society

Offense
STOLEN PROPERTY POSSESSION

-- Bailey Richard Richard Arrest Narrative:

On Monday, March 27, 2023, at approximately 0530 hours, I (Officer Michal Brable) was dispatched to assist Officer Roscoe on a crash investigation at the "triangle", 4100 Overseas Highway, Key West, FL.

Officer Roscoe was the first unit to respond. Upon Officer Roscoe's arrival, the vehicle involved in the crash was unoccupied. Officer Roscoe located the driver of the vehicle walking inbound on N. Roosevelt Blvd. At the time, the driver (later identified as Bailey Richard) was approximately 100 feet away from his vehicle (Gray Toyota Corolla, Louisiana license plate 461FVK). Officer Roscoe approached Richard and asked him where he was going. According to Officer Roscoe, Richard said, "I'm going down there and pointed towards the Marriott Beachside hotel. Officer Roscoe asked Richard if he was just involved in the crash. Richard said yes. Richard admitted being the driver of the vehicle.

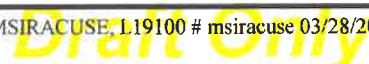
It appeared, Richard was traveling southbound on Overseas Hwy and approached the intersection at a high rate of speed. Richard's vehicle continued traveling straight instead of turning right or left. Richard's vehicle knocked down and destroyed several FDOT traffic lights and subsequently stopped on the sidewalk across the street. At the time of the report, I did not have a dollar amount for the damage caused to FDOT by crash.

Officer Roscoe requested KWFd Rescue to respond as Richard seemed to be disoriented and under the influence of alcohol and/or controlled substances. Richard was not cooperative with the responding Rescue personnel. The Rescue personnel requested Richard to be patted down for safety. MCSO Deputy Ketcham conducted the pat down and during she felt something in Richard's right short pocket. Based on her training and experience, Deputy Ketcham determined the unknown object to possibly be an unknown controlled substance, wrapped in a plastic bag. Deputy Ketcham pulled the object out of Richard's right short pocket. The object was a plastic bag with several white, octagonal pills with the letter "M" on one side and the number "30" imprinted on the other side. Some of the pills appeared to be crushed, which created a white, powdery substance. Deputy Ketcham conducted a field test of the substance. The test came back positive for Amphetamine. Amphetamine is a Schedule 2 controlled substance. Richard did not provide a physician issued prescription for the medication. There was a rolled-up business card along with a case of razor blades found in the center console cupholder. Both items field tested positive for Amphetamines.

Officer Ua later processed the controlled substance and submitted it to the evidence along with other items.

Richard was transported to the Lower Keys Medical Center for further evaluation. I remained on the scene to finish the traffic crash investigation. During the inventory search of the vehicle, MCSO Deputy Galbo, located several Louisiana Driver Licenses, ID cards and other forms of identification not belonging to Richard. There was a Louisiana ID card for Skylar Touchet DOB 07-21-1985. Along with an ID card, Mobility impaired card, and Department of Veteran Affairs card, all under the name of Robert Yeary DOB 08-24-1980. All of the cards were located inside of the glovebox. I later read Richard his Miranda Rights from a prepared card. Richard understood his rights and agreed to answer my questions. I asked Richard about all the ID cards and why did he have them. Richard's answer was "I'm trying to do business". I asked if he knew who Yeary was, Richard answered that it was possibly somebody he had once given a ride in his vehicle. I asked Richard who Touchet was, Richard said Touchet was his cousin. Once the investigation was complete, Arnold's Towing removed the vehicle and I responded to the hospital.

Upon my arrival at the hospital, Richard was released and in the custody of Officer Ua.



REPORTING OFFICER NARRATIVE

Key West Police Department

OCA
23-001840
Date / Time Reported
Mon 03/27/2023 05:05

Victim
Society

Offense
STOLEN PROPERTY POSSESSION

Based on his actions and evidence provided, I believe there was a probable cause for Richard`s arrest for violation for the following:

§ 316.061(1), Fla. Stat. LEAVING THE SCENE OF A CRASH INVOLVING ONLY DAMAGE TO AN ATTENDED VEHICLE OR ATTENDED PROPERTY

1. Richard was the driver of a vehicle involved in a crash.
2. The crash resulted only in damage to a vehicle or other property (FDOT TRAFFIC CONTROL DEVICES).
3. The other property was atta property of the Florida Department of Transportation.
4. Richard failed to stop at the scene of the crash or as close to the crash as possible and remain there until he had given identifying information to (name of person in element #3) and to any police officer at the scene of the crash or who is investigating the crash. Richard attempted to leave the scene of the crash of foot.

Richard was issued a Criminal Traffic Citation AGXJEEE. Richard`s court date was set for 04/06/2023 at 0900 hours, in front of the Honorable Judge Kelly. Richard later signed the citation.

§ 893.13(6), FLA. STAT. 25.7 POSSESSION OF A CONTROLLED SUBSTANCE

1. Richard possessed a substance.
2. The substance was Amphetamine pills "M30"
3. The substance weighed 2.3 grams.

§ 893.147(1), FLA. STAT 25.14 USE OR POSSESSION WITH INTENT TO USE DRUG PARAPHERNALIA

1. Richard knew of the presence of drug paraphernalia.
2. Richard possessed the drug paraphernalia with intent to use it to: Prepare a controlled substance. And introduce a controlled substance into the human body.

§ 817.5685, FLA. STAT UNLAWFUL POSSESSION OF THE PERSONAL IDENTIFICATION INFORMATION OF ANOTHER PERSON

1. Richard knowingly possessed the personal identification information of Touchet and Yeary.
2. Richard did not have authorization to do so.

I placed Richard under arrest and transported him to the Monroe County Detention Center without an incident.

MCDC intake nurse refused Richard due to an elevated blood pressure (160/100) as well as elevated heart rate (approx. 135)

I transported Richard back to LKMC without incident. While Richard was treated for his medical condition, the ER nurse asked if I could take Richard`s handcuffs off so the staff could get better reading of Richard`s vitals. Richard



REPORTING OFFICER NARRATIVE

Key West Police Department

OCA 23-001840
Date / Time Reported Mon 03/27/2023 05:05

Victim
Society

Offense
STOLEN PROPERTY POSSESSION

was not combative so I agreed. A few minutes later Richard took off running towards the locked ER glass door. I was right there and chased after Richard. Richard broke the glass door and was able to make it out to the parking lot. I had my AXON Taser out, but Richard stopped, turned around and took an aggressive pose as he was going to fight me. I tackled Richard to the ground. Richard tensed up several times and resisted my lawful orders to prevent being placed in handcuffs. I was able to cuff Richard and walked him back to his hospital bed. My AXON body worn camera was activated. Richard suffered several lacerations as he ran through the broken glass. I suffered an abrasion to my right knee. A notice of injury was later completed by Sergeant M. Siracuse.

Richard was treated for his injuries by the medical staff and I was provided with a surgical sponge scrub to clean the suffered abrasion.

In addition to the previous charges, I believed there was a probable cause for the following charges:

§ 944.40, Fla. Stat. 27.1 [ATTEMPTED] ESCAPE.

- 1. Richard was a prisoner
 - a. under arrest.
 - b. being transported to or from a place of confinement (Medical facility to address his medical issues).
- 2. Richard
 - a. attempted to escape by running away from the hospital.
 - b. willfully failed to remain within the extended limits of his confinement.

§ 806.13(1)-(2), FLA. STAT 12.4 CRIMINAL MISCHIEF

- 1. Richard injured or damaged property (Emergency room glass door).
- 2. The property injured or damaged belonged to Lower Keys Medical Center.
- 3. The injury or damage was done willfully and maliciously.
- 4. The damage was estimated to be upwards of \$1000.00

Richard was later discharged from the LKMC and I transported him back to the MCDC without an incident. My AXON body worn camera was activated.

Status: Cleared by arrest.

=====

Incident Report Suspect List

Key West Police Department

OCA: 23-001840

1	Name (Last, First, Middle) <i>RICHARD, BAILEY RICHARD</i>					Also Known As					Home Address <i>228 VATICAN RD CARENCRO, LA 70520</i>				
	Business Address <i>UNK, UNK</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State					
<i>04/08/1995</i>	<i>27</i>	<i>W</i>	<i>M</i>	<i>U</i>	<i>508</i>	<i>180</i>	<i>BLK</i>	<i>BRO</i>	<i>LGT</i>	<i>010430921 LA</i>					
Scars, Marks, Tattoos, or other distinguishing features															
Reported Suspect Detail															
Suspect Age					Race	Sex	Eth	Height	Weight	SSN					
Weapon, Type		Feature		Make		Model			Color	Caliber	Dir of Travel				
											Mode of Travel				
Veh Yr / Make / Model			Drs	Style		Color		Lic Plate / State			VIN				
Notes										Physical Char					

Incident Report Related Vehicle List

Key West Police Department

OCA: 23-001840

1	VehYr/Make/Model <i>TOYT, Corolla</i>		Style <i>4D</i>		Color <i>GRY</i>		Lic/Lis /Decal <i>461FVK LA</i>		VIN <i>1NXBR32E37Z853404</i>		
	IBR Status <i>None</i>		Date <i>03/27/2023</i>		Location <i>4100 OVERSEAS HWY, KEY WEST FL</i>						
	Condition		Value <i>\$2,000.00</i>		Offense Code <i>35A</i>		Jurisdiction <i>Locally</i>		State #		NIC #
	Name (Last, First, Middle) <i>Richard, Bailey Richard</i>				Also Known As			Home Address <i>228 VATICAN RD CARENCRO, LA 70520</i>			
	Business Address <i>UNK, UNK</i>										
	DOB <i>04/08/1995</i>	Age <i>27</i>	Race <i>W</i>	Sex <i>M</i>	Hgt <i>508</i>	Wgt <i>180</i>	Scars, Marks, Tattoos, or other distinguishing features				

Notes

towed by Arnolds Towing

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 03/27/2023 12:43

OCA: **23001840**

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

Investigator: *UA, CAMERON (4264)*

Date / Time: *03/27/2023 09:57:12, Monday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact: *Richard, Bailey Patrick 305- -*

Reference: *General Supplemental Report*

On March 27, 2023, I, (Officer Ua) assisted Officer Brable at LKMC concerning a subject who was involved in a hit and run vehicle accident.

On arrival at LKMC Emergency Room, I met with Officer Ham and Officer Roscoe who had Bailey Richard, the suspect, in custody. Bailey was just medically cleared by the ER doctor and I took control of Bailey. I escorted Bailey to my patrol car and searched him for weapons and contraband with negative results. I sat Bailey in the back of my vehicle and waited for Officer Brable to arrive.

Officer Brable arrived and he gave me a bag of evidence to process while he take Bailey in custody and to escort Bailey to MCDC.

I took the evidence and processed it at KWPD. While in the evidence room. I found the pills to be off white in color, octogon in shape, with the letter M imprinted on one side, and the number 30 on the other side. I field tested the pills and it came back positive for amphetamine. I also used Pill Identifier for another means of identification and it came back with Dextroamphetamine. I called poison control and spoke with an agent, the agent confirmed my findings. It is amphetamine and used like adderall which she said it is a schedule 2 narcotic.

I packaged the pills for evidence and sent them to FDLE through the KWPD evidence division. first weight of the pills were 2.6 grams, and second weight was 11.5 grams. Evidence was submitted to KWPD evidence division.

Nothing further at this time.

Investigator Signature: _____