

Sean T. Brandenburg
Chief of Police



Key West

POLICE DEPARTMENT

TO: Citizens Review Board

FROM: Sergeant Joseph A. Stockton, Professional Standards

DATE: January 10, 2023

RE: 22-005 Knorr Response

In reference to your request for video(s) involving Mr. Knorr's complaint, a link has been sent to the Citizen's Review Board Email (CRB@Cityofkeywest-fl.gov).

Based on my research into this incident, I do not believe there to be any violation of KWPD policy or Florida state statute by Officer T. Haynie, Officer S. Mitchell or Sergeant M. Siracuse. I also do not find any deficient service provided by the officers involved for the following reasons:

Body Camera Videos (BWCs) show Officer Haynie being respectful to Mr. Knorr, also using caution while handcuffing Mr. Knorr, going as far as to use two (2) sets of handcuffs to restraint Mr. Knorr. Officer Mitchell took care of Mr. Knorr's dog and placed the dog in the rear of the marked patrol car until SPCA arrived to take possession of the dog. During the search of Mr. Knorr, Officers Haynie and Officer Mitchell explained the charges and why he was going to jail.

The report indicates all bags were placed into the Property/Evidence Division at the Key West Police Department, however every item was not individually logged. This follows KWPD policy as long as the items are not dangerous or hazardous, officer can submit large bags for safekeeping.

Mr. Knorr's claim of a false arrest is incorrect. City of Key West Ordinance states the following:

Sec. 61-2. - Obstructions.

- (a) It shall be unlawful for any person willfully to obstruct the free, convenient, and ordinary use of any public right-of-way, street, roadway, alley, sidewalk, swale or public square by impeding, hindering, stifling, retarding or restraining the passage of either pedestrian or vehicular traffic or by endangering the safe movement of pedestrians or vehicles travelling thereon.
- (b) This section shall not apply to the right of assembly or to any other purpose for which a government has issued a permit; provided, however, that a permit to use a public area for a commercial purpose does not authorize obstruction.
- (c) Violations shall be punishable as provided in section 1-15.



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Section 1-15 provides the general penalty for violating the Municipal Ordinance:

Sec. 1-15. - General penalty.

(a) Except as provided in subsection (c) hereof, whenever in this Code of Ordinances section 1-15 is referred to as providing a penalty for violation, the violation shall be punishable by a fine of not more than \$500.00 or a term of imprisonment not to exceed 60 days or both a fine and term of imprisonment.

(b) All such violations may be enforced by notice to appear in the county court as provided by F.S. § 901.28 or for a threat to public health, safety and welfare by arrest as provided in F.S. § 901.15(1), except where prohibited by law.

(c) Through section 86-11 hereof, a violation of a city zoning or land development regulation is deemed a civil infraction, unless such a specific regulation provides for criminal penalties. The special master of the city, under his or her authority to impose administrative fines and non-criminal penalties, may hear cases of alleged violations of the zoning or land development regulations.

If the board has any questions regarding this complaint please feel free to contact me.



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