

Response to Resistance Report

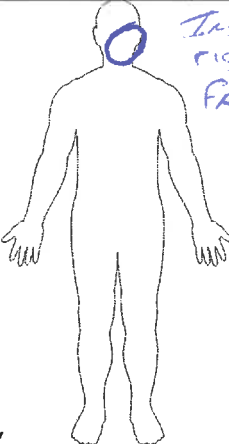
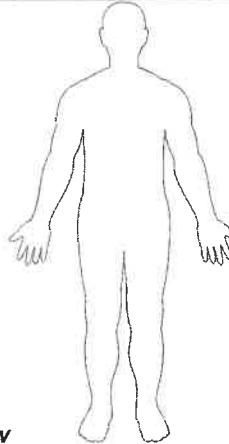
Key West Police Department

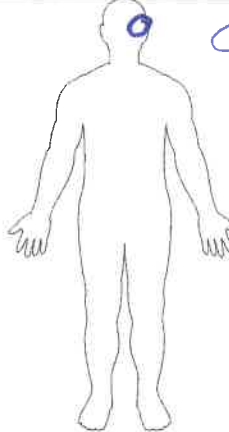
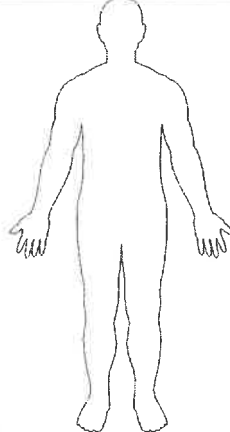
Case No: 21-2927

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: 02/7/2021	3. Time: 2122 hrs	4. Location: 335 DUVAL ST	5. Incident type: TRESPASSING
	6. Resistance Level	7. Explanation	8. Response Option	9. Explanation
	<input checked="" type="checkbox"/> Passive:	VERBALLY / PHYSICALLY REFUSED TO COMPLY WITH OFFICERS	<input checked="" type="checkbox"/> Physical Control	Closed fist strike
	<input checked="" type="checkbox"/> Active:	Pulling/Pushing away	<input type="checkbox"/> Non-lethal Weapon	
	<input checked="" type="checkbox"/> Aggressive:	Closed fist punch to Officer's face	<input type="checkbox"/> Deadly Force	
	<input type="checkbox"/> Deadly Force:			

SUBJECT	10. Last Name: Collins	11. First: Jay	12. Race: W	13. Sex: M
	14. DOB: 05-06-1985	15. Height: 6'02"	16. Weight: 200	
	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 type="checkbox"/> Hospital <input checked="" type="checkbox"/> Detention			
				
	22. Anterior View		Posterior View	

OFFICER	23. Officer: WILLIAM HOWELL	24. Race: W	25. Sex: M	26. Age: 35	27. Height: 6'01"	28. Weight: 220
	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
	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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes By: <input checked="" type="checkbox"/> EMT/Paramedic on scene <input type="checkbox"/> Hospital		
	34. Response option used by this officer: Closed Fist Strike					
						
	35. Anterior View		Posterior View			

Response to Resistance Report (continued)

Key West Police Department

Case No:

21-2927

TASER USE ONLY	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 #	
	Number of cycles: 5		Number of cycles: 1	
	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.			
	40. Notified Date: 06/03/2021		41. Time: 0440 hrs	
	42. Did you respond to the scene: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
SUPERVISOR'S INQUIRY	43. Did you meet with the Officer: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "No", explain why)			
	44. Were you able to locate any independent witnesses: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If "Yes," list below)			
	Name	Address	Phone Number	
45. Is further review recommended: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		Sgt.D. Kouri		
FORWARD COMPLETED ORIGINAL REPORT TO INTERNAL AFFAIRS		3022		
		06/03/2021		
		46. Preparing Supervisor's Signature / ID		
		47. Date		
INT. AFF.	48. 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 (If "No", complete section 51)		3317	
			49. Signature of Internal Affairs Inspector	
			50. Date	
51. If section 48 is "No" record the Professional Standards Control Number:		52. Date Entered:		

		INCIDENT/INVESTIGATION REPORT						Case# 21-002927	
		Agency Name Key West Police Department		ORI FL0440100		Date / Time Reported 06/03/21 04:20 Thu		Last Known Secure 06/03/21 04:20 Thu	
INCIDENT DATA	Location of Incident 618 CAROLINE ST, Key West FL 33040		Gang Relat NO	Premise Type Other Residence -	Beat/GP B3, GPB3		At Found 06/03/21 04:20 Thu		
	#1	Crime Incident(s) Battery SCA	(Com)	Weapon / Tools HANDS, FIST, FEET			Activity		
		Entry		Exit		Security			
	#2	Crime Incident Battery SCA	(Com)	Weapon / Tools			Activity		
	Entry		Exit		Security				
	#3	Crime Incident Resist Arrest / Escape XOM	(Com)	Weapon / Tools			Activity		
	Entry		Exit		Security				
MO									
VICTIM	# of Victims 3		Type: LAW ENFORCEMENT (LEO)		Injury:		Domestic: N		
	V1	Victim/Business Name (Last, First, Middle) HOWELL, WILLIAM NEIL		Victim of Crime # 1	DOB 07/26/85 Age 35	Race W	Sex M	Relationship To Offender ST	Military Branch/Status Resident
	Home Address 1604 N ROOSEVELT BLVD, Key West, FL 33040-						Home Phone 305-809-1000		
	Employer Name/Address KEY WEST POLICE 1604 N ROOSEVELT BLVD (OFFICER)						Business Phone		Mobile Phone
	VYR	Make	Model	Style	Color	Lic/Lis	VIN		
OTHERS INVOLVED	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)								
	Type: INDIVIDUAL		Injury:						
	V2	Name (Last, First, Middle) TAVAREZ, BRYAN		Victim of Crime # 2	DOB 10/31/84 Age 36	Race W	Sex M	Relationship To Offender ST	Military Branch/Status Non-Resident
	Home Address 855 CENTRAL AVE UNIT 1413 SAINT PETERSBURG, FL 33701						Home Phone 727-417-1253		
	Employer Name/Address UNKNOWN (UNKNOWN)						Business Phone		Mobile Phone
	Type: SOCIETY/PUBLIC/STATE		Injury:						
V3	Name (Last, First, Middle) SOCIETY		Victim of Crime # 3	DOB / / Age	Race	Sex	Relationship To Offender	Military Branch/Status N/A	
Home Address						Home Phone			
Employer Name/Address						Business Phone		Mobile Phone	
PROPERTY	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		Serial Number
	35	EVID		\$0.00		1	BWC 4059		
	35	EVID		\$0.00		1	IN-CAR AXON 4059		
Officer/ID# HOWELL, WILLIAM N (4059)									
Invest ID# (0)					Supervisor RODRIGUEZ, PABLO D (2298)				
Status	Complainant Signature			Case Status Cleared By Arrest		06/03/21		Case Disposition: Cleared By Arrest	Page 1

Incident Report Additional Name List

Key West Police Department

OCA: 21-002927

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	D`AMATO, ALYCIA DANIELLE		06/25/88	32	W	F
	Address 529 30TH AVE N Apt. 4, SAINT PETERSBURG, FL 33704-		H:920-979-4805			
	Empl/Addr Unknown		B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Key West Police Department

Case # 21-002927

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
HERNANDEZ, L. (3452)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE*Key West Police Department*

Victim <i>HOWELL, WILLIAM NEIL</i>	Offense <i>BATTERY</i>	OCA <i>21-002927</i> Date / Time Reported <i>Thu 06/03/21 04:20</i>
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On Thursday, 06/03/2021 at approximately 0420 hours; Ofc. Hernandez and I (Ofc. Howell) were dispatched to 618 Caroline Street regarding an extremely intoxicated unknown male subject fighting with guests of the rental house and destroying property at the rental house.

I arrived on scene first. As I approached the property, I encountered a group of approximately four or five unknown subjects at the front door yelling, "He's upstairs! He won't leave! He's breaking furniture!" An unknown male subject, later identified as Bryan Tavarez (DOB: 10/31/1984, Victim) stated he was kicked in the face and the "guy" needed to leave the property immediately. As I walked upstairs, I encountered Jay A. Collins (DOB: 05/06/1985, Arrestee) standing at the top of the stairs with another unknown male subject. I asked Collins to identify himself however, Collins refused. The group that remained downstairs, pointed at Collins and positively identified him. I asked Collins to follow me down the stairs and outside, to speak with me in an attempt to deescalate the situation. Collins again refused and attempted to walk away from me. I followed Collins and instructed him to follow me downstairs. Collins refused and walked into a nearby bedroom. I immediately recognized that the bedroom was in complete disorder, broken furniture was laying all over the floor and bed, and the room was in complete disarray. An overturned mirror was laying on the bed and broken furniture pieces and glass were scattered all over the floor. As I reached towards Collins in an attempt to guide him out of the room, for officer safety, because I did not know if there were weapons in the room, Collins slapped my hand away. Collins began yelling obscenities at me and screaming that I could not arrest him. At this point, I told Collins to turn around and place his hands behind his back because he struck my hand. Collins became extremely irritated and pulled away from me. Collins took an aggressive fighting stance, closed his right fist, and struck me in the left temple and face. Although I was partially stunned from the initial impact of the closed fist strike and not knowing Collins intentions, I reacted and struck Collins in the left side of his face with my right hand. Collins fell on the bed and stopped attempting to fight with me. I placed Collins in handcuffs, and I noticed Collins was bleeding from his face. I immediately called for Key West Fire/Rescue over Key West Communications Channel 1.

At this point, Ofc. Hernandez arrived as by back up. Ofc. Hernandez and I removed Collins from the bedroom and placed Collins in the hallway, leaning against the wall. I asked Ofc. Hernandez to request a supervisor while collected myself and I continued to recover from the initial stun from Collins' strike to my left face and temple.

I received a small contusion above my left cheek, directly below my left temple, that was approximately an inch in diameter. The contusion was beginning to swell on scene. I was given a cold compress by Key West Fire/Rescue and cleared medically. Collins received a small laceration on his left cheek that was approximately half an inch in length. Key West Fire/Rescue treated and cleaned Collins injury. Collins was bleeding from the laceration however, Collins refused further medical attention and was cleared medically.

As Ofc. Hernandez and I escorted Collins to my patrol vehicle, Collins became upset that he was being arrested, yelling obscenities and that we could not arrest him. Ofc. Hernandez and I searched Collins subsequent to the arrest. Collins refused to sit down in my patrol vehicle and struggled with me and Ofc. Hernandez. Collins attempted to get out of my patrol car several times and placed his knee in the door, prohibiting Ofc. Hernandez from closing the door. Ofc. Hernandez was eventually able to push the door shut.

I transported Collins to the Monroe County Detention Center.

Ofc. Hernandez remained on scene to collect witness statements and speak with potential victims.

REPORTING OFFICER NARRATIVE*Key West Police Department*OCA
21-002927

Victim

HOWELL, WILLIAM NEIL

Offense

BATTERY

Date / Time Reported

Thu 06/03/21 04:20

Ofc. Hernandez interviewed Tavarez and received a signed witness statement from Tavarez. The signed witness statement included that Collins began to "aggressively attack" his girlfriend, Hayley, "to the point she had to call for help." The witness statement included that Collins became frustrated that the group threatened to call the police and he kicked Tavarez in the left side of his face, with his right foot as Tavarez was walking up the stairs. The signed witness statement included that Collins fought with me, Ofc. Howell, after I arrived on scene.

Tavarez received a small quarter inch laceration to the right side of his bottom lip from Collins' kick. Tavarez also received a laceration on the right side of his chin, approximately a half inch in diameter, from Collins' kick. Tavarez stated both injuries had stopped bleeding before Ofc. Hernandez and I arrived. Tavarez refused medical attention.

Ofc. Hernandez interviewed and received a sign witness statement from Alycia D. D'Amato (DOB: 06/25/1988, Witness). The signed witness statement included that D'Amato was awoke to Collins screaming obscenities at his girlfriend and becoming irritated to the point of striking her across the face very hard. The signed witness statement included that D'Amato immediately called for Tavarez to help her and Collins girlfriend, at which point Collins kicked Tavarez in the face. The signed witness statement included that D'Amato closed herself in her room and called the police. D'Amato was unharmed throughout the encounter.

Ofc. Hernandez attempted to interview Collins' girlfriend, Hayley. Ofc. Hernandez stated she was also extremely intoxicated and refused to cooperate with his investigation. Ofc. Hernandez stated she would not provide a full name or date of birth and stated she was not interested in following through with charges against Collins.

Ofc. Hernandez took photographs of Tavarez's injuries. Ofc. Hernandez uploaded the photographs to Evidence.com. Ofc. Hernandez placed the signed witness statements in Key West Records Department.

Based on the facts and evidence, I believe there is probable cause that on 06/03/2021, Jay A. Collins Jr. did knowingly and intentionally violate F.S.S. 784.07-2B Battery on LEO, by actually and intentionally striking me in the left side of my face and temple, while I was engaged in my legal, lawful duties as a uniformed law enforcement officer.

Based on the facts and evidence, I believe there is probable cause that on 06/03/2021, Jay A. Collins Jr. did knowingly and intentionally violate F.S.S. 843.02 Resisting without Violence, by actually and intentionally struggling to and sit down in my patrol vehicle and attempting to block Ofc. Hernandez from closing the door of my patrol vehicle while Ofc. Hernandez and I placed Collins in my patrol vehicle, while we were engaged in our legal, lawful duties as uniformed law enforcement officers.

Based on the facts and evidence, I believe there is probable cause that on 06/03/2021, Jay A. Collins did knowingly and intentionally violate F.S.S. 784.03 Battery, by actually and intentionally kicking Bryan Tavarez in the left side of his face, against Tavarez's will and attempting to cause Tavarez bodily harm.

Collins appeared to be under the influence of alcohol. Collins's speech was slurred, and her eyes were bloodshot. Collins's breath had the odor of alcoholic intoxicants.

My BWC was activated for the encounter, arrest, and subsequent search of Collins. My In-Car AXON was activated for the transport of Collins to Monroe County Detention Center. I uploaded the videos to Evidence.com.

REPORTING OFFICER NARRATIVE

Key West Police Department

OCA

21-002927

Victim

HOWELL, WILLIAM NEIL

Offense

BATTERY

Date / Time Reported

Thu 06/03/21 04:20

At this time, no further information.

Incident Report Suspect List

Key West Police Department

OCA: 21-002927

1	Name (Last, First, Middle) <i>COLLINS, JAY ALAN Jr</i>						Also Known As				Home Address <i>1104 CANE MILL LN BRADENTON, FL 34212</i>			
	Business Address													
	DOB <i>05/06/85</i>	Age <i>36</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>602</i>	Wgt <i>220</i>	Hair <i>BRO</i>	Eye <i>BLU</i>	Skin <i>LGT</i>	Driver's License / State. <i>C452421851660 FL</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		
VehYr/Make/Model		Drs		Style		Color		Lic/St		VIN				
Notes								Physical Char						