

RESPONSE TO RESISTANCE REPORT
VOLUSIA COUNTY SHERIFF'S OFFICE



INCIDENT TYPE Disturbance	INCIDENT DATE 09/28/2016	INCIDENT TIME 1214	CASE NUMBER 16-24878
INCIDENT LOCATION 1260 Deltona Blvd. Deltona, FL		DISTRICT 04	ZONE 42
DEPUTY 1			
DEPUTY NAME (LAST, FIRST) Jenkins, Andrew S		RANK Deputy II	ASSIGNMENT (DIVISION, DISTRICT/SECTION) LES/District 4/Patrol/Delta
DEPUTY INJURED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		MEDICAL TREATMENT REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
TYPE OF MEDICAL TREATMENT N/A			
RESPONSE TO <input checked="" type="checkbox"/> SUSPECT #1 <input type="checkbox"/> SUSPECT #2 <input type="checkbox"/> SUSPECT # ____			
DEPUTY RESPONSE			
<input checked="" type="checkbox"/> RESTRAINING/PHYSICAL/DEFENSIVE FORCE	<input type="checkbox"/> ESCORT HOLDS	<input type="checkbox"/> PAIN/PRESSURE	
	<input checked="" type="checkbox"/> ACTIVE COUNTER MEASURES		
	<input type="checkbox"/> OTHER (Explain) _____		
<input type="checkbox"/> CHEMICAL WEAPON	<input type="checkbox"/> FREEZE+P		
	<input type="checkbox"/> OTHER (Explain) _____		
<input type="checkbox"/> TASER	<input type="checkbox"/> CONTACT STUN	NUMBER OF CYCLES _____	
	<input type="checkbox"/> AIR CARTRIDGE/PROBES	NUMBER OF CYCLES _____	
	<input type="checkbox"/> OTHER (Explain) _____		
<input type="checkbox"/> R-E-A-C-T/BAND-IT SYSTEM	<input type="checkbox"/> FOREARM		
	<input type="checkbox"/> THIGH		
	<input type="checkbox"/> CALF		
<input type="checkbox"/> IMPACT WEAPON/MUNITION	<input type="checkbox"/> ASP		
	<input type="checkbox"/> LESS THAN LETHAL SHOTGUN MUNITION		
	<input type="checkbox"/> OTHER (Explain) _____		
<input type="checkbox"/> K-9	<input type="checkbox"/> TRACK	<input type="checkbox"/> ON-LEAD	<input type="checkbox"/> OFF-LEAD
	<input type="checkbox"/> BUILDING SEARCH	<input type="checkbox"/> ON-LEAD	<input type="checkbox"/> OFF-LEAD
	<input type="checkbox"/> K-9 BITE APPREHENSION	<input type="checkbox"/> ON-LEAD	<input type="checkbox"/> OFF-LEAD
	<input type="checkbox"/> K-9 WARNING GIVEN		
	<input type="checkbox"/> K-9 WARNING HEARD	<input type="checkbox"/> BY SUSPECT	<input type="checkbox"/> OTHER DEPUTY
		<input type="checkbox"/> BYSTANDER	
DEPUTY 2			
DEPUTY NAME (LAST, FIRST)		RANK	ASSIGNMENT (DIVISION, DISTRICT/SECTION)
DEPUTY INJURED YES <input type="checkbox"/> NO <input type="checkbox"/>		MEDICAL TREATMENT REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	
TYPE OF MEDICAL TREATMENT			
RESPONSE TO <input type="checkbox"/> SUSPECT #1 <input type="checkbox"/> SUSPECT #2 <input type="checkbox"/> SUSPECT # ____			
DEPUTY RESPONSE			
<input type="checkbox"/> RESTRAINING/PHYSICAL/DEFENSIVE FORCE	<input type="checkbox"/> ESCORT HOLDS	<input type="checkbox"/> PAIN/PRESSURE	
	<input type="checkbox"/> ACTIVE COUNTER MEASURES		
	<input type="checkbox"/> OTHER (Explain) _____		
<input type="checkbox"/> CHEMICAL WEAPON	<input type="checkbox"/> FREEZE+P		
	<input type="checkbox"/> OTHER (Explain) _____		
<input type="checkbox"/> TASER	<input type="checkbox"/> CONTACT STUN	NUMBER OF CYCLES _____	
	<input type="checkbox"/> AIR CARTRIDGE/PROBES	NUMBER OF CYCLES _____	
	<input type="checkbox"/> OTHER (Explain) _____		
<input type="checkbox"/> R-E-A-C-T/BAND-IT SYSTEM	<input type="checkbox"/> FOREARM		
	<input type="checkbox"/> THIGH		
	<input type="checkbox"/> CALF		
<input type="checkbox"/> IMPACT WEAPON/MUNITION	<input type="checkbox"/> ASP		
	<input type="checkbox"/> LESS THAN LETHAL SHOTGUN MUNITION		
	<input type="checkbox"/> OTHER (Explain) _____		
<input type="checkbox"/> K-9	<input type="checkbox"/> TRACK	<input type="checkbox"/> ON-LEAD	<input type="checkbox"/> OFF-LEAD
	<input type="checkbox"/> BUILDING SEARCH	<input type="checkbox"/> ON-LEAD	<input type="checkbox"/> OFF-LEAD
	<input type="checkbox"/> K-9 BITE APPREHENSION	<input type="checkbox"/> ON-LEAD	<input type="checkbox"/> OFF-LEAD
	<input type="checkbox"/> K-9 WARNING GIVEN		
	<input type="checkbox"/> K-9 WARNING HEARD	<input type="checkbox"/> BY SUSPECT	<input type="checkbox"/> OTHER DEPUTY
		<input type="checkbox"/> BYSTANDER	

SUSPECT DATA						
SUSPECT 1	SUSPECT NAME (LAST, FIRST) Juarez, Pablo			RACE H	SEX M	DATE OF BIRTH 10/14/1960
	SUSPECT ARMED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		WEAPON TYPE N/A			
	SUSPECT INJURED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		INJURY TYPE Broken Bone		INJURY LOCATION Lower Left Leg	
	MEDICAL TREATMENT <input type="checkbox"/> NOT NEEDED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> FIRE/RESCUE <input checked="" type="checkbox"/> HOSPITAL			TREATMENT STATUS <input type="checkbox"/> TREATED & RELEASED AT SCENE <input type="checkbox"/> TREATED & RELEASED HOSPITAL <input checked="" type="checkbox"/> ADMITTED TO HOSPITAL		
	CHARGE TYPE <input type="checkbox"/> FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> BA		CHARGE #1 Resisting Arrest Without Violence		CHARGE #2 CHARGE #3	
SUSPECT 2	SUSPECT NAME (LAST, FIRST)			RACE	SEX	DATE OF BIRTH
	SUSPECT ARMED <input type="checkbox"/> YES <input type="checkbox"/> NO		WEAPON TYPE			
	SUSPECT INJURED <input type="checkbox"/> YES <input type="checkbox"/> NO		INJURY TYPE		INJURY LOCATION	
	MEDICAL TREATMENT <input type="checkbox"/> NOT NEEDED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> FIRE/RESCUE <input type="checkbox"/> HOSPITAL			TREATMENT STATUS <input type="checkbox"/> TREATED & RELEASED AT SCENE <input type="checkbox"/> TREATED & RELEASED HOSPITAL <input type="checkbox"/> ADMITTED TO HOSPITAL		
	CHARGE TYPE <input type="checkbox"/> FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> BA		CHARGE #1		CHARGE #2 CHARGE #3	
PHOTO	PHOTOGRAPHS TAKEN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
	TYPE OF PHOTOGRAPHS: <input type="checkbox"/> DIGITAL <input checked="" type="checkbox"/> VIDEO <input type="checkbox"/> OTHER (EXPLAIN) _____					
	PHOTOGRAPHS DEPICT: <input checked="" type="checkbox"/> SUSPECT INJURY <input type="checkbox"/> SUSPECT FACE <input type="checkbox"/> DEPUTY INJURY <input type="checkbox"/> SCENE <input type="checkbox"/> OTHER (EXPLAIN) _____					
SYNOPSIS						
BWC Video						
<p>On 09/28/16, at approximately 1214 hours, Deputy Jenkins responded to The Career Academy of Training, 1260 Deltona Boulevard in reference to a male trespasser causing a disturbance. Upon arrival in the area, Deputy Jenkins observed a Hispanic male wearing a white shirt with blue stripes and blue jeans, standing near the Voltran bus stop. The subject (later identified as Pablo Juarez) matched the description provided by Central Dispatch for the person causing the disturbance. Deputy Jenkins exited his patrol vehicle and asked Juarez to come speak with him. Juarez refused and stated "I'm right here." Deputy Jenkins again asked Juarez to move away from the roadway and come to the grassy area to talk. Juarez responded "I'm not your bitch, Fuck You!" Deputy Jenkins approached Juarez and requested Juarez place his hands behind his back. Juarez complied with the request and was handcuffed. Deputy Jenkins told Juarez he was being detained. Deputy Jenkins noted the presence of two unidentified females who were shouting "police brutality and black lives matter" while video recording the incident with a cellular phone. Deputy Jenkins began to escort Juarez away from the females and to a shaded area away from the roadway to attempt an interview with Juarez. Juarez began pulling away from Deputy Jenkins grip while being escorted away. Deputy Jenkins told Juarez to stop pulling away. Juarez continued to pull away from Deputy Jenkins. Deputy Jenkins gave Juarez a second warning to stop pulling away. Juarez turned towards Deputy Jenkins and shouted "Fuck You" and continued to pull away. Deputy Jenkins utilized a leg sweep maneuver on Juarez' left leg, knocking Juarez off balance. Juarez fell to the ground face first and was followed to the ground by Deputy Jenkins. Deputy Jenkins placed his knee on the back of Juarez' leg near the hamstring area and placed a hand on Juarez' back. Deputy Jenkins requested Deputy Adkins to come to his location for assistance. Deputy Jenkins told Juarez to stop resisting. Juarez responded "Fuck You" and stated "you broke my leg." Deputies Jenkins and Adkins assisted Juarez to his feet and escorted him to</p>						
SUBMITTING SUPERVISOR (PRINT) Sergeant S. Gowan		SUBMITTING SUPERVISOR (SIGNATURE) 		DID# 2435	DATE 9/28/16	<input checked="" type="checkbox"/> JUSTIFIED <input type="checkbox"/> NOT JUSTIFIED
LIEUTENANT (PRINT) Lieutenant D. Taylor		LIEUTENANT (SIGNATURE) 		DID# 1441	DATE 9/29/16	
CAPTAIN (PRINT) Captain E. Eagan		CAPTAIN (SIGNATURE) 		DID# 2273	DATE 09/30/16	
CAPTAIN/EXECUTIVE OFFICER (PRINT)		CAPTAIN/EXECUTIVE OFFICER (SIGNATURE)		DID#	DATE	
MAJOR (PRINT)		MAJOR (SIGNATURE)		DID#	DATE	
CHIEF DEPUTY (PRINT)		CHIEF DEPUTY (SIGNATURE)		DID#	DATE	
SHERIFF (PRINT)		SHERIFF (SIGNATURE)		DID#	DATE	
INTERNAL AFFAIRS (PRINT)		INTERNAL AFFAIRS (SIGNATURE)		DID#	DATE	

SUSPECT DATA							
SUSPECT #	SUSPECT NAME (LAST, FIRST)				RACE	SEX	DATE OF BIRTH
	SUSPECT ARMED <input type="checkbox"/> YES <input type="checkbox"/> NO			WEAPON TYPE			
	SUSPECT INJURED <input type="checkbox"/> YES <input type="checkbox"/> NO		INJURY TYPE		INJURY LOCATION		
	MEDICAL TREATMENT <input type="checkbox"/> NOT NEEDED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> FIRE/RESCUE <input type="checkbox"/> HOSPITAL			TREATMENT STATUS <input type="checkbox"/> TREATED & RELEASED AT SCENE <input type="checkbox"/> TREATED & RELEASED HOSPITAL <input type="checkbox"/> ADMITTED TO HOSPITAL			
	CHARGE TYPE <input type="checkbox"/> FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> BA		CHARGE #1		CHARGE #2		CHARGE #3
SUSPECT #	SUSPECT NAME (LAST, FIRST)				RACE	SEX	DATE OF BIRTH
	SUSPECT ARMED <input type="checkbox"/> YES <input type="checkbox"/> NO			WEAPON TYPE			
	SUSPECT INJURED <input type="checkbox"/> YES <input type="checkbox"/> NO		INJURY TYPE		INJURY LOCATION		
	MEDICAL TREATMENT <input type="checkbox"/> NOT NEEDED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> FIRE/RESCUE <input type="checkbox"/> HOSPITAL			TREATMENT STATUS <input type="checkbox"/> TREATED & RELEASED AT SCENE <input type="checkbox"/> TREATED & RELEASED HOSPITAL <input type="checkbox"/> ADMITTED TO HOSPITAL			
	CHARGE TYPE <input type="checkbox"/> FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> BA		CHARGE #1		CHARGE #2		CHARGE #3
SYNOPSIS							
<p>Deputy Jenkins patrol car. Juarez was placed in the back of Deputy Jenkins patrol car. Juarez continued to complain his left leg was broken. Deputy Jenkins attempted to inspect Juarez' leg for injury, however Juarez stated he wanted to go to the hospital.</p> <p>Deputy Jenkins transported Juarez to Florida Hospital Fish Memorial, Orange City to seek evaluation / treatment for his complaint of injury. Hospital staff performed an x-ray and determined Juarez had a "plateau fracture" of his left tibia just below his left knee. Hospital staff stated they were consulting with an orthopedic specialist to determine if surgery was necessary.</p> <p>Sergeant Gowan responded to Florida Hospital Fish Memorial. Sergeant Gowan spoke with Deputy Jenkins and reviewed Deputy Jenkins Body Worn Camera footage via Deputy Jenkins tablet computer. Sergeant Gowan observed Deputy Jenkins requested Juarez speak to him. Juarez refused to walk to Deputy Jenkins and began using profanity. Sergeant Gowan observed Deputy Jenkins make a second request and upon Juarez' refusal to comply, Deputy Jenkins secured Juarez in handcuffs. Sergeant Gowan noted Deputy Jenkins was escorting Juarez to a grassy shaded areas away from the roadway. Sergeant Gowan heard Deputy Jenkins tell Juarez two times to stop pulling away from Deputy Jenkins. Juarez responded by turning towards Deputy Jenkins and shouting "Fuck You." Deputy Jenkins body worn camera video showed Juarez fall to the ground. Deputy Jenkins is heard requesting Deputy Adkins to assist him. Deputy Jenkins tells Juarez to stop resisting, and Juarez replies "you broke my leg." The body worn camera video shows Deputy Jenkins and Deputy Adkins assist Juarez to his feet and escort Juarez to Deputy Jenkins patrol car.</p> <p>Sergeant Gowan conducted an interview with Juarez at the hospital. Juarez stated he was out walking and realized he forgot his house key. Juarez said he went to the Academy of Career Training in an effort to get a key from his daughter, who is a student at the academy. Juarez said he learned his daughter was not at school yet and wasn't expected until later in the day. Juarez said he was waiting outside when two female students walked past him. Juarez said he asked the girls if they would cut his hair and they walked away from him. Juarez stated a few minutes later, two teachers from the academy exited the building and began asking him what he said to the two female students. The teachers then re-entered the academy building. Juarez stated he suffers from bi-polar disorder and he has difficulty controlling his emotions and anger. Juarez said he went back inside the academy building to confront the teachers and get an explanation of what he did wrong. Juarez stated he was talking to a female employee when a muscular "Puerto Rican" male subject approached him and asked what was happening. Juarez said he dismissed the male subject and told him he didn't want to speak with him. Juarez said he was repeatedly told to leave the building and he eventually exited. Juarez said he walked towards the bus stop and the female employees from the academy exited the building and continued to argue with him. Juarez said a few minutes later Deputy Jenkins arrived on scene and requested to speak with him. Juarez said he was still upset about the encounter with the people at the academy and felt as though he had done nothing wrong. Juarez said he did not comply with Deputy Jenkins request to come speak with him because he was upset. Juarez continued to state he suffers from bi-polar disorder and when he gets "spun up" he has a hard time controlling his actions. Juarez stated Deputy Jenkins was escorting him away from the bus stop and Juarez was resisting Deputy Jenkins efforts. Juarez said Deputy Jenkins "slammed" him on the ground. Juarez stated he suffered a broken leg as a result of being taken to the ground. Juarez then became upset with Sergeant Gowan and said "you are against me."</p> <p>A few moments later, Juarez apologized to Deputy Jenkins and stated he (Juarez) was wrong for the way he acted. Sergeant Gowan re-entered the room to inform Juarez he was receiving a Notice to Appear for Resisting Arrest Without Violence. Juarez apologized several times to Sergeant Gowan, Deputy Jenkins and Deputy Adkins. Juarez was released with a notice to appear.</p> <p>Juarez elected to remain at the hospital for further evaluation and treatment of his injury.</p>							