

OFFICIAL RECORD TO: MEDIA FROM: ECSO CRIMINAL RECORDS

City of
Orange Beach
Life is better here

Police Department



May 3, 2019

Colonel Ron Ross
Escambia County Sheriff's Office
1700 W. Leonard Street
Pensacola, Florida 32501

Good morning Sir;

Please find enclosed the documents and requested body camera videos related to the April 28, 2019 incident that occurred at the Flora-Bama Lounge. Do not hesitate to contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Fierro".

Joseph F. Fierro
Chief of Police

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5/3/2019 2:44am

Incident Statement

Date and Time of Incident: 4/28/2019 0249mt

[REDACTED]

On 4/28/2019 I, Corporal Brian Kincaid, was notified by Orange Beach Police Dispatch that they had received a call from a subject regarding an assault that had occurred at The Flora-Bama Bar located in Perdido Key, FL. The caller, [REDACTED] advised Dispatcher Joey Pearse that he had been at the Flora-Bama earlier in the evening where he was assaulted by Orange Beach Mayor Tony Kennon. [REDACTED] told dispatcher Pearse that he had filed a report with The Escambia County Sheriff's Office but would like to speak to an Orange Beach Police Officer regarding the matter also. [REDACTED] requested that an officer come to his girlfriend's parents' home (where he and his girlfriend were staying the night) located at [REDACTED]. I immediately notified Sergeant Bryan Johnson of the complaint. Sergeant Johnson and I then went to the home to meet with [REDACTED].

Upon our arrival, we were invited into the home. We were greeted by four subjects that were identified as: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] then began to speak to Sergeant Johnson and me regarding the incident that had occurred earlier at Flora-Bama.

[REDACTED] stated that he and [REDACTED] had been at The Flora-Bama on a "date night". [REDACTED] stated that he needed to use the restroom and went upstairs to use the restroom near the front of the bar. [REDACTED] stated that he observed Orange Beach Mayor Tony Kennon standing in the area outside of the restroom with his (Kennon's) wife. [REDACTED] said that he knew who Mayor Kennon was because he [REDACTED] used to be employed by The City of Orange Beach in the street department. [REDACTED] said that Mayor Kennon and his wife appeared to be arguing, and [REDACTED] observed Mayor Kennon punch the wall with his fist next to his (Kennon's) wife's head. [REDACTED] stated that it was at this point that he decided to intervene.

[REDACTED] stated that he approached Mayor Kennon and told Kennon "hey we don't act like that." [REDACTED] advised that he and Mayor Kennon then began to exchange words. [REDACTED] said that it became heated between him and Mayor Kennon. [REDACTED] said that a bouncer/security member of the bar observed the exchange and approached them. [REDACTED] said that when the bouncer came over he stopped speaking to Mayor Kennon and went to the restroom. Upon exiting the restroom, [REDACTED] said that he again observed Mayor Kennon. [REDACTED] said that he approached Mayor Kennon

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and called him a coward for treating his wife that way. [REDACTED] said that it again became heated between him and Mayor Kennon. [REDACTED] said that Mayor Kennon stuck out his chest and bumped [REDACTED] chest. [REDACTED] said that he then called Mayor Kennon a pussy. [REDACTED] said that Mayor Kennon then punched him in the nose, causing it to bleed. By this time bouncers were involved and [REDACTED] said that he was escorted out of the bar. [REDACTED] said that he then called Samantha and told her what had occurred. [REDACTED] also located an Escambia County Sheriff's Deputy to report the incident. [REDACTED] stated that he filed an official report with Escambia County Sheriff's Office and showed me a case card from Escambia County that had a case number written on it.

At this point in our conversation, [REDACTED] went out onto the front porch of the home and spoke privately with Sergeant Johnson. I remained inside and spoke to [REDACTED]. [REDACTED] told me that after she found out from [REDACTED] what had occurred she went outside the bar. [REDACTED] said that she then observed mayor Kennon and his wife walking towards the taxis that always line up in front of The Phoenix X Condominiums. [REDACTED] said that she approached Mayor Kennon to discuss what had occurred. [REDACTED] said that Mayor Kennon was blaming [REDACTED] for the incident. [REDACTED] said that Mayor Kennon said that he dared them to take him to court and that he would take everything that she had. [REDACTED] said that she felt that statement was threat to her family.

[REDACTED] and [REDACTED] questioned if there was any type of report that could be filed with The Orange Beach Police Department since Mayor Kennon was the Mayor of our city. Sergeant Johnson and I explained that since the incident had occurred in the state of Florida, the only place a criminal complaint report could be filed was through Escambia County Sherriff's Office. We listened to their concerns attentively, expressed concern for their complaints, and assured them that filing the report with Escambia County was the only report that they could file at that time. They stated that they understood and thanked us for our time. We then left the home.

It should be noted that on 4/28/2019 at around 2:00 am, Mayor Kennon called me and requested that I come and pick him and his wife up at the Flora-Bama and give them a ride home. I drove to the Flora-Bama, located the mayor and his wife in front of Phoenix X Condominiums, and gave them a courtesy ride back to their residence. At no point before or during the trip to their residence was I aware of what had occurred at Flora-Bama between Mayor Kennon and Shaun Fields. After arriving at work on the evening of 5/2/2019, I was approached by Assistant Chief Steve Brown. Chief Brown requested that I submit this written statement regarding my response [REDACTED]

[REDACTED] No further on 5/3/2019 at 3:21am

Corporal Brian Kincaid



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On 04/28/19 at 0241 hours I responded with Cpl. Brian Kincaid to [REDACTED] concerning an assault. I arrived and activated my Vie Vue camera and Watch Guard System. As we approached the door the complainant greeted us to come inside.

I met the Complainant W/M, [REDACTED] stated he wanted to file a report with the Orange Beach Police Department for an assault. [REDACTED] stated earlier tonight he was at the Flora-Bama and was assaulted by the Mayor of Orange Beach Tony Kennon.

[REDACTED] stated the incident took place inside the Flora-Bama inside the State of Florida. [REDACTED] handed me a report from Escambia County Sheriff's Office case number [REDACTED] Deputy J. Ramsell Badge 257. I explained to [REDACTED] that we had no jurisdiction in Florida where the incident took place. I explained he had already filed the report and he could follow up with them.

[REDACTED] had been drinking and seemed intoxicated but wanted to explain what had taken place. [REDACTED] stated he was at the Flora-Bama with friends went upstairs area close to the bathroom and observed Tony Kennon and his wife in a verbal dispute. [REDACTED] stated he observed Kennon punch the wall beside his wife's head. [REDACTED] stated he intervened and exchanged words with Kennon. [REDACTED] stated he called Kennon a coward and a pussy.

[REDACTED] stated Kennon got in his face and bumped his chest against his during the verbal dispute. [REDACTED] stated Kennon asked him for an apology. [REDACTED] did not apologize and then Kennon punched him in the nose. [REDACTED] stated his nose started to bleed. [REDACTED] described and stated body guards stepped in and separated them. [REDACTED] stated he was escorted out by staff and he located a Sheriff Deputy and advised him of the incident. [REDACTED] stated he refused medical treatment on scene. [REDACTED] stated he contacted his fiancé [REDACTED] and showed her his nose and told her what just took place. [REDACTED] observed Kennon and his wife as they were leaving stopped and had a conversation with him over the incident. [REDACTED] stated her take on the conversation was that Kennon turned the incident around on [REDACTED] making him out to be a liar and twisted it as [REDACTED] was to blame.

[REDACTED] stated he didn't want it to be swept under the rug. He stated his pride was hurt and felt like the Mayor a public official should represent and act better. [REDACTED] stated he use to work for the City of Orange Beach in the Street Department in Public Works Division. [REDACTED] stated Kennon does not know him but kept saying lets put the gloves on and settle this. [REDACTED] stated he called the Mayor a coward again as they finally separated.

[Handwritten Signature] S-27A