Force Data Collection Report

CASE # 2020-20289 | OFFICER: Schoening | DPSST: 41832 | ☐ AMENDED

DATE: 06/26/2020 | TIME: 12:30 AM | ASSIGNMENT: RRT

LOCATION: NE MLK/Killingsworth

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
unknown			MM/DD/YYYY

TYPE OF CALL - REASON FOR CONTACT

☐ SUBJECT STOP ☒ PERSON CRIME ☒ PROPERTY CRIME ☐ ADMINISTRATIVE ☐ INJURED ANIMAL

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK DOMESTIC RELATED? ☐

EXPLAIN

On 6/25/20 a large crowd of about 200 people gathered at North Precinct at NE MLK/Killingsworth and blocked the street at NE Emerson. The crowd began building barricades constructed of pallets, dumpsters, fence, and other debris in an attempt to block the street. The crowd constructed the barricade on NE Emerson Street just east of MLK and effectively created an area that encompassed Emerson Street and the parking lot on the southwest corner of North Precinct. The crowd began vandalizing the west and south side of the Precinct building including spray painting on the building and screwing or nailing materials across exterior doors and access points.

I received a phone call from the Incident Commander, Captain Passadore, around midnight and responded to assist. I also called out a couple of members of RRT who are certified in the use of specialty munitions in order to increase the capabilities and effectiveness of the patrol officer mobile field forces that were on scene.

LEGAL AUTHORITY FOR CONTACT

☒ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

When I arrived on scene I observed a large crowd standing behind the fortified barricade on NE Emerson Street. The crowd was tightly packed against the barricade and were using umbrellas and plastic shields in an attempt to defeat any police efforts to address the criminal activity or disperse the crowd. I also observed smaller groups of people walking around the outskirts of the Precinct parking lots along Emerson, Roselawn, and 6th Avenue. These groups were taunting police officers; encouraging them to quit and telling them that they may as well give up....that they were surrounded and it was a lost cause to try and defend the precinct.

It was clear to me that there were not sufficient police resources to address the criminal activity that was occurring in a traditional policing manner. The crowd greatly outnumbered the police, the crowd was prepared for violence (padding, shields, helmets, goggles), the crowd was verbally antagonizing the police, and there were no way to process a large number of arrests.

The Incident Commander decided to try and de-escalate the situation by waiting for the crowd energy to subside and to wait for additional resources to arrive. The IC began to request additional resources, but the Bureau patrol resources were all assigned to this event or to other emergency calls. Outside agencies stated they could not respond to assist. Even other City Bureaus like PBOT said they could not assist with resources that we requested for tasks like clearing debris from the streets.

As we waited, the crowd became even more emboldened and aggressive. A number of persons began to shine green laser pointers in police officers eyes. People in the crowd began to yell that they were going to burn the police and burn the building to the ground. A number of fires were lit including a dumpster fire on NE MLK. The crowd began to ram dumpsters into North Precinct doors in an attempt to break them down and access the building.

The crowd began to erect additional barricades on NE MLK at Emerson and at Killingsworth in what appeared to be an attempt to prevent us from approaching from those directions. The crowd also began to throw items towards police on NE Emerson Street to include water bottles and fruit. I heard reports that other officers saw rocks being thrown as well.

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CONDITION PRIOR TO FORCE

- ☒ ARMED (ACTUALLY)
- ☒ REPORTED TO BE ARMED
- ☒ ARMED (PERCEIVED)
- [redacted] MENTAL HEALTH INFLUENCE (PERCEIVED)
- ☐ UNDER THE INFLUENCE OF DRUGS
- ☐ UNDER THE INFLUENCE OF ALCOHOL
- ☐ PASSIVE RESISTANCE*
- ☒ ENGAGED IN PHYSICAL RESISTANCE
- ☒ OTHER
- ☐ NONE

EXPLAIN

Based on the escalation in aggressive behavior in the crowd, the threats of violence, the number of people armed with shields and projectiles, and the attempts to breach the building, the Incident Commander authorized MFF to move the crowd away from building. Several sound truck announcements were given including dispersal orders and force warnings. The crowd was given approximately 10 minutes to disperse. The crowd refused to move and actually began moving towards the barricade on Emerson to prepare to fight the police.

After 10 minutes, Sgt. Mawdsley took North Precinct MFF officers and began a push from NE Roselawn/MLK to the North. RRT grenadiers and additional MFF officers came out of the North Precinct sally port door and engaged the crowd from the east. The crowd moved northwest onto MLK and rallied at two points....MLK/Killingsworth and Emerson on the west side of MLK.

As officers attempted to move the crowd back, several people with shields surged forward and attempted to assault police officers and people began throwing more projectiles including bottles and fireworks. Officers used a variety of force during the push and made at least two arrests.

PERCEIVED CONDITION FOR LACK OF COMPLIANCE PRIOR TO FORCE

- [redacted] MEDICAL CONDITIONS
- [redacted] MENTAL IMPAIRMENT
- [redacted] DEVELOPMENTAL DISABILITY
- [redacted] MENTAL HEALTH CRISIS
- ☒ DISOBEDIENT / ANTAGONISTIC
- ☐ LANGUAGE BARRIER
- ☒ OTHER
- [redacted] PHYSICAL LIMITATIONS
- ☐ IMPAIRED FROM DRUGS OR ALCOHOL OR BOTH

EXPLAIN

In general, the level of violence and resistance from the crowd was higher than I have seen in the past two weeks. It was clear that some people in the crowd were wearing pads and were prepared to defeat police crowd control munitions. This group was not engaging in speech, they were engaged in criminal behavior and seeking violence.

MENTAL HEALTH

- [redacted] NONE
- [redacted] RIOR TO FORCE KNOWLEDGE
- [redacted] POST FORCE KNOWLEDGE
- [redacted] OTHER

EXPLAIN

[redacted]

SPECIALTY UNITS

NO, WHY? | SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

This event was not predicted to require substantial resources. RRT was not activated, nor were other specialty units. During the event some RRT members responded as well as SERT and Air Support.

DE-ESCALATION TECHNIQUES

YES | DE-ESCALATION TECHNIQUES WERE ATTEMPTED OR USED?

EXPLAIN WHY NO DE-ESCALATION TECHNIQUES WERE USED/ATTEMPTED OR DESCRIBE TECHNIQUES USED/ATTEMPTED

Time, distance, barriers, announcements by sound truck

USE OF FORCE WAS NECESSARY TO

- ☒ PREVENT OR TERMINATE THE COMMISSION OF AN OFFENSE.
- ☐ LAWFULLY TAKE A PERSON INTO CUSTODY, MAKE AN ARREST, OR PREVENT AN ESCAPE.
- ☐ PREVENT A SUICIDE OR SERIOUS SELF-INFLICTED INJURY.

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☐ DEFEND THE MEMBER OR OTHER PERSON FROM THE USE OF PHYSICAL FORCE.

☒ ACCOMPLISH SOME OFFICIAL PURPOSE OR DUTY THAT IS AUTHORIZED BY LAW OR JUDICIAL DECREE.

CHRONOLOGICAL USE OF FORCE

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	CHEMICAL AGENT	BOTH LEGS	YES	YES

CHEMICAL AGENT	DEPLOYMENT	DISTANCE
OC	HAND TOSSED	2o yards

DESCRIBE THIS USE OF FORCE:

The crowd stopped at NE MLK/Killingsworth. They began lighting objects on fire including a large dumpster on MLK. The crowd continued to throw projectiles at the police and yell at us. After a few minutes, someone reported observing a fire being set on the north side of the Precinct building. Additional officers who were watching livestream of the event confirmed that a fire was being lit on the north wall of the building. People were still inside the Precinct including the command post, several doors had been barricaded shut, and it was not safe to bring Portland Fire resources in to extinguish the fire. Due to all of these factors, there was concern for the lives of people inside the building. There were also reports that other buildings along MLK were being broken into. The number of fires being set caused concern that additional fires may be set in other buildings creating additional life threatening safety risks that we would be unable to address. It was abundantly clear, based on the life safety concerns, as well as the limited police resources we had, that a crowd dispersal had to happen. It was also abundantly clear from the level of violence we had encountered and the ineffectiveness of a number of our traditional crowd control munitions, that riot control agents would be the only effective tool to disperse this crowd.

The IC authorized the use of riot control agents based on the factors above. The sound truck continued to give clear dispersal orders and force warnings to the crowd including the warning about riot control agents. We waited a couple of minutes and then began to push the crowd north on MLK. The crowd again began to throw projectiles and attempt to assault officers. Several members of RRT used hand tossed riot control agents, including CS and OC, to attempt to disperse the crowd.

As we pushed the crowd past Killingsworth, I saw several people moving aggressively towards the police line on the east side of MLK. I deployed an OC vapor grenade towards that group to prevent them from assaulting officers or interfering with the dispersal. This use of force appeared to be somewhat effective in stopping the group from moving forward.

We secured the intersection of NE Killingsworth and I observed several fires including a large bin that was up against the wall of the Precinct and was on fire. We called Portland Fire in and they extinguished the fires.

The crowd continued to be aggressive and I heard additional reports that businesses were being broken into and looted along MLK. There were also additional reports of fires being set. The IC authorized the continued dispersal of the crowd with munitions, but not CS gas due to the reduction in life safety concerns.

By this time, Multnomah County SO had arrived to assist, and they helped RRT members and MFF members continue to push the crowd north on MLK. MCSO used a number of Aerial Distraction Devices to warn the crowd that they needed to leave. This was very effective and reduced the amount of resistance we encountered.

At least once during the push we attempted to de-escalate by moving back from the crowd but they began moving towards us aggressively and we had to renew the dispersal. The crowd finally broke up at NE Ainsworth and left the area. I observed businesses damaged and looted all along NE MLK including the Top to Bottom business and the Bank of America.

YES — WHEN THE RESISTANCE DECREASED, I REDUCED MY AMOUNT OF FORCE TO A LEVEL REASONABLY CALCULATED TO MAINTAIN CONTROL.

DESCRIBE WHY OTHER FORCE OPTIONS WERE REASONABLY CONSIDERED BUT NOT USED:

Other force options were used, and were not effective due to shields and pads worn by protesters.

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GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

Deployment of RCAs and FN 303. Was not able to identify the officer involved in each use of force.

SUBJECT INJURY AND/OR TREATMENT

	TYPE OF INJURY	OBSERVATION	LOCATION OF INJURY	INJURY ATTRIBUTED TO	INJURY TREATMENT
+ -	[redacted]				

BRIEF DESCRIPTION OF COMPLAINT, APPARENT, PRE-EXISTING INJURY OR ABSENCE OF INJURY:

[redacted]

[redacted]HE SUBJECT WAS MEDICALLY CLEARED FROM THE FORCE EVENT

HE SUBJECT WAS TRANSPORTED AND/OR ADMITTED BECAUSE OF MENTAL HEALTH ISSUES

HE SUBJECT WAS TRANSPORTED AND/OR ADMITTED FOR DRUGS/ALCOHOL

WITNESS

☐ I ATTEMPTED TO LOCATE WITNESSES AND NONE WERE LOCATED.

☐ _____ ATTEMPTED TO LOCATE WITNESSES AND NONE WERE LOCATED

☐ WITNESSES WERE LOCATED BUT THEY REFUSED TO GIVE THEIR CONTACT INFORMATION AND A DESCRIPTION OF THEM IS IN THE SECTION BELOW.

WITNESS INFORMATION: NAME OR DESCRIPTION (IF NAME REFUSED) AND MEMBER WHO LOCATED:

Due to the ongoing dynamic nature of the event I could not located witnesses. The crowd was hostile and violent.

MEMBER INJURY

[redacted] **I WAS INJURED DURING THIS INCIDENT**

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Franz Schoening	41832	EMAILED TO	SGT	Jim McMurray

************SUPERVISORS ONLY************

APPROVED BY:	Sergeant Jim McMurray	DPSST:	32106

PSD: ONLY PERCEIVED MENTALLY ILL	PSD: ONLY SERIOUS USE OF FORCE	PSD: BOTH A SERIOUS USE OF FORCE ON A SUBJECT WITH PERCEIVED MENTAL ILLNESS		**SERGEANT:** SUBMIT FINAL COPY TO RECORDS