Force Data Collection Report

CASE # 2020-203153 | OFFICER Bernard | DPSST 53468 | ☐ AMENDED

DATE 06/26/2020 | TIME: 1:35 AM | ASSIGNMENT: CENTRAL

LOCATION NE MLK BLVD/NE Emerson St

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
DOE, Jane	FEMALE	UNK	01/01/1995

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

While working Central Precinct as a member of the Entertainment Detail, myself and several other Officers were requested by North Precinct Command to respond as members of RRT to to help support units on scene dealing with a large crowd surrounding the building. My role was being the driver for the large van we utilize. I have been to many protests in my three and a half years on RRT but I observed this particular crowd to be more violent than many of the other crowds I have been around. Throughout the night the crowd threw projectiles at Officers, barricaded the precinct doors and garages, and started fires. At one point the crowd was yelling they wanted to burn the police and burn the precinct down. I also noticed the crowd advanced toward us in a line formation (many had shields, goggles, helmets, and gloves) while we were holding an intersection in order to put out a fire in the middle of the street. Police were severely overwhelmed and outnumbered by the protesters. RRT Delta squad along with MFF squads were ordered by the IC to disperse the large crowd.

When I first approached DOE I saw she was actively kicking and trying to flee from several Officers in the middle of the street. DOE was part of the large group engaging in an unlawful assembly that was blocking vehicular traffic on NE MLK BLVD/NE Emerson St.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

The sound truck had made several announcements ordering the crowd to disperse or they would be arrested. DOE was blocking traffic in the street and was later kicking at Officers while they tried to arrest her, resisting their efforts to control her.

CONDITION PRIOR TO FORCE

☐ ARMED (ACTUALLY) ■ MENTAL HEALTH INFLUENCE (PERCEIVED) ☐ PASSIVE RESISTANCE*

☐ REPORTED TO BE ARMED ☐ UNDER THE INFLUENCE OF DRUGS ☒ ENGAGED IN PHYSICAL RESISTANCE

☐ ARMED (PERCEIVED) ☐ UNDER THE INFLUENCE OF ALCOHOL ☐ OTHER ☐ NONE

EXPLAIN

DOE was part of the group that was blocking the road and refusing to vacate the area. DOE attacked Officer Perry.

PERCEIVED CONDITION FOR LACK OF COMPLIANCE PRIOR TO FORCE

■ MEDICAL CONDITIONS ■ DEVELOPMENTAL DISABILITY ☒ DISOBEDIENT / ANTAGONISTIC ☐ OTHER

■ MENTAL IMPAIRMENT ■ MENTAL HEALTH CRISIS ☐ LANGUAGE BARRIER ■ PHYSICAL LIMITATIONS

☐ IMPAIRED FROM DRUGS OR ALCOHOL OR BOTH

EXPLAIN

[redacted]

MENTAL HEALTH

■ NONE ■ PRIOR TO FORCE KNOWLEDGE ■ POST FORCE KNOWLEDGE ■ OTHER

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EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

I am an ECIT Officer and a member of RRT.

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

Police attempted to de-escalate the entire crowd by giving them ample time to comply with our lawful order to disperse. The sound truck, which is very loud and can be heard from blocks away, gave several warnings that if individuals engaging in illegal activity (barricading the precinct, throwing projectiles, using lasers, starting fires in the street and to buildings, and obstructing vehicular traffic) did not vacate the area they could be arrested and/or potentially have force used against them. In addition, I tried to use a calm voice to tell DOE to stop resisting multiple times and to put her hands behind her back because she was under arrest. We also utilized several Officers in order to try and decrease the level of force that may be needed to take DOE into custody.

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.
- ☒ 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	CONTROL AGAINST RESISTANCE	FEET	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

While moving with Officers to push the crowd North toward NE Killingsworth St, I heard over the radio that a demonstrator was fighting with Officers in the middle of the street and that they needed additional assistance. I turned around and saw DOE and the Officers were on the ground. DOE was violently kicking at Officer Perry and another Officer as they tried to control her arms to put her in handcuffs. The kicks were fast and deliberate toward Officer Perry. I could tell Officers were trying to keep DOE from getting injured and merely control her limbs to stop her from moving until she complied and put her hands behind her back so she could be taken into custody. I saw that DOE was attempting to gain control of her side in an effort to wiggle out of the Officers' grasp. I was concerned she was going to kick and injure an Officer and also use her legs as leverage to get out of their control and escape. I ran over and grabbed her legs to keep them from moving. DOE continued to resist despite me telling her she was under arrest and that she needed to stop resisting and the put her hands behind her back. I held her legs until Officers could get her hands behind her back and place flex cuffs on her. DOE tried to slip out of one side of the flex cuffs so I handcuffed her so she would not injure herself or someone else due to her erratic behavior. Officer Renander then took DOE into her custody and I resumed duties with Delta squad.

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:

I did not feel I needed to employ additional force since I was able to control DOE's legs and I had assistance from several other Officers.

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GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I only observed other Officers use control against resistance while controlling DOE's arms until handcuffs could be placed on her.

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]

THE SUBJECT WAS MEDICALLY CLEARED FROM THE FORCE EVENT

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

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

WITNESS

☐ I ATTEMPTED TO LOCATE WITNESSES AND NONE WERE LOCATED.

☒ Not safe to stop and look for witnesses — 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 dynamic and often violent nature of protests, I was unable to locate/identify witnesses. It was not safe to stop and ask for statements and we were unable to go into the crowd. The majority of the crowd had moved to the North after we took DOE into custody.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Joseph Bernard	53468	EMAILED TO	SGT	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