Force Data Collection Report

CASE # 2020-680540 | OFFICER: Domka, Zachary | DPSST: 48347 | ☐ AMENDED

DATE: 05/29/2020 | TIME: 11:15 PM | ASSIGNMENT: RRT

LOCATION: SW 3rd Ave/SW Madison St

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Multiple subjects	UNK	UNK	01/01/2002

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

Civil disturbance/riot

LEGAL AUTHORITY FOR CONTACT

☒ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

Each use of force was either per direction from the CMIC, in response to criminal acts against property, or to protect myself/others.

CONDITION PRIOR TO FORCE

☒ ARMED (ACTUALLY) [redacted] 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

The actions of the crowd, on this date, were violent and involved widespread criminality. Members of the crowd were seen armed with blunt objects (which were used to destroy property), threw projectiles at police officers. Arson, burglaries, felony thefts, etc. were common. The individuals engaged in that behavior consistently resisted police attempts to either arrest or disperse them.

PERCEIVED CONDITION FOR LACK OF COMPLIANCE PRIOR TO FORCE

[redacted] MEDICAL CONDITIONS [redacted] DEVELOPMENTAL DISABILITY ☒ DISOBEDIENT / ANTAGONISTIC ☐ OTHER

[redacted] MENTAL IMPAIRMENT [redacted] MENTAL HEALTH CRISIS ☐ LANGUAGE BARRIER [redacted] PHYSICAL LIMITATIONS

☐ IMPAIRED FROM DRUGS OR ALCOHOL OR BOTH

EXPLAIN

The impetus of this riot was based in anti-police sentiment. Therefore, the vast majority of individuals within the crowd were hostile to police. No other perceived conditions could be ascertained due to the safety hazards involved with getting close to the suspects.

MENTAL HEALTH

[redacted] NONE [redacted] PRIOR TO FORCE KNOWLEDGE [redacted] POST FORCE KNOWLEDGE [redacted] OTHER

EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

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WHICH SPECIALTY UNITS?

RRT, SERT, Air Support, NOC, Detectives, CNT... and likely others

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

Attempts were made, by police liaison officers, to contact crowd members and generate a discourse as a means of gaining voluntary compliance. However, those officers were met by uncooperative subjects who rejected the attempt at peaceful communication.

Between 2100 hours and 2315 hours, custodies were delayed and police units kept their distance from protesters, as they were allowed to march (unpermitted) in the streets of NE Portland.

Unless immediate police action was necessary to protect life safety and property, officers did their best to give the crowd a reasonable amount of time to comply with loudspeaker admonishments.

Additional officers were called upon and responded as soon as the crowd became actively aggressive, destructive, and riotous.

RRT squads used obstacles and geographic features of the various locations we visited, as barriers, to distance ourselves from the violent suspects; when not attempting to take custodies.

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	CHEMICAL AGENT	FEET	YES	YES

CHEMICAL AGENT	DEPLOYMENT	DISTANCE
CS	HAND TOSSED	30-40 feet

DESCRIBE THIS USE OF FORCE:

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The crowd, which numbered near 1,000 protesters, had converged on the Justice Center and had begun vandalizing it. A gas plan was ordered by the CMIC, and RRT squads responded to SW 3rd Ave/SW Madison St.

The PPB Sound Truck was clearly audible as it was loud-hailing the crowd. I could hear the repeated message, which stated the gathering had been deemed a civil disturbance, all individuals present needed to leave the area immediately, and failure to do so could result in exposure to use of force/arrest. Many individuals in the crowd could be seen extending their hands and middle fingers back in the direction of the Sound Truck, which led me to think they were disinclined to acquiesce to police instructions. Some also motions to their genitals. Based on my training and experience, that behavior is a clear sign of what an individual would rather police involve themselves with at that moment. Overall, the crowd remained decidedly destructive and antagonistic.

A police line was form and munitions were directed to the North. I deployed one separating canister of CS at the aforementioned distance, toward a group of 25-40 protesters, on the NE corner of that intersection. The munition functioned as it was designed and at a safe distance from the rioters. The munition was effective as they appeared to flee the area, eastbound, before the CS agent could reach them.

The riotous events of 05/29/2020 carried into the early morning of 05/30/2020. RRT squads were in a continuous cycle of responding to locations of widespread criminal activities, disrupting said behavior, attempting to take custodies, and then responding to the next hot-spot.

I had no time to document locations, times, types of force used, and so on; beyond what was broadcast over the RRT X radio net.

I expended the full compliment of my issued RCA's during the course of the operational period. I cannot clearly recall the specifics of each deployment. However, I can state with confidence that each of those deployments were within the standards of my training for each of those munitions.

I did not observe any members of the crowd, near my uses of force, display any tangible sign of injury as a result.

My RRT squad took custodies, after uses of force, whenever possible. However, the scenes were often too unsafe, with numerous hostile rioters still nearby, to either arrest the affected individuals or render any aid.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ / -	ACTIVE AGGRESS	YES	LAUNCHABLE IMPACT	FEET	YES	YES

IMPACT ROUNDS	DEPLOYMENT	DISTANCE
RBDD	HAND TOSSED	45 feet

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I observed members of the crowd refusing to disperse immediately after my previous use of force. They were hopping about in the traffic lanes of SW 3rd Ave, in front of the Justice Center, and making obscene/angry gestures toward our line. Other members of the crowd were escaping to the north, from the RCAs. Those antagonists who remained were still a threat to PFB and other responders who were needed to address small fires within the vandalized offices of the Justice Center.

The loud-hailing from the PPB Sound Truck, as previously described, continued. I did not perceive any change in the crowds behavior based on the clearly audible admonishments.

I deployed an inert RBDD, between our line and the crowd, as we advanced northbound. I visually cleared and placed the munition approximately ten feet from the nearest protesters. The munition functioned as designed, and I could see a couple individuals hurry away for its light/sound stimuli with renewed haste. However, their negative gestures toward the police were still unfriendly and indicated, to me, their intention to remain uncooperative.

I could not identify any of those subjects, due to the distance and lighting in the area. One subject appeared to be a white male, in his late 20s. He was wearing goggles and a bandana over his face. I could see he was wearing a white t-shirt with some kind of design printed on it.

The riotous events of 05/29/2020 carried into the early morning of 05/30/2020. RRT squads were in a continuous cycle of responding to locations of widespread criminal activities, disrupting said behavior, attempting to take custodies, and then responding to the next hot-spot.

I had no time to document locations, times, types of force used, and so on; beyond what was broadcast over the RRT X radio net.

I expended one additional inert RBDD during the course of the operational period. I cannot clearly recall the specifics of that deployment other than it was from the rails of our RRT van with the intent of motivating protesters to disperse. However, I can state with confidence that deployment was within the standards of my training for that munition.

I did not observe any members of the crowd, near my use of force, display any tangible sign of injury as a result.

My RRT squad took custodies, after uses of force, whenever possible. However, the scenes were often too unsafe, with numerous hostile rioters still nearby, to either arrest the affected individuals or render any aid.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ / -	PHYSICAL RESIST	YES	CHEMICAL AGENT	FACE	NO, EXPLAIN	YES

CHEMICAL AGENT	DEPLOYMENT	DISTANCE
OC	SPRAY CAN	15 feet

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Alpha squad was on foot and involved in moving a crowd of protesters in the area of NW 5th Ave/NW Everett St, on 05/30/2020 at ~0017 hours. It was at that time I observed a white male (~50yo, thin, gray hair/beard, shirtless, and wearing light colored shorts) move into the roadway from the west and begin yelling his opposition to police. The RRT line officers between that individual and myself immediately began giving commands for him to get out of the street while leaving the area. Concurrently, the PPB Sound Truck was following behind us repeatedly broadcasting the same, loud, admonishments to direct protesters to disperse after the event had been deemed a riot. The male responded to our commands/warnings by slowing his pace as he backpedaled and allowing our police line to draw nearer to him.

The male then refused to follow commands and offered physical resistance to our attempts to clear the street. His face and posture were tense. Based on my training and experience, I read his body language and believed he wanted to have a physical confrontation with our line. He stopped some two paces from the RRT officer directly ahead of me and braced himself. That officer delivered a shoving strike with the length of a long baton against the male's right upper arm, which was offered by the subject to protect his body. I heard the officer order the man to leave. The male was pushed back a couple steps but he leaned back toward the officer when he regained his balance.

I deployed one burst of OC spray toward the male's face before he could contact the officer a second time. I targeted the male's brow and delivered a half-second burst of pepper spray on-target. The male's reaction was to immediately turn, shield his face, and sprint away eastbound.

We were unable to take that individual into custody at that time. Alpha squad was not supported with enough assets to take the male into custody at that time; nor did our current task allow us to stop moving the larger number of protesters.

The departure of the suspect denied us the opportunity to render any aid for the OC application.

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:

No other force option was suited for our task. Our mission, per the CMIC's direction, was to disperse any sizable gatherings of protesters. Area impact munitions and RCAs were authorized because they were the most appropriate tool at that time.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I observed the other squad leaders and grenadiers, from multiple RRT squads, using RCAs and RBDDs. I observed Alpha squad grenadiers using launchable impact munitions against specific suspects engaged in active aggression, reckless burning of property, and other forms of extreme vandalism.

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.

☐ _____ ATTEMPTED TO LOCATE WITNESSES AND NONE WERE LOCATED

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

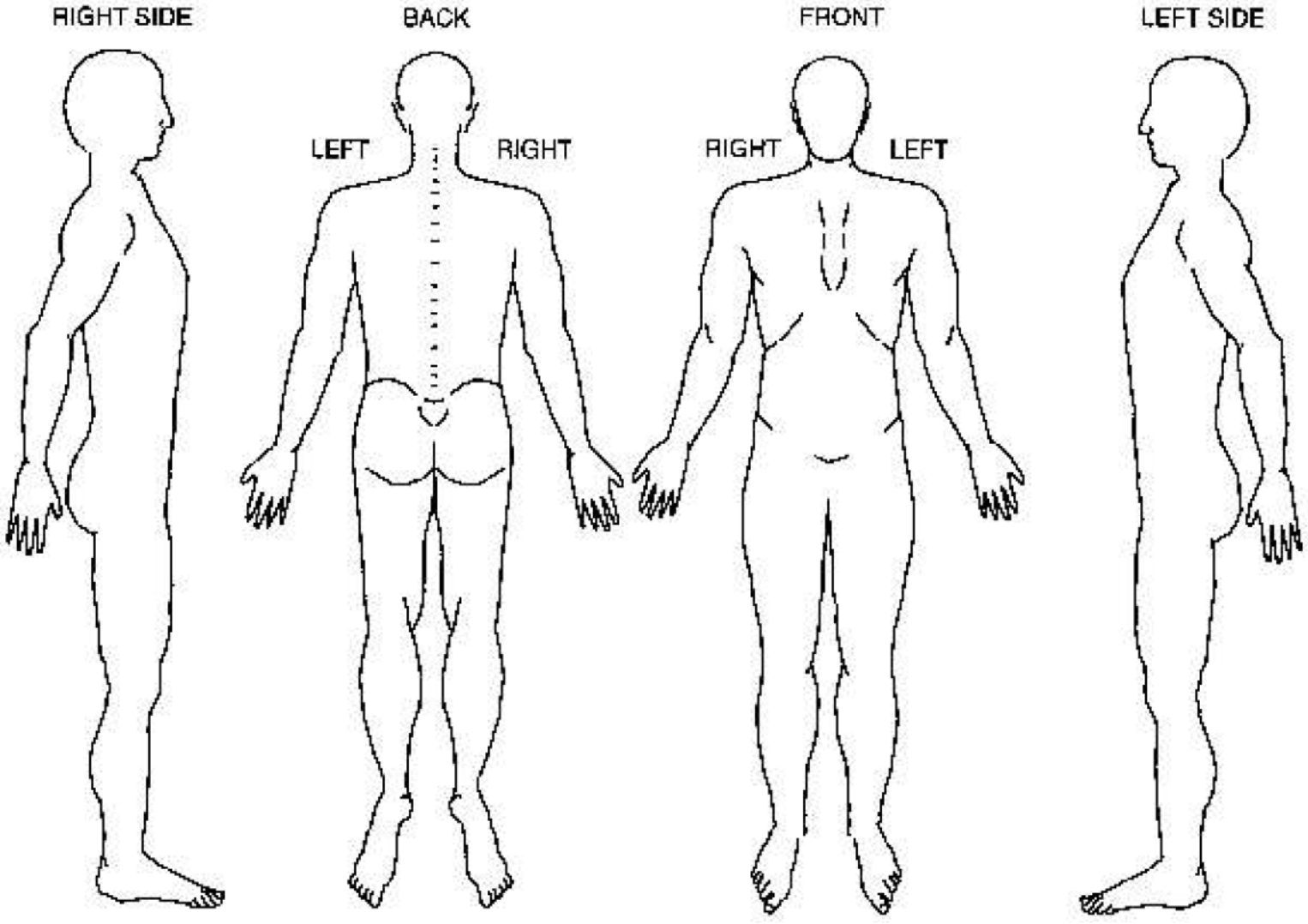
WITNESS INFORMATION: **NAME OR DESCRIPTION (IF NAME REFUSED) AND MEMBER WHO LOCATED:**

It was not safe to stop and ask for witness information at anytime during the civil disturbance/riot.

MEMBER INJURY

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

CEW OR LAUNCHABLE IMPACT MUNITION LOCATIONS:



SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Zachary Domka	48347	EMAILED TO	SGT	Jasmine Sutton

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

APPROVED BY:	J. Sutton	DPSST:	47682

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