Force Data Collection Report

CASE # 2020-680495 | OFFICER Schoening | DPSST 41832 | ☐ AMENDED

DATE 05/29/2020 | TIME: 6:00 PM | ASSIGNMENT: RRT

LOCATION Downtown Portland

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Unknown	MALE	WHITE	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

EXPLAIN

I was assigned as field command for the demonstration at Peninsula Park on May 29th. The demonstration turned into an unpermitted march that traveled southbound on MLK Blvd all the way from Rosa Parks to the Burnside Bridge. Along the entire march route there were members of the group that spray painted buildings and broke windows. There was also a shooting at NE 7th/Morris that occurred after protesters confronted a motorist who had tried to drive through the march. After the march entered the downtown area, it devolved into a riot after protesters broke into the Multnomah County Detention Center and started a fire. The demonstration was declared an unlawful assembly and civil disturbance and dispersal orders were given to the protesters. The protesters refused to leave the area, and instead spent the next several hours running through the core area of downtown breaking windows, lighting fires, and looting stores.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

Over the course of several hours we attempted to disperse looters and vandals from the core downtown area. During that time dozens of stores were broken into and looted including the Apple Store, the Microsoft Store, Pioneer Place Mall, and several jewelry stores. Sound trucks continued to give unlawful assembly/dispersal announcements. It was clear that anyone in the area around Pioneer Place Mall would have heard the announcements and understood that refusing to disperse and remaining in the area was a crime.

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

See above. Civil disturbance with ongoing looting and criminal mischief.

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

See above. The protesters in the area of Pioneer Place Mall were ordered to disperse and they refused.

MENTAL HEALTH

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

EXPLAIN

[redacted]

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SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

Rapid Response Team, Demonstration Liason Officers, Special Emergency Reaction Team

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

The sound trucks provided hours of announcements to attempt to convince people to leave the area. We also tried to use distance and numbers to convince people to leave prior to force being used.

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
+ -	PHYSICAL RESIST	YES	SOUND LIGHT DIST. DEVICE		NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

During the several hours we spent attempting to disperse looters in the area around Pioneer Place Mall, I used one distraction device (inert RBDD) to attempt to disrupt a group of people that were actively involved in criminal mischief and were resisting our attempts to disperse them from the area by running from us and then turning and then continuing to engage in property destruction. The distraction device was placed near the group but was not targeted at any specific part of the body. The device deflagrated and the group immediately dispersed and ran from the area. I did not have to use additional force because they had left the area.

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 reasonable given level of resistance, the distance I was from the group, and the fact that I did not have launchable munitions.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

Throughout the several hour period I observed members of Alpha, Charlie, and Delta squads deploy numerous riot control agents, distraction devices, and impact munitions. It was impossible to discern or remember each use of force during this protracted and chaotic civil disturbance.

SUBJECT INJURY AND/OR TREATMENT

	TYPE OF INJURY	OBSERVATION	LOCATION OF INJURY	INJURY ATTRIBUTED TO	INJURY TREATMENT
+ -					

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

[redacted]

[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

☐ 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 feasible, given the protracted and chaotic nature of this civil disturbance to attempt to locate witnesses. All the persons I observed in the area were hostile to the police and there was an ongoing tactical event that needed to be resolved.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Franz Schoening	41832	EMAILED TO	SGT	Hythum Ismail

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

APPROVED BY:	Sgt Hythum Ismail	DPSST:	41302

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