Force Data Collection Report

CASE # 2020-680613 | OFFICER: Banfi | DPSST: 58362 | ☒ AMENDED

DATE: 06/07/2020 | TIME: 12:45 AM | ASSIGNMENT: RRT

LOCATION: SW Broadway/SW Washington St

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
DOE, JOHN	MALE	WHITE	/ /

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

On the listed date and time I was deployed as a member of the rapid response team (RRT) and was assigned to alpha squad. As a member of RRT, I received specialized training in various crowd control techniques. My squad was originally deployed to the area of SW 3rd Ave/SW Main St to assist with an on-going protest outside of the Multnomah County justice center. Following orders to disperse the crowd, my squad was tasked with dispersing crowds from the SW downtown area.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

My squad was deployed to the area after protesters began throwing projectiles at officers and tampering with a large fence that had been erected to prevent protesters from accessing the Multnomah County justice center, which had been vandalized and burned by protesters a week prior. A sound truck had issued multiple instructions to the crowd in the area that they were to stop tampering with the fence and throwing projectiles at officers or would be subject to possible use of force. Following many of the warnings, I heard a loud audible "booing" from the crowd and observed numerous projectiles travel over the fence.

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

The protest was declared a civil disturbance and the sound truck issued force warnings for approximately one hour for the crowd to disperse to the south or be subject to use of force. After approximately an hour had passed, RRT squads were deployed to begin moving the crowd from the outside of the fence. My squad was moved to the area of SW 4th Ave/SW Salmon St to prevent the crowd from traveling e/b on SW Salmon St. My squad was then tasked with patrolling and dispersing large crowds from the SW downtown area. My squad located a large group of subjects near the area of SW Broadway/SW Washington St. There were approximately 50 to 100 subjects in the group and they were moving s/b on SW Broadway. My squad dismounted from our vehicle and began to move s/b in a line formation to disperse the crowd. DOE, JOHN was turned to face me and was disregarding instructions from myself and other officers to continue moving.

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

As my squad moved forward, DOE did not appear to be making an effort to continue moving. He was turned to face myself and other officers and appeared to be yelling something in my direction. Countless warnings had been issued prior to contact with DOE that subjects needed to disperse. As my squad line moved, many other subjects appeared to be leaving the area.

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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?

WHICH SPECIALTY UNITS?

I was a member of RRT at the time.

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

Countless force warnings were given to the crowd for more than an hour to disperse from the area. Officers moved at a walking pace to allow time for subjects to safely disperse.

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	BATON STRIKE	TORSO	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

As I approached DOE I instructed him to "move" and he did not appear to be making an effort to leave the area. With one of my hands on each end of the baton, I used the pointed end to make contact with what I believe was DOE's torso while giving the instruction to "move." After making contact with DOE, he appeared to lose his balance and fell onto the sidewalk. After observing DOE fall, I reached down to assist him back to his feet and again told him that he need to clear the area. DOE continued to look backward toward me and seemed to be calling to someone, but continued to move s/b as instructed.

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 believe that DOE's level of resistance required any higher use of force.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I did not observe any other officers use force on DOE.

SUBJECT INJURY AND/OR TREATMENT

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	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:

I was unable to locate any witnesses to the force event due to the chaotic nature of the incident. I was not approached by anyone at the scene who claimed to be a witness.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Nathan Banfi	58362	EMAILED TO	SGT	Sweeney

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

APPROVED BY:	Brian Sweeney	DPSST:	39876

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