Force Data Collection Report

CASE # 2020-680613 | OFFICER SCHAAF | DPSST 58874 | ☐ AMENDED

DATE 06/06/2020 | TIME: 11:40 PM | ASSIGNMENT: RRT

LOCATION: SW 3RD AVE / SW MAIN ST

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
KETCHER, JOE L	MALE	AMERICAN INDI	07/17/1982

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

Starting on 05/29/2020 and continuing on throughout the following week/beyond there were multiple days of intense protest activity relating to the death of George Floyd, a highly publicized police in-custody death in Minneapolis. This protest surged in activity throughout its extent, rising to a civil disturbance on multiple days and even to a full riot on 05/29/2020. Protest activity resulted in potentially millions of dollars in property damage as well as violent person crimes against members of the public and police officers.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☒ OTHER

☐ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

On 06/06/2020 at approximately 2330 hours I was operating as part of RRT squad Charlie on a line near SW 3rd Ave / Salmon St. There was a large crowd of demonstrators in the parks from SW 3rd Ave / Main St through Madison St. I was made aware members of the crowd were verbalizing intent for violence, throwing various objects at police officers, arming themselves with sticks and shields, and demonstrating other violent behaviors. The event had been risen to a civil disturbance and commands had been given by the sound truck to leave the area for over 30 minutes, possibly up to an hour. The goal for our activity on SW 3rd / Salmon was to push the crowd back South from the parks and disperse groups to prevent criminal acts.

During a push South through the park I was able to observe a male, later identified as KETCHER, who was refusing to move back and screaming at officers at the top of his lungs.

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

I was able to observe and hear from other officers on the radio that many members of the demonstration were armed with weapons including glass/plastic bottles, hammers, crowbars, rocks, and other items. I was made aware multiple members of the crowd were throwing items at officers such as bottles and rocks. Based on the fact I could observe multiple demonstrators with the weapons listed above I believed many individuals were potentially armed with various weapons.

Prior to our action the crowd had been given multiple orders by officers and a PPB sound truck to move out of the area. I was made aware demonstrators were ignoring orders from the sound truck and possibly acting more violent in reaction.

At some point during the push I looked to my left and saw Ofc. BERNARD #53468 and Ofc. SMITH #57152 confronting the male, KETCHER, I saw earlier. I saw KETCHER showing active aggression by coming very close to both officers, screaming at the top of his lungs, and squaring up his body as though he was ready to fight officers. At some point I believe I saw KETCHER either grab or attempt to grab Ofc. SMITH's baton.

PERCEIVED CONDITION FOR LACK OF COMPLIANCE PRIOR TO FORCE

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[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

Based on circumstances explained before surrounding protest/demonstration activity I believed the lack of compliance was due to disobedient and antagonistic behavior. The crowd was extremely hostile towards police officers and police actions, and were either throwing items at officers or voicing an intent to fight back against police orders. It would be impossible to determine if KETCHER was a part of this crowd and engaging in this behavior, but it would seem likely based on his proximity to the fence line and his reluctance to move back he may have been a previously aggressive member of the crowd.

Based on the active aggression I observed from KETCHER I believe he was antagonistic towards orders to leave the park and was ready to engage in violence to prevent officers from following through on lawful orders.

MENTAL HEALTH

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

EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

My RRT unit was on scene as well as multiple Mobile Field Force teams.

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 crowd was given multiple directions from the sound truck and were given ample time to leave the area. Other officers around me and myself gave our own instructions to the crowd. The push through the park was a combined effort of over 3 hard squads of officers, and there was a dramatic numerical superiority in our presence.

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	CONTROL AGAINST RESISTANCE	BOTH LEGS	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

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During our push South through the park, near the area of SW 3rd / Main, I was able to observe the aforementioned male subject KETCHER engaging in active aggression with Ofc. BERNARD and Ofc. SMITH. KETCHER appeared to be screaming at the top of his lungs at both officers and squaring up his body to prepare for a fight. At one point I believe I saw KETCHER grab on to or try to grab Ofc. SMITH's baton. When this happened I saw a brief physical confrontation break out between officers and KETCHER. I looked away for a moment to address the crowd and ensure I could safely disengage from my position to assist other officers. When I confirmed circumstances were safe I looked back over and saw Ofc. BERNARD and Ofc. SMITH were trying to apprehend KETCHER as he was grabbing on to a nearby park bench. I believe this was a purposeful attempt to prevent himself from being taken into custody.

I was able to hear officers repeatedly yelling for KETCHER to get on the ground and stop resisting.

I walked up to KETCHER to assist with the custody process. I looked at Ofc. BERNARD and told him I was going to pull KETCHER from the bench and had flexible handcuffs ready. I lowered myself down and took hold of both of KETCHER's ankles as he was attempting to wrap his legs around the nearby park bench. I pulled KETCHER's legs out flat on to the ground. Immediately after pulling KETCHER's legs out he quickly kicked them back in and tried once again to wrap them around the bench. I pulled KETCHER's legs out once again by his ankles, and then put my right knee down across KETCHER's legs above the knee to prevent him from kicking in again.

I watched as Ofc. BERNARD grabbed KETCHER's hands, releasing KETCHER's grip on the bench, and guided KETCHER's hands away from the bench and to a position where he could lay out flat. When I looked up I could not see Ofc. SMITH anywhere around, and it would seem as though he disengaged from the custody process once Ofc. BERNARD and I had the situation under control.

Once KETCHER was flat on the ground he stopped resisting and willingly put his hands behind his back. I removed my weight from KETCHER's legs and moved to a squatted position where I assisted in putting flexible handcuffs on KETCHER's hands.

Once KETCHER was in custody I assisted him to his side and then sat him up on his rear before standing him up.

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:

Based on the fact KETCHER was already partially on the ground I believed pulling his legs was the minimum force I could use to help enact a lawful custody. I do not think OC spray or a baton would have been appropriate for achieving this end. There were no grenadiers immediately available, and I am unsure if any of their less lethal options would have been appropriate under their training.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

When KETCHER grabbed on to Ofc. SMITH's baton I believe SMITH was pushing KETCHER to get him off of him, but based on the chaos of the situation, as well as the fact I was wearing a gas mask and face shield in poor lighting, it was difficult to see who was performing what acts. As described before I had to scan the crowd to ensure I was safe before I disengaged to assist with the custody, and I did not see if there was a take down involved to get KETCHER on to the ground.

SUBJECT INJURY AND/OR TREATMENT

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

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

[redacted]

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

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

[redacted] THE SUBJECT WAS TRANSPORTED AND/OR ADMITTED FOR DRUGS/ALCOHOL

WITNESS

☒ I ATTEMPTED TO LOCATE WITNESSES AND NONE WERE LOCATED.

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☐ 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:

All potential witnesses left the area after the force event, I was unable to locate any witnesses.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Spencer Schaaf	58874	EMAILED TO	SGT	Spiegel #49997

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

APPROVED BY:	Sgt. Daniel Spiegel	DPSST:	49997

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