Force Data Collection Report

CASE # 2020-680613 | OFFICER: Cameron Smith | DPSST: 57152 | ☐ AMENDED

DATE: 06/06/2020 | TIME: 2340 hrs | ASSIGNMENT: RRT

LOCATION: SW 3rd / SW Main

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

On June 6, 2020 I was assigned to crowd control duty as a member of RRT. My squad, C squad, was deployed to the area of the Justice Center.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

The Incident Commander had declared the event around the Justice Center an unlawful assembly. The sound truck had been broadcasting this message, along with dispersal orders and force warnings several times before my contact with Ketcher. At the time of our contact, all persons in the area of SW 3rd Ave / SW Main St, including Lownsdale Square and Chapman Square, were subject to arrest.

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

After several members of the crowd engaged in non-peaceful conduct, the demonstration was declared an unlawful assembly. The crowd was instructed by the sound truck to disperse. The crowd was repetitively admonished that if they did not leave, they could be subject to arrest and the use of force. Our team was in line formation to move the crowd out of the area of SW 3rd / SW Main. Information broadcast on the radio net informed us the people in the area of SW 3rd / SW Main were the most antagonistic part of the crowd and many of the projectiles thrown at Officers had come from that area. As my RRT squad approached the intersection in line formation, some people left the area while others stayed and engaged Officers.

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

I gave Ketcher several warnings to leave the area. Ketcher refused to leave, moved toward me aggressively, and tried to take my baton. Ketcher also refused the lawful order I gave him to leave. It was very clear based on his aggressive behavior, Ketcher was intent on wanting to fight.

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?

RRT
SERT
Incident Command
MFF
Sound Truck
NOC
Air Support

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

Verbal commands
Allowing the subject appropriate time to respond to direction.
Communicating from a safe position
Avoiding physical confrontation unless immediately necessary
Numerous commands were given by the sound truck that the demonstration was an unlawful assembly and all persons had to leave the area. These commands were repeated for approximately 45 minutes.

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	BATON STRIKE	TORSO	YES	YES

DESCRIBE THIS USE OF FORCE:

The squad was advancing toward a group at SW 3rd / SW Main who were refusing to leave the area as ordered. As we advanced, I told the people to back up, and to leave the area. They did not and the line began pushing the group back. Ketcher advanced from the crowd and took an aggressive posture toward me. He was approximately 3-6 feet away. He bladed his stance, put his hands up, and yelled at me as if he intended to fight me. I used a cross body baton shove to his torso to try and move him back.
Warning given by sound truck - see Condition Prior to Force.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	BATON STRIKE	LEFT LEG	YES	YES

DESCRIBE THIS USE OF FORCE:

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Ketcher grabbed my baton with both hands and tried to rip it away from me. I held on and we struggled back and forth for control of the baton for a few moments until I was able to wrest the baton free from his grip. Ketcher recovered his stance and squared up to me with his hands up and appeared ready to fight. Officer Bernard deployed pepper spray onto Ketcher's face. Ketcher moved to my left and Officer Bernard grabbed him in an attempt to take Ketcher into custody. Ketcher struggled with Officer Bernard and it looked like they were fighting in an standing grapple or clinch situation. I delivered one single hand baton strike to Ketcher's left lower leg. It was a controlled, focused blow, not an overhead strike. This is a Bureau approved technique.
Warning given by sound truck - see Condition Prior to Force.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	PHYSICAL RESIST	YES	CONTROL AGAINST RESISTANCE	TORSO	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

The baton strike was not effective in preventing Ketcher's aggression and resistance. I took hold of Ketcher's right side while Officer Bernard tried to control his left. I still had my baton in my right hand and did not think it safe to put it down at that time. The scene was still chaotic and there were multiple hostile demonstrators in close proximity. Ketcher was resisting being taken into custody by pulling his hands away from his back and moving his body away from us. The struggle brought us near a park bench. I moved to take hold of Ketcher's torso for more physical control while attempting to take him into custody. My baton was across his body in a seat belt fashion from his right hip to below his left shoulder. I took hold of the baton in my left hand and tried to pull Ketcher away from the bench. I never intended to choke Ketcher -with the baton or otherwise- and the baton never crossed Ketcher's neck and never choked him. After a few unsuccessful attempts to pull Ketcher, I realized he was 'turtled' with his arms held under him and wrapped around the armrest of the park bench. Given the situation, I considered the risk of the baton unintentionally slipping toward his neck to outweigh the benefit of breaking his grip. I checked my surroundings and saw that other Charlie squad members were between us and the remaining crowd. I then felt safe to put my baton down. Officer Bernard was still holding a can of pepper spray. I took the can and pointed it at Ketcher. I told him to stop resisting or he would be pepper sprayed. Ketcher released his grip on the bench and covered his face. I did not pepper spray Ketcher. Officer Bernard and Schaaf moved Ketcher to the ground and took him into custody.
Warning given by sound truck - see Condition Prior to Force.

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:

As a line Officer of an RRT squad, the force options I had available were baton and lethal force.
Based on the totality of the circumstances, I used the least amount of force objectively reasonable to protect myself and attempt to arrest the suspect.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

Officer Bernard- pepper spray, control against resistance
Officer Shcaaf- Control against resistance.

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]

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

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

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

WITNESS

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☐ 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:

This was an ongoing civil disturbance and looking for witnesses was not feasible at that time.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Cameron Smith	57152	EMAILED TO	SGT	Spiegel

**********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