Force Data Collection Report

CASE # 2020-680613 | OFFICER Kuntz | DPSST 58045 | ☒ AMENDED

DATE 06 / 07 / 2020 | TIME: 12:20 AM | ASSIGNMENT: RRT

LOCATION: SW Broadway / SW Washington Street

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Lilley, Sarah E.	FEMALE	WHITE	07 / 03 / 1993

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☐ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK DOMESTIC RELATED? NO

EXPLAIN

On the above date and time I responded to the area of SW Broadway / SW Washington Street operating in my capacity as an RRT officer assigned to alpha squad. Per operational orders I was on the line as an RRT officer ordering people to move. As I approached the southwest corner of the intersection an unknown female, later identified as Sarah LILLEY, refused to move and punched Detective Baer in the helmet/ face shield.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

I had legal authority to move LILLEY as the area from SW Lincoln to W Burnside and SW Naito Parkway to SW 13th Avenue had been declared a civil disturbance and unlawful assembly. LILLEY was with a large group who refused to leave the area and follow a lawful order to disperse. The sound truck had been issuing clear and loud commands to leave the area or be subject to use of force prior to our enforcement action.

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

LILLEY was with a large crowd of protesters who refused to leave the area. Crowd control agents and impact munitions were deployed to disperse the crowd LILLEY was with. Our squad leader issued an order to move the crowd by employing a line formation. I used my voice projection module attached to my gas mask - something used to amplify my voice - to instruct the crowd to disperse before using force. LILLEY refused to move by deliberately stopping in place several times and resisting other officers attempts to move her. It was obvious to me LILLEY was trying to compromise our line formation. LILLEY eventually punched Detective Baer in the helmet/ face shield.

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

LILLEY was resisting our efforts to remove her from the area by being physically aggressive. LILLEY'S behavior compromised our line formation by leaving gaps in between officers and providing other protesters an opportunity to breach our line.

MENTAL HEALTH

☒ NONE ☐ PRIOR TO FORCE KNOWLEDGE ☐ POST FORCE KNOWLEDGE ☐ OTHER

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EXPLAIN

As an ECIT officer I did not believe LILLEY exhibited any mental health illnesses.

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

I am a bureau trained ECIT officer. I am also an RRT officer as were the other officers present. Other units like OSP MRT, AIR 2, and Liaison Officers were present.

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

Prior to our deployment the protesters were given time, space, and a safe area to express their feelings. As the protest grew and time went on the crowd became aggressive, i.e., throwing objects and damaging property. The protesters were given multiple orders to disperse which were delivered by the sound truck prior to, and during, our arrival. There were multiple mobile field force and RRT units on scene which provided us with numerical superiority. Liaison Officers were present and tried to communicate with the crowd expressing our intent to keep the protest peaceful.

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	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

I saw LILLEY out of the corner of my eye being pushed back by other officers in an attempt to disperse the crowd from the area. I watched LILLEY stumble into the side of a building and fall to the ground. LILLEY jumped up from the ground, faced us, and threw a punch at Detective Baer striking her in the helmet/ face shield. I immediately used my baton to push LILLEY in the chest one time as I was trained. I did this to prevent LILLEY from further assaulting Detective Baer or other officers. LILLEY fell to the ground as a result of my baton push. Once on the ground LILLEY immediately complied with our commands to not resist. I placed LILLEY into flex handcuffs with the assistance of Detective Baer without further incident. LILLEY was transported from the scene by a field arrest team for processing.

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 consider any other force options as I felt a baton push was the force necessary to accomplish my goal of preventing LILLEY from further assaulting officers.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I observed another officer push LILLEY before my enforcement action but was unable to determine who it was as my gas mask was on and face shield was down.

SUBJECT INJURY AND/OR TREATMENT

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	TYPE OF INJURY	OBSERVATION	LOCATION OF INJURY	INJURY ATTRIBUTED TO	INJURY TREATMENT
+ -	NO INJ./COMP.				

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

I did not see any injuries nor did I hear LILLEY complain of any injuries.

☐ 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:

I attempted to locate witnesses but was unsuccessful as the crowd was being driven back and the situation was rapidly evolving. Given the hostility of the crowd it was not safe to separate from my team and contact any possible witnesses.

MEMBER INJURY

☐ **I WAS INJURED DURING THIS INCIDENT**

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
C. Kuntz	58045	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