Force Data Collection Report

CASE # 2020-680660 | OFFICER: Nutting | DPSST: 45920 | ☐ AMENDED

DATE: 06/07/2020 | TIME: 12:10 AM | ASSIGNMENT: EAST

LOCATION: SW 4th / Harvey Milk

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Freeman, Landon	MALE	WHITE	05/19/1994

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

While assigned as the sergeant for East Precinct MFF we were tasked with making arrests of those participating in an unlawful assembly and remaining in the closure area per the Incident Commander.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☐ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

The large group we contacted were all in violation of the sound-trucks lawful order to leave the closure area and were subject to arrest and/or force as a result of the protest becoming a civil disturbance and unlawful assembly.

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

While my MFF was making arrests the crowd was throwing objects including glass bottles at officers while other crowd members were interfering with arrest physically. Mr. Freeman was trotting west on the south sidewalk of SW Harvey Milk and looking over his left shoulder at a custody occurring involving another officer.

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

The subject was violating the order to disperse and was not obeying lawful orders.

MENTAL HEALTH

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

EXPLAIN

No mental health indications are known.

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

Force Data Collection Report

CASE # 2020-680660 | OFFICER Nutting | DPSST 45920 | ☐ AMENDED

WHICH SPECIALTY UNITS?

SERT, RRT, ECIT, 40mm, CNT, DLO

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

Time was given to leave the area and follow orders and force warnings, multiple officers were on-scene, distance was provided, hours of avoidance physical contact was attempted.

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	TAKE DOWN	TORSO	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

The sound-truck had provided numerous force warnings to the crowd, a dispersal warning and lawful orders regarding the closure of the downtown area (Waterfront to SW 13th, Burnside to Lincoln). Mr. Freeman was trotting west on the sidewalk with a group of protesters whom the IC had deemed an unlawful assembly and civil disobedience. I grabbed onto Mr. Freeman's backpack to get him to stop and told him he was under arrest. He pulled away to get away from me and we briefly spun in a circle and I used his momentum to take him to the ground. I advised him he was under arrest and to get his arms out and he became compliant. I awaited another officer to assist in taking him into flex-cuffs as a glass bottle was thrown towards my location and my MFF officers. I briefly had to kneel on his right armpit/ shoulder area to keep my eyes on the hostile and violent crowd who had been physically assaulting officers during custody processes.

I used my 40mm on another subject while controlling Mr. Freeman, see other FDCR for further.

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 options were reasonable given the circumstances.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

None.

SUBJECT INJURY AND/OR TREATMENT

	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:

There was no apparent injury nor a complaint of injury.

☐ THE SUBJECT WAS MEDICALLY CLEARED FROM THE FORCE EVENT

Force Data Collection Report

CASE #	OFFICER	DPSST	
2020-680660	Nutting	45920	☐ AMENDED

☐ 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:

Based on the circumstances of the event it was not safe to locate witnesses nor did anyone stay to offer a statement.

MEMBER INJURY

☐ **I WAS INJURED DURING THIS INCIDENT**

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Nutting	45920	EMAILED TO	SGT	Tuma

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

APPROVED BY:	Sgt Tuma	DPSST:	47651

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