Force Data Collection Report

CASE # 2020-680793 | OFFICER Daniel D. Nipper | DPSST 57091 | ☐ AMENDED

DATE 06/15/2020 | TIME: 12:00 AM | ASSIGNMENT: CENTRAL

LOCATION: SW SALMON ST BETWEEN SW4TH AVE & SW5TH AVE

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
UNKNOWN	MALE	WHITE	MM/DD/YYYY

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

This is day #17 of ongoing demonstrations in the Downtown Portland area. Tonight there were several dispersal orders given due to the demonstrations becoming increasingly violent. Central C and E MFF's were dispersing a group of 50 + protesters that were defying an unlawful assembly order.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

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CONDITION PRIOR TO FORCE

☐ ARMED (ACTUALLY) ☐ [redacted]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

Subject was moving west with the crowd after, after a audible orders and a dynamic push from both MFF's. Subject turned east and threw a full water bottle at a line of Police Officers.

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

Subject was amongst a crowd of protesters that shouted various antagonistic things like "Fuck the Police", "Quit your job" and "Fuck You!!". Multiple dispersal orders had been given by officers over the PA. Force warnings were also given that if they did not comply force may be used against them. Over the course of a couple of hours, sound trucks had given multiple warnings that throwing projectiles at police would be met with force.

MENTAL HEALTH

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

EXPLAIN

[redacted]

SPECIALTY UNITS

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YES, WHICH ONES? — SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

MFF, ECIT, Sound Truck, 40mm Less Lethal

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

Clear and concise instructions were given, to the crowd that an unlawful assembly had been declared and that they needed to move west down SW Salmon St, or face possible arrest and use of force, multiple times to the crowd from the sound truck. 20 plus uniformed Police Officers were in a line formation.

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	LAUNCHABLE IMPACT	TORSO	NO, EXPLAIN	YES

IMPACT ROUNDS	DEPLOYMENT	DISTANCE
40 MM SPONGE (PATROL)	LAUNCHABLE	25 yds

DESCRIBE THIS USE OF FORCE:

I observed the subject traveling west on the southern sidewalk of SW Salmon St, while a MFF was dynamically pushing the crowd west. The subject turned with bottle in his right hand and took two preparatory steps to throw the bottle of water at Police Officers. I launched 1 40mm sponge impact round at the subject. I observed no flinch or yelp in pain that would have lead me to believe that the round struck the subject. The subject continued his throw, but was unable to strike anyone with the bottle. The subject continued running westbound, never to be located again.

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:

The distance was too great to use a taser, OC or any strikes. The use of a firearm was not reasonable under the circumstances.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

N/A

SUBJECT INJURY AND/OR TREATMENT

	TYPE OF INJURY	OBSERVATION	LOCATION OF INJURY	INJURY ATTRIBUTED TO	INJURY TREATMENT
+ -	[redacted]				

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

[redacted]

[redacted] 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:

Multiple witnesses were in the area of the southern sidewalk, when I used force. They all ran west on SW Salmon and did not appear to want to give any information relating to this event. Additionally, all people I observed in the area were hostile towards police.

MEMBER INJURY

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

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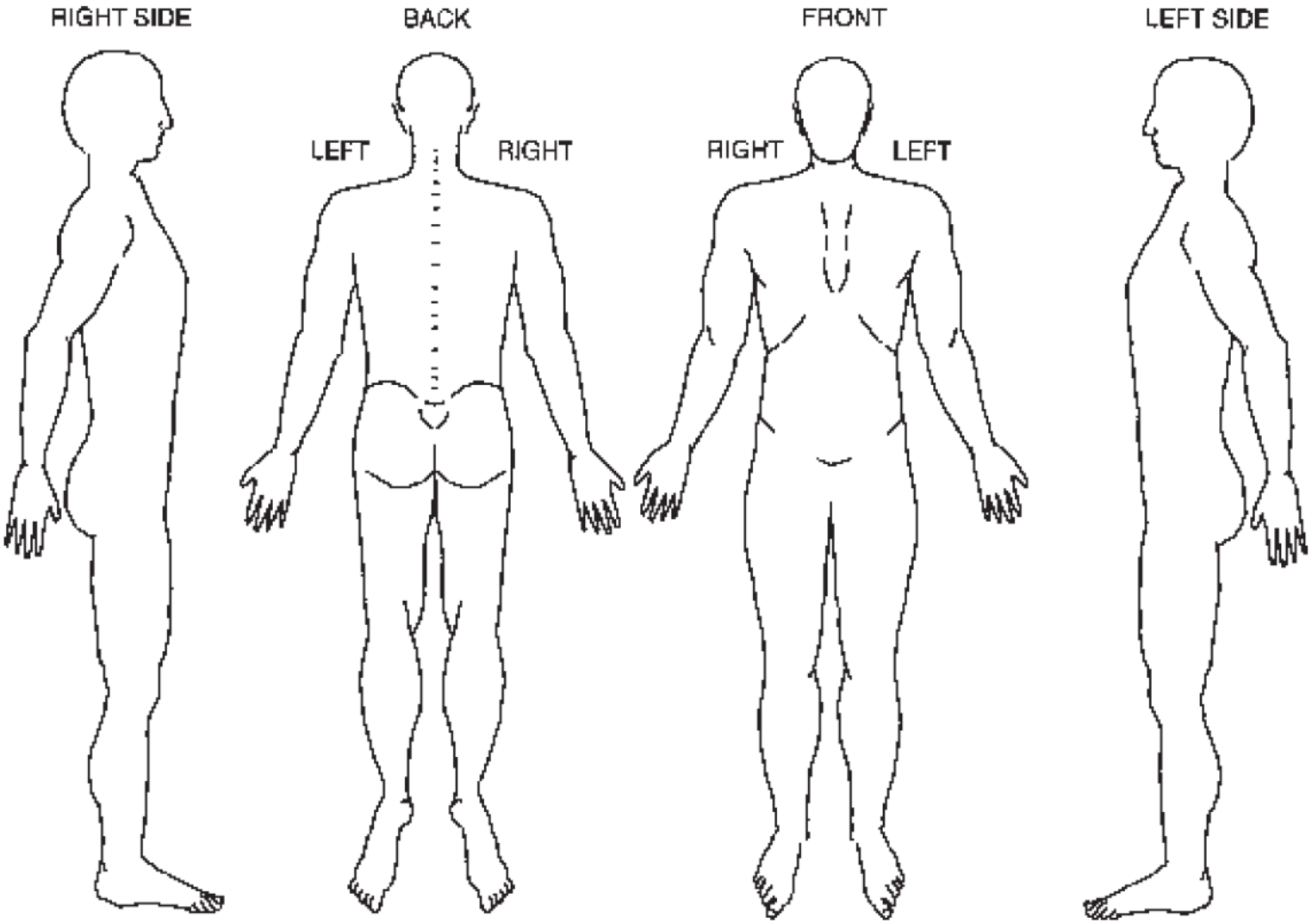
CEW OR LAUNCHABLE IMPACT MUNITION LOCATIONS:



SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Daniel D. Nipper	57091	EMAILED TO	SGT	Kristine Butcher

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

APPROVED BY:	Kristine Butcher	DPSST:	43866

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