Force Data Collection Report

CASE # 2020-680855 | OFFICER Westerlund | DPSST 52338 | ☐ AMENDED

DATE 06/30/2020 | TIME: 9:45 PM | ASSIGNMENT: RRT

LOCATION N Lombard / N Fenwick

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
BURI, Nicholas W	MALE	WHITE	08/14/1994

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

I was assigned to the Rapid Response Team Delta Squad. We were deployed to assist in managing a crowd that had become assaultive and destructive in nature. This group was throwing water bottle, rocks, full cans of beer, and metal pieces among other items at police. In addition, the crowd was shining laser pointers into police officers eyes. The crowd was destructive and in that they were breaking windows, spray painting walls, and spray painting vehicles. It was declared an unlawful assembly and the crowd was directed to disperse due to their actions.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

Due to the crowds assaultive behavior they were directed to leave the area and disperse. The crowd was given multiple direction to do so and time to comply but they remained and continued their behavior. Delta Squad was assigned to move the crowd to the east. Upon moving the crowd I saw numerous subjects who were assaulting police and pushing police. One subject that I saw push police was Nicholas BURI.

About 15 minutes later I saw BURI again standing in the middle of the street yelling and cursing at police. The crowd, to include BURI, was directed to disperse to the east. BURI refused and remained in the street. I had probable cause to arrest BURI for disorderly conduct and interfering with a police officer.

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

Many of the individuals within the group were armed with various weapons to include shields, metal poles, sticks, pepper spray, fire works, rocks, water bottles, and laser pointers among other items. As we were attempting to disperse the group many of the group was engaged in physical resistance. The crowd was pushing police, hitting police with items, and using shields push back at police. As I went to place BURI into custody, he engaged in physical resistance by attempting to pull away from me and run away.

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

I believe the reason for lack of compliance is due to disobedient and antagonistic behavior. The crowd was cursing and threatening officers, they were throwing items at police, and they were not follow direction to leave the area. I witnessed BURI pushing at police and I witnessed him cursing and yelling at police. At one point BURI was making masturbation gestures at police.

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MENTAL HEALTH

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

EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

We had multiple Rapid Response Teams and I am ECIT trained.

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 sound truck gave numerous direction to for the crowd to leave from a safe position. The crowd was given time to comply with direction. We had numerous officers and RRT squads on scene.

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	BACK	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

I heard the sound truck give numerous warning to the effect that if they did not leave they will be subject to arrest and possibly use of force.

As I moved in to place BURI into custody, I took control of his right arm. BURI immediately pulled his arm away and turned to run away from me. I then grab BURI's backpack which he was wearing and BURI tried to pull away from me. I feared that if I did not gain control of BURI that he would escape custody. I then performed a take down by pulling BURI to the ground by his backpack. He was able to catch himself with his hands.

Once on the ground I was able to gain control of BURI. I was able to place him into handcuffs without further incident.

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 considered other force option such as pepper spray but accessing other force options would have allowed him to escape.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

During this incident I did not witness other officers use force.

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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]

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:

All witnesses fled the area and created a hostile environment to locate witnesses.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
L. Westerlund	52338	EMAILED TO	SGT	Coffey #35623

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

APPROVED BY:		DPSST:	

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