Force Data Collection Report

CASE # 2020-680951 | OFFICER: LE, K. | DPSST: 57310 | ☐ AMENDED

DATE: 07/03/2020 | TIME: 1:04 AM | ASSIGNMENT: RRT

LOCATION: SW Main / SW Broadway

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Aviles, Laurielle	FEMALE	WHITE	08/26/1991

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 listed date and time, I worked as a Rapid Response Team (RRT) member assigned to Charlie squad for the "George Floyd" protest. The protests have been going on for over a month and started because of the death of George Floyd in Minnesota. I worked the majority of the protests in the capacity of RRT and observed the dynamics of the crowd. For the majority of the protests, the crowd was peaceful but for the last two weeks, some of the protesters have gotten more violent. There was a small group of protesters (ranging from hundreds of protesters) that identified as "Antifa" who vandalized property, burned occupied buildings, shot ariel fireworks at officers, and threw bottles of unknown substance at officers.

On Thursday July 2, 2020 at approximately 11:51 PM, Incident Command declared the event a riot because the protesters smashed the front doors of the Federal Courthouse. They shot fireworks into the courthouse and intentionally aimed at the officers inside. Charlie squad and mobile field forces were told to disperse the crowd to the west of SW Main / SW 3rd. When we tried to push the crowd, AVILES was in the front of the protest line with her skateboard. She was accompanied by another male with a skateboard that I later arrested. She held it in front of her and slowly walked backyards while facing us. She would stop rather then disperse from the area as ordered.

Later on in the night, I saw AVILES and the person she was with again at the listed intersection. I tried to arrest the other person (see case 20-680952) and AVILES tried to un-arrest him. She tried to pull him away from me but because he was not able to escape, she punched me in the right side of the face.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☐ CIVIL UNREST

EXPLAIN

Charlie squad was at the intersection of SW Main / SW 3rd. We pushed the crowd of protesters to the west. AVILES faced us, armed with her skateboard and held it in front of her. She occasionally stopped and not disperse when told to do so. She was in the middle of the street which was opened to vehicular traffic.

Later on in the night when I tried to arrest the male she was with, AVILES tried to un-arrest him. She pulled him away from me but because I held onto the other male tightly, she punched me in the right side of the face. I wrapped my hands around both the male and AVILES like a bear hug to restrain them until additional officers arrived.

I had probable cause for JACKSON's arrest for Disorderly Conduct II , Escape III, Assault on a Police Officer, 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

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EXPLAIN

AVILES was armed with her skateboard which she held in front of her body and used it as a shield.

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

AVILES disobeyed all lawful orders to disperse to the west. She tried to act like she was leaving the area but she kept walking slowly backwards and occasionally stopped in the middle of the street. I tried to arrest the male she was with but she disobeyed orders and interfered with the arrest.

MENTAL HEALTH

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

EXPLAIN

No mental health influence noted or observed.

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

RRT Charlie squad and multiple mobile field forces were present. The sound truck behind us and gave multiple warnings/commands to the crowd of protesters to disperse.

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

There were at least 20 police officers on scene which included multiple mobile field forces and Charlie Squad. The sound truck also gave multiple warnings of dispersal and force warnings after the event was deemed a riot.

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	CONTROL AGAINST RESISTANCE	BACK	YES	NO

DESCRIBE THIS USE OF FORCE:

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The sound truck gave at least twenty minutes of commands for dispersal after the event was deemed a riot. The sound truck also gave multiple force warnings in the effect of, "If you do not leave the area, force may be used against you including crowd control munition and tear gas."

When I tried to arrest the male AVILES was with, she tried to pull him away from me in an attempt to un-arrest him. They were unable to escape so she punched me in the right side of the face. I ended up taking down the other male and let AVILES go so I did not re-evaluate other force options.

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 could of pepper sprayed AVILES for the physical resistance but due to the dynamics of the crowd, I did not want to accidentally spray other protesters. I was also trying to arrest the male that was with AVILES.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I did not witness any other officers using force on AVILES.

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]

HE SUBJECT WAS MEDICALLY CLEARED FROM THE FORCE EVENT

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

HE 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:

The incident was dynamic and we dealt with a hostile crowd so I was unable to locate witnesses.

MEMBER INJURY

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

SIGNATURE	DPSST		RANK	NAME
Le, Ken	57310	EMAILED TO	SGT	Carroll

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

APPROVED BY:	Carroll	DPSST:	33550

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SIGNATURE

SIGNATURE		DPSST		RANK	NAME
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