Force Data Collection Report

CASE # 2020 - 680995 | OFFICER Flohr | DPSST 57430 | ☐ AMENDED

DATE 08 / 01 / 2020 | TIME: 9:55 AM | ASSIGNMENT: RRT

LOCATION E Burnside St/47th Ave

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Unknown	UNK	UNK	01 / 01 / 1995

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

RRT was staged at SE Precinct due to information there would be a march to try to "take the precinct." When the crowd arrived, they began chanting "Every city, every town, burn the precincts to the ground." The groups who have been showing up for these gatherings have attempted to set fire to multiple police buildings, often while the buildings are occupied. This chant plus their past behavior raised concern that they would attempt to burn SE tonight if they got close enough to the building.
People within the crowd threw multiple projectiles (glass bottles filled with paint) at officers. The group had also moved onto SE property multiple times. The sound truck announced multiple times that going onto the property was trespassing and they may be subject to arrest and/or use of force if they continued trespassing.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

The protesters had already engaged in multiple criminal actions: failed to comply with lawful orders to stop trespassing and thrown multiple projectiles at officers.
An unlawful assembly was declared around 2150

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

The protesters had already thrown multiple projectiles at officer, and been told to stop trespassing. They did not comply. Those at the front of the group had shields and umbrellas, which I know from training and experience protesters use as weapons, and many were wearing helmets, goggles, and masks.
After the unlawful assembly many in the group remained.

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

The group of protesters had clearly heard the orders from the sound truck to stop trespassing, and later to leave the area after an unlawful assembly was declared. Prior to the unlawful assembly declaration and after it, people in the crowd threw projectiles at officers. It was clear to me they had heard the sound truck because they would boo, jeer, and yell back. In spite of these lawful orders, the Does I encountered remained, and did not comply with these lawful orders.

MENTAL HEALTH

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

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SPECIALTY UNITS

YES, WHICH ONES? — SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

RRT, Air1, sound truck

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 group was allowed to remain blocking Burnside in front of SE, expressing their views and repeatedly trespassing despite orders not to, until they began throwing projectiles at officers, which poses a significant risk of injuries.
In addition, the sound truck announced they would be subject to arrest and use of force if they entered the property. Once the unlawful assembly was declared, the sound truck issued the force warnings again, along with the declaration and order to leave the area.

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	CONTROL AGAINST RESISTANCE	TORSO	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

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Prior to having any contact with the crowd, the sound truck announced multiple times that the event was an unlawful assembly and gave multiple force warnings.
Per operational orders, RRT set up a line and prepared to push West along Burnside St to disperse the crowd, prevent them from continuing to throw projectiles at officers, and get them off SE property, where they were trespassing. There was plenty of time for the group to start leaving. They choose not to leave.
As we pushed West, we came into contact with the front of the skirmish line the crowd had formed. There were multiple people standing at the front of this line, facing us and not trying to move away from us. There were multiple people standing behind a group of umbrellas. I could not see their faces or clothing. I know due to training and experience people using umbrellas as just described often do so to conceal weapons, and use the umbrellas as weapons as well. I used my baton to push forward into the umbrellas. I felt a body (X Doe1) behind the umbrellas and shoved them back. I felt another person (X Doe2) behind the umbrellas and used my baton to push them back as well. This caused the people holding and standing behind the umbrellas to turn and disappear quickly into the crowd. I could not see Doe1 or Doe2 clearly, as they were behind the umbrellas. From what I could see of them, they were wearing all dark clothing, and gas masks which covered their whole face.

As we continued moving the crowd away from SE, they turned South along SE 44th Ave. After they turned, those at the front slowed down. While moving forward with the RRT line, I encountered another person, X Doe3, not moving out of the area. Doe3 was wearing all dark clothing, a backpack, a helmet, and face covering. I could not see enough of Doe3 to determine race or gender, but they were about 5'7". I told Doe3 to move, but they did not. I used my baton to push them South, telling them to move again. Doe3 then began running, and disappeared into the crowd.

While still moving South along 44th Ave, I saw a white female, Jane Doe4, wearing all black, goggles, a white backpack, and a white helmet stop and lean down toward the grass she had just stepped onto from the street. I was walking right behind her, and due to safety issues could not let her get behind the line. I yelled for her to move, grabbed the strap of her backpack to stand her upright, and started walking her forward. She pushed back against me, trying to turn to face me. At this point I let go of her and pushed her forward with my baton. This caused her to pick up speed and run away from me. Doe4 disappeared into the crowd.

Upon reaching SE Pine St, the crowd turned West. I continued telling the crowd to move. As I pushed West with the RRT line, a white male, John Doe5, wearing a red shirt, a backpack, a helmet, goggles and a face mask stopped to turn and face the line. I yelled at him to move. Another person in the crowd grabbed his backpack and started pulling him back. Doe5 stepped forward instead. I used my baton to shove him back. Doe5 quickly turned and ran father into the crowd.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	PHYSICAL RESIST	YES	CONTROL AGAINST RESISTANCE	TORSO	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

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Prior to having any contact with the crowd, the sound truck announced multiple times that the event was an unlawful assembly and gave multiple force warnings.
At this point, RRT had reset to SE, to see if the crowd would disperse as ordered after the initial push. Upon receiving information the crowd had regrouped and was making their way back to SE, we re-deployed to prevent this.

Per operational orders I pushed forward with the RRT line when we located the crowd pushing back toward SE. While walking forward John Doe6, a white male wearing all black with his face covered, did not move away. I could not allow him to stay where he was, as it would compromise the line and officers' safety. I used my stick to push him back while ordering him to move. Doe6 stumbled back, then ran away into the crowd.

As we continued to push forward, I came across a white female (Jane Doe7) in a gray hoodie with the hood up, wearing a backpack and face mask. She was holding onto another protester, and they were moving very slowly along the sidewalk. I tole them to move. They yelled back they were. I ordered them to move faster, as their slow pace was forcing the line to stagger, compromising officers' safety. They did not move faster. I took hold of her backpack and jogged forward. Doe7 initially sped up, then slowed down and pushed back against me, yelling for me to stop. I ordered her to move again and used my baton to shove her forward. Doe7 started speeding up, then slowed down again. I again used my baton to push her forward, but started jogging as well. Doe7 decided to speed up at this point and ran off into the crowd.

Still pushing forward, I saw a cluster of people stop moving away and gather together. I ordered them to move and shoved the unknown person, X Doe8, closest to me. Doe8 was tall, wearing all black, dark goggles, and a face covering. Doe8's momentum carried the whole group back a step, and they began moving away. Someone from within the cluster yelled "I'm press!" I could not see anyone within the cluster wearing any press credentials, or wearing anything with "Press" written on it. The whole cluster broke up and moved off before I could determine if there was actually any journalists in it.

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 using baton strikes if Doe1 or Doe2 used the umbrellas as weapons, and when Doe5 turned back to face me if he moved into a fighting stance.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I saw other officers also use baton pushes, but due to low lighting, and our uniforms, could not identify the officers or the people pushed.

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.

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	2	0	2	0	6	8	0	9	9	5	Flohr		5	7	4	3	0	☐ AMENDED

WITNESS INFORMATION: **NAME OR DESCRIPTION (IF NAME REFUSED) AND MEMBER WHO LOCATED:**

Based on the rapidly evolving situation, and the volatile nature of the crowd, it was not safe for me to stop and try to ask any of the crowd to be witnesses to these events.

MEMBER INJURY

☐ **I WAS INJURED DURING THIS INCIDENT**

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Amelia Flohr	57430	EMAILED TO	SGT	Carroll

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

APPROVED BY:	Carroll	DPSST:	33550

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