Force Data Collection Report

CASE # 2020-68095 | OFFICER Kelly | DPSST 57474 | ☐ AMENDED

DATE 08/01/2020 | TIME: 2200 hours | ASSIGNMENT: RRT

LOCATION 4735 E. Burnside Street

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Doe, John	MALE	WHITE	00/00/1994

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

I was assigned to Charlie Squad Rapid Response Team, Portland Police Bureau and deployed to defend Southeast Precinct (4735 E Burnside Street) and the safety of people inside the building from a crowd that had earlier assembled at Laurelhurst Park and marched to this location. At around 2105 hours, the crowd of approximately 150 people, closed E. Burnside from SE 45th Avenue to SE 52nd Avenue. Many were armed with shields and wore helmets and gas masks. They shined bright lights in the eyes of officers as well as lasers. The crowd chanted anti-police slogans and indicated in their chants they would "burn all the precincts to the ground." Members of the crowd assaulted officers with glass bottles and bottles filled with white paint. Many in the crowd then came onto precinct property.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

There was probable cause for the crowd for IPO for failing to disperse and criminal mischief. There were also individuals with probable cause to arrest for assault/attempt assault on a police officer and disorderly conduct. This was also designated an unlawful assembly due to the crowd's violent behavior.

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

Subjects were armed with green lasers, shields and projectiles. They wore helmets and gas masks. Suspects refused to disperse when ordered to.

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 lack of compliance prior to force was due to disobedient and antagonistic behavior. The crowd was hostile to police by threatening us with bodily harm, burning the building, and throwing dangerous projectiles. They refused to follow orders.

MENTAL HEALTH

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

EXPLAIN

[redacted]

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SPECIALTY UNITS

YES, WHICH ONES? — SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

RRT, Sound Truck, Air 1

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 crowd was admonished by the sound truck to stop their violent behavior, leave the property and disperse. The crowd was told to leave the area and warned that if they did not leave, they would be subject to arrest and or force. The sound truck gave numerous warnings yet the crowd gave no indication they would leave on their own. The orders were given from a safe distance. We also had multiple officers on scene. The sound truck gave numerous force warnings prior to any of the force used below.

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	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave warning prior to this use of force and all of the subsequent force used below.

SUSPECT #1: The subject was a white male about 5'9" dressed all in black and was wearing a helmet and gas mask. When the crowd was not dispersing we were ordered to conduct a push west on E. Burnside Street from the front of SE Precinct to the west of 47th Ave. As we began pushing the suspect walked slowly in front of me and refused to move. He along with other members of the crowd moved slowly to impede our advance and allow suspects deeper in the crowd to throw bottles filled with paint at officers. Many of the people moving slowly had opened umbrellas to conceal suspects deeper in the crowd. I pushed him with my stick but he did not pick up his pace.

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

DESCRIBE THIS USE OF FORCE:

SUSPECT #1. I gave him a second baton push and told him to move faster westbound. He picked up his pace and went further into the crowd.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	PHYSICAL RESIST	YES	CONTROL AGAINST RESISTANCE	TORSO	YES	YES

DESCRIBE THIS USE OF FORCE:

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SUSPECT #2. As we continued to push west, I observed an officer to my left push a suspect with his baton. This suspect had his arms interlocked with two other suspects walking slowly allowing projectiles to be thrown at officers. One of the other suspects was a white female with long, light colored hair. She wore a helmet and gas mask and dark clothing. I pushed her with my baton. She turned and looked at me to yell profanities and continued to walk slowly. She kept her arm interlocked with another suspect.

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

DESCRIBE THIS USE OF FORCE:

SUSPECT #2. I gave her a second baton push and told her to move faster westbound. She turned again and yelled at me but then unlocked her arm and picked up the pace westbound on E. Burnside Street.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	PHYSICAL RESIST	YES	CONTROL AGAINST RESISTANCE	TORSO	YES	YES

DESCRIBE THIS USE OF FORCE:

SUSPECT #3. As we continued to push west, a suspect white male about 6'2" was walking slowly. He wore a helmet, dark clothing, and a gas mask. I pushed him with my baton and told him to go faster. He slowed down his pace instead. I then removed his gas mask with my right hand as I wanted to have pepper spray as an option against this subject.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	BATON STRIKE	TORSO	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

SUSPECT #3. The subject turned and faced me with both hands up as if he was going to hit me. I struck him with my baton held vertically with both hands. He then turned around and walked faster onto SE 44th Avenue.

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 did not consider using other force options as this was the least amount necessary and still be effective.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I saw officers pushing subjects with their batons.

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

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☐ 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:

Due to the hostile and violent nature of this crowd, it would have been unsafe or unreasonable to attempt to locate or interview witnesses. Additionally, I needed to stay with my squad to maintain line integrity.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
M. Kelly	57474	EMAILED TO	SGT	Koppang

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

APPROVED BY:	Sgt. Koppang	DPSST:	37667

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