Force Data Collection Report

CASE # 2020 - 680996 | OFFICER: LE, K. | DPSST: 57310 | ☐ AMENDED

DATE: 08 / 01 / 2020 | TIME: 10:05 PM | ASSIGNMENT: RRT

LOCATION: SE 44th / E Burnside

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Moreno, Freedom	FEMALE	WHITE	03 / 09 / 1986

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. About 100 to 150 protesters mainly dressed in all black, hard helmets, gas masks, and hand-made shields blocked eastbound and westbound vehicular traffic on E Burnside, between SE 47th and SE 50th. Prior to us declaring the event an unlawful assembly, protesters shined bright flashlights and lasers at our eyes. They threw filled water bottles and glass jars with paint at us.

Charlie and Delta squads dispersed the protesters to the west. The protesters traveled to the south on SE 44th from E Burnside. I observed MORENO push Officer Browning #48554, which led him to push her back with his baton. She grabbed his baton, so I focused my attention on her.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

Prior to police contact, protesters blocked eastbound and westbound vehicular traffic on E Burnside, between SE 47th and SE 50th. Projectiles were also thrown at officers. MORENO failed to disperse after the event was declared an unlawful assembly. She pushed Officer Browning and grabbed his baton. When I tried to take her into custody, she resisted arrest and kicked me twice.

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 sound truck gave multiple warnings for the crowd of protesters to disperse to the west. MORENO physically resisted by slowly walking backwards. During the southbound turn on SE 44th, she pushed Officer Browning. When I tried to take her into custody, she actively kicked her legs and struck me twice.

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

MORENO disobeyed the orders to disperse. In addition, she pushed Officer Browning.

MENTAL HEALTH

[redacted] ONE [redacted] PRIOR TO FORCE KNOWLEDGE [redacted] POST FORCE KNOWLEDGE [redacted] OTHER

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EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

Two RRT squads, ECIT (myself) and the sound truck was present. The sound truck was on scene and gave multiple warnings/commands to the crowd of protesters to disperse to the west because the street was supposed to be opened to vehicular traffic as well as the event was declared an unlawful assembly.

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 40 police officers on scene. The sound truck also gave multiple warnings of dispersal and force warnings after the event was deemed an unlawful assembly.

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	TORSO	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave multiple force warnings and said the event was declared an unlawful assembly.

RRT was assigned to disperse the crowd of protesters to the west. During the dispersal, RRT turned left to go southbound on SE 44th from E Burnside. I noticed during the turn, MORENO pushed Officer Browning, so he pushed her back with his baton. She grabbed his baton and I heard him yell something along the lines of, "Let go of my stick!" I focused my attention on her and went over to push her away from him. I placed my baton in front of my chest and pushed her. I aimed for her torso. MORENO fell on her backpack. I lunged down and tried to take her in custody but she intentionally kicked me at least two times. I reached for her with my left hand when she still actively kicked both legs so Officer Domka pepper sprayed her. I yelled at her, "Stop resisting! You're under arrest!" She felt the effect of the pepper spray so I turned her around on her stomach. She placed her hands behind her back without resistance and I applied flex cuffs to take her into custody.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	RESISTED HANDCUFFING	HANDS	YES	YES

DESCRIBE THIS USE OF FORCE:

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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 MORENO, but it was better to go "hands on" with her to avoid pepper spray exposure to others.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I observed Officer Browning push MORENO with his baton and officer Domka pepper sprayed her.

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:

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	DPSST		RANK	NAME
Le, Ken	57310	EMAILED TO	SGT	Koppang, Erik #37667

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SIGNATURE

SIGNATURE	DPSST		RANK	NAME
**********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