Force Data Collection Report

CASE # 2020-681190 | OFFICER: Domka, Zachary | DPSST: 48347 | ☐ AMENDED

DATE: 08/09/2020 | TIME: 10:45 PM | ASSIGNMENT: RRT

LOCATION: N Interstate Ave/N Russet St

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Riehl, Nicholas M	MALE	WHITE	03/14/1992

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

Open-source media outlets revealed a planned rally at Kenton Park on the afternoon of 08/09/2020. The park was not far from the Portland Police Association's offices; at N Campbell Ave/N Lombard St. Multiple similar gatherings, including the previous night, had devolved into criminal riots. This gathering did lead to an unpermitted march and they moved directly to the PPA office building. Estimates of the crowd size, at it's peak, put their number near 150 individuals. The crowd barricaded the lanes of N Lombard St to vehicular traffic and lit a fire near the PPA offices after they arrived. Members of RRT, OSP MRT, and MMFs were directed to disperse the unlawful assembly; per the CMIC's direction.

I contacted Riehl on the NW corner of N Interstate Ave/N Russet St during a police attempt to disperse the riot. He was accompanied by a few dozen individuals and actively avoiding being arrested.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

The PPB Sound Truck had been broadcasting dispersal orders for ~36 minutes, which included the order to leave, the direction to go, the justification for why the order was being given, and a force warning to describe the potential consequences of not complying. Those announcements were very loud, easy to understand, and repeated multiple times. I believed Riehl's presence within a gathering of crowd remnants, after a reasonable time to comply with the lawful order to disperse, was enough to constitute probable cause for Interfering with a peace officer.

CONDITION PRIOR TO FORCE

☐ ARMED (ACTUALLY) ■ 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

Riehl was actively fleeing officers, including myself, who were attempting to arrest members of the crowd.

PERCEIVED CONDITION FOR LACK OF COMPLIANCE PRIOR TO FORCE

■ MEDICAL CONDITIONS ■ DEVELOPMENTAL DISABILITY ☒ DISOBEDIENT / ANTAGONISTIC ☐ OTHER

■ MENTAL IMPAIRMENT ■ MENTAL HEALTH CRISIS ☐ LANGUAGE BARRIER ■ PHYSICAL LIMITATIONS

☐ IMPAIRED FROM DRUGS OR ALCOHOL OR BOTH

EXPLAIN

Riehl attempted to break free of my grip on his body after I told him to get on the ground to be arrested.

MENTAL HEALTH

■ NONE ■ PRIOR TO FORCE KNOWLEDGE ■ OST FORCE KNOWLEDGE ■ OTHER

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EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

RRT/MRT, SERT, Air Support, Detectives, CNT, and likely others

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

Custodies were delayed and police units attempted to keep their distance from protesters. However, the crowd was insistent on pressing up against police formations.

Unless immediate police action was necessary to protect life and safety, officers did their best to give the crowd a reasonable amount of time to comply with loudspeaker admonishments and lawful orders.

Additional officers were called upon and responded as soon as the crowd became actively aggressive.

RRT squads used obstacles and geographic features of the various locations we visited, as barriers, to distance ourselves from the violent suspects; when not attempting to take custodies.

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:

I surprised Riehl and took hold of his torso, at the aforementioned location, at ~2245 hours. Other members of the small crowd he was in began to flee eastbound across N Interstate Ave. I could see he was a rioter and not a member of the press because he had outward indicators/labeling to that fact.

I felt Riehl briefly attempt to break free of my grasp by trying to twist away while my arms were around his chest. I ordered him to get on the ground and he was silent for a moment. He made no progress to get away and immediately surrendered. He lowered himself to the grassy parking strip and cooperated by putting his hands behind his back.

Riehl did not state he was injured and did not give any tangible indication he was in pain for any reason.

YES WHEN THE RESISTANCE DECREASED, I REDUCED MY AMOUNT OF FORCE TO A LEVEL REASONABLY CALCULATED TO MAINTAIN CONTROL.

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DESCRIBE WHY OTHER FORCE OPTIONS WERE REASONABLY CONSIDERED BUT NOT USED:

No other force option was reasonable to control Riehl at that time other than physical control of his body. A take down had a higher risk of injury but I felt it was reasonable to give Riehl an opportunity to comply before I did so.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

This is not necessary as I was the only officer to use any force on Riehl during this event.

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]

[redacted]THE SUBJECT WAS MEDICALLY CLEARED FROM THE FORCE EVENT

[redacted]THE SUBJECT WAS TRANSPORTED AND/OR ADMITTED BECAUSE OF MENTAL HEALTH ISSUES

[redacted]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:

It was not safe to stop and ask for witness information as the protesters present were not police-friendly. No one else was visible and available for interview. Several "members of the press" were nearby and may have recorded the event on video.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Zachary Domka	48347	EMAILED TO	SGT	Erik Koppang

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

APPROVED BY:	SGT John Sapper	DPSST:	50821

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