Force Data Collection Report

CASE # 2020-681380 | OFFICER: Livingston | DPSST: 57429 | ☐ AMENDED

DATE: 08/26/2020 | TIME: 10:03 PM | ASSIGNMENT: RRT

LOCATION: 1221 SW 4th ave, Area of SW 4th & SW Jefferson

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Unknown	UNK	UNK	MM/DD/YYYY

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

On the listed date and time I was deployed with RRT Charlie squad in response to protests in the area. This was the 89th consecutive day of protest in the city. The crowd had rallied at Shemanski park and we believed they intended to march to City Hall located at 1221 SW 4th Ave.

Over the past 89 nights, the same protest group has been targeting police facilities. The demonstrations have turned into riots at North precinct, East precinct, Central precinct, and the PPA Union office. Being that this was the same group we had resources staged in the area anticipating their arrival. We believed that given the opportunity, their intention was to try to take over the building or if that was not an option, burn it down. The protesters have shown little consideration for human life outside of their membership, and have displayed blatant disregard for the property of others. They have vandalized or burned buildings, statues, parks, streets, vehicles, and also attempted to set buildings on fire with victims inside.

We were advised that people on live streams had mentioned trying to burn down City Hall. The crowd of approximately 250 people stopped in front of the City Hall. Demonstrators began breaking out the windows and doors and breaking inside the building. The sound truck made several admonishments that due to the criminal activity, the incident was declared an unlawful assembly and the crowd was instructed to leave to the south or to the west. My team was tasked with dispersing the crowd and securing City Hall.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

The protests have been notoriously violent and destructive over the past several months, and the information provided prior to our contact was that they would likely be marching to the City Hall. The crowd stopped in front of the City Hall and began smashing windows, spray painting the building, and eventually attempted to light it on fire by taking a torch to the plywood outside. The event was declared a riot, and we initiated our dispersal.

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

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EXPLAIN

No officers were in the area prior to vandalism to the building.

Upon our arrival, the crowd was highly agitated and had a lot of energy. They were blocking the street creating a safety hazard, and damaging the front of City Hall. There were several support vehicles that had integrated in the crowd and were attempting to block streets. There were a few people holding shields, and most rioters were geared up in protective equipment including helmets, protective vests, masks and goggles.

They had engaged in destructive behavior by vandalizing and eventually setting the Hawthorne building on fire. All subjects that I used force on were engaged in physically resistant behavior after dispersal orders were announced or engaging in active aggression towards officers.

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 demonstrators were verbally and physically non compliant. They repeatedly spouted obscenities at officers and when given lawful instructions to get out of the street and disperse the area, they refused to comply. Subjects attempted to hit officers with shields, and several made unarrest attempts.

MENTAL HEALTH

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

EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

RRT Charlie Squad

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 given ample warning to disperse the area and informed that the event was deemed a riot. We attempted to allow them to control themselves prior to police interjection but it was unsuccessful. We stayed out of sight until they caused significant damage to the building.

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

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+ -	PHYSICAL RESIST	YES	CONTROL AGAINST RESISTANCE	RIGHT ARM	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

We initiated our dispersal south bound across SW Jefferson st. We contacted a large huddle of demonstrators in the center of SW 4th ave who were hiding behind a shield wall. I flanked the group, came around behind their wall, and began pulling people away from the huddle.

I made contact with an unidentified white female who was wearing all black. I grabbed her by the right arm and pulled her away from the huddle pushing her south bound away from the group. She quickly ran away.

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

DESCRIBE THIS USE OF FORCE:

I immediately grabbed a second subject from the huddle who was an unidentified subject in all dark clothing. I grabbed this person by their backpack and pushed them south bound away from the group. They left south bound from the area.

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

DESCRIBE THIS USE OF FORCE:

During the dispersal, I took a subject into custody. While on the ground with my custody, an unidentified white female subject came from behind me and drove her knee into my back left side in an attempt to unarrest my custody. I felt her attempting to push me off and then she moved in front of me to my left stumbling as she pulled her knee away from me. I swung my baton at the unidentified subject hitting her in the right side of her back. She quickly disappeared into the crowd of rioters and officers. I did not see her again after this.

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 have used pepper spray during our dispersal, but I did not want to release grip of my baton. No other tools were necessary.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I observed other officers performing pushes with their batons, struggling with custodies on the ground. Due to the chaotic nature of the event. I was unable to identify them at the time.

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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CASE #	OFFICER	DPSST	
2020-68138	Livingston	57429	☐ AMENDED

☐ 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:

There were several witnesses and cameras in the area, but none provided identification.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Ariel Livingston	57429	EMAILED TO	SGT	Tyler

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

APPROVED BY:	Sgt. Trevor Tyler	DPSST:	50003

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