Force Data Collection Report

CASE # 20 - 681384 | OFFICER: Middleton | DPSST: 56655 | ☐ AMENDED

DATE: 08 / 25 / 2020 | TIME: 10:20 PM | ASSIGNMENT: RRT

LOCATION: SW 4th Ave. and Jefferson St.

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Garcia, Adrienne	FEMALE	HISPANIC	03 / 28 / 1977

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 August 26, 2020 I was assigned to charlie squad with the Rapid Response Team. Members of a crowd of anarchists had broken into the city council building, and were discussing the possibility of setting fire to the building on live streams. Multiple acts of vandalism had already been committed. As similar situations have routinely led to life safety situations such as building fires in the past we decided to address the crowd prior to such a situation becoming apparent. An unlawful assembly announcement was made, and command staff made plans with resources from mobile field forces and county deputies to address the criminal behavior. Charlie squad was tasked with performing a dynamic movement into the crowd, and attempting custody of anarchist demonstrators with an emphasis on custodies associated with the crowd's shield wall. I encountered Adrienne Garcia immediately after the initial contact with the shield wall.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

Immediately after breaking through the line of shields the anarchists had set up I saw a subject who I recognized from a video of the night prior. He had physically assaulted me in a successful attempt to free an arrested subject from my custody. I moved to arrest him, but was suddenly hit from the side by Garcia who body checked me before I was able to reach the other subject.

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

Immediately after body checking me Garcia seized my long baton, and attempted to rip it from my grip. I yelled at her to get let go of my stick. In response she performed a maneuver that I recognized as one we are trained to do in RRT to re-establish control over our long batons by dipping down with her body weight to loosen my grip before jabbing at me with one end of my long baton.

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

Garcia was engaged in a conscious attempt to take my long baton from me, and was attempting to use it against me to accomplish this goal.

MENTAL HEALTH

■ NONE ■ PRIOR TO FORCE KNOWLEDGE ■ POST FORCE KNOWLEDGE ■ OTHER

Force Data Collection Report

CASE #								OFFICER		DPSST					
	2	0			-	6	8	1	3	8	4	Middleton		5	5	6	5	5	☐ AMENDED

EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

RRT

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

Over the course of the past roughly three months police liaisons have made regular attempts to contact demonstrators in an effort to facilitate more peaceful events. Tonight we also used the sound truck to give demonstrators orders and force warnings from a distance, gave demonstrators distances of up to a city block prior to the use of force to consider their options, and made a show of numbers to demonstrators in an effort dissuade criminal activity from the crowd.

Tonight an unlawful assembly announcement had been made at 9:48 PM giving Garcia 32 minutes to reconsider taking part in the criminal activity, and fighting with officers.

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	KICK/STRIKE	FACE	YES	YES

DESCRIBE THIS USE OF FORCE:

Prior to my encounter with Garcia force warnings were given via the sound truck more than once. When Garcia initially tried to pull my long baton away I instinctively attempted to jerk it away from her. When she attempted to jab at me with the baton I moved out of the way. At the same time another individual somehow found their way between us. I was unsure if this was an accident or if this person was attempting to assist her, but the individual wound up immediately underneath the long baton pushing up. The effect was such that I was unable to perform any of the typical maneuvers to get the stick away from Garcia, and became concerned that she may successfully pull the weapon away from me. Based on Garcia's behavior up until this point and my knowledge from the past three months that anarchist demonstrators have used batons similar to those carried by the Rapid Response Team to strike at officers in ways that have caused injuries I believed that it was absolutely imperative to prevent Garcia from acquiring my stick in order to prevent potentially serious physical injuries to myself or others. With no other available targets due to the individual between us I struck Garcia once in the face with a closed fist. She stumbled back briefly, but did not loosen her grip on my long baton.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	TAKE DOWN	TORSO	YES	YES

DESCRIBE THIS USE OF FORCE:

Force Data Collection Report

CASE # 20 - 681384 OFFICER Middleton DPSST 56655 ☐ AMENDED

As Garcia was recovering the individual who had been underneath the baton between us moved out of the way. I moved forward quickly, and used the baton along with my body weight to bear Garcia down to the ground. Once she was on the ground she immediately pitched over with her hands still on my baton, and started to drag it underneath her.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	CONTROL AGAINST RESISTANCE	RIGHT ARM	YES	YES

DESCRIBE THIS USE OF FORCE:

I put my body weight on top of Garcia, and took hold of her right arm. She thrashed underneath me, and attempted to pull away. I started pulling her arm out. She continued to thrash, and started to pull away again.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	CONTROL AGAINST RESISTANCE	HEAD	YES	YES

DESCRIBE THIS USE OF FORCE:

Before Garcia could escape with my baton I hooked my fingers underneath the front of her helmet, and pulled her head up in a manner I intended to be uncomfortable and difficult to break away from. I noted that the chin strap was firmly seated on her chin exerting no pressure on her throat. I told her that if she did not immediately release my long baton that I would punch her again. She released the baton, and I handed it off to a county deputy who was standing close by. I then notified Garcia that she was under arrest.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	PHYSICAL RESIST	YES	RESISTED HANDCUFFING	HANDS	YES	YES

DESCRIBE THIS USE OF FORCE:

Garcia attempted to pull her hands away from me when I attempted to put her into flex cuffs. I had to force her hands into position, and hold them there to successfully get flex cuffs onto each wrist.

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

DESCRIBE THIS USE OF FORCE:

Garcia attempted to break free from me a couple of times while I was escorting her back to where we would be waiting for the field arrest team to arrive. Once we reached the location where we were to meet the field arrest team I had to put Garcia up against a patrol vehicle, and hold her in place with my body weight to stop her continuing efforts to break free from me. Once the field arrest team arrived Garcia remained verbally aggressive, but stopped physically resisting. No further force was used.

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:

Garcia was fighting me over my long baton, and I needed both hands engaged in that fight making it impractical to attempt to retrieve my pepper spray.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I was the only officer involved in this particular custody.

SUBJECT INJURY AND/OR TREATMENT

Force Data Collection Report

CASE #	OFFICER	DPSST	
20 - 681384	Middleton	56655	☐ AMENDED

	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

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 the crowd it would have been unsafe or unreasonable to attempt to locate or interview witnesses.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Trevor Middleton	56655	EMAILED TO	SGT	T. 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