Force Data Collection Report

CASE # 2020-681565 | OFFICER Westerlund | DPSST 52338 | ☐ AMENDED

DATE 09/03/2020 | TIME: 11:58 PM | ASSIGNMENT: RRT

LOCATION 4735 E Burnside St (South East Precinct)

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
O'NEILL, Devin	MALE	WHITE	09/29/1990

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 night of 9/3/2020 I was assigned to the the Rapid Response Team, Delta Squad. We were assigned to manage a crowd that had gathered outside of South East Precinct. Members of the crowd were making threats to burn down the precinct and many members of the crowd were throwing items toward police, that were striking police vehicles.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

I was informed by Ofc Li that she had probable cause to arrest O'NIELL for Criminal Misc II and Disorderly Conduct II. She said that she witnessed O'NEILL throw a rock that struck a patrol vehicle. See her report for more details. Ofc Li pointed O'NEILL out to me and confirmed he was the correct subject. O'NEILL was part of a hostile crowd that gathered outside of South East Precinct.

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

O'NEILL was reported to be armed with rocks that he was throwing at police vehicles and in the direction of police officers. O'NIELL engaged in physical resistance in that he ran from police and attempted to pull away from officers as they attempted to arrest him.

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]HYSICAL LIMITATIONS

☐ IMPAIRED FROM DRUGS OR ALCOHOL OR BOTH

EXPLAIN

I perceived O'NEILL's lack of compliance was due to disobedient and antagonistic behavior. He was witnessed throwing rocks at police vehicle and he attempted to flee from officers as they moved in to arrest him. O'NEILL was also part of the crowd that was chanting to burn down the precinct.

MENTAL HEALTH

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

EXPLAIN

[redacted]

SPECIALTY UNITS

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YES, WHICH ONES? — SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

There was an RRT squad and I am an ECIT officer.

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

Police attempted to stay out of site and not engage the crowd. They gave announcements from a safe distance. We had numerical superiority.

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	TAKE DOWN	BACK	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave several force warnings prior to the arrest.

I was tasked with moving in to make the arrest of O'NEILL. As we approached O'NEILL he attempted to flee by running west on E Burnside. I feared that O'NEILL would be able to escape custody if I did not act quickly. I ran in his direction just as I saw Ofc Wheeler take control of O'NIELL and make a sudden stop. I witnessed O'NEILL engage in physical resistance by attempting to pull away from Ofc Wheeler. Due to my forward movement and their sudden stop, I was unable to stop in time. I ran into the back of Ofc Wheeler causing O'NEILL, Ofc Wheeler, and myself to fall to the ground. It was not my intention to knock them to the ground.

O'NEILL was taken into custody without further incident.

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 considered other force options such as pepper spray but O'NIELL quickly complied and I did not feel pepper spray was necessary at that time.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

As I ran into Ofc Wheeler, I witnessed him maintain control of O'NEILL as we fell to the ground.

SUBJECT INJURY AND/OR TREATMENT

	TYPE OF INJURY	OBSERVATION	LOCATION OF INJURY	INJURY ATTRIBUTED TO	INJURY TREATMENT
+ -					

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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 this 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
L. Westerlund	52338	EMAILED TO	SGT	Koppang

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

APPROVED BY:	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