Force Data Collection Report

CASE # 2020-681677 | OFFICER TERRETT | DPSST 58225 | ☐ AMENDED

DATE 09/26/2020 | TIME: 10:00 PM | ASSIGNMENT: RRT

LOCATION: SW 4th Ave & SW Madison St

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Unknown	MALE	WHITE	01/01/1980

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

On 09/26/2020 at 0800 hours I was assigned to RRT. After largely peaceful protests throughout the day Saturday, several hundred protesters gathered in Downtown Portland around 8:30 pm. in Lownsdale and Chapman Square Parks.

As the crowd grew, many gathered in the street at SW 3rd Avenue and SW Main Street, blocking the street near the Justice Center. At this time an unlawful assembly was declared.

The incident was under the Unified Command of Oregon State Police and the Multnomah County Sheriff's Office.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

Warnings were provided to the crowd at SW 3rd Avenue and SW Main Street via loudspeaker to vacate the roadway because it was open to vehicular traffic. Despite multiple warnings, much of the group remained in the street.

While attempting to disperse the crowd projectiles were thrown at officers including full beverages cans, firecrackers and rocks. I observed multiple objects being thrown at Officers as well as a 16oz unopened beer can hitting a Sergeant on the head after being thrown from a far. Based on my training and experience this was not a crowd of people who wanted to engage in a peaceful protest.

After an unlawful assembly was declared, and on the instruction of Incident Command, RRT was instructed to disperse the crowd to the North and the West. The unknown subject I used force on was part of this crowd and refusing to disperse.

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 large group of protesters had already engaged in the above listed criminal actions, and been told to disperse after the unlawful assembly was declared. There was time, opportunity, and avenues of escape readily available for the people making up the crowd to leave. They did not disperse, and instead continued engaging in multiple criminal activity. People within the crowd threw multiple projectiles at officers, including fireworks, large rocks, and full cans of beer.

The unknown subject I used force on was physically pushing back against me as I moved forward with the line.

PERCEIVED CONDITION FOR LACK OF COMPLIANCE PRIOR TO FORCE

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[redacted] MEDICAL CONDITIONS
[redacted] MENTAL IMPAIRMENT
[redacted] DEVELOPMENTAL DISABILITY
[redacted] MENTAL HEALTH CRISIS
☒ DISOBEDIENT / ANTAGONISTIC
☐ LANGUAGE BARRIER
☐ OTHER
[redacted] PHYSICAL LIMITATIONS
☐ IMPAIRED FROM DRUGS OR ALCOHOL OR BOTH

EXPLAIN

I perceived the Unknown Suspects lack of compliance was because he was disobedient and antagonistic. The Suspect chose to stay in the area after multiple instructions and ample time to leave the area. The Suspect was also provided clear instructions as to what would be the consequences if he did not leave the area.

MENTAL HEALTH

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

EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

Rapid Response Teams, Multiple Mobile Field Forces, Traffic Bikes, Soundtruck, Field Arrest Team.

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

Sound truck gave orders to disperse. The orders were given from a safe distance. The order was repeated and an hour was given for the crowed to comply. We also had multiple officers on scene.

Officers also attempted to disengage and leave the area multiple times in an effort to de-escalate, but each time as they retreated, individuals in the crowd threw projectiles at officers and re-entered the street.

The soundtruck gave numerous force warnings prior to any of the force used below.

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	BACK	YES	YES

DESCRIBE THIS USE OF FORCE:

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The Unknown Suspect was what I perceived to be a large set male dressed in dark clothing with a face wrap on concealing their identity. As we began pushing a suspect stopped in front of me and refused to move. I yelled at them to move. They had plenty of room to move forward. They were facing away from me. I gave them a baton push to their back. I had both hands on my baton and it was held horizontal as taught at the training division.

As I pushed the suspect I felt, through my baton, substantial body protection/armor around their back. My push appeared to have little affect. The suspect did not turn around and proceeded to slowly move forward a couple of steps, much slower than a normal walking pace.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	PHYSICAL RESIST	YES	CONTROL AGAINST RESISTANCE	BACK	YES	YES

DESCRIBE THIS USE OF FORCE:

Given the Unknown Suspect's clear intent to not move as directed, and the fact our line of officers was moving beyond the suspect, I yelled move again and gave them a second baton push - same technique, both hands on my baton held horizontal.

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

DESCRIBE THIS USE OF FORCE:

Again the suspect was able to withstand my push and hold their pace slowly taking a step forward. Again I yelled move and gave them a third baton push - same technique, both hands on my baton held horizontal.

At this point I was able to move the suspect to beyond the point of where our line was currently maintaining, and it was my opinion that there was no need for any further pushes.

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:

Many other force options such as OC would not have been reasonable due to the close quarters with other officers as well as legal observers.

Based on my training and experience I believe the force utilized was the least amount of force I could have used to safely accomplish the required task.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I observed several other unknown officers utilizing baton pushes and taking subjects into custody.

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

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■ 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, no witnesses came forward to give a statement regarding my use of force.

MEMBER INJURY

■ **I WAS INJURED DURING THIS INCIDENT**

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
TERRETT	58225	EMAILED TO	SGT	CARROLL

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

APPROVED BY:	Carroll	DPSST:	33550

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