Force Data Collection Report

CASE # 2020-681686 | OFFICER Westerlund | DPSST 52338 | ☐ AMENDED

DATE 09/18/2020 | TIME: 10:25 PM | ASSIGNMENT: RRT

LOCATION: SW Moody Ave / SW Abernathy St

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
BRUNOLA, Aiden Biago	MALE	WHITE	06/12/1999

TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK DOMESTIC RELATED? ☐

EXPLAIN

On the night of 9/18/2020 I was working as a member of the Rapid Response Team, Delta Squad. We were assigned to assist in manager a crowd that had gathered outside of the ICE building in the South Waterfront. Due to the crowd's assaultive and criminal behavior it was deemed a civil disturbance.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

Member of the crowd had begun throwing items at police to include rocks, paint balloons, and fireworks. In addition, many members of the crowd were forming a line and was blocking traffic. Most of the crowd refused to leave the area after dispersal orders were given to to it being deemed a civil disturbance.

As Delta moved in to address the crowd and make arrests, I witnessed BRUNOLA standing in the middle of the street facing federal police with a shield in an attempt to prevent the from moving forward. I witnessed Ofc Wheeler attempting to take a custody of an unknown subject behind BRUNOLA. I then saw BRUNOLA strike Ofc Wheeler in the face with BRUNOLA's shield. BRUNOLA then resisted our efforts to take him into custody. I had probable cause to arrest BRUNOLA for assaulting a police officer, disorderly conduct, and interfering with a police officer.

CONDITION PRIOR TO FORCE

☒ ARMED (ACTUALLY) [redacted] ENTAL 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

BRUNOLA was armed with a shield which he had used to strike Ofc Wheeler. BRUNOLA then engaged in physical resistance by attempting to flee from us and actively resisted our efforts to place him into custody.

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

I believed that BRUNOLA's lack of compliance was due to his disobedient and antagonistic behavior. BRUNOLA refused to leave the area after being directed to do so multiple times. He was standing in the street, holding a shield, blocking traffic. BRUNOLA struck and officer in the face, ran from the police, and actively resisted out efforts to take him into custody.

MENTAL HEALTH

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

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EXPLAIN

[redacted]

SPECIALTY UNITS

YES, WHICH ONES? SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

There was an RRT team, multiple mobile field force teams, 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

The sound truck gave numerous warning to leave the area and they were given time to comply. Officers stayed out of the area and were not visible to the crowd. We had numerous officers respond to the event.

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	CONTROL AGAINST RESISTANCE	HEAD	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave several force warning that it has been deemed a civil disturbance and to disperse from the area or they may be subject to arrest and or use of force.

As Delta Squad moved into the area to make arrests of subjects who were standing in the street and engaged in criminal activity, I witnessed Ofc Wheeler attempting to take an unknown subject into custody. I then saw BRUNOLA turn and strike Ofc Wheeler in the face with BRUNOLA's shield. BRUNOLA then took off running but kept running into people, slowing him down.

Ofc Wheeler took control of BRUNOLA who began to actively resist by pushing and twisting his body in an attempt to break free. I feared that if I did not act quickly, BRUNOLA would escape custody. I tried to grab BRUNOLA by the head, to drag him to the ground where we could maintain better control. However, due to BRUNOLA twisting, pulling, and attempting to break free so aggressively I was not able to take him to the ground. I still had a hold of the back of his head but tried to pin him against a nearby car, against resistance, to maintain better control of him.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	KICK/STRIKE	FACE	YES	YES

DESCRIBE THIS USE OF FORCE:

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The sound truck gave multiple force warnings.

BRUNOLA continued to twist his body and was pushing me in attempts to break free to escape custody. As I continued to try to pull him to the ground, I felt one of BRUNOLA's hands grab at my waste line. I feared that BRUNOLA was trying to access one of my weapons, specifically my firearm, which I carry on my belt. I was worried that if he was able to access my firearm that the incident would evolve into a deadly force scenario and someone would be seriously injured. I struck BRUNOLA in his face with a closed fist in an attempt to distract him and get him to release my belt line.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	KICK/STRIKE	FACE	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave multiple force warnings.

I could still feel that BRUNOLA was grabbing at my waist line and was still concerned that if he was able to access my weapon that someone would get seriously injured. I struck BRUNOLA in the face, with a closed fist, in an attempt to distract BRUNOLA to prevent him from accessing my weapon. I could no longer feel BRUNOLA's hands near my waste line but he continued to resist.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	PHYSICAL RESIST	YES	TAKE DOWN	HEAD	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave multiple force warnings.

BRUNOLA continued to resist our efforts in taking him into custody. He was pushing at us, twist his body, and attempting to duck out of our control. I feared that BRUNOLA was going to escape custody. BRUNOLA was slightly hunched over and put my hands on the back of his head and pulled him in a downward motion to the ground in an attempt to maintain better control. BRUNOLA had his hands free and was able to catch himself with his hands.

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

DESCRIBE THIS USE OF FORCE:

The sound truck gave multiple force warnings.

BRUNOLA landed on his stomach when he had gone to the ground. I applied downward pressure, using the palms of my hands, on the crown of his head in attempt to control BRUNOLA and pin him to the ground. I was sure not to obstruct his airways. BRUNOLA continued to kick, twist his body, and twist his head in an attempt to break free from police custody. BRUNOLA was able to roll to his back where he was facing us. While on his back BRUNOLA was still pushing in an attempt to get away. I was no longer on his head at this point.

BRUNOLA was pepper sprayed by another officer and after being pepper sprayed BRUNOLA quit resisting and we were able to get him 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 I feared if I attempted to access my pepper spray, it would give him the opportunity to escape custody.

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GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I witnessed Ofc Wheeler use control against resistance and assist with the take down. I witnessed Sgt Kofoed pepper spray BRUNOLA.

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
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 I needed to stay with my squad to maintain line integrity.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
L. Westerlund	52338	EMAILED TO	SGT	Tyler #50003

**********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