Force Data Collection Report

CASE # 2020-681729 | OFFICER: Maxey | DPSST: 40930 | ☐ AMENDED

DATE: 09/26/2020 | TIME: 11:55 AM | ASSIGNMENT: OTHER

LOCATION: Peninsula Park

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Dietzschold, Grace	FEMALE	WHITE	02/26/2002

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

I was assigned as squad leader of a mobile field force squad with Training Division officers in response to ongoing riots and unlawful, violent demonstrations throughout Portland, which have been going on nightly for over four months. As the events have drawn on, the protests have become increasingly violent toward police. Millions of dollars in vandalism had been done in the downtown core and across the city, much of it graffiti with messages to kill police. Events in previous nights had quickly devolved into riots in which looting and arsons have occurred. I've personally witnessed countless attempts to assault officers with bricks, explosives, rocks and bottles, including one instance where I was struck in the leg with a glass bottle, [redacted] Additionally, several guns have been recovered during arrests of the protesters, leading to increased concerns for officer safety. Several other cities across the country have seen violent attacks on police with firearms during related demonstrations, as well as ambush style attacks. Here in Portland, there have been reports of people providing baseball bats, projectiles and even a flame thrower to demonstrators to use against police. Recently, a subject was arrested outside of the federal courthouse after attacking federal officers with a sledge hammer. Individuals in the crowd have engaged officers with high powered slingshots using steel ball bearings as projectiles. A more recent tactic being used by the rioters is to pull officers into the crowd and to beat them with fists and blunt objects. Criminal participants in these crowds have also used homemade shields and umbrellas in an attempt to mitigate the effects of chemical agents and other crowd control munitions. They have also used these same shields as blunt impact weapons in their attacks on officers. This group has made efforts to burn down police precincts after barricading officers and civilian staff inside. In almost 19 years with the Portland Police Bureau, with 13 years experience on the Rapid Response Team, I have never seen crowd events so violent with participants so intent on damaging police facilities and hurting police officers.

For this event, Training Division was assigned to support the Traffic Division in traffic stops and vehicle interdictions related to the violent criminal activity. Part of the goal was to be a visible presence, but also to intercept vehicles carrying objects and supplies that could be used as weapons against citizens or police.

While working in the area around Peninsula Park, people were observed moving supplies and shields from a bus into the park. As mentioned above, these shields have been used as weapons against police and citizens. Incident Command instructed Traffic officers to make an attempt to confiscate the shields, weapons and direct actions devises. Traffic officers contacted the group and were immediately met with hostility by the uncooperative extremists. Traffic officers called for cover and Training Division officers responded in that capacity.

When I arrived there were several people involved in somewhat of a standoff with Traffic officers. The Traffic officers were calmly trying to gain cooperation from the hostile group, but the group was continuously yelling and swearing at the Traffic officers. It was apparent, based on what I was seeing and my recent experience with this group, no amount of talking was going to gain their cooperation.

I saw an opportunity to seize one of the shields being held by a subject dressed in all black. I approached the subject from behind and pulled it away from the person without incident. I then took the shield, which appeared to be made from a hard, rigid plastic material with pipe insulation and duct tape around the perimeter, to a patrol vehicle. I then returned to find several people standing on the shields on the sidewalk. I again approached from behind one of the subjects, and gently pushed from behind on the back of that person's legs. That person stepped off of the shield and I grabbed it. As I began to pick it up, I looked up just in time to see DIETZSCHOLD forcefully swinging one of the shield toward my face in a downward motion. I looked away and felt the edge of the shield impact the back of my head [redacted] I then redirected my attention to DIETZSCHOLD.

LEGAL AUTHORITY FOR CONTACT

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☐ REASONABLE SUSPICION
☒ PROBABLE CAUSE
☐ WARRANT/JUDICIAL DECREE
☐ CIVIL HOLD
☐ OTHER
☒ CIVIL UNREST

EXPLAIN

At the time I contacted DIETZSCHOLD, I had probable cause to arrest her for Attempted Assault on a Police Officer, Harassment and Disorderly Conduct.

CONDITION PRIOR TO FORCE

☒ ARMED (ACTUALLY)
☐ REPORTED TO BE ARMED
☐ ARMED (PERCEIVED)
[redacted] MENTAL HEALTH INFLUENCE (PERCEIVED)
☐ UNDER THE INFLUENCE OF DRUGS
☐ UNDER THE INFLUENCE OF ALCOHOL
☐ PASSIVE RESISTANCE*
☒ ENGAGED IN PHYSICAL RESISTANCE
☐ OTHER
☐ NONE

EXPLAIN

DIETZSCHOLD was armed with a shield which she used as a blunt impact weapon. It was later discovered she was also armed with pepper spray.

PERCEIVED CONDITION FOR LACK OF COMPLIANCE PRIOR TO FORCE

[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

DIETZSCHOLD attacked a uniformed police officer engaged in lawful activity.

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?

Traffic Division, Training Division, Mobile Field Force

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

Traffic Division officer had tried for several minutes to simply talk to the people who were bringing weapons and direct action devices into the park. Additionally, by intercepting the weapons prior to them being supplied to the crowd, it would likely prevent increased levels of force by officers later in the event when it very likely devolved into a civil disturbance as these events have most nights over the course of several months.

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.

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CHRONOLOGICAL USE OF FORCE

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	NO, EXPLAIN	CONTROLLED TAKE DOWN	RIGHT ARM	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

Once I realized DIETZSCHOLD had struck me in the head with the shield, I immediately shifted my focus to her. I felt it was necessary to defend myself from any further attack. I quickly stood and found she was within arm's reach, still holding the shield she had just struck me in the head with. Because this was an unprovoked and unexpected assault, I felt I had to do something immediately as to not be struck again. Therefore, I did not take the time to give a force warning before addressing DIETZSCHOLD'S active aggression. As I reached out to grab onto her to gain control and prevent further assault, I saw Sergeant Holbrook grab onto her left arm. I shifted to her right side and grabbed onto her right arm. DEITZSCHOLD was making an effort to pull her arms away and, with several other hostile subjects in the immediate area, it was clear we had to do something in order to gain control of her quickly. I felt if we did not, we would continue to struggle with her while standing in the middle of the other armed agitators.

Given DEITZSCHOLD was actively resisting, Sergeant Holbrook and I pushed her away from the hostile group and toward a line of officers. Although she was small in stature, it still would have been difficult to gain control enough to handcuff her without taking her balance away from her. We coordinated a controlled take down of DEITZSCHOLD in which we pushed her into a prone position. We slowed her descent prior to her being on the ground. We were then able to handcuff her without further resistance.

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:

Given the dynamic situation in the midst of multiple armed and hostile individuals, a controlled take down was the best available option. Due to DIETZSCHOLD'S assault on a police officer, much more force could have been used during the arrest.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I saw Sergeant Holbrook work in coordination with myself to take DIETZSCHOLD to the ground.

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

☐ I ATTEMPTED TO LOCATE WITNESSES AND NONE WERE LOCATED.

☐ _____ ATTEMPTED TO LOCATE WITNESSES AND NONE WERE LOCATED

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☒ 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 multiple hostile witnesses to this event, but as with any of these other events over the course of the past months, none are willing to give their information or to even speak with police other than to yell, swear and insult them. Most witnesses were dressed in all black with their faces and heads covered.

MEMBER INJURY

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

	TYPE OF INJURY	LOCATION OF INJURY	INJURY ATTRIBUTED TO	TREATMENT	INJURY LOG?	DISABILITY PACKET COMPLETE
+ / -	[redacted]					

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Brent Maxey	40930	EMAILED TO	SGT	Ryan Coffey

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

APPROVED BY:	Sergeant Coffey	DPSST:	35623

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