# Force Data Collection Report



CASE # 2020-681732 | OFFICER McCormick, Dave | DPSST 28717 | ☐ AMENDED

DATE 09/26/2020 | TIME: 9:42 PM | ASSIGNMENT: DET

LOCATION: Justice Center, Detective Division, conference room where Formal Arrest interviews take place

| NAME (LAST, FIRST M) | GENDER | RACE | DATE OF BIRTH |
|---|---|---|---|
| COLTEN, Michael | MALE | WHITE | 06/13/1992 |

## TYPE OF CALL - REASON FOR CONTACT

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

☐ TRAFFIC STOP ☒ OTHER ☐ MERE CONVERSATION ☐ WELFARE CHECK

EXPLAIN

Arrested during civil disturbance then transported to Detective Division/Formal Arrest for interview/processing/booking.

## LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

The placard information indicated Colton was arrested during a civil protest for Interfering with Police Officer/Disorderly Conduct II/ Escape III.

## 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

When Colten arrived on the floor to be processed, he initially sat down, then began saying he didn't know anything, was looking around, and then slid down in his seat and rested on his back. I told Colten to sit up but he didn't comply and made a crying sound (without tears) then abruptly stopped. Using his first name, I asked Colten to sit up. He didn't comply. I told him we would get through the process faster if he listened and followed directions. I asked Colten to stand, he did. I escorted him into the formal arrest conference room and instructed him to stand on the silver (duct-tape) "X" on the floor. Initially, Colten stood where instructed but began to step forward and to the side as I (with a blue gloved hand) tried to position the placard at chest level for the photograph. Colten ducked his head and turned away from the camera. I told Colten to look up and/or look at the camera but he refused. After Det. Wollstein controlled Colten's position and a photo was taken, Colten thumped against the wall. I looked up and saw Colten banging his head against the sheet rock wall. I grabbed Colten's arm and pulled him away from the wall to prevent potential injury. Colten pulled away from my grip and thumped his head against the sheet rock once or twice more. I grabbed Colten by the left arm a second time and felt his arm and body tense as he yelled something. Sgt. Clinton took control of Colten and began to escort him to a holding cell, I went with him. As we moved Colten to the cell, he began to squat, kick out his legs, and tried to catch a foot on the doorway while yelling. We got to the holding cell and I opened the door. Sgt. Clinton put Colten in the holding cell and I followed. I told Sgt. Clinton to disengage and he moved past me as I monitored Colten; then I backed out of the cell and the door was closed. Sgt. Clinton began writing Colten's info on the holding cell dry erase board. Based on the unpredictable behavior of Colten, we did not immediately have an opportunity to remove shoes/belts/loose clothing as he was placed in the cell.

## 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

Colten chose to follow commands on an unpredictable basis and based on my experience, it could have been a result of [redacted]

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[redacted] due to impairment from drugs/alcohol, and a generally antagonistic response to police authority.

## 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 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**

I attempted to a conversational tone to encourage Colten to comply - it had limited success. I also gave him direct verbal direction - it had little to no effect.

## 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 | NO, EXPLAIN | CONTROL AGAINST RESISTANCE | LEFT ARM | YES | YES |

**DESCRIBE THIS USE OF FORCE:**

As Colten tried to hit his head against the wall, I tried to pull him away from the wall by his left arm. Colten broke free of my grip and repeated his attempt at self-injury. I believed it would be dangerous to Colten's safety to try and warn instead of take action.

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

**DESCRIBE THIS USE OF FORCE:**

As I assisted Sgt. Clinton in the escort to the holding cell, Colten tried to squat, pick up his legs, and hook his foot against the door frame. I told Colten to "walk" and to "stop" as I had control of his left arm to control his forward movement.

YES WHEN THE RESISTANCE DECREASED, I REDUCED MY AMOUNT OF FORCE TO A LEVEL REASONABLY CALCULATED TO MAINTAIN CONTROL.

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**DESCRIBE WHY OTHER FORCE OPTIONS WERE REASONABLY CONSIDERED BUT NOT USED:**

No other force options were appropriate given the time, space, and proximity to other sworn personnel.

**GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:**

Det. Wollstein controlled Colten's upper body and head. Det. McCollister grabbed Colten's arm to prevent him from self-injury. Sgt. Clinton escorted Colten to the holding cell.

## 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

☐ 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:**

This event occurred inside a police facility thus no witnesses were located.

## MEMBER INJURY

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

## SIGNATURE

| SIGNATURE | DPSST | | RANK | NAME |
|---|---|---|---|---|
| Dave McCormick | 28717 | EMAILED TO | SGT | Bret Burton |

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

| APPROVED BY: | Sgt. Bret Burton | DPSST: | 43860 |
|---|---|---|---|

| 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 |
|---|---|---|---|---|