Force Data Collection Report

CASE # 2020-681732 | OFFICER Wollstein | DPSST 39011 | ☒ AMENDED

DATE 09/26/2020 | TIME: 9:40 PM | ASSIGNMENT: DET

LOCATION: Central Precinct/ 13th floor/ large conference room

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

During a protest near Central Precinct, Mr. Colten was arrested for IPO, Disorderly Conduct II, and Escape III. Mr. Colten was transported to Central Precinct, to the 13th floor, where I was assigned to work on the Formal Arrest Team.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☐ CIVIL UNREST

EXPLAIN

Mr. Colten arrested at a protest for IPO, Disorderly Conduct II, and 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

The suspect disobeyed my instructions to hold his head up and face the camera for required photographs during the arrest process.

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

While waiting in the hallway, before coming into the large conference room, the suspect appeared to fall asleep in his chair for a few moments, as if he had been drinking or using drugs. After he came into the large conference room for photographs, I told him several times to hold his head up and face the photographer so we could take photos of him. The suspect kept lowering his head, looking down, looking away, trying to hide his face and avoid having the photographs taken. I told him several times to stop and hold his head up.

MENTAL HEALTH

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

EXPLAIN

[redacted]

SPECIALTY UNITS

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N/A — SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

No specialty units were required.

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

We talked with the suspect for a few minutes before he entered the large conference room. We had several Detectives present with him. We clearly explained what we wanted him to do and why we wanted him to do it. I gave him several opportunities to comply.

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	HEAD	NO, EXPLAIN	NO

DESCRIBE THIS USE OF FORCE:

The Formal Arrest Team has a method of processing suspects arrested at the protests. In the first part of the process, we have the suspect stand on a mark on the floor. We hold a placard in front of them; the placard contains the suspect's biographical information, his crimes, the arresting Officer, the location of arrest, and so on. We take photos of the suspect with the placard in front of them from the front, side, and rear, so we can keep track of the many people arrested. If we fail to do this, it is easy to confuse all the people arrested, and this prevents effective prosecution of them later.

Mr. Colten was standing on the mark, with the placard in front of him, and he kept moving his face to prevent us from taking photos of him. I told him repeatedly to hold still and face the photographer, so we could take the photo from the front, but the suspect kept moving, ducking, and averting his face. In order to hold Mr. Colten's head still so we could photograph him, I took control of his head and jaw line with my hands, and held him still against the wall. After a few seconds, I released him and told him to turn to the side so we could take a photo from the side. He then began yelling and he banged his head up against the wall.

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 wanted Mr. Colten simply to hold his head still. Using physical control was the only reasonable and appropriate way to accomplish that.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

When Mr. Colten began to bang his own head against the wall, I saw Sgt. Clinton grab him and stop him from hurting himself.

SUBJECT INJURY AND/OR TREATMENT

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	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:

This happened inside Central Precinct - a police facility closed to the public.

MEMBER INJURY

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

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
H. Nathan Wollstein	39011	EMAILED TO	SGT	Bret Burton (# 43860)

**********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