Force Data Collection Report

CASE # 2020-681736 | OFFICER Livingston | DPSST 57429 | ☐ AMENDED

DATE 09/26/2020 | TIME: 2125 PM | ASSIGNMENT: RRT

LOCATION SW 3rd & SW Main

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Martin, Ruby	FEMALE	BLACK	10/17/1989

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

On the listed date and time I was deployed with RRT Charlie Squad in response to protests in the area. This was one of over 100 days of protests in the city and we were given information that the crowd planned to rally in downtown Portland and target the Justice Center and Central precinct.

The group had gathered in Chapman square and we anticipated that they would attack both the Justice Center and potentially the Federal Courthouse. The demonstrators were blocking the streets and causing a safety hazard. When officers arrived on scene, demonstrators began throwing projectiles at officers to include rocks, bottles, fireworks, and full soda cans. The event was eventually declared an unlawful assembly and we began dispersing the crowd. The crowd was advised several times by the sound truck to disperse to the north or west.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

The protesters were blocking the street and refusing to remain on the sidewalk. When we arrived, we began taking custodies and the crowd began throwing projectiles at officers to include fireworks, glass bottles, rocks, and full soda cans. Martin was standing on the west sidewalk. She eventually stepped into the roadway and moved towards officers taking another custody this was when I contacted her.

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

Martin was immediately confrontational when we arrived. She was standing on the sidewalk shouting at officers. She addressed me by my helmet number and told me something to the effect of "You know I ain't gonna let you take one of us right? I am going to take them back." This meaning she would intentionally interfere with arrests that officers attempted to make.

Officers were attempting to effect an arrest in the street and Martin walked into the street towards them. I stepped in front of her and I advised her 3 or 4 times to move back onto the sidewalk. She was pointing over my shoulder and refusing to follow my instructions to move back.

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

Martin was verbally and physically non compliant. She was shouting obscenities and threatening to interfere with custodies. Martin was

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5'6" weighing 250lbs which was significantly bigger than me which concerned me knowing that it would take more officers to control Martin if she began acting out.

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?

RRT Charlie Squad.

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

Officers kept distance from Martin. When she entered the street, I gave her several warnings to leave the street.

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	TORSO	YES	YES

DESCRIBE THIS USE OF FORCE:

After several warnings to get out of the street, Martin continued to point over my shoulder and was taking steps towards the custody location. She was shouting and was balling her fists as she approached and I could see her moving her weight from one foot to the other as she stood in front of me as if preparing to fight. Using a two handed grip on my baton, I pushed her targeting her chest in an attempt to get her away from the other officers and back onto the sidewalk. If Martin had been able to gain control of my baton, She could have used it as a weapon against me or other officers.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	CONTROL AGAINST RESISTANCE	HEAD	YES	YES

DESCRIBE THIS USE OF FORCE:

Martin immediately grabbed my baton and quickly pushed me back. Due to her significant size, it was easy for her to push me back and struck me in the chest/neck area grabbing me in the vest. officers quickly jumped in to assist me and took Martin to the ground. Once on the ground, I began segmenting her head and trying to control her movements. I placed my hands on her head and applied pressure down in order to stop her from regaining control and being able to get back up. I told her to stop resisting or more force would be used.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE

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+ -	PHYSICAL RESIST	YES	RESISTED HANDCUFFING	RIGHT ARM	YES	YES

DESCRIBE THIS USE OF FORCE:

More officers began assisting in taking Martin into custody. Martin was actively pulling her arms away from officers as we tried to get her into handcuffs. She was trying to push herself off the ground and was repeatedly gripping at my hands as I tried to control her right wrist. During this time, Martin was sprayed with pepper spray by another officer. Her large size made it difficult to get a single pair of handcuffs on her. When we attempted to use two sets, She was able to rip the cuffs apart and placed her hands back in front of her body. She was advised several times during the altercation to relax her arms and stop fighting.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	PHYSICAL RESIST	YES	RESISTED HANDCUFFING	RIGHT ARM	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

I grabbed Martin's right arm again and was able to pull it back around to her back. She was actively trying to pull it back forward away from my grip. Once I got her arm behind her, I placed my right elbow into her shoulder and moved my knees towards her body so that she could not swing her arms back around. At some point during the second attempt to handcuff Martin, I believe a second burst of pepper spray was deployed but I do not know by which officer. I was able to pin her arm behind her back until other officers were able to get the handcuffs on her a second time. At this point she said "Okay, I'm done." She did not resist further.

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 could have pepper sprayed Martin but I was already going hands on with her and did not want to lose what grip I had on her.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

I observed other officers struggling to get Martin into custody. Ofc. Terrett took Martin 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

☐ 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 rapidly evolving and chaotic situation, It would not have been safe for me to identify witnesses at the time. I remained with Martin until she was taken for transport by the field arrest team.

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MEMBER INJURY

☐ I WAS INJURED DURING THIS INCIDENT

SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Ariel Livingston	57429	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