Force Data Collection Report

CASE # 2020-681753 | OFFICER Harris | DPSST 47653 | ☐ AMENDED

DATE 09/26/2020 | TIME: 11:58 PM | ASSIGNMENT: RRT

LOCATION SW 5th and Taylor

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
Longoria, Nicholas	MALE	HISPANIC	12/11/1996

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 said date and time I was assigned to the Rapid Response Team (RRT) Charlie Squad as a grenadier. This protest/ demonstration was directly related to the death of George Floyd. From 5/29 through 09/23 there have been on-going marches and demonstrations occurring throughout day and night. On majority of these dates, if not all, PPB has deemed these events as an unlawful assembly/ civil disturbance/ riot from various dates. Each night, PPB precincts as well as the downtown Portland core area, including the Federal ICE building, have sustained numerous and on-going property damage, fires being set, looting, objects being thrown at police (rocks, bottles, batteries, incendiary devices, laser being pointed in eyes of officers, etc) and assaults. A group has also specifically targeted Mayor Ted Wheeler's residence. There has also been reports of assaults and a homicide with a firearm that are directly related to these events. In addition, numerous firearms have been confiscated off individuals that are directly related to these events.

On this date, an anti police group(s) had organized a demonstration at the Justice Center/ Federal Courthouse and Central Precinct. For the past weeks (minus the hiatus due to the wildfires), this particular group has been extremely hostile towards law enforcement and has engage in active aggression and physical resistance type behavior (physically fighting with police, carrying shields, green lasers and throwing projectiles including rocks, glass bottles and incendiary devices which included molotov cocktails). This group is associated to the physical destruction at other PPB precincts, including fires being set to the PPA Union office (past dates). This group continues to show intent of harming police and/or being destructive of police property as well as public and/or private property.

The group (approximately 300+) began to gather in the area of SW 3rd and Main. Majority of the group were standing in the middle of the street and blocking vehicular traffic along SW 3rd, between SW Main and Madison. The remaining of the group was standing in the park (Chapman Square). This action of the crowd would occur on numerous occasions throughout the evening. RRT would contact the crowd on several occasions due to this behavior.

Most, if not all of the individuals of the group were dressed in dark clothing, masks or gas masks, some carry large or smaller shields. Some of them had weighted backpacks in which based on past history, weapons that could be used against the police are typically stored inside of these bags (i.e glass bottles, frozen water bottles, rocks, concrete, paint balloons or bottles, incendiary devices and other hard or heavy projectiles). These individuals tend to be extremely hostile towards police and have demonstrated their intent to cause harm and destruction.

The event was later deemed an Unlawful Assembly due to the subjects throwing projectiles at police officers.

RRT continued to address the crowd throughout the evening.

A male subject, LONGORIA, was contacted by Ofc. Braun, Middleton and Green during one of the encounters with the crowd.

While moving the crowd westbound on SW Taylor, I observed LONGORIA violently and aggressively engage with three officers; Braun, Middleton and Green when contact was made.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

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EXPLAIN

My legal authority and sworn duty as a police officer was to protect life, property and infrastructure which included police officers, civilians, businesses and critical infrastructure.

Ofc. Braun, Middleton and Green, had developed probable cause to arrest LONGORIA at the location.

Each officer encountered a violent and aggressive event when contacting LONGORIA.

Based on observations, I believed there was probable cause to arrest LONGORIA for at least harassment, upon officers and Interfere with Police Officer

LONGORIA was also dressed in black attire, with a tactical vest. Based on his attire, I believed he was taking part in the protest.

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

PPB deemed the protest an Unlawful Assembly. RRT was moving the crowd westbound on SW Taylor, approaching SW 5th.

While moving the crowd westbound on SW Taylor, I observed numerous individuals who were dressed in all black and wearing black face/ gas masks on the south side of the sidewalk, walking in the same direction as RRT. These individuals were mixed in with "press". I was concerned for other officers' safety as based on history, individuals who present themselves in such a manner will attempt to blend in, then flank us and/or throw projectiles at police, hiding in the presence of "press".

I informed Ofc. Braun, Middleton and Green to interject themselves into the crowd on the sidewalk and prevent certain individuals, who were not press, to prevent them from having access to our line.

Ofc. Braun first contacted LONGORIA and was physically pushed by his person. Ofc. Middleton and Green also encountered an aggressive and violent interaction as they were physically push and taken down to the ground by LONGORIA.

Once on the ground and not handcuffed, LONGORIA aggressive pushed back against Ofc. Green and Middleton, trapping Ofc. Green's legs. LONGORIA also appeared to using his body and arms to physically push back against Ofc. Green and Middleton as they were trying to maintain control. LONGORIA also demonstrated an aggressive act of trying to escape officers' control.

LONGORIA demonstrated physical and active aggression towards Ofc. Braun, Middleton and GREEN based on his actions.

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]HYSICAL LIMITATIONS
- ☐ IMPAIRED FROM DRUGS OR ALCOHOL OR BOTH

EXPLAIN

Subject acted upon their own free will to engage in such action(s).

Subject began to run through officers, unknown why.

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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, MRT, Sound Truck, QRF and Command (IC)

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 provided several force warnings to the crowd and statements to disperse as police taking some type of police action.

The sound truck provided an Unlawfully Assembly.

I engaged in force with LONGORIA due to the fact he attacked several officers. The subject chose on their own free will to engage in such acts. I needed to defend the officers involved. I engaged quickly in order to address the subject causing such actions.

Subject was told to stop his actions by officers involved when physical contact was made.

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	KICK/STRIKE	FACE	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

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The sound truck provided several force warnings to the crowd and statements to disperse as police taking some type of police action.

#1. Deployed a focus blow to LONGORIA's left side of face with my hand, in which he was wearing a gas mask. A focus blow was conducted to the violent encounter in which he acted upon when encountered by three separate officers. LONGORIA's face was present at the time of my action. Deployment seemed to stun LONGORIA and continued to allow us officers to take him into custody.

Ofc. Braun first contacted LONGORIA and was physically pushed by his person. Ofc. Middleton and Green also encountered an aggressive and violent interaction as they were physically pushed and taken down to the ground by LONGORIA.

Once on the ground and not handcuffed, LONGORIA aggressive pushed back against Ofc. Green and Middleton, trapping Ofc. Green's legs. LONGORIA also appeared to using his body and arms to physically push back against Ofc. Green and Middleton as they were trying to maintain control. LONGORIA also demonstrated an aggressive act of trying to escape officers' control.

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:

At the time of the incident, this was the only option to use in order to deter subject's behavior and protect all officers involved.

GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

Control against resistance.

Officers involved were trying to take subject into custody by grabbing a hold of his arms. Subject continued to physically push back against officers with his body and arms, along with barreling through each officer.

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.

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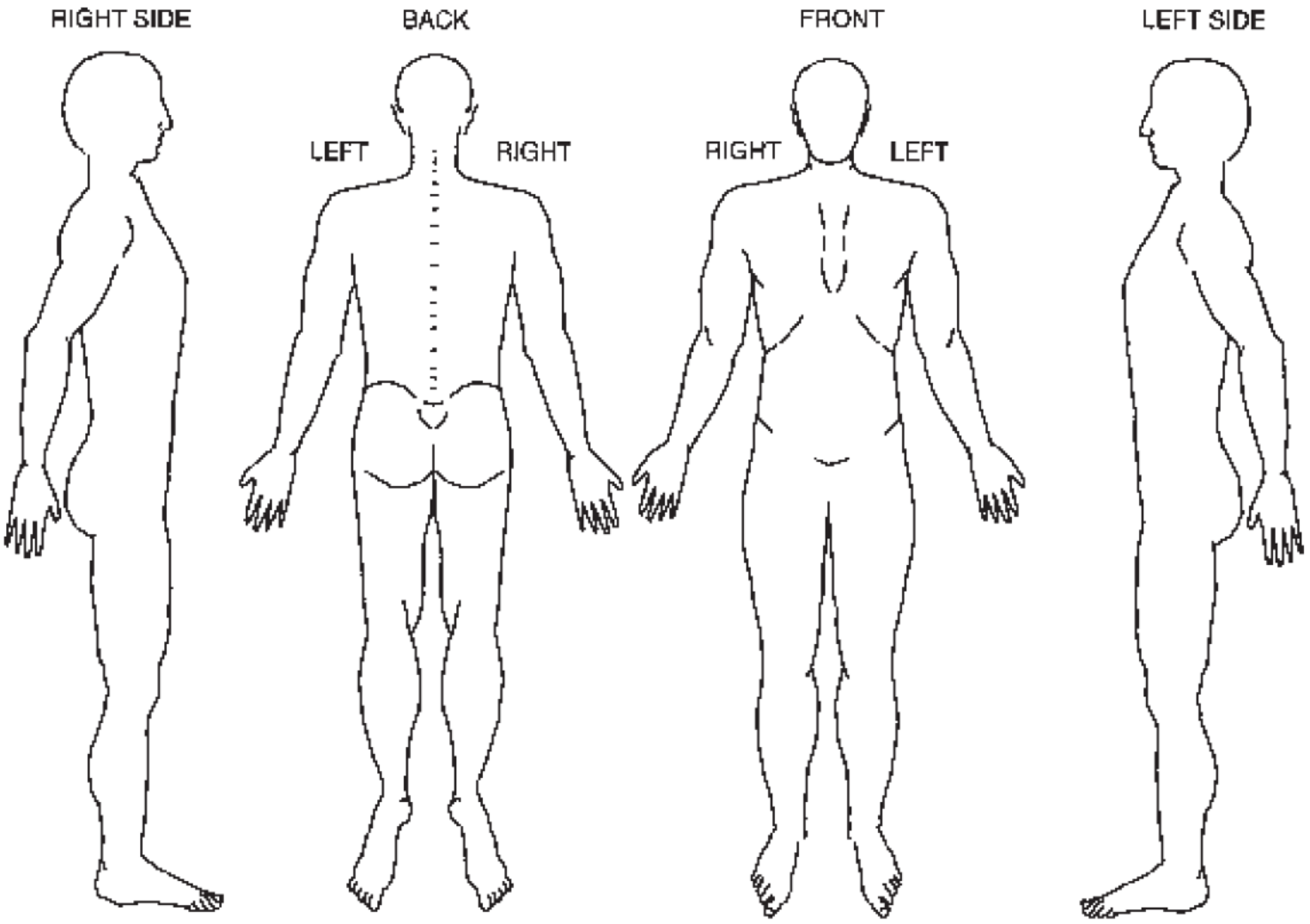
WITNESS INFORMATION: **NAME OR DESCRIPTION (IF NAME REFUSED) AND MEMBER WHO LOCATED:**

Due to the hostile and violent nature of this crowd, it would have been unsafe or unreasonable to attempt to locate or interview witnesses.

MEMBER INJURY

☐ I WAS INJURED DURING THIS INCIDENT

CEW OR LAUNCHABLE IMPACT MUNITION LOCATIONS:



SIGNATURE

SIGNATURE	DPSST		RANK	NAME
Ofc. Harris	47653	EMAILED TO	SGT	Carroll

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

APPROVED BY:	Carroll	DPSST:	

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