Force Data Collection Report

CASE # 2020-681755 | OFFICER Westerlund | DPSST 52338 | ☐ AMENDED

DATE 09/27/2020 | TIME: 1:45 AM | ASSIGNMENT: RRT

LOCATION Chapman Square

NAME (LAST, FIRST M)	GENDER	RACE	DATE OF BIRTH
OVERCASH, Ian C	MALE	WHITE	12/05/2001

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 night of 9/26/2020 and into the morning of 9/27/2020 I was assigned to Rapid Response Team, Delta Squad. We were tasked to assist with managing a crowd that had gathered outside of the Justice Center. The Crowd was disrupting traffic and lighting fires in the middle of the street. Members of the crowd were throwing items at police to include glass bottles, fireworks, rocks, full cans of beer, and full cans of soup. Many individuals were making threats to harm and kill police officers. It was later deemed an unlawful assembly.

LEGAL AUTHORITY FOR CONTACT

☐ REASONABLE SUSPICION ☐ WARRANT/JUDICIAL DECREE ☐ OTHER

☒ PROBABLE CAUSE ☐ CIVIL HOLD ☒ CIVIL UNREST

EXPLAIN

Due to the criminal and assaultive behavior of the crowd, the crowd was ordered to disperse. Delta Squad was tasked with making arrests and dispersing the crowd.

While attempting to take a subject into custody OVERCASH ran at me and shoved me within the closed park. I had probable cause to arrest OVERCASH with assaulting a police officer, disorderly conduct, and interfering with a police officer.

CONDITION PRIOR TO FORCE

☐ ARMED (ACTUALLY) ■ 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

Delta Squad was moving into the park to take a custody of a subject who was throwing glass bottles at police. As I was running through the park I saw OVERCASH running at me. OVERCASH then ran into me and attempted to push me away. OVERCASH was attempting to interfere with me arresting the other subject. When I tried to take OVERCASH into custody, he resisted my efforts to do so and assaulted me further.

PERCEIVED CONDITION FOR LACK OF COMPLIANCE PRIOR TO FORCE

■ MEDICAL CONDITIONS ■ DEVELOPMENTAL DISABILITY ☒ DISOBEDIENT / ANTAGONISTIC ☐ OTHER

■ MENTAL IMPAIRMENT ■ MENTAL HEALTH CRISIS ☐ LANGUAGE BARRIER ■ PHYSICAL LIMITATIONS

☐ IMPAIRED FROM DRUGS OR ALCOHOL OR BOTH

EXPLAIN

I believe OVERCASH's lack of compliance was due to his disobedient and antagonistic behavior. OVERCASH did not disperse the area after being ordered to and remained in the park after it was closed. OVERCASH charged at me, struck me, and resisted arrest.

MENTAL HEALTH

■ NONE ■ PRIOR TO FORCE KNOWLEDGE ■ POST FORCE KNOWLEDGE ■ OTHER

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EXPLAIN

SPECIALTY UNITS

[redacted] SPECIALTY UNITS INVOLVED?

WHICH SPECIALTY UNITS?

We had multiple RRT units on scene and I am an ECIT officer.

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 crowd was given clear direction from a safe place. The directions were repeated multiple times and were given time to comply. We had numerous officers on scene.

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	TAKE DOWN	LEFT ARM	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave numerous warning throughout the night that it has been deemed a civil disturbance and they must leave the area or they may be subject to arrest and use force.

As I was running through the park to apprehend another subject, OVERCASH intentionally ran into me[redacted]. OVERCASH then shoved me in an attempt to get away. I grabbed OVERCASH by his sweatshirt sleeve. OVERCASH attempted to pull away from grasp by leaning his body away from me. OVERCASH was about to escape my grasp and ultimately escape custody. I pulled OVERCASH down to the ground by his sweatshirt in an attempt to gain better control of him. OVERCASH was able to catch himself with both of his hands.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	KICK/STRIKE	FACE	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave numerous force warning throughout the night.

Once on the ground, OVERCASH rolled over to his back so that he was face me. OVERCASH was attempting to push me away and kick me away. OVERCASH was not able to reach me with his feet. OVERCASH then used his forearm and struck me in the face. OVERCASH struck me in the face twice with his forearm while say "get off of me." I feared the OVERCASH would seriously injure me if I did not act quickly. With a closed fist I struck OVERCASH in the face to distract him from striking me.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	KICK/STRIKE	FACE	YES	YES

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DESCRIBE THIS USE OF FORCE:

The sound truck gave numerous force warnings.

I told OVERCASH to quite resisting and that he was under arrest. OVERCASH struck me again with his forearm in my face and said "get the fuck off me." I feared that OVERCASH was going to seriously injure me and the first strike did not stop him from assaulting me. I struck him in the face with a closed fist.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	KICK/STRIKE	FACE	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound TRUCK gave numerous force warnings through out the night.

OVERCASH continued his assaultive behavior by kicking at me and he struck me again with his forearm. I again, struck OVERCASH in the face with a closed fist in an attempt to distract him from assaulting [redacted] I telling OVERCASH to roll to his stomach and quit resisting.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	KICK/STRIKE	FACE	YES	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave numerous force warnings.

OVERCASH quit striking me with his forearm but he continued to twist his body and break from my grasp. He continued to yell at me to get off of him. OVERCASH took his forearm and was pressing the bone of his forearm in my face as hard as he could in attempt to break free. [redacted]. I yelled at him to let go of my face and to roll to his stomach but he refused. I feared that OVERCASH was going to [redacted] escape. I struck OVERCASH in the face with a closed fist in an attempt to distract him from injuring me.

	RESISTANCE	WARNING	FORCE	TARGET LOCATION	RESISTANCE CONTINUED	RE-EVALUATE
+ -	ACTIVE AGGRESS	YES	KICK/STRIKE	FACE	NO, EXPLAIN	YES

DESCRIBE THIS USE OF FORCE:

The sound truck gave numerous force warnings.

OVERCASH kept his forearm pressed against my face and continued to push into my face as hard as he could. I directed OVERCASH to quit resisting and to let go of my face but he would not. He continued to yell at me to get off of him. [redacted] I struck OVERCASH in the face with a closed fist in an attempt get him to release his arm from my face and prevent injury.

OVERCASH refused and continued to press his arm into my face. At this point other officers had OVERCASH's legs pinned down. I gave OVERCASH about 5 more orders to let go of my face and roll to his stomach before complied with commands. I was able to take him into custody.

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 considered other force options such as pepper spray but felt that due to my close proximity it would have made it difficult to take him into custody.

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GENERAL DESCRIPTION OF THE FORCE YOU OBSERVED OTHER OFFICERS USE:

Due to the location of the assault I could not see what other officers were doing.

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.

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

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

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

SIGNATURE	DPSST		RANK	NAME
L. Westerlund	52338	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