

# Seattle's Crowd Management Policies and Mayor Harrell's Proposed Ordinance

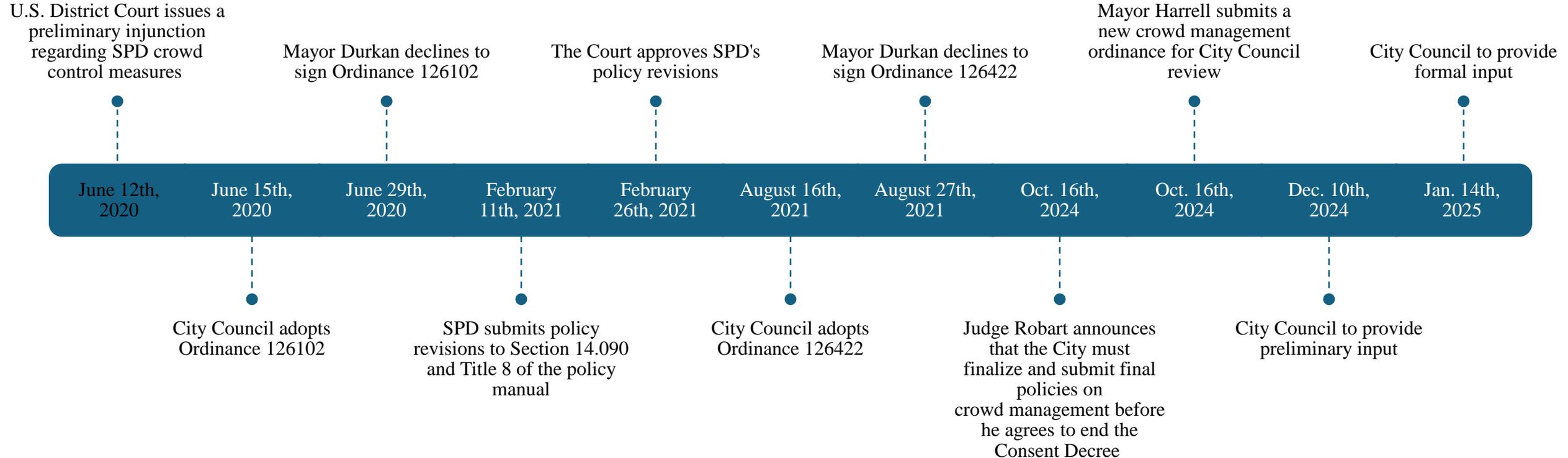
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CPC Police Practices Workgroup

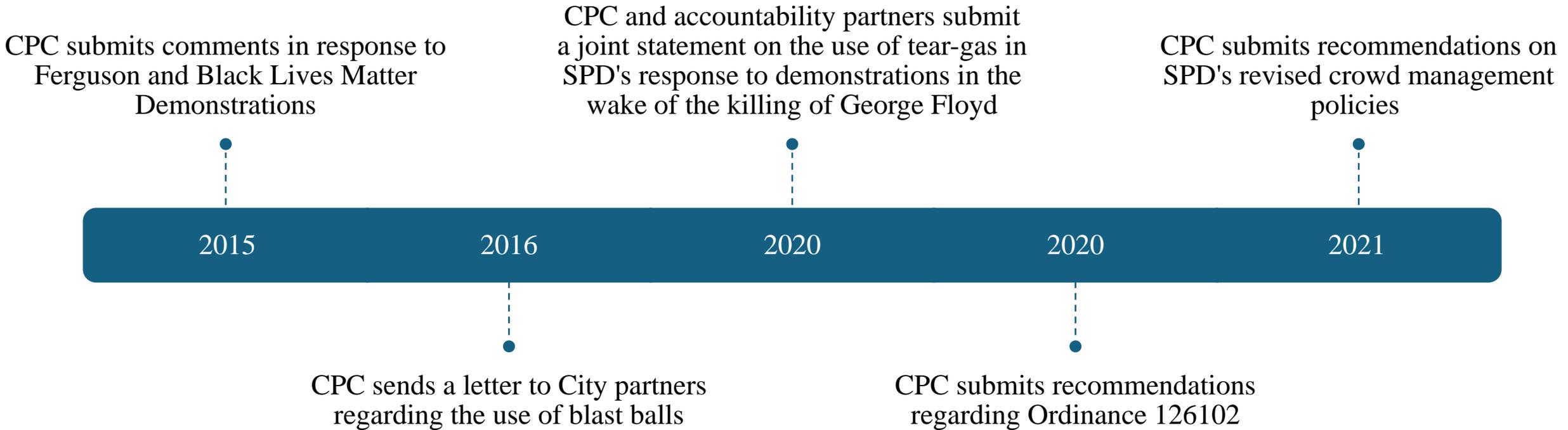
# Goals for this Presentation

- Inform the greater Commission
    - History and Timeline
      - Court orders and crowd management ordinances
      - CPC past involvement in crowd management issues
    - What the Ordinance will and won't do
  - Report out on Police Practices analysis of ordinance and preliminary feedback
  - Open a discussion with the Commission and partners
  - Plan for moving forward
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# History and Timeline of Court Orders and Crowd Management Policies



# Timeline of CPC Involvement in Crowd Control Issues



# What the Ordinance Won't Do

- Prescribe which less-lethal weapons SPD can use
  - Lift a ban on less-lethal weapons (there is currently no city policy on crowd management, much less a ban on the use of LLWs)
  - Define circumstances considered objectively reasonable and necessary to use less-lethal weapons
  - Prescribe which types of trainings SPD officers must attend
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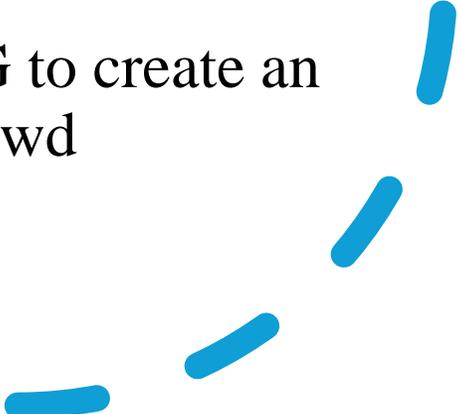
# What the Ordinance Will Do

- Provide high-level requirements to inform SPD's crowd management policies
  - Requires any police use of force for crowd control be "objectively reasonable, necessary, and proportional to the threat presented."
  - Prohibits the use of less lethal tools on a person or persons for crowd control purposes unless "specific facts and circumstances are occurring or about to occur that create an imminent risk of physical injury to any person or significant property damage."
  - Mandates SPD policy continue to require approval by an Incident Commander or supervisor before less than lethal tools may be used for general crowd dispersal

# What the Ordinance Will Do Cont.

- Mandates that SPD officers may only use less lethal tools expressly authorized by SPD policy and for which the officer has been trained
- Maintains the right to free speech and peaceful assembly guaranteed by the First Amendment and the Washington State Constitution
- Acknowledges the role of SPD in facilitating safe gatherings
- Mandates that de-escalation, engagement, and dialogue be prioritized in crowd management efforts for SPD and event organizers

# What the Ordinance Will Do Cont.

- Reiterates state-level regulations on the use of tear-gas
  - Reiterates the City's compliance with collective bargaining
  - Requires SPD to publish its crowd management policy and any future revisions to its website
  - Mandates SPD to collaborate with OIG to create an annual report on the use of force in crowd management situations
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# Police Practices Analysis of Ordinance

- Requires any police use of force for crowd control be "objectively reasonable, necessary, and proportional to the threat presented."
- Who defines objectively reasonable, necessary, and proportional to the threat presented?
  - Graham v. Connor (1989) established objectively reasonable standard for use of force in law enforcement
  - National best practice
- What does this look like in practice?
  - In the context of crowd management, SPD prioritizes addressing the individual within the crowd before resorting to crowd management or crowd dispersal



# Police Practices Analysis of Ordinance Cont.

- Prohibits the use of less lethal tools on a person or persons for crowd control purposes unless "specific facts and circumstances are occurring or about to occur that create an imminent risk of physical injury to any person or significant property damage."
- What less-lethal weapons are available for crowd control? What is their effect?
  - SPD policy 8.300 covers authorized LLWs – some are used for crowd control, and some are not
    - Pepper spray – not a useful tool in crowd management settings
    - Tasers – not a useful tool in crowd management settings
    - 40mm launcher – used in crowd management, but not for crowd dispersal
    - Pepperball launchers – often used for crowd dispersal
    - Tear-gas – used for crowd dispersal. strict state laws regulate. only the mayor can authorize. rarely used.
    - Blast balls – Used for crowd dispersal. most controversial. misused by SPD in 2020.

# Police Practices Analysis of Ordinance Cont.

- Mandates SPD policy continue to require approval by an Incident Commander or supervisor before less than lethal tools may be used for general crowd dispersal
- Incident Commander or supervisor approval is only required for crowd dispersal, why is this?
  - Dispersal is the most intrusive on civil rights
  - SPD plans on amending policy so that authority to approve a dispersal request is handled by a Lieutenant or a higher ranked officer

# Crowd Control Preliminary Survey Results

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## Key Themes

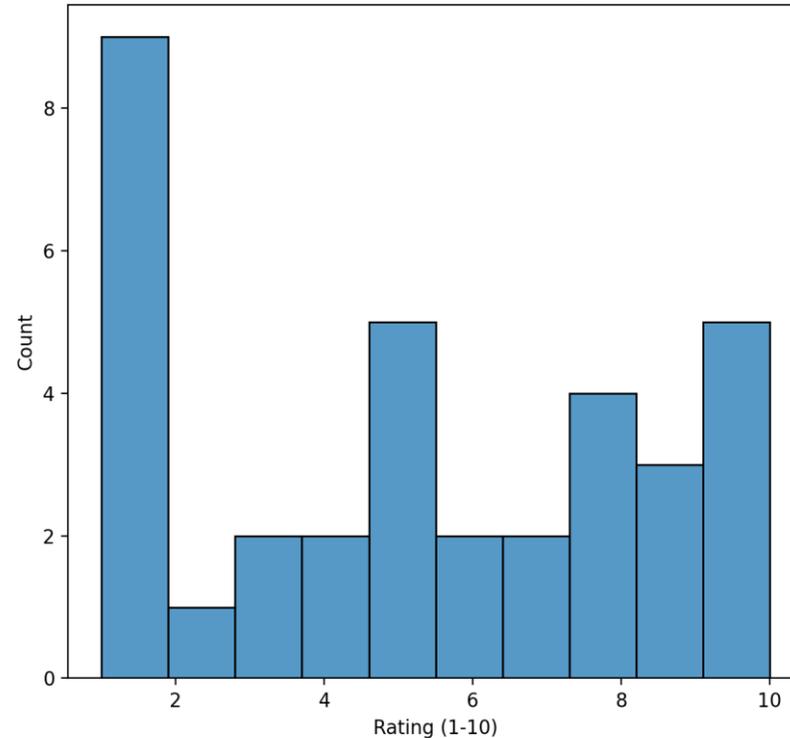
- Mixed Experiences:
  - Some respondents report positive interactions with SPD in crowd management, particularly those working with mental health populations or attending organized events
  - Others express strong concerns about excessive force, especially during the 2020 protests
- Policy Perspectives:
  - A segment supports giving SPD more tools and discretion for crowd management
  - Others advocate for stricter oversight and limitations on less-lethal weapons
  - Across the board, responses emphasize the need for balance between public safety and protecting First Amendment rights

# Crowd Control Preliminary Survey Results Cont.

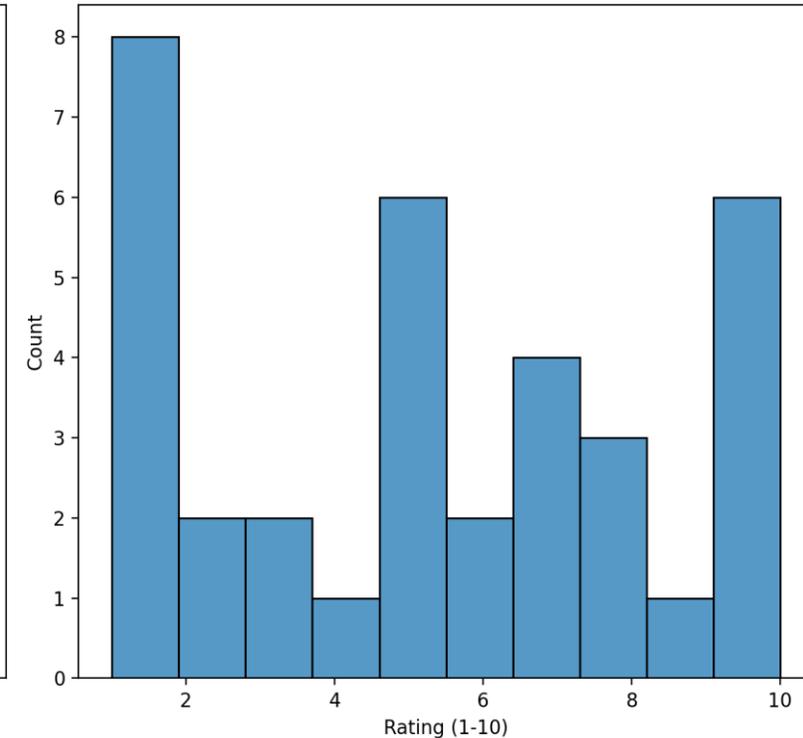
## Use of LLWs and SPD's facilitation of safe gatherings

- Both metrics show an average rating of approximately 5.3 out of 10
- The median for both metrics is 5.0
- Significant variation in opinions

Distribution of Ratings for SPD's Use of Less-Lethal Weapons



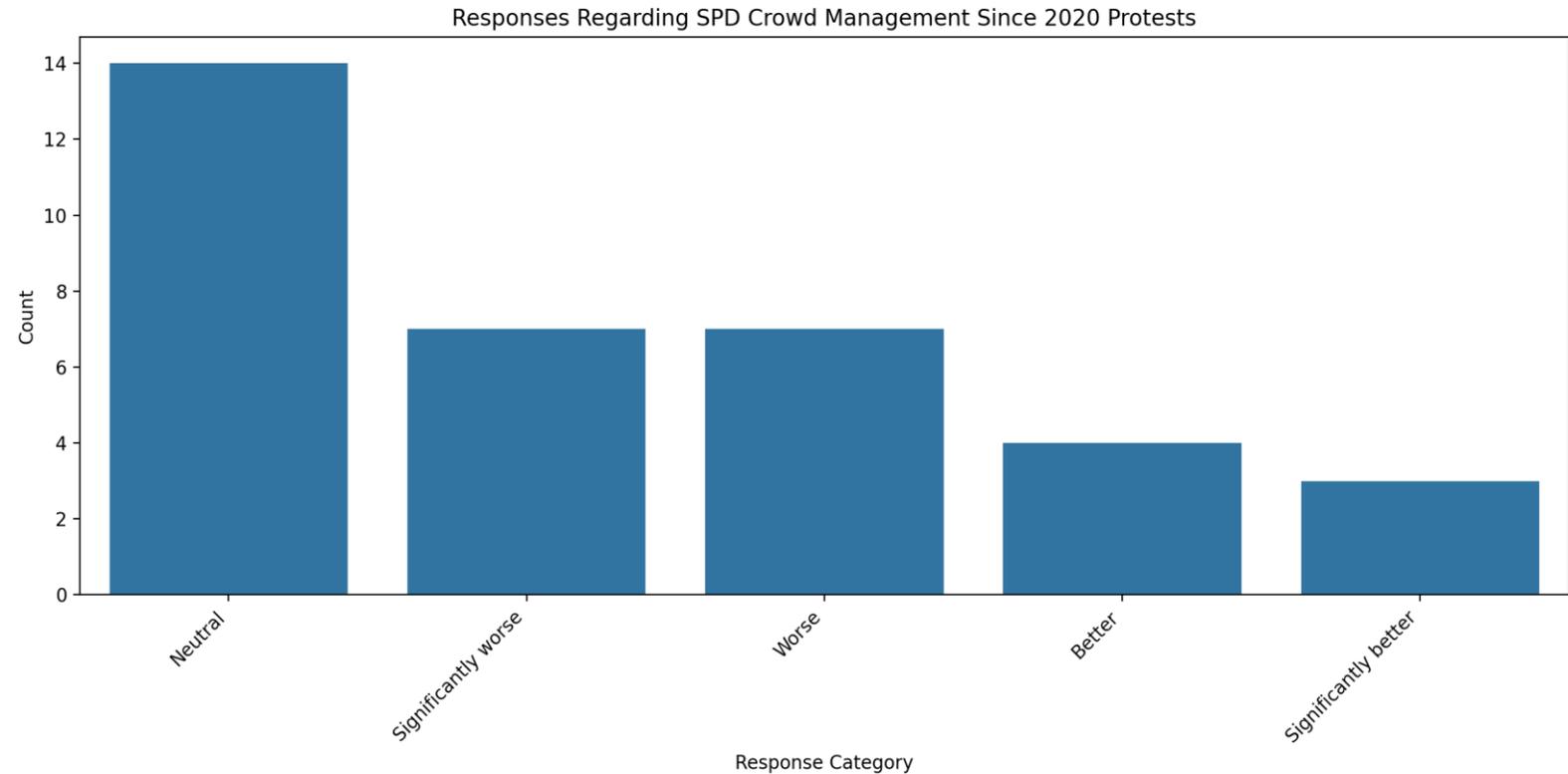
Distribution of Ratings for SPD's Facilitation of Safe Gatherings



# Crowd Control Preliminary Survey Results Cont.

## Crowd management since 2020

- The largest group (40%) of respondents felt neutral about changes since 2020
- Combined, 40% of respondents felt things got worse or significantly worse
- 20% of respondents felt things improved (either better or significantly better)
- Out of 35 total responses to this question, 24 provided detailed explanations



# Crowd Control Preliminary Survey Results Cont.

## Areas of Concern:

- Use of force during protests
- Need for clearer guidelines and accountability for use of LLWs
- Balance between maintaining order and protecting civil rights
- Training and de-escalation tactics

## Areas of Satisfaction:

- Recent improvements in communication methods (e.g., use of speakerphones)
  - Professional handling of organized events
  - Positive interactions in non-protest situations
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Crowd  
Control  
Preliminary  
Survey  
Results Cont.

## Recommendations from Respondents:

- Need for clearer standards and guidelines for use of less-lethal weapons
- Need for improved training in de-escalation methods
- Better balance between crowd control and protection of First Amendment rights
- More transparent communication about crowd management policies

# Action Items

- **Public Safety Hearing on December 10:** CPC has committed to providing preliminary feedback
- **Public Safety Hearing on January 14:** CPC has committed to providing formal input
- **Potential for full Council Action on January 21**

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# Discussion Time

- What is your relationship to crowd management? What do you associate it with?
- What are the benefits and risks to restricting the use of LLWs?
- What is POET and how is it utilized?



Thank you to CPC Commissioners,  
CPC staff, community partners, City  
partners, and everyone who joined us  
today!

