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Sentinel Event Review of Police Response to 2020 Protests in Seattle

Wave 4: July 2 – October 7, 2020

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Executive Summary

This report is the culmination of an in-depth, community-centered review of the Seattle Police Department (SPD) response to sustained protests in the wake of George Floyd's murder. Beginning in the Fall of 2020, the Office of Inspector General (OIG), in collaboration with community members and SPD, conducted a series of Sentinel Event Reviews (SERs) to identify contributing factors resulting in critical incidents causing community concern in the 2020 protests.¹ This fourth and final report focuses on crowd management tactics utilized by SPD in response to three significant protest events occurring between July and September.

The report provides panelists' recommendations for improving SPD's protest response, drawing on insight from their diverse experiences in the Seattle community and unique lived experiences. Panelists participating in this SER did not assign individual accountability for acts taken during the incidents reviewed. Instead, they identified strategies to improve SPD response to protests while protecting constitutional freedoms of protestors.

Wave 4 Events Considered

The SER Planning group selected three protests as critical incidents for review in Wave 4, listed below in chronological order:

1. A march in Capitol Hill on July 25th, where more than 5,000 people protested the deployment of federal law enforcement personnel to Seattle and Portland, Oregon.
2. A protest on September 7th, outside the headquarters of the Seattle Police Officers' Guild (SPOG) to demand increased transparency in future collective bargaining agreements.
3. A march in Capitol Hill on September 23rd, to protest a Kentucky grand jury's decision to indict one of the officers involved in the March 2020 murder of Breonna Taylor on charges of "wanton endangerment," with no officers facing charges directly related to Taylor's murder.

Summary of Contributing Factors

The Panel identified 49 contributing factors leading to the incidents reviewed in Wave 4, including factors related to:

- Ineffective communication by SPD with protestors, media, and legal observers;
- SPD crowd management tactics, including the decision to issue dispersal orders and the tools used to facilitate dispersal;
- The assumption by SPD of protestor coordination and planned violence, and its resulting posture of defensiveness; and
- The impact of officer exhaustion on perceptions of and interactions with protestors.

¹ The Waves 1, 2, and 3 reports may be found on the OIG website: [Sentinel Event Review - OIG | seattle.gov](https://oig.seattle.gov/sentinel-event-review)

Appendix C provides a complete list of contributing factors.

Summary of Recommendations

The Panel made 22 recommendations to SPD, explained in greater detail in Section IV. The Wave 4 recommendations fall into the following categories:

- **Community Legitimacy** – Addressing the gap between structural and perceived legitimacy and acknowledging the need for SPD to take accountability for its actions and the actions of individual officers, both during the protests and other incidents in which public trust is damaged.
- **Situational Awareness** – Acknowledging the need for SPD to change its mindset when responding to protests, particularly where police themselves are the focus, by minimizing the prevalent belief within SPD that protesters work as a unified, oppositional group, rather than a diverse population of individuals with a diverse set of reasons for attending the protest.
- **Communication** – Improving the ability of SPD to communicate with protestors, media, and legal observers to safely facilitate crowd events.
- **Tactics** – Improving SPD crowd management tactics to limit force and ensure safety for protestors, officers, and others in the area.
- **Officer Wellness** – Supporting officer physical and emotional wellness during periods of extended deployment by reducing shift lengths and offering sufficient opportunities for breaks, food, and water, as well as through the provision of mental health services.

Section IV provides a complete list of recommendations.

I. Introduction

The beginning of Wave 4 marked nearly three months of sustained protests in Seattle calling for significant changes to policing. As protestors continued to challenge the racist roots of American policing and the harm to generations of BIPOC communities, SPD's response to the protests was viewed by many as a reflection and perpetuation of the problems inherent to the institution of policing itself. Particularly considering the strong movement at that time calling for law enforcement reform, the actions of SPD illustrated the need for many for the City of Seattle to rethink traditional provision of public safety in favor of equitable, community-led alternatives.

The Wave 4 SER Panel reviewed three community protests identified by the Planning Group as critical incidents due to the number of uses of force by SPD.

- On July 25th, SPD reported 140 uses of force during the 11-hour protest as police and protestors pushed back and forth along Pine Street.
- On September 7th, SPD pushed protestors from the SPOG headquarters on 4th Avenue South to Judkins Park, a 90-minute interaction resulting in 56 reported uses of force by SPD.
- On September 23rd, SPD reported 45 uses of force during the four-hour protest as police pushed protestors away from the East Precinct.

SPD's stated goals for each of these protests were to facilitate lawful protest activity while avoiding or addressing acts of violence and property destruction. On each of the dates reviewed by the Panel, SPD believed protest activity escalated to a point that significant personal injury or property damage either had occurred or was imminent. SPD declared each protest an unlawful assembly and ordered protestors to disperse, employing various crowd control tactics to facilitate dispersal.

The Panel identified three factors characterizing the Wave 4 protests: SPD's modified use of crowd management tactics, SPD's modified use of less lethal weapons, and SPD's continuing characterization of protestors as a single, cohesive group—exacerbating the “us vs. them” narrative and leading to an attitude of anticipatory defensiveness within SPD.

- **Crowd management:** SPD modified its crowd management tactics before and throughout Wave 4 to encourage continuous movement during protests (rather than static lines of police and protestors) and increased reliance on dispersal orders. SPD's use of long-range acoustical devices (LRAD) to communicate with large crowds of protestors further distinguished Wave 4 from previous waves.
- **Less lethal weapons:** SPD issued a statement on July 25th confirming officers would not deploy CS gas (“teargas”) but would continue to use blast balls and OC spray (“pepper spray”) for crowd control. This policy remained in place throughout Wave 4 and resulted

in increased reliance on blast balls and OC spray. Additionally, Wave 4 saw SPD officers using the frames of their bicycles to direct and move members of the crowd.

- **Anticipatory defensiveness:** SPD's Incident Action Plans (IAPs) for each day of protests noted the presence of "Black Bloc" at recent protests in Seattle and Portland.² This intelligence heightened safety concerns of officers, who expected organized attacks on SPD, and drove SPD's crowd management strategy.

This report provides an assessment of the protests reviewed in Wave 4, an evaluation of the various factors that contributed to each critical incident, and a set of consensus recommendations designed to avoid similar outcomes in the future. The Wave 4 recommendations aim to improve the facilitation of First Amendment rights to protest in Seattle and to rebuild trust among SPD and the communities its officers have sworn to protect.

² "Black Bloc" refers to a group of organized protestors who wear dark clothing to maintain anonymity during protests to disrupt police activities.

II. Methodology

The SER Planning Group and Panel

Continuing the incident selection process established at the outset of this project, the SER Planning Group, a body of community members, police officers, and police accountability stakeholders, convened regularly to guide the SER process. OIG provided the Planning Group with data used to identify specific incidents for the SER Panel to review.

The SER Panel comprises a dedicated and diverse group of community members and SPD officers at various command levels who worked together with the support of the Inspector General and OIG staff.³ The SER Panel met for nearly 15 hours over six weeks to analyze the incidents selected by the SER Planning Group for review in Wave 4.

Data Reviewed by OIG and the SER Panel

Wave 4 focused on SPD conduct in response to protests occurring after the City's closure of the Capitol Hill Occupied Protest (CHOP) in July 2020. Much of the information needed for the review was available from SPD in the form of officer reports, radio traffic and body-worn video. News media and social media postings provided additional information and insight. OIG gathered and reviewed data from the following sources:

- Body-worn video of SPD officers where available;
- Print and video coverage from mainstream media (e.g., newspapers, TV, etc.) and video bloggers;
- Investigations by the Office of Police Accountability (OPA) related to the critical incidents;
- Social media, including Facebook livestream, Twitter, Instagram, etc.;
- SPD arrest reports;
- SPD injury reports;
- SPD Incident Action Plans (IAPs);
- SPD policy manual;
- SPD public statements, documents, and videos;
- SPD radio transmissions; and
- SPD Use of Force (UOF) reports.

The Panel also heard from a journalist who had provided extensive coverage of the protests to gain insight into the experience of media observers on July 25th and how it differed from other protests. Many protestors and community members were reluctant to speak with OIG for various reasons and declined to participate, limiting the Panel's ability to review first-hand accounts of each incident. Some information instead had to be inferred from the sources described above.

³ See Appendix A for Panel membership.

For a detailed methodology of the SER process, see Appendix D.

III. Panel Analysis by Critical Incident

This section includes a description of each critical incident followed by the SER Panel's analysis of the incident, the contributing factors allowing each incident to occur, and the recommendations of the Panel designed to prevent such outcomes in the future.⁴

Incident 1. July 25th Protest

Incident Description

On July 24, 2020, the federal judge overseeing Seattle's Consent Decree issued a temporary restraining order staying the effect of Seattle City Council's June legislation, which precluded SPD from using chemical agents and other less lethal weapons.⁵ SPD issued a statement regarding the ruling mid-morning on July 25th, advising that officers would carry OC (pepper) spray and blast balls at the protests but would not deploy CS (tear) gas.⁶

The Department of Homeland Security ordered federal law enforcement agents to Seattle the previous week in anticipation of attacks on federal property due to protest events in Portland, Oregon.⁷ Seattle officials, including the Mayor and City Council President, publicly denounced the order. Several hundred protestors gathered outside Seattle Central College in the early afternoon of July 25th in response to the deployment of federal agents in Seattle and in solidarity with protestors in Portland.

By 3:00 pm, thousands had begun marching southwest towards the King County Judge Patricia H. Clark Children and Family Justice Center (CFJC), under construction on 12th Avenue and Jefferson Street. Protestors arrived at the detention center just before 4:00 pm. SPD reported a dozen protestors entered the construction site, setting fire to a construction trailer, and causing damage to the building.⁸ SPD armored vehicles escorted responding Seattle Fire Department (SFD) trucks to the scene. Businesses reported broken windows as protestors marched back along 12th Avenue towards the East Precinct, and SFD confirmed a fire was set inside the Starbucks on 12th Avenue and Columbia Street.⁹

As the march reached the East Precinct, several individuals climbed the precinct fence and SPD reported possible explosive damage to a precinct wall.¹⁰ Officers emerged, deploying OC spray

⁴ Some of the Panel's recommendations may have financial costs that the Panel has not attempted to calculate. In addition, many in the community are strongly against providing any additional financial resources to SPD. The Panel's recommendations are intended to prevent the recurrence of negative outcomes of the protests in the summer of 2020 and the Panel takes no position on the allocation of City budget dollars to SPD or other important social services.

⁵ [Judge blocks Seattle's ban on tear gas, other crowd control weapons | Crosscut](#)

⁶ [Chief's Statement Regarding Judge Robart's Temporary Restraining Order on the City Council's Ban on Crowd Control Tools - SPD Blotter \(seattle.gov\)](#)

⁷ [Seattle protests intensify, even though federal agents are absent | Crosscut](#)

⁸ [Seattle Police Dept. on Twitter.](#)

⁹ The Starbucks on 12th Avenue and Columbia Street is located on the bottom floor of a residential building.

¹⁰ [Seattle Police Dept. on Twitter.](#)

and blast balls into the crowd and arresting protestors. SPD formed a bicycle fence blocking off the intersection of 11th Avenue and Pine Street with an armored vehicle parked behind the bicycle line. Over the next hour, SPD reported rocks and fireworks being thrown at officers. At 4:25 pm, SPD tweeted: "Due to the ongoing damage and public safety risks associated with this incident, SPD is declaring it a riot."^{11,12} A dispersal order was issued at 4:32 pm, and officers began pushing the crowd west along Pine Street.

For the next six hours, SPD and protestors clashed, with SPD pushing protesters from 12th Street to Broadway, then falling back as protesters moved back toward the Precinct where SPD would gather and push them back again. SPD continued to issue dispersal orders, deploying blast balls, OC spray, OC balls, and 40 mm rubber bullets. Though the crowd was mostly peaceful, some protestors continued to throw plastic water bottles, rocks, and other projectiles back at the police line. At times, officers pushed smaller groups of protestors north on 11th, Broadway and Harvard Avenues making arrests. Protestors dispersed by 1:00 am on the 26th, and SPD returned to the East Precinct.

SPD reported 102 uses of force and 46 arrests that day, as well as 45 injuries to officers. Twenty-one OPA complaints were filed about incidents occurring between 5:00 pm on July 25th and 1:00 am on July 26th, which included multiple allegations of injuries from blast balls¹³ and officers deploying OC spray at close range as protestors attempted to back away.¹⁴ Other allegations included reports of journalists and legal observers targeted by officers with less lethal munitions,¹⁵ a nurse in scrubs sprayed with OC at close range while attempting to pull another protestor to safety,¹⁶ and an officer using their bicycle to strike a protestor's head.¹⁷ Complaints also alleged various other uses of excessive force, including protestors being dragged and hit with a baton¹⁸ and officers grabbing away umbrellas to directly OC spray protestors.¹⁹

¹¹ [Seattle Police Dept. on Twitter](#)

¹² Per SPD Policy 14.090: Where unlawful behavior within or of a crowd cannot be controlled through intervention strategies, assemblies may be dispersed. Examples of such behavior include:

- Violent acts by four or more persons or acts that pose an imminent threat of violence against persons or property (RCW 9A.84.010).
- Significant unpermitted traffic disruption that poses an imminent threat of harm to members of the assembly or the traveling public.
- Other criminal acts in the crowd that cannot be addressed through crowd intervention strategies.

¹³ 2020OPA-0644; 2020OPA-0495.

¹⁴ 2020OPA-0555.

¹⁵ 2020OPA-0477; 2020OPA-0466.

¹⁶ 2020OPA-0471.

¹⁷ 2020OPA-0499.

¹⁸ 2020OPA-0484.

¹⁹ 2020OPA-0510; 2020OPA-0474.

Panel Analysis

Panelists first reviewed the events leading up to July 25th and the context in which SPD planned for the protest. SPD's Incident Action Plan (IAP) for the day described recent protests in Seattle and Portland, noting the presence of "Black Bloc" and various incidents of property damage and possession of improvised explosive devices (IEDs). The IAP indicated SPD was preparing its officers for the likelihood that similar tactics would also be used on July 25th, and that Black Bloc participants intended to "seek confrontation," primarily at Federal and government facilities. SPD panelists described the exhaustion of officers after almost eight continuous weeks of protests and the decision to deploy 125 officers to manage an estimated crowd of 5,000 protestors.²⁰

The statement issued by SPD confirming officers would not use CS gas left some officers feeling limited in their options for crowd control as they prepared to facilitate the large protest. Panelists noted these concerns neither excuse nor justify uses of force targeting individuals who do not pose an immediate threat; panelists identified what appeared to be a "wholesale use of force" against the crowd, despite the protest being largely peaceful.

Several panelists pointed to a mindset of anticipatory defensiveness among SPD officers and questioned the extent to which that mindset influenced their actions.²¹ Panelists also discussed whether the issuance of dispersal orders can justify a broader application of force and cause for arrest. Panelists agreed on the need for increased situational awareness and for officers to limit the use of munitions and other force to the few individuals engaging in violence, rather than treating the whole crowd as a monolithic threat. This perspective echoes the findings of crowd psychology expert, Dr. Clifford Stott, who, in an analysis of the early stages of Seattle's 2020 protests, concluded SPD must modify tactics to prioritize communication and de-escalation and avoid the use of undifferentiated force.²²

The Panel identified the protest outside the CFJC as a focal point contributing to the escalation of conflict: The facility has been a historic flashpoint for activists calling for an end to youth detention and acknowledgement of the disproportionately negative impact of the juvenile justice system on BIPOC youth. Panelists also attributed some escalation to the presence of SPD's armored vehicles (referred to as "bearcats") escorting SFD to the scene. While some described the use of the bearcat as a necessary, protective, and minimally visible step for both SPD and SFD, others pointed to the presence of the "tank" as a factor that escalated the crowd. For them, the presence of a vehicle they characterized as a "tank" was evidence of an aggressive, overly militarized police response to the protests and reflective of SPD's view of the protests as a conflict to be faced with aggression.

²⁰ SPD panelists referenced the "defund the police" movement as a factor in the decision to limit staffing.

²¹ Panelists pointed to, for example, instances such as an officer throwing a blast ball overhand at a protester running away, or an officer spraying OC spray a nurse's face at close range as the nurse was trying to help a protestor who had fallen move away from the officer.

²² [Final Crowd Psychology Report v1.pdf \(seattle.gov\)](https://seattle.gov/inspector-general/reports-and-publications/final-crowd-psychology-report-v1.pdf)

Panelists pointed to the fires set at the CFJC and Starbucks and the threat to the East Precinct as key factors contributing to the decision to declare an unlawful assembly and issue dispersal orders. They described the intention of SPD to move protestors west on Pine Street to create space between the precinct and the crowd. Others understood the justification for the dispersal, but voiced concerns about its implementation. Officers who participated in the dispersal noted SPD's goal of keeping the crowd moving as it dispersed to make it more difficult for protestors to stop to throw a projectile at the police line. The speed of this movement was a source of contention between officers and protestors: Video footage of the dispersal efforts shows officers yelling at protestors to "move back," and to move more quickly, with protestors responding they were unable to move or to do so more quickly given the density of the crowd. The Panel reviewed multiple videos showing officers using force against protestors who were attempting to move backwards, but not doing so with sufficient speed to satisfy some officers.²³

The Panel evaluated SPD's use of blast balls and OC spray to manage this crowd. SPD reported 25 uses of blast balls and 21 uses of OC balls on July 25th, as well as 53 uses of OC spray. After reviewing video footage, panelists noted multiple instances where deployments appeared to fall outside of SPD policy,²⁴ including using blast balls and OC spray against protestors attempting to move back and not posing an immediate threat,²⁵ throwing blast balls overhand and indiscriminately into the crowd,²⁶ and seizing protestor's umbrellas to use OC spray at close range.²⁷

The Office of Police Accountability (OPA) published a Management Action Recommendation (MAR) as a result of multiple complaints alleging injury from blast balls on July 25th, recommending a total ban on blast ball usage by SPD and noting the "harm caused by blast balls outweighs their benefit as a less-lethal tool," particularly when deployment appears "consistent with policy and law, but still results in a problematic outcome."²⁸ Panelists were divided in their response to the MAR. Some pointed to the difficulty in correctly aiming blast balls, which have an unknown landing radius of ten to fifteen feet and emphasized the strong potential for injury due to the blast ball's double-fuse of exploding rubber. Others questioned whether the crowd management tools remaining for SPD with the prohibition of CS spray and

²³ See, for example: [Joey Wieser on Twitter](#).

²⁴ 14.090-POL-10 states deployment of OC spray and blast balls must have the primary objective of defending the officer, defending another, or preventing significant destruction of property and must be deployed at the specific suspect(s) who are posing a threat. 8.300-POL-9 states blast balls should be deployed towards open space near target in a manner that would not have significant likelihood of striking a person directly, and the preferred method for deployment is low (underhand) deployment.

²⁵ See, for example: [Mike Baker on Twitter](#).

²⁶ See, for example: [#3 -- Raw Media Pool Video from SPD response to Saturday protest on Capitol Hill - YouTube](#) (8:35-8:45 and 20:50-21:10).

²⁷ See, for example: [Capitol Hill Clash -- Saturday 7/25/2020 - YouTube](#).

²⁸ OPA 0495.

blast balls would decrease harm to civilians or increase SPD's reliance on other, potentially more dangerous crowd control methods.

Panelists also discussed the perception that SPD officers had intentionally targeted members of the media and other legal observers with less lethal munitions.²⁹ The Panel reviewed livestream footage showing a group of journalists on the edge of the crowd being struck by blast balls and OC spray while retreating from the police line.³⁰ Panelists heard from a journalist who described SPD officers on July 25th as "willfully and specifically targeting the media," who were clustered together and clearly identifiable with press credentials, vests, helmets and cameras.

SPD panelists noted the potential challenge for officers attempting to distinguish media from the larger crowd. In part due to the dynamic and mobile nature of the July 25th protest, SPD had not defined a staging area where media and legal observers could safely document the protests. The Panel discussed the importance of designating staging areas whenever feasible for future protests, and of training officers to identify a specific visual signal indicating media. Panelists also pointed to the benefit of improved communication between members of the media and SPD's Public Information officers (PIOs) prior to events and Public Outreach and Engagement Team officers (POET) during events to facilitate media coverage of protests. Important to panelists was whether SPD officers intentionally targeted media or legal observers, the perception of such behavior illustrates a lack of trust between community and SPD and signals a potential, and highly problematic, disregard among SPD for the importance of freedom of press.

Contributing Factors

The Panel identified 19 contributing factors leading to undesired outcomes on July 25th:

Communication:

1. Officers yelled at protestors to "move" as they complied with dispersal orders; protestors at front of crowd were unable to move back at the pace expected by SPD.

Operational Supervision:

2. SPD did not coordinate a media staging area.
3. The IAP identified recent protests in Seattle and Portland as an indication the protest might be violent, and indicated Black Bloc members were expected to be present in the crowd.
4. Officers stated they were unable to distinguish between protestors and media, despite media wearing visible identification.

Cultural Leadership:

²⁹ OPA 0477; OPA 0466.

³⁰ [Seattle Protest July 25, 2020 Stream replay pt. 1 - YouTube](https://www.youtube.com/watch?v=KuXWzXWzXWz) (2:03:00-2:16:30).

5. Prior agreements between media and legal groups and SPD leadership assured observers would not be targeted; expectations among media and legal observers were breached when these groups were hit with SPD munitions.³¹
6. SPD assumed all protestors in Capitol Hill were a coordinated, cohesive group, intending to do harm and commit acts of violence.

Tactics:

7. Armored vehicles, known as bears by SPD and described as tanks by community, were visible at the CFJC after escorting SFD to the fire.
8. SPD declared an unlawful assembly and issued dispersal orders in response to concerns of potential damage to the East Precinct.
9. SPD issued dispersal orders without identifying a specific route or destination for dispersal.
10. SPD aimed to keep the crowd moving, rather than static, to limit the opportunity for protestors to throw projectiles.
11. SPD used horizontal bicycle fence formations to push protestors west on 11th Avenue, retreating after pushing the crowd back.

Procedures:

12. SPD officers (“linebackers,”) are trained to deploy blast balls and OC spray for crowd control; some deployments appeared contrary to policy.
13. Per SPD policy, anyone in an area after the issuance of a dispersal order is subject to arrest.

Equipment:

14. SPD leadership instructed officers to not use CS gas several hours earlier, changing the options available to SPD officers for crowd management.
15. Blast balls have a two-phase release; the second release causes the ball to bounce with an unknown landing radius of around 15-20 feet in any direction.

Environment:

16. Continued unrest was occurring in Portland and federal agents were deployed to Seattle.
17. The crowd of nearly 5,000 protestors made this protest one of the largest of the summer.
18. Many officers worked longer than average shifts to staff the protests and reported stress and exhaustion.
19. The Judge Patricia H. Clark Children and Family Justice Center is an historic “flash point” for many activists who advocate for an end to youth detention.

³¹ According to a statement issued by the National Lawyer’s Guild (NLG) on July 26, 2020, “the Seattle NLG had sought and received assurances from SPD that its legal observers would not be targeted at protests, per an email from the SPD’s Legal Affairs Department on July 8, 2020,” (See: nlg-seattle.org). The Panel heard from a journalist on the scene who described similar agreements with SPD leadership (on file with OIG).

Incident 2. September 7th Protest at SPOG

Incident Description

On September 7, 2020, nearly two hundred protestors gathered at the International District/Chinatown light rail station before marching to the Seattle Police Officer's Guild (SPOG) headquarters on 4th Avenue South. The group arrived at the headquarters just before 6:00 pm to demand transparency in future collective bargaining agreements.³²

According to SPD radio transmissions, undercover officers in the crowd identified two protestors possibly in possession of incendiary devices. The first, identified at 6:09 pm, reportedly carried 12 Molotov cocktails in a Corona Beer box. The second, identified at 6:19 pm, reportedly carried a trash bag smelling of gas. At 6:20 pm, the Lieutenant on scene ordered officers to conduct a targeted arrest for the second protestor. Bicycle officers rode into the crowd from behind the SPOG headquarters as the song, "Save a Horse; Ride a Cowboy" played from the building's external speakers.³³ Several officers approached the protestor and attempted to conduct the arrest but were blocked by others in the crowd.³⁴

Meanwhile, other officers used OC spray, blast balls, and bicycles to separate the crowd and begin pushing protestors north, away from the SPOG building.³⁵ SPD declared the incident a riot and issued a dispersal order at 6:31 pm. Officers continued to push protestors north up 4th Avenue South for the next hour, backed by a line of police cars and an armored vehicle.

Some protestors threw traffic cones and water bottles at the police, who responded with OC spray, OC balls, and blast balls. Several videos from the incident show officers grabbing umbrellas and other makeshift shields from protestors before spraying them directly.³⁶ Officers were recorded in several instances yelling at protestors to run and to disperse faster, even as protestors were following instructions to move away.³⁷ A Molotov cocktail exploded in the street at 6:40 pm; SPD later recovered additional Molotov cocktails in a Corona Beer box.³⁸

Body worn video also shows officers frequently using their bicycles to push, strike, or takedown protestors.³⁹ SPD Use of Force reports indicated two bicycle pushes and one bicycle takedown on September 7th, though OPA identified at least ten other instances of officers using their bicycle to push or strike protestors as they retreated.⁴⁰

³² Protests on August 16th and August 24th also focused on SPOG.

³³ [Katie Daviscourtus on Twitter](#).

³⁴ [Sgt. Joshua Ziemer Body Worn Video, Labor Day 2020 - YouTube](#) (0:00-1:24).

³⁵ [Rich Smith on Twitter](#).

³⁶ See, for example: [Rich Smith on Twitter](#).

³⁷ See, for example: [Sgt. Joshua Ziemer Body Worn Video, Labor Day 2020 - YouTube](#) (13:00-14:00; 19:30-19:50; 21:20-21:40).

³⁸ [Seattle Police Dept. on Twitter](#).

³⁹ See, for example: [Officer Scott Lapierre Body Worn Video, Labor Day 2020 - YouTube](#) (12:40-13:20)

⁴⁰ 2020OPA-0583.

SPD reported 56 individual uses of force by officers during the 90-minute incident, as well as 42 detentions, 21 arrests, and four officer injuries. Seven complaints were investigated by OPA. In general, the complaints alleged officers violated SPD professionalism standards by blasting country music from the SPOG speakers, SPD's entrance into the crowd was an unprovoked attack on peaceful protestors, and SPD used excessive force to disperse the crowd without cause and without first providing a dispersal order.⁴¹

Panel Analysis

Panelists identified a sense of anger and frustration among SPD on September 7th which influenced the tactics and behaviors of officers. Community panelists pointed to the music blaring from the SPOG building as one example of officers' confrontational approach. SPD panelists agreed the music was inappropriate and could be viewed as antagonistic. They noted the music was not coordinated with or done with the acquiescence of SPD incident commanders, and was contrary to the wishes of SPD leadership, who had asked for the building to be unoccupied during the protest to minimize the potential for conflict and potentially ensure the safety of people inside. Panelists acknowledged the limited ability SPD leadership has in influencing SPOG decisions, but nonetheless expressed concern about the optics of the situation.

SPD's dispersal tactics on September 7th differed from those used on July 25th. The fires at the juvenile detention center and Starbucks on July 25th, as well as reported threats to the East Precinct, led SPD to issue a dispersal order to clear the entire crowd. SPD's initial insertion into the crowd on September 7th was part of a targeted arrest attempt to isolate a single protestor potentially possessing an incendiary device, with dispersal orders occurring after the failed arrest. Again, the Panel discussed the optics of the situation, noting many protestors were unaware of the concern about incendiary devices when police entered the crowd and attempted to effectuate an arrest. Without such context, it appeared SPD issued the dispersal order to justify riding, unprovoked, into the crowd.

On both July 25th and September 7th, SPD worked to keep the crowd in motion rather than allow static lines of police and protestors. As on July 25th, videos from the September 7th protest show officers directing the crowd to move back more quickly, with protestors responding that they are unable to. SPD panelists reflected the common officer concern during these protests that organized protestors in the front of crowds intentionally walked slowly to shield protestors in middle of crowd throwing projectiles. As a result, SPD would push protestors to go faster even as they were clearly retreating. Panelists noted SPD lacked insight into whether this suspicion was accurate, pointing again to what appeared to be a pre-protest assumption by SPD that the protestors were an organized and cohesive unit planning to endanger officers. Panelists questioned how SPD could help officers discern the difference between organized protestors deliberately delaying officers and a crowd trying to disperse but unable to move as fast as officers ordered. Many suggested the importance of assigning Protest

⁴¹ 2020OPA-0587; 2020OPA-0583.

Outreach and Engagement Team (POET) officers to coordinate communication between protestors and SPD regarding the pace at which crowds can safely disperse.

The equipment used by SPD to facilitate the dispersals also differed on September 7th. On July 25th, SPD relied on the use of blast balls to disrupt and disperse protestors. On September 7th, 13 blast ball deployments were reported; SPD officers instead used their bicycles as instruments to move protestors and encourage dispersal. Body-worn and third-party video shows officers using their bicycles in multiple ways, including using the frame or wheel to push protestors backwards or to force retreating protestors to move faster, and conducting “power slides” to quickly form mobile fence lines.⁴²

OPA issued two MARs in response to the increased number of bicycle crowd control tactics used that day:⁴³

- SPD should select a group of officers and supervisors with expertise in bike tactics and crowd control to evaluate these tactics and determine the proper applicability of bike pushes; and
- SPD should clearly state its expectations on how bike tactics and attendant force will be documented and investigated.

As an alternative to blast balls and other less lethal munitions reviewed by the Panel, using bicycles as a tool for crowd management may offer benefits including increased specificity in targets and reduced likelihood of serious injury. However, panelists echoed the second MAR regarding the need for SPD to implement highly specific classifications and reporting guidelines for bicycle tactics.

The Panel discussed the lack of reporting of bicycle-related force on September 7th. Many of the bike pushes seen in video from September 7th would not have been considered reportable uses of force under then-existing SPD Use of Force guidelines.⁴⁴ The lack of reporting of these instances, coupled with Panel concerns about general underreporting of uses of force by SPD personnel, indicated to panelists the potentially limited analysis of and accountability for bicycle tactics. Panelists discussed the importance of developing clear definitions of various bicycle tactics, including their appropriate use, and of specifying reporting requirements to encourage accountability and analysis of potential trends in uses of force.

Many examples of bicycle tactics reviewed by the Panel were problematic to panelists, who questioned their utility in managing a largely peaceful crowd complying with police

⁴² A power slide is a crowd management technique wherein an officer dismounts a bicycle while still in motion, sliding the rear wheel forward until parallel with the crowd. The technique is intended to allow SPD to quickly form mobile fence lines (see 2020OPA-0583).

⁴³ 2020OPA-0583.

⁴⁴ As of 2021, use of a “bicycle strike” now falls under SPD’s impact weapon policy and is a reportable, Type 2 use of force. A bicycle strike is defined as “using a bicycle to forcefully strike a subject.” See 8.300-POL-3.

directions. Panelists were concerned by officers telling retreating protestors to “run” and to “go faster,” while using their bikes to hit protestors’ legs or push them in the back.⁴⁵ Such instances were problematic to panelists for two reasons: First, panelists agreed neither “run” nor “go faster” are appropriate or lawful commands; they also discussed the use of physical force against peaceful and actively dispersing protestors.⁴⁶ As in their review of July 25th, panelists identified a disparity between lawful crowd dispersal procedures and dispersals viewed as legitimate by community, with many again questioning whether a dispersal order should justify broad uses of force against already-dispersing crowds.

Contributing Factors

Panelists identified 17 contributing factors:

Communication:

20. Officers yelled at protestors to “run” and “move faster,” even as they complied with dispersal orders; protestors at the front of the crowd were unable to move back at pace expected by SPD.
21. SPD officers used the TAC-9 radio channel to communicate with undercover officers in the crowd.

Operational Supervision:

22. The Incident Commander approved a targeted arrest of a suspect with potential Molotov cocktails, identified by an undercover officer.
23. The IAP identified recent protests in Seattle and Portland as an indication the protest might be violent.
24. Because the SPOG building was occupied, SPD declared a potential life-safety risk after identifying potential Molotov cocktails in the crowd.

Cultural Leadership:

25. SPD assumed all protestors were a coordinated, cohesive group intending harm and did not differentiate peaceful protestors from wrongdoers.

Tactics:

26. SPD monitored protest activity with undercover officers.
27. Officers remained out of view of protestors until a potential Molotov cocktail was identified and a targeted arrest was approved.
28. SPD attempted to make targeted arrests to isolate potential wrongdoers prior to issuing dispersal orders to the whole crowd.
29. SPD used a horizontal bicycle fence formation to push the crowd from the SPOG headquarters to Judkins Park, away from downtown.
30. SPD aimed to keep the crowd moving rather than remaining static to limit the opportunity for protestors to throw projectiles.

Procedures:

⁴⁵ See, for example: [Sgt. Joshua Ziemer Body Worn Video, Labor Day 2020 - YouTube](https://www.youtube.com/watch?v=JyfJLjyfJLw)

⁴⁶ SPD policy 8.300-POL-3(2) states: “Officers Will Not Use Impact Weapons on Subjects Who Are Restrained and Under Control, or Complying With Police Direction.”

31. Per SPD policy, anyone in an area after the issuance of a dispersal order is subject to arrest.

Equipment:

32. Blast balls have a two-phase release; the second release causes the ball to bounce with an unknown landing radius of around 15-20 feet in any direction.
33. SPD used bicycles for crowd control, including power slides, bicycle pushes, and bicycle strikes.

Environment:

34. SPOG and SPD are separate entities and do not work in coordination; SPOG members making decisions at SPOG headquarters were not on duty nor tied to the SPD crowd management operations.
35. Persons inside SPOG headquarters played a country music song, which was interpreted by many in the community as confrontational and was perceived to be in coordination with on-duty SPD officers outside managing the protest, although that was not the case.
36. SPD was aware of a poster circulated among protestors coordinating pre-march strategic planning.

Incident 3. September 23rd Protest

Incident Description

On September 23, 2020, a Kentucky grand jury announced the decision to indict one of the Louisville Metro Police officers involved in the murder of Breonna Taylor. The officer was indicted on three charges of “wanton endangerment” for the bullets which went through Ms. Taylor’s apartment and entered the unit next-door, endangering the three inhabitants. None of the three officers involved received charges directly related to the murder.⁴⁷ That evening, people gathered in downtown Seattle and on Capitol Hill to protest the jury’s decision not to bring charges directly related to Ms. Taylor’s murder.

At 8:00 pm, around two hundred protestors marched from Cal Anderson Park to First Hill backed by a car brigade.⁴⁸ Some individuals in the crowd smashed parking meters and the windows of two Starbucks buildings along the way. Police following the march issued a dispersal order just before 9:00 pm and arrested one car brigade driver. Protestors returned to Capitol Hill trailed by officers, gathering in the intersection of 11th Avenue and Pine Street. Officers made six additional arrests around 10:00 pm.

SPD reported an explosive was thrown through an East Precinct gate at 10:45 pm. Wires powering the building’s security cameras were cut minutes later.⁴⁹ An officer announced over a loudspeaker: “Stop throwing pyrotechnics at the precinct.” Just after 11:00 pm, dozens of officers emerged from the precinct to meet protestors on 11th Avenue. Some protestors threw rocks and bottles at the police as they approached. SPD deployed OC spray and blast balls into the crowd.

The protestors continued to congregate in the 11th Avenue and Pine Street intersection as officers created a bicycle fence across Pine Street between 11th and 12th Avenues. Some protestors used street signs, traffic cones, and plastic crates to build a barrier between themselves and police. Part of the barricade was set on fire at 11:39 pm, and police reported other small fires were set in dumpsters in the area.

Altercations between officers and protestors continued for the next hour as police pushed protestors back to Broadway, making arrests along the way. In one highly publicized incident, a traffic cone was thrown at an officer who had tripped over his bicycle. As he stood, the officer directed pepper spray in the direction the cone was thrown from. At the same time, another protestor appeared behind the officer, hitting his helmet with a metal baseball bat.⁵⁰ SPD later reported the officer’s helmet was cracked and the officer required medical attention. Another video shows an officer rolling both wheels of his bicycle directly over the head of a helmeted

⁴⁷ [Wanton endangerment charge: What it means in the Breonna Taylor case | CNN](#)

⁴⁸ A car brigade is group of drivers who use their vehicles to protect crowds of protestors from attacks, other vehicles, or police munitions. See [PubliCola](#).

⁴⁹ [Police Arrest 13 During Wednesday Night Protest - SPD Blotter \(seattle.gov\)](#)

⁵⁰ [@future crystals on Instagram](#).

protestor lying face down on the ground.⁵¹ This incident was investigated by OPA and referred to the King County Sheriff's Office for criminal investigation.⁵²

SPD reported 45 uses of force over the course of the evening and three injuries to officers. Thirteen protestors were arrested for charges related to property destruction, resisting arrest, failure to disperse, obstructing or rendering criminal assistance, and assault on an officer.

Panel Analysis

Members of the SER Planning Group identified the September 23rd protest for review by the SER Panel in part due to the impact of the day's events on Capitol Hill residents. In a statement to OIG, one resident of an apartment building on 11th Avenue and Pine Street compared the September 23rd protest to those in early June. They recalled the fear of damage from explosives to their unit or building, and the smoke and chemical residue from blast balls, fireworks, and small street fires following the protest. The resident also pointed to an apparent escalation of violence by SPD on September 23rd, describing a cycle wherein officers would engage with protestors more aggressively as the latter group began to disperse. For many panelists, the parallels between this protest and those in early June were a sign that SPD had failed to effectively learn from the months of unrest.

In their review, panelists again focused on SPD's perception of the protestors as an organized, cohesive group planning to incite violence, suggesting this expectation helped to fuel an adversarial mindset and "othering" of protestors. Panelists questioned the basis for SPD's assumption of coordination and violence among protestors, and whether it was used to justify increased force and aggression against individuals in the crowd. They noted that assuming individuals in a protest are part of a coordinated group, without any indication of whether it is accurate, is inappropriate and encourages an unproductive oppositional mentality. Others suggested officers were not improperly acting based on assumptions about protestors, but instead trying to disperse the crowd safely, particularly given concerns about potential violence and reports of Molotov cocktails recovered at recent protests. They cited SPD policy 14.090–TSK–3, which states anyone remaining in an area after the issuance of a dispersal order is committing a crime and subject to arrest, as justification for SPD actions against protestors. Panelists agreed on the importance of rebuilding trust and understanding between community and police to discourage the othering and dehumanization of each group by the other. Of particular importance was emphasizing differentiation of crowd members and avoiding assumptions about crowds as monoliths, especially where this created unwarranted defensiveness and fear in SPD.

Crucial to the rebuilding of trust is a system of accountability viewed as legitimate by the public. Panelists discussed appropriate procedures to ensure accountability for officer actions. Many identified the need for increased reporting requirements for uses of force, including more

⁵¹ [Martin Banks on Twitter](#).

⁵² 2020OPA-0606.

robust descriptions of justification, intent, and purpose for deploying less lethal weapons and a standardized supervisor review process for force reports. The Panel reviewed video of the officer rolling his bicycle over the protestor's head and discussed the disciplinary process. The officer received seven days suspension without pay for his actions, an outcome SPD panelists described as on the high side of possible discipline for improper use of force, but which appeared to other panelists as inconsistent with the seriousness of the act. Panelists discussed the impact incidents like this have on perceptions of legitimacy and procedural justice, particularly during protests against police brutality and years of excessive force disproportionately used against BIPOC communities. Panelists called upon SPD to offer a sincere, public apology for its actions during the 2020 protests as a significant step in building trust between police and Seattle communities.

Contributing Factors

Panelists identified 13 contributing factors leading to undesired outcomes on September 23rd:

Communication:

37. SPD officers used the TAC-9 radio channel to communicate.

Operational Supervision:

38. The IAP identified recent protests in Seattle and Portland as an indication the protest might be violent.
39. SPD TAC-9 radio log indicated SPD anticipated attacks on officers; distinguished "regular protestors" marching Downtown from the group in Capitol Hill, described as "Black Bloc."

Cultural Leadership:

40. SPD assumed all protestors in Capitol Hill were a coordinated, cohesive group intending harm.

Tactics:

41. SPD declared an unlawful assembly and issued dispersal orders in response to concerns of potential damage to the East Precinct.
42. Dispersal orders were issued without identifying a specific route or destination for dispersal.
43. SPD aimed to keep the crowd moving, rather than static, to limit the opportunity for protestors to throw projectiles.
44. SPD used a horizontal bicycle fence formation to push protestors West on 11th Avenue away from the precinct.

Procedures:

45. Per SPD policy, anyone in an area after the issuance of a dispersal order is subject to arrest.

Equipment:

46. Blast balls have a two-phase release; the second release causes the ball to bounce with an unknown landing radius of around 15-20 feet in any direction.
47. SPD officers used their bicycles to push protestors in the direction of the crowd.

Environment:

48. Fewer bicycle officers were deployed than in recent protests; SPD deployed additional officers on foot.
49. A Kentucky grand jury's decision not to indict officers involved in the murder of Breonna Taylor on charges related to the murder announced that morning sparked community anger.

IV. Panel Recommendations

The Panel identified 22 recommendations for SPD through its review of the Wave 4 protests. Recommendations are separated into five categories based on themes discussed by the Panel.

To improve communication with media and legal observers, SPD should:

- **Recommendation 1:** Implement a staging area for media where possible.
- **Recommendation 2:** Develop a process to identify a visual signal for media to obtain from SPD and wear as identification.
- **Recommendation 3:** Explore other policies and practices from other jurisdictions regarding media presence at protests and events to incorporate best practices.
- **Recommendation 4:** Work with a diverse range of local media outlets to identify best practices for facilitating observation.
- **Recommendation 5:** Develop a process for POET officers to communicate with media during crowd events.

To improve crowd management, SPD should:

- **Recommendation 6:** Task POET officers with identifying certain protestors as point-people and coordinating direct communication.
- **Recommendation 7:** Station POET officers strategically within crowds of protestors to communicate with officers on the front lines and to provide information about the crowd's ability to move back, and to safely facilitate such movement.
- **Recommendation 8:** Station POET officers in police vehicles equipped with LRAD to effectively communicate with the crowd.
- **Recommendation 9:** Develop an ongoing assessment of the feasibility of crowd movement to increase on-the-ground awareness.

To address use of less lethal weapons and other crowd control equipment, SPD should:

- **Recommendation 10:** Clarify current Use of Force policies to require an imminent life-safety threat to justify over-hand blast ball throws and other uses of force deviating from general policy.
- **Recommendation 11:** Evaluate the effectiveness of bicycle tactics for crowd control, especially during extended periods of sustained protest activity.
- **Recommendation 12:** Clarify SPD policy 8.300-POL-3 to define "bicycle pushes" as opposed to "bicycle strikes," and the proper reporting policy for each.
- **Recommendation 13:** Require reporting of all bicycle tactics resulting in contact with a member of the public.
- **Recommendation 14:** Log blast ball usage using tag numbers to evaluate reporting, including intent, justification, and outcome.
- **Recommendation 15:** Evaluate the use of armored vehicles during crowd events and the impact on community perceptions.

- **Recommendation 16:** Increase diversity of officers trained and selected as “linebackers.”

To increase accountability, SPD should:

- **Recommendation 17:** Evaluate current Use of Force reporting during protests and large-scale events to ensure accuracy and sufficient level of detail, including requiring explicit justification for each instance of force used and prohibiting the use of “boilerplate” justifications, and ensuring officers complete reports in a timely fashion.
- **Recommendation 18:** Acknowledge the importance of discipline and corrective action for accountability as well as community’s perception of legitimacy of disciplinary processes, and evaluate current disciplinary policies and procedures to ensure consistency and appropriate levels of discipline.
- **Recommendation 19:** SPD professionalism policies and training should emphasize avoiding actions that are or could be perceived as retaliatory or punitive, especially in defense of their facilities.
- **Recommendation 20:** Acknowledge the harm to BIPOC community caused by SPD actions over time and issue a public apology for the actions of SPD during the 2020 protests.

To address the posture of anticipatory defensiveness, SPD should:

- **Recommendation 21:** Develop policies to address and minimize officer fatigue during long-term protests:
 - **Recommendation 21(a):** Consider reducing length of shifts; and
 - **Recommendation 21(b):** Provide officers with mental and physical support to help reduce stress and exhaustion, including counseling and mental health services and offering sufficient opportunities for breaks, food, and water during shifts.
- **Recommendation 22:** Emphasize in crowd management training the importance of differentiation and reliance on real-time intelligence, rather than general assumptions about groups that may be present.

V. Conclusion

The Panel concluded its Wave 4 review by discussing lessons learned from the three protests. SPD had modified its crowd management tactics prior to the events of Wave 4, both by decreasing reliance on blast balls and OC spray in favor of bicycle tactics, and by improving in its ability to facilitate the dispersal of protestors at a reasonable pace while limiting uses of force and arrests. As in the previous waves, the “othering” of protestors by SPD officers remained a central theme throughout Wave 4. Panelists identified SPD’s continued posture of anticipatory defensiveness and assumption of protestors as organized and intent on violence—exacerbating the negative opinion of protestors to the point of dehumanization. It will be important for SPD to discourage the development of such an oppositional attitude among officers moving forward.

The changes in crowd management across Wave 4 marked an end to the type of protest response which persisted through the summer and early fall of 2020. The next three months were identified as Wave 5 by the Planning Group. During that time, protests continued with decreased arrests, reported uses of force, and reports of conflict between protestors and police. On October 7, 2020, 2020, SPD announced its new Community Response Group (CRG), a unit tasked specifically with responding to protests and demonstrations which had “already assumed the role of primary protest responders in the past week.”⁵³ Due to the substantial differences between this fifth wave of protests and the previous four, the Panel’s Sentinel Event Review of the 2020 protests is concluded with the Wave 4 review.

In total, the SER Panel identified 229 distinct contributing factors leading to undesired incidents and issued 136 recommendations to SPD and the City of Seattle intended to prevent such events from happening again. Such breadth of analysis would not be possible without the dedication of the panelists to the honest, respectful, and difficult exchange of ideas and to the continued healing between SPD and the community it serves. It is the hope of the panelists that the SER process remains a tool for system improvement in the future.

⁵³ [SPD Debuts New "Community Response Group" To Assist Patrol, Lead Demonstration Response - PubliCola](#)

Appendix A. SER Participants

Names listed by role and alphabetically.

Name	Title	Role
Panelists		
Argo, Mergitu	Community Engagement Specialist, Seattle Community Police Commission	Panel Member
Barden, Eric	Assistant Chief, Seattle Police Department	Panel Member
Brooks, John	Captain, Seattle Police Department	Panel Member
Davis, Tyrone	Lieutenant, Seattle Police Department	Panel Member
Judge, Lisa	Inspector General, Office of Inspector General	Panel Member
Martin, Karin	Associate Professor, University of Washington	Panel Member
Maxey, Brian	Chief Operating Officer, Seattle Police Department	Panel Member
Moodie, Donna	Executive Director, Capitol Hill EcoDistrict	Panel Member
Taylor, Tracy	Owner, Elliott Bay Book Co.	Panel Member
Roberson, Matthew	Officer, Seattle Police Department	Panel Member
Ward, Ronald	Associate Monitor, Seattle Police Monitor	Panel Member
Washington, Maurice	Community Advocate	Panel Member
Facilitators and Subject Matter Experts		
Hollway, John	Associate Dean and Executive Director, Quattrone Center for the Fair Administration of Justice at the University of Pennsylvania Law School	Facilitator
Lim, Thary	CEO of PointOneNorth Consulting LLC.	Co-Circle Keeper
Phoung, Saroeum	CEO of PointOneNorth Consulting LLC.	Circle Keeper
OIG Staff		
Hiller, Sienna	Policy Analyst, Office of Inspector General	OIG Staff
Perez-Morrison, Alyssa	Policy Supervisor, Office of Inspector General	OIG Staff

Appendix B. Contributing Factors

The Panel identified 49 contributing factors leading to the events in Wave 4. For the reader's convenience, they are organized by incident below.

Incident 1. July 25th Protest

The Panel identified 19 contributing factors:

Communication:

1. Officers yelled at protestors to "move" as they complied with dispersal orders; protestors at front of crowd were unable to move back at the pace expected by SPD.

Operational Supervision:

2. SPD did not coordinate a media staging area.
3. The IAP identified recent protests in Seattle and Portland as an indication the protest might be violent, and indicated Black Bloc members were expected to be present in the crowd.
4. Officers stated they were unable to distinguish between protestors and media, despite media wearing visible identification.

Cultural Leadership:

5. Prior agreements between media and legal groups and SPD leadership assured observers would not be targeted; expectations among media and legal observers were breached when these groups were hit with SPD munitions.⁵⁴
6. SPD assumed all protestors in Capitol Hill were a coordinated, cohesive group, intending to do harm and commit acts of violence.

Tactics:

7. Armored vehicles, known as bears by SPD and described as tanks by community, were visible at the CFJC after escorting SFD to the fire.
8. SPD declared an unlawful assembly and issued dispersal orders in response to concerns of potential damage to the East Precinct.
9. SPD issued dispersal orders without identifying a specific route or destination for dispersal.
10. SPD aimed to keep the crowd moving, rather than static, to limit the opportunity for protestors to throw projectiles.
11. SPD used horizontal bicycle fence formations to push protestors west on 11th Avenue, retreating after pushing the crowd back.

Procedures:

⁵⁴ According to a statement issued by the National Lawyer's Guild (NLG) on July 26, 2020, "the Seattle NLG had sought and received assurances from SPD that its legal observers would not be targeted at protests, per an email from the SPD's Legal Affairs Department on July 8, 2020," (See: nlg-seattle.org). The Panel heard from a journalist on the scene who described similar agreements with SPD leadership (on file with OIG).

12. SPD used “linebackers,” trained to deploy blast balls and OC spray for crowd control; some deployments appeared contrary to policy.
13. Per SPD policy, anyone in an area after the issuance of a dispersal order is subject to arrest.

Equipment:

14. SPD leadership instructed officers to not use CS gas several hours earlier, changing the options available to SPD officers for crowd management.
15. Blast balls have a two-phase release; the second release causes the ball to bounce with an unknown landing radius of around 15-20 feet in any direction.

Environment:

16. Continued unrest was occurring in Portland and federal agents were deployed to Seattle.
17. The crowd of nearly 5,000 protestors made this protest one of the largest of the summer.
18. Many officers worked longer than average shifts to staff the protests and reported stress and exhaustion.
19. The Judge Patricia H. Clark Children and Family Justice Center is an historic “flash point” for many activists who advocate for an end to youth detention.

SENTINEL EVENT REVIEW WAVE 4



Incident 2. September 7th Protest

Panelists identified 17 contributing factors:

Communication:

20. Officers yelled at protestors to "run" and "move faster," even as they complied with dispersal orders; protestors at the front of the crowd were unable to move back at pace expected by SPD.
21. SPD officers used the TAC-9 radio channel to communicate with undercover officers in the crowd.

Operational Supervision:

22. The Incident Commander approved a targeted arrest of a suspect with potential Molotov cocktails, identified by an undercover officer.
23. The IAP identified recent protests in Seattle and Portland as an indication the protest might be violent.
24. Because the SPOG building was occupied, SPD declared a potential life-safety risk after identifying potential Molotov cocktails in the crowd.

Cultural Leadership:

25. SPD assumed all protestors were a coordinated, cohesive group intending harm and did not differentiate peaceful protestors from wrongdoers.

Tactics:

26. SPD monitored protest activity with undercover officers.
27. Officers remained out of view of protestors until a potential Molotov cocktail was identified and a targeted arrest was approved.
28. SPD attempted to make targeted arrests to isolate potential wrongdoers prior to issuing dispersal orders to the whole crowd.
29. SPD used a horizontal bicycle fence formation to push the crowd from the SPOG headquarters to Judkins Park, away from downtown.
30. SPD aimed to keep the crowd moving rather than remaining static to limit the opportunity for protestors to throw projectiles.

Procedures:

31. Per SPD policy, anyone in an area after the issuance of a dispersal order is subject to arrest.

Equipment:

32. Blast balls have a two-phase release; the second release causes the ball to bounce with an unknown landing radius of around 15-20 feet in any direction.
33. SPD used bicycles for crowd control, including power slides, bicycle pushes, and bicycle strikes.

Environment:

34. SPOG and SPD are separate entities and do not work in coordination; SPOG members making decisions at SPOG headquarters were not on duty nor tied to the SPD crowd management operations.

35. Persons inside SPOG headquarters played a country music song, which was interpreted by many in the community as confrontational and was perceived to be in coordination with on-duty SPD officers outside managing the protest.
36. SPD was aware of a poster circulated among protestors coordinating pre-march strategic planning.



Incident 3. September 23rd Protest

Panelists identified 13 contributing factors:

Communication:

37. SPD officers used the TAC-9 radio channel to communicate.

Operational Supervision:

38. The IAP identified recent protests in Seattle and Portland as an indication the protest might be violent.
39. SPD TAC-9 radio log indicated SPD anticipated attacks on officers; distinguished “regular protestors” marching Downtown from the group in Capitol Hill, described as “Black Bloc.”

Cultural Leadership:

40. SPD assumed all protestors in Capitol Hill were a coordinated, cohesive group intending harm.

Tactics:

41. SPD declared an unlawful assembly and issued dispersal orders in response to concerns of potential damage to the East Precinct.
42. Dispersal orders were issued without identifying a specific route or destination for dispersal.
43. SPD aimed to keep the crowd moving, rather than static, to limit the opportunity for protestors to throw projectiles.
44. SPD used horizontal bicycle fence formation to push protestors West on 11th Avenue away from the precinct.

Procedures:

45. Per SPD policy, anyone in an area after the issuance of a dispersal order is subject to arrest.

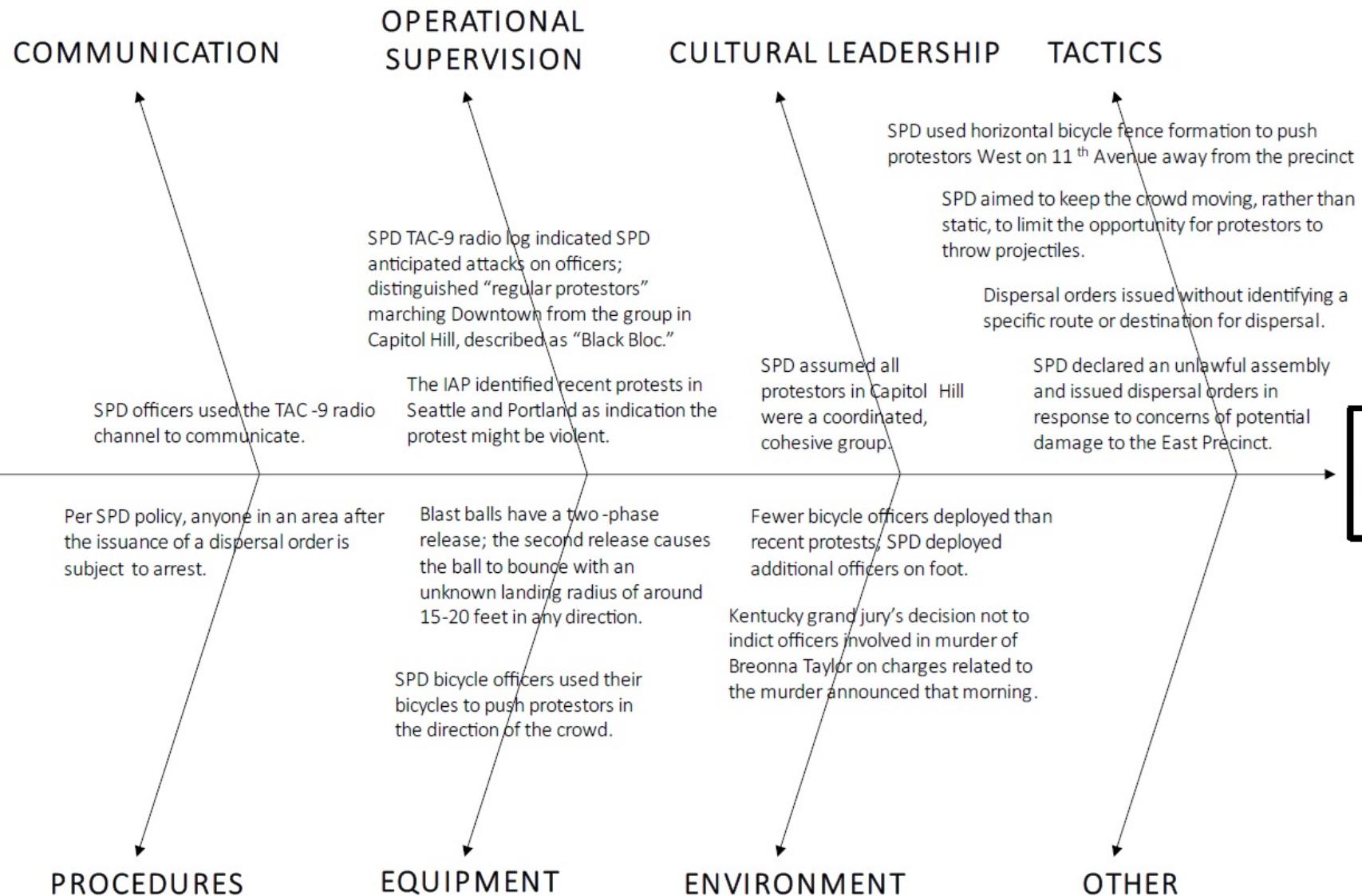
Equipment:

46. Blast balls have a two-phase release; the second release causes the ball to bounce with an unknown landing radius of around 15-20 feet in any direction.
47. SPD officers used their bicycles to push protestors in the direction of the crowd.

Environment:

48. Fewer bicycle officers were deployed than in recent protests; SPD deployed additional officers on foot.
49. A Kentucky grand jury’s decision not to indict officers involved in murder of Breonna Taylor on charges related to the murder announced that morning sparked community anger.

SENTINEL EVENT REVIEW WAVE 4



**Incident 3.
September 23rd
Protest**

Appendix C. SER Peacemaking Circle Group Norms

As part of the SER peacemaking circles, the Panel agreed upon group norms and behavioral principles to guide the group and assist its work in evaluating and analyzing incidents that occurred during the protests of 2020. These group norms are set forth below.

How to address tension, disagreement, and/or conflict (when a guideline is broken):

- Call it out/name it in a respectful way.
- Recognize subjectivity & objectivity.
- Agree as a group with decision-making process.

Guiding Principles/Group Norms:

- Respect the talking piece.
- Speak from the heart.
- Respect each other's thoughts.
- Respect each other's time.
- It takes time to build trust.
- Speak from your own perspective and use "I" statements.
- Encourage people to move up/move back.
- Practice compassionate curiosity.
- Listen through an objective lens (it's difficult to be objective at all times).
- Do not "drop a bomb" and leave.
- Try not to let your beliefs, experiences, and values cloud your own judgement when listening to others.
- Accept other's ideas and thoughts.
- Whatever is discussed stays in the circle.
- Speak clearly and not aggressively.
- Be mindful of the way we speak.
- Practice forgiveness.
- Come from a place of vulnerability.
- Be accepting of direct language so long as it is respectful.
- Be present and engaged.
- Be accepting of being uncomfortable.
- Do not take things personally.
- Be open and transparent.
- Discretion.
- Acknowledge risks of expressing opinions.
- Express disagreement that seeks to understand not silence.
- Keep an open mind.
- Assume good intentions.
- Inclusion.
- Stay curious.
- Confidentiality.
- Time Management.

Appendix D. Wave 4 SER Methodology

This section describes the development of the SER process, including the selection of Panelists.

Stages of Sentinel Event Review

This SER was divided into three stages:

- In **Stage 1**, OIG researched and built evidence-based timelines of the events and incidents under review.
- In **Stage 2**, the present phase represented by this report, OIG and expert moderators guide a panel of community and SPD stakeholders through the identified incidents.
- In **Stage 3**, OIG will conduct audits and further systems review of issues identified by the SER.

Working Groups

Development of the SER involved the efforts of three working groups, in order of involvement:

- **OIG** initiated the process by gathering data and input from numerous sources to describe and analyze the events of 2020, including conversations with community, public comment, news, social media, complaints to the Office of Police Accountability (OPA) about alleged officer misconduct, use of force data, SPD reports and video, claims and lawsuit information, and other sources.
- A **Planning Group** was convened comprised of stakeholders who assisted OIG in customizing and refining the SER methodology, identifying panel membership and approving facilitators, and selecting the incidents for analysis.
- The **SER Panel** was identified with the assistance of the Planning Group. The Panel reviewed sentinel event incidents identified by the Planning Group and issued the recommendations in this report.

Planning Group Membership

It was important to the integrity of the SER process to directly involve community, law enforcement, and other stakeholders in the selection of the Panel, the facilitators, and incidents for review. Those decisions had a direct impact on the trajectory of the review, and it was important to have credibility and faith in the process by community and police to allow opportunity for meaningful change to occur.

The Planning Group included a mix of observing and participating representatives from community-based organizations, the Community Police Commission (CPC), SPD, the American Civil Liberties Union (ACLU), the Seattle Police Monitoring Team, and the United States Department of Justice (DOJ). Its membership has been dynamic, expanding as additional community members and perspectives are identified that bring value to the group's discussions.

Panel Membership

The selection of the SER Panel was a collaborative process between the Planning Group and OIG. The Planning Group provided OIG with criteria for selecting a diverse set of community voices. OIG used these criteria, with assistance from the ACLU and the CPC, to identify about 100 organizations OIG initially approached to discuss participation in the SER. These organizations constituted a diverse set of identities, affiliations, and perspectives, including but not limited to: Black, African, Latinx, Native American, Pacific Islander, Asian, South Asian, and LGBTQ+, communities, business communities, representation from neighborhoods affected by the protests, faith-based organizations, minority bars, organizations serving vulnerable populations, seniors, youth, social and mental health services, among others. More than 30 organizations responded to OIG. Of those, five indicated they were not interested in participating, either because of the time/resource commitment required or an unwillingness to collaborate with SPD.

OIG convened a SER Panel of a total of eleven members: Five community members representing different lived experiences of Seattle, five SPD personnel, and Inspector General Judge (see Appendix A). This report is the fourth set of incidents reviewed by the SER Panel.

Facilitators and Outside Experts

OIG recognized that panelists would have to review large amounts of sensitive information, engage in difficult and contentious conversations, and work alongside other panelists whose different life experiences and responsibilities might result in very different views of policing and community. The facilitators approved by the Planning Group included:

- **Saroeum Phoung and Thary Sun Lim** from PointOneNorth Consulting. Phoung and Lim have worked extensively with City and County agencies on reconciliation, trust-building, and restoration processes. For years, Phoung and Lim have been using a structured methodology called a “peacemaking circle” in community building and crime prevention efforts in Boston and Seattle. Here, it was used to build trust among panelists and create a safe environment to share, reflect and conduct the analysis.
- **John Hollway**, Executive Director of the Quattrone Center for the Fair Administration of Justice at the University of Pennsylvania Carey Law School. Hollway is a national thought leader on the use of root cause analysis in criminal justice.⁵⁵ In 2020, Hollway guided the Tucson Police Department and a diverse group of agency and community stakeholders through the review of two deaths of individuals in police custody.⁵⁶ Hollway worked closely with the OIG team and Planning Group to design the SER process, and facilitated SER Panel conversations, including discussions on contributing factors and recommendations.

Early in the process, OIG consulted with community members, partners, and external consultants to ensure the process development started with a community-focused lens.

⁵⁵ [Home | John Hollway](#)

⁵⁶ [In Custody SERB Final Report Sept 2020 Redacted.pdf \(tucsonaz.gov\)](#)

Peacemaking Process

Bringing together police and members of the community that were affected by police actions to develop solutions both find agreeable is inherently difficult and has the potential to bring up difficult emotions and traumatic memories. Panelists regularly engaged in challenging conversations and reviewed a considerable amount of sensitive and traumatizing material.

To help navigate these difficult conversations, OIG established peacemaking as a core component of SER. The peacemaking circle process is a framework for facilitating a supportive environment and encouraging open-mindedness. The process interrupts old patterns and assumptions that can block communication to create an opportunity for understanding, connection, and collaboration.

The Panel dedicated a portion of each working session to peacemaking circle activities. The first sessions focused on SER panelists getting acquainted, understanding each other's values, and creating shared principles to facilitate communication and collaboration. As the group moved forward, the peacemaking circle focused on deepening relationships, developing empathy, and building trust.

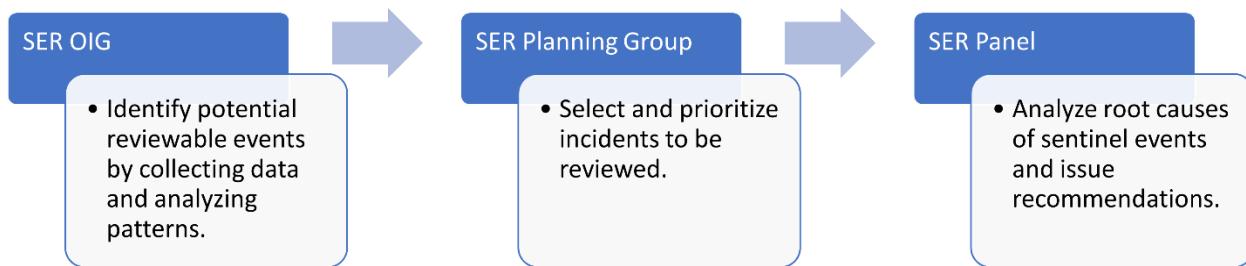
The Panel began with an 8-hour session devoted to peacemaking, followed by over 18 hours dedicated to peacemaking during its first 13 meetings. It was important for each person to express how they were present in the room and to share their history, vulnerabilities, and expectations to engage on inherently divisive topics that were foundational to many in the room. The peacemaking process has provided a positive example for future trust-building and healing processes between the community and SPD. OIG will continue to use the peacemaking circle framework in future SER work (for more information see Appendix B).

Identifying, Selecting, and Prioritizing Incidents

The Planning Group was integral to the prioritization and selection of incidents for review. The process, summarized in Figure 1 below, was as follows:

1. **Data collection** - OIG collected data on potentially reviewable incidents, analyzing patterns in use of force, incidents of notable public attention and concern, and other data sources.
2. **Incident selection** - The Planning Group then evaluated the incidents with a focus on undesirable outcomes that should not occur when community members are engaged in protected First Amendment activity. These include, but are not limited to, the commission of acts of violence, uses of force (whether by police or community members), injuries to individuals (community members or police), destruction of public or private property, and the creation of unsafe environments during public protests.
3. **Sentinel event review of incidents** - Selected incidents were then sent to the Panel for root cause analysis. The Panel also utilized its own collective expertise to assess which incidents to include or add for review.

Figure 1. Incident prioritization process.



Data Collection

OIG gathered extensive data and information from government agencies and public sources about the incidents reviewed. Data sources included:

- SPD data:
 - Aggregated use of force data;
 - SPD Incident Action Plans for all planned events;
 - SPD Computer-Assisted Dispatch (CAD) logs and other communication logs;
 - SPD Human Resources data on reportable injuries;
 - SPD arrest data;
 - SPD training materials on crowd control, de-escalation, use of bikes for crowd control, etc.; and
 - Current and previous SPD policies.
- OPA data:
 - Investigation data and summaries; and
 - Case summaries.
- City data on lawsuits filed related to police action during the protests.
- Social media posts from community members, reporters, and city officials during each of the days under review, including Twitter Posts, YouTube videos, Facebook live streams and videos, and other data.
- News outlet articles, interviews, news coverage, and timelines.

Uses of force (as reported and shared by SPD) were strongly correlated with other variables (e.g., arrests, complaints, etc.) and was an important factor for the Planning Group in selecting sentinel events.

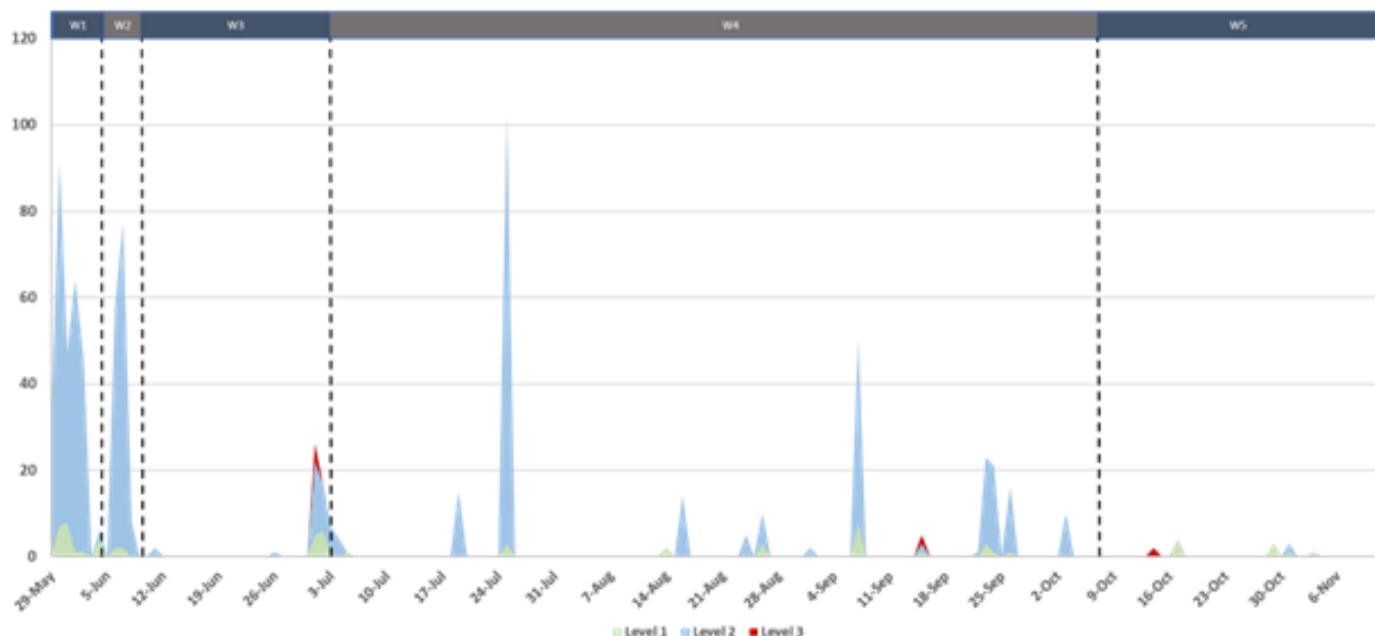
Wave Identification

The OIG analysis organized protest-related activity into five Waves. Each Wave represented a period of time with an uptick in uses of force and the occurrence of one or more critical milestones and other related events within the protests (see Figure 2 below):

- **Wave 1 (May 29 – June 1)** includes the period from the murder of George Floyd in Minneapolis to the first set of demonstrations in Seattle, mainly in Downtown Seattle.

- **Wave 2 (June 2 – June 7)** includes events that occurred before the leaving of the East Precinct by SPD. During this period, the main demonstrations and confrontations shifted from Downtown to the East Precinct.
- **Wave 3 (June 8 – July 11)** the subject of this report includes events that occurred during the existence of the Capitol Hill Organized Protest (CHOP) and Capitol Hill Autonomous Zone (CHAZ).
- **Wave 4 (July 22 – Oct 7)** includes events after the East Precinct was reestablished.
- **Wave 5 (Oct 10 – December 31)** includes events after the creation of the Community Response Group (CRG) by SPD Interim Chief of Police Adrian Diaz. The CRG is tasked specifically with responding to demonstrations, among other things.⁵⁷

Figure 2. Five Waves: Number of SPD uses of force May 30 to Nov. 5, 2020.



Panel Review

The SER Panel first met in October 2022 to begin analyzing the Wave 4 incidents selected by the Planning Group. The Panel identified “contributing factors” that contributed to the undesired negative outcomes (e.g., violence and property damage). Next, the Panel made specific recommendations for change that would help SPD officers tasked with facilitating a public protest act in ways that would reduce the likelihood of those undesirable outcomes happening again in the future.

The Panel acknowledged the errors made by SPD and other contributing factors that led to negative outcomes and stressed the importance of holding officers accountable, but did not discuss what discipline, if any, should be administered to individual officers. The Panel focused

⁵⁷ [Department Launches Community Response Group - SPD Blotter \(seattle.gov\)](https://www.seattle.gov/SPD/Community-Response-Group-SPD-Blotter)

instead on the design of reforms that would help SPD to respond to the next set of protests and achieve better facilitation and enabling of peaceful protests. The inclusion of SPD officers, including officers in leadership, ensured that such reforms were implementable.

SPD has engaged in a self-critique of many of the events reviewed by the Panel and has begun to implement improvements, at least in part as a result of the Panel's discussions in advance of the release of this report. OIG was also involved in conversations with SPD about improvements stemming from the [OIG August 2020](#) report on crowd management and less lethal tools. Thus, the report may include recommendations that are already in place or are in the process of implementation. SPD's continued willingness to engage in critical self-analysis, especially with community involvement in developing recommendations, as well as in implementing those recommendations, will be crucial to improving its relationship with the residents of Seattle in the future.

Contributing Factors

In the SER process, contributing factors are actions or circumstances that play a part in what led to a negative outcome. The identification of something as a contributing factor is not a value judgment about whether the factor is positive or negative. For each specific incident reviewed, the Panel identified associated contributing factors. During panel deliberations, OIG provided panelists with available video coverage of the event, including publicly available video from the Internet and SPD BWV and in-car video (ICV) where available. Together, the Panel watched the videos and discussed each incident, listing contributing factors in the following categories:

- Communication
- Cultural leadership
- Operational supervision
- Tactics
- Policies and procedures
- Equipment
- Environment
- Other

The Panel tried to identify as many contributing factors as possible to craft recommendations for change. It is important to note that a contributing factor is not an attribution of blame. For example, crowd behaviors contributed to how police responded, but recommendations are about how understanding those behaviors can result in improved police response, not an attempt to change crowd behavior.

Once the Panel analyzed each of the reviewable incidents and agreed on potential contributing factors, it drafted and refined recommendations for change that might prevent the recurrence of the specific contributing factors that were observed.

Training

In initial preparation for the review, OIG provided the Panel with a series of interactive presentations:

- An overview of the philosophy and structure of sentinel event reviews from John Hollway of the Quattrone Center for the Fair Administration of Justice at the University of Pennsylvania Carey Law School;
- A discussion on the law of protected First Amendment activities from Alison Holcomb of the ACLU of Washington, this training was made available to all panelists in a recorded version;
- Education on peacemaking circles and their role in emotional healing from Saroeum Phoung and Thary Sun Lim at PointOneNorth Consulting; and
- Information sessions from the Trauma Stewardship Institute on the effects of trauma and some methods for coping with trauma.

Limitations

The Panel identified 229 contributing factors, leading to 136 recommendations for improvement for SPD and the City across the four waves. Even so, it is important to acknowledge the limitations of the SER process.

First, the Panel's judgments of contributing factors and recommendations are based upon a data-driven analysis of incidents. While the Panel has reached conclusions leading to specific recommendations, these conclusions do not necessarily determine the objective "truth" of the incidents or their underlying causes. They are consensus products based on the data available to the Panel, and judgments about potential underlying factors that may - or may not - have played a role. As such, limitations include the following:

- Tens of thousands of individual actions contributed to the actions of SPD and the crowds of people protesting. It is impossible to capture all of them, or to know whether the intentions of any of them were pure or designed to interfere with peaceful protests.
- Uses of force, destruction of property and protests happened in multiple geographic locations. Because of this, the Planning Group was forced to select a sample of those things that it found to be impactful and representative of the whole and may have missed other events that are worthy of review and response.
- The data available was incomplete:
 - Information from SPD regarding its officers' actions may have been improperly or inadequately documented, or inaccurately documented in SPD systems (e.g., incomplete or "rote" use force statements).
 - OIG was unable to contact every community group or individual that might have had insightful information, due to the number of potential individuals and OIG's dependence upon the willingness of individuals to reengage with moments that were, for many, traumatic.
 - Existing rules and regulations limited OIG's ability to access, use or record video from Seattle Department of Transportation or any other camera located in public spaces. The main source of government-produced video evidence used for analysis is SPD BWV cameras, with some additional video coming from ICV.

- The technology adopted by SPD limits the data saved. When BWV cameras are turned on, either by an officer or automatically by SPD, there is a one-minute “buffer” of video beginning one minute before the initiation of the camera that is retained. The buffered minute has video but not audio. This limited the Panel’s ability to fully perceive events and incidents through BWV.
- Video review is limited to the perspective available through the video camera and may not provide complete fields of vision. A BWV worn on an officer’s chest, for example, may not show what was in the officer’s field of vision at eye level.
- Existing rules and regulations limit the storage of public closed-circuit TV surveillance cameras.⁵⁸ As a result, the Panel sometimes lacked a complete video of many incidents that it evaluated.
- Community and police perspectives from the Panelists and others during discussions, some of whom participated in some of the incidents, shed some light on the experiences and concerns of those involved. Nonetheless, they are not representative of all participants in the incidents.
- The Panel reviewed OPA reports but did not conduct additional interviews with officers involved in the incidents in question (although SPD Panel and Planning Group members contributed their knowledge of events). As a result, it could only infer officers’ rationales for their actions based on the available documentation.

Addressing Institutional and Systemic Bias

Many on the Planning Group and Panel felt strongly that it was not possible to conduct a SER of the protests in 2020, or to understand the “root causes” of these protests, without acknowledging and grappling with the long and deeply ingrained history of racial inequalities in Seattle, and in the United States. It was important to the panelists, the Planning Group, and OIG that the SER consciously engage with the context of institutional racism and the longstanding trauma and fear that many in the community have of police. At the same time, these groups recognized the limitations of a process that looks at a series of specific incidents and the resulting inability to “solve” institutional racism or remedy hundreds of years of racial oppression solely through this process.

For the benefit of future SER groups, OIG describes here the various efforts that were undertaken to reach a consensus understanding of the depth and breadth of hurt that has been suffered by unjust police and community interactions. Whether these interactions were suffered personally by panelists, inflicted by SPD upon others, or inflicted by other police officers in other communities, the combined impact of repeated exposure to abuses of power by police officers have created an insistence that SPD needs to embrace, acknowledge, and repudiate an older power dynamic. Instead, SPD must truly protect and serve the community in ways that are just, fair, and supportive.

⁵⁸ [About Surveillance - Tech | seattle.gov](https://aboutsurveillance.tech/seattle.gov)

Panelists agreed to proceed with an acknowledgment of the history and environment in which the protests occurred, and to try to perceive how that affected police and community relations and responses from both sides. They also attempted to identify moments during the protests where Black, Indigenous, other people of color, and white individuals might perceive power dynamics or motivations of actors differently, and to be explicit in discussing those moments in the report.

Unsurprisingly, engaging directly on the impact of police behavior on Black, Indigenous, and other people of color communities proved to be difficult. Often, actions by SPD officers that were deemed “legal” or within the acceptable bounds of policy by SPD or OPA generated great anger and frustration among panelists. At these times, many of the non-SPD panelists expressed feelings of being unheard, unacknowledged, and misunderstood, sustaining their belief that SPD still did not understand the true nature of their discontent, or the true basis of concern about institutional racism.

The Panel felt that building trust and understanding within the group was necessary to generate consensus recommendations, and so it paused to perform some additional inquiry into the role of race as a contributing factor in the protests. Panelists were led through a special peacemaking circle in which panelists were invited to share the emotions that watching police uses of force brought forth for them. This led to the realization that even police acts that are not racially motivated on their face still carried significant emotional weight for panelists of color and evoked for them lifetimes of fear and pain from past personal and family interactions with police, including but not limited to SPD.

In addition to this special peacemaking circle, panelist Dr. Karin Martin of the University of Washington led the Panel in a conversation on systemic racism, where panelists spoke about their own experiences with race, revealing larger racial dynamics at play in society. Panelists reflected on definitions of systemic racism, institutional racism, and other vocabulary, and discussing each panelist’s first awareness of race as a way of bringing to light each person’s particular experience related to race, while revealing racial dynamics in society that are larger than any given person. Panelists used the Racial Equity Tools glossary to standardize the group’s vocabulary.⁵⁹

These conversations were (and continue to be) extremely challenging. They created a substantial hurdle to generating a shared understanding of the incidents reviewed by the Panel – and therefore to the drafting of consensus recommendations. The damage that has been done – the damage that caused these protests in the first place, and the overall inability of SPD as a Department and the City of Seattle to immediately craft particularized responses to the needs of peaceful protestors while addressing threats to public order and safety – is deep and lasting. However, acknowledging the underlying contributing factor of institutional and systemic racism was critical to being able to move forward as a group.

⁵⁹ [Glossary | Racial Equity Tools](#)