



SEATTLE CITY COUNCIL
CENTRAL STAFF

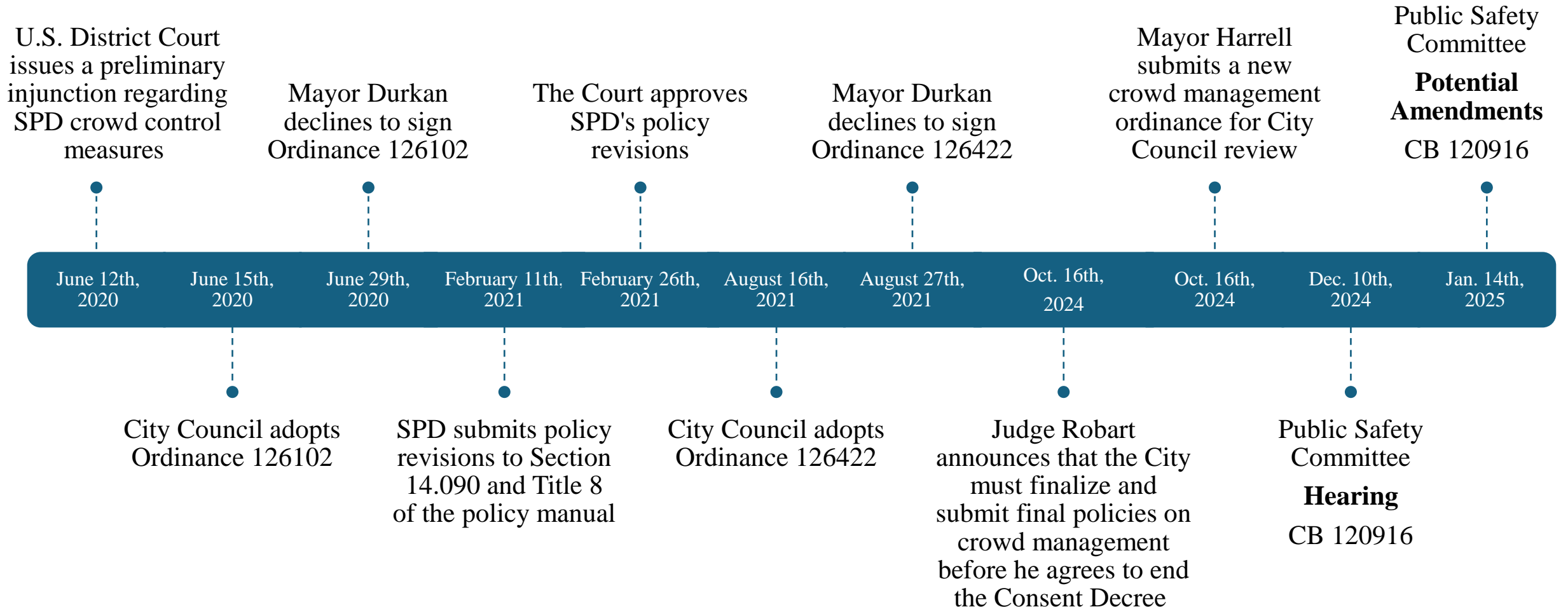
Council Bill 120916

Crowd Management Ordinance

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PUBLIC SAFETY COMMITTEE
DECEMBER 10, 2024

History and Timeline of Court Orders and Crowd Management Policies



CB 120916 - Framework

- (1) Repeal Seattle Municipal Code (SMC) [SMC 3.28.146](#), and [Ordinance 126422](#) restricting the Seattle Police Department's (SPD's) use of less lethal weapons (LLWs), including use of LLWs for crowd management purposes
- (2) Require SPD to adopt and maintain a crowd management policy that is consistent with City values and expectations as outlined in uncodified language in CB 120916:
 - Identifies principles for facilitating events and free speech gatherings.
 - Provides high-level guidelines for the crowd management and less lethal force policies that are articulated in SPD's Policy Manual (SPD 14.090 and Title 8: Deployment of Less Lethal Weapons).
 - Articulates RCW guidelines for use of teargas.
 - Creates annual reporting requirements, ensures public transparency of policies, and recognizes collective bargaining requirements.

CB 120916 - Framework

- CB 120916 does not incorporate SPD's current interim crowd management policy ([Interim Policy 14.090](#)) either by reference or as an attachment to the legislation.
- This approach allows SPD to address changes in both available crowd-control technologies and emerging best practices without the delay associated with the legislative process, and without drawing the Council into technical, rather than policy-level, judgements about appropriate tools and methods.
- Executive staff have stated a strong preference against codified bans of less lethal weapons or legislatively mandated use conditions.

SPD's Interim Crowd Management Policy

SPD Manual 14.090

- SPD's Interim policy is intended to provide guidance by which officers and supervisors may objectively determine at what juncture a demonstration or assembly leaves the realm of legal protest and becomes an abridgement on the life, safety and property rights of others.
- Facilitates decision making by requiring SPD's Incident Commanders to use a Crowd Management, Intervention, and Control (CMIC) matrix to determine when to disperse a crowd.
- Distinguishes between less lethal weapon use against violent individuals within a crowd or use to disperse a crowd.
- Guidelines and use restrictions for less lethal weapons are found in a separate section in the SPD Policy Manual (Title 8). Example include, but are not limited to:
 - Use and deployment of Blast Balls; and
 - Use and deployment of 40mm Blue Nose launchers

SPD's Interim Crowd Management Policy (cont.)

SPD Manual 14.090

SPD's Interim Policy incorporates crowd management recommendations outlined in several "best practice" documents:

- [Rethinking the response to mass demonstrations](#), 2022, Police Executive Research Forum (PERF);
- [Guiding Principles for Crowd Management](#), 2024, Center for Police Equity (CPE);
- [Model Use of Force Policy](#), 2022, Washington State Attorney General's Office (AGO);
- [Use of Physical Force in Crowd Management Incidents](#), 2022, WA State Attorney General's Office (AGO); and
- Crowd Management, 2019, International Association of Chiefs of Police (IACP). (*see staff report for copy*)

SPD Interim Policy incorporates recommendations made as part of the Office of Inspector General for Public Safety's [Sentinel Event Review \(SER\)](#):

- SER panels consisted of community members, SPD officers, data analysts, and a group of academic experts.
- SER "Waves" 1-4 made approximately 136 recommendations that would allow SPD to facilitate peaceful demonstrations, de-escalate violent behavior, and safely disperse an unlawful crowd, when necessary.

Mayor, OIG, OPA and Central Staff Workgroup

- Workgroup discussed emerging practices, SPD's Interim Crowd Management Policy, and technical aspects of deploying less lethal weapons against individuals in a crowd or to disperse a crowd.
- Central Staff identified four issues that the Council may wish to consider regarding the use of existing LLWs. Other issues are expected to be identified by the City's Office of Civil Rights (OCR), Community Police Commission (CPC), and Office of Police Accountability (OPA).
 1. **Property damage threshold for dispersing a crowd** – SPD should include in its CMIC the “significant” or “substantial” property damage language that can be found elsewhere in SPD policies.
 2. **Incident Commander Rank** - Only officers ranked Lieutenant or higher should be able to authorize crowd dispersal. This is consistent with SPD's current training practices for crowd control.
 3. **Mutual Aid** – To the extent feasible and practical, SPD should prioritize non-crowd control work for mutual aid partners.
 4. **Use of Blast Balls** – Policies could better differentiate between crowd control/ dispersal uses and deployment of blast balls to address imminent threats of harm or threats to life safety caused by individuals within a crowd. When used for crowd dispersal, Blast Balls should be thrown away from people.

Council Options for CB 120916

- CB 120916 is structured to provide SPD the flexibility to modify its crowd control policies without Council review, as long as they are consistent with the principles set out in the proposed legislation, and the specific restrictions set out in Section 2. Nonetheless, the Council could choose to:
 1. Add uncodified discretionary or mandatory high-level guidelines, essentially staying within the framework of the bill
 2. Create a new section in the Seattle Municipal Code, following the path taken by previous Councils
 3. Incorporate by reference portions of SPD Interim Policy 14.090
 4. No changes

Questions?