

Amendment 1 to CB 120916 Crowd Management Ordinance

Sponsor: Councilmember Kettle

Expanding and Clarifying City values and expectations for Crowd Management

Effect: This amendment would incorporate into Section 2 additional City values and expectations for SPD's Crowd Management Policy. The added language would:

- Prohibit use of blast balls unless: (1) crowd conditions mirror those described in Phase 5 of the CMIC Matrix, as an "Unlawful Assembly (Riot);" and (2) authorization is provided by the on-scene Assistant Chief of Police incident commander, after consultation with the Chief or Acting Chief.
- When used for crowd movement or dispersal purposes, Police Department policy shall reflect that blast balls shall be deployed when safe and feasible consistent with training in an open space to mitigate against the risk of injury to a person.
- Mutual Aid officers responding to the city at the request of SPD for crowd management purposes must agree to follow the command and control of the on-scene SPD Incident Commander. Mutual Aid officers may not deploy any less lethal weapons in a crowd management setting contrary to the on-scene Incident Commander's direction and any applicable state laws or standards established by the Washington State Criminal Justice Training Commission.

A new Section 5 would require the Seattle Police Department to report to the Office of Inspector General for Public Safety and Community Police Commission any deployment of less lethal weapons in a crowd management setting as soon as feasible. It would also require the OIG to evaluate the deployment promptly for compliance with the goals and values of this ordinance.

It would require the OIG annual report to include information on the Police Department's training on the use of blast balls and whether the training is consistent with the ordinance.

A new Section 6 would require SPD to notify the Council's Public Safety Committee before authorizing use of any less lethal weapon that is not currently authorized in SPD policy.

Amend Section 2 of CB 120916 as follows:

H. Police Department policy shall prohibit the use of blast balls to move or disperse a crowd unless 1) specific facts and circumstances establish an imminent threat of violence against persons or significant property damage, and 2) use of blast balls is authorized by the on-scene Assistant Chief of Police incident commander after consultation with the Chief or Acting Chief.

Police Department officers should be trained to understand that a blast ball's two-stage combustion may create some degree of inaccuracy during deployment, potentially disrupting the blast ball's trajectory from the intended destination.

When used for crowd movement or dispersal purposes, Police Department policy shall reflect that blast balls shall be deployed, when safe and feasible, consistent with training in an open space to mitigate against the risk of injury to a person.

The Police Department's Mutual Aid policy (currently SPD 16.240) shall require the Seattle Police Operations Center to coordinate mutual aid requests such that any request for mutual aid for crowd management purposes must include appropriate planning documents such as an Incident Action Plan or Briefing Sheet.

Mutual Aid officers responding to the city at the request of SPD for crowd management purposes must agree to follow the command and control of the on-scene SPD Incident Commander. Mutual Aid officers may not deploy any less lethal weapons in a crowd

management setting contrary to the on-scene Incident Commander's direction and any applicable state laws or standards established by the Washington State Criminal Justice Training Commission. The Police Department shall provide to its mutual aid partners copies of curricula and written materials that are used to train Police Department officers to deploy blast balls, and shall offer the opportunity to meet with mutual aid partners to discuss best practices in the use of physical force in crowd management settings.

To the extent possible and when appropriate, the Police Department should seek to include as a component of interjurisdictional disaster planning or other law enforcement trainings discussions that address the Police Department's crowd management policies and tactics, the Washington State Attorney General's Office best practices, and recommendations from the Office of Inspector General for Public Safety's Sentinel Event Review.

Amend Section 5 of CB 120916 and add a new Section 6 as follows, renumbering subsequent sections accordingly:

Section 5. The Seattle Police Department shall report to the OIG and Community Police Commission any deployment of less lethal weapons in a crowd management setting as soon as feasible. The OIG shall evaluate the deployment promptly for compliance with the goals of this ordinance and values established herein. OIG shall work with the CPC and SPD leadership to ensure deployments are consistent with community values and expectations.

When appropriate the OIG and CPC will meet with community members to collect experiential feedback and provide SPD with timely recommendations on crowd communication and de-escalation tactics, as necessary to ensure that the tactics are consistent with the

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Department's training and policies. OIG may initiate a sentinel event review for any situations that create significant community concern. The Police Department, in collaboration with the Office of Inspector General for Public Safety, shall create an annual report on the use of force in crowd management situations, including details of the use of less lethal tools, to be filed with the City Clerk by the end of the first quarter of the following year. This report shall include information on the Police Department's training on the use of blast balls and whether the training is consistent with Section 2 of this ordinance.

Section 6. Prior to authorizing the use of any less lethal weapon type for crowd management purposes that is not currently authorized in SPD policy as of the effective date of this ordinance, the Police Department shall notify the Council Public Safety Committee, or its successor Committee, and report on: (1) the potential impacts and uses that could harm individuals within or outside of a crowd; (2) the specific policies and training curriculum that will mitigate potential harms; and (3) whether use of the less lethal weapon is consistent with emerging practices as determined by civil liberty organizations, national policing organizations such as the Police Executive Research Forum, International Association of Chiefs of Police, and the Center for Policing Equity, and the Office of Inspector General for Public Safety.