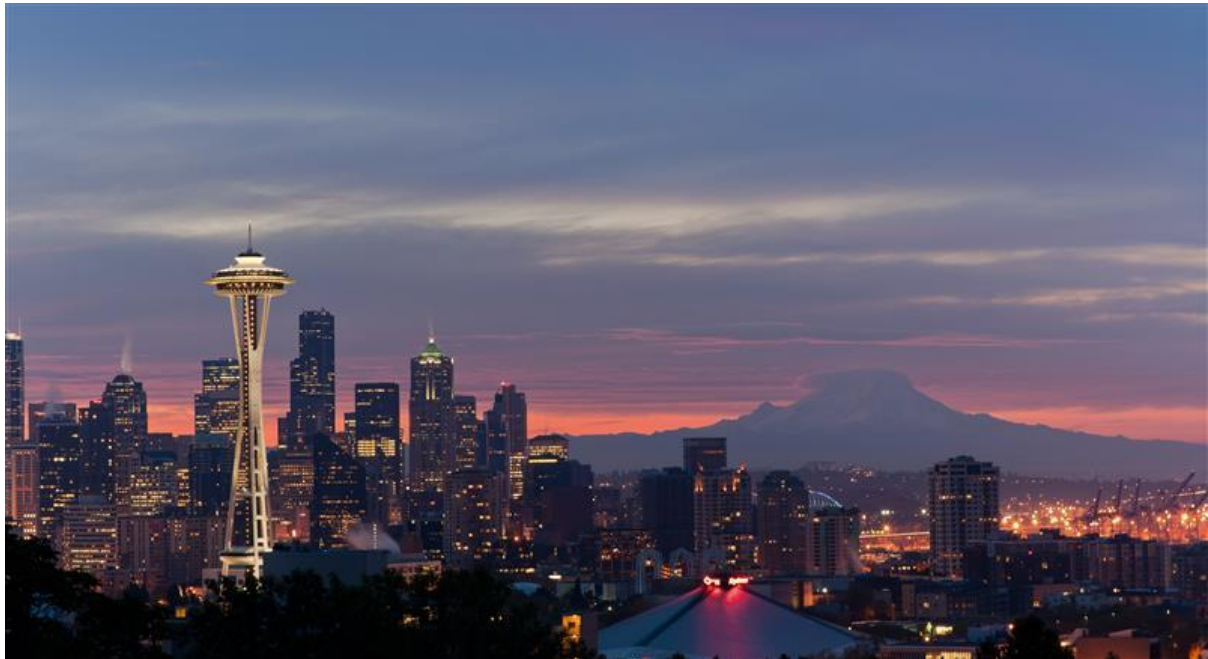


Crowd psychology, policing and interactional dynamics: analyzing the early stages of the 2020 protests in the city of Seattle



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Foreword from the Inspector General

In the summer of 2020, the Office of Inspector General (OIG) engaged Professor Clifford Stott, a leading world expert on crowd psychology and policing, based in the United Kingdom, to provide technical assistance in creating the Sentinel Event Review process.¹ Prof. Stott was subsequently commissioned to conduct a scientific analysis of the early stages of the 2020 protest events in Seattle, the findings from which are laid out in this report. The document provides a detailed academic study of Seattle Police Department (SPD) crowd policing policy and SPD actions during the first four pivotal days of the protests in the city, interpreted within the framework of leading-edge scientific method and theory from crowd psychology.

The evidence-based conclusions and resulting recommendations in this report provide the SPD with further scientific foundation for ongoing policy change and development. Throughout this project, SPD has engaged both jointly with OIG and separately with Prof. Stott to develop strategies and programs responsive to these recommendations, including:

- Creation of a community-oriented dialogue unit to facilitate communication during protests (P.O.E.T.);
- Commitment to training SPD officers in international emerging practices on crowd management; and
- Development of a “pre-academy” community service program to foster better connection with community and provide a focus on service.

The report is also likely to have wide-ranging impacts on the perspectives of police departments across the country, and indeed the world. In this study, new thinking about the social psychology of escalatory violence in Seattle highlights the critically important role of police/community interactions, and the legitimacy of police conduct. The work is especially valuable in helping to understand how police departments can use an understanding of crowd psychology to de-escalate tensions in otherwise dynamic and uncertain environments. In these ways, the report will hopefully lead to new research led strategies and tactics by police, both in and beyond Seattle, that increase their capacity to maintain the safety of the public and police during crowd events while ensuring constitutionally protected rights and freedoms.

Some of the main takeaways for SPD in this report include:

- Staying informed and applying current crowd management theory and practices;
- Creating an environment for communication and dialogue with community during demonstrations; and

¹ Sentinel events can occur as result of Seattle Police Department (SPD) interactions with the public. Examples of SPD sentinel events include officer-involved shootings, mass use of chemical weapons during protests, fatal vehicle pursuits, and other incidents that negatively impact individual safety, community well-being, and public trust in SPD. For more information please visit our website: [Sentinel Event Review - OIG | seattle.gov](https://www.seattle.gov/officeofthepublicaffairs/sentinel-event-review).

- Creating a more internally structured approach to demonstrations, including a significant investment in consistent and specialized training and a coherent command structure when responding to demonstrations.

This report is part of an ongoing body of work conducted and command missioned by OIG to comprehensively examine the response of SPD to the protests against systemic racism and police violence that took place in Seattle in the summer of 2020. The various approaches OIG undertook to review the protests provide: analysis and technical expertise from OIG and consultants, innovative methods to engage community in the review of concerning events, and independent academic analysis for additional insight into best practices and validation of the analyses and recommendations by OIG. OIG intends that these reports provide a detailed evaluation of concerning incidents during the 2020 protests, inform a better strategy and response by SPD to large (and smaller) scale events protected by the first amendment, and provide a sound and scientific basis for recommendations to improve SPD's facilitation of the exercise of free speech by community in Seattle. The collective work to date includes:

- Two reports published in the summer of 2020 concerning use of less lethal weapons, and recommendations for initial changes in response tactics.
- A community-centered Sentinel Event Review process involving a series of panel reviews of critical events occurring during discrete periods (or "waves"). This was commenced in late 2020 and is ongoing. So far, two reports covering the first two waves of protest activity have been published provided detailed accounts of the first weeks of the protest and 80 actionable recommendations to SPD.
- The attached academic paper providing analysis through the lens of current best practices in the field of crowd psychology.

In partnership,



Lisa Judge
Inspector General for Public Safety

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Executive Summary

- Seattle, Washington faced some of the most determined, controversial, and prolonged of the nationwide Black Lives Matter (BLM) protests in the US during 2020. Through the nearly five months of demonstrations in Seattle there were several that escalated into high levels of violence, property destruction, police use of force, curfews, and controversy.
- In the wake of the disturbances, the Seattle Office of the Inspector General (OIG) commissioned this study to explore potential relationships between crowd psychology and public order policing to help understand a) some of the causal factors through which peaceful protests transitioned into widespread confrontations and continuous protest; and b) what reforms the Seattle Police Department (SPD) should prioritize to help improve police management of future protests and crowd events.
- This report is based upon a comprehensive corpus of data derived from, and is written to complement, the OIG's *'Sentinel Event Review of Police Response to 2020 Protests in Seattle Wave 1: Downtown Protests May 29 – June 1'*, referred to here as the Wave One report (OIG SER, 2021). The current study builds upon that report by providing a) a systematic analysis of SPD policy and training guidance on the policing of crowd events and relates this to b) a scientific analysis of the nature of the first four days of protests that occurred in the city.
- Based on its analysis, the OIG's Wave One report made fifty-four recommendations many of which were highly critical of the SPD. Most notably these included altering the strategy for policing protests in the city to focus more explicitly and comprehensively on the facilitation of peaceful assembly, to modify SPD tactics to prioritize communication and de-escalation and avoid the use of undifferentiated force (e.g., CS gas munitions), and to improve police training particularly in crowd psychology (ibid; p.29-33).

Summary of the Analysis

- The current study suggests the SPD policy and training for the management of crowd events in Seattle currently positions the protection of First Amendment rights as a primary strategic goal but this is caveated against the recognized obligations the police hold to protect public safety and prevent criminality. To manage the sometimes-objective tension between these strategic goals the Department relies heavily upon a 'meet and greet' approach, delivered primarily by units of bike squad officers.
- While the operational approach of the SPD is underpinned by contemporary science it also draws upon an outdated and flawed theory of 'mob psychology' to understand the dynamics of conflictual crowd situations. In line with prior OIG reports (OIG, 2020) the current study suggests this problematic conceptual understanding combines with statutory instruments to reinforce a policing approach

that a) underutilizes de-escalation through dialogue and b) becomes overly reliant on the indiscriminate and disproportionate use of force against crowds.

- The study suggests that over the course of the four days, SPD became locked into a cycle of escalation, with little option but to deploy public order resources ready to react with force where the SPD judged it was required and lawfully justified.
- It is also apparent that the nature of the protests began to change behaviorally as a consequence of these police crowd interactions, moving away from peaceful protests about issues related to the murder of George Floyd toward demonstrations reasserting rights targeted directly at SPD. These interactional dynamics also appear to have underpinned the emergence of periodic opportunist looting and destruction.
- Thus, during the first four days of protests in Seattle, the data indicates that collective conflict emerged and escalated from patterns of crowd police interactions. These were characterized by a lack of police community dialogue and an over reliance by the SPD on the indiscriminate use of force.
- Consequently, the data is consistent with the conclusion that crowd police interactions during the first days of the demonstrations in the city reshaped protester identity. These social psychological processes may then have played a key role in driving the observed escalations within and across events as well as motivating future protests in Seattle.

Key Recommendations

- The current study concludes that, while the SPD has made considerable advances over the last twenty years, it is currently out of step with the latest trends of international police good practice.
- The study suggests a pressing requirement for the SPD to update and improve its policy, training, and tactical approaches concerning managing crowd situations. In particular, it is important to increase the amount of training available to Incident Commanders who should in turn be accredited to perform that role.
- The analysis presented in this report also suggests that, while SPD strategy is already facilitation focused, there is considerable opportunity to further develop its policy and training, particularly as this relates to crowd psychology and interactional dynamics.
- This study provides further support for the recommendation that to realize its strategic ambitions the SPD needs to enhance the Department's capacity to manage the dynamics of crowd events through dialogue with crowd participants.
- In addition, it is recommended that work is undertaken to explore the viability and nature of changes to the legislation surrounding public assembly in Seattle.

Introduction

The Black Lives Matter Protests of 2020

On May 25, 2020, the world was beginning to adjust to a new normal after months of unprecedented restrictions attempting to control the spread of the Covid-19 virus. On that day a 46-year-old black man was publicly asphyxiated by Derek Chauvin, an officer of the Minneapolis Police Department. Within days, Mr. George Floyd's murder led to the emergence of worldwide demonstrations against police brutality, racism, and lack of accountability. The New York Times estimated that in the US between 15 and 26 million people participated in associated Black Lives Matter (BLM) protests with involvement peaking on June 6, 2020, with half a million people participating in protests in over 550 locations across the US. If correct, *“these figures would make the recent protests the largest movement in the country’s history”*.ⁱ Data suggests that the overwhelming majority, upwards of ninety percent, of the demonstrations and protests in the US were peaceful (ACLED, 2020).ⁱⁱ Nonetheless, it is also the case that many developed into sustained sequences of protest, sometimes across numerous weeks with several escalating into serious and very high-profile riots. This raises the powerful and challenging question of how did these otherwise peaceful protests transition into such problematic crowd events?

These protests occurred at a time when many jurisdictions had instituted powerful and unprecedented legal restrictions preventing public assembly in an attempt to control the spread of Covid-19. Yet, the scale and intensity of the protests exposed a lack of police preparedness across the US in dealing with what became civic emergencies for several major cities (e.g., Brown & Stuart, 2020). Indeed, some of the largest cities in the USA such as New York, Los Angeles, Chicago, Miami, Detroit, Seattle, and Columbus were placed under nightly curfews to try to prevent what had by then already become serious incidents of violence and looting. Yet, in the wake of the disturbances, it was police departments that received the most widespread criticism regarding the use of what many argued were heavy-handed militarized tactics, particularly as this related to the use of ‘less-lethal’ weaponry such as blast munitions, chemical irritants, and gas.ⁱⁱⁱ For example, the New York City Department of Investigation (DOI) published a report into the policing of the protests in the city and concluded that the Police Department’s *“primary strategy in at least the early days of the Floyd protests appears to have involved defaulting to an application of “disorder control” tactics and methods, without adjustment to reflect the NYPD’s responsibility for facilitating lawful First Amendment expression”* (DOI, 2020; p.3). The DOI also asserted that the *“inconsistent application of the curfew similarly generated legitimate public concerns about selective enforcement. NYPD use of force and crowd control tactics often failed to discriminate between lawful, peaceful protesters and unlawful actors, and contributed to the perception that officers were exercising force in some cases beyond what was necessary under the circumstances”* (ibid).

Existing Studies

Given the high levels of controversy surrounding the BLM protests in the US, much has already been written about them. Chenoweth and Pressman (2020) for example demonstrated the predominantly peaceful nature of the protests nationwide by drawing general statistical data from 7,305 events in thousands of towns and cities in all 50 states and D.C.^{iv} Similarly, the Armed Conflict Location & Event Data Project (ACLED) collated news

reports and other data in partnership with Princeton University to support empirically based reflection on the general nature and implications of the protests, occurring as they did during the Covid-19 pandemic.^v In this regard, some studies focus on exploring the implications of the demonstrations for their impact on risky behaviors and contagion of the coronavirus as well as upon civil rights (Dave, et al, 2021; Kampmark, 2020)^{vi}. Others explore the implications of the protests for understanding the evolution of the BLM movement (Konadu & Gyamfi, 2021; Morris, 2021).^{vii} Several detailed studies were also commissioned on the policing of protests within specific police jurisdictions. However, as far as can be determined in each case these studies provide general overviews of events rather than offering detailed scientific analysis of the sequencing and patterning of behaviors and policing. For example, the John Glenn College of Public Affairs at Ohio State University was commissioned to undertake an analysis of the policing of BLM protests in the State capitol Columbus. The report made numerous recommendations for improving preparation for future protests. One of the recommendations encouraged the CDP to “*review national and international best practices regarding the impact of police actions on First Amendment assembly and protest participants, but just as importantly, CPD should develop new practices through the community collaborative approach*” (Brown & Stuart, 2020; p.9). The report also encouraged the CDP to establish special dialogue units “*to establish contact with activists and demonstrators before, during, and after protests*” (ibid.). Nonetheless, like other studies these recommendations rely on a general overview of a sequence of demonstrations and do not provide any detailed in-depth scientific analysis of the behavioral patterns and interactions that took place.

The Science of Crowd Psychology

Central to understanding the dynamics of crowd events is the science of crowd psychology which has advanced considerably across the last forty years. At the heart of these developments has been the refutation of a body of crowd theory first developed in the late nineteenth Century.^{viii} This ‘classical’ crowd theory was never empirical in the way that science is understood today, but nonetheless has established the now deeply rooted idea that crowds are places where people lose the rational control of their behavior.^{ix} Accordingly, classical theory proposes that crowds tend to behave in anti-social and conflictual ways, either because participants’ behavior is dominated by emotions (i.e., anger or fear) or that they are open to uncritical social influence and therefore easily drawn into confrontation by ‘troublemakers’ and ‘agitators’. This scientific position is often referred to in popular discourse as ‘mob psychology’ a term used to convey the idea that violence develops during crowd events primarily because of this universal, overwhelming, and sometimes unavoidable impact that crowds have on human consciousness and conduct. From this perspective the actions of the police are not understood to play any role in the production or escalation of conflict, merely a means to protect society from the crowd’s assumed inherent tendencies to become conflictual.

The ‘armchair’ science of classical crowd theory found twentieth century support and modern scientific vernacular in the form of ‘Deindividuation theory’; a perspective developed by several prominent US social psychologists in the 1950s through to the late 1980s.^x This scientific veneer had the effect of entrenching classical theory into public policy, particularly among police forces charged with the responsibility of managing the sometimes highly confrontational and problematic crowds of the civil rights, cultural change and anti-war movements prominent at that time. Yet, despite its uptake, classical theory has been

increasingly superseded within science, for two primary reasons. The first is that it was increasingly recognized to lack explanatory power in that it cannot adequately explain or accurately predict how crowds behave. In this respect, the approach fails to satisfactorily delineate the dynamics and processes through which peaceful crowd events become violent or spread from one location to another.^{xi} The second is that from the late 1990s onward science has contradicted the evidence upon which the classical perspective is based, particularly with respect to its modern form of Deindividuation theory.^{xii}

As a result, over the last forty years the classical perspective has been increasingly challenged by alternative models ranging from 'Frustration Aggression' theory through to 'Emergent Norm Theory' none of which have adequately addressed the problems of the classical approach.^{xiii} In the last fifteen years all these alternative approaches have begun to be displaced in both science and policy by the Elaborated Social Identity Model of crowd behavior (ESIM).^{xiv} This relatively new theoretical model portrays collective behavior in crowds as meaningful to those involved and as social action made possible through a shared group membership that is psychologically salient among participants. Far from losing rationality through assumed anonymity, crowd participants are understood to psychologically reorient toward a shared contextually defined sense of group membership. These social identities help people to understand their collective relationships to those around them and govern what participants understand is legitimate and possible behavior within the respective situation. The social identity approach is a significant advance on other models because it helps explain the ideologically coherent patterns of spontaneous collective behavior evident within riots.^{xv} The ESIM has also helped to advance theoretical understanding of the interactional group level dynamics through which otherwise peaceful demonstrations can transition into serious and widespread confrontations and spread from one location to another.^{xvi}

ESIM derived studies have repeatedly demonstrated that collective violence often develops as an outcome of an interactional intergroup social psychological process that can occur during crowd events. On the one hand crowd participants can see themselves as acting legitimately, exercising their democratic rights to peacefully protest. While there may be a minority within the crowd seeking to provoke confrontation, they lack social influence because they are seen as an outgroup. On the other hand, police see the crowd collectively as inherently confrontational, often because their training and policy is underpinned by outdated scientific theory.^{xvii} These acts of confrontation among the minority are therefore assumed by police to escalate inevitably and as such, there is a need to intervene forcefully to deescalate the situation by disrupting the emerging 'mob psychology'. However, according to ESIM, the coercive behavior of the police changes the social context for crowd participants who interpret the intervention as unwarranted, dangerous, and illegitimate. This in turn reshapes the social identity within the crowd to one that is defined in terms of a collective opposition to police action perceived as illegitimate. In this way the identity change subjectively legitimizes confrontation toward the police among large numbers of participants. The change also repositions those seeking conflict as members of the ingroup and as such they are better located psychologically to influence the behavior of the crowd. This shared oppositional identity also empowers others prepared to resist the police enabling people in the crowd to act collectively. Thus, indiscriminate police use of force can inadvertently and unintentionally create the social psychology through which a previously

peaceful demonstration changes and escalates into one involving widespread and violent conflict.^{xviii}

The theoretical approach provided by ESIM has enabled police forces internationally to begin to understand the counter-productive nature of strategic and tactical models based upon classical theory. As a result, police and governmental organizations across the world have begun to develop new ESIM-based approaches. One of the first to do so globally were the Swedish Police who, following serious rioting surrounding an international summit in Gothenburg in 2001, developed the Special Police Tactic which includes specialized units of dialogue police. The dialogue police are deliberately non-coercive, operate with a very high level of discretion and focus on working with crowd participants, often over extended periods, in order to build shared understanding and relationships of trust and confidence. In so doing, the dialogue police are able to improve shared perceptions of police legitimacy, enhance two-way communication and increase their capacity to manage ESIM dynamics in ways that de-escalate tensions before, during and after crowd events.^{xx} Also in 2004, police in Portugal also utilized the theory to underpin their world leading and highly successful four stage dialogue-led graded strategic and tactical approach to the management of public order at a major international soccer tournament.^{xx} Since 2010 ESIM has also provided the conceptual underpinning for public order policing in the UK.^{xxi} Other countries such as Australia, Denmark and South Korea have utilized the theory to advance their approaches to policing crowd events. However, the extent to which ESIM has been incorporated by police departments in the US is unclear and there has been no study to date exploring how the theory helps to understand some of the causal factors through which otherwise peaceful BLM protests in 2020 transitioned into widespread confrontations.

Protest Policing and Oversight in the City of Seattle

Seattle, Washington faced some of the most determined, controversial, and prolonged of the nationwide BLM protests in the US during 2020. Through the nearly five months of demonstrations that occurred in the city there were several that escalated into high levels of conflict, police use of force, curfews, and dispute. These included but are not restricted to a major riot in downtown Seattle on March 30th, the evacuation of SPD's East Precinct building on June 8th, and the near month-long occupation by protesters of several city blocks referred to as the Capitol Hill Organized Protest (CHOP) or Capitol Hill Autonomous Zone (CHAZ) between June 8 and July 1, 2020. While predominantly peaceful, the CHOP culminated in several shootings that caused injuries and the death of two teenagers. As with other cities in the US, the level of controversy arising from these events was intense. For example, the Office of Police Accountability (OPA), one of three police oversight bodies in the city, recorded over 19,000 civilian complaints against SPD related to the protests.

Another of the oversight bodies for SPD, the Office of the Inspector General (OIG), established a broader systemwide review of the policing of the protests. The OIG took an innovative position in relationship to this task by adopting a methodology referred to as a Sentinel Event Review (SER). A 'sentinel event' is understood as a significant, unexpected, negative outcome indicative of wider systemic problems. The SER process was initially designed to gather data to analyze disasters such as airline crashes and to take a non-adversarial approach to avoid undermining a transparent system-wide analysis of the underlying causes. Historically, SERs have been deployed to address negative outcomes in manufacturing, transport, and healthcare contexts. More recently they have seen uptake in

relation to criminal justice (CJ) outcomes. For example, the US Department of Justice (DOJ) states on its website that an SER might address *“the premature release from prison of an individual who quickly reoffends or commits a violent crime, the wounding of a police officer by a mentally ill probationer, a wrongful arrest or conviction that leaves the real perpetrator at large, an in-custody death, the loss of probative evidence on a crime scene or in a lab, an out-of-policy police shooting, or a “good catch” in which a negative event was narrowly avoided”*.^{xxii}

The DOJ again makes clear that their use in a CJ context is less about attributing blame and more about empowering relevant stakeholders to drive evidence-based reflection and subsequent reform. Nonetheless, as the examples above illustrate, to date their application has been largely to do with relatively small scale ‘single incident’ type events. The Seattle OIG’s adoption was therefore a first and highly innovative application of the methodology to the multifaceted and highly complex environment of crowd events, a difficulty amplified exponentially by the fact that these were themselves multiple in number and extended across several months. Consequently, a key challenge for the Seattle OIG SER was to identify which of the multiple behavioral episodes would be nominated as the ‘sentinel event’ around which the review could then focus.

The Sentinel Event Review

The SER began by conducting community outreach and establishing a Planning Group (PG) comprised of up to twenty-four community, law enforcement, and other stakeholders who assisted OIG in customizing and refining the SER methodology, approving facilitators, and selecting the incidents for analysis. The Planning Group reviewed the data and a range of reviewable incidents put forward by OIG. To support the PG, the OIG created a SER data team to gather and assess a broad range of data relating to the protest events of 2020. On this basis the data team identified several spikes in police use of force records which correlated with other data (e.g., arrests, injuries, complaints, etc.). This data-driven approach led the PG to formally categorize five periods or waves upon which the SER would subsequently focus, the first of which began on the evening of May 29th and concluded early in the morning of June 2nd. Correspondingly, this approximately four-day period of Wave One involved several major escalations of conflict, 30% of all recorded protest related police use of force, 27% of the total protest related arrests, 10% of the recorded injuries of SPD officers and 12,798 of the estimated 19,000 civilian complaints filed with OPA.

The PG and the OIG also created the SER Panel, a body composed of twelve community members and law enforcement officials that would conduct the review. From these processes the PG, Panel and OIG coalesced on seven separate incidents that occurred within wave one which for them consensually characterized negative outcomes as these related 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”* (ibid). The seven selected incidents were then formally sent to the Panel for what is described as *“root cause analysis”* (OIG, 2021; p. 10). The Panel was tasked with identifying a series of factors that it consensually judged contributed to these incidents and to generate specific

recommendations for SPD reforms that “*would reduce the likelihood of those undesirable outcomes happening again in the future*” (ibid; p.14).

The SER Panel first met in January 2021 to begin analyzing the Wave One incidents. Over thirteen sessions the Panel, informed by data and analysis presented to them by the data team, watched available video footage and discussed each incident ultimately listing what it consensually judged were fifty-three contributing factors. On this basis the Panel put forward fifty-four recommendations for change. The report is highly critical of the police and almost all of these recommendations relate to suggested reforms of the SPD’s approach to the policing of crowd events involving the expression of rights protected under the First Amendment. These included altering the strategy for policing protests to focus more explicitly and comprehensively on the facilitation of peaceful assembly, to modify its tactics to prioritize communication and de-escalation and avoid the use of undifferentiated force (e.g., CS gas munitions), and to improve police training particularly in crowd psychology (ibid; p.29-33). The conclusions of the Panel were then compiled into a Wave One report which was published by the OIG in July 2021.

It is evident in its report that from the outset the SER was a difficult process that was not only seeking to build an analysis of root cause but was also a key process through which the polarized positions of the different stakeholders could be addressed. As such the “*OIG established peacemaking as a core component of SER*” (ibid; p.9) and dedicated a total of twenty-six hours to this across each of the thirteen meetings of the panel. The Inspector General concluded that the Panel “*recommendations represent the consensus views of community members and SPD officers of varying ranks, would not have been possible without a peace and reconciliation approach to dialoguing*” (ibid; p.1). In this respect, as the SER report makes clear “*the 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*” (ibid; p.16). In other words, the Seattle SER was not constructed to focus on developing a scientific framework for analyzing what happened behaviorally during the event, instead its key focus was on creating common ground among stakeholders to enable reform.

The Current Study

This report adds to the analysis completed by the SER Panel by providing a scientific analysis of SPD’s crowd policing policy and the behavioral processes through which the protests transitioned into collective confrontation and became such a salient, resilient, and enduring feature of the city. To accomplish this the current study turns first to an analysis of SPD policy toward the policing of protests, the central aim of which is to understand a) the nature of SPD policy as this relates the policing of crowd events and b) the extent to which it is underpinned by both contemporary scientific understandings and awareness of international good practice. The study then provides a detailed empirical analysis of the behavioral dimensions of the first four days of protests and policing in the city. The study concludes by drawing the two analyses together to reflect upon the potential underlying causal factors and propose a series of key recommendations.

SPD Crowd Policing Policy

The OIG has already undertaken a preliminary analysis of the SPD's policy relating to the management of crowd events (OIG, 2020). This analysis builds upon that by providing a comprehensive and detailed review of a single policy document that the SPD developed to underpin its training for officers involved in the management of crowd events. In April of 2016, the Seattle Police Department Education and Training Department authored a document titled *"Integrated Crowd Management"*. It provides a detailed rationale for the SPD strategic and tactical approach to crowd management that this study assumes provides an ideal opportunity to understand SPD policy as well as the police perspectives that may have been in place among those units and commanders deployed to police the protests in 2020. As it states in its opening sections this *"document is intended to lay out the Seattle Police Departments' approach to balancing the right to freedom of speech with the need to protect persons and property. It is a systematic approach, supported by officer training, designed to provide a template for crowd management"* (p.7). This analysis will therefore analyze the document thematically to draw out key areas of significance. The analysis draws data directly from the SPD document to evidence the analytical points being made and presents these as verbatim quotes. While this adds considerably to the length it was judged important to allow the reader to access the data directly rather than refer to it in an Appendix. On this basis the current analysis concludes that problems with interpretation of the science of crowd psychology have underpinned the maintenance of a policy within the SPD that is a) inconsistent with the latest trends of international police good practice, b) is likely to lead to police actions that could amplify confrontation and c) under emphasizes opportunities for de-escalation that may be available through dialogue led tactical interventions, particularly at times where criminality has begun to or is judged likely to emerge. The analysis also highlights important issues as these relate to the surrounding legislation.

Basic Principles

The document begins with an *Executive Summary* which gives an overview of the SPD's crowd management policy and its underlying rationale. From the outset the report begins to make clear that the SPD's approach toward the policing of crowds is built upon core principles of democratic policing, most notably its strategic ambition to protect US democracy through safeguarding First amendment rights. As it points out, *"a foundational right and a defining characteristic of our American society is freedom of speech and the right to exercise that freedom through peaceful assembly and protest. The vigorous exercising of this freedom has been a driving force in allowing our nation to evolve and for the voice of the people to be heard to address grievances, or to resolve conflicts that naturally arise between groups in a country as diverse as ours. A core value of the Seattle Police Department is supporting the rights of free speech and assembly guaranteed by the First Amendment of the Constitution"* (p.7).

It is also apparent that the strategic ambition is to ensure that the SPD's method of crowd policing is non-confrontational, based upon facilitation, community engagement, and dialogue. *"As an agency we engage with all potential demonstrations using constructive discussions, dialogue, and during the event using a soft approach to interact with the public. The tone is set with the community prior to the demonstration as a result of outreach efforts"*

by the Seattle Police Department. During an event officers mingle and relate to the crowd using low-key procedures based on participants' behavior. This re-enforces law enforcement's role as facilitator, rather than confronter. Maintaining dialogue throughout the event helps minimize conflict. Dialogue involves two-way conversation - sometimes this means listening to unpopular opinions and suggestions or outreach to groups even when they refuse to engage with police". (p.8)

At the same time, the document acknowledges that a key challenge for the police is to balance the facilitation of protesters' rights while addressing any emergent criminality. *"Officers and commanders must negotiate, educate, and maintain continual dialogue with organizers and crowd members. As a starting point it is accepted that police will support demonstrations but cannot allow the crowd to hurt others or destroy property" (p.8).* The policy document is explicit in various ways that enforcement action should not be indiscriminate and in so doing acknowledges the importance of participants perceptions of police legitimacy. *"At any large demonstration, law enforcement officers primarily serve as peacekeepers facilitating lawful intentions and expressions. Participants perceive the legitimacy of police actions based on how officers interact with the crowd throughout an event. Communicating expectations, negotiating continually, and emphasizing the goal of safety are vital. Officers should not confuse the actions of a few with those of the group."* (p.8)

In this way SPD policy appears to be largely in line with contemporary policing approaches in other western democratic societies and to have been designed as a means through which the police can strike an appropriate balance between facilitating rights, ensuring public safety, and preventing criminality. Indeed, the Executive Summary concludes that the *"approach outlined supports the exercise of fundamental rights, establishes the limits of acceptable conduct, promotes legitimacy of police actions, while ensuring the safety of all involved"* (p.8).

Historical Context

Having set out its policy in summary form the document moves on to provide a detailed rationale that begins with an analysis of the historical evolution of protest policing in the USA. Turning first to the civil rights marches of the 1960's the document highlights the damaging and long-term negative impacts of the 'escalated force' model, highlighted in Birmingham, Alabama in May 1963.^{xxiii} The argument is made that public outrage at the policing of these protests led US police forces to move away from specific use of force tactics seen in other regions of the world. *"The long-term impact of these events still affects police operations in the United States today. For example, while many European police agencies continue to incorporate the use of water cannons and K-9s as crowd control tactics, such tactics are largely disavowed in the United States as a result of the cultural trauma of similar tactics used in the South during the Civil Rights demonstration era"* (p.12).

The document continues by describing the fatal police shootings at Kent State in May 1970 and provides reflection upon the *President's Commission on Campus Unrest or Scranton Commission*, which it is argued was the next milestone in the evolution of crowd policing in the US. The document quotes an extract from the Scranton Commission report to give emphasis to the idea that a lack of preparedness can and does lead to unnecessarily

aggressive policing which in turn destabilizes public legitimacy and amplifies protest. *“Events in the past year [1970] have made it clear that the price of being unprepared can be tragically high. Lack of preparation increases the chance of injury and death. Lack of preparation gravely increases the risk of excess by both the police and the students in the heat of confrontation. If these excesses occur, after the tumult dies down, we find fewer students who respect the law and its officers, and fewer policemen and citizens who respect the universities and their members. The stage is thus set for even worse confrontation in the future”* (PCCU cited, p.15). Indeed, quoting the commission report once more, it acknowledges that the *“way policemen behave during a campus disorder is often the most critical determinant of the course the disorder may take”* (PCCU cited, p.16). It is argued therefore that these ‘campus protest’ events highlight the need for police to have a high level of training. This is precisely because the SPD already recognizes that policing is often the largest single factor determining how crowd events evolve over time, which is in line with ESIM theory and research.

Mobile Field Forces

The document then moves on to present what is argued to be the key tactical development that emerged in the US in the wake of these early historical events, the Mobile Field Force (MFF). It argues that MFFs were created to address various types of emergencies including civil unrest and designed to *“mitigate the impact of illegal conduct, while still protecting the rights of citizens to exercise free speech and demonstrate”* (p.17). *“Mobile Field Force tactics are designed around approximately 10-person squads combined into approximately 40-person platoons, with multiple platoons assembled to provide the needed resources for large demonstrations. Each unit is supplied with specialty equipment and less-lethal tools designed to address likely threats and provide reasonable force options. “Riot” shields, helmets with face shields and officers armed with “riot” batons became the standard response for crowd control. Some of the equipment is obviously intended to provide officer protection, while the riot baton was intended to assist in controlling crowd movements and as an impact weapon if needed. When deployed, Mobile Field Force officers were intended to intimidate demonstrators using coordinated visual displays and maneuvers, including, banging shields with batons and various formations to limit or reduce criminal conduct and physical confrontation”* (p.17).

In addition, the document describes how a range of ‘less-lethal tools’ gradually came to be incorporated into the MFF armory. *“Over several years, additional less-lethal tools have been added to improve police response to riotous crowds, minimizing the potential for officer or suspect injury. Less-lethal tools now include various forms of chemical agents, launchable munitions deploying various impact devices/gas and “blast ball” distraction devices. Used properly, these devices have proven to be highly effective in countering illegal conduct and disrupting riotous behavior”* (p.17). The document continues by arguing that *“used incorrectly, they can inflict serious injury”* (ibid), so the success or failure of the MFF approach is understood to be heavily dependent upon ensuring that high levels of recurrent training and preparedness are in place. In other words, it is acknowledged that the tactic is only as effective as the people that are using it. Hence, a *“successful tactical response to demonstrations using the Mobile Field Force principles requires several supporting concepts be in place, including highly trained officers and leadership, recurring training to reinforce skills, sufficient time to plan an appropriate response, adequate resources available during the incident and the correct assessment of the opposition’s capabilities and intent. The*

success of the tactics are predicated on significant police training, on capable and trained leadership, substantial time to plan and implement a coordinated response and having sufficient resources available to adequately respond to these incidents” (ibid).

However, elsewhere the document lays out a proposal for the levels of training that officers in the SPD should undergo to deliver its policy. It is here the document exposes the relatively low level of training provided by the SPD in that *“all personnel will receive 4 hours of foot crowd control movement exercises. Bike Crowd Control Refresher Training-all bike officers will undergo 9 hours of crowd management instruction for bike officers”*. In particular, the senior operational commanders for events, the Operational Incident Commanders would receive only *“4 hours of leadership training for crowd control”* along with *“4 hours of training for all officers who have been previously certified to deploy OC/Blast Balls”* (ibid). Bearing in mind the competing demands of the policing environment this level of training and preparedness appears to be remarkably low comparative to other western democracies and inconsistent with the level of training this document suggests is necessary.

The document then moves on to describe the extensive disturbances surrounding the WTO in Seattle in 1999 as an example of where the MFF had been less than effective. It argues that *“a combination of a lack of realistic assessment of likely events, poor leadership, and insufficient resources led to demonstrations that escalated beyond the capabilities of law enforcement to initially control”* (p.18). In other words, it is asserted that the acknowledged crowd policing failures of the SPD in the late 1990s were driven by weak intelligence, ineffective command and control and a lack of preparedness. Moreover, the SPD had innovated prior to the WTO by developing *“Flying Squads, which was basically a quick reaction force to quell problems as they started”* (p.20) to build upon the largely static formations of the MFF, allowing for more dynamic forms of deployment. However, *“due to an immediate lack of resources, the “Flying Squad” was deployed in static positions to protect different venues. Although based on historical success, the flying squad concept proved ineffective due to insufficient mobility”* (ibid). Nonetheless, in the face of these recognized failures, the recourse to ‘non-lethal’ weaponry was judged to have been ultimately successful. The document contends that *“the use of chemical irritants and other less-lethal munitions allowed SPD to open the area, allowing Conference delegates to move among venues while avoiding serious injuries or fatalities. SPD did well to choose the latter course of actions”* (ibid).

While such conclusions about the policing of WTO stand in contrast to those reached elsewhere,^{xxiv} it is apparent from the document that the MFF became the tactical bedrock underpinning crowd policing across the US, including Seattle. Central to this operational approach are large squads of highly trained officers who can utilize a range of ‘less-lethal’ weaponry to try to intimidate and coerce crowds into compliance. However, it is evident that towards the end of the 20th century these largely static formations came to be equally recognized in Seattle and beyond as a limitation and new more dynamic form of deployment was initiated, but apparently not successfully delivered in the highly challenging context of the WTO.

Bike Squads

The disturbances and policing surrounding WTO in 1999 were internationally significant not least of all because they began to reshape scientific understanding of both protester and police tactics. With respect to the former, the WTO disturbances are often used to highlight the emergence of more 'direct action' and confrontational forms of 'black block' protest tactics, operationalized by groups who dress in similar black clothing, often hiding their identity, with informal leadership structures who are difficult for the police to negotiate with. Academic theory also tends to mark Seattle WTO as a transition in policing away from a 'negotiated management' policing phase in the 1980s and 1990s, toward a surveillance heavy and control oriented 'strategic incapacitation' approach that is assumed to have become dominant during the 21st century.^{xxv} However, the SPD policy document suggests a far simpler development took place within Seattle, merely seeking to enhance its capacity for more dynamic tactical deployment in the face of these more proactive, spontaneous and potentially confrontational forms of protest. *"From WTO forward, the Seattle Police Department has increasingly faced demonstrations directed at law enforcement or as a direct response to actions taken by police. Additionally, demonstrators have become significantly more sophisticated in their approach to demonstrations. Demonstrators are now more mobile, better coordinated, utilize technology to organize and communicate, and employ sophisticated tactics to counter known police responses. Using peaceful demonstrators as cover, determining when insufficient officers are present prior to taking illegal action, wearing gas masks and other protective equipment, erecting barricades, starting fires in the roadway and using bicycles for enhanced mobility are examples of techniques used to counter law enforcement training"* (p. 22)

Given their experiences, the document argues the SPD had often been *"one-step behind those committed to unlawful behavior"* (p.21). This analysis of the problems they encountered appears to have led to two key policy developments. *"In addition to the obvious need for the plan to be flexible and quick to adapt in general, there should be a dedicated component or team integrated into the planning unit that tracks and is responsive to the late breaking developments or changes in the event dynamic"*. Second, that this would be *"accomplished with the development of Seattle PD's current bicycle units. The mechanical advantage of the bicycle allows officers to keep up with and stay ahead of the marches and demonstrations"* (ibid). These small units of relatively well trained and experienced officers, each equipped with a mountain bike, are described as achieving efficiencies as well as providing a capacity for de-escalation because they are highly mobile, hence avoiding inherently confrontational resource-heavy static formations of the MFF. *"At the core of the tactical changes was the recognition that allowing a disruptive crowd to coalesce at fixed points creates a greater likelihood of confrontation. Once officers and crowds are fixed in place, officers and demonstrators are often faced with individual confrontations at close range; literally face-to-face or arms-length away from each other. These confrontations, at these distances, carry a high degree of risk to both sides and have a high potential for physical confrontation due to the perception of danger by each side. WTO and later events all point to the limitations of these traditional police demonstration tactics. Fielding enough officers in line formations, on short notice, to handle crowds from 500-10,000 demonstrators is almost impossible for all but the largest police agencies"* (p.23).

In effect, the bike squads provide *"what is now known as the "Mobile Fence Line" to separate the crowd from exposed property or persons at risk. The tactic has become a core tactic of bike officers"* (p.22). As a result, the policy document makes clear that after WTO

the SPD developed upon its MFF tactics through *“the use of the Police Cyclist as a primary demonstration management asset and the expansion of less-lethal tools deployed during demonstration events”* (p. 24). This appears to have been because the bike squads allowed the SPD a capacity to monitor and respond to dynamic crowd movement but to do so largely by creating mobile cordons. Moreover, a key advantage of the new approach was efficiency because *“these tactics allow the Seattle Police Department to do more with less, while at the same time reducing the potential for physical confrontation when compared to historical police response to riotous behavior”* (p.24).

‘Less-Lethal’ Munitions

The document then highlights how a series of technical and manufacturing developments occurring in the wake of the WTO led to the growing incorporation of a range of ‘less-lethal’ munitions. *“WTO also marked a technological tipping point for U.S. law enforcement with the deployment of significant and new less-lethal tools. Chemical irritant agents such as CS gas have been available since the 1960s. However, in response to events in Northern Ireland and other police incidents internationally, companies developed expanded less-lethal tools including various launchable impact munitions, noise flash diversion devices, and various methods of oleoresin capsicum delivery. By the time of WTO, issuance of handheld oleoresin capsicum spray devices to individual officers had become routine. These OC spray devices provided officers with the capabilities of delivering relatively safe, individualized and directed chemical agents”* (p.25).

In particular, the document emphasizes the use of a hand-held rubberized explosive device known as a *“blast ball, which creates a loud blast of noise and in some instances emits a small amount of pepper agent.”* (p.25). It argues that such munitions are highly effective *“in creating distance and efficiently breaking up disruptive crowds. These new tools provided capabilities that exceeded what was historically possible from the same number of officers deployed in line formations during large demonstrations. Use of bike officers and less-lethal munitions allowed the Seattle Police Department to address riotous, highly mobile crowds far beyond the capabilities historically possible for officers using traditional Mobile Field Force Tactics. These disruptive tactics limited criminal conduct during WTO with minimal injury to demonstrators”* (p.25). In this way, the document rationalizes the utility of ‘less lethal’ weaponry, MFF and bike squads, as the tactical combination that should be the basis for the SPD’s tactical approaches to all future demonstrations. *“In the initial stages, of the WTO event, law enforcement was overwhelmed; partially as a result of shortcomings in staffing and partially as a result of the tactics employed. Under extreme circumstances, officers and their supervisors adapted; using less-lethal munitions, police cyclists and mobile hard squads to stabilize the situation. Eventually, with the arrival of additional law enforcement resources from outside agencies, and with the use of significant amounts of less-lethal munitions, law enforcement was able to control the extremely large and disruptive crowds”* (p.25).

WTO can therefore be understood as a ‘tipping point’ for the SPD because it flowed into specific policy and tactical developments. On the one hand, the Department appears to have invested heavily in the development of bicycle tactics involving small squads of highly mobile officers on mountain bikes to build upon the backbone of its MFFs. On the other hand, it increased the range of ‘less-lethal’ munitions it was able to utilize. Both developments appear to have flowed into a policy focused on moving away from a reliance

upon static formations toward facilitating dynamic protest marches through creating mobile bike cordons. The role of these cycle units would be primarily to retain physical distance but to intervene quickly and with force against any observed criminality, then withdrawing to try to de-escalate the situation. As the document states, the lessons *“learned from WTO led to an evolution in tactics, in which police presence focused on escorting marchers, rather than confronting or constraining the movements of demonstrators. Officers remain a visible presence, escorting the demonstration, but not engaging demonstrators unless criminal conduct is observed. Police bicyclists, supported by less-lethal devices, can take law enforcement action if necessary. The overall goal is to arrest individuals involved in criminal activity as quickly as possible, remove those individuals from the scene, and encourage the law-abiding demonstrators to continue along their course. The desired result is reduced confrontations, through de-escalation and a minimal reliance on force, while still maintaining order and protecting the safety and interests of those not involved in the demonstration”* (p.25).

Embedding the New Approach

The document next turns to an analysis of a series of more contemporary protests and other large-scale crowd events that occurred in the city since WTO, during which a series of difficulties with the new tactical combination were experienced. Having faced criticism, the SPD apparently decided to take a ‘hands off’ approach to policing crowds in the city and exercised this in policing the Mardi Gras celebrations in May 2001. Choosing to stay only on the perimeters, the document describes how there *“were reports of roving bands of people moving through the crowd, assaulting partygoers. Though numerous complaints were made to officers on the perimeter, they were ordered not to enter the crowd to engage those involved in criminal activity. Unlawful behavior continued to escalate; to the point that a person was firing a pistol inside the crowd and a 20-year-old college student, Kris Kime, was severely beaten while trying to assist a young woman who had fallen”* (p.28). The result for the SPD was that it had to settle a related lawsuit that cost the organization \$1.75 million. This incident appears to have been another key milestone in the evolution of the SPD crowd policing approach, the central lesson appearing to be *“that a completely hands-off approach”* was untenable. Thus, while its policy recognizes that police actions can provoke confrontation it now also accepted that a lack of intervention was equally problematic because it *“can contribute to substantial illegal conduct which results in serious public safety issues”* as well as litigation (p.29).

Ten years later in September 2011 the city also experienced a wave of protests relating to the worldwide ‘Occupy movement’ toward which the SPD appears to have utilized its now embedded bike squads, supported by less-lethal munitions as its primary tactical interventions. From the SPD perspective this tactical arrangement was to good effect and as such cemented the model into the heart of its approach. *“Again, the primary police response to Occupy Seattle was the use of police bicyclists to monitor, escort and execute crowd control tactics. These officers are mobile enough to keep up with marches over significant distances, are not impacted by traffic stoppages and officers can use their bikes as mobile barricades when in contact with the demonstrators. Bike officers have developed significant experience in crowd control tactics, as well as being able to handle additional policing needs of the city, such as impact patrol of identified problem areas. Due to ongoing annual training, it is now possible to field large numbers of bike officers, with sufficient notice of events. Even with minimal notice, several bicycle squads are available throughout*

the city and can easily transition from routine patrol operations to crowd management functions” (p.29).

The document goes on to draw out lessons for the ‘Black Friday’ demonstrations in the city in response to the fatal shooting by police of Michael Brown in November 2014 and the *“May Day demonstrations [which] over the last decade have become a significant crowd management challenge for the Seattle Police Department. Large groups of demonstrators wishing to bring attention to political grievances legally march long distances within the city” (p.37).* Reflecting the earlier issues of the requirement for the SPD to react to any criminality within the crowd, the document points toward a common problem perceived by police forces on a worldwide basis. This is the idea of a minority of people who are understood to attend crowd events with criminal intentions who then actively utilize the anonymity of crowd contexts to prevent themselves from being detected and arrested. Thus, within these May Day protests the SPD experienced *“small groups with the singular goal of disrupting the demonstration or seeking a confrontation with police integrate themselves into the groups who legally demonstrate. They often use the crowd as cover for disruptive behavior” (p.37).*

Nonetheless the tactical innovation on bike squads in Seattle appear to have allowed the SPD to manage these events successfully since *“over the last several years, the Department has managed the difficult task of supporting legal demonstrators exercising their constitutional rights while still being prepared to handle illegal conduct”.* However, it is relevant from an ESIM-based perspective to highlight that the document acknowledges this effectiveness was to a large extent underpinned by successful dialogue with the community. *“Part of the success of May Day demonstrations has been the Department’s outreach to the community in order to better coordinate demonstration events. Cooperation between organizers and the city have dramatically reduced potential conflict between police and the community. For the majority of the event, police simply escort, observe and provide a visible presence for marchers” (p.37).* Thus, since WTO, for *“the Seattle Police Department, bicycle officers have taken over the heavy lifting of crowd management” (p.55)* because in a context of successful partnership with the community *“they are perceived as friendly, approachable by the crowd and are familiar to the public” (p.55).*

Having laid out an extensive historical analysis of the evolution of SPD crowd policing, the document moves on to compare itself positively with other police organizations in the US that it argues were still at that time negatively wedded to a more static and conflictual MFF approach. It argues that in contrast the *“tactical approach preferred by the Seattle Police Department is aligned with the national best practices advocated by leading police professionals and is supported by international research” (p. 39).* In line with what it refers to as the *“Madison Method of Handling People in Crowds. This process usually starts with the Seattle Police Department reaching out in advance to identified groups in order to confirm their support for the demonstrator’s right to march and to reinforce their fundamental right to legally gather and speak out” (p.39).*

It then aligns the city’s policy with that of the Police Executive Research Forum (PERF) and with the Vancouver Police Department (VPD). Citing the VPD’s analysis of the ‘Stanley Cup riot the document points out that *“according to PERF, generally speaking, there are four things an agency should engage in to be considered “best practices” for crowd management. First, the agency should gather intelligence before and during an event to determine, among*

other things, any groups who might be interested in causing trouble and what their intentions might be as well as their potential tactics. Second, the agency should seek to facilitate the lawful and legitimate aims of the group. Third, there should be communication with the crowd, potentially through a respected crowd member. Fourth, there should be recognition and understanding that the crowd may not be a homogeneous group and officers should not treat all members of the group as if they are hostile. Instead, officers should involve those who are not hostile, to assist them in dealing with the hostile individuals.” (2011 Stanley Cup Riot Review, p. 27, Vancouver Police Department, Sept. 6, 2011).

Crowd Psychology

Having associated itself with these national and international scientifically informed approaches, the document lays out the SPD’s understanding of the science of crowd psychology. It acknowledges the need to draw on this science to appreciate the dynamics through which conflictual minorities within crowds might impact disproportionately upon the behavior of those around them. *“The majority of demonstrations in Seattle occur with police supporting and facilitating the exercise of the community’s constitutional rights to exercise free speech and assembly. However, when some individuals are determined to engage in criminal conduct as part of a crowd, it can have an effect beyond the limited numbers of people involved. The nature of the event can influence people’s conduct. There is substantial literature, academic study and law enforcement experience that indicates that criminal conduct by a limited few can impact the behavior of others in a crowd. Additionally, many academic studies support the belief that crowd dynamics can coerce others in the group who are not predisposed to criminal conduct into contributing to the escalating violence of a riot” (p.58).*

This interpretation is not consistent with contemporary science. The document draws upon several theoretical approaches to argue that *“Crowd Contagion, Convergent Theory, Emergent Norm Theory, Collective Emotion, Freud’s expression of repressed drives and other theories all attempt to explain the observed antisocial conduct of crowds that result from anonymity, stimulation, emotionality, suggestibility, initiation, contagion, lack of volition, force of unconscious impulses, etc., which are responsible for the emergence of the typical behavior of the crowd”*. Without acknowledging that several of these theoretical models are incompatible, it concludes that criminal minorities within crowds can unavoidably exercise a disproportionate level of social influence on those around them. Specifically, drawing upon De-individuation theory it asserts that crowd conflict occurs primarily because of a loss of self-awareness among participants. Thus, despite its earlier acknowledgment that policing can be a primary causal factor, here it is asserted that it is the anonymity of a crowd that increases proclivity toward violent and anti-social behavior. *“Broadly speaking, the crowd succumbs to the social influence of the wider group. De-individuation theory suggests that individuals, when they are anonymous crowd members, can lose their sense of self-awareness, self-observation, self-responsibility and individualized identity, resulting in weakened moral restraints and un-socialized and antisocial behaviors” (p.43).*

The document then builds upon this Deindividuation analysis by referring to Emergent Norm Theory. Without acknowledging these two theoretical approaches are contradictory, it contends that *“as more members adhere to these norms, they become more influential, and pressure to behave antisocially increases”*. Consequently, it concludes that *“when large*

groups of people come together, they can lose their sense of self-awareness and catch a mob mentality. Mob mentality can set in at protests - such as those organized in response to the NATO Summit in Chicago - or at a clearance sale". To validate this hybrid interpretation of the current science, the document cites an array of 'experts' arguing that "social scientists give tips on how to avoid succumbing to mob mentality and to recognize warning signs of when crowds are getting out of control". It is asserted that Don Forsyth, Professor at the Jepson School of Leadership Studies at the University of Richmond argued that Gustave Le Bon "coined the phrase 'mob mentality' to describe the idea that the mob seemed to act as if it were a single thing, unified by a shared sense of purpose," and is quoted as saying that "Nowadays mob mentality pretty much just means that people do things in crowds and mobs that are stupid, actions they might typically avoid, Forsyth said. But people can lose self-identity in a mob and don't think about their own principles" (ibid).

The analysis returns to Deindividuation Theory and the prominent psychologist Philip Zimbardo, "a social scientist most noted for his classic 1971 study of people enacting the roles of prisoners and guards, is the primary developer of the deindividuation theory according to Forsyth. This theory implies "that with the right kind of social circumstances — anonymity, submersion in a large crowd, emotional arousal created through contagion — individuals become so caught up in the group experience that their individuality is temporarily minimized," Forsyth said. Conformity increases in mobs, as people do what everyone else is doing," Forsyth said. "So, if the mob develops unusual 'situational norms,'" such as burning cars, "then the majority of the group members will do that — resulting in what looks like mob mentality." And "in most cases, the strong mob actions occur when people are part of a group with which they identify. According to Eitan Schwarz, an assistant professor of psychiatry and behavioral sciences at Northwestern University, survival instincts may also play a large role in why people engage in mob mentality. "Our mammalian brains are wired to some extent," Schwarz says, "to automatically trigger imitation, and this is amplified by how many other individuals we see," Schwarz said. When group leaders increasingly stimulate members' senses of anger or righteousness, it is more likely those members will succumb to deindividuation, according to Schwarz. Eventually, "a point is reached where we are so adrenalized that our fight or flight circuits are activated, overcoming more refined judgment," Schwarz said. "The less an individual is ruled by reason, by his nature, the more prone he is to get involved" (p.61).

As already noted, these interpretations of the scientific literature on crowd psychology are problematic. Certainly, the theoretical models and perspectives put forward have been discredited in the research literature for decades. As such, this aspect of the theoretical rationale for the SPD's policing approach creates a model of crowd psychology and dynamics akin to the classical perspective and which bears little to no correspondence to contemporary scientific understanding of crowds. Reflecting this, the document does go on to discuss more recent theoretical developments, specifically ESIM. Importantly, the document neglects to acknowledge that ESIM is incompatible with the above assertions about crowd psychology and as such is a theory that cannot and should not be used simultaneously with these alternative academic approaches. Specifically, accepting ESIM means rejecting Deindividuation theory, and, in this sense, their use together exposes significant problems with the scientific rationale for the SPD's crowd policing model. Without acknowledging these difficulties, the document goes on to recognize the increasing uptake of ESIM by police organizations at a global level and begins to appreciate how this

theory emphasizes the importance of police protester interaction, perceptions of police legitimacy, dialogue, and self-regulation in determining the nature of collective action during crowd events.

“The Elaborated Social Identity Model of Crowd Behavior has achieved considerable influence internationally among academics and major police agencies. The United Kingdom, Canada, Ireland and many others have taken these concepts and molded them into what PERF has referred to as a “Softer” Approach to Crowd Management” (p.62). The document recognizes that ESIM is in line with the facilitation and dialogue led aspects of its policy and as such “has become the standard practice of the Seattle Police Department, which attempts to use the Elaborated Social Identity Model of Crowd Behavior theory to reduce the potential for conflict when managing demonstrations. In simple terms, the Department reaches out to leaders of demonstrations, legitimizing their position, seeking collaboration and delineating legal behavior. The Elaborated Social Identity Model of Crowd Behavior suggests that such efforts not only encourage acceptable conduct, but promote “self-policing” during the demonstration. These efforts are also supported by the “meet and greet” approach of policing (p.62).

Orderly and Disorderly Crowds

The scientific rationale then feeds into assumptions about different types of crowds in terms of their inherent levels of organization, capacity for successful dialogue, and tendency toward confrontation. It contends that on the one hand there are organized preplanned protests which are easier for the police to negotiate with. On the other, there are spontaneous demonstrations where participants are more volatile, less inclined toward dialogue with police and as a result more inclined toward confrontation. *“Although there is considerable recognition that the manner in which police approach a demonstration can influence the potential outcome of an event, it is nonetheless well recognized that crowds can still be remain [sic] unpredictable and difficult for police to manage. Researchers recognize there are many different types of crowds and frequently many sub-groups within any crowd. This complicates communication between the police and demonstrators. Organized marches with well-identified leaders are the easiest and the most susceptible to police outreach. The primary researcher² in this field acknowledges that police outreach, negotiation, communication, engagement and liaising with crowds are problematic with disorganized groups. The research also points out disruptive and violent demonstrators tend to be disorganized and less susceptible to outreach. In other words, the most problematic forms of demonstration for police are the least likely to be impacted by outreach attempts” (p.63).*

On this basis, the document implicitly rejects ESIM, drawing instead upon an incompatible ‘mob psychology’ to assert that once disorder has emerged *“a clear distinction must be made between a demonstration and a riot” (p.64).* Incorrectly quoting the current study’s first author, it states there *“appears to be something about being part of a crowd which serves to empower individuals to behave contrary to their normal civil and moral restraints and, instead, commit disorder. When individuals come together as a crowd, a sense of group solidarity or ‘mob mentality’ is often created, whereupon members of the crowd feel empowered, under the ‘cover of the crowd’ to commit disorder and to incite disorder in*

² It worth acknowledging that the paper cited to support this claim is not a peer reviewed study published study by a recognized academic expert in the field but the Master’s dissertation of a former police trainer in the UK.

others. Thus, normally law-abiding crowd members seem to be caught up in this 'mob mentality' and the emotion of the crowd, and subsequently break the law. Once disorder has been committed, the crowd typically maintain this sense of power and feel legitimate in continuing with their unlawful behavior" (p.65).

SPD policy therefore appears to be underpinned by a form of hybrid crowd theory that is used to justify an operational distinction between 'orderly' crowds and those that have transitioned beyond a threshold, whereby the ESIM-informed policing approach is understood to be no longer viable. With regard to such 'disorderly' crowds, the document asserts the police have both a duty and the scientific justification to act with force to deescalate the crowd's assumed natural tendency to amplify confrontation. *"Once the crowd has crossed the line from a manageable demonstration to a riot, the police must act to protect all members of the community and their property. The experience of law enforcement is that once conduct has transitioned from peaceable demonstration to illegal action, it is essential to intervene quickly to curtail the crowd dynamics from escalating. Most of the theories addressing crowd psychology suggest that individuals can be impacted by the intent of the crowd, which, when turned toward riotous action, can foster potential illegal conduct. Put another way, the more a riotous crowd is permitted to coalesce and adopt a "group think" approach, the greater the public safety risk" (p.66).*

Where such forceful interventions are judged to be necessary, it is recognized that it is not always possible to target those engaging in or intent on criminal activity. As such, the document states the police should draw upon its weaponry, and doctrine of crowd movement, to disperse everyone from the vicinity and undermine the emerging 'mob psychology'. *"When illegal conduct occurs, police are often not immediately present or have insufficient resources available to address the conduct directly. The most reasonable law enforcement alternative is often to move the crowd, in order to disrupt the cohesion of the group, minimizing the potential for "crowd contagion" and promoting de-escalation of the event" (p.65).* In other words, in circumstances where disorder has begun to emerge, rapid forceful intervention *"is a significant step toward de-escalating a crowd. People's behavior escalates for a variety of reasons, but it is virtually impossible to maintain an elevated escalated state indefinitely. The law enforcement goal is to create time for the crowd to de-escalate and return to rationale thought and traditional behavior" (p.66).* Thus, when confrontation begins to develop, the use of less-lethal weapons broadly directed at the crowd *"is often the most effective way to create time and disrupt unfavorable crowd dynamics with the limited police resources available. Movement forces the group to breathe normally and focus on issues other than illegal conduct, increasing the potential for de-escalation of an elevated situation. Movement of the crowd is requested, encouraged and if necessary (if legally justified), created through safe utilization of less-lethal options" (p.66).* Moreover, contrary to ESIM theory and research it is asserted that *"moving a crowd with limited direct police contact has proven to dramatically reduce physical confrontations and injuries to all involved parties" (p.66).*

In summary, the above analysis suggests the theoretical foundation of the SPD's response to protests is flawed. It appears to be based on a fundamental misinterpretation of the scientific literature on crowd psychology. While acknowledging ESIM it also draws selectively from a series of outdated, discredited, and incompatible theories to reach conclusions that are inconsistent with modern scientific research evidence on crowds. Just as modern psychiatry has advanced considerably over the last century, scientific

understanding of modern crowd psychology has advanced as well, and no longer takes the notion of “mob psychology” seriously. It seems reasonable to conclude these outdated assumptions about crowd psychology are likely to feed poor operational decision making and increase the likelihood that force will be used indiscriminately, and by implication disproportionately against crowds. Accordingly, as supported by contemporary research, building police strategies and tactics around discredited theories of crowd psychology is at best complacent and at worst a recipe for conflict escalation.^{xxvi}

The Legal Framework

The conceptual approach toward different types of crowds discussed above is what can be called a ‘threshold’ model. In effect, crowds are understood to exist in two different fundamentally different modes. On the one hand, peaceful crowds are seen as rational and as deserving of first amendment rights to the point at which confrontation appears. On the other, once a crowd reaches a certain level of emergent conflict or criminality the crowd is seen as having transitioned across a threshold to a qualitatively different psychological and behavioral state characterized by irrational group processes and unlawful behavior. Thus, SPD can use the hybrid model of crowd psychology to justify the restriction of First Amendment rights and legitimize police use of force against crowds as whole when only a few individuals may be acting conflictually. This problematic position appears to be supported by the legal framework within which SPD policy operates. As the document makes clear the *“role of police is to support and protect the fundamental rights of the community. All persons in the United States have the right to march, demonstrate, protest, or undertake similar activities protected under the First Amendment to the United States Constitution. Although the right to free speech and to demonstrate are foundational concepts built into the Constitution and are the bedrock on which the Republic is based, these rights are not without limitation. There are common law exceptions incorporated into federal and state law that limit demonstration which endangers the public”* (p.67). It continues that in Seattle *“marches and demonstrations are protected up to the point where they become civil disturbances. A civil disturbance is an unlawful assembly as defined by law”* (p.68). It then makes explicit the specific legal position regarding a *“Failure to Disperse. (1) A person is guilty of failure to disperse if: (a) He or she congregates with a group of three or more other persons and there are acts of conduct within that group which create a substantial risk of causing injury to any person, or substantial harm to property; and (b) He or she refuses or fails to disperse when ordered to do so by a peace officer or other public servant engaged in enforcing or executing the law. (2) Failure to disperse is a misdemeanor”* (p.68).

The legal framework in Seattle defines a civil disturbance as any situation in which a gathering of three people or more people are judged to be creating substantial risk of injury to another or harm to property.^{xxvii} This is reinforced if anyone in that gathering fails to disperse after an order to do so has been issued by police. The document goes on to point out that state legislation is further supported by Federal law which defines a riot as *“a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats,*

where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual” (p.68).

In this way the law places considerable discretionary power into the hands of the police to define any otherwise peaceful public assembly as unlawful. In effect, the policy of the SPD appears to draw both upon the law and crowd theory in combination such that when an assembly is judged as unlawful the rapid use of force becomes a priority to prevent the emergence of ‘mob psychology’. Thus, decisions to utilize indiscriminate forceful intervention in situations of emergent criminality appear to be highly likely because of an interaction between the conceptual and legal frameworks that are interwoven within SPD policy. What the related science suggests is that such forms of indiscriminate and disproportionate intervention are likely to escalate and aggravate collective conflict rather than de-escalate it as SPD policy evidently assumes.^{xxviii} As the OIG put it in an earlier report *“the general nature of the policy reduces crowd status to two conditions: lawful, and unlawful. In a very general sense, protestors are allowed to assemble, until they are not”* (OIG, 2020; p14).^{xxix}

SPD Crowd Policing Policy

The document concludes by setting out in specific detail the SPD’s policy toward the management of crowd events. Drawing upon its interpretation of the constitutional position, legislative instruments, and contemporary science and in line with international good practice the policy document explicitly recommends a facilitation oriented, community engagement led, and graded approach based around the proportionate use of force. Thus, *“based on practical experience with crowd dynamics, and in light of recognized best practices, the Seattle Police Department supports a balanced deployment of police resources for crowd control functions”* (p.70). Strategically, the policy is for their policing of protests to be oriented toward the facilitation of positive behavior and built on a foundation of community outreach. *“The preferred method for dealing with a demonstration is that of crowd management as opposed to crowd control. The Department’s crowd management concepts for an event are supported in the pre-planning and operational phases by community outreach and efforts to gain cooperation”* (ibid).

In line with other ESIM based policing approaches, the policy is to build on this initial dialogue and facilitation to enact a graded intervention with bike squads delivering the primary tactic of a ‘meet and greet’ role. The assumption is their ‘low-profile’ demeanor necessarily allows them to maintain protester perceptions of police legitimacy. *“During the operational phase the Department uses a low-key deployment model with officers present, but largely equipped with traditional uniforms and equipment. The initial deployment is heavily weighted toward police cyclists. These cyclists may be drawn from on-duty assets, assembled as part of a planned event. At this phase, bike officers are usually deployed in their regular bicycle patrol gear, in order to maintain a low profile and avoid the appearance of preparing for conflict. Due to their effectiveness, bicycle officers are often the only crowd management asset assigned to many demonstrations. In the experience of the Seattle Police Department, police cyclists are generally viewed positively by the public. As with many specialized units, the public is often curious about bicycle officers, as evidenced by their willingness to routinely approach police cyclists, interacting, and asking questions. This interaction is encouraged as a way to foster positive relations and can increase the potential*

for de-escalation in situations that might otherwise become elevated, such as demonstrations". (p.71)

Again, in line with ESIM led approaches, the policy once again recognizes and acknowledges that policing can inadvertently create and escalate conflict so the *"intent throughout the operation is to remove the police as the perceived opposition and encourage the view of law enforcement as the guardians and protectors of the fundamental right of the people to freedom of speech and freedom of assembly"* (p.71). Moreover, *"police in lines, especially when in a "hardened" posture with riot gear, often become a negative focal point for a crowd; seeming to incite the throwing of objects at officers and the pushing of the crowd against the line. Once a riot line has been fixed in close contact with a crowd, gaining the ability to move that line and displace the crowd becomes very difficult without the utilization of less-lethal options, including CS gas, OC spray, or riot batons"* (p.72). Thus, *"the overall goal should not be to hold ground but rather to disperse a riotous crowd. The deployment of hardened squads of officers may be appropriate to protect certain critical infrastructure or deny access to property. Since officers will not be able to take advantage of maneuver, they should be given the advantage of appropriate protective gear, and where possible, provided with fixed barricades to create distance from a crowd"* (p.72)

Accordingly, the *"Seattle Police Department has moved away from a crowd control function as characterized by "riot police" formations, to a crowd management method of addressing demonstrations. This is a lower key police response when compared to traditional crowd control tactics. It is predicated on community outreach and on interaction with stakeholders to support cooperation between demonstration participants and police. This foundational philosophical approach is supported by substantial research and practical application by major international police agencies"* (p.81). In more concrete terms at *"the "street" level, crowd management strategies are characterized by a "meet and greet" format for crowd interaction to build rapport and enhance police legitimacy, supporting positive police and crowd interaction. This mindset encourages engagement with the community by officers as a proactive approach intended to prevent unlawful or destructive behavior"* (p.82).

Drawing on the legal instruments, it reiterates that *"illegal conduct occurs in Washington when a person congregates with a group of three or more other persons and there are acts of conduct within that group which create a substantial risk of causing injury to any person, or substantial harm to property"* and that *"when crowd actions change to illegal conduct, officers have an obligation to preserve public safety and protect property"* (p.93). In line with the threshold model discussed above, the document then asserts that once this is crossed a move to coercion directed at the crowd as a whole is required. Accordingly, *"one of the main objectives in a riotous protest is crowd movement, rather than individualized police action"* (ibid). Under such circumstances the bike squads would move from their 'meet and greet' into a coercive formation *"by attempting persuasion, along with bike movements. If justified by public safety risk, a dispersal order may be given. If imminent risk to the community is present, crowd movement will be compelled using bicycle officers or foot officer formations to move groups; supported by appropriate less-lethal options"* (ibid).

The policy restates that *"flexibility is essential to avoid significant confrontations with disorderly crowds. However, mobility alone is not always sufficient to accomplish necessary law enforcement goals. In order to disperse riotous and uncooperative crowds, less-lethal options may become necessary"* (p.72). While physical force may be necessary, distance

weaponry is the expressed preference. *“Though riot batons fall in the same category as other less-lethal tools, the use of batons carries a greater risk of injury and is generally the least effective of the available options. Along with the potential for injury, a baton has a limited effect on crowd [sic], as only one person at a time is affected. The baton also creates the inadvertent risk of injury to those adjacent to a suspect. At the same time, effective use of the baton in the close quarters of a crowd is often difficult due to the close physical proximity of multiple people”* (p.72). Indeed, drawing upon earlier conclusions it is asserted once again that the *“effectiveness of less-lethal tools in disrupting riotous crowds, such as those experienced by Baltimore Police, has been [proven] time and again through numerous engagements with crowds who are otherwise unresponsive to other methods of dispersal”* (p.73). Under such circumstances the policy appears to shift from close contact to a doctrine of distance. The *“ability to address a riotous crowd from a distance provides opportunities to achieve the desired law enforcement objectives, while minimizing direct physical confrontation and the attendant risks of physical injury”* (p.74). It later further justifies this policy by asserting that *“the use of less-lethal tools actually minimizes the force used by officers when compared to the use of traditional riot gear, such as batons. These tools reduce the risk of direct physical confrontations, thereby reducing the potential risk of injury to all involved. The effects induced by the tools usually dissipate quickly, with few reported injuries”* (p.76).

Conclusions

The analysis above suggests the SPD policy and training for the management of crowd events in Seattle currently positions the protection of First amendment rights as a primary strategic goal. To achieve this the Department relies heavily upon a ‘meet and greet’ approach, delivered primarily by units of bike squad officers. While the operational approach of the SPD is underpinned by contemporary science it also draws upon an outdated and flawed theory of ‘mob psychology’ to understand the dynamics of conflictual crowd situations. This problematical conceptual understanding appears to combine with statutory instruments to rationalize and legitimize a policing approach that a) under-emphasizes police protester dialogue and b) appears overly reliant on the indiscriminate and disproportionate use of force against crowds once isolated acts of confrontation have developed or are judged likely to occur. The legislative context also places considerable discretionary power into the hand of the police allowing them to define when they judge an otherwise peaceful assembly has become unlawful and legitimatizing coercion against crowds as a whole. Thus, having analyzed the policy of the SPD the analysis now turns to a behavioral aspect of the protest events in Seattle between May 29th and June 1st, 2020, to examine the ways in which this policy manifest itself in terms of police and protester interactions.

A behavioral account of protest events in Seattle between the evening of May 29th to the early morning of June 2nd

Methodology

As a core component of the SER process the OIG Policy Team gathered a detailed corpus of data from a range of different sources relating to the protests occurring in the city between May 25th and November 11th, 2020. The team began by examining case summaries of police misconduct investigations by Seattle Office of Police Accountability (OPA) arising from the thousands of complaints made by members of the public about police activity during the protests, collating videos, photos, and other materials surrounding these incidents. OIG also collated lawsuits that had been filed related to police action as well as Department of Finance and Administrative Services claims made by members of the public for damages and injuries. The team requested, gathered, and examined SPD data including aggregated use of force and arrest figures. By cross referencing these data sets the data team were able to map SPD recorded use of force geographically and temporally across the period of review. From this they identified that the use of force and arrest data were clustered and strongly associated with other variables of interest (e.g., injuries, complaints, etc.). On this basis they identified five distinct phases or waves, each representing a period characterized by rapid increase in recorded police use of force, arrests, and/or complaints of police misconduct. Each of these waves were also judged to capture critical milestones within the protests as the events evolved over time.

In this report we provide a detailed, data-driven analysis of the chronology, behavioral patterning and policing of the first wave of protests identified by the OIG that began on Friday 29th May and concluded in the early hours of the morning on Tuesday 2nd June. This phase of the protest is referred to by the OIG as Wave One (OIG, 2021). Having identified this wave, the team began a detailed and in-depth analysis of each of the four days. In addition to the data already gathered, the team sampled mainstream news articles and social media posts on Twitter, YouTube, and Facebook. The team requested and gathered further data from the SPD such as their Incident Action Plans (IAP), Computer-Assisted Dispatch (CAD) and other communication logs, personnel rosters (when available) and officer post-incident statements and SPD Human Resources data on reported injuries. On this basis the team, working under the guidance of the first author, was then able to triangulate and organize the data to produce tabulated event timelines from which they could geo-locate the approximate time and location of specific incidents judged to be worthy of further attention (e.g., any major gathering of protesters, significant crowd movements, police cordons, conflict, etc.). The data team then requested and sampled police body worn video (BWV) footage from officers in the vicinity of incidents judged worthy of further detailed analysis. To supplement this the team also conducted interviews with key stakeholders (e.g., residents in adjacent buildings, protesters, local business owners). This additional data was then scrutinized and triangulated with the original timelines.

Based on this material, the team developed draft timelines that laid out an approximate chronology of the evolution of the events across each of the four days. Protecting the data

privacy of stakeholders, OIG shared the data with the first author of this report who independently scrutinized the timeline against the data. The method for this was developed through research on riots in England in August 2011^{xxx} and a series of disturbances related to protest in Hong Kong in 2019^{xxxi}. The draft timelines allowed for the approximate geographical and temporal location of behavioral sequences and police deployments to be identified. The available video and photographic data were then sampled and analyzed from key locations relative to these behavioral sequences. There were three primary sources which were footage posted social media, mainstream media broadcast and police BWV. Using the principle of triangulation (Denzin, 2015)^{xxxii} this data was cross referenced with Google Street view to allow it to be accurately geolocated. BWV data is time stamped and social media data also had the time at which it was posted. There were various points in the data that also allowed it to be temporally located (e.g., clocks located on street corners, footage of smart phones displaying the time, etc.). Taken together this allowed an accurate, data-driven chronology of the policing of each day's events to be constructed.

Through this process a series of errors and anomalies were identified and corrected in the draft timelines. On occasion further BWV data was obtained from the SPD to allow for greater clarity to emerge. The timelines were then redrafted, and the tabulated timelines translated into chronological accounts. These narratives lay out what the data suggest were the key sequences of events. Where incidents or events are described that appear in more than one data set (e.g., police statements, video data and interviews) there is no reference to the specific data source. However, where we describe occurrences where there is a reliance on a single data source (e.g., video data, police communication records, etc.) that source is indicated. On various occasions different data sources (e.g., police communication records) did not correspond with others (e.g., video data, social media posts). In these cases, the contrast is highlighted for the reader to make their own judgment of epistemological confidence. Once finalized the chronological narratives were returned to the OIG for further scrutiny who cross referenced them with their understanding of the broader data corpus and suggested adjustments where absences, errors, or anomalies were identified. Finally, the chronological accounts for each day were read, assessed, and discussed by a data scrutiny panel comprised of representatives of the OIG policy team, senior OIG officials and Professor Edward Maguire who is another of the world's leading experts on the policing of crowd events, currently based at Arizona State University.^{xxxiii} The narrative chronologies were then finalized and appear below as the most objective accounts of the available data relating to the nature of collective actions and policing that occurred across Wave one.

Day 1: Friday May 29th

The first protests in Seattle linked to the murder of George Floyd began on the 29th of May 2020. By this time social and mainstream media were reporting on several protests in other US cities that had transitioned into serious collective violence. Our data suggests these framed understandings about the nature of the protest that might and subsequently did materialize in Seattle. At approximately 4:00 p.m. the SPD began preparing for what they initially assumed would be a small demonstration involving less than a dozen people later that evening. Two bike squads and one Anti-Crime Team (ACT) were allocated to the event. However, by 7:00 p.m. approximately one hundred and fifty people had gathered at Hing Hay Park in the International District. The data contained no video footage of this initial gathering but according to police statements officers experienced a situation that was "very

agitated and hostile, with speeches and chants that expressed very negative views of the police”.

According to their statements, officers believed some individuals in the crowd were affiliated with an anarchist political ideology referred to as ‘antifa’. This judgment appears to have been because several of the protesters were wearing masks, which at that time was also a key Covid safety measure for anyone gathering in proximity to others. As a result, the Incident Commander (IC) judged that his resources were insufficient and began to mobilize more from other areas of the city and redeploy them toward the management of the protest. At around 7:45 p.m., before any of these additional resources arrived, the crowd began to move out of the park toward the Downtown area. Around ten minutes later, an additional bike unit arrived and was immediately deployed by the IC to parallel the march on the sidewalks. According to officer testimonies, this decision was made because there was an expectation that the crowd would become violent and damage property, so the IC wanted to use the bike squads to dynamically create ‘mobile fences’ between protestors, buildings, and road junctions. However, according to officer statements, the sergeant of the bike squad advised the IC that he was experiencing hostility from people in the crowd, so the squads were withdrawn to follow at the rear of the procession. We could find no data to confirm police radio logs that unspecified “*damage*” was caused to property at this early stage of the demonstration.

As the procession moved spontaneously around the Downtown area, it created some traffic disruption, not least of all because video data shows that SPD vehicles and cordons were being used to block various roadways to try to shepherd the movement of the protest. Video and photographic data shows that protesters were moving up from 4th to 5th Avenue along Cherry Street as additional police units arrived. These were deployed at first to block access by the protesters to the freeway running through the area, presumably on the assumption that they may try to access it to block traffic. The procession then continued to move along 5th Ave until it reached the intersection with Madison Street. At this time bike squads implemented a cordon across 5th Ave preventing the demonstration from moving any further. It is not entirely clear why the IC made this decision, as the data is contradictory. According to police statements at around 8:15 to 8:30 p.m., these units were responding to “missiles” being thrown. However, video footage of this incident posted on social media shows a small number of protesters walking up to and abutting bike squad officers in the cordon across 5th Ave and Madison. Shortly afterward a second video shows that a window of the Madison Centre adjacent to that intersection had been shattered, presumably by protesters. The video data then shows that several officers in the cordon and three to four protesters physically clashed, during which a water bottle was thrown toward the officers, hitting one on his cycle helmet. Almost immediately, officers deployed oleoresin capsicum (OC) spray following which three further water bottles were thrown toward them. Officers in the cordon then immediately deployed a volley of explosive munitions which drove all the protesters in the vicinity south toward 5th and Marion.

At around this time photographic data shows an individual using a hatchet to smash the window of an Amazon Go shop at the intersection of 5th and Marion and some of its other windows are spray painted with the phrase “A.C.A.B.” (All Cops Are Bastards). It appears that the SPD bike cordon at Madison then moved south down to 5th and Marion and re-established itself and the situation momentarily calmed. Video data shows that a small fire was burning in the roadway and according to a police officer account, officers fired a ‘less

lethal' 40mm munition to prevent lasers being shone toward police officers. Subsequently, the protest appears to have dispersed to other locations and from about 9:00 p.m. to 2:00 a.m., there was a series of sporadic public assemblies around the Downtown area several of which escalated into confrontation with police and significant damage of property. This involved two particularly high-profile incidents. First, both social media reports and formal complaints gravitated around video footage of an officer using force and apparently punching an individual during an arrest. Second, a group of around thirty people are recorded on video initiating significant damage to property along and around Jackson Street in the International District.

By cross referencing the data, we were able to determine that around 11:00 p.m., a group had gathered outside the King County Children and Family Justice Center, where the SPD log recorded individuals throwing rocks and fireworks at the building. According to the log, another group of around 100 people headed towards the SPD's East Precinct HQ. We understand from an interview with a local resident that SPD officers had created a cordon outside the East Precinct building. At 1:27 a.m., SPD radio communications reports at least one officer injured by rocks and the use of force to disperse a group by deploying blast balls. According to SPD logs the group gathered at the East Precinct dispersed at around 2:30 a.m.

At about 11:23 p.m. the SPD log records an arrest near South Jackson Street, just past 10th Avenue South, when officers appear to have prohibited demonstrators from progressing and one was arrested. Members of the public recorded videos of two police officers making this arrest and posted them on social media. In the video, one officer can be observed striking the arrestee with what appears to be a punch. The video went viral on social media and generated multiple complaints prompting the Office of Police Accountability (OPA) to subsequently initiate an investigation (Case: 2020OPA-0323). A short time afterwards a group of demonstrators were videoed by a citizen journalist moving down Jackson Street chanting "*I can't breathe.*" This video footage, also posted online, shows that property damage was initiated by them primarily to banks and other financial and major commercial institutions (e.g., Bank of America, Washington Federal, FedEx). Other smaller businesses on Jackson Street (e.g., Seattle Vision Centre) suffered graffiti damage but the video footage shows some of these attacks remained limited and those involved can be heard verbally discouraging others, suggesting that such attacks need to be "*more tactical*" and justifying their actions as an "*expression of rage*". By 1:00 a.m., the Downtown protest had mostly disbanded.

SPD use of force reports provide an important yet incomplete look at the amount and type of force used by law enforcement officers during the protests. According to SPD, many of these reports were filled out several days after the incident occurred due to the ongoing nature of the protests. SPD also sought and received assistance from nearby law enforcement agencies, whose officers used force and are not required to report uses of force to SPD. Given these caveats, on this first day SPD reported a total of 37 individual use of force incidents recorded by SPD officers working on the protests. The most notable were 12 deployments of OC spray, 11 blast balls and 3 40-mm foam munitions. There are also records of 5 instances of 'take downs', 'control holds', or pushes. The one use of force later investigated by OPA for possible misconduct was partially upheld, with OPA finding that the force used by one of the officers was excessive. Taken together the data suggests these initial protests and disturbances may have set in motion a dynamic whereby the SPD began to experience and expect that significant levels of protests may develop in the city,

elements of which may evolve into significant incidents of criminality. The data also suggest that even at this early stage, officers in the SPD started to recognize that their standard operating procedures, prior experience, and tactics might be inadequate to deal with the nature of the protests that were now beginning to materialize. As one SPD officer put it:

“The night before, we were following a group [of demonstrators] headed to the SPD East Precinct headquarters. We are used to escorting groups like this and it’s rarely a problem. But I decided to pull back our team so that it didn’t seem like they were corralling people toward the precinct. Usually when we pull back everything is fine. But this time, when we disengaged and pulled back, the protesters started to confront us and attack. A patrol car got stuck with an officer, but we got it out. But that was when I realized that this was different. It was the first time we really realized that this really was directed at us and there were individuals’ intent on attacking us. It made doing our traditional job – of facilitating – difficult. Our usual tactics that would work, no longer did. . . we had to come up with different approaches for May 30 and beyond.” (OIG, 2021; p82)

Day 2: Saturday May 30th

While the previous day’s events were largely unpredicted by the SPD, there were two formally planned protests on Saturday May 30th for which the SPD appears to have been more prepared. A ‘Justice for George Floyd’ group had scheduled a demonstration for 12:00 p.m. outside Seattle Police Department Headquarters on 5th Avenue. Another organization, ‘Not This Time!’ planned a second demonstration called ‘the Defiant Walk of Resistance Against Injustice’ to the U.S District Court building, scheduled to begin at 3:00 p.m. at the Westlake Center on Pine St. According to police statements a police force briefing for these events took place on Friday, May 29th. A second briefing then occurred on the morning of the 30th where according to police statements, the Chief of Police, Carmen Best, had made clear that *“losing the Police HQ was not an option”*. This data confirms the suggestion that the SPD had begun to perceive considerable threat from these protests and set the protection of police stations in the city as a core priority. This is perhaps unsurprising because on the evening of May 28th, a police station in Minneapolis had been subjected to arson attacks and burned down.

Reflecting the potentially more advanced level of SPD preparation, an Incident Action Plan (IAP) had been developed and on the first page it defined the situation confronting the SPD that day. It states *“Due to the state of emergency created by this pandemic, the Washington State Governor issued a Stay-at-Home Order on February 29 through May 4, 2020. Governor Inslee has extended this order through May 31. Additionally, the Mayor of Seattle suspended all permitted events on April 6 until further notice”* (p.1). In other words, the IAP suggests that from the outset that the very presence of protests on the streets of Seattle was in violation of legal directives. The IAP goes on to define the mission of the operation as being to *“enforce the law and preserve order”* and that the SPD *“response priorities are Life Safety, Incident Stabilization, Property Conservation, and Crime Scene Preservation”*. However, it also makes clear that in line with policy the IC’s intent remained to *“facilitate, in a content-neutral manner, the rights of all gathered, the freedom to assemble and express their views within the limited conditions necessary to address public safety concerns.”*

The IAP stated that large numbers of people would be involved and that several groups with histories of violence would be present. The IAP records that it was very likely spontaneous forms of procession would take place despite the stay-at-home order meaning that these protests were technically unlawful. The IAP listed five general objectives one of which appears to have been to facilitate public assembly, as far as it was possible for them to so within the regulations.

1. *Provide for the safety of the general public, spectators, first responders, and participants during this statewide COVID-19 state of emergency which does not permit public gatherings.*
2. *Facilitate citizen's right to peacefully express their First Amendment free speech rights within the parameters set forth by the Washington State Governor's Stay at Home proclamation and the suspension of permitted events.*
3. *Take enforcement action for violent crimes committed against persons or significant property damage, while ensuring arrests are conducted in a safe and effective manner and in accordance with training and law.*
4. *Deter criminal activity and protect public and private property by providing a significant uniformed patrol presence.*
5. *Minimize the disruption to traffic through the use of traffic diversion as required.*

According to police statements, the main police staff briefing for these protests took place at 10:00 a.m. and was addressed by Chief Best who *"reiterated her order that we would not be giving up any police facility"*. The SPD had already activated the Seattle Police Operations Center (SPOC) at approximately 6:00 a.m. that morning and had begun deploying officers for the first event outside Seattle Police Headquarters (HQ) by around 10:00 a.m. Reflecting underlying concerns, photographic evidence shows that by approximately 11:00 a.m. the front of Police HQ was protected by waist height temporary fencing and bike squads, and MFFs were stationed at different points outside the building. Just before noon, videos from the scene show that approximately 200 people had gathered, the situation was calm, and traffic was flowing along 5th Ave. Video data shows that an individual stood on the sidewalk facing the HQ building reading out loud the US Bill of Rights asserting the right to protest. The crowd can be seen and heard alongside him chanting *"Black Lives Matter"*.

By approximately 12:30 p.m. the crowd outside the Police HQ had increased to at least a thousand people. Protesters overflowed from the sidewalks and occupied the roadway. SPD radio data records a request to shut down 5th Ave was made at 11:50 a.m. Protesters in the roadway can be heard chanting *"hands up, don't shoot"* and *"stop killing us"* toward police officers stationed outside the HQ building. Interview data with police and protesters describe an incident where a white male, dressed in military clothing and armed with a rifle, came and stood in the vicinity of this protest. This appears to have provoked some people in the crowd and led some community leaders to approach the police to resolve the situation. While communications between police and community leaders were constructive at that time, SPD decided that the armed individual was not in violation of Washington State law. Despite this incident, no police use of force or conflict from crowd participants are recorded throughout this first demonstration, so it appears to have remained entirely peaceful.

At approximately 1:00 p.m., this crowd began to disperse. According to interview data, several community leaders and police commanders remained outside police HQ seeking to help resolve the situation with the armed individual. The data suggests that at least one large procession moved from police HQ along 4th and 5th Avenues between 1:00 and 2:00 p.m. As one interviewee who was present at the protest expressed, the procession was diverted to walk several times in a circular motion around Westlake Park. As it moved around Downtown, the protest grew and according to police estimates involved up to four thousand people. Video data shows that the movement of protesters certainly caused some minor disruption to traffic, but all the available video and social media data indicate it was an entirely peaceful procession. Indeed, testimony from an SPD officer explicitly states that *“the marchers returned walking southbound on 5th Ave with the flow of traffic. As they passed there was a lot of yelling and chanting but no acts of violence or property damage”*. However, the SPD communication log records radio traffic detailing incidents of throwing objects (e.g., bottles, stones, etc), or what this report will refer to as “missiles”, at intersections along 5th Ave, specifically at Marion, Madison, and Cherry. It also records a missile attack on a ‘pro-life’ demonstration at 2:00 p.m. By cross referencing, it appears that these reports relate to a single incident that at worst involved just a few people. Nonetheless, these appear to have been sufficient to shift the IC’s perspective about the threat the crowd posed and as such he began to mobilize further resources into the area to deal with what he believed was an increasingly hostile situation. As he states in his post event account:

“At about 1300 hrs., Lieutenant and I drove around the downtown core to get a perspective on the events. A demonstration had taken over 5th Avenue at City Hall / SPD HQ but was peaceful. I then heard a report from a unit following a protest march at 4th Avenue and Blanchard Street that someone in the crowd had thrown water bottles at officers. At 1337 hrs., another officer reported full cans of soda pop were also being thrown at officers near that same intersection. At 1400 hrs., there was a report over radio that a group was breaking windows at 5th Avenue and Marion Street, which was shortly followed by a transmission that some “pro-life” protesters were also taking bottles thrown at them at 5th and Cherry Street.... At about 14.12 I began calling for the Patrol Task Force to respond to Westlake Park to help us deal with the large crowd. The Patrol Task Force had the effect of stripping the outlying precinct of many resources to deal with the exigent circumstances, which I believed was occurring.”

As the main procession then converged into the vicinity of Westlake Park, SPD attempted to control the direction of its movement through the dynamic deployment of bike squads and other resources at key intersections. This created a situation where access to the park only became possible from the south via the intersection of 4th Ave and Pine Street. Crowds developed at the various cordons and protesters can be heard chanting *“let us through”* on video footage. In any case, a short time after 2:00 p.m., the main body of the procession approached the park heading north along 4th Ave. Video data shows that a bike squad was deployed to create a cordon at 4th and Pine; it appears to maneuver the procession into Westlake Park and Pine Street. While police statements claim that the cordons were established because the crowd was hostile and several missiles had been thrown, video footage shows that the cordon itself was established at 2:12 p.m. prior to the arrival of the procession. This suggest the perception of threat may have been related to the earlier radio traffic rather than direct observation of confrontation by those units. The video data shows

the front of the march meeting the cordon and moving peacefully and compliantly east along Pine Street into Westlake Park. Several hundred protesters can be seen standing close to and in the intersection and the gathering appears to be coalescing around the stage set up in the park for the 3:00 p.m. demonstration. The footage shows the situation remained entirely calm and there is no evident hostility or confrontation.

At around this time video footage shows that a similar bike cordon had also been established at 5th Ave completely blocking Pine Street, just before the intersection outside the entrance to the Nordstrom department store. Interview data with an SPD police commander suggests that placing such cordons is routine for any gathering in Westlake Park to manage traffic and safety issues, given the roadway is an otherwise busy vehicular thoroughfare. Regardless of their intended purpose, at 2:29 p.m. shortly after the procession had been diverted onto Pine Street, SPD radio logs indicate that a large group, who it records were *"probably wanting to continue to march"*, moved eastbound along Pine Street and abutted directly onto the cordon. Video data shows that at 2:35 p.m. protesters in this vicinity were calm and peaceful but stood in front of and facing the bike squad cordon with placards condemning police racism and violence. A young black male raised his arms and expressed loudly in apparent exacerbation at being prevented from continuing *"they [the police] are starting shit, that's what they are doing"*.

The SPD log notes that at around this time instructions were issued to allow protesters to leave Westlake, but only southbound on 5th Ave. The video data shows that correspondingly the bike officers withdrew from the cordon in Pine Street, thus allowing protesters to move into the intersection. As they did so additional bike cordons and other officers can be observed in video footage facing protesters blocking 5th Ave northbound and Pine Street eastbound. The exit into 5th Ave south was open. Video footage then shows a small group of protesters verbally disparaging some of the officers withdrawing from the cordon in Pine Street. These officers quickly began to assertively push the protesters, instructing them to *"move back"*, but several of them, all of whom are young and Black, rebuke the officers telling them *"don't touch me"*. These officers then deployed chemical spray, batons, and bikes to forcefully push the protesters and the situation immediately escalated. Large numbers of protesters within the crowd in the intersection, numbering approximately three to four hundred people, became agitated and stood occupying the roadway with several holding their hands in the air with palms facing and arguing with the police officers. In response, another officer threw a blast ball into the intersection, momentarily scattering the crowd. From the video data it was possible to determine three missiles subsequently being thrown toward police lines; two appear to be plastic and the third a glass bottle, none of which hit anyone. Within seconds officers then threw a volley of blast munitions into the crowded intersection which exploded near people who had not been involved in any confrontation. Protesters initially dispersed back toward Westlake and some south along 5th Ave. Officers then re-established cordons and protesters moved back into and peacefully occupied the intersection for around 40 minutes. This completely blocked and prevented further movement along both Pine Street and 5th Avenue, both into and from Westlake Park.

One block west, the cordon at 4th and Pine appears to have been left in place for around 30 minutes. In contrast to the escalations developing at 5th Ave, the available video footage shows the situation on the western side of the park to be calm and peaceful. However, video footage shows that loud explosions were heard by people in this area at 2:38 p.m. The

timing suggests these were the blast munitions exploding at 5th and Pine, echoing across Westlake Park. The video footage shows large numbers of people in the crowd gathered in that area running rapidly away in alarm south along 4th Ave. People were evidently distressed, and some can be heard expressing confusion about the origins of the explosions. At around this time the video data also shows that the diagonal cordon established at 4th and Pine withdrew and was reestablished a few yards north on 4th Ave. At much the same time video data suggests this bike unit was reinforced by other officers, with dispersal munitions capability (i.e., SWAT officers and MFF officers wearing gas masks). Reflecting the growing antagonism, as officers moved boos and can be heard with one demonstrator shouting *"you are supposed to be protecting us"*. While most protesters stayed within and around Westlake Park, the footage shows that as the cordon withdrew, around fifty to a hundred people moved with them north into 4th Ave until they abutted and spread-out facing officers in a single line all along the newly positioned cordon. Some were holding placards and most held hands while standing passively in front of the police line, as if themselves creating a cordon protecting the demonstration. Very little, if any, verbal interaction can be observed between these officers and protesters.

As this new cordon was established at around 2:46 p.m., police BWV footage shows fifteen to twenty people moving southbound along the 4th Ave walkway toward Westlake Park. It appears that they were merely seeking to access the protest. However, comments from the officers heard on their BWV indicate this southward movement raised concerns to them and the officers began organizing a second cordon preventing southward movement thus further restricting access to Westlake Park that was now almost entirely cut off other than through a single entry and exit on 4th Ave. Almost immediately afterwards, at around 2:50 p.m., other BWV footage shows an individual moving from Westlake attempting to walk northbound past the cordon along the sidewalk that had been open moments earlier. He is prevented from doing so by a police officer in the cordon. It is unclear why this individual was not allowed to progress, and the individual becomes very agitated. A verbal altercation develops where he is abusive toward the officer, insisting he had the right to proceed. The footage shows that while several protesters intervened attempting to calm the individual and to prevent a police intervention, an SPD officer deployed pepper spray. As a result, the male, as well as the others around him, who prior to that had evidently been seeking to de-escalate the situation, were hit by the chemical and pulled back from the cordon. Several people in the vicinity then became agitated toward the police officer and the agitated male pulled out a canister that he threw toward the officer. At this point a SWAT officer stepped in and fired a series of 40mm 'less-lethal' rounds aimed directly at the male, hitting him and forcing him to move away.

Other protesters began to verbally protest the actions of the officers, but with the male departing, the situation momentarily calmed. However, just a few minutes later at approximately 2:54 p.m. BWV footage shows another altercation developing on 4th Ave this time involving police in the new cordon preventing people moving south into the protest. An individual can be observed being pulled on to the ground and arrested by several police officers while additional officers push several others who are arguing with them north toward Olive Street, where they disperse. The video data shows that the situation in and around 4th Ave then ostensibly calms again for around 20 minutes. BWV data shows that during this next lull an impromptu briefing took place between the Incident and other

Commanders in 4th Ave at around 3:08 p.m. The IC can be heard issuing the following assessment of the situation and how he planned to proceed.

“Ok, here’s the deal. [Lieutenant X] is over there [cordons on 5th] taking lots of volleys and an officer injured. In a couple of minutes, we are going to declare this, once we get, [pauses and looks around]. Where is the State Patrol? Once we get them, we are going to declare an unlawful assembly. We are going to push these people this way [gesticulating with an arcing motion toward Westlake Park, Pine Street, and 5th Ave]. Start pushing people south again. I don’t care if there is a bottleneck on 5th. We will get them through. We will just start getting them off. So, get your guys ready to do that.”

Immediately following this briefing, at approximately 3:10 p.m., the male involved in the earlier altercation returned to the cordon at 4th Ave and Pine Street and began to verbally confront the officer about his earlier actions. BWV footage shows that other protesters close by once again intervened, placing themselves in front of the individual, in an apparent attempt to de-escalate the situation. Others stood facing the police, encouraging officers to remain calm. People can be heard shouting at the male *“Don’t give them the excuse”* and toward the police that *“he is just talking”*. On the BWV footage officers can be heard discussing their objective of arresting the male for the earlier altercation. Shortly afterwards, officers in the cordon pushed forcefully into the abutting protesters and detained the male, pulling him to the ground and cuffing his hands. As a result, several protesters who had just been pushed by police became agitated and angry toward them. Almost immediately, BWV footage shows another officer ran toward the incident, shouted instructions for protesters to move back, and released chemical spray toward several of those abutting police lines, including those who had been standing passively or trying to deescalate the situation. As a result, a young Black child standing close by was struck in the eyes from this chemical spray. The father of the child can be observed on the footage angrily criticizing the officers. Footage of the young child suffering from the chemical spray was posted on social media and quickly went viral, ultimately generating thousands of complaints to the OPA.

According to police statements the IC then contacted the Police Chief who states:

“At approximately 1530 hrs., I had a phone conversation with Chief Best where I gave her a briefing on the situation in the Pike/Pine Corridor. Chief Best and I agreed that the downtown demonstrations had shifted from peaceful expression of 1st Amendment rights to a riot. Due to my duties, I was not able to give that announcement over the radio until 1603 hrs., declaring the downtown assemblies to be a riot”.

It is evident from the data therefore that as early as 3:10 p.m. the IC had decided to begin the forceful dispersal of protesters from Westlake Park and by 3:30 p.m. had support from the Chief of Police to declare the entire situation as a riot. However, throughout these episodes, in stark contrast to the events unfolding on 4th and 5th Ave, from 3:00 p.m. onwards a series of speeches had begun from a stage set up in Westlake Park. The speeches called for unity and peaceful opposition to police brutality toward Black people. Video footage and social media posts indicate that the stage was surrounded by thousands of people all behaving peacefully. Indeed, video footage posted on social media shows that organizers of the protest openly disassociated themselves from the conflicts developing on 5th and Pine. A reporter concluded there were almost two distinct types of events,

“Hundreds of people sing and pray for peace at Westlake Center in downtown Seattle, while just blocks away another group of protesters face off with Seattle police officers.” This protest, which we assume was the ‘Defiant Walk of Resistance Against Injustice’, later moved off from the area and peacefully proceeded to the courthouse where another peaceful rally took place, even though a curfew had been imposed by that time.

Back at the intersection of 5th and Pine, while the situation had calmed following the first use of blast munitions, it once again began to escalate. As noted above, following the initial volley of explosions, several hundred protesters had reoccupied the intersection for around 40 minutes. While the situation had calmed, the SPD issued a verbal dispersal order at 2:38 p.m. Thus, from that point onward anyone gathering in the vicinity was committing an offence. The intersection was densely crowded, and BWV footage shows that several protesters stood directly facing and abutting the police cordons on Pine Street and north on 5th Ave. BWV data shows the situation was peaceful but there were considerable levels of verbal interaction, initiated by protestors, who were questioning police and expressing anger about their action toward them. The same footage also shows little to no evidence of the police officers replying, speaking to, or even acknowledging protesters. Instead, the majority can be observed standing passively facing the crowd with bikes in front and some with batons in their hands. At 3:10 p.m. a second verbal order to disperse was issued. By 3:30 p.m., data suggests that a large contingent of protesters from that area had departed south on 5th Ave, processing around the Downtown area and eventually marching onto the freeway. However, back at 5th and Pine, hundreds of protesters remained standing in the intersection. SPD log data suggests the police cordons were reinforced as a further volley of blast munitions appears to have been deployed.

Given the sheer number of protesters and the increasing hostility, according to interviews with the senior commander present at that location, the cordons withdrew north into 5th Ave, where they apparently became surrounded both from the north and the south. According to this interview data, at around this time the commander decided that he had no other option available to him but to deploy CS or ‘tear’ gas. Across the next few minutes, video footage shows police officers in the vicinity put on their gas masks and shortly afterward gas munitions were fired into the crowd. Video data show that the entire vicinity became filled with CS gas, and that protestors and other members of the public dispersed as they struggled to deal with its negative effects. Shortly after the officers deployed the gas, they appear to have retreated further north along 5th Ave. The firing of these munitions preceded a major escalation of conflict. Protesters, who began to move along Pine Street, surrounded an empty police vehicle, which several protesters began to attack. It was then set on fire at around 3:55 p.m. Subsequently, a row of police vehicles parked on 6th Ave were also attacked. At roughly 4:18 p.m. five vehicles were set on fire and a rifle was taken from another, which shortly afterward was handed back to police. The fires must have burned for some considerable time as video footage and photographic shows them entirely destroyed.

The data also indicates that a large crowd headed towards SPD headquarters and the SPD Emergency Operations Center (EOC) broadcast a regional mutual aid request seeking further support from other law enforcement agencies. Ultimately, a crowd of approximately 1,200 protesters gathered outside SPD Headquarters, and SPD officers inside the building reported that they were “under siege”.

Given these major escalations, at 4:46 p.m. Mayor Durkan announced on Twitter the implementation of a curfew for the city beginning at 5:00 p.m. The mayor's office said the curfew would be in effect until 5:00 a.m. and then would be in effect again Sunday at 5:00 p.m. It was intended to "*prevent violence and widespread property damage, and to prevent the further community spread of COVID-19 through continued gathering.*" The curfew order gave protesters less than 15 minutes to leave the area, which proved increasingly difficult as the nearby Westlake Metro station and Downtown sections of Interstate-5 were temporarily closed. In addition, King County buses stopped operating in the Downtown core. At 5:23 p.m. Washington State Governor Jay Inslee announced that the National Guard had been activated and sent to Seattle to assist with the situation.

After the car fires were set, some protesters began to move around Downtown smashing shop windows, spraying graffiti, destroying, and looting businesses particularly around the junction of 6th and Olive including the Pacific Place Theatre and Jimmy John's food retail outlet as well as the Evergreen salad bar and Starbucks. Further along 6th Ave after the vehicles had burnt themselves out, protesters can be observed inside the Nordstrom Department store looting and destroying its interior. Several people can be observed actively protesting the looting and destruction. Cordons of police can be seen moving into 6th Ave but then retreating. Video footage shows that shortly afterwards, other large retail outlets were broken into including the North Face and Columbia stores. While looting is clearly taking place and hundreds of people are involved, video footage suggests many others are merely intent on destruction. One person can be heard shouting "*break that shit*". Further CS gas canisters were fired dispersing protesters toward 4th Ave where other stores were attacked, damaged, and looted. It is equally evident from the available video footage that while police bike squads move through the area, the police do not intervene to apprehend any of the people leaving stores carrying looted goods and at least one store is set on fire. It is evident that groups then moved beyond Downtown for several hours breaking into and looting business and retail outlets until approximately 1:00 a.m. Toward midnight several people came Downtown and began spontaneously cleaning up some of the damage. In total there were 112 reported individual uses of force by officers working these protests. The most notable uses of force recorded by SPD were 40 instances of OC spray, 30 blast balls, 6 40-mm munitions. There were also 11 deployments of CS Gas, and one Flashbang.

Day 3: Sunday May 31st

The rioting on the 30th evidently introduced a very high level of scrutiny for the police and its political leadership in the city. Mayor Durkan, Chief Best, and Fire Chief Scoggins held a five-hour press conference on the previous night's events beginning at 12:30 p.m. Moreover, the last two days are likely to have created a high level of expectation within the SPD that similar levels of confrontation might materialize once again. One officer reflecting on their deployment on the 30th described how they had observed "*rocks, fireworks, flares and other objects thrown at officers*" and heard threats that "*officers should be killed*" and that "*all cops must die*". As another officer wrote in a statement to the OPA "*I mean, it was single-handedly one of the most or the most violent I've ever seen a crowd or had to deal with in terms of just sheer violence*". They continued that when they came back to work on the 31st, "*we were expecting a continuance of the previous two days.*"

Perhaps it is unsurprising then, that the SPD log notes the Seattle Police Operations Center (SPOC) was activated at 9:00 a.m. on the 31st and at 12:00 p.m. SPD began to implement an IAP for the day. The IAP described SPD's overall approach and involved a roll call of two platoons of crowd management resources overseen by an Assistant Chief as the Incident Commander. This level of resourcing and senior oversight speaks directly to a high level of concern within the SPD that the reemergence of conflict was both likely and extremely important politically. Up to this point previous ICs had been Captains and Lieutenants. Moreover, despite the high level of resource mobilization, the IAP itself does not document any specified 'incident' that it had been created to manage, so appears to have been established as a contingency developed directly because of the preceding day's disturbances. The IAP once again set out the situation the SPD understood its officers would be confronting. It begins by confirming the particular importance of the emergency the city was facing in relationship to the pandemic. It contextualizes the disorder being experienced in Seattle as part of a wider wave of violent protests sweeping across other cities in the US and in so doing implies their importance in terms of the SPD being ready to confront further disturbances in the city.

"The Seattle Police Department is currently operating under a Stage 2 Mobilization and has instituted Precinct Area Command to address operational needs during the current COVID-19 pandemic. Due to the state of emergency created by this pandemic, the Washington State Governor issued a Stay-at-Home Order on February 29 through May 4, 2020. Governor Inslee has extended this order through May 31. Additionally, the Mayor of Seattle suspended all permitted events on April 6 until further notice. There have been numerous protests nationally supporting George Floyd, who died in Police custody. Many of these protests have turned unlawful and caused significant injuries and extensive property damage. On Saturday May 30, thousands came to downtown Seattle to participate in unpermitted protests and marches. Throughout the day and night, protestors committed violent acts and assaults, mainly targeting police officers and destroying property to include citizen and police vehicles. On Sunday May 31, numerous SPD and Mutual Aid resources will be deployed to the downtown core to protect critical infrastructure and prevent further acts of violence. The Washington National Guard was deployed to downtown Seattle to assist SPD with this state of emergency. SPD will remain on priority call status until further notice. Mayor Durkan has imposed an emergency declaration with a curfew in effect from 1700 hrs. - 0500 hrs."

The IAP defines the core assignment for the day and five key objectives that are identical to those set out for the 30th above. Having set out these objectives the IAP instructs that the initial deployments across the city should simply *"remain vigilant and maintain situational awareness and report suspicious items or activity. Taking enforcement action in any large group requires good judgement to ensure Officer safety and to prevent inciting the crowd. When possible, quickly remove suspects from the area to facilitate the continuation of the demonstration"*.

The SPD log first records small groups gathering outside the East Precinct and the King County Jail on 5th Ave, as well as in Hing Hey Park from around 2:00 p.m. Reflecting underlying police apprehensions and based upon a *"citizen report"* the log notes an *"individual of concern"* carrying a backpack that it was suspected contained incendiary devices. The log records that officers approached an individual, but nothing is subsequently reported as being found. Of the three initial protests the largest was in Westlake Park,

which grew as others converged into the area. The SPD log records that by 2:30 p.m. over three hundred protesters had gathered there and, in line with policy, an SPD Captain present at the scene had issued a directive to *“treat this as a standard demo, keeping roadways open, addressing any acts of violence and property damage”*. In contrast, between 2:00 and 3:30 p.m. the SPD log records several reports of looting of Downtown stores and of fireworks being ignited from vehicles. However, our data sampling provided no corroborating evidence of these latter incidents, and the policing operation did not appear to orient toward them in any significant manner. This suggests these may have been very small scale or reports to the SPD of incidents that on closer investigation did not actually take place.

The SPD log notes that an SPD officer spoke with an *“organizer”* and assessed that while *“there are a few non peaceful individuals in the crowd”* the *“intent is to hold a peaceful demo and they do not intend on marching”*. This suggests that at least at the early stages some forms of communication were taking place between protesters. Photographic evidence also shows that protesters had printed, and were distributing, leaflets explicitly calling for non-violent protest. The SPD logs indicate that by this time groups had gathered in other Downtown locations, but none appear to have caused police any concerns as there are no further data referring to them. The log then records that just before 3:30 p.m. the people gathered in Westlake began to move from the park. Video footage shows a few hundred protesters walking north along the roadway of 4th Ave adjacent to Westlake Park at 3:40 p.m. Here they met an SPD bike cordon diverting them west along Pine Street. Once again, the footage shows little to no verbal interaction between police and protesters, officers were merely standing in a line facing protesters with bicycles in front of them. As such, the procession stopped a few feet before the police line and one protester can be heard verbally redirecting the crowd to turn around and move south to meet up with the other protesters at Police HQ. The SPD blog and other video footage then record a large procession moving south along 2nd Ave. SPD bike units can be observed on video footage skirting ahead and alongside to block roadways evidently to contain the procession to certain roadways.

Although there was no corroborating evidence, at 3:56 p.m. the SPD log reports a *“group broke EB [eastbound] on Cherry, HQ heads up”* and five minutes later officers at 1st and Cherry – which is west of the procession on 2nd Ave - report *“taking bottles”* and *“rocks”* and in response issuing a dispersal order. The log describes a group near SPD HQ as *“possible anarchist”* and police resources stationed outside police HQ were instructed to put on gas masks. The log also records that a group had been contained to *“James, Cherry, 3rd to 5th”* and that there was a directive issued to *“let the groups join”* at *“4th and Cherry”*. This data suggests at least two groups and possibly others were moving relatively spontaneously around Downtown in the proximity, both east and west, of a main procession progressing first along 2nd Ave and then across into 4th Ave at around this time. Video footage and police logs suggest this main procession had grown substantially in size, to at least fifteen hundred people. After stopping briefly outside City Hall, the procession then appears to have moved north further along 4th Ave. Video footage shows a large procession crossing Columbia Street on 4th Ave at around 4:14 p.m. Despite the reports of rocks and bottles and protesters categorized as anarchists, the available video footage shows the main procession to be peaceful with protesters occupying both the roadway and sidewalks walking along, many with signs raised and chanting *‘I can’t breathe’, ‘black lives matter’* and *‘hands up,*

don't shoot' as they moved northbound. While the situation appears generally calm BWV footage does show several protesters approaching and verbally berating officers in the bike cordons as they pass by.

According to officer statements, the bike squads had been informed over the radio that *"this was an unlawful assembly"* and that they were given orders to *"leapfrog ahead of the group and block one-way streets so the crowd cannot march against the traffic"*. How or why this unlawful status had now been applied is unclear, but around 4:25 p.m. one of these bike units was positioned at the intersection of 4th and Spring Street, preventing movement eastbound. As the procession was still passing, this unit was instructed to redeploy to Seneca Street which they attempted to do by cycling along the sidewalk on the far righthand side of the procession. As they cycled along 4th Ave video data suggest the situation was entirely peaceful and otherwise calm, but BWV footage shows the walkway was crowded and as such the unit had to squeeze between shop fronts and protesters. At one point one of the officers (the fifth cyclist in a line of six) came into direct contact with a protester and video footage shows the officer falling from his bicycle as he began restraining him on the ground. A struggle developed and the situation immediately escalated. Instantaneously dozens of people in the procession turned toward the incident and verbally challenged the officer making the arrest. Video footage shows other officers in the squad then quickly intervened, some pulling out their chemical spray canisters pointing them and possibly firing them toward protesters. The footage shows another female protester also being arrested and forced to lay on the ground. As protesters coalesced around the incident both arrestees were disputing their detention, one shouting repeatedly *"what did I do?"*. Within seconds other officers, some with dispersal munitions capability, arrived and created a cordon around the arrests. A few seconds after that, OC or "pepper" spray and several blast munitions were fired into and toward the crowd. The procession can be observed in video footage dispersing northbound further along 4th Ave. This incident was the basis of multiple complaints to the OPA. These complaints were not upheld, but the resulting investigation prompted OPA to issue a recommendation to SPD to *"place more parameters around officer discretion and responses to misdemeanor offenses during protests and to ensure that officers are balancing the potential escalation of tensions within the crowd against the need to make the arrest."*

By 4:45 p.m., the procession appears to have headed east towards Capitol Hill, crossing over I-5 freeway on Pike St. Around this time, Washington State Patrol announced it had shut down the freeway in anticipation of potential incursions by protesters and Sound Transit had also closed the Westlake Light Rail station. Reflecting a region wide escalation and mobilization, throughout Sunday afternoon other protests had developed in the nearby cities of Bellevue and Olympia. Bellevue Mayor Lynn Robinson declared a civil emergency throughout the city and imposed a 5:30 p.m. curfew for Downtown Bellevue in response to property damage and looting that is reported to have begun Sunday afternoon. The Seattle Times reported that *"the city has also requested deployment of 200 members of the National Guard, which Gov. Jay Inslee granted Sunday evening. It is believed to be the first deployment of the National Guard in Bellevue in at least 30 years"*. At much the same time in Downtown Seattle footage also shows two King County SWAT vehicles driving past the WA State Convention Center on Pike St. in the direction of Capitol Hill as a second incident occurred on Boren Ave near Union Street where an SPD officer on a bike once again rode into a narrow gap between a protester and the wall. There appears to be some verbal

interaction and the officer forcibly restrained and then arrested the individual while protesters in the vicinity shouted, *'he didn't do anything!'*. On this occasion, chemical and blast munitions do not appear to have been deployed.

At 5:05 p.m., video footage posted on social media shows a group of several hundred protesters gathered in and occupying the intersection at the corner of E John St. and Broadway. The data suggests the procession then marched through a residential area of Capitol Hill as far north as East Roy Street before heading back towards Downtown. Other than the earlier incident this procession appears to have been entirely peaceful. Video footage shows protesters walking past police cordons at Olive Bridge with officers wearing protective equipment, some with batons drawn, preventing access both to the interstate and downtown. The SPD log states the purpose of these cordons was to *"prevent crowd from going downtown...no one can return downtown due to curfew."* Data suggests the demonstration split into at least two groups at this point. Video footage shows one crowd moved south on Melrose Ave and continued into First Hill before stopping at a police cordon at the intersection Madison St and Boren Ave where it came to a halt for nearly an hour. The other appears to have proceeded to the East Precinct, where nearly 1000 protesters sat in front of police barricades set up at 11th and Pine before around two thirds of this group circled the precinct and attempted to access from the opposite side at 13th and Pine. Unable to march past the precinct, the protesters appear to have moved back toward Downtown around 7:00 p.m.

Back on First Hill, video footage shows large numbers of protesters waiting at Boren Ave with some collectively moving back up Madison, while those at the front remained standing in front of the cordon until the police removed it at approximately 8:15 p.m. Video footage shows that as they did so, the remaining crowd cheered and moved off in the direction of Spring Street. Video footage then shows large numbers of protesters crossing the interstate and moving into the Downtown area. The data suggests that by this point there were several large crowds moving spontaneously around police cordons back into Downtown along various routes. Video footage shows that eventually large numbers of protesters arrived back to Westlake Park, where police cordons with officers wearing helmets and holding long batons stood in lines preventing access to 5th Ave. People remained in the park as some speeches and chanting took place, at one point most of the crowd began to chant *"peace will prevail"*. Video footage also shows that at least one other procession involving a few hundred more protesters moved along Pine Street to join the assembly there. By 9:10 p.m. the various processions had merged into a single large gathering at Westlake Park that later dispersed without incident.

In total that day, the SPD recorded the use of OC spray 17 times, blast balls 17 times, and physical use of force 12 times, all of which involved either a takedown, control hold or a push. From the incidents on that day, one lawsuit was filed relating to chemical spray deployed against a young girl along with other peaceful protesters, and the inappropriate use of flash-bangs that resulted in a significant thumb injury to a member of the public. The SPD recorded 22 arrests of which 3 were for assaults, 7 for burglaries, 10 for obstruction, 1 for property damage and 1 for robbery. However, it is not clear how many of these incidents related directly to the protests. For example, a claim was filed to the FAS relating to property damage to a jewelry shop on 1st Ave that appears to have occurred sometime between the evening of 31st March and the morning of 1st June. This location is some considerable distance from the protests and the damage appears to have occurred well

after the last demonstrators had dispersed. This jeweler is adjacent to another recorded incident of looting that appears to have taken place on a tobacconist at around midnight, where three people were arrested. These three arrests may well have contributed to the statistics above, particularly those relating to burglary and property damage. There appears to be little if anything to connect these incidents of property damage and burglary to the protests. Taken together then, the analysis concurs with the *Seattle Times* social media feed which reported that “protesters in Seattle, split into several diverging crowds after first meeting in downtown, pressed on Sunday evening despite a citywide curfew imposed at 5 pm. Despite frequent blocking of the crowds and a deployment of flash bangs by the police earlier this afternoon, the demonstrations remained largely nonviolent”.

Day 4: Monday June 1st

While the data suggests the 31st was characterized by a de-escalation of violence, property damage and looting, Monday, the 1st of June saw another major mobilization of police resources, similar in scale and organization to that witnessed on the Sunday involving two platoons with an Assistant Chief Officer as the IC. At 2:00 p.m., Mayor Durkan, Police Chief Best, and Fire Chief Scoggins held another press conference this time from the Emergency Operations Center to address the weekend’s demonstrations, where they discussed preparations for future protests and announced that a 6:00 p.m. curfew would be in place later that day. The IAP for the day’s protest-related policing operation suggests the SPD held a contrasting interpretation of the preceding day’s events. Indeed, the situational update characterized the protests on Sunday as a direct continuation of the violent and disorderly protests that had occurred on Saturday and, as such, painted a very bleak picture of the civil emergency it described was confronting the department.

“The Seattle Police Department is currently operating under a Stage 2 Mobilization and has instituted Precinct Area Command to address operational needs during the current COVID-19 pandemic. Due to the state of emergency created by this pandemic, the Washington State Governor issued a Stay at Home Order on February 29 through May 4, 2020. Governor Inslee has extended this order through May 31. Additionally, the Mayor of Seattle suspended all permitted events on April 6 until further notice. There have been numerous protests nationally supporting George Floyd, who died in Police custody. Many of these protests have turned unlawful and caused significant injuries and extensive property damage. On Saturday May 30, thousands came to downtown Seattle to participate in unpermitted protests and marches. Throughout the day and night, protestors committed violent acts and assaults, mainly targeting police officers and destroying property to include citizen and police vehicles. On Sunday May 31, numerous SPD and Mutual Aid resources were deployed to the downtown core to protect critical infrastructure and prevent further acts of violence, however more violence and property destruction occurred. The Washington National Guard was deployed to downtown Seattle to assist SPD with this state of emergency. SPD will remain on priority call status until further notice. The protests turned violent, and riots have ensued. On May 30, Seattle Mayor Durkan declared a state of Civil Emergency and issued a Mayoral Proclamation due to acts of violence, significant property destruction, arson caused by incendiary devices (Molotov cocktails) and other acts of civil unrest. Additionally, a Civil Emergency Order for Prohibited Items was issued by the mayor for persons possessing rocks, bottles, pipes, etc. Mayor Durkan has imposed an emergency declaration with a curfew in effect from 1700 hrs. - 0500 hrs.”

As with the preceding days, the mission of the Seattle Police Department remained the same as did the Commander's intent. The data suggest that the SPD had significant concerns that the protest events that they may have to deal with that day could be violent. As one officer wrote in his post incident report, the *"SPD Intel Unit generally had very little information to offer, other than very large crowds and more violence, particularly against police, could be expected. Regional mutual aid and the Washington Army and Air National Guard were deployed to Seattle"*. Indeed, in the absence of clear intelligence there is some evidence that assumptions of at least some police officers were being underpinned, by mob psychology perspectives. As one sergeant deployed on the operation that day later recorded in his post event statement.

"During my approximately 7 years working at the Seattle Police Department, I have worked numerous large crowd events throughout the City of Seattle. Specifically, I have worked protests/ demonstrations, marches, parades, rallies, and "May-Day" demonstrations as a bicycle officer and as Rapid Deployment Force (RDF)/ Chemical Agent Response Team (CART) on the West Precinct Anti-Crime Team. I have also performed the duties of linebacker and Acting-Sergeant during protest / demonstrations. I have witnessed several different ideological groups committing acts of violence and property damage on several occasions. I have witnessed a "crowd contagion" factor can occur in these types of settings. Crowd contagion refers to the propensity for individuals in a crowd to unquestioningly follow the predominant ideas and emotions of the crowd. Ultimately, it can cause individuals who are not necessarily violent or anti-police, to adopt the crowd's ideas, therefore making the crowd even more dangerous. Additionally, I have noticed that there is a correlation with violent protestors and wearing indistinguishable black clothing, hiding their faces with masks and bandanas to conceal their identity. This leads to an inability for one to be held personally responsible and can lead to violence and property damage to Seattle businesses, vehicles, and city property. I have also witnessed numerous instances of crowd contagion leading to assaults on officers and have personally been assaulted in protests on multiple occasions."

Whatever the expectations, it is evident that the SPD simply rolled forward the operation and large-scale mobilization from Sunday into Monday, with little if any adaptation. Once again, the IAP does not reference any specific events that were planned to take place but according to the SPD log the SPOC was activated at approximately 12:30 p.m. and protesters began to gather in and around Westlake Park from around 2:00 p.m. onwards. The log records that vehicle traffic was stopped from flowing into Pine Street from 5th Ave by the SPD at 2:30 p.m. and video footage confirms that by approximately 2:50 p.m. there were around 200 people gathered in the park. At 3:13 p.m. a local journalist posted on Twitter with pictures of a gathering and that there had been *"CLEAR MESSAGING: Speaker just said, If you are here to riot, loot, cause problems, then go home!"*. By 3:25 p.m. the crowd had grown to around 500 people. Video footage shows that SPD officers and National Guard troops were deployed in several small squads of between six and a dozen, each largely stood against walls and shop fronts observing the park from various locations. All appear to be equipped with helmets, body armor and many are carrying long batons. None can be observed engaging verbally with protesters, rather all are standing some distance from them. People in the crowd can be heard chanting *"George Floyd"* and *"Black Lives Matter"*.

Some distance away in the University district, between 3:30 and 4:30 p.m., a group of roughly 40 to 60 people marched along 15th Ave from the University Village to the nearby 'U-District' shopping center chanting *"Black Lives Matter."* At 4:34 p.m., photographic

evidence shows that looting occurred at a nearby Safeway supermarket on 45th St, with SPD estimating up to 40 people inside and another 60 people in the parking lot. It remains unclear whether the looting of the supermarket was directly connected to the protest, but it was the case that no further issues developed in this location throughout the rest of the day's events. Nonetheless this does suggest that these incidents may have begun to further validate SPD concerns that any protests were potentially dangerous and likely to involve criminality.

By 3:50 p.m., the protest Downtown had grown to more than 1,500 people and by 3:56 p.m. had begun to filter out of the park westward down Pine St., then south on 2nd Ave. Just prior to this at 3:52 p.m., the SPD log records that the Deputy Operations Commander present in the vicinity was struck by a rock. The log also reports that some protesters had leaf blowers. There is no other data in our sample to corroborate these log entries, but in a statement an SPD officer deployed at the event reported that the leaf blowers were interpreted by him and his colleagues as signaling that at least some of the protesters had criminal intentions. Nonetheless, all the video footage and social media of this time and location indicates the situation was overwhelmingly peaceful. Video footage shows that the crowd, while mixed in terms of gender, ethnicity, and age, was populated predominantly by young white adults. The majority were wearing masks but, given that a large proportion of these were surgical in type, the video footage suggests these were being worn primarily to minimize transmission of the Covid virus. As had been the pattern across the last few days it appears this procession then moved spontaneously around Downtown, with SPD officers circling ahead and around creating various cordons trying to control its movement. At 4:15 p.m. the log records that the SPD judged that the intention of the crowd was to reach police HQ on 5th Ave, and as such that they created cordons to divert the procession from 4th Ave into James Street. The SPD log indicates that an officer in a vehicle had observed that an *"improvised weapon just used (or displayed)"* by a *"light skinned, B/F"* who *"ran back into crowd"*. However, video footage shows the situation at the front of the procession to be calm and peaceful. By 4:30 p.m. video footage shows that a large crowd had gathered on a pedestrianized area outside of City Hall on 4th Ave where a series of speeches were delivered.

Again, video footage shows the situation to be overwhelmingly and entirely peaceful, following which the crowd gathered again on 4th Ave. Data suggest this crowd moved off at around 5:10 p.m. A journalist posted to Twitter from the vicinity at this time stating that the *"MARCH RESUMES: Protestors just left City Hall. They talked about heading to Seattle Police headquarters. We shall see"*. Units of SPD officers wearing helmets and holding batons can be observed in video footage creating cordons on side streets but as has been a consistent pattern in the data there is no evidence of any verbal engagement with people in the crowd. The log then records that the procession moved off in the direction of Westlake Park. The log also records a series of confrontational incidents involving an arrest, at least two *"disturbances"* along with a blast ball being fired before video footage places the procession, now numbering some 7000 people back in the vicinity of Westlake Park. Once again, there is no evidence to precisely corroborate these incidents, other than two short video footage extracts which shows a large squad of some twenty to twenty-five officers wearing helmets with visors down all holding long batons marching immediately behind the procession. The apparently MFF officers can be seen physically pushing protesters in the direction they were already walking. Shortly afterwards the second short extract of video

footage shows a fracas developing at the rear of the procession involving several protesters and police. A woman can be observed lying on the ground, several protesters were yelling at the officers and one can be heard questioning officers saying, *“why are you being violent?”*. It has not been possible to confirm whether an arrest was made, or a blast munition deployed at this time.

Whatever their precise detail, these incidents appear to have remained relatively isolated, as video footage posted on social media approximately five minutes afterwards shows the front of the procession reaching Westlake Park along Pine Street. The situation appears calm, and protesters are chanting *“George Floyd”* in response to the utterance *“Say his name”* being issued by a male walking at the front using a megaphone. According to the footage, the police appear to have created cordons preventing further movement along Pine Street or on 4th Ave. A journalist posted on Twitter from the intersection *“INTERESTING DEVELOPMENTS: @SeattlePD have blocked all streets around Westlake Park. Now what?”*. Video footage shows that then protesters occupied the roadway in Pine Street, and many sat or ‘took a knee’. Video footage then shows that a protester then addressed the crowd using a megaphone and informed them that she had just spoken directly to Chief Best.

“I just spoke to the Chief just now. She is putting our message out to all the officers that are out here today to let them know that we want to march peacefully on to the precinct. She is going to send that message right now and she is going to come back to me and work with us!”

The crowd cheered and applauded in response. Then shortly after 6:00 p.m., the SPD removed their cordons and allowed the protest to march eastbound on Pine St. This was now the largest demonstration of the sequence involving more than 7,000 people. The SPD log records several incidents during this phase including *“taking bottles at 5-pine”*, at 6:04, *“trespassing on scaffolding at Boren and Pine”*, at 6:28 and *“sneaker city just looted”* between 6:37 and 6:44 p.m. However, we could find no corroborating evidence, and all other sources of data we have suggest the march to the East Precinct was overwhelmingly if not entirely peaceful. Indeed, a journalist present at the front of the procession posted on Twitter at 6:12 p.m. *“A SEA OF PROTESTORS: Police agreeing to part the police barricades on Pine St. They are now heading to Seattle Police East Precinct. Such a juxtaposition from all the looting and vandalism on this street on Saturday.”* Another local journalist at the front of the procession posted that protest organizers *“have requested that Mayor Durkan meet us at the precinct... not only are we requesting, we’re demanding. We are peaceful...”* and that the march was *“calm and quiet at the front”* but that protesters *“did not know what was going to happen”* when the march arrived.

At around 7:10 p.m., the march reached and stopped at a police cordon and barricade that had been established at the intersection of 11th Ave and East Pine St., just west of the East Precinct on 12th Ave. The barricade was similar to those that had been established in that location on previous days, other than it had been brought closer to the intersection. It involved waste high fencing which stretched across the entire roadway on Pine Street, behind which was a large squad of SPD officers wearing helmets and other protective equipment. They were standing facing the crowd and several appear to be MFF officers. Behind and interspersed among them were bike squad officers and behind them another large squad of SPD officers, again all wearing protective equipment. Behind them was the

East Precinct, adjacent to which was a residential apartment block with 85 residents whose entrance and exit from Pine Street was now blocked behind the police lines. Based on interview data with a resident in that building, it appears that the SPD had made no attempt to communicate or liaise with people in the building. This resident stated that in contrast to similar barriers created on the preceding days *“they moved the police forward. [The cordon] is now at the intersection and now it means the entrance and exit to my building is now behind police lines. So, this was difficult because, again, no communication with the police”*.

The crowd now occupied the entire intersection, and a standoff appears to have developed with protesters chanting slogans until at around 7:30 p.m. two police commanders, East Precinct Captain Bryan Grenon and Lieutenant Paul Leung, approached the fencing and ‘took a knee’ with protesters. According to video footage this gesture by the SPD appears to have been welcomed by the crowd since several people can be heard cheering and applauding. The woman who had spoken earlier of her dialogue with Chief Best again used the megaphone to chant *“this is change”* and a few protesters shook the hands of the two officers. Video footage then shows relatively relaxed conversations between Grenon and people in the crowd that continued across the fencing for some time afterwards. During this phase video footage also shows people in the crowd chanting *“take off the gear”* toward the police, presumably urging them to further deescalate their posture. At around 8:15 p.m., several hundred protesters moved away from the intersection at 11th and Pine St, circling around the East Precinct congregated in front of another barrier preventing access that had been established on 13th Ave. The situation at this second gathering appears to have remained peaceful with social media posts claiming protesters were again chanting *“lets us walk”* and *“where is the mayor?”*

By 9:00 p.m., several hundred demonstrators were still crowded into the intersection on the west side of the police barricade on 11th and Pine. Interview data with police commanders suggest they had significant concerns that there were highly organized groups within the crowd aiming to attack and destroy the police station and that protecting the buildings was a key strategic priority. BWV footage shows that large numbers of those gathered at the barrier on 11th Ave were directly abutting the fencing and several held or were leaning on it. They stood facing the police many with hands raised chanting *“I can’t breathe”*. Most of the protesters were wearing surgical masks and other kinds of face covering, and some were also wearing helmets, hoods, and different forms of eye protection, such as goggles. This suggests that many were prepared for the deployment of chemical spray by police, which is perhaps not surprising given police tactics over the last three days. On the other side of the barricade, video footage shows there were more than 100 SPD officers, many of whom appear to be in MFF formations, and state troopers standing in lines two to three deep across Pine Street facing the crowd. All were wearing helmets, body armor and other forms of protective equipment. It should be noted that there is also BWV video footage of a large police vehicle some considerable distance behind police lines issuing a verbal dispersal order via a loudspeaker. The video time stamp places this at 8:31 p.m.

One Sergeant described the situation in front of him.

“I noticed that most of the protestors that were being confrontational with officers were equipped with eye protection, N100 masks, gas masks, gloves, umbrellas, and helmets/hoods. These protestors were confrontational directly in front of our lines as opposed to other protestors that dispersed once the dispersal order was given. Based on my

training, experience, and behavioral observations, I recognized that this group was intent on continually instigating physical fights with officers. I thought it was likely that I or another officer would sustain serious bodily injury if the crowd continued to advance on our position and continued to throw bottles and rocks at us."

Another described the purpose of the cordon. As discussed previously, it is also interesting to note how events in other cities may have framed the SPD tactical focus and expectations about the potential threats posed by crowds in Seattle.

"This line was established to prevent property damage to the East Precinct (rioters in Minneapolis had set fire and damaged a police precinct the week prior). While at that assignment a crowd of approximately 10,000 protesters filled the intersection. SPD maintained that position for several hours. There was no obvious criminal behavior occurring and I did not activate my BWV for this portion of the event. However, while standing at the bicycle fencing, I observed hundreds of protesters wearing masks, goggles, face shields and carrying seemingly heavily backpacks some with obvious makeshift weapons such as BB bats and sticks. Also, while standing at the bicycle fencing, I heard protesters arguing with protest organizers about what type of action should be taken. There were agitators in the crowd that wanted to take direct action against the police and move past the bicycle fencing to presumably engage in property damage and assaultive behavior. At approximately 2100 hours, while on a break inside the East Precinct, I heard over radio that protesters at 11/Pine had begun to throw glass bottles and were attempting to push through the bicycle fencing."

The above extracts reflect how several SPD officers reported protesters in the crowd were actively pushing against the fencing and that several missiles had been thrown toward the police lines. There is video footage, taken from the roof of an adjacent building at this time, which shows that some sections of the bicycle fencing had been moved a few feet forward toward police lines. Moreover, body worn video footage suggests the sheer density of the crowd forced the fencing forward at these two locations, however, footage at the same time also shows the crowd withdrawing. The video data suggests that at 9:00 p.m., the situation was tense, and protesters were chanting *"let us through"*. From the extensive and high-quality footage of this time and location, there is no evidence of any direct physical conflict or of any sustained missile throwing prior to the subsequent police intervention. Indeed, several of the protesters close to the barrier can be observed engaging in conversations with officers. There is no footage of people pushing forward on the barrier in a concerted manner and officers in the cordon along with protesters do not appear to be under any significant pressure. Nonetheless, several of the police statements indicate that at this time several verbal warnings were issued toward protesters. As one stated

"I saw several officers in front of me repeatedly order the crowd to "move back" and disperse. The crowd refused to comply with these orders to move back. I witnessed multiple physical confrontations with line officers and protestors. Protestors were actively pushing/grabbing/throwing objects [at] officers. Additional warnings were not feasible given the noise and the speed at which the events unfolded. I witnessed several assaults on officers. I believed that multiple additional assaults on officers were imminent and ongoing. At about 2100, WACT was detailed to support the police line on the east side of 11 Ave / Pine St. Protestors began pushing hard against the line at about 2104, this necessitated the use of OC to create space and hold the line."

There is BWV footage suggesting that verbal warnings accompanied by a hand gesture were given by at least one officer in this location at that time and the verbal dispersal order had been given some thirty minutes earlier. Yet, in both cases it is difficult to conclude these warnings would or could have been audible to most people in the crowd, given footage showing that the situation was very noisy. Nonetheless, as the interactions were developing, video footage confirms that a large squad of what appear to be MFF officers arrived at the rear of the cordon some minutes before 9:00 p.m. These officers are wearing full protective equipment, carrying long batons, and wearing gas masks. As they arrive, over the next several minutes they filtered into the front of the cordon, gradually replacing the bike squad officers, who withdrew to put on their own gas masks. Some of the protesters standing adjacent to the fencing began to argue with officers and express concerns that they were about to be attacked by the police, one vocally urging the police to de-escalate. As this was occurring one officer pulled out a spray canister and pointed it toward protesters. In response, two protesters opened umbrellas and held them forward toward the cordon, in ways that protected them from being sprayed but also blocked line of sight for those officers. One protester held their umbrella over the fencing, and shortly afterward an officer in the cordon reached out and pulled the umbrella toward him, collapsing it as he did so. Immediately several other officers in that location began deploying OC spray toward those in the crowd. Within seconds, an officer further down the line can be heard shouting "OC" at which point more officers along the line began deploying spray into the crowd, one with his arm stretched above his head in a sweeping motion to ensure that large numbers were affected.

Those protesters at the barrier immediately began to shout protestations and withdraw back into the intersection, but despite this, within seconds a large volley of explosive munitions and then CS gas were thrown directly into the crowd. The volley was extensive and video data shows that it went on for around five minutes. During this phase missiles can be seen being thrown at police lines, including returning gas canisters that had been thrown into the crowd by police. Having dispersed the crowd, the police then moved west into the intersection and progressed along 11th Ave firing further volleys of CS gas. People scattered into various locations including a large group of protesters who moved onto Bobby Morris Playfield in Cal Anderson Park. This gathering included an MSNBC news team providing coverage of the demonstrations. At 9:19 p.m., the reporter in this team was hit by a CS gas canister on live TV, an incident which later became the subject of an OPA investigation. Based on interview data, by this third day the SPD had begun to run short of blast balls and flashbangs, given the unprecedented levels of use across the previous two days. As a result, they were overly reliant upon CS gas for less lethal force options in this situation. Video footage confirms that CS gas filled the entire intersection and surrounding areas not only forcing the crowds to disperse but also entering several residential apartments, resulting in two claims for damages with the City of Seattle. As one resident in the apartment block adjacent to the East Precinct described.

"People who are coming out be like, what's going on? We're like screaming at them as we run out, like, get back inside, get inside. And we can you know, as I'm running, I was you know, I was wearing a hoodie and I was trying to cover my face as much as possible, but my eyes were burning. I could feel my lungs burning up and I just ran. I get back into my apartment, I, I wear contact lens. I tore my contact lens out of my eyes, and I just ran my mouth, like, doused my hand under the shower and just tried to like, you know, wash up

whatever I could. I had the presence of mind, if you want to call it, that was not the most flattering picture. So, I took this picture immediately after and you can see how red my eyes are. I cut my contacts out at this point. I dumped my head in the shower. It was terrifying because you felt like there are people living here and this happened. How, how, how, could they not know? I was shocked and upset that this was now part of my story, that the police deployed just a cloud of tear gas that enveloped my home”

Video footage taken at around 9:50 p.m. shows groups of people filming police on their smart phones. This footage shows an individual loudly asserting that he is a resident, shouting toward a large squad of police officers *“Stop, you are invading my neighborhood. If you try anything look how many cameras are on you”*. At 9:52 p.m., SPD radio logs document that an officer was injured. The officer received medical attention at the East Precinct and was later transported to Harborview Medical Center. At 10:03 p.m., video footage shows a large crowd of protesters sitting on the roadway of 11th Ave adjacent to the park facing a large group of police standing some distance away at the intersection. The crowd can be heard chanting *“George Floyd”* in response to *“Say his name”* while many were holding their arms aloft some with palms facing forward toward the police. Across the next hour the situation appears to have calmed and at 10:51 p.m., video footage shows SPD officers moving back toward the East Precinct.

Discussion

The central purpose of this report is to build upon the OIG-commissioned SER analysis of the root causes of, and recommendations relating to, five specific incidents that took place within four days of protest during Wave One. The current study builds upon it by providing a) a systematic analysis of the SPD policy and training guidance on the policing of crowd events and b) a scientific analysis of the nature of the first four days of protests that occurred in the city. This section draws the two analyses together to focus understanding on how policy may have related to the policing of the protests and how this in turn may have played an important role in the dynamics through which events materialized across the first four days.

The current report drew first upon a detailed policy document that was created by the SPD to underpin its training. The document suggests that SPD policy already positions the protection of First Amendment rights as a primary strategic goal, but this is caveated against the recognized obligations they hold to protect public safety and prevent criminality. The document also sets out a complex rationale for the tactical approach the SPD deploys to try to achieve this strategic mission. By providing an historical analysis of the evolution of crowd policing in Seattle the document locates its origins in the foundational development of the MFF, which remains a cornerstone of its method. It then tracks development of protest events in the city defining core problems experienced in managing highly dynamic crowds, sometimes containing people the SPD believes are predisposed toward criminal activity. Ultimately, SPD policy appears to position the bicycle or “bike” squads, supported by an array of ‘less-lethal’ weaponry, as the primary tactical option for managing crowd events in the city. These bike squads are seen both as a resource to act in a legitimacy and dialogue-based community engagement capacity, and as the first line of defense when it is judged necessary to shift toward a deterrence-based approach.

The policy document then sets out how the organization has interpreted the academic literature to conceptualize the underlying social psychological dynamics of crowds and how this should relate to its strategic and tactical orientation. A misinterpretation of crowd science is relied upon to rationalize a strategic and tactical transition in policing crowd events. On the one hand, ESIM is used to underpin a ‘facilitation and dialogue’ based method built around the need to manage and maintain public perception of the legitimacy of policing. Under this framework, police action is recognized as a potential cause of conflict and ‘disorder’ leading SPD to move away from the static formations and deterrence-based or instrumental approach of the MFF (i.e., generating behavioral compliance through fear). The ESIM-related developments are used to support the formation of the bike squads and the ‘meet and greet’ approach. This development was designed to improve the SPD’s crowd management capabilities by being more dynamic, generating perceptions of police legitimacy, and promoting crowd self-regulation through public engagement and dialogue.

On the other hand, and in stark contrast, the policy document simultaneously draws upon and maintains a form of scientifically discredited ‘mob psychology’ as an integral part of the SPD conceptual framework. Rather than recognizing its incompatibility with ESIM, it draws upon mob theory to understand and rationalize a qualitatively different form of crowd psychology that is assumed to emerge when even minor acts of criminality are either judged to be likely or have begun to occur. In these circumstances, it is apparent that both a

strategic and tactical change are likely to occur. Where the threshold of lawfulness has been challenged or transgressed, police officers are guided to a) assume that crowd dynamics will unavoidably result in an escalation in criminality and b) rapidly use force against crowds as a whole, preferably with 'less-lethal' munitions. The indiscriminate use of force is sanctioned primarily because it is understood to play a de-escalatory role. Put differently, the earlier acknowledgment that police crowd interactions can escalate conflict disappears and is replaced by the assumption that there is a need to disrupt the emerging irrationality of the mob. This raises serious issues because this conceptual rationale for the operational transition is inconsistent with ESIM research which proposes such interventions will actually run considerable risk of *amplifying* confrontations at these pivotal moments.^{xxxiv}

The analysis then progressed to examine the behavioral dimensions of wave one to try to understand how SPD policy manifested operationally during the early stages of the BLM events in Seattle. A scientific methodology was applied to create detailed, data-driven accounts of the nature of crowd behavior and policing across each of the four days. The data suggests from the outset, SPD decision making was based on limited background intelligence and embedded in an objective tension between enforcing Covid regulations and facilitating First Amendment rights. Such tensions were not unique to the US, but the novelty of the situation suggests a highly ambiguous decision-making environment for commanders, presumably unclear how these restrictions related to their policy of facilitation.^{xxxv} Nonetheless the evidence suggests the SPD set out with the aim of facilitating the demonstrations, even though similar protests in other cities across the US had already turned violent. During the initial demonstrations on May 29th, many protesters were wearing face masks, perhaps in order to follow public health guidance. Nonetheless, the SPD experienced this unexpectedly large crowd as hostile and assumed some in it were violent anarchists. Indeed, there is evidence that some did come with criminal intent (e.g., at least one person appears to have attended with a small axe) but equally this was a demonstration about the illegitimacy of police action, so some level of hostility should not have been surprising. In this sense, the IC appears to have interpreted the situation as dangerous from the outset, and therefore requiring a more coercive approach. Given the unexpected scale of the protest, the IC determined that initial staffing was insufficient, and it evidently took some time to mobilize additional SPD personnel.

While waiting for backup, reports of continued hostility are likely to have amplified and reinforced any initial concerns about a volatile and criminal crowd. It is also evident that the demonstrations' sporadic movement and apparent hostility corresponded with a lack of dialogue or engagement by police. Faced with antagonism, there is little evidence that a 'meet and greet' approach was successfully implemented. Instead, as sufficient resources arrived, the IC appears to have decided to utilize the bike squads to implement cordons that at one point physically prevented a procession from continuing along 5th Ave. It was then that the first triangulated evidence of damage to property and of physical conflict between protesters and police occurred. After the cordon was implemented, a relatively minor altercation developed, and damage occurred to an adjacent building. In line with policy, within seconds SPD officers deployed explosive munitions. The act of aggression and criminality by two or three people in the small crowd met the low legal threshold for defining an unlawful assembly, in other words a 'riot'. Nonetheless, what is analytically relevant is that the tactical intervention was followed by an *escalation* of collective conflict. As all protesters were forced to disperse, several attacked and damaged property, and there

were a series of further sporadic conflicts and police use of force across Downtown and the International District. Later in the evening, an officer was filmed using force against a protester. The video was posted on social media and generated multiple formal complaints indicating that police actions were seen by some as illegitimate. It is worth noting that there was also a pattern evident in the destruction on this first night, in that the targets of property damage, and those that sustained collective attacks, appear to have been limited largely – although not by any means exclusively - to sizable corporations (e.g., Amazon) and banks. In other words, the escalation in collective conflict developed in the absence of dialogue, in the wake of police use of force and involved behaviors that relate coherently to anti-capitalist and other forms of identity. In this respect it is difficult to sustain the argument that events were driven by irrational processes of mob psychology.

The initial night of protests, combined with the resulting news and social media coverage, created the backdrop for the two planned demonstrations the following day, potentially shaping both police and protester expectations. SPD once again initially adopted a facilitation approach. Nonetheless, throughout the day the data demonstrates a similar relationship between crowd police interactions and behavioral change. It is apparent that these dynamics began as a result of the SPD attempting to try to control the movement of a relatively spontaneous and largely, if not entirely, peaceful procession moving from HQ to Westlake Park. The sometimes-dynamic police cordons, delivered primarily by bike squads, appear to have generated several separate incidents of hostility and conflict which the SPD's tactics failed to de-escalate. It may well be that incidents had already hardened some protesters attitudes toward the SPD, given the forceful dispersals the night before. In other words, the role of the bike squads in using force may have seriously undermined, if not eliminated, their capacity to de-escalate through engagement and dialogue. In other words, the actions of bike squads the night before in using force served to undermine relationships the next day. Whatever the reason, the data suggests that policing throughout the day was characterized by limited levels of dialogue and community engagement. Once again, when relatively minor confrontations occurred, tactical intervention rapidly escalated to the use of 'less-lethal' munitions. It is evident from the data that these munitions had little to no de-escalatory effect in a situation that was already objectively largely peaceful. Indeed, the use of force appears to have brought more people into the emerging conflict and created several escalatory incidents, including injury to a young child. It is evident these uses of force may well have further undermined police legitimacy among the protest community, judging by the thousands of official complaints and social media interactions they generated.

These relatively isolated conflicts appear to have fed into a judgement that the situation had developed into a riot. While that judgment was clearly within the legal definition, it did not correspond with the overwhelmingly peaceful nature of the wider crowd in Westlake Park at 3:10 p.m. on that day. The evidence clearly demonstrates that the vast majority of people present at the protest at that time were peacefully exercising their First Amendment rights and continued to do so throughout. As such, it is likely that many protesters would have interpreted a forceful dispersal of the crowd by the police as unwarranted and illegitimate.^{xxxvi} By the time the IC's decision to disperse the entire protest had been ratified by the Chief of Police and communicated to his staff, the situation on 5th Ave had escalated to such a point that the SPD unit commander there had already made the decision to deploy CS gas. These gas munitions affected a large number of people - the vast majority of whom

had committed no crime - and the situation escalated further into some of the most serious rioting ever witnessed in the city. Such was the scale and intensity of the disturbances that the SPD were overwhelmed and as a result widespread looting and property damage took place and a curfew was imposed.

As ESIM would predict, the transition in crowd norms - from peaceful to conflictual collective action - emerged following a pattern of crowd police interactions where dialogue was largely absent, and police had used force indiscriminately against the crowd. Moreover, the following two days provide further evidence of the centrality of this form of interactions as a primary correlate, and potential causal factor, of the observable escalations in conflict and transitioning of crowd norms.^{xxxvii} Indeed, it is apparent that the third day of protest witnessed a significant de-escalation, certainly from the rioting of the night before, given only isolated incidents of conflict occurred. On at least one of these occasions this conflict appears to have been almost entirely comprised of a police intervention against a very minor infraction, once again involving bike squads and rapid deployments of explosive munitions. Indeed, what is remarkable analytically is the comparative absence of collective conflict from people in the crowd given the nature of the police intervention. It is possible that a commitment to peaceful protest among demonstrators on the Sunday helps explain why there were few escalations, even in the face of what was seemingly indiscriminate police use of force. Nonetheless, there is some evidence to suggest that as a result of these tactical interventions by the SPD that the protests were beginning to be increasingly understood by participants as a reassertion of their First Amendment right to peacefully protest, rather than merely about the murder of George Floyd. Moreover, throughout the day there was once again little dialogue between police and protesters, nor any evident community-based engagement designed to further reduce the ongoing tensions.

By the fourth day it is evident the SPD had misinterpreted the largely peaceful protests on Sunday as merely a continuation of the violence experienced on the 30th and that they were expecting disturbances to continue. A curfew was still in place rendering even peaceful demonstration later that day unlawful. The data therefore suggests that the SPD had effectively become locked into a reactive position with little option, both politically and operationally, other than to deploy significant public order resources, ready to react with force as and where the SPD judged it was required and lawfully justified. Given the low legal thresholds for criminality in this context, a forceful reaction may have been almost inevitable at some point. It is also evident that the nature of the protests had begun to change behaviorally, moving away from demonstrations specifically about issues related to the murder of George Floyd and toward disputes targeted directly at the SPD. In other words, the behavioral patterns suggest that crowd police interactions on the first two days reshaped the underlying motivation and identity uniting protesters and drove further protest.

With limited phenomenological data from protesters, it is impossible for this study to understand the existence or nature of any psychological change but what has been explored is the nature of observed behaviors. Monday saw by far the largest single protest and the pattern of collective action within it suggests that the policing of the demonstrations in the city may itself have become a powerful motivating issue. As the OIG put it in an earlier report, the *“crowd psychology literature and SPD training materials recognize that if protesters do not understand why police are using force, they are likely to view the force as illegitimate and the police as an unreasonable, violent entity stifling First Amendment*

expression. Protestors may then respond by becoming increasingly confrontational. This, in turn, may lead to police perceiving increased violence and a corresponding need to use more force, creating a toxic cycle of escalation.” (OIG, 2020; p.13). Correspondingly, the escalations observed on day four, particularly those in the Capitol Hill district, followed the by now familiar patterns of interaction.

There is evidence that police attempted dialogue and mediation during the early stages of the protests on day four, but this appears to have been sporadic and disjointed. At one point a protester even appears to have been in direct contact with the Chief of Police who it appears overwrote, or at least superseded, an operational decision to try to corral the protest into Westlake Park. Having arrived at the East Precinct, senior commanders also ‘took a knee’ and can be observed speaking with protesters. The data suggests that both these interventions appear to have been well received and to have even opened an opportunity to de-escalate the situation. Nonetheless, these opportunities were not exploited. In the absence of evidence of any systematic approach to dialogue, the situation returned quickly to a method heavily reliant upon the use of fences, static cordons, dispersal orders and use of force. Due to the recent burning of a police precinct in Minneapolis and anticipated damage to the East Precinct, the SPD made preventing damage to the precinct a strategic priority and viewed the crowd as inherently hostile. Perhaps this assessment of the crowd is unsurprising given SPD’s experience across the previous few days, but there is no data in our sample to suggest any such violence or property damage was imminent. In that intergroup context, a decision appears to have been taken by the IC to disperse the crowd, a process which began at around 8:31 p.m. with the issuing of a dispersal order. This was followed by the systematic reinforcing of the cordon on 11th Ave across the next thirty minutes. Following a minor altercation, which developed after SPD replaced the bicycle officers on the front line with officers wearing gas masks and holding batons and OC spray canisters, a full and comprehensive deployment of chemical, explosive and CS gas munitions was discharged for approximately five minutes. This led again to a change in crowd norms and the escalation of conflict. Enough CS gas was used during this crowd dispersal event that even local residents experienced the impacts of CS gas in their own homes.

Final Conclusions

After analyzing the SPD response to these four days of protest, the SER made fifty-four recommendations, many of which were highly critical of the SPD. These included altering the strategy for policing protests in the city to focus more explicitly and comprehensively on the facilitation of peaceful assembly, to modify SPD tactics to prioritize communication and de-escalation and avoid the use of undifferentiated force (e.g., CS gas munitions), and to improve police training particularly in crowd psychology (ibid; p.29-33). The analysis presented here suggests the SPD strategy is already facilitation focused but there is substantial opportunity to develop its policy and training. This study suggests there is a particular need to update its approach to the scientific framework for crowd psychology upon which its crowd policing policy and operational approaches are already partially based. There is also extensive empirical support for the recommendation that the SPD needs to advance its operational approach to adequately realize its strategic ambitions, most notably by enhancing capacity to manage the interactional dynamics of crowd events through dialogue.

The analysis presented here suggests that consistent with ESIM, police crowd interactions played a central role in the dynamics of escalation and behavioral change observed across wave one of the protests in Seattle. The study indicates that during the four days of protest, conflict emerged from the very early stages as a result of specific forms of policing, characterized by an inability to de-escalate through dialogue and an over reliance on the rapid use of indiscriminate and disproportionate force. These interactional dynamics played themselves out powerfully on day two culminating in a major riot. In this micro-sociological context, by day three the nature of the protests had begun to evolve behaviorally, potentially as a result of psychological and identity change brought about by the prior police interventions. As a result, crowd events moved away from demonstrations merely about the murder of George Floyd toward protest targeted directly at the SPD.^{xxxviii} Correspondingly, the SPD appear to have become locked into a 'reactive' cycle of escalation, with little option but to deploy force in response to minor incidents of conflict. While the minor incidents of conflict in many cases satisfied the low legal threshold required to use force, the deployment of less lethal munitions appears to have escalated and prolonged the conflict, leading to additional uses of force. The outcome was a second major escalation in the vicinity of the East precinct building in Capitol Hill.

It is necessary to reflect on the limitations of the study. Perhaps most importantly it must be recognized that both analyses were entirely dependent upon the data the OIG were able to sample. There may have therefore been police perspectives at work or incidents that took place that have not been identified. Moreover, there is a key limitation in that the study could obtain only small amounts of data from participants. Nonetheless, the data corpus was strong, so while it is essential to remain cautious about the conclusions, this study does support conclusions about the nature of crowd-police interactions. It also highlights the significance of controlling legislation in Seattle that provides a relatively low threshold for collective criminality relative to international democratic standards (i.e., unlawful assembly, riot). By creating the offense of a '*failure to disperse*', the law constructs a context where the SPD has considerable discretionary powers to define entire public assemblies as unlawful even when the majority of people present are behaving peacefully and have no criminal intent. It seems reasonable to assume that the flawed scientific perspectives discussed above interacted with these legal constructs to increase the likelihood and actuality that police commanders would decide to use force against crowds. In other words, there is a need to address *both* SPD policy and the legislation within which it operates because these conceptual and legal frameworks appear to increase the risk of constitutional violations and the precipitation of unnecessary and unintended escalations of crowd conflict.

Key Recommendations

- The current study suggests the SPD has made important advances since the WTO in 1999 but is currently out of step with the latest scientific understandings of crowd psychology and trends of international police good practice. This raises issues and suggests a pressing requirement for the SPD to update and improve its policy, training, and tactical approaches to managing crowd situations.
- The analysis also suggests that while the SPD strategy is already facilitation focused, there is considerable opportunity to develop the Department's policy and training, particularly as this relates to crowd psychology. In particular, it is important to

increase and maintain the amount of training available to Incident Commanders who should be in turn empowered to perform that role.

- The current study also provides extensive empirical support for the recommendation that to adequately realize its strategic ambitions, the SPD needs to advance its operational approach, most notably through enhancing its capacity to manage the interactional dynamics of crowd events through dialogue-based tactics.

Endnotes

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