

# Seattle Police Department



## After –Action Review

May Day Events

05/01/2012

**Seattle Police Department**

Assistant Chief P. McDonagh

## Executive Summary

### May Day 2012

The City of Seattle normally has demonstrations and marches planned for the first of May. The May Day events range from immigration marches ranging from 3,000 to 25,000 attendees, to smaller groups at static events or those who march to and from various locations within the City. On May Day 2012, permitted events included a support for immigration march originating at Judkins Park in the East Precinct to locations downtown, additionally there were open source announcements of a protest at Westlake Park for Occupy Seattle, a Hip Hop group and other protesters who would then march without a permit.

People claiming to be Anarchists added a large amount of rhetoric about their attendance, including marching and causing damage much like "WTO 2.0". Ultimately, people dressed in black during a march did damage to businesses in the downtown core before both a Mayoral declaration and police action interdicted those bent on destruction. On May Day, officers made arrests for both property damage and assault on Police Officers. It should be noted, First Amendment marches and gathering's occurred without incident after the police interdiction for the ongoing damage and violence. Following the event, a May Day Task Force was assembled to review video footage of those who caused damage in an effort to hold them accountable for their crimes. This Task Force has currently resulted in an additional **five** people being charged for their May Day criminal activities. Responsibility for this After Action Report was assigned to me as the Assistant Chief of the Special Operations Bureau. While not common for an Assistant Chief to finalize an After Action Report it is not unprecedented within the department.

Through the media, many community leaders have spoken out against those who committed these violent acts and in general support of the Seattle Police Department (SPD) and the department's response, the department ordered this After Action to review our performance in our ongoing efforts in continuing to improve our future response to similar events.

As a department, we have an obligation to do the best we can to secure a safe event for all attendees. Nonetheless, when a constitutionally protected right is subrogated by hooligans or ruffians who's only desire is to cause harm or damage, the department must not only take appropriate action, but continue to learn after each deployment and be prepared to protect all our citizens rights events in the future. An After Action Report is designed to improve future performance.

An After Action is not a venue to embarrass or demean nor is it to be used as a means of discipline. A true After Action Report is designed and represented here, as information for the Seattle Police Department to continue our commitment to serving our community even while demands on our resources increase, situations continue to evolve demanding more innovative ways to prevent crime, reduce fear, and build our communities for a safer Seattle.

After completing a review, Key Recommendations are listed below. While not an exclusive list, these recommendations make up the heart of the After Action report. It should be noted some Key Recommendations may have additional sub points that will need to be addressed to accomplish the whole recommendation.

## **Executive Summary**

### **Key Recommendations:**

- All Incident Action Plans (IAPs) crafted in the Seattle Police Department will continue to follow the Incident Command System (ICS) planning and command processes, including the following of planning process to identify the event Objectives, Strategies and Tactics/Tasks being utilized for the event, as well as the assignment of key General Staff positions. As examples:
  - Continue to require a formal IAP Review Meeting. This meeting provides a pre-event operational review with all the involved commanders; including the Incident Commander (IC), General Staff and Specialty Group Leaders/Commanders it should occur at least one day before the pre-planned event date.
  - The Incident Commander's strategies, rules of engagement, application of tactics and the chain of command must be clearly defined, accurately disseminated to those involved and ensured they are followed for officers to succeed in implementing the plan. The plans briefed to the field units will include reasonable event contingencies.
  - Following the ICS briefing format supports the need for continuity of messaging to the officers working the event.
    - Operational Briefings (roll calls) will be outlined to follow the ICS format, facilitated by the Planning Section Chief, and be consistent in message. Speakers at the briefing(s) will have the same briefing sheet to use at multiple briefings.
  - Staffing levels need to be sufficient to provide for officer relief during the event.

- The Department needs to identify within the IAP specific resources responsible for securing items or evidence recovered from the crowd.
- The Department will utilize the department issued radio as the primary means of communication surrounding deployment of resources at larger scale events.
- For every pre-planned event, the IC must be pre-briefed by the Intel Section on the status of the known information surrounding the event.
- When Situational Assessment Teams (SAT) are utilized, they must be supported by a dedicated uniform detail throughout the duration of an event.
- The Department must adapt and utilize tactics to quickly identify and arrest violators inside, alongside and away from the main body of the crowd, while maintaining event safety.
- Improving departmental tactics call for continuing training for officers responsible for the implementation, these tactics will be briefed at the operational briefing
- Increased departmental training surrounding crowd control & crowd management including, communication protocols, bicycle and foot elements working crowd control situations. This includes the Incident Commander, Section or Group Commanders, Supervisors and Officers.
- Having a series of reasonably foreseeable emergency proclamations, pre-drafted by the City Attorney's office available for modification to address specific incident or event needs, will allow for immediate authorization if and when the Mayor determines the need to enact emergency powers in the future.
- The department should review equipment options for increasing the capability of the uniformed officers to carry/deploy with additional or new safety equipment necessary for a crowd control event.
- The department should research equipment & technologies that can improve police capabilities in communications and resource deployment in support of effective professional response i.e., encrypted communications, portable electronic public signage, Public Address Systems, and squad mobility.
- The department shall continue to provide, and increase where possible, outreach to the community about special events and specifically the businesses within the affected areas of a march or protest.

## 1. Situation:

05/01/2012: 0900 to 2100 hours with events throughout the West Precinct and East Precinct (Westlake Park, downtown core, Judkins Park and Seattle Center grounds). There were two police operational periods for this event, with a transfer of command occurring at 1900 hours.

On Tuesday, May 1st, the "El Komite Pro Reforma Migratoria y Justicia Social" and the "May 1st Action Coalition" sponsored the annual "May Day March and Rally." The committee was issued a City of Seattle Special Events permit for this event. The permit allowed participants to gather and hold a rally at Judkins Park, followed by an escorted march to 3rd Ave. and Marion St. Event organizers anticipated about 550 people to attend the event. In years past however, this event had gathered nearly 5000 people.

That same morning at Westlake Park, "Occupy Seattle" scheduled events throughout the day. The events included entertainment and the possibility of two separate unpermitted marches. The "Occupy Seattle" website indicated an intention to slow the city down with a general strike.

Open source material gleaned from local anarchy websites indicated the desire of self proclaimed anarchists to attack the city, making May Day look like "WTO all over again"(see handbill attached as item A). Information gleaned from multiple sources revealed a strong desire and call for action against the businesses and police during the May Day events. Specific training was hosted outside the city by people claiming anarchist affiliation -"Black Bloc", to prepare attendees to physically confront and assault officers, or to cause property damage. This information was presented to the Mayor who determined the need to disseminate it.

During the first of two unpermitted marches, people dressed in dark clothing – claiming Anarchist affiliation, caused extensive property damage to businesses and cars in the downtown core and assaulted police officers assigned to the event.

There was a student walk-out at Seattle Central Community College at 1120 Hours, followed by a march from the College to Westlake Park to join the Westlake Park event, and the subsequent marches.

Later in the day, the "El Komite Pro Reforma Migratoria y Justicia Social" and the "May 1st Action Coalition" sponsored the annual "May Day March and Rally". Overall it was well attended with no issues reported from this march. Some members of the unpermitted march attempted to infiltrate the May1st Action march but appeared to be held in check by the permitted march organizers.

Each of these events drew some participants that engaged in criminal activity, causing disruption, damage and injury.

## **2. Mission Objective:**

The mission of the Seattle Police Department is to work with the people of Seattle to secure a safe and just future for all by fighting crime, reducing fear, and building community – one person, one community, and one neighborhood at a time.

During this event, the Seattle Police priorities were life safety, incident stabilization and property conservation. The Seattle Police Department's Event Objectives for this event included safety for those attending or working the event, providing the ability to express First Amendment Rights, deterring criminal activity, protecting public and private property, facilitating safe movement of participants as well as vehicular and pedestrian traffic and assisting the Seattle Parks Department.

## **3. Deployment Information:**

The overall deployment strategy was to deploy uniformed police officers in increasing numbers as the day progressed to ensure coverage throughout the potential timeline of the event. Overall the plan was to allow the protestors to march and if criminal actions occur, police action would be taken.

## **4. Chronological Summary of Event and Maps:**

Please see attached Appendix #2

## **5. Enforcement/Action/Injuries:**

There were 8 arrests during the events of May 1<sup>st</sup> 2012:

TIERNEY, JACK L. /Unlawful Weapon/G.O. #12-133299  
INGRAM, CODY R. 07-08-1988/Malicious Mischief/G.O. #12-133411  
GARLAND JOSHUA A. 04-30-1984/Assault/ G.O. #12-133578  
DITRANI, ROBERT A. 05-12-1988/Assault/ G.O. #12-133578  
MORALES, MARIA J. 01-10-1982/Assault/ G.O. #12-133578  
CAMPICHE, PAUL W. 11-24-1988 /Assault/G.O. #12-133578  
CONATZER, CHARLES A. /Pedestrian Interference/G.O. #12-133561  
ESPARZA, ARTHUR F. /Property Destruction/G.O. #12-133585

The Department also created a May Day Task Force immediately following May Day. This Task Force consists of SPD Detectives assigned to review video of May Day illegal actions to determine those responsible and work to file criminal charges through our

court system. Both the King County Prosecutor and the City Attorney committed to following up with prosecution if provided the criminal act and identity of the suspects.

To date, the Task Force has identified and charged five (5) additional suspect for crimes committed during May Day these individuals are currently awaiting trial in District Court. The Task Force is working on identifying more suspects as they continue to investigate the criminal actions that occurred that day. The Task Force will maintain a presence working this detail.

**Injuries Reported**

Civilians 1 (TV Reporter),  
Officers 1 Police Officer – minor injuries

**6. Noteworthy Situations, Events and Circumstances:**

The following General Offense reports were completed for events that occurred on May Day 2012:

**Overview report:**

12-133116

**Arrest reports: Eight (8) Arrested**

12-133299 (CCW knife)  
12 - 133411 (Malicious Mischief)  
12 - 133578 (Four arrests for Assault of individuals associated with this incident number)  
- Assault, Punch, Grabbed and Bottle thrown at officers  
12 – 133561 (Pedestrian Interference)  
12 – 133585 (Property Destruction)

**Property Damage reports: Seventeen (17) cases reported**

12 – 133333	12 – 133370	12 – 133349
12 – 133334	12 – 133372	12 – 133358
12 – 133335	12 – 133411	12 – 135323
12 – 133337	12 – 133420	12 – 133364
12 – 133339	12 – 133585	12 - 133369
12 – 133350	12 - 134091	

**Specific significant events include:**

11:50 hours: Unpermitted student walkout march from Seattle Central CC to Westlake Park.

12:20 hours: Unpermitted march of approximately 500-1000 protesters (including 75 garbed in 'Black Bloc' attire) from Westlake Park into surrounding streets, against traffic.

12:33 hours: Property Damage- Wells Fargo Bank-1215 4 Avenue

12:37 hours: Property Damage- (vehicle) 300 block Union Street

12:43 hours: Property Damage- (vehicle) 5 Avenue and Seneca Street

12:43 hours: Property Damage- Nakamura Federal Courthouse 1010 5 Avenue Smoke bombs deployed by 'Black Bloc' protesters.

12:45 hours: Disturbance-'Rain City costumed vigilante's pepper spraying protesters around Nakamura Federal Courthouse.

12:49 hours: Property Damage-Homestreet Bank- 1314 6 Avenue

12:52 hours: Property Damage-Businesses and cars along 6<sup>th</sup> Avenue painted, broken windows on businesses including NIKE TOWN, AMERICAN APPAREL, FOREVER 21, STARBUCKS and the VERIZON store. Incendiary Devices with fire and smoke deployed by 'Black Bloc' protesters.

12:58 hours: Main body of protest group has returned to Westlake Park. The 'Black Bloc' group changed out of their clothes in attempt to avoid identification by officers.

14:23 hours: Male near Westlake stage has backpack with multiple lighters taped together.

15:14 hours: Emergency Declaration signed by Mayor McGinn, allowing officers to seize items that can be used as weapons, or used to cause property damage.

15:17 hours: Unpermitted march from Westlake Park to Seattle Center, and the site of the John T. Williams Memorial, has started.

15:44 hours: March approaching John T. Williams Memorial.

16:00 hours: March leaving memorial site.

16:40 hours: March has now returned to downtown and is taking a stand against officers at 1 Avenue, between Pike and Pine Street-refusing to clear the street. Subjects in crowd preparing to throw paint, are wearing gas masks, and are highly confrontational with officers. 4 arrests made at 1 and Pine Street for assaults on officers.

1650 "El Comite" permitted march leaves Judkins Park

18:39 hours: Combined march at Federal Building 915 2<sup>nd</sup> Avenue.

19:01 hours: Metro buses staged at 2 Avenue and Madison Street to transport marchers back to Judkins Park.

19:35 hours: Federal building plaza mostly empty. Westlake marchers return to Westlake.

20:49 hours: Westlake canopies and personal belongings removed from Westlake Park. Approximately 10 subjects remain in park.

2100: Change of command, and institution of second operational period.

There were no significant incidents during the second operational period, which ran until 0200 hours on 05/02/2012.

## **7. Logistics:**

The logistical support for May Day was provided by Seattle Police Operations Center (SPOC). SPOC secured requested resources, personnel, vehicles etc. The event's rehabilitation support included beverages and light snacks. These items were provided to officers at the Roll Call in the West Precinct. After roll call they were transferred to the Prisoner Vans, and the van drivers were used to distribute these items to officers on the street throughout the event. Several officers of the Chemical, Biological, Radiological, and Nuclear Explosive Unit (CBRNE) provided transportation support of evidence, officers and water in their vehicle. Individual group or division commanders set relief schedules for their units, built from within their own staffing.

## **8. Communications:**

Communication used for the event utilized a combination of Department Radios and issued cellular phones to provide inter-departmental communications. Multiple radio frequencies were assigned under this full day of events and divided by specific areas of responsibility during the event. By plan, cellular communication occurred directly between the Incident Commander, assigned command staff, supervisors and the SPOC. Due to the ongoing use of police scanners by protest groups, cellular communication was utilized in an effort to provide direct communication and reduce the probability of protestors focused on criminal behavior from pre-empting the police protective or response actions. However, the use of cellular communication limited information flow between all aspects of command for the event.

Additionally, consolidating the Lieutenants with the Incident Commander reduced communication flow to the field supervisors, requiring the Lieutenants to call each Sergeant individually. This actions appears to have delayed application of resources.

The following police functions were provided radio frequencies:

**SPD Traffic: Coordination of the traffic flow and temporary road closures**  
**SPD Westlake Park Event Operations: for Westlake event management**  
**SPD Judkins Park March Event Operations: for Judkins event management**  
**SPD Rapid Response: for resources assigned to support the main and secondary events**

## 9. Critique:

### Planning:

- **Issue** The Incident Action Plan was designed by the Command Team and then documented by SPOC for the Incident Commander (IC) for the May Day events. Utilizing the ICS model, a number of meetings to plan the event occurred with representation from key members of the Event Command and General Staff. The IAP did not include an assigned Operations Section Chief. Under the Incident Command System, this requires the IC to manage all the Operations Section responsibilities during the event. This places additional demands on the IC during the event that can be avoided.
- **Issue** Captain Kessler was notified he was the May Day Incident Commander on the afternoon of April 24<sup>th</sup>, 2012 at the initial planning meeting. The IAP was issued April 26<sup>th</sup>. The IAP is the written after the objectives and strategies are approved by the IC and therefore require direct involvement in the overall planning process. The IC, the Operations, Planning and Logistics Section Chiefs are critical to the planning process and should ensure they meet to clarify and ensure updates occur to the overall IAP.

**Recommendation:** All IAPs crafted in the Seattle Police Department will continue to follow the Incident Command System (ICS), including the following of planning and command processes to identify the event's Objectives, the Strategies and Tactics/Tasks being utilized for the event.

This process requires those assigned to command positions to participate in the Command & General Staff Meetings. This includes the Tactics Meeting where strategy/tactics and resources are finalized and a Planning Meeting where the plan is accepted by all the assigned event command & general staff. Additionally, assignment of general staff functions for the pre-planned event will be made, specifically the Operations Section Chief for larger scale events. SPOC fulfills the Planning Section Chief often with a Deputy Plans Chief assigned from the precinct where the event occurs. Should there be a need to amend the normal ICS

framework, the assigned tasks and duties must be reviewed to determine if the oversight of resources assigned is appropriate for the mission, and for planned reasonable contingencies. The appointment of the IC as early as possible allows for ongoing planning & coordination time between the IC, their Operations Section Chief and SPOC, prior to the pre-planned event. This lead time allows for the IC's vision, mission and concept of operation to be fully vetted and expressed in the IAP, and time for review of the overall IAP to include upper command briefing and direction.

- **Issue:** The IAP was designed with staggered start times for various groups of officers, depending on their responsibility intended for the event. This resulted in several Roll Calls, with some officers not being present at all of the briefings as they were called to deploy directly to the street.
- **Issue:** Commanders of all ranks who spoke at the briefings presented their information in different formats and used personal notes, not a standardized outline. This led to a lack of continuity of message, as officers made different determinations about the overall deployment strategy and their expected tasks based on which briefing they attended or commander they focused on.

**Recommendation:** For planned events, where there is time between initial event notification and the event date, they will require a formal IAP Review Meeting. This review will occur for all future large scale pre-planned events. This meeting provides a final pre-event operations review with all the involved commanders; including the IC, General Staff and Specialty Group Leaders/Commanders at least one day before the event date. This meeting will specifically call out any updated deployment information, including intelligence surrounding the event. It will entail a verbal walk through of the whole plan including tactical plans, strategies and contingency actions. Clarification and adjustments of policy, strategies, plans and actions can occur and be agreed upon by the IC, and as required updated in the IAP. The Planning Section Chief should ask for a brief back on plans and strategies to ensure clarity of mission and expectations.

When possible and the event timeline allows, we should consider having one Roll Call. When the events cannot be effectively and efficiently managed with one roll call, commanders will use a standardized briefing format for each event briefing. This ensures all elements assigned to the event are ready and able to respond to any occurrence during the event in a unified manner. This also supports our need for the continuity of messaging to the officers working the event.

SPOC will provide commanders and key positions a reference sheet outlining roles and responsibilities of their position and basic conceptual operations for the event.

Briefings will be outlined to follow the ICS format, facilitated by the Planning Section Chief, and be consistent in message. Speakers at the briefing will have the same briefing sheet to use at multiple briefings based on the IAP and IAP Review Meeting.

## Logistics:

- **Issue:** The deployment of water and snacks to officers for in-field rehabilitation/relief was spotty. Officers who worked for an extended time waited longer than necessary for support while not being able to leave the area.
- **Issue:** Some officers were observed taking a break within the detail areas. This resulted in a possible officer safety issue and created a perception of a lack of professional image as the Department responded to the events.

**Recommendation:** Commanders must plan for and then coordinate their squad's support to ensure they receive adequate fluids and support in a timely and efficient manner. Additionally, breaks occurring at larger events should, whenever possible, be away from the general view of the public, for safety and professional reasons.

Staffing levels need to be sufficiently designed to provide for officer's relief from the event. Officer support is paramount, and must be monitored regularly by the sergeants and commanders.

- **Issue:** As officers seized items under the Mayor's Emergency Proclamation, the retrieval of seized items or evidence became cumbersome. In several instances, supervisors and commanders wound up with the items. This required them to remain with items until it could be released to an available officer causing these supervisors and commanders to be delayed in their deployment elsewhere during the event. CBRNE Squad members took over much of this responsibility to release officers & staff to go back to work the detail.

**Recommendation:** The event planning process needs to identify, within the final IAP, specific resources responsible for securing items recovered from the crowd. Assigning a team of officers with a dedicated van or pickup truck to process evidence, and which can handle large items of evidence. (this event included 4x8' sheet aluminum panel, very long poles, etc).

## Communications:

- **Issue:** The effective use of SPD Radio is often mitigated by the on-going use of scanners by protest groups. The information garnered through the use of scanners of squad orders for movement or action, thus giving them an opportunity to evade and react to the movement prior to its completion. This ultimately puts the police actions behind the protester's tactics. An attempt was made during the event to use cellular phones to provide direct communication between command units. While this system delays dissemination of information, the process has the advantage of being more difficult for the protestors to monitor. Unfortunately, it does not allow for other commanders, supervisors or resources outside that conversation (including the operations center) to know what is being planned or implemented.

- **Issue:** Using cellular phones becomes an individual conversation or order and as such when commanders desire to immediately share the information with others, it can lead to 'clumping' by command elements and prevents the commanders from being deployed with their subordinates. It limits other commanders from following the deployment for safety and support and reduces documentation of the event. It also prevents the dispatcher from making accurate updates to the event call.
- **Issue:** Clarity of plan is addressed under Concept of Operations.

**Recommendation:** The Department will utilize department issued radios as the primary means of communication surrounding deployment of resources at larger scale events.

**Recommendation:** The department should research expansion of technology to improve communication and deployment capabilities. This research should cover researching encrypted communication system(s) for use that allows secure communications at protest and other larger events. The system needs to allow dispatchers to monitor communications for safety and to keep an accurate updates of the event. The research should also include other current technology's that will assist in providing situational awareness of resource deployment to the commander. The SPOC is currently investigating several forms of this technology.

#### **Intelligence:**

- **Issue:** The work done by the Intel Group prior to May Day gave a potential forecast of what types of activity might be seen on May Day by the protest and anarchist groups. This information included open source information, which spoke to training, tactics and written intent of the anarchists. This information was passed on to the Mayor who determined the need to disseminate it. The known event information was shared with the event planning team and commander throughout the days building up to and included the morning of the day of the event. This information was shared expressing concern for the noon protest with the potential for property damage.

**Recommendation:** For every pre-planned event, the IC will continue to be pre-briefed by the Intel Section on the status of the known information surrounding the event. The Intelligence briefing may be conducted by a detective, sergeant or commander, provided they have the necessary information to answer the IC's questions concerning the event. To facilitate ongoing and accurate intelligence information prior to and during large scale protests or events where damage is being promoted, the Intel function will ensure they have adequate staffing to accomplish their mission and pre-identified communication routes to the Operations Section Chief or IC as appropriate. If their resources are not sufficient they shall discuss it with the IC for resolution. An Intelligence Liaison will continue to be assigned to the IC during these events to expedite information exchange.

- **Issue:** Plain Clothes officers working in the protest crowd were exposed to multiple hazards from protestors who were actively looking for police officers to force out of the crowd.

SWAT was initially tasked with the assignment to back up the plain clothes officers, while in 'plain clothes' themselves. The commanders reconfigured SWAT in their normal Black Dress Uniforms (BDUs) prior to deployment. SWAT was deployed outside the park area as arrest components & later when the damage occurred they were immediately re-assigned to crowd management/CART duties. There was a contingent of Intelligence officers assigned to this event with internal backup capabilities but the need for uniform officers is still required. In this event SWAT was specifically mentioned as appropriate for this role based on their communications ability, tactical and teamwork skill sets. Their overall capability is not in question. As a support element to SAT in a crowd control situation having SWAT initially in plain clothes defeats the mission of the Arrest Team in crowd control situations.

**Recommendation:** Situation Awareness Teams (SAT) needs to be supported by a dedicated Uniform Arrest Team (UAT) throughout the duration of an event. Uniformed personnel used for arrest purposes act as an overall force multiplier, provides immediate identification to those in the area that the individual moving in and around the group or making an arrest is a police officer, provides a visible deterrent to some in the crowd, and they provided immediate backup to officers if the need arises. The UAT members must be trained on arrest and removal tactics and have direct communication with SAT and the Operations Section Chief throughout the event. This mission can be accomplished using assigned Patrol, ACT/CPT or SWAT resources.

### **Concept of Operations/Tactics:**

- **Overview** The vast majority of all May Day protestors were lawful citizens, working to express their opinion on various facets of life in the United States. The fact that there was information that purported anarchist groups intended to disturb the event caused a concern for commanders. Information noted on public forms expressed a desire for the anarchist to fight with police. A plan to reduce that probability was designed, in order to provide the best possible outcome, in the most professional manner possible.

However it is difficult to determine the appropriate number to provide officers for demonstration/protestor escort, and still have enough to address issues & actions that may arise. The plan allowed for officer presence in and around the area, but attempting to avoid direct confrontation - placing a line of officers within close proximity of the protestors where protestors would be able to face off with police. The plan was to avoid unnecessary conflict, while allowing for the freedom to express constitutionally protected actions.

The dissemination of the information to officers assigned to the event appears to have been unclear. Several commanders spoke at the roll call; Assistant Chief – Captain - Lieutenant, surrounding the plan but some officers advised it remained unclear as to the actual level of police engagement desired.

The information from those groups protesting who were engaged with SPD in the planning process was they would police their own groups, and were not interested in conflicts with law enforcement. The plan for the noon event was for officers to deploy within a two block radius of Westlake Park, and with a few officers within the park. Should the protesters move from the park into a march, officers were instructed to allow them to march, and to not preclude the protesters from marching in the street.

Traffic units were deployed in the area to re-route vehicular traffic as needed prior to and during the march. Once the unpermitted march left the park, some officers were in a poor position to respond immediately to criminal acts within the crowd committed by 'Black Bloc' anarchists due to the movement of the crowd.

Officers did get control of the situation, and arrests were made by officers throughout the remainder of the evening. However, significant and costly property damage had been done to multiple locations within the downtown core prior to intervening.

- **Issue** Information dissemination by the Event Command Staff during the Operational Briefing was not clear in addressing the event's overarching Objectives and Strategies. Supervisors need to know the tactics being requested by the Event Commander so they can adequately brief their subordinates to accomplish the mission.
- **Issue** The deployment of the officers was accomplished per the IAP but the physical movement of officers around, or up and down the length of the demonstration takes time. This reduction in mobility often delays their response efforts to get to the affected area.
- **Issue** The Protestors used deliberate Hit and Run Tactics to run out of the crowd and attempt or complete property damage in an effort to avoid arrest and intervention. The agitators used the overall size of the crowd to mask and hide their preparedness efforts, later they used fellow protestors as active agents to interfere with the police attempting lawful arrests through pulling of the suspect away from officers to grabbing or assaulting the officers to allow the suspect to flee, and in the end they used the crowd size to hinder the tracking of the suspect(s) by police while they fled or changed clothing inside the crowd.

**Recommendation:** Rules of engagement, application of tactics and the chain of command must be clearly defined, accurately disseminated to those involved in the plan. Plans must account for all reasonable event contingencies, including compliant and criminal protestors. Having unclear statements at the roll call created questions for officers regarding their roles that day. Those involved in the plan must have and follow a written briefing outline, and when briefing the plan it provides the same message across commanders. A formal Planning Meeting will ensure all

commanders are prepared with the same message and expectations of actions. A written briefing sheet will also ensure continuity of information at each briefing.

The Department must adapt current tactics to quickly identify and arrest violators inside, alongside and away from the main body of the crowd. Being able to accomplish arrests in crowd situations without undue conflict, assaults or negative perceptions will be difficult as arresting non-compliant individuals is rarely an easy task. There is a constant challenge for law enforcement at demonstrations or protests to determine the appropriate level of police presence for the event, while maintaining event safety. An example is, "Does the event require a dispersed police presence or a consolidated police presence?"

This is difficult to determine as it is affected by many external factors such as; time, location(s) and length the event, length of planning by the organizers, political sensitivity of the protest and the demeanor of those in attendance, the ability of the organizers to police themselves, past actions at protests by the organizers, and public statements leading up to and during larger scale demonstrations.

The mere presence of officers is often used as the justification of criminal activity; this statement is not accepted under law nor by the majority of protestors. However, the police are also responsible to ensure the event remains safe for both those involved in the event and those citizens and businesses in the immediate area. Therefore the Seattle Police Department will be present at demonstrations and protests to the level best determined to fit the event. This requires training and experience by Incident and Field Commanders on dealing with the higher level dynamics of crowd control and crowd management.

Determining new ways for increasing officer's mobility should be researched. Officers on bikes are highly mobile and proved valuable in dealing with crowd movement. Officers on foot provide interdiction capabilities however they are hampered by the need to leap frog to get to the needed locations which is difficult when the crowds are spread out and changing directions. Maintaining reasonable staffing levels to prevent criminal activities via visible presence, pre-positioning and real time adjustments are models that have proven successful, locally and in other cities.

Finally, the creation of actions or tactics must be in accordance with current national best practices, legally defensible, and supported by ongoing training conducted at reasonable intervals throughout the Department. Ongoing improvement and training in crowd control/crowd management tactics is necessary as groups committed to causing destruction alter their plans because of police responding to their past actions. Improving crowd management crowd control tactics call for continuing training for the commanders and officers responsible for implementation. Additionally, these tactics should be briefed at the operational briefing (roll calls) and they are clearly understood before each deployment. These concepts are currently part of the 20/20 plan.

### **Emergency Proclamation:**

- **Issue:** The Emergency Proclamation signed by Mayor McGinn was an effective tool for combating the tactics used by the anarchists against their various targets throughout the city. The removal of the devices of destruction from the hands of the anarchists provided a legal tool for officers to proactively act to potential violence or property destruction. It also provided an increase to the safety of the citizens in the area and the officers working this event.

The West Precinct City Attorney Liaison Sumeer Singla, determined the night before the event a need for this type of declaration and prepared a rough draft to present to the Mayor immediately after the property destruction occurred. This allowed for a quicker legal review and eventual signing of the emergency declaration.

**Recommendation:** Having a series of reasonably foreseeable emergency proclamations pre-drafted and ready to adjust to event specific incident or event needs allows for a rapid application if the Mayor determines the need to enact Mayoral Emergency Powers in the future.

### **Rapid Response:**

- **Issue:** The ability for officers to quickly move with a crowd and stay with them for long periods of time, over long distances was necessary on May Day. The commanders deployed in this manner specifically stated several problems:
  1. Deploying bicycles and officers on foot at the same time and the same place made application of tactics awkward, and coordination difficult.
  2. Deploying foot officers to criminal activity and specific criminals in crowd control events is hindered by their mobility, officers on bikes are highly mobile but the bike must be protected and controlled whenever they deal with an arrest or activity off their bike.
  3. Officers were 'geared up', and had problems dealing with the additional devices (riot batons, helmets, gas masks and Cold Fire extinguishers) working around and with their normal patrol gear. Often Officers do not have time to "Gear Up in their Unusual Occurrence gear and must adapt their daily uniform apparel to work in this unique environment.

**Recommendation:** There needs to be increased departmental training surrounding crowd control and crowd management; commander training, communication protocols, mobility issues, and addressing tactics utilizing both bicycle and foot elements working crowd control situations. While the tactics may not change for each individual element, working in tandem will need to be stressed so both groups can function together effectively in very dynamic settings.

The department should review equipment options for increasing the capability of the uniformed officers to carry/deploy with additional safety equipment necessary for a crowd control event; this may include adjustments to the current equipment layout or the addition of equipment capable of carrying specific PPE/gear. This capability contributes to officer response effectiveness and safety, and may reduce officer fatigue.

Deploying enough officers to deal with sudden changes in crowd behavior worked well, allowed for arresting officers to step off the line and left enough officers to remain to be able to respond if needed. Continued assessment of each event to determine adequate staffing levels should be maintained for future events.

## **Equipment:**

Nationally Law Enforcement is faced with determining the best methodology to supporting crowd control and crowd management activities and in dealing with the issues they present to our communities. In review of other cities lessons learned, using technology for the overall safety of these events we are recommending we research the feasibility of some additional equipment:

**Portable Electronic Signage;** Mounted on mobile police platforms these programmable signs will assist in informing and directing crowds, i.e. to point out the permitted route or to direct them into overflow areas. Additionally the technology allows the language or verbiage to be presented different languages, and update the message during the event.

**Squad Deployment Vehicles;** Research into options to carry a squad on a smaller mobile platform that allows for rapid redeployment, safe and quick mounting and dismounting, and a small area to carry their gear. Some airports and businesses use smaller gas and/or electric vehicles with side seating to carry 8-10 people.

**Portable PA Systems;** Securing modern public address systems and smaller hand deployable systems that can be utilized by commanders or supervisors to provide clear information to the group. While we have some limited capability, SPD should expand this to the precinct level.

**Less Lethal Marking and Impact Launchers;** The ability to quickly stop and/or identify those who are committing crimes for apprehension is a primary objective of law enforcement. Utilizing new products that can stop or externally mark an individual for apprehension, with very low probability for serious injury is a potential tool for crowd control situations. There are individuals who through their

physical actions threaten the safety of citizens, fellow demonstrators and responders while near other non-threatening demonstrators. Having the capability to stop them from a distance would increase safety for all involved.

## **Additional Information**

While the May Day Protests was destructive, dangerous and damaging to the overall reputation of a great city, we should not forget it also illustrated we have more protest groups within the City of Seattle who do not promote or engage in dangerous and violent behavior, as was illustrated by the much larger and longer march hosted by the “El Comite Pro Reforma Migratoria y Justicia Social” occurring this same day.

There were many successes during the day, some protestors called upon those committing acts of violence and destruction to stop, endangering themselves in the process. This action highlights the fact not all protestors or marchers are committed to committing acts of violence, but are committed to expressing their constitutional rights in a safe and legal manner.

Commanders involved in the event commended the professionalism of the officers assigned to this detail. Many officers maintained their composure while facing violent or verbally offensive individuals throughout the day. Additionally, the commanders specifically and consistently lauded the efforts of two supervisors for their actions throughout that day.

Sgt. Brian Kraus and Sgt. Larry Brotherton were repeatedly mentioned as professional, timely, effective and reasonable in their actions throughout May Day. Their response to problems, the deployments of their officers, and the actions and tactics they undertook in multiple engagements throughout the day, set a tone for the successes that the Department was able to build upon throughout the day and into the evening.

In closing, May Day held a great potential for disaster for the City and the Department. The Intel Section provided open source material that spoke of the anarchists’ desire to assault officers, and to make the city look like ‘WTO 2.0’. The best outcome to report on this event is there were no reports of serious injury to members of the public, demonstrators or the Police.

During future events, the department needs to focus on how to provide safety for all, while providing for the protection of property when and where possible. This is a serious and understandable concern for civilians and business owners who face potential assault or property destruction for merely being “along the path of a protest”. As such, this must become a priority for the department.

This latter mission is no small task and will require new tactics & training, and a continued commitment to working with demonstrators who are willing to obey the law while being prepared to take legal and immediate action against those who choose to break the law.

The Seattle Police Department is committed to providing this level of dedication and service.

# Appendix 1:

## May Day Protest Command Roster

**Incident Commander Capt  
Kessler**

**Public Information Officer :**  
J.Kappel

**Liaison - Not Assigned  
Safety - Not Assigned**

	<b>Westlake Command</b>	<b>Branch Commander Deputy Branch Commander Traffic</b>	<b>Judkins Park</b>
<b>Branch Commander</b>	Lt N. James		Lt S Tamayo
<b>Deputy Branch Commander</b>	Lt L. Cordner		Sgt B Clenna
<b>1st Watch Task Force</b>	Sgt G Bray		Lt C Monson

	<b>Rapid Response</b>
<b>Branch Commander</b>	Lt. E. Sano
<b>Deputy Branch Commander</b>	Lt. R. Smith
<b>Deputy Branch Commander</b>	Lt. M. Magee



## Appendix 2: MAY DAY 2012 TIMELINE

Green highlighting indicates event schedule

Black print indicates actual event timeline

- 0900**            **Scheduled breakfast and worker speak out at Westlake Park**
- 1100**            **Scheduled time for entertainment and speakers to begin in Westlake Park**
- 1120**            **Scheduled time of the student walkout at SCCC**
- 1125            100 people gathered in plaza at SCCC
- 1125            Pine Street closed from 11<sup>th</sup> to 13<sup>th</sup> Ave's.
- 1128            Metro Transit advised of street closure
- 1130**            **Scheduled time of the student rally at the south end of SCCC**
- 1134            Group that had been gathering just entered SCCC
- 1139            Approximately 75 students inside SCCC trying to inspire other students to join them
- 1140**            **Scheduled time for the student march from SCCC to Westlake Park to begin**
- 1152            March begins... approximately 50 people in the march
- 1153            March turning S/B on Bellevue Ave.
- 1155            March turning W/B onto Pine St.
- 1156            Group of 50 Black Bloc S/B on Bellevue from E. Olive Way
- 1157            Group of 6 persons with signs that had been circling the East Precinct have left and appear to be headed towards the main event
- 1159            March crossing I-5
- 1200            March at 9<sup>th</sup> Ave. and Pine St.
- 1200**            **Scheduled time for "Anti-Capitalist" march from Westlake Park to begin**
- 1203            March at 7<sup>th</sup> Ave. and Pine St.
- 1205            March arriving at Westlake Park

1223 Approximately 30 people in the middle of the group covered head to toe in black and carrying sticks

1223 Group is marching W/B on Pike St, taking all lanes

1226 March is S/B on 3<sup>rd</sup> Ave. at Union St., taking all lanes

1227 Marchers are jumping on top of cars

1232 March has turned E/B onto Seneca St.

1233 March is S/B on 5 Ave. from Seneca St.

1234 March is close to 6<sup>th</sup> Ave. and Spring St. on-ramp to I-5

1235 At least 75 Black Bloc in the crowd... paint and rocks are being thrown

1237 Reported that protestors may have tire irons and sticks

1238 Reported that hammers and other evidence at the Wells Fargo Bank, 1215 4<sup>th</sup> Ave.

1240 Report that protestors are climbing on the Seattle Public Library

1241 Report of a smoke grenade at the U. S. Courthouse

1243 Crowd is spread out and milling around 6<sup>th</sup> Ave. and Madison St.

1243 "Superheroes" on the scene at U. S. Courthouse

1244 Reported that the protestors have shields behind a banner they are carrying

1245 "Superheroes" pepper spraying people at 6<sup>th</sup> Ave. and Madison St., eastside of the U. S. Courthouse

1251 Asst. Chief Sanford directs officers to be in the crowd, not following the crowd

1252 Marchers reportedly spray painting cars

1252 Large group at Nike Town breaking windows

1253 Report of individuals in black doing damage

1253 Report that marchers are throwing flares and smoke bombs

1254 Report that marchers are breaking windows between Pike and Pine St's.

- 1255 Group is running W/B on Olive Way from 6<sup>th</sup> Ave. with officers chasing
- 1256 One suspect in custody at 1325 6<sup>th</sup> Ave., transport requested
- 1256 Group is back at Westlake under the monorail
- 1257 Report of group pounding on doors of BAC, 500 Olive Way
- 1258 Black Bloc group in the middle of Westlake Park changing clothes
- 1316 Report of a group in Westlake Park preparing bottles of Maalox and bandanas, getting ready for another round of activities
- 1327 Demonstrators have established an OC triage and treatment area at the south end of Westlake Park
- 1339 Report that Black Bloc people have changed clothes and left the area of Westlake Park
- 1340 Reported that a number of protestors went into Westlake Mall restrooms to change clothing
- 1345 Patrol officers are recovering wooden sticks and flags from the middle of Westlake Park
- 1402 Reported fight inside Westlake Park
- 1403 Fight over
- 1423 Report of a man near the stage at Westlake Park with a backpack containing a bunch of devices taped together.
- 1426 Backpack determined to be full of taped together lighters
- 1434 Medical response to Starbucks at 4<sup>th</sup> Ave. and Pine St. for man vomiting and feeling ill
- 1500 Scheduled time for the “Honor the Dead, Fight for the Living” march from Westlake Park to begin**
- 1514 Police radio announces that the Mayor’s Emergency Order has been signed
- 1517 Occupy Seattle march begins from Westlake Park
- 1517 March is going N/B on 4<sup>th</sup> Ave.

- 1524 Report that Federal Protective Service found pre-staged equipment at the U.S. Courthouse at 8<sup>th</sup> Ave. and Stewart St.
- 1524 Group stopped at 4<sup>th</sup> Ave. and Virginia. Report of people wearing heavily laden backpacks, possibly with rocks
- 1524 Report of group of 50 people donning gas masks at the front of the march
- 1528 March on 4<sup>th</sup> Ave., between Blanchard and Bell St's.
- 1529 March is crossing Bell St.
- 1530 Rally at Judkins Park scheduled to begin**
- 1532 March is passing Battery St. on 4<sup>th</sup> Ave.
- 1533 March is crossing Wall St.
- 1534 March has stopped at 4<sup>th</sup> Ave. and Vine St.
- 1534 March is now N/B on 4<sup>th</sup> Ave. from Vine St.
- 1536 March is crossing Cedar St.
- 1536 March is approaching Denny Way
- 1537 March is W/B on Denny Way from 4<sup>th</sup> Ave.
- 1539 March is E/B on Broad St. from Denny Way
- 1541 March is at 4<sup>th</sup> Ave. and Broad St.
- 1544 March is at 5<sup>th</sup> Ave. and Broad St.
- 1544 March is approaching the John T. Williams Memorial
- 1600 Group is leaving the memorial site
- 1601 March is S/B on 5<sup>th</sup> Ave. from Broad St.
- 1605 March is S/B on 5<sup>th</sup> Ave. from Denny Way
- 1606 March is south of Vine St. on 5<sup>th</sup> Ave.
- 1608 March is stopped at 5<sup>th</sup> Ave. and Wall St., temporarily
- 1610 March is S/B on 5<sup>th</sup> Ave. approaching Battery St.

1611 Three flags recovered from the march without incident

1612 March is S/B on 5<sup>th</sup> Ave. passing Bell St.

1612 March is going W/B on Bell St. from 5<sup>th</sup> Ave.

1613 March is at 4<sup>th</sup> Ave. and Bell St.

1616 More signs recovered from the crowd

1617 March has stopped, blocking 4<sup>th</sup> Ave. and Bell St.

1620 March is W/B on Bell St. from 4<sup>th</sup> Ave.

1624 Crossing 2<sup>nd</sup> Ave. on Bell St.

1625 March is at 1<sup>st</sup> Ave. and Bell St.

1626 March is S/B on 1<sup>st</sup> Ave. at Blanchard St.

1629 March is at 1<sup>st</sup> Ave. and Virginia St.

1632 March is S/B at 1<sup>st</sup> Ave. and Stewart St.

1633 Continuing S/B at Pine St.

1634 Report of a wagon at the front of the march with batons in it

1636 March is E/B on Pike St. from 1<sup>st</sup> Ave.

1639 Report that bike units have an arrest

1640 Crowd stopped and attempting to fight with officers. Bike officers are arriving and being directed to the north side of the line

1640 One subject taken into custody at 1<sup>st</sup> Ave. and Pike St.

1641 Transport van arrives

1641 Officers having bottles thrown at them

1642 Officers request an additional transport van to 1<sup>st</sup> Ave. and Pike St.

1643 All transport vans are requested to 1<sup>st</sup> Ave. and Pike St.

1643 Report of multiple subjects dressed in black with gas masks heading to downtown from Capital Hill

1644 Masked subjects with gas masks are W/B on Olive Way from 6<sup>th</sup> Ave.

1645 Officers are requested additional units at 1<sup>st</sup> Ave. and Pike St.

1650 Judkins Park march now leaving the park

1653 Three subjects sitting down in the middle of the street at 2<sup>nd</sup> Ave. and Pike St.

1653 Report of subject defacing a sign at 200 block of Pike St.

1654 Sufficient units are at 1<sup>st</sup> Ave. and Pike St.

1654 The crowd is moving again

1655 A group of people are loitering on the SW corner of 2<sup>nd</sup> Ave. and Pike St.

1656 March is E/B on Pike St., passing 3<sup>rd</sup> Ave.

1656 Reported that officers are following suspect throwing bottles and a suspect that was seen tagging

1657 Report that the bottle throwers are E/B and the taggers are at 2<sup>nd</sup> Ave. & Pike St.

1659 Judkins Park march at 1200 block S. Jackson St.

**1700 Scheduled time for the “March for Immigrant and Workers Rights” from Judkins Park to begin**

1700 Officers open up 1<sup>st</sup> Ave. to all traffic

1700 The group has stopped at 3<sup>rd</sup> Ave. and Pike St.

1701 Officers are moving towards the bottle throwing suspect and the tagging suspect

1705 March is moving back towards Westlake Park

1705 Judkins Park march is at 17<sup>th</sup> S. and S. Judkins

1706 March is at 4<sup>th</sup> Ave. and Pike St.

1719 Judkins Park march is at 16<sup>th</sup> S. and S. Judkins

1720 Crowd estimate reported in Judkins Park march to be about 500 persons

**1730 “Anti-Border” rally at Westlake Park**

1733 Crowd estimate in Judkins Park march revised... about 1500 person

- 1745 Judkins Park march lead underneath I-5
- 1748 Westlake Park group now S/B on 3<sup>rd</sup> Ave.
- 1752 Judkins Park march at 4<sup>th</sup> Ave. S. and S. Jackson St.
- 1753 Bank robbery at Wells Fargo Bank, 1400 E. Pike St.
- 1756 Judkins Park march going N/B on 4<sup>th</sup> Ave. S. from S. Jackson St.
- 1800 Westlake Park group S/B on 3<sup>rd</sup> Ave. at Union St.
- 1806 Westlake Park group at 3<sup>rd</sup> Ave. and Seneca, taunting officers
- 1809 Judkins Park march at 4<sup>th</sup> Ave. and Dilling Way
- 1809 Report of 3 Black Bloc persons joining the Westlake Group at 3<sup>rd</sup> Ave. and Madison St.
- 1820 Groups converge and become one march
- 1823 March is going W/B on Madison to 4<sup>th</sup> Ave.
- 1824 March arrives at 3<sup>rd</sup> Ave. and Madison St.
- 1830 Anticipated time Judkins Park march will arrive at 2<sup>nd</sup> Ave. and Marion St.**
- 1900 May Day Assembly at unannounced location**
- 1900 Metro busses arrive at 2<sup>nd</sup> Ave. and Madison St. to transport Judkins Park marchers back to the park
- 1935 Federal Building plaza mostly empty with only a few peaceful demonstrators remaining
- 1955 Crowd size at Westlake Park estimated to be about 40 – 50 person
- 2000 Report of a fight inside Westlake Park
- 2003 Report that the fight left the park, going into Pacific Place with patrol officers following
- 2049 Canopies and remaining belongings at Westlake Park are being taken down and away. About 10 people remain in the park