



May 20, 2021

Interim Chief Adrian Diaz
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

Dear Chief Diaz:

Please see the below Management Action Recommendation.

Case Number

- 2020OPA-0628 / 2021COMP-0020

Topic

- Leaf Blowers in Demonstrations

Summary

- It was alleged that the named employee (NE) fired a less-lethal impact munition at a protester who was aiming a leaf blower at officers.

Analysis

- Although a crowd dispersal order had been issued, a large group of people was advancing on officers. The complainant, who was part of the group, was using a leaf blower to blow dust and dirt at officers' faces. The NE fired one round from his 40mm foam tip launcher, striking the complainant.
- The NE told OPA that officers had previously used blast balls in that area, meaning there was OC powder on the ground that the complainant was blowing back in the direction of officers. The NE felt that this constituted an assault, and thus used the 40mm launcher to target the complainant without creating a risk of incidental exposure to other protesters.
- [SPD Policy 8.200-POL-1](#) states that officers "will only use the force objectively reasonable, necessary, and proportional to effectively bring an incident or person under control."
- OPA agrees that the complainant's actions constituted a threat but requests clarity on how SPD expects officers to respond to the use of leaf blowers in demonstrations.

Recommendation(s)

- Develop a training and engagement plan for officers responding to leaf blowers in protests.
- Make clear publicly what the engagement plan will be with leaf blowers so that demonstrators who choose to use them at protests in the future will be aware of the attendant risks of being subjected to force.

Thank you for your consideration of this matter. I look forward to your response.

Sincerely,

AM

Andrew Myerberg
Director, Office of Police Accountability