



For Immediate Release

Captain Deion Glover
Government and Media Relations

January 8, 2024

Contact: Chris Loftis - WSP Director of Communications
Phone: (360) 485-3983 (cell) (360) 596-4013 (office)
Email: Chris.Loftis@wsp.wa.gov

Washington State Patrol - January 6, 2024, I-5 Closure Due to Protests After-Action Remarks

OLYMPIA, Wash. – A large number of protestors participated in a coordinated and intentional disruption of traffic Saturday afternoon (01/06/24), blocking northbound Interstate 5 near Pine Street in downtown Seattle, rendering that portion of the highway impassible from approximately 1:15 p.m. until traffic was fully restored at 6:07 p.m.

A key priority for our agency is to **always** restore the safe and efficient flow of traffic, **regardless of the reason for the closure, as quickly as it is safe to do so.** During Saturday’s incident, the Washington State Patrol (WSP) along with the Seattle Police Department (SPD) and the Washington State Department of Transportation (WSDOT) put the necessary resources in place as quickly as possible and eventually the situation was peacefully resolved.

Many motorists experienced significant frustration and delay as one of the busiest roadways in our nation was closed for nearly five hours impacting travel, commerce, and recreation. Disruptions of this type go beyond inconvenience as avenues of medical, emergency care, and response are also affected and can have life-impacting results for the public. That is why disruptive protests on our highways is illegal and not allowed.

“We respect and protect people’s constitutional rights to freedom of speech, expression, and assembly on a daily basis,” said WSP Chief John R. Batiste. “However, as we have said repeatedly, the freeway system is **not** a safe or legal place to exercise those rights. Our folks did the best they could with the tools, resources, and personnel they had available and used the time needed to resolve this situation peacefully. As always, I appreciate the determined support and assistance of SPD and WSDOT in these situations, along with the tireless work of our troopers in the field. The fact that no physical arrests were made does **not** mean charges won’t be referred, nor that some of those engaged in organizing and/or participating in this will not be held accountable for their criminal conduct. Quite to the contrary, as our ongoing investigation continues, charges could very well be referred to the prosecutor’s office in due time.”

Chief Batiste continued, “We do not minimize the impact and frustration disruptions of this type have on the traveling public. However, public safety is, has been, and always will be our overriding responsibility. That includes the safety of the motoring public, first responders, and protestors alike. While we recognize the

enormous and very real impact of **any** freeway closure, we must move both quickly **and** carefully to resolve disruptive situations peacefully whenever possible. While that may not be a satisfying response to those affected by delays, we appreciate the public's understanding that safety must take precedent over other desired outcomes. I am proud of the manner in which my troopers and their leadership navigated this complex and difficult situation."

Information gleaned thus far in the investigation:

Protests – History, Expectations, and Participants:

- SPD has been managing similarly themed protests for many weeks that have routinely started outside the Starbucks Roastery and concluded at Westlake Center using city streets.
- SPD has been able to manage previous protests without needing assistance from other agencies, and there were no strong indications to suggest Saturday's event was going to significantly vary from earlier protests. Questions regarding the earlier protests beyond Saturday's event should be directed to SPD.
- Saturday's protest appears to have involved additional groups beyond those involved in previous protests, some of which tend to be more antagonistic and defiant.
- As the event unfolded during the afternoon, it is estimated that as many as 500 people were involved in the protest, either on the roadway obstructing traffic, or in surrounding overviews which served to slow response and reopening time.

Rumor, Response, and Chatter:

- The WSP received a single and unverifiable report Friday night of a plan to take over the freeway, but despite best efforts, we were unable to substantiate the report.
- In an abundance of caution and in-response to the unsubstantiated report, the WSP prepared a ramp response/freeway closure plan. Without knowing a time, location, or who was involved, we developed a contingency that prioritized overall public and traffic safety.
- Additional unsupported and unverified "chatter" began circulating Saturday morning of an 11am "takeover"; however, we did not have reliable intelligence to support bringing in or deploying additional resources to any specific location.

The Incident and Response:

- A group of vehicles, clearly well-orchestrated and choreographed, came to a stop blocking all lanes of NB I-5 near Pine Street (milepost 166) and protestors stormed onto I-5 through a cut in a fence and overtook the NB lanes of I-5 and both nearby overpasses.
- The initial crowd size required the WSP to immediately call-in additional resources before direct contact could be made safely.
- WSP District Command quickly authorized activation of the District 2 Rapid Deployment Force (RDF). This was followed soon thereafter by the activation of the remaining RDF teams from Western Washington along with our arrest processing teams which are made up of detectives from WSP's Criminal Investigations Division.
- WSP quickly became aware that a group of approximately eight protestors had chained themselves with a device known as a 'Sleeping Dragon.' Sleeping Dragon devices are used to hinder responders as they require safe extraction which can only be done in a controlled environment and not while a protest is active.
- Dealing with this type of device requires highly skilled and trained personnel and are among the most complex and difficult to resolve safely.

- WSP District Command activated its CUT Team. A CUT Team is a group of troopers with highly specialized training in safely and effectively dislodging protestors bound together by Sleeping Dragon devices, chains, ropes, etc. CUT team troopers are stationed throughout Western Washington and so their deployment to any specific locale can take additional time.
- This was the first time this group of protestors has deployed the Sleeping Dragon tactic and it served to further delay resolution of the protest and the reopening of the roadway.

Onsite Arrests Challenges

- Assembling sufficient resources to safely conduct **and process** mass arrests takes time.
- Despite the enormous impacts to the motoring public, the situation was at this point stable; troopers and SPD officers were engaging with the group, and there was no violence. Rushing things had the potential to turn an otherwise peaceful event violent.
- WSP leadership engaged in a dialogue with the King County Jail on whether or not they were willing or capable of accepting mass arrests.
- WSP received approval that they would accept those who chained themselves together and a plan was developed to transport the other arrestees to SPD's West Precinct for processing and release.
- The jail simply did not have the capacity to accept a large number of arrestees.

Confusion Over Disbursement Order

- SPD used their Public Outreach and Engagement Team (POET) to engage with protestors with a goal of de-escalation, and seeking voluntary compliance to leave the interstate and some of that included use of their LRAD system to communicate with the group.
- That communication was unfortunately and inadvertently misidentified between law enforcement agencies as a dispersal order.
- WSP retweeted the errant information and added to some confusion in the public and press.
- We regret that error as there had not been a dispersal order at the time of the social media posts, but rather an effort to engage with the protestors seeking their voluntarily leaving of the freeway.
- The WSP fully intended to issue dispersal orders initially at 4:30 p.m. but then delayed the planned order until 4:45 p.m. to allow the arrival of our arrest processing team members, that were navigating the same traffic congestion as everyone else.
- Before that part of the plan could be implemented, the communication/engagement with the group using the LRAD and person-to-person engagement (*likely combined with a heavy rain that arrived*) led to the group willingly leaving the freeway.
- WSP will conduct a thorough After-Action Review (AAR) that started Saturday evening and will continue into the coming weeks. As part of that AAR, we quickly recognized the miscommunication between our people on the ground, our command post, and WSDOT as well as the mis-messaged tweets from SPD and WSP regarding dispersal orders being given.

Incident Conclusion and Roadway Reopening

- Approximately 12 vehicles used to bring traffic to a stop were left abandoned in the roadway by the departed protestors.
- The abandonment of vehicles after the protest ended was a new tactic used by protestors that further delayed reopening of I-5. Before the vehicles were towed WSP called in bomb-sniffing dogs to ensure the vehicles did not pose a safety risk to tow truck drivers, motorists or law enforcement.
- After the vehicles were removed, the freeway was reopened as quickly as possible.

Investigation and Possible Arrests

- The investigation continues and as noted by Chief Batiste above, charging referrals will be considered if warranted.
- The advantage of post incident referrals is that it allows for more thorough investigatory efforts, lends to the on-site de-escalation that often leads to a more speedy and safer resolution, and expedites the reopening of the roadway. This allows us to get traffic moving sooner.
- There should be no confusion: the WSP was willing and fully prepared to make arrests had the situation not resolved itself. The crowd size necessitated waiting for the additional resources to ensure the safest possible outcome of a potentially mass arrest incident.
- When it comes to safely resolving complicated, volatile, and potentially dangerous situations, time is usually our friend. We have a duty to do it right with safety for all, and we accomplished that.

Answers to Other Questions Already Posed

Q - Did the Governor or Chief “allow” the protestors to take over the interstate or “order” on-site personnel to leave the protestors alone?

A – No. They did not direct on-scene personnel to not make arrests or to allow freeway occupancy. District leadership has the authority and responsibility to make arrests when people break the law, and balance that responsibility with ensuring the safety of everyone involved. We will take whatever steps and time are needed, including making arrests, to safely get the freeway cleared and hold those engaged in criminal conduct accountable. But we do it with a safety focus and in a time frame and pace most likely to resolve the matter safely, legally and without further escalating an already tenuous situation. That is rarely easy and rarely quick, but our 103 years of experience has taught us it is the best way to operate in complex, challenging, and sometime dangerous situations.

Q - Did the subject of the protest play any role in how this was responded to or navigated by law enforcement and first responders?

A - No. WSP is not a political entity. Our job is to swiftly respond to incidents, attend to the life safety of all involved, protect property and establish order, keep our roadways safe, show due respect and adherence to the rule of law, and show appropriate dignity and respect to all with whom we interact while we enforce the law even in times of conflict and danger. We do not make judgment in support or in opposition of the motivations of protestors and demonstrations. Whether it is on a freeway or the Capitol Campus, the WSP respects people’s constitutional rights to freedom of speech and assembly; however, as we have said repeatedly the freeway system is not a safe or legal place to do so.

Q- Why did this take so long to resolve and reopen our freeway?

A - This was a highly organized and coordinated effort by a very large number of committed individuals. The sheer size of the crowd and new tactics of clustering a significant number of vehicles and then abandoning them once the protestors left the freeway, along with the use of the Sleeping Dragon device, combined to create unique safety challenges that increased and prolonged the tasking and efforts, as well as increasing the tools and personnel necessary for the eventual safe resolution.

###