

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BLACK LIVES MATTER SEATTLE-  
KING COUNTY, ABIE EKENEZAR,  
SHARON SAKAMOTO, MURACO  
KYASHNA-TOCHA, ALEXANDER  
WOLDEAB, NATHALIE GRAHAM,  
AND ALEXANDRA CHEN,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

No. 2:20-cv-00887-RAJ

DECLARATION OF NATHALIE  
GRAHAM IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER

I, Nathalie Graham, declare and state as follows:

1. I have been a Seattle resident for the past six years and currently work as a journalist at *The Stranger*, a biweekly newspaper. Since May 30, 2020, I have been reporting on the City’s recent wave protests against police brutality. The information contained in this declaration is true and correct to the best of my knowledge, and I am of majority age and competent to testify about the matters set forth herein.

2. At approximately 4 p.m. on Saturday, May 30, 2020, I arrived at Westlake Park in downtown Seattle to report on the demonstration there. I understand that law enforcement had deployed tear gas shortly before I arrived, at approximately 3:45 p.m. The scene when I arrived

1 was clouded by gas, with protesters scattering and sprinting away. The atmosphere was tense  
2 and frightening. I immediately felt the effects of the gas and began coughing. My eyes stung  
3 and watered. Although there did not appear to be any risk of violence from the crowd, law  
4 enforcement continued to fire flash bangs and tear gas, increasing the chaos. I took video  
5 footage of these protests and the violence that ensued.

6 3. I was determined to continue reporting, so I began roving around the Westlake  
7 area, observing the scene. As I approached the corner of 6th and Stewart, I saw a group of  
8 protesters peacefully kneeling in the intersection as a speaker addressed them. I stood on the  
9 sidewalk nearby and listened to the speaker for a while, but then I heard an explosion from down  
10 the street. I turned and moved partway down the block to see what was happening, and then  
11 watched as a police line advanced down the street towards me, with other demonstrators fleeing  
12 in front of them. They deployed tear gas, which filled the street like plumes of smoke.

13 4. It was not clear to me that the people fleeing the approaching police line and tear  
14 gas had done anything to provoke such an aggressive response. The protesters kneeling in the  
15 intersection, who were also impacted by the tear gas, had been completely peaceful. I did not see  
16 what happened next, but given the amount of gas in the air, I imagine that the kneeling protesters  
17 would have been forced to scatter.

18 5. I wanted to continue to document the situation, but the gas reached me seconds  
19 later, and I had to leave. Its effects were so powerful, so painful, and so alarming that I was  
20 physically unable to remain in the intersection. As a result, I was unable to continue reporting on  
21 that incident.

22 6. Shortly afterward, on E Pine St, I saw a truck playing music, as protesters danced  
23 around it. It was an uplifting, joyful scene that contrasted with the warlike chaos of the panicked  
24 demonstrators and tear gas in other areas of the neighborhood. I paused to observe and record a  
25 video, when law enforcement threw a flash bang grenade into the crowd without warning. They  
26 deployed tear gas seconds later.

GRAHAM DECL. ISO TRO (No. ) -2

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1           7.       The dancing protesters at first scattered, but then coalesced back into a group.  
2 Law enforcement pushed them back and continued to deploy tear gas and flash bangs.

3           8.       I was shocked and frightened by the consistently unprovoked, aggressive use of  
4 force by law enforcement officers on multiple different groups of peaceful protesters. I saw no  
5 evidence that any of these severe crowd-dispersal tactics were warranted, and there was never  
6 any warning before they were deployed.

7           9.       At this point, I decided to leave the area, because I feared for my safety. There  
8 was tear gas everywhere, flash bang grenades exploding in the street, and I was anxious that the  
9 police would further escalate their tactics. I decided that reporting on the situation was no longer  
10 worth the pain of enduring tear gas and the risk of suffering violence at the hands of law  
11 enforcement.

12           10.      On Tuesday, June 2, I was working at *The Stranger's* office at around 11:30 p.m.  
13 The office is on the third floor of a building that has a clear view of the intersection at 11th and  
14 Pine in Capitol Hill, which has become a daily protest site. That night, I was recording the  
15 demonstration from the fire escape.

16           11.      The vast majority of protesters below had been peaceful, although a few  
17 individuals had thrown water bottles, rocks, and at one point a traffic cone. Overall, the  
18 demonstration did not appear to be dangerous or out-of-control.

19           12.      The police made an announcement that I could not hear over a loudspeaker, and  
20 almost immediately afterwards removed their barricade so that officers on bikes could come  
21 streaming through into the crowd of protesters. They also started firing tear gas.

22           13.      I was seriously alarmed by the sudden escalation, and quickly retreated back  
23 inside my office, where I shut the windows. The ground below was so immersed in gas that I  
24 couldn't see the road. Some of it began to seep in to my office, despite the closed windows, and  
25 I began to cough.  
26

