

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 JOSEPH LACHMAN  
IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER

I, Joseph Lachman, declare and state as follows:

1. 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. I am a policy analyst at Asian Counseling and Referral Service, and sit on the board of the Public Defender Association in Seattle.

3. I was born and raised in Seattle, but I have not participated in the Seattle protests following the murder of George Floyd in large part because the Seattle Police Department used pepper spray against me at a protest in 2017, and it was a terrifying, painful, and lasting experience.

1           4.       On August 13, 2017, the Seattle Police Department hit me with a stream of pepper  
2 spray from a handheld device as I participated in a peaceful counter-protest to a white  
3 supremacist rally in Westlake in an effort to control and suppress our counterprotest.

4           5.       I was marching at the front of a group of approximately 1,000 counter protestors  
5 towards Westlake where the white supremacist groups Patriot Prayer and the Proud Boys were  
6 holding a rally.

7           6.       I was one of about twenty people at the front of the group of counter-protestors.  
8 None of us were armed with weapons. None of us were throwing objects or otherwise acting  
9 aggressively. One counter-protestor carried a thin wooden board to use as a shield to protect  
10 against chemical irritants.

11          7.       The SPD stopped our group a couple blocks away from the rally and prevented us  
12 from moving forward. We asked to be able to move forward.

13          8.       In response to our request to move closer to the rally we were protesting, the SPD  
14 pulled down our group's wooden shield and deployed handheld pepper spray at us.

15          9.       A stream of the targeted spray hit me in the side of my head. The pepper spray  
16 streamed down my face.

17          10.       Although I was wearing glasses and a facial covering to try to protect myself  
18 against chemical irritants, the pepper spray caused me extreme pain.

19          11.       The volume and severity of the SPD's use of force against us was appalling.

20          12.       The other counter-protestors and I fell backwards and dispersed, as we were in too  
21 much pain to continue protesting and feared what the police might do next to suppress our  
22 counter-protest. I was afraid that my fellow counter-protestors might suffer permanent damage  
23 from the SPD's use of pepper spray.

24          13.       After those of us on the front line fell back, the police deployed other weapons to  
25 push back and re-route the counter-protestors, including using tear gas.  
26

1           14. I spent several hours trying to purge the chemical irritant from my face and  
2 clothing before going home. My mom is asthmatic, and I was worried about bringing the  
3 chemical irritant into our home on my body or my clothes.

4           15. Despite my best efforts to decontaminate myself, when I finally did return home,  
5 the lingering pepper spray I had been unable to remove did cause my mother to have an asthma  
6 attack.

7           16. I felt pain on my scalp and the parts of my face that had been directly exposed to  
8 the pepper spray for three days after the protest.

9           17. After being pepper sprayed, my friends and family feared for my safety and  
10 discouraged me from protesting any more in Seattle.

11           18. A true and correct photograph taken of me on August 13, 2017 while I was at the  
12 protest and after I was pepper sprayed is attached as **Exhibit A**.


13           19. My lasting impression was that the SPD had come prepared to use dangerous and  
14 painful weapons to suppress our protest.

15           20. The experience was terrifying, painful, and intimidating, and made me feel  
16 reluctant and fearful to exercise my First Amendment right to protest. The Seattle Police  
17 Department's continued use of tear gas and pepper spray against protesters over the past 10 days  
18 makes me fearful about protesting against racial injustice; and but for the Seattle Police  
19 Department's use of such force, I would be actively protesting on a nightly basis. I am currently  
20 in New York City with my partner and I had made plans to return to Seattle to join the protests,  
21 but I chose not to in large part because I am worried about the level of force the police have been  
22 consistently using against protesters.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Executed this 8th day of June 2020 at New York City, New York.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

By:   
JOSEPH LACHMAN

# EXHIBIT A

