

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 SEAN SWANSON

I, Sean Swanson, 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 30-year-old service industry worker. I have been protesting in Seattle as part of the Black Lives Matter movement since early June.

September 7, 2020 – Labor Day March to SPOG

3. We set off for the Seattle Police Officers’ Guild (SPOG) from the international district light rail station shortly after 5pm. Our protest was only a few hundred people—maybe

1 350, tops—but I noticed a heavy police presence for a daytime march, with police vehicles and
2 bike cops following us and flanking us the whole way.

3 4. When we finally arrived at SPOG, the building was completely boarded up, but
4 identifiable from the Blue Lives Matter flag on it.

5 5. Country music started playing. At first I assumed a protester was playing it, but
6 the song choice—“Save a Horse, Ride a Cowboy”—was confusing. Then we realized it was
7 coming from the police guild. Everyone turned to face the SPOG building.

8 6. A little after the lyrics started, dozens of police officers on bikes came out of an
9 alley where they had been hiding and rode directly into the protest, attacking us from several
10 sides, including from behind. I realized in abject horror that they had been waiting in ambush for
11 our arrival, and that the music was a signal, and this was the song they were going to beat us up
12 to.

13 7. The line of protesters at the front where the police rode into the crowd started
14 collapsing under the bikes skidding in. SPD officers were grabbing at people’s bodies, yanking
15 shields out of people’s hands, trying to pull people to the ground, and yelling at us to move back.

16 **8. Almost immediately there was a large white cloud of gas or smoke that went**
17 **up from the middle of the protest, multiple SPD officers started pepper spraying**
18 **protesters, and SPD threw loud explosives into the crowd as they pushed us away from**
19 **their building.**

20 9. The street was immediately filled with chemicals. I had on a respirator, and did
21 not get targeted with the pepper spray directly, but **the exposed skin on my arms burned pretty**
22 **badly from the thick cloud of OC gas in the air. The things I was wearing were covered in**
23 **spiciness. At some point I briefly removed my respirator to scratch my face, and my face**
24 **started to burn.**

25 10. We had not done anything remotely unsafe, threatening, or illegal. I did not see a
26 single act of property damage. The police weapons did not seem to be directed at anyone in

1 particular. The police attack did not even seem like a response to anything that had happened; it
2 seemed like a premeditated strategy to shut down a protest outside their property.

3 11. SPD pushed us back with bikes and pepper spray into the parking lot across from
4 SPOG. It felt like we were being herded like cattle. It was very dehumanizing.

5 12. They funneled us across a narrow sidewalk next to a building flanked by police
6 officers. It was very scary to see 15-20 police officers waiting for us to pass them in a group that
7 was only about 4 people wide.

8 13. When we were able to get back into the street on Fourth Avenue, they continued
9 to chase us. Lines of bike cops would ride in, skim their bikes as close to the protest as they
10 could, shoving us forward. I was trying to walk away from the police line but unable to walk fast
11 enough to satisfy SPD.

12 14. As they pushed us up Fourth Avenue, SPD threw more explosives that were loud,
13 like concussion grenades. **I saw one bounce and explode near me and then heard and felt the**
14 **shockwave. I could hear the cries of “medic!” as people were hit with shrapnel.**

15 15. Two or three SPD officers in grey uniforms were positioned on either side of the
16 road with 40mm launchers aimed at us to keep people from dissipating onto the sidewalks or
17 slowing down. Although I did not observe anyone getting shot with these launchers, **I spoke to**
18 **one protester who said they were shot three times.**

19 16. SPD forced us to march for more than 2 miles after they attacked us. As they
20 used force and the threat of arrest to push us down 4th Avenue, they would continuously send
21 patrol vehicles and many bike cops to ride ahead of us and block off our access to any side street.
22 I watched SPD yell at people who tried to turn instead of continuing forward and intimidate them
23 to keep them moving with the large group.

24 17. I don't think SPD ever gave us a dispersal order. I don't remember hearing one.
25 They clearly did not want us near their property, but would only let us disperse in a very
26

1 particular way. I did not feel free to leave until we had walked all the way to Judkins Park—
2 more than two miles from SPOG—and SPD finally allowed us to slow down and disperse.

3 18. **There was absolutely no legitimate reason to shut down our protest or use**
4 **less-lethal weapons against our retreating crowd.** I had not done anything to justify it, and I
5 did not see anyone around me do anything that could possibly have necessitated a potentially
6 lethal response. It was a peaceful march.

7 19. Thankfully this time none of the explosives exploded directly on me. At a protest
8 in early June, SPD shot a rubber bullet directly into my hip. On July 25, an SPD officer tackled
9 me and I landed on a concussion grenade that exploded on the same hip that had been injured in
10 early June. Both of these police-inflicted injuries left me with fist-sized deep purple bruises on
11 my hip that took weeks to fade.

12 20. When I think back over the events of Labor Day, each small detail of SPD's
13 violent response to our protest is bad, but when you add them all together, they seem like a
14 Lovecraftian horror.

15 21. In contrast, SPD's mood seemed jubilant. I saw officers smiling as they
16 threatened us with force and forced us to march. It seemed like this was a game to them, and they
17 were using all of the weapons in their arsenal to try to demoralize us.

18 **September 23, 2020 – East Precinct Protest**

19 22. On September 23, 2020, I joined a protest in solidarity with Black communities in
20 Louisville. Throughout the night, we chanted "Say her name: Breonna Taylor."

21 23. Early on in the march, SPD started following us very close—like half a block
22 behind us. They quickly started grabbing protesters. They grabbed protesters as we were
23 rounding a corner downtown, then again as we were going up a hill. It seemed like they were
24 grabbing anyone they could pick off from the crowd.

25 24. We marched back to Cal Anderson park. The police left us alone there. We
26 regrouped for 30 minutes or so, then made our way towards the East Precinct.

1 25. **SPD quickly began indiscriminately pepper spraying and throwing**
2 **flashbangs at the crowd aggressively to push us back.** It was very reminiscent of early June,
3 but with fewer protesters on my side, so I felt less safe.

4 26. I was near the front line. SPD bike officers rode at us, then began swinging their
5 bikes into us. One officer was shoving his handlebars into people's faces. There was no
6 justification for this; we were moving back as fast as we could. It is difficult to move back when
7 there is a crowd of hundreds behind you.

8 27. **SPD pepper sprayed us 2-3 times from close range. One of the people I was**
9 **with ducked his head down as an officer unleashed a torrent of pepper spray into his face**
10 **from about one foot away.** The force from the pepper spray moved his goggles out of place,
11 and the goggles began filling full of pepper spray.

12 28. **SPD was throwing flashbangs into the middle of a crowd. They were not**
13 **throwing them at the empty area between the police and the protest, they were throwing**
14 **them into the middle and back of the crowd.**

15 29. **Flashbangs were exploding all around me—near my feet, near my head. It**
16 **felt constant. I can remember at least three that exploded within a few feet of me; there**
17 **may have been more.**

18 30. As the flashbangs flew at me, I could see the orange sparks flying off the grenades
19 while they ricocheted into the air. I could feel the violent concussive blast as an immense
20 pressure blew past me.

21 31. Some of the shrapnel hit me. Had I not been wearing extensive protective gear,
22 this could have really injured me, but I had learned my lesson from my injuries in early June.

23 32. I was not wearing earplugs that night, and it felt like my head was going to
24 explode for a second—like my ears filling up on an airplane, but without the pop that relieves the
25 pressure. SPD has thrown so many explosives at me over the past several months that I have the
26 symptoms of tinnitus constantly.

1 33. I don't know from where SPD was throwing the flashbangs. There have been
2 protests in the past where SPD threw them off rooftops. But that night, they hit with such force
3 that they ricocheted off the ground high enough to reach my head, and I am 6'3". There were
4 many shorter people at the protest whose heads were in even more danger than mine.

5 34. The flashbangs were very disorienting, especially combined with SPD bike
6 officers hitting people with their bikes immediately afterwards.

7 35. The bright light and deafening sound of the flashbangs are especially traumatic
8 for people like me with neurodivergence who are more sensitive to sensory-tactile things. I have
9 autism.

10 36. **SPD also deployed a cloud of gas so dense that it made me cough and choke**
11 when I walked through it as we moved back towards the intersection after SPD had pushed us
12 away. It was a thick, creeping cloud that hung low to the ground. It made me feel like I couldn't
13 breathe. I have a respirator, but had not been wearing it because the respirator makes it very hard
14 to breathe, and it is hard to remove a respirator quickly if you are wearing a helmet.

15 37. A couple times, SPD began to make some kind of announcement, but the PA
16 system was rigged in such a way that on the front line, it was virtually impossible to hear the
17 announcement. **I did not hear any dispersal order until after SPD had started pepper**
18 **spraying everyone, shoving us away from the East Precinct, and detonating a vast number**
19 **of flashbangs.**


20 38. My overwhelming impression from this protest was that SPD doesn't see
21 protesters as people. Their conduct seemed so brutal and dehumanizing.

22 39. I haven't been sleeping well because of the SPD's violence against protesters. I
23 have constant nightmares and wake up sore. I've lost a lot of weight. I don't believe I will ever
24 be able to call the police for help again. And I know I'm not alone. I believe that every person at
25 the protests is fundamentally changed by the experience, and will never be the same.
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Executed this 27th day of September 2020 at SEATTLE, WASHINGTON.

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: 
SEAN SWANSON