

Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEATTLE MIDEAST AWARENESS
CAMPAIGN, a Washington non-profit
corporation,

Plaintiff,

vs.

KING COUNTY, a municipal corporation,

Defendant.

No. 2:11-cv-00094-RAJ

DECLARATION OF MICHAEL
DECAPUA IN SUPPORT OF KING
COUNTY'S BRIEF IN OPPOSITION
TO SEATTLE MIDEAST
AWARENESS CAMPAIGN'S
MOTION FOR PRELIMINARY
INJUNCTION

Noted for February 11, 2011

I, Michael DeCapua, declare that:

1. I am the Homeland Security Manager for King County Metro Transit ("Metro"),
am competent to testify and base this declaration on personal knowledge.

2. My responsibilities at Metro include emergency management, threat and
vulnerability assessments, and coordinating with state and federal law enforcement and
intelligence agencies.

DECLARATION OF MICHAEL DECAPUA IN SUPPORT
KING COUNTY'S BRIEF IN OPPOSITION TO SEATTLE
MIDEAST AWARENESS CAMPAIGN'S MOTION FOR

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION, Litigation Section
900 King County Administration Building
500 Fourth Avenue
Seattle, Washington 98104

1 3. I am a retired Air Force Lieutenant Colonel with over 26 years' experience in the
2 fields of anti-terrorism, intelligence, and special operations. In addition, I am a retired police
3 chief, former SWAT commander, and Operations Division commander responsible for criminal
4 intelligence program, tactical deployment, and counter-terrorism operations. I am a graduate of
5 the 140th Session of the FBI National Academy.

6 4. One of my duties is to monitor and assess security risks to the King County Metro
7 Transit system, including the risk of terrorist violence directed at Metro buses. Because our
8 transit system is so spread out, bus security can be a challenge and I am well aware of terrorist
9 attacks that have been directed at transit systems in Israel and Europe. Attacks and pre-
10 operational terrorist activities in other locations outside the Seattle-area often impact Metro's
11 security posture.

12 5. During the week of December 20, 2010, I was involved in monitoring the
13 unfolding situation concerning the bus advertisements from the Seattle Mideast Awareness
14 Campaign (SeaMAC).

15 6. On the morning of December 22, 2010, I became aware that information
16 concerning the proposed SeaMAC advertisements had been posted on an English language
17 website published by the Ezzedeen Al-Qassam Brigades Information Office and on Twitter. The
18 Al-Qassam Brigades holds itself out as the armed branch of the Islamic Resistance Movement
19 (Hamas). The link to the webpage was <http://www.quassam.ps/news-3950-Israeli>
20 [War Crimes signs to go on Metro buses.html](http://www.quassam.ps/news-3950-Israeli). The twitter message was posted at
21 <http://twitter.com/alquassambrigade/stauses/17527529816461312>.

22 7. Attached as Exhibit A is a true and correct copy a print-out of the posting on the
23 Al Quassam website as it appeared on January 27, 2011. The posting was substantially similar

1 when I viewed it online on December 22, 2010, but some of the other news stories on the left
 2 side of the web-page are new. The posting appears to be to be a re-print of a news piece
 3 authored by Allan Shauffler of KING 5 TV concerning the SeaMAC advertisements. Also
 4 included is a print-out of information from the "About Us" button on the Al Qassam web-site.

5 8. In my opinion, as Homeland Security Manager for Metro and based on my
 6 intelligence background, the fact that information about the SeaMAC advertisements was
 7 appearing on the website of a known terrorist organization, raised Metro's visibility to terrorist
 8 groups. Metro is the only transit agency mentioned by name on the web site. As a result, I
 9 recommended that Metro take additional security measures using the federal Transportation
 10 Security Administration (TSA) Holiday Surge program and federal Transit Security Grant
 11 Program.

12 9. I also mentioned the Al Quassam website posting in a special Metro staff meeting
 13 on December 22, 2010, and recommended that the King County Executive be briefed on what, in
 14 my opinion, was an escalation of Metro's vulnerability to possible terrorist attack, especially if
 15 counter-advertisements ran that could be viewed as insulting or offensive to the Muslim and
 16 Palestinian communities.

17 10. Even without SeaMAC's advertisements or the counter-advertisements, the time
 18 around Christmas and the New Year is a period of heightened concern for Metro transit and in
 19 and around the Downtown Bus Tunnel because terrorist organizations have been known to
 20 attempt to stage attacks on holidays for maximum effect. My understanding was that the
 21 SeaMAC advertisement and counter-advertisements were set to start their run between during the
 22 week between Christmas and New Year's Eve 2010.
 23

1 I hereby declare under penalty of perjury of the laws of the United States and the State of
2 Washington that, to the best of my knowledge, the foregoing is true and correct.

3 SIGNED and DATED at Union WA this 3rd day of February, 2011.

4 
5 MICHAEL DECAPUA
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

DECLARATION OF MICHAEL DECAPUA IN SUPPORT
KING COUNTY'S BRIEF IN OPPOSITION TO SEATTLE
MIDEAST AWARENESS CAMPAIGN'S MOTION FOR

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION, Litigation Section
900 King County Administration Building
500 Fourth Avenue
Seattle, Washington 98104