

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

IN RE THE MATTER OF RECALL

NO. 20-2-10455-8 SEA

CHARGES AGAINST CITY OF

DECLARATION #2 OF ELLIOT GRACE

SEATTLE MAYOR JENNY DURKAN

HARVEY IN SUPPORT OF ENTRY OF

(HARVEY)

EVIDENCE FOR RECALL OF MAYOR OF

THE CITY OF SEATTLE, JENNY A.

DURKAN

I, Elliott Grace Harvey, declare and state as follows:

1. Early yesterday morning, July 21, 2020, at the Court's request, petitioners filed a Response to Mayor Durkan's Motion for Reconsideration. We also included a Cross-Motion for Reconsideration and cited to evidence relevant to both. We filed this response a day earlier than our deadline, which was today, July 22.

2. Late on the night of June 21, 2020, volunteers delivered a cut-together tape of many of the early incidents of tear gas usage, showing the context of these incidents and the historical context for later incidents. This video we are submitting as Petitioners' Exhibit C.

3. This morning, July 22, 2020, a spreadsheet of images contained in the volunteer-made video was completed, showing, insofar as possible, when the videos were taken, and by whom, so that a court reviewing them could more easily assess them. All these videos were posted online publicly and were taken from those online sources. The spreadsheet we are submitting as Petitioners' Exhibit B.

4. This morning, we learned that Matt "Spek" Watson, a local musician, producer, and activist had uploaded a video on July 21 that discussed the facts underlying our Charge F, compiling many of them effectively and showing a number of primary sources in a clearly summarized 13-minute video. Some of this video involves Mr. Watson making statements of opinion, but because the underlying video is also provided, viewers can make their own conclusions about the video's meaning. The official link to Mr. Watson's video is hosted here:

<https://www.youtube.com/watch?v=se96K4Xcsj0>. We are submitting this video as Petitioners' Exhibit D.

5. Omari Salisbury, the source of many of these videos, is a well-known local reporter who has interviewed Mayor Durkan and Chief Best and been on the front lines of many of the incidents in Seattle.

6. It is our belief that both these videos/sets of images are important as historical documents, to be associated with this case to aid future researchers.

7. We believe these videos/sets of images are important and relevant to this Court in its review of the evidence, and in any future court's review of the evidence.

8. We believe these videos are highly relevant to both the original charges, and to this Court's review of the Motions for Reconsideration.

9. These are believed to be primary sources, the equivalent of objective witness testimony, and that they accurately reflect what happened on many dates at issue in this case, that they accurately represent many facts relevant to Charge F, and that they accurately provide context for additional later acts upon which the recall is premised, as part of this recall is premised on the Mayor Durkan's undeniable knowledge of what was happening at the barricades.

10. A declaration from Matt Watson can be obtained if needed for the entry of his video into the record.

11. Additional briefing on Charge F will be provided to the court if so desired, and/or if needed for entry of this video into the record.

Signed this 22nd day of July 2020 at Seattle, Washington. I declare that the foregoing is true and correct to the best of my knowledge.


By: 
Elliot Grace Harvey

EXHIBIT B

Spreadsheet with video information

Video Clip Timeline - Tear Gas Files							
Order Of Appearance	Time on the Video	Date	Streamer	Location	Time	Notes	Related/longer video/s known to be at:
1	0:00-0:48	5/30-31/2020	Omari Salisbury	Downtown	3:10 PM	Local journalist experiences teargas in downtown seattle	
2	0:49-2:38	6/1	Jessica Frost	East Precinct	9:04 PM	Aerial view from resident of protesters being maced, tear gas being deployed, and flash grenades.	
3	2:39-5:35	6/1	Omari Salisbury	East Precinct	9:04 PM	Ground view of the same incident as above	https://www.facebook.com/omarisal/videos/10220021035848747 - "pink umbrella incident" begins at 29:52, no order to disperse
4	5:36-9:32	6/2	Omari Salisbury	East Precinct	11:36 PM	Ground view from local journalist of SPD deploying tear gas, and being shot with a rubber bullet.	https://www.facebook.com/omarisal/videos/10220031849559083
5	9:33-12:21	6/6	Omari Salisbury	East Precinct	7:36 PM	Local journalist tells SPD there is a woman in a wheel chair and to not use crowd control munitions.	https://www.facebook.com/omarisal/videos/10220071496990244 - clip begins at 5:32
6	12:22-12:29	6/3	Jessica Frost	East Precinct		Trumpeter Arrested	
7	12:30-14:35	6/2	Jessica Frost	East Precinct	11:36 PM	Aerial view from resident of protesters being maced, tear gas being deployed, and flash grenades.	
8	14:36-15:58	6/1	MSNBC	Cal Anderson Park	9:04 PM	Footage of an MSNBC reporter live on air having a flash grenade land near her.	
9	15:59-20:18	6/7	Currently unk, video is of Councilmember Kashma Sawant	Cal Anderson Park	12:00 AM	Footage of local City Council member after experiencing tear gas.	
10	20:19-21:38	multiple	multiple, Twitter "Super Cut"	East Precinct	12:00 AM	Footage from twitter that was spliced together with footage of the protester who was hit in the chest with a tear gas canister, "Super Cut" was edited by Matt Spek Watson	
11	21:38-24:38	6/7	Omari Salisbury	East Precinct	12:00 AM	Local journalist experiencing tear gas and flash grenades.	https://www.facebook.com/omarisal/videos/10220083997222742

EXHIBIT C

Video cut together by
volunteers

Available at:

<https://drive.google.com/file/d/1yl2pxgVafwAw8R8Q7QItAv6cDoEzY6Ns/view?usp=sharing>

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