

1 Joseph P. Cutler, WSBA No. 37234
2 *E.D. WA Admission pending*
3 Carolyn Gilbert, WSBA No. 51285
4 Reina Almon-Griffin, WSBA No. 54651
5 Jane E. Carmody, WSBA No. 55409
6 Jacob Stillwell, WSBA No. 48407
7 PERKINS COIE LLP
8 1201 Third Avenue, Suite 4900
9 Seattle, WA 98101-3099
10 Telephone: 206.359.8000
11 Facsimile: 206.359.9000
12 JCutler@perkinscoie.com
13 CarolynGilbert@perkinscoie.com
14 RAlmon-Griffin@perkinscoie.com
15 JCarmody@perkinscoie.com
16 JStillwell@perkinscoie.com

17 *Attorneys for Plaintiffs,*
18 *Selah Alliance for Equality, et al.*

19 Antoinette M. Davis, WSBA No. 29821
20 Nancy Talner, WSBA No. 11196
21 Crystal Pardue, WSBA No. 54371
22 American Civil Liberties Union of
23 Washington Foundation
24 P.O. Box 2728
25 Seattle, WA 98111
26 Telephone: 206.624.2184
Talner@aclu-wa.org
tdavis@aclu-wa.org
cpardue@aclu-wa.org

Co-Counsel and Attorneys for Plaintiff Selah
Alliance for Equality, et al.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SELAH ALLIANCE FOR
EQUALITY, COURTNEY
HERNANDEZ, REV. DONALD
DAVIS JR., LAURA PEREZ,
ANITA CALLAHAN, KALAH
JAMES, CHARLOTTE TOWN,
AMANDA WATSON, and ANNA
WHITLOCK,

Plaintiffs,

v.

CITY OF SELAH; SHERRY
RAYMOND, in her official capacity
as Mayor of the City of Selah; and
DONALD WAYMAN, in his
official capacity as City
Administrator for the City of Selah;

Defendants.

No.

**DECLARATION OF LAURA
PEREZ IN SUPPORT OF
PLAINTIFFS' COMPLAINT**

I, LAURA PEREZ, declare:

1. I am over the age of 18 and am competent to be a witness in this proceeding. I have personal knowledge of the facts set forth herein and if called to testify, I could and would testify completely thereto.

2. I am a resident of Selah, Washington and have lived here for the past 8 years.

3. In June, after the death of George Floyd, members of the Selah community joined in protest and in support of the Black Lives Matter movement. I attended this protest to support Black citizens of Selah. As a Latina woman in the primarily white community of Selah, I too have experienced racism. My children have also experienced racism. I strongly believe it is time for change in Selah.

DECLARATION OF LAURA PEREZ – 2

1 4. The issue of racial equity and justice is very important to me and my
2 family, including my son, Gabriel Fabian. In response to George Floyd's death and
3 the protests across the country, Gabriel wanted to create chalk art drawings in front
4 of our home in Selah to show his support of the Black Lives Matter movement.
5 However, each time my son created a chalk art drawing, the City of Selah, through
6 its Public Works Department, removed the chalk art with a street sweeper and
7 pressure washer.

8 5. I believe that the City was removing the chalk art because it disagreed
9 with the message. City officials vocalized their disapproval of the Black Lives
10 Matter movement, calling it "communist indoctrination" and stating that its
11 supporters are "devoid of intellect." I noticed that other chalk art in the City was not
12 removed. The City had also never swept or cleaned my side of the street, let alone
13 cleaned it multiple times over the course of three days.

14 6. After the City repeatedly removed the chalk art outside my home, my
15 son and I wanted to expand the impact of his art. I reached out to the Selah School
16 District to see if we could create the chalk art drawings at Selah Middle School. This
17 was such an impactful event for the Selah community. Over 100 people came to
18 show their support of the Black Lives Matter movement and racial equality in Selah
19 more generally.

20 7. In total, I have been to more than 10 events in Selah in support of the
21 Black Lives Matter movement, racial equity, and inclusion. At each event where we
22 drew chalk art or chalking messages of equality, the chalk was removed promptly.

23 8. The amount of negative criticism I received from City officials
24 originally took me by surprise. I wondered why the City would take such a negative
25 stance against the issues of racial equity and justice.
26

1 9. Specifically, in June after my son Gabriel created chalk art drawings in
2 front of our home, the Selah Chief of Police sent a letter addressed to my other son
3 Alejandro incorrectly assuming he was the one who drew the chalk art and
4 threatening to refer him to municipal court for prosecution. This was because the
5 Selah Chief of Police wrongly believed that the chalk art, which had in fact been
6 created by Gabriel, not Alejandro, was “graffiti.”

7 10. As a result of these events, I support the Selah Alliance For Equality
8 (“S.A.F.E.”) because I believe in its mission to create change in the Selah community
9 and to provide a network of individuals who want a more just and equitable City.
10 S.A.F.E. also sought to hold City Administrator Donald Wayman accountable for,
11 among other things, his remarks on the Black Lives Matter movement on behalf of
12 the City.

13 11. S.A.F.E. held multiple fundraisers to purchase signs to place
14 throughout Selah. The signs would advance S.A.F.E.’s mission of making Selah a
15 more inclusive city and also called for the City to fire Mr. Wayman. I personally
16 donated \$100.00 to S.A.F.E.’s fundraiser for yard signs. I put up two S.A.F.E. signs
17 in my yard at my home.

18 12. As soon as S.A.F.E. began placing the signs in public areas in Selah,
19 the City immediately began taking the signs down. It is my understanding that the
20 City is removing the signs based on Selah Municipal Code 10.38. I personally have
21 witnessed Mr. Wayman removing S.A.F.E. signs from First Street in Selah. I have
22 not witnessed the City remove other signs with the same vigor that they have
23 removed S.A.F.E.’s signs. I have also personally seen members of the Selah
24 community removing S.A.F.E.’s signs.

25 13. I believe that the City’s removal of S.A.F.E.’s signs is its latest attempt
26 to silence messages of racial equality, just as they removed the chalk art in front of

1 my home. I feel that my voice and viewpoints are being stifled by the City and its
2 unfair and uneven enforcement of its municipal code. S.A.F.E.'s signs bring
3 awareness to the Selah community and Selah's city officials about the issues of racial
4 equity and inclusion. S.A.F.E. is giving a voice to many people in Selah who feel
5 silenced by City officials and the City is depriving us from being able to do so. I
6 fully believe that there is no place for racism in the world and in Selah. On behalf of
7 myself as an individual, and on behalf of S.A.F.E. as an organization, we bring this
8 lawsuit to protect our voice and ability to further our mission.

9
10
11 s/Laura Perez
Laura Perez

12/7/2020
Date