

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 LAURIE
BROWN 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, Laurie Brown, declare that:

1. I am the Deputy Director of the King County Department of Transportation (KCDOT), competent to testify, and base this declaration on personal knowledge. KCDOT includes the Transit Division, more commonly known as Metro.

2. Prior to working for King County, I worked as Director of Operations for the Seattle Public Library and as a Special Assistant in the City of Seattle Mayor's Office. During my time in the Mayor's Office, I was involved with the decision-making surrounding several

DECLARATION OF LAURIE BROWN IN SUPPORT OF
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MIDEAST AWARENESS CAMPAIGN'S MOTION FOR
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1 high-profile events involving questions of public safety, including the WTO protests and the
 2 Mayor's decision to cancel the year 2000 New Year's Eve Seattle Center celebration due to safety
 3 concerns. During the WTO protests, I slept in my office for most of the week and was involved
 4 with informally mediating between various groups and government entities in an effort to restore
 5 order.

6 3. As Deputy Director for KCDOT, my regular duties include human resources and
 7 labor relations, public and media affairs, community relations, budget and finance, regional
 8 transportation planning, emergency preparedness, special projects, and trouble shooting of
 9 emergent issues. I have responsibilities that are distinct from the KCDOT Director, however,
 10 when the Director is on vacation, I act in that role.

11 4. KCDOT Director Harold Taniguchi was on vacation during beginning of the
 12 week of December 20, 2010 so I was Acting KCDOT Director, until he returned. Prior to
 13 Monday, December 20, 2010 I had no awareness that the Seattle Mideast Awareness Campaign
 14 (SeaMAC) was trying to run controversial bus advertising ("SeaMAC Ad") through Metro's
 15 Transit Advertising Program. The controversy surrounding the SeaMAC Ad would end up
 16 consuming most of my work-days for the remainder of the work-week.

17 5. My work-week began as follows: between 8:00 and 8:30 a.m. on Monday
 18 morning I took a call from an individual identifying himself as Robert Shay who was asking to
 19 speak with Director Taniguchi. The man indicated that he was a Jewish war veteran and that he
 20 was calling about the "bus sign situation". He was very agitated and confrontational, repeating
 21 several times that Metro must "stop the ads". He asked me if Metro was aware that the bus ads
 22 equated to "hate speech" and that "Jews would take physical action" to prevent the ads from
 23 going up on the buses. He said that he was not making a threat but that we needed to know that

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 KING COUNTY'S BRIEF IN OPPOSITION TO SEATTLE
 MIDEAST AWARENESS CAMPAIGN'S MOTION FOR
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1 "those signs will not go up." I interpreted his statements and manner of speaking to be a threat of
2 physical action to disrupt the transportation system by removing the SeaMAC Ad from Metro
3 buses.

4 6. In this conversation, the man identifying himself as Robert Shay referenced the
5 "Seattle Jewish Federation killing" and stated that our actions demonstrate complete insensitivity
6 to the fear caused by the killing. He further stated that the ads violated our own policy and
7 would incite vandalism at a minimum.

8 7. I responded to him by telling him that it was helpful to hear him clarify that he
9 was not making a threat but that it sounded like he was stating that he would take physical action
10 to prevent the SeaMAC Ad from running on the buses. He repeated, "those signs will not go
11 up". He asked me if I could stop the ads and when I told him that it was not my decision, he
12 stated that he would take the matter higher to the Executive.

13 8. Later during the morning of December 20, 2010, I was made aware that a security
14 guard had found several disturbing photographs shoved under the door at the Metro Customer
15 Service Center in our office building. The photographs showed injured people and buses that
16 may have been subject to terrorist attack. Handwritten on the copies were the names "Taniguchi,
17 Desmond" (KCDOT Director and Metro General Manager, respectively) and the phrase "NO TO
18 BUS ADS FOR MUSLIM TERRORISTS". I was not sure how to interpret these messages, but I
19 felt that they were either a threat of harm toward Metro or an expression of outrage over the
20 SeaMAC Ad, or both. I found them to be highly concerning. True and correct copies of the
21 photos with comments are attached as Exhibit A to my declaration.

22 9. Most of the remainder of my work week from December 20-23, 2010 was spent
23 attending to controversy surrounding the SeaMAC Ad and I was not engaged in my regular

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MIDEAST AWARENESS CAMPAIGN'S MOTION FOR
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1 duties as either Deputy Director or Acting Director. My work was made more difficult by not
 2 being able to use my work email as I continued to receive extremely high volumes of email from
 3 third-parties about the SeaMAC Ad. Much of my time was spent on contingency planning that
 4 related to preventing disruption to the Metro transit system, including planning related to bus and
 5 building security, labor relations, and planned demonstrations.

6 10. During the work week of December 20-23, 2010, I also attended numerous
 7 meetings with the King County Executive and his staff to discuss the unfolding situation. .
 8 Because of the reasonable threat of disruption to the Metro transit system, I supported the
 9 Executive in his decision to pull the SeaMAC Ad and to reject the Counter Ad that were
 10 proposed by the Horowitz Freedom Foundation and Pamela Geller.

11 11. The threats of disruption reminded me of the threats made known to the Mayor's
 12 Office prior to and during the WTO crisis.

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

15 SIGNED and DATED at Seattle, WA this 7th day of February, 2011.

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 18 LAURIE BROWN

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