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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**TUCK WOODSTOCK; DOUG BROWN;  
SAM GEHRKE; MATHIEU LEWIS-  
ROLLAND; KAT MAHONEY; JOHN  
RUDOFF**; and those similarly situated,

Plaintiffs,

v.

**CITY OF PORTLAND**, a municipal  
corporation; and **JOHN DOES 1-60**,  
individual and supervisory officers of Portland  
Police Bureau and other agencies working in  
concert,

Defendants.

Case No. 3:20-cv-1035-BR

**DECLARATION OF SAM GEHRKE IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION**

I, Sam Gehrke, declare:

1. I am an Oregon resident who lives in the City of Portland. I am a freelance photojournalist and have attended the protests in Portland over the last month for the purpose of documenting and reporting on them. If called as a witness, I could, and would, testify competently to the facts below.

2. I have been a journalist for four years. I was previously on staff with the *Willamette Week* as a contractor, and now I am a freelance journalist. My work has been published in *Pitchfork*, *Rolling Stone*, *Vortex Music*, and *Eleven PDX*.

3. When I attend the protests, I shoot either with a Sony A7 or a Canon 5D Mark IV, often with a 70-200mm lens. I wear a press pass from the *Willamette Week*. I am obviously present as a journalist to record and report on the protests.

4. On June 2, I was reporting on the protests when the police used tear gas in the area near me. My throat locked up and I became unable to see. I needed assistance to leave the area and immediately sought medical attention.

5. On June 12, I was taking photos near the Justice Center when police shot me in the back with a rubber bullet. Fortunately, I was wearing a backpack, or I may have been seriously injured. Shortly after this, the police swarmed the crowd from behind, physically assaulting and beating people at random.

6. After this incident, I stopped reporting on the protests because the actions and attitude of the police made me feel unsafe. In addition to the danger I experienced personally, seeing and taking photographs of bloody rubber-bullet wounds, flash-bang burns, and crowds of people choking on tear gas made me fearful for my safety from the police. I have attended protests in Portland many times in the past and stayed for a long time documenting them. The police's actions during the George Floyd protests seem, to me, especially vicious.

7. I am aware of many incidents in which journalists have been harmed by Portland police's indiscriminate use of force against crowds of protesters, journalists, observers, and

medics. For instance, I am aware that Blair Stenvick and Alex Zielinski of the *Portland Mercury* were tear gassed when the police executed a “killbox” strategy against protesters on June 2. On another occasion, I saw freelance photographer Sal Butera-Smith overcome by the effects of police tear gas, receiving attention from street medics attempting to wash his eyes out with milk. I am also aware of many instances in which journalists were hit by rubber bullets and other impact munitions by Portland police officers firing at a crowd indiscriminately.

8. I am also aware of incidents in which the police have used force against journalists in a targeted manner, such as an incident in which the police beat Donovan Farley with a baton and sprayed him with tear gas, several similar incidents with Cory Elia, an incident in which the police slammed *Oregonian* reporter Beth Nakamura with a baton, and an incident in which the police assaulted *Portland Tribune* reporter Zane Sparling and told him they didn’t “give a shit” that he was press.

9. I am also aware that the police have announced that apart from journalists who are imbedded with them, any journalist who continues reporting on protests after a dispersal order will be subjected to use of force and arrest.

10. These actions by the Portland police make me feel unsafe when I report on the protests. I would continue reporting on them, if I were not fearful for my safety.

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct.

Dated: June 28, 2020



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Sam Gehrke