

**VIRGINIA: IN THE CIRCUIT COURT
FOR THE CITY OF RICHMOND**

**VIRGINIA STUDENT POWER
NETWORK, NOAH SMITH, DIAMANTE
PATTERSON, AND DEVIN CAINES,**

Plaintiffs,

v.

**CITY OF RICHMOND, RICHMOND
POLICE DEPARTMENT, WILLIAM
“JODY” BLACKWELL, in his official
capacity as Interim Chief of Richmond
Police Department, VIRGINIA
DEPARTMENT OF STATE POLICE, and
GARY T. SETTLE, in his official capacity
as Superintendent of Virginia Department
of State Police,**

Defendants.

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Case No. _____

COMPLAINT

JURY TRIAL DEMANDED

COMPLAINT

1. Plaintiffs file this action seeking an order restraining the City of Richmond, the Richmond Police Department, William “Jody” Blackwell, in his official capacity as Interim Chief of the Richmond Police Department, the Virginia State Police, and Gary T. Settle, in his official capacity as Superintendent of the Virginia Department of State Police, from violating protestors’ protected rights to free speech and assembly under the Virginia Constitution. Plaintiffs seek injunctive relief and a declaratory judgment.

NATURE OF THE ACTION

2. This case is about the City of Richmond, the Richmond Police Department (“RPD”), and the Virginia State Police (“VSP”) using unnecessary and life-threatening force against peaceful demonstrators outside of Richmond City Hall on or around June 22-23, 2020.

3. The RPD and VSP’s use of force on June 22-23 came just after the City of Richmond and the RPD apologized for the unjustified use of force against peaceful protestors gathering at the Robert E. Lee Monument on June 1, 2020, and after weeks of continued use of force by these departments against peaceful demonstrators in Richmond.¹

4. Over the past several weeks, the RPD and VSP have repeatedly sprayed whole crowds of peaceful protestors with tear gas and other chemical irritants, used flash grenades, and fired rubber bullets at them. Government entities and human rights organizations have recognized that these crowd control tactics can cause death or serious injury.

¹ Keyris Manzanares, ABC 8 News, *Protestors Call on Stoney for Answers After Being Tear-Gassed Monday*, available at <https://www.wric.com/news/local-news/richmond/mayor-stoney-wants-to-apologize-to-peaceful-protestors-tear-gassed-before-curfew>.

5. Local medical professionals have also raised alarm in direct correspondence with the RPD that these tactics are “antithetical to the public health guidance for avoiding COVID-19” and may make protestors more vulnerable to the acute respiratory illness.²

6. By instilling in lawful protestors a credible fear of bodily harm for assembling, RPD and VSP’s tactics discourage protestors from exercising their constitutional rights to protest against police brutality and racial inequities in the American criminal legal system.

7. The tragic killing of George Floyd on May 25, 2020, at the hands of the Minneapolis Police, and the ongoing and disproportionate killings of Black and brown men and women by law enforcement, has sparked demonstrations in all fifty states and around the world. A horrified nation watched as a Minneapolis police officer pinned Mr. Floyd’s neck under his knee for over eight minutes. Other officers stood by and watched as Mr. Floyd died at the scene.

8. In response, all across this state, Virginians have come out in large numbers to protest police brutality and racial inequality, including acknowledging Virginia’s own historic role in perpetuating these inequities. As the state’s capital, Richmond continues to be a singularly appropriate location for Virginians to peaceably assemble to petition their government for the redress of grievances.

9. Instead of recognizing the legitimate grievances of his fellow citizens, RPD’s new interim police chief William “Jody” Blackwell chose instead to adopt a policy of intimidation by announcing his intention to “take the city back” from protestors.³ Subsequently, on June 19, 2020,

² NPR, *Doctors Urge Richmond Police to Stop Pepper Spraying, Gassing*, available at <https://vpm.org/news/articles/14367/doctors-urge-richmond-police-to-stop-pepper-spraying-gassing>.

³ Richmond, *WATCH NOW: In Frustration, New Interim Police Chief Says Richmond Needs to Take Our Community Back*, available at <https://www.richmond.com/news/local/crime/watch-now-in-frustration-new-interim-police->

RPD issued a preemptory announcement threatening to use Virginia's unlawful assembly statute, Virginia Code § 18.2-406, to justify arrests and the use of force, including chemical agents, to disperse crowds gathered to protest against police violence.⁴

10. Following through on this threat, in the early morning hours of June 23, RPD declared a peaceful gathering in front of Richmond City Hall an unlawful assembly. Unprovoked, an overwhelming number of RPD and VSP officers fired tear gas, pepper spray, rubber bullets, and flash grenades into the crowd of community members. Disoriented demonstrators were forced to flee the area while chemical agents burned their lungs and eyes.⁵ Many peaceful demonstrators were injured by this unprovoked and violent dispersal of the peaceful gathering.

11. The purpose and effect of RPD's use of the unlawful assembly statute and subsequent use of less-lethal force has been to restrict, frustrate, and deter protestors from exercising their rights to free speech and peacefully assembly.

12. Plaintiffs have been, and want to continue to be, part of the protest movement to protect Black lives without being subject to unprovoked police violence. They want to participate in demonstrations against police brutality in Richmond without being exposed to the chemical agents and rubber bullets regularly deployed by RPD and VSP against peaceful protestors. They want to end the pretextual use of unlawful assembly declarations as grounds for using force against otherwise peaceful protestors. Plaintiffs bring this action to restrain the City of Richmond, RPD,

chief-says-richmond-needs-to-take-our-community/article_e706c6c0-4a91-58e2-9c5a-21c517db8257.html.

⁴ ABC News, *RPD Issues Reminder About "Unlawful Assemblies" Following Violent Gatherings*, available at <https://www.nbc12.com/2020/06/19/rpd-issues-reminder-about-unlawful-assemblies-following-violent-gatherings/>.

⁵ Centers for Disease Control and Prevention, *Facts About Riot Control Agents Interim Document*, available at <https://emergency.cdc.gov/agent/riotcontrol/factsheet.asp>.

and VSP from continuing to respond to peaceful protests with unconstitutional and indiscriminate violence.

13. Plaintiffs seek injunctive and declaratory relief because, despite apologies and admissions that they have violated protestors' rights, Defendants continue to violate Plaintiffs' constitutional rights through the use of overwhelming and unnecessary force.

PARTIES

14. Plaintiff Virginia Student Power Network ("VSPN") is a non-profit organization operating in Richmond, Virginia. VSPN works with students from universities across Virginia to organize around social, racial, and economic justice issues. VSPN accepted forty-one fellows across eight campuses in Virginia this year who work to register voters, engage in public education, encourage other students and community members to engage in advocacy, and organize protests and rallies. In light of the recent national protests to end police brutality sparked by the police killing of George Floyd, VSPN's fellows have prioritized organizing peaceful protests in the Richmond community. The purpose of these events has been to raise awareness of social injustices, inequities in the criminal legal system, and advocate for an end to violence, specifically against Black Americans and communities of color. Because of the threat of continued unlawful police violence directed at peaceful protests, VSPN has already diverted and will need to continue to divert resources from its public education and organizing activities to ensuring fellows and event participants can exercise their rights safely.

15. Plaintiff Diamante Patterson is a Virginia resident who attended the protest on June 22-23. Mr. Patterson is a lifelong resident of the Richmond area and obtained his Bachelor of Arts from Virginia State University in 2017. He has attended many protests against police violence over the past several years, including protests organized in response to the killings of Michael Brown

and Eric Garner. His personal convictions and commitment to social justice led him to join the recent protests in Richmond sparked by the police killing of George Floyd. Mr. Patterson frequently attends protests after work and hopes to continue to do so peaceably without the threat of unprovoked police violence. After witnessing the RPD and VSP's use of tear gas, pepper spray, rubber bullets, and flashbang devices, Mr. Patterson fears for his safety if he continues to protest police brutality in Richmond.

16. Plaintiff Noah Smith is a Virginia resident who attended the protest on June 22-23. Mr. Smith has resided in Richmond for approximately five years and obtained his Bachelor of Science from Virginia Commonwealth University in 2018. Deeply troubled by the police killing of George Floyd and ongoing racial inequalities, Mr. Smith joined multiple protests in Richmond over the past weeks to advocate for increased government funding to areas like affordable housing, food access, and health care. Mr. Smith attended the June 22-23 protests and, while fleeing, was struck in the arm by a tear gas canister fired directly at him, causing him to lose feeling in his arm. His arm is still bruised and swollen at the time of filing. Mr. Smith also suffers from asthma, and exposure to tear gas and pepper spray at recent protests has exacerbated his symptoms. It is important to Mr. Smith to continue protesting peacefully in defense of civil liberties and human rights, but he is fearful that the RPD and VSP will hurt him if he continues to exercise his rights.

17. Plaintiff Devin Caines is a Virginia resident who attended the protest on June 22-23. He obtained his Bachelor of Arts from Virginia Commonwealth University in May 2019. Although recently unemployed due to COVID-19, Mr. Caines had been working with children with autism and currently volunteers to assist with local COVID-19 relief efforts. Inspired to take action against police violence, Mr. Caines has attended several events supporting the Black Lives Matter movement since May 25, 2020. On the day of the protest, when Mr. Caines began to see

the police assembling in large numbers, he felt anxious and put on protective equipment, including a helmet and safety goggles. Mr. Caines did not threaten violence, nor did he make any physically aggressive or intimidating gestures towards the police. Nonetheless, he was shot at repeatedly with rubber and pepper bullets and was subjected to tear gas and flash bang explosions. Mr. Caines intends to continue protesting, but since the protest on June 22-23, has become afraid of police aggression and worries about future retaliation from law enforcement, causing him trauma and anxiety.

18. Plaintiff organizations have a direct and immediate interest in the issues presented in recent protests and the rights of their members to participate, now and in the future, in such public demonstrations and protests against police violence. This right is enshrined in the laws and traditions of the Commonwealth, including the rights of free speech and assembly. Those rights were violated by Defendants on or around June 22, 2020, and there is an imminent risk of their being violated again at upcoming demonstrations absent immediate intervention by this Court.

19. The individual Plaintiffs all have an interest in the issues presented in recent protests and in their right to participate, now and in the future, in such public demonstrations and protests, a right enshrined in the laws and traditions of this Commonwealth, including the right to assemble with others and the right to freedom of speech. Those rights were trampled by Defendants on or around June 22-23, 2020 and risk being violated again at upcoming demonstrations absent immediate intervention by this Court.

20. Plaintiffs remain committed to protesting police brutality and racial injustice, and to the national movement to protect Black lives. They should be free to exercise their constitutional right to protest and participate in peaceful demonstrations against police brutality in Richmond without becoming victims of police brutality themselves.

21. Plaintiffs bring this action to restrain the City of Richmond, RPD, and VSP from continuing to respond to peaceful protests with unconstitutional force by abusing Virginia's unlawful assembly statute. The Virginia Constitution grants Plaintiffs the right to peaceably assemble without being subjected to crowd-control weapons such as tear gas, pepper spray, flash bang grenades, and rubber bullets, even if they are expressing their condemnation of police practices and budgets.

22. Defendant City of Richmond is a municipal corporation organized under the Code of Virginia. Pursuant to its charter, the City of Richmond "may sue or be sued." *See* City of Richmond Charter, §1.01. It maintains and operates a police force, the RPD. At all times relevant to this action, the City of Richmond acted through its managers and policy makers, including the Chief of Police and other employees of the RPD, and the acts, edicts, and practices of said persons represent the official policies and practices of the Defendant City. The City of Richmond bears legal responsibility under state law for the acts and omissions of RPD police officers in the course of their employment. It is being sued for injunctive relief from the unconstitutional and dangerous policies and practices of its police department that occurred on and around June 22-23, 2020 and which will recur unless enjoined by the Court.

23. Defendant William "Jody" Blackwell ("Chief Blackwell") is an adult citizen and resident of the City of Richmond and Interim Chief of the RPD. He is sued in his official capacity for the planned, unconstitutional use of force against peaceful demonstrators on or around June 22-23, 2020, which will recur unless enjoined by the Court.

24. Defendant Colonel Gary T. Settle is the Superintendent of the VSP and serves as the chief executive officer of the Department. He is sued in his official capacity for the planned,

unconstitutional use of force against peaceful demonstrators on or around June 22-23, 2020, which will recur unless enjoined by the Court.

25. Defendant Richmond Police Department is the primary law enforcement agency for Richmond, Virginia. It is sued for the planned, unconstitutional use of force against peaceful demonstrators on or around June 22-23, 2020, which will recur unless enjoined by the Court.

26. Defendant Virginia Department of State Police is a state law enforcement agency acting as the state police force for the Commonwealth of Virginia. It is sued for the planned, unconstitutional use of force against peaceful demonstrators on or around June 22-23, 2020, which will recur unless enjoined by the Court.

JURISDICTION AND VENUE

27. The Circuit Court has subject matter jurisdiction over this matter under §§ 8.01-184, 8.01-620, and 17.1-513 of the Code of Virginia. Plaintiffs seek injunctive and declaratory relief under the laws and Constitution of Virginia.

28. Venue in this Court is proper under Code § 8.01-261 because the actions subject to the relief requested in this lawsuit occurred in the City of Richmond.

STATEMENT OF FACTS

George Floyd's Murder and the Ensuing Demonstrations

29. On May 25, 2020, George Floyd was murdered in Minneapolis, Minnesota by the police. Mr. Floyd, a Black man, was accused of committing a non-violent offense. During his arrest, Mr. Floyd was on the ground, handcuffed and restrained. One of the police officers then placed his knee—and the weight of his body—on Mr. Floyd's neck, pinning him to the ground. For almost nine agonizing minutes, the police officer pressed his knee into Mr. Floyd's neck as Mr. Floyd gasped for breath and pleaded for both mercy and his mother. Rather than stopping this

horrifying act, other officers pinned his legs or stood by, watching as Mr. Floyd began to die. Some of Mr. Floyd's last words were, "please, please, please, I can't breathe."

30. Mr. Floyd's murder was captured on video by bystanders and broadcast globally, sparking demonstrations in over 2,000 cities and towns around the country and many more around the world.

31. Despite a global pandemic, groups of protestors around the world have gathered to voice their concerns about the systemic injustices perpetrated by law enforcement against Black people.

32. In response to these protests, RPD and VSP have repeatedly exercised overwhelming and unconstitutional force to discourage protestors from exercising their constitutional rights. Based on the alleged unlawful conduct of an unidentified few, Defendants have responded to these protests with curfews, mass arrests, unlawful assembly declarations, and aggressive dispersal tactics, all designed to punish protestors for exercising their rights enshrined in Virginia's constitution.

33. On May 31, 2020, Governor Ralph Northam declared a state of emergency due to "civil unrest" in the City of Richmond, imposing a curfew on its residents between the hours of 8 P.M. and 6 A.M. until June 3.

34. During the first night of the curfew, police used tear gas and pepper spray on demonstrators who were marching downtown from the Robert E. Lee statue on Monument Avenue, and arrested over 200 individuals. On the second night, approximately 30 minutes prior to the curfew, RPD and VSP descended on a peaceful protest at the Robert E. Lee statue, pointing assault rifles and other firearms at the assembly, deploying tear gas and pepper spray at peaceful

demonstrators, using batons, and marching with tactical gear and armor through the gathering of individuals.

35. The following day, on June 2, 2020, Mayor Levar Stoney and then-RPD Police Chief William Smith apologized for these brutal use of force tactics. Mayor Stoney stated, “I apologize, we violated your rights.” Then-Chief Smith added, “We have made mistakes. We are working hard to fix this.”⁶

36. These apologies and promises proved empty. Brutal police tactics against protesters in Richmond continued and the mistakes were not fixed. With public pressure mounting, on June 17, 2020, Mayor Stoney announced that he had requested that then-Chief Smith tender his resignation. Chief Blackwell was announced as the interim chief of RPD.⁷

37. At a press conference on June 18, the new Chief Blackwell conveyed his frustration with the protests, stating that he “didn’t ask for any of this” and that his officers “stand judged” by the protestors. “It frustrates me to no end,” Chief Blackwell stated.⁸

38. On or around June 19, 2020, under Chief Blackwell’s new command, RPD preemptively asserted its authority to declare protests as unlawful assemblies under Va. Code § 18.2-406.⁹ Virginia law defines an unlawful assembly as “three or more persons assembled [to] share the common intent to advance some lawful or unlawful purpose by the commission of an act

⁶ Manzanares, *supra* note 1.

⁷ Morgan Winsor, ABC News, *Richmond Mayor Forces Police Chief to Resign Amid Citywide Protests*, available at <https://abcnews.go.com/US/richmond-mayor-forces-police-chief-resign-amid-citywide/story?id=71292146#:~:text=The%20police%20chief%20in%20Virginia's,police%20chief%20at%20Stoney's%20request>.

⁸ Richmond, *supra* note 3.

⁹ WRIC Newsroom, *After Riots, Richmond Police Issue Reminder of Unlawful Assembly Declaration*, available at <https://www.wric.com/news/local-news/richmond/after-riots-richmond-police-issue-reminder-of-unlawful-assembly-declaration>.

or acts of unlawful force or violence likely to jeopardize seriously public safety, peace or order, and the assembly actually tends to inspire persons of ordinary courage with well-grounded fear of serious and immediate breaches of public safety, peace or order.” To comply with the First Amendment, the Supreme Court of Virginia has construed the definition of unlawful assemblies narrowly to apply to assemblies where there is “clear and present danger of violent conduct.” *Owens v. Va.*, 211 Va. 633, 636-38 (Va. 1971). It is not sufficient that there be an intention on the part of participants to “disturb the peace” or “excite public alarm” or “disorder” — there must be a clear and present danger of violent conduct. *Id.*

39. As detailed below, in keeping with Chief Blackwell’s ominous promise, Defendants have begun abusing Virginia’s unlawful assembly statute to justify aggressive dispersal tactics against peaceful demonstrators engaging in protected expressive activity in public spaces based on group guilt.

Risk of Death or Serious Injury from RPD and VSP’s Crowd Control Tactics

40. The weapons RPD and VSP have been using for “crowd control” purposes during demonstrations, sometimes referred to as “non-lethal” weapons, are more appropriately called “less-lethal” weapons, as government entities and human rights organizations have recognized their use can be fatal.¹⁰

41. The “less-lethal” weapons RPD and VSP have deployed at protestors over this past month include chemical irritants, kinetic impact projectiles, and weapons intended to stun with light and sound.

¹⁰ See U.S. Dep’t of Justice, Office of the Inspector General, Evaluation and Inspections Division, *Review of the Department of Justice’s Use of Less-Lethal Weapons* (May 2009), available at <https://oig.justice.gov/reports/plus/e0903/final.pdf>; United Nations Guidance on Less Lethal Weapons in Law Enforcement (2020), available at https://www.ohchr.org/Documents/HRBodies/CCPR/LLW_Guidance.pdf.

42. The chemical irritants released on protestors by RPD and VSP this month include tear gas (“CS gas”) and oleoresin capsicum spray (“OC” or “pepper” spray).

43. RPD and VSP have deployed chemical irritants both by targeting specific protestors with handheld devices and by launching canisters of chemical irritants into a crowd from a distance, releasing the irritants indiscriminately in every direction.

44. RPD and VSP have also hit protestors with kinetic impact projectiles such as rubber bullets or tear gas canisters aimed directly at protestors.

45. In addition, RPD and VSP have deployed flash-bang grenades against protestors. When these weapons detonate, they generate loud noise and bright light, and sometimes chemical irritants.

46. Tear gas can be lethal. It is known that high-dose exposure in an enclosed space can “lead to the development of airway edema, non-cardiogenic pulmonary edema, and possibly respiratory arrest.”¹¹ More generally, tear gas exposure can have more severe effects on those with asthma such that it can trigger a fatal asthma attack.¹² The death on May 30 of a 22-year-old protestor in Ohio who passed away after being sprayed with tear gas is currently being investigated.¹³ Breathing in tear gas can cause irritation of the nose, throat, and lungs; individuals typically experience choking, trouble breathing, nausea, vomiting, and other symptoms.¹⁴

¹¹ Centers for Disease Control and Prevention, *Toxic Syndrome Description*, available at <https://emergency.cdc.gov/agent/riotcontrol/agentpoisoning.asp>.

¹² Healthline, *How Tear Gas and Pepper Spray Affect the Body*, available at <https://www.healthline.com/health-news/how-tear-gas-and-pepper-spray-affect-the-body#Whatto-know-about-tear-gas>.

¹³ Jim Letizia, *Columbus Investigating Claims Protester Died After Being Exposed to Tear Gas*, available at <https://www.wcbe.org/post/columbus-investigating-claims-protestor-died-after-beingexposed-tear-gas>.

¹⁴ See Healthline, *supra* note 12.

47. Even when not directly lethal, exposure to tear gas has been shown to increase the risk of developing acute respiratory illnesses. A study conducted in 2012 of 6,723 U.S. Army recruits demonstrated that those who were exposed to tear gas had a significantly higher chance of getting an acute respiratory illness such as influenza, bronchitis, and pneumonia than those recruits who were not exposed.¹⁵

48. Pepper spray can be lethal. Between 1990 and 1995, at least 61 in-custody deaths followed police use of pepper spray on suspects.¹⁶ The death on June 4 of a man in federal custody in New York who passed away after being sprayed with pepper spray is currently being investigated.¹⁷ Individuals exposed to pepper spray are likely to experience burning in the throat, wheezing, dry cough, shortness of breath, gagging, gasping, or the inability to breathe.¹⁸

49. Flash bangs can be lethal. Flash bangs are explosives that are intended to stun and disorient people with light and sound, and are designed to temporarily blind or deafen people. The use of these weapons can cause serious injuries, like blowing off appendages, or even death.¹⁹

Heightened Risks of COVID-19 Transmission from Less-Lethal Weapons

¹⁵ Joseph J. Hout, et al., o-Chlorobenzylidene Malonitrile (CS Riot Control Agent) *Associated Acute Respiratory Illnesses in a U.S. Army Basic Combat Training Cohort*, 179 *Military Medicine* 7:793 (2014), available at <https://academic.oup.com/milmed/article/179/7/793/4259353#101149356>.

¹⁶ Mark I. Pinsky, *If Pepper Spray Isn't Lethal, Why All the Deaths?*, L.A. Times (June 18, 1995), available at <https://www.latimes.com/archives/la-xpm-1995-06-18-mn-14572-story.html>.

¹⁷ Sonia Moghe, CNN, *Inmate in Federal Custody Dies After Incident Involving Pepper Spray*, available at <https://www.cnn.com/2020/06/04/us/jamel-floyd-brooklyn-prison-death-pepper-spray/index.html>.

¹⁸ Medical News Today, *What Is Pepper Spray, and Why Is It Dangerous?*, available at <https://www.medicalnewstoday.com/articles/238262>.

¹⁹ Alyssa Fowers et al., Wash. Post., *A Guide to the Less-Lethal Weapons that Law Enforcement Uses Against Protesters*, available at <https://www.washingtonpost.com/nation/2020/06/05/less-lethal-weapons-protests/?arc404=true>.

50. Five doctors from Virginia Commonwealth University (“VCU”) Health sent a letter to RPD on June 23 expressing their concerns that people who have been exposed to chemical irritants are more vulnerable to COVID-19, an acute respiratory illness.²⁰ In the letter, the physicians state they “are horrified to see the use of pepper spray and other chemical irritants against protestors” explaining that its use is “antithetical to the public health guidance for avoiding COVID-19.”

51. When people with COVID-19 are exposed to chemical irritants during a demonstration, this exposure may also increase the likelihood that COVID-19 will spread to other people because of the immediate effect both tear gas and pepper spray have on those who are exposed. By design, part of the incapacitating effect of tear gas and pepper spray is that both can cause lung irritation, causing a person to cough, spit, or vomit.²¹ In addition, people exposed to tear gas or pepper spray suffer from eye irritation that leads them to rub their eyes. Coughing, spitting, vomiting, and rubbing eyes can all lead to the spread of viruses.

52. The use of other less-lethal weapons that cause panic and injury also create the potential for increased COVID-19 spread by compressing large groups of people as protestors and bystanders attempt to flee from the use of force.

53. Seeking medical care for injuries caused by police presents another opportunity for COVID-19 spread, as injured people and people delivering medical care come into close physical contact with one another.

Defendants’ Unconstitutional Actions on the Night of June 22

²⁰ NPR, *Doctors Urge Richmond Police to Stop Pepper Spraying, Gassing*, available at <https://vpm.org/news/articles/14367/doctors-urge-richmond-police-to-stop-pepper-spraying-gassing>.

²¹ Centers for Disease Control and Prevention, *Facts About Riot Control Agents Interim Document*, available at <https://emergency.cdc.gov/agent/riotcontrol/factsheet.asp>.

54. The Plaintiffs, as member organizations and individuals, have been consistently active in the series of ongoing protests against police brutality taking place on the streets of Richmond that began in late May following the death of George Floyd.

55. On the evening of June 22, 2020, approximately 150 people gathered outside of Richmond City Hall for a “teach-in” planned by local college students. The students planned to feature speeches from local community advocates and workshops to teach participants about community demands including reallocating police budgets to social service programs. The demonstrators planned to gather all night in the block of Marshall Street between 8th and 9th Streets, which they dubbed “Reclamation Square,” outside the main entrance to City Hall. Their intent was to create a peaceful space for protestors to learn about the issues while elevating the voices of activists driving the movement against police brutality and racial inequality in Richmond.

56. The “teach-in” continued peacefully into the evening with an atmosphere resembling a friendly gathering. Protestors played music on a loudspeaker, as organizers prepared a large screen for a movie viewing. Protestors set up food, water, mask, and other supply stations.

57. Attendees set up tents in the square and on the street, planning to stay overnight. Participants blocked the intersections between 8th Street and 9th Street with traffic cones and set up bike marshals to protect participants from traffic and the potential use of police cars or violent extremists to drive at or ram them. These ramming tactics have become a disturbingly frequent response to protests against police brutality and racial injustice.²²

²² NPR, *Vehicle Attacks Rise as Extremists Target Protesters*, available at <https://www.npr.org/2020/06/21/880963592/vehicle-attacks-rise-as-extremists-target-protesters>.

58. At all times, protestors ensured that people could exit and enter the space safely. For example, at approximately 5:30 p.m., a city worker needed to move his car out of the space within the barricade. The bike marshals ensured he was able to safely do so in a timely manner.

59. Plaintiffs did not witness any violence or threatened violence directed at any person or property. Plaintiffs did not witness any objects thrown in the direction of police officers or any other immediate threat to the law enforcement officers.

60. At approximately 12:42 A.M. on June 23, without sufficient cause, the RPD declared the event an unlawful assembly. According to a Twitter post by RPD, the unlawful assembly was declared due to “conditions of activity such as sit-ins, sit-downs, blocking traffic, blocking entrances or exits of buildings that impact public safety or infrastructure.”²³

61. Around the same time, RPD officers on the scene used a megaphone to declare the protest an “unlawful assembly.” This warning was repeated at least one additional time. While making these announcements, officers also flashed high-beam lights into the eyes of protestors and Plaintiffs reported hearing projectiles being fired at some protestors.

62. Soon after this announcement, law enforcement officers began advancing and escalating their use of force, including using tear gas, pepper bullets and flash bangs indiscriminately against the crowd. Police also tackled, grabbed, and shoved protestors as they advanced.

63. Trapped by tear gas, blocked by officers lining the sides of the street, and obstructed by buildings and barricades, the protestors began to scream and gasp for air in panic. Many

²³ Richmond, *UPDATED: Overnight Police Declare Reclamation Square Encampment an Unlawful Assembly, Disperse Crowd with Chemical Agents*, available at https://www.richmond.com/news/local/updated-overnight-police-declare-reclamation-square-encampment-an-unlawful-assembly-disperse-crowd-with-chemical-agents/article_d9827a4c-1008-5bad-8327-9ca0b00745e5.html.

removed COVID-19-protective masks in desperation. This panic was captured on video by protestors at the scene.

64. Following this unprovoked escalation by police, protestors and others in the area quickly retreated. Soon there were a larger number of police officers remaining than protestors.

65. As the protesters retreated, officers continued firing chemical irritants and projectiles at them, including firing canisters of tear gas directly at protestors. Plaintiff Smith was hit by a canister, leaving his arm numb, bruised and swollen. Plaintiff Smith also suffers from asthma and has experienced exacerbated symptoms caused by his exposure to chemical irritants, including severe irritation of his lungs, making it difficult for him to breathe.

66. As detailed above, on June 22-23, 2020, the RPD and VSP violently attacked persons assembling peacefully to protest police violence without provocation or legal cause, in violation of their rights under the Virginia Constitution.

67. No facts support a finding that the protestors on June 22-23 were engaged in an “unlawful assembly,” let alone posed a “clear and present danger of violent conduct.” Thus, the RPD had no legal basis to declare the protest in question an unlawful assembly under Virginia Code § 18.2-406, nor did the RPD and VSP have any legal basis to use indiscriminate, untargeted force to disband those gathered.

68. As a result of Defendants’ use of unlawful use of force against protestors, Plaintiffs fear their rights to free speech and assembly in Richmond are at risk. In light of the ongoing nature of the protests in the wake of George Floyd’s death, as well as the unfortunate likelihood of additional incidents of police force against protesters, injunctive relief is necessary to prevent both bodily injury to Richmond residents and the constitutional injury of a chilling effect on speech. Plaintiffs have no adequate remedy at law.

COUNT I – VIOLATION OF RIGHT TO PEACEABLY ASSEMBLE

Virginia Constitution Article I, Section 12

69. All prior paragraphs are incorporated herein by reference.

70. Plaintiffs have a fundamental right to assemble under Article I, Section 12 of the Virginia Constitution.

71. Defendants' violent actions were not a reasonable regulation of the time, place, or manner of Plaintiffs' constitutionally protected activity. The actions were not justified by a compelling or even substantial government interest. Even assuming, *arguendo*, that there was a compelling government interest in dispersing peaceful protestors, Defendants' actions on June 22-23 were not narrowly tailored to serve that government interest in a lawful manner.

72. Using crowd control weapons and equipment, including but not limited to tear gas, flash bang explosives, rubber bullets, and pepper spray indiscriminately on crowds of peaceful protestors is an astonishing assault which violates the right to assemble under the Virginia Constitution.

73. The continued threat of such violent tactics has in fact chilled Plaintiffs' and their members' ability to assemble peacefully by placing them at risk of bodily injury if they choose to assert their right to be heard collectively and publicly.

74. Given that this unlawful use of force has occurred multiple times since June 1, 2020, and is likely to occur again, Plaintiffs are entitled to a court order enjoining this misuse of force by the police. Such injunction is necessary to prevent both immediate bodily injury and the constitutional injury of a chilling effect on the right to assembly.

75. Plaintiffs seek a temporary injunction until a trial on the merits can be held.

COUNT II – VIOLATION OF RIGHT TO FREEDOM OF SPEECH

Virginia Constitution Article I, Section 12

76. All prior paragraphs are incorporated herein by reference.

77. Plaintiffs have a fundamental right to freedom of speech under Article I, Section 12 of the Virginia Constitution.

78. Defendants' practice of firing tear gas grenades, shooting rubber bullets and pepper balls, and hurling flash bang explosives at those assembled to protest police violence, is a use of unwarranted force in reaction to their protected speech and violates Article I, Section 12 of the Virginia Constitution.

79. The continued threat of such violent tactics only serves to chill protected speech and dissuade peaceful protestors from engaging in their constitutional right to express their views and has in fact chilled Plaintiffs and their members and makes them fearful to participate in future demonstrations.

80. Given that this aggressive use of force, including chemical agents, on peaceful protestors has occurred multiple times since June 1, 2020, and is likely to occur again at future demonstrations, Plaintiffs are entitled to a court order enjoining this misuse of force by the police to punish peaceful protests.

81. Plaintiffs seek a temporary restraining order until a hearing on the merits can be held.

COUNT III – DECLARATORY JUDGMENT

Va. Code § 8.01-184

82. All prior paragraphs are incorporated herein by reference.

83. There exists a real and justiciable controversy between the parties as to the violation of Plaintiffs' rights under Article I, Section 12 of the Virginia Constitution and the application of Va. Code § 18.2-406 regarding the declaration of an unlawful assembly.

84. The General Assembly may not pass "any law abridging the freedom of speech . . . nor the right of the people peaceably to assemble, and to petition the government for the redress of grievances." Va. Const. art. 1, § 12.

85. Police are authorized to declare an unlawful assembly under Virginia Code only upon a finding that "three or more persons share the common intent to advance some unlawful or unlawful purpose by the commission of an act or acts of unlawful force or violence . . ." Va. Code § 18.2-406. This requires a finding of "clear and present danger of violent conduct." *Owens v. Va.*, 211 Va. 633, 636-38 (1971). It is not sufficient that there be an intention on the part of the participants to "disturb the peace" or "excite public alarm" or "disorder"—there must be a clear and present danger of violent conduct. *Id.*

86. Assemblies that do not meet this standard are presumptively lawful, and the government's use of force to quell these assemblies violates Article I, Section 12 of the Virginia Constitution.

87. There was no basis for issuing an unlawful assembly declaration on June 22-23, 2020. Protestors were at all times peaceful and attending speeches, workshops, and movie viewings during the demonstration. The RPD's own official Twitter account asserted the unlawful elements of the assembly included only "sit-ins, sit-downs, blocking traffic, blocking entrances or exits of buildings that impact public safety or infrastructure." This plainly does not constitute an unlawful assembly under the Virginia statute, let alone rise to the required "clear and present danger of violent conduct" threshold permitting the declaration of an unlawful assembly.

88. Therefore, Plaintiffs seek a declaration from this Court pursuant to Va. Code § 8.01-184 declaring that the manner and method employed by Defendants, as alleged herein, in implementing a declaration of unlawful assembly was unlawful and violated Plaintiffs' freedom of speech and assembly rights under the Virginia Constitution.

89. Specifically, Plaintiffs seek a declaration that:

- a. The June 22-23 incident did not pose a "clear and present danger of violent conduct;"
- b. The RPD's unlawful assembly declaration at the June 22-23 incident was itself unlawful;
- c. The RPD's unlawful assembly declaration was merely pretext for an unlawful use of force motivated by an attempt to suppress the Plaintiffs' message, thereby chilling their protected free speech and right to assemble;
- d. The manner in which Plaintiffs were forcibly dispersed on June 22-23 violated their rights under the Virginia Constitution.

90. Given that Defendants have repeatedly issued unlawful assembly declarations against lawful protests against police brutality and are likely to do so again, Plaintiffs are entitled to a court order enjoining the manner and method of issuing and communicating the dispersal order that RPD issued on June 22, 2020.

91. Plaintiffs seek a temporary restraining order until a hearing on the merits can be held.

PRAYER FOR RELIEF

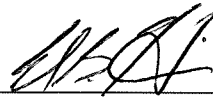
Plaintiffs respectfully request that the Court order the following relief:

1. Entry of temporary and permanent injunctive relief requested on a finding that Defendants have violated Plaintiffs' rights under the Virginia Constitution, Article I, Section 12;
2. Entry of a declaratory judgment as to the misuse of the declaration of unlawful assembly and subsequent dispersal orders;
3. Award Plaintiffs their costs of suit, including reasonable attorneys' fees; and,
4. Award Plaintiffs such other relief as may be just and proper.

TRIAL BY JURY IS DEMANDED

Dated: June 26, 2020

Respectfully submitted,



Eden B. Heilman (VSB No. 93554)
Nicole Gloria Tortoriello (VSB No. 91129)
Vishal Agraharkar (VSB No. 93265)
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Counsel for Plaintiffs

DECLARATION OF DEVIN CAINES

I, Devin Caines, make the following declaration based on my personal knowledge and declare under penalty of perjury that the following is true and correct to the best of my knowledge except where indicated.

1. My name is Devin Caines. I am over the age of 18 years, and competent to give testimony. I graduated from Virginia Commonwealth University in May 2019, where I studied Psychology and History. Although recently unemployed due to COVID-19, I had been working with children with autism. I currently volunteer with mutual aid organizations to assist with COVID relief efforts.
2. Since May 25, there have been regular, nightly protests throughout Richmond in response to systemic injustices endemic to local law enforcement and law enforcement throughout the country directed against people of color. I support the Black Lives Matter Movement and have been following the extreme use of force by law enforcement agents in suppressing these protests over the last several weeks, and I have attended several events supporting the Black Lives Matter Movement and protesting against police violence. I have also previously engaged in environmental activism.
3. I learned about the peaceful protest occurring at Reclamation Square on June 22, 2020 when I saw a poster on display with information about the event. I arrived at the event in the early evening, around 7:30 or 8:00 p.m, where I met up with friends and other participants.
4. I stayed at the protest throughout Monday evening. The event was focused on uniting the community and educating participants. We handed out literature about the movement itself and about supporting the movement through allyship. There was a workshop on how to be a better ally. We played an educational movie and engaged in discussion about various social issues.
5. Although at first we only noticed a couple officers, after some time riot teams and larger numbers of officers appeared. I began to feel anxious and, along with others, put on protective equipment. I wore a helmet and safety goggles. I did not clearly hear the dispersal order, but as I saw the riot police approaching the Square, I joined the line of protesters facing the police. I did not threaten violence or use of force, nor did I make any physically aggressive or intimidating gestures. We used umbrellas as protective equipment as police began to fire, but I quickly retreated. I moved to a spot near a tree in order to film the events. Although I was initially using a flashlight, I put this away in order to draw less attention to myself and move more nimbly.

6. My fellow protesters and I were shot at periodically with rubber bullets and pepper guns for a period of about 40 minutes. They deployed flashbang devices to attempt to disperse the protesters. Over the course of the protest, I was temporarily disoriented and unable to see due to the use of flashbang devices that went off near me. I was also tear-gassed, which hurt my eyes and caused me difficulty breathing.
7. I retreated to someone else's vehicle, where I was driven away from the situation at approximately 2 a.m.
8. I intend to continue protesting, because I believe it is important to continue to demonstrate my support for this movement. I know that many people were scared by the police violence that occurred on June 22 and 23, and the events I have attended since then have had lower attendance as police violence has increased. I share this fear of police aggression and worry about future retaliation from law enforcement, which has caused me trauma and anxiety about my future involvement and police interactions.

Signed: 

Date: 06/26/2020

Devin Caines

DECLARATION OF DIAMANTE PATTERSON

I, Diamante Patterson, make the following declaration based on my personal knowledge and declare under the penalty of perjury that the following is true and correct to the best of my knowledge and belief, except as otherwise noted.

1. My name is Diamante Patterson. I am over the age of 18 years, and competent to give testimony. I have lived in the Richmond, Virginia area for my entire life. I obtained my Bachelor of Arts in Mass Communications, Humanities, and Social Sciences from Virginia State University ("VSU") in 2017.
2. In recent years, I have attended many protests against police violence, including protests organized in response to the killings of Michael Brown and Eric Garner. My interest in social justice also led me to join the Virginia Student Power Network while a student at VSU. Most recently, this interest compelled me to join the thousands of protestors who have taken to the streets of Richmond in the past month to protest for Black liberation and support the Richmond community and its organizers. I also attend protests to learn from others in attendance.
3. To support local organizers of daily demonstrations and join protestors, I frequently go to the Robert E. Lee Monument after I get off of work in the evenings. There, I talk to others about the protests and events taking place that evening.
4. On the evening of June 22, 2020, I first drove to the Robert E. Lee monument. After arriving at approximately 10 p.m., events there appeared to be wrapping up, but others told me there was an event outside City Hall. I remained there for roughly 30 minutes, before skateboarding to the event at City Hall to meet my roommate who was also in attendance. I arrived at Reclamation Square between 10:40pm and 11pm. The demonstration at City Hall continued peacefully into the night, and I didn't see anyone being violent toward anyone else or destroying or threatening property.
5. After a while, the organizers began setting up a large screen to watch a movie. At this time, my roommate and I decided to leave the demonstration and return to our individual cars. Because my roommate's car was parked near City Hall, he offered to take me to my car which was located near the Lee monument.
6. When we arrived at my car, we heard that the police were approaching City Hall. To continue exercising our free speech and assembly rights my roommate and I agreed to return to City Hall in our separate cars. I wanted to return to stand and chant in solidarity with the other protestors and watch the police.
7. When I arrived back City Hall, I encountered some people walking the opposite direction away from City Hall. I walked to the front of the crowd of protestors, and saw a line of police officers standing on the other side of the barricades. The protestors were chanting

and shouting loudly. I did not see anyone physically harm the officers present or throw any objects in their direction. It did not seem that anyone posed an immediate threat to the law enforcement officers.

8. While we were standing opposite the police, I heard the Richmond Police Department use a megaphone to declare the protest an "unlawful assembly." Included in this announcement was the warning that chemical agents would be deployed to disperse the crowd if directions were not followed. I heard this announcement at least two or three times, but it the crowd was chanting loudly so each announcement was harder to hear clearly. While making these announcements, officers also flashed high-beam lights into the eyes of protestors and I heard rubber bullets hitting umbrellas and shields others were holding around me.
9. After several of these announcements, police began deploying flashbangs. These projectiles seemed to land between the barricades and the protestors. Subsequently, the officers began advancing toward the line of protestors. They set up riot shields, and began spraying tear gas at protestors.
10. When the line of law enforcement officers reached the crowd, they pushed attendees back and used teargas to force protestors to retreat. I retreated to 8th Street after feeling suffocated from the tear gas. I remained on 8th Street to try to see if others needed help from the tear gas. The police remained in front of City Hall and continued to be throw tear gas towards 8th Street, so I left the area and returned home.
11. It is important to me that I continue to attend protests and stand with the Richmond community. The police's use of tear gas, pepper spray, rubber bullets, and flashbangs makes me fear for my physical safety when I attend these protests and exercise my free speech and assembly rights. I fear their tactics will continue to escalate and make it even more unsafe to protest in Richmond.

Signed: 

Diamante Patterson

Date: 5/26/2020

DECLARATION OF ISABELLE HAN

I, Isabelle Han, make the following declaration based on my personal knowledge and declare under the penalty of perjury that the following is true and correct to the best of my knowledge and belief.

1. I am the Executive Director of the Virginia Student Power Network (“VSPN”), a role which I assumed on June 2018. As Executive Director, I am responsible for, among other things, overseeing the activities, membership, and events of VSPN, and directing its advocacy efforts. Previously I served as a statewide organizer for VSPN.
2. The Virginia Student Power Network is a multi-issue grassroots network. VSPN works with progressive, young organizers and activists from universities across Virginia who are building power for democratic, diverse, and accessible education in the Commonwealth, as well as social, racial, and economic justice on our campuses and beyond. We are a “hub” project of New Virginia Majority, from which we receive financial and organizational support.
3. To meet these objectives, we worked with forty-one fellows across eight campuses in Virginia during our 2019 to 2020 cycle. These fellows register voters, engage in public education, encourage other students and community members to engage in advocacy, organize protests and rallies. Fellows are paid either hourly or on a stipend basis to complete these various activities. Our staff members support them with mentorship, training, political education, advice, and supplies.

4. In Richmond specifically, we continue to engage with ten fellows who have worked with Virginia Commonwealth University and Virginia State University. These fellows work directly or indirectly with thousands of individuals, including students on their campuses, protesters, and countless other members of the community.

5. Although our fellows work to organize year-round, in the wake of national action to end police brutality, our fellows felt it was important to engage in this movement in the Richmond community. Our fellows have been organizing several actions and protests in Virginia in support of this movement in the weeks after the death of George Floyd, with increasing focus in June 2020. The purpose of these events has been to raise awareness of social injustices, inequities in the criminal legal system, and advocate for an end to violence, specifically against Black people and communities of color. Our fellows' aim has been to promote education and awareness of these issues, and demonstrate solidarity with the community.

6. During the weekend June 20, our fellows began planning a sit-in outside City Hall in Richmond. The students sought to create a space for political education around defunding the police and for healing from the recent traumas so many protesters have endured throughout the city. They chose June 22 to coincide with the City Council meeting that evening. They coordinated with individuals who were marching from Monroe Park to City Hall who would arrive at and join the sit-in.

7. Leading up to the event, our fellows put together educational materials, identified speakers from different organizations and efforts throughout Richmond, and coordinated logistics around food and supplies for those who would attend.

8. It was crucial to our fellows that they create a safe, peaceful place for community members to come together to learn and heal. Their plan was to sit peacefully outside City Hall overnight, and they chose to refer to the space they occupied during this time as Reclamation Square. Based on my conversations with VSPN staff and fellows, the following account is my understanding of the events of June 22.

9. At approximately 5pm, fellows and other participants began setting up outside City Hall on Marshall Street between 8th and 9th Streets. They created food, water, mask, and other supply stations for participants, and erected tents in the street. Participants barricaded the block at the intersections between 8th Street and 9th Street with traffic cones and set up bike marshalls to protect participants from traffic and potential use of police cars to drive at or ram them.

10. Other participants served as bike marshalls by these blockades to ensure that people could exit and enter the space safely. For example, at approximately 5:30 p.m., a city worker needed to move his car out of the space within the barricade. The bike marshalls ensured he was able to safely do so in a timely manner.

11. At the start of the event, organizers disseminated and discussed norms for the space that included sobriety and a bar on any gender-based violence or harassment. Afterward, several speakers addressed the crowd from the steps of City Hall. There was a break for dinner, and

then participants broke into different workshops. While the educational workshops were proceeding, a heavy rainfall started. Nonetheless, many participants were eager to remain and continue engaging. During this time, one of VSPN's staff members at the event ordered additional pizza for participants and organized drop offs of supplies from local community members and supporters, including blankets, pillows, and ponchos.

12. After the rain subsided, participants prepared to watch the movie "Do the Right Thing" and settle down for the night. While the projector was being set up, one of our staff members and the students were informed that police were starting to congregate in the streets surrounding Reclamation Square. Students began disseminating plastic face shields and ear masks to participants in anticipation of the aggressive use of tear gas, pepper spray, and flash bangs that the Richmond Police Department ("RPD") and Virginia State Police ("VSP") had deployed in previous protests.

13. Our staff member left the scene before the police arrived, but received text messages and saw social media posts from students and community members that described or showed the police deploying tear gas, then shooting rubber bullets into the crowd of participants, spraying them with pepper spray, and then tear gas again. Students made dispersal plans and prepared to leave, and all of our members were able to leave the scene by approximately 1:30am, if not earlier.

14. Based on conversations and communications with VSPN staff members and our fellows, I expect that RPD and VSP's continued use of excessive force tactics will be a major barrier to our fellows exercising their free speech and peaceful assembly rights. For example, I am

aware of the following VSPN fellows and students who are regular organizers of or participants in protests, but may not be able to continue to participate in future actions:

- a. Taylor Maloney is a general member of VSPN and has been involved in organizing efforts since approximately March 2020, and is a rising senior studying political science at VCU. She became affiliated with VSPN through VCU Student Power, which works in collaboration with the organization. She has been helping to coordinate organizing events, including the town hall event planned on June 22. She assisted with coordinating speakers, helped set up physical materials prior to the event and at the event itself. At approximately 2pm on June 22 she began preparation for the event in coordination with other members, including banner preparation, developing educational materials, collecting supplies, and coordinating final logistics. Taylor joined other protesters at Monroe Park and walked to City Hall at approximately 5pm. Upon arriving at City Hall, she continued to assist with event logistics and speak with other participants regarding her views on policing, on the history of the Black movement, and the evolution and legacy of the protest movement. Participants shared food and conversation, and had begun to prepare for the screening of a movie. Those who were participating in the event wanted to avoid police confrontation and had the explicit goal of peaceful educational engagement. It was then that Taylor and others began to notice police congregating on the block, and shortly thereafter the officers made an announcement to disperse. She heard the announcement, but no other information was given about why the participants

had to disperse or why the activity was unlawful. Within about ten minutes, she recalls police began to use bright lights to disorient individuals and began to bypass the protective barriers that the event participants had been put in place. The police first used flashbangs and then began to deploy tear gas and rubber bullets, advancing into the crowd and dispersing these chemical agents indiscriminately. Taylor remained long enough to ensure her fellow organizers and other individuals were able to escape safely before fleeing herself in a nearby vehicle. She left the scene at approximately 1:30am. She is now weary about participating because of the fear of use of excessive force and unnecessary confrontation with the police.

- b. Naomi Isaac is a member of VSPN and has been involved in their planning for about a year. They currently live in Richmond and study Political Science at Virginia State University. They frequently conduct organizing, especially in Central Virginia, on issues of racial justice. Naomi was involved in planning the Reclamation Square event in an effort to promote accountability for city leaders on issues of racial equity. They were motivated to participate to ensure their voice and those of others were included in reform efforts and to demand change in response to the current crisis. They arrived directly at City Hall at approximately 6pm and assisted with speakers, public education efforts, and logistics for activities, including a healing circle and film screening. At approximately 7pm some officers began to arrive in the area, with additional reports that more officers were congregating on the opposite side of the City Hall building, with those

reports becoming more frequent and the number of officers increasing throughout the evening. Naomi believes it was around midnight or sometime after that officers made the announcement of an unlawful assembly on a loudspeaker. Within about 20 to 30 minutes, they recall the deployment of pepper balls, then proceeded the launch of tear gas and rubber bullets. Officers began to approach the participants prior to and while these chemical agents were being dispersed. Naomi made efforts to evacuate themselves and others in their vehicle, in order to ensure the safety of others who had participated in the event, and left the area at approximately 1:30am. Naomi has asthma and, as a result of their presence that evening, began coughing and experiencing tightness in their chest, which along with an itchy throat, continued into the next day. They later developed a rash and bump on their skin, with swelling in different parts of their body, also until the next day. They and several other participants had to remove their COVID-19 protective face coverings in order to breathe more easily. Naomi has vivid and terrible recollections of the event and feel traumatized at the brutality they experienced. They have felt vulnerable and intimidated, in fear of exercising their free speech and assembly rights in the future. They have also felt limited in their ability to plan future events because of the fear of retaliation and indiscriminate use of force despite peaceful and lawful presence.

15. I am also personally aware of other Virginia protestors who are not VSPN fellows or affiliated students but who have been discouraged from exercising their free speech rights.

16. Because the threat of continued police violence exists, VSPN has already diverted and will need to continue to divert resources from its public education and organizing activities to ensuring fellows and event participants can exercise their First Amendment rights safely. VSPN has had to purchase an additional megaphone, which serves to enhance safety and coordination, when their prior one was confiscated by police. This may also include purchasing protective supplies in the future to reduce the harmful health effects of RPD and VSP's weapons at VSPN events in order to safeguard participants' exercise of their rights. If RPD and VSP stopped using these weapons and tactics on peacefully assembled protestors, VSPN could spend less of its resources providing these supplies and time advising students on how to protect themselves from police violence, and more on its other critical activities including supporting fellows in future public education and advocacy events.

Signed: Isabelle Han

Date: 6/26/2020

DECLARATION OF NOAH SMITH

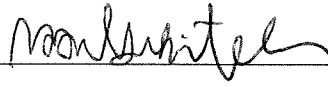
I, Noah Smith, make the following declaration based on my personal knowledge and declare under the penalty of perjury that the following is true and correct to the best of my knowledge and belief, except where otherwise noted.

1. My name is Noah Smith. I am over the age of 18 years, and competent to give testimony. I have resided in Richmond, Virginia for approximately the past five years, and obtained my Bachelor of Science in Physics from Virginia Commonwealth University in 2018.
2. Over the past few weeks, I have joined multiple protests in Richmond to protest systemic injustices by law enforcement against Black, Indigenous, and people of color.
3. For example, on Sunday, June 14, 2020, I attended an organized protest with a friend. The protest march began at Monroe Park, continued to Franklin Street and ended directly in front the Richmond Police Department Headquarters. I remained on the outskirts of the crowd, on the sidewalk. During the protest, I saw a line of law enforcement officers facing the crowd and behind that line a few law enforcement officers surrounding a protestor. Law enforcement officers also began making announcements that I was unable to hear over the noise of the crowd. I took a few steps off the sidewalk and into the road to get a good angle to film the police officers surrounding the protestor when I was pushed backwards and maced multiple times in the eye area by a law enforcement officer. The badge numbers of law enforcement officers in the area were not visibly clear to me. While retreating, I had intense pain in my eyes, and was going through waves of losing my vision and being able to see again. Other protestors helped guide me to a nearby apartment, and. I went home once I was able to see again. It was not until I took a cold shower that I could see clearly again, and the effects lasted at least a day.
4. On the evening of June 22, 2020, I attended another peaceful protest, organized to encourage community support for marginalized people, political education, and policing reformation. This protest took place outside City Hall in a space referred to by participants as "Reclamation Square." I was concerned about getting maced again, so I brought ski goggles and wore an n95 mask and bandana over my mouth and nose to try to protect myself from the effects of pepper spray or tear gas. I also wore ear plugs out of concern for the use of flashbangs or other audio devices used by law enforcement. I attended the protest to exercise my rights to free speech and protest to advocate for a creation of a more compassionate city that allocates enough funding to areas like affordable housing, food access, health care, and other community programming.
5. I attended the June 22nd protest alone with the understanding that other individuals I knew would also be in attendance, including my roommate. Initially, I went to the Robert E. Lee Statute for a short period before arriving at Reclamation Square at approximately 10:20pm. Upon reaching the protest, I stood among others peacefully in front of the City Hall Building. The protest continued peacefully into the evening, and was a a friendly gathering.

Music played on a loudspeaker, as organizers prepared a large screen for the viewing of Spike Lee's "Do the Right Thing" and attendees had set up tents earlier to camp out in Reclamation Square.

6. Just before midnight, I returned to my vehicle nearby. At 12:14am on June 23rd, I drove my roommate to his car at the Robert E. Lee Statute, before returning to Reclamation Square shortly before 12:42am. I joined the protestors outside of City Hall.
7. At 12:42am, the Richmond Police Department used a megaphone to declare the protest an "unlawful assembly." Roughly five to ten minutes after this announcement, law enforcement officers began to use various forms of force to disperse the crowd and shine bright lights at the protestors. In my experience, these bright lights can severely darken videos and prevent clear footage. I did not see anyone threaten or harm an officer prior to the unlawful assembly announcement and this use of force. I witnessed law enforcement officers use pepper bullets and flashbangs indiscriminately against those present. Officers also knocked down barricades to approach attendees.
8. Protestors, and those in the area, began to retreat following the police escalation of the demonstration. I retreated at this time, while video recording the scene and ensuring that others were safe in their departure. There were a larger number of police officers remaining than protestors. Most attendees retreated following the deployment of projectiles and the police line advancing.
9. As attendees continued to retreat, officers began firing cannisters directly at protestors. These cannisters exploded after hitting the ground, and some emitted an extremely loud noise and flash of light, while others released tear gas. Even with ear protection in, the noise was incredibly loud and caused minor and temporary tinnitus. I was struck in the arm by one of these cannisters, which caused me to lose feeling in that arm. After regaining feeling, I returned to my vehicle to leave the area and return home. I was also affected by the tear gas deployed by officers, and continued to cough heavily while returning to my car and driving home. The arm that was struck on June 23rd was bruised and swollen for the next several days, and is still tender to the touch.
10. It is important to me to continue protesting to defend civil liberties and human rights. The force used by police, however, makes me nervous for my safety when exercising my free speech rights. I feel particularly at-risk because I have asthma. Exposure to tear gas and pepper spray at recent protests has exacerbated my symptoms, severely irritated my lungs, and made it more difficult for me to breathe. The police's use of force at the events I have attended have been traumatizing to me – I have had multiple nightmares and am in a constant state of worry for myself and the other protesters. I am also very concerned about being shot in the head or eye by a rubber bullet or cannister, which I believe could kill or seriously injure me. I want to continue to attend peaceful protests in the future, but

I am concerned that police will continue to use weapons against protestors and I will be hurt.

Signed: 

Noah Smith

Date: 6/26/2020

DECLARATION OF WILLIAM DANIELL, MD, MPH

I, William Daniell, declare and state as follows:

1. I am an occupational and environmental physician and epidemiologist. My curriculum vitae is attached herein. I am an Associate Professor Emeritus at University of Washington (UW), School of Public Health. I formally retired from UW in 2016, after approximately thirty years in tenure-track faculty positions. Initially I was in the Department of Medicine at Harborview Medical Center (1986-91), and then in the Department of Environmental & Occupational Health Sciences (DEOHS; 1986-2016). I continue to work and volunteer in faculty roles at UW on a part-time basis, particularly in the Community Oriented Public Health Practice Masters in Public Health (MPH) Program.

2. I received my MD degree at Tufts University (1979). I did my residency in internal medicine at University of California Irvine Medical Center (1979-80) and at the Boston VA Medical Center (1981-83). I received my ABIM certification in internal medicine (1984). I also completed my MPH degree and residency in occupational medicine at University of Washington (1984-86). I received my ABPM certification in preventative medicine, with a specialty of occupational medicine (1988).

3. I have maintained an active medical license in the State of Washington since 1984. I was clinically active until about 1991-94, particularly in internal medicine and in occupational and environmental medicine. After 1991-94, my primary professional focus has been public (or population) health. I have been a voting member of the King County Board of Health, in the environmental health professional position, since 2015.

4. My full-time faculty position in UW School of Public Health (1991-2016) involved teaching, research and service responsibilities. My research used field, clinical and/or existing database epidemiologic methods to examine a variety of topics, such as: cognitive and other effects of occupational exposures to pesticides or organic solvents; occupational and community noise-induced hearing loss; arsenic and lead contamination in Southeast Asia; and other topics.

5. I was Interim Associate Medical Director (1994-95) and Affiliate Medical Consultant (1996-99) for Washington Department of Labor & Industries (DLI), where I assisted DLI workplace safety & health inspectors and consultants, particularly for situations involving chemical exposures or fatalities.

6. I was a member of two Institute of Medicine committees and expert panels on the Gulf War and Health, focused on pesticides and organic solvents (2001-03) and the chemical warfare agent, Sarin (2003-04).

7. The conclusions or opinions stated herein are my own, and they do not necessarily represent stances of my affiliated institutions.

“Less Than Lethal” Weapons

8. “Less than lethal” weapons are often used by law enforcement to disperse, stun or otherwise manage crowds where there is purported improper activity. These “less than lethal” weapons can include: tear gas, pepper spray delivered by grenade or other dispersal means (chemical pain weapons); blast balls or flash-bang devices (stun weapons); and rubber bullets (physical impact pain weapons).

9. The commonly used term, “non-lethal” weapons, and the less frequent “less than lethal” or “less lethal” terms, are euphemisms. First, saying non-lethal or less-than-lethal can inappropriately connote that the weapons are relatively benign. For example, if someone drops an anvil on a person’s foot, the outcome will probably be non-lethal, but one can readily anticipate that it will produce excruciating pain and possible permanent disability. The same can be said for chemical pain weapons, physical impact pain weapons, and stun weapons. Labeling a device as non-lethal does not convey the actual degree of potential morbidity, and this messaging might desensitize police, officials or the public against viewing these devices as potentially harmful weapons.

10. I encourage greater use of non-euphemistic terms for “non-lethal” weapons that better convey the potential seriousness of deployment. For example, “chemical pain weapons,” “physical impact pain weapons,” and “stun weapons.”

11. Each of the aforementioned devices is capable of causing death or serious and possibly permanent morbidity, either as a direct or proximate consequence of exposure to the device or its components.

12. The international community, including the United States, formally recognizes chemical agents such as tear gas and pepper spray, as inappropriate for military offensive or crowd management purposes in warfare.

13. These agents have been banned as a method of warfare. As stated by Schep and colleagues, “Since the Entry Into Force of the Chemical Weapons Convention in 1997, these agents have been banned as a method of warfare. However, under a 1975 presidential order, the US military can still use these agents in war zones under limited defensive circumstances with the approval of top military commanders, for example, for controlling rioting prisoners.” (British Medical Journal: Military Health [formerly J R Army Med Corps] 2015;161:94-99).

14. While the Chemical Weapons Convention and the substantial limitation on riot deployment do not apply to civilian situations, it nonetheless conveys the potential seriousness of using such “non-lethal” weapons in any setting.

Chemical Pain Weapons

15. There is more than one “lacrimating” or “lacrimatory” (tear-causing) agent used for crowd management. The most well-known as tear gasses utilize the chemical agents, 2-chloroacetophenone (CN) and o-chlorobenzylidene malonitrile (CS). Pepper spray (oleoresin capsicum, OC; active agent, capsaicin) is often distinguished separately from tear gas, in part because it has different physical properties and is usually delivered differently.

16. Tear gas is often delivered by a launched grenade or fogging device, but can be delivered by handheld spray device.

17. Conversely, pepper spray is often delivered by handheld spray device, and increasingly as projected pepper balls, and also can be delivered as a grenade or fog.

18. Tear gas agents (CN, CS) are relatively water soluble, whereas the active component of pepper spray (and pepper balls) is oil-like.

19. For the affected victim, this difference means that CN or CS tear gas's effects on eyes can be relieved efficiently by water irrigation. In contrast, pepper spray is relieved slowly by water irrigation, and water can cause transient worsening if it spreads the oil-like agent to adjoining skin, the other eye, or nasal or oral mucous membranes. Although irrigation with water is the first response treatment for either agent, other treatment modalities are arguably better when available for pepper spray, such as spray or irrigation with milk or non-flavored antacid (e.g., Milk of Magnesia) diluted with water, or irrigation with aqueous saline solution.

20. In spite of these distinctions, all of these agents (CS, CN, OC) are lacrimating agents, where the primary effect is to cause skin and mucous membrane irritation, especially the latter, producing eye tearing, eye pain, nose and throat pain, runny nose, and coughing.

21. The eye pain induced by pepper spray can be excruciating. To give a sense of the degree of pain, the Scoville organoleptic scale, which measures perceived heat in chile peppers, typically places pepper spray in the highest Scoville pungency (pain) ratings.

22. Imagine the hottest chile pepper you ever ate, then imagine an even hotter one that you would never eat, and then imagine touching that sliced pepper and inadvertently sticking your finger in your eye. That is what a small dose of pepper spray is like.

23. The eye irritation from tear gas depends on degree of exposure. The irritation can also be very painful, but is typically less concentrated and less painful than pepper spray delivered to the eyes. The eye pain from tear gas generally resolves sooner, in minutes to hours but possibly persisting days, compared to pepper spray, which may require hours to days before relief is complete.

24. All of these agents are reported capable of causing transient eye injury (e.g., chemical burn), secondary infections of the eye, or permanent eye injury (e.g., corneal scarring). There is also evidence that tear gas can have systemic toxic effects.

25. Deployment of chemical pain weapons is non-discriminatory, in the sense that anyone in range of the dispersed weapon may suffer consequences. A tear gas grenade launched into or near a crowd is as likely to affect a peaceful protester as an alleged vandal or looter

immersed within the crowd. Although pepper spray and pepper bullet balls can be more specifically targeted toward an individual, actual deployment can be relatively crude.

26. Handheld pepper spray devices are commonly deployed in a sweeping motion across a collection of people, commonly at face height. Bullet balls shatter and the pepper content is dispersed in the nearby area.

27. Tear “gas” is not a true gas. A gas would progressively dilute in air or blow away, and be relatively non-persistent. The active components of tear gas can persist in solid form, settle out in the local environment, and be re-suspended by physical activity (e.g., walking or driving) in that area for hours or days. The agents can also drift in wind or air currents into adjoining residential or commercial buildings, with resultant irritant effects on building occupants who may have had nothing to do with the alleged improper activity that led to chemical pain weapon deployment.

28. Intense tear gas exposure can occur if a victim cannot readily escape the situation or is trapped in a relatively confined space, such as a dead end alley or narrow passage. Acute intense exposure to tear gas can increase the likelihood of deeper penetration into respiratory airways, producing substantial irritant effects with shortness of breath and coughing, and potentially interfering with lung function.

29. Though uncommon, this might cause chemical pneumonitis. Impaired oxygenation also might trigger an acute and potentially serious or fatal medical event in a person with underlying common chronic conditions, such as asthma or heart disease.

30. In addition to their direct effects, chemical pain weapons also can have proximate effects. For example, a person who falls because of acute visual impairment, imbalance, disorientation, or crowd chaos from tear gas (or pepper spray) exposure, and then suffers a serious or lethal consequence of the fall.

31. Additionally, if a person is directly in the path of a launched device – whether it is a chemical dispersal, stun or physical impact device – and is struck directly, that device can cause acute trauma. Head injury is probably the most dangerous outcome. This is particularly a concern

for devices that are launched from elevated positions or in an arcing pathway launched from the ground, where crowd members' heads are first in line along the final projectile pathway.

Stun Weapons

32. There are a variety of stun weapons, such as flash-bang devices and stun grenades. These devices explosively produce intense loud noise and/or bright flashes of light.

33. The main goal of stun weapons is to disrupt crowd behavior and maneuver crowds away from the site.

34. Stun weapons are properly considered to be weapons, with readily anticipated although usually transient effects on human abilities, risk of secondary injury, and possibly longer-term or even permanent effects on health.

35. The loud noise can cause partial deafening or tinnitus (ringing in ears), which is usually transient but can be permanent.

36. The light flashes can create temporary blind spots in a victim's visual field and loss of night vision.

37. An important and predictable effect is crowd confusion and chaos, complicated by transient effects on vision and hearing, with the secondary risk of falling or other physical injury (and inattention to social distancing).

Physical impact pain weapons

38. The category of physical impact pain weapons includes rubber bullets, bean bag guns, and similar weapons. Their purpose is to hit people from a distance with a projected item that is less likely to cause enduring harm than a higher-speed metallic bullet from a conventional firearm.

39. It is indisputably painful to be struck by a projected rubber bullet or bean bag, particularly at a close distance. The resultant pain and likelihood of physical injury depend on the type of device, distance between operator and victim, and the location of body impact.

40. Some "rubber" bullets are inaptly named and may contain rigid or metal components.

41. Impact with the head is most dangerous. Head trauma can be serious, critical or fatal. Bruising and possible bone fracture can occur at any impacted body site. Internal organ injury is possible, although not common.

42. There are proximate risks for physical impact weapons as well, such as the risk of falling down or against a fixed object after impact, with resultant risk of secondary injury.

43. Although individual humans may be identified and targeted by the weapons operator, accuracy is limited and targeting is relatively non-discriminating.

44. The scatter (target inaccuracy) of bean bag guns is relatively wider than for rubber bullet guns, and both are substantially less accurate (but less lethal) than conventional firearms with metallic bullets.

45. This relative inaccuracy means that, even if a rubber bullet or bean bag is targeted at a specific individual, the projectile can easily go astray and, in a crowd, is likely to hit another person nearby or beyond the targeted person.

46. Bean bag guns are sufficiently inaccurate that they may be purposefully used as a blunt instrument similar to a shotgun, indiscriminately targeting any individual in a crowd.

47. In addition, deployment strategy for pain weapons (chemical and physical) can be inconsistent and discriminatory. For example, there are few if any recent reports in the news about law enforcement utilizing pain weapons against protesters bearing semiautomatic weapons, even while occupying a state capitol building, to speak out for their Second Amendment rights to bear arms or against social restrictions during a pandemic. In contrast, pain weapons have been frequently used against unarmed political protesters, particularly people of color.

The Coronavirus Pandemic

48. The risks of serious health effects from use of pain and stun weapons are substantially greater now during the coronavirus pandemic, compared to similar situations in pre-pandemic times.

49. Although the mechanisms of coronavirus spread are still poorly understood, there is information that we can tentatively extrapolate from aerosol science, infectivity and spread of better-characterized infectious microorganisms, and the survival of coronavirus in indoor and outdoor environments.

50. A substantial and unknown fraction of people in the general population are infected with the SARS-associated coronavirus, SARS-CoV-2 (which causes the disease, COVID-19). Many of those people are asymptomatic but still capable of spreading the disease to others. Some people may feel compelled by principle to join protests, even if they are mildly unwell. Their mild illness, after all, is most likely simply a cold, though it could be an early manifestation of COVID-19 illness.

51. Some coronavirus “superspreading” events have been described, particularly in settings where moderate to large numbers of people gather for periods of an hour (or so) or longer, social distancing is not maintained, face covers are not used, and at least one person is unknowingly infected with coronavirus. At one church in Mt. Vernon, Washington, for example, more than 50 people became infected after a 2.5-hour choir practice [Hamner L, et al. Morbidity and Mortality Weekly Report (MMWR) 2020 (May 15): 69(19):606-10]. Singing was speculated to be a contributing factor, by producing more respiratory aerosols and in an enclosed indoor space, than might have otherwise occurred.

52. Some common protest activities, such as chanting and shouting, are likely to release respiratory aerosols that, in an infected person, will reach higher coronavirus concentrations in air and are projected over longer distances, than with breathing at rest or casual conversation. The risk of a protester becoming infected increases with the “dose” produced by the exposure situation; this is primarily driven by the concentration of coronavirus in air and the duration of exposure, and to some unknown degree by use of a face covering.

53. The potential risk for coronavirus transmission during protest activities is almost certainly substantially worsened by law enforcement deployment of pain weapons or stun weapons.

54. Coughing, sneezing or spitting induced by chemical pain weapons will markedly increase the concentration and expelled distance of respiratory aerosols, especially if affected victims remove face coverings to improve breathing ability.


55. Pain weapon or stun weapon deployment can stimulate crowd chaos, fear and heightened physical activity, which in turn will increase individuals' breathing rates, increase aerosol generation, and minimize the practicality of social distancing and face covers.

56. Military experience is informative here. Although chemical warfare is barred by international convention, the military still prepares to protect soldiers and defend against potential chemical weapon attack. The US Army, for example, uses CS tear gas during basic combat training, to test placement and demonstrate the consequences of inadequate placement of personal protective "gas" masks. One study followed 6,700 Army recruits and found a more than doubled risk of developing an acute respiratory illness after CS exposure, compared to the two-week period before CS exposure. Furthermore, the incidence (frequency) of illness was higher, after higher CS exposures (Hout JJ, et al. Military Medicine 2014;179(7):pp 793-8).

57. The increased risk of coronavirus spread is an important additional factor to be considered in policy, strategic and tactical decisions about whether or when, and if ever, pain and stun weapons should be deployed against crowds of protesters.

Executed this 26th day of June 2020 at Seattle, Washington.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

By: 

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CURRICULUM VITAE

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EDUCATION

1968-1975 University of California, Santa Barbara and San Diego:
BA, Biology (renamed Cellular and Molecular Biology), with Highest Honors
1975-1979 Tufts University School of Medicine; Boston, Massachusetts: MD
1984-1986 University of Washington School of Public Health & Community Medicine; Seattle,
Washington: MPH, Occupational Medicine

PROFESSIONAL POSITIONS

| | |
|--------------|---|
| 2016-present | Associate Professor Emeritus, Department of Environmental and Occupational Health Sciences; University of Washington; Seattle, WA. |
| | Program faculty Community Oriented Public Health Practice (COPHP) MPH Program, Department of Health Services. |
| | Faculty associate Northwest Center for Public Health Practice |
| | Faculty associate UW Center for Human Rights |
| 2016 | Formal retirement from UW; Sept. 23, 2016. |
| 2015-present | Member. King County Board of Health; Seattle, WA. |
| | 2019-present Member. Subcommittee on Gender Based Violence (aka Sexual Violence, Domestic Violence, and Missing and Murdered Indigenous Women) |
| | 2019-present Member. Subcommittee on Healthy Eating |
| | 2016-2018 Member. Standing Committee for Health Care for the Homeless Network |
| 1986-2016 | University of Washington; Seattle, Washington |
| | Associate Professor Department of Environmental and Occupational Health Sciences, and Department of Medicine (adjunct, 1994-2012); leave of absence, 1994-95; sabbatical 2003-2004. |
| | 1994-2016 |
| | Assistant Dean School of Public Health; Assistant Dean for Graduate Studies and MPH Curriculum Director (50% FTE) |
| | 2014-2015 |
| | Assistant Professor Department of Environmental Health and Department of Medicine (joint) |
| | 1991-1994 |
| | Assistant Professor Department of Medicine and Department of Environmental Health (joint) |
| | 1988-1991 |
| | Acting Instructor Department of Medicine |
| | 1986-1988 |
| | Attending Physician UW/Harborview Medical Center |
| | 1986-1994 |

| | |
|-----------|---|
| 1996-1999 | Affiliate Medical Consultant (as UW faculty) to Washington State Department of Labor and Industries, WISHA (now DOSH) Division. |
| 1994-1995 | Interim Associate Medical Director for Safety & Health (UW leave of absence): Washington State Department of Labor and Industries; Olympia, Washington. |
| 1984-1986 | Resident Physician. Occupational Medicine: University of Washington School of Public Health and Community Medicine; Seattle, Washington |
| 1984 | Emergency Room Physician: Lawrence Memorial Hospital; Medford, Massachusetts |
| 1984 | Urgent Care Physician: Atlantic Medical Associates; Boston, Massachusetts |
| 1981-1983 | Resident Physician. Internal Medicine: Veterans Administration Medical Center; Boston, Massachusetts |
| 1980-1981 | Locum tenens Physician: Indian Health Service; Schurz, Nevada and Poplar, Montana (outpatient and inpatient general practice) |
| 1979-1980 | Resident Physician. Internal Medicine. Univ. of Calif., Irvine Medical Center; Orange, Calif. |

LICENSURE and CERTIFICATION

| <i>Medical Licensure</i> | | | Certification number or date |
|--------------------------|--|-----------------|------------------------------|
| 1984 | Washington | (active) | #22108 |
| 1980 | California | (inactive) | #G42633 |
| 1980 | Maine | (inactive) | #10479 |
| 1982 | Massachusetts | (inactive) | #48919 |
| 1990 | Alaska | (inactive) | #S AA 02352 MED |
| 2012 | National Plan & Provider Enumerator System | | #1629335765 |

Medical Board Certification

| | | |
|------|--|---------|
| 1980 | National Board of Medical Examiners | #210419 |
| 1983 | American Board of Internal Medicine | #095039 |
| 1988 | American Board of Preventive Medicine; Specialty of Occupational Medicine | #22417 |

Continuing Medical Education (selected)

| | | |
|------|--|------------|
| 2019 | PCSS MAT Waiver Training (waiver-eligible) | 01/11/2019 |
|------|--|------------|

Human Subjects Certification

| | | |
|------|--------------------------|------------|
| 2000 | University of Washington | 07/27/2000 |
| 2005 | CITI Basic Course | 12/31/2005 |
| 2009 | CITI Refresher Course | 02/16/2009 |

Professional Training and Certification

| | | |
|------|---|------------------------------------|
| 2011 | UW Faculty Grants Management (FGM) | 12/28/2011 |
| 2012 | UW Financial Conflicts of Interest (FCOI) | 08/02/2012; 03/27/2018; 07/25/2018 |
| 2018 | UW Bloodborne Pathogens for Researchers | 07/24/2018 |
| 2018 | UW Protecting Patient Information (HIPAA) | 07/24/2018 |
| 2018 | FEMA Introduction to ICS (ICS-100) | 07/25/2018 |
| 2019 | King Co. Records Retention & Public Records | 04/23/2019 |

Teacher Training

| | | |
|-----------|---|------------|
| 2007 | UW Summer Institute for Teaching Excellence | 06/17/2007 |
| 2012-2013 | UW School of Medicine Teaching Scholars | 06/04/2013 |

Anti-racism and related Training

| | | |
|------|---|------------|
| 2014 | UW SPH Undoing Racism | 10/24/2014 |
| 2016 | COPHP Institutionalized Racism in Daily Life | 05/25/2016 |
| 2016 | COPHP Structural Racism and Public Health | 11/05/2016 |
| 2017 | 350 Seattle Anti-racism: Allies to Immigrants | 09/10/2017 |

2019 COPHP Microaggression, Inclusive Classroom 01/12/2019

HONORS

2002 Outstanding Teaching Award. UW School of Public Health & Community Medicine.
2007 Mentorship Award. UW Department of Environmental & Occupational Health Sciences.
2008-2013 UW Rohm and Haas Professorship in Public Health Sciences
2011 Outstanding Teaching Award. UW School of Public Health.
2011 Co-recipient. NIOSH/NORA Innovative Research Award for "Effectiveness of Training and Reinforcement on HPD Use Among Construction Workers" (Seixas, PI).

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57. Thetkathuek A, Suybros N, **Daniell W**, Meepradit P, Jaidee W. Factors influencing poisoning symptoms: A case study of vegetable farmers exposed to mixed insecticides in Prek Balatchheng Village, Cambodia. *J Agromedicine* 2014;19(4):337-45.
58. **Daniell WE**, Lo Van Tung, Wallace RM, Havens DJ, Karr CJ, Nguyen Bich Diep, Croteau GA, Beaudet NJ, Nguyen Duy Bao. Childhood Lead Exposure in a Vietnamese Battery Recycling Village. *BioMed Research Intl* 2015; Article ID 193715, 10 pp. <http://dx.doi.org/10.1155/2015/193715>.
59. Michael K, No D, **Daniell WE**, Seixas NS, Roberts MC. Assessment of Environmental Contamination with Pathogenic Bacteria at a University Laundry Facility. *Ann Work Expo Health*. 2017;61:1087-96.
60. Benson C, **Daniell W**, Offen J. A Qualitative Review of United States Food Waste Programs and Activities at the State and Local Level. *J Hunger Environ Nutr* 2017 [online Dec. 26]:1-20.
61. Ericson B, Duong Thi To, Keith J, Nguyen Trong Cuu, Havens D, **Daniell W**, Karr C, Ngoc Hai Doan, Lo Van Tung, Wilson B, Hanrahan D, Croteau G, Taylor M. Improving human health outcomes with a low-cost intervention to reduce exposures from lead acid battery recycling: Dong Mai, Vietnam. *Environ Res* 2018;161:181-7.

62. Havens D,* Minh Hong Pham, Karr CJ, **Daniell WE**. Blood Lead Levels and Risk Factors for Lead Exposure in a Pediatric Population in Ho Chi Minh City, Vietnam. *Int J Environ Res Public Health* 2018;15(1). p E93.

Submitted None

In preparation

1. **Daniell W**, et al. Evaluation of an educational campaign and remediation of lead contamination in a Vietnamese battery recycling village.
2. Others, available upon request.

Other Refereed Scholarly Publications

1. Barnhart S and **Daniell WE**. Carpal tunnel syndrome: a cumulative trauma disorder. *West J Med* 1988; 148:74.
2. **Daniell WE**, Couser WG, Rosenstock L. Glomerulonephritis and organic solvent exposure: A case report and review of the literature. *JAMA* 1988; 259: 2280-83.
3. **Daniell WE**, Vaughan TL, Millies BA. Pregnancy outcomes among female flight attendants. *Aviat Space Environ Med.* 1990; 61:840-4.
4. **Daniell WE**: Male reproductive toxicity. *West J Med* 1990; 152:174-75.
5. Rosenstock L, **Daniell W**, Barnhart S, Schwartz D, Demers PA. Chronic neuropsychological sequelae of occupational exposures to organophosphate insecticides. *Am J Ind Med* 1990; 18:321-25.
6. White D, **Daniell WE**, Maxwell JK, Townes BD: Psychosis following styrene exposure: a case report of neuropsychological sequelae. *J Clin Exp Neuropsychol* 1990; 12:798-806.
7. Stockbridge H* and **Daniell WE**: Lead poisoning in bricklayers—Washington state. *MMWR* 1991; 40:169-71.
8. Sparks P, **Daniell W**, Black DW, Kipen HM, Altman LC, Simon GE, Terr AI: Multiple chemical sensitivity: A clinical perspective. I: Case definition, theories of pathogenesis, and research needs. *J Occ Med* 1994; 36:718-30.
9. Sparks P, **Daniell W**, Black DW, Kipen HM, Altman LC, Simon GE, Terr AI: Multiple chemical sensitivity: A clinical perspective. II: Evaluation, diagnostic testing, treatment and social considerations. *J Occ Med* 1994; 36:731-7.
10. **Daniell WE**. Science, integrity, and investigators' rights: Current challenges. *J Reg Tox Pharmacol* 1996; 24:S152-S162.
11. **Daniell WE**, Stockbridge HL, Labbe RF, Woods JS, Anderson KE, Bissell M, Ellefson RD, Moore MR, Pierach CA, Schreiber WE, Tefferi A, Franklin GM: Environmental chemical exposures and disturbances of heme synthesis. *Env Health Persp* 1997; 105 (Supp 1):37-53.
12. Gwerder LJ, Beaton R, **Daniell W**. Bioterrorism: Implications for the occupational health nurse. *AAOHN Journal* 2001; 49:512-519.
13. Zachek CM, Karr CJ, Sweeney C, **Daniell W**, Miller MD. A network of Pediatric Environmental Health Specialty Units (PEHSUs): Filling a critical gap in the health care system. *Medycyna Środowiskowa - Environmental Medicine* 2012; 15(3):7-18.
14. Thetkathuek A, **Daniell W**. Migrant workers in agriculture: A view from Thailand. *J Agromedicine* 2015; epub (Oct. 19).
15. Korfmacher KS, Aviles K, Cummings BJ, **Daniell W**, Erdmann J, Garrison V. Health impact assessment of urban waterway decisions. *Int J Environ Res Public Health* 2015; 12(1):300-21

Books and Book Chapters

1. Rempel D; and **Daniell W**, Brodtkin C* (guest editors): Tetrachloroethylene toxicity. Case studies in Environmental Medicine. Agency for Toxic Substances and Disease Registry (ATSDR), 1990.
2. **Daniell W**: Renal and bladder disorders. In: Rosenstock L and Cullen M (eds): *Textbook of Clinical Occupational and Environmental Medicine*. Philadelphia: WB Saunders, 1994; pp 401-22.
3. **Daniell WE**, Sparks PJ: Multiple Chemical Sensitivity Syndrome. In: Cordasco EM Sr, Zenz C, Demeter SL (eds): *Environmental Respiratory Diseases*. NY: Van Nostrand Reinhold, 1995; pp 391-415.
4. Committee on Gulf War and Health (**Daniell W**, member). *Gulf War and Health, Vol. 2: Insecticides and Solvents*. Washington, DC: National Academy Press, 2003.

5. Committee on Gulf War and Health (**Daniell W**, member). Gulf War and Health: Updated Literature Review on Sarin. Washington, DC: National Academy Press, 2004.
6. Rhoads CS, **Daniell W**: Renal and bladder disorders. Ch. 25 in: Rosenstock L, Cullen M, Brodtkin CA, Redlich CA (eds): Textbook of Clinical Occupational and Environmental Medicine. 2nd Edition. Philadelphia: WB Saunders, 2005; pp. 565-86.

Other Scholarly Publications

1. **Daniell W**, Stebbins A, Horstman SW: An industrial hygiene and worker health evaluation of the auto body repair industry (report). UW Department of Environmental Health Field Research & Consultation Group; 1989.
2. Heyer N, Checkoway H, **Daniell W**, Horstman S, Camp J: The University of Washington study of video display terminal workers (report). Prepared for the Washington State legislature and Department of Labor & Industries; 1989.
3. Heyer N, Checkoway H, **Daniell W**, Horstman S, Camp J: Self-reported musculoskeletal symptoms among office video display terminal operators (proceedings). In: Sakurai H, Okazaki I, Omae K (eds): Occupational Epidemiology. Excerpta Medicine International Congress Series 889: Excerpta Medica 1990; 255-58.
4. Barnhart S, Myers R, Franklin G, **Daniell W**, Rosenstock L: The quality and reliability of workers' compensation permanent partial disability rating for respiratory impairment under Washington State administrative code (report). Prepared for Washington State Dept. of Labor & Industries; 1991.
5. Rosenstock L, Keifer MC, **Daniell WE**: Pesticide intoxication and chronic CNS effects (letter). Lancet 1991; 338(8761):948-49.
6. **Daniell W** and Golaz A: Phase-I pilot evaluation of hard metal tool manufacturing employee breathing function (report). UW Department of Environmental Health; 1992.
7. **Daniell W**, Morgan M, Stebbins A, Kalman D, Fenske R, van Belle G: Health hazards in the hard metal tool industry (report). Prepared for Washington Department of Labor & Industries; 1993.
8. **Daniell WE**, Kalman D, Stebbins A: Neuropsychological performance and solvent exposure among car body repair shop workers (letter). Br J Ind Med 1993; 50:1126-27.
9. Simon G, **Daniell W**: Multiple chemical sensitivity syndrome (letter). Ann Int Med 1994; 120:249-51.
10. **Daniell W**, Stockbridge H, and Reviewers: Evaluation of individuals with environmental chemical exposures and suspected abnormalities of heme synthesis (report). Washington State Department of Labor & Industries; 1996.
11. Brodtkin CA, **Daniell W**, Echeverria D, Redlich C, Checkoway H. Concerns and assumptions of labor and management in the dry-cleaning industry (letter). Am J Ind Med 1999; 36:482-83.
12. **Daniell WE**, Wickizer T, Fulton-Kehoe D, Franklin GF. Work-related carpal tunnel syndrome: Clinical practices and outcomes for workers' compensation patients in Washington State (report). Prepared for Occupational Health Services Project; Washington State Department of Labor & Industries; 2000.
13. Swan S and **Daniell W**. Hearing conservation in industry (review). Occup Health Saf 2002; 7:78-80.
14. **Daniell W** and Swan S. Occupational noise exposure and hearing loss prevention: A technical report and guidebook for sheet metal manufacturing companies. DEOHS, 2005.
15. Saejiw N, N. Chaiear N, J. Ngoencharee J, Sathra S, et al. (**Daniell WE**, 23rd/32 authors). Occupational exposure to particulates in workers employed in rubber wood sawmills in Thailand. 19th International Conference on Epidemiology in Occupational Health (EPICOH2007), abstract 085. Occup Environ Med 2007; 64(12):e18.
16. Shantz A,* and **Daniell W**. Arsenic Mitigation in Cambodia: What next? Prepared for the Cambodia national Arsenic Team. Dec 2010. [copy online](#)
17. **Daniell W**, Shantz A. Arsenic in Drilled-well Drinking Water: Use of Existing Surveillance Data to Prioritize Regions for Intervention and to Evaluate Dug Wells as an Alternative Water Source. Epidemiology 2011;22(1):S154
18. Shantz A, **Daniell W**, Abernethy A, Bostick B, Chaing C, Thang M, Hok P, Havens D. A Study of Options for Safe Water Access in Arsenic Affected Communities in Cambodia. Report for World Bank Water and Sanitation Programme, and Cambodia Ministry of Rural Development. April 2012. [copy online](#).

19. **Daniell W**, Gould L, Cummings BJ, Childers J, Lenhart A. Health Impact Assessment: Proposed Cleanup Plan for the Lower Duwamish Waterway Superfund Site ["Duwamish HIA"]; Advance Report. Seattle, WA: University of Washington, Just Health Action, and Duwamish River Cleanup Coalition/ Technical Advisory Group. May 2013. [website](#).
- Daniell W**, Gould L, Cummings BJ, Childers J, Lenhart A. Duwamish HIA; Technical Report: Resources and methods. Seattle, WA. Sept 2013.
 - Cummings BJ, Childers J,* **Daniell W**, Gould L, Lenhart A. Duwamish HIA; Technical Report: Effects of the proposed cleanup plan on local residents. Seattle, WA. Sept 2013.
 - Gould L, Cummings BJ, **Daniell W**, Lenhart A, Childers J. Duwamish HIA; Technical Report: Effects of the proposed cleanup plan on Tribes. Seattle, WA. Sept 2013.
 - Lenhart A,* **Daniell W**, Cummings BJ, Gould L, Childers J. Duwamish HIA; Technical Report: Effects of the proposed cleanup plan on subsistence fishing populations. Seattle, WA. Sept 2013.
 - Gould L, **Daniell W**, Lenhart A, Cummings BJ, Childers J. Duwamish HIA; Technical Report: Institutional controls and health. Seattle, WA. Sept 2013.
 - Daniell W**, Childers J,* Gould L, Cummings BJ, Lenhart A. Duwamish HIA; Technical Report: Effects of the proposed cleanup plan on health of workers and employment in Lower Duwamish area industries. Seattle, WA. Sept 2013.
 - Daniell W**, Gould L, Cummings BJ, Childers J,* Lenhart A.* Duwamish HIA; Public Comment Report. Seattle, WA. June 2013.
 - Daniell W**, Gould L, Cummings BJ, Childers J,* Lenhart A.* Duwamish HIA; Advance Report. Seattle, WA. May 2013.

PROFESSIONAL ACTIVITIES

Committees

| | |
|-----------|---|
| 2014-2015 | Co-chair: Northwest Health Impact Assessment (HIA) Network Steering Committee. |
| 2014-2015 | Member: Society of Practitioners of HIA (SOPHIA) Health in All Policies (HIAP) Screening Tool Workgroup. |
| 2004 | Member: Special emphasis study section: Neurologic indices of long term solvent exposure in workers. National Institute for Occupational Safety and Health. |
| 2003-2004 | Member: Institute of Medicine (IOM) Committee and Expert Panel on Gulf War and Health: Updated Review of the Literature on Sarin. |
| 2001-2003 | Member: IOM Committee and Expert Panel on Gulf War and Health: Review of the Literature on Pesticides and Solvents. |

Previous Available upon request

Editorships

| | |
|-----------|---|
| 2016-2017 | Co-editor (with Catherine Karr). Global Children's Environmental Health; special issue for International Journal of Environmental Research and Public Health. |
|-----------|---|

Reviewer: Journals (most recent year)

- Annals of Global Health (2016)
- BMJ Open (2016)
- International Journal of Environmental Research and Public Health (2017)
- Journal of Health and Pollution (2019)
- Journal of Hunger and Environmental Nutrition (2020)
- Lancet (2017)

Reviewer: Journals (previous) and other – available upon request

Membership: Professional societies

- Washington Physicians for Social Responsibility (WPSR)
- Washington State Public Health Association (WSPHA)
- American Public Health Association [APHA; inactive]

- American Medical Association

PROFESSIONALLY-RELATED COMMUNITY SERVICE

Public Health Practice

- | | |
|--------------|---|
| 2019-present | Member: Duwamish River Cleanup Coalition/ Technical Advisory Group (DRCC/TAG) Advisory Council. |
| 2015-present | Member: King County Board of Health (BOH). <ul style="list-style-type: none"> • 2019-present: Member, Subcommittee on Gender Based Violence (aka, Sexual violence, domestic violence, and missing and murdered indigenous women) • 2019-present: Member, Subcommittee on Healthy eating. • 2016-2018: Member, Standing Advisory Committee for Health Care for the Homeless Network. • 2018: Primary proponent, Guideline & Recommendation 18-03, to inform jurisdictions working at regional, county, and city levels on alleviating the unsheltered homelessness public health crisis for the benefit of the health, well-being and survival of unsheltered people throughout King County. |
| 2012-present | Volunteer: Seattle/King County Public Health Reserve Corps. <ul style="list-style-type: none"> ▪ 2019: Volunteer: Case Investigation, measles outbreak response; Clark County Public Health (two deployments). |
| 2017-2019 | Member: Economic Inequity and Health task group. Washington PSR. |
| 2016-2018 | Member: Technical Panel: El Centro de la Raza; Community Health Advocates Collaboration. Beacon Hill Environmental Health Collaboration. EPA Environmental Justice Collaborative Problem-Solving Cooperative Agreement, 10/2016-10/2018. |
| 2014-2017 | Advisor: Just Health Action (JHA), Duwamish River Opportunity Fund projects: DROF 1, Vietnamese Subsistence Fisher Project; DROF 2, Healthy Fishing Alternatives Vietnamese Latino Project; DROF 3, Building capacity of subsistence fishers to protect their health through peer education and advocacy. |
| 2015-2017 | Member: Watershed Advisory Group. King County and City of Seattle Green/Duwamish Watershed Strategy Project. |
| 2016 | Advisor: Public Health-Seattle/King County (PHSKC) rapid HIA of South Park Community Center redesign. |
| 2015 | Member: South Park Green Spaces Coalition Steering Committee |
| 2014-2015 | Partner: Duwamish River Cleanup Coalition/ Technical Advisory Group (DRCC/TAG) Healthy River/Healthy Communities Project Advisory Committee; EPA Urban Waters. |
| 2014 | Consultant: Yesler Terrace Community Health Plan. Funder: Seattle Foundation & King County: Communities of Opportunity RFP 1. Applicant: Seattle Housing Authority (\$89,221). |
| 2013-2016 | Advisor to Blacksmith Institute, Vietnam National Institute for Occupational & Environmental Health (NIOEH), Vietnam Center for Environment and Community Development, and Vietnam Environment Administration. Dong Mai craft village lead remediation project. An NIOEH-UW research team (Daniell, UW PI) also evaluated remediation effectiveness. |
| 2013-2014 | Advisor: University of Namibia. Development of new School of Public Health. Supported by UW International Training and Education Center for Health (I-TECH). |
| 2011-2014 | Partner: DRCC/TAG and JHA: Duwamish Valley Healthy Communities Project; EPA CARE grant, Level I. |
| 2012-2013 | Director. Health Impact Assessment of EPA proposed cleanup plan for Lower Duwamish Waterway Superfund Site. Partnership with DRCC/TAG and JHA. |
| 2008-2011 | Advisor and collaborator: Southeast Asia: Resource Development International (RDI) Cambodia; National Arsenic Team, Cambodia Ministry of Rural Development (2010-12); Food and Agriculture Organization, Bangkok, Thailand (2009-10). |
| 2007-2008 | Advisor: Toxic Beauty (Nail Salon) Project; EPA Collaborative Problem-Solving grant; |

Environmental Coalition of South Seattle (ECOSS) and Community Coalition for Environmental Justice (CCEJ), Seattle, WA.

Previous Available upon request

Publications

- 2018 Daniell B, Danielson B, Delecki C. If it's a homeless emergency, why don't we provide shelter? [Op-ed]. *Crosscut* May 21, 2018. [link](#)
- 2017 Daniell B, Danielson B. Homelessness is Seattle's public health crisis [Op-ed]. *Crosscut* October 25, 2017. [link](#)
- 2014 Daniell B, Kwan-Gett T. Duwamish River Superfund cleanup is a natural and social project [Op-ed]. *Seattle Times* October 29, 2014. [link](#).

Presentations

- 2015 Presenter: Duwamish Valley: Much more than just a river: Sustainability, equity and health. UW Huskies for Humanity: Art, Research, and Restoration: UW's Connection to the Duwamish River. Oct 28, 2015.
- 2015 Presenter: Duwamish Valley: Much more than a contaminated river: Science to practice, community participation, and community health. UW SPH PRISM – Creating healthy regional communities. Oct 13, 2015.
- 2014 Panel member: Does the Fish Consumption Rate Matter? Human Rights, Environmental Justice, & Public Health Perspectives. Seattle Human Rights Commission. June 2014.
- 2012 Co-presenter: Urbanism and health. Seattle Art Museum Saturday University: The Future of Asia's Cities: Design, Environment, Health. March 2012.
- 2011 Presenter: Environmental health in Southeast Asia. Campus visit by 10th grade students from Life Sciences and Global Health academy at Cleveland High School. UW DEOHS; April 2011.

Past Available upon request

FUNDING HISTORY

Current None as funded investigator.

- 2019+ Project mentor (unfunded) to JM Wong (PI). Strategies for addressing occupational health hazards at the workplace for formerly incarcerated workers. UW NW Center for Occupational Health and Safety; Professional Training Opportunities Program.

Pending None

Not funded Available upon request

Recent

- 2014 Investigator: SE Asia Collaborative Center on Environmental Health. NIH/Fogarty RFA TW-14-001 and TW-14-002: Hubs of Interdisciplinary Research and Training in Global Environmental and Occupational Health; GEOHealth. (C Karr, PI; ≤\$600K/year, 5 yrs).
- 2014 Principal Investigator (PI): Health Impact Assessment (HIA) Program proposal. Funder: Funder: Pew/Robert Wood Johnson, Health Impact Project. Applicants: UW Northwest Center for Public Health Practice (NWCPHP) and Public Health Seattle & King County. (\$249,733, 2 yrs; Daniell 10% FTE).
- 2014 Co-PI: Place-Based Equity Partnership in the Duwamish Valley. Funder: Seattle Foundation and King County: Communities of Opportunity RFP 2. Applicants: Environmental Coalition of South Seattle and UW NWCPHP (with Manufacturing Industrial Council of Seattle and Duwamish River Cleanup Coalition; \$150,000/year, 3-5 years; Daniell 10% FTE).
- 2012-2013 Principal investigator: Health Impact Assessment of Lower Duwamish Waterway Superfund Cleanup. Collaboration with DRCC/TAG and JHA. Funder: Pew/Robert

Wood Johnson, Health Impact Project; 1/2012-4/2013 (extended to 11/2013);
\$124,665 (10% FTE, plus 10% FTE Rohm & Haas cost-sharing).

Previous Available upon request (1984-2014)

CONFERENCES AND SYMPOSIA

Organization

Member, Content Advisory Team. WSPHA Annual Meeting; 2017-2018.

Co-chair, Co-organizer: Prioritizing Child Environmental Health Needs, Research and Actions:
Stakeholder Workshop. Hanoi, Vietnam; Nov 2012.

Co-chair, conference and keynote session: Fourth International Scientific Conference in Occupational
and Environmental Health; Hanoi, Vietnam; Nov 2012

Co-chair, Co-organizer: Regional Dissemination Workshop: A Study of Options for Safe Water Access in
Arsenic Affected Communities in Cambodia. World Bank, Water Sanitation Programme; and
Cambodia Ministry of Rural Development. Phnom Penh, Cambodia; Nov 2011.

Member, Conference planning committee; Co-chairperson, plenary and oral sessions; Third International
Scientific Conference in Occupational and Environmental Health; Hanoi, Vietnam; Nov 2008.

Program Co-planner, Environment section; and Member, Conference program planning committee;
Annual Meetings of American Public Health Association; Nov 2007, and Oct 2008.

Invited Presentations

Presenter; panel member: Engaging Academia in HIA. 2nd National HIA Meeting. Wash, DC; Sept 2013.
Panel member. Past HIA Grantee Panel. Pew/RWJ Health Impact Project grantee meeting. Wash, DC;
Sept 2013.

Keynote: Environmental and Occupational Health: Making connections between research, social
needs, and action. Fourth International Conference of Occupational and Environmental Health.
Hanoi, Vietnam; Nov 2012.

Presenter: Household Survey. A Study of Options for Safe Water Access in Arsenic Affected
Communities in Cambodia: Stakeholder Workshop. Phnom Penh, Cambodia. Nov 2011.

Presenter: Water and food and water security in Southeast Asia. 9th Annual Western Regional
International Health Conference. Seattle, WA; April 2012.

Previous Available upon request

Seminars Available upon request

Contributed Presentations Available upon request

UNIVERSITY SERVICE

2019-present Faculty Associate: UW Center for Human Rights
2016-present Faculty: Community Oriented Public Health Practice MPH Program
2015-present Faculty: Northwest Center for Public Health Practice
2020 (Spring) Backup Instructor: DEOHS COVID-19 instruction plan
2010-2016 Member (and Chair 2010-2011): DEOHS Diversity Committee
2014-2016 Chair (and Member 2014-2015): DEOHS MPH Oversight Committee
2014-2015 Member: DEOHS Graduate Common Core Curriculum Task Force
2015-2016 Chair: DEOHS Curriculum and Teaching Policy Committee
2014-2016 Member: SPH Curriculum and Educational Policy Committee

Previous Available upon request (1986-2015)

TEACHING HISTORY

Formal Courses

- 2017-present **Community Development:** 5-week block in *Population Health & Community Development* (COPHP-HSERV 531; 6 credits); Co-Instructor (A/17, A/18, 5 wks); 100% responsibility for 1 of 3 cohorts (7-9 of 23-28 students); shared responsibility for course planning.
- 2018-present **Planning, Advocacy and Leadership Skills** (HSERV 572; 4 credits). Faculty supervisor for student project group (3-5 of ~20 students; course instructor, Hagopian).
- 2017 **Leadership, Planning and Advocacy Skills** (HSERV 590; 4 credits); Co-instructor (Sp/17; 33%); 23 students. Course renamed in 2018.
- 2018 **Community Engagement & Participatory Evaluation** (COPHP-HSERV 538; 6 credits); Co-Instructor (W/18, 6 wks); 100% responsibility for 1 of 3 cohorts (9 of 27 students); shared responsibility for course planning.
- 1993-2016 **Environmental & Occupational Health.** Instructor (ENVH 511; 3 credits; 20-119 students) – or **Global Environmental and Occupational Health.** Instructor (ENVH 510; 4 credits; 20-30 students). Not during 2004 (sabbatical).
- 1999-2003 & 2005 **Occupational and Environmental Epidemiology** (ENVH 570; 3 credits); Co-Instructor (with H Checkoway); 50% responsibility; 15-35 students.

Other; previous Available upon request

Clinical Teaching Available upon request

Guest Lectures Available upon request

Continuing Education Available upon request

ADVISING AND FORMAL MENTORING

PhD Dissertations: Chair

Current: None

Previous: W Turnberg (EOHyg/06)

Masters Theses/Capstones/Projects: Chair

Current: Osawa Y (COPHP).

Previous: C Jackson (GH/19); J Joseph (COPHP/19); N Hoge (COPHP/19); K Lenhoff (COPHP/18); E Less (COPHP/18); J Wong (EOH/OEHN/18); M Nakamura (EOH/OEHN/17, co-chair); K Doughty (EOH/OEHN/17, co-chair); Nalani (Emi) Yoko (COPHP/16); J Vaccaro (EOH/OEHN/16, co-chair); M Kushwaha (EOH/15); HY Sohng (OEM/15, co-chair); J Childers (EOH/14); A Lenhart (EOH/13); D Havens (OEM/12, co-chair); CS Truysens (EOH/12; co-chair); R Wallace (OEM/12; co-chair); N Wilson (GNM; GH Certificate Sp/12); A Schmidt (ES/11; recipient, UW SPH Omenn Award); W Callis (OEM-Madigan/09); E Stamper (EOH/09); E Finsness (EOH/08); J Graves (EOH/08; recipient, UW SPH Omenn Award); L Kercher (EDP/08); C Lang (OEM-Madigan/08); E Atwood (EDP/07); D Badzik (OEM-Madigan/07); M Sigmon (OEM-Madigan/07); S Sheldon (OEM/06); H Hoang (OEM-Madigan/06); T Ross (OEM-Madigan/06); A Fernandez (EOH/06); J Kile (EDP/04); A Weg (OEM-Madigan/04); J Terrio (OEM-Madigan/03); R Leo (IH/01); M Eng (IH/01); D Wetter (EDP/99); A Bunyaviroch (OEM/99); S Swan (IH/99); L Chiou (Epi/98); C Schumacher (OEM/96); L Pinkerton (OEM/93); H Stockbridge (OEM/92); N Davenport (OEM/91); C Martin (IH/90); C Nevitt (OEM/89); B Hall (IH/89); J Lazzaletti (OEM).

Incomplete: M Makovski (OEM); S Bick (OEM); J Endicott (OEM).

PhD Committees in Non-Chair Role

Current: J Childers (CBE).

Previous: K Michael (EOHyg/16); R Neitzel (EOHyg/09); D Johns (EOHyg/05).

GSR: S Lowry (Epi/12); RM Robinson (MBT/05); M Drangsholt (Epi/04); J-C Chang (Nurs/01).

Masters Committees in Non-Chair Role

Current: None

Previous: CR Benson (NutrS/16); V Dorsey (ES/14); M Torres (ES/14); T Okitika (EOH/13); C Loftus (EOH/10); S Singhal (OEM/10); P Thepaksorn (ES/09); EA Rahman (OEM/08); S Griffin (IH/07); L Hom (EOH/06); P Thepaksorn (EOH/06); H Curtiss (EOH/06); M Trabeau (IH/06); J Young (IH/06); F Sands (EOH/05); B Berna (IH/05); G Patrick (EDP/05); T Olenchock (IH/03); J Olsen (IH/02); M Maxfield (EDP/02); L Gwerder (OHN/01); L Winnemuller (IH/01); J Thompson (OEM/01); G DePavia (ET/99), K Loreen (IH/yr?); P Deutsch (IH/yr?). Note: Records incomplete previous to 1999.

Examiner: Bunthoeun K (OH/12); Nhean S (OH/12); Kantachai P (OH/12) – Burapha University, Chonburi, Thailand.

Distinguished Awards to Mentees (Primary or shared mentorship)

UW School of Public Health Omenn Award [School Outstanding Masters or PhD student]

| | |
|------|----------------------------|
| 2008 | Janessa Graves, MPH/EOH |
| 2012 | Anna Schmidt, MS/ES |
| 2014 | Jonathan Childers, MPH/EOH |