

Matthew Borden, admitted *pro hac vice*
borden@braunhagey.com

J. Noah Hagey, admitted *pro hac vice*
hagey@braunhagey.com

Athul K. Acharya, OSB No. 152436
acharya@braunhagey.com

Gunnar K. Martz, admitted *pro hac vice*
martz@braunhagey.com

BRAUNHAGEY & BORDEN LLP
351 California Street, Tenth Floor
San Francisco, CA 94104
Telephone: (415) 599-0210

Kelly K. Simon, OSB No. 154213
ksimon@aclu-or.org

AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF OREGON
P.O. Box 40585
Portland, OR 97240
Telephone: (503) 227-6928

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

INDEX NEWSPAPERS LLC, a Washington limited-liability company, dba **PORTLAND MERCURY**; **DOUG BROWN**; **BRIAN CONLEY**; **SAM GEHRKE**; **MATHIEU LEWIS-ROLLAND**; **KAT MAHONEY**; **SERGIO OLMOS**; **JOHN RUDOFF**; **ALEX MILAN TRACY**; **TUCK WOODSTOCK**; **JUSTIN YAU**; and those similarly situated,

Plaintiffs,

v.

CITY OF PORTLAND, a municipal corporation; **JOHN DOES 1-60**, officers of Portland Police Bureau and other agencies working in concert; **U.S. DEPARTMENT OF HOMELAND SECURITY**; and **U.S. MARSHALS SERVICE**,

Defendants.

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

DECLARATION OF JONATHAN LEVINSON REGARDING EVENTS OF JULY 23-24, 2020

I, Jonathan Levinson, declare:

1. I am an Oregon resident who lives in the City of Portland. I am a staff reporter for OPB. My work has also appeared on NPR and ESPN, and in the *Washington Post*, the *Wall Street Journal*, and *Al Jazeera*. I have attended the protests in Portland for the purpose of observing and reporting on them. If called as a witness, I could and would testify competently to the facts below.

2. I have experience in conflict zones. I spent five years as an infantry officer in the U.S. Army, with two deployments to Iraq. As a reporter, I have covered the Libyan civil war, done work in Afghanistan, Yemen, Gaza, and the West Bank, and lived for four years in Mexico, where I reported from areas with some of the highest rates of violence against journalists in the world. I have also reported on a majority of the nights of the 2020 Portland protests.

3. When I report on the protests, I wear my press pass issued by OPB. It has my name, my photograph, the OPB logo, and the word "MEDIA." I also wear a helmet that says "PRESS" in very big letters on the front and back. I also carry two cameras, a Sony A7R III with a large 70-200mm lens, and a Sony A7R IV with a 24-70mm lens.

4. I was covering the protests on the night of July 23, 2020, and into the morning of July 24. Around 1:00 a.m., federal agents had cleared the area next to the courthouse and there were few protesters in the immediate vicinity, so I decided to take some pictures through the fence of the officers inside.

5. One agent was standing on a platform near the north side of SW 3rd Avenue. I was trying to take a photograph, but I had trouble focusing through the fence. As I looked from him to my lens and back at him, I saw him raise his weapon, deliberately point it at me, and fire several rounds. My camera and lens were splattered with paint.

6. Based on my position and the position of people around me, there is almost no chance the agent was aiming at anyone other than me.

7. I intend to continue covering the protests, because I believe the events unfolding in Portland right now are of historic significance. I am fearful for my safety, however, because hours after the court issued a restraining order, I saw federal agents brazenly violate it.

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

Dated: July 26, 2020

DocuSigned by:
Jonathan Levinson
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Jonathan Levinson