



Written by [Raven Clabough](#) on August 5, 2020

## Seattle Protesters File Suit Claiming They Have to Buy Protective Gear to Protest

In the latest episode of “Theater of the Absurd,” protesters in Seattle have now sued the city because the police used “aggressive” tactics to quell the violence at a July 25 riot, forcing the plaintiffs to have to choose between purchasing expensive protective gear to continue to exercise their First Amendment “right” to engage in violent protest, or simply stop protesting.

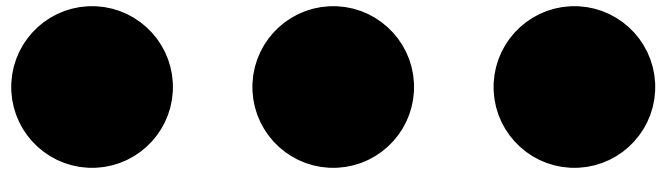
“The five plaintiffs in the lawsuit allege that the purchase of helmets, gas masks, protective clothing, goggles, gloves, boots, umbrellas and other gear they say are needed to fend off police pepper spray, less-lethal projectiles and other crowd-dispersal tools has impinged on their civil right to peacefully protest,” the *Seattle Times* reports.

The five female plaintiffs contend the police department’s “repeated use of force” forces them to spend money on expensive personal protective gear in order to exercise their First Amendment rights — as if the actions of the government and the police have placed an “undue burden” on protesters.

“Because protesters now must purchase expensive equipment to be assured that they will be able to protest safely, the indiscriminate use of weapons by SPD implicates equal protection,” the women allege in their complaint.

The lawsuit references the July 25 protest on Capitol Hill that police later [declared](#) a riot after dozens of people were arrested and more than 55 police officers were injured. Trailers were set ablaze, windows at businesses were smashed, cars damaged, and explosives were thrown. A device exploded outside of the East Police Precinct in Seattle leaving an eight-inch hole, KIRO 7 reports, and balloons filled with mysterious liquids had been thrown at police officers. Despite multiple dispersal orders, the violent crowds remained.

Seattle Police Chief Carmen Best said the protest might have started as a peaceful demonstration, but it quickly devolved at around 4 p.m. Rioters were seen carrying sledgehammers. One rioter in particular was pictured carrying a flagger’s stop sign, which was being wielded as a weapon. Yet the plaintiffs are claiming it is the police from whom they need the protection, not the rioters “protesting” alongside them that caused the violence.





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The plaintiffs' attorney, Talitha Hazelton, compared it to placing a "tax" on protesters.

"The government effect is to establish a de facto protest tax: individual protesters subjected to SPD's unabated and indiscriminate violence now must purchase cost-prohibitive gear to withstand munitions — even when peacefully protesting — as a condition to exercising their right to free speech and peaceable assembly," she said.

The lawsuit argues the SPD's tactics somehow create a class of privileged people who can afford to continue to protest.

"But the continued misuse of war munitions by SPD against civilians turns the streets — a public forum and site of protest — into a pay-to-protest racket where only a privileged few who are wealthy enough or popular enough to crowdsource funds to purchase gear akin to that used by the police department they fund can truly be in the streets," the lawsuit claims.

The lawsuit is asking for temporary restraining order that would prohibit the police department from using crowd-dispersal tools. According to the KIRO 7 News, U.S. District Judge James Robart has temporarily [prevented](#) a new City Council ordinance that would have blocked the police department's use of tear gas and crowd-control weapons from taking effect until there has been a proper review of the Seattle Police Department's policies and procedures.

A spokesperson for the city said the Seattle City Attorney's Office will "look into these new claims and intends to defend the City in this matter."

The lawsuit was filed on Monday in the U.S. District Court in Seattle and is one of several directed at Seattle and the Seattle Police Department. According to the Daily Wire, several lawsuits are pending against the city by businesses and area residents for allowing the Capitol Hill Occupied Protest (CHOP) to operate as an "autonomous zone" inside the city around the police department. The parent of a black teen killed on the perimeter of CHOP is also suing, claiming the city's failure to enforce its own laws is what contributed to the young man's death.

In June, the American Civil Liberties Union filed a lawsuit claiming the Seattle Police Department exceeded its authority by using rubber bullets, tear gas, and flashbang grenades to break up protests that were turning violent.

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