

**DECLARATION OF CYNTHIA GUILLEN**

I, CYNTHIA GUILLEN, declare and state as follows:

1. I submit this declaration in support of Plaintiffs' Motion for a Temporary Restraining Order in *Puente v. City of Phoenix*, Case No. CV-18-02778-PHX-JJT.
2. The following information is within my own personal knowledge. If called as a witness, I would and could competently testify to the facts stated herein.
3. I am 28 years old and a resident of Mesa, Arizona. I attended the Trump protest on August 22, 2017 in Phoenix, Arizona, to express my disagreement with the way President Donald Trump has governed the country and conducted himself while in office. It was important for me to attend the protest in person to express my displeasure with the Trump administration directly to the President, his staff, his supporters, and the public, and to demonstrate my solidarity with people negatively impacted by his administration.
4. I have participated in numerous protests over the last 10 years. I am always peaceful when I protest. My goal when I protest is to express my support for my community and share my ideals with the public.
5. I arrived at the Trump protest at approximately 6:30 P.M. and settled at the corner of 3<sup>rd</sup> Street and Monroe near the St. Mary's Basilica. As rally attendees entered the Convention Center, I and fellow protesters chanted anti-Trump and pro-democracy slogans. I strongly feel that attendance at a Trump rally is an endorsement of his offensive policies and wanted to express my disapproval directly to attendees.
6. I chose to remain in the protest area until rally attendees exited the Phoenix Convention Center to express my displeasure directly to rally attendees for their support for Trump's harmful agenda as they exited the rally. During the

rally, Trump made many divisive statements, including hinting at a possible pardon for former Maricopa County Sherriff Joe Arpaio, a person who has caused immense suffering in our community. I thought it was important to express my disapproval of Trump's message directly to his supporters.

7. At approximately 8:15 P.M., I saw Phoenix Police Department (PPD) officers in full riot gear begin to line Monroe St. in front of the Phoenix Convention Center, including the area immediately in front of me. The officers were silent and did not interact with the protesters.

8. At approximately 8:35 P.M., I saw what appeared to be smoke bombs and tear gas canisters being shot by PPD officers at protesters approximately 300 feet west of me. Before PPD deployed the gas, PPD did not state that protesters were engaged in an unlawful assembly, that protesters were required to leave the area, or that PPD planned to use physical force.

9. As people began to run from the area where the gas was being deployed and escape in my direction, I tried to assist those injured in any way that I could. It was still relatively calm in the area where I was standing. I and other protesters around me were still expecting to have the opportunity to express ourselves to the public, the media, and Trump supporters as they exited the rally.

10. At approximately 8:45 P.M., PPD officers began to fire projectiles in the direction where I and other protesters were standing. Before firing in my direction, PPD did not request that I or other protesters leave the area or declare that we were engaged in an unlawful assembly. I heard no warning from PPD that they planned to use force on protesters.

11. Initially the projectiles landed near my feet. As my friend and I turned to flee, I was hit by a projectile fired by a PPD officer in the stomach and upper hip, along my left side. I felt an immediate burning pressure sensation. The pain was intense, a 10 out of 10. After I was shot, I was unable to walk, and my

friend had to assist me. As we fled the area, police began to shoot gas canisters in our direction. My lungs began to burn and I started experiencing trouble breathing. My friend was able to help me out of the immediate area where I had a chance to regroup. The projectile opened a laceration on my hip that was bleeding.

12. After my breathing slowed down, and I was able to walk with only minimal assistance, I decided to stop protesting and leave the area. My friend helped me walk to the light rail. PPD's unlawful use of force against me caused me to end my protest before I could deliver my message to the public, the media, and the rally attendees.

13. I could not sit on the train without extreme discomfort and had to stand the entire way home. As I drove home from the train station, I had to stop the car several times and get out because of the pain.

14. At all times during the rally, I was engaged in the peaceful expression of my First Amendment right to protest. At no point during the rally did I commit any act that was illegal or warranted police involvement. Prior to PPD firing in my direction, I did not see any protester near me engaged in any activity that warranted police involvement and no action that required the use of force.

15. My ability to move was severely limited for the next several days due to the injury. I developed a large bruise across my left hip and upper thigh that was very painful. I had trouble sleeping and performing basic tasks like getting out of bed. When I finally returned to work, I had to leave early multiple times because I experienced acute pain and discomfort when sitting.

16. The injuries I sustained that night have interfered with my ability to work, my physical health, and caused me panic attacks, anxiety, and trouble sleeping. The range of movement in my leg has not fully returned. I now require the regular use of an inhaler, and I have trouble doing things I use to enjoy like

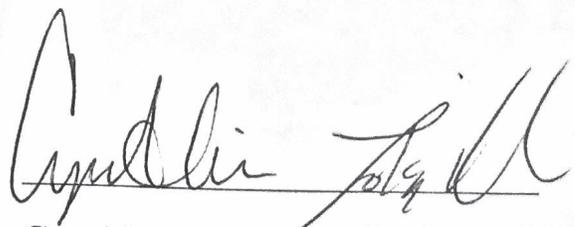
hiking and dancing. PPD's unlawful and reckless actions continue to have a profound effect on my physical health, mental health, and ability to work.

17. The statements made by city officials claiming PPD officers did everything right during the protest demonstrate to me that the department is likely to use force against protesters again. I wanted to attend the recent #RedforEd rallies held at the state capitol but chose not to because I was fearful that PPD would use force against protesters.

18. I've learned that President Trump is planning a rally in Phoenix, Arizona, for mid- to late September. I am interested in attending the planned rally to express my continued opposition to the Trump administration but will not do so because of the illegal and harmful acts of PPD personnel I witnessed at the Trump protest on August 22, 2017. I am fearful that PPD officers may again target anti-Trump protesters and use force against demonstrators without provocation or warning.

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

Executed this 13 day of September 2018, in Phoenix, Arizona.

  
Cynthia Guillen