

HON. JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CARMEN TAGEANT,

Plaintiff,

v.

MICHAEL ASHBY, in his personal capacity,

Defendant.

NO. 2:19-cv-01082-JLR

**DECLARATION OF DEBORAH
ALEXANDER**

I, DEBORAH ALEXANDER, say:

1. I am now and at all times herein mentioned, a legal, permanent resident of the United States, over the age of eighteen years, and competent to testify. I have personal knowledge of the facts contained in this declaration.

2. On December 15, 2016, I was assaulted by Mike Ashby on fee lands in Deming, Washington, owned by the Burlington Northern Santa Fe Railway company (“BNSF”). At that time I was a 56 year-old Nooksack Tribal Elder.

3. That day I traveled to the Nooksack Tribal Court with my boyfriend to support my sister Margretty Rabang, who was being illegally evicted from her home of twenty-two years. The Nooksack police had blocked driveway access to the Tribal Court, with police officers and vehicle and neon yellow traffic cones. The Tribal Court sits on fee lands owned by

1 the Nooksack Tribe. To reach the Tribal Court via that driveway, you need to cross a strip of
2 BNSF land that runs parallel to Deming Road, a state roadway. But the Nooksack Police had
3 parked their vehicles on that BNSF land and placed the yellow traffic cones along the white
4 traffic line running along Deming Road, preventing anybody from even stepping foot on the
5 driveway towards the Tribal Court. That forced people like me to walk in traffic along Deming
6 Road.

7 4. Because of the Nooksack police blockade, there was no place to park near the
8 Tribal Court. My boyfriend dropped me off on Deming Road and went to park his vehicle. I
9 walked westbound along Deming Road towards the Tribal Court driveway and the police
10 blockade on BNSF land with my phone activated to record what appeared to be the Tribal
11 police not allowing anybody into Tribal Court to support my sister.

12 5. As I approached the driveway and blockade, I calmly asked the Tribal police, “Do
13 you know if they’re having my sister’s court over there?” Mr. Ashby indicated my sister
14 Margetty had Tribal Court at 1:30 p.m. Although I never crossed the line of yellow traffic
15 cones, Mr. Ashby began to approach me, saying, “Stay behind the line.” Mr. Ashby repeated
16 his command, raising his voice more loudly each time. I sill had not crossed the line of yellow
17 traffic cones. Mr. Ashby then quickly approached me, coming within inches of me. Fearing he
18 was about to put his hands on me, I yelled, “Don’t touch me.” I was holding my phone in my
19 right hand. Mr. Ashby then put both of his hands on the left side of my upper body, between
20 my collar bone and breasts, and violently shoved me. As soon as he assaulted me, I became
21 angry and hysterical. I felt so violated. I yelled at Mr. Ashby that they were not even on “tribal
22 property.” Mr. Ashby incorrectly stated, “Yes, it is.”

23 6. Attached as **Exhibit 1** is compact disc containing a two minute, eleven second
24 video taken with my cell phone of my walk along Deming Road towards the Tribal Court

1 driveway and Mr. Ashby's assault of me on non-tribal of-reservation lands, on December 15,
2 2016. Here is a screenshot from the moment in that video of Mr. Ashby right before he
3 assaulted me:



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12 Having shared that video on Facebook on December 16, 2016, it is also available at the
13 following link: <https://www.facebook.com/watch/?v=720903241399518>.

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15 7. I left the Tribal Court area and immediately called the Whatcom County Sherriff
16 to report that Mr. Ashby assaulted me. I knew Whatcom County had jurisdiction given where I
17 was assaulted, not the Nooksack Tribe. When I got to my home, a Whatcom County Sherriff
18 Deputy was waiting for me in my driveway. I explained to the Deputy what happened with Mr.
19 Ashby and he transported the video of the incident from my phone to his. The Deputy left me
20 with a Whatcom County Sherriff's Office case number. I never heard back from Whatcom
21 County about any investigation of Mr. Ashby's assault of me on December 15, 2016.

22 8. I have spoken to Carmen Tageant about what Mr. Ashby did to her on January 5,
23 2018, and am struck by the similarities between his assault of her and his assault of me. He is a
24 violent abuser of Native women and I have the video to prove it.

1 The foregoing statement is made under penalty of perjury under the laws of the State of
2 Washington and is true and correct.

3 Dated this 4th day of September 2019, at Deming, Washington.

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Deborah Alexander

CERTIFICATE OF SERVICE

I, Wendy Foster, declare as follows:

1. I am now and at all times herein mentioned a legal and permanent resident of the United States and the State of Washington, over the age of eighteen years, not a party to the above-entitled action, and competent to testify as a witness.

2. I am employed with the law firm of Galanda Broadman PLLC, 8606 35th Ave. NE, Suite L1, Seattle, WA 98115.

3. On September 4, 2019, served the foregoing documents via CM/ECF on the following:

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Counsel for the United States

The foregoing statement is made under penalty of perjury and under the laws of the State of Washington and is true and correct.

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Signed at Seattle, Washington, this 4th day of September, 2019.



Wendy Foster