

No. 23-175

IN THE
Supreme Court of the United States

CITY OF GRANTS PASS,

Petitioner,

v.

GLORIA JOHNSON AND JOHN LOGAN, ON BEHALF OF
THEMSELVES AND ALL OTHERS SIMILARLY SITUATED,

Respondents.

**On Writ Of Certiorari
To The United States Court Of Appeals
For The Ninth Circuit**

JOINT APPENDIX

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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

DEBRA BLAKE,
GLORIA JOHNSON,
JOHN LOGAN, indi-
viduals, on behalf of
themselves and all oth-
ers similarly situated,

Plaintiffs,

v.

CITY OF GRANTS
PASS,

Defendant.

Case No. 1:18-cv-01823-CL

DECLARATION OF
GLORIA JOHNSON IN
SUPPORT OF PLAIN-
TIFFS' MOTION FOR
CERTIFICATION OF A
CLASS

I, Gloria Johnson, declare as follows:

1. I am a named plaintiff in this litigation.
2. I am 68 years old and involuntarily homeless. I have been homeless for the past three years. I have lived in Grants Pass for the past 12 years.
3. Prior to retiring I was a nurse, for decades, in an ophthalmology office. I have a limited fixed income from social security retirement and cannot afford housing and there is no available bed for me at an emergency shelter anywhere in Grants Pass.
4. I live with my dog, Echo, who helps me cope with the symptoms of Post-Traumatic Stress Disorder. If I could find shelter or housing that I could afford and live in with Echo I would move inside.
5. I own a 2002 Dodge Grand Caravan van. I sleep in my van to stay out of the elements.

6. On October 12, 2017, I was ticketed by Grants Pass police officers for violating GPMC 6.46.090, “camping in parks” while in my van in an authorized parking spot in Morrison Park in Grants Pass at 9:21 a.m. The police explanation on my ticket says, “Johnson was found sleeping in her van with the curtains covering the. . . .” This explanation ends mid-sentence. This offense carried a presumptive fine of \$295. It appears that the police officers never filed this ticket with the Court, despite the ticket including a court appearance with a time and date. But I am worried that I could be ticketed and fined at any time while parked in my van in Grants Pass.

7. Most recently, on February 19th, 2019 at about 9:30 A.M., I was parked at Baker Park. I was in my van eating breakfast. A Grants Pass police officer approached me in my van. That officer told me that a new ordinance was in effect and that I could not stay parked there for more than two hours.

8. Over the past three years I have been repeatedly told, on dozens of occasions, by Grants Pass police that I must “move along” and that there is nowhere in Grants Pass that I can legally park to sleep in her van. I have been repeatedly awakened by Grants Pass police while sleeping and told that I need to move my van or be ticketed for illegal sleeping or camping and fined. I have been told by police that it is illegal for me to sleep in my van anywhere in Grants Pass city limits and that I must leave town if I want to sleep in my van.

9. As a result, I often sleep in my van at night just outside the Grants Pass city limits to avoid being awakened and harassed by the police. I come into town each day for needed services, including food for me and Echo. If the Grants Pass police did not

repeatedly harass me and threaten me with ticketing, fines and arrest, I would sleep in my van at night in Grants Pass to save valuable gas money and to avoid constantly moving my van.

10. Because I have no choice but to live outside and have no place else to go, I am constantly at risk of ticketing, fines and criminal prosecution.

11. I continue to live without shelter in Grants Pass. At any time, I could be arrested, ticketed, fined and prosecuted for sleeping outside in my van or for covering myself with a blanket to stay warm.

12. Over the past three years on the street, I have met dozens, if not hundreds, of homeless people in Grants Pass. They have all had similar experiences with the Grants Pass police awaking them, moving them along, ticketing them, fining them, arresting them and/or criminally prosecuting them for living outside.

13. I have the same interest in this lawsuit as all of the members of the class which is to: end the City of Grants Pass' practice of enforcing the anti-camping and anti-sleeping ordinances and criminal trespass laws against me when I have no place else to go. I have no conflicts of interest with any other class member.

14. I am prepared to serve as class representative in this case. I will vigorously represent the class members in my capacity as class representative. I will stay informed in and participate fully in this case.

I DECLARE UNDER PENALTY OF PERJURY
THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 7th day of March 2019.

/s Gloria Johnson
Gloria Johnson

Transcript of Deposition of Gloria Johnson
Conducted on April 24, 2019

[5] GLORIA JOHNSON was thereupon produced as a witness in behalf of the Defendant and, having been first duly sworn on oath by the Certified Shorthand Reporter, was examined and testified as follows:

EXAMINATION

BY MR. WARREN:

Q. Good morning.

A. You have to speak up. I'm a little hard of hearing today.

Q. And we have a little echo in this room, too, so—

A. I have a little echo in my ear, so it seems like somebody's in here all the time.

Q. Ms. Johnson, my name is Gerry Warren, and I represent the City of Grants Pass in this lawsuit that you've joined as a party.

A. Mm-hm.

Q. Okay?

A. (Witness nods head.)

Q. Do you understand that?

A. I did.

* * *

[7] Q. Are you on any medications or drugs today that would prevent you from understanding my questions?

A. No.

Q. Is there any other reason you can think of as to why you couldn't answer my questions?

A. No.

Q. Have you ever had your deposition taken before?

A. No.

Q. What is your date of birth?

A. , 1950.

Q. And where did you stay last night?

A. Where did I stay last night?

Q. Yes.

A. Let me think. I stayed last night in Safeway parking lot downtown.

Q. And what did you use for bedding?

A. I live in my van.

Q. So you have a Grand Caravan or something. Is that—

A. I do.

Q. 2002?

A. I do.

[8] Q. How long have you had that?

A. Three years.

Q. And so did you just stay in the Safeway parking lot in your van?

A. I did.

Q. Is that a place that you frequently sleep in?

A. Occasionally.

Q. You frequently sleep in your van, though, correct?

A. All the time.

Q. And do you park it at night on private property?

A. I do have private property I can use here in town, but I couldn't last night because they had company.

Q. Who's the owner of the private property—

A. I'd rather not say.

Q. Wait until I finish.

—that allows you to park on their property?

A. I don't care to answer that.

Q. Well, you might ask your attorney whether you need to answer that.

MR. JOHNSON: You can tell him.

A. Barbara Smith.

Q. And where does Barbara Smith live?

[9] A. I don't know the numbers, but I know it's on D Street.

Q. How long have you used Barbara Smith's property to park on?

A. Maybe three, six months.

Q. Three to six months?

A. No. Maybe six months. I'm sorry.

Q. Okay. Just trying to be clear. If you say something I'm not sure about, I'm going to question you. Okay?

A. (Witness nods head.)

Q. Yes?

A. Yes.

Q. Now, I understand you have a dog.

A. I do.

Q. Still have your dog?

A. Oh, absolutely.

Q. And the dog's Echo?

A. Yes.

Q. How long have you had Echo?

A. Since she was a baby.

Q. And how long would that be?

A. Four years.

Q. And does Barbara Smith allow you to have a dog on her property?

[10] A. Yes.

Q. So the dog stays with you in your Caravan?

A. She does.

Q. And are there other locations that you use to park your van when you stay overnight?

A. BLM properties.

Q. What was that? BLM?

A. BLM. Bureau of Land Management properties.

Q. Where?

A. Various places. Abegg Road in Merlin.

Q. What was the name of the road?

A. Abegg, A-B-E-G-G. Oh, gosh, there's so many places. Sometimes I stay down by the hospital.

Sometimes I stay on Washington where all the trucks and vans park.

Q. Where was that?

A. On Washington Street where all the trucks and vans park.

Q. Is that within the city?

A. Yes, sir, it is.

Q. Anywhere else?

A. I can't think right off the top of my head right now. There's many I've stayed.

Q. Do you have a permanent address at all?

A. I have a mailing address.

[11] Q. What do you use for a mailing address?

A. 3711 Rogue River Highway, Space 26, Grants Pass, 97527.

Q. And why do you use that address?

A. Because they don't send mail to my van.

Q. They don't what?

A. They don't send mail to my van.

Q. Sure. But is that a friend's space or—

A. Yeah.

Q. Just let me finish.

A. I'm sorry.

Q. So that person has a parking space for a trailer or something there?

A. Yes.

Q. Do you ever park there overnight?

A. Oh, yes, I have.

Q. Would they allow you to stay there in your van if you needed to?

A. I wouldn't ask.

Q. Why not?

A. I don't want to stay on anyone's property more than two days, three days.

Q. Why is that?

A. Because I like to be alone.

Q. With Echo.

[12] A. With Echo.

Q. Have you ever tried to find any housing?

A. Yes. I've put in, just recently, seven applications with Options Housing.

Q. And have you heard back?

A. Not yet.

Q. When you say "recently," when did you do that?

A. About a month ago.

Q. Why did you do that?

A. I'm getting tired.

Q. Sixty-eight years old?

A. Mm-hm.

Q. Yes?

A. Sixty-nine next month.

Q. Sixty-nine?

And so is it because of your age, it's not as easy to camp?

A. It's not my age. It's just the hassle. You know, you—just harassed everywhere you go.

Q. And are you harassed at the Safeway parking lot?

A. Never have been. And I've even had a policeman walk up and knock on my door and ask for somebody else. I didn't know the person, but he asked.

Q. Do you know what he was asking about?

[13] A. I assumed he was looking for him, but I don't—I don't know. I didn't ask him.

Q. But nobody told you to move from the—

A. No, hm-mm.

Q. Have you ever parked on some city property where you've been told to move from?

A. What do you mean by "city property"? I don't—

Q. Anyplace that's city property, not private property, not Safeway property, not Barbara Smith's property, but anyplace in the city where the police have come up and said you can't stay here overnight?

A. Mm-hm.

Q. Yes?

A. Mm-hm. Yes.

Q. Where has that happened?

A. Parks.

Q. Is that posted, no parking? No overnight—

A. No overnight parking.

Q. Were you trying to park overnight?

A. No. I—I usually try to follow rules if I can.

Q. Any other locations besides parks? A park?

A. I've tried city streets in front of big apartment complexes, you know.

[14] Q. And were you told not to park there?

A. At one, I was.

Q. Where was that?

A. It was also on D Street, on the left-hand side. If you're going down D Street, it would be on the left-hand side.

Q. Just on the street, though?

A. Mm-hm.

Q. Yes?

A. No. In the parking lot.

Q. Oh, a parking lot?

A. Mm-hm.

Q. Whose parking lot?

A. It was a visitor parking.

Q. A what?

A. Visitor parking.

Q. For the apartment?

A. Yes, sir.

* * *

[16] Q. Been living in your van?

A. I have.

Q. And do you ever go outside of Grants Pass to try to find housing?

A. No.

Q. Why not?

A. I just haven't—I know nobody in any other area but Grants Pass.

Q. Nobody in Medford?

A. No.

Q. Nobody in Central Point, any of the surrounding cities?

A. No. I did have a sister in Central Point, but she moved.

Q. Where does she live now?

A. She lives in Wimer.

Q. Wimer?

A. Mm-hm.

Q. Yes?

A. Yes.

Q. How far did you go in school?

A. I'm a nursing graduate. I went to the 12th grade and graduated, then I went to nursing school.

Q. What type of nurse?

A. I was an LVN for Kaiser Permanente for about [17] 25 years.

Q. Do you have a retirement from that?

A. I do.

Q. And are you on Social Security Disability now?

A. No.

Q. Are you on Social Security, though?

A. Yes, I am.

Q. Have you applied for SSI?

A. Why would I?

Q. I'm just asking if you have.

A. No, I haven't.

Q. Do you have family in the area?

A. I did, but I don't any longer.

Q. And that's your sister?

A. Hm-mm. No. Sorry.

Q. Is that the only family you have that was in the area?

A. She's an adopted sister. We're on the best of terms. My mother was here, but she moved back to be with my other sister to hang out with her for a while, I guess.

Q. So why are you homeless?

A. What do you mean, why am I homeless?

Q. Well, why have you—why have you not found housing since you were evicted from the Hungry Hill [18] Drive place?

A. Well, I don't know. Have you looked for a house with \$1,600 yourself? You know, that you can get into for \$1,600? It's not out there.

Q. So is it financial reasons?

A. Yep. And dog reasons.

Q. So is it because of the places you've tried to get in won't allow a dog?

A. Not my breed of dog.

Q. What's your breed of dog?

A. She's a Rottweiler. Got a very sweet Rottweiler.

Q. And have you tried to find housing since March of 2016?

A. This is what, two—No.

MR. JOHNSON: I think you already answered that.

THE WITNESS: Okay.

BY MR. WARREN: (Continuing)

Q. So you haven't tried to find housing?

A. No.

Q. Have you tried to use any of the shelter facilities in either Josephine or Jackson County?

A. No, sir.

Q. What would a shelter, for somebody who's [19] homeless, what would they have to allow before you would be able to stay there?

A. Well, my dog would be number one.

Q. What else?

A. Allow me to go to Sunday services when I please, pray when I please, come and go as I please.

Q. Even in the middle of the night?

A. Yes, even in the middle of the night.

Q. Anything else?

A. Nope.

Q. No smoking? Drinking? Do they have to allow—

A. Nope. Well, I'm not going to work for free, either.

Q. So they have to pay you if they require work?

A. Yes. Forty hours a week for nothing?

Q. What else?

A. Children. Little children. I don't work well with little children.

Q. So they would have to not allow children?

A. No, they could allow them. Just keep them away from me, you know.

Q. Anything else?

A. No, sir.

Q. Have you tried to get into the Union Gospel [20] Mission?

A. No.

Q. Why not?

A. My dog.

Q. And anything else?

A. If I didn't have my dog, I would try, but I'm not giving up my dog.

Q. Have you ever been arrested in Grants Pass for any sleeping—just sleeping anywhere?

A. No.

Q. Have you ever been cited for just sleeping?

A. Yes. I was in October of—I don't remember the date. I think it was '18—'17 or—'17 or '18. I'm not

sure. In 2017 or '18. But for some reason they never filed it with the courts.

Q. So you got a citation?

A. Mm-hm.

Q. Yes?

A. Oh. Yes, sir.

Q. And did they just hand you a piece of paper when you got it?

A. Mm-hm. Yes, sir.

Q. And you said you never went to court on it, though.

A. Nope.

[21] Q. Any other time?

A. Hm-mm.

Q. No?

A. No. Been threatened to be cited, but they never have.

Q. Do you know where that happened?

A. I usually stay at Baker Park because it's easy access to the water for my dog.

Q. And is that where you believe it happened, Baker Park?

A. I know it's where it happened.

Q. And just one time?

A. No. It happened several times.

Q. No. Where you were cited.

A. Oh, no. That was at Morrison Park where I was cited. Sorry.

Q. Yeah. That's what I want to make sure I understand.

A. Yeah.

Q. So one time at Morrison Park you were cited in October of '17 or '18?

A. Right.

* * *

[26] Q. What time had you arrived at the park?

A. I left my friend's house at 8:30 or 7:30. I went to—because I stayed a night at her house at the Rogue River Apartments. And then I went to the little pantry, got me some breakfast, got back in my car, back to the park across from my friend's house. And I parked there, ate my breakfast, glued my little flowers on so they could dry before I put the other stuff on because I didn't want to muck them up, and he didn't believe me.

Q. But this is the citation that never got forwarded to the court, correct?

A. That's correct, because they forgot to file it.

Q. Do you know any other time where Officer Burge cited you?

A. Hm-mm.

Q. No?

A. No. He only cited me once. He gave me many threats, though.

Q. And would a threat be the same as a warning? He said you can't do what you're doing?

A. It's a threat and your tone of voice, to me.

Q. What about Officer Peil?

A. He was—he was a pretty nice guy.

Q. Well, do you remember anything in [27] particular of contacts with—

A. No. He just said, “You know you can’t park here overnight.”

And I said, “Yes, sir, I do know that. There's a sign up there that says it.”

Q. Where were you parked at the time?

A. I always park in the first spot down by the water or the end spot up by the trees, because my dog has to get out on her side.

Q. Is this as Morrison Park or Baker Park?

A. Any park.

Q. But where was the contact with Officer Peil?

A. It was at Baker.

Q. So had you been—how long had you been parking there?

A. I got there about 8:15. I think the citation was 9:15, -20, something like that.

Q. I'm talking about the incident with Officer Peil now.

A. Oh. I'm confused. Okay. Not—it was just a short time. He was a nice guy.

Q. Any other time you've been cited in any park other than that?

A. Cited? No.

Q. Just warned.

[28] A. Warned, yeah.

Q. And at the time that you were warned, were there signs saying that you couldn't do what you were doing?

A. No.

Q. There were no signs saying you can't camp in the park?

A. No.

Q. No overnight parking?

A. Oh, no over—No, there's no signs. Well, it does—I forget one—I don't know which park has it. Everybody knows you can't park in the parks overnight. Everybody knows that.

Q. How do they know that?

A. I looked it up online.

Q. You mean you looked the ordinance up, city ordinance?

A. I looked it up.

Q. That's what I mean. You looked—

A. Yeah. Yes, sir, I did.

Q. Were you confused about what was allowed or not allowed?

A. Yes, I was.

Q. How were you confused?

A. How was I confused. Because I don't see how [29] sitting in a park—See, back in my—I don't know. You could throw a blanket on the grass. You can't no more.—You can't fall—you can, but don't fall asleep. You gotta be having lunch or something like that, because they'll get you.

Q. Have you ever been cited for just sleeping in a park?

A. I've never slept in a park.

Q. So the answer is no?

A. No.

Q. Have you ever been cited for staying overnight in a park?

A. I've never stayed overnight in a park.

Q. So the answer is no?

A. No. I did at Morrison, because my friend had to put a alternator in my car.

Q. So you ended up overnight there?

A. Well, I had to. I couldn't go anywhere.

Q. Yes. That's what I mean. You were there overnight.

A. Yes.

Q. So were you cited then?

A. But I called downtown.

Q. You what?

A. I called the non-emergency number downtown and [30] identified myself and told her the problem. And she said she'd take care of it, and I guess she did, because nobody bothered me.

* * *

Q. Here's Exhibit 154, which is the next entry on there. Looks like Officer Artoff.

A. Mm-hm.

Q. You want to take a look at that for a minute?

A. Okay.

Q. It says on December 10, 2018, at 6:16 in the morning—or 6:12 in the morning, was the initial contact, it says you were warned—“Johnson warned for park hours and asked to leave.”

So had you been parking in that park overnight?

A. No. I’d just gotten there.

Q. At six in the morning?

A. At 6:15, whatever it was.

Q. And did you—

A. I bought my breakfast and ate there.

Q. Do you remember this incident?

A. Yes, I do.

Q. And was this one that you were talking about, contact with Officer Artoff?

A. Well, it ended up Officer Peil, too.

Q. Was the park open at that time?

A. No.

[36] Q. Why were you there?

A. To eat my breakfast. I was hungry.

Q. What are the park hours?

A. Online it says Baker is from 7:00 a.m. to 10:00 p.m. Riverside is from 6:30 until 11:00. Also—

Q. Morrison?

A. Oh, Morrison? You know, I don’t see no signs at Morrison. I will look next time I go there.

Q. Do you know what the hours are just generally at that park?

A. I would assume 7 to 10, but I don't know for a fact.

Q. Where did this incident happen?

A. This was at Baker.

Q. So the park didn't open until 7:00 a.m. that morning.

A. Right.

Q. And there's signs that tell you that, right?

A. Yeah.

Q. But you just went there to eat your breakfast?

A. Yes, sir. But he asked me to leave and I left.

Q. He did what?

A. He asked me to leave and I left.

Q. Did you see anybody else parked in the park?

[37] A. There was an empty car there, no one in it.

Q. But you weren't camping in the park that day.

A. No.

Q. Or that night, I should say. The night before.

A. I've never camped overnight in a park. Never.

Q. And why have you not done that?

A. Because I don't want to get arrested.

Q. But you've never been arrested for camping in a park.

A. No.

Q. No?

A. Hm-mm. No.

Q. So why do you think you'd be arrested?

A. It's against the law.

Q. Would they give you a citation?

A. It cost you \$295 and you get thrown out of the park for a month. My dog wouldn't like that.

* * *

[42] Q. Did the officer tell you you can't camp there?

A. Yes, he did.

Q. Any other discussion you had?

A. No. I told him I was aware of it, the park regulations.

Q. So no citation and no arrest, correct?

A. No, sir.

Q. And you said Officer Peil was nice to you?

A. He was very nice.

(Exhibit 158 marked for identification.)

Q. Exhibit 158 is an incident from July 27, 2018. Appears your vehicle was parked in the roadway.

A. Oh. Yeah, yeah, yeah. Safety officer. He was a safety officer.

Q. Officer Gumbert?

A. Mm-hm.

Q. Yes?

A. Yes.

Q. So you were warned that the front end of your vehicle had been three feet into the roadway?

A. He said I was a little out in the roadway, yes.

Q. Once again, you weren't arrested and you were [42] cited, right?

A. No, sir.

Q. And were you camping at that location?

A. Well, yeah.

Q. And where was the location?

A. Sorry?

Q. I said, where was it? It says on the report, Northwest Washington Boulevard and Northwest Midland Avenue.

Is that just on the street?

A. Oh, that was on the street at the end of Midland and Washington, I believe.

Q. Why were you parked there?

A. Because I thought I'd try it for the night.

Q. Do what?

A. I just thought I'd go there for the night.

Q. But it sounds like you were parked partially in the roadway, then, correct?

A. Well, I don't believe I was. I don't believe I was three feet in the roadway. I'm not—

Q. Was it two feet?

A. No. I get pretty close to the curb, because my dog has to jump out on—she uses the curbs for steps. She has bad hips and I do what I can for her.

* * *

[45] A. I never camped overnight at any park in town.

Q. You never have.

A. I never have.

Q. And once again, you weren't arrested and weren't cited.

A. No, sir.

Q. You were just warned that you can't camp there, correct?

A. Mm-hm.

Q. Yes?

A. Yes.

Q. And you were in your van that you do camp in, correct?

A. Yes, sir.

* * *

[50] Q. Did you leave the park then?

A. No, because it—wasn't time to leave.

Q. It was what?

A. It wasn't time. He doesn't close the park—it closes at a certain time.

Q. Well, they were just telling you the hours, right?

A. Oh. Well, I guess.

Q. Well, it says the park was closed, on his report.

A. Well, it wasn't, though.

Q. Okay.

Did you leave when it was closed?

A. Yes.

(Exhibit 163 marked for identification.)

Q. 163. Now, this is an incident with Officer Burge and Officer Aucone. A-U-C-O-N-E, Aucone.

Is this the incident you were talking about? Looks like it happened at Wal-Mart.

A. Oh, yeah.

Q. Do you remember this, October 11, 2017?

A. Mm-hm.

Q. Yes?

A. Yes, sir.

[51] Q. And were you camping or in your van at Wal-Mart?

A. Yes, I did.

Q. Don't they have a sign that says No Camping?

A. I'm sorry?

Q. Don't they have a sign there that says No Camping in your parking lot?

A. No. They just come through occasionally and say move on.

Q. You haven't seen a sign up near the store, posted on a post, that says No Camping?

A. No.

Q. Owners Will Be Towed?

A. No.

Q. Vehicles Will Be Towed?

A. No. I don't believe I have.

Q. But this was private property you were parked on and camping on?

A. Yeah.

Q. And so this contact with Officer Burge, you were warned and then trespassed from Wal-Mart, but you weren't cited and you weren't arrested.

A. I have never been trespassed from any parking lot in this town. I've been warned.

Q. Well, this says all the people that were there [52] were warned about camping and trespassed from Wal-Mart.

So you don't think you were trespassed from Wal-Mart?

A. I know I wasn't, because I've been back.

Q. And camped there?

A. Yes.

* * *

(Exhibit 167 marked for identification.)

Q. Exhibit 167 is an incident from February 25, 2017.

Do you know where this is, on 1640 Williams Highway?

A. Yeah. That was the place I stayed overnight occasionally, and then I left in the morning.

Q. And what type of place is that?

A. It's apartments.

Q. So would you just park in the apartment visitor parking lot or something?

A. No. I'd park in her spot and go in her house.

Q. Oh. In your friend's spot?

A. Yeah.

Q. Is it possible the apartment manager reported you for parking there? Do you know?

A. Surmi. Hmm. Oh, I know—wait a minute. Surmi. Could this have been—oh, God, what is that pond out by the old mill. Me and my friend were out there.

Q. Was it private property?

A. Yes, sir.

* * *

[63] Q. So—in looking back at all these records we just went through, it doesn't look like, other than the one citation you've talked about that never even went to court, that you've ever received a citation or been arrested for any camping in any park, correct?

[64] A. No.

Q. That's correct, right?

A. That's correct.

Q. And so part of this lawsuit is a contention that you have a fear of being arrested for camping in the parks.

Do you have that fear?

A. I have the fear of being harassed every time they see me. Yes.

Q. No matter what you're doing?

A. No matter what I'm doing.

Q. And why do you have that fear?

A. Because it happens constantly.

* * *

[77] Q. Sleeping on sidewalks, streets, alleys or within doorways. You've never been cited or done that, correct?

A. I've never slept in any one of those, no.

Q. So is there anything confusing about what's prohibited there?

A. I don't understand it. I've never slept in a doorway or anything like that, no.

Q. You don't do that, right?

A. No.

Q. But you understand it's prohibited, right?

A. Pretty much. I know the park rules.

Q. And then 5.61.030 says you're not to occupy a campsite in those same areas we just looked at: Public rights-of-way, streets, sidewalks, also a park or any other publicly-owned property.

Are you confused that the city prohibits camping in those areas?

A. Which one am I reading again? I'm sorry.

Q. 5.61.030.

A. Okay. Okay. I'm pretty—I think I understand those pretty well.

* * *

[79] Q. But you know that overnight parking of vehicles in the park is unlawful?

A. That's correct.

Q. And you've done it on occasions when you've had to because of circumstances.

A. Car repairs and out of gas.

Q. Right.

A. Usually it's out of gas.

Q. Yes.

Otherwise you know you're not supposed to do it, right?

A. Yes. But usually I call downtown, sitting on the emergency number and speaking to whoever answers the phone. And I tell them my situation and—

Q. Slow down so she can get your words.

A. Okay.

Q. She has to be able to understand you.

A. Okay. Sorry.

I could tell them my situation so I'm not harassed.

Q. All right. So they understand there's reasons you're there.

A. Yeah. Because I tell them the truth.

Q. And the police have responded—

A. Yeah.

[80] Q. —by leaving you alone in those circumstances, correct?

A. Mm-hm. Pretty much.

Q. Well, when have they not left you alone when you've called down there?

A. I've had the concierge stop by and I've had a couple policemen at one point.

Q. Is there anything confusing in that section you just read about camping overnight in the park?

A. No, sir.

Q. So you know it's prohibited, right?

A. Yes, sir.

Q. And you believed—you mentioned some incidents where you thought some other people were camping in the park, and you—and is that because you saw that they had a stove out—

A. Mm-hm.

Q. —in the park?

A. A camp stove.

Q. Did they have bedding materials?

A. In the back of their vehicle, but I didn't walk up and take pictures of it.

Q. How do you know they had bedding material in their vehicle?

A. I could see in the windows.

* * *

[88] Q. But you hadn't camped there overnight?

A. I've never camped at a park overnight.

Q. Okay.

A. Never.

Q. But the request was denied on that request number 4, and it may be because it was paragraph 31, but do you know why you denied that no enforcement action beyond providing information was denied—

A. No.

Q. —for that incident?

A. I mean—

Q. Would you agree that no enforcement action was taken against you?

A. No, there was no enforcement action.

* * *

[90] Q. Do you ever sleep in your van outside the City of Grants Pass limits?

A. Yes, I do.

* * *

[97] Q. Look at paragraph 10 of your complaint, on page 3—sorry, your declaration. Exhibit 177.

MR. JOHNSON: Sorry, what paragraph?

BY MR. WARREN: (Continuing)

Q. Paragraph 10, page 3.

A. Okay.

Q. Says, “because I have no choice to live outside.”

You don’t live outside, though, do you? You live in your van.

A. Well, they still consider it outside. I mean, if you don’t have four wooden walls, it’s not a home.

Q. I understand. But you don’t live outside of your van, correct?

A. Hm-mm.

Q. No?

A. No, sir.

Q. And you say, “I’m constantly at risk of ticketing, fines and criminal prosecution.” But that hasn’t

happened to you other than the one ticket we [98] looked at, right?

A. Well, there was one man, I don't know his name—

Q. I'm talking about you.

A. Oh, me. Well, I was parked at the park, I was going to tell you. And he come out and said—it was 7:30, I think. He said, "You have to get out of the park."

I said, "Sir, but that sign out there says 7 to 10."

He says, "I don't care what that sign says. I will be back in 15 minutes, and if you're here, you're got to get cited."

So, needless to say, I left.

Q. But the question I asked you was, other than the ticket that we looked at, the one, you haven't been ticketed, fined or criminally prosecuted.

A. No. Just threatened.

Q. And if I understand you correctly, because you don't live outside, you've never been subject to any camp cleanup. Nobody's taken any property of yours.

A. No, sir.

Q. The police haven't. The police haven't taken any.

A. No. No. Not the city police, no.

* * *

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

**DEBRA BLAKE, GLORIA
JOHNSON, JOHN LO-
GAN**, individuals, on behalf
of themselves and all others
similarly situated,

Plaintiffs,

v.
CITY OF GRANTS PASS,

Defendant.

Case No. 1:18-cv-
01823-CL

**THIRD AMENDED
CLASS ACTION
COMPLAINT FOR
INJUNCTIVE AND
DECLARATORY
RELIEF**

42 USC § 1983

THIRD AMENDED COMPLAINT

1. The City of Grants Pass is trying to run homeless people out of town. On any given day or night, hundreds of individuals in Grants Pass, Oregon are forced to live outside due to the lack of emergency shelter and affordable housing in their community. The most recent “point in time” count in Josephine County found 654 individuals on the street and another 1011 individuals precariously housed for a total of 1754 people who are homeless or at immediate risk of homelessness. These numbers have risen since that count in 2017. This year, Grants Pass School District #7 reported 513 homeless youth enrolled in the District, the tenth most in the state. Grants Pass has a severe affordable housing shortage and no emergency shelter for homeless people. The people living outside in Grants Pass have nowhere else to go. Like all people, they require a place to rest, sleep, stay warm, and stay alive.

2. Over a period of years, the City of Grants Pass has taken coordinated steps to drive homeless people out of town. The City has refused to allow warming stations in the winter (which are very cold), and cooling stations in the summer (which are very hot and increasingly smoky). The City has removed park benches from its parks. The City has paid one-way bus fare for homeless people to leave town. The City has driven people to Jackson County. One city councilor stated in a city council meeting, “the point is to make it uncomfortable enough for them [homeless people] in our city so they will want to move on down the road.” At the same time, city council has voted against affordable housing in the City and has failed to take steps to create a low-barrier emergency shelter for the hundreds of homeless people who live in the City.

3. Grants Pass has a web of ordinances, customs, policies and practices that, in combination, punish and criminalize the existence of homeless people in Grants Pass. When people are found sleeping outside (whether in a vehicle or not) they are awakened by police, ordered to move along, excluded from parks, often ticketed, ordered to appear in court, criminally fined and prosecuted for “illegal sleeping,” “illegal camping” and criminal trespass. When homeless people are sitting or resting in public spaces with a blanket or tarp for warmth or in their vehicle, they are ordered to move-along, threatened with ticketing, ticketed, fined and arrested for illegal camping, illegal sleeping or criminal trespass. Grants Pass’ customs, policies and practices, as applied to involuntarily homeless individuals, violate the constitutional rights to be free from cruel and unusual punishment and excessive fines, to due process of law, and to equal protection of the laws, secured by the Eighth and Fourteenth

Amendments. Plaintiffs seek prospective injunctive and declaratory relief pursuant to 42 USC § 1983. Plaintiffs bring this action for themselves and on behalf of all similarly situated persons pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure. Plaintiffs ask this court to enjoin defendant from taking law enforcement action against plaintiffs for sleeping or simply existing in Grants Pass unless and until the City provides a lawful place for people to rest, sleep and find shelter.

I. JURISDICTION AND VENUE

4. Jurisdiction exists for the claim pursuant to 28 USC §§ 1331 (federal question) and 1343 (civil rights) in that plaintiffs' claims arise under 42 USC § 1983. Venue is proper in the District of Oregon pursuant to 28 USC § 1391(b)(2) because the City of Grants Pass is in this district and the events giving rise to plaintiffs' claims occurred in this district.

II. PARTIES

5. Plaintiff Debra Blake is and was at all relevant times an involuntarily homeless resident of Grants Pass, Oregon.

6. Plaintiff Gloria Johnson is and was at all relevant times an involuntarily homeless resident of Grants Pass, Oregon.

7. Plaintiff John Logan is and was at all relevant times an involuntarily homeless resident of Grants Pass, Oregon.

8. Defendant City of Grants Pass is a municipal corporation duly organized and existing under the laws of the State of Oregon. The acts of defendant complained of were undertaken in the execution of customs, policies, and practices implemented or

consented to by authorized policymakers of the City of Grants Pass. The acts complained of were intentionally committed, are ongoing, and will continue to be systematically committed unless restrained by this Court.

III. FACTUAL ALLEGATIONS

A. Grants Pass' Affordable Housing Crisis and Lack of Emergency Shelter

9. Grants Pass is in the midst of an affordable housing crisis. There is not nearly enough affordable housing to house all of the low-income residents of Grants Pass. In 2017, the Point-in-Time Count of homeless people in Josephine County found 654 individuals on the street and another 1011 individuals precariously housed for a total of 1754 people who are homeless or at immediate risk of homelessness. The majority of these people reside in Grants Pass, the county's largest city, and these numbers have increased since 2017. The Grants Pass School District #7 currently has 531 homeless students enrolled.

10. Grants Pass residents spend on average 27.1% of their income on housing. This is the third highest rate in the nation. Only Santa Cruz, CA (30%) and Miami, FL (29.7%) have higher rates.

11. Unlike other comparably sized cities in Oregon, Grants Pass has no emergency shelter for homeless individuals. There is no place in Grants Pass where people can simply show up and receive shelter during the day or night.

12. The only shelters for adults in Grants Pass are run by the Gospel Rescue Mission. These shelters are nearly always full, they only allow people to stay for a limited duration, and they have many rules that exclude large numbers of people. They require people to

be able-bodied and to work for 40 hours a week without pay. There are no shelters at all for couples or for men with children.

13. Stays at the Gospel Mission are limited to 30 days. The rules of the Mission run for several pages and include the following:

“If you have serious or chronic medical or mental issues that prevent you from participating in daily Mission life, you may not be able to stay at the Mission.”

“Medications must be turned in at the front desk.”

“You are to remain nicotine free during your stay at the Mission.”

“There is no socializing between members of the opposite sex except at approved Mission events. Treat one another as a brother and/or sister. All intimate relationships other than legal/biblical marriage, regardless of gender, either on or off Mission property are strictly forbidden.”

“Taking a sick day will result in losing pass privileges for 72 hours and confinement to staying indoors during this time to insure a thorough recovery from illness.”

“Every Sunday, you are required to attend a church approved by the Mission staff. The individual church is your choice, however it must hold to traditional Christian teachings such as the Apostles Creed.”

14. Residents are not allowed to look for work outside the Mission during their 30 days there.

15. Even if these shelters were lower-barrier, there would not be nearly enough beds to shelter all of the

homeless people in Grants Pass. In total, there are 30 beds in a dorm for single men, four bunk rooms for single women and twelve rooms for mothers with up to four children.

16. The County in which Grants Pass is located, Josephine, has in recent months taken steps in a different direction than the City of Grants Pass. Josephine County's Board of Commissioners declared a county-wide affordable housing crisis in November of 2017. The County took steps to legalize more nonconventional housing units and camping in some circumstances. Then Mayor of Grants Pass, Darin Fowler, publicly expressed opposition to these measures.

17. Grants Pass has no Public Housing and the wait list for a Section 8 voucher is long. If a person is lucky enough to get a voucher in Josephine County there is only a 22% utilization rate. In short, it is hard to get a housing voucher and if a person gets one, there are very few places to use it.

B. Plaintiff Debra Blake

18. Plaintiff Debra Blake is involuntarily homeless and has been so for the past eight years. She has lived in Grants Pass for 15 years. About eight years ago, she lost her job and her housing and has been forced to live outside.

19. Ms. Blake cannot afford housing and there is no available bed for her at an emergency shelter anywhere in Grants Pass.

20. Ms. Blake, over the past seven years has been repeatedly told by Grants Pass police that she must "move along" and that there is nowhere in Grants Pass that she can legally sit or rest. She has been repeatedly awakened by Grants Pass police while sleeping and told that she needs to get up and move. She

has been told by Grants Pass police that she should leave town.

21. Because she has no choice but to live outside and has no place else to go, Ms. Blake has faced ticketing, fines and criminal prosecution.

22. On July 1, 2014, at 6:20 a.m., Ms. Blake was cited for violating GPMC 5.61.020 for sleeping in an alley at 620 SE J Street in Grants Pass and was fined \$35. Ms. Blake is unable to pay this fine, which because of late fees is now \$109.

23. On September 24, 2014 at 3:26 a.m., Ms. Blake was cited for violating GPMC 5.61.030 for “prohibited camping” while sleeping at 311SE G Street in Grants Pass and was fined \$295. Ms. Blake is unable to pay this fine, which because of late fees is now \$503.

24. On October 4, 2014, Ms. Blake was cited for violating GPMC 5.61.030 for “prohibited camping” while sleeping at 431 NE D Street in Grants Pass and was fined \$295. Ms. Blake is unable to pay this fine, which because of late fees is now \$503.

25. On May 1, 2016, Ms. Blake was sleeping on private property located at 201 NE 8th Street in Grants Pass and was arrested and charged with Criminal Trespass in the Second Degree under ORS 164.245, a Class C Misdemeanor. She was convicted, fined \$200 and placed on bench probation for six months. Ms. Blake is unable to pay this fine which because of late fees is now \$416.

24. On July 17, 2018, Ms. Blake was sleeping in Riverside Park in Grants Pass at 7:33 a.m. She was approached by a Grants Pass police officer and issued a citation for violating GPMC 6.46.090 “Camping in Park” a violation that has a presumptive fine of \$295. On July 24, 2018, Ms. Blake was again in or near

Riverside Park. She was arrested, taken into custody, cited for Criminal Trespass II, incarcerated and spent the night in jail before being released the next morning. Her release agreement contains the provision that Ms. Blake is to “have no contact with All Grants Pass Parks.” The Criminal Trespass II citation has yet to be charged. She was found guilty of the “Camping in Park” offense and her fine for this offense is now \$537.60.

25. Ms. Blake now owes the City of Grants Pass more than \$2000 in fines for crimes and violations related directly to her involuntary homelessness and the fact that there is no affordable housing or emergency shelter in Grants Pass where Ms. Blake can stay.

26. In January 2019, Ms. Blake was admitted into a 30-day treatment program as a condition of her release from jail. She has nowhere to go once that program ends. Once she is on the street again, she could be arrested, ticketed and prosecuted for sleeping outside or for covering herself with a blanket to stay warm. She has no place else to go.

C. Plaintiff Gloria Johnson

27. Plaintiff Gloria Johnson is 68 years old and is involuntarily homeless. She has been homeless for the past three years. She has lived in Grants Pass for the past 12 years.

28. Prior to retiring she was a nurse, for decades, in an ophthalmology office. Ms. Johnson has a limited fixed income from social security retirement and cannot afford housing and there is no available bed for her at an emergency shelter anywhere in Grants Pass. She lives with her dog, Echo, who helps her cope with the symptoms of Post-Traumatic Stress Disorder. If

she could find shelter or housing that she could afford and live in with Echo she would move inside.

29. Ms. Johnson owns a 2002 Dodge Grand Caravan van. She sleeps in her van to stay out of the elements.

30. On October 12, 2017, Ms. Johnson was ticketed by Grants Pass police officers for violating GPMC 6.46.090, “camping in parks” while in her van in an authorized parking spot in Morrison Park in Grants Pass at 9:21 a.m. The police explanation on the ticket says, “Johnson was found sleeping in her van with the curtains covering the. . .” This explanation ends mid-sentence. This offense carried a presumptive fine of \$295. It appears that the police officers never filed this ticket with the Court, despite the ticket including a court appearance with a time and date.

31. On February 19th, 2019 at about 9:30 A.M., Ms Johnson was parked at Baker Park. She was in her van eating breakfast. A Grants Pass police officer approached her in her van. That officer told her that a new ordinance was in effect and that she could not stay parked there for more than two hours.

32. Ms. Johnson, over the past three years has been repeatedly told, on dozens of occasions, by Grants Pass police that she must “move along” and that there is nowhere in Grants Pass that she can legally park to sleep in her van. She has been repeatedly awakened by Grants Pass police while sleeping and told that she needs move her van or be ticketed for illegal sleeping or camping and fined. She has been told that it is illegal for her to sleep in her van anywhere in Grants Pass city limits and that she must leave town if she wants to sleep in her van.

33. As a result, she often sleeps in her van at night just outside the Grants Pass city limits to avoid being awakened and harassed by the police. She comes into town each day for needed services, including food for her and Echo. If the Grants Pass police did not repeatedly harass her and threaten her with ticketing, she would sleep in her van at night in Grants Pass to save valuable gas money and to avoid the hassle of constantly moving her van.

34. Because she has no choice but to live outside and has no place else to go, Ms. Johnson is at risk of ticketing, fines and criminal prosecution.

36. Ms. Johnson continues to live without shelter in Grants Pass. At any time, she could be arrested, ticketed and prosecuted for sleeping outside in her van or for covering herself with a blanket to stay warm.

D. Plaintiff John Logan

37. Plaintiff John Logan is 60 years old and is currently involuntarily homeless. He has been involuntarily homeless in Grants Pass several times within the past 10 years.

38. Mr. Logan was raised in Grants Pass, attended Grants Pass public schools, and has lived the vast majority of his life in Grants Pass.

39. He first experienced homelessness about 10 years ago after losing his job. He involuntarily lived out of his truck on the streets in Grants Pass for about 4 years.

40. In 2015, Mr. Logan found housing with assistance from HUD's Housing Choice Voucher program. Unfortunatley, after three years of being housed, he recieved a no-cause notice of termination and was

forced to move from his residence. He was unable to find replacement housing and his Housing Choice Voucher expired.

41. Mr. Logan has been awakened by City of Grants Pass police officers and told that he cannot sleep in his truck in the city, told there was no place to camp or sleep in his truck in the city, and ordered to move on.

42. Mr. Logan has heard from other homeless persons that there is no where to camp or sleep in a vehicle in the city.

43. As a result, Mr. Logan usually sleeps in his truck just outside the Grants Pass city limits to avoid being awakened and harassed by the police. He comes into town each day to access services. If there was some place in the city where Mr. Logan could legally sleep in his truck in the city, he would because it would save valuable gas money and avoid the hassle of having to constantly move.

E. Grants Pass' Efforts to Run Homeless People Out of Town

44. On a daily and nightly basis hundreds of homeless people living in Grants Pass are in the identical situations as plaintiffs. They are awakened by officers of the Grants Pass Public Safety Department. They are moved along. They are told that they cannot sleep outside. They are frequently ticketed, fined, prosecuted and jailed for existing outside in Grants Pass. Many homeless people now sleep just outside city limits to avoid being harassed, awakened, ordered to move-along, threatened with punishment, ticketed, arrested and prosecuted.

45. The City of Grants Pass has taken other affirmative and intentional steps to remove homeless people

from within its borders. The City has removed park benches from its parks so that people have no place in public to rest. The City has built fences around bus stop benches. City police have offered to pay one-way bus fare to get homeless people out of town.

46. The City has made it difficult or impossible for any organization to operate a warming or cooling center for homeless people anywhere within the City.

47. The Grants Pass City Council has voted against affordable housing projects being allowed in the City, sometimes citing non-existent problems, like lack of parking, to explain their votes against affordable housing.

48. Elected officials have publically stated their desire to drive homeless people from the City and to make it difficult for homeless people to live in Grants Pass.

49. Counsel for plaintiffs reviewed dozens of anti-camping and anti-sleeping citations produced to them by Defendants pursuant to a public records request. These tickets were issued between January of 2015 and May of 2017. Of the 208 tickets received and reviewed, almost all of them were issued to people who were homeless at the time of issuance. These tickets show that these ordinances are selectively enforced against homeless individuals. Also, the tickets were usually issued based on officer initiated patrols, not based upon complaints from the public. Of the 83 camping tickets issued pursuant to GPMC 5.61.030, 67 were officer initiated. Of the 125 sleeping tickets issued pursuant to GPMC 5.61.020, 93 of them were officer initiated.

F. Relevant Ordinances

50. City of Grants Pass Municipal Code 5.61.010-030 “Prohibited Camping” provides, in part:

5.61.010 Definitions. Unless the context requires otherwise the following definitions apply to Chapter 5.61.

A. “To Camp” means to set up or to remain in or at a campsite.

B. “Campsite” means any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

5.61.020 Sleeping on Sidewalks, Streets, Alleys, or Within Doorways Prohibited

A. No person may sleep on public sidewalks, streets, or alleyways at any time as a matter of individual and public safety.

B. No person may sleep in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk.

C. In addition to any other remedy provided by law, any person found in violation of this section may be immediately removed from the premises.

5.61.030 Camping Prohibited

No person may occupy a campsite in or upon any sidewalk, street, alley, lane, public right of way, park, bench, or any other publicly-

owned property or under any bridge or viaduct,

51. The City of Grants Pass Municipal Code 6.46.090, “Camping in Parks” provides,

6.46.090 Camping in Parks

A. It is unlawful for any person to camp, as defined in GPMC Title 5, within the boundaries of the city parks.¹

IV. Class Allegations

52. Plaintiffs bring this action on behalf of themselves and all others similarly situated under Rule 23 of the Federal Rules of Civil Procedure. They seek to represent a class that consists of: all involuntarily homeless people living in Grants Pass, Oregon.²

53. The Class is so numerous that joinder of its members is impracticable. The latest (2017) point-in-time count for Josephine County indicates that the class numbers, at a minimum, in the hundreds. In addition to the hundreds of homeless adults, there are 531 homeless youth enrolled in school in Grants Pass.

54. The relief sought is common to all members of the proposed class, and common questions of law and fact exist as to all members of the class. Plaintiffs

¹ Defendant adopted this amended version of GPMC 6.46.090(A) on or about Jan. 2, 2019. At the time of Plaintiffs’ initial filing, GPMC 6.46.090(A) read as follows: It is unlawful for any person to camp within the boundaries of the City parks. For the purposes of this section, camping shall mean sleeping or erecting sleeping quarters or living quarters.

² This definition includes homeless individuals who sometimes sleep outside of city limits to avoid punishment by Defendant addressed in this lawsuit.

seek prospective relief from being ordered to “move along” when they have nowhere else to go and from enforcement of Grants Pass’ anti-camping ordinances, Grants Pass’ anti-sleeping ordinance, the park exclusion ordinance and Criminal Trespass laws when they are enforced against members of the class solely because they have no place else to go.

55. There is a well-defined community of interest in the questions of law and fact affecting the class as a whole. The questions of law and fact common to the class predominate over any questions affecting solely individual members of the action, and include:

- a. Are emergency shelter beds available to all homeless individuals in Grants Pass?
- b. Are there other places where involuntarily homeless people can go to rest, sleep, or shelter in Grants Pass?
- c. Are resting, sleeping and sheltering oneself unavoidable basic human needs?
- d. Does the City of Grants Pass’ policy and practice of ordering homeless people to “move along” as well as enforcement of the anti-sleeping ordinance, the anti-camping ordinances and criminal trespass laws violate plaintiffs’ rights to equal protection and due process under the Fourteenth Amendment to the United States Constitution?
- e. Does the City of Grants Pass’ policy and practice of ordering homeless people to “move along” as well as enforcement of the anti-sleeping ordinance, the anti-camping ordinances and criminal trespass laws violate plaintiffs’ right to be free from cruel and unusual punishment and excessive fines under

the Eighth Amendment to the United States Constitution? and

- f. Is prospective relief appropriate to stop the City of Grants Pass from violating plaintiffs' rights?

56. Plaintiffs' claims are typical to the class. Plaintiffs and the proposed class are involuntarily homeless individuals who have been and are subject to the enforcement of the City's policy and practice of ordering homeless people to "move-along," the anti-camping ordinances, anti-sleeping ordinance and criminal trespass laws as well as the City's other policies and practices aimed at making homeless people living in Grants Pass uncomfortable and driving them out of town.

57. Plaintiffs will fairly and adequately protect the interests of the class. Plaintiffs have retained counsel competent and experienced in class action litigation.

58. A class action is the appropriate and superior method for the fair and efficient adjudication of this controversy. Prosecuting separate actions would create the risk of inconsistent or varying adjudications, establishing incompatible standards of conduct for the City of Grants Pass. Allowing this lawsuit to proceed as a class action will permit the class of similarly situated persons to prosecute their common claims in a single forum simultaneously and efficiently, and without the unnecessary duplication of effort and expense that numerous individual actions would entail.

59. To the extent that any member of the class could afford individual litigation, it would be unduly burdensome to the judicial system. Concentrating this litigation in one forum will promote judicial

economy, consistency, and parity among the claims of individual members of the class.

60. Plaintiffs know of no difficulty which would be encountered in the management of this litigation that would preclude its maintenance as a class action.

V. Plaintiffs Attempted to Resolve this Matter Prior to Litigation

61. Plaintiffs' counsel contacted the City of Grants Pass on September 10, 2018 to demand relief as outlined in this complaint.

62. Despite these efforts, the parties have not been able to resolve their dispute.

**FIRST CLAIM FOR RELIEF
Eighth Amendment to the U.S. Constitution
(Cruel and Unusual Punishment; Excessive
Fines) and 42 U.S.C. § 1983**

63. Plaintiffs incorporate by reference the allegations above as if fully set forth herein.

64. Unsheltered homeless people in Grants Pass are involuntarily homeless in public. They have no place else to go.

65. Resting, sleeping and seeking shelter is not voluntary conduct. They are basic and harmless human needs. Performing these acts in public is integral to the status of being homeless in Grants Pass.

66. By punishing the acts of resting, sleeping or seeking shelter in public, without providing any legal place for most homeless place to conduct such activities, Grants Pass effectively punishes and criminalizes the status of homelessness in violation of plaintiffs' rights to be free from excessive fines and cruel and usual punishment.

67. As applied to the homeless individuals, the City's pattern and practice of ordering homeless people to "move along," as well as the enforcement of the anti-sleeping ordinance, the anti-camping ordinances and criminal trespass laws violates the 8th Amendment prohibited on imposing excessive fines and inflicting cruel and unusual punishment by harming plaintiffs with punitive and criminal sanctions for engaging in innocent, involuntary, life-sustaining activity, thus effectively punishing and criminalizing their homeless status.

68. In the absence of prospective injunctive relief, plaintiffs and prospective class members will be subject to the real threat of being ticketed, arrested, fined and jailed in violation of their rights.

69. Plaintiffs are entitled to injunctive and declaratory relief, as set forth below.

70. Plaintiffs are entitled to their reasonable costs and attorney fees on this claim pursuant to 42 U.S.C. § 1988.

SECOND CLAIM FOR RELIEF:

Fourteenth Amendment to the U.S. Constitution (Equal Protection) and 42 U.S.C. § 1983

71. Plaintiffs incorporate by reference the allegations above as if fully set forth herein.

72. Defendant selectively orders homeless individuals to "move along" when they are resting or sleeping in public or in their vehicles. Defendant selectively enforces the anti-camping ordinances and criminal trespass laws against individuals like plaintiffs pursuant to a discriminatory purpose to rid the City of Grants Pass of homeless individuals.

73. Plaintiffs and the class they seek to represent have been told by Grants Pass police that there is no place where homeless people are allowed to be in Grants Pass. The fundamental right of the plaintiffs to move about freely and engage in harmless life-sustaining activities such as resting, sleeping and attempting to stay warm was and is infringed on by defendant's conduct and enforcement of the camping ordinances, the sleeping ordinance and criminal trespass laws.

74. Homelessness is an arbitrary classification that defendant uses to accomplish the forbidden aim of ridding the City of Grants Pass of homeless persons through selective application of the above laws.

75. Non-homeless people are not ordered to "move-along," ticketed, fined, prosecuted and jailed for resting or sleeping in public.

76. Defendant's selective enforcement of these laws violates the Equal Protection clause of the 14th Amendment of the U.S. Constitution.

77. Plaintiffs are entitled to injunctive and declaratory relief, as set forth below.

78. Plaintiffs are entitled to their reasonable costs and attorney fees on this claim pursuant to 42 U.S.C. § 1988.

**THIRD CLAIM FOR RELIEF:
Fourteenth Amendment to the U.S. Constitution
(Substantive Due Process) and 42 U.S.C.
§ 1983**

79. Plaintiffs incorporate by reference the allegations above as if fully set forth herein.

80. The fundamental right of the individual plaintiffs to move about freely and engage in harmless life-

sustaining activities such as resting, sleeping and attempting to stay warm was and is infringed on by defendant's "move-along" orders and enforcement of the camping ordinances, the sleeping ordinance and criminal trespass laws.

81. Defendant's conduct violates the Due Process clause of the 14th Amendment to the U.S. Constitution.

82. Plaintiffs are entitled to injunctive and declaratory relief, as set forth below.

83. Plaintiffs are entitled to their reasonable costs and attorney fees on this claim pursuant to 42 U.S.C. § 1988.

**FOURTH CLAIM FOR RELIEF:
Fourteenth Amendment to the U.S. Constitution
(Procedural Due Process/Notice) and 42
U.S.C. § 1983**

84. Plaintiffs incorporate by reference the allegations above as if fully set forth herein.

85. The City of Grants Pass' two anti-camping ordinances do not provide constitutionally sufficient notice such that a reasonable homeless person in Grants Pass would understand what conduct is prohibited.

86. Plaintiffs have not been given meaningful notice prior to being deprived of the liberty interests in moving freely through Grants Pass, resting, sleeping and seeking shelter from the elements.

87. Plaintiffs have been excluded from Grants Pass parks without due process of law.

88. Plaintiffs are entitled to their reasonable costs and attorney fees on this claim pursuant to 42 U.S.C. § 1988.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask the Court for the following relief:

1. To certify the class as defined above at ¶ 52;
2. To declare Grants Pass' campaign to drive homeless people out of the City unconstitutional and enjoin such practices, policies and customs;
3. To issue a declaration that, as applied to plaintiffs, enforcement of GPMC 5.61.020 (the anti-sleeping ordinance), GPMC 5.61.030 (the anti-camping ordinance), GPMC 6.46.090 (the parks anti-camping ordinance), GPMC 6.46.350 (the park exclusion ordinance) and criminal trespass laws is an unconstitutional infringement on plaintiffs' Eighth and Fourteenth Amendment rights.
4. To issue an injunction prohibiting Grants Pass from enforcement of GPMC 5.61.020 (the anti-sleeping ordinance), GPMC 5.61.030 (the anti-camping ordinance), GPMC 6.46.090 (the parks anti-camping ordinance), GPMC 6.46.350 (park exclusion ordinance) and criminal trespass laws against homeless individuals in Grants Pass who are engaged in the life sustaining activities of resting, sleeping or seeking shelter from the elements, unless and until Grants Pass provides a place where plaintiffs can lawfully engage in necessary life-sustaining activities.
5. To award plaintiffs their costs and attorney fees, pursuant to 42 U.S.C. § 1988
6. To award plaintiffs such other relief as may be just and equitable.

Respectfully submitted, this 13th day of November, 2019.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

DEBRA BLAKE, GLO- Case No. 1:18-cv-01823-CL
RIA JOHNSON,
JOHN LOGAN, individu- **CITY OF GRANTS**
als, on behalf of them- **PASS'S ANSWER TO**
selves and all others simi- **PLAINTIFFS' THIRD**
larly situated, **AMENDED COM-**
PLAINT
Plaintiffs, **(Request for Jury Trial)**

v.

CITY OF GRANTS PASS,
Defendant.

For its Answer to plaintiffs' Third Amended Com-
plaint, the City of Grants Pass ("City") hereby admits,
denies and alleges as follows:

1.

Denies paragraphs 1, 2 and 3.

2.

In response to paragraph 4, these are plaintiffs'
jurisdictional and venue allegations and legal conclu-
sions to which no response is required.

3.

In response to paragraph 5, admits that plaintiff
Blake has described herself as homeless but the City
is without sufficient knowledge or information to
know the truth of the allegation and on this basis, de-
nies.

4.

In response to paragraph 6, admits that plaintiff Johnson has described herself as homeless but the City is without sufficient knowledge or information to know the truth of the allegation and on this basis, denies.

5.

In response to paragraph 7, admits that plaintiff Logan has described himself as homeless but the City is without sufficient knowledge or information to know the truth of the allegation and on this basis, denies.

6.

In response to paragraph 8, admits that the City is a municipal corporation with all the rights, duties and obligations of a public body under the laws of the State of Oregon but except as so admitted, denies the allegations.

7.

In response to paragraphs 9, 10, 11, 12, 13, 14, 15, 16 and 17, the City is without sufficient knowledge or information as to the details alleged other than to admit that individuals have been identified as homeless and that social services available in the City are occasionally exceeded by the needs but except as so admitted, denies the allegations.

8.

In response to paragraphs 18, 19, 20 and 21, the City is without sufficient knowledge or information to admit or deny the allegations other than to admit that plaintiff Blake has been charged for a variety of criminal conduct including burglary, criminal mischief

and possession of controlled substances and has been subject to criminal prosecution by the local District Attorney's office for the crimes committed. Except as so admitted, denies the allegations.

9.

In response to paragraph 22, admits that a citation was issued for a violation of Grants Pass Municipal Code (GPMC) 5.61.020 to plaintiff Blake for sleeping in the alley near 620 SE J Street in Grants Pass, Oregon but the City is without sufficient knowledge or information as to the remaining allegations and on this basis, denies.

10.

In response to paragraph 23, admits that on September 24, 2014, plaintiff Blake was issued a violation citation for prohibited camping at or near 311 SE G Street in Grants Pass in violation of GPMC 5.61.030 but the City is without sufficient knowledge or information as to the remaining allegations and on this basis, denies.

11.

In response to paragraph 24 (first), admits that on October 4, 2014, plaintiff Blake was issued a violation citation for prohibited camping at or near 431 NE D Street in Grants Pass in violation of GPMC 5.61.030 but the City is without sufficient knowledge or information as to the remaining allegations and on this basis, denies.

12.

In response to paragraph 25 (first), admits that on May 1, 2016 plaintiff Blake having been previously trespassed from private property located at 201 NE 8th Street in Grants Pass was cited for Criminal

Trespass in violation of ORS 164.245(A) but the City is without sufficient knowledge or information as to the remaining allegations and on this basis, denies.

13.

In response to paragraph 24 (second), admits that on July 17, 2018, plaintiff Blake was issued a violation citation for camping in Riverside Park in violation of GPMC 6.46.090 and on July 24, 2018 was arrested for conduct in violation of a no-trespass Order and transported to jail, but the City is without sufficient knowledge or information at this time to admit or deny the remaining allegations and on this basis, denies.

14.

In response to paragraphs 25 (second), 26, 27, 28 and 29, the City is without sufficient knowledge or information to admit or deny the allegations and on this basis, denies.

15.

In response to paragraph 30, the City admits that a ticket was issued to plaintiff Johnson for a violation of GPMC 6.46.090 on October 12, 2017 and that such ticket appears for unknown reasons not to have been forwarded to Circuit Court but except as so admitted, denies the remaining allegations.

16.

In response to paragraph 31, the City has no record of such contact and upon search for substantiating information found none. On this basis, City denies the allegations.

60

17.

In response to paragraph 32, the City admits that plaintiff Johnson has had numerous contacts with law enforcement but absent more specifics, the City denies the allegations.

18.

Denies paragraphs 33, 34 and 36 (no paragraph 35 was alleged).

19.

In response to paragraphs 37, 38, 39 and 40, the City is without sufficient knowledge or information to admit or deny the allegations and on this basis, denies.

20.

Denies paragraphs 41, 42, 43, 44, 45, 46, 47, 48, and 49.

21.

In response to paragraphs 50 and 51, the Grants Pass Municipal Code speaks for itself and appears to be accurately summarized in part but does omit that any violation of the GPMC sections cited is not treated as a crime but only a violation, thereby having no relevance to any of plaintiffs' Eighth Amendment allegations.

22.

In response to paragraphs 52, 53, 54, 55, 56, 57, 58, 59 and 60, these are plaintiffs' legal theories and conclusions regarding the proposed class action status and conclusory legal allegations but the City denies there is any basis for class action certification or the conclusions alleged and, on this basis, denies.

61

23.

In response to paragraphs 61 and 62, admits that a single letter was sent to the City of Grants Pass City Attorney dated September 10, 2018 but denies that any counsel for plaintiffs made any serious effort to resolve any plaintiff's complaints or concerns prior to the filing of this lawsuit.

24.

In response to paragraph 63, the City admits and denies as alleged above in response to paragraphs 1 through 62.

25.

In response to paragraphs 64, 65, 66, 67, 68, 69 and 70, these are plaintiffs' legal theories and conclusions to which no response is required. To the extent any facts are alleged, they are denied unless admitted hereinabove.

26.

In response to paragraph 71, the City admits and denies as alleged above in response to paragraphs 1 through 70.

27.

In response to paragraphs 72, 73, 74, 75, 76, 77 and 78, these are plaintiffs' legal theories and conclusory allegations to which no response is required. To the extent any facts are alleged, they are denied unless admitted hereinabove.

28.

In response to paragraph 79, the City admits and denies as alleged above in response to paragraphs 1 through 78.

62

29.

In response to paragraphs 80, 81, 82 and 83, these are plaintiffs' legal theories and conclusory allegations to which no response is required. To the extent any facts are alleged, they are denied unless admitted hereinabove.

30.

In response to paragraph 84, the City admits and denies as alleged above in response to paragraphs 1 through 83.

31.

Denies paragraphs 85, 86, 87 and 88.

FOR A FIRST AFFIRMATIVE DEFENSE, defendant City alleges:

(Statute of Limitations)

32.

One or more plaintiffs appear to be seeking to impose liability for conduct that occurred outside of the applicable statute of limitations and if so, such claims are barred.

FOR A SECOND AFFIRMATIVE DEFENSE, defendant City alleges:

(*Heck* Doctrine)

33.

One or more plaintiffs were convicted of offenses that have not been set aside or overturned on appeal such that any claims arising out of the conduct for which such plaintiff was convicted are barred by the *Heck* doctrine.

FOR A THIRD AFFIRMATIVE DEFENSE, defendant City alleges:

(Laches)

34.

To the extent plaintiffs are seeking to invoke an equitable remedy for conduct that occurred several years ago, plaintiffs' remedy is barred by the doctrine of laches.

WHEREFORE, having fully responded to plaintiffs' Third Amended Complaint, defendant City of Grants Pass requests judgment in its favor and an award of costs and attorney fees as the prevailing party under 42 U.S.C. § 1988.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

**DEBRA BLAKE, GLO-
RIA JOHNSON,**
JOHN LOGAN individ-
uals, on behalf of
themselves and all oth-
ers similarly situated,

Plaintiffs,

v.

**CITY OF GRANTS
PASS,**

Defendant.

Case No. 1:18-cv-
01823-CL

**DECLARATION OF
INESSA WURSCHER
IN SUPPORT OF
PLAINTIFFS' MO-
TION FOR SUM-
MARY JUDGMENT**

I, **Inessa Wurscher**, declare as follows:

1. I am a staff attorney at the Oregon Law Center, Grants Pass office. My office represents the plaintiff class in this case.

2. The attached summary of trespass orders, dispatch data on trespass orders for class representatives, emails, incident reports and park exclusion order (all of which are cited to in plaintiffs' summary judgment brief) were produced by the City of Grants Pass in the course of discovery (Exhibit 1).

3. I have reviewed all of the citations and incident reports from 2012 to 2019 related to the ordinances GPMC 5.61.020 (the anti-sleeping ordinance), GPMC 5.61.030 (the anti-camping ordinance), and GPMC 6.46.090 that were produced to plaintiffs in this case.

4. In total, the City of Grants Pass has provided 615 citations and 541 incident reports.

5. Of the 615 produced citations, 313 were for illegal sleeping, 129 were for illegal camping in the park, and 182 were for illegal camping. This information has been tabulated in more detail below:

Year	Total # of Tickets	Total # of Sleeping Tickets	Total # of Camping in Parks Tickets	Total # of Camping Tickets	Individuals
2012	24	16	8	1	20
2013	74	27	30	20	48
2014	228	131	44	56	129
2015	80	65	1	14	45
2016	47	19	6	22	31
2017	99	35	18	48	63
2018	46	18	9	19	36
2019	17	2	13	2	15
Totals	615	313	129	182	N/A

6. Of the 541 total incident reports, 366 were officer initiated and 354 were the result of a patrol check. This information has been tabulated in more detail below:

Year	Total # of Incident Reports	Officer Initiated	Patrol Check
2012	18	12	7
2013	64	36	33
2014	181	133	129
2015	98	67	62
2016	43	29	29
2017	87	55	57
2018	39	26	27
2019	11	8	10
Totals	541	366	354

7. I have also reviewed the 59 park exclusion notices the City produced to plaintiffs. Of the 59 park exclusions, 42 of them were for camping or sleeping in the parks and Officer Dennis Burge issued 34 of the exclusions.

Dated this 15th day of January 2020.

s/ Inessa K. Wurscher
Inessa K. Wurscher

Date Range: 06/25/2012 -08/31/2019	
LOCATION	Incident Type: TRESPASS
Walmart	10,853
Gospel Rescue Mission	357
US Post Office	21

BLAKE, DEBRA LEE DOB 01301959 30 DAY TRES
WARNING BY 162 18-34493 07172018 SJM
*All City Parks Trespass
Eff: 7/17/2018Exp: 8/17/2018

BLAKE, DEBRA LEE 01-30-59, TRESPASSED FOR
30 DAYS FROM ALL CITY PARKS BY 163 17-
38331 *All City Parks Trespass
Eff: 8/13/2017
Exp: 8/18/2017


BLAKE, DEBRA LEE 01-30-59 TRESPASSED FOR
30 DAYS FROM ALL CITY PARKS
*All City Parks Trespass
Eff: 10/3/2014
Exp: 11/3/2014

JOHNSON, GLORIA SUE DOB/052250, 17-49053,
10-11-17/LA
*Walmart Trespass
Eff: 10/11/2017
Exp: 11/28/2018

JOHNSON, GLORIA SUE 052250—16-39786
*Walmart Trespass
Eff: 8/30/2016
Exp: 11/27/2018

JOHNSON, GLORIA SUE 052250 16-29765 ON
070216
*Walmart Trespass
Eff: 7/2/2016
Exp: 1/18/2018

LOGAN, JOHN—NONE

	Grants Pass Public Safety POLICE CASE REPORT 511 NW A Street Grants Pass OR	CASE# 2017-00045125
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SUMMARY

Officer McGinnis and I observed Debra Lee Blake sitting on a bench at the Daily Courier. Knowing she had previously been trespassed from the location less than a week prior, I checked her status and confirmed she had been trespassed from the location only four days earlier (17-44504). Once the previous trespass warning was confirmed, Blake was taken into custody for Criminal Trespass 2 and lodged..

REPORTING OFFICER 166 Burge	DATE 9/19/2017	RECEIVED BY Anuschat, Max 09/19/2017
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OF

Re: Reinhart Park

Warren Hensman

Mon 5/6/2019 10:42 PM

To: Dennis Ward <dward@grantspassoregon.gov>;
Misty English <menglish@grantspassoregon.gov>;
Todd Moran <tmoran@grantspassoregon.gov>; Jim
Hamilton <jhamilton@grantspassoregon.gov>
Cc: Valerie Lovelace <vlovelace@grantspassoregon.gov>; Aaron Cubic <acubic@grantspassoregon.gov>

Hi Everyone,

Mike Pelfrey sent a similar email to me earlier today. Before I left work tonight I gave him a ring and we chatted about his concerns. I shared my philosophies, the upcoming cadet program, and the ELEA proposal. I also told him I would ask the graveyard teams and early dayshift teams to start hitting hotspots for campsites—cite/move them along accordingly. I also shared some of the Oregon Constitutional protections people have and how they differ from other states, like Arizona—where he came from 3 years ago.

Let's pick this up further during tomorrow's command staff meeting.

Best,
Warren

From: Dennis Ward

Sent: Monday, May 6, 2019 8:46:30 PM

To: Misty English; Todd Moran; Jim Hamilton;
Warren Hensman

Subject: Fwd: Reinhart Park

Sent from my iPhone

Begin forwarded message:

From: FlashAlert <craig.@flashalert.net>
Date: May 6, 2019 at 8:22:10 PM PDT
To: Dennis Ward<dward@grantspassoregon.gov>
Subject: Fwd: Reinhart Park
Reply-To: <vlovelace@grantspassoregon.gov>

Begin forwarded message:

From: Valerie Lovelace <vlove-
lace@grantspassoregon.gov>
Subject: Fw: Reinhart Park
Date: May 6, 2019 at 10:06:38 AM PDT
To: "Grants Pass Dept. of Public Safety"
<info@flashalert.net>

Hello

la Reinhart Park the Next Bear Creek Pathway? Transients are everywhere In this Park. We just had several deer running out of a thicket only to find two Transients In there setting up camp. This Is unacceptable. I ran there asses off as this was private property that they assumed was part of the Park. These Transients come In the Park and camp In the wooded areas. This needs to be stopped.

CAD Narrative

09/28/2014: 05:11:38 jlorentz Narrative: N SAFE-WAY CHECKED

09/28/2014: 05:11:14 jlorentz Narrative: ROGUE CLEANERS CHECKED

09/28/2014: 05:10:54 jlorentz Narrative: JIFFY LUBE CHECKED

09/28/2014: 05:10:01 jlorentz Narrative: KEY MAN CHECKED

09/28/2014: 05:08:58 jlorentz Narrative: DAILY COURIER CHECKED

09/28/2014: 05:07:28 jlorentz Narrative: 8TH ST LOOKOUT CHECKED

09/28/2014: 05:03:18 jlorentz Narrative: TAPROCK CHECKED

09/28/2014: 05:03:10 jlorentz Narrative: DONALD KINGERY OBSERVED WALKING THROUGH RIVERSIDE PLAZA, HE WAS MOVED ALONG—NO VIOLATION OBSERVED.

09/28/2014: 05:02:20 jlorentz Narrative: RIVERSIDE PLAZA CHECKED

09/28/2014: 04:57:33 jlorentz Narrative: EHENS WAS FOUND CAMPED OUT BY THE DUMPSTERS AT VIDEO WORLD, HE WAS ISSUED A CITATION FOR PROHIBITED CAMPING AND MOVED ALONG.

09/28/2014: 04:42:47 taguinaga Narrative: OUT W/ ONE VIDEO WORLD

09/28/2014: 04:42:02 jlorentz Narrative: FOUNTAIN AREA AT SMOKEY'S STOVES CHECKED

09/28/2014: 04:39:55 jlorentz Narrative: ALL STREETS, ALLEYS AND HIDE-E-HOLES CHECKED BETWEEN 4-6 AND D-M

09/28/2014: 04:37:44 jlorentz Narrative: ELKS LODGE CHECKED 09/28/2014 : 04:36:09 jlorentz Narrative: EXPERT TIRE CHECKED

09/28/2014: 04:34:06 jlorentz Narrative: CRAWL SPACE NEXT TO THAI BBQ CHECKED

09/28/2014: 04:33:43 kperkins Narrative: JACK IN THE BOX CHECKED

09/28/2014: 04:33:20 jlorentz Narrative: DEBO PARK WAS CHECKED

09/28/2014: 04:32:55 jlorentz Narrative: IVY HOUSE CHECKED

09/28/2014: 04:32:28 jlorentz Narrative: FCR CHECKED

09/28/2014: 04:32:14 jlorentz Narrative: CHETS GARDEN CENTER CHECKED

09/28/2014: 04:24:26 jlorentz Narrative: MILO SPENCER OBSERVED CAMPING ON RAILROAD PROPERTY NEAR 3RD AND THE TRACKS. HE WAS WARNED FOR CRIM TRES 1 AND CITED FOR PROHIBITED CAMPING.

09/28/2014: 04:13:43 kperkins Narrative: BREWERY CHECKED

09/28/2014: 04:12:54 kperkins Narrative: G ST FROM 9TH TO 5TH CHECKED

09/28/2014: 04:10:51 kperkins Narrative: KNIGHTS INN CHECKED

09/28/2014: 04:10:03 kperkins Narrative: NORTH SAFEWAY CHECKED 09/28/2014 : 04:08:39 kperkins Narrative: JIFFY LUBE CHECKED

09/28/2014: 04:08:28 kperkins Narrative: A-1 MARKET ON 8TH CHECKED

09/28/2014: 04:05:04 taguinaga Narrative: C4

09/28/2014: 04:01:33 rherndon Narrative: 3rd/rr
tracks out w one camping 09/28/2014: 03:56:31 jlo-
rentz Narrative: MENAGAZZI PARK CHECKED

09/28/2014: 03:53:17 jlorentz Narrative: DUTCH
HOUSE CHECKED

09/28/2014 : 03:50:51 jlorentz Narrative: OREGON
BOOKS CHECKED

09/28/2014: 03:50:41 jlorentz Narrative: LUPITAS
CHECKED

09/28/2014: 03:49:49 jlorentz Narrative: UCAN
CHECKED

09/28/2014: 03:48:09 jlorentz Narrative: CBD

Incident Report

Print Date/Time: 09/19/2019 15:20
Login ID: tmclure

Grants Pass Department of Public Safety
ORI Number: OR0170100

Incident: 2015-00044864

Incident Date/Time: 11/8/2015 8:21:34 AM Location: SW 6TH ST / SW G ST 97526 Phone Number: Report Required: No Prior Hazards: No LE Case Number:	Incident Type: Patrol Check Venue: Grants Pass Source: Officer Initiated Priority: Priority 5 Status: Routine Nature of Call:
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Unit/Personnel

Unit	Personnel
168	51478-Lorenz
167	22812-Schmidt

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	SCOTT, PEGGY SUE	TRANSIENT		White	Female	████████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
No Report	2

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

11/08/2015: 10:01:43 jllorenz Narrative: THE RAIN APPEARED TO KEEP THE TRANSIENTS AWAY AS DOWNTOWN WAS PRACTICALLY EMPTY. I CHECKED MANY OF THE COVERED AREAS AND LOCATED PEGGY SCOTT UNDER THE COWBOY CORRAL AWNING. NO OTHER CONTACTS MADE AND NO OTHER VIOLATIONS OBSERVED. CBD WAS INTERRUPTED FOR TWO DOMESTIC DISTURBANCES AND 1 METH-PSYCHOSIS CALL.

11/08/2015 : 09:37:03 jllorenz Narrative: PEGGY SCOTT CITED FOR VCO -SLEEPING ON SIDEWALK AFTER SHE WAS OBSERVED SLEEPING IN FRONT OF 421 SE 6TH STREET.

11/08/2015: 09:29:18 chill Narrative: 082515 15-33424

11/08/2015: 09:28:59 chill Narrative: 110815 15-44855

11/08/2015: 09:27:03 chill Narrative: TWO PRIORS ON 8/25/25 AND 11/08/15 CONTACTED AND WARNED CAMPING

11/08/2015 : 09:24:37 chill Narrative: C4

11/08/2015: 09:21:45 chill Narrative: OUT WITH ONE
11/08/2015: 08:21:34 jllorenz Narrative: Early CBD

Incident Report

Print Date/Time: 09/19/2019 17:40
 Login ID: tmccure

Grants Pass Department of Public Safety
 ORI Number: OR0170100

Incident: 2016-00059522

Incident Date/Time: 12/23/2016 7:52:59 PM
 Location: 129 SE H ST
 GRANTS PASS OR 97526
 Phone Number:
 Report Required: No
 Prior Hazards: No
 LE Case Number:

Incident Type: Patrol Check
 Venue: Grants Pass
 Source: Officer Initiated
 Priority: Priority 5
 Status: In Progress
 Nature of Call:

Unit/Personnel

Unit	Personnel
130	51694-Fauver
182	55149-Corley

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	inquiry	PYLE, JAMES ROBERT	HOMELESS		White	Male	██████████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
------	------	------	------	-------	-------	---------	-------

Disposition(s)

Disposition	Count
Citation	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
------	------	------	------	-------	-------------	---------	----------

CAD Narrative

12/23/2016 : 20:01:47 rfauver Narrative: WMA,
PYLE CITED VCO-CAMPING

12/23/2016 : 19:52:59 jleppla Narrative: OUT WITH
ONE

Incident Report

Print Date/Time: 09/19/2019 17:42 Grants Pass Department of Public Safety
Login ID: tmoelure **ORI Number:** OR0170100
Incident: 2016-00059566

Incident Date/Time: 12/24/2018 3:03:52 AM Location: 130 SE J ST GRANTS PASS OR 97526 Phone Number: Report Required: No Prior Hazards: No LE Case Number:	Incident Type: Patrol Check Venue: Grants Pass Source: Officer Initiated Priority: Priority 5 Status: In Progress Nature of Call:
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Unit/Personnel

Unit	Personnel
130	51694-Falver
182	56149-Corley

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	PLYE, JAMES ROBERT	HOMELESS		White	Male	██████████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
Citation	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
------	------	------	------	-------	-------------	---------	----------

CAD Narrative

12/24/2016: 03:17:48 rfauver Narrative: PYLE WAS
CITED FOR THE SECOND TIME TONIGHT FOR
VCO CAMPING

12/24/2016: 03:11:48 jleppla Narrative: TRESPASS
ENTERED FOR PYLES AT I/L

Incident Report

Print Date/Time: 09/19/2019 17:44 Grants Pass Department of Public Safety
 Login ID: tmclosure ORI Number: OR0170100
 Incident: 2016-00059567

Incident Date/Time:	12/24/2016 4:38:12 AM	Incident Type:	Patrol Check
Location:	SE G ST / SW LEONARD ST GRANTS PASS OR 97526	Venue:	Grants Pass
Phone Number:		Source:	Officer Initiated
Report Required:	No	Priority:	Priority 5
Prior Hazards:	No	Status:	Routine
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
130	51694-Fauver
182	55149-Corley

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	PYLE, JAMES ROBERT	HOMELESS		White	Male	██████
2	Inquiry	WINGE, ANTHONY EDWARD	1636 NW WASHINGTON BLVD GRANTS PASS OR 97526		White	Male	██████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
No Report	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

12/24/2016: 05:05:07 rfauver Narrative: PYLE
CITED FOR VCO CAMPING FOR THE 3RD TIME
TONIGHT

12/24/2016: 05:03:38 jleppla Narrative: TRESPASS
ENTERED FOR PYLES AT 321 SE 6TH ST

12/24/2016: 04:58:11 jleppla Narrative: OUT WITH
PYLES

12/24/2016 : 04:57:52 jleppla Narrative: 130 OUT
WITH ONE, IFO 321 SE 6TH ST

12/24/2016 : 04:56:48 scorley Narrative: . . .

12/24/2016: 04:56:40 scorley Narrative: CON-
TACTED WINGE, WARNED VCO CAMPING AND
TRESPASSED FROM THE 1/L. NO REPORT.

12/24/2016: 04:55:20 jleppla Narrative: TRESPASS
ENTERED FOR WINGE AT 111 SE 6TH ST

12/24/2016: 04:52:47 jleppla Narrative: 182 OUT
WITH ONE, 111 SE 6TH

12/24/2016: 04:38:12 scorley Narrative: CBD

Incident Report

Print Date/Time: 09/26/2019 11:23
 Login ID: tmclosure
 Incident: 2017-00059429
 Grants Pass Department of Public Safety
 ORI Number: OR0170100

Incident Date/Time: 12/9/2017 8:11:09 AM
 Location: SW 6TH ST / SW G ST
 GRANTS PASS OR 97526
 Incident Type: Patrol Check
 Venue: Grants Pass
 Phone Number:
 Report Required: No
 Source: Officer Initiated
 Prior Hazards: No
 Priority: Priority 5
 LE Case Number:
 Status: Routine
 Nature of Call:

Unit/Personnel

Unit	Personnel
161	51187-Perkins
168	51476-Lorentz

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	HAUBBERT, NADEAN ALEXANDRA	4273 MIDWAY AVE GRANTS PASS OR 97527		White	Female	██████
2	Inquiry	MCCULLOUGH, JOHN ALAN	TRANSIENT	541-226-1036	White	Male	██████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
Citation	1
No Report	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

12/09/2017 : 10:01:53 jlorentz Narrative: The morning was brisk with a thick coverage of fog and roads were icy in some areas. Very few people were observed walking the sidewalks and CBD area at the beginning of CBD. Toward the end of CBD, it became significantly more busy with pedestrians. I checked the numerous areas individuals are known to camp and trespass. Areas checked include 307 NW E Street, Newman Methodist, Studio B, River Valley Church, the Library, Post Office, Town Center Plaza, North Safeway, Rogue Cleaners, three A-1 markets, Planned Parenthood, 8th and 5th street lookouts, Elks lodge, Climate City Brewing, Bridge Street Market, 7-11/Gates. HVE was also conducted on the streets and alleys in the CBD area. Contact made with Angelia Bennett who did not want to have a cordial conversation and instead chose to leave the area. Tiffin was FI'd near Climate City Brewing and moved along. Nadean Haubbert and John McCullough setup campsites at 4th and F street to include bedrolls, blankets and pillows; they were each cited for VCO - camping prohibited and moved along.

12/09/2017: 09:51:16 nlatourrette Narrative: CODE 4

12/09/2017: 09:51:12 nlatourrette Narrative: OUT ON CITE

12/09/2017: 09:43:17 nlatourrette Narrative: OUT WITH 2 IN THE PARKING LOT OF GROWERS MARKET

12/09/2017: 09:04:35 jlorentz Narrative: FI Angelia Bennett
12/09/2017: 08:11:09 jlorentz Narrative: Early CBD

Incident Report

Print Date/Time: 09/27/2019 07:47 Grants Pass Department of Public Safety
 Login ID: tmcolure ORI Number: OR0170100

Incident: 2018-00027809

Incident Date/Time: 6/10/2018 7:54:39 AM Incident Type: Patrol Check
 Location: SW 6TH ST / SW G ST Venue: Grants Pass
 97526
 Phone Number: Source: Officer Initiated
 Report Required: No Priority: Priority 5
 Prior Hazards: No Status: Routine
 LE Case Number: Nature of Call:

Unit/Personnel

Unit	Personnel
135	53559-Hjelmair

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	CLAWSON, KATHERINE MICHELLE	4603 ROGUE RIVER HWY		White	Female	████████
2	Inquiry	HILL, GEORGETTE LYNN	Gold Hill OR 97525 <UNKNOWN>	541-557-5729	White	Female	████████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
Plate Inquiry						R838824	OR

Disposition(s)

Disposition	Count
Citation	1
No Report	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

06/10/2018: 09:12:10 qhjelmair Narrative: Area checks: Pregnancy Care Center, MacGraphically Yours, located a safeway shopping cart on the sidewalk IVO L St / 7th St and another in the alley between 8/9 and J/K, a VM was left for the shopping cart rescue service, Hart Insurance, the Muff Shop, The Key Man, APS, Express Cuts, old UCAN building, Children's Advoc. Cntr, City Hall, Ann Basker Building, Studio 121, Eaden Ballroom, Observed Georgette Hill, WFA walking down the street w/a blanket, she was no wants. Contacted Katherine Clawson, WFA camping in an RV w/exp tags IFO the old Elks Lodge on K St, she had previously been warned for camping on 6/7/18 by 138. She was cited VCO Prohibited Camping and stated she has a friend picking the veh up today to store on their property. Clawson had bike parts and trash scattered all over the sidewalk and around the RV, she picked up the majority of these items during our contact. Was advised of a person sleeping at a Church Annex on C St, upon arrival a blanket was observed but the person was GOA. NR

06/10/2018: 08:40:15 smiller Narrative: NO WANTS

06/10/2018 : 08:39:41 smiller Narrative: ED10D1200
SER NUMBER

06/10/2018 : 07:54:39 qhjelmair Narrative: CBD

Incident Report

Print Date/Time: 09/19/2019 18:43
 Login ID: tmclure

Grants Pass Department of Public Safety
 ORI Number: OR0170100

Incident: 2017-00040822

Incident Date/Time: 8/29/2017 9:37:56 PM
 Location: 717 SW BURGESS ST
 GRANTS PASS OR 97526
 Phone Number: 541-441-6654
 Report Required: No
 Prior Hazards: No
 LE Case Number:

Incident Type: Ordinance Violation
 Venue: Grants Pass
 Source: Phone
 Priority: Priority 5
 Status: Not In Progress
 Nature of Call:

Unit/Personnel

Unit	Personnel
183	55626-Claffey
183	23127-Ridenour

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	LEE, JERRY LYNN	810 NE VICTORIA ST 6 GRANTS PASS OR 97526	541-450-8080	White	Male	██████████
2	Inquiry	HOLLAND, CASSIE		541-441-6654			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
Citation	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

08/26/2017: 22:10:48 gridenour Narrative: CONTACTED JERRY LEE SLEEPING IN THE VAN. HE WAS CITED FOR CAMPING IN THE CITY LIMITS AND TOLD TO VACATE THE VAN. HE DID AND WALKED OFF WITH HIS CITATION. WILL CHECK AGAIN ON THIS VAN SEVERAL MORE TIMES TONIGHT.

08/26/2017: 21:40:31 emichael Narrative: VEHICLE WAS TAGGED FOR TOW EARLIER TODAY

08/26/2017: 21:40:23 emichael Narrative: ***COMPL REQUEST SUBJ BE WARNED REGARDING CAMPING IN CITY LIMITS

08/26/2017: 21:39:36 emichael Narrative: MALE SUBJ, NFI

08/26/2017: 21:39:20 emichael Narrative: 1 SUBJ

08/26/2017: 21:39:03 emichael Narrative: SUBJS ARE SLEEPING

08/26/2017: 21:38:56 emichael Narrative: COMPL STATED SUBJS ARE BACK INSIDE THE VEHICLE

08/26/2017: 21:38:45 emichael Narrative: ASSOC. INCIDENT #17-40742, 17-40801

08/26/2017: 21:38:31 emichael Narrative: VEHICLE: RED CHEVY VAN NO PLATES

Incident Report

Print Date/Time: 09/19/2019 18:46 Grants Pass Department of Public Safety
 Login ID: tmcclure ORI Number: OR0170100
 Incident: 2017-00040845

Incident Date/Time: 8/27/2017 12:44:36 AM Location: 717 SW BURGESS ST GRANTS PASS OR 97526 Phone Number: 541-441-8654 Report Required: No Prior Hazards: No LE Case Number:	Incident Type: Suspicious Activity Venue: Grants Pass Source: Phone Priority: Priority 3 Status: In Progress Nature of Call:
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Unit/Personnel

Unit	Personnel
183	23127-Ridenour

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	CRUZ, DAWN ELLEN	313 SE J ST GRANTS PASS OR 97526	541-441-9912	White	Female	██████
2	Inquiry	LEE, JERRY					██████
3	Inquiry	MASON, CATHERINE					██████
4	Inquiry	HOLLAND, CASSIE D	715 SW BURGESS ST GRANTS PASS OR 97526	541-801-6324	White	Female	██████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State

Disposition(s)

Disposition	Count
Citation	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.

CAD Narrative

08/27/2017: 01:09:20 gridenour Narrative: JERRY LEE WAS AGAIN IN THE VAN LYING DOWN HAVING MEAL. HE HAD TWO FRIENDS WITH HIM. CRUZ AND MASON WARNED FOR CAMPING AND TOLD THEY WOULD BE CITED IF THEY RETURNED. LEE CITED AGAIN FOR CAMPING IN THE CITY LIMITS AND TOLD TO VACATE THE VAN FOR THE NIGHT. HE LEFT ON FOOT. WILL BE CHECKING THIS VAN AGAIN THROUGHOUT THE NIGHT.

08/27/2017: 01:01:42 ddemello Narrative: OUT W 3

08/27/2017: 00:47:39 jleppla Narrative: THEN WENT BACK TO WHAT THEY WERE DOING

08/27/2017: 00:47:28 jleppla Narrative: APPROACHED THE SUBJS AND ASKED THEM TO LEAVE AND THEY STARTED YELLING AT HER

08/27/2017: 00:47:19 jleppla Narrative: COMPL BELIEVES THERE IS DRUG ACTIVITY GOING ON IN THE VEH

08/27/2017: 00:46:52 jleppla Narrative: COMPL DOB [REDACTED]

08/27/2017: 00:45:49 jleppla Narrative: THERE ARE AT LEAST TWO PEOPLE IN THE VAN

08/27/2017: 00:45:34 jleppla Narrative: TIRES HAVE BEEN MARKED, 72 HOUR TAG ON THE VEH

08/27/2017: 00:45:28 jleppla Narrative: VAN HAS BEEN PARKED ON THE STREET FOR THE LAST FEW DAYS

08/27/2017: 00:45:10 jleppla Narrative: SUBJS IN THE VAN WOKE UP COMPL

08/27/2017: 00:44:58 jleppla Narrative: RED CHEVY VAN, NO PLATES

Incident Report

Print Date/Time: 09/19/2019 18:49 Grants Pass Department of Public Safety
Login ID: tmclure **ORI Number:** OR0170100
Incident: 2017-00040868

Incident Date/Time: 8/27/2017 5:19:20 AM Location: 717 SW BURGESS ST GRANTS PASS OR 97526 Phone Number: Report Required: No Prior Hazards: No LE Case Number:	Incident Type: Patrol Check Venue: Grants Pass Source: Officer Initiated Priority: Priority 5 Status: Routine Nature of Call:
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Unit/Personnel

Unit	Personnel
183	23127-Ridenour

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	LEE, JERRY LYNN	810 NE VICTORIA ST 6 GRANTS PASS OR 97526	541-450-8060	White	Male	██████████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
Citation	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

08/27/2017: 05:26:15 gridenour Narrative: WOKE JERRY LEE UP FROM A DEAD SLEEP. HE WAS AGAIN SLEEPING IN THE VAN. HE WAS CITED FOR CAMPING IN THE CITY LIMITS AND TOLD TO VACATE THE VAN. HE DID AND WALKED OFF WITH HIS CITE.

08/27/2017: 05:21:28 ddemello Narrative: OUT W/1

Incident Report

Print Date/Time: 09/19/2019 18:50
 Login ID: tmoelure

Grants Pass Department of Public Safety
 ORI Number: OR0170100

Incident: 2017-00041000

Incident Date/Time: 8/28/2017 3:51:03 AM Location: 717 SW BURGESS ST GRANTS PASS OR 97526 Phone Number: Report Required: No Prior Hazards: No LE Case Number:	Incident Type: Patrol Check Venue: Grants Pass Source: Officer Initiated Priority: Priority 5 Status: Routine Nature of Call:
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Unit/Personnel

Unit	Personnel
183	55626-Claffey
183	23127-Ridenour

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	LEE, JERRY LYNN	810 NE VICTORIA ST 6 GRANTS PASS OR 97526	541-450-8080	White	Male	[REDACTED]

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
Citation	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

08/28/2017: 04:01:41 gridenour Narrative: JERRY CITED FOR PROHIBITED CAMPING IN THE CITY LIMITS. HE WAS AGAIN SLEEPING IN THE VAN. HE LEFT WITH HIS CITATION. WILL CHECK AGAIN LATER.

08/28/2017: 03:53:51 kromero Narrative: OUT W/JERRY LEE IN VAN

Incident Report

Print Date/Time: 09/19/2019 18:52
 Login ID: tmoclure

Grants Pass Department of Public Safety
 ORI Number: OR0170100

Incident: 2017-00041009

Incident Date/Time: 8/28/2017 5:00:54 AM
 Location: 717 SW BURGESS ST
 GRANTS PASS OR 97526
 Phone Number:
 Report Required: No
 Prior Hazards: No
 LE Case Number:

Incident Type: Patrol Check
 Venue: Grants Pass
 Source: Officer Initiated
 Priority: Priority 5
 Status: Routine
 Nature of Call:

Unit/Personnel

Unit	Personnel
183	23127-Ridenour

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	LEE, JERRY LYNN	810 NE VICTORIA ST 6 GRANTS PASS OR 97526	541-450-8080	White	Male	██████████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
No Report	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

08/28/2017: 05:06:45 gridenour Narrative: JERRY AGAIN FOUND SLEEPING IN THE VAN TAGGED FOR ABANDONED. WOKE HIM UP AND HE WAS CITED FOR PROHIBITED CAMPING IN THE CITY LIMITS. HE LEFT ON FOOT.

08/28/2017: 05:03:35 kromero Narrative: OUT W/ JERRY LEE

Incident Report

Print Date/Time: 09/19/2019 18:54
 Login ID: tmcclore

Grants Pass Department of Public Safety
 ORI Number: OR0170100

Incident: 2017-00041015

Incident Date/Time: 8/28/2017 5:41:08 AM
 Location: 717 SW BURGESS ST
 GRANTS PASS OR 97526
 Phone Number:
 Report Required: No
 Prior Hazards: No
 LE Case Number:

Incident Type: Patrol Check
 Venue: Grants Pass
 Source: Officer Initiated
 Priority: Priority 5
 Status: Routine
 Nature of Call:

Unit/Personnel

Unit	Personnel
183	23127-Ridenour

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	LEE, JERRY LYNN	810 NE VICTORIA ST 6 GRANTS PASS OR 97526	541-450-8060	White	Male	██████████

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
Citation	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

08/28/2017: 05:49:28 gridenour Narrative: JERRY LEE WAS AGAIN ASLEEP IN THE VAN. HE WAS CITED FOR PROHIBITED CAMPING IN THE CITY LIMITS. CONTINUES TO DISREGARD THE CITY ORDINANCE AND RETURNS TO THE VAN TO SLEEP AS SOON AS POLICE LEAVE THE AREA. DAYSHIFT NEEDS TO CHECK ON THE VAN THIS MORNING AND CSO TO FOLLOW UP FOR TOW.

08/28/2017: 05:42:48 kromero Narrative: OUT W/ JERRY LEE



Grants Pass Department of Public Safety

TRESPASS REPORT

Date	6.27.19	Time	0650 hrs	Case #	19-30767
Complainant	NA	Phone #	NA		
Incident Address	109 NE Evelyn Ave				
Prior Warning	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Most recent warning date	NA	Prior warning Officer	NA
Related CAD Incident #	19-29837 - Cited for camping prohibited				

ARRESTEE							
Name: Last	First	MI	Sex	DOB	Phone		
Bannon	Colleen		♀	[REDACTED]	NA		
Race	Age	Height	Weight	Hair	Eyes	ID or DL Number/State	
Whit	72	5'5"	140lbs	Brown	Brown	5812001	
Address	Transient						Disposition
Reason for Contact	Cited and trespassed from city parks						
Associates	Observed camping in city park						

Narrative on back

GRANTS PASS EXCLUSION ORDER

Date: 6.27.19 Time: 0655

You, Colleen Bannon, are hereby excluded from all city parks within the City of Grants Pass, for a period of 30 days from the date of this Exclusion Order. If you are found to be on City property prior to the expiration of this Exclusion Order, you will be arrested.

You may file a written objection of this Exclusion Order with the City of Grants Pass, to the attention of the City Manager, within two business days of the date of this Exclusion Order. The written objection must state the relief sought. The City Council shall determine whether the Exclusion Order is upheld, shortened, or rescinded. The Exclusion Order shall remain in effect during the pendency of the objection.

Issuing Officer: Artolf DPSST #: 54323

OREGON UNIFORM CITATION AND COMPLAINT

Use for All Violations or Crimes Where Separate Complaint Will Not be Filed/ORS 153.045 or 133.069

CRIME(S) OR VIOLATION(S) Type: (see A below) (Not Both) (see B below) OTHER

STATE OF OREGON
 CITY/OTHER PUBLIC BODY: GRANTS PASS
 COUNTY OF: JOSEPHINE
 Case No.: 19-62661
 Court: JOSEPHINE CO CIRCUIT COURT

DEFENDANT The undersigned certifies and swears that the following person:

ID Type: NO ID PRES ID No: 2293174 State: OR Pn: _____
 Name: Last: NEVIN First: DOLORES MI: DIANE
 Address: 6TH AND 7TH ST
 City: GRANTS PASS State: OR Zip: 97526 Passenger:
 Sex: F Race: WHT DOB: _____ Hgt: 5'01" Wgt: 120 Hair: BRO
 Eyes: BRO Lic. Exp.: 2013 Juv.: Lic. Class: c Emp. to Drive:

TIME/PLACE At the following time and place in the above-mentioned state and county:

On or About Date/Time: 12/31/2019 City: 06:16 AM
 At or Near RIVERSIDE PARK
GRANTS PASS

NB: SB: EB: WB:
 Highway: Premise Open to Public: Other:

VEHICLE Involving the following:

Year: _____ Make: _____ Model: _____
 Color: _____ Type: _____
 Regs/Vin/ID#: _____ State: _____
 Accident: Prop. Damage: Injury: Endanger: Other:
 Com1 Veh: Haz Mat: Driver Not Reg. Owner:
 Other: _____ Com1 Pass:

OFFENSE(S) Did they and there commit the following offense(s):

HWY Work Zone: School Zone: VBR: Safety Corridor:
 Radar: Pace: Laser: Other:
 Alleged Speed: _____ Designated Speed: _____ Posted Limit: _____
 Offense #: 5.37.020

TRESPASS ON CITY PROPERTY

Warning:
 Presumptive Fine1: \$295.00

Intentional: Knowing: Reckless:
 Criminal Negligence: No Culpable Mental State:

Offense #: _____
 Warning:

Presumptive Fine2: _____
 Intentional: Knowing: Reckless:
 Criminal Negligence: No Culpable Mental State:

Offense #: _____
 Warning:

Presumptive Fine3: _____
 Intentional: Knowing: Reckless:
 Criminal Negligence: No Culpable Mental State:

OTHER

NEVIN WAS FOUND SLEEPING IN THE PARK DURING CLOSED HOURS
 Expl: _____

SIGNATURE

I certify under ORS 153.045 and 153.990 and under other applicable law and under penalties for false swearing, do swear/affirm that I have sufficient grounds to and do believe that the above-mentioned defendant/person committed the above offense(s) and I have served the defendant/person with this complaint.

Signature of Officer: _____
 Officer name1: MCGINNIS, JASON Officer ID: 54243
 Officer name2: ARTOFF, TIM Officer ID: 54323
 Agency Name: GRANTS PASS DPS
 Issue Date: 12/31/2019

YOUR COURT APPEARANCE DATE, TIME AND LOCATION ARE

01/28/2020 09:00 AM
 Location: JOSEPHINE CO CIRCUIT COURT
500 NW 6TH STREET
GRANTS PASS OR 97526
541-476-2309

DMV Use Only

RECORD AND: CIRCUIT COURT REGISTER JUSTICE COURT DOCKET
 MUNICIPAL COURT DOCKET
 HANDLED BY: VIOLATIONS BUREAU COURT
 BASED ON: WRITTEN SUBMISSION APPEARANCE

DATE	EVENT/NOTES	INITIAL
	COMPLAINT FILED	
	WRITTEN RESPONSE RECEIVED	
	ARRAIGNED <input type="checkbox"/> MISD. <input type="checkbox"/> 161.568 OR <input type="checkbox"/> VIOL. <input type="checkbox"/> 161.568 (REDUCTION)	
	SECURITY RELEASE AT: \$ _____ RECEIPT NO. _____	
	COURT/JURY TRIAL (<input type="checkbox"/> WAIVED)	
	CRIMINAL RIGHTS GIVEN	
	ATTORNEY: _____ OSB#: (<input type="checkbox"/> WAIVED)	
	WARRANT ORDERED ISSUED:	
	DIVERSION AGREEMENT	
	CONTINUED TO REASON:	
	<input type="checkbox"/> ORS 135.356 CONDITIONAL PLEA	

THE ATTACHED ADDITIONS TO THIS RECORD/REGISTER ARE INCORPORATED BY REFERENCE, SEE PAGE(S): 1 (BY _____); 2 (BY _____);

JUDGMENT OF THE COURT (SUBMIT ABSTRACT COPY UNDER ORS 153.11)

OFF #	RESPONSE/ PLEA	CHANGE PLEA	FINDING DETERMINATION	OFFENSE SITE	TYPE	CLASS
1	G NG NC FTA	G NG	C A DISM	V M A B C D OTH		
2	G NG NC FTA	G NG	C A DISM	V M A B C D OTH		
3	G NG NC FTA	G NG	C A DISM	V M A B C D OTH		

DISPOSITION: 137.533 DEFERRED SENTENCE SENT IMP. SUS. DR. PRIV. SUSP. _____ (TIME) CONV. SPD. _____

JAIL: _____

PROBATION/OTHER: _____

THE ATTACHED ADDITIONS TO THIS JUDGMENT ARE INCORPORATED BY REFERENCE, SEE PAGE(S): 1 (BY _____); 2 (BY _____); 3 (BY _____);

MONEY OBLIGATION	IMPOSE	SUSPEND	IMPOSE	SUSPEND	IMPOSE	SUSPEND

PINE	COSTS	RESTITUTION	TOTAL

TOTAL AMOUNT TO PAY THAT IS NOT SUSPENDED (FROM OFFENSES 1, 2 AND 3) \$ _____

TERMS OF PAYMENT: _____

ALL MONEYS, INCLUDING SUSPENDED MONEYS, BECOME DUE IMMEDIATELY UNDER ORS 153.990(4) IF NONSUSPENDED MONEYS NOT PAID IN ACCORDANCE WITH TERMS OF PAYMENT.

THE ATTACHED ADDITIONS TO THIS MONEY JUDGMENT ARE INCORPORATED BY REFERENCE, SEE PAGE(S): 1 (BY _____); 2 (BY _____);

JUDGMENT CREDITOR: STATE OF OREGON OTHER _____

JUDGMENT DEBTOR: DEFENDANT OTHER _____

DATE: _____ SIGNATURE OF: JUDGE (VIOLATIONS CLERK, WHERE ALLOWED)

Incident Report

Print Date/Time: 01/10/2020 10:28
 Login ID: tmoclure
 Incident: 2019-00062661
 Grants Pass Department of Public Safety
 ORI Number: OR0170100

Incident Date/Time: 12/31/2019 6:09:26 AM
 Location: 304 E PARK ST
 GRANTS PASS OR 97527
 Incident Type: Patrol Check
 Venue: Grants Pass
 Phone Number:
 Report Required: No
 Source: Officer Initiated
 Prior Hazards: No
 Priority: Priority 5
 LE Case Number:
 Status: Routine
 Nature of Call:

Unit/Personnel
 Unit Personnel
 182 54243-McGinnis

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Inquiry	NEVIN, DOLORES DIANE	6TH & 7TH ST OR	541-291-2290	White	Female	[REDACTED]

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count
Shift Notes (NIT)	1
Citation	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

12/31/2019 : 06:21:32 jmcginnis Narrative: During an area check of Riverside Park, Delores Nevin was found sleeping during closed hours. Nevin, who has been warned in the past, was issued a citation for Trespass on City Property and trespassed from all city parks for 30 days, as she had been previously cited in parks.

12/31/2019: 06:13:41 kromero Narrative: CODE 4

12/31/2019: 06:13:39 kromero Narrative: 30 DAY CITY PARKS TRESPASS ENTERED FOR NEVIN

12/31/2019: 06:13:18 kromero Narrative: OUT WITH DOLORES NEVIN

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

DEBRA BLAKE,
GLORIA JOHNSON,
JOHN LOGAN, indi-
viduals, on behalf of
themselves and all oth-
ers similarly situated,

Plaintiffs,

v.

CITY OF GRANTS
PASS,

Defendant.

Case No. 1:18-cv-01823-
CL

**DECLARATION OF
KELLY WESSELS IN
SUPPORT OF PLAIN-
TIFFS' MOTION FOR
SUMMARY JUDGMENT**

I, Kelly Wessels, declare as follows:

1. I am the Chief Operating Officer and Director of Housing and Homeless Services for United Community Action Network. I have worked at UCAN for more than ten years and have had my current job for more than nine years.

2. United Community Action Network (UCAN) is a non-profit corporation that serves homeless people in Josephine and Douglas Counties. UCAN is a Community Action Agency established under the Economic Opportunity Act of 1964 to fight America's War on Poverty.

3. UCAN serves both Josephine and Douglas Counties. UCAN's mission is "Creating solutions to poverty, improving lives in our community." UCAN's vision is that every Douglas and Josephine County resident will have the resources and opportunities

needed to reach their full social, civic, and economic potential, to be secure in their own lives and to be vital participants in their communities.

4. UCAN provides a range of services related to housing and homeless services. UCAN operates several programs that provide support to people who are homeless or at-risk of homelessness. Our work includes a focus on several special populations, such as veterans and persons with a serious mental illness. The services provided through these programs include:

Outreach

Emergency intervention/Triage

Transportation

Barrier removal (Secure government issued ID, emergency benefits, birth certificates)

Education on leases

Landlord outreach and education

Tenant/landlord mediation

Work with landlords to avoid tenant evictions

Guidance on being a good tenant

Peer support Help with selection of housing Help with move-in arrangements

Rental assistance Move-in cost assistance

Deposit assistance Information and referral

Goal setting and action planning

Access to health care, treatment, behavioral health supports

5. At UCAN we work to ensure that those at-risk of homelessness are able to keep their housing and those who are homeless are rapidly re-housed. Our support staff work in partnership with people focusing

on their strengths. Staff guide people through a self-assessment, which determines how they are doing in a variety of areas and what type of improvement they would like to achieve in those areas.

6. Our staff help people develop their own plans to work toward their goals. Plans contain action steps and identify resources people need to attain their own goals. For example, a person who does not drive may identify that they would like to obtain their driver's license. Staff would help this person learn what they need to do to obtain a license and refer them to the local Driver and Motor Vehicles (DMV) office to obtain the license. Staff foster a renewed sense of hope for people who have repeatedly run up against significant barriers.

7. UCAN performs regular outreach to homeless individuals in Grants Pass. Homeless people also come into our offices regularly to seek services.

8. I was present at the March 28, 2013 City Council Roundtable on "Vagrancy" in Grants Pass. I was disappointed at the tenor of this meeting and found some of the comments made by elected officials to be mean-spirited. The attached minutes accurately reflect what was said at this meeting. (Exhibit 1).

9. The attached FAQs were distributed by GPDPS in a public meeting regarding homeless issues and were used as a means of educating public, specifically downtown merchants, but were made available to all at this meeting. I cannot recall the specific date but the guidance was provided at a public meeting and was reviewed with citizens, providers and downtown merchants in attendance. I believe this document was circulated shortly after the March 28, 2013 City Council Roundtable on "Vagrancy." (Exhibit 2).

10. One of the services we provide at UCAN is assisting people with obtaining housing. This has become increasingly difficult in Grants Pass in recent years. The amount of available affordable housing has declined to almost zero. The number of homeless people has increased by approximately 20% since 2013. Even UCAN clients who have come to the top of a list and have been able to obtain a housing voucher or other rental subsidy struggle to find affordable housing. Exacerbating this problem is that incomes in Grants Pass simply have not kept up with the rapidly rising cost of housing. Grants Pass is third in the nation as having the highest rent burden. Rent has increased by 42% in the past 10 years while average income has increased by 9%.

11. The increase in recent years of fines and convictions against homeless individuals for camping, sleeping and trespass causes additional barriers, thus causing homeless people to have further difficulties in securing housing when background checks are conducted by potential landlords.

12. Grants Pass does not have any low-barrier homeless shelter. There is no place in Grants Pass where people can simply show up and receive shelter during the day or night. Homeless individuals must perform personal care and hygiene in public spaces due to lack of access to shelter. The Gospel Rescue Mission programs no longer qualify as shelter under the criteria provided by Housing & Urban Development (HUD). The HUD Low/No Barrier Shelter definition requires access each night and exit each day and no tenancy.

13. Grants Pass does not have a cooling center where people can go in the hot and/or smoky summer months. Neither has Grants Pass had a warming

center where people can go in the cold months. UCAN is about to open a warming center that will hold about 40 people on nights when the temperature is below 30 degrees or below 32 degrees and snowing, however it will not be open during the day and cannot operate more than 90 days in a 12 month period, without approval. In the last week of February 2019, my staff had to take a homeless individual to the hospital with severe frostbite. This individual was required to undergo amputation because of injuries, exposure and inability to access a safe place. This individual was unable to find housing and was homeless for a long time throughout the community, in Grants Pass and the surrounding county. Last summer's severe fire season subjected homeless individuals to constant smoke inhalation along with heat exposure, and while we passed out face masks to reduce harm, many homeless suffer chronic conditions that are exacerbated by exposure that sheltered individuals are able to avoid.

14. The Grants Pass Police Department notifies me when they post homeless camps in accordance with ORS 203.079, which threatens camp residents with arrest for trespass if they do not move. I would estimate that I receive these posting notices several times a month, and depending on the season it can be several in a week. I received a homeless camp notice on February 26, 2019 in the middle of a significant snowstorm in Grants Pass regarding homeless people using a sleeping bag/tent under a bridge.

15. In my experience over the past 10 years, almost all of the homeless people in Grants Pass are involuntarily homeless. There is simply no place in Grants Pass for them to find affordable housing or shelter. They are not choosing to live on the street or

in the woods. It is that there simply are not nearly enough affordable places for people to live or find shelter.

16. The City's interdiction toward people living outside, through tickets and trespass convictions, is perpetuating a cycle causing homeless people to decline more rapidly. Since October 2019, my office has seen a significant increase in the need to access emergency services for transport of people on the street to the hospital due to chronic unattended medical issues, related to being unsheltered. On several occasions individuals are suffering from respiratory conditions, dehydration, wound infection and lack of consistent care. Discharge from hospital and back to the street is common for homeless people, and there is no temporary center for homeless people who have recently been discharged from the hospital to recuperate safely, so often they will quickly regress and are found in a variety of public locations in distress, including outside our offices on the ground after hours.

17. As an example, I recently came to work in the morning and found a homeless individual who is repeatedly picked up for trespassing after hours, in severe distress outside in the frigid air, he could not breathe and he was experiencing acute pain. This individual suffers from chronic COPD and other illnesses and needed an ambulance so we called for help, and as I held his hand and tried to help him reduce anxiety until the paramedics arrived, the person disclosed fear that he would be arrested and trespassed again for being outside. This person was triaged on site, and taken to the hospital for care, and his belongings were stored. Later it was discovered that he was discharged back to the street, back into the cold and he is still ill. The City contributes to the cycle that

continues to impose trauma and fear on vulnerable citizens with nowhere to park their car or rest , as well as perpetuate illness, when there is no available, low barrier, reliable shelter for homeless individuals.

I DECLARE UNDER PENALTY OF PERJURY
THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 13th day of January, 2020

/s Kelly Wessels
Kelly Wessels

**City Council Community Roundtable
March 28, 2013 at 1:00 p.m.
Council Chambers**

Mayor Fowler City Manager Cubic facilitated the discussion. The following Councilors were present: Morgan, Webber DeYoung, Gatlin, Goodwin and Williams Also present and representing the City were Finance Director Meredith, Public Safety Director Henner Police Deputy Chief Landis, Police Lt. Moran, Police Lt. Ward, Crime Prevention Officer Donaghy Tourism Coordinator Walters, and City Recorder Frerk. Jared Dill from KAJO radio also present.

Community partners at the table with Council included: Renee Thornton from St. Vincent DePaul; Ken Emilio, executive director Kevin Maloney director of operations, Jim Brumbach, Jeff Davey and Bob Just with Gospel Rescue Mission; Kelly Wessels with United Community Action Network (UCAN); Colene Martin, president, Chamber of Commerce; Renee Carlino with Joe's Place Ministry Marilane Jorgenson from Options of Southern Oregon; Alison Oroao with Downtown Services; Jennifer Marks from Grants Pass Towne Center Association (TCA).

Other community voices participating from the audience included; Jon Bowen and Ryan Clark, downtown business owners; Diane _____ with Josephine County Central Office; Nan Silver Belinda Hill and Neeka Goodwin from Josephine County DHS Child Welfare; Amara Thelen from Options of Southern Oregon; Dan Shelton from Gospel Rescue Mission; and city residents Gerry Kahler Jeff Javelona, Rob Osborne, Diana Wright. Beth Summerfield, Judi Fowler and Jim Gartat.

Purpose:

The City of Grants Pass desired to facilitate a Community Roundtable to identify solutions to current vagrancy problems. Certain organizations and key stakeholders were invited to participate. It was felt the recent Community Forum on homelessness and vagrancy was a good first step and provided important information to consider and a Roundtable would focus on developing strategies to modify behavior connect people to services, and address our vagrancy issues. The City Staff and City Council greatly appreciated the opportunity for strengthening and developing partnerships with area agencies.

Opening statements:

City Manager Cubic opened the meeting and gave instruction on the microphone use and how the meeting would proceed.

Mayor Fowler welcomed everyone who was participating. He would like everyone to be as proactive as possible in dealing with the issue and noted there were limitations on what the City could legally do to help curb some of the negative activity going on downtown and that they would need help from all the key stakeholders in the downtown area. They would need to find a balance between providing the help these people need and not enabling the aggressive negative behavior which has become such an issue. It has to be done as a community working together on the problem. He then turned the meeting over to City Manager Cubic to act as facilitator.

Identifying the issues:

City Manager Cubic had everyone introduce themselves and state what organization they are representing and gave a little background on the process.

they have gone through so far. He noted at the Community Forum in February there had been discussion about defining those who are causing the problems and they came up with separate definitions for the types of persons, with homeless persons being the ones who want to better themselves and get help then those classified as vagrant who are not really seeing assistance or interested in bettering themselves. From the forum there were a number of concerning issues coming from the vagrants causing problems in the downtown core but also throughout the city. Most concerning are issues with loitering and even sleeping in alleyways, harassment, and more recently urination and defecation in public places. Today the objective is to discuss strategies and actions that can be taken in partnership with each other toward resolving these problems. He reviewed information he had gathered in researching how the issue is handled in other communities across the state and country.

Criminal Justice System Issues:

Jail/detention: Director Hanner pointed out that until the Jail situation is rectified, the officers cannot do anything except issue a citation to appear which is ignored, then give out a warrant, which is ignored, and the worst offenders will tear it up or throw it away when it is handed to them.

Increased presence: County-wide system needs to regain strength of patrols. Councilor Morgan suggested use of County reserve officers at \$30 per hour.

Take them out of town: Question was raised about driving repeat offenders out of town and leaving them there and Director Hanner noted there were liability concerns as well as issues with the legality of detaining someone without charging them with a crime.

Councilor Gatlin said he had heard of law suits arising from those situations. Director Hanner also noted they had at times tried buying the person a bus ticket to a specific destination, only to have them returned to Grants Pass with a request from the other location to not send them there. They have transported people to Jackson County who had serviceable warrants on them.

Councilor Morgan stated the point is to make it uncomfortable enough for them in our city so they will want to move on down the road.

Just get them out of downtown: Director Henner and Deputy Chief Landis spoke of establishing a detox/sobering center where police would be able to lawfully detain and put people into protective custody Councilor DeYoung asked about using the old jail in the Courthouse basement for detention of disorderly persons even if only for a few hours, but long enough to get them away from the location where they are causing disturbance. Director Henner brought up staffing and other cost-related issues involved associated with the City providing that type of service. Deputy Chief Landis said the sobering center they are looking into would be a private facility. Councilor Morgan noted how short detention would tie-up police officers and interfere with their ability to properly respond to calls.

Councilor DeYoung started a discussion in answer to his question on why the aggressive vagrants have shown up downtown. He felt they were coming here from other places because they heard about our criminal justice problem. Lt. Moran stated he and Officer Donaghy had been working plain clothes downtown and through contact and surveys they have found that most transients here had local ties, though there are

a few that come from out of the area because they have easier access to services than they do In the bigger cities. Mr. Emilio from the Gospel Rescue Mission and Ms. Thelen from Options both agreed the homeless downtown are mostly local. It was suggested to limit services to those who had undesirable behavior. There was agreement that the concerns being raised were caused by persons who were choosing not to access certain services because there were “too many rules attached. Ms. Thornton said St. Vincent De Paul’s has a policy where they do not allow troublemakers to continue receiving services.

Detox/Sobering Center:

[Major portions of this subject were discussed at a later point in the meeting.]

Deputy Chief Landis described how Grants Pass previously had a detox center and how it could assist Public Safety in dealing with that 5% element who are causing problems and how much help a center has been in Medford. A Sobering Center or detox center can take those folks and do something with them. Deputy Chief Landis said he had brought up on KAJO Radio how he felt having a detox center would take away a lot of the problems they are discussing with vagrancy. He later had a call from Mr. Emilio which began the formation of a group which has been meeting to discuss funding the building of a detox center and are hopeful they can have it built by this time next year. There are a number of groups who have stepped up to offer funding for a sobering center and that would be a huge relief since the State, County and the City are all struggling with their public budgets. He noted how important it was to have this center being built and run by a private entity rather than by the City. A crucial reason it would be helpful is that

ORS allows police to detain and for up to 48 hours place into a custodial center someone who is intoxicated by alcohol or drugs among other things. It is exciting to have so many service agencies on board in agreement and cooperation with building a sobering center here in Grants Pass. He described how police would possibly be able to pick up an aggressive transient and turn custody over to the detox center personnel and then the officer could be on their way Deputy Chief Landis noted how persons coming out of the sobering center would likely be more amenable to receiving the other services. It also has a deterrent factor as those who get locked up to sober up don't like that, so they decide to change.

Ms. Martin asked if there was something that could be done in the interim while that type of facility was being built. Deputy Chief Landis said the group had considered a temporary location but was concerned about losing momentum for completing the full project. He also noted that the type of facilities needed because of the issues associated with coming off substances were closer to a jail cell with steel doors and concrete walls and it would be hard to find a facility you could remodel in that way for a temporary situation.

Mayor Fowler asked if they could use existing empty jail space to house detox care temporarily. Deputy Chief Landis noted the requirements to use a public facility are different and have more strings attached than if a private entity were operating the center

Ms. Nan Silver asked if detox services would be available to teens as substance abuse is a big issue with child welfare has to deal with for homeless teens.

Councilor Goodwin answered in his role as Juvenile Justice Coordinator stating how his center did provide that service while it was up and running. They would be checked out at the hospital first to make sure there was no other physical or mental problem with the person, but his facility had nursing care available to aid in the withdrawal process. He did not feel it would be possible to comingle juvenile and adults in a detox facility that is being described. Deputy Chief Landis noted how expensive it is for persons who are intoxicated to be processed in the emergency room. It may be possible to have medical persons available to screen persons at the Sobering Center rather than in the emergency room.

Councilor DeYoung asked if they could consider using the old jail cells in the Courthouse basement for a temporary center because he would like to see something done sooner. By using a temporary place, he thought it might help them better learn what things are needed for the permanent sobering center. He didn't think the County would say no. Deputy Chief Landis stated they had spent a year studying all the possibilities. Having a temporary facility is not just an issue of location but they would need to have staff for it and an entity that would take on the responsibility and liability involved. Councilor Morgan did not think the jail in the Courthouse was the way it used to be. Deputy Chief Landis said the group is considering all options.

Councilor Williams asked how big the facility would be that is being discussed. Deputy Chief Landis stated how the facility in Medford said they regretted having community cells because of certain problems it caused so the group here was looking at having 12 to 18 individual cells.

Mr. Brumbach said it is a good step and noted how they do not want to rush things but wanted to do what needed to be done the right way the first time. The Gospel Rescue Mission is assigning a group to look into the project in more detail and provide a recommendation to the board in July or hopefully sooner. A detox element is a vital missing part in the services being provided right now. He gave an example of someone he has been working with at the Mission and what it has taken for him to turn around and face his responsibilities.

Relief Agency Service Levels:

Communication between agencies: City Manager Cubic noted there was a concern brought up regarding a gap in communication between agencies with regard to the people they serve and the services they provide. Ms. Wessels from UCAN stated there are legal limitations to sharing information based on confidentiality issues for UCAN and other agencies. They are allowed to share data, but not identifying information.

Equal accountability for offenders among service agencies: Councilor Morgan suggested possibly having some type of release of information available so they could share information and be able to have some form of consequences forcing accountability on the offenders. There is concern it is too easy for offenders to continue being a nuisance because they can just move between agencies and receive the services they need without any accountability on their part. Ms. Wessels brought up how the problem people are usually the ones who do not want to receive services and for those who do, not all agencies are capable of tracking the information to be exchanged.

Individual Responsibility

Councilor Webber noted that until the pain of staying the same outweighs the pain of changing, people will not change; and some people need an external source to motivate that needed change. He did not feel the connectivity of services and level of services had any impact on the problem we face with those who are sleeping and defecating in the alleyways. It is a different issue.

Mr. Bowen asked if it was possible to have a registration card to receive services so they could track people more easily and be able to provide some accountability

Ms. Marks asked if there was any way to track the people who do not receive services and causing the most problem.

Lt. Moran felt they would be able to make a list of repeat offenders because police deal with them every day and can identify who they are.

Denial of services as consequence for bad behavior: Mr. Emilio noted at the Gospel Mission that like St. Vincent De Paul's, they also will deny services if they are made aware of people who are causing trouble in the community. These organizations understand how dependent they are on local donations for funding and if they are catering to people who are causing trouble then they could risk loss of funding.

City Manager Cubic noted that perhaps not all agencies would participate in providing that consequence of denying services.

Ms. Wessels noted the Food Bank did used to have an ID card to receive services from them but it did not work out and was phased out. The thought had been that by having the identification they would be able to

track people taking too much from a limited supply by using different food pantries. You have to keep in mind that the people directly providing services at these agencies are volunteers and often elderly and have no administrative support another problem with denying services is that it could cause a violent reaction.

Councilor DeYoung suggested the use of video cameras for security and to identify perpetrators. He was glad they all are in agreement there is a problem because that is the first step in solving the problem. It sounds like there are maybe 12 18 perpetrators we seem to be having the problems and perhaps we should figure out how to handle just those persons we have identified as causing problems downtown and we need to do something about it before the tourist season coming up

Ms. Wessels pointed out that these issues occur outside the downtown core as well and agreed something needs to be done before the tourist season.

Ms. Oroas at the Downtown Services office stated she had had problems with persons who are getting services and they are also causing problems in the parks. After agencies have had food trucks in the parks feeding the homeless, there are homeless who steal private people's food. Her opinion was that if you stop feeding them then they will stop coming, eventually

Councilor Webber related that his church sponsored events for homeless in the parks two years in a row and was told by one of them that if anyone was going hungry in Grants Pass it was their fault because there were so many services available. He pointed out how well-networked these homeless persons are and gave an example how quickly it spread through the

homeless community when one of his church staff gave shoes to someone, within hours there were several others coming to ask for shoes for themselves.

Councilor Morgan said she was in favor of having a 'do not serve' list but would like to include some form of redemption, a way for them to at a certain point come back and receive needed services if they decide to change their behavior or maybe an appeals process

Mr. Maloney suggested having a 'most unwanted list' made by taking pictures of the offenders when Public Safety cites them for repeated incidents and then disseminating it to all the service agencies.

City Manager Cubic asked the service providers present if they would use a 'do not serve' type of list as a guideline to follow through in not providing services.

Ms. Wessels said there could be legal constraints tied to something like that because of the different funding sources they use.

Ms. Thelen stated that Options of Southern Oregon would not be able to follow-through on not providing services. They are obligated. She also cautioned on there being increased violence [aggressiveness] if less services are provided.

Councilor Morgan assured everyone they would in no way want to deny anyone from receiving mental health services. The types of services they are considering would be food, clothing, bedding, hygiene, and those types of things. Since right now they can get a new sleeping bag or clothes rather than be encouraged to try and maintain things they have received for a time. encourage pro-social behavior

Councilor Webber noted how his church had remodeled their offices to add a zone of safety for his staff so

the 70-year-old women processing someone for a service could feel more secure in saying no. He stated that there are people providing faith-based services who would never say no. He pointed out how no one has to provide services the way these people want, because some will go down the list and pick and choose where they will go because they don't want to follow certain rules. Maybe they aren't hungry enough or cold enough [desperate] to make a change in their behavior. If you are truly in need, you will do what it takes to receive the service you require.

Councilor Gatlin asked if there could be an ordinance enacted by Council to provide blanket trespassing restrictions for all of the service agencies. Director Henner admitted that Safeway could have trespass in effective in all their stores but he was not sure a place like the soup kitchen and Gospel Rescue Mission could have that but they could network and give notice to each other regarding certain persons.

Mr. Clark suggested it may be least expensive to just increase the presence downtown and in a few of the parks where there are problems, either police presence or volunteers just by having enough people around to make them uncomfortable.

City Manager Cubic stated it sounded like everyone agreed they would like to encourage a culture of transformation and not just provide a meal or clothes or whatever else.

Public Health Issue

Councilor Morgan said her biggest concern is public health related to dealing with homeless persons using the patios of businesses or alleyways for restrooms and the inability to enforce any laws or ordinances.

Councilor DeYoung agreed the public health issue is a paramount concern. He wanted everyone to keep in mind that it isn't just the homeless who are victims, but they are also sometimes the perpetrators with the business owners being the victims or the kids who go to Joe's Place being the victims.

Ms. Marks felt the issues regarding defecating and urinating might best be handled by having a No Trespass agreement with Public Safety

Faith-based Resources

City Manager Cubic noted the strong commitment and coordination provided through faith-based entities and how there is a huge number of people who will come together for projects and what an important resource that is to keep in mind that we can use. As was noted earlier it may be difficult for all the faith-based entities to agree to the accountability of a do not serve list but if the majority of them follow-through on withholding services then the ones who don't will maybe get so hard that they will reconsider. It may be good to work toward increasing coordination between agencies to encourage a culture of transition throughout the faith-based network.

Mr. Brumbach agreed they do need to take the time to educate on what positive results can be achieved through tough love.

Councilor Webber agreed and noted there is sort of a theme that government handouts have helped us into ineptness. There are so many regulations tied to government funds that things can't happen in a way they need to unless you step away from the government systems. There are a huge group of people ready to volunteer who are not restricted by a bunch of regulations that can probably do more for these people than

anything the City or any other government entity could do.

If you build it, they will come.

City Manager Cubic noted how some of the faith based agencies are more flexible/unencumbered or even mobile and one thing that came out of the Community Forum in February was a concept that wherever the services are provided, they will find you. In researching what other communities have done he found some places have developed sort of a transformational campus, a place where all service providers are housed in one campus-like area that is usually not within the central business district. That campus would be the only place where services would be allowed so then churches could not be pulling into a parking lot in the central business area on a Friday evening with a food truck to provide food. The idea is to take all the services and provide them somewhere else. It is a big undertaking and would a lot of coordination and effort, but it is a possible solution.

Ms. Carlino stated the emphasis of Joe's Place Ministry is on youth. They do not want to turn kids away but they have turned away ones who were disruptive. The ministry always has men around when they serve the youth who make sure there is respect. In the area where they are serving and they have very few problems. She feels there is a generational problem and would like people to realize these kids have names and have plans for their lives. She was upset to be hearing an attitude of 'if you just didn't feed them, they wouldn't be there. She did not feel they were going to go away. She felt they needed a youth center so they could better help these kids. If they could not be in the River Valley parking lot or some other places, it might push away the youth they are trying to reach.

She did not feel the kids they saw at Joe's Place were part of those 15-20 who cause problems downtown.

Lt. Moran noted that while people are at St. Vincent's or at Joe's Place these people may behave fairly well but when they leave they do behave aggressively in other places.

Councilor Gatlin talked of how he went to the park to look into the complaints being made about problems because they were serving the homeless people there. He said there were very few who turned out but he didn't see any issues coming from the people they were serving. He has known that ministry to be a safe and responsible outreach to the community

Ms. Marks reiterated the confusion being caused by grouping all homeless persons under one label when there are different levels. different elements of people. You may not have the problem people and what you are doing is helping to prevent the problem people from becoming more of a problem for the rest. No one is trying to push anyone away or stop services. We are trying to make downtown more viable and maybe if we moved that different element of people a little farther away then perhaps business people would not have these issues happening. There may be some kids who get what they get from Joe's Place but may cause problems when they are not in your parking lot because you have that control and respect. They are doing stupid stuff that kids sometimes do and it is not your fault. We want to keep in mind that those business people are ones who donate to your ministry or fund soccer teams or volunteer to help do all those other things which make our town great.

Mrs. Goodwin pointed out that with the kids she works with there are a certain number of kids who

may go to Joe's Place, who wander around town but they cannot be locked up because they haven't committed any crime. They are out there and they might be victims for people who are out there recruiting young people to do criminal things. She agreed there needed to be a bigger group or people out in the community intentionally doing things that are positive would be a detriment to this recruiting behavior

Councilor DeYoung noted he has been hit up by teenagers panhandling when he has gone downtown on First Friday and they are being more assertive. He likes the idea of having a campus area that would avoid having a traffic pattern of people going between agencies that cut right through downtown.

Ms. Marks noted there was going to be a group assessing whether or not to continue doing those First Friday events because they have been sort of taken over by youth. People will drop their kids off and then come back and pick them up later in the evening.

Councilor Webber noted that only 6 kids showing up for services in the park because it was a blustery day probably means there were only those 6 kids needing services so they showed up no matter what kind of day it was, but the ones who show up only when it is nice likely just want to socialize and probably don't really need that help. The ones who truly need the service will come even if you move the service away to another place. He liked that idea.

Ms. Thornton said if the people were not going to get fed then they would steal or become more aggressive, because a hungry person is going to find food somehow

Ms. Wessels said she was at a meeting and an assistant district attorney had a discussion about the violence occurring being related to drugs. She

understands that during this discussion it may have seemed like the agencies are being pitted against each other but the elephant in the room, so to speak, is that there is no ability to have consequences related to actions because of the County criminal justice situation. If you don't have a consequence then that negative behavior escalates. Perhaps they should have different steps that can be taken in dealing with the problem people. She noted that no matter where her non-profit has been located in the city there have always been problems but the difference now is there are no consequences for the individuals.

Mr. Just said he liked the phrase 'culture of transformation' and asked if it would be possible to require community service with a private sector entity as consequence for the more nuisance troublemakers.

Director Henner restated the issue Public Safety has with not being able to enforce when they ticket them right now and they would have to go through court in order to determine guilt and be assigned community service. Right now offenders are just wadding up the tickets and throwing them away and then they would keep getting tickets for failure to appear because there is no way to bring them in to court.

Councilor Gatlin encouraged everyone who is concerned regarding the current criminal justice issues to participate in the Securing Our Safety meetings.

Options/Things for city staff to look into:

City Manager Cubic asked to wrap up by reviewing things they could do to address this transient issue. One thing is an exclusion zone for downtown. The City has an exclusion zone now in the parks where we can exclude someone from being in the parks and we could do the same in the central business district area.

Again, the problem now is with enforcement but it could be something that is ready to go once the system is fixed. Another legislative thing we have is the unlawful transfer ordinance for panhandling. That has been effective because it has moved panhandling out of the main right-of-ways and it also has an impact on the person giving, who can afford a ticket and would end up paying the ticket and they don't want to so they don't participate in the transaction or they draw it onto private property instead. He asked if they should look into a corporate trespass agreement to disallow that activity on private property and they could have signs posted for example at Taco Bell by Walmart and other places.

Ms. Martin said she thought it would be worth a try and thought businesses would be on board. They could also ask the Tourism office to tell people not to participate with panhandling but we would have to do it in a positive way. Ms. Marks agreed it needed to be done in the most positive way because they don't want to scare people away

Councilor DeYoung asked if they could put signs up at all the entrances into the city stating we are zero tolerance on and list the ordinances we want to enforce like drinking in public places and panhandling, and also list the fines. Maybe put 5 or 6 ordinances we already have on these signs and maybe even have them at the bus depot. We should put up a bunch of signs everywhere people congregate, like in the parks—saying we are not going to tolerate these behaviors and then list the ordinances. It would only mean the cost of the signs and it's worth a try because maybe we can get rid of 12 of the 18 bad guys and we could deter others from potentially moving in here.

Councilor Gatlin agreed and like that it would put everyone on notice and maybe cause some second thoughts. It would be something that can be done quickly

Councilor Webber stated he and people at his church had thought the trespass ordinances were enforceable anywhere in town because they are city laws but it wasn't until after several times calling police to come take care or someone who was defecating outside the window of a room full of 8 year old girls that they were told they could not take them for trespassing unless we signed a trespass agreement. He thought perhaps other business owners are thinking the same way about police enforcing the trespass laws for their property. It's an assumption that if it is a law then it should apply everywhere and not just if the city owns the property unless you sign an agreement to request enforcement on your private property as well. Maybe they should have that agreement sitting on a table at the greeter's meeting for the Chamber

City Manager Cubic noted the difference is that laws are enforceable except for the trespass situation where they need to get that information from the property owners. Lt. Moran noted that the situation where someone is defecating in front of children is a criminal issue and they would definitely take that person away and not just for trespass. The letters for trespass are usually to have on hand after hours so we don't have to wake business owners in the middle of the night to make sure there are trespassers.

Deputy Chief Landis asked Council if they would be interested in hearing information they could lobby the DA's Office to have a certain number of misdemeanors force prosecution kind of like the 3-strikes law

Councilor Williams told the other councilors present he thought maybe they had things upside down because they were recently looking at spending \$375,000 for a spray park and even more money for other things when maybe they should be looking instead at putting money toward building that sobering center so it could get done faster

Mayor Fowler said he didn't think they should stop doing the things the City needs to do to keep citizens here. He wondered where they should draw the line on what things should and should not be done because they do have to maintain certain services for quality of life.

Councilor Webber asked if it would be possible for them to contribute financially to a building the city would not own or run because privatization and its lack of strings attached is more efficient.

Mr. Maloney told of his experience with a public-private partnership he was involved in with the city of Los Angeles and felt the City would be able to work something out.

Councilor DeYoung said he had heard of government agencies paying for the lease or upkeep on a building when they don't own it.

Director Henner noted that Medford does contribute financially to the Sobering Center and it could be something they could do in Grants Pass, similar to how they contribute to the Women's Crisis Center

City Manager Cubic stated they could do a public-private partnership but it would bring in red tape and added costs. The most efficient way to build it would be to allow the private sector to handle it. He cautioned they were beginning to move toward giving direction on a Council level and that is not where they

were headed in this meeting. He asked them all to consider what would be the next steps in this process. He noted there are action Items for Council and other things to put together to go out to everyone or perhaps they could have another meeting to discuss more specific actions.

Actions to move forward on:

- Putting in brighter lighting at alleyways.
- Ways to increase police presence downtown; utilizing volunteers or part-time county officers, and bicycle patrols for ease of access.
- Create an exclusion zone and possibly have a blanket trespassing regulation for the future as enforcement for persons causing trouble.
- Specific amount of misdemeanors leading to prosecution.
- Not feeding in parks or other specific areas of the city
- Posting “zero tolerance” signs stating certain ordinances will be strictly enforced.
- Look into possibility of creating a ‘do not serve or ‘most unwanted” list and enhancing communication between service agencies and Chamber of Commerce
- Pass out the trespassing letters or get word out and have them signed.
- Find out what the City can do to facilitate building a sobering center
- Provide assistance in constructing safe areas at agencies to protect volunteers from aggressive behavior

- Possible youth center
- Ms. Martin volunteered to work with TCA and Chamber to work on signage for the tourism offices and local businesses.
- Ms. Wessels suggested they look at redoing the brochure which had been done in the recent past.

Mayor Fowler adjourned the discussion at 4:13 p.m.

These minutes were prepared by contracted minute taker Wendy Hain.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

**DEBRA BLAKE, GLO-
RIA JOHNSON,**
JOHN LOGAN individu-
als, on behalf of
themselves and all others
similarly situated,

Plaintiffs,

v.

**CITY OF GRANTS
PASS,**

Defendant.

Case No. 1:18-cv-
01823-CL

**DECLARATION OF
CARRIELYNN HILL IN
SUPPORT OF PLAIN-
TIFFS' MOTION FOR
SUMMARY JUDG-
MENT**

I, **CarrieLynn Hill**, declare as follows:

1. I am a member of the plaintiff class in this action.

2. I am 48 years old. I have been homeless in Grants Pass for the past 4 years. I am currently involuntarily homeless and living in Grants Pass.

3. In late July and early August of 2017 I was homeless and had no place to sleep or stay the night. On July 31, 2017, I was hanging out with about twelve friends in Riverside Park. Officer Burge trespassed me for 30 days because he said I was camping in the Park. I have COPD and need a nebulizer to breathe. My nebulizer was left in the Park when I got excluded. The next day, on August 1, 2017 I went back into the park to look for my nebulizer and some of my other personal property and Officer Burge saw me and arrested me for Criminal Trespass II. I was handcuffed

and taken to jail. I was convicted of this crime and sentenced to 3 days in jail and one year probation. (Attached hereto as Exhibit 1 is the Probable Cause Affidavit and Criminal Trespass conviction judgment against me). As part of that probation, I was told that I was not allowed in any county, city, or state parks. I was told this by Grants Pass Police Officers. The total fines from this conviction were \$626. I have tried to make payments on it, despite not having enough money to obtain housing, but I still owe \$416.

4. On January 13, 2018, I was lying down under a tarp to stay warm in the entry way to the former DHS office at 4:30 a.m. At the time the office was not in use at all and is now being renovated into a new police station. I was approached by a Grants Pass police officer and given a ticket for \$75 for sleeping on the sidewalk. That fine is now \$160 because I cannot afford to pay it.

5. On August 1, 2018, I was lying down on a friend's mat at about 11:00 at night and Grants Pass police officer cited me for illegal camping and gave me a ticket for \$295. I have been unable to pay this fine and I still owe \$390.

6. I am still homeless and am constantly afraid that I will be cited and arrested for being outside in Grants Pass.

7. I have looked into staying at the Gospel Rescue Mission several times. One time I was told it was full. Another time I was told I had to check my Nebulizer in as medical equipment and that I would not be able to use it in the room. I am suppose to use it at least every four hours. It's common that I fall asleep while using it or wake up in the middle of the night to use

it. The Mission's restrictions on using my nebulizer has made it impractical for me to try staying there.

8. I do not know of anywhere in the city of Grants Pass where I can safely sleep or rest without being arrested, trespassed, or moved along. The only way I have figured out how to get by is try to stay out of sight and out of mind.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 15th day of January 2020.

/s Carrie Lynn Hill
Carrie Lynn Hill

OK PLB

DA No. _____ Agency No. 17-36019 Court Case No. PCR 50975

STATE OF OREGON)
COUNTY OF JOSEPHINE) SS. PROBABLE CAUSE AFFIDAVIT

RECEIVED AND FILED
17 AUG -2 AM 7 22

I, the undersigned police officer, after first being duly sworn on oath do hereby affirm that the following information is true to the best of my knowledge and belief:

NAME OF ARRESTEE CARRIE Lynn Hill DOB: 1-2-72

ARRESTING OFFICER (print) BURGE AGENCY GP Police

DATE OF ARREST 8-1-17 TIME OF ARREST 0921

CRIME(S) ALLEGED CRIMINAL TRESPASS 2

DATE OF CRIME(S) 8-1-17

LOCATION OF CRIME(S) IN JOSEPHINE COUNTY Riverside Park

BRIEF SUMMARY OF PROBABLE CAUSE Hill was contacted Camped in Riverside Park on 7-30-17 Hill was TRESPASSED From all City Parks AFTER BEING CAUGHT Camped IN THE PARK FOR THE SECOND DAY IN A ROW

Additional statement attached.
Police Officer [Signature]

SUBSCRIBED AND SWORN to before me this 1 day of Aug 2017.
Clerk of the Court [Signature]

I find probable cause exists to believe the arrestee committed the crime(s).
 I find insufficient probable cause exists, based on the information provided herein.

Judge _____ Date _____ Time _____

Defendant released before probable cause determination.

Correction Officer _____ Date _____ Time _____

Original: Court Copies DA, Jail, Arresting Agency

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF JOSEPHINE

State of Oregon,)	
Plaintiff)	Case No.:
)	17CR50975
vs.)	JUDGMENT
CARRIE LYNN)	
HILL,)	Case File Date:
)	08/02/2017
Defendant)	District Attorney
)	File#: 140823

DEFENDANT

True Name: CARRIE LYNN HILL	Sex: Female
Date Of Birth: 01/02/1972	State Identification No (SID):
Fingerprint Control No (FPN): JJOS117205390	13652543OR

HEARING

Proceeding Date: 06/18/2018
 Judge: Thomas M Hull
 Court Reporter: FTR Recording, Courtroom 1

Defendant appeared in person and was not in custody. The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) LAURIE RACHELE NORMAN, OSB Number 060819. Plaintiff appeared by and through Attorney(s) Michelle N Enfield, OSB Number I 52293. Defendant knowingly waived two day waiting period before sentencing.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 1 : Criminal Trespass in the Second Degree

Count number I, Criminal Trespass in the Second Degree, I 64.245, Misdemeanor Class C, committed on or about 08/01/2017. Conviction is based upon a Guilty Plea on 06/18/2018.

Suspended Imposition of Sentence

Imposition of sentence is suspended.

Probation

Defendant is placed on Bench Probation for a period of 12 month(s) and shall be subject to the following conditions of Probation:

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Obey all laws, municipal, county, state and federal.
- Pay fines, fees, restitution, or other fees as ordered by the court.
- Pursuant to ORS 137.540(1), the Court's intention was to specifically delete all conditions listed in said ORS except those special conditions specifically ordered in the judgment.
- Abide by any current trespass orders for any specific locations.

Jail as a Condition of Probation

Defendant is confined to jail for 3 day(s). Defendant is to report to Supervisory Authority by 06/18/2018 at 4:00 PM. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Fees and Assessments: Payable to the Court.

Type	Amount	Modi- fier	Reduction	Actual Owed
Attorney Fees	\$220.00	Waived	\$220.00	\$0.00
Bench Probation Fee	\$100.00			\$100.00
Fine— Misdemeanor	\$100.00			\$100.00
	\$420.00		\$220.00	\$200.00

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

MONEY AWARD**Judgment Creditor: State of Oregon****Judgment Debtor: CARRIE LYNN HILL**

Payees are to be paid as ordered under Monetary Terms.

Defendant is ordered to pay the following monetary totals, including restitution or compensatory fine amounts stated above, which are listed in the Money Award portion of this document:

Type	Amount Owed
Bench Probation Fee	\$100.00
Fine—Misdemeanor	\$100.00
Total	\$200.00

Money Award total does not include reduced amounts of \$220.00 as stated in the individual counts.

The court may increase the total amount owed by adding collection fees and other assessments. These fees and assessments may be added without further notice to the defendant and without further court order.

Subject to amendment of a judgment under ORS 137.107, money required to be paid as a condition of probation remains payable after revocation of probation only if the amount is included in the money award portion of the judgment document, even if the amount is referred to in other parts of the judgment document.

Any financial obligation(s) for conviction(s) of a violation, which is included in the Money Award, creates adjudgment lien.

Payment Schedule


Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

**Josephine County Circuit Court
500 NW 6th Street Dept 17
Grants Pass, Oregon 97526
P: 541.476.2309
F: <http://courts.oregon.gov/Josephine>**

Dated the _____ day of _____, 20 _____

Signed: 6/19/2018 09:52 AM

Signed: 
Thomas M Hull

Circuit Court Judge Thomas M. Hull

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

DEBRA BLAKE, an individual, on behalf of herself and all others similarly situated, Case No. 1:18-cv-01823-CL

Plaintiff,
v.
CITY OF GRANTS PASS, Defendant.

**DECLARATION OF
JIM HAMILTON IN
SUPPORT OF DE-
FENDANT'S JOINT
MOTION FOR SUM-
MARY JUDGMENT
AND RESPONSE TO
PLAINTIFFS' MOTION
FOR SUMMARY JUDG-
MENT**

I, Jim Hamilton, hereby declare under the penalty of perjury that the following is true: I am currently the Deputy Chief for the City of Grants Pass Department of Public Safety. I have served this department since 1991. I would testify to the truth of the matters herein in any hearing in this case.

1. I am aware that on multiple occasions, the City of Grants Pass has received complaints from concerned citizens about long-term camping activity that the citizen assumed was on city property. It is often the case that when we look into these complaints the land in question is maintained by BLM, Josephine County, the State or privately owned property. The City of Grants Pass does not take law enforcement action in response to these complaints.

2. Attached to this Declaration and marked "Exhibit 1" are true and correct copies of pictures taken by a Department owned drone. These photos are of

the area just west of the city's limits in and around an area commonly referred to as "Devil's Slide." These pictures show a sample of the dozens of established campsites in this area.

3. There current practice is that there are no park exclusions being issued by anyone in the Grants Pass Department of Public Safety by way of written Order from me. Unless and until a revised version of the park exclusion ordinance is adopted by the City council and the related forms revised, they will not be issued.

4. Attached to this Declaration and marked "Exhibit 2" are true and correct copies of City of Grants Pass Department of Public Safety policies. There are two versions of Police No. 428 attached because of a recent revision that was made. These revisions related to outdated language referring to a homeless community liaison officer instead of our NIT team.

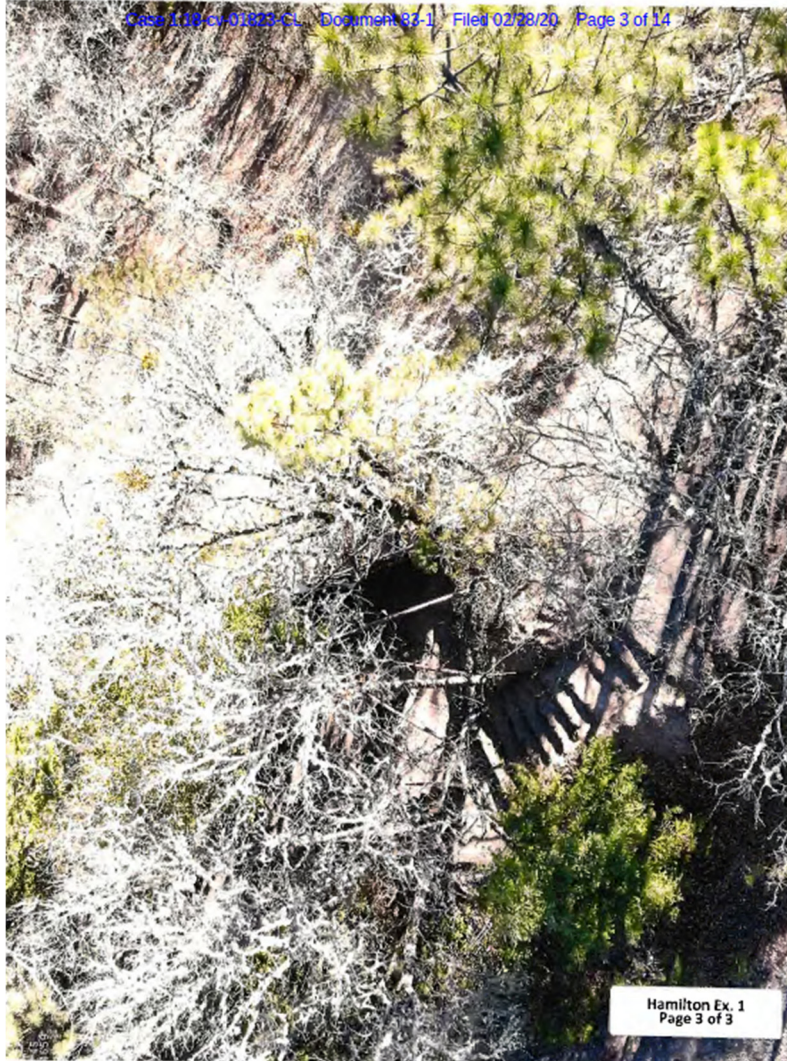
I hereby declare under penalty of perjury that the foregoing is true and correct.

DATED this 27th day of February, 2020.

s/ Jim Hamilton
Jim Hamilton







Policy 401:
Grants Pass Department of Public Safety
Grants Pass DPS Policy Manual
(December 17, 2018)

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Grants Pass Department of Public Safety's commitment to policing that is fair and objective (ORS 131.920).

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing—An inappropriate reliance on characteristics such as race, ethnicity, color, national origin, language, religion, sex, sexual orientation, gender identity or expression, economic status, homelessness, age, cultural group, disability, political affiliation or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (ORS 131.915).

401.2 POLICY

The Grants Pass Department of Public Safety is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of

this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to

document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Each time an officer makes a traffic stop, the officer shall report (ORS 131.906):

- (a) The reason for the stop or other contact.
- (b) The officer's perception of the race, color or national origin of the individual involved in the contact.
- (c) The individual's gender.
- (d) The individual's age.
- (e) Whether a search was conducted in connection with the contact and, if so, what resulted from the search.
- (f) The disposition of the enforcement action, if any, resulting from the contact.
- (g) Additional data as recommended by the Law Enforcement Contacts Policy and Data Review Committee (LECC).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 1. Supervisors should document these discussions, in the prescribed manner.

- (b) Supervisors should periodically review Mobile AudioNideo (MAV) recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 STATE REPORTING

The Records Division shall provide LECC (ORS 131.925):

- (a) Copies of profiling complaints that were made within 180 days of the alleged incident.
- (b) The final disposition of the profiling complaint.

401.7 ADMINISTRATION

The Patrol Operations Lieutenant should review the efforts of the Department to provide fair and objective

policing and submit an annual report, including public concerns and complaints, to the Director of Public Safety. The annual report should not contain any identifying information about any specific complaint, citizen or officers. It should be reviewed by the Director of Public Safety to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

401.8 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Sergeant.

Policy 428:

Grants Pass Department of Public Safety
Grants Pass DPS Policy Manual
(December 17, 2018)

Homeless Persons**428.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Grants Pass Department of Public Safety recognizes that members of the homeless community are often in need of special protection and services. The Grants Pass Department of Public Safety will address these needs in balance with the overall missions of this department. Therefore, officers will consider the following policy sections when serving the homeless community.

428.1.1 POLICY

It is the policy of the Grants Pass Department of Public Safety to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

428.2 HOMELESS COMMUNITY LIAISON

The Crime Prevention Officer will act as the Homeless Liaison Officer. The responsibilities of the Homeless Liaison Officer include the following:

- (a) Maintain and make available to all department employees a list of assistance

programs and other resources that are available to the homeless.

- (b) Meet with Social Services and representatives of other organizations that render assistance to the homeless.
- (c) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include the following:
 - 1. Proper posting of notices of trespass and clean-up operations.
 - 2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with Policy Section 804 and other established procedures.
- (d) Be present, when possible, during clean-up operations conducted by this department involving the removal of personal property of the homeless to ensure the rights of the homeless are not violated.
- (e) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

428.3 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

428.3.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder and if so, proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

428.4 HOMELESS ENCAMPMENTS

Officers who encounter encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not immediately remove or destroy such property and should inform the department Homeless Liaison Officer if such property appears to involve a trespass, blight to the community or is the subject of a complaint. When practicable, requests by the public for cleanup operations of a homeless encampment should be referred to the Homeless Liaison Officer. Community Service Officers may be assigned calls for service related to homeless encampments.

428.4.1 HOMELESS CAMPS ON PUBLIC PROPERTY

Prior to removing homeless individuals from an established campsite on public property, officers shall:

- (a) If individuals are present, advise violators that they are camping on public property and such encampments are illegal.
- (b) Post the area with a notice in English and Spanish advising the violators to vacate within 24 hours. This same notice shall list a local agency that delivers social services to homeless individuals.
- (c) Notify the United Community Action Network (UCAN) of the campsite's location.
- (d) Obtain a case number and document the incident in CAD.

The 24-hour warning notice requirement is not necessary if officers reasonably believe that illegal activity unrelated to the camping violation is occurring or in the event of an exceptional emergency such as a

possible site contamination by hazardous materials, or when there is immediate danger to human life or safety (ORS 203.079).

428.4.2 CAMPING ON PRIVATE PROPERTY

Camping on private property without the owner's permission should be handled as a trespass complaint. Owners of private property may allow individuals to camp, provided they do so in a manner consistent with provisions of the Grants Pass Municipal Code.

428.5 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the arrestee's personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property. Items that have no apparent utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless individual(s) from the camp site (ORS 203.079(d)).

AU property collected for safekeeping shall be stored for a minimum of 30 days. The property specialist

shall ensure that reasonable efforts are made to inform the owner of status of the property and inform him/her of how and when such property may be claimed (ORS 203.079(d)).

428.6 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if the person consents and approved by a supervisor.

428.7 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

Policy 428:

Grants Pass Department of Public Safety
Grants Pass DPS Policy Manual
(February 27, 2020)

Homeless Persons**428.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Grants Pass Department of Public Safety recognizes that members of the homeless community are often in need of special protection and services. The Grants Pass Department of Public Safety will address these needs in balance with the overall missions of this department. Therefore, officers will consider the following policy sections when serving the homeless community.

428.1.1 POLICY

It is the policy of the Grants Pass Department of Public Safety to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

428.2 HOMELESS COMMUNITY LIAISON

The Nuisance Intervention Team will act as the Homeless Liaison. The responsibilities of the Homeless Liaison include the following:

- (a) Maintain and make available to all department employees a list of assistance

programs and other resources that are available to the homeless.

- (b) Meet with Social Services and representatives of other organizations that render assistance to the homeless.
- (c) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include the following:
 - (a) Proper posting of notices of trespass and clean-up operations.
 - (b) Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with Policy Section 802 and other established procedures.
- (d) Be present, when possible, during clean-up operations conducted by this department involving the removal of personal property of the homeless to ensure the rights of the homeless are not violated.
- (e) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

428.3 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

428.3.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder and if so, proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

428.4 HOMELESS ENCAMPMENTS

Officers who encounter encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not immediately remove or destroy such property and should inform the department Homeless Liaison Officer if such property appears to involve a trespass, blight to the community or is the subject of a complaint. When practicable, requests by the public for clean-up operations of a homeless encampment should be referred to the Homeless Liaison Officer. Community Service Officers may be assigned calls for service related to homeless encampments.

428.4.1 HOMELESS CAMPS ON PUBLIC PROPERTY

Prior to removing homeless individuals from an established campsite on public property, officers shall:

- (a) If individuals are present, advise violators that they are camping on public property and such encampments are illegal.
- (b) Post the area with a notice in English and Spanish advising the violators to vacate within 24 hours. This same notice shall list a local agency that delivers social services to homeless individuals.
- (c) Notify the United Community Action Network (UCAN) of the campsite's location.
- (d) Obtain a case number and document the incident in CAD.

The 24-hour warning notice requirement is not necessary if officers reasonably believe that illegal activity unrelated to the camping violation is occurring or in the event of an exceptional emergency such as a

possible site contamination by hazardous materials, or when there is immediate danger to human life or safety (ORS 203.079).

428.4.2 CAMPING ON PRIVATE PROPERTY

Camping on private property without the owner's permission should be handled as a trespass complaint. Owners of private property may allow individuals to camp, provided they do so in a manner consistent with provisions of the Grants Pass Municipal Code.

428.5 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the arrestee's personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property. Items that have no apparent utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless individual(s) from the camp site (ORS 203.079(d)).

All property collected for safekeeping shall be stored for a minimum of 30 days. The property specialist

shall ensure that reasonable efforts are made to inform the owner of status of the property and inform him/her of how and when such property may be claimed (ORS 203.079(d)).

428.6 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if the person consents and approved by a supervisor.

428.7 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

DEBRA BLAKE, an individual, on behalf of herself and all others similarly situated,

Plaintiff,

v.

CITY OF GRANTS PASS,

Defendant.

Case No. 1:18-cv-01823-CL
**DECLARATION OF
JASON McGINNIS IN
SUPPORT OF DE-
FENDANT'S JOINT
MOTION FOR SUM-
MARY JUDGMENT
AND RESPONSE TO
PLAINTIFFS' MOTION
FOR SUMMARY JUDG-
MENT**

I, Jason McGinnis, hereby declare under the penalty of perjury that the following is true:

1. I am a police officer for the City of Grants Pass. I have held this position since 2015. I am also a residence of Grants Pass and have lived in this area my entire life. I am currently 48 years old. I would testify to the truth of the matters asserted herein in any hearing in this matter.

2. In my capacity as a police officer, I routinely interact with the citizens of Grants Pass, including those that do not have secure living situations. I have served on task forces that work with UCAN, a local services provider that assists many people without stable housing. I have also worked on the mental healthcare court. Some of the individuals who are referred through mental health court also have unstable housing situations. Once a month a mental health counselor from the non-profit organization Options for Southern Oregon, an organization that provides a

mental health services does a ride-a-long with me. During this ride-a-long we are proactive about doing social contacts with individuals that may be experiencing homelessness and mental health issues as a way of potentially connecting them to available services. We also provide hygiene kits provided to us by UCAN. I am also one of two officers who serve on the department's NIT team. As a result of these as well as my other patrol duties, I have built a relationship with and gotten to know several people in our community that do not have a permanent home to go home to.

3. The area just outside the City of Grants Pass's city limits is primarily unincorporated County property, a substantial amount of which I understand is owned by the Bureau of Land and Management and/or the Department of Forestry. It is common knowledge that the County and Federal governments do not actively enforce camping on these undeveloped properties.

4. I know of several individuals who have been camping on land just outside the City for as long as I have been a police officer without having any enforcement action taken against them. Some of these individuals camp largely independently of others but there is also a well known and long-established group of camps just outside the City limits. One of these camps is to as "Devil's Slide" and has been an established camp for decades.

5. Attached to this Declaration and marked "Exhibit 1" is a true and correct copy of community resource information that our department provides and routinely updates. Officers, including myself, regularly hand out this information to citizens whom

inquire or who we believe would benefit from any of these resources.

6. It would be extremely difficult to accurately estimate the population of people who are homeless in Grants Pass regardless of the definition used for a couple of reasons. With Grants Pass being the main urban environment in the local area many people, both homeless and not, come to the City for various reasons but do not live in the City. With the allowance of camping just outside the City limits there are a fair number of people that do so but still spend the majority of their time within the City.

7. In my time as a police officer, I have become aware of less than fifty individuals total who do not have access to any shelter.

8. There is a State maintained rest area called the Merlin Rest Area approximately four miles north of the City. It is well known that anyone with a vehicle can rest there without any enforcement action being taken against them for extended periods of time.

9. I am aware of the Ordinances being challenged in this lawsuit and I am aware that the accusations are related to how these Ordinances are enforced against individuals without permanent shelter. It is the regular practice of every officer I know of on this department to enforce these Ordinances sparingly and in recognition of the different circumstances we encounter. It is the widespread practice of the officers I work with that unless a person's conduct or locations poses a hazard to themselves or others, warnings, and most often multiple warnings, are given to an individual before any citation would be issued for these Ordinances.

**I hereby declare under penalty of perjury
that the foregoing is true and correct.**

DATED this 27th day of February, 2020.

s/ Jason McGinnis
Jason McGinnis



COMMUNITY RESOURCES



GP - Dorcas 1360 NE 9th St. (Tues 9-11:30AM & 12:30-1:30PM)	541-476-2052
GP - FISH Food Bank, United Methodist Church - 132 NE 8 St. (Corner of 7th & 8) (Wed & Fri 3-4PM)	
GP - Lord's Storehouse, Redwood Christian Church 4995 Redwood Ave. (Wed 6-8PM)	541-474-0778
GP - ROC Food Closet 564 SW Foundry St. (Thu 1-5PM, Sat 9-Noon)	Homebound Deliver Call 541-476-3344
GP - Salvation Army Food Pantry 1377 Redwood Ave (Mon-Fri 8AM-11AM)	541-955-1017
CJ - Assembly of God Church 481 S. Junction Ave, Cave Junction (Mon 2-4PM)	541-291-8880
CJ - Illinois Valley Family Coalition 535 E. River St., Cave Junction (Mon-Fri 8:30-5PM)	541-592-6139
Selma - Selma Community Center 18255 Redwood Hwy, Selma (Thurs 12:30-2:00PM)	
Wolf Creek - Wolf Creek Community Center 100 Railroad Ave, Wolf Creek (Fri 12:30-2:00PM)	
Williams - (Dorcas) Williams Community Church 228 East Fork Rd (Tues 10AM-Noon)	541-846-6465
GP - St Vincent de Paul Mobile Soup Kitchen (at these locations from 12-1PM)	
-Mon - Redwood Church 1640 Redwood Ave	
-Tues - LDS Church - Harbeck Rd & Williams Hwy	
-Wed - LDS Church - Harbeck Rd & Williams Hwy	
-Thurs - Josephine Co Jail Pkg Lot 1901 NE F St.	
-Fri - UCAN 7th & Manzanita Ave.	
GP - Dorcas 1360 NE 9th st (Tues 11:30-12:30PM) **Snacks Only**	541-476-2052
CJ - St. Matthias Church 25904 Redwood Hwy, Cave Junction (Tues & Thurs 11AM-12:30PM)	541-592-2006
GP - Homeless Men: Gospel Rescue Mission 540 SW Foundry (Mon-Fri 9AM-3PM)	541-476-0082
GP - Homeless Women & Children: Fixso Family House 530 SW Foundry (Mon-Fri 9AM-3PM)	541-476-0082
GP - Homeless Teens: Hearts with a Mission 1504 NE 9th St. (24 Hours)	541-956-4190
GP - Homeless Teen Ministry: Joes Place (12-20 yr old) 130 SE K St. (Mon-Fri 1-7PM)(Lunch 1-2PM/Dinner 4-6PM)No Shelter	541-476-4563
GP - Homeless Youth (or at Risk of Homelessness): Maslow Project 125 NE Manzanita (by appt.)	District 7 School 541-841-1974
	Three Rivers School District 458-226-0141
GP - Periodic Homeless Housing Assistance: UCAN 125 NE Manzanita (Mon-Fri 8AM-5PM)	541-956-4073
GP - Dorcas 1360 NE 9th St. (Tues 9AM-1:45PM) CLOTHING	541-476-2052
GP - St. Vincent de Paul 132 SE H St. (Laundry Vouchers & Soap, Clothing & Hygiene Items) (Tues, Wed & Fri 10AM-2PM)	541-479-0926
GP - Homeless Teen Ministry: Joes Place (12-20 yr old) 130 SE K St. (Mon-Fri 1-7PM) - Clothing & Toiletries	541-476-4563
CJ - Illinois Valley Family Coalition 535 E. River St., Cave Junction (Mon-Fri 8:30-5PM)	541-592-6139
CJ - St. Matthias Church 25904 Redwood Hwy, Cave Junction	541-592-2006
GP - Josephine Co Health Clinic walk-ins: 715 NW Dimmick St. (WIC Hours Mon-Fri 8AM-5:45PM)	541-474-5325
	(Appts preferred call Mon-Thu 8AM-5:45 and Fri 8AM-12PM) 541-474-5329
GP - Slasky Community Health Clinic 1701 NW Hawthorne Ave (Mon-Fri 8-5PM)(Walk in Clinic Mon-Fri 8-6PM Sat 9-1PM)	541-471-3455
GP - Slasky Dental 1701 NW Hawthorne Ave (Mon-Fri 8AM-5PM)	541-479-6393
GP - Planned Parenthood 160 NW Franklin (Mon-Wed & Fri 9:30AM-6PM, Thurs 10:30AM-5PM)	541-474-2784
GP - Pregnancy Care Center 714 SE 8th St. (Mon-Thu 9AM-5PM)	541-479-6264
GP - BCCP Breast & Cervical Cancer Prevention (Mon-Fri 6AM-6PM)	800-422-6237
GP - WIC (Women's, Infants & Children Nutrition Assistance) 715 NW Dimmick (Mon-Thu 7:15AM-5PM)	541-474-5333



COMMUNITY RESOURCES



GP - WCST (Women's Crisis Support Team) (Mon-Fri 8AM-5PM)	541-475-3877
	Crisis Line 24HR 541-479-9349
CI - IVSHA (Illinois Valley Safe House Alliance) (Mon, Tue, Thu 9AM-5PM and Wed & Fri 9AM-11AM)	541-592-2515
	Crisis Line 24HR 541-415-9367
GP - HUD - Josephine County Housing Authority 1205 NE 7th St. (Mon,Tue,Thu,Fri 9AM-12PM & 1-4PM & Wed 9-12PM)	541-473-5523
GP - Christian Services Network 1260 NE 9th St. (Mon, Wed, Thu & Fri 8AM-2:00PM)	541-479-5045
GP - River Valley Church Lifeline 405 NE 7th St. (Mon, Tues & Thur 9AM-2PM)	541-476-1761
GP - UCAN (United Community Action Network) 125 NE Manzanita Ave (Mon-Fri 8AM-12PM & 1PM-5PM)	541-956-4050
National Obama Phone	Assurance Wireless 888-898-4888
	Access Wireless 888-900-5899
	enTouch Wireless 844-891-1800
GP - WSRV (Work Source Rogue Valley) 1569 NE F St (Mon-Fri 8AM-5PM)	541-476-1187
	Unemployment: Apply online at www.employment.oregon.gov/ocs or call (Mon-Fri 8AM-5PM): 877-345-3484
	Weekly Work Search Claim line (Mon-Fri 8AM-4:30PM): 800-582-8920
GP - SOGI (Southern Oregon Goodwill) Job Training Center 735 SW 5th St. (Mon-Fri 8AM-4:00PM)	541-955-5258
GP - VRD (Vocational Rehabilitation Dept) 725 NE 7th St. Suite C (Mon-Fri 8AM-5PM)	541-474-3130
GP - Adapt Alcohol & Drug Treatment / Counseling Center 356 NE Beacon Dr. (Mon-Fri 8AM-5PM)	541-474-1033
GP - AA (Alcoholic's Anonymous) (For meeting locations, call or go to website www.grantspassaa.com) (24 HOUR)	541-474-0782
GP - ALAnon (Meetings: Hilo Club, 668 Lincoln Rd. Tues 12PM & Fri 7PM, also St. Luke's, 224 NW D St, Wed 6PM)	888-425-2666
GP - Choices Counseling 100 NE Manzanita Ave. (Mon-Fri 9AM-5:30PM) Substance Abuse Counseling	541-479-8847
GP - Gambler's Anonymous (Meetings: Activity Ctr, 520 Ramsey Ave: Tues 7PM, Thu 7PM & Sun 1PM (24 HOUR)	855-222-5542
GP - Local Methadone Clinic - Grants Pass Treatment Center 1885 NE 7th St (Mon-Fri 5AM-1PM, Sat 6AM-10:30AM)	541-955-3210
GP - NA (Narcotics Anonymous) meeting list: www.rogueredwoodna.com (24 HOUR)	Helpline: 541-298-5202
GP - OnTrack 806 NW 6th St. (Mon-Thu 8AM-7PM, Fri 8AM-6PM)	541-955-9227
GP - Options Mental Health-Adults:1545 Harbeck Rd (Mon-Thu 8-7 Fri 8-5) +Children:1181 Ramsey Ave(Mon-Fri 8-5)	541-475-2373
GP - Options Problem Gambling Treatment Program 324 Ramsey Ave	877-695-4648
GP - Sobering Center	541-907-1888
National Suicide Prevention Lifeline	800-273-8255
Veteran's Crisis Line	*Press Opt. 1 800-273-8255
GP - \$4 Generic RX Programs CALL AHEAD	Wal-Mart 541-471-2820
	Fred Meyer 541-474-7234
	Walgreens 541-471-4873
GP - HAST Center for Independent Living 305 NE E St. (Mon-Thu 9AM-3PM (Closed 12PM-1PM Wed)Medical Equipment	541-473-4275
CI - Lions Club - Glasses & Hearing Aides & Medical Equipment (Appointment Only)	541-592-4135
GP - Lions Club - Glasses & Hearing Aides (Pick up application at UCAN & Lions Club Coordinator will get back to them)	541-956-6892
GP - City Bus (RVTA / JCTT) - Half fare for certain situations (Mon-Fri 6:30AM-5:20PM)	541-474-5452
Oregon - Rx Assistance -	OPDP 800-913-4146



COMMUNITY RESOURCES



	Health Safe Net 858-802-7001
	(RX) Outreach 800-769-3880
GP - OHP All Care (Mon-Fri 8AM-5PM)	541-471-4106
GP - Affiliated Transportation: Ready Ride	800-479-7920
GP - OHP Oregon Health Authority	877-647-0027
GP - Affiliated Transportation: RVRTD	541-842-2080
GP - OHP Dental: Advantage	866-268-9631
GP - Capitol Dental Care	800-525-6800
GP - ODS	800-342-0526
DHS SSP (Self Sufficiency Assistance Programs) 2101 NW Hawthorne Ave Suite B (Mon-Fri 7:30AM-5PM)	541-474-3101
SNAP(Food Stamps) -DV(Domestic Violence Assistance) -ERDC(Employment Related Daycare) -TANF(Cash Assistance)	
To Apply Online: -Food - go to: https://www.oregon.gov/dhs -OHP - go to: https://www.oregon.gov/oha	
-EBT Replacement Line - Cancel and Replace EBT (SNAP) Card	855-328-6713
OHP (Oregon Health Plan) Statewide Processing Center P.O. Box 14015, Salem OR 97309	800-699-5075
To Apply Online: -OHP - go to: https://www.oregon.gov/oha -Food - go to: https://www.oregon.gov/dhs	
OHP Assistors : Asante: Diedre (Mon-Thu 7AM-5:30PM)	541-472-7436
Asante: Becky	541-472-7163
Josephine County Pub Health - WIC & OHP (Mon-Thu 8AM-5:45PM)	541-474-5329
Child Care: Looking for Child Care or Daycare Listings? Dial 211/Looking to Apply? Request application from DHS SSP	
-Providers: Child Care Resource Network (ext. 1126)	541-776-8590
Molly / Provider Warm Line	541-842-2580
DHS DPU (Direct Pay Unit) Payments	800-699-5074
DHS CPS (Child Protective Services) 2101 NW Hawthorne #C (Mon-Fri 8AM-5PM)	Abuse: 855-503-SAFE
	Local Office 541-474-3120
DHS APD / SDS (Adult Protective Services / Senior & Disabled Persons) 2101 NW Hawthorne #A (Mon-Fri 8AM-5PM)	541-474-3110
GP - CLCM(Community Living & Case Management)for Developmentally Disabled 1215 NE 7th St.(Mon-Fri 9AM-4:30PM)	541-474-6072
GP - Head Start: 939 SE 8th St. (Mon-Thu 8AM-5PM Fri 7:30AM-3:30PM)	541-471-3450
GP - VA Veterans Service Office 500 NW 5th St.,Room 60 (Mon:walk in 9AM-12PM, 1PM-4PM) (Tues, Wed & Thu by appt)	541-474-5454
GP - OLC (Oregon Law Center) 424 NW 6th St., Suite 102 (Mon-Thu 1PM-4PM)	541-476-1058
	Seniors 60+ (Thur 1-4PM) call: 541-471-3033
GP - DMV (Department of Motor Vehicles) 162 NE Beason, Suite 127 (Mon,Tue,Thu,Fri 8AM-5PM & Wed 10AM-5PM)	541-474-3179
GP - JCCC (Josephine County Community Corrections) (Mon-Thu 7:30AM-12PM & 1-5:30PM, Fri 7:30-12PM)	541-474-5165
Medford - CSD (DOJ Child Support Division) 310 E 6th St., Suite 300 (Mon-Fri 8AM-5PM)	541-778-6043
Medford - Social Security Admin 3501 Excel Dr. Suite 101, Medford (Mon-Fri 9AM-4PM)	866-951-7943

Homeless Services of Grants Pass
AVAILABLE JUNE - AUGUST, 2017



We're here when
you need us.



RESIDENTIAL

GOSPEL RESCUE MISSION

Service to Residents only

Men's Residence (541) 476-0082

540 SW Foundry, Grants Pass

Women & Children (541) 474-7774

530 SW Foundry, Grants Pass



FOOD

EMERGENCY FOOD BOX SITES

Food when you need it

FISH-United Methodist Church (541) 476-0082

Corner of 7th & "B" Streets, Grants Pass

Open Wednesday & Friday; 3:00 p.m. to 4:00 p.m.

Dorcas

1360 NE 9th Street, Grants Pass

Open Tuesday; 9:00 a.m. to 1:45 p.m.

Salvation Army

1377 Redwood Avenue, Grants Pass

Open Monday & Friday; 8:00 a.m. to 11:00 a.m.

More services on back.

ROC Grants Pass

564 SW Foundry, Grants Pass
 Open Thursday; 2:00 p.m. to 6:00 p.m.
 Saturday; 10:00 a.m. to 12:00 p.m.

Redwood Christian Church Pantry

4995 Redwood Avenue, Grants Pass
 Open Wednesday; 6:30 p.m. to 8:00 p.m.

**ST. VINCENT DE PAUL
 MOBILE SOUP KITCHEN (541) 476-5137**

Gospel Rescue Mission

540 SW Foundry Street, Grants Pass
 Open Monday; 12:00 p.m. to 1:00 p.m.

Calvary Lutheran Church

10th and A Street, Grants Pass
 Open Tuesday; 12:00 p.m. to 1:00 p.m.

Church of Latter Day Saints

Harbeck Road and Williams Highway, Grants Pass
 Open Wednesday; 12:00 p.m. to 1:00 p.m.

Redwood Country Church

1640 Redwood Avenue, Grants Pass
 Open Thursday; 12:00 p.m. to 1:00 p.m.

UCAN

7th and Manzanita, Grants Pass
 Open Friday; 12:00 p.m. to 1:00 p.m.

**SAFETY****UCAN**

7th and Manzanita, Grants Pass

Housing & Homeless Services, Domestic Violence
 Resources, Domestic Violence Shelter Services.

Monday - Friday 8:00 a.m. to 12:00 p.m.
 and 1:00 p.m. to 5:00 p.m. (541) 956-4050

Women's Crisis Support Team

2166 NW Vine Street, Suite C, Grants Pass

Crisis Hotline (541) 479-9349

Toll free (800) 750-9278

JoCo Domestic Violence Hotline (503) 235-5333

Hotel vouchers may be available

Toll free (888) 235-5333

Nat. Domestic Violence Hotline (800) 799-SAFE

National Sexual Assault Hotline (800) 788-HOPE

Los Niños Cuentan (503) 974-9882

Survivor Advocacy & Support Serv. (541) 592-2515

Vet Center Background

The Vet Center program was established by Congress in 1979 out of the recognition that a significant number of Vietnam era Vets were still experiencing readjustment problems. Vet Centers are community based and part of the U.S. Department of Veterans Affairs.


In 1996 Congress extended the eligibility to include WWII, Korean Combat Veterans. On April 1, 2003 the Secretary of Veterans Affairs extended eligibility for veterans who served during other periods of armed hostilities after Vietnam era, Lebanon, Grenada, Panama, Persian Gulf, Somalia, Kosovo/Bosnia, Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF) and subsequent operations with the Global War on Terrorism (GWOT). **The family members of all veterans listed above are eligible for Vet Center Services as well.**

Most recently Vet Centers have been authorized to furnish bereavement counseling to surviving parents, spouses, children, and siblings of service members who die of any cause while on active duty, to include federally activated Reserve and National Guard Personnel as well as select combat service support personnel in need of readjustment counseling services.


The goal of the Vet Center program is to provide a broad range of counseling, outreach, and referral services to eligible veterans in order to help them make a satisfying post war readjustment to civilian life. There are now 5 Vet Centers located throughout Oregon.

Oregon Vet Centers

Bend	(541) 749-2112
Eugene	(541) 465-6918
Grants Pass	(541) 479-6912
Portland	(503) 688-5361
Salem	(503) 362-9911



READJUSTMENT COUNSELING SERVICES



"Walk on in"
Services Free for Eligible Veterans

WWW.VETCENTER.VA.GOV
1-877-WAR-VETS

A Department of Veterans Affairs

McGinnis Ex. 1
Page 6 of 7

Available Services

Individual Counseling
 Group Counseling
 Marital and Family Counseling
 Bereavement Counseling
 Sexual Trauma Counseling
 Education and Outreach
 Assistance with Applying for VA Benefits
 Referral to Medical Services
 Alcohol/Drug Treatment Referral
 Employment Referral
 Referral to Community Resources

Service Eligibility

War Zone Veterans - all eras, including:
World War II - 7 Dec 1941 to 31 Dec 1946
American Merchant Marines - In sea-going service during the period of armed conflict - 7 Dec 1941 to 15 Aug 1945
Korean War - 27 Jun 1950 - 27 Jul 1954
Vietnam War - 28 Feb 1961 - 7 May 1975
Vietnam Era Non Theater - 5 Aug 1964 - 7 May 1975 (eligible if seen prior to 1 Jan 2004)
Bosnian War - 25 Aug 1992 to 26 Feb 1994
Rwandan War - 23 Oct 1993 to 21 Nov 1993
Somalia - 20 Dec 1989 to 31 Jan 1990
Gulf War - 2 Aug 1990 to present
Yugoslav War - 17 Sep 1992 to present

Operations Joint Endeavor, Joint Guard, Joint Forge - Veterans who participated in one or more of these three successive operations in the former Yugoslavia (Bosnia-Herzegovina and Croatia, aboard U.S. Naval vessels operating in the Adriatic Sea, or air spaces above those areas)

Sexual Trauma/Harassment Counseling - Veterans of both sexes, all eras

Global War on Terrorism - Veterans who serve or have served in military expeditions to combat terrorism on or after September 11, 2001 and before a terminal date yet to be established

Bereavement - Parents, spouses and children of Armed Forces personnel who died while in service to their country. Family members of Reservists and National Guardsmen who die while on duty are included

Combat Service Support - Active duty, reservists and Veterans who provided direct emergency medical, mental health, mortuary or unmanned aerial support services to personnel involved in combat operations or hostilities

Readjustment and PTSD

Readjusting to civilian life after war can be difficult. PTSD is a common set of reactions to a trauma such as combat exposure, which could be experienced by almost anyone. Sometimes, it becomes a disorder (PTSD) with the passage of time when feelings or issues related to the trauma are not dealt

with, but are suppressed by the individual. This can result in problems readjusting to community life following the trauma. A delayed reaction may surface after several months or even many years and include some or all of the following problems:

- Anger, irritability, and rage
- Feeling nervous, anxious, jumpy or paranoid
- Depression
- Difficulty trusting, problems with authority
- Feeling guilt over acts committed or witnessed
- The failure to prevent certain events, or merely having survived while others did not
- Hyper-alertness and exaggerated startle reactions
- Feeling grief or sadness
- Having unpleasant thoughts and memories that will not go away
- Isolation and alienation from others
- Loss of interest in pleasurable activities
- Low tolerance to stress or frustration
- Difficulty sleeping, nightmares

Confidentiality and Privacy

Vet Center Staff respect the privacy of all Veterans. We hold in the strictest confidence all information disclosed in the counseling process. No information will be released to any person or agency without written consent from the client, except in circumstances averting a crisis.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

**DEBRA BLAKE, GLO-
RIA JOHNSON,**
JOHN LOGAN, individu-
als, on behalf of
themselves and all others
similarly situated,

Plaintiffs,

v.
**CITY OF GRANTS
PASS,**

Defendant.

Case No. 1:18-cv-
01823-CL

**DECLARATION OF
KELLY WESSELS
IN SUPPORT OF
PLAINTIFFS' RE-
SPONSE/REPLY ON
SUMMARY JUDG-
MENT**

I, Kelly Wessels, declare as follows:

1. I am the Chief Operating Officer and Director of Housing and Homeless Services for United Community Action Network. I have worked at UCAN for more than ten years and have had my current job for more than nine years.

2. United Community Action Network (UCAN) is a non-profit corporation that serves homeless people in Josephine and Douglas Counties. UCAN is a Community Action Agency established under the Economic Opportunity Act of 1964 to fight America's War on Poverty.

3. UCAN serves both Josephine and Douglas Counties. UCAN's mission is "Creating solutions to poverty, improving lives in our community." UCAN's vision is that every Douglas and Josephine County resident will have the resources and opportunities needed to reach their full social, civic, and economic

potential, to be secure in their own lives and to be vital participants in their communities.

4. UCAN provides a range of services related to housing and homeless services. UCAN operates several programs that provide support to people who are homeless or at-risk of homelessness. Our work includes a focus on several special populations, such as veterans and persons with a serious mental illness. The services provided through these programs include:

Outreach

Emergency intervention/Triage Transportation

Barrier removal (Secure government issued ID, emergency benefits, birth certificates)

Education on leases

Landlord outreach and education

Tenant/landlord mediation

Work with landlords to avoid tenant evictions

Guidance on being a good tenant

Peer support

Help with selection of housing

Help with move-in arrangements

Rental assistance

Move-in cost assistance

Deposit assistance

Information and referral

Goal setting and action planning

Access to health care, treatment, behavioral health supports

5. At UCAN, we work to ensure that those at-risk of homelessness are able to keep their housing and those who are homeless are rapidly re-housed. Our support staff work in partnership with people focusing on their strengths. Staff guide people through a self-assessment, which determines how they are doing in a variety of areas and what type of improvement they would like to achieve in those areas.

6. Our staff help people develop their own plans to work toward their goals. Plans contain action steps and identify resources people need to attain their own goals. For example, a person who does not drive may identify that they would like to obtain their driver's license. Staff would help this person learn what they need to do to obtain a license and refer them to the local Driver and Motor Vehicles (DMV) office to obtain the license. Staff foster a renewed sense of hope for people who have repeatedly run up against significant barriers.

7. UCAN performs regular outreach to homeless individuals in Grants Pass. Homeless people also come into our offices regularly to seek services.

8. In mid-November, we received the attached letter from Josephine County discouraging us from paying for campsites for homeless individuals in County parks and pointing out that the County parks are only meant for recreational camping. (Exhibit 1) We had not been performing this service because in the previous years they had sent correspondence to us and other providers, saying they would no longer accept our funds because the campgrounds were not for homeless persons but for recreational use only.

9. In early February 2020, UCAN opened an emergency warming center in Grants Pass and UCAN

oversees the seasonal operation of the center. It is exclusively used for emergency warming, subject to a permit from the Fire Marshall. The shelter does not have beds, but it has room for 40 occupants on a given night. The center is only open on nights when the temperature is below 30 degrees or below 32 degrees with precipitation.

10. We decide 72 hours in advance whether to open the center and place a green sign in the window if it is open and a red sign in the window if it is closed.

11. The warming center has been open for 16 nights since February 3, 2020. It has been full every night except the first night it was open when it had 32 occupants. The unduplicated count for individuals served in the warming center is 131. Since people have learned about it, we have had to turn people away every night. We have had single adults give up their spot in the warming center for families with children and other more vulnerable individuals.

12. On January 31, UCAN coordinated the 2020 Point in Time Count of homeless individuals in Josephine County. While the results are still being finalized, we counted 440 unsheltered homeless people in Grants Pass this year with precariously housed data not cleared as of this date.

13. This was the first year where street count outreach by UCAN staff, along with other local service providers, had uninvited and unplanned for law enforcement presence at all predetermined spots for homeless field interaction. Law enforcement was not involved in their traditional role of supportive planning of the Point-In-Time Count/Homeless Connect as had been the case in years past. We do not know why law enforcement was present, but it was not in

coordination with the Point-in-Time County planners as it has been in past years. The 2020 count was the first time in the last 9 years that we did not have supportive participation from law enforcement in this effort. There were locations in the County where law enforcement sweeps occurred right before the Count, and City law enforcement was present at each street outreach count location in Grants Pass.

14. It is my belief and the belief of other service providers that I have spoken with that the uninvited and unplanned for presence of law enforcement, coupled with the word spreading about law enforcement sweeps in Josephine County, reduced this year's count in Grants Pass to 440 from 603 last year. It is my personal observation and understanding based on the demand for our services that the number of unsheltered homeless people in Grants Pass has actually increased in the past year.

I DECLARE UNDER PENALTY OF PERJURY
THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 19th day of March, 2020 .

/s Kelly Wessels
Kelly Wessels

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

**DEBRA BLAKE, GLO-
RIA JOHNSON,
JOHN LOGAN**, indi-
viduals, on behalf of
themselves and all oth-
ers similarly situated,

Plaintiffs,

v.

**CITY OF GRANTS
PASS**,

Defendant.

Case No. 1:18-cv-01823-CL

**DECLARATION OF
DEBRA BLAKE IN SUP-
PORT OF PLAINTIFFS'
MOTION FOR SUM-
MARY JUDGMENT**

I, Debra Blake, declare as follows:

1. I am one of the class representatives in this litigation.
2. I am currently involuntarily homeless and living outside in Grants Pass.
3. I am 61 years old. About ten years ago I lost my job and then could not pay my rent and lost my housing. Since then, I have been involuntarily homeless in Grants Pass.
4. I cannot afford housing and there is no available bed for me at an emergency shelter anywhere in Grants Pass. I cannot stay at the Gospel Rescue Mission because I have disabilities that prevent me from working and I smoke.
5. Over the past six to eight years I have been repeatedly told by Grants Pass police that I must "move along" and that there is nowhere in Grants Pass that

I can legally sit or rest. I have been repeatedly awakened by Grants Pass police while sleeping and told that I need to get up and move. I have been told by Grants Pass police that I should leave town.

6. Because I have no choice but to live outside and have no place else to go, I have gotten tickets, fines and have been criminally prosecuted for being homeless. My earlier declarations in support of class certification detail many of these punishments. (Dkt## 26, 43).

7. More recently, On September 11, 2019, I was in a sleeping bag in Riverside Park trying to stay warm. It was 7:30 a.m. and the park was open. Officer McGinnis saw me in my sleeping bag, cited me for camping in the parks and “prohibited conduct” because he thought I had been there when the park was closed. He fined me \$590 and I was found guilty and convicted of both charges. (Ex. 1). My fine for this incident is now \$1011.20 because I have no money and could not pay the \$590. Later that morning, Officer McGinnis also wrote me a citation for “Criminal Trespass on City Property” and fined me another \$295. That fine is now \$537.60 because I have no money and cannot pay the \$295. I don’t know what this ticket is for. (Ex. 2). I didn’t get it until days later.

8. Officer McGinnis also gave me a park exclusion on September 11, 2019, from all of the parks in Grants Pass for 30 days. (Ex. 3). This exclusion makes clear that if I am “found on City property prior to the expiration of this Exclusion Order, **you will be arrested.**” I understand that my lawyers filed an appeal of this exclusion and that it was lifted without explanation after I had been excluded from all of the parks for 2 weeks. But I am now afraid to go into any parks in Grants Pass and often sleep at night outside

of city limits in an area that I'm worried is not physically safe for me and that is far from food and other services.

9. I now owe the City of Grants Pass more than \$5000 in fines for crimes and violations related directly to my involuntary homelessness and the fact that there is no affordable housing or emergency shelter in Grants Pass where I can stay.

10. I have slept outside of the city to avoid getting tickets or trespasses from Grants Pass police. One time I was on state land near Grants Pass with some other homeless people, who were also trying to avoid punishment in Grants Pass. A state trooper came along and told us that we could not stay there, had to move along, and that they would be clearing the area soon.

11. I am afraid at all times in Grants Pass that I could be arrested, ticketed and prosecuted for sleeping outside or for covering myself with a blanket to stay warm.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 19th day of March, 2020.

/s Debra Blake
Debra Blake

OREGON UNIFORM CITATION AND COMPLAINT

Use for All Violations or Crimes Where Separate Complaint Will Not be Filed/ORS 153.045 or 133.069
CRIME(S) OR VIOLATION(S) Type
STATE OF OREGON
CITY/OTHER PUBLIC BODY GRANTS PASS
COUNTY OF JOSEPHINE
Case No. 2019-44647
Court JOSEPHINE CO CIRCUIT COURT

DEFENDANT The undersigned certifies and says that the following person
ID No 5848762 State OR Ph
Name Last BLAKE State OR Ph
First DEBRA MI LEE
Address
City State Zip Passenger
Sex F Race WHT DOB 01/30/1959 Hgt 5'02" Wgt 170 Hair GRY
Eye BRO Lic Exp 2012 Juv. Lic Class C Emp. to Drive

TIME/PLACE
Address following time and place in the above-mentioned state and county
Off. About Date/Time 09/11/2019 City 07:25 AM
At/Or Near
RIVERSIDE PARK
NB. SB. EB. WB. GRANTS PASS
Highway Premise Open to Public Other

VEHICLE Involving the following
Year Make Model
Color Type State
Regs/Vin/D#
Accident Prop. Damage. Injury Endanger Other
Com'l Veh Haz Mat Driver Not Reg. Owner
Other Com'l Pass

OFFENSE(S) Did then and there commit the following offense(s)
HWY Work Zone School Zone VBR Safety Corridor
Radar Pace Laser Other
Alleged Speed Designated Speed. Posted Limit.
Offense # 6.46.090
Warning CAMPING IN PARKS
Presumptive Fine1 \$295.00
Intentional Knowing Reckless
Criminal Negligence No Culpable Mental State

Offense # 6.46.040
Warning PROHIBITED CONDUCT
Presumptive Fine2 \$295.00
Intentional Knowing Reckless
Criminal Negligence No Culpable Mental State

Offense #
Warning
Presumptive Fine3
Intentional Knowing Reckless
Criminal Negligence No Culpable Mental State

OTHER
Expl
SIGNATURE
I certify under ORS 153.045 and 153.990 and under other applicable law and under penalties for false swearing, do swear/affirm that I have sufficient grounds to and do believe that the above-mentioned defendant/person committed the above offense(s) and I have served the defendant/person with this complaint.

Signature of Officer
Officer name1. MCGINNIS, JASON. Officer ID 84243
Officer name2.
Agency Name GRANTS PASS DPS
Issue Date 10/11/2019

YOUR COURT APPEARANCE DATE, TIME AND LOCATION ARE
10/09/2019 09:00 AM
Location JOSEPHINE CO CIRCUIT COURT
500 NW 5TH STREET
GRANTS PASS OR 97526
641-476-2309

DMV Use Only
19VI143832

RECORD AND: CIRCUIT COURT REGISTER JUSTICE COURT DOCKET
MUNICIPAL COURT DOCKET
HANDLED BY: VIOLATIONS BUREAU COURT
BASED ON: WRITTEN SUBMISSION APPEARANCE

Table with columns: DATE, EVENT/NOTES, INITIAL. Row 1: SEP 13 2019, COMPLAINT FILED.

THE ATTACHED ADDITIONS TO THIS RECORD/REGISTER ARE INCORPORATED BY REFERENCE, SEE PAGE(S) 1 (BY), 2 (BY).

JUDGMENT OF THE COURT table with columns: OFF. RESPONSE/CHANGE PLEA, FINDING DETERMINATION, OFFENSE SITE, TYPE, CLASS. Rows 1-3.

DISPOSITION 137 503 DEFERRED SENTENCE SENT IMP SUS
CUR PRIV. SUEP (TIME) CONV SPD

THE ATTACHED ADDITIONS TO THIS JUDGMENT ARE INCORPORATED BY REFERENCE, SEE PAGE(S) 1 (BY), 2 (BY), 3 (BY).

Table with columns: MONEY OBLIGATION, IMPOSE SUSPEND, IMPOSE SUSPEND, IMPOSE SUSPEND. Rows: FINE, COSTS, RESTITUTION, TOTAL.

TOTAL AMOUNT TO PAY THAT IS NOT SUSPENDED (FROM OFFENSES 1, 2 AND 3) \$
TERMS OF PAYMENT

ALL MONEYS, INCLUDING SUSPENDED MONEYS, BECOME DUE IMMEDIATELY UNDER ORS 153.090(4) IF NONSUSPENDED MONEYS NOT PAID IN ACCORDANCE WITH TERMS OF PAYMENT

THE ATTACHED ADDITIONS TO THIS MONEY JUDGMENT ARE INCORPORATED BY REFERENCE, SEE PAGE(S) 1 (BY), 2 (BY).

JUDGMENT CREDITOR STATE OF OREGON OTHER
JUDGMENT DEBTOR DEFENDANT OTHER

DATE SIGNATURE OF JUDGE (OR VIOLATIONS CLERK, WHERE ALLOWED)

REGISTER OF ACTIONS

Case No. 19V1143832

State of Oregon vs DEBRA LEE BLAKE	§ § § § §	Case Type: Offense Violation Date Filed: 09/13/2019 Location: Josephine
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PARTY INFORMATION

Defendant	BLAKE, DEBRA LEE 125 Manzanita Grants Pass, OR 97526 SID: OR21061030	Female White DOB: 1959 5' 2", 170 lbs	Attorneys
Plaintiff	State of Oregon		

CHARGE INFORMATION

Charges: BLAKE, DEBRA LEE	Statute	Level	Date
1. Camping in City Park	6.46.090	Violation Unclassified	09/11/2019
2. Prohibited Conduct in a City Park	6.46.040	Violation Unclassified	09/11/2019

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

10/16/2019 Disposition (Judicial Officer: Authority, Administrative)
 1. Camping in City Park
 Convicted - Failure to Appear
 2. Prohibited Conduct in a City Park
 Convicted - Failure to Appear
 Created: 10/16/2019 10:16 AM

10/16/2019 Sentence - Violation (Judicial Officer: Authority, Administrative)
 1. Camping in City Park
 Fee Totals:

	Fine - Grants Pass	Amount	Reduction	Owed
	Municipal Law	\$295.00		\$295.00
	Fee Totals \$	\$295.00		\$295.00
	Fee Modifier			

Created: 10/16/2019 10:16 AM

10/16/2019 Sentence - Violation (Judicial Officer: Authority, Administrative)
 2. Prohibited Conduct in a City Park
 Fee Totals:

	Fine - Grants Pass	Amount	Reduction	Owed
	Municipal Law	\$295.00		\$295.00
	Fee Totals \$	\$295.00		\$295.00
	Fee Modifier			

Created: 10/16/2019 10:17 AM

OTHER EVENTS AND HEARINGS

09/13/2019 Citation
 Created: 09/13/2019 2:20 PM

10/16/2019 Judgment - Violation General (Judicial Officer: Authority, Administrative)
 Signed: 10/16/2019
 Created: 10/16/2019 10:16 AM

10/16/2019 Closed
 Created: 10/16/2019 10:16 AM

10/22/2019 Notice
 FTA
 Created: 10/22/2019 8:16 AM

11/20/2019 Judgment - Payment Schedule Assessment
 Created: 11/20/2019 7:28 AM

11/21/2019 Recordation - Collection Referral Judgment
 Created: 11/21/2019 5:26 PM

FINANCIAL INFORMATION

Defendant BLAKE, DEBRA LEE	1,011.20
Total Financial Assessment	0.00
Total Payments and Credits	1,011.20
Balance Due as of 03/03/2020	
10/16/2019 Transaction Assessment	295.00
10/16/2019 Transaction Assessment	295.00
11/20/2019 Transaction Assessment	200.00
11/21/2019 Transaction Assessment	221.20



Grants Pass Department of Public Safety

TRESPASS REPORT

Date: 9.11.19	Time: 0730 hrs.	Case #: 19-44647
Incident Address: 304 First Park St.		
Prior Warning: Yes <input checked="" type="checkbox"/>	Most recent warning date: N/A	Prior warning Officer: N/A
Related CAD Incidents		

ARRESTEE

Name: Last: Blake	First: Dylan	MI: L	Sex: M	DOB: 1.30.59	Phone: NA
Race: Wht	Age: 60	Height: 5'2"	Weight: 170	Hair: Grey	Eye: Bro
Address: Transient				ID or DL Number/State: 5946762	
Reason for Contact: Camping in the park - Prohibited Conduct - Park hours					
Associates					

Narrative on back

GRANTS PASS EXCLUSION ORDER

Date: 9.11.19 Time: 0730 hrs.

You, Dylan Blake, are hereby excluded from all city parks within the City of Grants Pass, for a period of 30 days from the date of this Exclusion Order. If you are found to be on City property prior to the expiration of this Exclusion Order, you will be arrested.

You may file a written objection of this Exclusion Order with the City of Grants Pass, to the attention of the City Manager, within two business days of the date of this Exclusion Order. The written objection must state the relief sought. The City Council shall determine whether the Exclusion Order is upheld, shortened, or rescinded. The Exclusion Order shall remain in effect during the pendency of the objection.

Issuing Officer: McGinnis DPSST #: 54243

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

DEBRA BLAKE,
GLORIA JOHNSON,
JOHN LOGAN, indi-
viduals, on behalf of
themselves and all oth-
ers similarly situated,

Plaintiffs,

v.

CITY OF GRANTS
PASS,

Defendant.

Case No. 1:18-cv-01823-CL

**DECLARATION OF
GLORIA JOHNSON IN
SUPPORT OF PLAIN-
TIFFS' MOTION SUM-
MARY JUDGMENT**

I, Gloria Johnson, declare as follows:

1. I am a named plaintiff in this litigation. I filed a declaration in this matter before, Dkt. # 27. Those facts remain true and I add this declaration to supplement the record.

2. I am still involuntarily homeless and living in my van in Grants Pass.

3. I have on occasion slept outside of town on both county and BLM land.

4. I have been told to move on by the Josephine County Sheriff's Office when I was parked on county roads. One of those time I was out of gas, I told the sheriff's deputy and he gave me \$5.00 to get gas and move along.

5. I have also parked on BLM land. I have been approached by "rangers" who ask me how long I've

been there and told me I could only stay on BLM for a few days then need to move off of BLM land.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 16th day of March 2020.

/s Gloria Johnson
Gloria Johnson

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

<p>DEBRA BLAKE, GLORIA JOHNSON, JOHN LOGAN, individuals, on behalf of themselves and all others similarly situated, Plaintiffs,</p> <p>v.</p> <p>CITY OF GRANTS PASS, Defendant</p>	<p>Case No. 1:18-cv-01823-CL</p> <p>STIPULATED NOTICE OF DISMISSAL OF SUBSTANTIVE DUE PROCESS AND EQUAL PROTECTION CLAIMS (FRCP 41(A)(ii))</p>
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The parties hereby file this stipulated notice pursuant to Fed. R. Civ. P. 41(A)(ii) regarding the following dismissals.

The parties stipulate to the dismissal of: (i) the second claim for relief in plaintiffs' Third Amended Complaint, DKT #50 (equal protection) without prejudice, and; (ii) the third claim for relief in plaintiffs' Third Amended Complaint, DKT #50 (substantive due process) with prejudice. All other claims were addressed by the court on summary judgment and plaintiffs have or will be submitting a proposed general judgment for the Court's consideration

Respectfully submitted this 24th day of August, 2020.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

DEBRA BLAKE, GLORIA
JOHNSON, JOHN LOGAN,
individuals, on behalf of
themselves and all others
similarly situated,

Case No. 1:18-
cv-01823-CL

Plaintiffs,

v.

JUDGMENT

CITY OF GRANTS PASS,

Defendant.

CLARKE, Magistrate Judge.

This matter came before the Court on cross-motions for summary judgment. Having reviewed all of the pleadings on those motions, having certified a class on August 7, 2019, defined as “all involuntarily homeless individuals living in Grants Pass, Oregon, including homeless individuals who sometimes sleep outside city limits to avoid harassment and punishment by Defendant as addressed in this lawsuit,” and for the reasons as explained in the Court’s Opinion and Order (#111) dated July 22, 2020, the Court grants plaintiffs’ motion for summary judgment in part and denies it in part and denies defendant’s motion for summary judgment. Plaintiffs have since voluntarily dismissed their equal protection and substantive due process claims, which remained unresolved by this Court’s July 22, 2020 Opinion and

Order. Based upon these proceedings, the court enters the following judgment.

1. Grants Pass Municipal Code (GPMC) 6.46.355 fails to provide individuals excluded from Grants Pass parks with adequate procedural due process;

As applied to the Plaintiff class:

2. As detailed in the Court's Order and Opinion, Defendants' enforcement of GPMC 5.61.020, 5.61.030, and 6.46.090 violates the Eighth Amendment prohibition against cruel and unusual punishment;

3. As detailed in the Court's Order and Opinion, defendants' enforcement of GPMC 5.61.020, 5.61.030, and 6.46.090 violates the Eighth Amendment prohibition against excessive fines;

4. Based upon the above determinations, the Court enjoins Defendant from enforcing City Ordinances against the plaintiff class as follows:

a. Defendant is enjoined from enforcing GPMC 6.46.350 (the park exclusion ordinance);

b. Defendant is enjoined from enforcing GPMC 5.61.030 and GPMC 6.46.090 (the camping ordinances) without first giving a person a warning of at least 24 hours before enforcement;

c. Defendant is enjoined from enforcing GPMC 5.61.030, GPMC 6.46.090 (the camping ordinances) and GPMC 5.57.020(A) (criminal trespassing on city property related to parks) from 9:00 p.m. to 7:30 a.m. during the months of April through September and from 7:00 p.m. to 7:30 a.m. during the months of October to March, in all City parks with the exception of

Reinhart Volunteer Park located at 1690 SW Webster Rd. The Court's injunction does not apply to the Reinhart Volunteer Park, which the parties have agreed has unique uses and leaves class members with sufficient alternatives, making this exception appropriate.

5. Plaintiffs are entitled to reasonable attorney fees and costs to be determined under FRCP 54(d).

IT IS SO ORDERED and DATED this 26th day of August, 2020.

/s/ Mark D. Clarke
MARK D. CLARKE
United States Magistrate Judge

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

**DEBRA BLAKE, GLO-
RIA JOHNSON, JOHN
LOGAN**, individuals, on
behalf of themselves and
all others similarly situ-
ated,

Plaintiffs,

v.

**CITY OF GRANTS
PASS**,

Defendant.

Case No. 1:18-cv-
01823-CL

**SUPPLEMENTAL
JUDGMENT**

Having issued a Judgment in this matter on Au-
gust 26, 2020 and having granted plaintiffs' fees and
costs by separate Order;

It is hereby adjudged:

1. Plaintiffs are awarded the amount of \$300,000,
for their costs and attorney fees, with interest to be cal-
culated consistent with the Federal Rules of Civil Pro-
cedure and 28 U.S.C. § 1961 from the date of entry of
judgment;

2. Plaintiffs have agreed to not seek to collect on
the awarded fees an pending appeal.

It is so Adjudged.

DATED this 5 day of October, 2020

Mark A. Clarke, Magistrate
Judge