

DECLARATION OF BRIAN DAVIS

(pursuant to 28 U.S.C. § 1746)

I, Brian Davis, hereby declare as follows:

Personal Background

1. I am over the age of 18, and I make this declaration based on my personal knowledge.
2. I live in Cleveland Heights, Ohio.
3. I am currently the Executive Director of the Northeast Coalition for the Homeless (NEOCH). I have been involved with NEOCH since 1993, when I began volunteering with the organization. From 1995 until 1999, I was a Program Director. From 1999 until 2011, I served as the organization's Executive Director. Then, from 2011-2015, I was a Community Organizer. In 2015, I returned to the Executive Director position.

NEOCH's Policy and Advocacy Efforts

4. NEOCH is a non-profit, charitable, membership organization whose mission is to organize and empower homeless and at-risk men, women and children to break the cycle of homelessness through public education, advocacy, and the creation of nurturing environments. Among other things, NEOCH issues policy statements and responds to changes in local regulations, and works to assure that homeless people are not targeted by police. We work to enforce a 2000 agreement that we reached with the City of Cleveland (the "Consent Decree," discussed below in paragraph 14), and we work on reducing and punishing hate crimes against homeless people. We hold monthly meetings with homeless individuals to collect input on our policy and advocacy work to ensure that our efforts are aligned with homeless individuals' needs.

5. NEOCH was formed in 1987. Our office is located in Cleveland, Ohio.
6. NEOCH is made up of roughly 40 organization members and roughly 350 individual members, 60 of whom are homeless individuals. Our organization members include churches, Legal Aid, social service organizations, housing organizations, and labor unions. Our organization members receive our newsletter, attend our meetings, and attend trainings we hold.

Effect of Regulations on Cleveland's Homeless Population

7. NEOCH has had regular communication with both the Second District and Third District police and has had two meetings specifically about the RNC with law enforcement: one in November 2015 and one on May 13th, 2016, with one more final discussion to be had in late June. At the November meeting, Third District police told NEOCH that there would be a hard security zone around Quicken Loans Arena, over which Cleveland police would have no jurisdiction. At the May 13th meeting, Third District police told NEOCH they would try to limit the size of the soft security zone (later called the Event Zone) as much as possible.
8. Then, on May 25th 2016, the City released the RNC Event Zone map and regulations. One of NEOCH's functions is that we keep track of homeless people in Cleveland who refuse to enter shelter; the Event Zone area is home to somewhere between 90 and 110 such individuals. Every day these numbers grow as the weather improves and more and more people reject going into shelter. The Event Zone also encompasses four of the five largest shelters in Cleveland, a daytime drop-in center, and the healthcare for the homeless site.

9. The release of the regulations prompted me to write a letter on May 27th, 2016 to Chief of Police Calvin Williams detailing the effect the Event Zone would have on homeless individuals. My letter requested that (1) the event zone be reduced in size, (2) that homeless people be specifically cited as residents who are exempt in Section III(c) from the prohibited item ban listed in the City's RNC regulations published on May 25, 2015, or (3) that the City provide two months' worth of rental assistance for the affected homeless individuals.
10. The Event Zone includes the following locations that are home to individuals who live outside:
 - a. 21 people on Riverbed Road
 - b. 18 people near Stonebridge and north of Detroit Avenue around St. Malachi Church
 - c. 9 people south of Columbus Avenue but still in the Event Zone
 - d. 7 people on the East Bank of the Flats
 - e. 6 people near Prospect Ave.
 - f. 6 people near Orange Avenue and St. Vincent Hospital
 - g. 5 people near the Municipal Lot on the East Side
 - h. 4 people near Superior Avenue around East 26th St.
 - i. 4 people near Perk Plaza
 - j. 4 people near the Shoreway downtown
 - k. 4 people near Davenport north of Lakeside
 - l. 3 people near Chester Avenue and East 26th St.
 - m. 3 people near Quicken Loans Arena

- n. 3 people near the Browns stadium
- o. 3 people around Willard Park

11. We recognize that roughly 12-20 of the aforementioned individuals are living too close to Quicken Loans Arena and will need to be relocated. NEOCH is working to facilitate that. However, the above list includes over 100 people who may not need to be relocated, but who will have prohibited items in the event zone. In addition, there is a significant population of homeless individuals who do not live inside the Event Zone, but who will travel through the Event Zone to go to the drop-in center or libraries during the day.

12. The list of Prohibited Items contains many common and essential items that homeless people carry every day, including tents, sleeping bags, large backpacks, rope, string, tape, and coolers.

13. The Police have verbally assured Mark Naymik of the Plain Dealer and WEWS TV 5 reporter Joe Pagonakis that they will not force homeless people living within the Event Zone to relocate. However, I have requested but not received any such assurance in writing.

14. In 1999 NEOCH was a plaintiff in the lawsuit Lynn Key et al v. City of Cleveland, which resulted in a consent decree saying that Cleveland law enforcement would not target or harass homeless individuals for eating, sitting, standing, or sleeping on the sidewalk.

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

Executed on June 13, 2016.



Brian Davis