

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

Civil No. 15-00363 HG-KSC

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

Declaration of Jonathan Cortez

DECLARATION OF JONATHAN CORTEZ

I, Jonathan Cortez, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.
2. I have been homeless for about two months. I lost my job, so I missed my rent payment and the landlord kicked me out.
3. Around August of 2015, I was staying in a tent near King Street, along the Canal in Kapalama.
4. I was there for about two weeks, when the police and some City workers came by and told me I have to leave.
5. I asked them where I could go, since I didn't know where I could go. A couple of them said something like "we don't care, just leave." Then one of the

City workers – not one of the police guys – sort of whispered to me that I should go to Kakaako. I asked why I should go to Kakaako, and the City guy said because there were no sweeps there. He walked away, then came back, and then explained to me that there are more people down in Kakaako and it's more convenient down there.

6. Because of what he said, I came to Kakaako. I stayed in a tent alongside Ohe Street, between Ilalo and Ala Moana.

7. I was staying there in early September, and then City workers came by and told me there was going to be a sweep. I never got a written notice. I was hoping for them to hand it to me, but they didn't. I wanted to know the exact date but no one told me. I asked my neighbors, and they said they didn't get written notice either. But someone told us that there was going to be a sweep on Tuesday, September 8, so I moved further down Ohe Street, to the other side of Ilalo, two days before the sweep.

8. Now I stay alongside Ohe Street in Kakaako. I have a tent, and two big covers, and some pallets and poles that I use for shelter.

9. If the City came and destroyed my shelter, I don't know what I'd do. I'd have no place to stay. What would I do? I'd be worried, I'd be scared about what I would do to survive.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 20 day of Sept, 2015, in Honolulu, Hawaii.

A handwritten signature in black ink, appearing to read "Jonathan P. Cook". The signature is written in a cursive style and is positioned above a horizontal line.

REDACTED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

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vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

Civil No. 15-00363 HG-KSC

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

Declaration of V.T.

DECLARATION OF V.T

I, V.T., hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.
2. I am a plaintiff in this case.
3. I am a citizen of the United States and I reside in the City and County of Honolulu, State of Hawai'i.

4. I am homeless, I live alongside Ohe Street in Kakaako. I have lived in Kakaako for about four months. I've been homeless pretty much my whole life.

5. My shelter is made up of pallets and 2x4s, wood and tarps and some metal. My brothers helped me build it.

6. I am sixteen years old. I am pregnant with my first baby, a boy, due in early December.

7. I've seen the sweep notices here in Kakaako in the last week or two, I've seen them in all different languages. The notices say they're going to destroy any construction materials. That means they'll pretty much take and throw away my whole shelter.

8. If they take away my shelter, I'll be sleeping in the rain on the sidewalk. I'm worried and scared about that. I'm pregnant and we wouldn't have shelter.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 20 day of September 2015, in Honolulu, Hawaii.

~~_____
SIGNATURE REDACTED
_____~~

REDACTED

DECLARATION OF CORILYNN WALLACE

I, Corilynn Wallace, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. I am homeless, and have been homeless for the last several years.

3. On November 13, 2014, I was living in a tent alongside Ohe Street in Kakaako. I was nine months pregnant at the time – I gave birth to my son 10 days later.

4. The City started doing a sweep when I was still inside the tent. I started having some contractions and had a hard time moving my things.

5. In that sweep on November 13, the City took a lot of my things, and they gave me a ticket saying I could go get my things back. But because I was pregnant (and then had the baby), I couldn't go get my things back. From talking to other people in Kakaako who had their things taken, I think I was the only person who got a ticket saying I could go get my things back.

6. On November 8, 2013, I was staying in a tent alongside Ilalo Street in Kakaako. The City did a sweep and took a lot of my things. Anything I couldn't carry myself, they took. They didn't give any notice of the sweep. I got a ticket saying I could get the things back if I paid \$200, so I went to City Hall and paid \$200. I wasn't working at the time, so \$200 was a lot of money.

7. As best as I remember, the back of the ticket said I could apply for a waiver of the \$200. It said I would have to go to Kapolei to apply for a waiver of the \$200, but I'd have to wait to see if I would get the waiver. I couldn't wait for my things – I needed my things back right away – and it was too difficult for me to travel all the way out to Kapolei and then have to go a second time out to Halawa to actually get my things back.

8. After I paid the \$200 at City Hall, I went out to Halawa. They made me wait for a long time, then eventually pulled up a truck and told me to take everything in it. They didn't give me a chance to look through to see if everything was there. All I could do is just grab it and load it, there was no time to sort through.

9. When I got back to Kakaako, a lot of my things were missing, including a lot of electronics: a Toshiba Satellite laptop computer, an iPad, a Samsung Galaxy tablet, and two iPod touches belonging to my daughter. The stuff just wasn't there in the bins that the City returned to me. I also lost tools and some other things.

10. Another time – I think it was September 2014 – the City did a sweep, and again, I paid the \$200 at City Hall and went to Halawa to get my things. I wasn't working at the time, and \$200 was a lot of money for me, but it was too

difficult to try to get a waiver of the \$200 fee for the same reasons mentioned above.

11. When I got my things back, I found that the City had damaged my tent poles to the point they couldn't be used any more. Also, my mattress was soaking wet. I didn't have the money to get a new mattress, though, so I dried it out as best I could. I also realized that the City gave me things that didn't belong to me, like a big crate that I recognized as belonging to a friend, so I returned that to her.

12. The City has never compensated me for damaging my property or for not returning the property that I tried to get back.

13. I am still living in a tent alongside Ohe Street in Kakaako. I've told a lot of other people here about how I tried to get my things back, how it was really difficult and expensive, and how the City didn't return all my things to me and damaged some of the things it did return.

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

Executed this 13 day of September, 2015, in Honolulu, Hawai'i.

A handwritten signature in black ink, appearing to be "J. M. [unclear]", written over a horizontal line.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

Civil No. 15-00363 HG-KSC

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

Declaration of Amber Coiley

DECLARATION OF AMBER COILEY

I, Amber Coiley, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. On October 8, 2015, I was living on Olomehani Street. I knew that the City was doing a sweep, so I took the things that I could carry. There were things I couldn't carry, like my bedding and some clothes, so I left them on the sidewalk where my tent was. I left because I was afraid I'd be arrested if I stayed.

3. Some of the clothes were clean and some were dirty. There were no chemicals of any kind on my clothes or my bedding. There was no urine on any of my things, and nothing was dirty except for normal dirt from wearing clothes for a day or two.

4. After the sweep, I went back to where my tent was. I didn't see any signs saying that my property had been stored. Nothing was left after the sweep.

5. I never gave anyone permission to throw my things away.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 19th day of October, 2015, in Honolulu, Hawaii.

Amber marie lefiti, coiley

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

Civil No. 15-00363 HG-KSC

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

Declaration of Anthony Garo, Jr.

DECLARATION OF ANTHONY GARO, JR.

I, Anthony Garo, Jr., hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. Just before the filming of Hawaii 5-0 in Kakaako, I was living in a tent on the street closest to the ocean, right by the entrance to the museum.

3. I went to the bathroom down in the park early in the morning, maybe around 5:00, and then went to talk to some people down by the water.

4. When I came back to where my tent was, there was a sweep happening. My tent was still there but there was tape around it. I tried to go in to my tent to get my papers, but a policeman put his hand on me to stop me for going inside, told me something like don't interfere, you will be cited for interfering with the law. I came up onto the hill in the park because I like stay out of trouble.

5. I had a sleeping bag, blankets, pillow, clothes, my backpack. In my backpack I had a plastic bag, inside that was my

birth certificate, my DD-214 (my Honorable Discharge paper), my Social Security card, my State ID, an ID for my job as an engineer, and my wallet with some cash in it.

6. My tent was clean. No rubbish. I had some dog food inside, but it was clean – smelled clean, looked clean. I didn't have any chemicals in there or anything else like that.

7. I was up on the hill, you can see right down the corner over there where my things were. The City and County guys just come grab it and throw it on the back of a flatbed kine truck.

8. I never gave anyone permission to throw my things away.

9. About two days before the sweep, I got a call that my father had just come out of emergency surgery. The City took my ID in the sweep, and because I didn't have ID, I couldn't go on a plane to Big Island to see him. I tried to get an ID but I couldn't. My father passed a few days after the sweep, maybe a week. Because of the sweep I missed seeing my father before he passed – I would've gone if not for the sweep.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 19 day of OCT, 201~~5~~¹⁵ in Honolulu Hawaii.

Anthony J. Gale

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

Civil No. 15-00363 HG-KSC

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

Declaration of K. Raina Whiting

DECLARATION OF K. RAINA WHITING

I, K. Raina Whiting, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. I am currently a Teach for America Corps Member, serving at a public elementary school in Hawai'i County. I am not a member of the proposed class of plaintiffs in this case.

3. In 2014, I was the Director of an organization called In The Streets, a homeless outreach group. In early May 2014, I spent forty-eight hours on the streets in the City and County of Honolulu an effort to document what it is like to be homeless.

4. On May 6, 2014, I was in a park at the corner of King Street and Kaheka Street. There were many houseless individuals near me, including multiple families with children, a 75-year-old man, and many others.

5. At approximately 3:00 a.m. on May 6, the City raided the area. City officials arrived at the park with a garbage truck, a gated, flatbed type of truck, and several police cars. City workers came in quickly, putting rope or tape around all the property they

encountered in the park. One of the City workers was operating a video camera.

6. The City seized a backpack, bedding, and a cart from the 75-year-old man who was near me and who was present during the raid. The backpack contained the man's heart medication, but the City refused to allow him to keep it. From what I could see, he was left with the clothes he was wearing, but nothing else. I do not know whether his property was stored or disposed of.

7. The City seized a tent, food, clothing and children's toys, among other items, from a family of four (including a 3-year-old and 4-year-old in preschool), all of whom were present during the raid. The City left them with nothing but the clothes they were wearing. I do not know whether the items were stored or disposed of.

8. The City seized the tent that I had been sleeping in, which belonged to my friend who was homeless. The City stored the tent, but I watched as the City workers broke the tent as they shoved it into the storage bin, breaking the tent poles and rendering the tent unusable.

9. Before I got out of the tent, I put my backpack on. A City official and a police officer yelled at me and said that because the

backpack was in the tent, I had to put the backpack back in the tent and could not take it with me. City officials ordered my friend and me to put our things down and walk away from our property.

10. I told the City workers that I was not homeless, that I was documenting what was happening to homeless individuals in Honolulu, and that I was going to be leaving the island soon. The City workers did not seize or dispose of any of my property, but they seized (and either stored or disposed of) property belonging to the homeless individuals I was with.

11. The police ordered other homeless individuals to put their things down and step away. Once they complied, other City officials would walk over to the property and seize it.

12. Some of the homeless individuals who had been in the park earlier in the evening/morning were not present for the raid, but had been in the park not long before and had left some belongings in the park, including things like sleeping bags and clothing that they used on a daily basis. Those individuals could not have given consent to have their things thrown away, because they were not present.

13. From what I could observe, many unattended items went directly into the garbage (and not into the green bins used for storage). A lot of items went into the rubbish – the City threw away way more than it was storing. The City threw away bedding, clothing, toys, tarps, and many items in plastic bags. Many homeless people often carry their necessities in plastic bags, so at least some of these bags likely contained belongings, not rubbish.

14. I did not observe anyone from the City inspecting items to determine whether items were too hazardous to store or whether those items might contain identification documents, medicine, or other necessities. City workers threw things away very quickly.

15. City workers also disposed of property belonging to some of the homeless individuals who were present; I did not hear any of those individuals give the City permission to dispose of their belongings.

16. A City official, I believe named Bill Balfour, told us that our property would be stored. But I never heard anyone from the City explaining to any other homeless individuals what their options were for having their property stored, where they might seek

shelter, or why their property was being taken. The City simply took the belongings.

17. On November 13, 2014, I was present in Kakaako when the City did a sweep along Ohe Street. I watched City workers place several tents into the City garbage truck. Specifically, I was standing just a few feet away from the tent that appears in Exhibits 1 to 5. That tent did not appear dirty to me in any way. I stood within a few feet of the tent and did not observe any odor of any kind coming from the tent. Based on the way the tent sagged in the middle when the City workers picked the tent up, there were clearly items inside the tent. No City workers looked inside the tent during the time I stood and watched. No one claimed ownership of the tent during the time I stood and watched, and I did not observe anyone give permission for the tent to be thrown away.

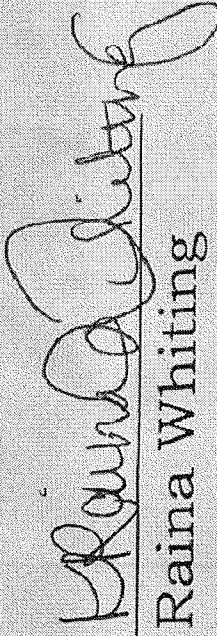
18. I asked one of the City workers why the City was not leaving receipts for people whose property was being taken. He shrugged his shoulders but did not otherwise respond.

19. During the November 13, 2014 sweep in Kakaako, I also observed City officials dispose of property (including tents, bedding, children's toys, shoes, and bins of food) that was completely off the

sidewalk and on the grassy area of the park, near the corner of Ohe Street and Ilalo Street. In fact, I had personally moved several tents – belonging to individuals who were not present during the raid – from alongside Ohe Street (mostly the mauka side of the street, across from the Children’s Discovery Center) into the park. The City officials actually drove one of the trucks onto the grass of the park, and anything in the park that was close to Ohe Street or Ilalo Street and unattended was thrown away.

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

Executed this 31st day of October, 2015, in Na‘alehu, Hawaii.


K. Raina Whiting

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.;

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, a municipal
corporation; et al.;

Defendants.

Case No. CV 15-00363 HG-KSC

DECLARATION OF JENNIFER
DARRAH-OKIKE; EXHIBIT "1"

DECLARATION OF JENNIFER DARRAH-OKIKE

Pursuant to 28 U.S.C. § 1746, I declare that:

1. I am over the age of 18 and a resident of the City and County of Honolulu. I make this declaration based on my personal knowledge and am competent to testify as to the matters set forth herein.

2. I submit this declaration in support of Plaintiffs' Motion for a Preliminary Injunction. For my expert work in this case, I am charging \$200 per hour.

3. I am a lecturer and graduate faculty affiliate in the Department of Urban and Regional Planning and Department of Sociology at the University of Hawai'i at Mānoa. As of January 1, 2016, my new title will be Assistant Professor of Sociology.

4. I have also been a Post-Doctoral Research Associate in the Department of Sociology at Johns Hopkins University (from June 2012 to Sept 2013) and a lecturer at Harvard University (from 2010 to 2012). My research experience at Johns Hopkins included several projects on housing opportunity issues, especially as they impact families and children.

5. I have a Ph.D. (2010) and Masters (2005) in Sociology from Brown University. My Ph.D. dissertation was entitled: "Contested Land Development in Hawai'i: Regime Change in a Tourism Economy." I also have an A.B. (2001), *magna cum laude*, from Harvard University in Social Studies with a Focus on Social and Political Theory. My research and teaching interests include housing and land use policy; urban and community sociology; race and ethnicity and other related issues. I have conducted sociological research in the state of Hawaii, the Baltimore Metropolitan area, and other regional contexts.

6. I have written a chapter entitled "Community, Identity, and Capital in Kaka'ako, Hawai'i" which will appear in *America's Changing Neighborhoods: New Faces of Diversity and Ethnicity*. I have also written several other articles on topics such as inner-city poverty, race and ethnicity, immigration, community environmental health, privilege and voter participation.

7. At the University of Hawai'i at Mānoa I have taught classes entitled: "Survey of Sociological Theory" (Spring 2015); "Survey of Urban

Sociology” (Fall 2014; Fall 2015); “Building Community Resilience” (Spring 2014); and “Housing, Land and Community” (Fall 2013).

8. At Harvard, I taught various classes, including “Race, Place and Identity in the American City” (Spring 2010; Spring 2011); and “American Apartheids?: The Social Dynamics of Ghettos, Enclaves, and Ethnoburbs” (Fall 2012).

9. I have been the recipient of numerous grants and fellowships including an ongoing sub-contract related to a grant from the U.S. Dept. of Housing and Urban Development for a project entitled “Interface of Mobility and Sustainability study of Thompson Housing Voucher Program.” For this work, my time is billed at \$100 per hour. Rental subsidies, such as Housing Choice Vouchers provided by public housing authorities, as well as the provision of public housing units, are known to reduce and remedy homelessness. Unfortunately, the number of households that meet the income requirements for public housing assistance far exceeds the number of available vouchers and public housing units in many jurisdictions, including Honolulu. At this date, rental assistance and voucher rental assistance programs of the Hawaii Public Housing Authority are no longer accepting applications (and wait lists are closed). Wait times for other public housing units are at least two to seven years or more.

10. I am currently a Masters graduate student committee member at the University of Hawai`i at Mānoa, Department of Urban and

Regional Planning. In that role I oversee several Masters Degree program students who are researching and completing Masters degree requirements, including Sarah Soakai's project entitled "Homelessness Amongst Micronesians in Hawai'i" and a project being undertaken by Tai Dunson-Strane entitled "Homelessness in Honolulu: Unsolvable or just Manageable?"

11. As part of my work in the Department of Urban and Regional Planning at the University of Hawai'i at Mānoa and research in my field, I collected data and conducted field work related to the study by Tai Dunson-Strane and Sarah Soakai entitled "The Effects of City Sweeps and Sit-Lie Policies on Honolulu's Homeless" (2015) ("The Study"). I also took field notes related to The Study describing additional information observed and conveyed during interviews. I conducted field work related to The Study at the Kaka'ako and Kapalama sites on February 28, 2015 and March 7, 2015. A true and correct copy of The Study is attached hereto as **Exhibit 1**.

12. I have reviewed The Study and in my opinion it is methodologically sound, and I agree with its conclusions.

13. The sample of respondents was collected systematically. Researchers used the best approach available to yield a representative sample of households currently living in the three encampments that were studied. Sample descriptive statistics suggest that the survey sample is representative of the residents living in the areas surveyed at that time: the sample exhibits diversity in a range of personal attributes among those surveyed in terms of the

length of time houseless, ethnicity, sources of income, age of respondents, household size, reasons for homelessness, and other variables. The researchers gathered information by going from tent to tent in each survey area, which is the most systematic way to study the households in the survey areas. The survey areas were identified geographically. In my opinion, it presents information and data which is representative of the persons in those encampments.

14. Most importantly, The Study provides valid in-depth data from a relatively large sample of individuals who have directly experienced the enforcement of city ordinances. This type of data is necessary and valid for revealing the impacts of city ordinances on homeless households, as well as on the subjective experiences of homeless individuals and households in response to city actions.

15. The Study's conclusions are also sound, namely that significant effects of city sweeps and sit-lie policies on the houseless are property and economic loss and physical and psychological harms. (Exh. 1, p. 4.) The Study also concluded that there are possible Constitutional violations, and I have no basis to disagree with that conclusion, but will not opine on it in this declaration.

16. Regarding property and economic loss, I agree with The Study's conclusion that: ". . . the vast majority houseless persons surveyed experienced significant property and economic loss due to sit-lie policies,

including the loss of tents, clothing, medicine, food, children's items, household items, and identification documents such as driver's licenses and birth certificates. Petty misdemeanor charges and personal property replacement costs added financial burdens, making it even more difficult for affected people to get into positions to obtain adequate and appropriate housing." (Exh. 1, p. 4.)

17. Regarding physical and psychological harm, I agree with The Study's conclusion that sweeps aggravate and compound "... already vulnerable states of mental and physical health due to many people's traumatic experiences from becoming houseless. Not only did the sweeps themselves have emotional and psychological impact, but also prevalent was the fear of impending sweeps." (Exh. 1, p. 5.)

18. During the data collection, I spoke directly to respondents who face significant barriers to physically moving the belongings that they depend upon for basic survival (such as food, clothing, water, medicine, blankets or tarps) in response to city sweeps. For example, respondents included single parents with young children, or households that include elderly or disabled individuals. Such individuals may not be able to physically carry all that they, or other household members, need for basic survival to alternative locations.

19. Other respondents interviewed as part of The Study included individuals with disabilities, wounds, in wheel chairs or on crutches. For these persons, moving their shelter and belongings is a physical impossibility.

20. In summary, moving everything one owns is very hard for able-bodied single adults, but is virtually impossible for parents with children, persons with physical or mental disabilities, the sick and the elderly.

21. The sweeps have significant and detrimental impacts on children. The Study identified how supplies and clothing that children need for school have been lost during sweeps. Thus, the sweeps are causing disruption to children's education. Moreover, broader research shows the negative consequences of forced relocation on children's health and well-being. The Study leads me to the opinion that children are especially damaged by the disruption and forced removal of belongings and physical relocation involved in city sweeps.

22. Besides the physical limitations, the stress of the sweeps is very hampering mentally. On top of the already profound stresses that the homeless experience in their daily struggle to survive on the street, find jobs, get housing, get food, and get their children to school, the task of moving all they own at any time to avoid losing it all in a sweep is overwhelming. When people are forcibly moved, there is a tremendous additional impact, above that of a normal move. Sweeps involve chaos, coercion, intense police oversight and cause detrimental mental and physical impacts. These are serious, paralyzing

impacts, not mere inconveniences. Those interviewed reported feeling violated, sad and upset as a result of being swept. These are strong indicators of damaging inflictions of emotional distress. Numerous studies confirm that this type of extreme stress has negative impacts on physical and mental health, capacity to seek work and job-related training, and collective or self-efficacy.

23. Past experience with trauma, such as physical or domestic abuse, is one risk factor for homelessness. Moreover, research suggests that homeless households experience a higher risk of additional victimization. Thus, policy and research experts suggest that trauma-informed-care and outreach is a necessary component for more enduring solutions to homelessness. The Study suggests that the seizure of property by police and city officials and the forcible removal of people's basic necessities is subjectively experienced as trauma by respondents and therefore detrimental to health and well-being and also counter-productive to more enduring solutions.

24. In addition, when swept, homeless individuals not only lose their possessions, but they must pay to retrieve them. In lieu of payment, individuals whose property has been seized must find a way to complete the paperwork to request a waiver, wait for a result and find transport to the location at which their belongings are being held. This means those already homeless are without basic shelter necessities until they can find the means, time and transport to retrieve them. This is an impossibility for many given the issues associated with physical and mental limitations discussed above, as well

as lack of access to transportation in the form of a car or truck that would be required to transport their belongings. Moreover, loss of property causes financial burdens and opportunity-costs in terms of time, which is counter-productive to individuals' efforts to secure financial or personal stability.

25. Financial insecurity is a well-recognized cause of homelessness. Findings from The Study suggest that the city's confiscation of property, and the issuing of citations and fines, exacerbate financial instability. Moreover, studies have documented how accruing citations, violations, and fines by homeless individuals and households, as a result of ordinances targeting homelessness, hinder access to employment and lead to further alienation of homeless from social services and outreach.

26. Furthermore, many existing public and private programs provide entitlements for low-income families in the areas of health care, income or work support, or nutritional assistance (for example, programs like SNAP, TANF, and others). Access to entitlements and resources from such programs can improve the health and well-being of homeless households. However, a major impediment to access to such programs is lack of required identification and documentation. City sweeps that result in loss of documents such as birth certificates and other personal identification, whether intentional or unintentional, thus limit access to resources that could support the transition out of homelessness or that could support health and well-being.

27. The social networks forged in communities provide a range of social benefits. Communities look after their members, keep children safe, share resources and provide stability. Sweeps disrupt all of these benefits, create new anxieties, lead to persistent worry and compound stress among the homeless. Furthermore, such forms of mutual social assistance, which I learned about firsthand during fieldwork for The Study, not only support the health and well-being of children, but also support adults in seeking or maintaining employment.

28. There is a clear consensus in the policy and research literature that Housing First policies provide an effective solution to homelessness. Housing First strategies couple intensive support services and outreach with the provision of stable housing. Raids and sweeps on homeless households work in opposition to such housing initiatives because they scatter individuals and households and create a profound sense of mistrust and fear among homeless families. In such conditions, the intensive public outreach and case work required for effective implementation of Housing First programs is hampered. For this reason, federal agencies and national homeless experts have argued against raids and sweeps and instead have advocated for providing social support services, outreach, health care, and direct placement into stable housing.

29. Research has shown that many homeless ordinances throughout the U.S. are motivated by inaccurate negative stereotypes and fears

which portray homeless as dangerous, violent, or inclined to crime. However, such fears are not supported by facts.

30. Furthermore, homeless sweeps and raids disrupt “collective efficacy” defined as social networks of mutual support, surveillance and norm enforcement. Collective efficacy is recognized in the criminology literature to be a central antidote to crime and criminal behavior. Thus, city raids are likely to increase the likelihood of the victimization of homeless households and increase the potential for crime by creating chaos and disrupting social ties. Against popular perception and the tenets of “broken windows policing”, physical and visible signs of public disorder including the presence of homeless are not direct or central causes of property or violent crimes.

31. The sweeps engaged in are counter-productive to solving homelessness for many reasons. Prominent researchers, national homelessness advocacy agencies and the U.S. Interagency Council on Homelessness conclude that such ordinances that effectively criminalize the homeless, such as the ordinances at issue in this case, represent a waste of valuable public funds. Funds are spent on managing and disposing of property and shuffling homeless from place to place instead of on the resources which are known to offer more enduring remedies to homelessness and that can support individual, child and family well-being. Such sweeps disrupt important social networks, which can buffer homeless households from the extreme stress and vulnerability that they face chronically. Sweeps create a

climate of fear, mistrust, and chaos which can undermine engaged public outreach necessary for more durable solutions to homelessness. Sweeps further hinder homeless individuals and households in accessing employment, schooling or training, or social assistance, by creating additional financial burdens, through the loss of property, identification, and the imposition of fines. Furthermore, sweeps create profound sense of stress and vulnerability and an experience of trauma, which has negative consequences for health, well-being, employment and stability.

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

Executed in Honolulu, Hawai'i on November 3, 2015.

Handwritten signature in cursive script, reading "J.P. Darrah-Okike".

JENNIFER DARRAH-OKIKE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

Civil No. 15-00363 HG-KSC

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

Declaration of Beatriz Cantelmo

DECLARATION OF BEATRIZ CANTELMO

I, Beatriz Cantelmo, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. On October 4, 2015, I counted 157 tents in the Kaka'ako area (including Ohe Street, Ilalo Street, Ahui Street, and Olomehani Street).

3. On the evening of October 7, from around 5:00 p.m. to around 11:00 p.m., I went tent by tent on Ohe Street, Ilalo Street, Ahui Street, and Olomehani Street, and asked at every single person that I encountered how many people were in their tent.

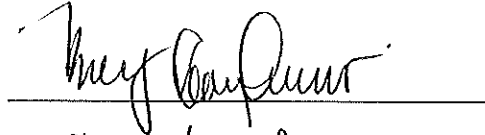
4. I counted 278 adults and 66 children, for a total of 344 individuals. A small handful of those people have a place to sleep at night, but over 300 of the people in my count were living on the street at the time I did the count.

5. Additionally, I conducted 189 surveys with 35 questions each, from October 7 to October 9, 2015. Each survey lasted around five to eight minutes.

6. I did the count and the survey after reading in the newspaper (and after hearing from Scott Morishige) that there were only about 100 individuals left living in Kaka'ako and that there was enough shelter space for everyone. I have been coming to Kaka'ako for about eight hours a week for about a year, and I knew that there was a disconnect between the numbers being reported and the actual numbers of people living here.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 19TH day of OCTOBER, 2015, in Honolulu, Hawaii.



DEPUTY AMBASSADOR
OF UN WFP - CDI

DECLARATION OF JON JOSEPHSON

I, Jon Josephson, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.
2. I am a plaintiff in this matter.
3. On November 13, 2014, I was living in a tent alongside Ohe Street in Kakaako, close to a friend who was also living in a tent in the area. I came to the Kakaako area in October 2014. I couldn't afford rent, and I thought that living conditions in the shelters were worse than living on the street in Kakaako. I thought that the shelters were dangerous, dirty, unhealthy, and unstable. It seemed to me that many people at the shelters have addiction and/or mental health issues, or other health problems like infected open sores.
4. During my time at Kakaako, I never had any issues with theft or violence. As a result, I had a peace of mind that I had a place (my tent) to keep belongings while I was working or otherwise away from my tent. I always felt that at the end of the day I had a safe place to go and a stable place to lay my head at night.
5. The only disruption to that feeling was when the City came and took all my belongings on the morning of November 13, 2014.

6. I left for work in the morning. At the time I was working for a contractor doing remodeling/rock wall work. That day we happened to be working in Waikiki. My boss didn't know I was homeless.

7. The friend of mine in Kakaako contacted me on my cell phone mid-morning, telling me that the City was doing a sweep. I asked my friend to try to save my stuff. He and his girlfriend were moving their things to a safe area and when they came back to try and save my stuff, it was gone already. I was at work, so there was nothing I could do about it. Ironically, most of the people that don't work or weren't working were able to salvage their belongings, thus the City basically confiscated the belongings of the homeless people that were working.

8. I never got a receipt from the City or anything like that. There weren't any notices on the trees or anywhere else near the property saying what happened to my stuff. I never got any kind of notice from the City, either before or after the sweep, about having to move my property or about how I could get my property back.

9. I lost everything I owned except the clothes I was wearing.

10. At the time, I was trying to obtain an ID, because mine had been stolen when I was living in Waikiki. The City workers took all my paperwork that I needed to replace the ID.

11. The City also took my tent, air mattress, air pump, bedding and laptop and a small battery operated amplifier that I had just purchased. I am a writer and have been working for a few years on some writing projects. They took my notebooks and things I'd written, things I can never get back without spending considerable time and effort to reproduce.

12. After the sweep, I had to take a week off of work to replace the things that the City took and deal with the stress of having my home (albeit my tent) taken. It was really hard for me to miss that time, since I didn't earn any money that week. As well, it damaged my relationship with my employer a bit as I wasn't available to work.

13. The City has never compensated me for throwing my things away.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 14th day of September, 2015, in Honolulu, Hawaii.



Ier Josephson

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

CIV. NO. 15-00363 HG-KSC
(Other Civil Action: Civil Rights)

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

**SUPPLEMENTAL DECLARATION
OF JON JOSEPHSON**

SUPPLEMENTAL DECLARATION OF JON JOSEPHSON

I, Jon Josephson, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.
2. On November 13, 2014, when I left for work, nothing on or in my tent was wet, or smelly, or dangerous in any way. I did not have any chemicals or anything hazardous in there. My tent was used, but not particularly dirty. I never gave the City permission to throw away my things – I wasn't even there at the time – and there was no reason the City could not have stored my belongings safely.
3. I understand that this case is a class action and that I have agreed to represent the class.

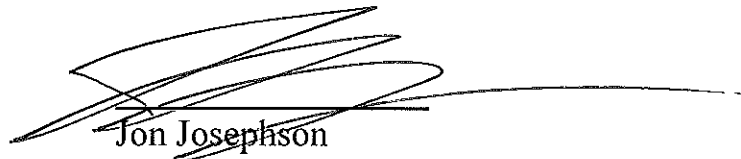
4. I understand that being a class representative in a class action carries certain responsibilities. I know I am not only supposed to look out for my own interests, but also rights of the other people in the class action.

5. I know this case is very important and there are members of the class that are relying on me. I know that means I need to keep informed on the case and spend time working with counsel on strategy and case decisions.

6. I have already spent a lot of time meeting with class counsel about the case. I spent time with counsel before the case was filed and afterwards. I will continue to spend time on the case and be committed to be a good class representative for as long as the case lasts.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 30th day of October, 2015, in Honolulu, Hawaii.


Jon Josephson

DECLARATION OF TABATHA MARTIN

I, Tabatha Martin, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. I am a plaintiff in this case.

3. I am a citizen of the United States and reside in the City and County of Honolulu, State of Hawai‘i. I was born and raised in Honolulu.

4. My husband, Tracy Martin, and I have a 4-year-old daughter, T.M. We are homeless and poor. We sleep in a makeshift shelter along Ohe Street in the Kaka‘ako area of Honolulu.

5. In 2013, Tracy was working full-time as a kitchen manager at a restaurant, and I was taking care of T.M. – who was an infant at the time – full-time. Tracy was making around \$880.00 (before taxes were taken out) every other week as a salaried manager, which is less than what he was making before he was “promoted” from being an hourly worker.

6. In 2013, Tracy, T.M., and I were living in a 1-bedroom apartment in Pearl City. The rent was \$1,250 a month. Because Tracy was making less money as a manager, we started to fall behind on the rent.

7. In May 2013, Tracy had a heart attack. Without his income, we couldn’t afford the apartment, and we became homeless.

8. We came to the Kaka'ako area in August 2013. We bought a new tent and other equipment to allow us to live on the street. The tent cost around \$105.00 at Wal-Mart.

9. One day in November or December of 2013, City officials woke Tracy, T.M., and me up at around six in the morning. We were still inside our tent, sleeping or just waking up, when City officials put red plastic tape around the entirety of our tent, explained that this was a government operation, then ordered us out. Police officers told us that if we didn't get out of our tent, we'd be arrested.

10. Tracy and I frantically told the people from the City, including the police, that we needed to get Tracy's heart medication and our IDs out of the tent. An HPD officer told us that if we crossed the red tape we would be arrested and that our daughter – who was 2 years old at the time – would be taken away. City officials forced our belongings into a plastic bin, and we watched as our tent was destroyed as they crammed it into the bin. They took just about everything of ours, including Tracy's heart medicine.

11. We didn't have health insurance, and we worried that even if we were able to get replacement medication, the City would just come take it again.

12. We had a bunch of Christmas presents that other people had given us to give to T.M. The City workers took all of them.

13. The City workers took our marriage certificate, T.M.'s birth certificate, and Tracy's birth certificate, Social Security card, and State ID card. They also took our clothes, our tent, and our propane stove, as well as T.M.'s diapers, backpack, clothes, and toys.

14. We didn't get any kind of receipt, ticket, or notice. No one from the City gave us anything in writing that we could get our stuff back, and no one told us that we could get our stuff back. We didn't have any money to pay the City to get our stuff back even if they would've let us go get it. And because the City took all our IDs, we didn't think we could get our property back anyway.

15. One guy in Kaka'ako told us that he tried to get his stuff back, but the City didn't let him get it. So we thought there was no point in even trying.

16. We were also afraid to try to get our things back. When the City workers took our property, they mixed it together with other people's stuff in the plastic bins; we were afraid to go get our things, because if we had someone else's property and they saw us with it in Kaka'ako, they might think we stole their property during the sweep and they might get violent with us.

17. We never got any information that we could get our property back, or how we could get it back. No one has ever compensated us for this property.

18. We have had a hard time replacing IDs. Because the City workers took multiple pieces of ID from us, we haven't been able to replace our Social Security cards or State IDs.

19. On November 13, 2014, the City came and took our property again. This time, though, they didn't put it in plastic bins – they put it straight into the garbage compactor truck. They destroyed it all. They didn't give us any notice ahead of time, and didn't give us any receipt or ticket afterwards.

20. Among other things, the City threw away our Thanksgiving turkey (which cost about \$42.00), our tent, some tarps, some coolers, and some of T.M.'s books. No one has ever compensated us for this property.

21. We can't find shelter at any of the homeless shelters on O'ahu. As far as I know, they're all full to families.

22. I'm now working part time at the Pearl City Foundation at Momilani Community Center in Pearl City. I work somewhere between 8 and 22 hours a week usually, but it's been closer to 8 lately because there's been construction at my work. The money I make isn't enough to afford rent anywhere in Honolulu.

23. I'm constantly paranoid of another sweep. I'm worried for me and Tracy, and I'm worried for T.M. We're trying to save money so we can go get an apartment, but every time the City takes our things we have to buy more, and it sets us further back.

24. If the City takes our stuff again, I don't know what we'll do. We'll have nowhere to sleep, we'll have no food for T.M. We won't have any shelter. I'm worried that our daughter will go hungry.

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

Executed this 8 day of September, 2015, in Honolulu, Hawai'i.



Tabatha Martin

DECLARATION OF TRACY MARTIN

I, Tracy Martin, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. I am a plaintiff in this case.

3. I am a citizen of the United States and reside in the City and County of Honolulu, State of Hawai‘i.

4. I have a wife, Tabatha Martin, and a 4-year-old daughter, T.M. We are homeless and poor. We sleep in a makeshift shelter along Ohe Street in the Kaka‘ako area of Honolulu.

5. One day in November or December of 2013, City officials woke Tabatha, T.M., and me up at around six in the morning. We were still inside our tent sleeping when the people from the City put red plastic tape all around our tent and ordered us out. Police officers told us that we would be arrested if we didn’t get out.

6. The City took my heart medication. We didn’t have health insurance, but we were worried that even if we could replace the medication, the City could simply take our belongings again at any time.

7. The City took all of T.M.’s Christmas gifts that other people had gotten for her.

8. The City took our marriage certificate, my birth certificate, T.M.'s birth certificate, and our Social Security Cards and State IDs. Among other things, the City also took our clothes, our tent, and our propane stove, as well as T.M.'s diapers, backpack, clothing, and toys.

9. We never got any receipt, ticket, or notice from the City saying that we could get our things back.

10. The City never provided us with information on whether, or how, we could retrieve our property.

11. Because the City took so many of our documents and IDs, we haven't been able to replace our Social Security cards and State IDs.

12. On November 13, 2014, the City did another sweep and took our things. They put our property straight into a City garbage truck and destroyed it all. The City did not provide us with advanced warning or notice of any kind that they were going to do a sweep or that they were going to take our things.

13. The City took our Thanksgiving turkey, some coolers, some of T.M.'s books, a tent, and other things.

14. We never got any receipt, ticket, or notice from the City. No one from the City gave us anything in writing that we could get our property back. No one from the City ever told us that we could get our things back.

15. The City never compensated us for taking and destroying any of our property.

16. We can't find shelter at any of Oahu's homeless shelters. We've tried, but as far as I know they're still all full.

17. I have been offered a job, and I'm going to start work soon. However, I have to wait until after the City's planned sweep in September 2015 because I don't want to leave my family alone during the sweep. I'm losing potential income because of the City's planned sweep.

18. My family sleeps alongside Ohe Street because we have nowhere else to go. There are no homeless shelters where we can go. We don't have enough money saved to get an apartment. We can't stay on private property because we'll get arrested or chased off for trespassing.

19. I'm constantly afraid of another sweep. I'm afraid for me and my family.

20. If the City takes our things again, we won't have any shelter of any kind. We won't have any food. I'm afraid we'll all go hungry.

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

Executed this 8th day of September, 2015, in Honolulu, Hawai'i.


Tracy Martin

SUPPLEMENTAL DECLARATION OF TRACY MARTIN

I, Tracy Martin, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. I am a plaintiff in this case.

3. My family and I live alongside Ohe Street. Our shelter is made up of tent poles, tarps, rope, and wood.

4. I have read the sweep notices posted in Kakaako. Basically, the City is going to come and if I don't move it all they're going to take our shelter and destroy it. If they destroy our shelter we'll have to sleep in the open. I'm scared about that because of my daughter. I have a lot of anxiety about that, a lot of stress.

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

Executed this 20th day of September, 2015, in Honolulu, Hawai'i.



DECLARATION OF GABRIEL YUG

I, Gabriel Yug, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.
2. I am a plaintiff in this case.
3. I reside in the City and County of Honolulu, State of Hawai'i.
4. I am married to Tanako Yug, and Tanako and I are guardians for 3-year-old G.Y. He's our nephew, but I consider him to be my son. He turns 4 later this month.
5. Until recently, we were homeless. We slept alongside Ohe Street in Kaka'ako, in a shelter we put together from a tent, some tarps, an umbrella, and some other things.
6. Tanako and I have lived in Hawai'i for more than twenty years. I used to work for Hilton in Kona, and they transferred me to Honolulu in June 2014. I was let go about three months later – they told me they were eliminating my position – and we couldn't afford rent any more. We became homeless around October 2014.
7. We came to the Kaka'ako area because we thought it would be a safe place for our family. On November 13, 2014 – I think it was the very next day after we got to Kaka'ako – the City did a sweep of the area along Ohe Street where

we were staying. City workers came and threw our things in the garbage. They didn't give us any tickets or receipts or anything. They didn't tell us about the sweep ahead of time.

8. The City took two baskets of clothes (for Tanako, G.Y., and me), shoes, a backpack, pots and pans, and our stove. We were with our things at the time, and we tried to move our things so the City wouldn't take them, but we couldn't move everything by the time the workers got there, so they threw our things away.

9. No one from the City ever told us, either in person or in writing, that we could get our things back. No one from the City ever paid us for taking our things and throwing them away.

10. I started working full-time a few weeks ago. We saved up some money and moved into an apartment. It took us a long time to find a place to live, though. I put in all kinds of applications, but no one will call me back. I'm honest with them and I told them that we're homeless, and I think because of that they don't want to rent to us.

11. As far as I know, when we were homeless, the shelters were all full to families.

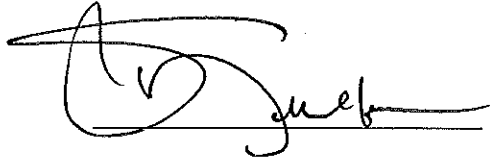
12. I was always afraid of another sweep. If the City had taken our things again, we would have nowhere else to sleep. We'd have nothing to eat. I don't

know what we would have done. I couldn't let the City do that to me and my family because we need our things to live.

13. I was always afraid that I'd get arrested during the next sweep. I was always afraid of how the sweeps would affect G.Y. I consider G.Y. to be my own son, and I will do what I can to provide for him and ensure that the City does not take his shelter and food.

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

Executed this 10th day of September, 2015, in Honolulu, Hawai'i.

A handwritten signature in black ink, appearing to be "J. Joseph", written over a horizontal line.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

Civil No. 15-00363 HG-KSC

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

Supplemental Declaration of
Gabriel Yug

SUPPLEMENTAL DECLARATION OF GABRIEL YUG

I, Gabriel Yug, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. During the November 13, 2014 sweep, no one from the City ever asked me if they could throw our things away, and I never gave anyone from the City permission to throw any of our things away. There was nothing in our property that would have been

dangerous or hazardous for the City to store. Nothing was wet, nothing smelled bad, and there were no chemicals or sharp things.

3. I understand that this case is a class action and that I have agreed to represent the class.

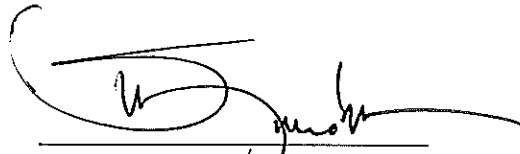
4. I understand that being a class representative in a class action carries certain responsibilities. I know I am not only supposed to look out for my own interests, but also rights of the other people in the class action.

5. I know this case is very important and there are members of the class that are relying on me. I know that means I need to keep informed on the case and spend time working with counsel on strategy and case decisions.

I have already spent a lot of time meeting with class counsel about the case. I spent time with counsel before the case was filed and afterwards. I will continue to spend time on the case and be committed to be a good class representative for as long as the case lasts.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 31st day of October, 2015, in Honolulu, Hawai'i.



Gabriel Yung

DECLARATION OF TANAKO YUG

I, Tanako Yug, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. I am a plaintiff in this case.

3. I reside in the City and County of Honolulu, State of Hawai'i.

4. I am married to Gabriel Yug. We have two grown children, and a newborn granddaughter. We are also the guardians of our 3-year-old nephew, G.Y.

5. Until recently, we were homeless. At night, we slept on a sidewalk in urban Honolulu in a shelter we made from a tent, a big umbrella, and some tarps.

6. Gabriel and I have lived in Hawai'i for more than twenty years. We met on Maui, and then moved to Kailua-Kona, where Gabriel worked for Hilton Waikoloa Village. In June 2014, we moved to O'ahu from Kailua-Kona when Hilton transferred Gabriel to Honolulu. Three months after moving here, his position at Hilton Hawaiian Village was eliminated and he was laid off. After Gabriel was laid off, we could no longer afford our rent, and became homeless in October 2014.

7. Gabriel, G.Y., and I were homeless, and living alongside Ohe Street in Kaka'ako, for nearly a year because we couldn't afford a place to live. Gabriel and

I were told by a government official (I believe a City employee) that if we kept our tent alongside Ilalo Street in Kaka'ako, we had to take our tent down every morning (and put it up again every night), but if we stayed alongside Ohe Street we didn't have to do so. We could still be "swept" by the City at any time, though, no matter where we stayed.

8. On November 13, 2014, City officials took our things and threw them in the garbage truck. They took two baskets of clothes, shoes, pots and pans, and a backpack. They took my daughter's bag with her medication, State ID, birth certificate, Social Security card, and U.S. citizenship documents. My daughter was pregnant at the time.

9. We didn't get any kind of receipt, ticket, or notice. We didn't receive anything in writing that we could get our property back, and no one ever told us that we could get our property back. The City also never gave us advanced warning or notice of any kind that it was going to take our property. The City has never compensated us for throwing away our things.

10. Gabriel recently started a full-time job. We saved some money and moved into an apartment. It took us a long time to find a place to live, though. We applied to lots of places, but no one would ever call us back. We told the landlords that we were homeless, and I think they didn't want to rent to people who are homeless. We had to stay on the street longer because no one would rent to us.

11. I tried to go to two different O‘ahu homeless shelters, and was repeatedly turned away because I do not have IDs. I cannot obtain a Hawaii driver’s license because I don’t have a valid passport. I lost my old passport (which was expired) during one of the City’s sweeps of the Kaka‘ako area, when I tried to move my belongings so the City wouldn’t take them. I’m trying to get a new passport, but it is taking a long time.

12. Gabriel could go the shelter since he still has his IDs, but he didn’t want to leave G.Y. and me to sleep on the streets by ourselves.

13. Even if I had an ID, I didn’t think there were any shelter beds open for families on O‘ahu during the time I was homeless. I went to the Next Step shelter on Thursday, August 27, but they said they were full to families. They said they didn’t know when there would be space available.

14. Gabriel, G.Y., and I were sleeping alongside Ohe Street because we had nowhere else to go. As far as I knew, there were no homeless shelters where we could go. We couldn’t find an apartment. I didn’t know of any other private property where we can go without being arrested.

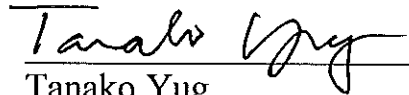
15. When we stayed in Kaka‘ako, every day I saw around two people come to Kaka‘ako, looking for a place to stay. I didn’t see as many people leave the area. Some of the new people coming to Kaka‘ako told me that this is because

government officials, including police officers, are telling homeless people to go to Kaka'ako after they get kicked out of other areas like Chinatown.

16. I was always afraid of another sweep. If the City had swept us again, we wouldn't have had anywhere to sleep. We would have to spend the little money we'd saved up to buy a new tent, and then we'd be homeless for longer because we won't have enough money saved for rent.

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

Executed this 10th day of September, 2015, in Honolulu, Hawai'i.



Tanako Yug

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, et al.,

Plaintiffs,

vs.

CITY AND COUNTY OF
HONOLULU, et al.,

Defendants.

Civil No. 15-00363 HG-KSC

[CIVIL RIGHTS ACTION]

[CLASS ACTION]

Supplemental Declaration of
Tanako Yug

SUPPLEMENTAL DECLARATION OF TANAKO YUG

I, Tanako Yug, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.

2. During the November 13, 2014 sweep, no one from the City ever asked me if they could throw our things away, and I never gave anyone from the City permission to throw any of our things away or to throw away my daughter's things or GY's things. There

was nothing in our property that would have been dangerous or hazardous for the City to store. Nothing was wet, nothing smelled bad, there were no chemicals or sharp things.

3. I understand that this case is a class action and that I have agreed to represent the class.

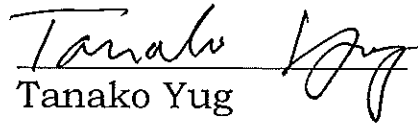
4. I understand that being a class representative in a class action carries certain responsibilities. I know I am not only supposed to look out for my own interests, but also rights of the other people in the class action.

5. I know this case is very important and there are members of the class that are relying on me. I know that means I need to keep informed on the case and spend time working with counsel on strategy and case decisions.

I have already spent a lot of time meeting with class counsel about the case. I spent time with counsel before the case was filed and afterwards. I will continue to spend time on the case and be committed to be a good class representative for as long as the case lasts.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 31st day of October, 2015, in Honolulu, Hawai'i.


Tanako Yug