

EXHIBIT 3

SWORN DECLARATION OF ELIZABETH VENABLE

1
2 1. My name is Elizabeth Venable. I am over the age of 18, am of sound mind,
3 and am competent and capable of making this declaration. I am submitting this Declaration
4 under oath, under the penalty of perjury, pursuant 28 U.S.C. § 1746.

5 2. I am the Co-Founder and the current Lead Organizer of the organization Fund
6 For Empowerment.

7 3. Fund For Empowerment (“FFE”) is a non-profit organization whose mission
8 is to build community resources for members of the unsheltered community.

9 4. FFE’s membership includes individuals who are unsheltered or at risk of
10 being unhoused.

11 5. FFE’s purpose is to advocate for long term and sustainable housing on behalf
12 of the unsheltered community.

13 6. Another purpose of FFE is to provide leadership training (the “Houseless
14 Leadership Project”) to those who are unsheltered, giving them an opportunity to raise up
15 their own voices to advocate for housing solutions/community resources on their own
16 behalf. This mission has been diverted because FFE has to provide know-your-rights
17 training to the unsheltered community in connection with the sweeps.

18 7. FFE distributes water and food to the unsheltered community during the
19 summer months.

20 8. I have personal knowledge of the following facts and if called to testify could
21 would competently do so.

22 9. I observed the sweep of unsheltered individuals that occurred on May 10 in
23 the Zone at 9th Avenue between Washington and Jefferson.

24 10. During the sweep, I observed city workers collect property and belongings of
25 unsheltered individuals and destroy them.

26 11. The property I saw collected and destroyed included tents, bedding, blankets,

1 clothes, tarps, storage containers, a walker, mattresses, water coolers, and a bike.

2 12. I saw the City use excavators and dump trucks to load up and destroy
3 property. The excavators scooped the property up from the sidewalk and dumped it in large
4 dump trucks. As the excavators scooped up property, many of the items were crushed.

5 13. I did not see the City store any items. Everything on the block was destroyed.

6 14. I did observe city workers speaking with unsheltered individuals.

7 15. I also spoke with unsheltered individuals who were displaced by the City's
8 May 10 sweep.

9 16. Based on these conversations, I know unsheltered individuals were offered
10 shelter at CASS ("Central Arizona Shelter Services").

11 17. Based on my work in this space, I can competently testify that CASS is a
12 shelter located in the Zone near the Human Services Campus. CASS has a limited number
13 of shelter beds available, particularly for people with disabilities or pets. CASS only allows
14 individuals to stay at the shelter for a limited period of time before they must leave. In my
15 experience, most people are kicked out after three months. CASS is a congregate shelter
16 so there is little-to-no privacy. CASS is also gender segregated, which means that married
17 people can't be with their partner.

18 18. Some unsheltered people were also offered shelter at the Washington Street
19 Shelter at 28th St. and Washington.

20 19. Based on my work in this space, I can competently testify that the Washington
21 Street Shelter takes pets and is not gender segregate. It has some limited disability
22 accessibility but does not accept people with substance use disorder at all, especially if it's
23 active.

24 20. Based on my conversations, the City did not conduct individualized
25 assessments of unsheltered people's needs before offering them shelter.

26 21. During the May 10 Sweep, unsheltered individuals were not allowed to bring

1 all of their property with them when they were displaced. Before the City would provide
2 shelter, they required unsheltered individuals to get rid of all their personal belongings that
3 would not fit into two garbage bins.

4 22. Any items forced to be left behind by unsheltered individuals were destroyed.

5 23. I do not know if the unsheltered individuals offered shelter by the City
6 actually received shelter.

7 24. I did not see any notices informing people that property had been collected or
8 destroyed.

9 25. I did not see the City provide any information to unsheltered individuals about
10 where they could locate and pick up confiscated property.

11 26. I did not see any tagged property.

12 27. In my opinion, the sweep was confusing for unsheltered individuals. I
13 observed one woman crying during the sweep. This woman was surrounded by city
14 workers and ultimately relocated without all of her belongings.

15
16 I declare under penalty of perjury under the laws of the United States of America
17 that the foregoing is true and correct.

18 Executed on May __, 2023. May 13, 2023

19 

20 _____
Elizabeth Venable

Declaration - Elizabeth Venable

Final Audit Report

2023-05-14

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"Declaration - Elizabeth Venable" History

-  Document created by Benjamin Rundall (benrundall@gmail.com)
2023-05-14 - 0:13:45 AM GMT- IP address: 70.190.170.246
-  Document emailed to Elizabeth Venable (elziav@gmail.com) for signature
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-  Agreement completed.
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EXHIBIT 4

SWORN DECLARATION OF RONNIE LEE MASSINGILLE

1
2 1. My name is Ronnie Lee Massingille. I am over the age of 18, am of sound
3 mind, and am competent and capable of making this declaration. I am submitting this
4 Declaration under oath, under the penalty of perjury, pursuant 28 U.S.C. § 1746.

5 2. I was born in Phoenix, Arizona and lived here until about the age of 15. At
6 that age, I moved to Mississippi with my family. I moved back to Phoenix in 2009.

7 3. In 2009, the wages I received from my employment were not sufficient to
8 cover my housing costs and I became unsheltered. Since 2009, I have been chronically
9 unhoused.

10 4. Up until a few months ago, I was unsheltered and slept in various parts of
11 Phoenix, including Sereno park, 19th Ave. and Dunlap (and the nearby canal), Eastside
12 Park, 20th Ave. and Indian School, and the Zone.

13 5. In January, I was provided shelter in a motel, where I currently reside.

14 6. While unsheltered, I experienced many encampment sweeps. During these
15 sweeps, police and other city workers would wake us up very early, around 5:30 a.m. They
16 would give me and the other unsheltered people living in the area only a few minutes to
17 gather our belongings. Any items left behind were dumped into a City truck and destroyed.

18 7. During these sweeps, police and City workers have taken and destroyed many
19 of my personal belongings. Some of the items I have lost in these sweeps include: my
20 Arizona ID, birth certificate, tent, suitcase, clothes, shoes, skateboards, and medications
21 (including insulin for diabetes).

22 8. Losing personal property because of encampment sweeps can be devastating.

23 9. When you lose your house or place of residence you feel like you've lost
24 everything in this world, like you're less than a person.

25 10. When you end up having to go to a homeless shelter or sleeping on the street,
26 you're at your lowest point. You're trying to lift yourself up, to be better.

1 11. The few belongings you have when you're unhoused are some of the only
2 things that make your life a little better and allow you to move yourself forward.

3 12. It's so degrading to watch the City throw away your belongings and know
4 you have no control. If you try to intervene you will be arrested. It feels like the City is
5 putting their foot on your neck and holding you down so that you can't do better.

6 13. That's how it felt when the City took my property and threw it away.

7 14. I wanted to fight and scream. The City was taking all that I had, and I had
8 nothing already.

9 15. Even though I'm now in a motel, I still feel afraid that I'll end up back on the
10 street. I've seen 9 or 10 people who received shelter at this motel be thrown out and end
11 up back on the street.

12 16. The conditions at the hotel are not good. There are cockroaches and bedbugs.
13 The food is awful and can't accommodate my health needs as a person with diabetes. I also
14 have a curfew at the motel.

15 17. I was down at the Zone on May 10 and saw City workers sweeping the block
16 on 9th Avenue between Washington and Jefferson.

17 18. I talked to some of the unsheltered people who had been living on that block.
18 I would estimate I talked to about seven people.

19 19. They told me they thought they would be able to move back to that block after
20 the City cleaned it. They didn't understand that they wouldn't be able to come back.

21 20. The people I spoke to ended up moving to another block nearby. They told
22 me they weren't offered shelter spaces or to go to a motel.

23 21. They told me that City workers told them that if they came back to the area,
24 they would be arrested.

25 22. I often pass around my card to people who are unsheltered and tell them to
26 contact me if the City is doing sweeps. I have been getting a number of calls about

1 encampment sweeps that have taken place recently in various parts of the City, including:

- 2 a. 15th Avenue
3 b. On the Canal
4 c. Indian School right next to the Arco
5 d. Serrano Park

6 23. The people living in these areas told me they didn't get any advanced notice
7 that the City was going to be cleaning the area or displacing them.

8 24. The sweeps took place at 1 or 2 in the morning. I have a curfew so I couldn't
9 go down there when I got these calls.

10
11 I declare under penalty of perjury under the laws of the United States of America
12 that the foregoing is true and correct.

13 Executed on May May 13, 2023, 2023.

14 

15 Ronnie Massingile (May 13, 2023 22:48 PDT)

16 Ronnie Lee Massingile

Declaration - Ronnie Massingille

Final Audit Report

2023-05-14

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"Declaration - Ronnie Massingille" History

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2023-05-14 - 0:11:43 AM GMT - IP address: 70.190.170.246
-  Document emailed to Ronnie Massingille (massingille70@gmail.com) for signature
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-  Document e-signed by Ronnie Massingille (massingille70@gmail.com)
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-  Agreement completed.
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EXHIBIT 5

SWORN DECLARATION OF ERIC ELMORE

1
2 1. My name is Eric Elmore. I am over the age of 18, am of sound mind, and am
3 competent and capable of making this declaration. I am submitting this Declaration under
4 oath, under the penalty of perjury, pursuant 28 U.S.C. § 1746.

5 2. I have personal knowledge of the following facts and if called to testify would
6 competently do so.

7 3. I also took photos of the City's action in the Zone on that day, which have
8 been attached to my declaration.

9 4. I observed the sweep of unsheltered individuals that occurred on May 10 in
10 the Zone at 9th Avenue between Washington and Jefferson.

11 5. I was down in the Zone observing the sweep between approximately 6:15 AM
12 AM to 11:00 AM.

13 6. During the sweep, I observed city workers collect property and belongings of
14 unsheltered individuals and destroy them.

15 7. The property I saw destroyed included tents, blankets, tarps, and bedding
16 materials.

17 8. I saw the City use excavators and a dump truck to load up and destroy
18 property.

19 9. I did not see the City tag or mark any items while I was down in the Zone
20 observing.

21 10. I did observe city workers speaking with unsheltered individuals.

22 11. I also spoke with unsheltered individuals who were displaced by the City's
23 May 10 sweep.

24 12. I know unsheltered individuals were offered shelter at St. Vincent de Paul in
25 Phoenix. I overheard a city employee say that no hotel rooms were currently available for
26 unsheltered individuals.

1 13. During the May 10 Sweep, unsheltered individuals were not allowed to bring
2 all of their property with them when they were displaced. I overheard an employee with
3 Community Bridges, Inc. (“CBI”) say that unsheltered individuals were only allowed to
4 bring two trash bags worth of personal belongings with them.

5 14. I observed some personal belongings being loaded into green city
6 trash/recycle bins and loaded onto city truck beds and a city trailer. Any items not loaded
7 into these bins were subsequently destroyed.

8 15. I do not know if the unsheltered individuals offered shelter by the City
9 actually received shelter.

10 16. I did not see or hear the City provide any information to unsheltered
11 individuals about where they could locate and pick up confiscated property.

12 17. In my opinion, the City’s sweep was coercive. Unsheltered individuals
13 believed they would be arrested or cited if they did not comply with the City’s commands.
14 An orchestrated media presence coupled with large cleanup teams descending on a small
15 city block to force people does not constitute consent to accept shelter. It is forced removal.

16 18. One visibly upset unsheltered woman on the east side of 9th Ave was forced
17 to give up her dog in order to obtain shelter. It is my opinion she was coerced into this
18 decision by city workers, who surrounded her for an extended period of time until she
19 relented.

20 19. Numerous unsheltered individuals had to leave behind possessions in order to
21 obtain temporary shelter.

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

24 Executed on May May 14, 2023, 2023.

Eric Elmore

Eric Elmore (May 14, 2023 10:01 PDT)

Eric Elmore

Declaration - Eric Elmore

Final Audit Report

2023-05-14

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"Declaration - Eric Elmore" History

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2023-05-13 - 11:36:17 PM GMT - IP address: 66.249.92.140
-  Signer ee77photos@gmail.com entered name at signing as Eric Elmore
2023-05-14 - 5:01:09 PM GMT - IP address: 72.216.86.181
-  Document e-signed by Eric Elmore (ee77photos@gmail.com)
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-  Agreement completed.
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EXHIBIT 6

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

Executed on May __, 2023. May 14, 2023


Eric Brickley (May 14, 2023 14:19 PDT)
Eric Brickley

Declaration - Eric Brickley

Final Audit Report

2023-05-14

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"Declaration - Eric Brickley" History

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-  Document emailed to ericbrickley@feedphoenix.org for signature
2023-05-14 - 7:34:21 PM GMT
-  Email viewed by ericbrickley@feedphoenix.org
2023-05-14 - 7:34:24 PM GMT - IP address: 66.249.92.140
-  Signer ericbrickley@feedphoenix.org entered name at signing as Eric Brickley
2023-05-14 - 9:19:46 PM GMT - IP address: 172.56.81.130
-  Document e-signed by Eric Brickley (ericbrickley@feedphoenix.org)
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-  Agreement completed.
2023-05-14 - 9:19:48 PM GMT

EXHIBIT 7

SWORN DECLARATION OF DOUG MALONEY

1
2 1. My name is Doug Maloney. I am over the age of 18, am of sound mind, and
3 am competent and capable of making this declaration. I am submitting this Declaration
4 under oath, under the penalty of perjury, pursuant 28 U.S.C. § 1746.

5 2. I have personal knowledge of the following facts and if called to testify would
6 competently do so.

7 3. I work on the Human Services Campus (HSC) and am in the area known as
8 the “Zone” most days.

9 4. On May 9, 2023 around 6pm I was present in the Zone at 9th Avenue between
10 Washington and Jefferson.

11 5. I observed that there were fewer tents than usual on that block.

12 6. While I was there, I talked to some unsheltered people living on that block.
13 Some of them told me that they were having trouble finding shelter in advance of the
14 scheduled May 10 sweep that could accommodate their pets or their health needs.

15 7. Community Bridges Incorporated (CBI) workers and at least one Phoenix
16 Police Department Officer were also present.

17 8. I saw the CBI workers going around and talking to the unsheltered people
18 living on the block.

19 9. I understand from speaking to unsheltered people living in the area that the
20 CBI workers were offering most people spots at a shelter on 28th and Washington. I
21 understand from these conversations that two individuals were offered hotel rooms.

22 10. I also spoke to some of the CBI workers. They told me that unsheltered people
23 living on the block would only be able to bring two bags of belongings to any shelter
24 placement they were offered.

25 11. The CBI workers told me they were not aware of any storage options.

26 12. When I spoke to the CBI workers they told me that unsheltered people living

1 on the block had two choices: they could move elsewhere in the Zone or they would get
2 arrested or cited.

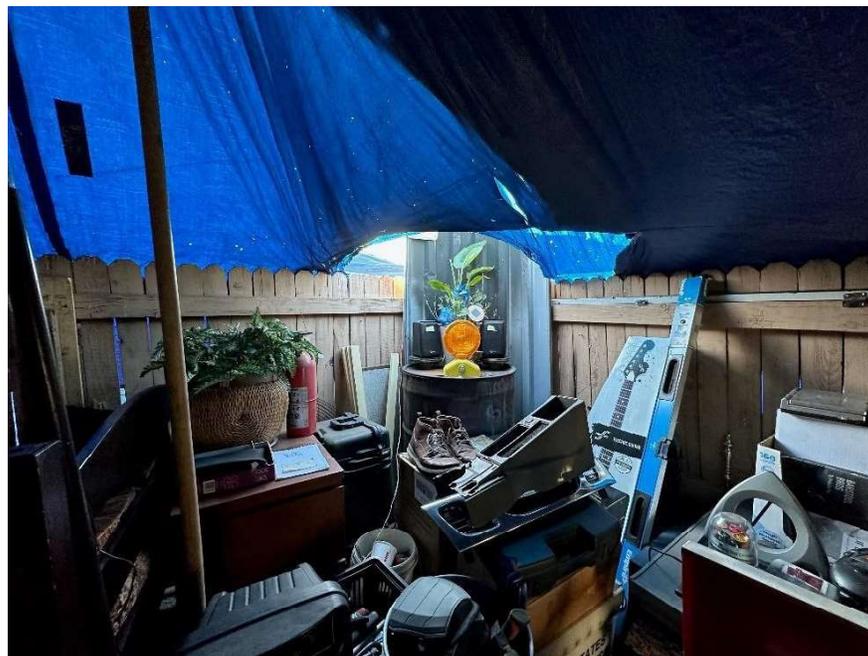
3 13. A few weeks earlier, on April 21 at approximately 8 a.m., I witnessed City
4 workers and security guards interacting with unsheltered people who were living on part
5 of the HSC campus at 9th Avenue and the Railroad tracks.

6 14. When I arrived, it seemed like the City workers and security guards were
7 about to start clearing the encampment. There were about eight unsheltered people living
8 there.

9 15. A City worker named Jeremy seemed to be in charge of the City's sweep of
10 this encampment. I understand that Jeremy works for Scott Hall.

11 16. I saw some of the City workers talking to an unsheltered man who I know
12 named Brian. The City workers were inside Brian's tent talking to him about how he was
13 going to get rid of all his stuff.

14 17. This is a photo I took of part of Brian's tent:



1 18. I told the City workers that Brian's truck was almost up-and-running and
2 pointed out that if he could get it going, then he would be able to move his belongings.

3 19. The City workers eventually agreed to give Brian and the other people living
4 in the area a few more days.

5 20. When I returned to the area on April 25, everything was cleared out.

6 21. I never saw any notices concerning a cleanup of the area where Brian was
7 living near 9th Avenue and the Railroad tracks. I didn't see any notices when I was there
8 on April 21 or on April 25.

9 22. I understand from what I observed that day and from later conversations with
10 Brian that the City workers initially offered Brian a hotel room voucher but later rescinded
11 the offer.

12 23. Sometime after April 21, I saw that Brian had moved from the area at 9th
13 Avenue and the Railroad tracks to 9th Avenue between Washington and Jefferson, where
14 the May 10 sweep took place.

15
16 I declare under penalty of perjury under the laws of the United States of America
17 that the foregoing is true and correct.

18 Executed on May __, 2023. May 14, 2023

19 
20 Doug Maloney (May 14, 2023 16:09 PDT)

Doug Maloney

Declaration - Doug Maloney

Final Audit Report

2023-05-14

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"Declaration - Doug Maloney" History

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2023-05-14 - 0:16:02 AM GMT - IP address: 70.190.170.246
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-  Email viewed by dillingerrocks@gmail.com
2023-05-14 - 0:16:33 AM GMT - IP address: 66.249.92.129
-  Signer dillingerrocks@gmail.com entered name at signing as Doug Molony
2023-05-14 - 11:09:27 PM GMT - IP address: 166.194.143.2
-  Document e-signed by Doug Molony (dillingerrocks@gmail.com)
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-  Agreement completed.
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EXHIBIT 8

1 **SWORN DECLARATION OF SCOUT KATOVICH**

2 1. My name is Scout Katovich. I am over the age of 18, am of sound mind, and
3 am competent and capable of making this declaration. I am submitting this Declaration
4 under oath, under the penalty of perjury, pursuant 28 U.S.C. § 1746.

5 2. I am an attorney licensed in the state of New York and admitted *pro hac vice*
6 to this Court. I represent Plaintiffs in this case.

7 3. On May 12, 2023, at 1:05 p.m. PT, I called the phone number 602-229-5515,
8 which is listed on the City of Phoenix’s “Notification of Enhanced Cleaning” for the May
9 10 sweep of 9th Avenue between Washington and Jefferson Sweeps (the “Notification”).
10 *See Ex. 2.*

11 4. The Notification states that individuals whose personal belongings are
12 collected and stored “may collect personal belongings by calling 602-229-5155, 8 a.m. to
13 5 p.m. Monday through Friday.” Ex. 2.

14 5. When I called this number, the call did not go through and I received an error
15 message stating “User Busy.” I tried calling the number multiple times and each time got
16 the same “User Busy” message.”

17 6. Attached is a screen recording I made on May 12, 2023 at 1:05 p.m. of my
18 phone calling this number and receiving the “User Busy” message.

19
20 I declare under penalty of perjury under the laws of the United States of America
21 that the foregoing is true and correct.

22 Executed on May 15, 2023.

23
24 /s/ Scout Katovich
25 Scout Katovich
26