

COMMONWEALTH OF MASSACHUSETTS

21-2609-F

SUFFOLK, ss.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. SJ-2021-0408

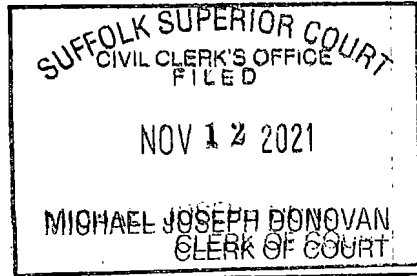
Ronald Geddes, AC, and RAR,
each on their own behalf and
on behalf of a class of similarly situated
individuals,

Plaintiffs,

v.

City of Boston; Boston Police Department;
Boston Public Health Commission; Kim M.
Janey, in her capacity as the Mayor of the City of
Boston and individually; Gregory P. Long, in his
Capacity as the Acting Commissioner of the
Boston Police Department and individually; and
Bisola Ojikutu, in her capacity as Executive
Director of the Boston Public Health Commission
and individually,

Defendants.



**AFFIDAVIT OF GERRY THOMAS, INTERIM DEPUTY DIRECTOR OF THE
BOSTON PUBLIC HEALTH COMMISSION**

I, Gerry Thomas, hereby depose and affirm as follows:

1. I am presently the Interim Deputy Director of the Boston Public Health Commission (“Commission”); in this capacity I oversee the Commission’s Homeless Services Bureau
2. I hold a Masters in Public Health and have been employed with the Commission for 22 years.
3. I have also served as the director of the Commission’s Homeless Services Bureau, which operates the 112 Southamptton Street in Boston emergency shelter serving men and the Woods Mullen at shelter at 794 Massachusetts Avenue which serves women between 2017 and 2019.
4. In addition to providing emergency shelter services, BPHC’s Homeless Services Bureau oversees a variety of programs that address complex needs associated with homelessness,

such as emergency shelter, health and behavioral health services, job readiness and training, substance use treatment, recovery support, and housing services.

5. The Homeless Services Bureau Housing Department works to end homelessness and minimize the amount of time an individual spends in shelter by assisting guests in finding suitable housing within the City of Boston and Greater Boston
6. We also provide housing stabilization so individuals can remain in housing and not return to shelter by addressing the challenges that led them to homelessness to begin with.
7. The housing department provides various housing programs to shelter guests based on the number of beds stay a guest has within the City of Boston Continuum of Care.
8. HSB provides housing navigation help finding subsidized and market-rate units lease signing and move in assistance short term rental assistance and move in costs
9. We provide specialized housing search services for individuals living with HIV/AIDS to help finding suitable housing in Boston and surrounding neighborhoods referrals to other services and specialized services for veterans experiencing homelessness.
10. These services provide individualized services to each client that we work with in a manner that is informed by each client's unique needs and wants.
11. The Commission contracts with the Boston Health Care for the Homeless Program (BHCHP) to provide a medical clinic serving guests at both BPHC shelters. BHCHP also provides direct medical services and outreach in the areas surrounding Southamptton and Atkinson Streets.
12. Sobriety, including abstinence from drugs, is not a requirement for staying in Commission shelters or those of our partners at Pine Street Inn. BPHC's Recovery Services programs provide clean needles, drug testing strips, and other harm reduction materials adjacent to Commission's Shelters.
13. The Commission does not discriminate and has policies and practices in place to field and respond to reasonable disability accommodation requests that give shelter staff guidance for communicating with guests, providing temporary accommodations, escalating the request to shelter management to engage in the process of determining the disability or disability-related need and granting reasonable accommodations. HSB also has specific protocols in place for accommodating the needs of transgender guests and service and support animals.
14. Controlled substances are allowed in the shelter with a prescription.
15. The Commission's shelters operate on a 24/7 basis and have excess capacity. Individuals may stay inside all day if they choose, and we provide three meals a day.
16. The Commission's shelters have remained fully operational for the duration of the COVID-19 pandemic.
17. The Commission has declared amnesty for its two shelters, meaning that individuals who have been restricted from the shelter for violations or shelter policy are allowed to return, with the exception of restrictions for serious violent incident.
18. I have been personally involved in the Commission's outreach, engagement, shelter, and housing placement work in the period of time since October 19th, 2021 when unsheltered homelessness, substance use disorder, and related issues were declared a public health crisis in Boston.

19. HSB staff are currently engaging individuals about shelter and housing needs. For shelter, BPHC has lifted restrictions and provided tours of Southampton Street Shelter and Woods Mullen Shelter, since most individuals do not have experience with these shelters and this helps them make an informed decision. Triage staff are assisting with family reunifications and transportation requests. All staff are offering storage to individuals regardless of whether or not the individuals are using the shelter. Behavioral Health staff are working with Department of Mental Health-eligible individuals about shelter and housing. Housing staff are conducting assessments, taking individuals to view units, and helping with needed paperwork.
20. The work of placing individuals living on the street, many of whom are experiencing multiple behavioral health and physical health conditions and a range of other circumstances that make placement in housing of any kind challenging.
21. Notwithstanding these challenges, the Commission's Homeless Services Bureau efforts alone have resulted in a number of individuals being placed in housing. In the week ending November 6, 2021, Homeless Services Bureau Housing Unit staff had 42 encounters with individuals interested in housing; these outreach efforts have revealed that many individuals living in these encampments are generally eager to engage in housing search and placement and that many others are willing to enter temporary emergency shelter.
22. During this same period, the broader Commission and partner agency outreach efforts have resulted in 28 individuals agreeing to move into shelter, 32 individuals moving into residential treatment program settings and 13 individuals into transitional and permanent housing, the majority of which were permanent housing placements.
23. The assertion that I offered Plaintiff Ronald Geddes the opportunity to speak with HSB staff about a potential placement in a single room occupancy unit is accurate.
24. Commission and HSB staff are not instructed to make any threat of arrest for reason of living in an encampment or any other reason as they conduct these outreach efforts; to my knowledge, no such threats have been made.
25. Encampments on the sidewalks and public ways surrounding the 112 Southampton Street Shelter impair the ability of our guests, particularly those with disabilities, to navigate to and from the shelter.
26. Encampments in the areas surrounding the 112 Southampton Street Shelter caused an infestation of rodents that has required significant expenditures and interventions to remediate the infectious disease threat presented by rodents.

Signed under the pains and penalties of perjury this 8th day of November, 2021.

/s/ Gerry Thomas
Gerry Thomas, MPH
Interim Deputy Director
Boston Public Health Commission