

Exhibit K

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

**SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2184CV2609**

RONALD GEDDES, AC, and RAR, each on their
own behalf and on behalf of a class of similarly
situated individuals,

Plaintiffs,

vs.

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
individual; and Bisola Ojikutu, in her capacity as
Executive Director of the Boston Public Health
Commission and individually,

Defendants.

SECOND AFFIDAVIT OF RYAN WALSH

1. I am currently the Deputy Director of the Boston Regional Intelligence Center within the Bureau of Intelligence & Analysis in the Boston Police Department and have been in such a role for the past 5 years.
2. I am an intelligence analyst supervisor with responsibility for conducting crime and intelligence analysis for the department, which includes producing statistical analyses of crime related data.
3. I was asked to conduct a statistical analysis of major criminal offenses occurring within a predefined area in the vicinity of Massachusetts Ave. / Melnea Cass Blvd. in Boston, MA. Using department geospatial analysis technology, I queried this area during the below timeframe and

aggregated the individual department reports based on Uniformed Crime Reporting system standards.

4. During the period of October 1st 2021 and October 19th 2021 the following statistics have been recorded occurring in that area:

5. Arrest for Disorderly Conduct: 0

6. During the period of October 19th 2021 and November 12th 2021 the following statistics have been recorded occurring in that area:

7. Arrest for Disorderly Conduct: 0

8. During the period of October 1st 2021 and October 19th 2021 the following statistics have been recorded occurring in that area:

9. Motor vehicle crash involving pedestrian: 6

10. During the period of October 19th 2021 and November 12th 2021 the following statistics have been recorded occurring in that area:

11. Motor vehicle crash involving pedestrian: 10

12.. During the period of October 19th 2021 and November 12th 2021 the following statistics have been recorded occurring in that area:

13. Death investigations: 3

Signed under the pains and penalties of perjury this 16th Day of November, 2021

Ryan Walsh

Deputy Director
Boston Police Department
1 Schroeder Plaza, Boston MA
617-343-4500

Exhibit L

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

**SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2184CV2609**

RONALD GEDDES, AC, and RAR, each on their own behalf and on behalf of a class of similarly situated individuals,

Plaintiffs,

vs.

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 individual; and Bisola Ojikutu, in her capacity as Executive Director of the Boston Public Health Commission and individually,

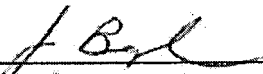
Defendants.

AFFIDAVIT OF JOSEPH BOYLE

1. I am currently assigned to C6 as the District Captain
2. Each day there is one supervisor and four police officers assigned to the area from C6.
3. The supervisors are given specific instructions for this assignment. They have been directed to make sure officers are highly visible in the area and to provide assistance to anyone in need. In addition, officers in the C6 district were specifically told not to make any arrests for homeless individuals in tents in the area related to the cleanup and to notify the Street Outreach Unit about any issues that arise.
4. I am usually in the area at least once a day when working. I have observed the officers and supervisors assigned to the area assisting the homeless and displaying care and compassion.

They respond to numerous sick assist and overdose calls. I have emphasized to C6 personnel that this is a public health issue and it is our responsibility to protect and assist anyone in need in the area. We work everyday with other city agencies, local businesses and community members to make the area safe for everyone.

Signed under the pains and penalties of perjury this 16th Day of November, 2021



Captain Joseph Boyle
Boston Police Department
1 Schroeder Plaza, Boston MA

Exhibit M

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2184CV2609

RONALD GEDDES, AC, and RAR, each on their own behalf and on behalf of a class of similarly situated individuals,

Plaintiffs,

vs.

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 individual; and Bisola Ojikutu, in her capacity as Executive Director of the Boston Public Health Commission and individually,

Defendants.

AFFIDAVIT OF DENNIS COGAVIN

1. I am currently the Boston Police District Captain at Area B2.
2. I am the district commander overseeing the daily operations and delivery of police services in the Roxbury and Dorchester (B2) area of Boston.
3. I was asked to aid in providing visibility of police presence in the area of Island St. and Gerard St. Boston (B2). This is to deter criminal activity including crimes of violence, drug dealing, drug use, trespassing, prostitution and other quality of life concerns.
4. As the Captain of the district I routinely walk the area to monitor the ongoing crisis. While doing so I often speak with residents, business owners and homeless individuals in the area. As a result I attempt to address issues that are raised while speaking with these individuals. For


example, residents of Pompeii St. have relayed their fears of drug use and prostitution on the street in the late night early morning hours. I have directed the "last half" shift to conduct increased patrols to address this concern.

5. I also speak with the residents, business owners and homeless individuals in an effort to inform them of ongoing issues limiting our ability to provide services that in the past the police may have provided and why we do not do that now. For example, we at B2 have received numerous complaints of tents in Clifford Park. A citizen was calling for the Boston Police to clear the homeless and tents out of the park so he could run his Pop Warner league. As a result the Boston Police here at B2 and various specialized units began a rotating "code 19" or "walk and talk" This was to provide visibility and security for the children, coaches, family members and homeless individuals in the park. The officers were told not to remove the tents. This continued for several weeks until the Pop Warner team moved their practices to another location. However, the homeless population stayed with their tents and belongings.

6. While I am in the area of Massachusetts Ave. and Melnea Cass Blvd. which is almost daily, I observe police officers routinely on fixed posts. Again this is for visibility, a crime deterrent and a quicker response to calls for service.

7. The officers from B2 have been told and I believe carry out the directive to provide professional police services when needed. When the situation requires a social service response more than police response I have informed officers to refer these incidents to the Boston Police Street Outreach Unit (SOU). The goal of officers from B2 has been the safety of all individuals in the community, offer assistance to those in need and refer any additional concerns regarding homelessness (tents), mental illness and substance abuse to the Street Outreach Unit for further services.

Signed under the pains and penalties of perjury this 16th Day of November, 2021

 11/16/21

Captain Dennis Cogavin
Boston Police Department
1 Schroeder Plaza, Boston MA
617-343-4270

Exhibit N

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

**SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2184CV2609**

RONALD GEDDES, AC, and RAR, each on their own behalf and on behalf of a class of similarly situated individuals,

Plaintiffs,

vs.

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 individual; and Bisola Ojikutu, in her capacity as Executive Director of the Boston Public Health Commission and individually,

Defendants.

AFFIDAVIT OF PETER MESSINA

1. My name is Peter Messina and I am currently a Lieutenant with the Boston Police Department and the Commander of the Boston Police Department Street Outreach Unit. The Boston Police Department Street Outreach Unit promotes community-based outreach through partnerships and collaboration to those affected by mental illness, substance use disorder and homelessness in a professional, humane and supportive manner. The Street Outreach Unit consists of highly trained Boston Police Officers committed to proactively connecting to the most vulnerable of society while upholding the values of community policing.
2. To accomplish its mission, the Street Outreach Unit works closely and in collaboration with the mental health community, to include the Boston Emergency Services Team (BEST). This partnership allows the use of proactive preventative, intervention and de-escalation, along with Emergency Detention Orders (Section 12) and hospitalization as primary methods, in lieu of

arrest and incarceration. All of the Street Outreach Unit members have received basic and advanced Crisis Intervention Team Training (CIT), and are certified PAARI Recovery Coaches. Officers assigned to the Street Outreach Unit wear a dress down uniform signifying the difference between Boston Police Department District Patrol Officers and Boston Police Outreach Officers.

3. On October 19, 2021, at the request of Neil Doherty of the Mayor's Office, the officers assigned to the Street Outreach Unit arrived on Topeka Street at 8:00am and conducted outreach to the individuals in and around the area. The outreach conducted by the Street Outreach Unit consisted of offering available local shelter beds and treatment/detox facility beds as well as transportation to either. At no point during this cleaning did any officers from the Street Outreach Unit threaten any individuals with arrest or place anyone under arrest. The only law enforcement action taken during this cleaning was the towing of a dismantled and abandoned scooter that was unable to be removed by the cleaning crew.

4. From October 19, 2021 to October 24, 2021, Officers assigned to the Street Outreach Unit did not participate in any encampment removal or street cleaning/clearing of any area in Mass/Cass.

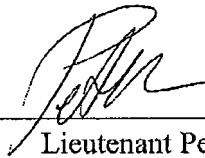
5. On October, 25, 2021, Officers assigned to the Street Outreach Unit responded to Southampton Street and Theodore Glynn Way to assist Neil Doherty and Kim Thai from the Mayor's Office as well as the Boston Public Health Commission with a cleaning. I responded, along with officers assigned to the Street Outreach Unit, and staged across the street and on a side street away from the location in unmarked Boston Police Department motor vehicles. I then spoke with both Neil Doherty and Kim Thai of the Mayor's Office who told me that we (Street Outreach Unit) were not needed and that they would contact us if they needed us to assist with outreach. At no point during the cleaning/encampment removal did any officer of the Street Outreach Unit interact with, threaten with arrest or place anyone under arrest.

6. On November 3, 2021, Kim Thai of the Mayor's Office requested assistance with a highly agitated female during a cleaning. Please note that officers of the Street Outreach Unit were not present at the cleaning prior to her request. An officer from the Street Outreach Unit along with a BEST team co-responder responded to the area in front of United Rentals and engaged a female who identified herself as Leah. Leah was emotional and disclosed to the officer that she was struggling with the recent death of her partner. Based on her statements, the officer encouraged her to speak with the BEST Team clinician that was on-scene and sought her interest in seeking treatment for substance use or mental health issues, all of which she declined. Leah then left the area with a shopping cart and headed towards Newmarket Square. At no time during this encounter did any officer assigned to the Street Outreach Unit threaten arrest or place anyone under arrest.

7. On November 5, 2021, Kim Thai of the Mayor's Office contacted the Street Outreach Unit and requested a response to Atkinson Street for a couple that needed assistance who were in a tent. Please note that officers assigned to the Street Outreach Unit were not present at the cleaning prior to her request. A Street Outreach Unit officer along with a BEST Team co-response clinician engaged the couple. The couple stated that they needed more time to pack their belongings and the officer inquired if they had enough storage bins and provided the couple with several snacks before leaving them in place. Please note that the tent remained and was never vacated. At no time during this encounter did any officer assigned to the Street Outreach Unit threaten arrest or place anyone under arrest.

8. Since November 5, 2021, the Boston Police Street Outreach Unit has not been called to assist with cleaning/encampment removals led by the City of Boston. From October 19, 2021 to November 12, 2021, the Boston Police Street Outreach Unit has not threatened to arrest or placed anyone under arrest for Disorderly Conduct.

Signed under the pains and penalties of perjury this 16th Day of November, 2021



Lieutenant Peter Messina
Boston Police Department
1 Schroeder Plaza, Boston MA

Exhibit O

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

**SUPREME JUDICIAL COURT
CIVIL ACTION 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,

vs.

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 individual; and Bisola Ojikutu, in her capacity as Executive Director of the Boston Public Health Commission and individually,

Defendants.

SECOND AFFIDAVIT OF KIM THAI

1. I was employed as a Special Assistant to the Mayor's Office until November 15, 2021. In that role, I oversaw the City's response to the Mass and Cass encampments as well as the implementation of the removal protocol since it began on October 28, 2021.
2. As part of my responsibilities, I consistently observed and assessed the growing number of encampments in the area of Mass and Cass.
3. In July of 2021, unsheltered individuals began erecting tents in the area known as Mass and Cass. Particularly in the areas of Atkinson Street, Southampton Street, Theodore Glynn Way, and Topeka Street.
4. Over the course of the next several months, over one hundred tents had been erected in this area. During this time, the City did not require anyone to remove a tent. Instead, the

City would conduct three cleanings per week and after the cleaning was over, individuals would put their tent back up in the cleaned area.

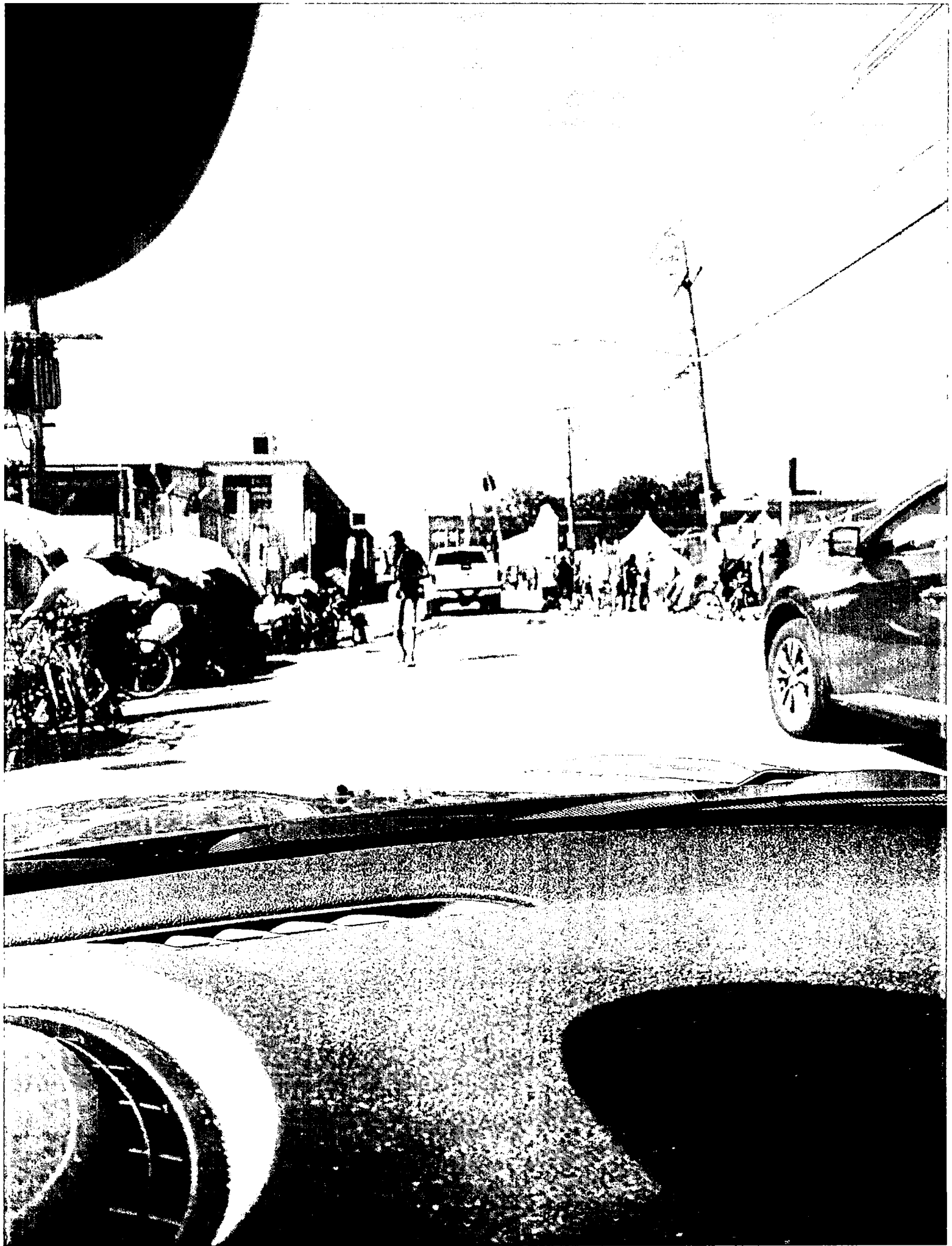
5. During this time, Boston Public Health officials as well as Recovery Team employees would engage in outreach with the unsheltered individuals staying in encampments and offer drug treatment and shelter.
6. In October 2021, myself and others on the Mass and Cass team became increasingly concerned about the increase in violent crime and open air drug sales and use in the area. I received regular updates from Boston Police regarding criminal activity in the area of Mass and Cass.
7. The growing number of encampments have caused significant pedestrian and traffic issues. The encampments on both sides of the sidewalks of Southampton Street--a four lane thoroughfare with heavy tractor trailer and vehicular traffic--were spilling over into lanes of traffic as well as causing pedestrians to walk in lanes of traffic because they could not access the sidewalk. During certain times of the day, the encampments--including bicycles, shopping carriages, coolers, furniture, wheel chairs, and other mobility devices--blocked the outer two lanes of Southampton Street.
8. After a pedestrian fatality in the area of Mass and Cass on October 16, 2021, the individuals experiencing homelessness staying in encampments at the intersection of Theo Glynn Way and Southampton Street posted signs to their tents urging vehicles to slow down and use caution. The Boston Police Department also provided traffic assistance in the area to prevent further pedestrian and motor vehicle accidents during removals.
9. In addition to the public safety issues caused by the encampments, there were also serious public health issues due to the presence of human waste, the sharp increase in the number of rats in the area, needles and syringes, as well as trash.
10. On October 28, 2021, the City noticed the area of 112 Southampton Street for clean up under the City's Encampment Protocol after it received information from the Boston Public Health Commission that an individual experiencing homelessness had contracted Leptospirosis--a disease spread through contact with rat urine.
11. It had been determined that the encampment area at 112 Southampton Street required a rat abatement because of the increasing number of rats in the area which created the risk of spread of Leptospirosis to individuals in the encampments as well as those staying at the shelter at 112 Southampton Street.
12. Between October 28, 2021, and November 1, 2021, the individuals staying in the noticed removal area were alerted of the rodent infestation and scheduled clean up. Individuals were offered shelter, home placement, or drug treatment. Individuals who refused these services were allowed to leave with their belongings. Several people moved to other areas of Mass and Cass which had not been noticed for removal yet.

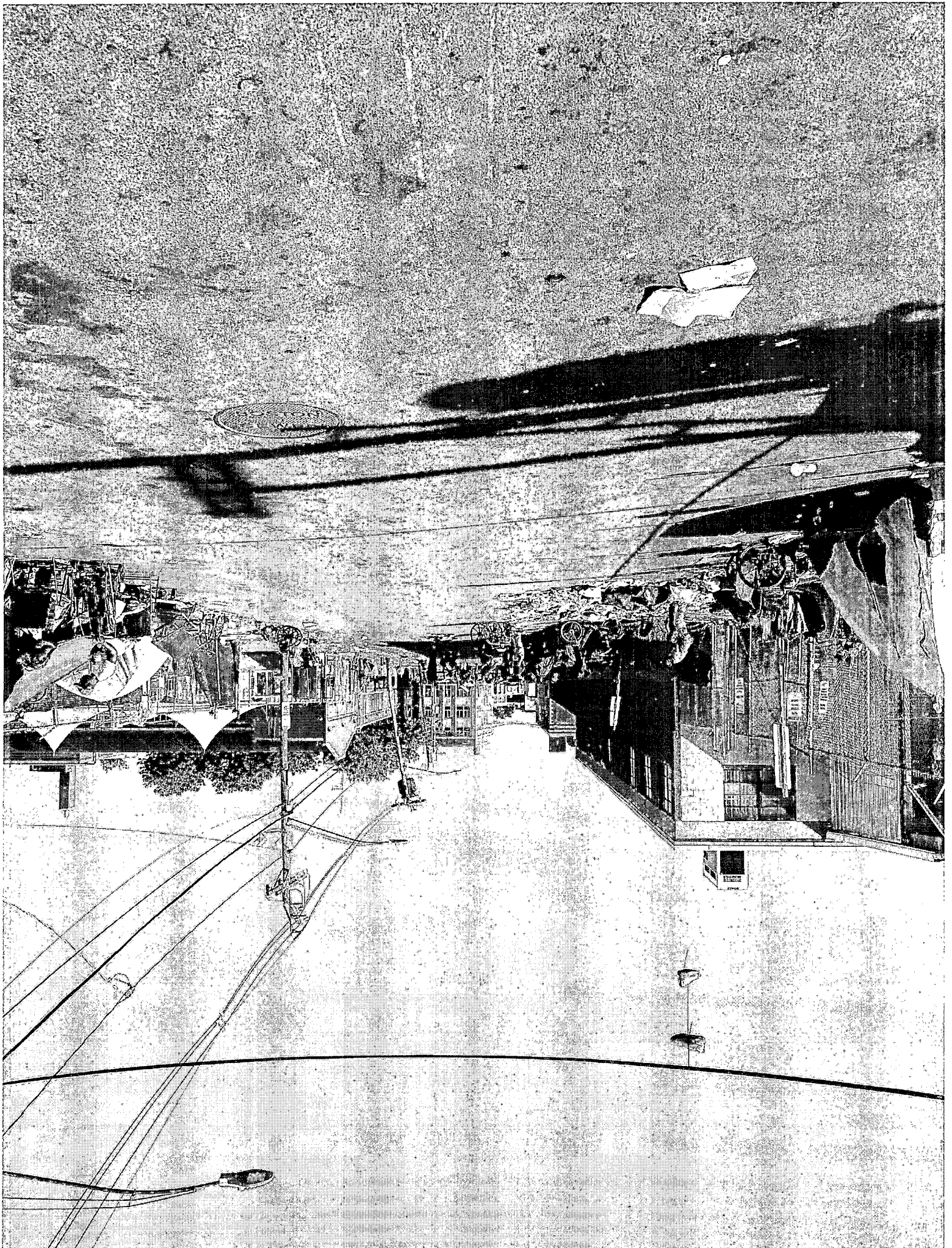
13. The encampment removal at the site of 112 Southampton Street resulted in the removal of 30 rats the first day and over the course of the three-day abatement, over 40 lbs of rats were removed from the area.
14. During the removal process, signs are posted in both English and Spanish. Signs are placed on the tents and on the poles or fences in the area. In addition to the paper notices, outreach workers also inform individuals in encampments of the scheduled removal date in person.
15. Outreach workers offer shelter, home placement options, or drug treatment, but do not threaten arrest. Outreach workers tell the individuals that they cannot stay on the removal site because it is not safe for them to stay there.
16. No person has been arrested for moving their belongings to another part of the City. In fact, I have witnessed individuals move their belongings to other encampment areas that have not been scheduled for removal yet.
17. Individuals in encampments are engaged individually and offered family reconnection, storage for their belongings, shelter or drug treatment.
18. If an individual has a question regarding their ability to stay at the shelter, I have observed outreach workers talk to them about barriers for entry such as rules violations or prior bans. Outreach staff will offer other shelters if someone does not want to go to the shelter offered or will work with the shelter to see if the restrictions can be lifted.
19. I am not aware of any individual who has refused congregate care on the basis of a disability. I am also not aware of anyone who was denied an accommodation at a shelter and was required to remove their encampment.
20. If an individual was denied a disability-related accommodation at a shelter or could not access the shelters because of any other restriction, the City would not require them to move their tent.
21. Prior to determining the site for a removal, members of the team determine how many beds are available for shelter and treatment to ensure there are enough beds to offer.
22. If there were no shelter or treatment beds available, the City would not proceed with a removal.
23. The City tries to give 72 hours notice but sometimes it is 48 hours. The City has never given less than 48 hours and has never implemented the immediate removal protocol.
24. I have personally received a call that was forwarded to me from a BPHC employee who oversees the storage program that was from a lawyer purporting to represent individuals at the encampments regarding storage questions.

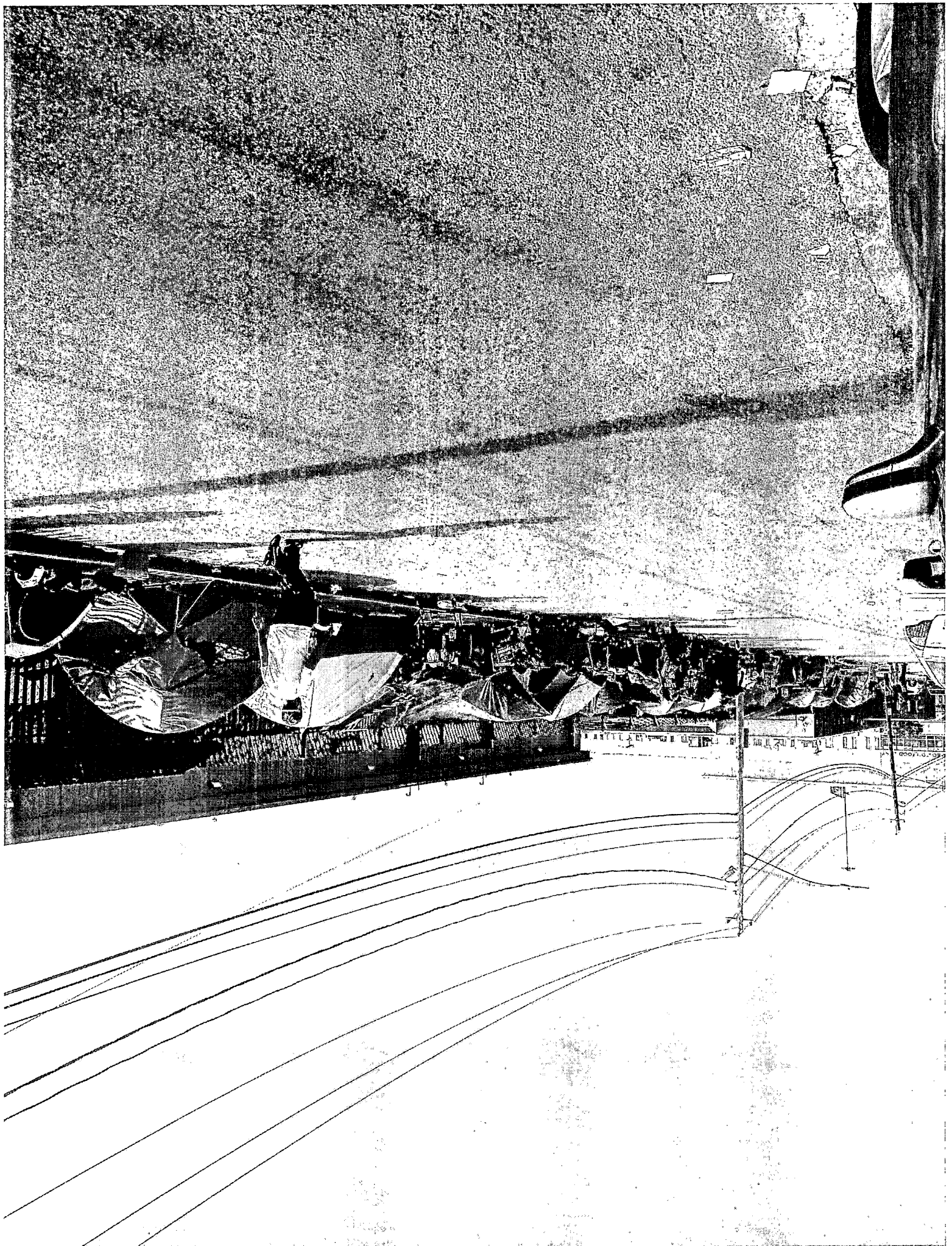
25. On the day of the removal, storage bins are brought by vans and given to individuals who have an encampment in the site that is scheduled for removal. Individuals are given more than one bin and at least in one instance, I have observed an individual be provided with four bins.
26. The removal process begins at 6:00 AM and lasts all day. Individuals in encampments at the removal site are given time to pack up their belongings, they are offered shelters or drug treatment that is available.
27. During removal, I have observed outreach workers ask if any unattended tents and property belong to anyone. If the tent is abandoned, outreach workers will store items that appear to be of value like personal papers and other valuable items. Other items, such as trash and wet and/or abandoned bedding is disposed of because of the health risks such items pose.
28. Every effort is made to store property that appears to be of value. Trash is then swept into the street and picked up by DPW packers. The volume of trash in the area has been so large, the City has had to utilize a front loader to remove it.
29. The attached photographs are true and accurate. They were taken by me of the encampment areas at Mass and Cass between July 1, 2021, and November 12, 2021.

Signed under the pains and penalties of perjury this 16th Day of November, 2021

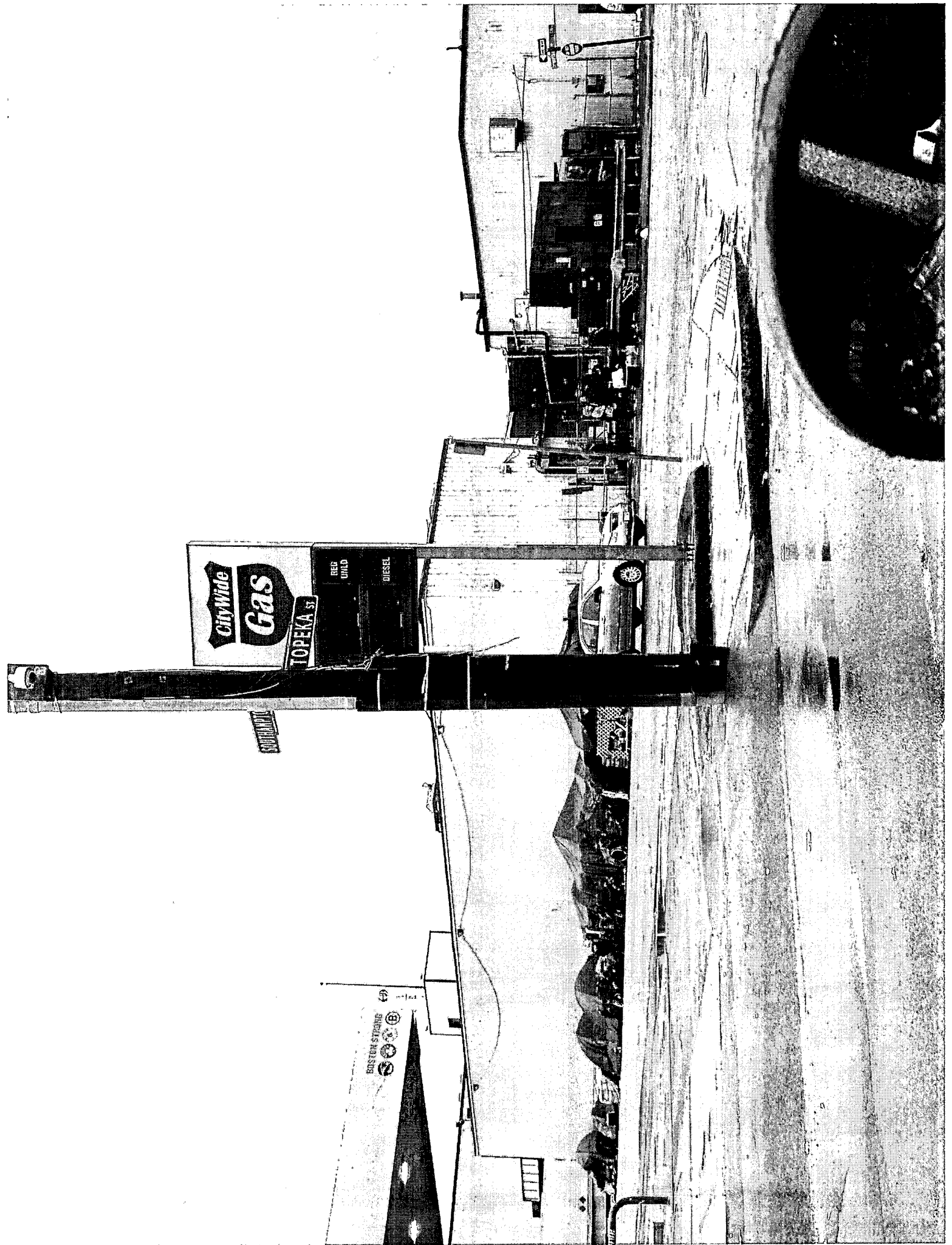
/s/ Kim Thai
Kim Thai











CityWide Gas

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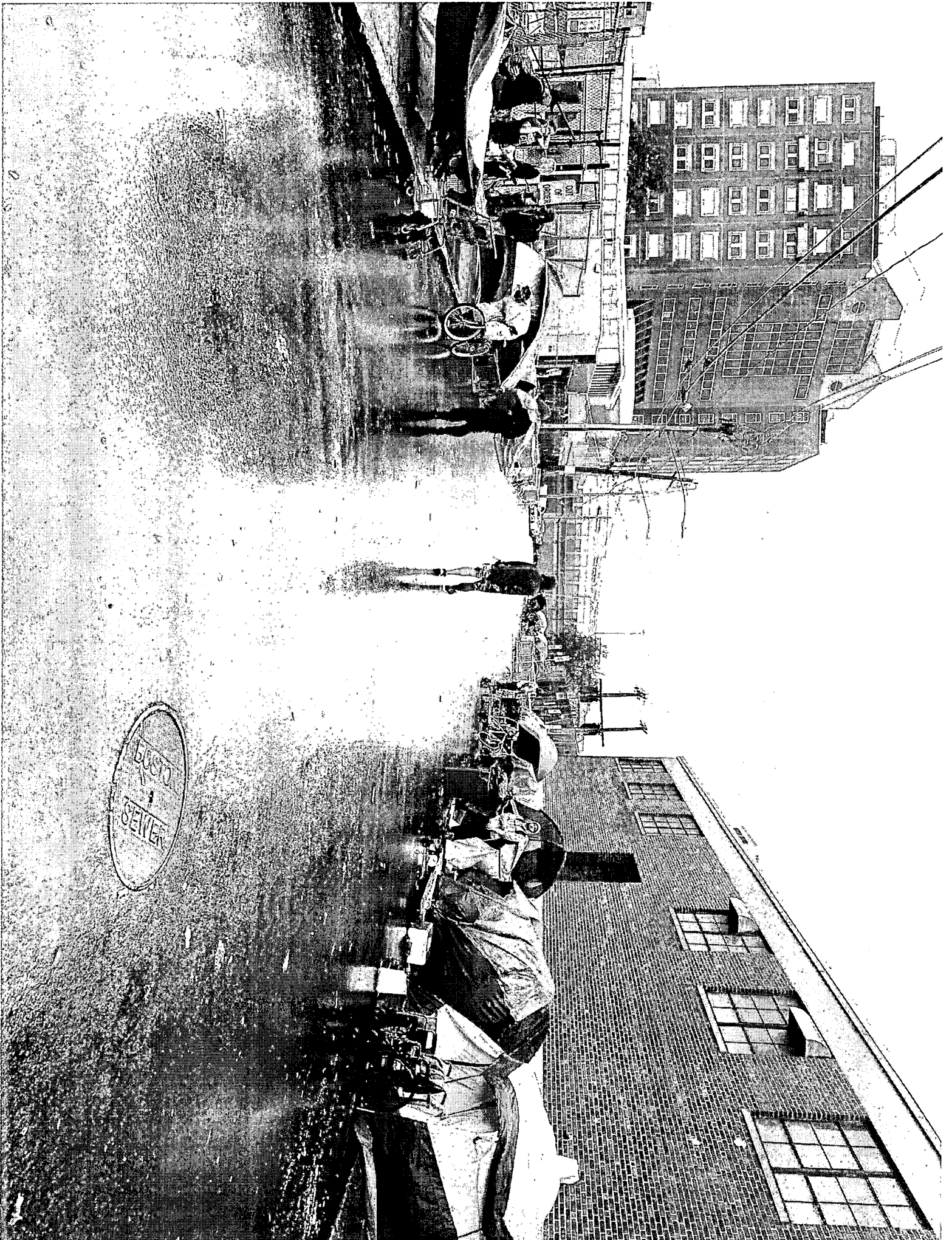
BOSTON STRONG



SUFFOLK COUNTY COURSE OF HOUSE CTN CORRECTION NEXT RIGHT

NO STOPPING AND PARKING IN THIS ZONE

SON ST



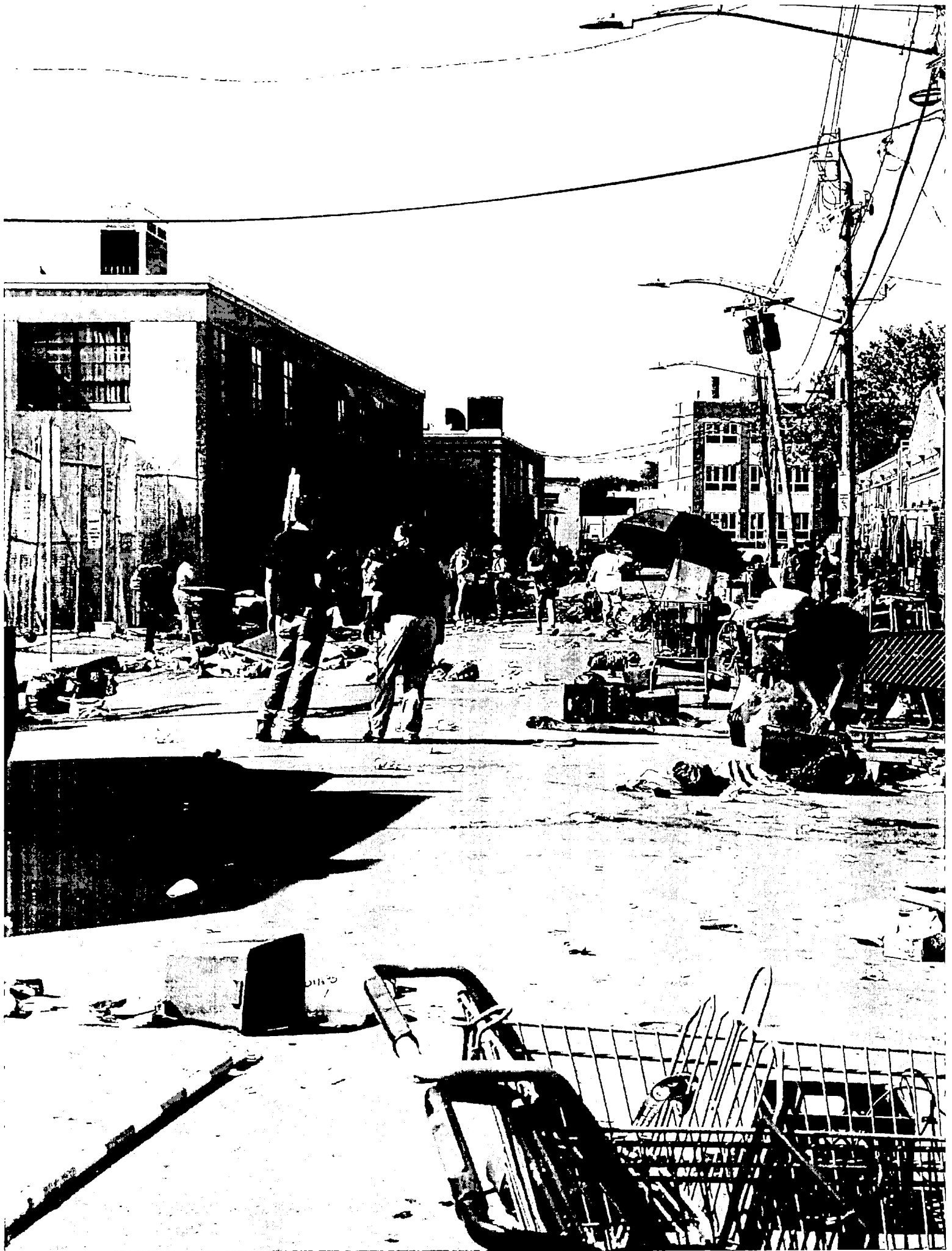


Exhibit P

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
Civil Action No. 2184CV02609

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.

**SECOND AFFIDAVIT OF DEVIN LARKIN, DIRECTOR, BUREAU OF RECOVERY
SERVICES THE BOSTON PUBLIC HEALTH COMMISSION**

1. My name is Devin Larkin and I am the director of the Boston Public Health Commission’s Bureau of Recovery Services.
2. I have worked for the Boston Public Health Commission for a combined 11 years.
3. The Mayor’s Office of Recovery Services and the Boston Public Health Commission’s Bureau of Recovery Services are strategically integrated under the banner of Recovery Services to provide a unified approach to substance use advocacy, prevention, treatment and recovery, and to elevate substance use as a priority issue for the City of Boston.
4. As mentioned in my First Affidavit, Recovery Services provides advocacy, prevention, treatment, and recovery services for residents impacted by substance use disorders via a gambit of resources.
5. All Recovery Services programming remained open and operational throughout the COVID-19 pandemic.

6. During this time, we served 5,058 unique participants and reported 1,416 reversals at a time when there was an increase in overdose rates.
7. Our staff members have long term and meaningful relationships with the individuals they serve in and around Boston, specifically those individuals experiencing homelessness.
8. The range of our services goes from providing substance use support and treatment, to crisis management which could include coordination of medical care, behavioral issues, and so on.
9. With expanded funding for our Street Outreach Team, we increased outreach in the area surrounding the Commission shelter located on 112 Southampton street, more commonly referred to as "Mass and Cass.
10. The Street Outreach Team is composed of a total of 16 members. During any time on a thirteen-hour day, 4 members of the team are on the street engaging with individuals. The team includes trained Recovery Coaches and people with lived experience in homelessness and recovery, and 4 members of the team speak Spanish. The team partners with medical and housing agencies which are staffed by nurses, social workers, and medical doctors.
11. Since October 19, 2021, our Street Outreach Team has engaged with individuals who have been served with a notice to move by the Inspectional Services Department.
12. The Street Outreach Team conducts outreach daily from 6am to 7pm. Engagement includes conducting safety checks, transporting individuals directly to recovery services, housing services, or to their family, referring individuals to medical care, providing harm reduction supplies, responding to overdoses in the area, collecting syringes, coordinating with homeless shelters. Recent outreach in advance of encampment removal efforts included:
 - a. Outreach from 10/29 - 11/1/2021 notified individuals and offered services ahead of the 11/1 encampment removal.
 - b. Outreach from 11/1-11/3 notified individuals and offered services to individuals ahead of the 11/3 encampment removal.
 - c. Outreach from 11/3-11/5 notified individuals and offered services to individuals ahead of the 11/5 encampment removal.
13. Shelter and housing placement outcomes related to these efforts include:
 - a. In conjunction with Homeless Services, 39 individuals agreed to move into a bed in shelter.
 - b. Recovery Services placed 33 individuals from Mass & Cass in residential treatment program settings from 10/25-10/31.

- c. Recovery Services placed 32 individuals from Mass & Cass in residential treatment program settings from 11/1-11/5.
 - d. Recovery Services placed 60 individuals from Mass & Cass in residential treatment program settings from 11/8-11/12
 - e. 16 individuals from the Mass & Cass area were moved into housing from 10/25-11/12 through Recovery Services partnership with housing providers working on street. 12 of these individuals were placed in permanent housing.
14. On November 7, 2021, BPHC counted 82 tents and 248 individuals in tents in the area
15. On November 14, 2021, BPHC counted 71 tents and 229 individuals in tents in the area.
16. Outreach staff are not instructed to make any threat of arrest or detention. No arrests have been made in connection with recovery services outreach efforts conducted since October 19th, 2021.
17. Presence of Boston Police Department vehicles and personnel on the scene is necessitated for protection of our staff, the general public, and the individuals being served from street traffic, rather than to arrest or threaten anyone with arrest.

/s/ Devin Larkin
Devin Larkin, MSW, MPH, LICSW
Director, Bureau of Recovery Services
Boston Public Health Commission

Exhibit Q

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT

Civil Action No. 2184CV02609

_____)
Ronald Geddes, AC, and RAR, each on)
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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.)
_____)

**SECOND 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” or “BPHC”); in this capacity I oversee the Commission’s Homeless Services Bureau (“HSB”).
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 from 2017 to 2019, which operates the 112 Southampton Street emergency shelter serving men and the Woods Mullen at shelter located at 794 Massachusetts Avenue serving women.
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's 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. HSB staff is trained on these policies and on how to accommodate guests who present with requests for accommodations (including mental health related requests).
 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. During the COVID-19 pandemic, the shelters have implemented COVID protocols that met all directives from the Commonwealth and ensured continued operation throughout the pandemic, including: operating additional facilities to permit the de-densification of BPHC shelters. We also housed 300 individuals during the pandemic.

18. The Commission has declared amnesty for its two shelters, meaning that individuals who have been restricted from the shelter for violations of shelter policy are allowed to return, with the exception of restrictions for certain serious incidents. This amnesty has been communicated with provider partners.
19. 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.
20. No individual is encouraged to move by HSB staff from the encampments until they have been offered a bed in either of the Commission shelters, other shelters, or a connection to appropriate housing or treatment services has been made.
21. Since October 19, 2021 neither of the Commission shelters have reached capacity, which means there are still available beds for use by individuals moved.
22. Bilingual HSB staff are currently engaging individuals who have received notices for moving about shelter and housing needs and are helping them create a plan of action in light of their move. In order to enable individuals to make an informed decision about moving into shelters HSB staff is conducting tours of Southampton Street Shelter and Woods Mullen Shelter with the individuals. Triage staff are assisting with any family reunifications and transportation requests.
23. On a temporary basis (up to 90 days) staff are offering storage bins (up to 4 bins) to individuals regardless of whether the individuals are moving into the shelter or not.
24. A Request for Proposals has been issued to identify a vendor who can operate a more permanent property storage system and provide supportive employment for this population.
25. Behavioral Health staff are working with Department of Mental Health-eligible individuals about shelter and housing.
26. Housing staff are conducting assessments, taking individuals to view units, and helping with needed paperwork.
27. Per HSB policy if an individual has a reasonable accommodation request, the request is taken by a staff member and evaluated on a case by case basis.
28. Since October 19, 2021, HSB has not received any reasonable accommodation requests by individuals who were moved from the encampment areas.
29. Multiple shelters in the City of Boston including Pine Street Inn and St. Francis House are working together with HSB in order to accommodate individuals relocating from the encampments. For example, Pine Street Inn has set aside beds specifically for these individuals.
30. 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, generally makes placement in housing of any kind challenging.
31. 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 14, 2021, Homeless Services Bureau Housing Unit staff had 63 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.

32. During this same period, the broader Commission and partner agency outreach efforts have resulted in 39 individuals agreeing to move into shelter, 126 individuals being placed into treatment programs, and 16 individuals being placed into transitional and permanent housing, the majority of which were permanent housing placements.
33. 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.
34. 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.
35. Pest management experts have underscored that the food and waste available on the sidewalks and street from the Encampments in the areas surrounding the 112 Southampton Street Shelter are the primary cause an infestation of rodents that has required significant expenditures and interventions to remediate the infectious disease threat presented by rodents. 93 dead rodents were removed from this area between November 8 and November 15.
36. The Commission's Infectious Disease Bureau investigated a serious case of the disease leptospirosis in an individual experiencing homelessness in Boston, which a human can contract through direct contact with urine from infected animals, mainly rats, or through water, soil, or food contaminated with their urine.

Signed under the pains and penalties of perjury this 16th day of November, 2021.

/s/ Gerry Thomas

Gerry Thomas, MPH
Interim Deputy Director
Boston Public Health Commission

Exhibit R

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2184CV2609

RONALD GEDDES, AC, and RAR, each on their
own behalf and on behalf of a class of similarly
situated individuals,

Plaintiffs,

vs.

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
individual; and Bisola Ojikutu, in her capacity as
Executive Director of the Boston Public Health
Commission and individually,

Defendants.

AFFIDAVIT OF JOSEPH SHEA

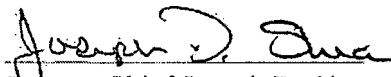
1. I am currently a Deputy Chief with the Boston Fire Department and have been in such a role for the past 6 months.
2. I am currently the Fire Marshal in charge of the Fire Prevention Division for the Boston Fire Department.
3. I have been with the Fire Department for 26 years. I am a trained and certified EMT and have responded to countless medical calls including calls for overdoses. Based on my experience, I am able to detect when an individual is under the influence of substances.
4. I am familiar with the encampment known as Mass and Cass, since I drive through it on a daily basis to get to and from work. I drive through this area many times a day in the performance of my duties, but it was not until I walked the area on foot (at the request of

Commissioner Dempsey) that I realized just how serious and disturbing this situation has become. Each day the problem has progressively deteriorated.

5. I witnessed a young female rape victim laying in the gutter in the fetal position. She was being attended to by (2) female social workers and being persuaded (with no success) to go to the emergency room. This victim was undoubtedly under the influence of narcotics and in no condition to make decisions for herself. She should have been transported to a hospital and had her physical and emotional needs tended to.
6. I have witnessed numerous incidents of public sex, prostitution and solicitation.
7. Blatant drug dealing and drug use open to public view.
8. Human feces, plastic bottles of urine, discarded syringes and trash left on the sidewalk for the public to navigate on their way to and from work.
9. I have observed many Fire Safety issues as well that greatly concern me. These issues are as follows:
 - a. Propane grills and heaters are currently being used in and around the tents. This will become more prevalent as the temperature drops.
 - b. The use of open flame within the tents (ie, matches, candles, cigarettes etc).
 - c. The storing of scooters, mopeds etc. containing gasoline within the tents.
 - d. I observed evidence of a lithium ion battery "jerry-rigged" to energize a fan and other electrical equipment. Lithium ion batteries have been known to produce carbon monoxide and off-gas hazardous hydrogen gas. Damaged, defective or overcharged lithium ion batteries have also been known to result in thermal runaway, which is a very hot burning fire that is extremely difficult to extinguish. The only effective way to deal with these fires (depending on the size of the battery) is to dump large quantities of water for long periods of time onto the fire.
 - e. The tents themselves have not been tested for a flammability rating and have been erected without firebreaks so that a fire in one tent will travel unimpeded the length of the block.
 - f. The tents also pose a risk of carbon monoxide poisoning if an individual has a heating device inside and the carbon monoxide cannot escape.
 - g. The fire department has responded to 3-4 fires involving the tents within the last few months. At least 2 have been classified as arson.
10. At least one murder (but possibly more) has been committed on fire department property on Southampton Street.

11. Department employees have been assaulted and harassed on their way to and from work.
12. Personal cars have been broken into, vandalized, defecated/urinated on.
13. A large portion of the encampment has moved/migrated toward Newmarket Street. This is a high traffic area for trucks and eighteen wheelers that have to navigate the encampment occupants running in front of and behind their vehicles. It is just a matter of time before someone gets hit.

Signed under the pains and penalties of perjury this 16th Day of November, 2021



Deputy Chief Joseph D. Shea

Fire Marshal

Boston Fire Department

1010 Mass Ave., Boston MA. 02118

617/343-2173

Exhibit S

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2184CV2609

RONALD GEDDES, AC, and RAR, each on their
own behalf and on behalf of a class of similarly
situated individuals,

Plaintiffs,

vs.

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
individual; and Bisola Ojikutu, in her capacity as
Executive Director of the Boston Public Health
Commission and individually,

Defendants.

AFFIDAVIT OF JOHN E. MEANEY

I, John E. Meaney, do depose and state as follows:

1. I am currently employed as a consultant by the Boston Public Health Commission and I am assigned to work with the City of Boston Inspectional Services Department's Investigations and Enforcement Team. I have been employed in this capacity for three years. Prior to this, I worked with the Inspectional Services Department's Environmental Sanitation Division and performed rodent inspections and abatement for over 15 years.
2. As a member of the City of Boston Inspectional Services Department's Investigations and Enforcement Team, I conducted inspections for rodent infestation in the area known as the Mass and Cass

homeless encampment in the vicinity of 112 Southamton Street and Atkinson Streets in Boston, Massachusetts on October 14, 2021 and October 29, 2021.

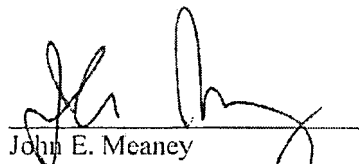
3. On October 29, 2021, I personally inspected and photographed the area known as the Mass and Cass homeless encampment in the vicinity of 112 Southamton Street and Atkinson Street observed numerous tents, trash and debris, stagnant water, rat burrows in close proximity to the tents and other extremely unsanitary conditions.

4. As a result these extremely unsanitary conditions and evidence of severe rodent infestation in the vicinity of 112 Southamton Street, members of the Inspectional Service Department and the Boston Public Health Commission directed the removal of the tents, debris and trash and the implementation of rat abatement measures, including trapping, baiting and dusting by Ecologic Entomology, the pest control company hired by the Boston Public Health Commission under and an emergency contract.

5. Upon information and belief, Ecologic Entomology has been baiting and trapping 3 times per week and submitting Integrated Pest Management Reports to the Boston Public Health Commission since on or before November 2, 2021.

6. Attached hereto as Exhibit A, are true and accurate copies of photographs of the conditions that I observed on October 29, 2021.

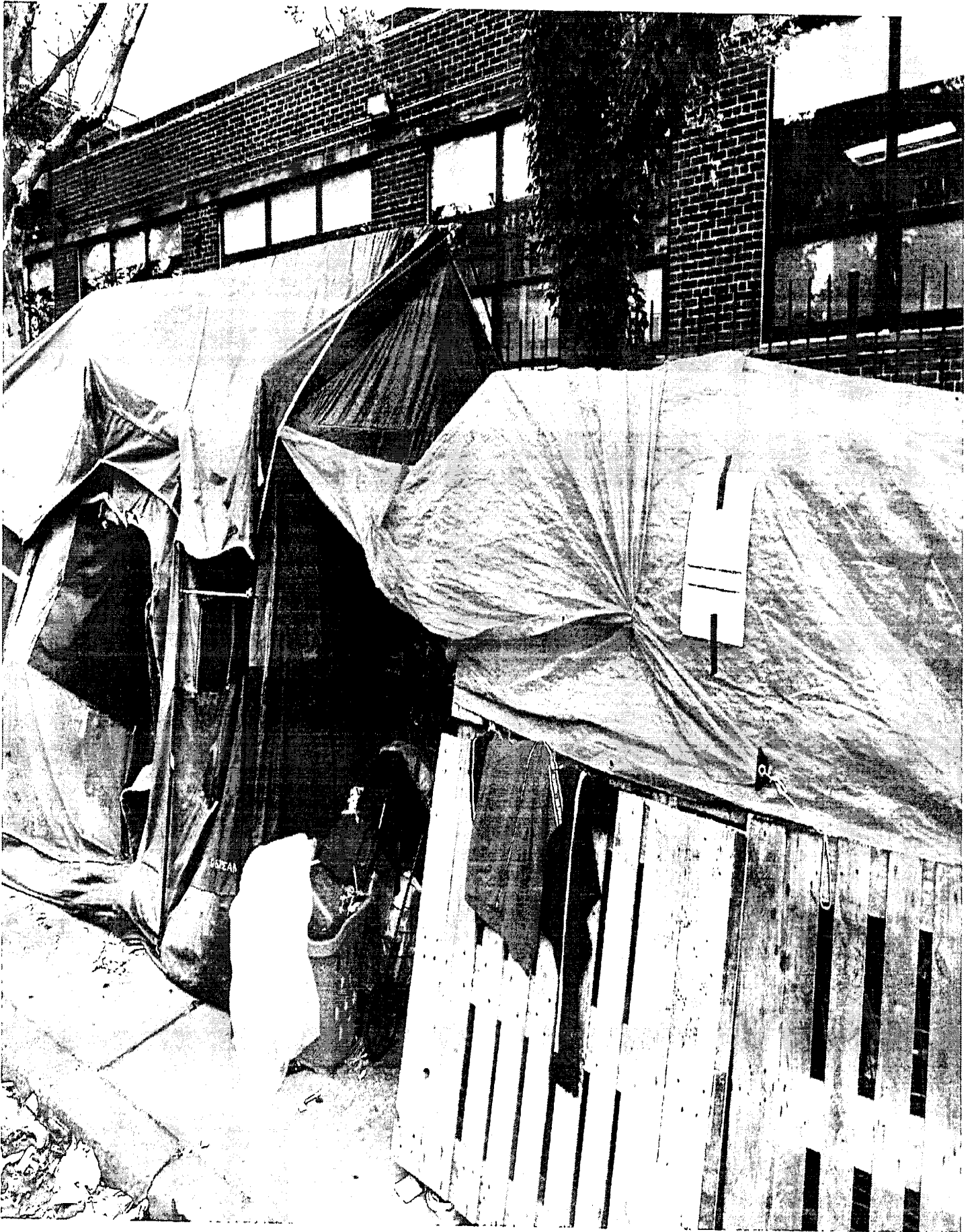
Signed under the pains and penalties of perjury this 16th Day of November, 2021.



John E. Meaney
Investigations and Enforcement Team
Boston Inspectional Services Department

Exhibit A











NOTICE

THE CITY OF BOSTON WILL CONDUCT A CLEANUP OF THIS PUBLIC SPACE
ALL ITEMS MUST BE REMOVED FROM THE SPACE BY 6:00AM AT THE ABOVE
LOCATION.
THE CLEANUP IS SCHEDULED TO TAKE PLACE Monday, November 1, 2021 AT
8AM.
THE CITY WILL DISPOSSE OF ALL PROPERTY REMAINING AT THE CLEANUP
TIME.

Help is available.

- STORAGE** Free storage of property is available to any individual at the clean-up site who lacks permanent shelter. Storage is available for 90 days. Stored items must be safe to store and must fit inside a 27-gallon container.
- On the morning of a scheduled clean-up, the City will be on site at least 30 minutes beforehand to provide at least one storage container. If you would like to request a container or to store your property in advance, please contact the City at (617) 534-7000 or request storage at the 112 Shelter or Engagement Center.
- You - or an authorized representative - may pick up stored property within 90 days from the date of storage by contacting the City at (617) 534-2333. You will be able to establish proof of ownership by among other methods, describing the location and time the personal property was stored or transported and by providing a detailed and accurate description of the stored items. Free permanent housing may request the delivery of stored items. Additionally, individuals moving into

SHELTER

You can access shelter tonight at
 Southhampton Shelter
 Woods Shellen Shelter

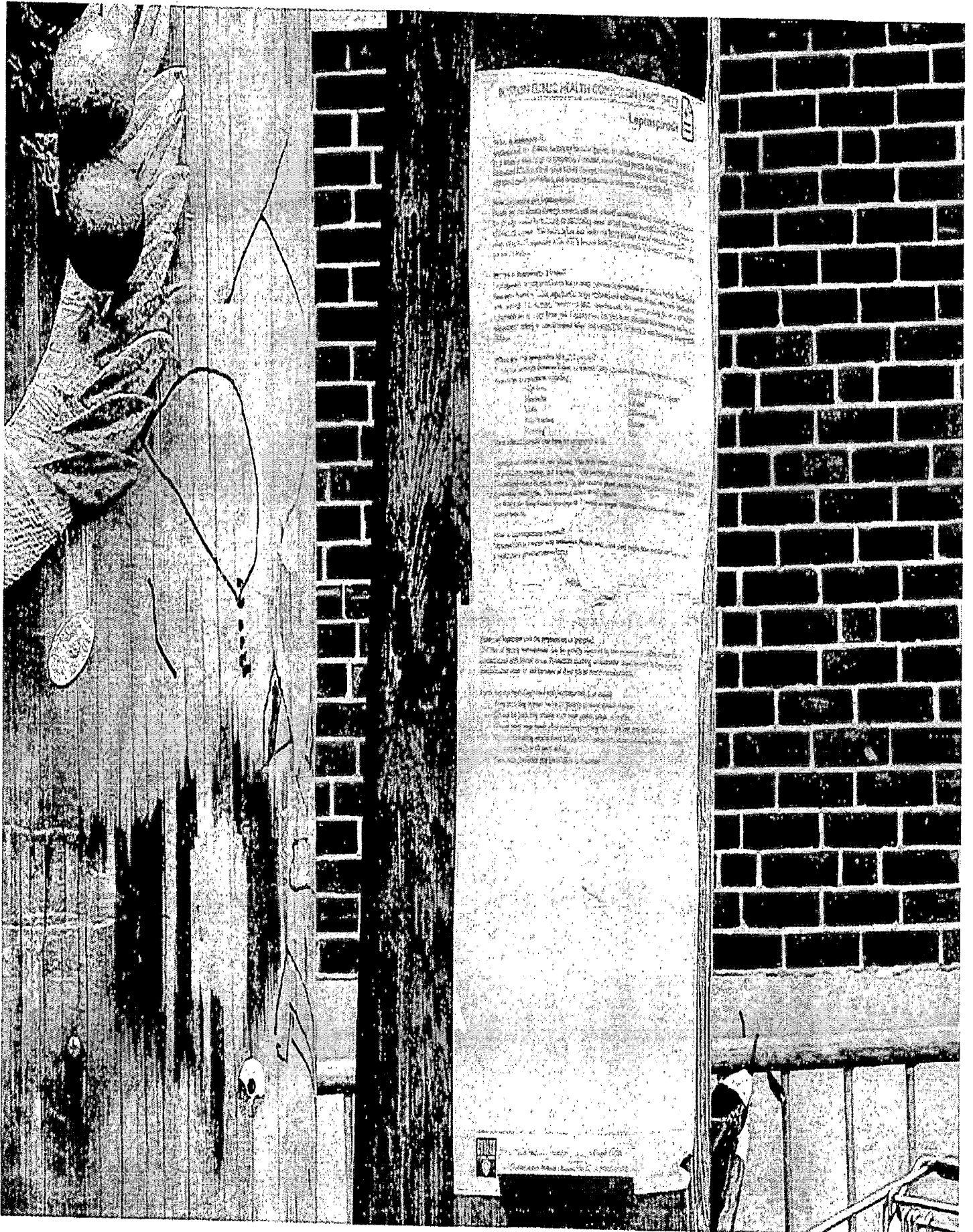
Name	Service	Location	Phone number
Southhampton Shelter	Overnight shelter (assigned)	112 Southhampton Street Boston, MA 02118	617-534-0100
Woods Shellen Shelter	Overnight shelter	591 Massachusetts Ave Boston, MA 02118	617-534-7000

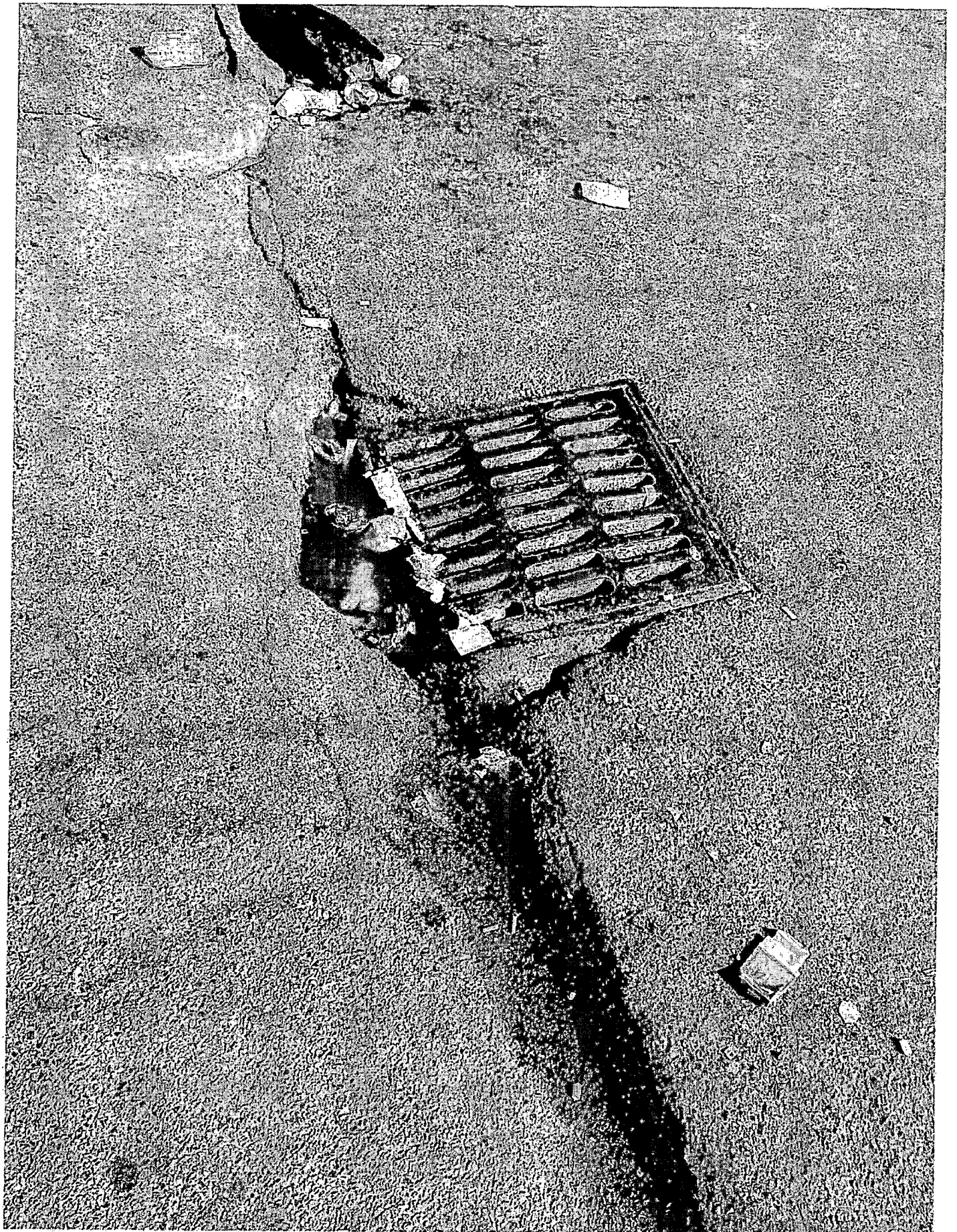
RECOVERY SERVICES

You can access substance use services by contacting
 PAATHS
 AHOPF
 PACAGE

Name	Service	Location	Phone number
PAATHS	Referrals to and information about all levels of substance use disorder treatment	774 Albany St Boston, MA 02118 Mon - Fri 9:00AM to 6:00PM Sat - Sun 9:00AM to 1:00PM	617-534-2916
AHOPF	Comprehensive drug and health supplies referral in a 6 weeks	774 Albany St Boston, MA 02118 Mobile sites: North Sq - Downtown Mon - Fri 7:00AM to 6:00PM	617-534-3038
PACAGE	Pay center providing social connection, medical care & referral to services	112 Southhampton St Shelter 112 Southhampton Boston MA 02118 Daily 7:00AM to 7:00PM	617-534-3038

ended on 10/29/21 at least 48 hours from the date of clean up.



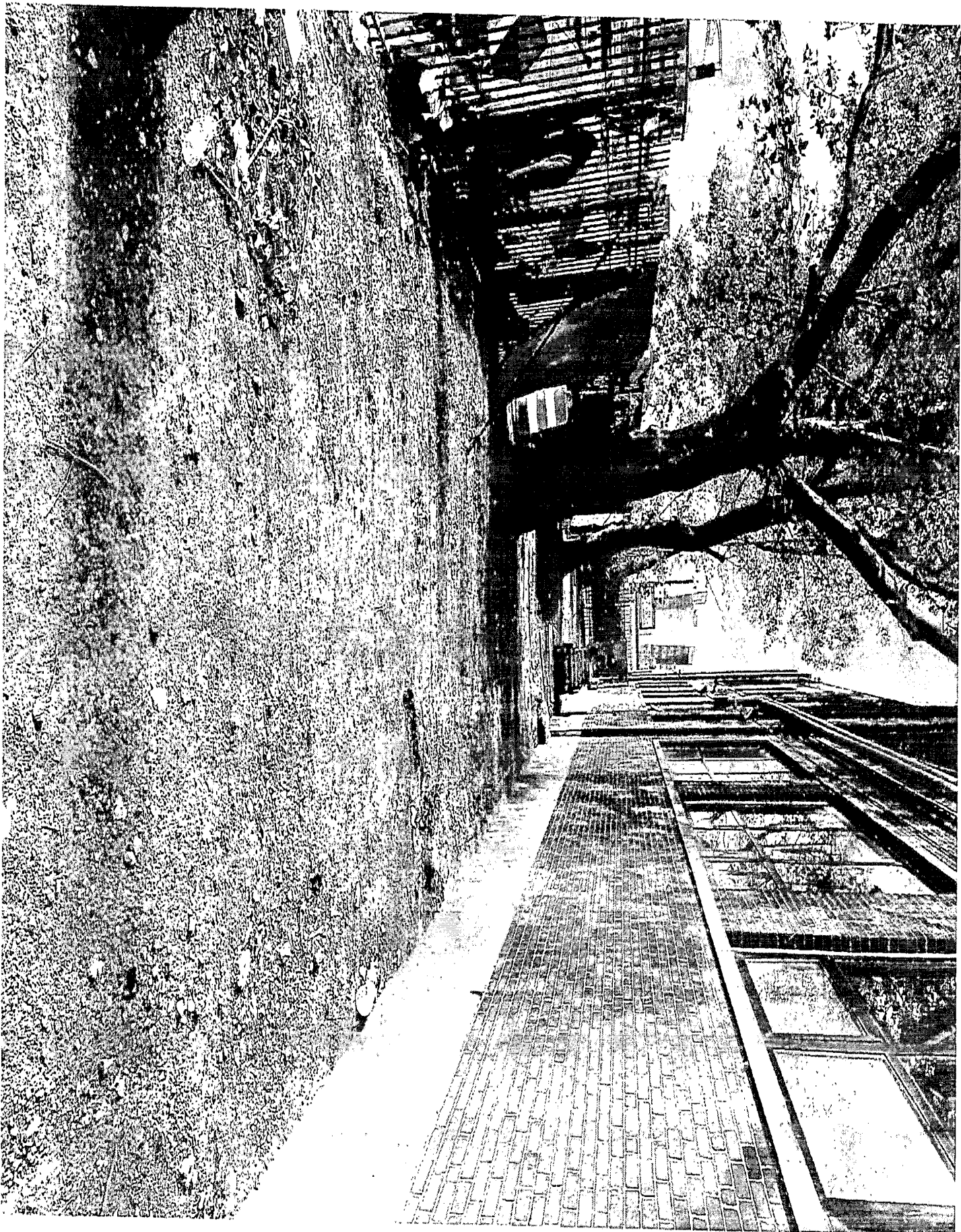




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Exhibit T

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
Civil Action No. 2184CV02609

_____)
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 LEON BETHUNE

1. I am presently the Director of Community Initiatives Bureau at the Boston Public Health Commission (“Commission” or “BPHC”).
2. I have been employed with the Commission for 26 years.
3. On 10/20/2021 the BPHC team Raul Gonzalez, John Meaney, Mario Chaparro, Ayubur Rahman, Julien Farland, Ben Williams and I met with Ecologic Entomology pest management company for a walk-through of the engagement center and 112 shelter to assess rodent activity throughout the area.
4. We observed a high-level population of rats, identified an uncapped sewer pipe that requires closure as rats are entering the crawlspace via this open pipe from the city sewer system.
5. While we were onsite, the City of Boston Inspectional Services Department performed a smoke test in sewer manholes adjacent to the shelter. Smoke penetrated the crawl space from beneath the foundation walls on the Atkinson Street side of the building, near the trash compactor area.
6. A small fenced-in area, to the left of the gated entrance at the rear of the property, has a lot of trash debris that should be removed as soon as possible.
7. Outside of the Engagement Center tent, to the right of the main entrance, there’s was constant large puddle of water from a hose that was running from the portable shower.
8. After the initial assessment, Ecologic Entomology started treatment. Highlights from their reports follow:

- a. 11-4-2021: Ecologic Entomology started to perform their initial treatment and set up control for the abatement of rodent at 112 Southampton St., the including the surrounding area including the engagement center.
 - b. 11-8-2021: Ecologic Entomology, for a service call, removed 40 pounds of rats from the area, the majority of the rats were found on the street side of the shelter building. See report.
 - c. 11-10-2021: Ecologic Entomology, service call removed more rats 29 from 112 shelter.
 - d. 11-12-2021: Ecologic Entomology, performed another service call, Removed 14 rats.
 - e. 11-15-2021: Ecologic Entomology removed nine rats, rechecked bait stations. Found our trash compactors had lots of trash and food waste around the grounds. See report.
9. The location of the infestation and my knowledge of pest management strongly suggest that the infestation in this area is associated with encampments. It appears that the removal of encampments around the perimeter of the 112 Southampton Street shelter necessitated by these infestations has aided our efforts to bring the infestation under control.
10. As a result, the rodent population is being decreased around the Southampton area. We will continue to bait and trap as many rats as possible in that area. Ecologic Entomology is on contract and will continue to work for the next two months to rid rat population in that area.

/s/ Leon Bethune

Leon Bethune

Director,

Community Initiatives Bureau

Boston Public Health Commission