

AFFIDAVIT OF BENJAMIN PITTA

I, Benjamin Pitta, state that the following is a true and accurate statement to the best of my knowledge and belief:

1. I am a third-year law student at Northeastern University School of Law and a member of the Massachusetts chapter of the National Lawyers Guild (NLG). The NLG's mission is to unite the legal community with organizers and activists in the service of the people, to the end that human rights shall be regarded as more sacred than property interests.
2. The National Lawyers Guild—Massachusetts Chapter conducts a variety of public interest legal programs, including a Legal Observers® Program.
3. The Legal Observers® Program is part of a comprehensive system of legal support by the NLG Mass Defense Committee designed to enable people to express their political views as fully as possible without unconstitutional disruption or interference by the police and with the fewest possible consequences from the criminal justice system.
4. Legal Observers® are trained and supervised by National Lawyers Guild—Massachusetts Chapter volunteer attorneys.
5. Legal Observers® are typically, but not exclusively, law students, legal workers and lawyers who volunteer for the role.
6. The Legal Observers® volunteer to be present to monitor political rallies, demonstrations, and marches. They are trained not to interfere with police activity during these events.
7. The Legal Observers® have been present at hundreds of political demonstrations and protests in Boston for at least the last 25 years.
8. This Affidavit is based on my personal observations and experiences.
9. I was trained as a legal observer by attorney members of NLG Massachusetts in the fall of 2019.
10. On Monday, November 1, 2021, I went to Southampton Street in the area near the intersections with Atkinson Street and Bradston Street for the purpose of legal observing during the planned evictions of unhoused people living in tents on the North Side of Southampton Street between Atkinson Street and the Prime Storage. I arrived at approximately 7:45am and departed the area at approximately 2:15pm.
11. At approximately 8:00am I spoke with an individual who lives in the encampment at Southampton and Atkinson. The individual stated that their belongings were thrown in a dumpster the week prior by Boston Public Health Commission (BPHC) employees. They also stated that BPHC employees were paying unhoused people to remove the tents and throw away people's belongings. During my conversation, an individual from the Boston Public Health Commission Engagement Center, walked up to us and began to refute the claim that he was paying unhoused individuals in the area to clear people's tents and belongings. He stated that he was paying people to "clean the streets."
12. Shortly after I spoke with the individual from the BPHC Engagement Center, I heard other BPHC employees speaking to each other in a joking tone stating "they're all about to get arrested" referring to unhoused individuals who had their tents set up on the area of Southampton street between Atkinson Street and the Prime Storage Center.

13. At 8:35am, a white van belonging to BPHC pulled up at the intersection of Atkinson and Southampton Street. BPHC employees began walking up to tents and notifying individuals to start packing their belongings. Around 3-4 BPHC employees would approach a single tent at a time. I also heard BPHC employees notified individuals living on Southampton Street in between Atkinson Street and the Prime Storage Center that they will only be storing belongings for people who agree to come into the shelters. They also began passing out black plastic bins for individuals to deposit their belongings into.
14. Around the same time, BPHC employees were standing and watching while unhoused individuals packed up their belongings into bins.
15. At 8:42am, a Boston Police Department (BPD) car with its flashing lights on pulled into the right lane of Southampton Street at the corner of Atkinson Street.
16. At 9:35am two additional Boston Police Department Cruisers arrived at the corner of Atkinson and Southampton. Two officers got out of their car and stood in the intersection.
17. At 10:13am there were at least 3 BPHC Police at the Corner of Atkinson and Southampton Street in addition to at least 4 Uniformed Boston Police Department members, including a supervisor, and 3 Boston Police Cruisers.
18. BPHC employees continued to oversee individuals packing their belongings until approximately 12:30p.m. During this same time, BPD and BPHC Police congregated at the intersection of Atkinson and Southampton Street.
19. At 12:30pm, BPHC employees along with the unhoused individuals hired to assist, began dragging tents and belongings that people were unable to pack into the gutter on the edge of the street. This occurred in the area that spans from the door of Southampton Street shelter on Atkinson street to the corner of Atkinson Street and Southampton Street, and continues along Southampton Street until the crosswalk in front of the Southeast Corner of the Southampton Street shelter.
20. At approximately 1:30pm, all tents and belongings had been moved into the gutter on Southampton Street by BPHC employees and unhoused individuals hired to assist helping them. A white Boston Municipal trash truck pulled up and BPHC employees and unhoused individuals began throwing out the tents and other belongings.
21. At 2:14pm all tents and belongings in the area that spans from the door of Southampton Street shelter on Atkinson street, to the corner of Atkinson Street and Southampton Street, and continues along Southampton Street until the crosswalk in front of the Southeast Corner of the Southampton Street Shelter had been put in the trash truck
22. On November 10, 2021 I went to Atkinson street, near the corner of Atkinson Street and Southampton Street for the purpose of legal observing. I arrived at 11:00a.m and departed at 3:48pm.
23. At 12:09pm a BPHC Police Car pulled up and parked in the parking lot on Atkinson Street on the north side of the Southampton Street Shelter.
24. At 2:00pm, I spoke with several unhoused individuals that told me that BPHC had told them that all tents on the west side of Atkinson Street between the parking lot at 75 South Bay Ave and the Northwest Corner of the Southampton Street shelter must be removed on November 10th or they would be thrown away. The individuals stated that they were told they had to leave today or be arrested and that they were to pack up all the belongings that

they could carry and that the rest of their belongings would be thrown out. They stated that they were not provided any bins or other storage options for their belongings, and that they were not offered a place in a shelter or other alternative housing options.

25. At 3:12pm I spoke with two individuals from BPHC recovery services and asked whether there would be any tents cleared today. They stated that to their knowledge, BPHC had decided not to remove tents that day after notifying unhoused individuals that they would be sweeping. The recovery service employees also stated that sweeps are likely to continue the next day, November 11, but that they only receive instructions about exactly where they will be removing tents and property the same morning that they are assigned to complete the removal.

Signed under the pains and penalties of perjury on November 11, 2021.

A handwritten signature in black ink, appearing to read "Benjamin Pitta", written over a horizontal line.

Benjamin Pitta