

Affidavit of Cassie Hurd

1. My name is Cassie Hurd and I am the Executive Director of the Material Aid and Advocacy Program (“MAAP”). MAAP’s mission focuses on providing unhoused members of the Greater Boston community with material aid, access to resources, organizing opportunities, and other support. MAAP also engages in advocacy to address the root causes of homelessness and pervasive poverty that give rise to the needs of individuals who are unhoused.
2. This Affidavit is based on my personal observations and experiences.
3. In my capacity as Executive Director of MAAP, I am—and for several years have been—in regular contact with individuals who are living on the public streets in the area often referred to as Mass and Cass (“the area”). We offer material aid and connections to resources and support that meets their self-identified needs, including access to healthcare, housing, and legal support.
4. Over the past few months, it has become clear from media reports and actions on the ground that the City of Boston, in conjunction with state, local, county and private business partners, is committed to forcing these individuals to leave the homes and community they have created in the area. As a result, I have regularly done outreach in the area, including offering support and observation during “sweeps” – which is how the City in the past has referred to various police actions to force the unhoused out of the area.
5. The recent threats to clear encampments from public streets follow and amplify persistent efforts by the Boston Police Department (“BPD”) and other City employees or their agents to force unhoused individuals to leave the area.
6. In August 2019, BPD and other government actors engaged in the action they offensively called “Operation Clean Sweep.” During this action, BPD officers surrounded people who were on City streets and sidewalks, told them with bullhorns that they were “not free to leave” and demanded they produce identification so that officers could check for outstanding arrest warrants. Those with warrants were arrested and others were then driven from the area, with nowhere else to go. After they predictably moved into other areas of the City, and residents there complained, BPD forced them to return to the area.

7. Recently, more people have constructed makeshift, yet, in many cases, skillfully crafted, temporary shelters on the public sidewalks in the area for shelter, privacy, and sleeping.
8. People have set up temporary housing in an encampment community in the absence of available shelter that meets their needs. For instance, congregate shelters are inaccessible for people with various physical and mental health conditions, including those who use drugs. People who use drugs are not able to bring in harm reduction supplies, certain medications are not allowed, and individuals aren't able to stay with their partners or bring in all their belongings. People are also barred from congregate shelters for various reasons, often without the right to a meaningful or fair process that would allow them to return. Finally, to avoid contracting COVID-19, as recommended by public health experts including the CDC, unhoused people have a desire to protect their own and their loved one's health through greater social distancing than congregate shelters can provide.
9. As public demands for "something to be done" about the "encampments" in the area have increased over recent months, so too have the frequency and impact of City's displacement actions.
10. Smaller strategic "sweeps" conducted by the BPD, the Boston Public Health Commission ("BPHC"), and the Office of Recovery Services ("ORS"), in partnership with the Newmarket Square Business Association began in September 2021. Individuals were forced to abandon their sites and relocate with only what they were able to carry or transport, often losing their property during this rushed process. Belongings that the residents could not be carried away immediately by hand were deemed trash and thrown in dumpsters. Then, contracted workers, under the apparent direction of City employees, quickly put up fencing, and so that no one could return. These displaced individuals were not offered alternative housing options, other than being told they could "go to a shelter."
11. During September and October 2021, the City posted notices on Topeka and Southampton Streets informing people living there that the City would be conducting a "general cleanup" of the public space due to "health, environmental, and sanitary concerns" and that all items would be removed 48 hours later. After the 48 hours expired, City employees—often from the BPHC and ORS, backed up by BPD officers—showed up to oversee and enforce the general cleanup in partnership with the Newmarket Square Business Association. These agents then outsourced the physical cleanup

(including the throwing away of belongings and sweeping of streets) to unhoused people who are not offered proper PPE, putting them at risk of the very health and hygiene risks the City had cited. No alternative housing was offered to these individuals. No means of property storage was offered, at least until October 25, and then only on a very limited basis as discussed more below.

12. Since September 2021, contractors worked in partnership with the City to erect fences on the sidewalks immediately following individuals being displaced. This renders the sidewalks no longer usable either for the displaced individuals or others in similar situations, as well as the general public. Businesses said that people's tents prevented deliveries, yet these fences also obstruct ease of access to loading docks. These fences also mean that there is less space available for people who have been displaced to relocate and remain close to services. This has resulted in people with no other safe place to go being forced into closer spaces. While it is still outside, and therefore safer than indoors for risk of infection, this still makes it harder for people to engage in the social distancing recommended due to COVID-19, particularly for those with underlying health conditions, which many people have.

13. On October 19, the Acting Mayor issued the Executive Order banning tents and encampments in the City of Boston. Since this time, many unhoused community members have expressed concern and panic as to where they can go and their fear of losing access to the only community and systems of support they have to maintain their health and safety. Many have also talked to me to safety plan and strategize about the few options there are. In these conversations, people repeatedly identify that their living situation, in an encampment, is not ideal and they'd prefer housing, but in the absence of housing, living in a tent among a community and not in a congregate shelter is a way to prioritize their health and safety.

14. Since October 19, the pace of the City posting 48 hours' notices and clearing out people's sites has increased. Over the weekend of October 23, notices were posted outside 155 Southamptton Street at Theodore Glynn Way informing residents of a "general cleanup" on Monday, October 25, and stating that all items must be removed by 7am. On October 25, BPHC and ORS, with the BPD across the street and around the corner, began telling individuals they would need to leave.

15. Those who would be displaced were given small (27-gallon) plastic bins in which to store only a few items—which were not allowed to include items that were wet—even though the action occurred in the pouring rain.
16. The scheduled October 26 eviction action outside 112 Southampton Street did not occur because of a Nor'easter. City employees had indicated to me and others that the displacement was for the purpose of enabling rodent extermination, which apparently—unlike destruction of people's only shelter—cannot be done effectively in the rain.
17. On October 28, the City resumed the encampment sweep outside 155 Southampton Street. The remaining items that the affected individuals could not take with them were thrown into garbage trucks by other unhoused individuals who were paid \$30 total for their services either by BPHC employees or the Newmarket Square Business Association.
18. One of the individuals who shared with me that he lost virtually all of his possessions on October 28 was Ronnie Geddes. When he returned soon after the destruction of his site, Ronnie was distraught, and explained to me that he had left early in the morning to get dosed at his methadone clinic, which he had missed on October 25 so that he could stay with his possessions to try to ensure the City did not take them. Ronnie's tent and belongings were taken before he could return and salvage anything besides a hockey stick that he saw a City employee still holding. Another individual who lost much of his property was an individual who goes by the name D.C. At the time of the displacement, neither of these individuals were offered any housing option aside from a shelter." After nearly everything had been cleared, Gerry Thomas, Interim Deputy Director of the Boston Public Health Commission approached Ronnie and said words to the effect of "we may have some SRO [single room occupancy] options, if you come talk to us later we might be able to connect you to." To my knowledge, no actual housing has yet resulted from this offer.
19. On Saturday, October 30, I was again in the area and saw 48 hours' notice signs posted near 112 Southampton Street—the same location that had been scheduled for cleanup but postponed due to rain—scheduled for "cleanup" on Monday, November 1. These notices provided a number to call to arrange for storage, but I was told by someone who called it that the person who answered said they didn't know what the caller was talking about and the location did not provide storage. When I returned a short time after first

seeing some of the notices, I could no longer see many of them, as some seemed to have disintegrated in the pouring rain.

20. I was once again in the area on November 1, from early morning to end of the day to observe what was occurring and to offer support to those who were being targeted. This action was even more intense than the October 25 and October 26 encampment evictions and seemingly aligned with the opening of the new “court” at the Suffolk County House of Correction (“jail/court”). A significant amount of press seemingly contributed to escalating tensions.
21. Large numbers of BPHC employees—including BPHC police officers—were present, along with large numbers of BPD officers. Sue Sullivan of the Newmarket Business Association was present and providing encouragement to the City employees engaged in the action.
22. City employees, along with staff from Pine Street Inn, approached those in approximately 15 different tents or sites in large groups to move people out. The only immediate, alternative housing options that I heard suggested were Pine Street, Woods-Mullen or Southampton Street congregate shelters. Some encampment residents shared they had previously been and still were engaged in a process for finding housing with Eliot Community Human Services.
23. Initially, the BPHC staff offered 27-gallon bins that targeted individuals could potentially use to store a few items, however people were told by City representatives they could only store their belongings if they accessed a shelter. Those who told City representatives that they could not go to the congregate shelters were then told that they also could not store any of their things in the bins or otherwise. Any belongings targeted individuals could not take with them, including tents, were seized and thrown into a trash truck by City workers and unhoused community members who were contracted and compensated to contribute to this “cleanup”.
24. People who agreed to go to congregate shelters waited in vans, while those for whom this was not an option were left in the area without their possessions that had been seized.
25. I have read the statements by City officials in the media that some individuals were linked to apartments on November 1. I spent the entire day in the area, and talked to lots of residents. I heard of no one being given access to an apartment that was available for residency or viewing on the

night of November 1, as opposed to being allowed to start an application process for unspecified housing that might—or might not—be available at some point in the future.

26. Prior to November 2, I had never seen a 48 hours' notice sign posted in any language other than English, even though many residents of the area speak and read only a language other than English. On November 2, I saw for the first time notices posted in both English and Spanish. These notices fail to provide the phone number to call to request storage, the storage site or location, and the times one could access storage.
27. It is hard to overstate the scope of disruption and trauma the City of Boston is imposing on the unhoused residents of Mass and Cass by evicting and sweeping them from their encampments and communities since September 2021. People had their belongings forcibly removed, including shelter. Many people have fled or been pushed elsewhere and are now disconnected from their community and systems of care. Those who remain are seemingly the most medically compromised among the community the City is targeting. People who remain in the Mass and Cass area are the people with the fewest options. They are left with no idea of where to stay at night and the great stress of being targeted and evicted again for trying to find a safe place to sleep.
28. Based on conversations with many people who live in encampments or who are unsheltered in the area, I am confident that if people are offered alternative low-threshold non-congregate shelter that affords them privacy and the opportunity for social distancing—such as hotel or motel rooms—and that do not require abstinence or force them to separate from partners or loved ones that they would access these spaces, especially as the weather grows colder.
29. Absent the offering of alternative low-threshold housing options, public health conditions in the area could be vastly improved with the provision of basic sanitation services. People living in the area need and want better access to 24/7 restrooms, clean water, and trash receptacles with regular pickup. In addition, if more sharps disposal kiosks were sited in the area, many people would use them, instead of discarding needles in public areas. Moreover, people would far prefer to use substances in a private and safe space, and people would opt to use in a private home of their own - just like housed people do.

Signed under the pains and penalties of perjury this 2nd day of November, 2021.

A handwritten signature in black ink, appearing to read 'C. Hurd', written over a horizontal line.

Cassie Hurd