

1 Anthony P. Condotti, City Attorney, SBN 149886

acondotti@abc-law.com

2 Catherine Bronson, Deputy City Attorney, SBN 267527

cbronson@abc-law.com

3 Stephanie M. Duck, Deputy City Attorney, SBN 324429

sduck@abc-law.com

4 ATCHISON, BARISONE & CONDOTTI

A Professional Corporation

5 PO Box 481

6 Santa Cruz, CA 95061

Telephone: (831) 423-8383

7 Facsimile: (831) 576-2269

8 Attorneys for Defendants

CITY OF SANTA CRUZ, MARTIN BERNAL, TONY ELLIOT, and ANDREW MILLS

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN JOSE DIVISION

14 SANTA CRUZ HOMELESS UNION, on
15 behalf of itself and those it represents;
16 SANTA CRUZ FOOD NOT BOMBS;
17 ALICIA AVALOS, HANNAH HEGEL,
CHRIS INGERSOLL and RANDOLPH
18 TOLLEY, on behalf of themselves and
similarly situated homeless persons,

19 Plaintiffs,

20 vs.

21 CITY OF SANTA CRUZ; MARTIN
22 BERNAL, individually and in his official
23 capacity as City Manager for the City of Santa
24 Cruz; TONY ELLIOT, individually and in his
25 capacity as Director of Parks & Recreation for
the City of Santa Cruz; ANDREW MILLS,
individually and in his capacity as Chief of
Police for the City of Santa Cruz,

26 Defendants.

Case No. 5:20-cv-09425-SVK

**DECLARATION OF CHRIS MONTEITH
PROVIDING FURTHER INFORMATION IN
SUPPORT OF DEFENDANTS STATUS
REPORT**

Honorable Magistrate Judge Susan van Keulen

Hearing Date: June 29, 2021

Hearing Time: 11:00 a.m.

1 I, CHRIS MONTEITH, hereby declare as follows:

2 1. I was hired by the City of Santa Cruz to be a “camp steward” for the current Benchlands
3 encampment.

4 2. I am a trained Mental Health Counselor, and I previously directed the City’s River Street
5 Camp. I’ve also held positions at Encompass Health and the Homeless Services Center (now called
6 Housing Matters). I’ve also been a bike store owner, research analyst, an electrician, and a mountain
7 bike guide.

8 3. I was part of the initial transition to a more organized camp at the Benchlands. I helped
9 individuals move into the new camp, and I am currently on-site about 25-30 hours per week. The City
10 also hired another camp steward, Jeremy Leonard, and he is on-site 20-25 hours per week. We tend to
11 overlap for about ten hours per week.

12 4. I can attest to the fact that every person who occupied our original 128 designated spots
13 was offered the COVID-19 vaccine. When we were initially signing people up for the camp, in mid-late
14 April 2021, we asked campers the question “have you been vaccinated?” We found that people
15 displayed some hostility when asked that specific question, so we quickly changed the question to “Are
16 you interested in getting the vaccine?”

17 5. The vast majority of campers gave us one of three types of responses:

18 a. 104 people said “no.” “No” could mean either “No, I don’t want it” or potentially “No,
19 I’ve already been vaccinated.”

20 b. 10 people said “yes.” When someone said “yes”, either Jeremy Leonard or myself would
21 direct HPHP staff to that person when HPHP visited the Benchlands to administer vaccines.

22 c. 14 people specifically indicated that they had already been vaccinated.

23 6. Currently, campers have access to the vaccine in at least two different ways. First, HPHP
24 visits the encampment every Wednesday at 10 AM. Public health nurses are on-site for a couple of
25 hours and go tent to tent offering the vaccine. I believe that Wednesdays at 10 AM is generally a pretty
26 good time for HPHP to do this work, as most campers are on-site and in or around their tents. Second,
27 HPHP offers homeless individuals a vaccine clinic on Coral St. every Thursday from 9-10 AM.

1 7. As camp stewards, campers can approach Jeremy or me at any time if they need help
2 accessing the vaccine.

3 8. Right now, it seems that campers generally are not conversing much about the COVID-
4 19 vaccine, as it seems that the vast majority of campers who want the vaccine have already gotten it.

5 9. On Saturday morning, June 19, 2021, Jeremy Leonard and I were able to poll 74
6 Benchlands campers to discuss the COVID vaccine.

7 10. Our process was as follows: We asked if the person was interested in the vaccine. If they
8 said "yes", we encouraged them to engage with HPHP on HPHP's Wednesday visit to the park. (Jeremy
9 and I will also do what we can to connect these individuals with HPHP this Wednesday.)

10 11. If they said "no", we would offer up a follow up question, such as: "You don't trust the
11 vaccine?" Or "Oh, you already had one?"

12 12. The results of our poll were:

13 a. 4 people indicated they were interested in obtaining a vaccine and will attempt to talk to
14 HPHP this Wednesday.

15 b. 34 people indicated that they had already been vaccinated.

16 c. 36 people indicated that they were not interested: most in this group seemed to hold anti-
17 vaccine sentiment.


18 13. The Benchlands camp stewards facilitate a community meeting at 6 PM every Thursday.
19 We've had anywhere between 10 and 27 campers attend. The idea behind having the meeting is to hear
20 camper concerns and try to develop a sense of community. Anything can be discussed, including
21 vaccinations, though I can't recall a camper bringing up the topic. The meeting is open to everyone,
22 including members of the Homeless Union.

23 14. The Homeless Union passed out "Homeless Union" signs at the Benchlands, and I would
24 estimate that I've seen those signs on about 10 tents: a fairly small percentage.

25
26 ///

27 ///

1 I declare under penalty of perjury that the foregoing is true and correct. Executed on June 22,
2 2021.

3 
4 _____
CHRIS MONTEITH

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28