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25 UNITED STATES DISTRICT COURT  
26 EASTERN DISTRICT OF CALIFORNIA: FRESNO DIVISION  
27

28 Pamela Kincaid, Doug Deatherage, Charlene  
Clay, Cynthia Greene, and Joanna Garcia,  
Individually on Behalf of Themselves and All  
Others Similarly Situated,

Plaintiffs,

v.

City of Fresno, Fresno Police Department,  
California Department of Transportation, Alan  
Autry, Jerry Dyer, Ralph Garner and Will  
Kempton, individually and in their official  
capacities; DOES 1-100, inclusive,

Defendants.

Civil Action No.:

**DECLARATION OF MICHAEL  
RHODES**

1 I, Michael Rhodes, declare as follows:

- 2 1. I am the Editor of *Community Alliance*, an independent monthly newspaper  
3 published in Fresno, California. I have held this position for 9 years. Prior to  
4 that, I worked as a reporter for 14 years for the *Fresno Bee*. In addition to my  
5 editing duties at the *Community Alliance*, I also report stories and do some  
6 photography for the newspaper. Unless otherwise indicated, I personally  
7 observed and experienced the events that are described in the following  
8 paragraphs of this declaration.  
9  
10

11 **Background**

- 12 2. I have written a number of articles for *Community Alliance* over the years  
13 addressing how the City of Fresno deals with the issue of homelessness and treats  
14 homeless individuals, and I have personally witnessed a number of the raids that I  
15 understand are the subject of this lawsuit. I first became interested in these issues  
16 approximately 5-6 years ago. At that time, I got to know a homeless man who I  
17 often saw outside the print shop that I co-owned in the downtown area of Fresno.  
18 I witnessed this individual being taunted and insulted by a Fresno police officer  
19 in the alley behind my print shop. I was taken aback by what I saw and invited  
20 the homeless individual to come inside to get away from the officer. I began  
21 talking with him about how homeless people are treated in Fresno, and became  
22 more interested in investigating and writing about the issue.  
23  
24 3. I wrote an article at about this time (around 2000) about how it appeared that the  
25 City was pushing homeless people out of the downtown area, particularly because  
26  
27  
28

1 the new baseball stadium, Grizzly Stadium, was being built in that area. As a  
2 result of this drive to move homeless people out of the downtown area, many  
3 homeless individuals went to the area of the City south of Ventura Avenue. This  
4 is also the area where the few services that are available for homeless people in  
5 the City are located, such as the Poverello House and the Rescue Mission.

- 7 4. However, as more homeless people began living in this area south of Ventura, the  
8 police began starting to try to move them out of that area as well. As early as  
9 February 2004, I witnessed and began reporting on instances when Fresno police  
10 and sanitation workers would come through areas where homeless people lived  
11 and would destroy their belongings. I recall seeing one raid in this time period  
12 that took place on Santa Clara Avenue, in front of the Poverello House. As  
13 described below, the frequency of these attacks substantially escalated in 2006.

16 **Week Of May 1, 2006 Raid**

- 17 5. During the week of May 1, 2006, I witnessed a raid of a strip of land on E Street  
18 in Fresno. This is an area that abuts and runs parallel to Highway 99, south of  
19 Ventura. On information and belief, this land is owned by the California  
20 Department of Transportation (Caltrans). I wrote an article about this raid for my  
21 newspaper the following week. A true and correct copy of the May 12, 2006  
22 article that I wrote about this raid is attached hereto as Appendix 1.  
23  
24  
25 6. At the time of this raid, there were at least several dozen homeless people living  
26 in this area, many in tents. As I described in the May 12, 2006 article, I  
27 witnessed that "Caltrans and the Fresno Police Department (FPD) descended on  
28

1 the area with bulldozers, gave residents a couple of minutes to get out, and  
2 proceeded to destroy everything in their path.” I saw City workers toss entire  
3 tents that were set up into the back of a dumpster truck. Given how these tents  
4 looked, it was quite obvious to me that they were not trash or abandoned. Rather,  
5 from all appearances these were tents that people were living in. I know from my  
6 interactions with homeless people that they cannot stay with their belongings at  
7 all times. For example, if a homeless person who is living in a tent wants to go  
8 eat or shower at the Poverello House, they cannot take their tent with them.  
9

10 However, in this raid, City workers disposed of any unattended tents.  
11

- 12 7. Similarly, I saw City workers throw away many other items that were neatly  
13 arranged or stored in shopping carts. City workers simply dumped any items they  
14 came across into the back of a dump truck and crushed them. The area where the  
15 raid happened did not appear to me to be unsanitary or a health hazard. From  
16 what I have observed, people tend to keep the areas clean around where they live.  
17

- 18 8. In this same May 12, 2006 article, I published several photographs of the raids in  
19 progress, which are part of the attached Appendix 1. All of the photographs in  
20 this exhibit were personally taken by me, as were those in the other exhibits that  
21 are attached to this declaration, unless otherwise clearly identified in the photo  
22 caption. None of the photographs I took has been digitally altered in any way,  
23 other than perhaps cropping or lightening exposure in some instances. Each of  
24 the photographs fairly and accurately depicts what I observed.  
25  
26  
27  
28

1 **May 25, 2006 Raid**

2 9. On May 25, 2006, I witnessed another raid of the same area around E Street and  
3 wrote another article about it. A true and correct copy of that article is attached  
4 hereto as Appendix 2. This raid was very similar in that City of Fresno sanitation  
5 workers, accompanied by Fresno police, again seized and destroyed homeless  
6 people's property. As I reported in the article that I wrote about this raid, I  
7 witnessed that: "Backed up by armed guards, workers from the department of  
8 sanitation moved their bulldozer and garbage truck into position. As men in  
9 orange vests and face masks moved in, the homeless hurried to disassemble their  
10 tents and load their belongings onto shopping carts." As in the prior raid I had  
11 witnessed earlier in the month, I saw that homeless people who could not move  
12 quickly enough had their property thrown into the back of a dump truck by City  
13 workers and destroyed.  
14  
15  
16

17 **June 22, 2006 Raid**

18 10. On June 21 and June 22, 2006, I wrote a further articles about the ongoing series  
19 of raids. A true and correct copy of that article is attached hereto as Appendices  
20 3-4. I reported in that article about my efforts to figure out the involvement of  
21 each of the government agencies involved in these raids. I had personally  
22 observed both Fresno city officials and Caltrans officials at previous raids. As I  
23 wrote, Caltrans officials claimed to me that they were being forced to act by the  
24 City of Fresno. Fresno officials, on the other hand, informed me that the Fresno  
25 police were not initiating the clean up. As I wrote, "No government agency  
26  
27  
28

1 involved wants to take credit, yet they come back every two or three weeks and  
2 do it all over again.”

3  
4 11. In that article, I also included a copy of a memorandum that I had obtained,  
5 which said it was from Captain Greg Garner of the Fresno Police Department and  
6 was addressed to “All Campers on Ventura/E”, stating that the City would be  
7 coming back into the area “start[ing] at 8:00 a.m.” on June 22, 2006 and that if  
8 there was any property left in the area, “we will take it as trash.” It was unclear  
9 to me how the notice had been distributed. In addition, I only saw the notice in  
10 English, although there were many homeless people living in and around the E  
11 Street area who I believe do not read or understand English.

12  
13 12. The following day, on June 22, 2006, I witnessed this raid and wrote an article  
14 about it that same day. A true and correct copy of that article is attached hereto  
15 as Appendix 4. As I wrote in that article, although the notice had stated that the  
16 City would start destroying property at 8:00 a.m., I arrived at 7:50 a.m. and the  
17 destruction of property was already well under way. As I reported, I also  
18 witnessed that in this raid the Fresno Sanitation Department was “backed up by a  
19 larger than usual Fresno Police Department contingent . . . .”

20  
21  
22 13. City workers swept much more broadly this time than in previous raids I had  
23 observed. Previously, the City workers had bulldozed the area on the west side of  
24 E Street, abutting the highway. Homeless people who were there at the time and  
25 were able to move their property off of this strip could sometimes save their  
26 property. However, at the June 22, 2006 raid, I saw that after the City workers  
27

1 had finished on the west side of E Street, "they made a U turn and pulled onto the  
2 East side of E street. Stunned homeless people watched as all the possessions  
3 they had removed from Caltrans property were loaded into the dump truck . . . .  
4  
5 Many of the homeless had removed their possessions as instructed and then left  
6 to eat, work, or do whatever they would normally do on a Thursday morning. As  
7 Fresno Police Wallace directed the clean up crew to throw away anything not in  
8 the possession of someone, the homeless people still in the area mobilized to save  
9 whatever they could." I witnessed the Fresno City workers destroy numerous  
10 shopping carts with personal belongings neatly stored inside. This destruction  
11 was directed by Officer Wallace, who was directing sanitation workers what to  
12 throw away. Again, it was obvious to me that these carts were not trash; they  
13 were simply unattended at the time of the raid.  
14

- 15  
16 14. As I also reported, after targeting both sides of E Street, the Fresno Police  
17 Department and the Sanitation Department workers then headed for Santa Clara  
18 Street, which runs into E Street in front of the Poverello House. I witnessed that:  
19 "There were about 20 [shopping] carts there when the garbage truck arrived.  
20  
21 None of the owners were with their carts. The truck backed up and workers  
22 started throwing one cart after another in, crushing them. As the word of the  
23 destruction spread the owners came running out of the Poverello House yelling  
24 and telling the city workers to stop. The homeless people who made it there in  
25 time and stood in front of their cart were able to save their possessions from  
26 destruction." Other carts were summarily destroyed.  
27  
28

1 **July 1, 2006 Raid**

- 2 15. On July 1, 2006, I also wrote an article about a raid that happened that same day.  
3 A true and correct copy of that article is attached hereto as Appendix 5. I arrived  
4 approximately half an hour after the raid and talked with homeless people who  
5 were still on the scene. As I reported, this raid appeared to target shopping carts.  
6 I was informed that police had turned each cart over, dumping the homeless  
7 people's possessions on the dirt, and that they then loaded the shopping carts onto  
8 a flatbed truck and hauled them away. I am aware that some community groups  
9 in town have in the past given shopping carts to homeless people to keep as their  
10 own. However, it is my understanding that police did not make any attempt to  
11 determine the ownership of any carts. Rather, they simply confiscated all the  
12 carts they saw and took them away.  
13  
14  
15  
16 16. In this same article, I posted a copy of an Encroachment Permit, which had been  
17 provided to me by Caltrans officials in response to a Public Records Act request I  
18 made. A true and correct copy of the Permit as it was produced to me by Caltrans  
19 officials is attached hereto Appendix 5. The Caltrans Permit references an  
20 application dated December 3, 2004, apparently filed by the City of Fresno, and  
21 the Permit appears to grant permission to the City to enter certain highway right  
22 of ways "for litter removal operations to be conducted between the hours of 9:00  
23 a.m. and 3:00 p.m. at various postmiles and on various days as approved by  
24 Caltrans."  
25  
26  
27  
28



**August 26, 2006 Raid**


17. On August 26, 2006, I witnessed a further raid, which I wrote an article about that same day. A true and correct copy of that article is attached hereto as Appendix 6. As I reported in that article, I witnessed Fresno police officers and sanitation workers again destroying homeless people's property on the strip of land on E Street. Again, I saw homeless people trying to save property from destruction. Sometimes they were successful; sometimes they were not. I personally witnessed beds, tents, food, and much more being thrown away by Fresno City workers. Again, these types of items were destroyed even when from all appearances they were neither trash nor abandoned property. I personally saw City workers bulldoze the home of a homeless woman I have gotten to know over the past several months. During this raid, City workers erected a fence with barbed wire on top on the strip of land on the west side of E Street. Since that raid, I have seen many individuals who had previously resided on that land have now moved to other surrounding areas, such as areas under overpasses nearby.
18. As I reported in that same August 26, 2006 article, I saw Fresno City Manager Andy Souza, Assistant City Manager Bruce Rudd, and Fresno Police Captain Greg Garner at the site of the raid that day. I talked with Mr. Souza about the lack of available shelter and asked him if the City had any plans to address this need. As I reported, "Souza did not have a lot of answers to the question about the city's plan for eliminating homelessness . . . . While we talked, the bulldozer and clean up crew was busy filling the garbage truck with the possessions of the homeless."

1 19. From what I have observed, these constant attacks are extremely harmful to  
2 homeless people and do nothing to solve the problem of homelessness. I also  
3 believe that the raids contribute to an atmosphere where violence against  
4 homeless people comes to be seen as acceptable. For example, in the June 21,  
5 2006 article that I wrote, I described homeless people informing me of a gang of  
6 three or four young men who had come into an area where homeless people were  
7 living and had beat several people with a pipe. Similarly, in early September  
8 2006, several homeless people I have come to know informed me that  
9 “skinheads” had come by an area under the Monterrey Overpass (near San Benito  
10 and H Street) and had beaten up some homeless people. I personally helped  
11 arrange transportation to take one of the victims to the hospital. I believe that the  
12 City’s raids on homeless people contribute to this violence. At a minimum, the  
13 raids push homeless people into more isolated spots and disperse them so that  
14 they are more likely to be living alone or with small numbers of people, leaving  
15 them more vulnerable to attack. Also, I believe that the raids make homeless  
16 people view the police not as people who will protect them, but as people who  
17 will harm them.

22 20. Unfortunately, however, from what I have seen, the City will  
23 continue its pattern of raids on homeless people unless ordered to stop. My hope  
24 is that if the City is forced to at least stop conduct that is affirmatively harmful to  
25 homeless people, then all of us can work together towards long-term solutions  
26  
27

1 that address the root causes of homelessness, such as lack of affordable housing  
2 and services.  
3

4  
5 I declare under penalty of perjury of the laws of California and the United States that  
6 the foregoing is true and correct and was executed this 11 day of October, 2006.  
7

8   
9 MICHAEL RHODES

# APPENDIX 1

<http://www.indybay.org/newsitems/2006/05/12/18228251.php>

## **Central Valley | Poverty & Housing**

### **Government Agencies Destroy Tent City**

by Mike Rhodes ( [MikeRhodes \[at\] Comcast.net](mailto:MikeRhodes[at]Comcast.net) )

*Friday May 12th, 2006 5:55 PM*

The homeless are experiencing renewed attacks as the Fresno Police Department and Caltrans destroy their tents.



**Government Agencies Destroy Te by Mike Rhodes**

## **Government Agencies Destroy Tent City**

By Mike Rhodes

On a small strip of land, next to highway 99, and near the Poverello House, the homeless constructed a few tents and temporary shelters. Last week, Caltrans and the Fresno Police Department (FPD) descended on the area with bulldozers, gave residents a couple of minutes to get out, and proceeded to destroy everything in their path. One resident told me that when she resisted, and undercover police officer pulled a gun on her.

Jane (not her real name), said the police and Caltrans workers came at dawn and with little warning began scooping up the tents with the bulldozer and dumping them in garbage trucks. "What these people

don't understand," Jane said, "is that everything we own in the world is right here. All of our clothes, papers, everything is in the tent and they just threw it away." When the city of Fresno did this about two years ago, Indymedia reporters were there to record the attack. That report can be seen here: <http://sfbay.indymedia.org/news/2004/02/1669522.php>

Jane said she has been homeless and in this area for about five years. She said "if you don't have a home and you can't live on 'public land' (in this case land owned by the State of California) what are you supposed to do?" When Caltrans workers moved in last week to destroy these poor people's homes, Jane said she was confronted by an aggressive undercover police officer who told her to get out. Jane asked the officer how she was doing and was told "better than you! At least I have a home." Jane said the officer was laughing at her and the plight of the homeless as the bulldozers moved in.

Jane and her friends grabbed their tent and tried to get it out of the path of the bulldozer. They were largely successful, except for a large gash she points to saying, "well, at least it is not raining this time of the year." About a week after the bulldozing, there were about 20 - 30 tents and other structures back on E street near Santa Clara.

Chuck (also not a real name) says he has only been there for about 4 or 5 days. Chuck has applied for disability and while he waits for his claim to get processed he has no income. He said "people should not judge you by the circumstances you find yourself in." He said he had a job until recently, but with a permanent leg disability, he has no way of making money. He is able to walk over to the Poverello House, with the help of a cane, for three meals a day, but that is about it.

The Poverello House has a "City of Hope" which consists of a handful of tool sheds where a couple of dozen people can spend the night. Down the street, the Rescue Mission has beds for a hundred or so homeless people. That leaves thousands of homeless on the streets of Fresno each night with nowhere to go.

Gloria Rodriguez, the Public Information Officer for Caltrans, told me that the homeless were in violation of Caltrans policy, they were illegal, and had to be removed. According to her it was a public safety issue. Jeff Cardinale, Public Information Officer for the FPD, said his department was just supporting Caltrans. At this time, it is not clear why the destruction of the homeless's tents has started up again. It is also not clear what options the homeless have. They have to sleep somewhere, right? Chuck had a simple solution. He said "why can't they just provide some temporary shelter while we sort out my disability? There is a huge open field down the street. Why don't they just open that up for the homeless?" To suffer the pain of a debilitating injury, no home to live in, and now the prospect of having his tent destroyed, Chuck was a little frustrated. We agreed that anyone of us is just one or two incidents away from being homeless and their needs to be a solution that offers everyone dignity and respect. I told him I would try to figure out who is pushing for the destruction of these poor people's shelters, see if there was anything that could be done to stop it, and would come back to document any further destruction, if it happened.

<http://www.fresnoalliance.com/home>

**E Street and Santa Clara - the epicenter of the conflict**

by Mike Rhodes *Friday May 12th, 2006 5:55 PM*



**E Street and Santa Clara - the by Mike Rhodes**

**This tent is on Public Land**

by Mike Rhodes *Friday May 12th, 2006 5:55 PM*



**This tent is on Public Land by Mike Rhodes**

Whatever happened to the commons? All photos by Mike Rhodes

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# **APPENDIX 2**

<http://www.indybay.org/newsitems/2006/05/25/18253011.php>

## **Central Valley | Poverty & Housing**

### **Fresno Homeless Under Attack**

by Mike Rhodes ( [MikeRhodes \[at\] Comcast.net](mailto:MikeRhodes[at]Comcast.net) )

*Thursday May 25th, 2006 10:43 AM*

The homeless in Fresno are under attack. This is the latest in a series of reports about the treatment of the homeless in this community.



**Fresno Homeless Under Attack by Mike Rhodes**

### **Fresno Homeless Under Attack**

By Mike Rhodes

May 25, 2006 - The attack against Fresno's homeless continues. This morning at 7 AM, Fresno City workers were ordered to destroy an encampment of homeless men and women on E street in downtown Fresno. Backed up by armed guards, workers from the department of sanitation moved their bulldozer and garbage truck into position. As men in orange vests and face masks moved in, the homeless hurried to disassemble their tents and load their belongings onto shopping carts.

This was the 4<sup>th</sup> attack on the homeless in the past couple of months and most of the residents on this small strip of land, under Caltrans management, are used to the routine. A police officer comes by a day or two before the eviction and tells the homeless to move. This is followed by the arrival of the City crew and police. The residents know that if they can move their belongings across the street in time, they can move back before the day is over.

Talking to Monte and Will the day before the evictions, they were largely philosophical about what was about to happen. "We will just pack up our stuff and wait for them to leave." said Monte, a military veteran. Will is a disabled vet. He was injured in the Korean war and uses a wheelchair. The shrapnel in his spine left him paralyzed. Will was on the street this morning as the eviction began. He wondered out loud why the city has the resources to destroy their community but not to provide a portable toilet or dumpster for the trash that accumulates.

When I arrived, Will was talking to Liza Apper, who works with the St Benedict Catholic Worker project <http://www.sbcw.org/>. Liza and her husband Bryan were there to observe this attack on the homeless and try to provide some protection. While Bryan talked to the agencies involved about the law, Liza positioned herself in front of a tent that had been targeted for destruction. The owners of the tent were away when the bulldozer arrived and Liza was the only thing between the tent and certain destruction. She was told to move but held her ground. Eventually the bulldozer operator decided to go around Liza and moved further down the strip of land to scoop up blankets, food, and other items that had been left behind. About 30 minutes later, the owners of the tent returned. They hurriedly took their tent down and moved across the street.

See earlier reports here:

<http://www.indybay.org/news/2006/05/1822825.php>

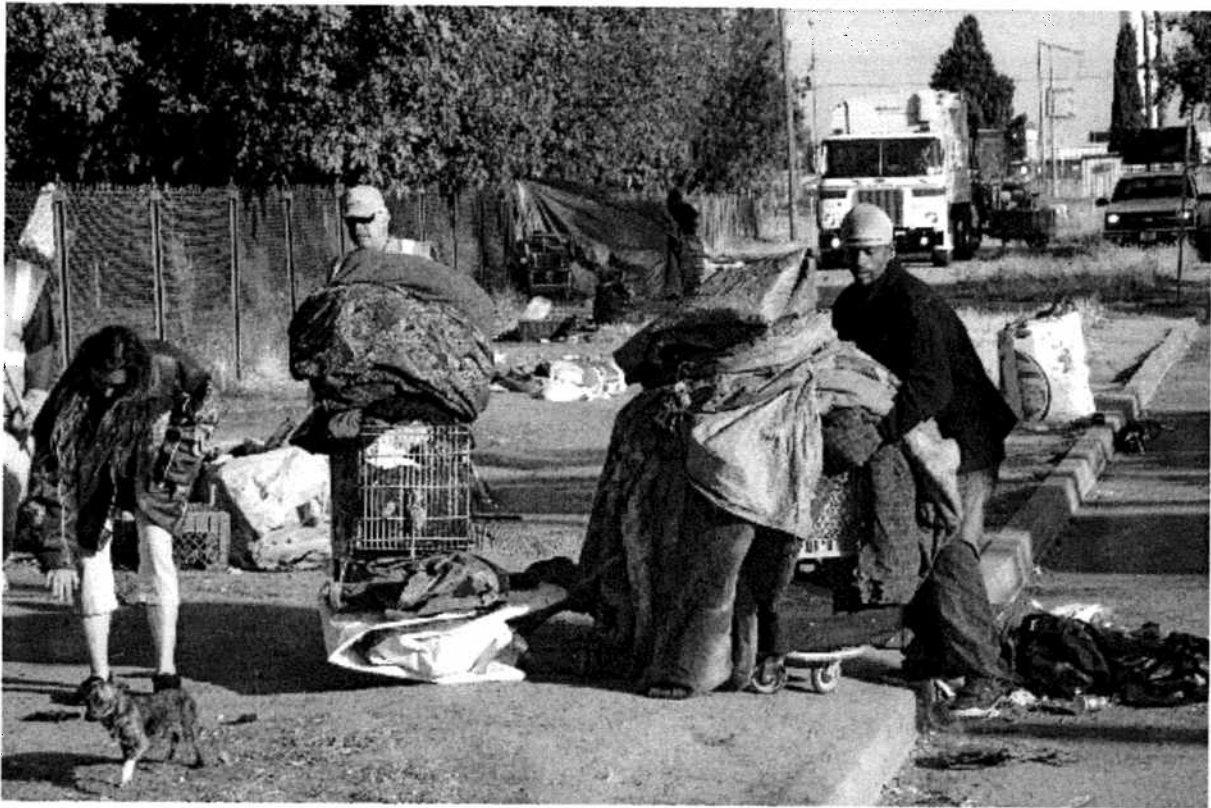
and

<http://sfbay.indymedia.org/news/2004/02/1669522.php>

<http://www.fresnoalliance.com/home>

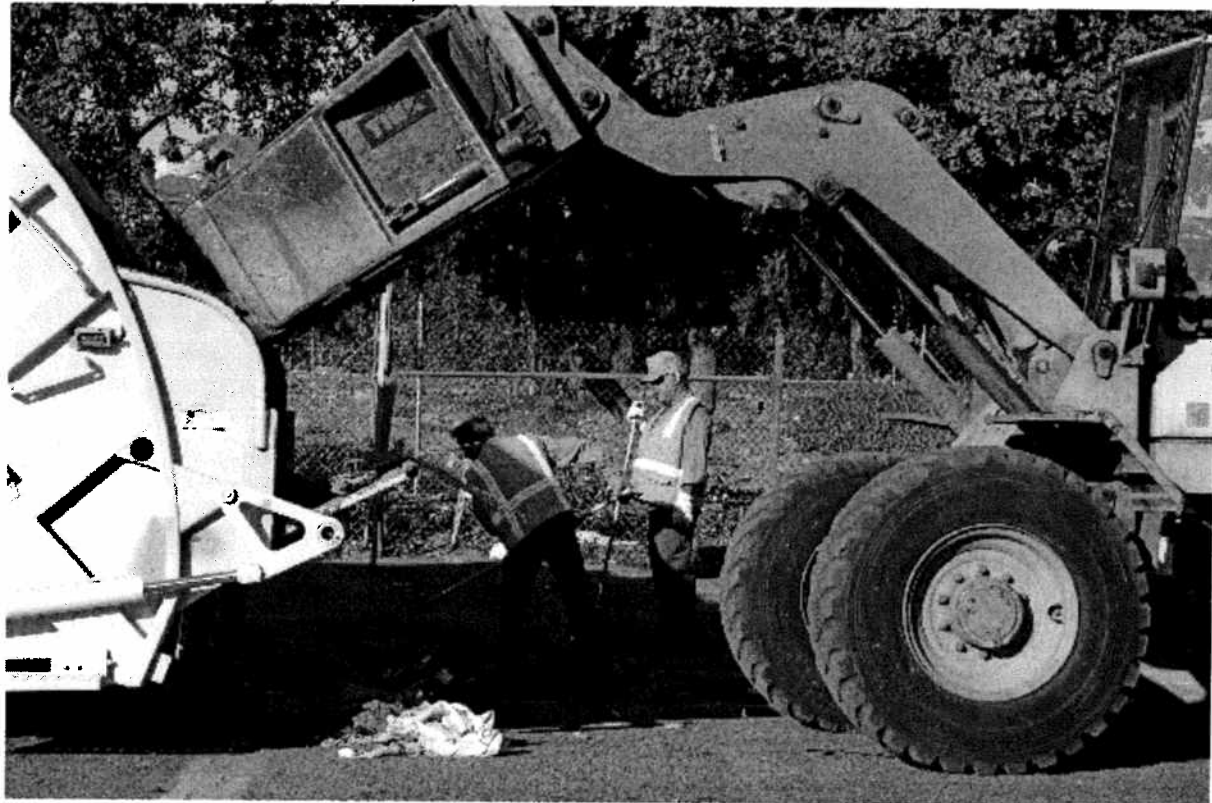
### **Homeless are evicted**

by Mike Rhodes *Thursday May 25th, 2006 10:43 AM*



**Homeless are evicted by Mike Rhodes**

These homeless residents are forced to pack up their belongings and leave. All photos by Mike Rhodes  
**Bulldozer in Action**  
by Mike Rhodes *Thursday May 25th, 2006 10:43 AM*



**Bulldozer in Action by Mike Rhodes**

The bulldozer scooped up one pile after another of belongings and dumped them into the garbage truck.

### **Waiting to Return**

by Mike Rhodes *Thursday May 25th, 2006 10:43 AM*



**Waiting to Return by Mike Rhodes**

The homeless moved their belongings off the strip of land owned by Caltrans and waited for them to leave.

### **Standing up for Justice**

by Mike Rhodes *Thursday May 25th, 2006 10:43 AM*





**Standing up for Justice by Mike Rhodes**

Liza Apper (far left) put her body between the bulldozer and the tent. It was this act that saved the tent and the possessions inside from destruction.

**All that was Left**

by Mike Rhodes *Thursday May 25th, 2006 10:43 AM*



### **All that was Left by Mike Rhodes**

This flag, hanging on the fence, was the only item not destroyed as the police, Caltrans, and the Sanitation department removed the homeless from a small strip of land in downtown Fresno today.

#### **After the attack**

by Mike Rhodes *Thursday May 25th, 2006 10:43 AM*



#### **After the attack by Mike Rhodes**

This is what the strip of land looked like after this morning's operation. You can see the flag on the far right.

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# **APPENDIX 3**



<http://www.indybay.org/newsitems/2006/06/21/18281739.php>

## **Central Valley | Poverty & Housing**

### **Homeless Alert!**

by Mike Rhodes ( [MikeRhodes \[at\] Comcast.net](mailto:MikeRhodes[at]Comcast.net) )

Wednesday Jun 21st, 2006 4:01 PM

A report on homeless conditions in Fresno.



#### **MEMORANDUM**

June 15, 2006

TO: All Campers on Ventura  
FROM: Capt. Greg Garner *[Signature]*  
Southwest District Commander  
SUBJECT: Clean up of "E" Street

On Thurs June 22, 2006 we will be coming through this area to do a clean up of Ventura, "E", Santa Clara & "G" streets. We will start at 8:00am. If you have property these areas please remove it or we will take it as trash.  
Thanks

**600homelessltr.jpg**

## **Homeless Alert**

The homeless living in downtown Fresno have been notified that their temporary shelters will be destroyed if they are not moved by tomorrow (Thursday, June 22) at 8 AM. The memorandum from Captain Greg Garner of the Fresno Police Department said:

*On Thurs June 22, 2006 we will be coming through this area to do a clean up of Ventura, "E", Santa Clara & G streets. We will start at 8:00 am. If you have property in these areas please remove it or we will take it as trash.  
Thanks*

For earlier coverage about these ongoing attacks on the Fresno Homeless, see:

<http://www.indybay.org/news/2006/05/1825301.php>  
<http://www.indybay.org/newsitems/2006/05/12/18228251.php>

In conversations with several homeless people today, I was told that conditions are getting harsher in the downtown area. Last night, for example, a gang of three or four young men came into the encampment and beat several people with a pipe. According to the witnesses, at least one victim required several stitches.

It is expected that tomorrow at 8 AM the Fresno Sanitation Department and Caltrans, protected by the FPD will clear several homeless encampments. Caltrans claims they are being forced to act by the City of Fresno who has filed paperwork with them - forcing them to clear the land the homeless occupy. FPD spokesperson Jeff Cardinale says they are notified by Caltrans about two weeks in advance of the "clean up." Cardinale says the FPD are not initiating the clean up - they are only there to maintain public safety while Caltrans and the Sanitation Department do their jobs.

The big question is - who is the moving party behind destroying the few possessions the homeless own? No government agency involved wants to take credit, yet they come back every two or three weeks and do it all over again. As Allen, one of the homeless men who lives on E street said during the last eviction on May 25, 2006 "why does the city have the resources to destroy our community but not to provide portable toilets or dumpsters for the trash that accumulates?"

<http://www.fresnoalliance.com/home>

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# **APPENDIX 4**

<http://www.indybay.org/newsitems/2006/06/22/18281976.php>

## **Central Valley | Poverty & Housing**

### **Fresno Homeless Attacked and Insulted by City Workers**

by Mike Rhodes ( [MikeRhodes \[at\] Comcast.net](mailto:MikeRhodes@Comcast.net) )

Thursday Jun 22nd, 2006 1:48 PM

City of Fresno attacks on the homeless reached a new level today as a multi agency task force used new tactics in destroying their possessions. Photos, video, and story below.



600cart.jpg

### **Fresno Homeless Attacked and Insulted by City Workers**

By Mike Rhodes

"The homeless people that live here are the luckiest homeless in Fresno." Surprised by the statement, I asked undercover Fresno Police Officer Ray Wallace what he meant. "They have maid service. We come out and clean up for them about every other week." The cleaning party today was particularly vigorous.

The letter handed out by the Fresno Police Department, giving notice of the "clean up" said they would "start at 8:00am." I arrived at 7:50 AM and the destruction of property was already well under way. One homeless woman told me that everything she owned had been destroyed because she was a few minutes too late to save it. "I had paper work in there that can't be replaced," she said.

Once the "clean up" crew had made its way all of the way down the Caltrans property on E street (on the

West side of E near Ventura) they swung around and headed down the East side of E street. This caught the homeless community completely off guard. Until today the City Sanitation Department would go down the Caltrans strip of land with a bulldozer, sweep it clean, and then leave. The homeless, every other time this had happened, simply moved their possessions to the other side of the street. After the clean up crew was gone, the homeless would move back to the East side of the street and re-build their encampment. But, today the Fresno Sanitation Department, backed up by a larger than usual Fresno Police Department contingent, made a U turn and pulled onto the East side of E street. Stunned homeless people watched as all the possessions they had removed from Caltrans property were loaded into the dump truck.

The shopping carts and piles of possessions stacked up on the sidewalk, on the East side of E street were thought to be safe because no notice had been given that there would be a change in procedures. Many of the homeless had removed their possessions as instructed and then left to eat, work, or do whatever they would normally do on a Thursday morning. As officer Wallace directed the clean up crew to throw away anything not in the possession of someone, the homeless people still in the area mobilized to save whatever they could.

One clean up crew supervisor was overheard saying "I wish I had a nickel for every cart we destroy." Dallas Blanchard, from Food Not Bombs, tried to prevent the workers from throwing the homeless peoples possessions away. He was forced from his position directly in back of the garbage truck. Liza Apper from the St. Benedict Catholic Worker stood in front of some shopping carts. She was repeatedly told to move but refused. Apper was able to save a couple of grocery carts full of items.

But that did not stop the police and the clean up crew. They simply moved a few feet beyond Apper and threw entire carts into the dump truck. Several people tried to pull their possessions back to the West side of the street (Caltrans land) and as they arrived were told the Garbage truck would be back to throw their things away. With no safe place to go, some of the homeless just stood by their carts to protect them. The police and clean up crew did not forcefully remove people to destroy their possessions.

Henry, an African American homeless man who lives on E street told me that officer Wallace had prevented him from removing his tent. "I was trying to untie my tent from the fence and this guy came up behind me and told me to leave. He was not in uniform and did not identify himself as a policeman." Henry continues, "this guy (Wallace) hit my hands as I tried to untie my tent." Henry said he was physically forced to leave his tent, which was then picked up by a bulldozer and put into a garbage truck. Henry is a diabetic. "My medicine was in that tent, everything I owned was in that tent and they just destroyed it." Henry said the incident happened in April 2006. Another homeless person, Dee, told me she witnessed the incident. Wallace denies the assault took place.

After targeting both sides of E street, the FPD and the Sanitation Department headed for Santa Clara street. Santa Clara runs into E and is in front of the Poverello House. Many of the homeless people who use the services at the Poverello House (food, clothing, and some medical services) leave their carts on Santa Clara. There were about 20 carts there when the garbage truck arrived. None of the owners were with their carts. The truck backed up and workers started throwing one cart after another in, crushing them. As the word of the destruction spread the owners came running out of the Poverello House yelling and telling the city workers to stop. Those homeless people who made it there in time and stood in front of their cart were able to save their possessions from destruction.

I requested a comment from the Fresno Police Department about the incidents above, but at the time our deadline, they did not respond.

For more information and background, see:

<http://www.indybay.org/newsitems/2006/06/21/18281739.php>

<http://www.indybay.org/news/2006/05/1825301.php>

<http://www.indybay.org/newsitems/2006/05/12/18228251.php>

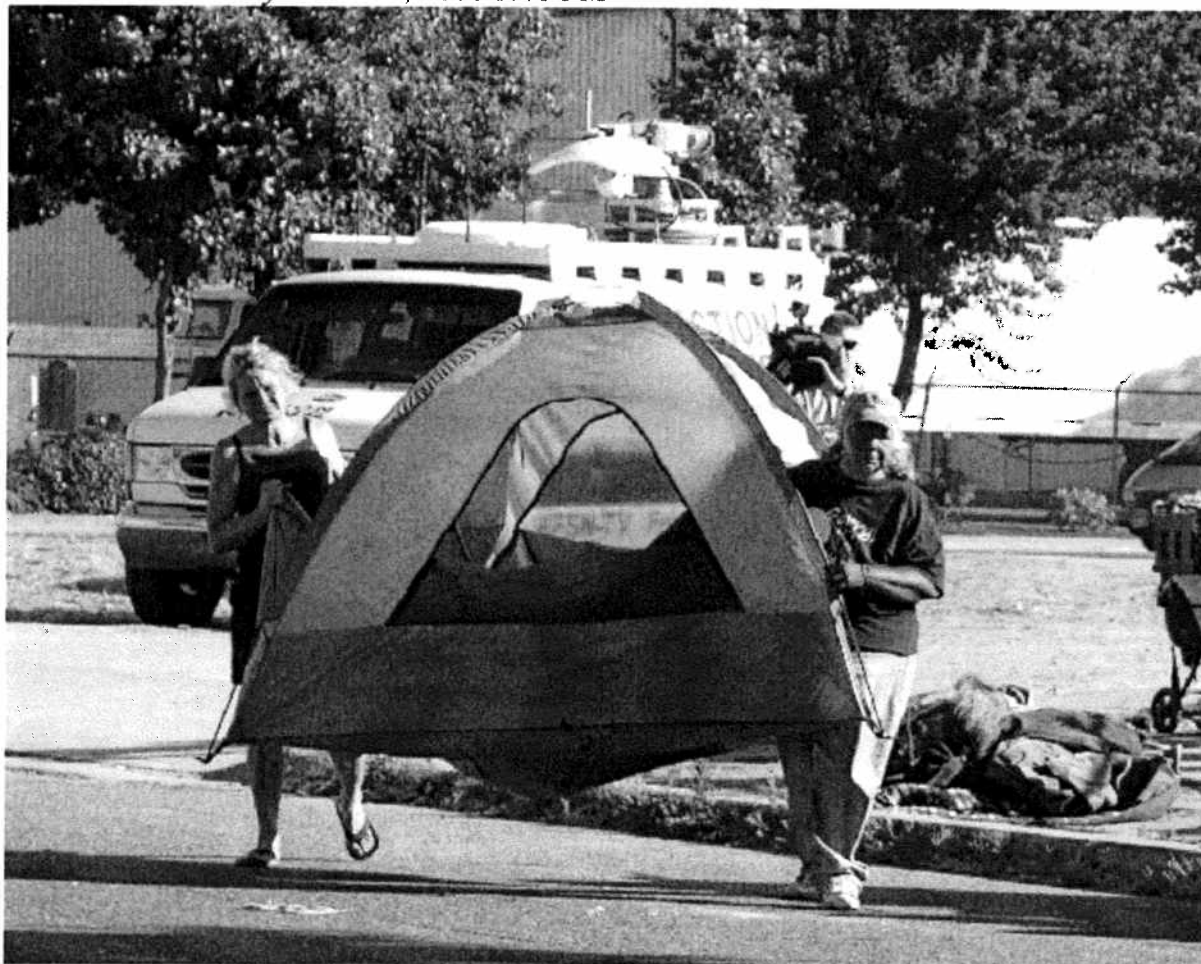
<http://www.indybay.org/newsitems/2004/02/04/16695221.php>

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<http://www.fresnoalliance.com/home>

### **Homeless Save Tent**

by Mike Rhodes *Thursday Jun 22nd, 2006 1:48 PM*

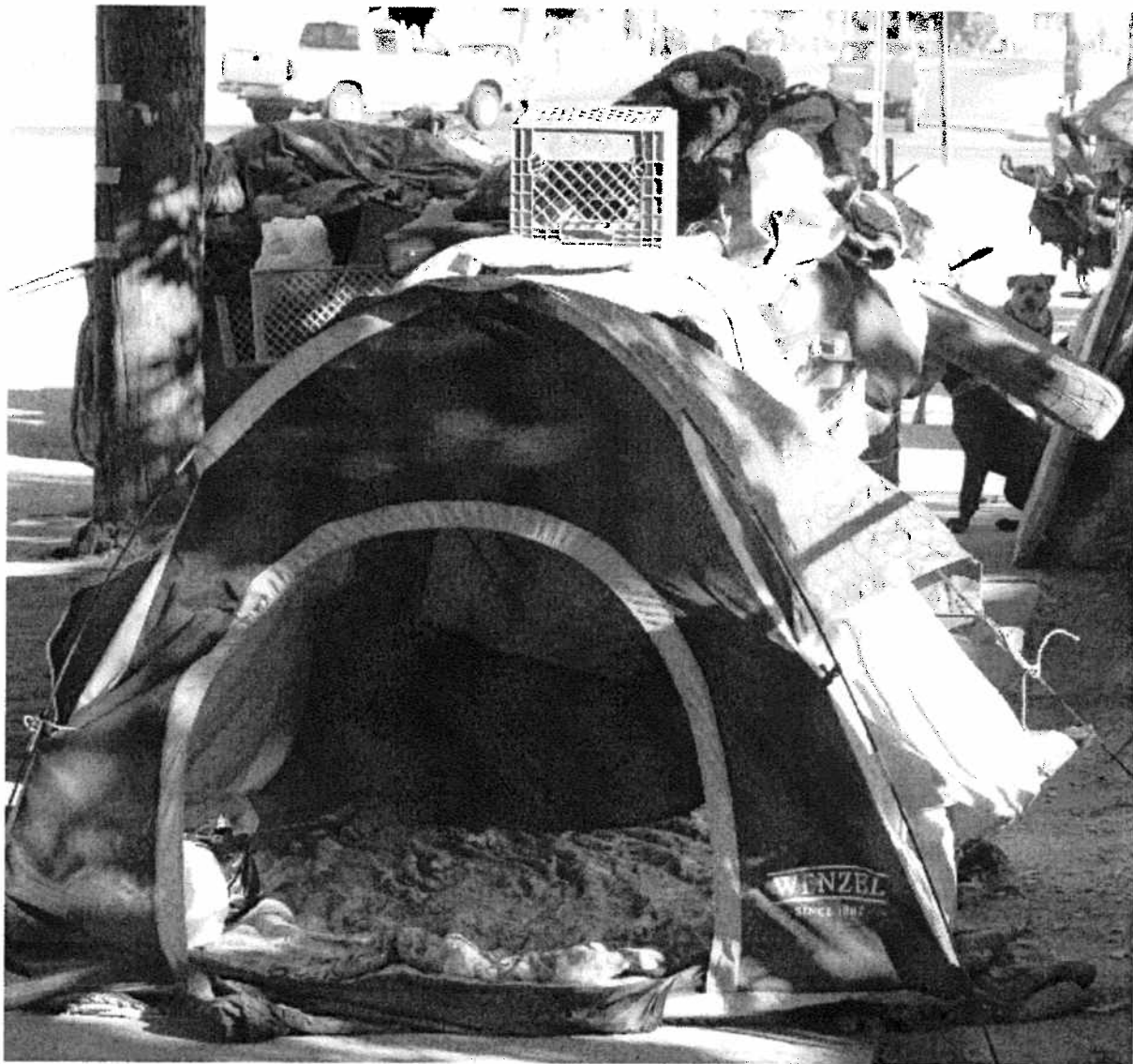


**600savingtent.jpg**

These two women moved this tent from one side of the street to another in an attempt to save it from destruction. All Photos by Mike Rhodes

### **Possessions on the East side of E street**

by Mike Rhodes *Thursday Jun 22nd, 2006 1:48 PM*



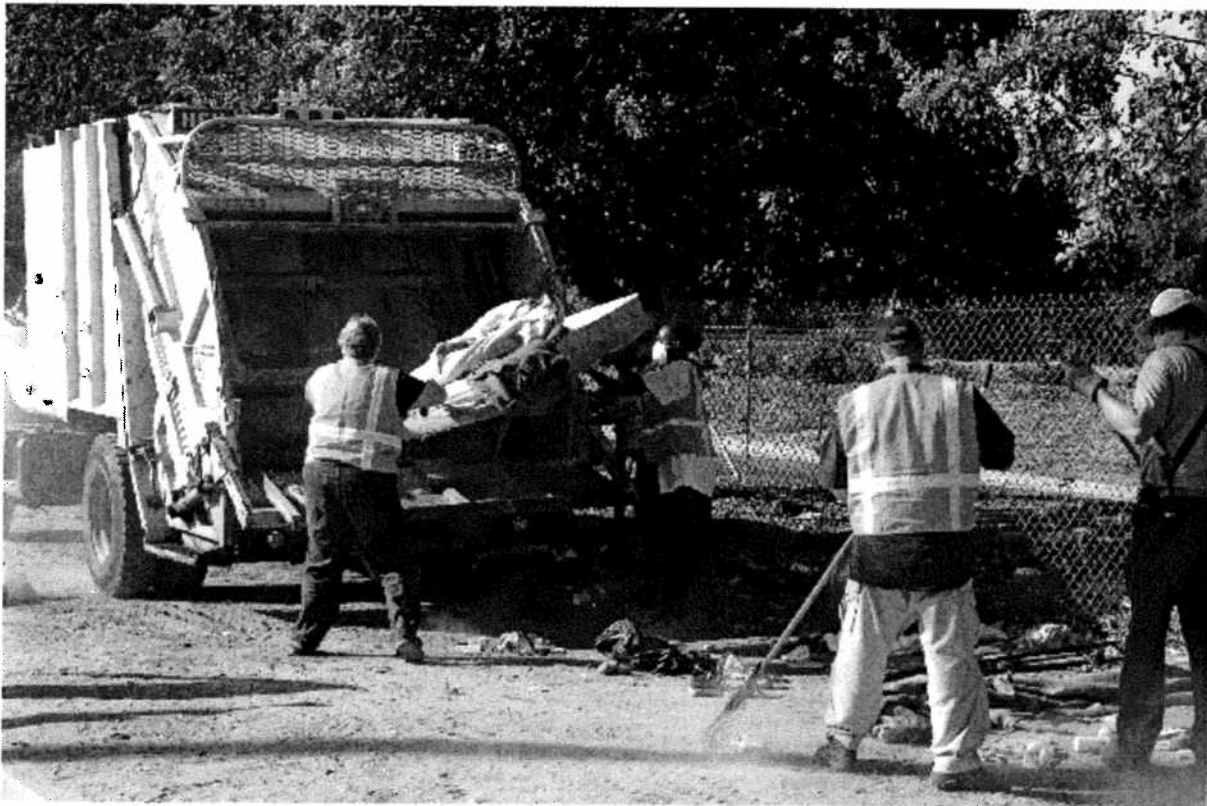
600tent2.jpg

The homeless moved their possessions to the East side of E street in an effort to keep them from being destroyed.

**The City of Fresno Destroys Homeless Encampment**

by Mike Rhodes *Thursday Jun 22nd, 2006 1:48 PM*



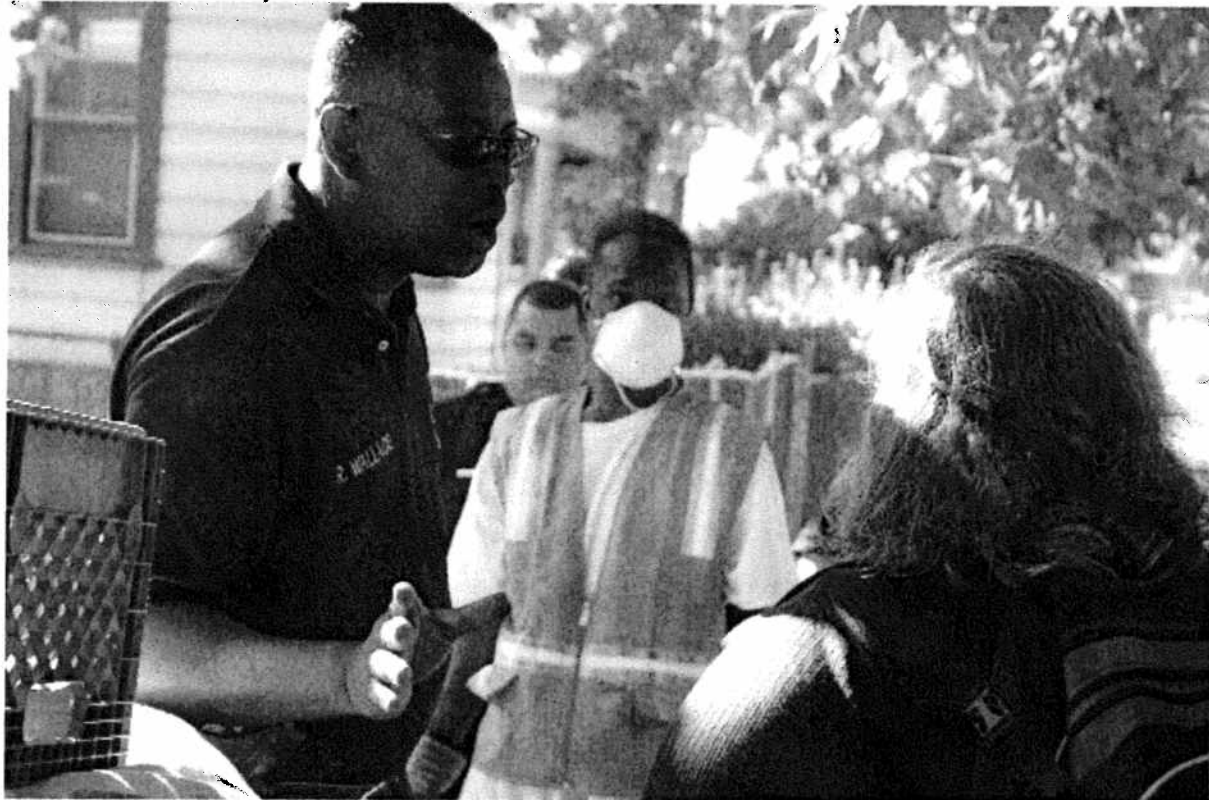


600bed.jpg

This is the scene on the West side of E street where City crews leveled the area. Here they are seen throwing someone's bed into a garbage truck.

**Liza Apper is Told to Leave**

by Mike Rhodes *Thursday Jun 22nd, 2006 1:48 PM*





600wallaceandliza.jpg

Officer Ray Wallace is telling Liza Apper to leave. Instead, she stands her ground and protects some of the homeless peoples possessions.

**Liza Apper on KMJ**

by Mike Rhodes *Thursday Jun 22nd, 2006 1:48 PM*

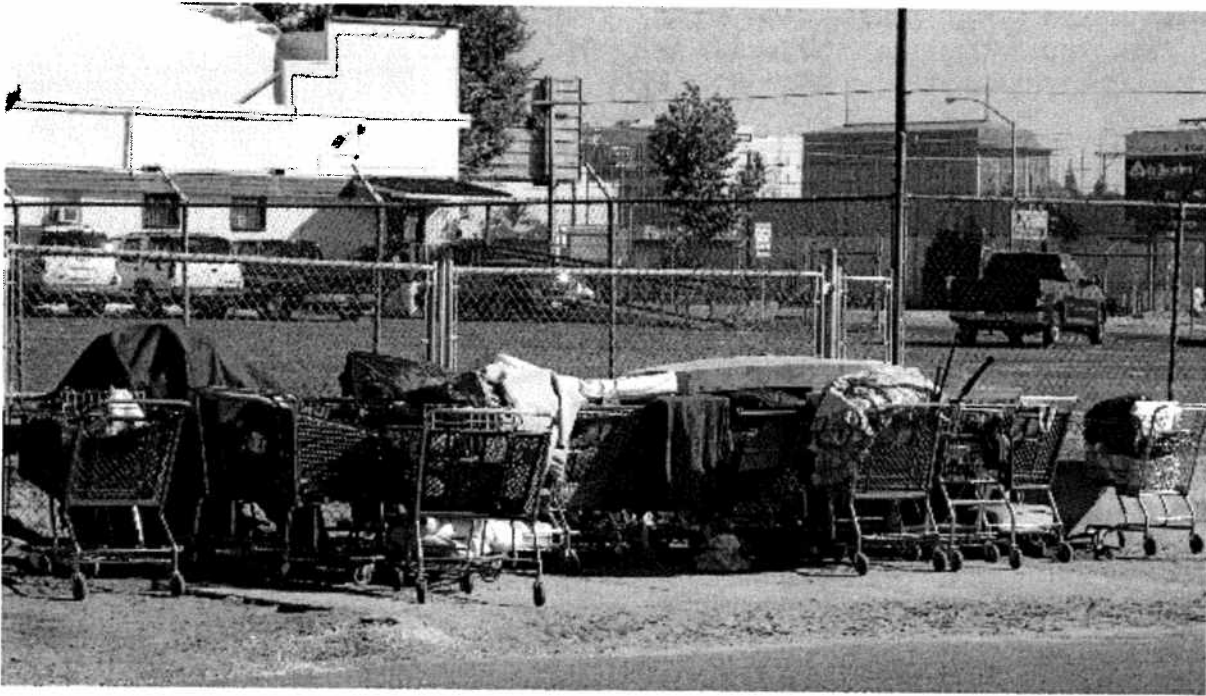


600lizaandkmj.jpg

Liza Apper is seen here, next to some of the possessions she saved from destruction, as she talks to a KMJ radio reporter.

**Some of the Carts in Front of Poverello**

by Mike Rhodes *Thursday Jun 22nd, 2006 1:48 PM*



600carts.jpg

These are some of the carts that are in front of the Poverello House, while their owners get food or other services. A few minutes after this photo was taken, the Department of Sanitation arrived and started throwing these carts into a garbage truck.

**The Assault Continues**

by Mike Rhodes *Thursday Jun 22nd, 2006 1:48 PM*



600truck.jpg

Within a couple of minutes, half of the shopping carts (pictured above) were destroyed. One sanitation worker was heard saying that he wished he could get a nickle for every shopping cart he destroyed.

**Video of City Workers As They Destroy People's Property**

by Mike Rhodes *Thursday Jun 22nd, 2006 1:48 PM*

video: [iwishihadanickel.wmv](#)  
[windows media at 3.3 mebibytes](#)

City Worker is heard saying "I wish I had a nickel for every cart we destroy." Video by Simone Whalen-Rhodes.

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# APPENDIX 5

<http://www.indybay.org/newsitems/2006/07/01/18284552.php>

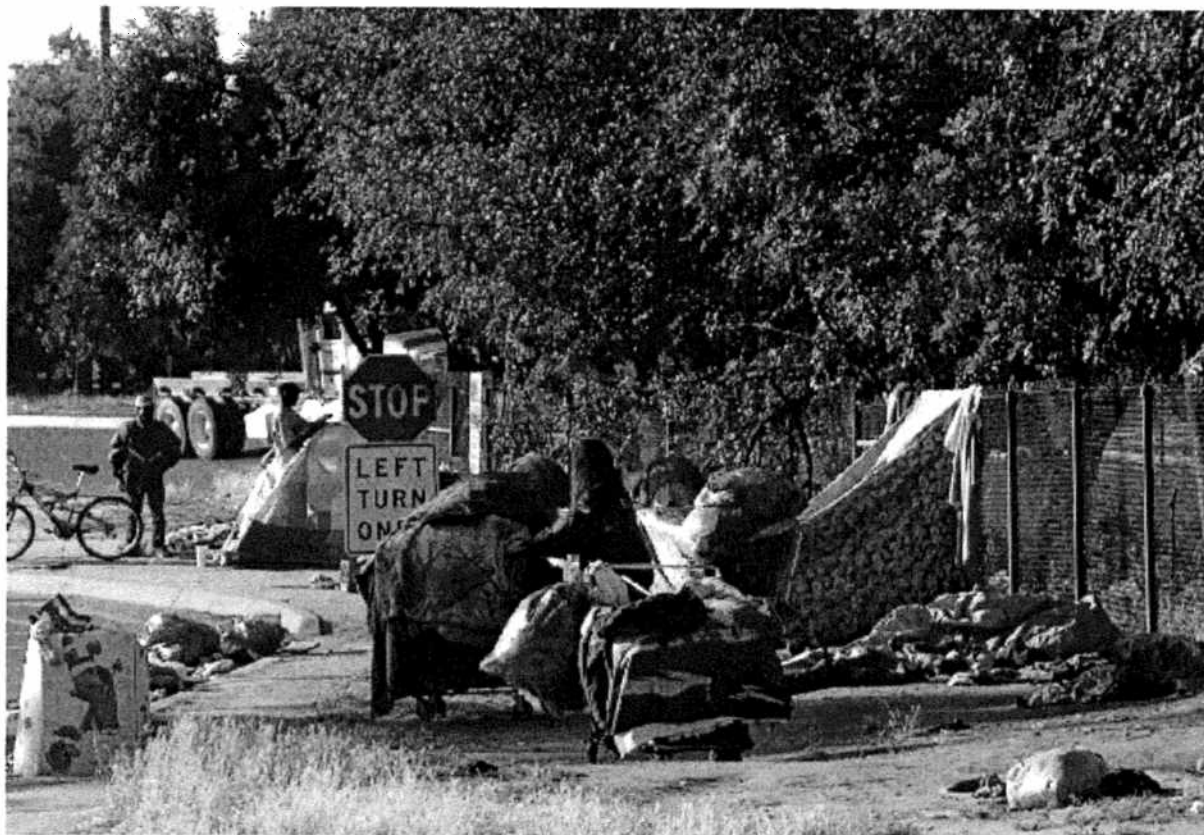
## **Central Valley | Poverty & Housing**

### **Fresno Police Department Raid Homeless Encampment (Again)**

by Mike Rhodes ( [MikeRhodes \[at\] Comcast.net](mailto:MikeRhodes@Comcast.net) )

*Saturday Jul 1st, 2006 2:38 PM*

The Fresno Police Department, having apparently solved all other crime in Fresno, sent a task force to a homeless encampment and stole their shopping carts this morning.



**600shoppingcarraid.jpg**

### **Fresno Police Department Raid Homeless Encampment (Again)**

By Mike Rhodes

The Fresno Police Department (FPD) continued their attack on the homeless in downtown Fresno this morning. Three patrol cars, a paddy wagon, a squad of officers, and a City owned flat bed truck arrived just after dawn today to raid the homeless encampment on E street, just South of Ventura. According to several eyewitness accounts, the police were there to seize shopping carts, used by the homeless. The homeless use the shopping carts to store and move their possessions from one location to another. Unlike previous raids, the homeless were given no notice that this FPD led operation was about to take place. The strip of property occupied by the homeless is public land owned by Caltrans (Department of Transportation). A little over a week ago the FPD was involved in an operation that resulted in the destruction of numerous shopping carts, filled with the property of the homeless.

Ellen (not her real name) told me that a raid like what happened this morning has never happened

before. She said "a lot of these carts were old and could no longer be used by grocery stores. People give us these carts or we find them abandon on the side of the road. The police did not ask us if these were our carts or not, they just took them." Ellen said that on several occasions people from churches or other groups have come by and dropped off carts that are no longer being used by grocery stores. She said that some of the carts may have belonged to grocery stores but that the police did not ask about ownership. "They just came out here, took my cart, and dumped all of my stuff on the ground. That is just not right," Ellen said.

The police took the name of each person in possession of a cart and, according to Ellen, told them that if they were found with a cart again they would be cited for theft. The police then turned each cart over, dumping the homeless peoples possessions on the dirt. They loaded the shopping carts onto a flatbed truck and hauled them away. "Now they are going to come back, like they do every couple of weeks, and throw all of our things in a garbage truck. Without shopping carts we have no way of removing our stuff when they come." For background information about the frequent attacks on the homeless in Fresno see:

<http://www.indybay.org/newsitems/2006/06/22/18281976.php>

Ellen said this was the first time she is aware that the FPD has come and taken the shopping carts. She said "someone working for the grocery stores has come by before and collected the carts. But, they did not come with the police."

Why are the police taking an increasingly aggressive role in harassing the homeless? In an earlier inquiry to the FPD, they claimed they were only playing a supportive role in helping Caltrans, who owns the property, clean up. As Chief Information Officer Jeff Cardinale said, "we are just there to keep the peace." Cardinale claimed Caltrans had requested their assistance.

Caltrans officials say their agency has been responding to a petition from the City of Fresno on file with the Caltrans office to "clean up" this strip of land (on E street just South of Ventura). In response to a Public Records Act request Caltrans provided this Indymedia reporter with an Encroachment Permit. The Permit, which is posted below, is not from the City of Fresno and is not responsive to the request. Further Public Records Act requests are being filed to get to the bottom of who is behind these relentless attacks on the homeless.

When asked why the homeless were under attack, Ellen said she thought the Poverello House (a homeless agency nearby) was behind it. She said "every time the police come out here, this guy from the Poverello House comes out and watches. I think having all these homeless people living out here makes it look like they are not doing their job." The police and City spokespeople often cite the Poverello House as a place where the homeless could go to get off the street. The Poverello House has several tool sheds they have opened up to the homeless to sleep in, as an alternative to sleeping on the street. "With temperatures over a 100 degrees these days, I wouldn't let my dog sleep in those tool sheds," Ellen added.

Other homeless people I talked to said the police and city officials would like to make life so miserable for the homeless that they leave and go to another town. Some community activists think the developers who are seeking to revitalize Chinatown are behind the attacks. The theory behind that is the old adage - "Follow the Money." Still others suggest that the attack on the homeless is part of the right wing agenda coming from City Hall or the FPD. That theory goes something like - It is kind to be cruel. In other words, by making life miserable for the homeless, you will make them want to turn their lives around and become productive citizens. It is the "Strong Father" model discussed in George Lakoff's book, Don't Think of an Elephant.

Indymedia will continue to follow this story and bring you the news as it develops.

<http://www.fresnoalliance.com/home>

## Encroachment Permit

by Mike Rhodes *Saturday Jul 1st, 2006 2:38 PM*

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
ENCROACHMENT PERMIT  
TR-3120 (REV. 6/2000)

In compliance with (Check one)

☒ Your application of **December 3, 2004**

☐ Utility Notice No. \_\_\_\_\_ of \_\_\_\_\_

☐ Agreement No. \_\_\_\_\_ of \_\_\_\_\_

☐ Your Reference No. \_\_\_\_\_

Permit No.  
**0604-NMC-0679**

Caltrans/State/Local (R/P)  
**06/FRE/41, 99, 168, 180 /VAR**

Date  
**December 6, 2004**

Fee Paid  
**\$ EXEMPT**

Fee Paid  
**\$ EXEMPT**

Performance Bond Amount (1)  
**\$ N/A**

Payment Bond Amount (2)  
**\$ N/A**

Bond Company

Bond Number (1)

Bond Number (2)

TO:

**CITY OF FRESNO  
2101 "G" STREET, BUILDING "E"  
FRESNO, CA 93705**

**ATTN: PHILLIP WEATHERS  
PHONE: (559) 621-1447**

### ANNUAL LITTER REMOVAL PERMIT

#### PERMITTEE

And subject to the following, PERMISSION IS HEREBY GRANTED to:

enter upon State Highway right-of-way of State Routes 41, 99, 168, 180 within the City of Fresno for *litter removal operations to be conducted between the hours of 9:00 a.m. and 3:00 p.m. at various postmiles and on various days as approved by Caltrans. Caltrans will assist in the traffic control and all work shall be conducted on the shoulder of the freeways*

All work shall be done in strict accordance with the attached Adopt-A-Highway Permit Special Provisions (TR-0156), the attached Caltrans Adopt-A-Highway Program Safety Requirements For Participants, and as directed by the Caltrans Maintenance Superintendent or his representative.

**NOTIFICATION:** PERMITTEE shall notify Caltrans Maintenance Superintendent (STEVE MASON at (559) 488-4180) to arrange for a prejob meeting with the Maintenance Superintendent or his representative. **NO WORK SHALL BE ACCOMPLISHED PRIOR TO MEETING WITH THE MAINTENANCE SUPERINTENDENT OR HIS REPRESENTATIVE.**

THIS PERMIT IS NOT A PROPERTY RIGHT AND DOES NOT TRANSFER WITH THE PROPERTY TO A NEW OWNER.

The following attachments are also included as part of this permit (Check applicable)

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	General Provisions
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Utility Maintenance Provisions
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Special Provisions TR-0156, A-A-H Safety Requirements
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	A Caltrans permit, Prerequired Permit No. _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	As Built Plans, Submittal, Review Sign for Locally Advertised Projects
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Storm Water Pollution Protection Plan

In addition to fee, the PERMITTEE will be billed actual costs for:

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Review
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Inspection
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Field Work

(If any Caltrans effort expended)

☐ Yes ☒ No The proposed work has been reviewed and is considered prior to approval of this permit.

This permit is void unless the work is complete before

**December 6, 2006**

This permit is to strictly control and no other work other than specifically mentioned is hereby authorized.

No project work shall be commenced until all other necessary permits and environmental clearances have been obtained.

RAE/41

cc: DUC, W&K, Maintenance - Steve Mason

Attach: TR-0156, A-A-H Safety provisions

Permit Engineer: Robert Bibb (559) 425-0497

FW 9/1/06

APPROVED:

Jay Norvell, Acting District 6, Central Region

BY

Jim Perrault, Acting Chief, Permit Branch

Page 3 of 4

17/05/06 09:08:00

10:59:00 05/05/06

Printed By: CALTRANS PERMITS

**600caltransdoc.jpg**

Caltrans gave me this document to justify their attack on the homeless.

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# APPENDIX 6

<http://www.indybay.org/newsitems/2006/08/26/18301032.php>

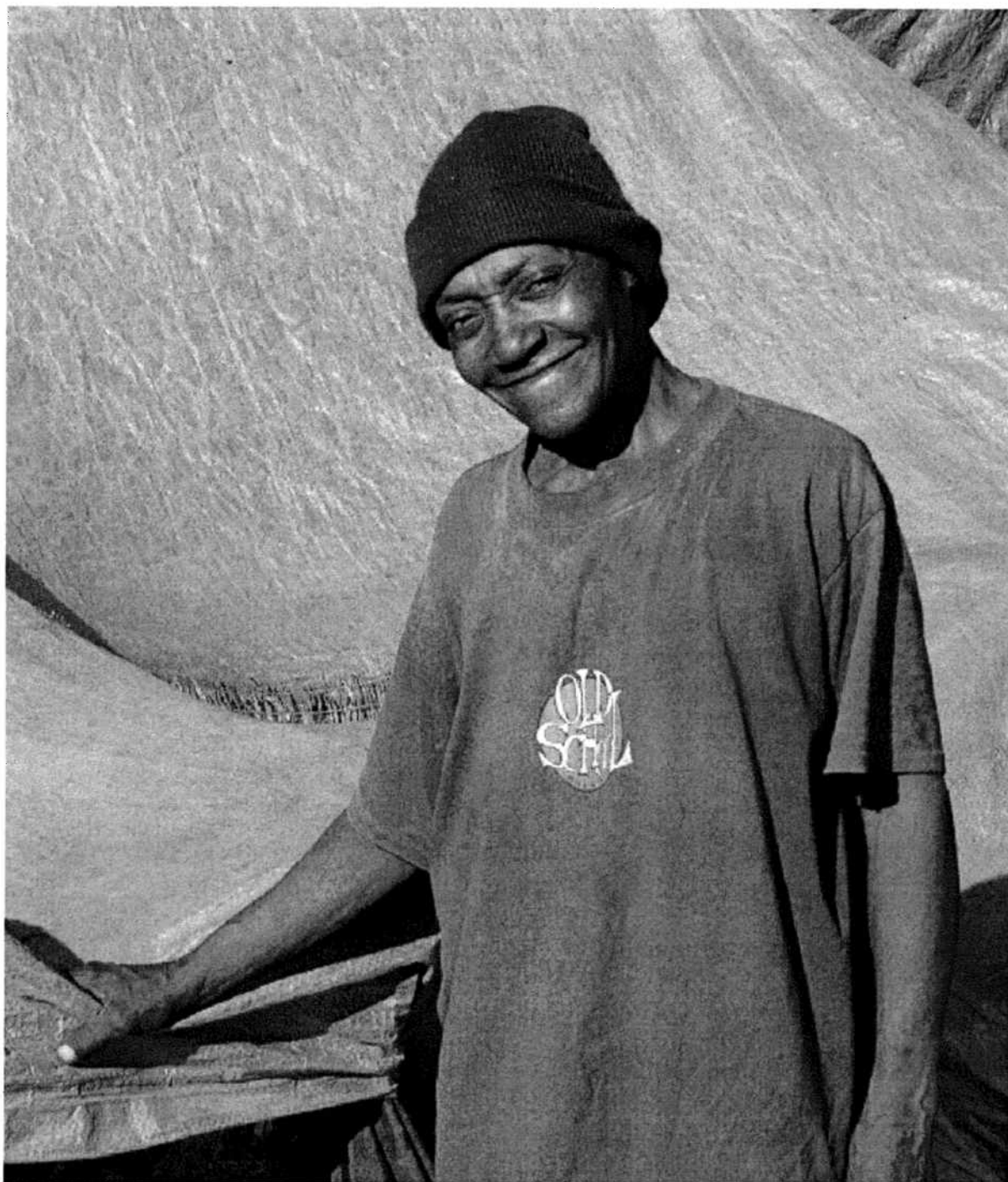
## **Central Valley | Poverty & Housing**

### **Bulldozers, Barbed Wire, and Harassment for Fresno's Homeless**

by Mike Rhodes ( [MikeRhodes \[at\] Comcast.net](mailto:MikeRhodes@Comcast.net) )

*Saturday Aug 26th, 2006 11:20 PM*

The City of Fresno forced the homeless from multiple encampment in downtown Fresno today. City spokespersons said the homeless could stay at the Poverello House. Inquires at the Poverello House found that they were not open after 1 PM on Saturday. By 2 PM their gate was locked and nobody was allowed to enter. They were in no position to take in the hundreds of homeless people who had been displaced by the city raid.



600cynthia1.jpg

## **Bulldozers, Barbed Wire, and Harassment for Fresno's Homeless**

By Mike Rhodes

Barbed wire fences went up today in downtown Fresno to keep the homeless off a strip of land owned by Caltrans. The homeless were told to move to the Poverello House, which is a homeless center nearby. Assistant Fresno City manager Bruce Rudd said "we met with the Poverello House yesterday and they said they could take in anyone who needed a place to stay." Several homeless people I talked to scoffed at this assertion and said the Poverello House doesn't have the facilities to take in the hundreds of people who had just been displaced. Dee, one of the homeless women in the area, told me that the

Poverello House closes at 12:30 PM on Saturday. "There is no way they are going to let us all in there," Dee said.

I went to the Poverello House and asked for the person in charge. I talked to Paul who said he was in charge for the day. I asked him if I could see the facilities where the hundreds of homeless people were going to sleep tonight. Paul looked like a deer caught in the headlights of a car and said that he would have to call his boss and have them call me. He confirmed what Dee had said - they start getting people out of the Poverello House at about 12:30 PM and everyone is gone by 2 PM on Saturday. Nobody from the Poverello House called me back.

Before leaving the Poverello House I ran into the director of the Naomi House, which is located on the grounds of the Poverello House. Naomi House, provides women with a place to sleep. They have room for 25 women and they use a lottery system to determine who gets to stay the night. When I told her about the "clean up" on E street and that the city spokesperson was saying all of the homeless could come to the Poverello House, she just rolled her eyes. She said, "we don't have enough room as it is, how are we going to take more people in?" In addition to Naomi House, which is the only homeless shelter for women in Fresno, the Poverello House runs a "City of Hope." The City of Hope grew out of a tent city they established a couple of years ago. The tents were replaced with Tool Sheds that house about 50 people. Many of the homeless complain about the City of Hope because of the rules (there are lots of them), because you can't come in until the evening, you have to leave early, and the members vote you in or out. Pam, a homeless woman in the area, said it was "like the TV reality show Survivor - which homeless person will get voted out of the shelter this week?" Another homeless person described it as a Nazi concentration camp.

The only other shelter in the area is run by the Fresno Rescue Mission. The Rescue Mission has about 150 dormitory style beds, but they are only for men. Pam says they don't even let women use the restrooms. The Rescue Mission requires those who want to spend the night to attend prayer services first.

With about a thousand homeless people in the downtown area, and inadequate shelter space available, what is the city going to do with people who are homeless? I asked that question to the Assistant City Manager Bruce Rudd. Rudd said "we are going to encourage people to avail themselves of the facilities available." I asked if they would arrest people for camping on the street. Rudd said "I hope it doesn't come to that."

Right after my conversation with Paul from the Poverello House and interview with Bruce Rudd, things started getting exciting on the Caltrans strip of land on E street. Lisa Apper, with the Saint Benedict Catholic Worker, had put herself in front of the garbage truck that was being filled with the homeless peoples tents, clothing, and other possessions. Apper refused to move saying "we have got to take a stand for justice." Several Fresno Police Department officers arrived and an animated conversation took place (see photo below). Apper refused to move.

About that same time, several activists from the Fresno C.A.F.E. /Food not Bombs collective, were starting to position themselves in front of some of the homeless peoples possessions. Fresno Police Department officer Rey Wallace pushed them toward the street. They managed to out maneuver him and ended up in front of the bulldozer (photo below).

The police and city clean up crew gave up on the strategy of trying to talk those engaged in civil disobedience out of the act and removed both the bulldozer and garbage truck. This turned out to only be a brief tactical retreat. Most of the homeless and their allies moved down to the other end of the strip of

land where there was an African American man in a wheelchair who was refusing to leave his tent. As everyone went to the other end of the strip of land, the city brought in a crew to start building a fence around the property.

Walter, the guy who was refusing to move, demanded a permanent place for him and his dog. The police negotiated with him for several hours before finally working something out that was acceptable.

As Walter was being led away, I heard City Manager Andy Souza telling the channel 47 (CBS) reporter about how all these people could go to the Poverello House and they would be given a place to sleep for the night. After the interview I told him that what he said was a nice story for the TV audience and that it would probably make people feel better knowing that the homeless had a place to stay, but that he and I both knew it was not true. We talked about the lack of shelter beds and I asked him what the city's short and long term plans are for eliminating homelessness.

Souza did not have a lot of answers to the question about the city's plan for eliminating homelessness, but we did have a conversation about what short and long term solution might exist. He seemed to think that the crisis precipitated by the events today might motivate the city to work toward developing a plan to end homelessness. We agreed that pushing people out of one area to another was not a solution. It just displaces the problem. He listened as I told him the homeless in this area need a safe place to stay, trash service, running water, and portable toilets. These services would be less expensive than the constant attacks being carried out and would actually help rather than hurt the homeless.

Police Captain Greg Garner and Bruce Rudd joined us. Souza said that living conditions like this would never be tolerated if it was up in North Fresno by River Park. Garner said that the solution was not always something the City of Fresno could come up with. He asked "why don't the churches and other community groups get together to help?" There was agreement that most people in North Fresno don't know that conditions like this exist in this community.

While we talked, the bulldozer and clean up crew was busy filling the garbage truck with the possessions of the homeless. When they were done on E street, they turned and headed East on Santa Clara. A report just received (10:30 PM on Saturday night) says that a section of the fence on E street has already been destroyed, making the area again accessible to campers.

###

<http://www.fresnoalliance.com/home>

### **Tents on Overpass**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*



600tentonroad.jpg

The clean up today spread over a large area of downtown Fresno. The man in the foreground is working to remove his tent before it is thrown away by a Rescue Mission crew.

**Mattress Thrown in Dumpster**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*



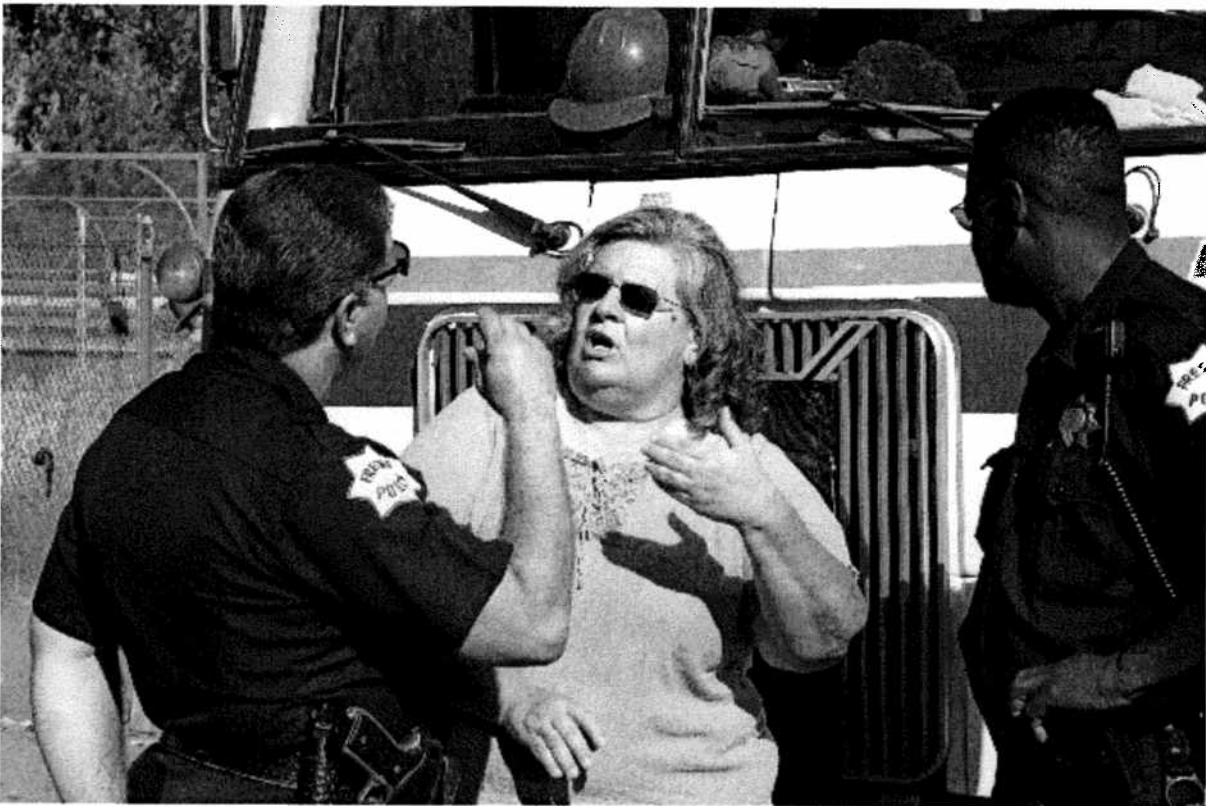
600bed.jpg

Beds, tents, food, everything was thrown away. One person told me that in the last “clean up” the City of Fresno work crew threw away one of their family members who had been cremated and was in an urn. Another homeless residents told me the only picture she had of her mother had been destroyed. An African American man told me his diabetic medicine had been thrown out and others said they had lost their ID.

**Liza Apper is a Member of the Saint Benedict Catholic Worker**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*



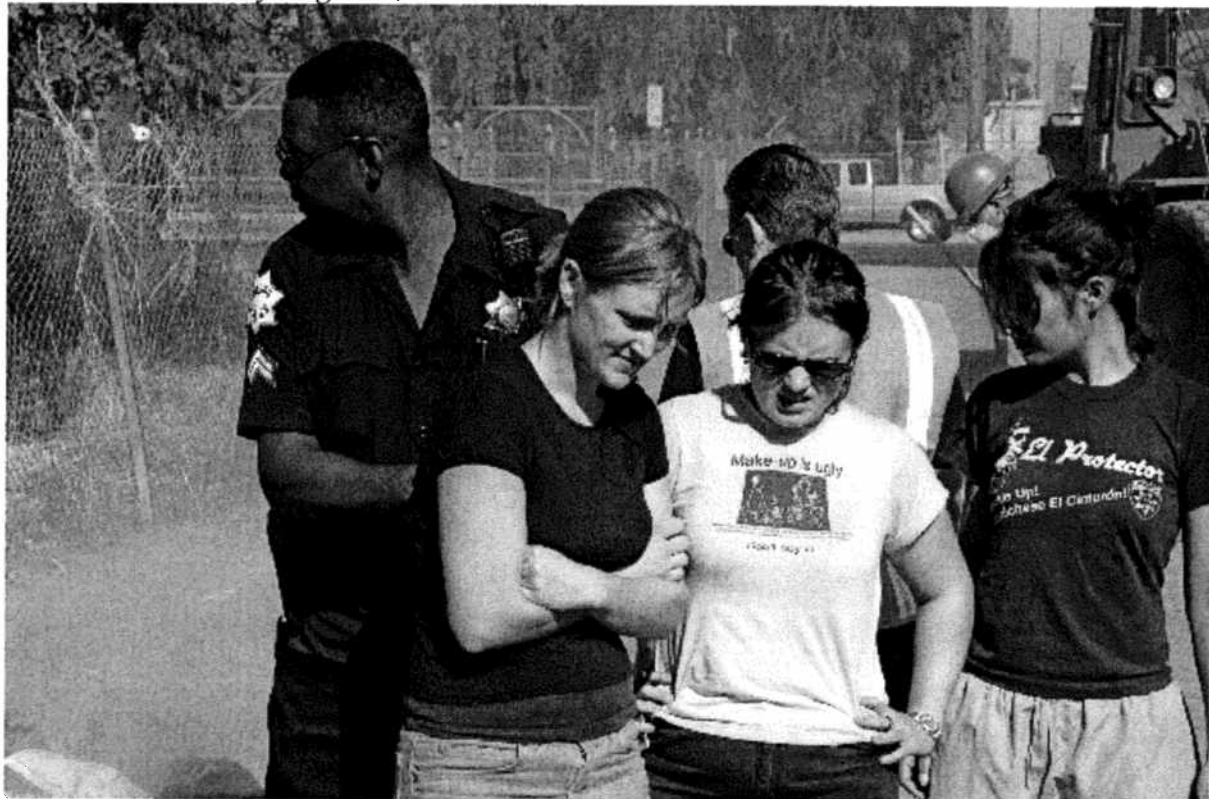


600liza.jpg

Liza Apper stood in front of the garbage truck and refused to move. She was threatened with arrest.

**More Civil Disobedience**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*



600threeresisters.jpg



Following Liza's refusal to move, these three women positioned themselves in front of a bulldozer. Here they are being pushed away by officer Rey Wallace of the Fresno Police Department.

**Activists Refuse to Move**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*



600bulldozer.jpg

After evading officer Wallace these two women reposition themselves in front of the bulldozer.

**The Fence**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*

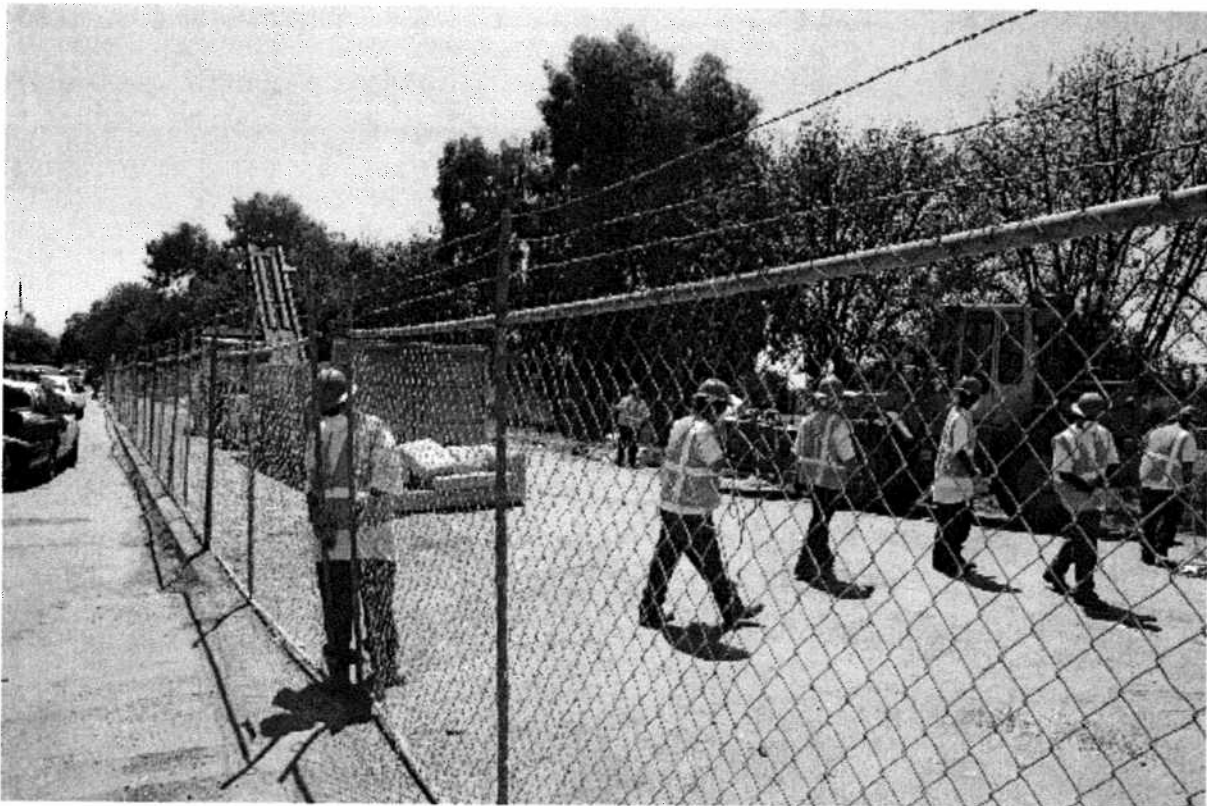


600fence2.jpg

The police gave up trying to threaten and push people out of the way. Instead, they brought in a crew to build a wire fence with barbed wire on the top. The fence surrounded the area and gave them control of the strip of land.

**Clean Up Crew arrives**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*

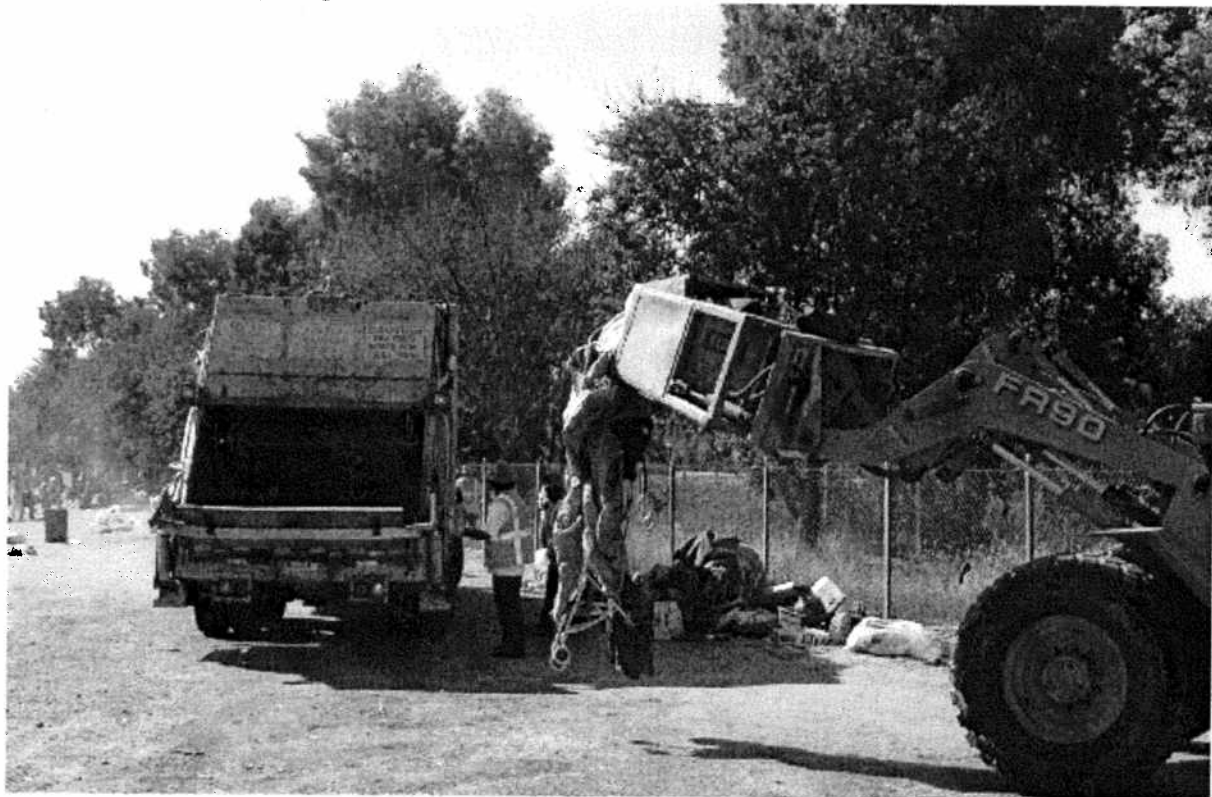


600fence3.jpg

After the fence was up, the clean up crew arrives to finish the job.

**Mission Accomplished**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*



600cynthia\_starp.jpg

The City of Fresno was finally able to completely destroy Cynthia's home. This is a picture of a piece of the tarp from her home in the grip of the bulldozer. A photo of Cynthia standing in front of her home is at the top.

### **Last Man Out**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*

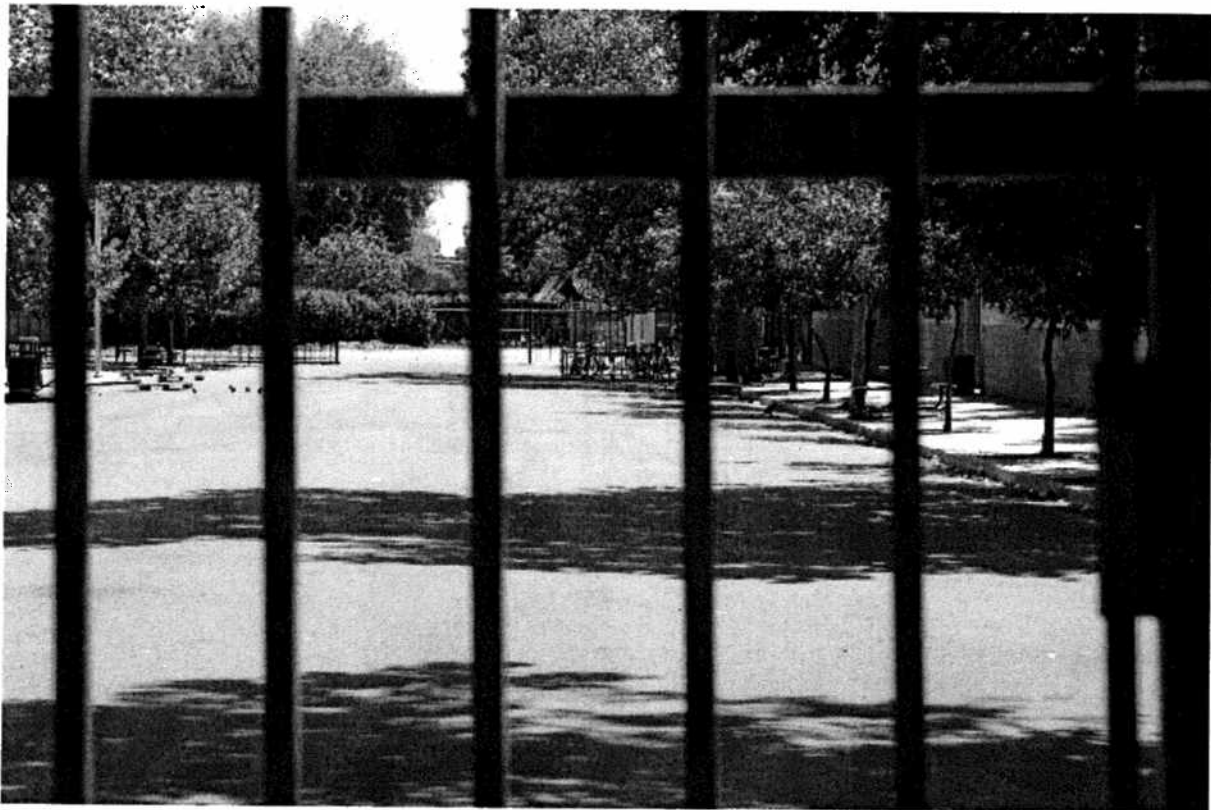


600lastmanout.jpg

Walter was the last person to be removed from the strip of land on E street. He would not move because he and his dog did not have any place to go. One homeless person asked me why mayor Autry could find 400 beds for victims of Hurricane Katrina, but could not help the homeless right here in Fresno. Why, she asked, does the mental health department put people they release in a taxi, give them \$1 and have them dropped off on this street? What is Fresno's 10 year plan to end homelessness?

### **Poverello House**

by Mike Rhodes *Saturday Aug 26th, 2006 11:20 PM*



600pov.jpg

City spokespersons said the homeless, who had been displaced by today's raid, could stay at the Poverello House. This is a picture of the front gate of the Poverello House at 2 PM on Saturday. The Poverello House was closed and they were not prepared for the hundreds of homeless that needed a place to stay. All photos by Mike Rhodes.

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