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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA: FRESNO DIVISION

Pamela Kincaid, Charlene Clay, Doug
Deatherage, Cynthia Marie Greene, Joanna
Garcia, and Randy Johnson,
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,

Defendants.

Civil Action No.: 1:06-CV-1445 OWW

**DECLARATION OF ALTHONSO
WILLIAMS**

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I, Althonso Williams, declare as follows:

1. I have lived in Fresno since 1963 except when I was serving with the United States Army (1968-1975). I have been homeless off and on since 1991, although I have had several jobs during that time. Unless otherwise noted, I personally witnessed or experienced the events described in the following paragraphs of this declaration.

2. In the Fall of 2005 some friends of mine, including my wife Sherri and I, were loading my property – almost everything I owned – into a pickup truck near Hedges and Crystal in West Fresno, when two Fresno Police Officers approached us and said they were going to tow the truck and that if we wanted to save our stuff we had to take it out of the truck and put it on the sidewalk. We did so; then I left to go get some other form of transportation for my things. When I came back with a cart to carry my stuff, the city workers were just finishing loading my property into the back of a city pickup truck. The same police officer was still there. When I asked him what was going on, they said I couldn't leave stuff on the sidewalk. The city workers told me the police had told them to remove my property. When I asked to take my stuff back they said no. My wife and I lost everything we owned, including our wedding photos, family photos, identification, birth certificates, her medication and wheelchair, all our clothing, and everything else.

3. Around January or February of this year, my wife and I were living in a vacant field in the 1700 block of Olive. At about 9:00 in the morning, two Fresno police officers showed up and told us we had one hour to move all of our possessions. We started moving our things, but before we were able to move everything city workers arrived with a scoop loader and another loader with a grabber on the front and garbage truck. They said

1 our time was up and they were going to take everything that was still there. Then they
2 destroyed everything we had not been able to move. We lost our sleeping bags and much of
3 our clothing. A construction company also had some equipment on the lot. I had gone and
4 told the company owner's son what was happening, and the son came and talked to the city
5 workers. The workers did not destroy the construction company's equipment; instead, they
6 told them they had a few days to move their property.
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9 5. The city also came and destroyed our property twice this summer. Both times
10 my wife and I were staying on private property at Olive and West with the owner's
11 permission. The first time, I was not present. I had left to get a cup of coffee and when I
12 got back, everything was gone. All of my things had been in carts, covered with tarps; I had
13 tied the tarps down. The other people staying there told me that the police and city workers
14 had come and taken my things.
15

16 6. The second time was at the end of August, maybe the 25th. I again had left to
17 go get a cup of coffee. When I returned I found 6-8 city workers with a garbage truck and
18 about 5 police officers. The workers were throwing everything we owned into the garbage
19 truck. I walked up to the city workers and told them it was my property and I wanted to
20 take it. They told me that the police had ordered them to destroy it. I then went and asked
21 the police why they were taking our belongings. I told them I was going to get my wife's
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1 medicine and started walking towards the truck. The police then pointed tasers at me, so I
2 stopped. They said “you guys get what you deserve,” and laughed. The workers then
3 destroyed the rest of my property.
4

5
6 I declare under penalty of perjury under the laws of the State of California at the
7 foregoing is true and correct. Executed on November 5, 2006 in Fresno, California.
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10 /s/ Althonso Williams
11 Althonso Williams
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