

### **Declaration of Debra Browne**

I, Debra Browne, do hereby declare:

1. I am 62 years old. I live in Palisade, Colorado, which is approximately 13 miles east of Grand Junction, Colorado.
2. I live on government assistance provided by Mesa County. I live very frugally, but still I often do not have enough money to meet all of my needs.
3. Throughout my life I have worked mainly as a pantry chef in restaurants and have also worked as a maid in motels. In 2007, I was no longer able to work because of back and shoulder injuries. It then became necessary for me to begin asking for donations in order to supplement my monthly income to pay my rent, gas, lights, prescription medication and to keep my car running. I am lucky to have a car, but it costs \$45 per month to own my car, including gas, maintenance, insurance and licensing.
4. I usually ask for donations when I need extra fresh fruits and vegetables, or money for monthly expenses, including prescriptions and gas for my car, or when I needed help pay for travel to visit my daughter. My daughter lived California and was diagnosed with breast cancer in 2006. At that time, I was working but not earning very much, and I was also taking care of my mother. I did not have much money to travel but it was very important that I visit my daughter while she was fighting cancer. My daughter lost her fight with breast cancer a few years ago.
5. Over the last several years I have tried very hard to keep my mobile home and a roof over my head, but it's been a challenge. My son has tried to help me by paying some of my rent, but he is almost broke from the money he has given to me.

6. In 2012 I was experiencing chronic pain and, because I do not have health insurance, I waited until there was a free clinic in the area. During that exam I was diagnosed with an aneurism and told to go immediately to the hospital. I took the bus from the clinic to the hospital and was admitted to the hospital, where I remained for several days. A week later I had surgery to put a stint in my heart. Since that time I have had continuing heart problems, including severe pain. Just recently I was readmitted to the hospital for kidney failure. I had surgery to put in additional stints. I have tried to get disability, but have been denied. In order to pay for my medications I need to ask for donations.

7. Because Grand Junction is more populated than Palisade, I travel to Grand Junction by bus to panhandle in order to supplement my monthly income. I pay for a bus pass, which is how I usually get around because it is cheaper than driving. When I take the bus to Grand Junction from Palisade, I will often sit near the bus stop where I get off the bus because it is difficult for me to walk very far due to my medical conditions. Walking more than a few blocks causes significant pain in my left leg. I sometimes sit on the rock walls or the public benches that are very close to the bus stop.

8. I generally panhandle in downtown Grand Junction between 7<sup>th</sup> Avenue and 4<sup>th</sup> Avenue on Main Street. Often, I sit in front of the Wells Fargo (where there is an ATM) on the public benches or the wall. While sitting silently, I usually crochet or do craft work while keeping a sign that sits next to me asking for help. The sign will say something like, "Please Help Me" or "Need Help to Visit my Daughter." I will exchange my crafts and artwork for donations, or I also accept donations.

9. I also do what I call “street art” which includes carving heads out of apples. Because of this, I have the nickname “apple head lady.” If I bring a smile or a happy half hour to someone, why can't they give me some money in donation? This is a part of my life that makes me happy and relieves some of the stress from dealing with my medical issues.

10. I come down to carve apples and crochet for the social interaction and if I can make a little bit of money for it, then that really helps me. I also really enjoy sharing my crafts with others. I meet people as I sit there and I enjoy the social outlet. I also want the ability to ask people to help me with little things that I need. People that I meet often ask me about my situation, and I tell them. There are many people that recognize me on Main Street and they stop to talk to me to make sure that I am doing ok.

11. There have been times when I have attempted to trade my crafts for donations on Main Street and Grand Junction police officers have warned me that I am not permitted to “sell” my crafts because I do not have a license to operate a commercial establishment. I do not believe that this is right. I have not set up a store, I just offer to repay people's kindness by providing them with a homemade item.

12. The new ordinance will prohibit panhandling within 100 feet of an ATM, a school, or a bus stop. As explained above, the places I sit are almost always within 100 feet of an ATM or bus stop. I understand that the ordinance also prohibits me from requesting donations from anyone over the age of 70 years old and from people with disabilities. Some people that help me or stop and talk to me are elderly or disabled. I

think this ban violates my constitutional right to communicate with people about my situation and to ask for help.

13. When I ask for help, I don't sit on private property and I don't block the sidewalk. No one has to interact with me at all if they choose not to.

14. I am a quiet and friendly person. I am not aggressive with anyone when seeking donations. I rely mainly on the sign, and do not generally ask people directly for donations. I don't get upset if people don't give me money. I will sit for about an hour or two to earn a few dollars.

15. I understand that the new panhandling ban will make it illegal for me to do what I have been doing for the last 6 years – peaceably using a sign seeking assistance from local passersbys. I think this ban violates my constitutional right to communicate with people about my situation and to ask for help. It has been my experience that many people want to talk with me about my situation and why I need help, and many want to have the opportunity to give me a little financial assistance.

16. I believe that I have a right to ask for donations and offer to trade my crafts for those donations in downtown Grand Junction.

17. I would like to continue to request donations based on the generosity and kindness of people, or in exchange for my street art and crafts, and I believe I have a constitutional right to share my crafts with others and to ask for money in exchange for my offering. Because of the panhandling ban, I must now choose between either violating the law or giving up asking for help from others. I don't think that's right.

18. If not for the ban, I would continue to ask for help from others on Main Street in Grand Junction. If I am not permitted to do this, I am genuinely concerned about my ability to pay for rent, food and other expenses including the cost of my medication.

I declare under penalty of perjury that the foregoing is true and correct.

3-5-14  
Date

Debra H. Browne  
Debra Browne