

Declaration of Jesse Bond

I, Jesse Bond, do hereby declare:

1. I have been the executive director of Humanists Doing Good since the Grand Junction chapter opened in 2011. Humanists Doing Good is an official chapter of the American Humanist Association. We are a nonprofit corporation composed of nonreligious people who work hard to promote the doing of good deeds coupled in harmony with rational thinking. Our mission is to do good deeds, establish a sense of fellowship and community, and promote secular education and activism. Through doing good deeds, we aim to inspire people to do good for the sake of good. We foster a community of compassionate and rational individuals whose ethical behavior is not dependent upon belief in the supernatural. We support equality and fair treatment of all and promote humanism as a viable worldview. We welcome collaboration with others with an understanding that good deeds can be universally appreciated and respected.

2. Humanists Doing Good is based out of Grand Junction, Colorado. Our primary area of service is the Grand Valley of Western Colorado.

3. Humanists Doing Good has solicited donations in the city limits of Grand Junction and wishes to continue to do so.

4. In 2013, Humanists Doing Good received a grant from the American Humanist Association to do outreach and education about humanism and humanists. We used this grant money to purchase a canopy, to create informational materials, and to pay entry fees to several events, including the Grand Junction Farmers Market.

5. The Grand Junction Farmers Market occurs every Thursday from mid-June through mid-September, beginning at 5 p.m. and ending around 8 or 8:30 p.m. The

market is held on Main Street through the heart of Grand Junction's downtown tourism district. There is a significant amount of foot traffic on Main Street during the Farmers Market; so it is a great way to reach a wide audience.

6. On four occasions throughout the summer of 2013, Humanists Doing Good set up a table at the Farmers Market. I was a volunteer at the table during each of these four farmers markets. A photograph reflecting our table set-up at the Farmers Market is Attachment A.

7. Our goal in setting up the table was to educate the public about our organization, recruit members, and fundraise. Farmers markets in Grand Junction and Fruita are the primary ways that Humanists Doing Good engages in this kind of outreach coupled with solicitation.

8. Humanists Doing Good plans to set up a table at several Grand Junction Farmers Markets in 2014.

9. Whenever we set up a table at the Grand Junction Farmers' Market, we place a plastic container on the table that serves to silently solicit donations. The plastic container has a sign that says: "Support us by making a donation." A photograph showing our donation container is Attachment B. During several Grand Junction Farmers Markets, passersby stopped to place monetary donations in the plastic container.

10. During some Grand Junction Farmers Markets, our volunteers have also verbally solicited donations from passersby. We do this verbal solicitation when we are trying to "fund a good deed." Humanists Doing Good often identifies an unfilled need in the community and then tries to fill that need. Sometimes these good deeds cost no money. For instance, we have gone out to rake leaves for individuals who may need

assistance doing so. Some good deeds, however, cost money. For instance, we have helped raise money for particular homeless people in need, as well as their pets. Additionally, at one or two of the Grand Junction Farmers Markets last summer, we ran a campaign to fund a new bingo set for a local nursing home, as well as small gifts for many of the residents. On these days, we placed a sign on our table asking passersby to “Donate to Fund Good Deeds for Nursing Home Residents.” Attachment B is a photograph of this sign. On the farmers market days during which we were attempting to fund a good deed, our volunteers would ask passersby: “Would you like to help fund a good deed?” Many people stopped to talk about the good deed we were attempting to fund. Our volunteers would talk with passersby about how to make a donation and would often hand the individual a flyer that the passersby could fill out in order to make the donation. The flyer is Attachment C.

11. During each Grand Junction Farmers Market, several passersby stopped at our table and talked with our volunteers. When the individual showed interest in our work, volunteers encouraged the individual to become a member, which requires a \$30 donation for individuals or a \$50 donation for families. Newly recruited members could pay at the table. More often, however, a volunteer would direct the newly recruited member to our website to make the donation on-line at a later time or to encourage payment be sent by mail at a later time.

12. Whenever our volunteers interact with the public, they do so in a friendly, congenial, open-hearted manner. They do not interact in an aggressive, threatening or even pushy manner, including when soliciting funds. Our volunteers are polite,

courteous and respectful. They do not expect anyone to donate money, but are appreciative if a donation is received.

13. The goals of our volunteers when interacting with the public – education, membership recruitment, and fundraising – are so intertwined with one another as to be inseparable. When a volunteer or I speak about funding a good deed, it is a way of speaking about our mission and our work, but it is also directly linked to fundraising. And we hope that when the public learns about the good deeds we fund and do, they may consider membership in our organization, which requires a donation.

14. I am aware that the Grand Junction City Council recently passed an ordinance that bans some solicitation. I have read the ordinance and understand that some solicitation in which our volunteers, including me, engage in at the Grand Junction Farmers Market, meets the definition of “panhandling” in the Ordinance. Therefore, I understand that, under the Ordinance, we are prohibited from soliciting within 100 feet of a bus stop or ATM; we are prohibited from soliciting one half hour after sunset; and we are prohibited from soliciting from “at-risk” people, which includes people over seventy years of age as well as people who are mentally or physically disabled.

15. I believe if our organization were to continue to solicit at future Grand Junction Farmers markets in the same way as we have done in the past, we would violate the panhandling ordinance. Of greatest concern, we have never discriminated against any passersby or potential member based on age or disability. It violates our fundamental principles of equity and fairness to even consider distinguishing between people based on such characteristics. I am certain that our volunteers have on several occasions solicited from people over the age of 70 and from people with disabilities. In fact, one of our

members, who is also a donor, is an 88 year old woman who has been very committed to Humanists Doing Good since our beginning and even donated the community coffee pot we use on a regular basis. Similarly, we have members and donors who suffer from visible disabilities. While our volunteers would never target individuals for solicitation because of these characteristics, we would certainly never avoid conversations with such people about our organization and how to donate *because* of those characteristics. I would not and could not ask volunteers to avoid interactions, including interactions that involve solicitation, with people simply because they are over 70 years old and/or disabled.

16. Additionally, we have almost certainly solicited funds more than a half-hour after sunset. The Farmers Markets technically end at 8:00 or 8:30, but Humanists Doing Good – like many other organizations and vendors at the Farmers Market – usually does not close up its table until close to 9:00 at night, including during the September farmers markets when the sun sets around 7:30. We stay that last half hour because it is an opportunity to talk to passersby that may not be the same as the crowd we see during the day. Any of our conversations, including those that happen after sunset, are likely to involve solicitation, given that we are recruiting members and also often attempting to fund a good deed. I do not believe that anyone from whom we solicited funds after sunset felt threatened or coerced by our volunteers.

17. Finally, although I have not gotten out my measuring tape, I am concerned that our table at the Farmers Market has been placed within 100 feet of an ATM or bus stop. Our table location is determined by the City of Grand Junction. On one occasion, we were placed very close to Wells Fargo, which has an ATM and a nearby

bus stop. On another occasion, we were placed very close to Quincy's Bar, which also has an ATM. Although our volunteers did solicit funds relatively close to an ATM and bus stop, I do not believe any passersby felt intimidated, threatened or unduly coerced by the solicitation.

18. Humanists Doing Good would like to continue to solicit at future Grand Junction Farmers Markets exactly as we have done in the past. Now, because of the solicitation ordinance, soliciting in the manner we have in the past would be a criminal act.

19. It is the position of the Humanists Doing Good that the solicitation ban violates the organization's constitutional right to solicit funds while educating the public about our mission and work. I believe Humanists Doing Good has a constitutional right to peaceably solicit on public property in the City of Grand Junction, including during the Main Street Farmers Markets. Now that the solicitation ban has passed, Humanists Doing Good is forced to choose between: (a) following through on our outreach and fundraising plans and violating the ordinance; or (b) complying with the ordinance and foregoing the exercise of constitutional rights. Humanists Doing Good, its members, and its volunteers should not have to break the law in order to exercise a constitutional right.

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

Date

Jesse Bond