



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-0281-WJM-KMT

ABBY LANDOW,
JEFFREY ALAN,
SUSAN WYMER,
LAWRENCE BEALL,
GREENPEACE INC., and
NANCY YORK,
Plaintiffs

v.

CITY OF FORT COLLINS,
Defendant

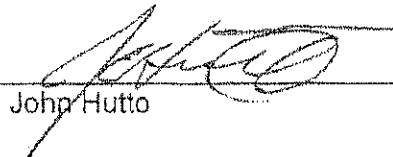
AFFIDAVIT JOHN HUTTO

Affiant, John Hutto, after being duly sworn, states as follows:

1. I am the Chief of Police for the City of Fort Collins Police Services ("Police Services").
2. I have been in this position since December 1, 2011.
3. The command staff and I have undertaken efforts to notify all law enforcement personnel of the sections of Ordinance No. 70, 1995, of the City Council of the City of Fort Collins ("Ordinance No. 70") that were repealed.
4. The command staff and I have undertaken efforts to explain to all law enforcement personnel the meaning of the repealed sections of Ordinance No. 70, as that relates to enforcement of the provisions that remain under Ordinance No. 040, 2015, of the City Council of the City of Fort Collins ("Ordinance No. 040").
5. It is not the intention of Police Services to enforce the provisions of Ordinance No. 70 that were repealed.

- 6. While it is always my intention that members of Police Services follow the law, that rule has been reemphasized with regard to Ordinance No. 70 and its repealed provisions.
- 7. To the best of my knowledge, since portions of Ordinance No. 70 were repealed by the adoption of Ordinance No. 040, no tickets have been issued or warnings have been given, related to the repealed provisions.
- 8. As directed by the City Council, Police Services will participate to the extent appropriate in outreach activities regarding panhandling with the Fort Collins public, receipt and consideration of related community and general public input (including input from the Plaintiffs and the ACLU, should they choose to offer it), and discussion among the various interested City departments, and in the development and review of geographic information related to panhandling activities and the way in which they are regulated by the City.

Further, affiant sayeth naught.



 John Hutto

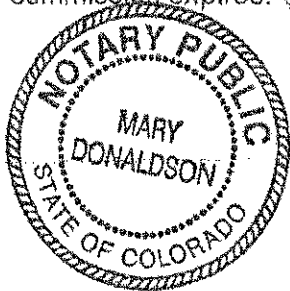
STATE OF COLORADO)
) ss:
 COUNTY OF LARIMER)

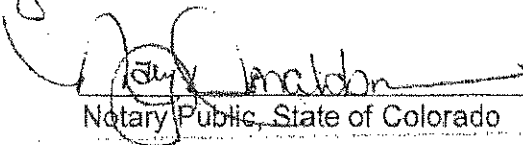
Subscribed and sworn to before me on this 6th day of March
 2015, by John Hutto.

Witness my hand and official seal.

My commission expires: July 16, 2017

[SEAL]





 Notary Public, State of Colorado