



NEWS

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**ACLU Challenges Unconstitutional Destruction of Homeless Property
*Court Should Prohibit Seizure of Tents, Personal Items Without Reasonable Notice***

ANCHORAGE, AK, April 28, 2010 — The American Civil Liberties Union of Alaska Foundation (ACLU) today filed suit in the Superior Court in Anchorage seeking an order prohibiting the Municipality, and the Anchorage Police Department, from further raids on homeless camps, and the seizure and destruction of homeless individuals' tents, clothing, and other personal items with as little as 12 hours' notice.

The lawsuit, *Engle v. Anchorage*, on behalf of Dale Engle and other homeless persons who have had property destroyed or are at-risk of losing their possessions, challenges Anchorage Municipal Code section 15.20.020, which authorizes sweeps of homeless camps and categorizes shelter and other items as "waste." The ordinance does not allow for any challenge to destruction of personal property.

Engle, stated: "I served in the United States Army and had been awarded medals which were very important to me. The police took my medals, and destroyed them. They can never be replaced."

ACLU of Alaska Executive Director Jeffrey Mittman said: "We hope to negotiate with the Municipality an ordinance that recognizes the constitutional rights of homeless persons to challenge the seizure and destruction of their property, and gives them real notice of police action. Taking the tents and belongings of persons already facing personal difficulties is not the right way to address the issue of homelessness."

The lawsuit asks the court to declare the ordinance unconstitutional and to enjoin its enforcement. Should any further sweeps be attempted, the ACLU will ask the Court for a Temporary Restraining Order.

A copy of the lawsuit is available at the ACLU website at: www.akclu.org. Representing Engle is Tom Stenson of the ACLU.

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