

# Homeless sue city of Fort Lauderdale after 'raid' on downtown encampment

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The bulldozer rolled through downtown Fort Lauderdale on a bright Friday in May, sent in by the city to clean up garbage cluttering the area around Stranahan Park.

But much of that trash was actual treasure to the homeless men and women who owned it.

And that's not OK, they say. So the group of 16 is suing the city — with the help of the ACLU and the Southern Legal Counsel — for what they deem as an unconstitutional seizure of their personal property.

"People who own almost nothing to begin with, and the city actually took the last of their possessions, some of which is irreplaceable," homeless activist Jeff Weinberger said in a video produced by the ACLU.

Swept away in what Weinberger characterized as a SWAT-like "raid" were birth certificates, Social Security cards, clothing, cell phones and even medication.

And the police and city workers did so without warning, those affected said.

"I was in the library on the fifth floor charging my phone and I saw the blue barrels coming, and I said, 'Uh oh, this is it.' I went and grabbed what little things I could grab," said a homeless woman identified in the video only as Lisa.

Added Eric: "They didn't come and give us a warning, or nothing."

An email sent to the city of Fort Lauderdale for comment was not immediately returned.

In all, some 40 people lived at the encampment in downtown Fort Lauderdale until May 19, when officials arrived to clean it out with front-end loaders, dumpsters and blue bins.

City officials told CBS4 at the time that the effort was in response to a violation from the state's health department notifying them that the park had been infested with rodents.

"We have a health, safety, welfare issue," Mayor Jack Seiler told CBS4 back in May. "This is not about the homeless in the park, this is not about whether that park has had a history of problems. This is about the health, safety and welfare of people today in that park, people in that park going forward."

The homeless who were lucky enough to be on location at the time had a few minutes to save their belongings. Those who weren't had their property packed up and destroyed.

A month later, the ACLU and SLC filed a federal lawsuit stating that "the city ignored its own ordinances regarding outdoor storage on public property," and that "the raid on the homeless encampment violates the U.S. Constitution's protections against unreasonable seizures of personal property, as well as the guarantee of due process."

The suit seeks damages and an injunction that bars the city from confiscating and destroying personal property without due process in the future.

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