

Declaration of Ronald Marshal

I, Ronald Eugene Marshall, do hereby declare:

1. I am 57 years old. I have been peaceably panhandling in downtown Colorado Springs for the past 13 years. The no solicitation ban that just passed here will make it illegal for me to continue to do so.

2. I have been 100% disabled since 1999 and am simply unable to physically work a regular job. I have congestive heart failure, diabetes, arthritis, COPD, and degenerative bone disease. I have had two heart attack and 8 strokes. Two of the strokes were major strokes; the other 6 were minor strokes. I use a walker and, more recently, a wheelchair, because it is often very painful for me to put weight on one of my hips when I stand up. I have no cartilage or tendons in that hip and so the bones are locking against each other and starting to fuse. The pain I feel when I stand up and have to get the bones unlocked is very intense. I wanted to have a total hip replacement but with all of my other health issues, I have been told that I probably wouldn't survive the surgery or that I would be a vegetable afterwards. My doctor has told me that given my health problems, I should not expect to live much longer.

3. I am on Medicare, but that doesn't cover all of my health expenses. I have a \$40 co-pay for each doctor visit, and have to pay \$2.60 - \$10 per prescription to the pharmacy. I am on 8 different medications and have to pay 20% each month for diabetic testing supplies which is another \$25. I visit my primary doctor once a month and then have a couple of other doctor appointments each month.

4. I receive Social Security benefits, but even living as frugally as I do, that doesn't cover my low-cost rent, utilities, groceries, phone service and transportation costs.

I try to take the bus whenever I can, and I do get the disabled price, but when the buses aren't running I have to pay a friend or catch a cab to drive me downtown and/or home.

5. My wife, Jessica Klal, is also disabled and suffers from mental illness. I do everything I can to take care of her, including spending long hours panhandling to keep a roof over her head and food in her mouth.

6. I have been panhandling in downtown Colorado Springs – in the heart of what is now the no-solicitation zone – for 13 years. I sit at either the corner of Tejon and Pikes Peak or Tejon and Kiowa. When I panhandle, I don't sit on private property. I don't block the sidewalk. There is plenty of room to pass by me, and no one has to interact with me at all if they choose not to. I don't get in anyone's way.

7. I am a friendly, gentle person. I ask passersby if they can "spare some change" and I often ask how they are doing. These days, I have been wishing people "happy holidays." I don't get upset if people don't give me money. I am a smiling, easy going sort of guy. I am willing to spend a long day panhandling with good nature to get enough to scrape by, and I have faith that, with patience, the Lord will ensure I have enough.

8. I have a good relationship with many people who work and live in downtown Colorado Springs. Many people know me by name, initiate conversation with me, and willingly give me a little cash to help me get by.

9. I understand that the new solicitation ban will make it illegal for me to do what I have been doing for the last thirteen years – peaceably asking passersby in downtown Colorado Springs to help me out by giving me a little spare change. I think this ban violates my constitutional right to communicate with people about my situation

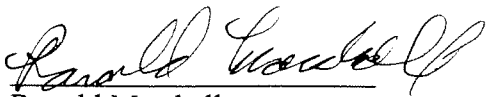
and to ask for help. It has been my experience that many people want to talk with me, they want to hear about my situation and why I need help, and they want to have the opportunity to give me a little financial assistance.

10. If not for the ban, I would panhandle in the no-solicitation zone for the better part of almost every day. If I am not permitted to do this, I am genuinely scared that I won't be able to continue to pay for medication, rent, and food for my wife and me. Downtown is really the only place in Colorado Springs with a lot of people walking around, many who are more than willing to open up their hearts and their pocketbooks to help a fellow human in need. I know because I have tried to panhandle in other areas of Colorado Springs, with little success.

11. I spent many years on the streets before I was able to find my way to God and scrape together enough money, through panhandling, to pay rent. I am a good, Christian man and a good husband who has lived a hard life and doesn't want to end up on the streets again.

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

11/20/12
Date


Ronald Marshall