

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)
 KRYSTLE BROWN,)
 714 Tewkesbury Place, NW)
 Washington, DC 20012)
)
)
 Individually And On)
 Behalf Of A Class of)
 Similarly Situated)
 Plaintiffs,)
)
 v.)
)
 THE DISTRICT OF COLUMBIA,)
 Office of the Attorney General)
 441 4th Street, NW)
 Washington, DC 20001)
)
 CATHY LANIER, CHIEF OF POLICE,)
 300 Indiana Avenue NW)
 Washington, DC 20001)
)
 VINCENT GRAY, MAYOR)
 1350 Pennsylvania Avenue, NW, Suite 316)
 Washington, DC 20004)
)
 Defendants.)
 _____)

Case No. _____

CLASS ACTION COMPLAINT

1. Krystle Brown, by and through her attorneys, on behalf of herself and all others similarly situated, brings this action for injunctive and declaratory relief against Defendants the District of Columbia, the Chief of Police of the Metropolitan Police Department (“MPD”), and the Mayor of the District of Columbia. Plaintiff seeks relief from Defendants’ unconstitutional scheme of seizing cars and retaining them indefinitely pending potential civil forfeiture proceedings, without providing individual owners a prompt, post-deprivation hearing before a

neutral arbiter in which they can challenge the self-interested police decision to seize, hold, and attempt to take ownership of their private property.

2. Ms. Brown alleges as follows, based on personal knowledge as to matters in which she has personal involvement and information and belief as to all other matters.

Nature of the Action

3. Ms. Brown is a D.C. resident whose car was seized by Defendants on April 4, 2013, after officers claimed to find two empty firearms magazines inside a pocketbook inside the car. Ms. Brown has been without her car since April 4, 2013.

4. Police gave Ms. Brown a letter dated April 22, 2013, stating that her car would be administratively forfeited and disposed of unless she paid to police a “penal sum” of \$1,962 for the right to challenge the police seizure in court.

5. Even if she paid the sum, she would not receive her car back pending any legal proceedings. According to Defendants’ policy, payment of the “penal sum” is required before Defendants will even file a civil suit formally to forfeit the vehicle in Superior Court. If the “penal sum” is not paid within 30 days, the statute permits police to sell the vehicle and retain the proceeds with no further process.

6. D.C.’s civil forfeiture scheme does not provide for a prompt, post-deprivation hearing in which property owners can test the validity of the police seizure of their vehicles, and can challenge the validity of the police’s continued retention of the vehicle pending a determination on the merits of any forfeiture action. In accordance with MPD and District policy, Ms. Brown has received no such hearing in the five weeks since the seizure and impoundment of her car.

7. The MPD's profitable and self-interested scheme of seizing vehicles pursuant to D.C.'s civil forfeiture statute without a prompt, post-deprivation opportunity to challenge the District's initial seizure and continued retention of the vehicle pending any potential forfeiture litigation violates Ms. Brown's right to procedural due process under the Fifth Amendment to the United States Constitution.

8. Ms. Brown seeks declaratory and injunctive relief.

Jurisdiction and Venue

9. This is a civil rights action arising under 42 U.S.C. § 1983 and 28 U.S.C. § 2201, *et seq.*, and the Fifth Amendment to the United States Constitution. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343.

10. Venue in this Court is proper pursuant to 28 U.S.C. § 1391.

Parties

11. Ms. Brown is a 28-year-old resident of the District of Columbia. She graduated in 2007 from the University of North Carolina Wilmington with a B.A. in Spanish, and from the University of the District of Columbia in 2009 with a B.S. in Biology. She subsequently worked for several years as a raw materials specialist and quality assurance specialist at a biopharmaceutical vaccine company in Rockville, Maryland. She has been unemployed since November 2012, and she is currently helping to take care of her grandmother while studying for the Medical College Admission Test (MCAT).

12. Vincent Gray is the Mayor of the District of Columbia and is responsible for implementing the policies of the District of Columbia as they relate to property seized by District police officers pursuant to the District's statutory civil forfeiture scheme. He is sued in his official capacity.

13. Cathy Lanier is the Chief of the Metropolitan Police Department of the District of Columbia and is responsible for executing the policies of the District of Columbia as they relate to property seized by District police officers pursuant to the District's statutory civil forfeiture scheme. She is sued in her official capacity.

14. The District of Columbia is the municipal entity employing the Mayor and the Chief of the Metropolitan Police Department.

Factual Background

A. Civil Forfeiture in the District of Columbia

15. The MPD seizes and forfeits millions of dollars in private property every year. D.C. law allows the MPD to keep the financial proceeds of the forfeitures that its officers pursue. D.C. Code § 48-905.02(d)(4)(B).

16. Civil forfeiture in the District of Columbia is governed by the procedures set forth in D.C. Code §§ 7-2507.06a and 48-905.02.¹

17. Property owners have no other mechanism to get their property back under D.C. law. Under the civil forfeiture statute, seized property "shall not be subject to replevin, but is deemed to be in the custody of the Mayor." D.C. Code § 48-905.02(d)(2).

18. Pursuant to District policy, at some undetermined point after the MPD seizes a person's car, the MPD notifies the owner of the seized property that he or she is not permitted to challenge the seizure and forfeiture in court unless the person pays to the MPD a "penal sum" in the amount of 10% of the value of the property (as that value is determined by the police). The "penal sum," which police also call a "bond," must be no less than \$250 and no greater than

¹ There are several statutory provisions pertaining to forfeiture. Each of those employs the procedures outlined in § 48-905.02, which is part of the District's laws pertaining to "controlled substances." Forfeiture related to firearms is additionally covered by D.C. Code § 7-2507.06a.

\$2,500, D.C. Code § 48-905.02(d)(3)(B), and the amount is set pursuant to the discretion of individual police officers based on their assessment of the value of the seized property.

19. It is the policy and practice of the District of Columbia not to begin legal process in which the vehicle owner may participate unless and until the “penal sum” is paid.

20. If the “penal sum” is not paid, the District may immediately forfeit the vehicle with no further process.

21. It is the policy and practice of the District of Columbia to make no initial showing of probable cause before a neutral and independent decisionmaker that the property is forfeitable, and to offer no justification before a neutral and independent decisionmaker for retaining possession of the vehicle during the pendency of any future legal proceedings, notwithstanding the hardships suffered by owners deprived of their vehicles for months or years and the availability of alternative, less restrictive means to protect the District’s interests.

22. It is the policy and practice of the Metropolitan Police Department to require claimants to pay the “penal sum.” Though a claimant may apply for waiver or reduction of the “penal sum” if he or she cannot afford it, it is wholly within the discretion of individual officers of the Metropolitan Police Department whether to grant a waiver or reduction in the “penal sum.” According to FOIA disclosures, the MPD does not have any standard procedures requiring officers to notify owners that the “penal sum” can be waived or reduced. Nor does MPD have any formal standards regarding how it is determined whether the claimant can afford the amount set by officers.

23. Once property owners pay the “penal sum,” they still do not receive their property back pending litigation. Instead, the District holds the property until it begins forfeiture proceedings against the property in Superior Court. Although the statute requires the District to

begin proceedings “promptly” if a person pays the required amount, *see* D.C. Code § 48-905.02(c), in practice, there is nothing prompt about the District’s actions. In most cases, nothing happens for months even after the “penal sum” is paid. Once the District of Columbia initiates proceedings by filing a Libel of Information seeking forfeiture, the claimant, who is not provided with an attorney, is forced to litigate the civil action on his or her own if he or she cannot afford a lawyer, including filing an answer, engaging in civil discovery and, ultimately, conducting a trial. At trial, the evidentiary burden is placed on the individual property owner to prove that his or her property is *not* subject to forfeiture by a preponderance of the evidence. D.C. Code § 48-905.02(d)(3)(G). The entire process can take months or years.

24. Although D.C. law provides that “[a]n innocent owner’s interest in a conveyance which has been seized shall not be forfeited . . .,” D.C. Code § 7-2507.06a(c); D.C. Code § 48-905.02(a)(7)(A), at no point before the civil trial—which can take place months or years after the seizure—are owners given any opportunity to demonstrate that they are “innocent.” An innocent owner in D.C. thus cannot promptly challenge the judgment of the police officer who decided on the scene that his or her car should become property of the District.

25. Applicable law provides a number of reasons that property seized by a police officer may not ultimately be forfeitable, including a lack of probable cause, a lack of a proportionate connection to an enumerated forfeitable offense, an innocent owner, an illegal seizure (the exclusionary rule applies in forfeiture cases to prevent police from forfeiting property on the basis of unconstitutionally obtained evidence), or a simple factual error. The lack of a prompt post-seizure hearing thus permits Defendants to retain private property indefinitely even if the seizing officer’s asserted basis for forfeiture would not result in forfeiture when the case ultimately comes to court.

26. During the months or years during which the District holds the vehicles, owners are deprived of the use of their property but are nonetheless obligated to continue making any loan payments required on a vehicle or risk losing the vehicle to the lending agency because, under the statute, the MPD will return vehicles to the lender upon default. D.C. Code § 48-905.02(a)(4)(D); § 7-2507.06a(b)(2). Some vehicle owners are also required by the terms of their loans to maintain expensive full insurance coverage on their vehicles, even when those vehicles are sitting idle in a police lot.

27. Owners are not compensated for depreciation in the vehicle's value or for expenses related to removing their vehicle from the police lot. For example, many vehicles do not start after spending many months on the police lot, and must be towed.

28. The MPD has a direct financial stake in erecting obstacles in front of claimants seeking return of their property. The proceeds from seizing private property go to paying the MPD's expenses, including seizure operations themselves. D.C. Code § 48-905.02(d)(4)(B). Moreover, the leftover proceeds "shall be used, and shall remain available until expended regardless of the expiration of the fiscal year in which they were collected, to finance law enforcement activities of the Metropolitan Police Department" *Id.*

B. The Seizure and Continued Retention of Ms. Brown's Car

29. MPD officers seized Ms. Brown's car on April 4, 2013. According to police, the seizure occurred after officers approached Ms. Brown's home on the evening of April 3, 2013, looking for Rouchell Chesson, Ms. Brown's boyfriend, whom they believed to have an outstanding warrant and to possess firearms. As police officers approached Ms. Brown's home, officers recognized Mr. Chesson and a woman whom officers later identified as Ms. Brown outside the house. When Mr. Chesson saw police, he began running, leading to a brief chase

during which a police officer fired at Mr. Chesson before Mr. Chesson surrendered. A firearm, bullets, and magazines were allegedly found near Mr. Chesson and in his path, and a small amount of marijuana was allegedly found on Mr. Chesson during his police interview.

30. After apprehending Mr. Chesson, officers claim to have gone over to Ms. Brown's car and searched it, finding a pocketbook inside the car and finding two empty firearm magazines inside the pocketbook. Officers then seized the car in the early morning of April 4, 2013.

31. Based on these events, Officers obtained a search warrant for the home outside of which Mr. Chesson and Ms. Brown were confronted, finding a marijuana cigarette and ammunition inside. Ms. Brown was later charged with misdemeanor offenses based on what officers claimed to find inside the home, and she was appointed an attorney by the court because of her inability to pay.

32. The charges against Ms. Brown do not involve her vehicle. The Assistant United States Attorney prosecuting the case in Superior Court has submitted the necessary paperwork to police releasing the car and indicating that it is not needed as evidence.

33. After the seizure, Ms. Brown called police repeatedly to attempt to get information about her car. The police have not explained to Ms. Brown why they have seized and continue to retain her car for forfeiture. Police also retained, without explanation, cash and other items, including Ms. Brown's driver's license.

34. On April 22, 2013, nearly three weeks after the impoundment of the car, police gave Ms. Brown a standard notice letter explaining that her car would be administratively forfeited under D.C. controlled substance and firearms laws unless she paid to police \$1,962 for the right to commence a court challenge to the police decision. Other than citing to D.C. drug

and gun laws generally, the letter does not explain why those laws would apply to Ms. Brown's car. The letter provided a phone number for Ms. Brown to call for more information about forfeiture, but that number has been disconnected.

35. Even if Ms. Brown paid the "penal sum" of \$1,962, however, her car would not be returned during the pendency of any civil forfeiture case in which she could actually litigate Defendants' right to take and sell her car.

36. On May 8, 2013, Ms. Brown submitted to police an application to waive the requirement that she pay this sum because she is indigent.

C. Ms. Brown's Reliance on Her Car

37. Vehicle owners whose cars are seized and held indefinitely by police suffer serious hardships from the loss of their vehicles, for example losing the ability to get to work and fulfill basic tasks necessary to the health and welfare of themselves and their families.

38. Ms. Brown is no different. Like every other owner whose car is held indefinitely by police, Ms. Brown has suffered and continues to suffer serious hardships from the loss of her car. Ms. Brown relies extensively on her car. In addition to using her car for basic tasks like groceries, appointments, errands, and visits with friends and family (including her ill godmother and her eight-year-old brother, for whom she helps to care), Ms. Brown needs her car to take care of her grandmother, who raised her, and her grandmother's husband, who live in Largo, Maryland. For example, in the weeks following the seizure, Ms. Brown had to take her grandmother to a hospital or to a local nursing home every other day to visit her husband, who is very ill. In the week of May 5, her ill husband returned home, and Ms. Brown is now responsible for responding to emergencies at the home, as well as for checking on her grandmother in non-emergency situations and for taking her grandmother to get groceries, to go

to the bank, to pay bills, and to run other errands that the elderly couple can no longer accomplish on their own. All of this requires her to drive frequently to Maryland, approximately twenty miles from her home in the District of Columbia.

39. Since the seizure of her vehicle, Ms. Brown has been forced to rent a car to meet this basic family obligation at significant and unsustainable expense.

40. While police hold her car, Ms. Brown is forced to pay for alternate transportation even while still being held responsible for the insurance payments on the car that sits idle in the police lot. The situation is not sustainable for Ms. Brown and her family because Ms. Brown remains unemployed and in significant personal debt, including debt she took out to finance her education and the loan on her vehicle. Each day that she goes without her car is more difficult for her and her family.

D. No Avenue of Relief Is Available to Ms. Brown

41. The District of Columbia has taken no action with respect to the seizure of Ms. Brown's car. The District has not filed an action in Superior Court.

42. Ms. Brown has no other legal remedy to seek the return of her car. The civil forfeiture statute bars all actions for replevin. D.C. Code § 48-905.02(d)(2).

43. The civil forfeiture statute provides no process for claimants seeking to challenge the seizure of their property or its continued retention, other than the proceedings instituted by the Attorney General upon the payment of the "penal sum"—proceedings which can take months or years once initiated.

Class Action Allegations²

44. Plaintiff brings this Class action on behalf of herself and all others similarly

² The class action allegations are discussed in more detail in the contemporaneously filed Motion to Certify Class and Motion for Preliminary Injunction.

situated, for the purpose of asserting the claims alleged in this Complaint on a common basis.

45. This action is brought and may properly be maintained as a Class action pursuant to Rule 23(a)(1)-(4) and Rule 23(b)(2) of the Federal Rules of Civil Procedure.

46. A class action is a superior means, and the only practicable means, by which Plaintiff and unknown Class members can challenge the seizure and retention of their vehicles.

47. This action satisfies the numerosity, commonality, typicality, and adequacy requirements of those provisions.

48. Plaintiff's proposed Class is defined as all those whose vehicles have been or will be seized by police and are being or will be unconstitutionally retained by Defendants because of Defendants' failure to provide a prompt post-seizure hearing before a neutral arbiter to test the validity of the seizure and the validity of the continuing government impoundment of the property pending any future litigation. Plaintiff also proposes as a subclass all indigent vehicle owners whose cars have been seized for forfeiture and for whom the MPD has charged or will charge a "penal sum" as a purported prerequisite to challenging the police seizure and planned forfeiture of their property.

A. Numerosity. Fed. R. Civ. P. 23(a)(1)

49. As of September 21, 2012, the Metropolitan Police Department was retaining for civil forfeiture approximately 300 vehicles seized from individual property owners in the District. *See* Motion To Certify Class at 4.

50. As of April 24, 2013, the police had seized and were currently retaining an additional 75 cars since September 21, 2012. *See id* at 5.

51. None of the owners of these cars have received a prompt, post-deprivation opportunity to challenge the seizure and retention of their vehicles.

52. There are approximately 16-20 additional vehicles seized each month for forfeiture whose owners will also be denied due process in the same manner as Ms. Brown. *Id.*

53. Defendants follow the statutory requirement of requiring a “penal sum” of 10% of the value of the vehicle for each owner whose car has been seized. *Id.*

B. Commonality. Fed. R. Civ. P. 23(a)(2).

54. The relief sought is common to all members of the Class, and common questions of law and fact exist as to all members of the Class. *See* Motion to Certify at 7-9. These common legal and factual questions arise from one central issue, which does not vary from Class member to Class member, and which may be determined without reference to the individual circumstances of any particular Class member: Defendants’ institutional and systemic course of conduct in denying prompt, post-seizure hearings to private individuals whose cars are seized by police and impounded for civil forfeiture. The resolution of that legal issue will determine whether all members of the class are entitled to the procedural due process relief that they seek.

C. Typicality. Fed. R. Civ. P. 23(a)(3).

55. Ms. Brown’s claims are typical of the claims of the members of the Class, and Ms. Brown has the same interests in this case as all other members of the Class, as Ms. Brown and all Class members are suffering from the failure of the Defendants to provide a prompt post-seizure hearing before a neutral arbiter. The constitutional answer to whether car owners are entitled to such a hearing will determine the claims of Ms. Brown and every other class member.

D. Adequacy. Fed. R. Civ. P. 23(a)(4).

56. Ms. Brown is an adequate representative of the Class because she is a member of the Class and her interests coincide with, and are not antagonistic to, those of the Class. There are no known conflicts of interest among members of the potential Class, all of whom have a

similar interest in being provided procedural due process with respect to the possession by the government of their cars.

57. Plaintiff is represented by attorneys from the Public Defender Service for the District of Columbia who have experience in litigating complex matters and extensive knowledge of the District of Columbia's civil forfeiture scheme. Counsel for Plaintiff has recently pursued significant similar litigation in this Court challenging Defendants' civil forfeiture practices as they relate to vehicles and worked diligently for months to assist numerous individual property owners subject to the District's unconstitutional forfeiture scheme. *See* Motion to Certify at 1-3. These efforts have included extensive interviews and investigation, Freedom of Information Act requests, cooperation with the Office of Attorney General to resolve dozens of cases, conducting trainings on civil forfeiture, and engaging in extensive legal and academic research. Counsel is intimately familiar with the District's civil forfeiture scheme, as well as its interaction with local criminal practice and federal constitutional precedent. The interests of the members of the Class will be fairly and adequately protected by Plaintiff and her attorneys. *See* Motion to Certify at 11.

E. Rule 23(b)(2)

58. Class action status is appropriate here because the Defendants, following their forfeiture scheme, have acted and/or refused to act on grounds generally applicable to the Class. Thus, a declaration that car owners are entitled, as a matter of due process, to a prompt post-seizure hearing before a neutral arbiter when Defendants seize their cars, and an injunction ordering Defendants to provide such process or release the car, will apply to the class as a whole. The procedural due process to which car owners are entitled under *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976), when the government takes their cars does not vary from class member to

class member. *See* Motion to Certify at 7-9, 11-14, & n.7 (citing *Simms v. District of Columbia et al.*, 872 F. Supp. 2d 90, 101 (D.D.C. 2012)). Therefore, injunctive and declaratory relief with respect to the Class as a whole is appropriate.

Claims for Relief

One: The Seizure and Continued Retention of Ms. Brown's Vehicle Without a Prompt, Post-Deprivation Hearing Before a Neutral Decision-Maker Violates Procedural Due Process.

59. Ms. Brown incorporates by reference the allegations in paragraphs 1-58 above.

60. The District of Columbia has deprived Ms. Brown (and the other class members) of procedural due process under the Fifth Amendment to the United States Constitution by failing to provide a prompt post-deprivation hearing at which Ms. Brown can test the validity of the police seizure of her car and at which Defendants are required to justify the MPD's continued retention of the vehicle pending any potential civil forfeiture proceedings.

Two: Requiring Ms. Brown, Who Is Indigent, to Pay a "Penal Sum" in Order to Challenge the Seizure of Her Vehicle Violates Due Process.

61. Plaintiff incorporates by reference the allegations in paragraphs 1-60 above.

62. Defendants deprived Ms. Brown of her rights to due process under the Fifth Amendment of the Constitution by requiring her, as an indigent claimant, to pay a substantial sum in order to secure the right to challenge the self-interested police taking of her car in court.

Three: MPD's Financial Conflict of Interest in Forfeitures Violates Due Process.

63. Ms. Brown incorporates by reference the allegations in paragraphs 1-62 above.

64. Because the MPD has a significant financial stake in the outcome of forfeiture proceedings, its decision to seize and retain Ms. Brown's vehicle pending any civil forfeiture proceedings, as well as its decisionmaking power over Ms. Brown's penal sum determination, violates due process under the Fifth Amendment to the United States Constitution.

Request for Relief

WHEREFORE, Ms. Brown requests that this Court issue a judgment against Defendants:

- a. Preliminarily and permanently enjoining Defendants from retaining Ms. Brown's car, and the vehicles belonging to members of the class, unless and until Defendants provide the process required by the Fifth Amendment;
- b. Preliminarily and permanently enjoining Defendants from continuing to seize and retain for forfeiture cars belonging to class members unless and until Defendants provide the process required by the Fifth Amendment;
- c. Declaring that due process requires a vehicle owner like Ms. Brown and the other class members to be provided a prompt post-seizure hearing at which the owner can contest the validity of the initial seizure and the validity of the government's continued retention of the vehicle pending any forfeiture litigation;
- d. Declaring that Defendants' financial interest in civil forfeiture renders Defendants' decisionmaking with respect to the seizure and retention of private property and the determination of any "penal sum" constitutionally infirm under the Fifth Amendment; and
- e. Granting any other relief this Court deems just and proper.

Respectfully submitted,

/s/ Julia Leighton
Julia Leighton (D.C. Bar No. 422363)

/s/ Tara Mikkilineni
Tara Mikkilineni (D.C. Bar No. 997284)

/s/ Sonam Henderson
Sonam Henderson (D.C. Bar No. 1010801)

/s/ Alec Karakatsanis
Alec Karakatsanis (D.C. Bar No. 999294)

Special Litigation Division
Public Defender Service for the District of Columbia
633 Indiana Ave., NW
Washington, D.C. 20004
(202)-628-1200

Attorneys for Plaintiff

Date: May 13, 2013

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KRYSTLE BROWN, et al.)	
)	
Plaintiffs,)	
)	
v.)	Case No. _____
)	
THE DISTRICT OF COLUMBIA,)	
)	
CATHY LANIER, CHIEF OF POLICE,)	
)	
VINCENT GRAY, MAYOR)	
)	
Defendants.)	
)	

DECLARATION OF KRYSTLE BROWN

1. I, Krystle Brown, am 28 years old. I was born in the District of Columbia in 1984, and I have lived in the District ever since, with the exception of attending college.

2. I am a 2007 graduate of the University of North Carolina Wilmington, with a B.A. in Spanish. I also graduated in 2009 from the University of the District of Columbia with a B.S. in Biology. I graduated from Woodrow Wilson High School in D.C. in 2002.

3. After graduation, I worked for several years as a raw materials specialist and quality assurance specialist at a biopharmaceutical vaccine company in Rockville, Maryland.

4. I have been unemployed since November 2012, and I am currently helping to take care of my grandmother while studying for the Medical College Admission Test (MCAT).

5. On April 4, 2013, police officers with the Metropolitan Police Department seized my car after claiming to find two empty firearms magazines in a bag inside of the car.

6. The police have kept my car ever since. In the days and weeks after the seizure, I called the police numerous times to get information about my car, but I was unable to obtain information from the police.

7. On April 22, 2013, I went to the area of the police impound lot and was given a Notice of Intent to Administratively Forfeit my car. The notice cited D.C. laws relating to firearms and controlled substances. No mention was made in the Notice of my other property that had been taken from the car, including my driver's license, money, and other belongings.

8. The Notice told me to pay a "bond" to police of \$1,962 or else my car would be disposed of without any further proceedings. An officer told me that police would sell my car.


9. On May 8, 2013, I submitted to police an application to waive the requirement that I pay this sum because I am indigent. My application to police recounted my unemployment, my expenses, my lack of other assets, my qualification for court-appointed counsel, and the significant debt that I have incurred from my car loan, student loans, credit cards, and utilities.

10. I depend on my car for many important things in my life. I depend on my car for groceries, appointments, errands, and seeing friends and family, including my eight-year-old little brother who I help to take care of and my godmother, who is ill. It is also difficult to obtain and commit to work, temporary paying jobs, or volunteering without a car. My grandmother, who essentially raised me, also greatly needs my help. In the weeks after my car was taken, my grandmother needed to be taken to the hospital or the nursing home every other day to visit her husband, who is very seriously ill. In the week of May 5, her husband returned home, but he needs a great deal of care that my grandmother is not able to provide by herself. As a result, I must be prepared at any time to drive to her house in Largo, Maryland whenever there is an

emergency or whenever she needs help. I must also pick her up so that she can get groceries, go to the bank, attend medical appointments, and accomplish a variety of other errands.

11. Since police have kept my car, I have been forced to rent a car at significant expense and inconvenience to meet these basic obligations for my grandmother. I am renting this car with money that I cannot afford to spend at a time when I am forced to continue my monthly insurance payments of over \$200 for the car that police are keeping. The increased financial and family stress has been extremely hard for me.

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



Krystle Brown

10 May 13
Date