

# **EXHIBIT B**

**DECLARATION OF GEOFF GILBERT IN SUPPORT OF PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

I, Geoff Gilbert, declare:

1. I am over the age of eighteen. I have personal knowledge of the facts stated herein, unless otherwise indicated below, and am competent to testify to them.
2. I am the Legal & Technical Assistance Director of Beloved Community Incubator (BCI). BCI is a worker self-directed nonprofit that provides sliding-scale support for worker-owned cooperatives, collective projects, business owners, and freelancers in the Washington, DC metro region. BCI helps workers create and maintain their own businesses, so that they have greater control over their work and can pay themselves living wages and democratically steward resources together. BCI provides incubation support, including leadership development, ecosystem and resource organizing and legal, and bookkeeping and administrative support for new cooperatives that create living wage work and that are led by poor and working class Black, Brown, Indigenous and other People of Color.
3. BCI has supported street vendors to create Vendedores Unidos, a group of more than 50 Black, Latine, and Indigenous DC street vendors. Since 2018, BCI has supported the vendors' efforts to transform the District's street vending laws, in order to decriminalize street vending and ensure that DC vendors in can thrive. BCI has also worked with other groups, including Sanctuary DMV, to this end.
4. BCI's work with the vendors has involved more than five years of dedicated community organizing and legislative advocacy to make the vending-related laws more just and also try and remove some of the constitutionally problematic provisions that penalize vendors for unpaid debts to the DC Government with no attempt to see whether the vendor has the ability to pay. Vendors Kahssay Ghebrebrhan, Medhin Ayele, Fasika Mehabe, Hiwet Tesfamichael, and Antonia Diaz de Sanchez have all been leaders of their community in

these goals. In November 2022, the Street Vending Decriminalization Act of 2021 (B24-49) and the Sidewalk Vending Zones Amendment Act of 2021 (B24-50) received their first hearing. In January 2023, the DC Council combined B24-49 and B24-50 into one bill, the Street Vendor Advancement Amendment Act of 2023 (B25-68). In March 2023, the DC Council voted to advance B25-68, and in April 2023 B25-68 was passed with unanimous support. On April 24, 2023, the bill was transmitted from the Council to the Mayor of the District of Columbia. On May 4, 2023, the bill was returned by the Mayor to the Council without signature or veto and was deemed enacted.

5. The bill is a major legislative victory and a testament to the work of BCI and the street vendors. The bill decriminalizes street vending without a license in the district and simplifies the vending license process by creating vending zones. The bill also grants an amnesty for any unpaid civil citations, or unpaid minimum sales tax, to vendors who apply for a license within the first five years of the effective date of the act. The amnesty is granted to vendors who accrued fines or fees accrued from 2010 through the effective date of the act.
6. After the Congressional review period required under the D.C. Home Rule Act, the bill will go into effect July 13<sup>th</sup>. As of that date, street vending violations will no longer be subject to a criminal penalty. We have been working with DC Councilmembers, and gathering various resources (including through discussion with the Washington Lawyers' Committee and Tzedek DC) to prepare for the implementation of the law.
7. BCI understands that it is the District's position that the amnesty portion of the laws will not go into effect until the amnesty is funded through the next budget cycle. Assuming the amnesty receives the required funding, it would begin in October 2023 at the earliest.
8. BCI's position is that the amnesty should go into effect immediately - street vending is a seasonal business and many vendors rely on income generated during the warm months to provide for themselves and their families throughout the entirety of the year.

Throughout April and into May 2023, we hoped that it could. We pursued funding strategies that could make earlier funding possible, and considered whether, and how, to further push the Council for emergency funding or the mayor for funding from the 2023 supplemental budget so that the amnesty-related provisions of the bill could also go into effect as soon as possible. We kept our vendor community members, including those identified in Paragraph 4 above, updated as to this possibility during this time period. As of the time the bill was enacted, and as of the signing of this declaration, the District has not to date provided for funding for the amnesty portions of the law prior to October 2023. I declare under penalty of perjury that the foregoing is true and correct.

This Declaration was signed by me on 7/5/2023 at \_\_\_\_\_ at  
Washington, DC \_\_\_\_\_ (city, state).

DocuSigned by:  
*Geoff Gilbert*  
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Geoff Gilbert