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**To: Kaarin Knudsen
Mayor - City of Eugene
500 East 4th Avenue, Suite 302, Eugene, OR 97401**

**To: Sarah Medary
Eugene City Manager
500 East 4th Avenue, Suite 302, Eugene, OR 97401**

**To: Craig Carnage
Director of Parks and Open Space
1820 Roosevelt Blvd., Eugene, OR 97402**

**To: Kathryn Brotherton
Eugene City Attorney
500 East 4th Avenue, Suite 301, Eugene, OR 97401**

Subject: Neighbors Feeding Neighbors

Greetings to all parties named herein:

I am writing to you on behalf of my client *Neighbors Feeding Neighbors* (hereinafter NFN), a local, nonprofit, faith-based organization which ministers to the community by providing a non-barrier source of food for many of our most vulnerable citizens by serving meals in a public venue.

As you are probably aware, for several years now NFN has been providing meals on four days each week in Washington Jefferson Park during normal hours of park operation. The park is located under the 105/126 freeway overpass in a predominantly industrial and commercial section of Eugene's Whiteaker neighborhood. The park has served to be the only suitable location within the city of Eugene that NFN has been able to locate. This is due to various criteria that the organization's mission requires. A non-exhaustive list of the criteria that NFN has identified as necessary for its work includes, but is not limited to, a public venue, the ability to accommodate a sizeable number of participants, shelter from the elements (which is provided by the freeway overpass above the park), proximity to the primary recipients of NFN's service, and distance from entities, such as schools, which would restrict certain participants from being served by the NFN's mission. Washington Jefferson park is the only public venue in Eugene that NFN has identified which meets all these criteria.

In performing its work, NFN and other members of the community assemble together in a peaceable manner to consult for their common good. NFN believes that by feeding the needy

its members are engaging in their natural right to worship the Almighty according to the dictates of their own consciences. One such dictate of conscience that is held by many members of NFN is explained in *Matthew 25:31-46*, and summarized by Jesus Christ in line 40 of that passage:

“The King will reply, ‘Truly I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did for me.’”

To the adherents of this philosophy, ministry is performed through action by caring for those who need it, not by empty words. The passage instructs that loving service towards humanity is loving service toward the Almighty. Conversely, the passage warns that ignoring the needy and the downtrodden is the equivalent of turning ones back toward the Almighty.

Beginning in 2024, the City of Eugene commenced activities meant to undermine, limit, or restrict the work of NFN. This began with the City’s revocation of NFN’s permit to assemble within the park. Prior to the revocation, NFN had made an effort to comply with all of the city’s demands in order to perform its mission. The City of Eugene then began to impose arbitrarily increased fees to apply for a permit and it also increased the frequency with it was requiring NFN to apply for new permits. More recently, NFN has faced threats of arrest, the installation of police surveillance cameras at its service location, and an increased police presence as it performed its service.

The purpose of this letter is to notify the City of Eugene that NFN’s actions to feed the hungry are protected by Article I, sections 2, 3, and 26 of the Oregon Constitution and the First Amendment to the United States Constitution. Any actions undertaken by the City of Eugene to limit, restrict, or prohibit these activities, including, but not limited to the requirement of a permit to perform its ministry, are a violation of the rights afforded to NFN and its’ members under the state and federal constitutions. The city’s actions intended to limit, restrict, or prohibit NFN’s activities also violate 42 USC § 2000.

NFN does not dispute that the city has the inherent authority to reasonably regulate activities within city parks. However, Eugene’s municipal authority is superseded by the constitutional articles and amendments cited above when that authority conflicts with NFN’s right to peaceably assemble to consult for the common good and perform its ministry through service. NFN steadfastly believe that any section of the Eugene Municipal Code or the Oregon Revised Statutes which is used to restrict its present activities will not survive a direct or as-applied challenge to their constitutionality in any future civil or criminal actions should they arise.

If the city continues its current attempts to limit, restrict, or prohibit NFN’s performance of its mission, the organization intends to use every legal tool at its disposal to seek relief from the city’s actions. This may include, but is not limited to, seeking declaratory or injunctive relief, or the commencement of a civil complaint seeking compensation for the city’s intrusion into the constitutional rights of NFN and its members, which may include the initiation of a complaint in federal court under 42 USC § 2000.

Lastly, NFN is not seeking to be confrontational. Loving service towards the hungry, helpless, or needy should not by its own terms be considered a confrontational act. However, NFN believes that the city's efforts to restrain, control, or otherwise limit its activities have needlessly created a confrontational posture between the city and NFN's faith-based mandate. NFN remains open to dialogue regarding any reasonable concerns the City of Eugene may have which can be addressed and which does not conflict with NFN's mission. NFN assumes no liability for the actions of the people it serves. However, it will continue to make all reasonable efforts to address any collateral effects of persons assembling at the locations of their feeding and ministry. The scope of this dialogue has its limits, however, and NFN is no longer willing to compromise its constitutional rights in order to placate the city.

In the spirit of respect, civility, and service.

Matthew Watkins

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