

**Academic visit of**  
**Prof. Balakrishna Rajagopal,**  
**the United Nations Special Rapporteur**  
**on the right to adequate housing**

**San Diego, California, USA**

**January 23 - 25, 2024**

**INFORMATION PACKET**

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Photo by Joe Orellano

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# Overview of Visit

**Academic visit of the  
United Nations Special Rapporteur on the right to adequate housing  
to San Diego**

**Prof. Balakrishnan Rajagopal**

**23-25 January 2024**

Prof. Rajagopal is the United Nations Special Rapporteur on the right to adequate housing. He was appointed to this function by the United Nations Human Rights Council in May 2020. He is Professor of Law and Development at the Department of Urban Studies and Planning at the Massachusetts Institute of Technology (MIT) in Boston.

According to Human Rights Council resolution 52/10 the task of the UN Special Rapporteur on the right to adequate housing is to work with rights-holders, States, local Governments, civil society and international organizations, and other actors to:

- promote the full realization of adequate housing as a component of the right to an adequate standard of living;
- identify practical solutions, best practices, challenges, obstacles and protection gaps in relation to the right to adequate housing; and
- identify gender-specific vulnerabilities in relation to the right to adequate housing and land.

Preventing and ending homelessness has been a key concern of the United Nations and the mandate of the UN Special Rapporteur since it was established (A/HRC/31/54; E/CN.4/2005/48). All States have committed themselves through the Agenda for Sustainable Development to prevent and end homelessness. Under Sustainable Development Goal 11.1 States have pledged to ensure by 2030 access for all to adequate, safe and affordable housing. In this context local Governments play a key role in protecting the right to adequate housing (A/HRC/28/62).

Prof. Rajagopal has been recently member of a Scientific Advisory Committee to inform the UN Secretary-General's report on inclusive policies and programmes to address homelessness published in September 2023 (A/78/236). The report strongly advocated for a rights-based approach to prevent and address homelessness. He also presented in October 2023 a report on housing affordability (A/78/192) Prof. Rajagopal is currently working with the UN Special Rapporteur on extreme poverty and human rights on a

thematic report on decriminalization of homelessness and poverty that is expected to be presented to the UN Human Rights Council in June 2024.

The academic visit to San Diego has the purpose to study good practices and the challenges which rights holders, outreach workers, service providers, tenant and housing rights advocates and local and regional Governments face in preventing and ending homelessness. The visit will coincide with the annual point-in-time count of homelessness on 25 January 2024 in San Diego. The visit will not result in an official report to the UN Human Rights Council, but insights from his visit may inform his thematic reports.

The visit takes place upon the invitation of the Point Loma Nazarene University and the San Diego City College and is co-facilitated by Alliance San Diego, Partnership for the Advancement of New Americans (PANA), American Civil Liberties Union of San Diego and Imperial Counties (ACLU-SDIC) Community Advocates for Just and Moral Governance (MoGo), Lived Experience Advisory (LEA) San Diego Housing Emergency Alliance (SD HEMA) and Think Dignity. The programme is planned to include public and closed meetings with various stakeholders, including local and regional Government officials. In this context Prof. Rajagopal would welcome to have the opportunity to meet the San Diego Housing Commission, the Regional Task Force on Homelessness, the Mayor of San Diego and representatives from the CA Dept of Housing and Community Development (State). At the end of the academic visit Prof. Rajagopal is also expected to deliver a public keynote address at the Point Loma Nazarene University.

***The purpose of this tour is for academic research. This is not an official country visit but an unofficial city visit.*** This visit is proudly organized and supported by the organizations below.



COMMUNITY ADVOCATES FOR  
JUST AND MORAL GOVERNANCE



Partnership for the  
Advancement of  
New Americans



Former California  
Assemblywoman Lori Saldaña  
Attorney Scott Dreher

# Itinerary: Prof. Balakrishnan Rajagopal Academic Visit

Tour destinations may change based on conditions and accessibility. As of the date of publication, some destinations have not yet been confirmed. Back-up destinations are listed.

## TUESDAY, JANUARY 23, 2024

Time	Destination	Transport / Tour Guide
11:05 AM	<b>Arrival at Airport United UA 1930</b>	Coleen Cusack, Scott Dreher, Lori Saldaña and Levi Giafaglione
	<b>Transport to Hotel</b>	
1:00 PM	<b>Lunch at Safe Harbors Asylum Seeker Shelter</b>	Alberto Melchor Jackie McClish Spanish Interpreter Mandy Lien, mutual aid
3:30 PM	<b>Safe Parking Lots:</b> Mission Valley RV/Car lot; Rose Canyon car lot	David Myers, JFS Security, JFS Administrator On-site residents as willing
6:00 PM	<b>Stakeholder Roundtable</b> @ Alliance San Diego 1616 Newton Ave	Invited Guests Only to include persons with lived experience, mutual aid, outreach workers, homeless advocates. Dinner compliments of Scott Dreher and Lori Saldaña



## WEDNESDAY, JANUARY 24, 2024

Time	Destination	Transport / Tour Guide
5:30 AM	<b>Homelessness Response Center, Father Joe's Villages East Village Encampments</b> 14 <sup>th</sup> and Imperial	Michael McConnell Levi Giafaglione
7 - 8:45 AM	<b>BREAKFAST in MISSION BEACH</b> Breakfast with homeless persons.	Chris and Irene Ibanez "God's Kitchen" is the operating label, not affiliated with any church. Operating locally for 8 years
9:30 AM	<b>Monarch School Tour</b>	Parents, teachers and school administrators Coleen Cusack, advocate and K-12 educator
10:30 AM*  *unconfirmed	<b>San Diego City Tent Encampment Tour</b> O lot; 20 <sup>th</sup> and B Balboa Park	Dreams for Change
12:00 PM	<b>Lunch</b>	Ocean Beach
1:00 – 3:00 PM	<b>Bad Corporate Landlord Tour</b> Pacific Beach	Jose Lopez Rafael Bautista Tenants on site
4:00-5:15 PM	<b>Closed Door Meeting: Elected Officials</b> or their designees.	City College
6:00-8:00 PM	<b>Town Hall</b> San Diego City College Saville Theater	Prof. Balakrishnan Rajagopal, Susan Baldwin, Ricardo Flores, Levi Giafaglione Moderator: Merlynn Watanabe, Think Dignity: Food and refreshments compliments of Lori Saldaña and Scott Dreher.

## THURSDAY, JANUARY 25, 2024

Time	Destination	NOTES
5:45 – 8:00 AM	Point-in-Time Count San Diego Riverbed; Mission Valley	Arnau Pou from San Diego River Park Foundation; Site Captain; Kendall Burdett from PATH
TBA	Breakfast	
9:00 am* * unconfirmed	San Diego City Mayor Todd Gloria	Closed Door meeting
9:00 am* * backup	Legal Advocates	Closed Door meeting
10:30 am	CA Director of Housing and Community Development	Zoom; Closed Door meeting
noon	Lunch	
1:00 -2:30 pm	San Diego Housing Commission; Lisa Jones Regional Task Force on Homelessness San Diego; (County) Tamara Koehler	Closed Door meeting
3 – 5 pm	[Reserved]	
6 pm	Opening Reception Point Loma Nazarene University; Cunningham Hall A & B in Nicholson Commons	Food and light refreshments provided by Point Loma Nazarene; Opening Remarks by Coleen Cusack
6:30 pm	Video: (Invisible People; Mark Horvath) <a href="#">Finland Solved Homelessness; Here's How</a>	
7:00 pm	Key Note Address Prof. Rajagopal	Introductory remarks by Genevieve Jones-Wright

## COMMUNITY EVENTS

The public has two opportunities to meet Prof. Balakrishnan Rajagopal, United Nations Special Rapporteur on Adequate Housing during his visit to San Diego. The public can attend, for free, one or both of the following events:

### **PANEL DISCUSSION on Housing and Homelessness**

**@ San Diego Community College Saville Theater**

Wednesday, January 24, 2024 at 6 pm. Free and Open to Public

Panelists:

- Professor Balakrishnan Rajagopal, United Nations Special Rapporteur on Adequate Housing
- Susan Baldwin, Retired SANDAG Senior Regional Planner
- Levi Giafaglione, Community Engagement Manager for Lived Experience Advisers
- Ricardo Flores, Executive Director, Local Initiatives Support Corporation (LISC) San Diego.

RSVP: <http://tinyurl.com/yvfeqh37>

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### **KEYNOTE PRESENTATION: WE CAN DO BETTER**

**@ Point Loma Nazarene University Cunningham Hall A & B in Nicholson Commons**

Thursday, January 25, 2024 at 6 pm Free and Open to Public

**Opening Remarks** by Coleen Cusack, Attorney and Housing Advocate

**Video Screening:** (Invisible People) [Finland Solved Homelessness; Here's How](#)

**Speaker Introduction** by Genevieve Jones-Wright, Executive Director of Community Advocates for Just and Moral Governance (MoGo)

**Keynote Address:** We Can Do Better by Prof. Balakrishnan Rajagopal

RSVP: <http://tinyurl.com/ynmez94n>

# JOIN US FOR A CONVERSATION WITH THE **U.N . SPECIAL RAPPOREUR ON ADEQUATE HOUSING**

Wednesday, January 24 from 6 pm - 8 pm  
Saville Theatre, San Diego City College



All, especially our community experiencing homelessness, are welcome to attend

Please register for this free event at:  
<http://tinyurl.com/yvfeqh37>

Thank you to our sponsors

SAN DIEGO  
CITY COLLEGE



POINT LOMA  
NAZARENE UNIVERSITY



**THINK  
DIGNITY**  
Hands-on Advocacy & Activism with  
People Experiencing Homelessness

alliance  
SAN DIEGO



Lori Saldaña



Keynote Address by  
**United Nations Special Rapporteur  
 on Adequate Housing:**  
***We Can Do Better, San Diego! Here's How***



Opening Remarks by  
**Coleen Cusack**  
 Attorney, Educator, Housing  
 Rights Advocate



**Keynote Speaker**  
**Prof. Balakrishnan Rajagopal**  
 U.N. Special Rapporteur  
 on the Right to  
 Adequate Housing



Introduction to Speaker by  
**Geneviève Jones-Wright**  
 Executive Director of Community  
 Advocates for Just and Moral  
 Governance

**Point Loma Nazarene University**  
 3900 Lomaland Drive, San Diego, CA 92106  
 Cunningham Hall A & B in Nicholson Commons

**January 25, 2024 at 6 PM**  
 Doors Open at 5:30 PM



RSVP by scanning QR Code or go to:  
[tinyurl.com/ynmez94n](https://tinyurl.com/ynmez94n)

Reception with light refreshments

Screening of 30 Minute Documentary:  
***Finland Solved Homelessness:  
 Here's How***

Written & Produced by  
 Mark Horvath  
*Invisible People*



## **Prof. Balakrishnan Rajagopal**

**United Nations Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context**



Prof. Balakrishnan Rajagopal (USA) assumed his function as Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, on 1 May 2020. He is Professor of Law and Development at the Department of Urban Studies and Planning at the Massachusetts Institute of Technology (MIT). A lawyer by training, he is an expert on many areas of human rights, including economic, social and cultural rights, the UN system, and the human rights challenges posed by development activities.

Prof. Rajagopal is the founder of the Displacement Research and Action Network at MIT which leads research and engagement with communities, NGOs, and local and national authorities. He has conducted over 20 years of research on social movements and human rights advocacy around the world focusing in particular, on land and property rights, evictions and displacement. Prof. Rajagopal has a law degree from University of Madras, India, a masters degree in law from the American University as well as an interdisciplinary doctorate in law from Harvard Law School.

Prof. Rajagopal served as a human rights advisor to the World Commission on Dams and has advised numerous governments and UN agencies on human rights issues. During the 1990s he worked with the United Nations High Commissioner for Human Rights in Cambodia where he was responsible for human rights monitoring, investigation, education and advocacy, and provided support to national authorities in law drafting.

Prof. Rajagopal has held visiting professorships and fellowships at many prestigious institutions around the world. He has delivered numerous distinguished lectures and keynote speeches, has published numerous scholarly articles, book chapters and is the author/editor of three books. He has also led or contributed to field and research reports on evictions, displacement, housing and related human rights and development policy issues.

## The right to adequate housing



Housing is a human right. It is enshrined in the Universal Declaration of Human Rights and in many international human rights treaties, including the International Covenant on Economic, Social and Cultural Rights.

Under international law everyone has the right to adequate housing. This right means more than just a roof above one's head. The right to adequate housing includes **security of tenure**, protection against forced evictions and **availability of services**, such as access to drinking water, energy or transportation. Housing must also be **affordable and habitable**, for example safe and healthy, **accessible** - including for persons with disabilities, adequate in terms of **location** and **culturally adequate**. In addition, human rights law protects everyone from arbitrary interference with his privacy and home and guarantees to all lawfully present in a State the freedom to choose his or her place of residence.

The right to housing does not mean that public authorities have to provide everyone with a home. Worldwide most housing is actually self-constructed or provided by non-State actors. States are however obliged to realize this right progressively. And they must ensure that certain minimum conditions are always upheld, so that everyone can live in a place in safety and dignity.

The reality is still different. Billions continue to live in inadequate housing, homelessness is widespread, and every year thousands are subjected to forced evictions. Discrimination in relation to housing - prohibited under international human rights law - continue to persist.



### UN SPECIAL RAPPOREUR ON THE RIGHT TO ADEQUATE HOUSING

Email: [srhousing@ohchr.org](mailto:srhousing@ohchr.org)  
Twitter: [@adequatehousing](https://twitter.com/adequatehousing)

### The mandate of the Special Rapporteur on the right to adequate housing

The mandate\* was established in the year 2000 and has since then been regularly renewed by the UN Human Rights Council. The task of the Special Rapporteur is to work with rights-holders, States, local Governments, civil society, international organizations, and other actors to:

- promote the full realization of adequate housing as a component of the right to an adequate standard of living;
- identify practical solutions, best practices, challenges, obstacles and protection gaps in relation to the right to adequate housing; and
- identify gender-specific vulnerabilities in relation to the right to adequate housing and land.

The Special Rapporteur has promoted human rights-based solutions to key issues impacting the right to adequate housing, including homelessness, forced evictions, migration, and gender inequality. He is also an important voice in advocating for the right to adequate housing in time-sensitive situations, reacting and drawing attention to relevant human rights abuses.

\*Special Rapporteurs covering a particular topic are appointed by the Human Rights Council for a period not exceeding six years. They serve as independent experts and are not remunerated for their work. The Office of the High Commissioner for Human Rights provides support to them.

### Working methods

#### Country Visits

The Special Rapporteur usually conducts two official country visits every year. During such visits he meets with government officials, rights-holders, activists and stakeholders in the country in order to assess the human rights situation. The lessons learned, and recommendations, are compiled afterwards into a report and presented to the Human Rights Council.

#### Thematic Reports

The Special Rapporteur presents two thematic reports every year to the UN Human Rights Council and the UN General Assembly. These reports are based on research, expert consultations, literature reviews, and input from States, rights-holders and civil society.

#### Communications

The Special Rapporteur can consider complaints of alleged violations of the right to adequate housing through communications to concerned States and non-state actors. These can cover individual cases, as well as bills, laws, policies and practices that may not be in conformity with the right to adequate housing. Communications sent by the Special Rapporteur are published after 60 days together with replies received.

#### Expert Consultations

The Special Rapporteur frequently convenes consultations to gather and facilitate the sharing and expansion of human rights knowledge. These consultations inform his work and contribute to his thematic reports.

### Current mandate holder

Mr. Balakrishnan Rajagopal assumed his function as Special Rapporteur on the right to adequate housing on 1 May 2020. He is Professor of Law and Development at the Department of Urban Studies and Planning at the Massachusetts Institute of Technology (MIT). A lawyer by training, he is an expert on many areas of human rights, including economic, social and cultural rights, the UN system, and the human rights challenges posed by development activities.



### International Standards

The Special Rapporteur plays a key role in the development of international standards and guidelines relating to the right to adequate housing. Key contributions include the Guiding Principles and Guidelines on Development-based Evictions and Displacement; the Guiding Principles on Security of Tenure for the Urban Poor and Guidelines for the Implementation of the Right to Adequate Housing.

### Advocacy and awareness-raising

As a public face of the UN human rights system, the Special Rapporteur assists raising awareness on the right to adequate housing in the general public and with key actors.





# United Nations Special Rapporteurs

Excerpted from ACLU (2019) FAQs: UNITED NATIONS SPECIAL RAPPOORTEURS: <https://www.aclu.org/other/faqs-united-nations-special-rapporteurs>

## **What are U.N. Special Rapporteurs?**

Special Rapporteurs ("SRs") are independent experts appointed by the U.N. Human Rights Council (formerly the U.N. Commission on Human Rights) with the mandate to monitor, advise and publicly report on human rights situations in specific countries (country mandates) and on human rights violations worldwide (thematic mandates). The thematic mandates cover a wide range of issues relating to civil, cultural, economic, political and social rights, including the human rights of migrants, violence against women, the rights of internally displaced persons, freedom of religion and arbitrary detention, among many others.

## **What do Special Rapporteurs do?**

The functions of Special Rapporteurs include responding to individual complaints, conducting studies, providing advice on technical cooperation and undertaking country visits to assess specific human rights situations. Most Special Rapporteurs also receive information on specific allegations of human rights violations and send urgent appeals or letters of allegation to governments asking for clarification and concrete measures to end rights violations.

## **What is their relationship to the United Nations?**

While the Office of the High Commissioner for Human Rights at the United Nations provides the Special Rapporteurs with the personnel and logistical assistance necessary for them to carry out their mandates, Special Rapporteurs nonetheless serve in their personal capacity, and do not receive salaries or any other financial retribution for their work. The SRs are expected to fulfill tasks that are outlined in specific U.N. resolutions, but their independent status is crucial for them to be able to fulfill their functions in all impartiality. Special Rapporteurs are prominent human rights experts from various walks of life. They include academics, lawyers, economists, and former and current members of NGOs and come from all regions of the world.

## **What can be achieved through country visits by Special Rapporteurs?**

Amongst their activities, SRs carry out country visits at their request and at the invitation of the country concerned. Country visits are considered a particularly important means by which to highlight human rights violations in a particular country and in placing pressure on the government to remedy the situation. They enable the SR to familiarize him or herself with all aspects of the situation on the ground, and are an excellent way of analyzing and understanding a situation in the light of every possible circumstance. A country visit usually lasts about 2–3 weeks, during which SRs interact with both governmental and non-governmental actors, including human rights and civil liberties organizations, victims of human rights violations, affected communities, the concerned government officials and agencies at both the national and local level. These visits usually require freedom of inquiry, including access to relevant facilities, such as prisons and detention centers. The SRs then submit a report of their visit to the Human Rights Council, presenting their findings, conclusions and recommendations.



## Global Perspective on Right to Housing

Despite the substantial guidance international law has provided, there has been a severe lack of progress for the right to housing around the world. At the domestic level, there has been a neglect of the right in the design of public policy, a lack of government commitment, and an absence of necessary resources.

Globally, a lack of coherent and concrete data conceals the human rights crisis faced by over one billion people, facilitated by the prioritization of the interests of wealthy investors over the human rights of others. **The global state of housing, tied so inextricably to dignity, security, and to life, is in crisis.**

In recognition of the urgent need to respond to this crisis, and to promote, facilitate and achieve change that resituates human rights as the priority and underlying principle in all actions regarding housing, by both public and private actors, we urge the following goals worldwide:

1. Transform housing strategies around the world to be based in human rights principles in order to address the housing crisis that persists in most countries around the world;
2. Promote access to justice, accountability and participation in the right to housing;
3. Respond to the global disparity in access to the right to housing in a way that reflects the central principles of non-discrimination and equality for all;
4. Highlight the positive obligations that states have in order to respect, protect and realize the right to housing, such as:
  - The obligation to ensure all actors, including private actors, multi-national corporations, transnational financial institutions and local governments, comply with human rights principles
  - The obligation to implement strategies in which housing is a means to ensure security and inclusion
  - The obligation to allocate sufficient resources to forward and realize the right to housing

## The Value of a Human Rights-Based Housing Strategy

The lived experience of homelessness and inadequate housing challenges the very core of what it means to be human, assaulting dignity and threatening life itself. It is these experiences that make homelessness and inadequate housing violations of human rights and not merely program failures.

**Human rights change the way Governments interact with people.** Those who are homeless or living in inadequate housing are traditionally regarded as recipients, beneficiaries or “objects” of government or charitable programs. When recognized as rights holders, however, they are active subjects, empowered to engage and be involved in decisions affecting their lives and the enjoyment of their rights. This means they can assist in ensuring strategies are responsive to their lived experiences and are thus more effective.

**Human rights help to identify gaps and structural weaknesses in housing systems and programmes.** Those who are homeless or living in inadequate housing are uniquely situated to identify shortcomings or problems in housing policies and programmes. By recognizing the expertise of rights holders, a human rights framework acts as an ongoing corrective mechanism through which to reassess the components of housing strategies with a view to ensuring that no one is left behind and that progress is continuously achieved.

**Human rights clarify decision-making and accountability.** International human rights law is very clear regarding who is accountable to whom: all levels of government are accountable to people, particularly marginalized and vulnerable groups. Human rights make it clear that, while ensuring access to adequate housing for all involves many actors, it is in fact a legal obligation of States to be both a key actor and a regulator of private actors. Human rights have primacy over other laws and provide a framework for governance and all decision-making

**Human Rights apply to a broad range of policies and programmes,** bringing coherence and coordination to multiple areas of law and policy through a common purpose and shared set of values. They are responsive to context and specific circumstances while at the same time incorporating universal norms.

**Human rights are transformational** Human rights claims identify systems, structures and barriers that obstruct the realization of the right to housing and create change by ensuring effective remedies. The A/HRC/37/53 5 right to housing defines obligations of States both in the present and over time; it commands a vision and a process through which the right to housing is realized. Human rights are necessary to achieve the change that is necessary for goals such as those in the 2030 Agenda to be achieved.

## **Housing Adequacy**

Housing is only adequate if it is affordable, if it has potable water, sanitation facilities, electricity and other basic services and if it is close to schools, health services and employment opportunities. The right to housing is interdependent with other socio-economic human rights such as rights to health, education, and employment. It is also integrally connected to rights to non-discrimination and equality. And, **because adequate housing is crucial to the social conditions necessary for human dignity, it is intimately connected to the right to life.**

## Prior Academic Visit by United Nations Special Rapporteur on Adequate Housing Leilani Farha

On August 12-14,, 2019 Leilani Farha *“If I can get them to talk about the human side of this then we might get somewhere.”*

Leilani Farha in Push! (Trailer) Gertten, F. (Director).  
<https://www.youtube.com/watch?v=k9Q4So4femM>

Coming to San Diego at the plea and invitation of a collection of homeless rights advocates and the organizations they represent, **Ms. Leilani Farha**, *Special Rapporteur to the United Nations on the Right to Adequate Housing* toured the housing and homeless conditions throughout San Diego, met and spoke with those with lived experiences in a variety of community symposiums scheduled throughout the city, reflected on her observations with and provided recommendations to lawmakers, policy makers, service providers, housing rights professionals and the community.

The three-day tour launched on Monday August 12, 2019 with New Americans at a working lunch in City Heights where the New American community will share samplings of their ethnic cuisine along with their voiced concerns about housing and homelessness. In exchange, Ms. Farha shared her international and global perspective with those in attendance. Following that, Ms. Farha met with those with lived experiences in the downtown area at the San Diego Central Library.

On Tuesday, August 13, 2019, Ms. Farha began the day early with a walking tour throughout the East Village neighborhood, including the Transitional Storage Center, Alpha Bridge Project, Monarch School and Father Joe’s Village. Over the lunch hour, Ms. Farha hosted a third Community Symposium for interested members of the beach community including those with lived experiences. Later that day, a delegation accompanied Ms. Farha to observe the sanitary conditions at the San Diego Riverbed followed by a gathering in Ocean Beach.

On the third and final day, Wednesday, August 14, 2019, Ms. Farha met with local, county, and state lawmakers or their designees in the afternoon and concluded with a presentation to the San Diego community at large held at San Diego State University.

Warth, G. (2019, August 15). It’s as bad, if not worse, than I anticipated’ – UN appointee gets a look at homelessness. San Diego Union-Tribune.

<https://www.sandiegouniontribune.com/news/homelessness/story/2019-08-15/un-rapporteur-visits-san-diego-to-learn-about-areas-homeless>

## UPDATE: A lot has happened locally since August, 2019

Since the visit by former UN Special Rapporteur on the Right to Adequate Housing Leilani Farha in 2019, there have been several changes to the housing landscape and new housing and homelessness policies in the San Diego region. Unfortunately, rather than see an increase in adequate housing and a decrease in homelessness, we continue to see families struggle to afford housing and living in substandard housing, with more individuals falling out of housing than are able to exit homelessness. Additionally, the death toll continues to rise in the region. In this section, we provide a timeline of events and articles, along with sections on key changes to the housing and homelessness landscape and policies.

[October 14, 2019](#): the San Diego City Council unanimously accepted yet did not adopt the [Community Action Plan on Homelessness for the City of San Diego](#)

- “Key Strategy” "2. Create a client-centered homeless assistance system. **To align with its guiding principles** the City should take steps to create a homeless assistance system that centers around clients and that values client expertise and feedback in system design and resource allocation. **Actions related to this goal may include reviewing and ending practices that contribute to the criminalization of homelessness**; system-level training on trauma-informed care practices; development and implementation of formal mechanisms to collect and incorporate client input and feedback into policy and program decisions; **implementation of a system-level Housing First approach with fidelity to proven models and practices.**

[https://sdhc.org/wp-content/uploads/2019/10/SD Homeless CSH report final 10-2019.pdf](https://sdhc.org/wp-content/uploads/2019/10/SD_Homeless_CSH_report_final_10-2019.pdf)

August 8, 2020: CA Assemblymember Todd Gloria campaigns for Mayor promising to end criminalizing the poorest and sickest San Diegans and an end to temporary tents without a plan.



December 10, 2020: Todd Gloria is sworn in as Mayor of San Diego.

February 10, 2022: City of San Diego Restarts Enforcement of Homeless Codes at Midway District Encampment

- "The encampment near the Sports Arena exploded in size amid the wintertime COVID-19 case surge as shelters closed their doors to new guests. The city estimates around 180 people currently live in the camp that stretches for blocks on Sports Arena Boulevard. ... "The city of San Diego told NBC 7 that they had suspended this type of enforcement in recent weeks when the homeless shelters in the city stopped taking in new people due to the COVID case surge, but now that shelters are accepting new guests the city says the progressive enforcement will resume." <https://www.nbcsandiego.com/news/local/city-of-san-diego-to-restart-progressive-enforcement-at-midway-district-encampment/2866631/>

February 14, 2022: “Attorneys Warn of Legal Action Over Midway Camp Crackdown”

- "Two attorneys formally demanded the city cease enforcement against homeless residents at a Midway District homeless camp this weekend, before police resumed ticketing Monday. Attorneys Scott Dreher and Coleen Cusack on Saturday sent Mayor Todd Gloria and other city officials a letter informing them that they are representing homeless San Diegans staying at the Midway camp that has grown dramatically over the last year. They warned the city not to proceed with a plan to enforce crimes tied to homelessness there this week, alleging that the expected crackdown would violate residents’ constitutional rights and interfere with the region’s Feb. 24 homeless census. The city still took enforcement action Monday, citing four people for crimes tied to homelessness and warning eight others.” <https://voiceofsandiego.org/2022/02/14/attorneys-warn-of-legal-action-over-midway-camp-crackdown/>

February 23, 2022: City Declares Shelter Emergency and exempts all shelters from Health, Safety and Habitability Codes.

- “BE IT RESOLVED, that pursuant to California Government Code section 8698.4 the provisions of state or local housing, health, habitability, planning and zoning, or safety standards and procedures for the design, site development, and operation of homeless shelters are deemed suspended and inapplicable to activities related to mitigating the shelter crisis because strict compliance with such provisions would prevent hinder, or delay the mitigation of the effects of the shelter crisis; including specifically that these provisions are suspended and inapplicable to the establishment and operation of homeless shelters at any public facilities that the City may make available to unsheltered individuals as reasonably determined by the City to be necessary to mitigate the effects of the shelter crisis and that, with respect to such facilities, the Council authorizes the Mayor to apply reasonable local standards adopted by ordinance.”
- This emergency declaration remains in effect today and there are no “reasonable local standards adopted by ordinance” for the Mayor to apply. [https://docs.sandiego.gov/council\\_reso\\_ordinance/rao2022/R-313888.pdf](https://docs.sandiego.gov/council_reso_ordinance/rao2022/R-313888.pdf)

March 15, 2022: 1st Tent Vigil at San Diego City Hall to memorialize homeless residents who have died since 2020

- "The county Medical Examiner's Office reported 344 people who may have been homeless died in 2020, with some found on the street or other outdoor places while others were in hotels or apartments where they might have been living temporarily. That number increased to 434 in 2021. Of that number, 110 were people known to be homeless and living in hotels through a county program, shelters or outdoors. The others were people who had indicators of being homeless — some were found in parking lots, vehicles, motels or in unknown areas after being taken to a hospital — but their housing situation was unknown, said Chuck Westerheide, public safety group communications officer for San Diego County. Westerheide said the number of homeless people who died in San Diego County last year likely will be higher than what's now known because the Medical Examiner's Office still has 400 open cases from last year, which likely include homeless people." <https://www.sandiegouniontribune.com/news/homelessness/story/2022-03-15/vigil-remembers-homeless-people-who-died-over-past-year>

April 14, 2022: "Tents Changed Everything About Homelessness, Will San Diego Acknowledge It?"

- "Something happened 10-15 years ago to homelessness. I don't know exactly what triggered it. But I remember walking through the Occupy San Diego protests – the tent encampments that sprang up at City Hall in 2011 demanding Wall Street accountability for the recession – and realizing many of the campers were not necessarily activists but homeless people who had come to live in what became a supportive village. After that, the tent – the personal tent, the nylon or polyester Coleman, Marmot or REI camping tent – came to define street homelessness across the country. It drastically changed the visibility and experience of street homelessness. ...
- "It's no coincidence that our already extraordinary cost of living is skyrocketing just as the problem deepens. Homelessness is the lowest rung on the housing ladder. In place of cheap housing, they're putting up personal tents." <https://voiceofsandiego.org/2022/04/14/small-tents-changed-everything-about-homelessness-will-san-diego-finally-acknowledge-how/>



September 19, 2022: San Diego City Council Special Meeting/Update of Community Action Plan on Homelessness

- Item 600 starts at about 3:55:30

Presenters talk about 10-Yr Strategic Plan

At 4:40, Councilmember Monica Montgomery Steppe talks about “new goals”

At 4:42, Lisa Jones/SDHC talks about recalculating the data, anticipates happening in 3-4 months, they are contracting back w/ the Plan authors.

At 4:54, Councilmember Joe La Cava touches on this, too.

[https://sandiego.granicus.com/player/clip/8527?view\\_id=3&redirect=true&h=c64edf5a25c836264dd84943460035ca](https://sandiego.granicus.com/player/clip/8527?view_id=3&redirect=true&h=c64edf5a25c836264dd84943460035ca)

February 7, 2023: San Diego City Council Final Passage of Resolution Declaring Housing as a Human Right

- “... the council intends to use its legislative authority to: center equity in its efforts to implement housing as a human right and redress past harms; ensure those who have historically not had access to adequate housing are prioritized; further incentivize affordable housing in high-opportunity neighborhoods for those previously excluded; and identify equitable and effective solutions by working with individuals with lived experience. ...”

[https://docs.sandiego.gov/council\\_reso\\_ordinance/rao2023/R-314578.pdf](https://docs.sandiego.gov/council_reso_ordinance/rao2023/R-314578.pdf)

March 28, 2023: “San Diego’s Latest Strategy to Crack Down on Tent Encampments Faces Biggest Challenge Ever”

- "For nearly 10 years, Cusack has spent her free time defending unhoused people who she says have been criminalized for surviving in public view. Three lawsuits filed by Dreher over the past two decades have shaped the rules for how the city can enforce certain laws and clean encampments. With Infante’s case, Cusack filed a motion to dismiss the charge based on four constitutional claims:
  - The city’s law is far too vague to enforce, making it “void for vagueness.”

- The law infringes on the right to own property, a violation of substantive due process.
- Police are violating the equal protection clause by enforcing a law that discriminates against people without housing.
- It's cruel and unusual to punish a houseless person for setting their belongings down in public.
- "Campos has already said it would be quite a leap to classify this as cruel and unusual punishment. People don't have a constitutional right to set up whatever property they want on public streets, she said. 'You'd in effect be asking me to create out of thin air a new finding, a new right, and that's not something I'm going to do,' Campos said. But as for vagueness, due process and unequal application, Campos gave the defense wide latitude to present arguments to make that case, despite multiple objections raised by Hansen." <https://inewsource.org/2023/03/28/san-diego-attorneys-homelessness-court/>
- SEE August 11, 2023 for outcome of the case.

**April 13, 2023:** First complaint filed over conditions for migrants at open-air detention sites in San Diego deserts.

- "Migrants say Border Patrol is keeping them between the border walls for days without food or shelter."
- "When a 33-year-old man from Afghanistan who had worked for the U.S. Army as a translator crossed onto U.S. soil from Tijuana, he thought he'd finally made it to a place where he would be safe."
- "Instead, Obaidullah found himself trapped with more than 100 other asylum seekers in what has become an open-air holding cell between the two layers of border wall. He said U.S. Border Patrol agents required them to wait there in custody with no shelter, no food and minimal water, the latest in what has become a pattern for the San Diego sector."
- "There are no rights for humans now," he said from in between the walls Wednesday morning. "They treat us like dogs, like animals." (For second complaint see December 15, 2023.)  
<https://www.sandiegouniontribune.com/news/immigration/story/2023-04-13/migrants-say-border-patrol-is-keeping-them-between-the-border-walls-for-days-without-food-or-shelter>

April 13, 2023: Land Use & Housing Committee of the San Diego City Council votes 3-1 to forward Anti-Camping Ordinance to the full Council

- "The Land Use and Housing Committee voted 3-1 in favor of the ordinance, moving it before the full nine-member city council, but the vote split doesn't illustrate all the division among the council heard Thursday night. It remains unclear to me how we would implement or enforce this ordinance and how we would address many of the questions and concerns that have been brought forward,' said District 6 Councilman Kent Lee, the lone dissenting vote. Councilwoman Vivian Moreno (Committee Chair) from District 8 voted in favor of the ordinance, but not before amending it to allow for enforcement at all public parks, instead of some, as the original ordinance read. She also called for a written enforcement plan, expanded emergency shelters and safe camping areas." <https://www.nbcsandiego.com/news/local/sidewalk-encampment-ban-takes-next-step-along-san-diego-city-council-approval-process-with-subcommittees-vote/3208120/>

April 20, 2023: "San Diego Leaders Eye a Homeless Solution Fraught With Problems"

- "About 2,500 San Diegans are living on sidewalks and in canyons and riverbeds — far more than the 1,800 shelter beds that were 97% full earlier this week. ...Top city officials have railed against unhoused folks who refuse to accept shelter, but in reality, many people are turned away. One outreach team said they have to turn away dozens every day, and even the most eager and persistent people are forced to wait hours, days or even weeks to get in. On any given day, emergency shelters throughout the city only have room for about 25 unhoused residents, and that availability can sometimes vanish in a matter of hours." <https://inewssource.org/2023/04/20/san-diego-homeless-camping-ban-shelter-outreach/>
- SEE June 8, 2023, entry herein RE 2023 Point In Time Count released by the San Diego Regional Task Force on Homelessness, which reported a 32% increase in Unsheltered San Diego residents counted.

**May 18, 2023:** Academic Opposition to Anti-Camping Ordinance

- "As researchers who live and work in the San Diego region, we are committed to harnessing knowledge toward the betterment of society. We write to express our strongest opposition to the proposed expansion of the encampment ban ordinance. If enacted, this ordinance is likely to be ineffective, harmful to public health and the natural environment, and expensive to enact and enforce. This letter is signed by 162 scholars and educators from across our region's major colleges and universities." [https://assets.nationbuilder.com/alliancesandiego/pages/3470/attachments/original/1684364944/Academic\\_opposition\\_to\\_anti-encampment\\_ordinance\\_5\\_18\\_23.pdf?1684364944=&emci=f0d66293-f7f4-ed11-907c-00224832eb73&emdi=0fcde8f6-7bf5-ed11-907c-00224832eb73&ceid=7348676](https://assets.nationbuilder.com/alliancesandiego/pages/3470/attachments/original/1684364944/Academic_opposition_to_anti-encampment_ordinance_5_18_23.pdf?1684364944=&emci=f0d66293-f7f4-ed11-907c-00224832eb73&emdi=0fcde8f6-7bf5-ed11-907c-00224832eb73&ceid=7348676)

**June 7, 2023:** San Diego City Council votes 5-4 to adopt Anti-Camping Ordinance, 2nd Reading Required

- "After hearing hours of public comment, the San Diego City Council Tuesday night voted 5-4 in favor of the Unsafe Camping Ordinance that would prohibit tent encampments in all public spaces throughout the city if shelter beds are available. Mayor Todd Gloria has pushed hard for proposed the ordinance introduced by City Councilmember Stephen Whitburn, including asking the public to sign a petition and speaking on the issue at news conferences. The proposal would also ban tent encampments at all times in certain sensitive areas — parks, canyons and near schools, transit stations and homeless shelters — regardless of shelter capacity.
- "Along with Whitburn, City Council members Jennifer Campbell, Raul Campillo, Joe LaCava and Marni Von Wilpert voted yes.
- "Council President Sean Elo-Rivera and colleagues Kent Lee, Monica Montgomery Steppe and Vivian Moreno voted against the proposal.
- "Moreno, who suggested continuing a vote on the ordinance until September, said she was concerned about whether police officers would have the necessary resources to enforce any new policy, giving residents false hope." <https://www.kpbs.org/news/local/2023/06/14/san-diego-city-council-approves-unsafe-camping-ordinance-homelessness>

June 8, 2023: San Diego Regional Task Force on Homelessness releases the topline results from the 2023 WeAllCount Point-in-Time Count, a one-night snapshot of the minimum number of San Diegans experiencing homelessness.

- The count was conducted across San Diego County, with more than 1,600 volunteers spending an early January morning helping RTFH complete this federally required task. County-wide, there was a 22% increase in the number of homeless residents counted in 2023 over 2022. <https://www.kusi.com/content/uploads/2023/06/f/k/2023-PIT-Count-Release.docx.pdf>
- **For the City of San Diego, the increase was 35% to 6,500, with the number of Unsheltered residents increasing 32% to 3,285 and the number of Sheltered residents increasing 39%:** <https://www.rtfhsd.org/wp-content/uploads/2023-City-of-San-Diego-Region-Breakdown.pdf>

June 27, 2023: San Diego City Council votes 5-4 to fully adopt Anti-Camping Ordinance

- "City Council members voted 5-4 to Tuesday to give final approval to the Unsafe Camping Ordinance that prohibits tent encampments in all public spaces throughout the city if shelter beds are available... Under an earlier amendment by Councilwoman Marni Von Wilpert, the ordinance won't take effect until 30 days after the first safe sleeping lot is opened on 20th and B streets, to allow non-law enforcement social workers to be the first contact with homeless people." <https://www.nbcsandiego.com/news/local/san-diego-city-council-formally-adopts-homeless-street-camping-ban/3254106/>

June 27, 2023: Mayor's "Comprehensive Shelter Strategy"

- "Mayor Todd Gloria sold the San Diego City Council on a controversial camping ban using a homeless shelter expansion strategy that mostly hasn't been funded yet. Some elected officials, housing experts and attorneys have questioned whether the city will have enough shelter to enforce the ban. Courts have ruled that cities cannot criminalize people for carrying out life-sustaining activities in public, such as sleeping or sheltering, when there is no other indoor option. That's why some

councilmembers [asked Gloria](#) to provide a comprehensive plan to expand shelter capacity before voting on the proposed camping ban [two weeks ago](#). In response, Gloria and his staff [outlined](#) more than 20 locations where people would be allowed to camp, sleep in a vehicle and obtain indoor shelter, adding at least 600 new options for unhoused San Diegans over the next 18 months.

- "All told, it would cost between \$30 million and \$66 million to pay for everything on Gloria's list. But the city's budget only has \$7.4 million set aside to expand shelter next year, according to city staff." <https://www.kpbs.org/news/local/2023/06/27/san-diego-mayor-todd-gloria-homeless-shelter-strategy>

**June 29, 2023:** "Safe Sleeping Area" opens at City of San Diego Maintenance Yard on Pershing Drive adj to Balboa Park (20th & B Streets)

- "At least two dozen tents, complete with a bed and blanket, were set up on the back lot inside the city's Central Operations Yard ahead of the opening of a new safe sleeping site. The plan is to pitch up to 136 tents to accommodate up to 150 unsheltered people at the lot at B Street and 20th near Pershing Drive...
- "Either way, in just over a month, most won't have a choice. Once the city's new unsafe camping ordinance takes effect it will be against the law to camp out in most public places when there is a shelter bed available. Police will first approach the people living in tents and offer shelter. If they decline, they will receive a warning. In the second encounter, police will issue a misdemeanor citation, and the third encounter will result in an arrest. A second site at Balboa Park's "O Lot" is expected to open this fall. This site will count 400 tents.
- "City officials say education about the new ordinance is already underway and that both nonprofit organizers and police officers are out on the streets making sure everyone is informed.
- "The ordinance goes into effect on July 30." <https://www.nbcsandiego.com/news/local/san-diegos-first-safe-sleeping-site-opening-thursday-in-golden-hill/3254944/>
- NOTE: This was the same site used as a City Tent Campsite in Fall 2017: "Last week Mayor Faulconer announced the parking lot at a City-owned operations yard at 20th and B streets be converted into a Transitional Camp Area where homeless individuals will be allowed to

pitch a tent as well as have access to bathrooms, showers, handwashing stations, storage for belongings and meals. Upon their arrival this morning, occupants were welcomed with snacks, the opportunity to get a hepatitis A vaccination, and were given a new tent. ... In all, the camp area has about 130 campsites and will have the potential to accommodate a few hundred individuals. ...Some of the supplies at the Transitional Camp Area were donated by Target Corp. in support of Alpha Project. ...This short-term Transitional Camp Area will remain open until the three temporary bridge shelters are up and running in early winter. Those large industrial tent shelters will house about 750 homeless individuals in three locations: downtown, Barrio Logan and the Midway District.” <https://www.sandiego.gov/homeless-services/news/city-opens-transitional-camp-area-homeless-individuals>

**July 18, 2023:** City approves 168-bed non-congregate family shelter.

- City enters into a non-competitive, sole source agreement with Alpha Project for the Homeless with an annualized budget of \$2,436,593 with one one-year option for renewal, for the operation of the City of San Diego Family Shelter Program at 1801 Logan Avenue, San Diego, CA 92113. Funding in Fiscal Year 2024 is proposed to be Community Development Block Grant (CDBG) funds and City of San Diego General Funds.
- The City of San Diego’s Family Shelter Program at 1801 Logan Avenue, San Diego, CA 92113, will provide non-congregate shelter year-round, in alignment with Housing First principles, for families with children experiencing homelessness who have not been successfully diverted from the homelessness assistance system.
- The Program will provide safe, low-barrier shelter for up to 168 persons experiencing homelessness in the City (actual bed count may be less due to Fire Marshal or other health and safety determinations).
- The Program will provide stabilization and supportive services to prepare families for the most appropriate longer-term or permanent housing interventions, contributing to the regional goals of ensuring instances of homelessness are rare, brief, and non-recurring.
- Eligible households include families experiencing homelessness in the City of San Diego with at least one child under age 18.
- Services to be provided include, but are not limited to: a safe, secure and supportive environment; access to housing-focused case management and supportive services; basic needs support such as three meals per day, laundry, telephone, restrooms and showers; referrals to partner agencies



for additional services; and assistance in obtaining permanent or longer-term housing interventions.

[https://www.sdhc.org/wp-content/uploads/2023/07/106\\_HCR23-088-Family-Shelter-Program\\_final.pdf](https://www.sdhc.org/wp-content/uploads/2023/07/106_HCR23-088-Family-Shelter-Program_final.pdf)

**July 31, 2023:** Enforcement of the City of San Diego's Anti-Camping Ordinance begins

- "Initially, the ordinance will only be enforced at specific schools and parks that have signage that explains the new rule, according to a city spokesperson, who demurred when asked for a list of such locations. The City has opened a 'safe sleeping' site near the intersection of 20th and B Street in downtown to try to increase shelter capacity. Currently there are 80 people staying there in 65 tents. The city spokesperson said that, as of Thursday evening, there were 71 tents available at that location, in addition to 38 emergency shelter beds. When there is shelter capacity and after the ordinance goes into effect, police will be able to enforce the camping ban on any city sidewalk." <https://www.nbcsandiego.com/news/local/san-diegos-unsafe-camping-ordinance-goes-into-effect-saturday/3273766/>

**July 31, 2023:** City of San Diego Independent Budget Analyst Report, Fiscal Year 2024 Homeless Programs and Funding

- "During the COVID-19 pandemic, the City received unprecedented one-time COVID-19 relief funding for people experiencing homelessness. A portion of these relief funds supported bridge 2 shelters through Operation Shelter to Home in FY 2020 and FY 2021. By utilizing relief funds first, the City extended the availability of its HHAP grant funds. On June 20, 2023, City Council heard and approved the fourth round of HHAP funding in the amount of \$22.5 million. In FY 2024, the City provided one-time HHAP funds, including carryforward HHAP funds from prior years, to fund shelter operations, safe parking programs, substance use disorder services, coordinated outreach, and rapid rehousing. Based on our Office's review of the FY 2024 Proposed Budget, we estimate that most of the HHAP funding received to date will be spent by the end of FY 2024. ...
- "Although the City has made progress closing the structural deficit in the homelessness budget by providing ongoing funding, we anticipate roughly \$8 million could be needed to mitigate a funding gap in FY 2025



due to the loss of carryforward HHAP funds the City has relied on in recent years for operating costs. However, if allowable expenditures for HHAP change or HHAP funding is discontinued in future years, the City would have to identify other funding sources, such as the General Fund, to maintain current service levels. The City's Government Affairs Department continues to advocate for ongoing State HHAP funding and HSSD is engaging our Office and the Department of Finance to identify a long-term funding plan.

- "Other sources of uncertainty in the City's homelessness budget include future service levels and the associated costs. The FY 2024 Adopted Budget includes \$5 million for shelter expansion (including new Safe Sleeping sites) and \$1.5 million to relocate a significant share of existing shelter beds due to various site-specific reasons – 930 beds out of the existing 1,784 beds (52.1%) are expected to be replaced through December 2024. Although HSSD's Comprehensive Shelter Strategy released in June 2023 provides cost estimates for new shelter options, these estimates range widely to upwards of \$20 million and are largely uncertain. Hence, in addition to future ongoing revenue sources, the funding gap is also dependent on the cost of expanding and operating the City's emergency response shelter system." [https://www.sandiego.gov/sites/default/files/23-21\\_fy\\_2024\\_homelessness\\_programs\\_and\\_funding.pdf](https://www.sandiego.gov/sites/default/files/23-21_fy_2024_homelessness_programs_and_funding.pdf)

**August 11, 2023:** "San Diego 'Encroachment' Case Dismissed Against Unhoused Woman"

- A San Diego Superior Court judge on Thursday dismissed misdemeanor charges of blocking a sidewalk against a 60-year-old woman experiencing homelessness. Deputy City Attorney Felicia Loera asked for the dismissal during a court hearing that lasted less than five minutes, saying it is 'not provable beyond a reasonable doubt.' 'Prosecutors can only pursue charges when they believe they can be proven beyond a reasonable doubt,' a spokesperson for the City Attorney's Office said in a statement after the hearing." <https://www.kpbs.org/news/racial-justice-social-equity/2023/08/11/san-diego-encroachment-case-dismissed-against-unhoused-woman>
- SEE March 28, 2023 for landmark litigation of this case.

**October 21, 2023:** 2nd "Safe Sleeping Area" opens in "O Lot" parking lots on Naval Hospital property in southwest corner of Balboa Park

- "Mayor Todd Gloria on Friday opened a safe sleeping area for homeless individuals near Balboa Park that has capacity for 400 tents. The site on a city parking lot near the Naval Medical Center can accommodate up to 800 people at two to a tent. Other amenities and services include meals, restrooms, showers, laundry, storage trailers, case management, basic needs assistance and resource referrals. ...
- "Operation of the O Lot site will be broken into three sections. Two will be operated by Dreams for Change, which currently oversees the city's other safe sleeping site. The third will be operated by the Downtown San Diego Partnership. To prepare the site, city crews expanded and stabilized an access road for travel to and from O Lot. The road was widened to allow for delivery and emergency vehicles and will be used only for safe sleeping access. To help with inclement weather conditions, the city purchased insulated tents, and city crews built 4-inch platforms to be placed underneath each tent." <https://timesofsandiego.com/politics/2023/10/20/mayor-gloria-opens-400-tent-capacity-safe-sleeping-area-for-homeless-near-balboa-park/>
- NOTE: A homeless outreach worker states that "The tents at the safe campsite are fishing tents, they are not insulated, they drip condensation all night and bedding is wet in the morning, they leak when it rains. The company that makes the tents make true cold weather insulated tents, SD didn't get those."

**December 15, 2023:** Second complaint filed over conditions for migrants at open-air detention sites in San Diego deserts.

- The complaint, filed to the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties, alleges that Border Patrol agents are forcing migrants to wait at open air detention sites without providing adequate food, water, shelter, restrooms or medical care. The groups say this is a violation of Customs and Border Protection's standards on caring for detained individuals, as well as a violation of migrants' rights under the International Covenant on Civil and Political Rights. (See April 13, 2023 for first complaint.) <https://www.sandiegouniontribune.com/news/immigration/story/2023-12-15/complaint-conditions-migrants-open-air-detention-sites>

December 21, 2023: Homeless Persons' Memorial Day

- "The San Diego Housing Emergency Alliance has organized seven Tent Vigils since March 15, 2022, including on Dec. 21, 2023, at the Del Mar Fairgrounds to honor and remember at least 2,040 residents who died homeless in San Diego County since 2020 per the Medical Examiner." <https://fox5sandiego.com/news/local-news/advocates-elected-officials-commemorate-homeless-persons-memorial-day/#:~:text=The%20San%20Diego%20Housing%20Emergency%20Alliance%20has%20organized%20seven%20Tent,2020%20per%20the%20Medical%20Examiner.>

January 5, 2024: "The Latest on the City's Safe Sleeping Sites"

- "There are now more than 500 homeless San Diegans staying at the city's safe campsites in Balboa Park. As of Wednesday, the city [reports](#) 521 people were staying in 434 tents at the two sites. The city says the two sites can collectively accommodate people staying in another 110 tents.
- "Where some are moving next: Since the first of two sites opened in June, city spokesman Matt Hoffman said 26 people have moved into permanent or transitional housing.
- "Hundreds want to move in: Hoffman said 336 households are on a wait list to get into one of the city's safe campsites.
- "Meanwhile, the shelter access situation: In the last four weeks of the year, 83 percent of referrals for people seeking a bed in one of the shelters overseen by the San Diego Housing Commission didn't result in a placement. Data from the city's housing agency showed 98 percent of the roughly 1,700 shelter beds overseen by the commission were occupied as of Wednesday." <https://voiceofsandiego.org/2024/01/05/morning-report-the-latest-on-the-citys-safe-sleeping-sites/>

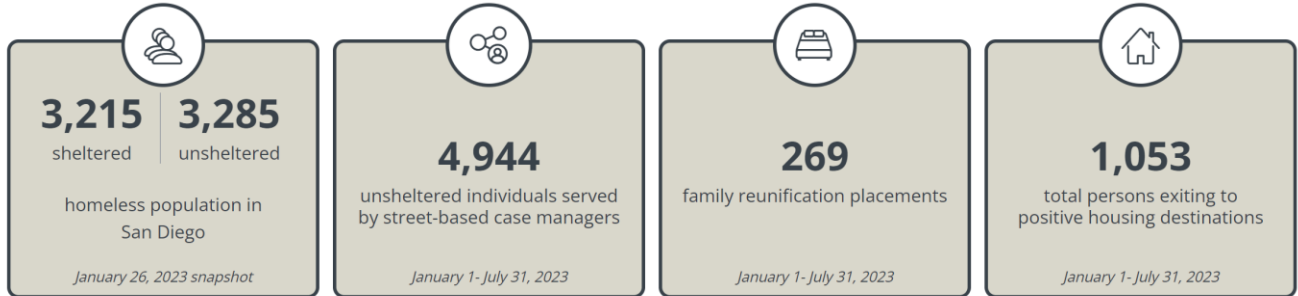
January 20, 2024: Gastrointestinal illness outbreak at City Sanctioned Encampment.

- Around 30 residents and four staff members at one of city of San Diego's sanctioned tent encampment reported having gastrointestinal symptoms, prompting county public health officials to investigate.
- The city received the reports from residents at the O Lot site by Balboa Park on Friday. The staff members who reported symptoms are part of the nonprofit provider Dreams For Change, according to the city.

- Officials from the county's Department of Environmental Health and Quality and Public Health Services were at O Lot on Saturday investigating the cause of the illness.
- <https://www.nbcsandiego.com/news/local/county-investigating-reports-of-stomach-illness-at-san-diegos-safe-sleeping-site/3410487/>
- Symptoms of gastrointestinal illness include: Change in bowel habits, unexplained weight loss, rectal bleeding or bloody stools, weakness or fatigue, abdominal pain or cramping, incomplete bowel movements.

**From City of San Diego Homeless Strategies and Solutions website January 19, 2024:**

**By the Numbers**



**Shelters**









The shelters listed below are City-funded or included as part of the City’s Coordinated Intake System for shelter placements. It does not represent all shelters operating within the City of San Diego.

- [View a list of all shelters and services from 211 San Diego](#)


Please note that capacity may vary depending on COVID-positivity rates and County Public Health guidance.


**POPULATION SERVED**


- Any -

<p><b>Alpha Project Bridge Shelter I</b></p> <p> 16th &amp; Newton San Diego, CA 92113</p> <p> POPULATION SERVED: Men, Women</p> <p> 326 beds</p>	<p><b>Alpha Project Bridge Shelter II</b></p> <p> 1710 Imperial Avenue San Diego, CA 92101</p> <p> POPULATION SERVED: Men, Women</p> <p> 140 beds</p>	<p><b>Barrio Logan Family Shelter</b></p> <p> 1801 Logan Avenue San Diego, CA 92113</p> <p> POPULATION SERVED: Families</p> <p> 168 beds</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Community Harm Reduction  
Safe Haven Shelter**


 4141 Pacific Highway  
San Diego, CA 92110


 POPULATION SERVED:  
Men, Women

 22 beds

**Community Harm Reduction  
Shelter**

 3220 Sports Arena  
Blvd.  
San Diego, CA 92110


 POPULATION SERVED:  
Men, Women

 44 beds


**Father Joe & Villages Bishop  
Maher Center**


 1501 Imperial Ave.  
San Diego, CA 92101


 POPULATION SERVED:  
Women

 28 beds


**Father Joe's Villages Paul  
Mirabile Center**


 1501 Imperial Ave  
San Diego, CA 92101


 POPULATION SERVED:  
Men, Women

 350 beds

**Golden Hall, 1st Floor**


 202 C St, 1st Floor  
San Diego, CA 92101


 POPULATION SERVED:  
Men

 324 beds


**LGBT Center - LGBTQ+  
Affirming TAY Shelter  
(Clairemont)**


 San Diego, CA


 POPULATION SERVED:  
Transition-Age Youth

 9 beds

**LGBT Center - LGBTQ+  
Affirming TAY Shelter  
(Midway)**

 San Diego, CA


 POPULATION SERVED:  
Transition-Age Youth

 14 beds


**PATH Connections Housing**

 1250 Sixth Ave  
San Diego, CA 92101


 POPULATION SERVED:  
Men, Women

 80 beds


**Rachel's Promise Women's  
Shelter**


 700 Eighth Ave  
San Diego, CA 92101


 POPULATION SERVED:  
Women

 40 beds

**Rosecrans Shelter**

 3851 Rosecrans St  
San Diego, CA 92110


 POPULATION SERVED:  
Men, Women

 150 beds

**Salvation Army Interim  
Family Shelter**


 San Diego, CA


 POPULATION SERVED:  
Families

 32 beds

**San Diego Youth Services**


 3255 Wing St  
San Diego, CA 92110


 POPULATION SERVED:  
Transition-Age Youth,  
Unaccompanied  
Minors

 17 beds

**Seniors Landing Bridge Shelter**

 1655 Pacific Highway  
San Diego, CA 92101

 POPULATION SERVED:  
Seniors

 60 beds

**Urban Street Angels Youth Shelter**


 1404 Fifth Ave  
San Diego, CA 92101

 POPULATION SERVED:  
Transition-Age Youth

 52 beds


**Total Beds: 1,856**

## What to Know About City Shelters



**What's Allowed**

- Domestic pets
- Couples/Partners
- Personal belongings
- Enter and exit freely



**What's Not Allowed**

- On-site drug or alcohol use
- Missed curfew 3+ times
- Violent behavior
- Registered sex offender

Excerpts from Regional Task Force on Homelessness San Diego data dashboards:

# San Diego Housing Commission & City of San Diego HOMELESS SERVICES PROGRAMS

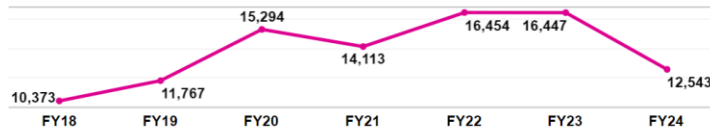
Select Reporting Period Type:

- CALENDAR YEAR
- FISCAL YEAR (July 1 - June 30)

Select SERVED or HOUSED:

- SERVED
- HOUSED

## TOTAL HOUSEHOLDS SERVED



Number of Programs  
on 11/30/2023

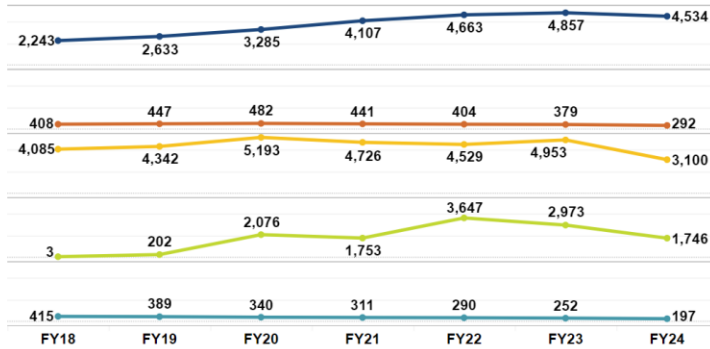
**113**

### INTERVENTION TYPE

(click to access intervention-specific dashboards)

- Permanent Supportive Housing
- Rapid Re-Housing
- Shelter
- Street Outreach
- Transitional Housing

## HOUSEHOLDS SERVED (BY INTERVENTION)



Number of Programs  
on 11/30/2023

**64**

**11**

**14**

**5**

**6**

These interactive dashboards contain data for homeless services programs administered by the San Diego Housing Commission (SDHC) and funded through SDHC and/or the City of San Diego. Data in these dashboards comes from the San Diego Continuum of Care (CoC) Homeless Management Information System (HMIS), managed by the Regional Taskforce on Homelessness (RTFH). Data contained in these dashboards is for informational purposes only and should not be used for funding-related reporting.

NOTE: Households may be enrolled in multiple SDHC/City programs throughout the selected reporting period, and the same Households may therefore be reflected in the counts for more than one intervention in the above "Households Served/Housed (By Intervention)" chart and the subsequent intervention-specific dashboards. For this reason, the sum of the above chart and the sum of data presented on the intervention-specific dashboards may not equal the deduplicated "Total Households Served/Housed" chart at the top of this dashboard.

Data current through 11/30/2023



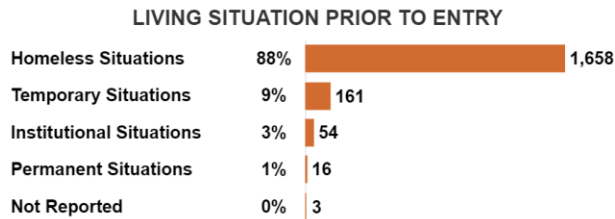


# SHELTER PROGRAMS

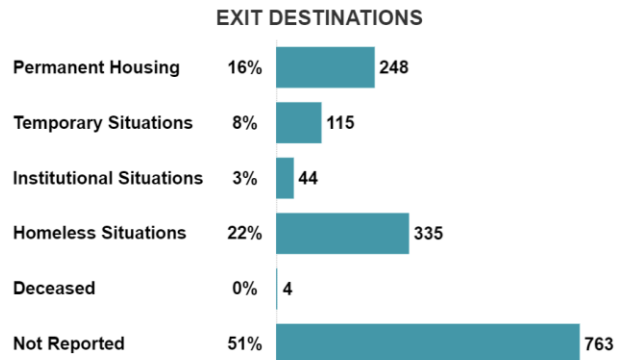
SELECT REPORTING PERIOD:  
 FY24 (7/1/2023 - 11/30/2023) - Current Fisc...

## 3,100 HOUSEHOLDS SERVED by 14 Shelter Programs in Fiscal Year 2024

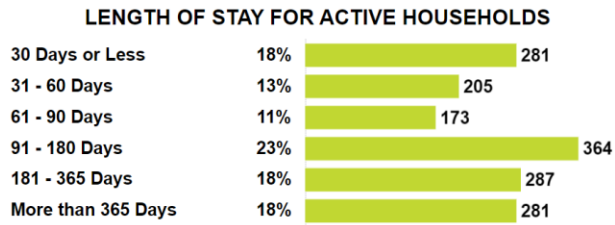
### 1,892 Households Entering Shelter (During Reporting Period)



### 1,509 Households Exiting Shelter (During Reporting Period)



### 1,591 Households In Shelter (End of Reporting Period)



Average Length of Stay  
 for All Exits  
**88 Days**

Average Length of Stay for  
 Exits to Permanent Housing  
**181 Days**

All data on this dashboard is de-duplicated based on a household's last SDHC-administered Shelter program enrollment during the selected reporting period.

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# DEMOGRAPHICS

SELECT REPORTING PERIOD:

FY24 (7/1/2023 - 11/30/2023) - Current Fiscal Year

SERVED

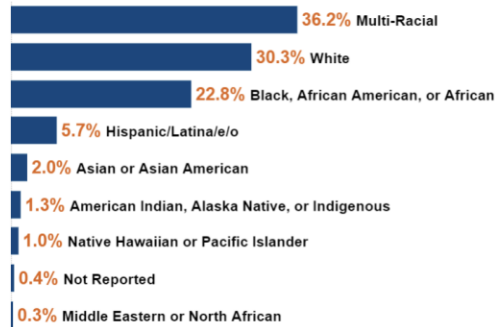
SELECT INTERVENTION:

Shelter

HOUSED

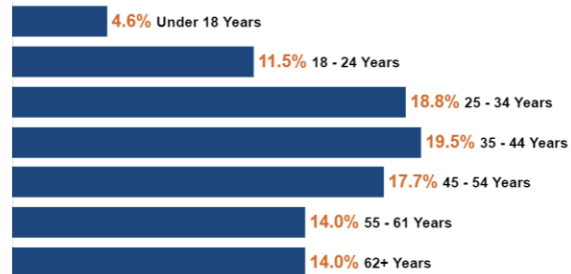
**3,225 PERSONS SERVED**  
14 Shelter Program(s) - Fiscal Year 2024

## RACE & ETHNICITY

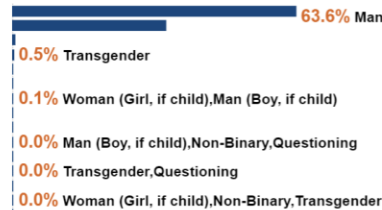


NOTE: The Department of Housing and Urban Development (HUD) updated data standards effective October 1, 2023, combining the separate race and ethnicity data elements into a single element. Persons who previously reported ethnicity as "Hispanic/Latina/e/o" under the ethnicity data element in addition to selecting a race under the race data element are now identified as "Multi-Racial."

## AGE



## GENDER



## VETERANS



All data on this dashboard is de-duplicated based on a PERSON's last enrollment in the selected intervention during the selected reporting period.  
NOTE: Not all interventions were operational and/or administered by SDHC during all reporting periods.

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# VULNERABILITIES

SELECT REPORTING PERIOD:

FY24 (7/1/2023 - 11/30/2023) - Current Fiscal Year

SELECT INTERVENTION:

Shelter

**257 PERSONS HOUSED**  
14 Shelter Program(s) - Fiscal Year 2024

The data below demonstrates some of the challenges faced by the people served by SDHC-administered programs.  
Data is self-reported by clients at the time of enrollment in the selected intervention.

## CHRONIC HOMELESSNESS

**32%**

Experiencing Chronic Homelessness at Enrollment

## DOMESTIC VIOLENCE HISTORY

**21%**

Survivors of Domestic Violence

## DISABILITIES

**65%**

Disabled

**49%**

One or More Long-Term Disabilities

**28%**

Substance Use Disorder

**18%**

Co-Occurring Mental Health Condition & Substance Use Disorder

## INCOME & BENEFITS AT ENROLLMENT

**98%**

Income <30% of AMI at Enrollment

**42%**

Receiving Non-Cash Benefits at Enrollment

**30%**

Uninsured at Enrollment

All data on this dashboard is de-duplicated based on a PERSON's last enrollment in the selected intervention during the selected reporting period.  
NOTE: Not all interventions were operational and/or administered by SDHC during all reporting periods.

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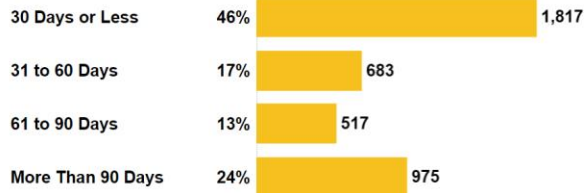
# PERMANENT SUPPORTIVE HOUSING

SELECT REPORTING PERIOD:  
FY24 (7/1/2023 - 11/30/2023) - Current Fisc...

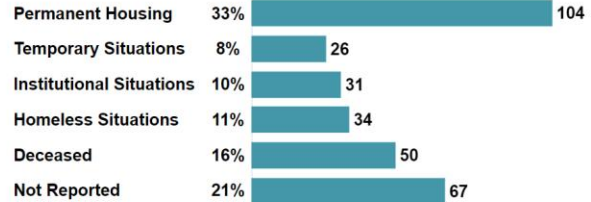
## 4,534 HOUSEHOLDS SERVED by 64 Permanent Supportive Housing Programs in Fiscal Year 2024

**4,003 Households Housed** (88% of Households Served)      **312 Households Exiting Permanent Supportive Housing** (During Reporting Period)

### TIME FROM ENROLLMENT TO MOVE-IN



### EXIT DESTINATIONS



### 96% of Households Maintained Permanent Housing

**3,738 Households**

Active & Living in Permanent Housing (End of Reporting Period)

**104 Households**

Exited to Permanent Housing (During Reporting Period)

**484 Households Pending Move-In** (End of Reporting Period)

### Income & Benefits at Annual Assessment or Exit

UNDER DEVELOPMENT

All data on this dashboard is de-duplicated based on a household's last SDHC-administered Permanent Supportive Housing program enrollment during the selected reporting period.

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# DEMOGRAPHICS

SELECT REPORTING PERIOD:

FY24 (7/1/2023 - 11/30/2023) - Current Fiscal Year

SERVED

SELECT INTERVENTION:

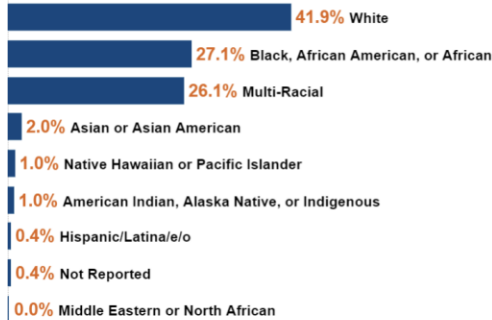
Permanent Supportive Housing

HOUSED

## 4,510 PERSONS HOUSED

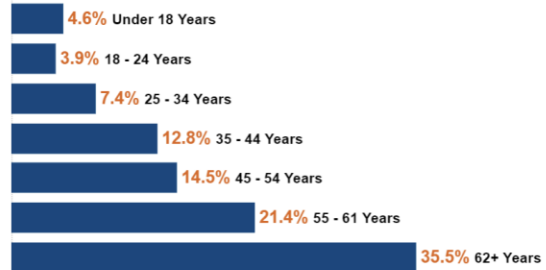
64 Permanent Supportive Housing Program(s) - Fiscal Year 2024

### RACE & ETHNICITY

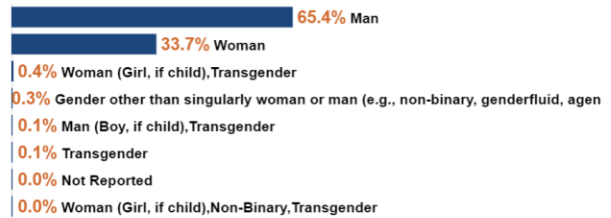


NOTE: The Department of Housing and Urban Development (HUD) updated data standards effective October 1, 2023, combining the separate race and ethnicity data elements into a single element. Persons who previously reported ethnicity as "Hispanic/Latina/e/o" under the ethnicity data element in addition to selecting a race under the race data element are now identified as "Multi-Racial."

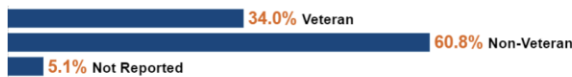
### AGE



### GENDER



### VETERANS



All data on this dashboard is de-duplicated based on a PERSON's last enrollment in the selected intervention during the selected reporting period.

NOTE: Not all interventions were operational and/or administered by SDHC during all reporting periods.

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# VULNERABILITIES

SELECT REPORTING PERIOD:

FY24 (7/1/2023 - 11/30/2023) - Current Fiscal Year

SELECT INTERVENTION:

Permanent Supportive Housing

## 4,510 PERSONS HOUSED

64 Permanent Supportive Housing Program(s) - Fiscal Year 2024

The data below demonstrates some of the challenges faced by the people served by SDHC-administered programs. Data is self-reported by clients at the time of enrollment in the selected intervention.

### CHRONIC HOMELESSNESS

34%

Experiencing Chronic Homelessness at Enrollment

### DOMESTIC VIOLENCE HISTORY

10%

Survivors of Domestic Violence

### DISABILITIES

62%

Disabled

56%

One or More Long-Term Disabilities

22%

Substance Use Disorder

18%

Co-Occurring Mental Health Condition & Substance Use Disorder

### INCOME & BENEFITS AT ENROLLMENT

97%

Income <30% of AMI at Enrollment

31%

Receiving Non-Cash Benefits at Enrollment

4%

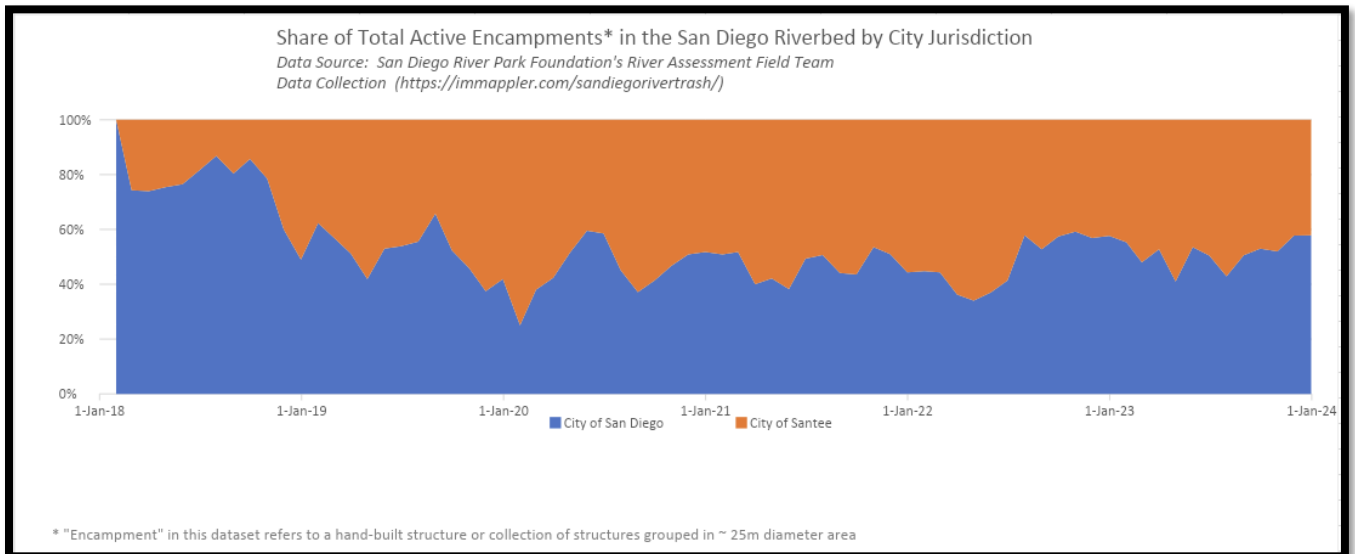
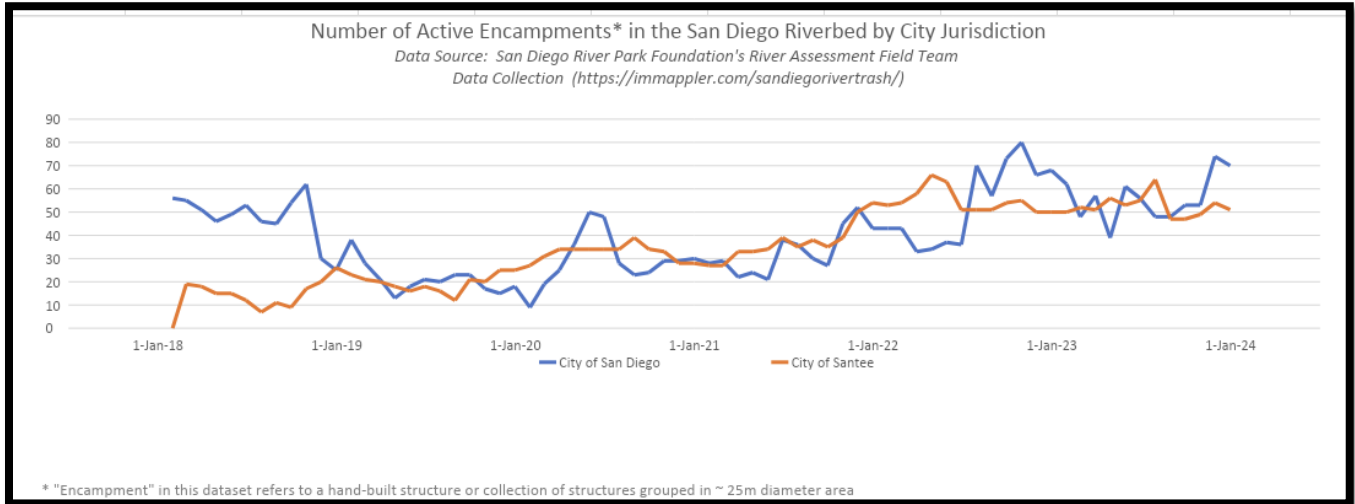
Uninsured at Enrollment

All data on this dashboard is de-duplicated based on a PERSON's last enrollment in the selected intervention during the selected reporting period. NOTE: Not all interventions were operational and/or administered by SDHC during all reporting periods.

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# Data from San Diego Riverbed Foundation



Data Export Date	Active Encampment Pins			Inactive Encampment Pins		
	City of San Diego	City of San tee	Sum	City of San Diego	City of San tee	Sum
31-Jan-18	56	19	75	146	20	166
28-Feb-18	55	18	73	146	13	159
31-Mar-18	51	15	66	113	5	118
30-Apr-18	46	15	61	94	6	100
31-May-18	49	12	61	75	5	80
30-Jun-18	53	7	60	91	12	103
31-Jul-18	46	11	57	111	12	123
31-Aug-18	45	9	54	102	4	106
30-Sep-18	54	17	71	102	7	109
31-Oct-18	62	20	82	75	15	90
30-Nov-18	30	26	56	64	17	81
31-Dec-18	25	23	48	71	19	90
31-Jan-19	38	21	59	108	20	128
28-Feb-19	28	20	48	88	16	104
31-Mar-19	21	18	39	98	17	115
30-Apr-19	13	16	29	88	23	111
31-May-19	18	18	36	76	21	97
30-Jun-19	21	16	37	84	18	102
31-Jul-19	20	12	32	75	9	84
31-Aug-19	23	21	44	47	12	59
30-Sep-19	23	20	43	70	3	73
31-Oct-19	17	25	42	49	26	75
30-Nov-19	15	25	40	55	21	76
31-Dec-19	18	27	45	76	24	100
31-Jan-20	9	31	40	74	25	99
29-Feb-20	19	34	53	81	26	107
31-Mar-20	25	34	59	113	27	140
30-Apr-20	36	34	70	134	26	160
31-May-20	50	34	84	187	35	222
30-Jun-20	48	34	82	196	35	231
31-Jul-20	28	39	67	165	40	205
31-Aug-20	23	34	57	139	51	190
30-Sep-20	24	33	57	124	52	176
31-Oct-20	29	28	57	135	51	186
30-Nov-20	29	28	57	113	47	160
31-Dec-20	30	27	57	99	42	141
31-Jan-21	28	27	55	110	42	152
28-Feb-21	29	33	62	98	49	147
31-Mar-21	22	33	55	89	55	144
30-Apr-21	24	34	58	87	46	133
31-May-21	21	39	60	90	53	143
30-Jun-21	38	35	73	105	54	159
31-Jul-21	36	38	74	121	57	178
31-Aug-21	30	35	65	104	56	160
30-Sep-21	27	39	66	98	61	159
31-Oct-21	45	50	95	94	71	165
30-Nov-21	52	54	106	92	56	148
31-Dec-21	43	53	96	97	53	150
31-Jan-22	43	54	97	90	50	140
28-Feb-22	43	58	101	107	59	166
31-Mar-22	33	66	99	86	58	144
30-Apr-22	34	63	97	81	62	143
31-May-22	37	51	88	99	62	161
30-Jun-22	36	51	87	86	60	146
31-Jul-22	70	51	121	88	66	154
31-Aug-22	57	54	111	89	67	156
30-Sep-22	73	55	128	103	74	177
31-Oct-22	80	50	130	131	80	211
30-Nov-22	66	50	116	110	85	195
31-Dec-22	68	50	118	113	73	186
31-Jan-23	62	52	114	113	67	180
28-Feb-23	48	51	99	114	63	177
31-Mar-23	57	56	113	118	56	174
30-Apr-23	39	53	92	113	58	171
31-May-23	61	55	116	109	56	165
30-Jun-23	56	64	120	98	54	152
31-Jul-23	48	47	95	99	54	153
8/31/2023	48	47	95	101	56	157
9/30/2023	53	49	102	85	51	136
10/31/2023	53	54	107	85	51	136
11/30/2023	74	51	125	70	49	119
12/31/2023	70	52	122	73	43	116

Data Source: San Diego River Park Foundation's River Assessment Field Team Data Collection (<https://immapler.com/sandiegorivertrash/>)





### FALL 2023 RIVERBED HOMELESSNESS CENSUS

By The San Diego River Park Foundation  
Census Completed September 14-17, 2023

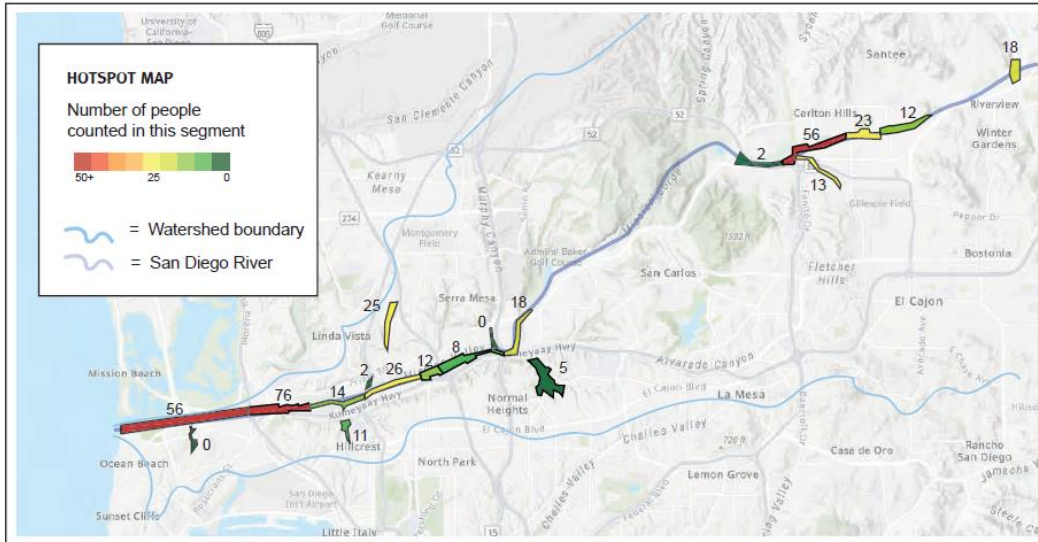
Contact: info@sandiegoriver.org or (619) 297-7380

#### HOMELESSNESS CENSUS

The San Diego River Park Foundation coordinates volunteers to document people experiencing homelessness in the San Diego Riverbed. During the fall census, SDRPF volunteers conducted field surveys on foot over 4 consecutive mornings on September 14-17 in the riverbed segments below. They were trained to document hand-built structures, individuals, and inhabited vehicles. The below numbers report only inhabited vehicles parked within unpaved naturalized areas, not adjacent parking lots or streets. This survey included some tributary areas. These are the results:

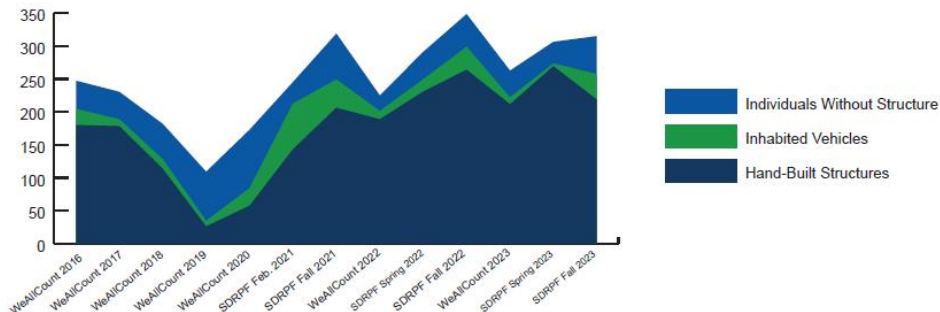
	Hand-Built Structures	Individuals	Inhabited Vehicles	Estimated* Total People
City of San Diego: standard areas	73	45	19	211
City of San Diego: new tributary areas	23	2	0	42
City of Santee: standard areas	52	13	0	104
unincorporated County	10	0	0	16
<b>TOTAL</b>	<b>158</b>	<b>60</b>	<b>19</b>	<b>375</b>

*\*based on the most recent Regional Task Force on Homelessness multipliers (2018): x1.75 for hand-built structures and x2.03 for inhabited vehicles*



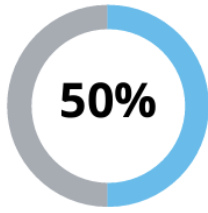
#### TRENDS OVER TIME

Total People Experiencing Homelessness in the San Diego Riverbed by Shelter Type  
*(trend analysis excludes canyons because surveys there started in 2021)*





# Households



of households spend more than 30% of their income on housing



average rent prices increased by 46 percent between 2012-2019

Half of San Diego households are considered cost-burdened by their housing, since they spend more than 30 percent of their pay on either rent or mortgage payments.<sup>22</sup> This can result from different factors, such as half of households earning below AMI or average rent prices increasing by 46 percent between 2012-2019.<sup>23</sup> The more money a household spends on housing, the less money is available for healthcare, transportation, savings, and recreation.

The housing market changes depending on economic, social, and cultural trends. Per 2016 census data, slightly more San Diegans were renters than homeowners, and more people lived in households comprised of families than lived alone or with roommates.<sup>24</sup>



53%

of housing in the City is renter-occupied.



47%

of housing in the City is owner-occupied.



40%

of households are comprised of non-related roommates or individuals living alone.



60%

of households are comprised of families, meaning people related to one another.



**3.2%**

of rental housing was estimated to be vacant in 2017.<sup>18</sup>



**31,411**

households were overcrowded or severely overcrowded in 2017.



**56%**

of existing homes are single-family.



**65%**

of those living in owner-occupied units moved in prior to 2009.

Overcrowding—more than 1-1.5 persons per room in a household—affects a small percentage of San Diego’s population, but more than 30,000 households were overcrowded or severely overcrowded in 2017.<sup>25</sup> That number could increase as families grow and people move to the City to find better paying jobs. If the rental vacancy rate remains low, overcrowding could increase, or households could be forced to leave the City to find more affordable housing.

The City experienced significant growth between the 1960s and 1990s; most of the City’s housing stock was built during that timeframe. Some housing was built in the early 2000s, but only 3.6 percent of the City’s housing stock was built in the past 10 years.<sup>26</sup>

Housing will need to be smaller and closer to jobs and amenities than previously, because younger generations are waiting longer to purchase homes and start families; the senior population will grow; and available vacant land will decrease. The City continues to implement the City of Villages strategy to add housing near transit, jobs, and other amenities, so San Diegans of all ages and household sizes can access needed resources without using a single occupancy vehicle.



**90%**

of the City’s housing stock was built prior to 2000.

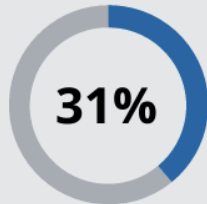


**60%**

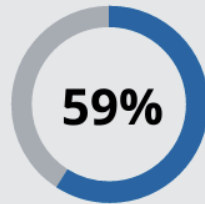
of households have only one or two persons.

# Special Groups

Seniors in San Diego will **nearly double** by 2035.



of seniors have a disability.



of the City's Section 8 voucher-holders are elderly or disabled.

Between 2012 and 2017, nonfamily households with seniors grew by

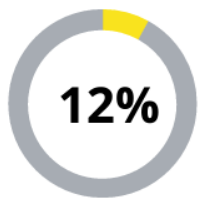
**71%**

**8%** of seniors live alone.

San Diego, like much of the nation, is experiencing a “gray wave” as the Baby Boomer generation reaches retirement age. The senior population in San Diego is expected to almost double, from 11 percent to 18 percent, by 2035.<sup>27</sup> The majority of the City's Section 8 voucher-holders are elderly or disabled (and can be both). Recent projections also show that the number of people aged 65 and older who are experiencing homelessness is expected to triple by 2030, due to rising income insecurity among seniors nationwide, if interventions are not made.<sup>28</sup> The City needs to plan for this population change and is identifying opportunities to help seniors live closer to services and amenities, including healthcare centers, shopping, and parks, to decrease reliance on single occupancy vehicles as this population becomes less mobile.

Following the passage of the Fair Housing Act, new multifamily housing development must meet accessibility requirements to accommodate people with disabilities.<sup>29</sup> The Americans with Disabilities Act, adopted in 1990, also establishes requirements for making development accessible to people with disabilities.<sup>30</sup> According to U.S. Census data on San Diego's housing stock, most of the City's housing stock was built prior to 1990 and was not required to be wheelchair accessible.

Nearly **123,000 people** in the City have a disability.



of people with a disability were unemployed in 2017, compared to six percent of people without a disability who were unemployed.

**80%**

of the City's housing stock was built prior to 1990. Homes built before 1990 are often not wheelchair accessible.

HE-24

From the City of San Diego General Plan: Housing Element 2021-2029, page 24 .  
[https://www.sandiego.gov/sites/default/files/he\\_final\\_screen\\_view\\_june2021.pdf](https://www.sandiego.gov/sites/default/files/he_final_screen_view_june2021.pdf)

Older homes tend to be more naturally affordable but may not be accessible to people with disabilities. Only about 20 percent of the City's housing stock was built after 1990, which means the affordable homes available to people with disabilities is more limited than for people without disabilities.<sup>31</sup> The Housing Element identifies ways the development community can help to better accommodate people with disabilities as the City grows.

Housing affordability has been a challenge in the City for many years and continues to become more burdensome on residents as supply has lagged behind demand. Some residents rely on Federal vouchers to afford housing in the City, but because funding is limited, many voucher-holders wait 10 years before they are placed in housing.<sup>32</sup> The majority of voucher-holders are female heads of household, and the average income for a Section 8 voucher-holder is only 22 percent of AMI.<sup>33</sup> The City has developed incentive programs to encourage the development of more affordable housing, especially in close proximity to transit priority areas (TPAs), jobs, and other amenities.

## The average Section 8 voucher wait time is 10 years.

**68%**

of Section 8 housing voucher-holders are female head of household.

**\$18,470**

is the average annual income for households with Section 8 vouchers.

**81%**

of Section 8 housing voucher-holders make less than 30 percent of AMI.



HE-25

# San Diego County

## Area Median Income (AMI) and Income Limits

2023 Area Median Income (AMI)  
for San Diego County is

**\$116,800**

San Diego County Income Limits						
Effective May 15, 2023						
FAMILY SIZE	30% of AMI Extremely Low Income	50% of AMI Very Low Income	60% of AMI	80% of AMI Low Income	Median Income	120% of AMI
1	28,950	48,250	57,900	77,200	81,750	98,100
2	33,100	55,150	66,180	88,200	93,450	112,100
3	37,250	62,050	74,460	99,250	105,100	126,150
4	41,350	68,900	82,680	110,250	116,800	140,150
5	44,700	74,450	89,340	119,100	126,150	151,350
6	48,000	79,950	95,940	127,900	135,500	162,550
7	51,300	85,450	102,540	136,750	144,850	173,800
8	54,600	90,950	109,140	145,550	154,200	185,000

### Housing Options Vernacular:

- **Cost-Efficiency.** Homelessness is costly for cities, and research suggests that effective prevention efforts, even if they were broadly targeted, would be less expensive than interventions after individuals become homeless.
- **Rapid re-housing programs** provide crisis intervention to minimize the amount of time a person experiences homelessness, typically providing housing search services and short-term assistance with rent and deposit costs. Rapid re-housing programs are intended to provide short-term assistance, with an average stay of two to six months. This strategy shows promise for families

and veterans who are unlikely to need long-term assistance, and who face moderate – but not significant – barriers to housing.

- These individuals may remain housing insecure following rapid re-housing, but are less likely to return to homelessness, and are shown to spend less time in shelter environments. Rapid re-housing programs are designed primarily as a prevention strategy, meaning the approach typically is not suitable for individuals facing chronic homelessness, and at times screens out individuals whose needs are too high.
- **Transitional housing** offers services along with short-term housing; program participation is often required as a condition of receiving housing. The housing program may last between six and 24 months. Because of the absence of affordable housing, many participants, especially people on fixed incomes, return to homelessness at the end of their stay.
- **Permanent supportive housing** is permanent housing that offers, on a voluntary basis, additional intensive services such as physical and mental health services, life skills and financial management support, and opportunities for education and employment. This permanent housing and voluntary services approach is effective especially for individuals with mental health diagnoses, leading to better health recovery and longer housing stability.
- **Housing subsidies**, often called housing choice vouchers, are another strategy for addressing homelessness and these provide individuals with funding to rent housing on the private rental market, and may provide some limited housing search assistance, but typically does not provide any additional supports. Support can be indefinite, depending on the policies of the local public housing authority. In a longitudinal study comparing such subsidies with various short-term housing strategies, permanent housing subsidies were found to be most impactful for families experiencing homelessness, cutting housing instability by more than half and improving well-being and food security.
- Historically, however, the pathway to receiving all of the forms of housing assistance requires passage through the **emergency shelter system**. The emergency shelter provision is such a pervasive strategy that professionals in housing and homelessness often refer to the emergency shelters as “usual care.” Shelters vary widely in terms of the associated services they might provide; in many cases they provide only shelter – a roof and mat or bed – and



may lack even meal provision, though some provide a comprehensive array of health services and other supports.

- In spite of a continual growth of shelter provision in the U.S., chronic shelter bed shortages are ubiquitous in many U.S. cities. For example, in California in 2018, there were only sufficient shelter beds to serve about 21% of individuals experiencing homelessness.
- Part of the shelter bed shortage is driven by an understanding that permanent, “housing first” solutions are more effective, pulling some attention and resources away from near-term, emergency needs.
- Even when beds are available, shelters are not a desirable choice for many people experiencing homelessness. Shelters have wide variation in terms of provision of meals, training of staff, and other baseline indicators of quality of service. Shelters are reported by numerous individuals experiencing homelessness to be unsafe sites of violence and victimization.
- Shelters are often reported as sites of drug use, a deterrent for individuals experiencing homelessness who are struggling with addiction and trying to “get clean.” Shelters can be crowded and loud, an obstacle for many who suffer from mental illness and find such settings overwhelming resulting in exacerbation of their symptoms.
- Further, shelters often are segregated by sex and do not permit pets, requiring people to separate from their partner or a beloved animal who provides emotional support. Shelters often lack privacy and private storage space and are perceived to have excessive rules.
- Emergency Shelter residents complained about compulsory low-pay or no-pay work programs, finding those programs along with requirements for medicalized treatment to be infantilizing. Encampment residents choose their greater autonomy in the encampment environment, over shelters where one is forced into dependence.

## **Housing in San Diego:**

- **San Diego County had 7,063 homeless individuals, the fourth-highest in the nation, and 1,513 homeless families with children, second only to Los Angeles.**
- The county also had the nation’s second-largest population of homeless veterans with 1,312 people. The number of local homeless veterans increased from 1,067 to 1,312 this year.



- San Diego County also had the nation’s fourth-largest population of chronically homeless people at 1,991 and the fifth-largest population of unaccompanied homeless youth at 876.
- **Household Income and Poverty.** In San Diego County the median household income is estimated as \$71,758, and the poverty rate at 14%.
- The median household income varies by region: Central region has the lowest median household income (\$53,523) and North Central has the highest (\$87,693).
- More than a quarter (26%) of all San Diego households (288,125) have a median income of less than \$35,000 a year. In the Central region the percentage of households in this income group increases to 35% (62,485 households).
- **Housing Market:** Housing affordability and accessibility, especially for individuals who are low income, have no or poor credit history, and minimal employment histories and opportunities are often the most impacted by San Diego’s housing crisis.
- A report released by the California Housing Partnership Corporation in May 2018 provided the following key findings:
  - **Renters in San Diego County need to earn \$38.31 hourly - 3.3 times local minimum wage – to afford the median monthly asking rent of \$1,992.**
  - San Diego County’s lowest-income renters spend 69% of income on rent, leaving little left for food, transportation, health care, and other essentials.
  - San Diego County needs 143,800 more affordable rental homes to meet current demand.
  - When housing costs are considered, San Diego County’s poverty rate rises from 13.3% to 20.4%.
- MarketPointe, the Economic Research arm of the California Building Industry, (CBIA) produced a report in April 2018 on rental prices in the prior month, based upon a survey of 133,785 apartments. The report indicated average apartment rent as \$1,887, an 8% increase in average rents from the prior year and a vacancy rate of just over 4%. However **more than half of the vacant apartments were asking more than \$2,000 in rent.**

## Housing Policy in San Diego: Single Family Zoning

It is without dispute that the first city in the nation to adopt single family zoning as we know it today – 1 family per lot – was the [City of Berkeley](#) in 1916. Berkeley city leaders along with private developers watched with concern as judges around the United States were finding race-based zoning laws a violation of the US Constitution. Twenty months

after Berkeley passed the first single family zoning ordinance the US Supreme Court under [Buchanan vs. Warley](#) (1917) would in fact rule that “the motive for the Louisville ordinance—separation of races for purported reasons—was an inappropriate exercise of police power” and a violation of the 14th Amendment of the US Constitution.

By 1926 the US Supreme Court under [Euclid vs. Ambler Realty](#) ruled that single family homes could be segregated from apartments. The ruling would pave the way for an explosion of single-family ordinances within the US. Interestingly, the lower court’s decision in this case, would find that single family zoning only neighborhoods violated the 14th Amendment of the US Constitution along with Buchanan vs. Warley. In his ruling Judge Westenhaver clearly stated the intent of those trying to restrict apartments from single family neighborhoods:

*“The [purpose](#) to be accomplished is really to regulate the mode of living of persons who may hereafter inhabit it. In the last analysis, the result to be accomplished is to classify the population and segregate them according to their income or situation in life. The true reason why some persons live in a mansion and others in a shack, why some live in a single-family dwelling and others in a double-family dwelling, a two-family dwelling and others in an apartment, or why some live in a well-kept apartment and others<sup>1</sup> in a tenement, is primarily economic.”*

In 1923 the City of San Diego followed Berkeley and passed its first single-family home ordinance. Like Berkeley the city wanted to ensure that white families did not live near Brown, Black, Asian and immigrant families. The San Diego City Council wanted the new [ordinance](#) not to “interfere with or abrogate or annul any easement, covenant, or other agreement between parties; provided, however, that where this ordinance Imposes a greater restriction upon the erection, construction, establishment, alteration or enlargement of buildings, structures or improvements in said zones.”

Exactly one hundred years later – and with over one million new residents, the 1923 ordinance created a city in which [81%](#) of the residential land is zoned for single family homes exclusively. The effects are evident in the high cost of housing, homelessness, poverty, segregation, CO2 emission from sprawl and a diminishing property tax base which provides less services and infrastructure for residents and their neighborhoods.

In response to the economic and moral cost of residential segregation and to build a pipeline of fee simple townhomes in high resourced neighborhoods for grantees of our [San Diego Black Homebuyer Program](#), LISC San Diego organized a [diverse coalition](#) to reverse the city council’s 1923 ordinance by [allowing](#) all single family lots of 5000 sqft or great to be subdivided in 1000 sqft parcels to sell. The effect of this change would be to

lower the cost of land which would be passed on to prospective homeowners in the form of new middle-income housing for as low as \$550,000 in neighborhoods where a home is currently valued at \$1 million.

In 2023, San Diego Mayor Todd introduced the Housing Action Plan 2.0 that would allow some single family land parcels to be subdivided into 1000 sqft lots to sell (pages 76-79). Unfortunately, the San Diego Planning Commission removed this provision for further public workshops in 2024.

For the first time in the history of California and the City of San Diego residents are leaving because of the high costs of housing. This exodus is projected to have dire consequences for the economic future of the city and state. The only logical and least intrusive solution to alleviate the housing crisis and its consequences is to reform the one-hundred-year-old racist ordinance - single family zoning. The effects of this change will be profound and enduring - ending residential racial segregation, lowering CO2 emission from vehicles, building new middle income for-sale homes and replenishing the property tax base.

The question is no longer IF we should reform single family zoning laws the question is WHEN.

## **Housing Policy in San Diego: Housing Action Plan 2.0**

On December 12, 2023, the San Diego City Council adopted amendments to the city's Complete Communities Housing Solutions (**Complete Communities**) Regulations (San Diego Municipal Code Chapter 14, Article 3, Division 10 (8/2023)) as part of a larger housing package, Housing Package 2.0 proposed by Mayor Todd Gloria and the City Planning Department.

Many in the affordable housing community believe that although most of the Housing Action Package included proposals that could help address the city's housing needs, the amendments proposed to the Complete Communities program should not have been passed, and should have been sent back to the Planning Department to strengthen its affordable housing requirements. Unfortunately, on January 9, 2024, the City Council finalized its vote in favor of HAP 2.0 including the Complete Communities amendments which weaken its already weak affordable housing requirements.

The Complete Communities program, approved three years ago (November 2020) is a density bonus program, which allowed (as originally approved) generous increases in

density in exchange for providing on-site affordable homes for very low, low, and moderate income households.

The amendments approved: 1) allow a 100 Percent Moderate Income affordable housing option (which will likely result in no units for households making 50-60 percent Area Median Income (AMI); and 2) allow the required affordable units to be provided off-site (the original regulations required the units to be on-site), likely in an area of lower socio-economic opportunity.

Many affordable housing advocates believe the Complete Communities amendments conflict with the goals and policies in the City's 2021-2029 Housing Element pertaining to Affirmatively Furthering Fair Housing (AFFH).

The Complete Communities amendments also conflict with the City's long-standing General Plan/Strategic Plan/Housing Element goal of creating economically and socially diverse "balanced communities."

Furthermore, the Complete Communities amendments are contrary to statements in the December 7, 2023 staff report noted below:

"Housing is critical to the City's economic well-being and quality of life for all community members. Therefore, San Diego must have an adequate supply of homes to meet its present and future demands. For decades, the rate of construction of new homes within the city has not kept pace with demand. **This is especially true for affordable homes, where production only meets a small fraction of the need.**" (Emphasis added.)

And goes on to note: "**The HAP 2.0 amendments address the need to build homes at all income levels.**" (Emphasis added.)

And: "**Part 2: Fair Housing for All** - Strengthens regulations to further fair housing and promotes the development of new homes, for families, including middle income San Diegans."

During the two hearings (Nov. 13 and Dec. 12, 2023) a number of organizations asked that the amendments to the Complete Communities program be removed from HAP 2.0 and sent back to the Planning Department to: 1) evaluate how the program is working now, and 2) create a program that results in complete, not incomplete, communities with robust, on-site affordable housing requirements.

In a [letter dated September 10, 2021](#), HCD stated the city's housing element "***currently includes marginally sufficient actions to affirmatively further fair housing....***" (Emphasis added.)

The Complete Communities amendments actually reduce the City's commitment to take "proactive and meaningful actions that have a significant impact on integrating living patterns and socio-economic concentrations...." as required by state law per HCD's [AFFH guidance document](#), which also may be found here: <https://www.hcd.ca.gov/planning-and-community-development/affirmatively-furthering-fair-housing>.

As stated in the the introduction by HCD Director Gustavo Velasquez to HCD's [Affirmatively Furthering Fair Housing Guidance for All Public Entities and for Housing Elements](#) (April 2021 Update): "In 2018, California passed AB 686 as the statewide framework to affirmatively further fair housing; to promote inclusive communities, further housing choice, and address racial and economic disparities through government programs, policies, and operations." And page 14 of the guidance document states, "Beyond the housing element requirements, AB 686 requires all public agencies...to ensure that their housing and community development programs and activities — taken together — affirmatively further fair housing, and that they take no action materially inconsistent with this obligation."

Complete Communities could help the city implement this important state law, but fails to do so.

- The Complete Communities code pre-amendments can be found here: <https://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art03Division10.pdf>
- The amendments to the Complete Communities Housing Solutions Regulations can be found in the Supporting Documents for Item #335 (December 12, 2023, 2 p.m. Agenda: (<https://sandiego.hylandcloud.com/211agendaonlinecouncil/Meetings/ViewMeeting?id=5852&doctype=1&site=council>))
- The ordinance language can be found here: O-2024-41 COR. COPY 3 - Strikeout.pdf: pp.61-63 of 75 (for 100% Moderate Income option) and pp. 64-65 of 75 (for off-site (referred to in ordinance as "on a different *premises* from the *development*....")) (<https://sandiego.hylandcloud.com/211agendaonlinecouncil/Documents/ViewDo>

[cument/O-2024-41%20COR.%20COPY%203%20-%20Strikeout.pdf.pdf?meetingId=5852&documentType=Agenda&itemId=228685&publishId=804918&isSection=false](https://www.sandiego.gov/cument/O-2024-41%20COR.%20COPY%203%20-%20Strikeout.pdf.pdf?meetingId=5852&documentType=Agenda&itemId=228685&publishId=804918&isSection=false))

- Below are links to two commentaries about the Complete Communities amendments approved in HAP 2.0 that would weaken the affordable housing requirements in the program and conflict with state law regarding AFFH:
- A commentary co-authored by Susan Baldwin (affordable housing advocate), Jose Lopez (ACCE San Diego), Dinora Reyna-Gutierrez (SDOP), and Ramla Sahid (PANA): <https://voiceofsandiego.org/2023/12/08/complete-communities-program-needs-an-overhaul-not-amendments/> In addition to pointing out the problems with the amendments (at that time proposed) to the Complete Communities regulations, it also shows the weakness of the program's affordable housing requirements especially in relation to the large density bonuses granted — one project has a density bonus of over 1,000 percent, yet only has to provide 3.4 percent of its total units as affordable.
- And another written by Geoff Hueter, chair and Danna Givot vice-chair of Neighbors For A Better San Diego: <https://obrag.org/2023/12/off-site-affordable-housing-plan-will-enforce-segregation-why-is-the-mayor-promoting-it/>

## Housing Policy in San Diego: Inclusionary Zoning

- [Inclusionary Housing \(IH\)](#) requires developers to provide a small portion (usually 10-15 percent) of their market-rate projects as affordable housing for households who make between 60 and 80 percent of AMI. Alternatively, developers can pay in-lieu fees that usually go in a Housing Trust Fund to help finance affordable housing projects. This is the first function of IH: to provide below market-rate affordable housing, which the San Diego region is producing and has produced historically at a very low level.
- The second function of IH is to foster communities that are socially and economically balanced. Market-rate development usually takes place in communities of opportunity (also known as high-resource areas), where buyers or renters of market-rate units are likely to want to live. IH results in affordable units being built in these higher income areas reducing economic and racial segregation. Affordable housing projects built with the help of in-lieu fees are generally mandated to be built within close proximity of the market-rate project or, in the case of the City of San Diego, the community planning area. Therefore,

the affordable housing units are often placed within a community of opportunity. IH is an excellent way to Affirmatively Further Fair Housing (AFFH).

- In the San Diego region, eleven jurisdictions have inclusionary ordinances (Carlsbad, Chula Vista, Coronado, Del Mar, Encinitas, Oceanside, Poway, San Diego, San Marcos, Solana Beach, and Vista), one (the County of San Diego) is working on an ordinance, and seven do not have an ordinance (El Cajon, Escondido, La Mesa, Lemon Grove, Imperial Beach, National City, and Santee).
- The City of San Diego's IH ordinance was amended in December 2019 after an effort led by Council President Georgette Gomez to strengthen the City's ordinance resulted in a higher in lieu fee (\$25 per square foot phased in over five years), but a lower (for five years) phased in requirement for those choosing to build affordable units with a slightly lower income household target – 60 percent Area Median Income vs. the 65 percent AMI which had been in place since the ordinance's original adoption in 2002. The requirement for those choosing to build affordable units started at 2 percent on July 1, 2020 and is now 8 percent as of July 1, 2023. The five year phase in for the requirement to build was 2, 4, 6, 8, and 10 percent. Before the ordinance was amended, the requirement (for rental units) was 10 percent at 65 percent AMI.
- Efforts to require 10 percent at 60 percent AMI as soon as possible were undertaken for about a year by the [League of Women Voters San Diego and members of the Quality of Life Coalition](#) who wrote letters in the summer of 2021 to the City Council. A [commentary published by the San Diego Union Tribune written by Susan Baldwin and Kim Knox \(President, LWVSD\) in June 2022](#) provides more background on this issue. On July 1, 2024, the requirement will be 10 percent at 60 percent AMI.

The City of San Diego also has three other inclusionary housing programs, which differ from the citywide ordinance: 1) North City Future Urbanizing Area, 2) Barrio Logan Community Plan, and the 3) Morena Corridor Specific Plan.

- The Inclusionary Affordable Housing requirement in the northern part of the City known as the [North City Future Urbanizing Area](#) requires housing developers to dedicate 20 percent of their units to affordable buyers or renters, as specified by the [San Diego Municipal Code](#). The North City Future Urbanizing Area includes the neighborhoods of Black Mountain Ranch, Del Mar Mesa, Pacific Highlands, and Torrey Highlands.
- The [Barrio Logan Community Plan](#) requires 15 percent of housing projects be affordable to households making 80 percent AMI (Page AP-4 or 138 of PDF).



- The [Morena Corridor Specific Plan](#) has a 15 percent requirement for households making 80-120 percent AMI. This requirement replaces the citywide inclusionary requirement. (Page 80)

Many jurisdictions have inclusionary housing ordinances higher than 10 percent – a common requirement is 15 percent. The City of San Diego should consider strengthening its inclusionary housing ordinance to require 15 percent of total units to be affordable to households making 60 percent AMI to help meet its lower income housing needs. The recent [Biennial Housing Element Report \(2023\)](#) for the 2021-2029 6th cycle housing element shows the city lags far behind in its production of housing affordable to very low and low income households. This also was the case during the 2010-2020 5th cycle housing element, when although 120 percent of the city’s Above Moderate income housing needs were met, only about 15-20 percent of its Very Low and Low income housing needs were met. More needs to be done to help meet the city’s very low and low income housing needs.

## Housing and Life Expectancy

“Medical Examiner: Homeless Deaths on the Rise in San Diego County”

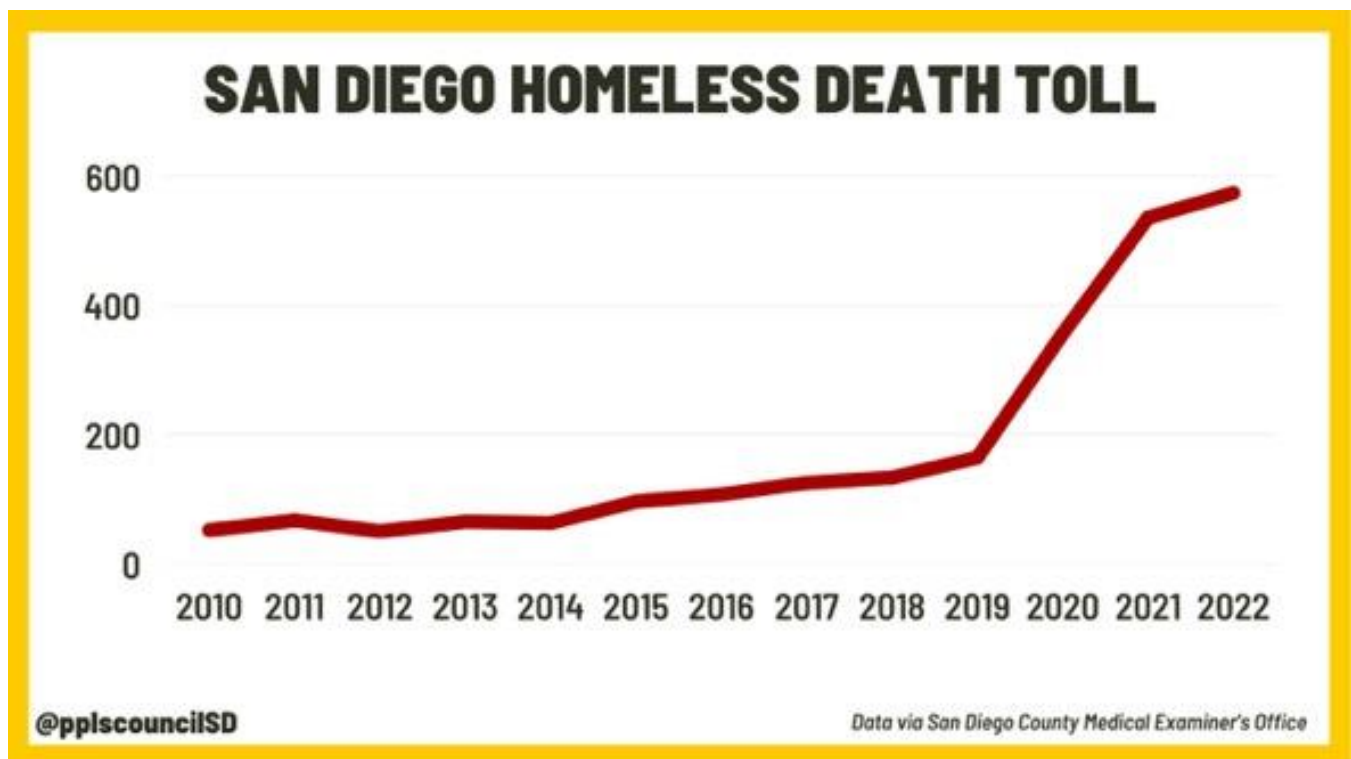
- "Last year, the office recorded 126 homeless deaths — up 17 percent over the 108 who died the previous year. And over the past five years, the number of deaths has increased 91 percent. That far outpaces the growth of the county’s overall homeless population, which [increased 3 percent](#) over the same period.” <https://inewssource.org/2018/01/26/homeless-deaths-rise-san-diego/>
- SEE other Death Reports herein, esp March 15, 2022 and Dec. 21, 2023.

“A Funeral and Wake Up Call: Why Did 111 Homeless People Die?”

- "Of the 111 reported homeless deaths in 2018, 75 were the result of accidents, including 48 from drugs and 14 from collisions, according to San Diego County Medical Examiner’s Office and San district attorney reports cited by the Union-Tribune. Twenty-seven homeless died from natural causes, six from suicide, one from homicide and one was undetermined, according to the report. About 16 were women. The ages ranged from 28 to 78, according to the reports cited. ...
- "Assemblyman Todd Gloria, who came to the event as a supporter, spoke of health factors. 'Housing is health care,' he told Times of San Diego. 'The fact that these people do not have housing causes them to be very medically fragile, so whether that is exposure, the homeless who are run over, or folks who have violent ends.' Gloria said the vigil causes people to pause and realize that the

homeless crisis is leading to death on San Diego streets. 'It's unacceptable for people to be unsheltered, but it's also unacceptable to have folks dying on our streets, on our sidewalks, in our canyons,' he said.

"The mayoral candidate called the 111 figure shocking. 'I hope that it captures San Diegans' attention and causes us to really consider what more we can do to end this problem,' Gloria said. 'It's an embarrassment.' He said it doesn't have to be this way. "We can change it; we can end chronic homelessness," he said. "We just have to choose to do it and make it a priority." <https://timesofsandiego.com/life/2019/03/23/a-funeral-and-wake-up-call-why-did-111-homeless-people-die/>



“San Diego Homeless Deaths Doubled in the Last Decade”

- "The number of homeless San Diegans who died last year reached 134, up from 53 in 2010. Service providers say it's time to take medical care into the streets to help save lives. Every year, dozens of homeless San Diegans die on the street. Data from the county medical examiner's office reveals 134 homeless San Diegans died on sidewalks and in shelters, hospitals or jails last year – a

total that likely only offers a glimpse of the tragedy since county staffers only [probe a small fraction of local deaths](#)

- Though limited, county data also points to a growing problem. In 2010, medical examiners reported they had identified 53 deceased people they believed were homeless. A decade later, as San Diego's [homelessness crisis has exploded](#), the number of reported deaths has more than doubled. Now service providers and volunteers are resolving to do more to aid medically fragile homeless San Diegans. In the process, they are eyeing tacks that have worked elsewhere that San Diego's been slow to implement despite having the nation's fourth-largest homeless population." <https://www.publicceo.com/2019/05/san-diego-homeless-deaths-doubled-in-the-last-decade/>

## Housing and Violent Victimization

Unhoused people are commonly victims of random violence, a grisly example being a series of incidents when people experiencing homelessness were set on fire in San Diego in 2016, two of whom were killed.

- More than half of women experiencing homelessness have been sexually assaulted. Further, people experiencing homelessness frequently have contact with the police and city clean-up crews through move-along requests, tickets, arrests, and clean-up sweeps and these contacts be (re)traumatizing in many ways, such as through the loss of personal items and pets.
- In one particularly egregious recent example in San Diego, a person narrowly escaped being crushed when their tent was put into a garbage truck while they were still inside of it.

## Housing and Private-Equity Landlords

- [Blackstone comes to collect](#), report by The Private Equity Stakeholder Project and ACCE (March 2023)

## Housing and Substance Abuse

- Though a majority of homeless people do not abuse drugs and alcohol, substance abuse can contribute to homelessness, as addiction can fray family relationships, friendships, and work attendance and performance. While problems with substance use can be cause of homelessness, substance use is also a common coping mechanism for dealing with the stress of homelessness.

- Substance abuse increases other risk factors related to homelessness, for example injury and death due to automobile and other accidents, vulnerability to violence and victimization and infections due to sharing needles or engaging in risky sexual practices.
- Breaking addiction is difficult for all populations, but is exacerbated when experiencing homelessness due to a need to prioritize basic survival, a lack of supportive family and friendship networks, and wide accessibility of substances in the homeless community.
- Stable housing during and after substance abuse treatment reduces risk of relapse, yet many shelters have rules requiring abstinence from drugs or alcohol, which may be unrealistic for someone struggling with addiction.

## **Housing and Criminalization (in General)**

- *Criminalization* is the use of criminal strategies of issuance of warning and citations, arresting and incarcerating persons in a misguided and counter-productive attempt to curb homelessness.
- Existing San Diego city ordinances create a totality of laws designed and intended to permit police agencies to address the problem through the use of force, the deprivation of liberty and the taking of property.
- These laws make it unlawful for people who are homeless or perceived as homeless to stop or rest on a public sidewalk, disturb the trash, sleep or rest in a public place or in a private vehicle parked in a public place.
- These laws are unconstitutional but can be used in many ways to compel compliance through targeted harassment and thereby avoid litigation that would challenge their constitutionality.
- Police officers use these ordinances as justification to compel compliance and require these populations to continually keep moving, for behaviors that if engaged in by others the police have not identified as homeless would not trigger police contact, let alone a citation or arrest.
- Police use a series of escalating incursions as if deterring criminal offending in which the offender has a choice. First the offender is warned, then the offender is issued an infraction citation and finally the offender is arrested, issued a misdemeanor citation, property destroyed and/or held in jail until the matter is ultimately resolved in court.
- This deterrent strategy is only applicable when the offender has an option not to offend. But when the city ordinances combine to both restrict and penalize

actions involving the attainment of basic needs like sleep, rest, eating and sanitation, the result is an effective ban of that population from living in the city.

- Police interventions do not result in more services to homeless persons and homeless persons receiving services are still subjected to their harassment, arrest, and fear their meager possessions will be taken and destroyed.
- Many of homeless persons on the streets are already receiving services. But when there is a lack of adequate housing, these escalations are only a further stress to a population that is equally desirous of extricating itself from the street if housing options were affordable for low-income tenants.
- Police use proactive and reactive strategies to target members of the population to be labeled as homeless and document their activities for eventual prosecution under the guise of compelling their participation in services.
- Compelled participation in this manner violates the Housing First principles mandated and obligated to be complied with by all state-funded agencies as of July, 2019. The criminalization of the population and compelled participation in services often disadvantages special populations including elderly and people with disabilities for whom the services are inadequate to address their other needs.

## **Encampment Ban Ordinances in San Diego**

- In the spring of 2023, cities across San Diego County began to bring forward ordinances to ban individuals from camping on public land. The first proposal was brought before the City of San Diego Land Use and Planning Committee by the City of San Diego by Mayor Todd Gloria and Councilmember Stephen on April 13, 2023. There was significant pushback from advocates, individuals who were currently experiencing homelessness or who had previously been homeless, and [nonprofit organizations](#), including some [service providers](#) who work directly with individuals experiencing homelessness and [the regional task force on homelessness](#). [Maps](#) commissioned by one nonprofit showed that the ordinance would almost entirely shut unhoused individuals out of the City. In committee, Councilmember Kent Lee questioned whether or not the ordinance was even necessary, since the City of San Diego already had an ordinance on encroachment which the San Diego Police Department had been actively using to cite and arrest individuals who were living on sidewalks. Despite several unanswered questions and opposition to the ordinance, the committee voted it forward to full council.


NEWS: GOVERNMENT

# Studies show policing doesn't end homelessness. San Diego officials double down anyway



by Cody Dulaney

March 31, 2023

 Why you can trust inewssource



- Prior to the hearing at full council, the San Diego Union Tribune condemned the ordinance, not [once](#) but [twice](#). Over [160 academics and scholars signed a letter calling for the Mayor and City Council to rescind the proposed ban](#), and instead engage in data-driven decision-making to address the issue of homelessness. Alliance San Diego [presented analysis on the devastating impact the ban would have on homeless students](#) in every single council district. Undeterred by the data, expertise of scholars and service providers, and the opposition from advocates, individuals and community members, the Council passed the ordinance. Implementation began in the summer of 2023.
- In response to the City of San Diego's new ordinance, other jurisdictions began considering similar encampment ban ordinances. The cities of [El Cajon](#) and [Chula Vista](#) both considered bans, but ultimately decided not to pass them although both cities left it as an option to consider in the future. The [City of Poway](#), however, did pass its own encampment ban ordinance. The [City of Santee](#) passed an ordinance banning camp fires near the riverbed, in an attempt to reduce encampments near the river. The San Diego Board of Supervisors passed a [board letter](#) announcing its intent to draft its own ordinance, claiming that the ordinance was about combating wildfires, not criminalizing individuals. Supervisor Anderson capitalized on the anniversary of the 2007 Cedar Fire to make his case for bringing the ordinance forward, despite the fact that the 2007 Cedar Fire was actually caused by a lost hunter.
- Since implementation of the San Diego ordinance began we have seen heavy enforcement in the downtown San Diego area. While the downtown homeless

population has decreased, the [results have been mixed](#), as the number of individuals entering homelessness far exceeds the number who are exiting and is only [continuing to grow](#), just in areas outside of downtown. Further, SDPD has not used the new ordinance to arrest many individuals – they have [used it mainly to issue warnings and citations](#), but have instead utilized existing encroachment laws to make arrests.

## History of Criminalization in San Diego:

- More than 15 years ago, a group of homeless San Diegans filed a class action over the city's enforcement of illegal lodging, a state law that bars settling somewhere without permission.
- The *Spencer Case* ended with a **2007 settlement** requiring police to offer an open shelter bed to people they encounter on the street between 9 p.m. and 5:30 a.m. before they can cite or arrest them for illegal lodging. In other words, officers can't make illegal lodging arrests if shelters are full.
- **The Encroachment Challenge.** Ten homeless San Diegans filed a class action against the city this summer over its use of the encroachment code to disrupt homeless camps. This litigation raised concerns about the city's increasing use of its encroachment code, which was written to curb trash left on sidewalks, to crack down on homeless San Diegans since the illegal lodging settlement the *Spencer Case* in 2007.
- Scott Dreher and fellow attorney Kath Rogers, representing the plaintiffs, alleged the city's violating homeless San Diegans' civil and constitutional rights. They demanded the city stop applying the code to homeless San Diegans, and said they were eager to talk to the city about options to address their concerns.
- San Diego Police officers are handing out more tickets to homeless people across the city as part of a push to address homelessness. In 2013 officers issued 1,413 encroachment citations. That number jumped to by nearly 300 percent increase when in 2018 police officers in San Diego issued 5,910 encroachment tickets in San Diego. The encroachment ordinance, when initially passed into law years ago, was intended to intend to the trash that merchants left on the sidewalk for collection.



Violation Section	2013	2014	2015	2016	2017	2018	2019
Unauthorized Encroachment	1,413	1,727	1,914	2,188	2,772	3,744	1,426
Lodging Without Consent	571	662	445	549	1,163	2,100	808
Grand Total	1,984	2,389	2,359	2,737	3,935	5,844	2,234

Table: Dorian Hargrove, Tom Jones • Source: San Diego Police Department • [Get the data](#) • Created with [Datawrapper](#)

- **Walter Howard** had made a purchase at 7-11 had just exited the store and was placing the purchases inside a small carry-on sized bag on wheels when he was confronted by two San Diego Police Officers who came upon him, demanded his ID and began regaling him with tales of all the complaints they have received about persons loitering in the area.
- When the officers informed Mr. Howard they would only issue him a warning, instead of showing gratitude he asked for their names and badge numbers. In retaliation, the officers changed their mind and decided instead to issue an infraction citation.
- It would turn out that these “complaints,” used to justify the police action were not able to be produced in discovery and according to the officer were more “word of mouth.” SDPD requires contacts between residents making complaints and police officers be documented. The prosecutors office was also not forthcoming in discovery of the body worn camera evidence and other trial evidence necessitating court intervention, multiple court dates and eventual dismissal of the case for discovery violations.
- **Vehicle Habitation and RV Dwellers.** Homeless San Diegans living in vehicles and RVs are constantly trying to avoid ticketing from police. Residing in a vehicle is banned in the city, and another law bars parking RVs or other large vehicles in public streets or parking lots overnight.
- San Diego Police officers handed out more than 60 citations for vehicle habitation and wrote more than 2,300 tickets for violations of the oversized vehicle ordinance, according to police data.
- Tony Diaz, a homeless person and known to the SDPD Officers assigned to the “Qualify of Life” team was confronted one morning as he exited the restrooms in the beach area. At first the officer told Tony he would write him a citation and

then he changed his mind and instead decided to issue him a citation for Vehicle Habitation.

- Tony Diaz attempted to explain to Officer Governski of the SDPD how he had a place he could park his vehicle at night on private property to sleep and that he had just arrived at the park to use the restroom.
- Body Worn Camera evidence captured this exchange and saw the officer explaining to Tony that he was going to issue him a citation every time he saw him and that “they” (referring to the Bahia Hotel and their guests) did not want him there. He then cited him for violation of the Vehicle Habitation Ordinance.
- At trial, the officer testified “contradictory to the facts,” and stated under oath that he had come upon Tony when Tony was sleeping in his vehicle. After conviction and on appeal, the body worn camera evidence was finally produced and revealed that Tony had been telling the truth and the officer had testified falsely. The City Attorney conceded no crime had occurred and charges were dismissed.
- Tony Diaz has the dubious distinction of being the only infraction defendant to have had his case exonerated on appeal as documented by the National Exoneration database.
- Officer Colin Governski who testified falsely was transferred to another division and was neither fired nor disciplined for his act of dishonesty and perjury.
- Thereafter, nine homeless San Diegans with disabilities who live in RVs or cars, including Tony Diaz, sued the city of San Diego, alleging the city’s vehicle habitation and oversized vehicle ordinances unfairly target homeless San Diegans and those with disabilities.
- Ann Menasche with Disability Rights California began raising concerns with city officials in March of 2017 about the plight of San Diegans with disabilities who live in their vehicles and asked if they’d modify the policies. The ticketing continued and a suit was filed.
- After the U.S. District Court for the Southern District of California ordered the City cease issuance of tickets under the existing vehicle habitation ordinance while the lawsuit challenging it was pending, the [City of San Diego repealed that law](#) and enacted another law, harsher, broader and more Constitutionally void.
- A class was certified on June 8, 2021 in the pending federal litigation challenging the ordinance. The class consists of all persons in the City of San Diego whose only form of shelter was their RV or other vehicle at any time after November 15, 2017. The case continues to be litigated while settlement negotiations were underway.

- **Storage Case Settlement.** Years ago, the nonprofit Isaiah Project and the ACLU of San Diego and Imperial Counties sued the city and the Downtown San Diego Partnership, claiming workers had unlawfully seized and discarded the property of dozens of homeless San Diegans during regular sidewalk clean-ups.
- That led to a settlement mandating that city workers put up signs giving homeless San Diegans who live at clean-up sites notice that they'll need to move within 72 hours. It also required the city to set up a storage facility where unattended property can be held after sweeps.
- Enter the hepatitis A outbreak. As a response to increased cleaning of city sidewalks, there were concerns by advocates that the city is also throwing away homeless San Diegans' property rather than storing it as required, in violation of the settlement. When city representatives asked to amend the settlement to allow city workers to throw away items without the 72-hour notice, Scott Dreher, the attorney, refused.

**Table 2. Move-Along Orders and Citations by Shelter Status**

<i>Primary Living Situation</i>	<i>Forced to Move in Past Year</i>	<i>Forced to Move Monthly</i>	<i>Cited in Past Year</i>	<i>5+ Citations in Past Year</i>
<b>Street</b> (N = 122)	88%	45%	85%	38%
<b>Parks</b> (N = 41)	90%	46%	83%	49%
<b>Shelter</b> (N = 110)	61%	21%	57%	19%
<b>Vehicle</b> (N = 10)	80%	20%	69%	2%
<b>SRO</b> (N = 68)	55%	12%	60%	9%

- **Unconscionable and Immoral.** The use of citations, retributive shaming strategies of compelling homeless to pick up trash to atone for the crime of being homeless and to offset the cost of a \$280 fine and penal consequences for acts necessary for survival and basic human dignity is unconscionable and immoral.
- **The process is the punishment.** The process of attending to an infraction prosecution for those without financial resources is markedly more punitive than for those who hardly notice the debit to their account. There are inadequate remedies, at present to address these inequities resulting in unequal protection.
- **Court processes, fines, and the consequences for non-payment** make it harder for people to get and keep jobs, further impeding their ability to pay their debt.

They harm credit ratings. They raise public safety concerns. Ultimately, they keep people in long cycles of poverty that are difficult, if not impossible to overcome.

- **Recommendations** to standardize payment plans and reduce the financial burden of citation fines for low-income people based on “ability to pay.”
  - Require all courts and counties to use a state-mandated payment plan formula that is tied to a person’s current income.
  - Require that counties and courts offer individuals the option of setting up a payment plan to satisfy court-ordered debt. Dictate that payment plans may be established at any time, but would not go into effect until a person’s income exceeds a threshold amount equal to the earnings of 40 hours of work per week at the state minimum wage. • Once a person’s income meets the minimum threshold, payments under the plan could not exceed 10% of a person’s income if the income is less than the federal poverty level, 20% if the income is less than 200% of the federal poverty level, and 25% on higher incomes.
  - Establish a process by which an individual can request adjustment of their payment plan based on a change of financial circumstances. Require that these payment plans be accepted by any private debt collection agency for accounts referred by a county or court for debt collection.
  - Require that all citation notices and court courtesy notices indicate that there is a payment plan option. Allow a single payment plan established in one county to apply to and satisfy the debt owed on traffic tickets that have been adjudicated in any county in California.
  - Reduce the burden of exorbitant fines, fees, and assessments.
  - Reduce by 50% all existing add-on penalty assessments and prohibit the imposition of any new assessments.
  - Allow persons who are low-income to request a waiver of a portion of fines, fees, and civil assessments owed, based on proof of indigence, calculated by a standardized schedule according to income. This opportunity for waiver should apply to any debt that has been adjudicated, regardless of which entity is currently charged with collecting the debt.
  - Redirect the revenue from civil assessment penalties to the state general fund to eliminate conflict of interest
  - As the direct recipient of the revenue collected from civil assessment penalties, courts are incentivized to impose the full \$300 fee each time, despite the statutory requirement under Vehicle Code § 42003 to consider

- a defendant's ability to pay. Redirect these funds to the General Fund to alleviate this pressure. • Courts would need increased funding in the state budget to accommodate potential costs of administration and loss of revenue.
- Offer additional opportunities for low-income individuals to utilize community service as an alternative to payment of court-ordered debt. Allow people to work off traffic fines and fees, including civil assessment penalties, through performing community service hours that are credited at a rate of at least the state or applicable local minimum wage.
  - Permit individuals to request community service as an alternative to payment even if they are paying under an installment payment plan, if their financial circumstances change and they are unable to pay the agreed upon monthly amount.
  - Require that all citation notices and court courtesy notices indicate that there is an option to request community service.
  - Reduce the burden of license suspensions for people being released from jail or prison who are struggling towards successful community reentry.
- **Mass Incarceration:** Over the last 40 years, the US has witnessed a jail and prison boom of 500 percent from merely 380,000 inmates in 1975 to over 2.13 million people. During this same period, homelessness transformed from a rare experience for a small collection of predominantly single men, to a phenomenon that affects a diverse assortment of over three million poor families and individuals in the United States each year.
  - **As annual funding for public housing plummeted transforming the U.S. prison system into the primary provider of affordable housing and many of its jails into the largest homeless shelters in town. In the wake of the rise of advanced homelessness and hyper-incarceration, social scientists have established various quantitative correlations between incarceration, criminal justice policies and homelessness.**
  - Some people who experience chronic homelessness seem to be caught in a revolving door of incarceration, crisis services, and life on the streets or in emergency shelters. For example, Denver identified the top 300 utilizers of the county court system who were also experiencing chronic homelessness. These individuals had frequent contacts with police and the criminal justice system, primarily due to citations involving public nuisance, public consumption of

alcohol, trespassing, and low-level drug offenses. They were responsible for over 17,000 days in jail (an average of about 56 days per person) a year.

- **Judicial Decisions:** Recent decisions in federal court have been helpful in addressing and remediating unconstitutional laws seeking to criminalize a population for seeking to have its basic needs met while poor.
  - On January 12th, 2024, the Supreme Court of the United States announced they would hear the case of [Johnson v. Grants Pass](#). This sets the stage for the most significant Supreme Court case about the rights of homeless people in decades. At its core, this case will decide whether cities are allowed to punish people for things like sleeping outside with a pillow or blanket, even when there are no safe shelter options.
  - The National Homelessness Law Center fully expects the Supreme Court to protect the rights of people who are forced to live outside and to follow the consistent precedents set by lower federal courts. The Constitution’s protection from Cruel and Unusual punishment applies to all people, not just those fortunate enough to have their own home. In deciding this case, SCOTUS will determine if people who are forced to sleep outside are allowed to do so without the threat of arrest or fines.
  - Contrary to the statements of those who believe cities can arrest and ticket their way out of homelessness, this case does not limit communities’ response to addressing homelessness. Cities remain free to use any of the many evidence-based approaches that end homelessness, like housing. All this case says is that, unless everybody has access to shelter that meets their needs, they cannot be arrested, ticketed, or otherwise punished for sleeping outside. If politicians were truly focused on ending homelessness, they would focus on proven solutions like housing and services. Sadly, too many policymakers seem eager to focus on costly, harmful solutions – like jails and fines – that make homelessness worse. Cities that have failed to provide for the basic needs of their residents, like housing and shelter, should not be allowed to punish people when they have no safe place to go.
  - Homelessness is growing not because cities lack ways to punish people for being poor, but because a growing number of hard-working Americans are struggling to pay rent and make ends meet. Grants Pass, Oregon, like many cities in America, is thousands of housing units short of what is needed. The lack of housing and resulting homelessness will not be solved by putting

more people in jail or issuing more fines. The solution to homelessness is safe, decent, and affordable housing for everybody.

- Still, not criminalizing homelessness is the bare minimum. The rent is too high for most Americans, and many hard-working families are just one missed paycheck or accident away from losing their housing. The Court's ruling will have a tremendous impact on the 250,000 people who sleep outside on a given night. We are confident that the court will affirm what we have said for years: the solution to homelessness is housing, not jail cells or courtrooms.
- **Desertrain v. Los Angeles:** The court held that a Los Angeles Municipal Code provision barring use of a vehicle as living quarters was **unconstitutionally vague**, in violation of the Due Process Clause of the Fourteenth Amendment.
- Steve Jacobs-Elstein and certain other homeless persons (Jacobs-Elstein) brought suit against the City of Los Angeles and various city officials (City) under 42 U.S.C. §1983. Jacobs-Elstein challenged Los Angeles Municipal Code §85.02. That section, enacted in 1983, prohibits use of a vehicle "as living quarters either overnight, day-by-day, or otherwise." Los Angeles officials declared a renewed commitment to enforcing the section in 2010. Jacobs-Elstein had been cited and arrested for violating the section, and he argued that it was unconstitutionally vague on its face because it provided insufficient notice of the conduct it penalized and promoted arbitrary and discriminatory enforcement.
- The court admonished further that the section promoted arbitrary enforcement that targeted the homeless. Arbitrary enforcement was another criteria under which a statute could be deemed unconstitutionally vague. And in fact, the court said, arbitrary and discriminatory enforcement had occurred in this instance. The section was broad enough to cover any driver in Los Angeles who ate food or transported personal belongings in his vehicle, yet it appeared that the section was enforced only against the homeless. Thus, because §85.02 paved the way for law enforcement to target the homeless, it was unconstitutionally vague.
- The San Diego Code section at the time was remarkably similar and Desertrain was invoked in federal litigation to declare the Vehicle Habitation Ordinance in San Diego unconstitutional. After the federal court enjoined the city from enforcing the ordinance, the City repealed the law



that had been enjoined and quickly enacted a new law. In so doing, they attempted to circumvent the Federal court oversight into its practices and have a tool by which the police could compel compliance with its demands. The new ordinance (appended to this informational packet) is more unconstitutional than its predecessor version.

- **Martin v. City of Boise:** An Idaho lawsuit concerning how cities across the West enforce laws about sleeping in public—potentially changing how they treat their homeless populations—is now established as precedent. Barring a decision by the Supreme Court to address the case, cities will not be able to arrest or punish people for sleeping on public property unless they provide adequate and relatively accessible indoor accommodations. ***The court can't force cities to build adequate shelter space or homeless housing, but it can make it unconstitutional for them to criminalize homelessness until that burden has been met.***
- **Boyle v. City of Puyallup et al.** On September 14, 2018, six homeless plaintiffs sued the City of Puyallup, Washington, and Pierce County for destruction of their property during sweeps of their outdoor encampments. The complaint alleges that the City and County violated Plaintiffs' Fourth Amendment right to be free from unreasonable interference with their property interests, and their Fourteenth Amendment right to due process and a violation of their right to privacy under the Washington State Constitution.
- **People v. Vella Duenas** Court facilities and court operations assessments must be subject to an ability to pay determination. The California Court of Appeal 2<sup>nd</sup> District reversed the order imposing assessments under Government Code section 70373 and Penal Code section 1465.8, holding that, for those unable to pay, these assessments inflict additional punishment. In this case, defendant was an indigent and homeless mother of young children who pleaded no contest to driving with a suspended license. The court agreed with defendant that imposing the fees and fine without considering her ability to pay violates state and federal constitutional guarantees because it simply punishes her for being poor. Therefore, the execution of the restitution fine must be stayed until and unless the People demonstrate that defendant has the ability to pay the fine.

- See this [briefing by the ACLU and Think Dignity as Amicus Curiae](#) counsel arguing the unconstitutionality of the San Diego Vehicle Habitation ordinance, now repealed.
- A San Francisco project lasted 9 months and documented countless stories of harassment, citations and imprisonment all related to being homeless. In most cases the primary offense conduct was sleeping and resting in public spaces. In its publication, [Punishing the Poor](#), the researchers released their key findings:
  - Criminalization disproportionately affects people of color, gender non-conforming people and those with mental illness.
  - Homeless people are frequently approached by police in public spaces.
  - Homeless people are forced to move by law enforcement for being in public even when they have no other alternatives.
  - Incarceration perpetuates homelessness.
  - Citations for anti-homeless offenses have increased over threefold since 2011.
  - Most “Quality of Life” citations are aimed at activities associated with homelessness.
  - Quality of Life citations affected the majority of homeless respondents.
  - Most homeless respondents were searched by police in the past year.
  - Police interactions do not result in connection to services.
  - Anti-homeless laws are ineffective in moving homeless people out of public space or prohibiting targeted “criminal” activities such as standing, sitting or sleeping.

## **Housing and Sanitation**

- People experiencing homelessness suffer with an inability to practice basic sanitation and hygiene, with access to bathrooms, water for washing, and drinking water posing major challenges.
- On January 23, 2018, San Diego County ended a declared local health emergency, 11 months after the announcement of an outbreak of Hepatitis A and five months after a public health emergency had been declared. The total number of confirmed cases related to the outbreak stood at 580, with 20 deaths.

Recommendation of San Diego County Grand Jury on May 17, 2018 duplicative of requests in the past that were not heeded.

**The 2017/2018 San Diego County Grand Jury recommends that the San Diego City Council and Mayor of the City of San Diego direct:**

**18-12: That the City of San Diego construct and maintain additional secure restrooms and handwashing facilities in areas where the homeless congregate (a recommendation made by Grand Juries in 2005/2006, 2009/2010, and 2015/2016).**

- **Riverbed cleaning.** In September 2017, the City restated a concern about the possibility of HAV being transmitted through waste deposited in or near riverbeds in the county, and asked the County to assist in cleaning these areas. The County responded that riverbeds and ravines inside city limits were under the jurisdiction of the City. Subsequent comments from a variety of public health authorities, both local and national, reported that this was an extremely unlikely method for transmission. **Despite that, a number of homeless encampments were closed by the police,** and cleaning crews were sent to remove the accumulated wastes.
- In California, access to water and sanitation for unsheltered people experiencing homelessness is worse than the levels required internationally for refugee camps.
- Already challenging access to hygiene facilities may compound poor hygiene practices that are common among people suffering with mental illness and substance abuse. Sleeping outdoors also increases the risk of reduced hygiene. Hygiene is well known to reduce risk of infectious disease and promote good mental and physical health.
- The health risks of poor hygiene are numerous. Individuals may develop cellulitis from untreated insect bites and lice infections, which can cause loss of limbs and even death; endocarditis can also be caused by organisms carried by lice. Unhoused people are also vulnerable to scabies, medication resistant staph infections, and trench foot, which left untreated can have serious health consequences. People experiencing homelessness may also be more likely to use unsafe surface water.

# PUBLIC RESTROOM ACCESS IN DOWNTOWN SAN DIEGO

## BY THE NUMBERS

**31%**

Of the 32 permanent public restrooms initially identified, 10 (31%) were closed or did not meet PSJ inclusion criteria.

**22%**

7 (22%) locations had subjective access or a barrier to entry (e.g., security, time limits, or rules on what can be brought in).

**47%**

Fewer than half (15, 47%) of the permanent restrooms in Downtown San Diego are truly "open access."

(Welsh Carroll et al., 2022)



Downtown San Diego public restroom facilities visited, verified, assessed, and categorized by the Project for Sanitation Justice, December 2022.

All restrooms included in our database met the following criteria:

- Cannot charge a fee for use;
- Cannot be in a facility that charges an entry fee (paid museums, concert venues, some campgrounds);
- Must be a permanent structure (no portable toilets);
- Cannot be located inside of a private business;
- Cannot be permanently closed or under construction;
- Cannot be located beyond a security screening checkpoint such as those at K-12 schools, airports, and military bases; and
- Where there are multiple qualifying restrooms at a single address or place, only one restroom point has been mapped.

The Project for Sanitation Justice's inclusion/exclusion criteria.



- **Women and Access to Safe Sanitation.** Not having enough public restrooms where women can use a safe space for urinating may lead to serious health complications. Urinary incontinence occurs much more frequently in women, and generally manifests at an earlier age in those who are homeless. Just as the inability to obtain feminine hygiene products can lead to a higher risk of health problems, lack of access to incontinence products is likely to produce similar outcomes, such as urinary tract infections (UTIs). Untreated UTIs can cause urinary incontinence and present dementia-like symptoms in older women. Women suffering from incontinence and related diagnosable medical issues may also suffer from related emotional, social, and psychological issues that affect their ability to complete normal daily activities.
- Think Dignity’s **Fresh Start Showers** program deploys a two-shower mobile trailer that brings basic dignity to our unsheltered neighbors by providing access to safe shower facilities throughout the County. Think Dignity offers more than showers by partnering with hairstylists, food, clothing, social services, health screenings, and more, to create a holistic, hospitable experience for our participants. A common response to our FSS exit survey is that this simple act of basic dignity “helps me feel human again”.
- The **Street Boutique**, part of Think Dignity’s MOD (Mobile Operations of Dignity) Squad, is aimed at providing homeless individuals with access to menstrual and incontinence products, as well as new undergarments such as bras and underwear. Providing access to feminine hygiene products, new bras and undergarments helps restore basic dignity to homeless individuals, and prevents unwanted physical health outcomes from lack of access to basic hygiene.
- The **Basic Dignity Coalition (BDC)** is a vibrant and diverse body of individuals who meet monthly to provide input on Think Dignity’s projects, identify changing trends, and respond to emerging issues that challenge the homeless in San Diego. The flagship projects of the BDC include advocating for 24-hour public restrooms and clean drinking water. For the homeless, especially homeless women, lacking these essential facilities threatens their hygiene, health, and safety.
- Welsh Carroll, M. (2023, May 8). Opinion: California cities don't have enough public bathrooms. Here's one solution. *Los Angeles Times*.
- Woodson, M., Felner, J.,\*\* & Welsh, M. (2021, June 7). Opinion: Universal bathroom access in San Diego could help save lives. Here's how. *San Diego Union-Tribune*.

## **Housing and Special Populations: Women:**

- In San Diego, there are very few shelters that are dedicated solely to women. It is imperative that we as a community recognize the importance of having flexible and understanding shelters that cater to the unique trauma experienced by women. Further funding is needed to help the 25% homeless individuals who are women.
- Seemingly unrelated, the very real wage gap that exists, where women do not make the same salaries as their male counterparts, creates an inequity that increases the likelihood of homelessness later in life. When women are not given the education or opportunity to reach higher levels of leadership within organizations, it sets them up for an unsure future.
- With no 401ks or pension plans, as are so common with male dominant professions, there is no safety net for which to fall back on if a woman needs it as an older adult. The most serious consequence of the gender gap in retirement savings is the likelihood of poverty for women once they retire. In addition, there are many women who become divorced and must rely on themselves as the sole bread winner of their home. Many times, because of the gendered economic disadvantage that females have encountered for years they cannot afford the cost of living once older and alone.
- Couple the above with the fact that many women, in the past and present day, have lost their jobs due to raising a family or staying at home (while, conversely, men get promoted) and it is obvious that sex discrimination in the workforce consequently has caused for women to have less of a reserve or have limited means by which to live off as an older individual.
- There is also the issue of ageism that rears its head when speaking of employment opportunities for older women. For some employers, it may be believed that an older woman does not have any value added to the organization or her experience is not relevant to that of the agency. Statistically, if you're a woman over the age of 50, finding work has gotten harder since 2008.
- It is estimated that upwards of 50% of the women who are homeless now, have suffered domestic violence and/or sexual assault.
- Researchers who interviewed women experiencing homelessness identified several factors that contributed to chronic homelessness, including childhood abuse and recent physical abuse. Childhood abuse directly predicted other problems in adulthood, including further victimization, depression, and drug and

alcohol problems, which also increased the risks that women would experience chronic homelessness.

- To date, the most comprehensive and rigorous studies on homeless women conducted continue to note the extraordinarily high levels of abuse and victimization that homeless women endure before, during, and after periods of homelessness.
- Many of those interviewed reported experiencing violence and insecurity directly related to a camp eviction. While both men and women residing outside are exposed to much higher levels of violence than the housed, sweeps heightened risk of assault. As one woman who had been forced to move from three campsites over the previous month explained, “it’s extremely troubling because many of the other locations, you’ve never been there. You don’t really know, it’s either animals, or shady people, homeless people, or even youths especially on the weekends who might get drunk and make some trouble.”
- Another woman in San Francisco explained, “... Some places are actually dangerous...I don’t like nothing about sleeping in piss... with all these strange men around. My comfort zone is down by the BART. That’s my outside home. It’s warm and it’s where I feel safe... I try to be invisible.” Despite her attempts at invisibility, she has been cited and arrested for minor infractions multiple times in the Bay Area Rapid Transit (BART) station. In effect, she is forced to choose between the threat of contact with police in a well-lit and more public location where she feels safe, and the threat of contact with “strange men” in other locations where police are less likely to find and wake her.
- There are several points that the affiliate organizations to this event advocate for
  - Fair and equitable wages across gender lines.
  - Culturally sensitive programs that focus on the unique issues facing homeless women; we would especially like to see providers trained in sexual assault and domestic violence trauma.
  - Programs that are open to older homeless women must take into consideration mobility issues and support those that may have a need for accommodations.
  - Integrated programs that address both mental health issues and substance abuse disorders with trained mental health professionals.
  - Awareness and visibility on this issue: we encourage discussions and forums that include members of the homeless population to join in the talk of how to best service older women who are homeless.



# Housing and Special Populations: Youth

## Who are the Homeless Youth in San Diego?

In school year 2016/17, **539 students experienced homelessness on their own**. San Diego's youth and young adults at-risk of future homelessness as unaccompanied youth include those who are represented in one or more of these populations:

- Young adults, 18-24 years, living 100% or below poverty in San Diego County - 70,000
- Disconnected young adults who are neither employed nor in school - 40,000
- Youth and young adults who are on community supervision - 6,000
- Youth ages 18 and under experiencing homelessness with their families - 22,000
- 6,650+ under 18 who were with their families accessing services through HMIS.
- Young women who gave birth at age 19 or younger - 7,500
- Survivors of sex trafficking - 15,000

## Youth Focused Housing First –

Youth focused housing first (YFHF) establishes housing stability as a necessary foundation for everything else. San Diego commits to expanding the continuum of housing services and supports that incorporate a YFHF approach characterized by housing services and supports that are individualized, client driven, and have extended time limits. San Diego's YHDP and other HUD funded programs will provide youth choice in the type of housing and location and will adhere to all the Housing First principles outlined in the Housing First Assessment Tool<sup>7</sup>, including:

- Housing that does not have preconditions, such as a requirement for clean and sober living or minimum income requirements.
- Intake processes are person-centered and flexible, and projects create regular and formal opportunities for participants to offer input.
- Youth choice about the type and extent of services they want to participate in and the location and type of housing they receive.
- Creating partnerships with landlords and property management companies to support Rapid Rehousing activities and offer housing to youth with barriers such as criminal backgrounds and continue to diversify the housing options in opportunity areas throughout the region.
- Expanding our CoC navigation services to allow youth to access housing quickly by eliminating barriers to housing (e.g., facilitating getting IDs, and processing eligibility paperwork in a timely manner).

- Continuing to work and offer services as long as youth desire, and even in cases when a youth encounters challenges to staying housed. This is especially important to be accountable as a system and be there for youth, even when the fit between the youth and service providers do not work out.
- Using data on exits and recidivism to catch trends that may demonstrate non housing first practices.

## **Additional Facts and Figures on Youth Homelessness:**

- 4,228 youth and young adults ages 14 to 24 experiencing homelessness or unstable housing were served by San Diego's HUD-funded providers during 2016 and 2017 and 1,376 of these were unaccompanied youth ages 14 to 17.
- Youth experience homelessness in all cities and regions in San Diego County. The 2018 Point- in-Time Count (PiTC) found 315 unsheltered youth in the City of San Diego and 370 unsheltered youth in other cities and unincorporated areas of the county.
- Justice-involved youth make up more than half of our youth and young adults experiencing homelessness - 54% have been in jail, prison, or juvenile hall.
- African American youth are disproportionately represented among those experiencing homelessness – 5% of general population and 20% of youth homeless population.
- More than 1 in 5 (approximately 72,000) young adults ages 18-24 are living at or below the federal poverty level.
- 1 in every 10 of San Diego's youth ages 16 to 24 were disconnected from work or school in 2017. The percentage of disconnected youth is even higher among youth of color, parenting young mothers, and youth who have not graduated from high school.
- 55% of San Diego's adult victims of sex trafficking reported that they had been homeless at some point in their lives, and 28% reported that they had been in foster care. High school staff in 20 high schools across San Diego County identified 417 reported victims of commercial sexual exploitation between 2010 and 2015. Students who were homeless, runaway or in foster care were involved in 38 of these cases.
- Close to one in four youth surveyed in the 2018 Point in Time Count identified as LGBTQ.
- 30% of youth surveyed in the 2018 PiTC reported instances of mental health issues and 17% said they have an impairment from drug or alcohol abuse.

- Family dysfunction is a significant cause of youth homelessness: one in five youth surveyed in the 2018 PiTC said they were homeless due to being kicked out or running away. A third of the 354 homeless youth who took part in the 2016 VoYC survey had spent time in foster care.
- Think Dignity created a unique and one-of-its-kind program: Homeless Youth Legal and Advocacy Project (HYLAP). The HYLAP program helps homeless youth ages 14-27 with direct representation legal services while also using an advocate to support them through the process and connect them to social services. Think Dignity's legal department and advocates work with the youth to ensure both quality legal representation and connection to resources such as job training, public benefits, school, and court mandated classes.

## Housing and Special Populations: Mental Health

- It is estimated that one in three to one in four unhoused people in the United States suffer from severe mental illness, compared to 6% of the general population.
- Individuals with mental illness are more likely to become homeless due to challenges mental illness can pose for household management, self care, and maintaining stable relationships. This risk is increased by a drastic decline in the availability of inpatient psychiatric treatment in recent decades.
- Poor mental health can also contribute to poor physical health due to lack of disease prevention strategies and individuals with mental illness are more likely to self-medicate with – and potentially abuse – alcohol and street drugs.
- Unhoused people with untreated mental illness are frequently victimized
- **Mental Health and Women:** For many women, there is an additional challenge of being dually diagnosed—where they are combatting both a mental health disorder and a substance abuse addiction. This significant challenge facing homeless women makes it near impossible for them to reach accessible services. There are very few shelters that offer treatment for both mental health disorders and for substance abuse concurrently. Instead, shelters place requirements on the women trying to access services that they must be clean and sober. For instance, a requirement for local domestic violence shelters is that the person seeking shelter must not have ingested a substance in the last 24 hours, which consequently prohibits women who are battling addiction from reaching much needed resources to prevent abusive situations. Studies have shown again and again that women need a substantially different treatment plan than men,

however, they are infrequently available at emergency or interim shelters in San Diego.

## **Housing and Special Populations: Persons with Disabilities**

- Under federal law, people who experience chronic homelessness are defined as people with disabilities who also experience extended or repeated episodes of homelessness.
- People with disabilities are disproportionately represented among all people experiencing homelessness and, according to point-in-time (PIT) counts conducted in January 2017 by communities across the country, it is estimated that on any given day nearly one-quarter (24%) of individuals experiencing homelessness (86,962 of 369,081 individuals) are people with disabilities who met the federal definition of experiencing chronic homelessness. It is further estimated that about 10 to 15% of all individuals who enter homelessness will experience chronic homelessness.
- According to the Regional Task Force on the Homeless, 35 percent of the 5,000 unsheltered homeless in San Diego are disabled and have lived on the street for more than a year. We will not make substantial progress on solving street homelessness until we deal with our disabled long-term homeless population.
- Experiences of trauma, violence, and victimization both increase the likelihood one may experience homelessness, and are a common consequence of the experience of homelessness.
- Homelessness is more likely among individuals who have experienced childhood trauma, domestic violence, or physical or sexual assault.
- Veterans who have experienced traumatic experiences such as combat exposure and military sexual trauma are more likely to become homeless, so much so that Veterans Administration researchers insist service providers must “address trauma and housing instability as related experiences rather than separately.”

## **Housing and Special Populations: Race**

- Black people make up 5.5 percent of San Diego County’s population but about 28 percent of the local homeless population.
- While the 28 percent local figure is significantly less than the national 40 percent figure, the local disparity is more pronounced.
- The percent of homeless black people in San Diego County is five times greater than the percent of black people in the county, while the percent of black

homeless people nationwide is about three times greater than the percent of black people in the national population.

- In San Diego County, 34 percent of the population identifies as Hispanic or Latino, while the data compiled by the task force showed they were mathematically underrepresented in the region’s homeless population at 28 percent.
- Nationally, that group is overrepresented in the homeless population. About 22 percent of homeless people nationwide identified as Hispanic or Latino, while the 2010 Census showed Hispanics and Latinos made up 16 percent of the population.
- We don’t, however, have up-to-date nationwide picture of the characteristics, demographics, service and shelter utilization, and needs of people who are experiencing chronic homelessness now. In particular, there are significant gaps related to information about the race and ethnicity of people who are experiencing chronic homelessness in comparison to the general population.

**Table 3. Law Enforcement Interactions by Race**

<i>Enforcement</i>	<i>Black (N = 129)</i>	<i>Other Person of Color (N = 105)</i>	<i>White (N = 112)</i>	<i>Asian (N = 18)</i>
<b>Approached</b>	81%	84%	77%	69%
<b>Forced to Move</b>	67%	75%	72%	69%
<b>Cited</b>	76%	70%	66%	77%
<b>Searched</b>	62%	55%	52%	54%
<b>Property Taken</b>	40%	42%	36%	50%

Note: Racial Categories are not mutually exclusive; participants could select all that applied.

## Housing and Special Populations: Refugees

- **Housing Insecurity Follows Refugees after Resettlement** The availability of affordable, sustainable and appropriate housing underpins good health and the social, educational and economic participation of community members. Refugees face significant challenges in securing accommodation that is both affordable and appropriately sized. Research shows that large family size is among the most important barriers faced by refugees looking for housing.

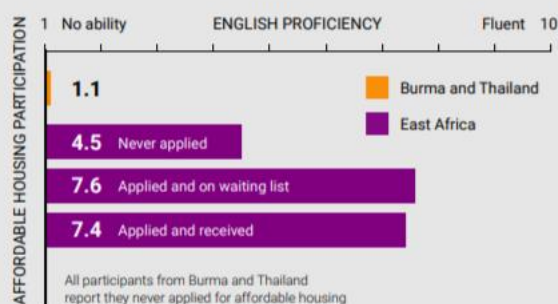
- **THE REFUGEE COMMUNITY’S HIDDEN HOMELESS** In a study by PANA, the mean monthly household income is \$1774 for East African participants and \$1216 for participants from Burma and Thailand.
- Studies also show that even though their housing circumstances can put refugees amongst the “hidden homeless<sup>3</sup>,” refugees are not on the streets, in large part due to their coping strategies and help extended from their cultural groups.
- While data shows that household incomes are low and participants are spending a significant portion of their income on rent, a large proportion of participants have not pursued affordable housing options: 73 percent are renting at market rate, 77 percent have never applied for affordable housing, and 62 percent have never applied for Section 8 Housing Choice Vouchers. These findings suggest that families are managing high rent to income ratios by sharing units and crowding living spaces, which could lead to poor living conditions and health issues.

### ✦ KEY FINDING

#### LANGUAGE BARRIERS IMPACT ACCESS TO HOUSING

In our study, higher English proficiency correlates with increased access to affordable housing and Section 8 Housing Choice Vouchers,  $r(64) = .396, p < .01$ .

Participants who never applied for affordable housing have lower English proficiency: 4.5 among participants from East Africa and 1.1 among those from Burma and Thailand. In contrast, those who are waitlisted or have received affordable housing units have higher English proficiency: 7.6 and 7.4 respectively (right). Among those who report no formal education, 89 percent have never applied for affordable housing.



## Housing and the Hidden Shadows

- In addition to tents or sleeping bags on the sidewalk, many people experiencing homelessness exist outside of public view, along rivers and other waterways, in canyons, and elsewhere “out in nature.” In California, many unsheltered individuals live along waterways, such as the American River near Sacramento, the San Diego River here in San Diego, and the Santa Ana River in Orange County. This takes an unknown toll on the people existing in this context, the natural environment and public health overall.

- Unsheltered people live near urban waterways for several reasons, some of which are driven by existing service systems. These include the criminalization of homelessness, displacement by police due to cleanup efforts in downtown San Diego following a Hepatitis A outbreak, and a desire to avoid emergency shelters.
- Homeless service providers engage in limited outreach to river dwelling individuals due to the resource intensive nature of reaching the population when organizations are already overstretched, and perceptions of the population as dangerous or difficult to serve. The result is an environment that presents high health risks both to unsheltered people and the public at large, coupled with low levels of health and human services access, particularly in the areas of sanitation and hygiene.

## Sunbreak Ranch

- For years, local businessman George Mullen has circulated an idea called Sunbreak Ranch – a remote camp where the city could concentrate its homeless population and provide facilities to help them – but it started to get serious traction this summer as Mullen and supporters settled on a preferred site: East Miramar.
- The Marine Corps sent [a letter](#) to Mayor Todd Gloria apparently intending to squash the idea, at least on the government’s land. The letter, from Col. T.M. Bedell, commanding officer of the Marine Corps Air Station Miramar, explains why the military base is “not a suitable location” for such a concept. Among other reasons, the Colonel highlighted how the site is an approach corridor where four aircraft have crashed in the last 20 years, Bedell wrote. The land contains unexploded ordnance, sensitive vernal pool watersheds that support endangered species and three live-fire pistol and rifle training areas.
- In response, the [proponents are now suggesting](#) to use Brown airfield to contain 5000 unsheltered homeless persons indefinitely.



## City of San Diego Municipal Code, Excerpts

### Encroachment

§ 54.0110 **Unauthorized Encroachments Prohibited** It is unlawful for any person to erect, place, allow to remain, construct, establish, plant, or maintain any vegetation or object on any public street, alley, sidewalk, highway, or other public property or public right-of-way, except as otherwise provided by this Code.

### Disturbing the Trash aka Scavenging

§ 64.0402 **Unauthorized Collection Prohibited** It shall be unlawful for any person other than the owner or person authorized by law or the City Manager to collect refuse or recyclable material as defined in Section 66.0102, to rummage in, disturb, interfere, or remove refuse or recyclable material from officially designated refuse and recyclable containers.

**WARNING!**  
**¡ADVERTENCIA!**  
**CẢNH CÁO!**  
**警告**



**Scavenging is illegal (SDMC 66.0402)**  
It is against the law to rummage in or remove refuse or recyclables from this container unless you are the owner or person authorized by law.

**Recoger basura es ilegal (SDMC 66.0402)**  
Es contra la ley sacar basura o reciclables de este bote a menos que usted sea el dueño o la persona autorizada por ley.

**Bới rác là việc làm bất hợp pháp (SDMC 66.0402)**  
Lục tìm hoặc lấy đồ phế thải hay các thứ tái chế được từ thùng chứa này là trái luật trừ phi quý vị là chủ hoặc là người được luật pháp cho phép.

**非法清除垃圾 (SDMC 66.0402)**  
在容器內翻找、移動垃圾或可回收利用的物件是違法行爲，容器所有人或依法經許可的人不在此限。

## Vehicle Habitation Ordinance

§ 86.0137(f) It is unlawful for any person to use a vehicle for human habitation on any street or public property, unless the street or public property is specifically authorized for such use by the City Manager, as follows:

- (1) between the hours of 9:00 p.m. and 6:00 a.m.; and
- (2) at any time, within 500 feet of a residence, meaning a building used for living, including a house, condominium, apartment unit, or other similar dwelling unit affixed to real property; and
- (3) at any time, within 500 feet of a school that offers instruction on those courses of study required by the California Education Code or that is maintained pursuant to standards set by the State Board of Education. School for purposes of this section 86.0137(f) does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.
- (4) For purposes of this section 86.0137(f), evidence of human habitation may include observations, considering all the circumstances, that a person is using a vehicle for: sleeping; bathing; preparing or cooking meals; possessing or storing items that are not associated with ordinary vehicle use, such as a sleeping bag, bedroll, blanket, sheet, pillow, used bedding, kitchen utensils, cookware, cooking equipment, camping gear, food, water, personal grooming items, or containers of feces or urine. Evidence of human habitation also may include observations, considering all the circumstances, that: a person has obscured some or all of the vehicle's windows; there is litter, rubbish, or waste in or around the vehicle; there is furniture set up in or around the vehicle, such as chairs, tables, umbrellas, or portable cooking equipment; or there is evidence of human urination or defecation around the vehicle.

## Anti-Camping Ordinance

### §63.0404 Unauthorized Encampments on Public Property

(a) It is unlawful for any person to camp or to maintain an encampment in or upon any public property, including in any street, sidewalk, park, beach, open space, waterway, and banks of a waterway, unless specifically authorized by the City Manager.

(b) At all times, regardless of the availability of shelter space or beds, it is unlawful for any person to camp or to maintain an encampment where such activity poses:

- (1) an immediate threat or an unreasonable risk of harm to any natural person,
- (2) an immediate threat or an unreasonable risk of harm to public health or safety, or
- (3) disruption to vital government services.

(c) At all times, regardless of the availability of shelter space or beds, it is unlawful for any person to camp or to maintain an encampment in the following locations:

- (1) within two blocks of a school that offers instruction on those courses of study required by the California Education Code or that is maintained pursuant to standards set by the State Board of Education provided that signs are posted prohibiting camping that are clearly visible to pedestrians. School for purposes of section 63.0404(c) does not include a vocational or professional institution of higher education, including a community or junior college, college, or university; Ch. Art. Div. 6 3 4 4 San Diego Municipal Code Chapter 6: Public Works and Property, Public Improvement and Assessment Proceedings (7-2023)
- (2) within two blocks of any shelter provided that signs are posted prohibiting camping that are clearly visible to pedestrians;
- (3) in any open space, waterway, or banks of a waterway;
- (4) within any transit hub, on any trolley platform, or along any trolley tracks provided that signs are posted prohibiting camping that are clearly visible to pedestrians; and
- (5) in any park where the City Manager determines there is a substantial public health and safety risk and provided that signs are posted prohibiting camping that are clearly visible to pedestrians.

For purposes of this section 63.0404(c)(5), the definition of park does not include open space or beach areas, as defined in section 63.0102(b), or beaches, bays, or wetlands. (“Unauthorized Encampments on Public Property” added 6-29-2023 by O-21674 N.S.; effective 7-29-2023.)

#### §63.0405 Enforcement

(a) Violations of this Division may be prosecuted as misdemeanors subject to the fines and custody provisions in San Diego Municipal Code section 12.0201.

(b) Law enforcement officers shall not issue a criminal citation to enforce a violation of section 63.0404(a) between the hours of 9:00 p.m. and 5:30 a.m. or when the person is on public property at a time when there is no available shelter. For purposes of this Section 63.0405(b), available shelter means the shelter is reasonably available to the person at the time enforcement is taking place and taking into consideration any disability or other specific circumstances applicable to that person.

(c) Sections 63.0403 and 63.0404(b) and (c) are enforceable at all times regardless of shelter availability. (“Enforcement” added 6-29-2023 by O-21674 N.S.; effective 7-29-2023.)

# A RESOLUTION OF THE SAN DIEGO CITY COUNCIL DECLARING HOUSING AS A HUMAN RIGHT (Jan 24, 2023)

**WHEREAS**, housing is the basis of stability and security for an individual or a family, providing a place to live in security, peace, and dignity; and

**WHEREAS**, the implementation of this human right depends on the provision of adequate housing enabled by appropriate government policies and programs; and

**WHEREAS**, in 1948, the United States joined 47 countries in signing the Universal Declaration of Human Rights (UDHR) adopted by the United Nations General Assembly that recognized the basic rights and fundamental freedoms of all human beings, including the right to housing as a component of a standard of living adequate for the health and well-being of themselves and their family; and

**WHEREAS**, in 1977, the United States signed the International Covenant on Economic, Social and Cultural Rights (ICESCR), which commits its ratifying parties to progressively work toward the granting of economic, social, and cultural rights, including the right to adequate housing; and

**WHEREAS**, the United Nations Committee overseeing the implementation of the ICESCR outlines seven elements that guide the provision of adequate housing, including the security of tenure, availability of infrastructure, affordability, accessibility, habitability, location, and cultural adequacy; and

**WHEREAS**, in 2019, the Special Rapporteur on adequate housing presented to the United Nations' Human Rights Council at its 43rd session "Guidelines for the Implementation of the Right to Adequate Housing" with Guideline Number 1 being "Guarantee the right to housing as a fundamental human right linked to dignity and the right to life"; and

**WHEREAS**, the United States has a history of institutionalized lending discrimination, exclusionary zoning, and redlining, denying people of color their ability to share in the country's prosperity and reducing their ability to fulfill the right to a home; and

**WHEREAS**, the City of San Diego shares this history of exclusionary zoning, restrictive covenants, and redlining, which has led to the exclusion of historically marginalized

communities from the opportunity to access homeownership and diminished their political and economic power and representation; and

**WHEREAS**, San Diego's Housing Element requires the City to adequately plan to meet its existing and projected housing needs, including its share of the Regional Housing Needs Allocation (RHNA), which equals 108,036 additional housing units in the City of San Diego, with 44,880 of those units needed for extremely-low, very low, and low-income households to be built between 2021 and 2029; and

**WHEREAS**, the San Diego City Council declared a Housing Emergency in 2002 recognizing the urgent need for more housing throughout the City; and

**WHEREAS**, housing costs in the City of San Diego have risen with average rent prices increasing 46 percent from 2012 to 2019; and

**WHEREAS**, 50 percent of City households are housing cost-burdened, meaning these households spend more than 30 percent of their income on housing costs; and

**WHEREAS**, rising housing costs are directly associated with displacement - families may be forced out of their neighborhoods due to rising housing costs, changing demographics, or changes in the socioeconomic or cultural makeup of their community; and

**WHEREAS**, low-income residents are most at-risk of displacement from rental housing as a result of rapidly rising rents and are more likely to have challenges staying in their homes if they are living paycheck-to-paycheck, are subject to predatory evictions, or cannot obtain affordable legal representation; and

**WHEREAS**, speculative housing markets can lead to housing insecurity for tenants and prospective homeowners who are impacted when a property is sold or changes ownership; and

**WHEREAS**, members of disadvantaged groups often have difficulty finding housing in highopportunity neighborhoods, despite laws guarding against discrimination; and

**WHEREAS**, low-income residents must often live far from jobs due to housing unaffordability which contributes to an incongruity between where jobs are located and where job seekers live and resulting in increased pollution, energy use, traffic congestion, and a decline in community cohesiveness; and

**WHEREAS**, 80 percent of the City’s housing stock was built before 1990 and most homes built before 1990 are not wheelchair accessible, creating additional barriers to finding suitable housing for individuals with accessibility needs; and

**WHEREAS**, individuals living with disabilities represent a disproportionate share of the homeless population, often live on fixed incomes, and cannot absorb rent increases, and therefore experience added difficulties maintaining, searching for, and finding accessible housing that meets their unique housing needs; and

**WHEREAS**, opposition to new housing, and in particular to affordable housing and permanent supportive housing, has contributed to a severe undersupply of housing to meet the need of residents of all incomes; and

**WHEREAS**, the 2020 COVID-19 international pandemic caused significant economic hardship among individuals and families, causing millions of people nation-wide to lose their jobs, get behind on rent payments, face eviction, and be subjected to potential loss of their homes; and

**WHEREAS**, the 2022 Point in Time Count (Count) found no fewer than 4,801 individuals experiencing homelessness across the City of San Diego, which included a nine percent increase in the number of unsheltered individuals from 2020 when the Count was last completed, and found that Black San Diegans comprise 29 percent of unsheltered individuals in the 2022 Count; and

**WHEREAS**, in August 2022, the Downtown San Diego Partnership counted 1,609 people experiencing homelessness in Downtown San Diego, a record high in the 10-year history of their count, which is due to several factors, including volatility in the labor market, increased housing and consumer costs, challenges to healthcare and behavioral healthcare access, health and safety conditions and other societal factors, including institutionalized racism, that continues to force certain populations of people to the street; and

**WHEREAS**, declarations of housing as a human right fall short unless matched with progressive actions toward fulfilling that right, which can include but not be limited to devoting resources to public housing or housing vouchers, creating incentives for the private development of affordable housing, providing legal due process protections from eviction or foreclosure, upholding the right to counsel to enforce those protections, ensuring habitable conditions through housing code enforcement and inspections, and by not threatening individuals with civil or criminal penalties because they are homeless; and



**WHEREAS**, the City of San Diego has progressively implemented programs, policies, and funding to increase the supply of adequate housing, including the supply of Affordable Housing for low-income and extremely low-income individuals and families, Permanent Supportive Housing, microunits, and Accessory Dwelling Units; and

**WHEREAS**, the City of San Diego has received state and federal funding to increase access to Affordable Housing through the provision of grants, loans, and vouchers; and

**WHEREAS**, these attempts at all levels of government, including the City of San Diego, have not provided sufficient housing to solve homelessness and have, in part, been hampered by short-term investments in non-Housing First strategies and limitations on who could receive support through programs, such as not allowing spouses to access certain resources together or lacking accessibility or not addressing disabilities, leading to large segments of the population being excluded from housing and other supportive services;

**BE IT RESOLVED**, by the Council of the City of San Diego, that the Council declares the right to housing as a fundamental human right linked to dignity and the right to life.

**BE IT FURTHER RESOLVED**, that the Council intends to: center equity in its efforts to implement housing and redress past harms; ensure those who have historically not had access to adequate housing are prioritized; further incentivize Affordable Housing in high-opportunity neighborhoods for those previously excluded; and identify equitable and effective solutions by working with individuals with lived experience.

**BE IT FURTHER RESOLVED**, that the Council intends for the City to support housing as a human right by implementing policies that address the root causes of homelessness, that keep people housed through affordable, accessible, and habitable homes, and that provide pathways to housing for people experiencing homelessness.

# State of California, Legislative Findings: Housing First

8256.

*(a) Agencies and departments administering state programs created on or after July 1, 2017, shall collaborate with the coordinating council to adopt guidelines and regulations to incorporate core components of Housing First.*

*(b) **By July 1, 2019**, agencies and departments administering state programs in existence prior to July 1, 2017, shall collaborate with the coordinating council to revise or adopt guidelines and regulations that incorporate the core components of Housing First, if the existing guidelines and regulations do not already incorporate the core components of Housing First.*

## SECTION 1.

**The Legislature finds and declares all of the following:**

(a) California leads the nation in the number of homeless residents with 115,738 people experiencing homelessness at some point, which is 21 percent of the nation's total. California also leads the nation in the number and ratio of chronically homeless residents with 29,178 chronically homeless residents at any point in time, which is 31 percent of the nation's total. California also has 10,416 homeless youth, which is 28 percent of the nation's total.

(b) Homelessness is expensive to the state and local governments. A homeless person receiving general assistance in Los Angeles County, for example, incurs \$2,897 per month in crisis response services.

(c) A chronically homeless Californian moving into "supportive housing" is able to reduce costs he or she incurs by almost 80 percent. Moving an individual or family experiencing chronic homelessness to housing stability costs less than the resulting savings in public expenditures.

(d) Following the example of other states, as well as jurisdictions within California, it is the intent of the Legislature to adopt a "Housing First" model for all state programs funding housing for people experiencing homelessness or at risk of homelessness. These housing models should address the distinct needs of homeless populations, including unaccompanied youth under 25 years of age.

(e) Housing First is an evidence-based model of ending all types of homelessness and is the most effective approach to ending chronic homelessness. The federal government recognizes that Housing First yields high-housing retention rates, low returns to homelessness, and significant reductions in crisis or institutional care. The federal government also recognizes the value of time-limited housing to address the needs of unaccompanied homeless youth and persons fleeing domestic violence.

See: [SB-1380 Homeless Coordinating and Financing Council](#)



# THINK DIGNITY

Hands-on Advocacy & Activism with the Homeless

**“Homelessness does not define who I am.**

*I am a friend. I am a fiancée. I am a mother.  
I feel love. I set goals. I have dreams.*

**I HAVE A PURPOSE.”**

## OUR MISSION

Our mission is to **INSPIRE, EMPOWER** and **ORGANIZE** our community to **advance basic dignity for those living on the streets.**

## OUR STRATEGY

Our strength lies in a **COLLABORATIVE + VOLUNTEER-BASED** model, in which we mobilize community **PARTNERS + VOLUNTEERS** to accomplish collective goals.

We hold monthly open forums to discuss issues affecting our community, and upon identifying an issue and conduction in-depth research, we craft community-based **solutions that work for everyone.**

*“All of us are born with inherent dignity. By respecting and valuing our community, our programs restore hope and opportunity throughout San Diego”*

-Emily Howe, Executive Director  
THINK DIGNITY

## OUR STATISTICS

**80%** **DONATIONS**  
go straight into Think Dignity Programs

**130+** **PEOPLE OFF THE STREETS**  
because of the Transitional Storage Center

**693+** **PEOPLE HELPED**  
since opening Legal Clinics

**1000+** **SHOWERS**  
provided with the Fresh Start Showers



**BE A VOICE FOR DIGNITY**

**619. 537.8736**  
3525 30th Street San Diego, CA 92104



**VOLUNTEER TODAY!**

**ThinkDignity.ORG**



## COMMENTARY

### **Opinion: Here are real steps San Diego leaders can take to reduce homelessness and save lives:**

**All it takes is political will to stop our fellow human beings from dying needlessly on our streets. Will San Diego meet the challenge?**

BY ANN MENASCHE,

COLEEN CUSACK, MARTHA SULLIVAN

(Originally published in San Diego Union-Tribune Commentary on December 29, 2022 4:13 PM PT.)

Menasche is currently lead attorney in a federal class-action lawsuit on behalf of vehicle dwellers challenging San Diego's criminalization policies. She lives in San Diego. Cusack is a criminal defense attorney and human rights advocate representing homeless persons pro bono. She lives in San Diego. Sullivan has sheltered dozens of houseless San Diego residents in her home and business since 2009, and lives in Imperial Beach. The trio are members of the San Diego Housing Emergency Alliance.

The human-made catastrophe of mass homelessness can be deadly. There have been at least 1,425 preventable deaths in San Diego County since 2020. Elected officials and their appointees in San Diego County have failed homeless people since at least 1996, when the city of San Diego reported to the U.S. Department of Housing and Urban Development that "inability to pay high rents" was among the most common reasons for homelessness.



This is a policy failure of epic proportions — implicating all levels of government and both major political parties. But rather than take responsibility, officials often blame the victims. Hence, the criminalization of homelessness serves an insidious, irrational purpose.

Seniors, people with disabilities and low-income workers and families are caught in a speculative housing market with a median monthly rent of \$2,384. Since landlords typically expect an income of three times that amount to rent a unit, an annual income over \$85,000 is needed to qualify for a home at that cost, compared to the \$12,482 that Social Security Insurance pays annually. San Diego's minimum wage — \$16.30 an hour as of Jan. 1 — means those working two full-time minimum wage jobs would still be \$17,000 short.

Many people are likely to die before getting access to rent subsidies for the city's Section 8 vouchers due to 10-year long waiting lists. The federal government recently passed a record \$858 billion military budget but somehow can't fund vouchers and construct public housing to take care of over half a million of its own houseless residents. Meanwhile, the Pentagon, under basic accounting practices, can't account for at least \$6.5 trillion of its long-term spending.

So houseless people sleep in tents along sidewalks or shelter in vehicles, playing cat and mouse with police officers who ticket, fine and arrest them, dump their belongings like wheelchairs and walkers into trash trucks, impound their vehicles, and threaten to forcibly treat and institutionalize them under California's misnamed "CARE Act."

None of this is effective in moving anyone into housing. Rather, treating unhoused people as criminals makes their lives that much harder.

The city offers stopgap measures like congregate shelters, which are unusable by seniors and people with disabilities and prone to outbreaks of diseases, and "safe parking" lots. A whole industry has built up around homelessness, but these grossly inadequate offerings have far less capacity than is needed for the growing numbers of houseless residents.



They really have no choice, and it is only getting worse. The Regional Task Force on Homelessness reports that for every 10 people placed into housing last year, 13 more people fell into homelessness for the first time.

The city allowed the COVID-19-related moratorium on evictions to expire at the end of September, leading to a tsunami of evictions. There were 1,150 in October alone. All it takes is a job loss, an illness or a rent increase for someone to join these ranks.

Our homeless problem is not at all complex. California has higher rates of homelessness compared to other parts of the nation not because we have more drug addiction or mental illness but because our housing is more expensive.

Nor are we unable to address the problem. There are many things that San Diego leaders can do. They can:

- Repeal the Vehicle Habitation Ordinance and stop using the anti-encroachment ordinance meant to control trash to punish people forced to live on city streets.
- Preserve affordable housing and boost housing stability by reinstating COVID-19-related eviction protections, passing local rent control and lobbying our state Legislature to repeal both the Costa-Hawkins Rental Housing Act, which bans effective rent control, and the Ellis Act, which allows affordable housing to disappear.
- Treat this housing crisis like a real emergency. Stop approving luxury housing, tourist hotels and new sports venues, and put every possible city resource into creating housing for extremely low to middle-income San Diegans and to expand housing subsidies.
- Improve the conditions for unhoused people while permanent housing is created.
- Establish and properly maintain bathrooms and handwashing stations that are open 24/7.
- Improve “safe parking” programs to meet basic humanitarian standards.
- Establish a low-barrier permit program for street parking of vehicles used as shelters with access to bathrooms, handwashing stations and trash collection.



- Open city beach and parkland for quality campgrounds, full-service RV parks with hookups and tiny homes for unhoused San Diego residents. Similar measures were taken to provide temporary housing for homeless veterans after World War II supported by the courts.
- Establish non-congregate shelters for seniors and people with disabilities in hotels and other locations. Ensure that no one is ever discharged from a hospital into the streets.
- Issue a moratorium on impoundment of vehicles used as shelter for so long as the housing emergency exists.
- Facilitate and empower unhoused individuals to run their own programs and communities.

All it takes is political will to stop our fellow human beings from dying needlessly on our streets. Will San Diego meet the challenge?

Housing, not handcuffs!



# **PANA Statement on Convention Center, Homelessness and Affordable Housing**

Partnership for the Advancement of New Americans (PANA) has received multiple inquiries about an article in VoiceofSanDiego.org on September 22, 2017, concerning negotiations with the tourism industry and representatives of Mayor Kevin Faulconer. PANA's response is as follows:

**1. PANA will not be a party to any negotiations that seek to prioritize a luxury for the tourism industry over life's basic necessities for persons who are forced to live on the streets because of years of inaction and bad judgment by the Mayor.**

San Diego is facing an unprecedented homelessness and public-health crisis that has its roots in the lack of affordable housing, shelter, and services for a substantial segment of our population. The crisis is not a surprise. For example, more than 10 years ago housing advocates tried to prevent the City of San Diego from allowing the conversion of single-room occupancy hotels (SROs) – often the last affordable-housing option for at-risk individuals and families – into luxury hotels and condos. Then-City Councilman Kevin Faulconer frequently voted with developers in support of those conversions. And over 18 months ago, U-T San Diego wrote an describing how the loss of SROs was exacerbating the homelessness problem, with long-time homeless advocate Bob McElroy reported as saying: "I have never seen this many people on the streets in the 30 years I've been doing this and the elimination of the SROs is a major component."

The Mayor recently sent his representatives – one from his office, and others in the private sector acting at his behest – to negotiate with PANA and other community organizations to come up with a mutually agreeable "citizens' initiative" for the June 2018 ballot. As they proposed it, the initiative would increase the transient occupancy tax (TOT) primarily for a convention center expansion, with not even one-third of the money set aside to address homelessness and the lack of affordable housing. The Mayor's representatives promised that they and the Mayor would also support a separate "citizens' initiative" focused on taxing home buyers and homeowners in exchange for the community's support for the June 2018 convention-center tax.

The Mayor and the tourism industry clearly understand that they need substantial community support for a new tax to expand the convention center. What they do not understand is that PANA will not sell out its members and constituents with half-baked

promises and weak assurances of financial resources to address the real crisis. The loss of business from an un-expanded convention center – even if the Mayor and the tourism industry could prove and quantify the loss with any degree of certainty, which they cannot do – pales in comparison to the actual loss of life and the dire risk to public health that arises from our homelessness and affordable-housing crisis.

If the Mayor and the tourism industry truly care about ending the crisis, they will stop trying to combine a TOT increase for the convention center with a revenue increase for homelessness and housing. There is no moral equivalence between the two.

**2. PANA will not be a party to any negotiations that use the human crisis created by the Mayor's inaction and bad judgment to justify disenfranchising voters through early elections on non-emergency matters.**

Last year more than two-thirds of the City's voters approved Measure L, which requires that citizens' initiatives be put to voters at general elections in November when most people go to the polls in order to maximize voter participation. PANA was one of the leading voices in support of Measure L and worked tirelessly to help it pass with such a high margin, because we know that our democracy works best when the most people vote.

The Mayor and his representatives have been trying to persuade PANA that there is a genuine "need" to vote on a new tax for the convention center in June 2018 instead of waiting for November in order to take advantage of a "loophole" created by a recent court ruling. PANA does not agree that there is a loophole the Mayor can exploit. But even if there were, PANA would never go along with a scheme to disenfranchise voters – especially when the only goal is to make it possible for politicians and special interests to bend the rules to their personal advantage.

If expanding the convention center is so important, the Mayor and the tourism industry should put it on the ballot as a stand-alone item when the most people will vote. That will be in November 2018.

**3. There is only one true emergency that warrants an election in the immediate future: raising the TOT to provide more funding to fight homelessness and increase the supply of affordable housing.**

When PANA supported Measure L, it did so with the understanding that the City Council would retain the discretion to bring forward emergency ballot measures for voter approval. In fact, the City Council voted earlier this year to reject the Mayor's first ballot proposal for raising the TOT to pay for expanding the convention center, infrastructure, and the homeless – again, with only a pittance allocated to fight homelessness – correctly reasoning that there was no true emergency related to the convention center. (It remains

mired in litigation, and the City relinquished control of the land needed for the expansion when it defaulted on its lease two years ago).

There is only one true emergency that justifies the voters going to the polls before November 2018. That emergency is the lack of financial resources needed to pay for shelters, transitional and supportive housing, mental-health services, and public sanitation, health, and safety. It has become clear that the Mayor is not willing to be a “leader” on this issue, that he is only willing to be a “cheerleader” for the tourism industry.

The City Council should take the reins and schedule an emergency election that generates new revenues for the General Fund so that the City has the financial resources necessary to end the public safety and health crisis as quickly as possible. If the Mayor vetoes such an action and at least three members of the City Council support his view that kowtowing to the tourism industry is more important than keeping every member of the public safe, then they should have to own those votes and face the political consequences.

PANA is confident that the voters will never tolerate politicians exploiting a crisis – a genuine humanitarian crisis that has so far taken the lives of at least 16 people and has made San Diego the epicenter of America’s hepatitis A epidemic – in order to benefit special interests.

Partnership for the Advancement of New Americans (PANA) is a research, community organizing, and public policy hub dedicated to advancing the full economic and social inclusion of refugees. PANA lifts up refugee voices and builds leadership in communities to increase civic engagement and create an inclusive civil society. PANA is a 501(c)(3) nonprofit public charity based in San Diego County.

PANA is here and available to support our refugee community. Please contact us at [info@panasd.org](mailto:info@panasd.org) or 619-732-6793.

## ORGANIZATIONAL SPONSORS



The ACLU of San Diego & Imperial Counties is a prominent force for the protection and expansion of fundamental rights in California's second-most populous county (San Diego), its county with the highest percentage of Latino residents (85%) (Imperial), and the state's southern borderlands.

Our mission is "To protect and expand fairness, equity, and freedom through community engagement, building power, policy advocacy, and impact litigation." Our work is guided by a vision of a just and fair society in which all can participate, prosper, and reach their full potential (from PolicyLink's definition of "equity" its 2015 Equity Manifesto).

We work hard to resolve deeply rooted social inequities that deny the full measure of civil rights and freedoms guaranteed by the U.S. Constitution. We are grounded in an "integrated advocacy" approach that allows us to effectively leverage our legal, policy analysis and advocacy, strategic communications and organizing expertise to work with and within the region's richly diverse communities to create a more just and fair society for us all.



Alliance San Diego (formally known as Equality Alliance of San Diego) is a community organization whose mission is to build collective power to create an inclusive democracy where everyone can participate fully with dignity. Since 2007, we have mobilized communities to fuel change and reshape the world so that it is more reflective of and responsive to our diversity. We believe that systemic change is achieved, and maintained, by working together to build a society that is truly inclusive. Our work is to develop leaders, engage communities, shape narratives, change policies, and protect rights while standing on the core values of inclusion, compassion, justice, collaboration, and integrity.

Every day we fight to create sustainable change for this generation and all those that follow. We hold and steward the torch so that it continues to illuminate the path to a brighter future. Alliance San Diego invites you

to help us build the collective power we need to create an inclusive democracy that honors the inherent dignity of all people. To learn more about our work please visit us at: <https://www.alliancesd.org>



**Community Advocates for Just and Moral Governance (MoGo)** promotes good governance. MoGo is committed to engaging in litigation and various forms of advocacy that will make government more just and fully accountable to all people, particularly those who have been marginalized from society.

Genevieve Jones-Wright, Executive Director  
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**HEMA** is a grassroots coalition of San Diego organizations and individuals, including people with disabilities, tenants, low wage workers, LGBTQ individuals, students, people of color who have disproportionately suffered in this economy, and people who are or have been homeless, all of whom have been impacted by the worsening housing crisis and have decided to take collective action to make the changes needed to resolve this man-made disaster.

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**Lived Experience Advisers** is a grassroots organization made up of and led by people with lived experiences of homelessness. It recruits, trains, and elevates people who have "experienced homelessness" to civic leaders by providing tools, training, and inspiration. We protect people still experiencing homelessness by elevating their voices & requiring improved services & outcomes via experienced and educated systems feedback. We reshape public dialog by developing and sharing impactful messaging with our partners. We establish

member value with meaningful living wage compensation and create opportunities for those seeking financial independence as consultants or entrepreneurs.

Our 20 members serve on 34 boards, committees, and commissions nationally and locally and, over the last 12 months, have contributed to, commented on, or advocated for/against legislation over 200 times. We have presented to 50+ community and business groups and offered panels or conferences over 20 times.

John Brady, Executive Director  
310-461-7000



The mission of the **Partnership for the Advancement of New Americans (PANA)** is to promote the fair treatment and equitable inclusion of refugee communities using organizing to achieve collective impact and policy change. PANA was founded in the recognition that the unique needs of California's growing refugee communities cannot be addressed by simple adjustments to existing ways of doing business. Instead, PANA uses an integrated advocacy approach to its research, public policy, and community organizing in order to build and leverage deep community networks, develop community leaders, and establish a civic engagement infrastructure for the refugee community.

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Hands-on Advocacy & Activism with  
People Experiencing Homelessness

**Think Dignity** is a San Diego-based homeless advocacy agency with a mission to advance basic dignity for people experiencing homelessness through advocacy and innovation.

Our strength lies in our collaborative, community-based model. Each of us doing our small part makes a big difference and working together can make the world a better place. We mobilize our community partners and

volunteers to accomplish our collective goals. Our success story is not grandiose but comes from small steps taken every day. We call this micro-activism at its finest.

Our efforts result in meaningful change in San Diego through our pioneering social services and legal advocacy, such as managing San Diego's first free storage center for unhoused San Diegans to safely store their belongings, operating mobile programs that provide showers, menstrual products, undergarments, and nutritious meals, developing San Diego County's first document storage service, providing legal representation and support towards equitable access to justice and empowerment, and spearheading advocacy campaigns to directly address the injustices that homeless individuals experience. To learn more about our work, please visit us at [www.thinkdignity.org](http://www.thinkdignity.org)

## ACADEMIC HOSTS



As a Christian liberal arts university, **Point Loma Nazarene** is committed to shaping students' academic, personal, and spiritual growth. Our mission isn't simply to prepare you for a career after you graduate — though that's part of it — but to shape you into a thoughtful, service-minded, and engaged member of your community and world. In short, we are committed to helping you become who you are fully called to be.

We believe this happens when students critically explore various fields of thought across the sciences, social sciences, and humanities — such as our Foundational Explorations general education curriculum — with a concern for serving others and an openness to God's grace at work in our communities, nations, and lives.

Our faculty members are known for their excellence as teachers and scholars in their respective fields, as well as for their commitment to forming relationships with students built around mentorship and accountability to help students thrive academically, professionally, and spiritually.



Through faculty mentorships and a host of academic opportunities, you'll develop the perspective, knowledge, wisdom, and experience necessary to pursue a purposeful career after you graduate.



**San Diego City College** is located in vibrant, downtown San Diego. Our students come from all walks of life to create their personal pathways to a successful future in one of the most beautiful cities in the world. Our faculty members are experts in their fields and they choose to teach at City because they believe in our students and our college.

We are proud to be one of the fastest growing community colleges in the nation. We are this way because our students and our community understand that a community college education is one of the best ways to get ahead in life. We invite you to learn about City College. Explore our website and see the programs and services we offer, the exciting events that take place here on campus, and the magic that happens everyday.

San Diego City College welcomes and inspires every student to identify and pursue their community, personal, educational, and professional goals. We prioritize accessibility, equity, and social justice through student-centered support services and educational opportunities for global learning. We offer general education, associate and bachelor's degrees, transfer pathways, certificates, and career technical education for personal enrichment and economic mobility.

San Diego City College is a multicultural institution committed to providing open access to all who can benefit from instruction and to meeting the diverse and ever-changing educational, cultural, and economic needs of the urban core and surrounding communities of San Diego. We are committed to the tradition of academic freedom and responsibility, to employee empowerment, and to maintaining a climate that promotes learning, understanding and respect for students, faculty, staff, community, and the environment.

## For further reading:

### San Diego State University research on homelessness, criminalization, and health:

2018-present Underlined text = direct link to article

#### Opinion-editorials

Welsh Carroll, M. (2023, May 8). Opinion: California cities don't have enough public bathrooms. Here's one solution. *Los Angeles Times*.

Woodson, M., Felner, J.,\*\* & Welsh, M. (2021, June 7). Opinion: Universal bathroom access in San Diego could help save lives. Here's how. *San Diego Union-Tribune*.

#### Public research reports (not peer-reviewed)

Welsh Carroll, M., O'Donnell, R., Rios, A., Swayne, M., Felner, J., & Calzo, J. (2022, December). Public restroom access in Downtown San Diego. San Diego State University: The Project for Sanitation Justice.

**Research presented to and cited by 2022/2023 San Diego County Grand Jury** in Downtown Area Public Restrooms in the City of San Diego: Stop Kicking the Can down the Road.

– **Featured in** Halverstadt, L. (2023, June 6). Proposed camping ban aims to transform San Diego's homelessness epicenter. *Voice of San Diego*.

– **Featured in** *San Diego Union-Tribune* Editorial Board op-ed (2022, December 14): Opinion: Persistence of Downtown San Diego bathroom nightmare fuels frustration over homelessness

Welsh Carroll, M., Swayne, M., Rios, A., & O'Donnell, R. (2022, March). *Public restrooms in San Diego: A regional assessment.* San Diego State University: The Project for Sanitation Justice.

<https://bathrooms.sdsu.edu/publications/>

– **Featured in** McWhinney, J. & Halverstadt, L. (2022, April 4). San Diego Still Working to Add More Downtown Restrooms. *Voice of San Diego*.

Adams, B., Welsh, M., & Gutierrez III, N. (2021). *Community Acceptance and Opposition to Homeless-Serving Facilities.* San Diego State University: Social and Economic Vulnerabilities Initiative.

Mladenov, M., Verbyla, M., Kinoshita, A., Gersberg, R., Welsh, M. & Flanigan, S. (2020). Increasing preparedness in the San Diego River watershed for potential contamination events. Report and presentation to the San Diego River Conservancy.

#### Peer-reviewed research articles:

Hoang, T., Felner, J., Flanigan, S.T., & Welsh Carroll, M. (2023). Psychological costs and administrative burdens produce systemic service avoidance among people experiencing homelessness. *Journal of Health and Human Services Administration*, 45(3), 220-242.

Rios, A., O'Donnell, R., Swayne, M., Welsh Carroll, M. (2023). Where can you go on the go? An assessment of public restroom access along transit in San Diego, CA, USA. *Findings*, June.

– **Featured in** Halverstadt, L. (June 27, 2023). SDSU Analysis: Restroom Access Lacking Along Trolley Lines. *Voice of San Diego*.

Adams, B., Welsh Carroll, M., & Gutierrez III, N. (2023). Community Acceptance of, and Opposition to, Homeless-Serving Facilities. *International Journal on Homelessness*, 3(2), 156-183.

Welsh Carroll, M., Flanigan, S., & Gutierrez III, N. (2022). Black lives experiencing homelessness matter: A critical conceptual framework for understanding how policing drives system avoidance among vulnerable populations. *Public Integrity*, 25(3), 285-300.

**Public impact:** Invited presentation to San Diego City Council, March 14, 2023.

– **Featured in** Halverstadt, L. (2023 XYZ)

– **Featured in** Hargrove, D. (2023, March 13). 'I know I'm Black, but I'm not a criminal' | SDSU researchers find racism in SDPD's treatment of unhoused Black people | cbs8.com

– **Featured in** Halverstadt, L. (2023, March 15). Council Grapples With Report on Policing Impacts Unhoused Black San Diegans

Flanigan, S. & Welsh, M. (2021). Unmet needs of individuals experiencing homelessness near San Diego waterways: The roles of displacement and overburdened service systems. *Journal of Health and Human Services Administration*, 43(2), 105-130.

– **Best Article Award of 2021** from the *Journal of Health and Human Services Administration*

Verbyla, M., Calderon, J., Flanigan, S., Garcia, M., Gersberg, R., Kinoshita, A., Mladenov, N., Pinongcos, F., & Welsh, M. (2021). An assessment of ambient water quality and challenges with access to water and sanitation services for individuals experiencing homelessness in riverine encampments. *Environmental Engineering Science*, 38(5), 389-401.

– **Selected for the AEESP spotlight** (Association of Environmental Engineering and Science Professors) via a competitive process by the publications committee which features especially important contributions to the journal.

Abdel-Samad, M., Calzo, J., Felner, J., Urada, L., Verbyla, M., Madanat, H., Adams, B., Alves, T., Appleyard, B., Chanin, J., Flanigan, S., Foad, H., Ginsberg, M., Higgins, M., Ko, E., Maher, K., Mladenov, N., Peattie, P., Welsh, M., & Sleet, D. (2021). Conceptualizing an interdisciplinary collective impact approach to examine and intervene in the chronic cycle of homelessness. *International Journal of Environmental Research and Public Health*, 18(4).

Welsh, M. & Abdel-Samad, M. (2018). "You're an embarrassment": Un-housed people's understandings of policing in downtown San Diego. *Criminology, Criminal Justice, Law & Society*, 19(3), 33-49.

– **Featured by** the Urban Institute's Housing Matters initiative: How Do Unhoused People in Downtown San Diego Perceive Police Treatment? | Housing Matters

**Lisa Halverstadt, Voice of San Diego reporter covering homelessness, housing and behavioral health crises.**

MuckRack articles by Lisa Halverstadt: <https://muckrack.com/lisahalverstadt>

**INVISIBLE PEOPLE: (Video) [Finland Solved Homelessness; Here's How](#)**

### **Leilani Farha**

Farha, L. (2018, January 15). Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context.

<http://www.unhousingrapp.org/user/pages/04.resources/Thematic-Report-1-Human-Rights-Based-National-Housing-Strategies.pdf>

Keynote Speech (2019, June 14). Keynote Address of the 2019 National HCH Council Conference & Policy Symposium. <https://www.youtube.com/watch?v=YacYT8mKcs>

UN Special Rapporteur on the Right to Housing. Resources. <http://www.unhousingrapp.org/resources>

Farha, Leilani. [Collection] Digital Library of Publications with the United Nations:

<https://digitallibrary.un.org/search?ln=en&p=Farha&f=&rm=&ln=en&sf=latest+first&so=d&rg=50&c=United+Nations+Digital+Library+System&of=hb&fti=0&fti=0>

UN Special Rapporteur on the Right to Housing. The Shift: #MakeTheShift

<http://www.unhousingrapp.org/the-shift>

**Push! The Film.** (Trailer) Gertten, F. (Director). <https://www.youtube.com/watch?v=k9Q4So4femM>

### **San Diego City**

Cusack, C. (2019, April 17) Criminalization of Homeless Residents in San Diego. Presentation to San Diego City Council and its Committee on Public Safety and Livable Neighborhoods.

<https://www.youtube.com/watch?v=h30RtAT6uI&feature=youtu.be>

Davis, K. (2019, July 13). Putting a Face to San Diego's Homeless.

<https://www.luckyduckfoundation.org/news/putting-a-face-to-san-diegos-homeless/>

Davis, K. (2018, Mar 29). San Diego Unveils Unorthodox Homelessness Solutions: Big Tents. *The Guardian*.

<https://www.theguardian.com/us-news/2018/mar/29/san-diego-homelessness-big-tents>

Donoho, R. (2016, April 26). Underpass Rock Garden is Called Anti-Homeless.

<http://sdcitybeat.com/news-and-opinion/from-the-editor/underpass-rock-garden-called-anti-homeless/>

Flanigan, S. & Welsh, M. Unmet needs of individuals experiencing homelessness near San Diego waterways: The roles of displacement and overburdened service systems. *Unpublished manuscript available upon request* – [mwelsh@sdsu.edu](mailto:mwelsh@sdsu.edu)

Halverstadt, L. (2017, November 27). The City is Walking a Tight Rope With Its Hep A and Homelessness Strategies. *Voice of San Diego*.

<https://www.voiceofsandiego.org/topics/government/citys-walking-legal-tight-rope-hep-homelessness-strategies/>

Halverstadt, L. (2019, January 29). Police Ramped Up Homeless Arrests in Days Before Annual Homeless Count. <https://www.voiceofsandiego.org/topics/news/police-ramped-up-homeless-arrests-in-days-before-annual-homeless-count/>

Halverstadt, L. (2017, December 4) What it Took to Clear 17<sup>th</sup> Street. *Voice of San Diego*. <https://www.voiceofsandiego.org/topics/news/took-clear-17th-street/>

Hargrove, D., Krueger, P., Jones, T., & McCullough, S. (2019, June 20). Citations and Arrests Used as a Strategy To Solve Homelessness in San Diego. *NBC 7*.

<https://www.nbcsandiego.com/news/local/Citations-and-Arrests-Used-as-a-Strategy-To-Solve-Homelessness-in-San-Diego-511601292.html>

KUSI Newsroom. (2019, March 26). New report unable to find correlation between spending, homelessness decreases. <https://www.kusi.com/new-report-unable-to-find-correlation-between-spending-homelessness-decreases/>

KUSI Newsroom. (2019, March 26). Study says cities lack data to track effectiveness of homeless programs.

<https://www.kusi.com/study-says-cities-lack-data-to-track-effectiveness-of-homeless-programs/>

Libby, S. (2017, Aug 1). Body Cam Footage Shows SDPD Officer Gave False Testimony in Homeless Case. *Voice of San Diego*. <https://www.voiceofsandiego.org/topics/public-safety/body-cam-footage-shows-cop-gave-false-testimony-in-homeless-case/>

The National Registry of Exonerations. (2017, Sep 18). Tony Diaz. *University of California Irvine Newkirk Center for Science & Society, University of Michigan Law School & Michigan State University College of Law*. <https://www.law.umich.edu/special/exoneration/Pages/casedetail.aspx?caseid=5199>

Theisen, T. (2017, Mar. 20). Quick Fixes Won't Work for San Diego's Disabled Population. <https://www.voiceofsandiego.org/topics/opinion/quick-fixes-wont-work-san-diegos-disabled-homeless-population/>

Welsh, M. & Abdel-Samad, M. (2018). "You're an embarrassment": Un-housed people's understandings of policing in downtown San Diego. *Criminology, Criminal Justice, Law & Society*, 19(3), 33-49. <https://ccjls.scholasticahq.com/article/6330-you-re-an-embarrassment-un-housed-people-s-understandings-of-policing-in-downtown-san-diego>

### **San Diego County**

Pearlman, K. (2018, Jan 24). El Cajon Drops Ban on Feeding Homeless after Arrests Spark International Outrage. *Los Angeles Times*. <https://www.latimes.com/local/lanow/la-me-feeding-homeless-ban-20180124-story.html>

Regional Task Force on Homelessness San Diego. [HousingFirstSanDiego@sdhc.org](mailto:HousingFirstSanDiego@sdhc.org)



The San Diego Housing Commission's (SDHC) homelessness action plan, HOUSING FIRST – SAN DIEGO, is an effective, diverse funding and housing strategy that has created thousands of housing opportunities for individuals and families experiencing homelessness in the City of San Diego.

HOUSING FIRST – SAN DIEGO is rooted in the national “Housing First” model of addressing homelessness – to provide individuals experiencing homelessness with housing as quickly as possible, with supportive services as needed.

The current phase of HOUSING FIRST – SAN DIEGO launched on July 1, 2017. It builds on the accomplishment of the previous phases of this homelessness action plan, which launched on November 12, 2014.

San Diego County General Plan (adopted July 14, 2021) 6<sup>th</sup> Cycle Housing Element Update.

<https://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/06-Housing-Element-2021.pdf>

San Diego County Grand Jury

<https://www.sandiegocounty.gov/content/dam/sdc/grandjury/reports/2017-2018/HepAReport.pdf>

Warth, G. (2019, Feb. 5). HUD Examines Racial, Ethnic, Disparities Within Homeless Populations. *San Diego Union Tribune*. <https://www.sandiegouniontribune.com/news/homelessness/sd-me-homeless-disparity-20190205-story.html>

Warth, G. (2018, Dec 17). San Diego Again Has Fourth Largest Homeless Population in Nation. *San Diego Union Tribune*. <https://www.sandiegouniontribune.com/news/homelessness/sd-me-homeless-report-20181217-story.html>

Winkley, L. (2018, Jan 15). Volunteers Arrested for Giving Food to Homeless People at an El Cajon Park. *Los Angeles Times*. <https://www.latimes.com/local/lanow/la-me-homeless-feeding-arrests-20180115-story.html>

### **California (State)**

Back on the Road California. (2016, April). Stopped, Fined, Arrested. Racial Bias in Policing and Traffic Courts in California. [http://ebclc.org/wp-content/uploads/2016/04/Stopped\\_Fined\\_Arrested\\_BOTRCA.pdf](http://ebclc.org/wp-content/uploads/2016/04/Stopped_Fined_Arrested_BOTRCA.pdf)

Coalition on Homelessness, San Francisco. (2015, June 9). Punishing the Poorest: How the Criminalization of Homelessness Perpetuates Poverty in San Francisco. <http://www.cohsf.org/Punishing.pdf>

Gee, A. (2017, Sep 28). Facing Poverty, Academics Turn to Sex Work and Sleeping in Cars. *The Guardian*. <https://www.theguardian.com/us-news/2017/sep/28/adjunct-professors-homeless-sex-work-academia-poverty>

Lawyers Committee for Civil Rights of the San Francisco Bay Area. (2015, April 20). *Not Just a Ferguson Problem: How Traffic Courts Drive Inequality in California*. <https://lccr.com/wp-content/uploads/Not-Just-a-Ferguson-Problem-How-Traffic-Courts-Drive-Inequality-in-California-4.20.15.pdf>

Herring, C., Yarbrough, D. & Alatorre, L.M. (2019, April 5). Pervasive Penalty: How the Criminalization of Poverty Perpetuates Homelessness. <https://static1.squarespace.com/static/5b391e9cda02bc79baffe9b9/t/5cc1c0569140b7fb43b1af44/1556201561950/Pervasive+Penalty+social+problems+%281%29+%281%29.pdf>

### **United States (National)**

National Homelessness Law Center. (2019, December). Housing Not Handcuffs 2019. <https://homelesslaw.org/wp-content/uploads/2019/12/HOUSING-NOT-HANDCUFFS-2019-FINAL.pdf>

Outside in America Team. (2017, Dec 20). Bussed Out: How America Moves its Homeless. [Interactive] *The Guardian*. <https://www.theguardian.com/us-news/ng-interactive/2017/dec/20/bussed-out-america-moves-homeless-people-country-study>

Sisson, P. (2019, April 5). Cities Can't Criminalize Homelessness, Federal Court Affirms. *Curbed*. <https://www.curbed.com/2019/4/5/18296772/homeless-lawsuit-boise-appeals-court>

United States Interagency Council on Homelessness. (2018, August 18). Homelessness in America: Focus on Chronic Homelessness Among People With Disabilities. [https://www.usich.gov/resources/uploads/asset\\_library/Homelessness-in-America-Focus-on-chronic.pdf](https://www.usich.gov/resources/uploads/asset_library/Homelessness-in-America-Focus-on-chronic.pdf)

### **Housing and Refugees**

Partnership for the Advancement of New Americans (PANA). (2016). San Diego Refugee Experiences. [https://static1.squarespace.com/static/57e1a766ebbd1a21a298c68f/t/58003c465016e1907a2f4880/1476410440558/may31\\_final\\_pana\\_prelim\\_report-4.pdf](https://static1.squarespace.com/static/57e1a766ebbd1a21a298c68f/t/58003c465016e1907a2f4880/1476410440558/may31_final_pana_prelim_report-4.pdf)

### **Housing and Women**

McLarty, E., Rios, A., & Zecchini, O. (2016). Changing Street Corners: The Intersection Between Older Women and Homelessness. *Think Dignity*. [https://www.thinkdignity.org/sites/default/files/documents/Changing%20Street Corners Think%20Dignity December%202016.pdf](https://www.thinkdignity.org/sites/default/files/documents/Changing%20Street%20Corners%20Think%20Dignity%20December%202016.pdf)

### **Housing and Youth**

San Diego Coordinated Community Plan to End Youth Homelessness, approved March 13, 2019 by the U.S. Department of Housing and Urban Development. [https://www.rtfhsd.org/wp-content/uploads/2019/03/SD-County-Coordinated-Community-Plan-to-End-Youth-Homelessness-2019-2024-3\\_13\\_2019.pdf](https://www.rtfhsd.org/wp-content/uploads/2019/03/SD-County-Coordinated-Community-Plan-to-End-Youth-Homelessness-2019-2024-3_13_2019.pdf)