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THIS ISSUE IS **DEDICATED TO** SCOTT NELSON, **FORMER STREET SHEET VENDOR COORDINATOR AND THE ROBIN HOOD OF THE** TENDERLOIN. **REST IN POWER**

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CELEBRATING AND **REMEMBERING** 35 YEARS OF THE **COALITION ON HOMELESSNESS**

LAST SHELTER-**IN-PLACE HOTEL SLATED TO CLOSE THIS** WINTER DESPITE **ONGOING PANDEMIC**

PERSONAL STORIES FROM OUR **CONTRIBUTORS**

WHY IS THE COALITION ON HOMELESSNESS SUING THE CITY OF SAN FRANCISCO?

This article has been adapted from an episode of Street Speak, our podcast answering your burning questions about poverty and homelessness. To listen to the full episode, find us wherever you get your podcasts or on our website, streetsheet.org/street-speak-podcast

Right now, attorneys from the Lawyer's Committee on Civil Rights (LCCR) alongside the American Civil Liberties Union (ACLU) and the Coalition on Homelessness—are suing the City and County of San Francisco for their main response to homelessness: criminalization. Zal Shroff, senior attorney, and Hadley Rood, UC Berkeley public interest fellow, are both part of the racial justice team at LCCR leading this lawsuit. The lawyers were joined by homeless activist and plaintiff Toro Castano to discuss the legal underpinnings of the lawsuit, as well as the impacts that encampment sweeps have on homeless people.

The lawyers and the seven plaintiffs they represent hope this lawsuit will change the way the city responds to homelessness.

Zal Shroff: So the lawsuit, in a nutshell, is about the difference between what San Francisco promises its response to homelessness is and what that response actually is, in fact. So I think the public is often told a narrative that San Francisco has a really progressive response to homelessness. It has a services-first approach to homelessness, so that everyone who wants services or shelter gets access to those services and shelter. And if people are still outside on the street just because they want to be there, we should punish them because they're not taking the services that are being offered to them: That's what the public is sold as the narrative of homelessness in San Francisco, which is to blame unhoused people for the condition of being homeless.

What that story does not show is that San Francisco has fundamentally underinvested in affordable housing over decades, creating an affordability crisis that results in about 20,000 San Franciscans—longtime San Francisco residents—becoming homeless at one point or another

every single year. What results is 8,000 people at any given moment being unhoused in this city and, unlike the city's representation, they have about 4,000 shelter beds for 8,000 unhoused people. So you have an unprecedented crisis of street homelessness where people are forced to sleep outside through no fault of their own because there are no services or shelter for them to access. And so the real misconception, the mistruth that is being spread, is that there is enough shelter to go around for everyone and that people just aren't taking it. And we know that not to be true because we've taken three years of data to show that when people are being cited and arrested, when they're being moved from block to block across the city to pretend like homelessness isn't in the city anymore, what actually is the case is that they have nowhere to go, the city has nothing to offer them, and they're just being policed out of sight. And what we see joins that, is a variety of different harassing conduct, but also massive amounts of property destruction, where people have their survival belongings stolen, seized, thrown in a dumpster on a regular basis. And we see devices that are obviously for survival gear or important technology items, like someone's tent that they're sleeping in, like their blankets or like their MacBook Pro or their cell phone—things that no one could conceive of as trash—that are being thrown in the dumpster directly in retaliation for people being outside, when again, they have no choice but to be there. And that's what's cruel and unusual about San Francisco's practices.

Encampment sweeps are carried out by multiple agencies across the City of San Francisco, which work together under the umbrella of the Healthy Streets Operation Center, known as HSOC. HSOC is comprised of the Public Works Department (DPW), San Francisco Police Department (SFPD), the Fire Department, the Department of Emergency Management, the Homeless Outreach Team, and other agencies. The lawyers told us that there are formal sweeps—carried out by HSOC—and informal sweeps, in which either DPW or SFPD, or sometimes continues on page 3...

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COALITION ON HOMELESSNESS

The STREET SHEET is a project of the Coalition on Homelessness. The Coalition on Homelessness organizes poor and homeless people to create permanent solutions to poverty while protecting the civil and human rights of those forced to remain on the streets.

Our organizing is based on extensive peer outreach, and the information gathered directly drives the Coalition's work. We do not bring our agenda to poor and homeless people: they bring their agendas to us.

STREET SHEET STAFF

The Street Sheet is a publication of the Coalition on Homelessness. Some stories are collectively written, and some stories have individual authors. But whoever sets fingers to keyboard, all stories are formed by the collective work of dozens of volunteers, and our outreach to hundreds of homeless people.

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EPISODE 13: WHY IS THE COALITION ON HOMELESSNESS SUING THE CITY OF SAN FRANCISCO?

Listen to STREET SPEAK, the podcast answering your burning questions about poverty and homelessness in San Francisco. Created by the editors of Street Sheet, this podcast brings you the word on the street. Find the latest episodes on our website and wherever you listen to podcasts.





SAN FRANCISCO SUED OVER SWEEPS

continued from page 2...

both, show up and tell people to move along. Oftentimes sweeps involve not just moving people to the next block, but also confiscating their belongings, including tents, sleeping bags, medications, and other things people need to survive.

Toro Castano: The largest sweeps have several different departments on scene. Usually there's a special [Homelessness Outreach Team], that's just for sweeping. They will offer lodging, but they don't know what might be until about noon or 1:00 in the afternoon. So it's kind of a gamble whether you'll get shelter or congregate shelter or some other type of lodging. The DPW is usually on scene to try to take as much of people's stuff as possible. It's been rumored that they sell stuff at flea markets that seems to be keeping with the kinds of things that they prioritize taking—and then there are usually police to kind of keep things orderly. I've been arrested once during a sweep, but it's not very common for that to happen. Usually they're just interested in pushing people along... Oftentimes [sweeps] can happen early in the morning and they happen as early as 4:30 in the morning. Recently it's been below freezing at that time, so the cold is really disorienting.

Homeless people often lose their survival gear in encampment sweeps, making it harder to make it through cold nights. But it isn't just gear that is stolen. Homeless people across San Francisco have spoken out about precious and personal items stolen and trashed by DPW and SFPD. Recently, activists and homeless community members converged on City Hall to demand an end to encampment sweeps. The effort was coordinated by Stolen Belonging, a group documenting the personal losses unhoused San Franciscans endure during sweeps. The emotional toll encampment sweeps take on their victims is devastating.

Castano: My mother's wedding kimono, in August 2021, that was one of the main things [they stole from me]. It makes one feel less attached to formal society. It makes one feel less valuable or valued. It just further disenfranchises one mentally, emotionally, psychologically.

Rood: One of the main things is, as Toro said, it is dehumanizing, it's devaluing, and it just makes it that much harder to get back on your

feet. One of our named plaintiffs in his declaration talks about how the City took his tent so many times that eventually he decided to just live in a cardboard box because it didn't feel worth it to continue trying to replace the items that the city took over and over again. So stories like that of the things that you have to give up and the constant fear and anxiety. Lots of folks we've talked to are afraid to go to important medical or housing or job related appointments, to leave their belongings for more than a few minutes at a time. And so things like that, the constant fear, anxiety of this happening. And then once it does happen, the kind of feeling of desperation and sadness that goes along with it. And so I think that's what we've observed and tried to document and had the honor of getting to portray.

It's clear that there are a lot of people who are harmed by the city's encampment sweeps, but is the City breaking any laws when it targets homeless people, steals their belongings and pushes them from block to block? The lawyers say yes. They are challenging the legality of San Francisco's encampment sweeps, saying that the City is violating the constitutional rights of those they target.

Shroff: The bulk of the claims that we're making are constitutional claims under the United States Constitution and the California Constitution. And it's really well settled law at this point.

The first major bucket of claims is around the 8th Amendment, which protects against cruel and unusual punishment. And the basis of that doctrine says that you can't punish someone for something they have no control over. If something was involuntary, you don't get to punish them for it. And so the way that applies in the context of unhoused people is that if unhoused people have nowhere else to go in their home community, if they have no shelter, if they have no housing to go to, you cannot punish them just for the act of sleeping or putting a tent up outside. That is a fundamentally unconstitutional and cruel punishment. And that's exactly what, of course, we see San Francisco is doing when it is thousands of shelter beds short, thousands of people who are forced to sleep outside, and yet they're still being harassed and policed every day, arrested, cited, fined, just for the act of sleeping in public. And again, that's entirely separate from totally valid ordinances like oh, someone's obstructing a sidewalk or there's a street hazard. That's not what we're talking about. We're talking about truly thousands of people being cited or arrested purely because they are unhoused. So that's one major bucket of the claims.

The other major bucket is property destruction. Destroying someone's property as the government without a warrant, without sufficient notice in advance, these are 4th and 14th Amendment violations that constitute unreasonable seizures and also a violation of unhoused people's due process rights. And we see that, day in and day out, instead of storing people's property, giving them notice about where to pick it up and allowing people to actually recover their property, most unhoused folks experience their property being destroyed in front of them over their protests. That is obviously a 4th Amendment violation and a 14th Amendment violation.

The other important sets of laws the lawyers say San Francisco is violating are sections of the Americans with Disabilities Act (ADA) and state disability laws. The lawyers told us that there are two major ways that encampment sweeps disproportionately impact people with disabilities. They say they have documented that the City fails to give individuals with disabilities adequate time to collect their belongings when sweeps happen, and that the shelter placements offered oftentimes are not ADA compliant, meaning that disabled people are being displaced and then only offered shelter that cannot accommodate them. They also say that the items lost during encampment sweeps are necessary for disabled people and people with chronic illnesses trying to survive outdoors.

Rood: The City is destroying many valuable and vital medical items. One of our named plaintiffs in her declaration told us she had her prosthetics taken. She's a double amputee and uses either a wheelchair or prosthetics. She had those very expensive medical items taken, and has been unable to replace them since. Other things that have been taken are

things like wheelchairs, walkers, vital medications that folks need daily to manage chronic illnesses. These are things that should be very obvious to city employees are not trash, are vital to individuals' day-to-day lives, and nonetheless, they're thrown away indiscriminately.

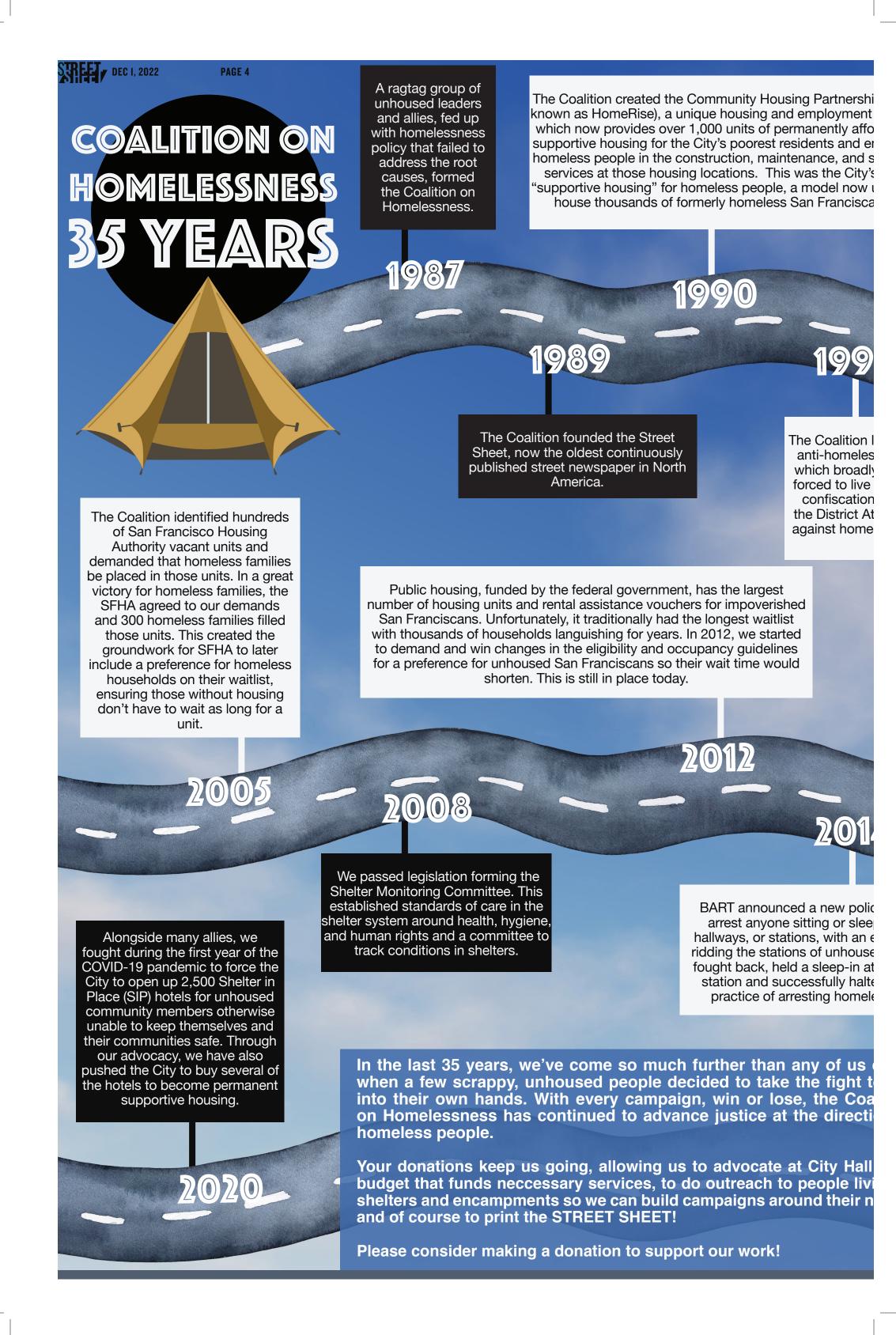
The lawyers are relying on precedents set by Martin v. Boise and Johnson v. City of Grants Pass, two legal decisions that uphold the rights of homeless people. These findings determined that it is a constitutional violation to displace people from encampments unless they are offered real, accessible shelter. These cannot be outdoor safe sleep sites like we have in San Francisco, Shroff says. "Unless there's a roof over your head, it's not shelter." If the plaintiffs win, it might mean that encampment sweeps as we know them will end in San Francisco. The City does not currently have adequate shelter for even half the population of homeless people who need it. And sweeps could only happen if safe and acceptable shelter was offered to those being displaced.

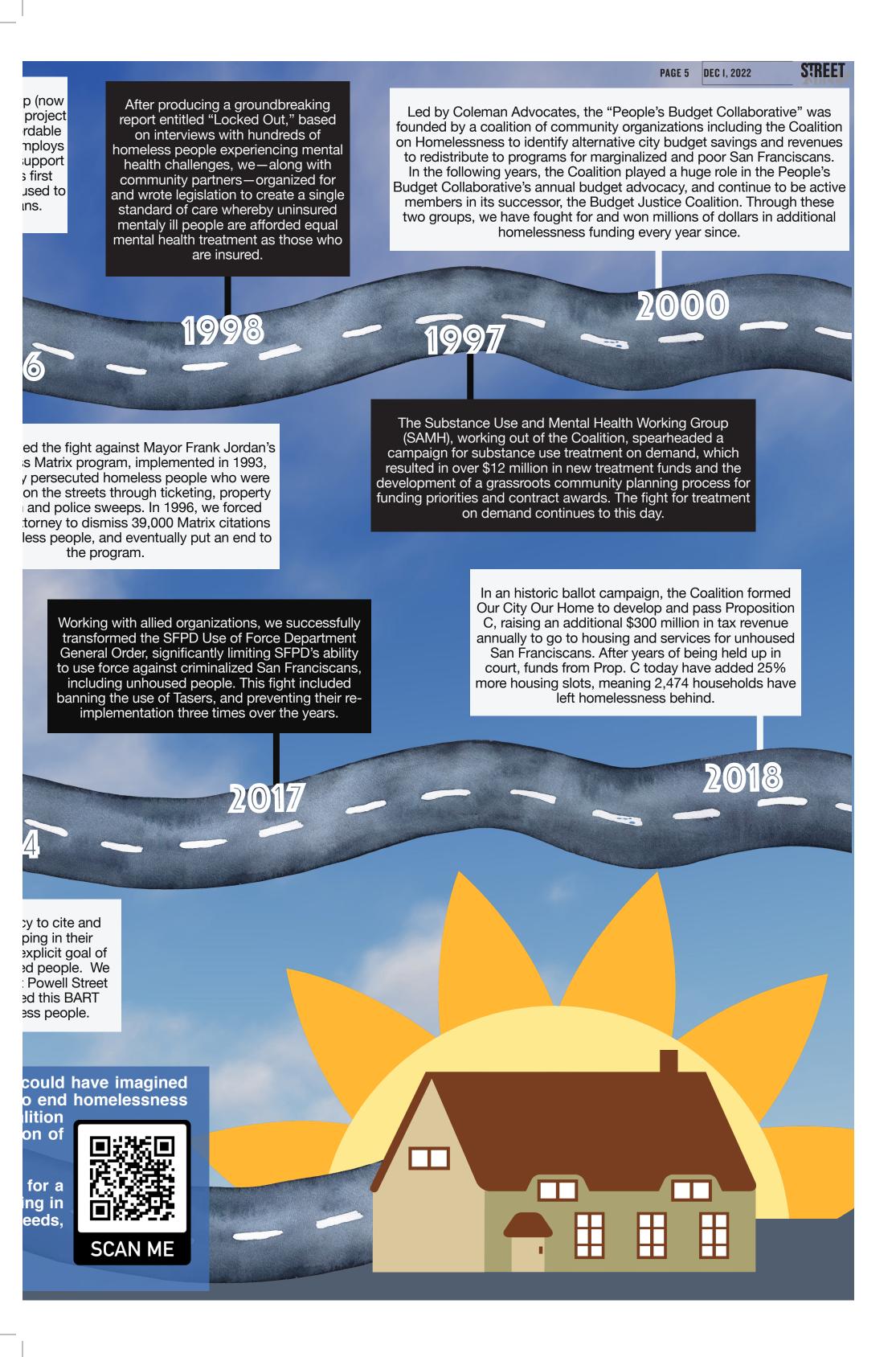
On December 22nd there will be a preliminary hearing that will help determine next steps for this lawsuit. In the meantime, there are ways you can get involved and help the lawsuit prevail.

Rood: We have a Google form that's very short that we've been making publicly available that allows residents and folks in San Francisco to document whenever they see the City committing one of these violations. There's a box you can check if [the City] is forcing people to move without shelter, if they're destroying people's property, if they are not accommodating folks with disabilities, or if there was no advance notice posted at a site. So people in their everyday lives walking around: If you see the City doing something they're not supposed to, or if you yourself experience the City doing something that they're not supposed to, you can let us know. And that will be a way that we can track the City's behavior between now and the hearing on December 22nd.

Here is the link to the google form for the public to report violations: http:// bit.ly/3GW34cI







HOTEL WHITCOMB SLATED TO SHUTTER =

TJ Johnston

THE LAST RESORT IN SF'S HOMELESS HOTEL PROGRAM IS CLOSING

The program accommodating unhoused San Franciscans during the COVID-19 pandemic is scheduled to end in mid-December with the shuttering of the Hotel Whitcomb, according to the Department of Homelessness and Supportive Housing (HSH).

The Whitcomb has become the last remaining safe harbor for homeless people in its final days of participating in the shelter-in-place (SIP) hotel program. Since the program began during the pandemic's early days in April 2020, the Whitcomb has been one of 25 sites that provide a place to stay for people who would otherwise have no roof over their heads at the onset of a global public health emergency.

According to HSH data as of publication time, 237 guests are still housed by the program, which has provided 2,228 rooms and served over 3,700 people, including adults, families and transitional-aged youth, since 2020.

Where these 237 SF residents will go when the Whitcomb closes isn't yet clear. Of the people HSH determined to be eligible for SIP rehousing process, only 1,331, or 57%, successfully exited to some kind of housing or were awarded a housing subsidy. The rest mostly went on to temporary shelter, other institutional settings, or exited through eviction or of their own accord. Others were shuffled to other SIPs when HSH "demobilized" them, or shut them down.

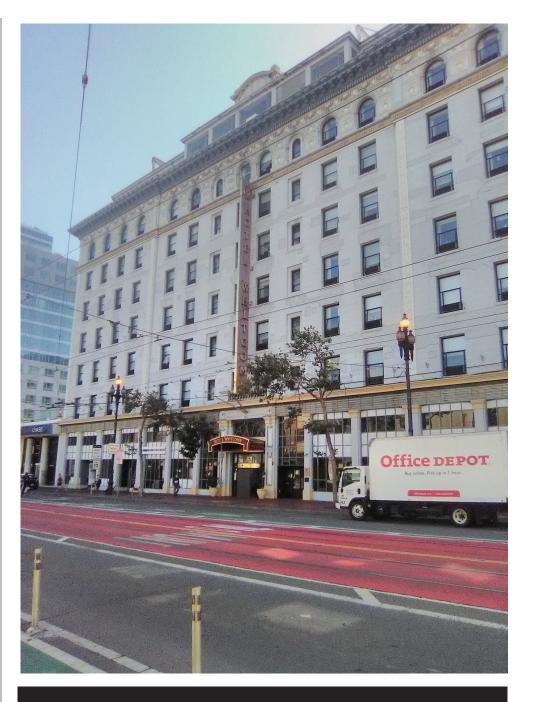
When the City declared a shelter-in-place order in March 2020, unhoused folks faced particular challenges to following guidelines for avoiding the coronavirus: The lockdown shut unsheltered people out of drop-in centers and other places where they could perform basic hygiene, while shelters and other congregate settings struggled to facilitate physical distancing among residents. To remedy this problem for a vulnerable population, the Board of Supervisors ordered hotels to fill over 8,000 vacant rooms. The program operated as many as 30 hotels, including some for frontline health workers and patients in isolation and quarantine, but later in 2020, the City attempted to phase them out.

Those plans were delayed amid outcry from homeless advocates, who pointed out the availability of state and federal funding, and the emergence of coronavirus variants. This moved HSH to give service providers operating the hotels at least 90 days' notice before closure.

However, in 2022, when federal funding lapsed, the City started closing down 16 of the remaining SIP sites at a pace of one or two per month, though some were later repurposed as noncongregate shelters or isolation and quarantine sites for infected unhoused people.

The SIP program has also factored into a 15% decrease in the City's unsheltered population since 2019, according to this year's point-in-time homeless count. ■





BECOME A STREET SHEET VENDOR

STREET SHEET is currently recruiting vendors to sell the newspaper around San Francisco. Vendors pick up the papers for free at our office in the Tenderloin and sell them for \$2 apiece at locations across the City. You get to keep all the money you make from sales. Earn extra income while also helping elevate the voices of the homeless writers who make this paper so unique, and promoting the vision of a San Francisco where every human being has a home.

TO SIGN UP, VISIT OUR OFFICE AT 280 TURK ST FROM 10-4 ON MONDAY-THURSDAY AND 10-NOON ON FRIDAY

HOMELESS BUT I KNOW I'LL FIND MY SUNSHINE

Joanna Piercers

I remember forcing open my simple blanket. It is light—maybe too light. But you know what they say: Beggars can't be choosers, and I was not going to be one, not ever. I was taught better and I was not gonna forget that. And anyway, it was a small gift from a stranger, one I was not ashamed to appreciate.

One year and two days. One whole year and for some reason it feels like always, forever, as if I was made for this, for the never-ending cycles of problems. Two years ago things were different—better—but a job loss was what started it all. Then a headache, just one splitting headache, took away the only person who ever gave me hope, the one person I'd surrender it all for, the one who owned my heart: my sweet mama.

It hurt—hurts to admit that she's gone, dead. I often wonder if there's more I could have done, then maybe I wouldn't be where I am today. But I didn't fail her. I did all I could have, all for her. Draining my bank account for endless procedures, sunk in debt all for her until she ...

She held my hand close to hers, tears in her eyes and with a short dry cough everything stopped. Time, her life, and mine too. All in a month, everything I held close disappeared that day.

To the one I love, the only one I had, I couldn't even offer her the least she deserved. A proper burial. But she would often say there's a ray of sunshine at the end of it all. Then again, being chased from my house without a penny, with nothing but the clothes I had on, didn't seem like sunshine to me. In a way, sunshine did come that same day: I got a job offer. But lost it in—what? I don't seem to remember. A friend offered me a place to crash but funny how tough times reveal what's really inside someone and so I lost her too. No regrets really.

A week later I found myself struggling to live, struggling to have a life, and I found myself at a shelter that was later on destroyed by the rains. Gosh, I remember spiking the highest fever I've ever had but after that it just healed on its own because there was absolutely nothing I could do to help myself. I had no money, no home, no nothing and it's not like I haven't tried my luck, I have, it just hasn't been working out.

That's how I figured how bad life can actually hit you. At least at the shelter good Samaritans would often bring food, but in the streets you have to struggle alone. Whether or not you eat or drink, no one will care. Whether you wash up or wake up the following day with a pretense of nothing, no one looks at you because you become what everyone is used to: a beggar. Someone homeless with no hopes for tomorrow or the day after or ever.

I remember my stomach rumbling and

all I could do is clutch it, pretend it wasn't mine, force a smile and look up to the beautiful skies which never even take away the hunger, the thirst I feel. I was hungry. You could actually go a day or two or three with no food, without getting something to drink. A miracle indeed.

How the stares of passers-by break you twice, some with disgust, worry, sympathy and some can't actually care less, thinking maybe you are at fault—reading between the lines is never in their comprehension because if they do so many stories will be different.

Taking a bath? Gosh I'd be happy to say I did two days in a row. Once in a while was a blessing. I'd rather wear

the same clothes but work out a way to take a bath, learning the hard way, my daily routine.

I look down at the dirty light blanket I have on, just above me the sun begins to illuminate, passers-by, at it again. Some kids who are lucky enough are all heading to school for a better tomorrow, and me, if today is good to me, I'll have something to eat. But a ray of sunshine is where my mind is at. I know the huge pile of papers on my left will no longer be here tomorrow. Writing was never a thought for me, but when it doesn't feel right, I always find myself with a pen and a paper because like mama once told me, this is where I'll find my sunshine.



PART3 OF THE SWEEPY TOWN CHRONICLES

A SWEEPY LIL' TOWN

This is a serial work of fiction. You can find parts 1&2 at streetsheet.org

It was late after the drama surrounding the encampment subsided, and Will had not really established a new shelter to his liking. It was looking like he'd be sleeping rough, and it was drizzling—another temperate San Francisco evening. A few pieces of cardboard with some plastic were going to have to suffice.

All of a sudden, a cold blast of something went through Will's entire body. Hair standing up on all ends, cold sweat on the forehead, and a feeling like he was going to vomit any second.

But Will wasn't coming down with COVID. He absolutely panicked when he remembered the one thing in his lean-to that could not be disturbed under any circumstances: His beloved mother's remains—her ashes and urn. He had been planning on

getting a safety deposit box, but he just needed to save up a few more dollars.

Will was all fired up now; his heart rate doubled, his blood pressure was high, and he felt a bit faint. Will knew that losing his mother's ashes to the police and Department of Public Works who had swept away his shelter would haunt him for the rest of his life. He imagined his mother laying to rest in a garbage landfill somewhere.

Will reflected—what assholes the police and fire and DPW had become. Departments with runaway agents and one-way agendas. Will fell asleep that night contemplating how cruel the human beings who were sworn to protect and serve the people of the great City of San Francisco are.

It wasn't often that Will went to bed with negative topics

bouncing around in his head. Will knew that he would be getting up early to get over to 280 Turk St. in the Tenderloin—the new office central for the Coalition on Homelessness. Will got up and made it there by 9 a.m. The staff at the Coalition are so helpful and pleasant, and always willing to lend a helping hand to whomever is in need of some encouragement.

Will arrived, and as per usual he was warmly greeted and welcomed. There aren't many places that treat homeless people with respect since the pandemic came to town. He sat down with Liam, and brought him up to speed on the latest antics. He asked if someone could set up a video camera, so that he could tell his story and launch it to the community on social media. He spoke about the cancer spreading through the community at the hands of some rogue agents at

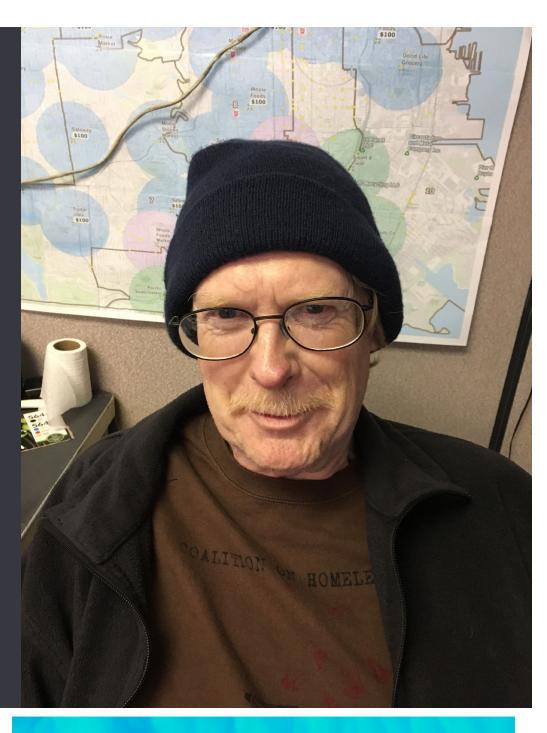
the DPW, the police, the fire department, and the HOT team.

Andy Howard

The outcome of this conversation was a small claims channel that could be used to reimburse people on the streets that have been negatively affected by these illegal sweeps. The next few days were exciting as word started to spread on the street. About a week later, he received a call from the UC Berkeley Law School. They offered to launch a federal civil case, which was filed on September 27th. Will became a declarant in the federal case.

Sweep well, and don't forget to look us up in the next edition of Street Sheet. There will be updates on the upcoming legal battles and policy changes that will give back the homeless community some of the human rights that the current administration doesn't recognize.

We are so heartbroken to share the news of another lost comrade. Scott Nelson was the backbone of the Street Sheet vendor program for years. As a volunteer he fought for recycling programs to remain in operation across the City, helped countless homeless people navigate the system to get their towed vehicles back, and redistributed abandoned transportation devices to people who needed them. He was our Robin Hood and we will always remember him. Please send any memories or photos of Scott to qwatts@cohsf.org.



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Now accepting submissions of poems by email to qwatts@cohsf.org or in person to 280 Turk St nd artwork for our January 1st ssue! Deadline: December 15th

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