

# California Homeless Union

## Statewide Organizing Council



Chico/Paradise \* El Centro/Imperial County \* Inland Empire \* Marysville/Yuba City  
\* Redding \* Sacramento \* Salinas/Monterey County \* Santa Cruz \* San Jose/Santa Clara County \* Ventura County

### Office of the General Counsel

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March 20, 2020

To: Justin Cummings, Mayor, City of Santa Cruz

It has been brought to my attention that Santa Cruz police officers are forcibly removing and threatening to arrest homeless persons camped by the post office. Persons are being ordered to go to what is being called a “triage” center although no physicians or medical professionals, let alone anyone who is properly suited or trained to make determinations of anyone’s medical status, are present. There is no evidence that this “triage” center is in the least set up or equipped to receive those being forced into them. To the extent that non-medical personnel are conducting performing medical screenings, or what purport to be medical screenings, they, and the City of Santa Cruz are engaging in the unauthorized practice of medicine and will be reported to the proper authorities at once.

By conducting sweeps, the City of Santa Cruz and the SCPD are increasing the risk of spreading the coronavirus. The City is violating Governor Newsome’s Executive Order of sheltering in place. In Sacramento, the Homeless Union in collaboration with private parties and the Mayor’s office has established washing stations, porta potties and other hygiene facilities where the encampments exist. If the City of Santa Cruz is not going to immediately provide actual housing to those being swept or ordered to “triage, then under *Martin v. Boise*, these persons must be offered accessible **indoor** shelter, not available at the so-called “triage” center.

Finally, to the extent that police are harassing and interfering with the work of Santa Cruz Homeless Union and Food Not Bombs officers and members, this to advise you that as persons who are providing food, hygiene articles, blankets, soap and water to the homeless, they are providing an essential function. We are in the process of documenting the above-described violations of law and disregard of coronavirus pandemic risk protocols and will hold the City fully accountable for all harms, present and future which may arise therefrom.

Very truly yours,

*Anthony D. Prince*

General Counsel,

California Homeless Union/Statewide Organizing Council

Cc:

Members of Santa Cruz City Council

Anthony Condotti, Office of the City Attorney

Andrew Mills, Chief of Police

National Law Center on Homelessness and Poverty

Northern California ACLU