

Resolution to Remedy Discrimination in San Diego Homeless Shelters by Shane Parmely and Kisha Borden

Resolution Background:

The [San Diego Education Association's Common Good and Community Support Demands in the Time of Covid-19](#) include a call for the city, county, and state to:

- *create a healthy, socio-economic safety net for our students, working families and communities
- *provide safe shelter, healthcare services and support for all, including students, who are suffering from homelessness
- *provide additional support and protection for our students with disabilities, especially our medically fragile students.

Excerpted from the pending lawsuit [Price vs. The City of San Diego](#).

65. In its guidance, the Centers for Disease Control and Prevention (CDC) sets forth key actions local entities, including health departments, homeless service systems, housing authorities, and homeless outreach services, to take “to protect people experiencing homelessness from the spread of COVID-19.” Acknowledging homeless individuals’ risk of COVID-19 infection from community spread, the CDC guidance stated: In the context of COVID-19, the risks associated with sleeping outdoors in an encampment setting are different than with staying indoors in a congregate setting such as an emergency shelter or other congregate living facility. Outdoor settings may allow people to increase distance between themselves and others. However, sleeping outdoors does not provide protection from the environment, quick access to hygiene and sanitation facilities, or connection to healthcare. The balance of risks should be considered for each individual experiencing unsheltered homelessness.

67. The CDC guidance set forth prevention measures for encampments, which the State of California repeated verbatim in its “Recommended Strategic Approaches for COVID-19 Response for Individuals Experiencing Homelessness,” summarized above. The CDC also set forth prevention measures for communications which include providing homeless individuals with “the most recent information about COVID-19 spread in their area” and “[a]dvice to avoid crowded areas if COVID-19 is circulating in their community.”

68. The CDC states: “Some people who are experiencing unsheltered homelessness may be at higher risk of severe illness from COVID-19 due to older age or certain underlying medical conditions, such as chronic lung disease or serious heart conditions. Reach out to these clients regularly to ensure they are linked to care as necessary. Prioritize providing individual rooms for these clients, where available.” The guidance links to CDC’s definition of people who are at higher risk for severe illness from COVID-19, which includes: “People of all ages with underlying medical conditions, particularly if not well controlled, including:

- People with chronic lung disease or moderate to severe asthma
- People who have serious heart conditions
- People who are immunocompromised

Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications

- People with severe obesity (body mass index [BMI] of 40 or higher)
- People with diabetes
- People with chronic kidney disease undergoing dialysis
- People with liver disease”

113. Since May 19, 2020, the City has continued to push unsheltered homeless individuals into the Convention Center and condition access to Homeless Programs on residing in the Convention Center. Yet, hotel and motel rooms made available for high risk homeless individuals under the Homeless Programs have been under-utilized. As of May 19, 2020, there was capacity to house 1,351 persons in County-procured hotel rooms. This capacity was in addition to the 222 hotel administered by the Regional Task Force on the Homeless. As of May 19, 2020, the County had procured more than 1,700 hotel rooms “for the homeless and other unique case individuals that enhance public health and safety while simultaneously meeting the sheltering and physical separation needs of our region’s homeless population and others who need temporary lodging.” The County

provided information on the availability of hotel rooms to the State in the County's May 19, 2020, proposal to accelerate reopening:

*Early in the outbreak, the County aggressively acquired hundreds of hotel units to house individuals experiencing homelessness and prevent exposure to COVID-19.

*Based on the 2020 Regional Homeless Point in Time Count, there are 7,619 homeless individuals living in the County. Of the 7,619 individuals, 15% of this number is 1,143 individuals.

There is present capacity to house 1,351 persons at the public health hotel rooms secured by the County. In addition, there are 222 additional hotel rooms for those who are at risk that are being managed through a contract with the Regional Task Force on the Homeless...

RESOLUTION: DISCRIMINATION IN SAN DIEGO HOMELESS SHELTERS

Whereas the state/federal government each released COVID-19 guidance to prevent/mitigate the spread of COVID-19 among unsheltered individuals and the State recommended low-risk unsheltered individuals remain in current status (sheltered/unsheltered) or move into motels/hotels/trailers where they will not be forced to congregate; and recommended that high-risk unsheltered individuals move into motels/hotels/trailers where they will not be forced to congregate or move into an alternative care center; the County provided information on the availability of hotel rooms to the State in the County's proposal to accelerate reopening, most of which have sat empty for the entirety of the pandemic while the City pushes high-risk individuals into the congregate shelter at the Convention Center (CC).

Whereas the City has received State/Federal money to house unsheltered individuals during the pandemic; entered into a Memorandum of Agreement (MOA) with the County, the San Diego Housing Commission, and the Regional Task Force on the Homeless to use the CC in a regional plan to slow the spread of COVID-19; in the MOA the City agrees to provide high-risk homeless individuals non-congregate housing options including hotels/motels, and transition "high risk shelter residents" to hotel rooms; in May the City reported total monthly expenditures for the CC as \$4.97 million/month, currently \$4,073.77/person, over double the cost of individually housing people in hotels.

Whereas the California Fair Employment and Housing Act prohibits discrimination in housing based on race, familial status, and disability; the homeless population in San Diego is disproportionately African American therefore the City's refusal to place people in hotels is racist because it disproportionately negatively impacts African Americans; the CC shelter refuses to house children thereby discriminating based on familial status; the CC congregate shelter violates state recommendations for unsheltered individuals and the City/County plan for housing high-risk unsheltered individuals thereby discriminating against people with disabilities who are unable to access it due to being immunocompromised.

Be It Resolved the SDCDP calls on the City to immediately follow its own COVID-19 plan and place unsheltered people into available hotel rooms.

Be It Further Resolved the SDCDP asks the State Attorney General to investigate fraud and/or a misuse of COVID-19 funds earmarked to support unsheltered people, and conflict of interest in the City paying itself exorbitant fees to create a congregate housing shelter in the CC in order to offset the City's financial losses due to event cancellations.