

Why Not Admit That The Homeless Shelter Was Full This Summer ?

Why Withhold Information from the Public & the Poor ?

Questions to Homeless Services Center Executive Director Monica Martinez and Her Reply

The HSC provides 46 beds in the Paul Lee loft. And an additional 100 beds in the Armory from November 15th through April 15th. There are over 1000 homeless people in Santa Cruz each night who face \$97 tickets for sleeping outside at the whim of a police officer, a bigoted citizen, or an anxious politician. Since the HSC is always full during the summer, it regularly provided a written form acknowledging that when requested to do so by a homeless victim of the City's Sleeping Ban (MC 6.36.010) on any particular night. That law makes sleeping outside or in a vehicle after 11 PM a crime. That policy apparently changed under HSC Director Monica Martinez requiring that the victims have previously been on a waiting list to get the letter. But important details are unclear. Dozens of people face criminal charges for sleeping outside this summer, many of them peacefully and publicly protesting the law in the PeaceCamp2010 protest at the County Building and City Hall. The letter below is the latest attempt in a continuing series of efforts to get some clear answers.

Monica:

While I appreciated your speech at today's Thanksgiving meal, I'm still waiting for answers to the questions I posed you in several earlier e-mails and by phone.

To reiterate:

- 1. Can anyone who wants to sign up on your waiting list for a shelter bed? Is this still the case now that the Armory is open?**
- 2. Do you gave a person any receipt or other indication that they have signed up for the bed?**
- 3. Is there any requirement that a person "check in" and if so how frequently?**
- 4. Is there someone available each night to advise someone calling in whether the shelter is full? What is the number to call?**
- 5. Will you refuse to provide a letter acknowledging that your shelter was full on a night someone got a ticket if they weren't on your waiting list?**

Please forward me the answers. My last inquiry was over 2 months ago.

I'd prefer to get straight answers from you rather than seek to get answers through Public Records Act requests. Or have the questions be part of the discovery process in a criminal case.

Thanks,
Robert Norse

MONICA MARTINEZ'S REPLY

From: mmartinez@scshelter.org

To: rnorse3@hotmail.com

Subject: RE: Unanswered Questions

Date: Tue, 30 Nov 2010 17:27:03 -0800

Dear Robert,

I'm glad that you could make it to Thursday's Thanksgiving event. I certainly hope that you had an opportunity to enjoy the delicious meal that was provided.

As I stated in my last response to you, the Homeless Services Center dedicates its time and resources to providing quality services to our participants while helping them achieve a better life. Therefore we don't have the capacity to adhere to your requests or threats. However we recently posted information regarding our emergency shelter services on our website at www.scshelter.org. Hopefully, you and others who are interested in our emergency shelter policies will find the information useful.

Sincerely, Monica Martinez M.P.A. Executive Director Homeless Services Center phone: 831-458-6020

Note: www.scshelter.org provides no answers to any of the questions above. However, there is a phone number given for the Paul Lee Loft Program Manager at (831) 458-6020 ex. 4104.

A FOLLOW-UP LETTER FROM HUFF (*Homeless United for Friendship & Freedom*)

Thanks for your prompt reply. Thanks also for helping others get together that last-minute Thanksgiving effort. Hopefully it'll be happening at Xmas too.

None of the answers to the questions posed in the last e-mail are on the HSC website, as you suggested they might be.

We don't understand what the problem is. The questions presented are simple and straightforward. It shouldn't take more than five minutes to respond. We're simply trying to clarify issues which three activists initially raised at a meeting of your Board of Directors back in August.

It would be wrong to regard the questions and previous e-mail as a "threat". To avoid a \$97 citation (or worse), homeless people usually need to use a Necessity Defense. This entails documenting that the city's shelter was full on the night of a particular ticket. Previously the HSC did this as a matter of course when presented with a ticket whether the victim was a member of "a program" or not (though there were significant delays and refusals initially when several members of PeaceCamp2010 brought their citations to you).

If the HSC is now refusing to do this (as we understand is now the case unless you were on a waiting list the night of the ticket, regardless of whether the shelter was full), a homeless defendant has no choice but to subpoena an employee with the records to document a fact, previously freely acknowledged by the HSC.

Since your new policy apparently requires getting on a "waiting list", the requirements for being on that list become rather important. In some cases, it can mean a jail term (under the new "three unattended infractions means any further one is a misdemeanor" law).

Using the Public Record Act is generally a last resort when homeless people can't get important information by tax-supported institutions voluntarily.

The specific requirements of the amended MC 6.36.055 also add additional urgency to being on the waiting list. Hence the question as to what the procedures and restrictions are.

As someone who has worked for years in this field, we believe your heart is in the right place. Please look over the questions below again. Give them five minutes. And let us know the answers.