

From: Nydia Patino <npatino@cityofsantacruz.com>
Subject: **RE: Resending petition for redress of grievances and complaint against Santa Cruz HUD block grant provider**
Date: June 27, 2012 1:18:20 PM PDT
To: "John E. Colby (colby@docktorcat.com)" <colby@docktorcat.com>
Cc: Bren Lehr <BLehr@cityofsantacruz.com>, John Barisone <JBarisone@abc-law.com>, Martin Bernal <mbernal@cityofsantacruz.com>, David Terrazas <DTerrazas@cityofsantacruz.com>, Don Lane <dlane@cityofsantacruz.com>, Hilary Bryant <HBryant@cityofsantacruz.com>, Katherine Beiers <kbeiers@cityofsantacruz.com>, Tony Madrigal <tmadrigal@cityofsantacruz.com>, Lynn Robinson <LRobinson@cityofsantacruz.com>, Ryan Coonerty <rcoonerty@cityofsantacruz.com>
▶ 4 Attachments, 1.6 MB

Mr. Colby:

As you can observe from the email below, I was not in receipt of the email you are referring to until yesterday afternoon. I would suggest, that if you would like me to receive any emails in the future, that you either include me in the "To" line or copy me on the email. Thank you.

Nydia Patiño
Records Coordinator

From: Bren Lehr **On Behalf Of** City Council
Sent: Tuesday, June 26, 2012 12:30 PM
To: David Terrazas; Don Lane; Hilary Bryant; Katherine Beiers; Lynn Robinson; Ryan Coonerty; Tony Madrigal
Cc: Nydia Patino; Martin Bernal
Subject: FW: Resending petition for redress of grievances and complaint against Santa Cruz HUD block grant provider

From: John E.Colby [<mailto:colby@docktorcat.com>]
Sent: Tuesday, June 26, 2012 1:27 AM
To: City Council
Cc: Don Lane; Ryan Coonerty; Katherine Beiers; Hilary Bryant; Tony Madrigal; Lynn Robinson; David Terrazas; John Barisone; Martin Bernal; Carol Berg; John McCarty; Lester Davis; Richard Salom; Clifford Taffet; Maria F. Cremer; Kimberly Y. Nash; James R. Grow; Neil Donovan; Joey Gallardo; Michael Collier; Amy Chance; David Butler; Gretchen White; 4listens@kron4.com; assignmentdesk@kqed.org; contact@pacifica.org; Greg Archer; Elizabeth Limbach; Terry Francke
Subject: Resending petition for redress of grievances and complaint against Santa Cruz HUD block grant provider

June 26, 2012

City Council
809 Center Street, Room 10
Santa Cruz, CA 95060
Tel: 831.420.5020

via email to: citycouncil@cityofsantacruz.com

cc: dlane@cityofsantacruz.com
cc: rcoonerty@cityofsantacruz.com
cc: kbeiers@cityofsantacruz.com
cc: hbryant@cityofsantacruz.com
cc: tmadrigal@cityofsantacruz.com
cc: lrobinson@cityofsantacruz.com
cc: dterrazas@cityofsantacruz.com
cc: JBarisone@abc-law.com
cc: mbernal@cityofsantacruz.com
cc: cberg@cityofsantacruz.com
cc: John.McCarty@hud.gov
cc: Lester.Davis@hud.gov
cc: Richard.Salom@hud.gov
cc: Clifford.Taffet@hud.gov
cc: Maria.F.Cremer@hud.gov
cc: kimberly.y.nash@hud.gov
cc: jgrow@nhlp.org
cc: info@nationalhomeless.org
cc: joey.gallardo@disabilityrights.org
cc: mcollier@schronicle.com
cc: achance@sacbee.com
cc: dbutler@mercurynews.com
cc: white@kpix.cbs.com
cc: 4listens@kron4.com
cc: assignmentdesk@kqed.org
cc: contact@pacifica.org
cc: garcher@qtweekly.com
cc: elizabeth@qtweekly.com
cc: terry@calaware.org

re: Resending petition for redress of grievances and complaint against Santa Cruz HUD block grant provider

Dear City Council:

I am writing to you to ensure that you have received the copied email with the subject line "**Petition for redress of grievances and complaint against Santa Cruz HUD block grant provider**". I am asking in accordance with the California Public Records Act (CPRA) — I am making a CPRA request — that the City of Santa Cruz forward me back a copy of this email as a PDF when you receive it. Your records custodian Nydia Patiño claims that you have not received this petition for the redress of grievances from me.

I want proof that the City of Santa Cruz received this email message. This is important for federal agencies to know.

Question:

Mayor Don Lane acknowledged receipt of this email in a telephone voicemail to me and emails which have been published on Santa Cruz Indymedia, as well Santa Cruz City Clerk Bren Lehr verbally confirming receipt and Santa Cruz Housing Programs Manager Carol Berg admitting in an email receiving it — why does Santa Cruz Records Custodian Nydia Patiño deny the City Council received it? Why is Ms. Patiño denying this?

I intend to keep resending this email until Ms. Patiño confirms receipt by forwarding me back a copy of it.

I appreciate your confirming receipt of this email by having Ms. Patiño forward me back **immediately** a copy of this email as a PDF.

Sincerely yours,
John E. Colby, Ph.D.

email: colby@docktorcat.com
telephone: 831.471.9767
cellphone: 831.419.1521

postal address:
849 Almar Avenue, Suite C-242
Santa Cruz, CA 95060

Begin forwarded message:

From: "John E. Colby" <colby@docktorcat.com>
Date: June 11, 2012 10:54:48 AM PDT
To: citycouncil@cityofsantacruz.com
Subject: Petition for redress of grievances and complaint against Santa Cruz HUD block grant provider

June 11, 2012

Mayor Don Lane
809 Center Street, Room 10
Santa Cruz, CA 95060
Tel: 831.420.5020

via email to: dlane@cityofsantacruz.com
cc: ccooney@cityofsantacruz.com
cc: kbeiers@cityofsantacruz.com
cc: hbryant@cityofsantacruz.com
cc: tmadrigoal@cityofsantacruz.com
cc: lrobinson@cityofsantacruz.com
cc: dtarrasas@cityofsantacruz.com
cc: JBarisone@abc-law.com
cc: mbemal@cityofsantacruz.com
cc: cbert@cityofsantacruz.com
cc: John.McCartv@hud.gov
cc: Lester.Davis@hud.gov
cc: Richard.Salom@hud.gov
cc: Mercedes.M.Marquez@hud.gov
cc: Maria.F.Cremer@hud.gov
cc: jgrow@nhlp.org
cc: info@nationalhomeless.org
cc: Disability Rights California via facsimile
cc: mcollier@schronicle.com
cc: achance@sacbee.com
cc: dbutler@mercurynews.com
cc: white@knix.cbs.com
cc: 4listens@kron4.com
cc: assignmentdesk@kqed.org
cc: contact@pacific.org
cc: jcopeland@santacruzsentinel.com
cc: qarcher@qtweekly.com
cc: msc@metcruz.com
cc: brad.kava@patch.com
cc: editors@cityonahillpress.com
cc: ksconews@gmail.com
cc: kusp@kusp.org
cc: frsc@freakradio.org

re: Petition for redress of grievances and complaint against Santa Cruz HUD block grant provider

Dear Mayor Lane:

I am writing to you as the authorized representative and advocate for Steve Lazow, a disabled homeless citizen of Santa Cruz. Please view my officiated certification of representation and advocacy attached as a PDF and viewable using the link below:

<http://tinyurl.com/6pk6or2>

Mr. Lazow is confined to a wheelchair. It is cruel, abusive and uncompassionate that the City of Santa Cruz would force him to sleep outdoors, vulnerable to attack and the elements. Mr. Lazow was evicted last Sunday from the Paul Lee Loft shelter for exercising his disability rights. His friend Mia LNU was evicted from the Paul Lee Loft for assisting Mr. Lazow in exercising his disability rights. It is inexcusable that Paul Lee Loft shelter staff would violate the Americans with Disabilities Act (ADA), Section 504 (of the Rehabilitation Act of 1973), and the federal Fair Housing Act, discriminating against both Mr. Lazow and Mia LNU by making them homeless for exercising Mr. Lazow's disability rights. Moreover, staff at the Paul Lee Loft shelter violated the requirements of their HUD grant money, placing their HUD funds at risk.

Additionally, it is reported that the staff-person who evicted Mr. Lazow and Mia LNU from the Paul Lee Loft shelter is a misogynist who has a grudge against Mia LNU. This could be determined to be gender based harassment violating the federal Fair Housing Act.

Please view the petition by homeless individuals staying at the Homeless Services Center (HSC) campus to reinstate Mr. Lazow and Mia LNU at the Paul Lee Loft shelter, and to reprimand staff-person Joe LNU for writing up Mr. Lazow and Mia LNU then evicting them from the Paul Lee Loft shelter, forcing Mr. Lazow to sleep outdoors in his wheelchair, at great risk, while he suffers pain from a medical condition related to his physical disability. It is attached as a PDF and may be viewed using the link below:

<http://tinyurl.com/d283boh>

Please view the incident reports by Megan Andrea Morgan, whom I also advocate for and represent, and Patricia Bounds. They both ask that Mr. Lazow and Mia LNU be reinstated at the Paul Lee Loft shelter and that staff-person Joe LNU be reprimanded. These reports are attached as PDFs and may be viewed using the links below:

<http://tinyurl.com/cf56xmz>

<http://tinyurl.com/d2evg2x>

Please view photographs of Mr. Lazow resting, trying to fall asleep against the back wall of the rear of the HSC Campus parking lot. A blanket is his only protection from the elements. He has no protection from criminals who might do him harm due to his vulnerability:







I would like to describe the factual circumstances as I understand them from speaking to several people and my own observations:

Mr. Lazow is confined to a wheelchair. Due to a serious physical disability, Mr. Lazow does not have any function in his legs — his legs are mostly paralyzed.

The Paul Lee Loft shelter does not provide assistive services for physically disabled homeless individuals who are unable to shower because of their disabilities, e.g. individuals in wheelchairs like Mr. Lazow.

Paul Lee Loft shelter staff refused to assist Mr. Lazow in showering, thus he was unable to shower. Mia LNU informed Paul Lee Loft shelter staff that she would assist Mr. Lazow in showering, since he was not receiving assistance and had not recently showered.

After helping Mr. Lazow shower, two Paul Lee Loft shelter staff—people commended Mia LNU for her assistance in helping Mr. Lazow take showers.

Early Sunday morning Paul Lee Loft shelter employee Joe LNU wrote up Mr. Lazow and Mia LNU for a female showering with a male in the male showers. Joe informed them verbally, not in writing, that they were being exited from the Paul Lee Loft shelter after doors closed that morning and could not return. Joe LNU did not provide them written complaints which they could dispute using an appeals process. Joe LNU denied Mr. Lazow and Mia LNU their federally guaranteed due process rights. Mr. Lazow believes that Joe LNU retaliated against him because one of Mr. Lazow's friends publicly embarrassed Joe LNU by calling Joe out to fight off the property — Joe LNU backed down in front of others. Mr. Lazow believes that Joe LNU bears a personal grudge against him.

Mia LNU and others related to me that Joe LNU is a misogynist who bears a grudge towards Mia. They believe Joe LNU was retaliating against Mia because of his grudge against her which seems to be based in misogyny.

Mia LNU was able to stay Sunday night in the motel room of a friend. Mr. Lazow was unable to find an available motel room. Consequently Mr. Lazow was not housed Sunday night, sleeping in his wheelchair covered by a blanket, in the parking lot of the Homeless Resource Center (HSC) Campus.

Mr. Lazow informed me that he was the victim of a robbery last January. He informed the SCPD. Others told Mr. Lazow that the perpetrator had been caught by the SCPD yet no charges were brought against this individual by the District Attorney's Office. The SCPD did not return Mr. Lazow's stolen belongings to him.

Mr. Lazow was seen at a medical clinic Sunday afternoon. His swollen left leg was bandaged. Mr. Lazow was not told the nature of his medical condition. Mr. Lazow was prescribed medicine for the swelling. Mr. Lazow has been in a great deal of pain since then. When I entered the HSC Campus Sunday night around 7:30 PM, I saw paramedics leaving the campus. Mr. Lazow informed me that he had called 911 for the paramedics. The paramedics refused to examine and treat Mr. Lazow. They did not even examine his swollen, bandaged left leg. The paramedics

claimed Mr. Lazow had called them just to gain housing for the night. I photographed Mr. Lazow where he was resting, covered by a blanket, trying to sleep while suffering in pain. I left to obtain food and water for him. I returned about 30 minutes later with food and water. I told Mr. Lazow to call me if the pain became unbearable, that I would call 911 for him and have the paramedics return, because I am his representative and advocate. I then left Mr. Lazow. I have not spoken with him since then. I don't know if he survived the night.

Lastly, HSC Executive Director Monica Martinez refuses to recognize me as an advocate and representative, claiming that HSC clients require court ordered requests to retain an advocate and representative. This is outrageous! Her staff refuses to provide me a written copy of this policy so that I may share it with the federal government, an attorney and the news media. I believe her claimed policy is illegal, not only under the ADA, but also under laws which allow people to retain others, like family members, as representatives and advocates for them. If Ms. Martinez does not acknowledge me as a representative and advocate for HSC clients then I plan to take legal and governmental action against the HSC and the City of Santa Cruz which funds and administers it.

I ask that:

- Mr. Lazow and Mia LNU be immediately reinstated at the Paul Lee Loft shelter.
- Paul Lee Loft shelter staff—person Joe LNU be reprimanded.
- Monica Martinez, Executive Director of the HSC, personally apologize to Mr. Lazow and Mia LNU, assuring them that they will be able to exercise Mr. Lazow's federally protected disability rights without retaliation by HSC staff.
- Monica Martinez, Executive Director of the HSC, personally ensure that the petitioners, especially Ms. Morgan whom I represent and who gathered signatures for the petition, be protected from retaliation and coercion as they acted to assist Mr. Lazow and Mia LNU in exercising his federally protected disability rights.
- Monica Martinez, Executive Director of the HSC, personally direct HSC staff in crafting ADA, Section 504 and Fair Housing compliance policies and procedures — complying with HUD guidelines — to be given to all applicants and HSC staff.
- All HSC staff be educated about beneficiaries' rights and staff's responsibilities under the ADA, Section 504, the Fair Housing Act and other applicable nondiscrimination laws.

A signed copy of this email message will be mailed to you via certified post. I appreciate your immediate attention to my petition for redress of grievances and your addressing my complaint against the Paul Lee Loft shelter (part of the HSC) as a Santa Cruz HUD block grant provider.

Sincerely yours,
John E. Colby, Ph.D.

email: colby@docktorcat.com
telephone: 831.471.9767

postal address:
849 Almar Avenue, Suite C-242
Santa Cruz, CA 95060