

**From:** [Carroll, John \(BOS\)](#)  
**To:** [Carroll, John \(BOS\)](#)  
**Subject:** FW: Do Not Kill The One Positive Action  
**Date:** Friday, August 7, 2020 9:58:50 AM

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**From:** Fred Winograd <[fwinograd@yahoo.com](mailto:fwinograd@yahoo.com)>

**Sent:** Thursday, July 30, 2020 9:53 AM

**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Mar, Gordon (BOS) <[gordon.mar@sfgov.org](mailto:gordon.mar@sfgov.org)>; Haney, Matt (BOS) <[matt.haney@sfgov.org](mailto:matt.haney@sfgov.org)>

**Cc:** Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Walton, Shamann (BOS) <[shamann.walton@sfgov.org](mailto:shamann.walton@sfgov.org)>; Stefani, Catherine (BOS) <[catherine.stefani@sfgov.org](mailto:catherine.stefani@sfgov.org)>; Safai, Ahsha (BOS) <[ahsha.safai@sfgov.org](mailto:ahsha.safai@sfgov.org)>; RonenStaff (BOS) <[ronenstaff@sfgov.org](mailto:ronenstaff@sfgov.org)>; Fewer, Sandra (BOS) <[sandra.fewer@sfgov.org](mailto:sandra.fewer@sfgov.org)>; PrestonStaff (BOS) <[prestonstaff@sfgov.org](mailto:prestonstaff@sfgov.org)>

**Subject:** Do Not Kill The One Positive Action

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors Mar, Peskin, and Haney:

The Hastings settlement is having an extraordinarily positive impact on the homelessness crisis.

WHY WOULD YOU VOTE AGAINST THE ONLY POSITIVE ACTION TAKEN  
BY  
THE MAYOR AND HER ADMINISTRATION?

Let's support positive actions NOT meaningless words.

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Carroll, John \(BOS\)](#)  
**Subject:** FW: Support the UC Hastings Lawsuit Settlement  
**Date:** Monday, August 3, 2020 12:40:21 PM

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**From:** Carolyn <carolynj0@yahoo.com>  
**Sent:** Thursday, July 30, 2020 10:55 AM  
**To:** Marstaff (BOS) <marstaff@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Haneystaff (BOS) <haneystaff@sfgov.org>  
**Cc:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Support the UC Hastings Lawsuit Settlement

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I see the Tenderloin Settlement as a net positive for Homeless left to barely exist on our streets.

In May, the SF Chronicle reported "The number of homeless people in San Francisco that died over a recent eight-week period spiked compared to the same time last year - an increase officials say was likely driven by drug overdoses, underlying medical conditions and the disruption to shelter and services due to the coronavirus pandemic."

The settlement has shown that the city can respond to address the needs of people our streets....we need the outreach to continued not abate. We need more programs that address the growing need across the city

Please vote to allow the settlement to stand.  
Carolyn Thomas

Sent via

**From:** [Kavin Goyal](#)  
**To:** [Carroll, John \(BOS\)](#)  
**Subject:** Public Comment  
**Date:** Friday, July 31, 2020 1:39:24 PM

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Hello, I'm calling to ask the Government Audit and Oversight committee to vote 'no' on the UC Hasting Settlement, which will endanger unhoused people left on the TL's streets by this settlement. The lawsuit itself is racist and unjust. In particular, the goal of zero tents in the Tenderloin will mean sweeps and policing--which advocates and unhoused people agree unjustly criminalize the very existence of homeless folks without offering alternative resources. Indeed, visible poverty is not a crime, and should not be treated as such.

Today, I join alongside the over forty orgs in the Tenderloin to call on you to reject this settlement. By doing so, YOU can avert the looming disaster of a zero tent policy with enforcement measures while over 1,600 unhoused remain in the TL, YOU can ensure that police are removed as responders to homelessness, YOU can end the dangerous precedent of litigating away the unhoused, and YOU can allow the Coalition on Homelessness, Hospitality House, and Faithful Fools, parties who were granted intervention in the lawsuit, but who did not have an opportunity to participate in the initial settlement - a seat at the table - these orgs will bring the TL's UNHOUSED to any settlement talks and demand MORE resources

Thank you for your time, and please vote no on the UC Hastings settlement.

**From:** [Darby Auerbach-Morris](#)  
**To:** [Carroll, John \(BOS\)](#)  
**Subject:** Support to keep Hastings Settlement  
**Date:** Thursday, July 30, 2020 2:27:05 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Mr. Carroll,

I stayed on the call this morning for many hours to give my Public Comment of Support to the Hastings Settlement. Then, my work of educating young learners of special needs called.

Here are my comments for Support of keeping the Hastings Settlement for the record.

Thank you, Supervisors, for this opportunity today. My name is Darby Auerbach-Morris. I am a long-time resident of San Francisco, Co-captain of 20th Street Neighborhood Watch, and Educator for students with special needs, for many years. The passing of the Hastings Settlement is one example of making forward progress with the crisis of homelessness in our city. The passing of it has shown a positive impact for residents in the Tenderloin, as well as provided shelter for people on the streets. In my line of work, if something is working, I continue with it, and even make it better. Progress does take time and good, smart thought. I believe Hastings Settlement is a step in the right direction. All people must feel safe on our streets. All people have the right to shelter, food, clothing, and education. All people must be provided with the best means of staying healthy. Please support the keeping of the Hastings Settlement.

Thank you for reading this and listening,  
Darby Auerbach-Morris  
Co-Captain, 3900 Block 20th Street Neighborhood Watch SFSafe

***Darby Auerbach-Morris, MSW, CA Clear Dual Credential Educational Specialist/GenEd  
K-12  
3933 20th Street  
San Francisco, CA 94114  
[415-638-2340](tel:415-638-2340)***

**From:** [David Goldman](#)  
**To:** [Carroll, John \(BOS\)](#)  
**Subject:** Support the Tenderloin lawsuit settlement  
**Date:** Thursday, July 30, 2020 1:35:22 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

We have lived in San Francisco since the early 1970s. We are writing to you today to urge you to support the Tenderloin lawsuit settlement. This settlement has improved the living conditions for the folks living in the Tenderloin, while giving the homeless there a safer sleeping alternative.

My neighborhood, the Castro, is also besieged by encampments blocking the sidewalk on many streets including the west side of the 200 block of Sanchez street, and the north side of 16th Street between Market and Sanchez. We have talked with many of the folks in these encampments and they have explicitly stated to me, as well as to the HSOC teams, that they do not want services as they like being able to use their injectable drugs on the streets. We continually find used needles on the ground where they are camped out. We have been threatened with violence by these folks. And our calls to 911 about these threats yielded no results.

Please support the settlement.

Thank you.

David Goldman  
Kenneth Michael Koehn  
246 Sanchez Street  
Apt. B  
dkgoldman@yahoo.com  
m: 415-728-7631

**From:** [Susie McKinnon](#)  
**To:** [Haneystaff \(BOS\)](#); [Marstaff \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Carroll, John \(BOS\)](#)  
**Subject:** Public comment || File 200758 - Cova Hotel supports UC Hastings College of Law settlement  
**Date:** Thursday, July 30, 2020 10:54:37 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

RE: File 200758  
From: Cova Hotel - 655 Ellis St., SF, CA 94109

Dear Supervisors:

Thank you for holding this hearing. We are currently waiting to give public comment via phone, but not sure we will have the time to wait until this agenda item (12) comes up.

We are writing to **express our strong support** for this settlement. We also want to thank UC Hastings and its partners in initiating this case.

Sidewalk encampments, homelessness, and illicit and open-air drug activities have substantially increased over the last two years and especially during the pandemic.

We hope this case and the work involved will produce on-going and long-term effects to help those in need and create an acceptable quality of life for residents, businesses, and visitors.

Our local businesses are suffering a compounded level of challenges at this time. We urge you to approve this settlement and work towards on-going relief to improve the Tenderloin.

Thank you.

**Susie McKinnon . Community Relations, Cova Hotel**

655 Ellis Street, San Francisco, CA 94109 . [www.covahotel.com](http://www.covahotel.com) . 415-756-9450 . *comfort - value - service - design*

**From:** [Frances Gorman](#)  
**To:** [Carroll, John \(BOS\)](#)  
**Subject:** Fwd: Please Support the UC Hastings Lawsuit Settlement  
**Date:** Thursday, July 30, 2020 10:10:28 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please add this to the record. Thank you.

----- Forwarded message -----

**From:** **Frances Gorman** <[francesgorman@gmail.com](mailto:francesgorman@gmail.com)>  
**Date:** Thu, Jul 30, 2020 at 9:36 AM  
**Subject:** Please Support the UC Hastings Lawsuit Settlement  
**To:** Mayor London Breed <[mayorlondonbreed@sfgov.org](mailto:mayorlondonbreed@sfgov.org)>, <[rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org)>, <[mandelmanstaff@sfgov.org](mailto:mandelmanstaff@sfgov.org)>, <[Matt.Haney@sfgov.org](mailto:Matt.Haney@sfgov.org)>, <[Gordon.Mar@sfgov.org](mailto:Gordon.Mar@sfgov.org)>, <[Dean.Preston@sfgov.org](mailto:Dean.Preston@sfgov.org)>, <[Hillary.Ronen@sfgov.org](mailto:Hillary.Ronen@sfgov.org)>, +Catherine+Stefani+ <[Catherine.Stefani@sfgov.org](mailto:Catherine.Stefani@sfgov.org)>, <[Norman.Yee@sfgov.org](mailto:Norman.Yee@sfgov.org)>, <[Aaron.Peskin@sfgov.org](mailto:Aaron.Peskin@sfgov.org)>, <[Sandra.Fewer@sfgov.org](mailto:Sandra.Fewer@sfgov.org)>, <[Ahsha.Safai@sfgov.org](mailto:Ahsha.Safai@sfgov.org)>, <[Shamann.Walton@sfgov.org](mailto:Shamann.Walton@sfgov.org)>, <[info@rescuesf.org](mailto:info@rescuesf.org)>, <[chancellor@uchastings.edu](mailto:chancellor@uchastings.edu)>

Dear Supervisors Mar, Peskin, and Haney:

I join RescueSF in urging the Board of Supervisors to support the City's settlement agreement with UC Hastings. The Hastings settlement is having an extraordinarily positive impact on the homelessness crisis. Since the agreement was reached on June 12th, the City has moved hundreds of our unhoused residents off of the streets into shelter -- mostly hotels but also including safe sleeping sites. As a result, the number of tents on the Tenderloin's streets has been reduced by more than 70%. The settlement does not require the City to pay any damages to Hastings.

We believe that criticisms of the settlement are completely unfounded. Critics want the City to do more to address homelessness. We agree, but that's not a reason to oppose the settlement. The City can always do more on its own, without having to renegotiate the agreement with Hastings. The critics are also concerned that the City will use excessive force against the homeless. This criticism is not consistent with the facts. All of the homeless who have left the streets of the Tenderloin in response to the settlement have done so voluntarily. The settlement fully complies with the 9th Circuit's decision in the Boise case.

The Hastings settlement has sparked the City's first major effort to address the homelessness crisis. The City can and must do more. Just last week, the Mayor announced a Homelessness Recovery Plan that will ensure that the approximately 2,000 unhoused individuals staying in hotels, which includes people who recently left the streets of the Tenderloin, will not return to the streets after the pandemic has ended. This is progress in the right direction, and we should support it.

Thank you for your hard work on behalf of our City. We hope that you will take concrete

steps to address the homelessness crisis by supporting the settlement with Hastings.

Sincerely,

Frances Gorman  
2655 Franklin Street, Apt. 4  
San Francisco, CA 94123  
415-519-0148

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Frances Gorman  
Travel Director  
Certified Guide, San Francisco Tour Guide Guild  
Certified Tourism Ambassador  
415-519-0148 (mobile)  
[Francesgorman@gmail.com](mailto:Francesgorman@gmail.com)



**From:** [Wes Saver](#)  
**To:** [Carroll, John \(BOS\)](#)  
**Cc:** [Peskin, Aaron \(BOS\)](#); [Marstaff \(BOS\)](#); [Haneystaff \(BOS\)](#)  
**Subject:** Re: File #200758—Settlement of Lawsuit - Hastings College of the Law—OPPOSE  
**Date:** Thursday, July 30, 2020 7:15:53 AM  
**Attachments:** [2020.07.29 - Settlement of Lawsuit - Hastings College of the Law—OPPOSE.pdf](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Carroll and Distinguished Members of the GAO Committee,

Please find the attached position letter on behalf of GLIDE in opposition to the settlement of the lawsuit between the City and Hastings College of the Law.

Thank you for your consideration.

Sincerely,

Wesley Saver

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**Wesley Saver, MPP**

Policy Manager

Center for Social Justice

**GLIDE** 330 Ellis Street, Room 506, San Francisco, CA 94102

**OFFICE** (415) 674-5536 | **MOBILE** (847) 682-8639 | **PRONOUNS** He/Him

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July 29, 2020

Government Audit and Oversight Committee  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**Re: File #200758—Settlement of Lawsuit - Hastings College of the Law—OPPOSE**

Dear Supervisors Mar, Peskin, and Haney:

On behalf of GLIDE, we urge you, the Government Audit and Oversight Committee (GAO), to reject the settlement of the lawsuit filed by Hastings College of the Law (UC Hastings) against the City and County of San Francisco. Furthermore, we respectfully request you to issue instructions to the City to negotiate an agreement that ensures critical protections and provides for more resources for people experiencing homelessness. The Board of Supervisors should send a clear message to UC Hastings and the City that the University does not get to determine San Francisco's response to the needs of an impoverished community.

As a leading social service provider in San Francisco's Tenderloin neighborhood, in the ever-changing landscape of the pandemic, GLIDE continues to meet the growing needs of the city's most vulnerable residents. We have modified and expanded essential services to address rising unemployment, food insecurity, and other vulnerabilities among unhoused and extremely-low-income people to support thousands of individuals and families through a deeply precarious and challenging time, while also helping them establish foundations for meaningful change. Most recently, too, in partnership with the Department of Public Health, we have begun on-site testing for COVID-19.

Almost two months into San Francisco's order to shelter-in-place, UC Hastings sued the City and County of San Francisco, demanding that the tents across the Tenderloin neighborhood be removed. A little over a month later, the City and UC Hastings entered into a settlement agreement without the participation of any unhoused person. Since the beginning of the pandemic, we have been advocating that the City move unhoused persons into hotels to protect them from COVID-19. Although we support the City's recent efforts to move persons into these hotel rooms, the agreement lacks basic constitutional protections, especially for persons with disabilities, and does not compel the City to procure enough hotel rooms to adequately shelter or provide real solutions to the over 2,000 unhoused San Franciscans in the area.<sup>1</sup>

Troubled by the implications of such a lawsuit during the global pandemic, we at GLIDE, along with over two dozen other Tenderloin and San Francisco based organizations sent a [letter to UC Hastings Chancellor David Faigman with an attached pledge](#): that any settlement must respect legal precedent, Centers for Disease

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<sup>1</sup> <https://www.courthousenews.com/wp-content/uploads/2020/05/SFTenderloinBlight-COMPLAINT.pdf>

Control and Prevention guidelines,<sup>2</sup> and the broader human rights of unhoused in the Tenderloin. Faigman dismissed our concerns and refused to sign the pledge. Concurrent to our efforts, UC Hastings students and alumni began organizing and subsequently expressed their concerns with the lawsuit in an open letter to the University.<sup>3</sup> With our concerns dismissed and legal proceedings continuing, Coalition on Homelessness, Hospitality House, and Faithful Fools filed in the courts to join the UC Hastings lawsuit as an interested party in an effort to stave off the worst parts of the UC Hastings lawsuit.<sup>4</sup> Though included, the unapproved settlement had already been agreed upon.

Lawyers from the City and UC Hastings had met extensively, culminating in the June 12 announcement<sup>5</sup> by Mayor London Breed of a [settlement](#), unapproved by the courts or the Board of Supervisors. The unapproved settlement stipulated that the City would transition approximately 375 people, or just 18 percent of the Tenderloin unhoused population, into hotels and safe shelter villages in an attempt to clear tents from sidewalks. Furthermore, the settlement stated that the City and UC Hastings share a “goal of permanently reducing the number of tents, along with all other encamping materials and related personal property, to zero.” An unreasonable expectation, when only 18 percent of residents were to be offered alternative shelter. Over 40 organizations, including GLIDE, signed a [letter](#) asking the City to reject the stipulated agreement, and we now ask the same of you.

As members of the GAO, please recommend that the Board of Supervisors reject the UC Hastings settlement, and call for an agreement that incorporates protections for persons with disabilities and safeguards the constitutional rights of people experiencing homelessness. You have the opportunity to allow for a more humane, person-centered approach to acquiring resources for the Tenderloin’s unhoused.

By rejecting the settlement, the GAO can:

- Avert the disaster of a “zero tents” policy with “enforcement measures” set against the reality of over 1,600 unhoused now left in the Tenderloin;
- Heed the widespread calls to remove the police from their roles in HSOC and DPW, and ensure SFPD will not participate in efforts to move people into alternative housing sites;
- Prevent the establishment of a dangerous precedent of litigating away the unhoused; and,

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<sup>2</sup> Centers for Disease Control and Prevention “Interim Guidance on Unsheltered Homelessness and Coronavirus Disease 2019 (COVID-19) for Homeless Service Providers and Local Officials,” May 13, 2020.

<https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html>

<sup>3</sup> Sisto, Carrie, “UC Hastings students, alumni warn lawsuit could increase police force against unhoused,” *Hoodline*, June 1, 2020. <https://hoodline.com/2020/06/uc-uc-hastings-students-alumni-warn-lawsuit-could-increase-police-force-against-unhoused>

<sup>4</sup> Howey, Brian, “Nonprofits Want Added Homeless Protections in UC Hastings Lawsuit Against SF,” *SF Public Press* June 11, 2020. <https://sfpublicpress.org/nonprofits-want-added-homeless-protections-in-uc-uc-hastings-lawsuit-against-sf/>

<sup>5</sup> City and County of San Francisco, Office of the Mayor, “San Francisco and UC Hastings and Co-Plaintiffs Announce Settlement Agreement Regarding Tenderloin,” June 12, 2020. <https://sfmayor.org/article/san-francisco-and-uc-uc-hastings-and-co-plaintiffs-announce-settlement-agreement-regarding>

- Allow the Coalition on Homelessness, Hospitality House, and Faithful Fools—parties who were granted intervention in the lawsuit but who did not have an opportunity to participate in the initial settlement discussions—a seat at the table to ensure the interests of the Tenderloin’s unhoused are represented, and that any settlement provides for protection of unhoused people’s rights and acquisition of the necessary resources to meet their needs.

We ask that the Board of Supervisors return the settlement with instructions to:

- Ensure that the settlement leads with a health-based response to homelessness during COVID-19, that centers on meeting the needs of human beings, not on the removal of tents;
- Ensure that the settlement contains provisions that ensure that the City offers reasonable accommodations to persons with disabilities in implementing the agreement;
- Ensure that the City increases the resources that those unhoused community members have access to in order to move off the streets, such as hotel rooms; and,
- Ensure that the agreement includes protections against unlawful property confiscations.

The settlement between the City and UC Hastings did not call for one additional hotel room beyond what was already promised, and instead will lead to the criminalization of visible poverty without offering unhoused people the services they need to get off the streets. The focus on tents, rather than individuals, is deeply dehumanizing; the settlement’s stated goal of permanently ridding the Tenderloin of tents will necessitate policing and sweeps, which does nothing to abate homelessness. This settlement sets a disturbing precedent, and people experiencing homelessness in the Tenderloin and in your districts deserve better. For these reasons and more, GLIDE opposes the UC Hastings settlement, and we urge you to please vote no on the ordinance. If you have any questions about our position, you may contact me via email at [wsaver@glide.org](mailto:wsaver@glide.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'Wesley Saver', with a stylized, cursive script.

Wesley Saver  
Policy Manager, GLIDE

Cc: John Carroll, GAO Committee via [john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)  
Supervisor Aaron Peskin, District 3 via [Aaron.Peskin@sfgov.org](mailto:Aaron.Peskin@sfgov.org)  
Supervisor Gordon Mar, District 4 via [marstaff@sfgov.org](mailto:marstaff@sfgov.org)  
Supervisor Matt Haney, District 6 via [haneystaff@sfgov.org](mailto:haneystaff@sfgov.org)