

## **RESPONSE TO GRAND JURY REPORT**

Report Title: Les Misérables

Report Date: 7/8/19

Response by: Board of Supervisors, County of Humboldt Department of Health & Human

### **FINDINGS**

1. The county agrees with the findings numbered F5 and F7.
2. The county disagrees with the finding numbered F4.
3. The county partially disagrees with the findings numbered F3 and F9.

### **RECOMMENDATIONS**

1. Recommendations numbered R7 and R9 have been implemented.
2. Recommendations numbered R1, R2, R3 and R11 will not be implemented.
3. Recommendation numbered R8 needs further analysis.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Number of pages attached: \_\_\_\_\_



**COUNTY OF HUMBOLDT**  
**COUNTY ADMINISTRATIVE OFFICE**  
**MANAGEMENT & BUDGET TEAM**

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**INTEROFFICE MEMORANDUM**

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**TO:** BOARD OF SUPERVISORS  
**FROM:** AMY S. NILSEN, COUNTY ADMINISTRATIVE OFFICER  
**SUBJECT:** RESPONSE TO 2018-19 GRAND JURY REPORT "LES MISÉRABLES"  
**DATE:** 10/1/2019

In the Grand Jury Report, Les Misérables: The Criminalization of the Homeless in the City of Eureka, the Grand Jury has requested that the Department of Health and Human Services respond to Findings 3, 4, 5, 7 and 9. They have requested your Board to respond to Findings 4 and 9 and Recommendations. Both departments have been asked to respond to Recommendations 1, 2, 3, 7, 8, 9 and 11. I am proposing the following combined responses as detailed below.

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**FINDINGS**

Finding 3: *The financial cost of criminalizing the homeless far exceeds the cost of providing services that transition people into housing and a stable living situation.*

**Response: Partially Agree**

The county agrees that there is a substantial body of research showing the cost of homelessness in the aggregate is greater than the cost of providing appropriate housing and services. However, that research looks at all of the costs of homelessness, such as unnecessary emergency room visits, that may not fully substantiate this finding by the Grand Jury. More research would be needed to determine whether the cost of criminalization alone is greater than the cost of meeting all housing and services needs for everyone experiencing homelessness.

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Finding 4: *The City of Eureka and Humboldt County governments are not effectively working together in coordination to solve the problem of homelessness.*

**Response: Disagree**

The City of Eureka and County of Humboldt have, and continue to, coordinate efforts on homelessness. The city and county have collaborated on numerous projects including partnering on the Focus Strategies research and report which was accepted at a joint Eureka City Council-Humboldt County Board of Supervisors meeting. They have adopted the Housing First model shared by both municipalities, supported two housing developments in Eureka (The Lodge at Eureka and the Fourth Street project, 50 units each) with Danco Communities and the Housing Authority with tentative plans for a third. The city provides direct support for homeless clients at The Lodge, which is a county-run facility. Regular leadership group meetings are held between the city and county. Some city funds received from Measure Z are directed to DHHS to pay for housing and substance use disorder treatment. There has been collaborative development and operation of the Mobile Intervention & Services Team. And county staff were on-site linking homeless individuals to services during the Palco Marsh closing in partnership with the city.

Additionally, the Board of Supervisors on January 23, 2018 approved allocating \$100,000 to the City of Eureka in support of the development of seven construction trailers donated by PG&E in 2017 to the Betty Kwan Chinn Homeless Foundation (BKCHF) to be used for low-income housing. This funding has been “rolled forward,” or saved, in the county’s fiscal year 2019-20 budget. These funds will continue to be rolled forward until there is an appropriate project to be funded. The two municipalities have a history of collaboration and coordination aimed at solving the problem of homelessness in the local community.

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Finding 5: *Criminalizing behavior that is largely part of being human, increases the misery of those being targeted.*

**Response: Agree**

The county agrees with the finding. Although quantifying degrees of misery is difficult, DHHS staff routinely deal with effects of criminalization on its homeless clients. Loss of possessions including medications and identification has a direct impact on well-being of homeless persons and their health and ability to obtain services. Loss of clothing, tents, tarps and sleeping bags limits ability to rest and remain warm and dry. Homeless persons with chronic diseases are especially injured by loss of possessions needed to maintain some degree of health. Unsheltered homeless persons without a legal place to sleep suffer the effects of interrupted or no sleep which may increase symptoms and disruptive behavior of persons with mental illness and substance use disorders.

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Finding 7: *Dispersing homeless encampments creates roadblocks to providing services by making it more difficult to reach the people in need of them.*

**Response: Agree**

DHHS HOME and MIST outreach staff provide clinical and supportive services to unsheltered homeless persons, including transportation to appointments for medical, mental health and social services. When encampments are cleared, people are dispersed over a wide area, increasing the difficulty of providing these services. However, the creation of sustainable encampments would require services, such as bathrooms, showers, trash pickup and

security, that would divert funds from other programs targeting low income and homeless housing services. DHHS is committed to meeting the challenges created by increased dispersal while ensuring adequate service levels.

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Finding 9: *Data gathering about the homeless community is inadequate, inconsistent, and inaccurate.*

**Response: Partially Agree**

Through DHHS, the county is constantly working to improve data quality, as well as providing technical assistance to our nonprofit partners to do the same. HUD requires that all communities receiving Continuum of Care funding must establish a dedicated database system to collect and analyze data on homeless people in the community, what housing and services they access, and the results of the assistance they receive. The Homeless Management Information System (HMIS) is the database used locally to meet this requirement and is managed by DHHS. DHHS and several nonprofits use the system to meet reporting requirements for various grants, street outreach, shelter data collection, and for the Coordinated Entry System. This system makes it possible to more accurately evaluate how programs are performing by tracking participation in various programs with different providers and see whether participants return to homelessness after entering permanent housing. HMIS also provides a better understanding of the total number and demographics of people experiencing homelessness. DHHS continually seeks to increase the number of organizations and programs that participate in HMIS to improve data quality and collection across the county.

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Recommendation 1: *The Humboldt County Civil Grand Jury recommends representatives from the Eureka City Council, Eureka Police Department, homeless advocacy groups, and the homeless community form a committee to review the following ordinances (EMC 131.30, EMC 130.30, EMC 130.14, EMC 130.13, EMC 130.12, EMC 130.10 EMC 130.06, EMC 130.01, EMC 93.03, EMC 93.02) by October 1, 2019.*

**Response: This recommendation will not be implemented unless initiated by the City of Eureka.**

The ordinances referenced in recommendation 1 are City of Eureka ordinances. It is outside the scope of the county to set parameters for action by the City of Eureka and Eureka City Council. This particular action recommended by the Grand Jury would need to be initiated by the City of Eureka.

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Recommendation 2: *The Humboldt County Civil Grand Jury recommends the committee in R1 evaluate the above ordinances and identify those for which the homeless have no options to avoid violating them. This action should be completed by December 16, 2019. (F1, F4, F5, F6)*

**Response: This recommendation will not be implemented unless initiated by the City of Eureka.**

See response to R1, above.

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Recommendation 3: *The Humboldt County Civil Grand Jury recommends for those ordinances identified in R2, the committee provide recommendations to the Eureka City Council to amend the ordinances. This action is to be completed by January 30, 2020. (F2, F5, F8)*

**Response: This recommendation will not be implemented unless initiated by the City of Eureka.**

See response to R1, above.

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Recommendation 7: *The Humboldt County Civil Grand Jury recommends the City of Eureka work with Humboldt County for support to increase affordable housing development and rentals by December 2, 2019. (F1, F5, F6, F8)*

**Response: This recommendation has been implemented.**

The city and county have partnered on the development of The Lodge at Eureka (50 units) and the Fourth Street project (50 units) with Danco Communities and the Housing Authority. There are tentative plans to collaborate on a third site in the City of Eureka. Additionally, as referenced in Finding 4, the Board approved an allocation of \$100,000 on January 23, 2018, along with a list of potential building sites, to the City of Eureka to support the PG&E trailer project in partnership with BKCHF. This funding has been “rolled forward,” or saved, in the county’s fiscal year 2019-20 budget and will continue to be rolled forward until there is an appropriate project to be funded.

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Recommendation 8: *The Humboldt County Civil Grand Jury recommends the city of Eureka and Humboldt County collaborate to develop a plan to create and fund short term shelter and transitional housing solutions. This action should be completed by October 15, 2019. (F7)*

**Response: This recommendation requires further analysis.**

Shelter and transitional housing are the most expensive types of housing available to serve homeless people due to high personnel costs, and very few recipients of these services transition to permanent housing and instead remain homeless. The Focus Strategies report noted that the ability to create permanent housing can be reduced by using scarce resources on ineffective and costly interventions such as shelters and transitional housing rather than building affordable housing. Other concerns that have to be investigated include low utilization of shelters by homeless people, barriers to shelters and transitional housing such as sobriety requirements and “no pets” rules which tend to exclude the most vulnerable homeless individuals, reduced funding overall from federal and state sources and locating acceptable sites and operators for shelters and transitional housing. As referenced in Finding 4 and Recommendation 7, the county allocated \$100,000 to the City of Eureka to support the PG&E trailer project in partnership with BKCHF and is awaiting next steps to on this project.

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Recommendation 9: *The Humboldt County Civil Grand Jury recommends the City of Eureka and Humboldt County collaborate to conduct leadership group meetings at least monthly to address homelessness and other shared issues. This should be completed by October 1, 2019. (F4)*

***Response: This recommendation has been implemented.***

Joint meetings were held in June, July and August 2019. The next meeting is scheduled in September 2019. These meetings address common concerns of jurisdictions and identify areas for cooperative work. Developing issues concerning homelessness and impact on community are discussed with the goal of collaborative resolution. A similar ongoing monthly meeting between DHHS and the City of Arcata has been in existence for more than a year.

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Recommendation 11: *The Humboldt County Civil Grand Jury recommends the Eureka City Council allocate funding for additional law enforcement members for the Mobile Intervention Service Team. This action is to be completed by January 30, 2020. (F10)*

**Response: This recommendation will not be implemented unless initiated by the City of Eureka.**

See response to R1, above. The county has no jurisdiction over the City of Eureka to allocate funding for additional law enforcement.