

From: Christine Mansfield
Subject: Housing Rights
Date: Tuesday, February 2, 2021 3:50:28 AM

Homeless Strategies Workgroup,

RE: Campers vacated from City Hall Thursday, January 28, 2021.

Mayor Seth Fleetwood made an executive decision to diffuse threat of violence escalating at city hall using militarized force to vacate the setting.

During vacate, City Hall campers were dispersed into the street with limited relocation to shelter. Many interpret this action as a "sweep".

DISCUSSION:

1) Legislation that articulates the reasoning that aligns with executive actions.

[Notice to vacate City Hall property]

2) State legislation that does not define socioeconomic disparity as disaster.

Local HISTORY:

As a result of the 2019 storm event, annual cold climate shelter has been recommended by the public. Government has identified Lighthouse Mission Ministries (LMM) and extended services as our regional sheltering.

TIMELINE:

Emergency Sheltering

• 2016 Winter STORM

(LMM) Drop-in Center designated emergency shelter by emergency ordinance (renewed for 3 years).

•2017 December, campers testify in public comment that (LMM) Drop-in Ctr is too crowded and unsafe.

•2018 "Winter Haven" tent encampment by emergency ordinance is approved.

•2019 "Winter Haven" is deployed, emergency STORM is declared, and citizen outreach providing aid request City and County assistance:

City and County host temporary emergency overflow shelter at Maritime Park and County Garden Rm. with city, county, and certified outreach volunteers.

•2020 City coordinates winter sheltering at Civic Field.

- 2020 Covid19 CARES Act fund in adherence to CDC guidelines and assisted by Whatcom Unified Command enables expansion of the expired (LMM) Drop-in Ctr emergency shelter by relocating services temporarily to Bellingham HS, and then to the Public Market building under heading of "Base Camp".

- Campers unable to maintain personal health and safety at (LMM) "Base Camp" consolidate resources at City Hall in league with and aided by local citizens in protest for safer sheltering.

- 2021 county purchases pallet shelters, city provides a lot and waste management, and "Swift Haven" is launched to serve 25 unhoused residents for the winter. City vacates campers at City Hall using armed force.

(LMM) "Base Camp" designated as City and County emergency shelter and warming center for the winter, with statement that barrier restrictions are waived and available beds are accessible.

REVIEW:

The fact that an emergency declaration was not made by local government this year is problematic.

Ideally, any visible human displacement evidencing a mass of dislocated individuals from their homes would require emergency disaster relief.

An overview of state legislation reveals conflicting WA state titles that malign human decency when misapplied.

By appearance and definition, an accumulation of displaced citizens in need of shelter would likely be ascertained as a disaster zone, yet disaster heading by WA state law does not include displacement from socioeconomic crisis. This title falls under homelessness law. Homelessness law does not describe disaster relief for mass displacement, or give any direction for emergency relief.

By law, the statutes for homelessness are one category, the statutes for disaster relief are another category, and the statutes for public access, health and safety (property, occupancy rights, etc.) are yet another category. Mandates to vacate unlawful camping has manifested as priority.

Disaster relief law authorizes government managers to declare emergency and seek crisis management to expedite relief.

Law re homelessness identifies categories and demographics in which sheltering is necessitated.

Chronic homelessness reaching a VISIBLE tipping point in a public space would warrant immediate formal assessment and consideration of emergency action recognizing a disaster zone in need of aid.

To assess human condition, we evaluate the factors for displacement, and provide immediate AID to the crisis population in need. Why is human welfare obstructed by property law?

What does lax interpretation of conflicting titles afford? What level of competency do we demand as citizens providing oversight to uphold humanitarian objectives when in an effort to do so we are greeted with a gun?

It is important to review contradictions to the law when legislative actions that warrant priority, discernment, and humane action are not properly endorsed, and instead, bullied into compliance with no visible remorse-- is a building and a lawn more valuable than a human life?

Complacency in the face of human urgency is negligence. Civil unrest caused by homelessness is a complex issue.

Legislation observed does not personify socioeconomic mass displacement as a disaster worthy of aid, and therefore discredits the unhoused and credits the concerns of housed citizens to protect a grassy knoll.

It is important to revisit the category of populations with special need who are unsheltered, people seeking sheltering provisions that match their conditions, not just the conditions for which they must subscribe to when sheltered. . .

(LMM) "Base Camp" is not able to serve the entirety of Bellingham displaced populations nor is it equipped to manage all needs of the people seeking help.

Bed-count availability is data that does not consider why the bed is vacant or for whom a bed is designated for.

IMPORTANT:

Guests who will not return to (LMM) "Base Camp" have reported anxiety for their safety. Vacancy at (LMM) "Base Camp" warrants further evaluation. The needs of guests seeking shelter must also be evaluated.

I think its pertinent that city and county respond to citizens by providing assurances of (LMM) "Base Camp" safety by reviewing incident reports, method for reporting incidents, and collecting data to ascertain the fragility of the guests who even under best practices at (LMM) "Base Camp" may be incompatible with their services. As such, removing campers from a public setting without proper relocation to an appropriate alternative for legal occupancy is **UNCONSTITUTIONAL**.

Misguided inaction to make urgent provisions and initiate disaster management causes public harm. Militarized law enforcement to rectify this error jeopardizes the already fragile state of displaced citizens.

City and county designating (LMM) "Base Camp" as the emergency shelter for Whatcom county demands a level of public oversight when recent occupants repeatedly disclose multiple barriers to access and risks to personal safety.

Please acknowledge the conflict of interest when human safety is the issue. The "bed availability" does not address variables and needs of the guest.

Relocating fragile unhoused citizens from an illegal and unauthorized camp setting without a proper intervention team sensitive to their condition is inhumane.

Please consider agencies tasked with overseeing relocation, the manner in which people are relocated, and how these protocols may be improved when illegal campsites are tagged for removal.

Vacating a site of campers without proper sheltering to relocate to is unlawful and places the rest of the city at further risk and liability. Please consider how vacate notices do not absolve city and county of liability, or relinquish the responsibility to provide immediate and longterm housing equitable to individual need. Underrepresented citizens without proper shelter access who are enduring damages due to lack of sheltering and lack of emergency declaration for sheltering, have legal rights to restitution.

REPERCUSSIONS:

Recent report is that campers have relocated to Civic Field lower lot in an effort to survive winter. (King 5 News)

<https://www.king5.com/mobile/article/news/local/homeless/new-homeless-camp-appears-after-bellingham-sweep-last-week/281-15d7c965-24bc-4519-af35-407cc9ca5cdc>

Local citizens who earlier in November suggested this area for use requested constructive emergency crisis management from the city and county, use of pallet shelters, and coordination of certified volunteers as crisis management for administering aid. This course of constructive action was NOT deployed by local government, thus leaving displaced campers to take matters into their own hands for survival.

Please consider how further displacement of displaced residents is not a solution.

Lack of structured settings to administer relief results in folly, as recently evidenced at City Hall.

SUMMARY:

WA state title and legislation that identifies mass displacement that warrants disaster relief does not articulate displaced citizens in socioeconomic distress. The category for socioeconomic catastrophe titled homelessness does not identify directives for mass displacement. State titles and municipal code protecting public property restrict unauthorized camping except under emergency declaration.

There is notable contradiction in our legislation.

Absolving our city and county liability hinges on correct articulation and interpretation of our laws. The City of Bellingham has repeatedly endorsed state legislation protecting property as the priority over the sovereignty of human sustainability, which by default places our unhoused campers in the category of collateral damage.

Please review these contradictions, and in any advisory capacity prompt local government and state legislators to reduce harm.

Socioeconomic distress that causes displacement and accumulates to mass proportion creates disaster zones in need of aid and relief measures: Perhaps militarized agencies deployed for

disaster relief, as opposed to militant dislocation of vulnerable populations by obscene force.

The collective oversight of this issue is a matter of urgency. Human beings are not to be equated as collateral damages evacuated from property when it is an inconvenience to property owners.

It is gravely apparent by public uproar the biases of our housed community who perceive homelessness with disdain. The common criticism is that people are undeserving of aid when they are unable to adequately sustain their lives. Societal conditions for manifesting basic needs can be compromised by loss, trauma, and chronic illness. When housing is unattainable by common practices, assistance is needed. Directives that abort aid to those in crisis must be thoroughly analyzed.

Please implement a 24-hour public access KIOSK or similar two-way communication network to properly identify residents in crisis. Please access this data regularly to assess need. Please assess existing coordinated entry system to improve provider network and communication.

Thank you for your dedication to this work,

JC Mansfield
Bellingham, WA resident