



February 18, 2016

**Sent via U.S. mail**

Chief of Police Andrew Mills  
Eureka Police Department  
604 C Street  
Eureka, CA 95501

Connie Beck, Interim Director  
Humboldt County Department of Health and Human Services  
825 5<sup>th</sup> Street  
Eureka, CA 95501

**Re: Public Records Act Request**

Dear Chief Mills and Interim Director Beck:

I am making this request on behalf of the American Civil Liberties Union of Northern California (“ACLU-NC”) and the Western Regional Advocacy Project (“WRAP”) under the California Public Records Act (California Government Code § 6250 et seq.). For your convenience, we are making this request in a joint letter, but each of you has an independent obligation under the PRA to provide all the responsive records in your agency’s possession.

The ACLU-NC and WRAP are concerned about the policies and practices of the Eureka Police Department (“EPD”) and the Humboldt County Department of Health and Human Services (“DHHS”) with respect to persons who are homeless and thus must live, sleep, and exist in public spaces in Eureka. Among our concerns is re the use and dissemination of the “Homeless Tracking and Accountability” flyer (see attached) by police officers and DHHS caseworkers operating as the Mobile Intervention Support Teams (“MIST”) whose charge is to make contact with persons without a fixed residence living in public places and with persons who have frequent contact with emergency services.

Accordingly, we request that you provide us with the following records<sup>1</sup>, created from January 1, 2013 to the present:

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<sup>1</sup> Throughout this request, the term “records” includes but is not limited to any paper or electronic information, reports, evaluations, memoranda, correspondence, letters, emails, charts, graphs, flyers, meeting agendas, meeting minutes, training materials, diagrams, forms, DVDs, tapes, CDs, notes, or other similar materials.

1. **Number of people who are homeless:** All records, including but not limited to any submissions to state or federal agencies that relate to the number of homeless persons in Eureka, including demographic information (race/ethnicity, gender, age, disability, etc.).
2. **Homeless point-in-time count:** All records that relate to the number of persons who are sleeping in public spaces within the city limits on any given night.
3. **Policies and procedures for the enforcement of laws which affect the homeless:** All records concerning EPD or DHHS policies, procedures, practices, guidelines, and informational bulletins that relate to the description and enforcement of state and local laws which restrict persons from remaining in public places, including but not limited to the following:
  - a. Restrictions on camping or lodging , including but not limited to Eureka Municipal Code (EMC) § 93.02 and Penal Code § 647(e);
  - b. Restrictions on sleeping, lying or sitting on sidewalks or in any public space, including but not limited to EMC §130.12;
  - c. Restrictions on living or sleeping in a vehicle;
  - d. Procedures for handling and storage of personal and abandoned property taken from campsites that violate local or state law.
4. **Citations and Arrests:** All records which relate to the following:
  - a. The number of citations issued or arrests made for each of the offenses which are responsive to Request 3 (a) and (b) above (by year or month);
  - b. Personal characteristics and demographics (such as age, gender, race/ethnicity, and disability) of persons who are cited or arrested for the offenses listed in Request 3(a) and (b).
5. **MIST Personnel:** All records relating to EPD officers and/or DHHS caseworkers who have participated in the outreach described in the MIST flyer, including but not limited to their names, badge numbers and/or the names of their immediate supervisors.
6. **Training of MIST Personnel:** All records that relate to the training of EPD officers and/or DHHS caseworkers who come into contact with persons who are homeless or appear to be homeless, including but not limited to training of MIST personnel.
7. **MIST Outreach:** All records relating to the policies, procedures, and practices followed by EPD officers and/or DHHS caseworkers in their outreach to persons who are homeless or appear to be homeless including, but not limited to, the following:
  - a. The collection of names and dates of birth of homeless persons;
  - b. Policies and practices concerning the names and dates of birth collected by the MIST outreach teams, including, but not limited to, where they are stored, the agencies that have access to these names, and the dissemination of these names in any way;
  - c. The procedures or guidelines for obtaining of the voluntary consent of persons to provide this information;
  - d. Description of protocol for what officers and caseworkers do if a person refuses to provide identifying information (such as name and date of birth);

- e. The number of “Homeless Tracking and Accountability” flyers handed out (by year or month); and
  - f. The number of “Homeless Tracking and Accountability” flyers signed by persons who are homeless (by year or month).
8. **Shelter and “Help” Information:** All records concerning the list of shelter and “help” facilities listed on the back of the “Homeless Tracking and Accountability” flyer, including, but not limited, to:
- a. The person(s) who compiled the list;
  - b. How the list was compiled;
  - c. Descriptions or other information about the facilities and the services they offer;
  - d. The number of shelter beds and other facilities in the city (information about such facilities and average occupancy rates); and
  - e. The steps taken to verify that these shelter facilities are have available spaces to accommodate additional persons.
9. **MIST Outcomes:** All records relating to outcomes of the MIST program, including but not limited to the number of individuals who were connected to services, placed in shelters or housing, relocated, avoided hospitalization or interaction with law enforcement, including arrests, as a result of the program.
10. **MIST Funding:** All records relating to applications for and receipt of funds from any governmental or non-governmental source for MIST Outreach EPD officers and/or DHHS caseworkers.
11. **Communication with City and County Officials:** All records of communications with Eureka City officials or staff, or Humboldt County officials and staff, including but not limited to the City Council and the Humboldt County Board of Supervisors, relating to persons who are homeless or appear to be homeless, plans or proposals to reduce homelessness, and/or the impact of homelessness on the community.

We ask that you release the records requested without delay as as they become available to you, and that you respond to our request within the ten (10) day deadline mandated by the PRA.

This public records request applies to all documents in your agency’s possession, including emails, video, audiotapes, and other electronic records. It also includes documents that were created by a member of another government agency or a member of the public. Please provide the records as they become available. If you determine that some portions of a record are exempt from disclosure, please provide the nonexempt portions. To the extent possible, please note which records relate to which requests according to the numbered sections above.

Please note that the PRA allows a member of the public to request records by describing their content, rather than asking for specific documents by name; an agency that receives such a request must “search for records based on criteria set forth in the search request.” Please provide entire documents, even if only parts of them are responsive to this request.

If you maintain records in electronic format, please provide them in that same format to avoid copying costs. Because this request is on a matter of public concern, we request a fee

waiver. If, however, such a waiver is denied, we will reimburse you for the reasonable cost of copying. If you anticipate that these costs will exceed \$50, or that the time needed to copy the records will delay their release, please contact me so that I can arrange to inspect the document or decide which documents I wish to have copied. Otherwise, please copy and send them as soon as possible.

If we can provide any clarification that will help expedite your attention to our request, please contact us at (415) 621-2493.

Thank you for your prompt attention to this matter. Please furnish all applicable records to us at [aschlosser@aclunc.org](mailto:aschlosser@aclunc.org) if in electronic format or, if in physical form, at American Civil Liberties Union of Northern California, 39 Drumm Street, San Francisco, CA 94111.

Sincerely,



Alan L. Schlosser  
Senior Counsel

Name: \_\_\_\_\_

DOB: \_\_\_\_\_

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

Officer: \_\_\_\_\_

I understand that finding a place to live is my responsibility. Camping on City or private property without permission is illegal and I can be cited or arrested. I acknowledge that I have been given a list of local resources that can help me with finding food, shelter and clothing among others things.

*I also understand that criminal behavior such as violence, theft, possession of illegal weapons and drug trafficking will cause immediate and permanent removal from this area.*

It is my desire is to diligently seek housing or return to my city of origin.

By signing below I acknowledge and agree. *This is not permission to trespass, camp illegally or litter.*

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

Refused

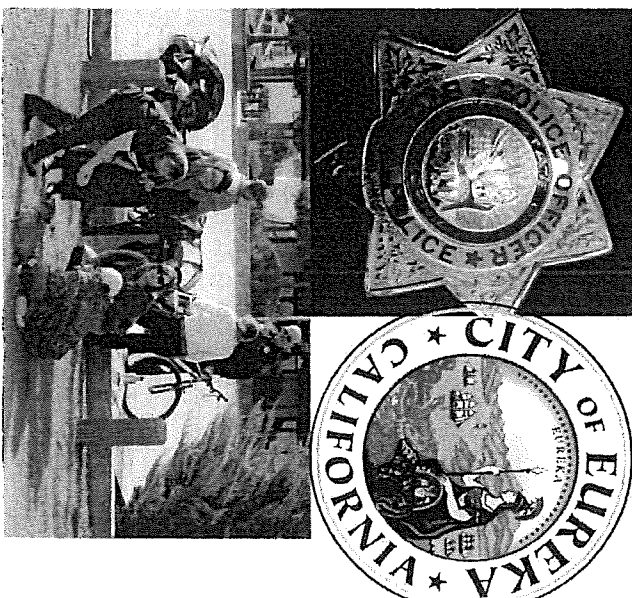


## Mobile Intervention Support Team (MIST)

MIST is a team of Health and Human Services case workers and Eureka Police Officers working together to help homeless community members who desire assistance, especially those with mental health needs.

Contact MIST: 604 C  
Street Eureka, Ca  
(707) 441-4054 for a  
team member to call  
or meet you.

## HOMELSS TRACKING & ACCOUNTABILITY



*"Eurekans care for you and want you to succeed. Working together we can help you rise above your current circumstances...no matter how difficult they might be. BUT, We need your help."*

# Call 211

It's quick, easy and helpful

## Seeking Help?

- North Coast Veterans Resource Center (707) 442-4322
- Detox (707) 445-3869
- Serenity Inn (707) 442-4815
- Open Door Clinic (707) 443-4666
- Redwood Community Action Agency (707) 445-0881
- Food for People (707) 445-3166
- Eureka Rescue Mission 110 2nd Street, Admissions at 4:30 PM
- St Vincent De Paul Dining (707) 445-9588 35 W. 3rd Street
- North Coast Resource Center 35 W 3rd. Walk-in
- Multiple Assistance Center 2nd and Y by Target 707 269 9590
- Housing Authority 735 W Everding
- Arcata Bay Housing (707) 826 7312

## Help Continued

- Street Outreach Services(707) 441-2000
- Humboldt County Mental Health & AOD (707) 268-2945
- Betty Chinn Day Center 6th and C Street walk-in
- HOPE Center 720 Wood Street
- Crossroads Treatment Center (707) 443-0514
- Humboldt Recovery (707) 443-0514
- Arcata House/Arcata Night Shelter (707) 822-4528 1005 11th Arcata
- Sequoia Humane Society (707) 442-1782 6073 Loma Ave
- Miranda Rescue (707) 725 4449

Bridgehouse/Safe Haven 269-9590 x209 transitional housing program Humboldt  
Domestic Violence Services 443-6042 shelter and support-1-866-668-6543 Launch Pad 443-8322 teen transitional living program YSB Teen Shelter 444-CARE teen runaway and crisis shelter Manila  
Campground (Maggie) 441-1543  
campground Samoa Boat Ramp 445-7651  
campground KOA 882-4243 campground  
Apartments First ! 822-4528 permanent housing for chronically CCC 1-800-952-5627 for youth aged 18

Tear Along Line

*Community Members willing to house the homeless:*