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January 28, 2019

TO: Supervisor Dianne Jacob, Chairwoman
Supervisor Greg Cox, Vice Chairwoman
Supervisor Kristin Gaspar
Supervisor Nathan Fletcher
Supervisor Jim Desmond

FROM: Summer Stephan, District Attorney

TITLE: DA Letter in support to Lease County Property for Temporary Use (Districts: All)

On January 29, 2019 the Department of General Services will request your approval to enter into a lease agreement with Jewish Family Service of San Diego (JFS) to temporarily use a county property scheduled for demolition and redevelopment as affordable housing to shelter asylum seeking individuals on a time-limited basis, no longer than December 31, 2019, who were granted lawful permission to remain in the U.S. pending the processing of their application for asylum.

My letter of support comes purely from a public safety perspective, serving as San Diego County's District Attorney. The population seeking asylum, many of whom are women and children who speak no English, and who lack knowledge about their rights and responsibilities in the United States, are at high risk for criminal victimization, and we have already learned of instances of potential abuse.

As the public safety leader with primary responsibility for the prosecution of those who break the law, and the protection of victims of crime under our California State laws, I also bring my decades of expertise in crimes involving the sexual exploitation and human trafficking of women and children in our region and nationally. To clarify, the information I offer is in my jurisdiction over public safety and state laws and not related to federal immigration policies or political lenses of any sort. Simply put, the asylum applicants granted legal authority by the federal government to be in San Diego County and released in our County and on our streets fall under my office's duties to protect them from victimization. Based on my 30 years of experience, the mostly women and children that fall in this category, if unsheltered will be in the highest vulnerability category to become victims of sexual exploitation and human trafficking. This poses a public safety and public health threat to those particular individuals and to our region.

In order to provide concrete information to the Board, our District Attorney Victim Advocate Navigator visited the current temporary shelter this Thursday, January 24, 2019 and was able to observe approximately 45 individuals with about 15 women and 15 children, some family units and about 4 males.

My office has obtained information from stakeholders from JFS, the ACLU, La Maestra, and Health and Human Services Agency about safety risks that this population has already faced when being transported to various locations, or upon their arrival at various points of entry. Boots-on-the-ground health care personnel and client service responders have reported instances that raise clear red flags of attempts at exploiting this asylum category including the following:

In November, 2018, while picking up migrant families at the downtown bus station, a San Diego Rapid Response Team member noticed a car driving around the block slowly several times. The scene was one of chaos, in that families were confused, unfamiliar with the area, and unsure of where to go. The driver of the car convinced a family to get in the car with him. A Rapid Response Team volunteer intervened and pulled the family out of the vehicle.

On December 5, 2018, the San Diego Rapid Response (SDRRN) team sent responders to pick up families who needed transportation to the shelter. The responders noted several people separately attempt to corral families and take them to other locations. One person was overheard saying he could take the family to Las Vegas and then “figure it out from there.” The SDRRN team intervened and were able to secure the families and bring them to the shelter.

While picking up a family at the San Ysidro Port-of Entry a JFS staff member saw a taxi cab driver talking to one of the migrant families. She overheard the taxi cab driver asking if the family had a place to go. When the family replied no, the cab driver took out his phone and showed the family a picture (unknown what). The taxi driver said he could take them somewhere and “not to worry about the money.” The JFS staff member stepped in to intervene preventing the family from going with the taxi driver.

Traffickers, abusers, and other opportunistic criminals can easily and successfully target individuals like those seeking asylum here because of their obvious vulnerabilities – especially when those individuals lack stable shelter. This vulnerability was recognized in long-standing laws that provide for specific Visas (U and T Visas) for persons who fall victim of violence and human trafficking who are not citizens of the U.S.

Research has shown that persons who live on the streets are statistically subject to criminal targeting, especially women and children. Furthermore, persons having to live on the streets or at homeless shelters increase the stress on already over-taxed county homeless providers, and if medical services are not made available then such conditions likely increase the risk to the public of spreading infectious diseases and creating other potential public health concerns.

My office has begun a program whereby we send victim advocate navigators to the Alpha Project homeless tent shelter to identify any survivors of abuse and connect them to housing and other social services. Our advocate navigators have listened, learned, and confirmed the vulnerability of the homeless population, aside from the obvious internal and psychological challenges of being on the streets. Several women at the Alpha Project were screened as victims which allowed them to be eligible for victim services as authorized by law. The victimization at times leads them to become homeless and then was exacerbated by further crimes committed on them including sexual assault while on the streets. The large majority of the homeless women that talk to our staff indicate that being homeless translated in them living in daily fear because they are continuously harassed, pressured to use drugs or alcohol and are in danger of being robbed or physically sexually assaulted. We offer this as example of what

happens when women and children are unsheltered even when they do speak English and are familiar with systems in our region.

The fact that the temporary shelter operated by JFS is due to close February 15 means instability and even more risk for the vulnerable population who most often have no stable place to call home.

We can drastically reduce the public safety risk to our community and those individuals and families by providing an alternate shelter site and other necessary services.

The establishment of this shelter and provision of these critical services will drastically reduce crime, lessen the likelihood this vulnerable population will be forced to live on the streets or in shelters, provide humanitarian relief, help protect the most vulnerable of our community from becoming crime victims, and shelter our communities from numerous public health and public safety issues. The shelter and services is for an average of 24-48 hours and acts as a safe bridge between the time they are released from detention onto our streets as a lawful asylum applicant to when they are safely connected to their final destination with family members or sponsors.

As District Attorney, I am so grateful to the Chair, Vice-Chair, Supervisors, Chief Administrative Officer, and Board for the continued commitment to public safety and excellence in the service and protection of victims. I appreciate the opportunity to provide feedback on the public safety aspects of this item.

Sincerely,



SUMMER STEPHAN
District Attorney
San Diego County District Attorney's Office