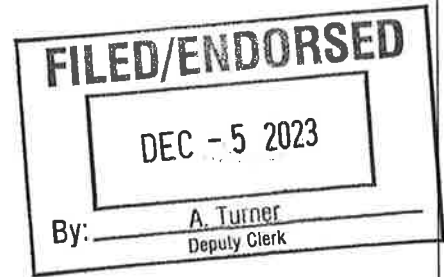


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7 PEOPLE OF THE STATE OF CALIFORNIA



8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SACRAMENTO

10 People of the State of California,)
11 Plaintiffs,)
12 v.)
13 CITY OF SACRAMENTO and DOES 1)
14 through 100, inclusive,)
15 Defendants.)

Case No. 23CV008658

FIRST AMENDED COMPLAINT:

- 1) Public Nuisance
- 2) Statutory Public Nuisance
- 3) Violation of Fish & Game Code Section 5650 et. sec.

(Govt. Code Section 6103)

1 Plaintiff, PEOPLE OF THE STATE OF CALIFORNIA hereby file this Complaint
2 against defendant City of Sacramento (the "City") and Does 1 through 100, inclusive, as follows:

3 1. In the last 7 years, Sacramento's unhoused population has exploded by over
4 250%. There are more unhoused people in Sacramento than San Francisco. Our community is
5 at a breaking point. We have an unhoused population living in conditions typical of Third World
6 countries and the rest of the community stuck between compassion and chaos.

7 2. The City of Sacramento passes ordinances and protocols, especially regarding the
8 unhoused crisis, only to have individual City leaders, unilaterally, and without the vested
9 authority, act to prevent and thwart the lawful abatement of nuisances.

10 3. In March of 2019, business owners along Commerce Circle in the City of
11 Sacramento saw an explosion in the form of hundreds of parked RVs, vehicles, and tents.
12 Criminal activity became commonplace as business owners repeatedly observed open air drug
13 use, drug sales, animals running loose, blocked sidewalks, employees being harassed, and large
14 illegal fires being set. The City's Department of Community Response conducted numerous
15 outreach attempts with the unhoused living at this location, offering shelter and services. The
16 City's attempts at offering services were often rebuffed and rejected. As a result of complaints
17 by the victims in this area, Sacramento City Manager Howard Chan requested City Code
18 Enforcement provide notice to the illegally parked RVs and vehicles on Commerce Circle. As
19 enforcement was set to occur, through Mayor Darrell Steinberg's directive ("Darrell's
20 Directive") the City was instructed to stop enforcement action.

21 4. After March 2020, residents in East Sacramento near C Street and 28th noticed an
22 explosion of an unhoused zone. The encampment was large and had multiple RVs and tents that
23 blocked sidewalks and portions of the street. Victims often observed crime occurring at the
24 unhoused zone including sexual assault, drug use, human trafficking, vandalism, arson, and
25 assault with a deadly weapon. One unhoused individual threw a large rock from the encampment
26 that landed on the off ramp. Then Sacramento Councilmember Jeff Harris worked with Cal Trans
27 to enforce the law and clear the zones. However, both Mayor Steinberg and Councilmember
28 Katie Valenzuela attempted to stop any enforcement action, which only worsened the conditions

1 for the unhoused and the surrounding community.

2 5. In the summer of 2021, community members living near the intersection of Fair Oaks
3 and Howe Avenue reported a growing unhoused zone on a patch of green grass at the northeast
4 corner of the intersection of Howe Avenue and Fair Oaks Boulevard in the City of Sacramento.
5 The City of Sacramento owns this property. Criminal activity was commonplace in this zone
6 just a few steps away from an apartment complex, homes, and businesses. The victims in this
7 area regularly saw drug dealing, prostitution, sexual assaults, weapon possession, illegal fires,
8 thefts, assaults, and robberies. Blocked sidewalks and piles of garbage, needles, and feces were
9 a regular occurrence in and around this zone. The City's Department of Community Response
10 conducted numerous outreach attempts with the unhoused living at this location, offering shelter
11 and services. The City's attempts at offering services were often rebuffed and rejected.

12 6. Although this property is owned by the City of Sacramento, it borders the
13 unincorporated areas of Sacramento County. After multiple complaints by the victims of this
14 area, County officials requested the City conduct enforcement efforts to address the public safety
15 and health crisis posed by this unhoused zone. Mayor Steinberg personally assured County
16 officials that he would order enforcement and "cleanup" this location. Despite his promise to
17 County officials, Mayor Steinberg immediately directed Sacramento City Manager Howard Chan
18 to stop and refrain from any enforcement actions at this location. As a result of Darrell's
19 Directive, the unhoused public safety and health crisis at this location only worsened. When the
20 Sacramento County District Attorney's Office started a "public nuisance" action against the City,
21 only then did the Sacramento City Attorney's Office agree to clear the property, erect a fence
22 around it and then lease it a private group.

23 7. These actions by City officials, who are not vested with the discretion or authority to
24 enforce the law, through the use of the "Darrell Directive" have caused the decay of our Capital
25 City, resulting in the unhoused crisis that is the subject of this litigation.

26 8. On January 26, 2021, during a City Council meeting, a Sacramento Police Captain
27 was discussing the public health hazards, such as rats and feces, when cleaning an unhoused zone
28 at Alhambra Street. During this presentation, body worn camera was presented of the clean-up

1 efforts of that public health hazard site.

2 9. During that video, a staff member from Council Member Katie Valenzuela's
3 office was seen attempting to stop Sacramento Police Department from fulfilling their duties of
4 remediating a public health hazard. The staff member said, "I am staff to City Council member
5 Katie Valenzuela. This needs to stop right now. This is not an illegal site."

6 10. On August 23, 2022, the Sacramento City Council overwhelmingly passed City
7 Ordinance 2022-0023, which amended chapter 12.24 of the Sacramento City Code, related to
8 sidewalk obstructions.

9 11. This amendment made sidewalk obstructions a public nuisance per se.

10 12. During the City Council meeting related to this amendment, Mayor Darrell
11 Steinberg bemoaned the need to upgrade the penalty for blocking a sidewalk to a misdemeanor
12 instead of an infraction.

13 13. The Mayor also read a resolution he drafted to provide "specific directions" on
14 how City officials and agents should apply the ordinance to the unhoused community.

15 14. The Mayor directed City officials and agents that absent a risk to the health and
16 safety of the individual officer, the City police would not take any unhoused person into custody.

17 15. The Mayor also directed the City Attorney not to seek fines in cases involving the
18 unhoused. The City Attorney confirmed that she would file charges based on citations received,
19 but her office would *not seek fines or jail time* as it was "not what her office does."

20 16. During this same City Council meeting, City Attorney Susana Alcala Wood stated
21 she would file charges against those cited but would not seek fines or jail time. To date no
22 charges have ever been filed.

23 17. On June 29, 2023, the Presiding Judge of the Superior Court, the Honorable
24 Michael Bowman, sent the City of Sacramento a letter describing safety concerns that affected
25 equal access to justice.

26 18. Judge Bowman wrote, "These daily incidents include, but are not limited to,
27 physical and verbal assault, public sex acts, open fires, nudity, urinating and defecating on
28 walkways. When coming to court is a trial itself for victims, witness or even jurors – access to

1 justice is threatened. So, too, is public service when our employees' fear for their own safety
2 prevents them from leaving our buildings to go for a walk or supporting local businesses by
3 having lunch with a colleague or shopping the farmer's market."

4 19. The primary mandate of the District Attorney is to ensure public safety for all
5 while balancing the equal administration of justice.

6 20. Consistent with this mandate, on June 30, 2023, Sacramento County District
7 Attorney Thien Ho sent the City of Sacramento a letter regarding the public safety crisis
8 downtown affecting access to justice (See Exhibit 1).

9 21. District Attorney Ho wrote, "People are entitled to the fundamental right of fair
10 and equal access to justice. But to obtain justice, members of our community require unfettered
11 access to the Courthouse and the District Attorney's Office without threats to their safety or well-
12 being. Unfortunately, this is not the experience for those having to navigate the city blocks
13 surrounding the courthouse. Every day, people encounter growing unhoused zones with open air
14 drug use and dealing, tents blocking sidewalk access, unhoused individuals engaged in erratic
15 and violent behavior – all within the three-block area that encompasses the Courthouse, the
16 District Attorney's Office, and Sacramento City Hall."

17 22. District Attorney Ho described numerous incidents where District Attorney
18 employees were assaulted and threatened. He asked the City to help get the unhoused off the
19 streets and into shelters.

20 23. Mayor Darrell Steinberg responded and said, "The presiding judge and the district
21 attorney are right. I'm working with the City Manager to open up the Miller Park Safe Camping
22 no later than two weeks from now."

23 24. That was three (3) months ago, and since then things have only worsened. A court
24 reporter was assaulted, another DA employee was threatened, and a woman was sexually
25 harassed and forced to hide in the bathroom of the G Street Café. The community remains
26 trapped in this "Groundhog Day" loop that keeps repeating itself where nothing changes, and
27 nothing improves.

28 25. Past approaches by the City to address the unhoused crisis have failed. The City

1 should not stand idly by while lawless zones that promote crime erode the well-being of our City
2 for those who live and work here.

3 26. On July 18, 2023, the Sacramento County District Attorney's Office asked people
4 to complete a survey regarding 16 major unhoused zones within the City. As part of the survey,
5 people were asked to describe how these zones and the City's actions have impacted their quality
6 of life.

7 27. The District Attorney's Office received over 3,000 responses. Many of the
8 responses were disturbing and appalling. Residents reported being assaulted at gunpoint by an
9 unhoused individual; a girls' soccer game was postponed because of hypodermic needles on the
10 field; a homeowner was diagnosed with PTSD due to the constant harassment and break-ins by
11 unhoused people living in an unhoused zone across the street from her home; children have had
12 to walk through human feces and urine to get to school.

13 28. In July 2023, the City of Sacramento released its most updated version of the "City
14 of Sacramento Citywide Homeless Protocol" (the Protocol). With it, the City of Sacramento
15 developed and condoned a two-tier level justice system that treats unhoused residents of
16 Sacramento differently than its housed residents.

17 29. The City of Sacramento blatantly disregards its own protocols to address the
18 unhoused, in order to avoid enforcement and ignore complaints from housed residents.

19 30. For example, the Protocol states: "Service Requests related to zones originate
20 from 311 and/or direct constituent complaints to the City, including any member of the City
21 Council, or through Notice and Demand form, 911 calls, calls to Sacramento Police Department's
22 non-emergency line."

23 31. Resident survey respondents stated that when they called 911 their complaints
24 were directed to 3-1-1 ("311") and specifically told 911 does not deal with unhoused issues. The
25 primary focus and goal of the Protocol is voluntary compliance.

26 32. When Sacramento Police Officers do respond to the unhoused complaints, the
27 officers routinely state they cannot do any enforcement until they are given authorization by the
28 City Attorney or Mayor.

1 33. Neither the City Attorney nor the Mayor are vested with powers by the City of
2 Sacramento to determine when and if City ordinances should be enforced, especially after the
3 Protocol has been established and passed by the City Council.

4 34. When any City agency does implement the Protocol, their goal remains voluntary
5 compliance by the unhoused and in the unhoused zones.

6 35. For housed City residents, voluntary compliance is neither a priority nor an option.

7 36. In fact, housed City residents are routinely fined under City Ordinances since
8 voluntary compliance measures are not outlined by either the City Code or the California State
9 Vehicle Code.

10 37. Some respondents said their calls to the City for help had gone unanswered.
11 Additional respondents received comments from Councilmember Katie Valenzuela's office
12 chastising them for seeking help and directed them to "be thankful" for being housed.

13 38. Some who called 311 to request help were told to stop calling. Some were told to
14 "move" if they did not like what was happening with the unhoused folks.

15 39. After receiving these heart wrenching responses, District Attorney Ho sent the
16 City of Sacramento a letter (See Exhibit 2) asking the City to:

- 17 • Consistently enforce city ordinances such as sidewalk obstructions, unlawful
18 storage, unlawful dumping, unlawful fires and unlawful camping;
- 19 • Create professionally operated Safe Ground sites;
- 20 • The City only allows camping at night on the grounds of City Hall but prohibits
21 any camping during the day. District Attorney Ho asked the City to extend that
22 same protection that they give to themselves to the rest of the City;
- 23 • Share real time data on shelter bed availability with all partners, including law
24 enforcement;
- 25 • Complete an audit of the millions that have been spent on the unhoused crisis with
26 a true accounting of which programs work. The city has been planning an audit
27 for two years with nothing to show.

28 40. To date, the City has not accepted or fully implemented any of these proposals.

1 They haven't even provided a timeline on a single item.

2 41. The unhoused deserve to feel and be safe. However, among the chronically
3 unhoused, 9 out of 10 women have been victims of sexual assault.

4 42. During the recent heat wave in the summer of 2023, unhoused people
5 were seen walking on the sizzling sidewalk barefoot. During the cold winter months of 2022,
6 unhoused people were seen wrapped in blankets standing in the pouring rain.

7 43. It's not compassionate to let someone die in the sweltering summer sun or freeze
8 to death in the cold winter night. It's not compassionate to allow unsafe conditions to fester so
9 badly that a 14-year old boy cannot ride his bike to school or a group of little girls can't play
10 soccer on a field littered with needles. It's not compassionate when someone in a wheelchair
11 cannot use a sidewalk blocked by tents or a small business is forced to close forever due to
12 repeated broken windows and vandalism.

13 44. Amid this spiraling descent into decay and this utter collapse into chaos, the City
14 of Sacramento has consistently failed to abate the nuisance it caused.

15 45. The City, with constant direction from both the Mayor and City Attorney, at best,
16 elected to conduct selective enforcement which erodes public safety, enables lawlessness, and
17 represents missed opportunities at intervention to encourage mental and substance abuse
18 treatment. The City's actions and policies are a magnet for the unhoused and promote
19 lawlessness.

20 46. Among the chronically unhoused, 8 out of 10 suffer from mental health disorders
21 or drug addictions. They present the most public safety issues for themselves and the rest of the
22 community. They are the most treatment resistant in the unhoused population.

23 47. The unhoused crisis is complex and must be addressed with short term, mid-term,
24 and long-term solutions.

25 48. Long-term: Governor Gavin Newsom's initiative to build 10,000 additional
26 mental health beds is an important step at addressing the unhoused crisis in California. Efforts
27 to expand conservatorship laws to include those suffering from substance abuse disorder will
28 also assist in providing required treatment.

1 49. Mid-term: programs such as the Sacramento County District Attorney’s CORE
2 program, which offers individuals who commit multiple non-violent offenses the opportunity to
3 receive treatment in lieu of jail can help encourage treatment.

4 50. However, the implementation of long-term or mid-term solutions is futile unless
5 in the short term, the City of Sacramento abates the nuisance they have allowed to fester.

6 51. On August 7, 2023, District Attorney Ho received an email after business hours
7 from Sacramento City Attorney Susana Alcala Wood in which she wrote, “SPD is simply not
8 issuing citations for unlawful camping, unlawful storage, sidewalk obstruction or any
9 Sacramento City code sections related to unhoused zones. Our data indicates that no citations
10 have been referred to our office ... we cannot prosecute cases if no cases are sent to us.” The
11 City Attorney then asked the District Attorney to help encourage the police in “becoming more
12 comfortable in issuing citations.” (See Exhibit 3)

13 52. This letter was a shocking admission of liability that the City created this nuisance
14 and is complicit in failing to abate the same.

15 53. Further, the letter was also confirmation that City enforcement wasn’t just
16 inconsistent, it was non-existent.

17 54. This letter demonstrates that the reality of enforcement is different than what is
18 publicly said and by what is mandated by the City Council.

19 55. It has become apparent the Sacramento Police Department is receiving conflicting
20 orders from either the Mayor’s Office, City Attorney’s Office or individual Councilmembers to
21 not enforce the law. All City entities, that alone do not have the vested power to dictate,
22 Sacramento City Ordinances.

23 56. The City of Sacramento’s complete and utter failure to enforce any of its City
24 ordinances related to the unhoused crisis has been hidden from the public. This failure has
25 resulted in the decay and destruction of the once bucolic City of Trees. See video
26 <https://youtu.be/upNziB0AiRo>.

27 57. The Victims, as alleged herein, have individualized stories and injuries capable
28 of redress. With this Action, the People of the State of California and the Victims seek to address

1 the unhoused crisis in a compassionate but balanced approach that requires the City of
2 Sacramento to consistently enforce the law, keep our streets clean and safe. Before the present
3 lawsuit was filed, Sacramento County District Attorney Thien Ho asked the City to pass a
4 daytime camping ban similar to the successful San Diego ordinance. Mayor Darrell Steinberg
5 refused to support this long overdue step to address our unhoused crisis on the streets and along
6 our rivers.

7 **PARTIES**

8 58. Plaintiff, THE PEOPLE OF THE STATE OF CALIFORNIA

9 59. Defendant, City of Sacramento

10 **JURISDICTION AND VENUE**

11 60. The People of the State of California seek only equitable and injunctive relief for
12 the causes of action asserted herein. Accordingly, The People of the State of California need not
13 submit a claim with the City or any other public entity pursuant to the Tort Claims Act, Gov.
14 Code 810 *et seq.*, to proceed with their claims.

15 61. All matters complained of and all damage sustained as alleged herein occurred in
16 the City of Sacramento. Accordingly, this Court has jurisdiction to adjudicate the claims and
17 venue is proper. Code Civ. Proc. §§ 394, 410.10.

18 62. The District Attorney is authorized by California Civil Code of Civil Procedure
19 section 731 to bring an action in the name of the People of the State of California to abate a public
20 nuisance.

21 63. The District Attorney is authorized by California Fish and Game Code section
22 5650.1 to bring a civil enforcement action in the name of the People of the State of California to
23 stop any violation of Fish and Game Code Division 6, Chapter 2 including sections 5650 and
24 5652. When seeking a temporary restraining order or injunctive relief to stop violations of Fish
25 and Game Code section 5650, it is not necessary to plead or prove grave or irreparable harm will
26 occur if the equitable remedy sought is not granted or that the remedy at law is inadequate.

27 64. All acts and allegations listed below occurred on property owned, operated, or
28 maintained by the City of Sacramento.

GENERAL ALLEGATIONS

The Zones at C Street near and around Stanford Park

1
2
3 65. Anayeli Doe and Valentine Doe are the property owners and residents of two
4 homes located on 28th Street in Sacramento. Ginger Doe is the property owner of 2 multi-unit
5 residences located at 29th and C Street in Sacramento. Jennifer Doe and Justin Doe reside on 29th
6 Street. Staci Doe and Ryan Doe reside on C Street. Jason Doe is a longtime youth soccer coach
7 at Stanford Park. Erin Doe operates a school serving autistic children. These individuals are
8 collectively referred to herein as the “C Street Victims.”

9 66. Starting March 2020 and for the past few years, hundreds of unhoused transients
10 have inhabited a zone consisting of trailers, tents, and makeshift structures on 29th and C Street
11 near Stanford Park. Most recently members of the zone have moved to C Street and Alhambra.
12 (See Exhibit 4)

13 67. The zone has fully occupied entire stretches of sidewalk, thereby impeding ingress
14 and egress to Victims’ homes. Residents were forced to walk in the road to access their properties
15 at their peril. (See Exhibit 5)

16 68. The unhoused inhabitants light campfires on the sidewalk and in the street daily.
17 Some fires are so large and dangerous and have prompted calls to the fire department. Staci Doe
18 observed that some fires were so large that embers flew onto victims’ property. Not only do the
19 campfires endanger victim properties and their safety, but zone inhabitants have also repeatedly
20 threatened to burn the neighborhood to the ground. Compounding this obvious danger, the zone
21 and its inhabitants impede necessary access to public fire hydrants. (See Exhibit 6)

22 69. The zone inhabitants commit crimes regularly including threatening to kill victims
23 while armed with deadly weapons, openly selling and use of narcotics, breaking into resident
24 cars and homes, masturbating in public, and engaging in prostitution. Further, many of the
25 unhoused residents have dogs which roam C Street off leash and/or unsupervised. C Street
26 victims have been chased by vagrant canines.

27 70. The zone inhabitants have maliciously vandalized victim homes and property
28 repeatedly. They have thrown rocks through their windows, stole furniture from their porches,

1 shot windows out, and even attempted to light Staci Doe's car on fire.

2 71. The zone inhabitants regularly trespass upon victim properties, finding alcoves
3 and dimly lit areas to defecate, use drugs, fornicate and/or masturbate. The trespasses have
4 resulted in piles of feces and toilet paper festering on the properties, creating foul smells and
5 unsanitary conditions. Further, several unhoused have, on multiple occasions, attempted to tap
6 into victims' electrical system to steal power, resulting in increased cost and thousands of dollars
7 of damage to their property.

8 72. The unhoused became increasingly aggressive and territorial. Victims were
9 regularly threatened and/or assaulted for simply walking down the street. Jennifer Doe opened
10 her front door to be met by an unhoused person with a firearm pointed at her face. Multiple
11 victims have been assaulted by the zone dwellers with weapons. Jennifer Doe was lunged at with
12 a knife and Anayeli Doe was assaulted with garden shears. An unhoused individual pointed a
13 laser into Staci Doe's eyes.

14 73. Zone residents also consistently engage in physical fights and multiple acts of
15 violence (including domestic violence) against each other. This has been described as the
16 "witching hour" by victims who have observed the unhoused attack each other in the street with
17 large knives and other deadly weapons while threatening to kill each other.

18 74. Animal abuse was also rampant at the zone. The inhabitants would beat and
19 punish their dogs repeatedly, and the victims have called 911 many times to report such abuse.
20 In April of 2023, Jennifer Doe called 911 for four hours straight because she heard a dog loudly
21 screaming and crying as it was getting beaten by a zone inhabitant. She called the noise awful
22 and describes the disturbing "noise of an animal screaming in torment" as something she can
23 never "unhear." The dog was eventually found dead in the morning. Another day, another dog
24 was found to have many broken bones due to the abuse it suffered by a zone inhabitant.

25 75. Violence was continuously perpetrated by and against zone residents. They have
26 hit a woman with a skateboard rendering her bloody and unconscious and attempted to run people
27 over with a car. During the winter of 2020, an unhoused subject with a running chainsaw was
28 cruising around the victim's neighborhood on a skateboard laughing and chasing people. In

1 March of 2021, another zone inhabitant violently raped a woman and threatened others not to
2 intervene.

3 76. The violence never stopped. Similar acts of violence continued until February
4 2023, when Staci Doe and Ryan Doe were confronted by a felon who threatened to kill them with
5 a firearm at their front porch. After that terror, they were forced to move out of their residence
6 due to the trauma of what they experienced. They began couch surfing on friend's and relative's
7 homes to avoid the destruction that had been allowed to overtake their neighborhood. They
8 described their experience as living in a Libyan terror camp. Staci has subsequently been
9 diagnosed with Post Traumatic Stress Disorder and they have yet to return to their home full-
10 time.

11 77. The unhoused also created disturbing and unwanted noise at all hours of the day.
12 They were constantly screaming and cursing at each other day and night which routinely
13 prevented the victims from sleeping at night. In October 2020, a longtime zone inhabitant placed
14 a 3-foot-tall speaker in front of the victims' residences and blasted loud music for 72 hours
15 straight until the police department eventually arrived. The zone resident was arrested as the
16 speaker had been reported stolen.

17 78. As a direct result of the dangers posed by the zone inhabitants, victims have
18 incurred thousands of dollars of property damage, theft of personal property, and lost income.
19 Jennifer Doe has ceased providing piano lessons at her residence as parents felt their children
20 were unsafe at her home. This loss of clientele adversely impacted her business and profit
21 margin.

22 79. Victims Anayeli Doe and Ginger Doe have also lost rental income due to the zone
23 residents' erratic behavior. Ginger Doe has repeatedly lowered rent to attract renters. Renters
24 would not stay long as the unhoused would often order meal delivery like "door dash" and "uber
25 eats" and use her rental as the delivery address. Renters would be awakened at all hours of the
26 night to the doorbell ringing from the constant food deliveries being made.

27 80. Not only were the streets and sidewalks inaccessible; Stanford Park, which hosted
28 neighborhood youth soccer was severely impacted. Games had to be stopped due to the constant

1 presence of hypodermic needles and crack pipes. (See Exhibit 7) Recent clean-ups have resulted
2 in the collection of over 750 used needles. Unhoused took over the park by allowing their
3 aggressive dogs to run around unleashed, occupying the benches, and taking over the bathrooms
4 to engage in drug use and prostitution. A zone inhabitant took over portions of the soccer field
5 to charge his solar panels for his PlayStation.

6 81. C Street victims have called the City's 3-1-1 non-emergency response line
7 ("311"), contacted the City's Department of Community Response, as well as their council
8 representative on numerous occasions. The victims have also complained to law enforcement.
9 In response to their complaints, the City of Sacramento, its officials, employees, and agents
10 routinely informed C Street victims that nothing could be done. Multiple C Street victims have
11 also been told by Councilmember Katie Valenzuela's office to "get used to" the unhoused
12 because there was "nothing" the city was able to do, and that victims should consider themselves
13 "privileged" in comparison to the zone dwellers. Jennifer Doe was told to try and "step over
14 needles" that were strewn in the streets and sidewalks of their neighborhood.

15 82. After repeated calls to 311 and communication with the Department of
16 Community Response, Jennifer Doe attempted to make remarks at a City Council meeting only
17 to be shut down as her comments "were not on the agenda."

18 83. On September 15, 2023, Erin Doe met with the Mayor, Assistant City Manager
19 and a representative from the City Police Department to discuss the growing zone located across
20 the street from her school.

21 84. The Mayor listened to Erin Doe's concerns about the dangerous zone including
22 the constant crime and violence committed by the zone inhabitants.

23 85. During this discussion Mayor Darrell Steinberg said "I really don't give a shit"
24 when referring to being compassionate toward unhoused people and urged the Asst. City
25 Manager to prioritize this location and clean up the zone.

26 86. After their meeting, Erin Doe attended the District Attorney's press conference
27 regarding the DA's civil lawsuit against the City and allowed her posterboard of photos depicting
28 different crimes committed by the unhoused to be displayed. This was the same posterboard she

1 showed the Mayor and City officials during their September meeting.

2 87. By early October, despite the Mayor's initial insistence that Erin Doe received
3 help, the camp had not been cleared and it continued growing quickly.

4 88. Erin Doe telephoned a high-ranking City employee to ask him about clearing the
5 zone. He repeatedly argued with her, telling her that he could not compel the zone inhabitants to
6 leave and ended their conversation.

7 89. Erin immediately called the same high-ranking City employee back and informed him
8 that she had obtained a copy of a presentation given by the Sacramento City Attorney's Office,
9 which explained the limitations of the Martin v. Boise decision often cited by City officials as to
10 why they could not enforce the law as it relates to unhoused individuals. In this presentation, the
11 City Attorney's Office discussed all of the exceptions in Martin v. Boise that actually allowed
12 for enforcement.

13 90. Erin offered to share a copy of the Power Point with the high-ranking City employee.
14 He declined a copy and told her not to send it. He then stated, "I know I can move them" and
15 that the zone would be removed. The next day the camp was tagged and the zone was eventually
16 cleared.

17 91. Erin Doe believes that the City initially reneged on clearing the unhoused zone
18 because she exercised her First Amendment rights by attending the DA's press conference. Erin
19 Doe further believes that the City's conduct in initially failing to clear the zone was retaliatory
20 and that the retaliation only ceased because she confronted City officials with their own training
21 materials.

22 92. Anayeli Doe called 311 repeatedly and her councilmember's office over 20 times
23 receiving no return call from her councilmember. Anayeli eventually received a call from a
24 Councilmember Katie Valenzuela's office which she found offensive. The representative made
25 her feel as though she should not be complaining about the unhoused and that Anayeli should
26 consider herself privileged for having the home she worked so hard for.

27 93. Based upon the information provided by each of the C Street victims as well as
28 responses from members of the public not specifically pled herein, the People are informed and

1 believe, and thereon allege, that the City of Sacramento, its officials, employees, and agents
2 refused to abate the nuisance and address the dangers posed by the zone dwellers based upon the
3 express or implied directives and policies of City officials and leaders who did not have the
4 vested authority to do so.

5 The R Street Zone

6 94. Tanya Doe has resided on P Street for over twenty years. Jeff Doe has operated his
7 firm on 3rd Street for over twenty years. He employs over twenty employees at his location.
8 They are collectively referred to as "R Street Victims."

9 95. Since March of 2020, a large zone was formed and became embedded in the
10 neighborhood. A large number of tents, RV's, and broken cars line the sidewalks from S Street
11 to Q Street from 2nd Street through to 3rd Street. R Street victims describe the zone as getting
12 progressively worse since then. (See Exhibit 8)

13 96. Victims regularly witness drug deals and drug use. Used needles litter the
14 sidewalks, as do trash and human feces. There are bicycle parts throughout the zone. The zone
15 inhabitants allow their dogs to roam off-leash near and around R Street, thereby endangering the
16 R Street victims. (See Exhibit 9)

17 97. Zone residents break in victims' cars, break office windows, defecate near their
18 doors, use their landscaping to dispose of used hypodermic syringes and human excrement.
19 Unhoused also scream, intimidate, and harass R Street victims coming to and from work and
20 home. Some zone residents also use the sidewalk and pedestrian walkway to operate a bicycle
21 chop-shop in broad daylight.

22 98. Since 2021, Tanya Doe smells fires coming from the zones routinely. For the first
23 time in decades the fire department ran drills in her building to prepare for the danger the
24 unhoused fires pose. The trees that provided her privacy from the freeway had to be cut down in
25 order to attempt to prevent fires caused by the unhoused. (See Exhibit 10)

26 99. The unhoused have negatively affected Tanya Doe's quality of life greatly,
27 especially since May of 2023. She no longer walks at night and can no longer ride her bike
28 regularly as the unhoused in the area are unpredictable. For the first time in decades her car was

1 broken into. She is now contemplating moving away from the area.

2 100. Jeff Doe has also contemplated relocating his practice to a safer location. His
3 employees routinely inform him that they do not feel safe coming to and from work. He describes
4 the zone take over as “the disintegration of civilized society in full display” and says the
5 neighborhood now looks worse than a “3rd world country.”

6 101. The R Street victims have called 311 and law enforcement on numerous
7 occasions. In response to the complaints, the City of Sacramento, its officials, employees and
8 agents routinely inform the R Street Victims that nothing can be done. Tanya Doe authored a
9 letter to her councilmember begging for help (See Exhibit 11). She received no response from
10 the councilmember.

11 102. Based upon the information provided by each of the R Street victims as well as
12 responses from members of the public not specifically pled herein, the People are informed and
13 believe, and thereon allege, that the City of Sacramento, its officials, employees, and agents
14 refused to abate the nuisance and address the dangers posed by the zone dwellers based upon the
15 express or implied directives and policies of city officials and leaders who did not have the vested
16 authority to do so.

17 **17th Street Zone**

18 103. Rebecca Doe has lived in the midtown neighborhood around 17th Street between
19 I Street and J Street in Sacramento for over a year. Sara Doe and Aubrey Doe opened their store
20 on I Street in December of 2019. An unhoused zone entrenched itself in the neighborhood at I
21 Street between 17th and 18th Streets in April of 2020 and remained until it was finally cleared in
22 July of 2023. Collectively they are referred to as “17th Street Victims.”

23 104. Rebecca Doe still regularly encounters zone inhabitants trespassing in the
24 neighborhood. She has been threatened with rape while jogging near her house by an unhoused
25 man. She has been followed and terrorized by another large, unhoused man while trying to walk
26 back to her house. The unhoused have screamed and engaged in fights in the street at all hours
27 of the night. Unhoused throw trash into the street and one unhoused individual poured milk on
28 her car. She now alters her walking and jogging habits and must drive (instead of walk) after

1 dark.

2 105. Sara Doe and Aubrey Doe have operated their woman owned business on I Street
3 since the end of 2019. Since then, they have been negatively impacted by the zone residents.
4 They have been victims of power theft, flashing, vandalism and assault. They see constant drug
5 sales and use.

6 106. In 2021, Sara Doe was confronted by two unhoused subjects in front of her
7 business. They demanded money and chased her when she said she didn't have any. She called
8 9-1-1- and received no response.

9 107. Since 2021 several employees have been harassed by the zone inhabitants. One
10 employee was chased by an unhoused individual wielding a broken wine bottle. Other employees
11 have been harassed by zone inhabitants while taking out the trash. Customers have also been
12 intimidated by the unhoused nearby, causing them to not want to frequent the business. Due to
13 constant harassment by the unhoused, Sara Doe and Aubrey Doe trained their employees to call
14 3-1-1 and report the previous night's criminal activity as part of their opening procedure.

15 108. Sara Doe and Aubrey Doe have modified their operating hours and created a
16 buddy system just to use the restroom. Their business has suffered a large monetary loss. They
17 have spent over \$4,500 in damages and extra security costs and shortening their hours of
18 operation has costs them \$6,000 in lost revenue. They are constantly receiving notifications that
19 their security system is being triggered by unhoused trying to enter their store and using their
20 doorway to use drugs. They feel unsafe and anxious and do not know whether their business can
21 survive. (See Exhibit 12)

22 109. The 17th Street victims have called 311 and law enforcement on numerous
23 occasions. Aubrey and Sara have called 311 over a hundred times. In response to the complaints,
24 City of Sacramento, its officials, employees and agents routinely inform the 17th Street victims
25 that nothing can be done.

26 110. Based upon the information provided by each of the 17th Street victims as well as
27 responses from members of the public not specifically pled herein, the People are informed and
28 believe, and thereon allege, that the City of Sacramento, its officials, employees, and agents

1 refused to abate the nuisance and address the dangers posed by the zone dwellers based upon the
2 express or implied directives and policies of city officials and leaders who did not have the vested
3 authority to do so.

4 The Downtown Zone

5 111. Nikki Doe works on J Street in downtown Sacramento. Ken Doe has operated his
6 business on G Street since 2018. Dr. Doe lives and works in downtown Sacramento. Since
7 March of 2020, nearby unhoused zones on I and J Streets between 5th and 9th constantly endanger
8 Nikki, Ken, Dr. Doe and their employees as they travel to and from work. All these businesses
9 are located within blocks of Sacramento City Hall. They are collectively referred to as the “City
10 Hall Victims.”

11 112. Unhoused individuals- of the zone have and continue to damage Ken’s café
12 (CAFÉ). Since June of 2021, the unhoused have broken windows at the café four times, (See
13 Exhibit 13) the last act of vandalism occurred July of 2023. Unhoused subjects come into his
14 café several times a week, intimidating customers and occupying the bathroom for hours at a
15 time. Unhoused subjects sleep in front of his door leaving trash, human excrement, and drug
16 paraphernalia that he must clean.

17 113. The constant presence by the unhoused has negatively impacted his business. The
18 sidewalks are blocked, and unhoused persons animals are left on the sidewalk, which discourage
19 customers from entering the business resulting in the loss of sales. Furthermore, the property
20 damage alone has cost thousands of dollars. (See Exhibit 14)

21 114. Further, the zone individuals pose a significant public health risk to Nikki Doe,
22 her customers, and employees. Nikki Doe and her employees daily -escort 8-15 unhoused
23 trespassers out of her business-, most of whom are combative.

24 115. Nikki Doe’s employees have been harmed many times. Recently in July of 2023,
25 a zone resident threw a water bottle at an employee’s head. Another employee slipped and fell
26 on an unhoused person’s urine and human excrement while accessing the stairwell. Nikki’s
27 hospitality business has been negatively impacted because people do not want to come to
28 downtown Sacramento due to the unhoused and the crime they commit.

1 116. The City Hall victims have called 311 and law enforcement on numerous
2 occasions. In response to the complaints, City of Sacramento, its officials, employees and agents
3 routinely inform them that nothing can be done.

4 117. Dr. Doe has also called 9-1-1 multiple times regarding unhoused individuals
5 committing crime at his residence and neighborhood. He reports, “the willful lack of law
6 enforcement is baffling. Every officer I’ve talked to has told me it’s a direct order from the
7 Mayor to apply the law differently to the un-homed.”

8 118. Based upon the information provided by each of the City Hall victims as well as
9 responses from members of the public not specifically pled herein, the People are informed and
10 believe, and thereon allege, that the City of Sacramento, its officials, employees, and agents
11 refused to abate the nuisance and address the dangers posed by the zone dwellers based upon the
12 express or implied directives and policies of city officials and leaders who did not have the vested
13 authority to do so.

The Zones at Broadway and X Street

14 119. Jerri Doe is a resident of Midtown Sacramento, Sofia Doe is a resident of South
15 Land Park and Steve Doe owns and operates a business near the Broadway and X Street area.
16 They are collectively referred to herein as the “Broadway and X Street Victims.”

17 120. The Broadway and X street unhoused zone fully occupied the entire stretches of
18 sidewalk on both sides of the street beneath the Interstate 50 and Capital City Freeway exchange.
19 Any pedestrians are forced to walk in the road on a very busy stretch of roadway.

20 121. The unhoused zone at this location consists of garbage, tents, cars, makeshift
21 structures, open fires and animals. (See Exhibit 15)

22 122. Starting March of 2020 Victim Steve Doe saw an increase in unhoused
23 population in the area. After the X Street Navigation Center opened, in September 2021, he again
24 saw the population of unhoused spike up.

25 123. He has operated his business on X Street for approximately 23 years and the
26 business is less than a mile away from the Broadway and X Street zone.

27 124. Almost daily, Victim Steven Doe must clean up human feces, drug needles and
28

1 garbage from the front and around his business.

2 125. His business is visited by unhoused people daily. The unhoused have stolen
3 merchandise, broken merchandise and harassed his clients and employees.

4 126. The daily stress of dealing with the unhoused is creating a mental toll on his
5 employees, that while he has not lost an employee yet, he fears that it is a matter of time.

6 127. Victim Steve Doe described an incident when an unhoused individual was so
7 angry that they were being asked to leave the store, that with outstretched arms, the individual
8 walked out of the store knocking over and breaking a substantial amount of merchandise. Victim
9 Steve Doe estimates approximately \$2000 in broken merchandise from unhoused people visiting
10 his store.

11 128. Steve Doe said it is common to have unhoused people half naked, yelling, and
12 screaming at the store. He described one incident when he called the Sacramento Police
13 Department for help and was told there was nothing that could be done to help him.

14 129. The windows of his business have been broken so often that his insurance
15 company will no longer insure the windows of his business. Since 2020, he has spent
16 approximately \$12,000 on window repairs.

17 130. To compensate for his losses and the stress Victim Steve Doe has modified his
18 business practices. He no longer has mirrors facing the street to prevent anyone with mental
19 illness from attacking the windows. He now lines his business windows with furniture to
20 prevent visibility inwards from the street.

21 131. Victim Steve Doe opened a space in Roseville to sell his items in order to
22 compensate for the lost business here in Sacramento.

23 132. Victim Steve Doe also upgraded his security camera system at an additional cost
24 of \$40-\$70 a month. He no longer sleeps comfortably through the night as the security system
25 is connected to his phone, and he is constantly checking cameras during the night. This has been
26 an added stressor to his life.

27 133. Victim Steve Doe said when he spoke with City Councilmember Katie
28 Valenzuela, she ignored his pleas for help and instead told him to have more compassion for the

1 unhousted.

2 134. Victim Jerri Doe is 82 years old and lives in the Midtown Area on a fixed income.
3 Her primary form of transportation is a bicycle. Jerri Doe stated that she travels by the Broadway
4 and X Street location.

5 135. Approximately 6 months ago, Victim Jerri Doe traveled by the Broadway and X
6 Street zone when returning from the store. She said she normally walks her bicycle on sidewalks
7 when there is an increased amount of traffic on the roads. Due to the large sidewalk obstruction
8 on both sides of this street, Jerri Doe was forced to ride her bicycle on the street.

9 136. She described being cursed at and intimidated by the unhousted inhabitants living
10 in that zone.

11 137. She recalls being very frightened by the traffic and the unhousted inhabitants and
12 now feels limited to where she can travel.

13 138. Victim Jerri Doe said that since living in Midtown, 5 pharmacies have closed due
14 to unhousted activity. As a result, there is one remaining pharmacy, Target on 1707 J Street. On
15 June 23, 2023, that Target caught fire due to arson. Jerri Doe said that the pharmacy was closed
16 for 3 weeks. She said she worried that this final pharmacy would permanently close leaving her
17 with no options close by.

18 139. Victim Jerri Doe said she regularly shops at the local Grocery Outlet in Midtown,
19 but due to the unhousted activity in the area, there are no shopping carts available. She said she
20 spoke with management asking them to please provide shopping carts for their elderly customers.
21 Victim Jerri Doe said management informed her they could not keep the shopping carts due to
22 the unhousted constantly stealing the carts. As a result, she and other elderly shoppers are forced
23 to use baskets which are heavy and difficult for her to carry.

24 140. Victim Jerri Doe said she never reached out to a local official until filling out the
25 Sacramento District Attorney's questionnaire. She was motivated because she feels that her
26 independence is slowly being diminished, the elderly have been forgotten and they make the
27 perfect victims.

28 141. On February 2, 2021, Victim Sofia Doe was attacked by an unhousted man. The

1 man attempted to drag her into his car and sexually assault her. This event has been life changing
2 for Victim Sofia Doe and she now suffers from ongoing panic attacks.

3 142. Victim Sofia Doe's mother, Nancy Doe said her daughter is not the same person
4 she once was and is uncertain if she will ever be the same. This incident has altered her life
5 trajectory, and a Sophia Doe, once independent woman, now still lives with Nancy Doe at Nancy
6 Doe's home.

7 143. Both women indicate that the safety of their home in a quiet South Land Park
8 area has been compromised due to increased unhoused activity. Nancy Doe's family has added
9 security cameras and locks to their backyard gates.

10 144. Through security camera footage Nancy and Sofia Doe have seen the unhoused
11 roaming around in their backyard, taking from them the sense of security they once had in their
12 home. They are in a constant state of fear even inside their home. (See Exhibit 16)

13 145. Nancy Doe said that she used to walk to Midtown regularly from her home but no
14 longer feels that she can safely walk. The unhoused zones block sidewalks making them unusable
15 and she is afraid due to the unpredictable nature of many of the unhoused.

16 146. The Broadway and X Street victims have called 311 and the police on numerous
17 occasions. In response to the complaints, City of Sacramento, its officials, employees and agents
18 routinely inform them that nothing can be done.

19 147. Based upon the information provided by each of the Broadway and X Street
20 victims as well as responses from members of the public not specifically pled herein, the People
21 are informed and believe, and thereon allege, that the City of Sacramento, its officials,
22 employees, and agents refused to abate the nuisance and address the dangers posed by the zone
23 dwellers based upon the express or implied directives and policies of city officials and leaders
24 who did not have the vested authority to do so.

25 **The Commerce Circle Zone**

26 148. Byron Doe owns a commercial building on Commerce Circle in the City of
27 Sacramento. Victim Byron Doe has owned the building since 2003 and currently leases the
28 building to a business. He is known as the "Commerce Circle Victim" herein.

1 149. Victim Byron Doe stated since 2020 he has noticed an increase in unhoused
2 activity, with several hundred motor vehicles parking in the area. (See Exhibit 17)

3 150. The unhoused inhabitants engage in a variety of illegal activity that he witnesses
4 daily. There is open air drug use, selling of drugs, animals on the loose, blocked sidewalks, fires
5 so large that require a response from the fire department. He said last year there was a homicide
6 in the area. (See Exhibit 18)

7 151. Victim Byron Doe said almost daily he cleans human feces, needles and deals
8 with blocked sidewalks.

9 152. Unlike traditional commercial leases, Victim Byron Doe states he feels that he
10 must pay for all repairs and upgrades to the building. He installed a \$12,000 security system to
11 protect the building and installed a laser security system in the parking lot. Victim Byron Doe
12 fears that without these accommodations he would lose his tenant and jeopardize his investment.

13 153. Victim Byron Doe also said that his building is routinely vandalized, despite his
14 best efforts to secure the property. The fence and razor wire surrounding his building have both
15 been cut since installing the new system.

16 154. Victim Byron Doe said that he also helps walk his tenants when it gets dark early
17 to allow people who don't feel safe leaving the building. He says he does this to ensure the
18 business continues to operate out of his building.

19 155. He also states that he has not raised the rent in his building since 2011. He is
20 afraid any increase will drive the tenant away, as there are other locations in the area that do not
21 have the same unhoused problem as Commerce Circle.

22 156. Victim Byron Doe said that part of his retirement is in this building and he is
23 watching himself lose his retirement every year.

24 157. In addition to the financial struggles, Victim Byron Doe said that what attracted
25 him to this building was its location close to the parkway. Prior to the large unhoused zone, he
26 would take walks or run on the parkway. He can no longer use the parkway or go for walks due
27 to the dangerous conditions.

28 158. Victim Byron Doe said he reached out to the Sacramento Police Department but

1 it often requires hours of waiting for a response or he is directed to 311. Victim Byron Doe said
2 when he contacted 311 nothing usually happened, except on occasion a vehicle would be tagged,
3 only to have the same vehicle return the next day.

4 159. Victim Byron Doe said he once reached out to the Sacramento Police Department
5 to remove an unhoused person who was setting up a tent on his private property and was told
6 nothing could be done. Given the limited assistance from the police department, Victim Byron
7 Doe states property owners are being forced into confrontations to clear their properties.

8 160. He also stated that he has contacted the City Council but feels that the Council
9 listens to the unhoused advocates instead of people like him. Victim Byron Doe said he contacted
10 Sacramento City Mayor Darrell Steinberg on several occasions and receives every excuse but
11 nothing regarding the enforcement of laws. Victim Byron Doe said it was clear that the laws
12 were not being enforced.

13 161. He wonders why law-abiding citizens, business entrepreneurs, like himself are
14 held to such rigid standards by the City and other regulatory agencies, but the unhoused are
15 allowed to illegally dispose of sewage, engage in criminal activity, disregard all City ordinances
16 without proactive enforcements and penalties.

17 162. Based upon the information provided by the Commerce Street victim as well as
18 responses from members of the public not specifically pled herein, the People are informed and
19 believe, and thereon allege, that the City of Sacramento, its officials, employees, and agents
20 refused to abate the nuisance and address the dangers posed by the zone dwellers based upon the
21 express or implied directives and policies of city officials and leaders who did not have the vested
22 authority to do so.

The Zones near F Street to I Street

23 163. Dr. Todd Doe is a dentist and his office is located near the F and I Street
24 zone. Dr. Doe purchased the building in 2010. Dr. Todd Doe hereinafter referred to as the Victim
25 of F Street to I Street.

26 164. Since 2015, Victim Dr. Doe has noticed a steady increase in unhoused activity,
27 but it has dramatically increased in the past couple of years.
28

1 165. Victim Dr. Doe said that he comes in early every day to check the property for
2 human feces, needles or to remove the unhoused from his property. He said he cleans up about
3 once a week himself because he cannot ask his staff to clean up.

4 166. The building used to have two showers on the first floor, but he was forced to
5 remodel and remove the showers due to the unhoused constantly breaking in and trashing the
6 showers.

7 167. Victim Dr. Doe changed the locks to his building to timed locks to prevent the
8 unhoused from sleeping in his stairwell. As a result, mail needs to be delivered before 6 PM or
9 the doors lock. Dr. Doe said this impacts his business as there are often checks in the mail that
10 he may not get for 3-4 days.

11 168. Since 2010, Victim Dr. Doe said he has spent approximately \$100,000 securing
12 and repairing his building. Six months ago, he upgraded the building camera system at a cost of
13 \$7,500. While a significant cost, Victim Dr. Doe said he felt this was necessary to protect his
14 building.

15 169. The cameras sound an alarm and allow him to talk to the unhoused on his
16 property. He said due to this, the amount of feces he picks up has now decreased to less than
17 once a week. However, Dr. Doe said that since the cameras are accessible on his phone, he is
18 constantly checking the video feed and alarms. The constant stress and worry are impacting his
19 life outside the office.

20 170. Victim Dr. Doe said that he has called law enforcement repeatedly for the
21 unhoused people camping at his building, but they either will not come out to remove them or
22 arrive four hours later. As a result, he moves the unhoused people himself and once had a man
23 swing a metal pipe at him.

24 171. Victim Dr. Doe said that earlier this year, he called law enforcement for a man
25 that was masturbating in front of his building. When the police arrived, he said it was obvious
26 they knew the unhoused man as they called out to him by his first name. The police simply told
27 the individual that he could not do that there and to be on his way, but no one was ever arrested.

28 172. Victim was shocked at the response since there is a middle school nearby.

1 173. As for other elected officials, Dr. Doe said that he reached out to his City Council
2 member, Katie Valenzuela and never received a response.

3 174. Based upon the information provided by Dr. Doe as well as responses from
4 members of the public not specifically pled herein, the People are informed and believe, and
5 thereon allege, that the City of Sacramento, its officials, employees, and agents refused to abate
6 the nuisance and address the dangers posed by the zone dwellers based upon the express or
7 implied directives and policies of city officials and leaders who did not have the vested authority
8 to do so.

9 The Colonial Heights Zones

10 175. Victim Rosario Doe has owned property near the Colonial Heights library in the
11 City of Sacramento since 2016. She shares the home with her young daughter and partner.
12 Sandra Doe has owned her home in Colonial Heights since 1992. She raised her children in that
13 home and her husband passed away in the home. Collectively, they are referred to as the
14 “Colonial Heights Victims.”

15 176. Since March of 2020, the unhoused zone near the Colonial Heights victims’
16 homes has grown to include large structural tents and garbage that obstruct the sidewalk. (See
17 Exhibit 19)

18 177. Criminal activity is commonplace in the zone just steps from their homes. The
19 victims regularly see drug dealing, prostitution, sexual acts, and public urination and defecation
20 outside the front of their homes and in their backyards. The victims also describe routinely
21 finding needles and condoms around their property. They routinely see trailers parked along the
22 street dumping sewage and feces into the City storm drains with garbage overflowing into the
23 street. (See Exhibit 20)

24 178. Sandra Doe and her son have repeatedly been terrorized by known drug dealers
25 that frequent the area to sell to the zone individuals. One dealer walked past their house every
26 day cracking a leather whip while threatening them with harm.

27 179. Sandra Doe has been diagnosed with cancer and has been receiving treatment on
28 and off for several years. One day, as Sandra Doe was resting inside her home, her son told the

1 dealer to stop cracking the whip as his mom was resting. The dealer confronted her son,
2 prompting Sandra's son to call 911.

3 180. Several zone inhabitants have threatened to burn their house down. Another
4 inhabitant threatened Sandra Doe's son by saying he would "fuck" his mom if she was ever left
5 alone.

6 181. In November of 2022, Sandra Doe's house was shot multiple times with a pellet
7 gun causing damage. Even though she is on a fixed income, she is forced to pay an additional
8 \$1,200 a month to live in a different area in order to feel safe. Because of the trauma that she
9 had already been put through, however, she slept in the living room for six months before she
10 got used to the quieter neighborhood. She has been diagnosed with PTSD.

11 182. Sandra Doe still checks on her property, so the zone inhabitants don't damage it
12 even further. She returns to her home to take care of her landscaping and turns random lights on
13 and off to make it look as if someone was staying there.

14 183. Sandra Doe continues to see zone inhabitants on her property with her "ring"
15 doorbell. On Christmas Eve 2022, the camera captured an unhoused individual on her porch
16 with a long sword hitting her front porch area and eaves with it.

17 184. Sandra describes dealing with her cancer diagnosis as well as the recent deaths in
18 her family as an extremely difficult time in her life. Sandra lost her husband, her mother and was
19 taking care of her elderly father during this time. She said the cancer didn't break her. The
20 deaths of her family did not break her. But in describing her trauma due to the unhoused zone
21 she stated, "this broke me." She had once hoped to return to her family home but doesn't believe
22 that the City will ever help her do so.

23 185. The Colonial Heights victims feel trapped and are afraid to confront the unhoused
24 people at the zone. The Colonia Heights Victims say the unhoused know their schedules and are
25 afraid of retaliation or damage to their property when they have to leave their home.

26 186. Victim Rosario Doe described an event in August 2023 where she saw an
27 unhoused man in her backyard. Rosario Doe said she was trying to put her young daughter down
28 for a nap in her bedroom, the room has a sliding glass door. When she screamed for help, her

1 partner confronted the unhoused man, who was armed with a knife, and was assaulted. That
2 individual is currently facing felony charges.

3 187. On April 11, 2023, Rosario Doe stated she received a phone call from a neighbor
4 at approximately 4 AM, warning her that an unhoused man was looking in her windows.

5 188. Rosario states that in 2023 she spent \$200 to repair a door, and currently has a
6 broken fence that is unrepaired due to the cost and the uncertainty if the repairs would last with
7 the zone in place. (See Exhibit 21)

8 189. Victim Rosario Doe states that she cannot let her daughter outside to play even in
9 the backyard. She is afraid of people trespassing on her property, needles, unsanitary conditions
10 and concerned about what her daughter may witness. She is fearful when she is home and feels
11 trapped in her current home. Victims of the Colonial Heights indicate this was not the condition
12 of the neighborhood when they purchased their home.

13 190. The Colonial Heights victims state that they have called 311 multiple times and
14 failed to receive any assistance whatsoever. Due to redistricting, their concern is that their
15 neighborhood is not represented by any City Council member. The Colonial Heights victims feel
16 that their needs are largely unheard because they are represented by Mayor Steinberg, who has
17 been absent and non-responsive.

18 191. The victims would like to move as soon as possible but wonders who would ever
19 buy a home with an unhoused zone step away from the front door. While Sandra Doe was able
20 to rent another room, Rosario Doe has no option other than to stay in the unsafe conditions with
21 her family while she attempts to sell her home. (See Exhibit 22)

22 192. The Colonial Heights victims have called 311 and the police on numerous
23 occasions. In response to the complaints, City of Sacramento, its officials, employees and agents
24 routinely inform them that nothing can be done.

25 193. Based upon the information provided by each of the Colonial Heights victims as
26 well as responses from members of the public not specifically pled herein, the People are
27 informed and believe, and thereon allege, that the City of Sacramento, its officials, employees,
28 and agents refused to abate the nuisance and address the dangers posed by the zone dwellers

1 based upon the express or implied directives and policies of city officials and leaders who did
2 not have the vested authority to do so.

3 The Zone on W Street

4 194. Matthew Doe owns property and resides on X Street near the W Street
5 zone. He has lived in the area for approximately 28 years and has seen the neighborhood
6 deteriorate. He resides in his home with his wife and minor daughter. Collectively they are
7 referred to as the "W Street Victims".

8 195. Victim Matthew Doe states that within the last 5 years there has been an increase
9 in the number of unhoused in the area. Their behavior is increasing in violence and danger to
10 him and his family.

11 196. On or around July 2023, Victim Matthew Doe stated that his minor daughter had
12 a friend visiting their home. The two minors were chased up the stairs by an unhoused woman
13 holding hypodermic needles. The minor children were able to successfully enter the home and
14 barricade themselves inside the home. The unhoused woman proceeded to pound on the front
15 door while the minor children called for help. (See Exhibit 23)

16 197. The W Street Victim stated it took approximately 2.5 hours for law enforcement
17 to respond to the call. When law enforcement arrived, Victim Doe was told there was nothing
18 that law enforcement could do. They could not do anything to people experiencing homelessness
19 and the woman was not on probation or parole. A Sergeant eventually responded and decided to
20 tow a van related to some complaints due to the number of complaints.

21 198. Victim Doe stated he was shocked and disappointed as he had photographic
22 evidence of the woman with needles on his property but nothing was done to protect his minor
23 daughter.

24 199. The Sacramento Police Department informed Victim Matthew Doe that if he was
25 dissatisfied with the response that he should contact Sacramento Mayor Darrell Steinberg.

26 200. For years, Victim Matthew Doe states he has found feces and needles weekly on
27 his property and is forced to clean them himself. He said that as a good neighbor he also cleans
28 the business next to his home. He said it is a constant battle. (See Exhibit 24)

1 201. He indicated that drug use was open and rampant around the neighborhood. He
2 described one van that had hundreds of people coming to it for drug sales. For approximately
3 three days, victim James contacted law enforcement exhibited no urgency in their response.
4 The City eventually responded and towed the vehicle but no arrests were made. (See Exhibit
5 25)

6 202. Victim Matthew Doe states a zone has previously blocked the area in front of his
7 home and his child has been scared to enter. He describes neighbors moving after their child saw
8 an unhoused individual overdosing on the street.

9 203. Victim Doe says that he no longer feels safe in his home and is constantly
10 worried about his family when he leaves for work. He indicated there are approximately 10 minor
11 children on his block and the community is concerned about the safety for these children.

12 204. Approximately two years ago, W Street Victim added security cameras to his
13 home, locked water spigots and installed an \$8,000 gate to prevent the unhoused from accessing
14 his backyard. Since then, Victim Matthew Doe states that he is constantly checking his cameras
15 and is never fully at peace. (See Exhibit 26)

16 205. The W Street victims have called 311 and the police on numerous occasions. In
17 response to the complaints, City of Sacramento, its officials, employees and agents routinely
18 inform them that nothing can be done.

19 206. Based upon the information provided by each of the W Street victims as well as
20 responses from members of the public not specifically pled herein, the People are informed and
21 believe, and thereon allege, that the City of Sacramento, its officials, employees, and agents
22 refused to abate the nuisance and address the dangers posed by the zone dwellers based upon the
23 express or implied directives and policies of city officials and leaders who did not have the vested
24 authority to do so.

25 **The Zones on Bannon Street Between North B Street and Richards Boulevard**

26 207. Evelyn Doe, Brian Doe and Kesha Doe are employees at Schetter Electric, Inc.
27 (“SE”) which is a business located on Bannon Street in Sacramento. David Doe is an employee
28 at Goldstar Insulation (“GI”) located on N. 10th Street. These individuals are collectively referred

1 to herein as the “Bannon Street Victims.”

2 208. Between GI and SE they employ hundreds of staff members at their N. 10th and
3 Bannon Street locations. As with both businesses, the streets leading up to their facilities are
4 overrun with a large-scale zone occupied by many unhoused individuals who set up camp on the
5 sidewalk, in the street, and directly in front of their offices. (See Exhibit 27)

6 209. Drug dealers sell narcotics to the unhoused located directly in front of their
7 property. Fights between unhoused residents regularly occur on the sidewalk and in the street
8 next to and in front of their buildings.

9 210. Bannon street victims routinely observe indecent exposure, drug usage,
10 vandalism, human trafficking, and receive threats to their physical safety on a regular basis.
11 These victims are aware of multiple instances of theft of personal property, catalytic converters,
12 gas tanks drilled for gas while their cars are parked at work.

13 211. Victims have observed animal abuse occurring at the zones. Unhoused
14 individuals have been observed choking their dogs and throwing small puppies into the street
15 resulting in their death.

16 212. Residents of the zones display erratic and unpredictable behavior. They
17 regularly step into the street and block the road as employees drive to and from work. The
18 unhoused throw things at the employees as they drive by, causing damage to vehicles. Another
19 unhoused individual threatened a victim with a large boulder.

20 213. On several occasions, the unhoused have attempted to enter the locked vehicles
21 of the employees and customers as they drive to and from the facility, creating a sense of
22 imminent danger and unavoidable intimidation. Victims have walked to their cars after work to
23 find unhoused people sleeping in them.

24 214. Unhoused individuals have trespassed on both properties. They have stolen
25 items, defecated inside the building, and are verbally combative when confronted.

26 215. Due to the zone inhabitants, piles of garbage litter the street and sidewalk,
27 attracting rats and other vermin to the area. Rodents and vermin infest both buildings, to their
28 profound detriment. Prior to the unhoused taking over, they did not experience rodents and/or

1 other vermin infestations on/in their respective properties. (Exhibit 28)

2 216. Bannon Street victims do not feel safe going to and coming from work. Due to
3 safety concerns, both businesses actively discourage clients from visiting the facility. Victims
4 and other employees have and continue to express their unwillingness to work on campus due to
5 the dangers posed by the zone and its inhabitants.

6 217. The victims do not feel safe. Evelyn Doe has purchased pepper spray as she is
7 not comfortable walking from her building to her car. They can no longer enjoy their afternoon
8 walks around their workplace for fear of their safety. They cannot remain in the area for lunch
9 due to these same concerns.

10 218. Evelyn Doe grew up in Mexico and has seen poverty firsthand. She moved to
11 Sacramento seventeen years ago and describes having pride for the city which has now "been
12 replaced by fear" because of the unhoused crisis at her place of work.

13 219. Based upon the information provided by each of the Bannon Street victims as well
14 as responses from members of the public not specifically pled herein, the People are informed
15 and believe, and thereon allege, that the City of Sacramento, its officials, employees, and agents
16 refused to abate the nuisance and address the dangers posed by the zone dwellers based upon the
17 express or implied directives and policies of city officials and leaders who did not have the vested
18 authority to do so. (See Exhibit 29)

19 **River Plaza Drive Zone**

20 220. Victim Evan Doe lives in the area of River Plaza Drive in the City of Sacramento.
21 Since 2020, Victim Evan Doe has seen his neighborhood grow with an RV unhoused zone.

22 221. Victim Evan Doe states that at this zone there is open air drug use, loud noises at
23 all hours of the night that prevent him from being able to sleep or work effectively during the
24 day. His fiancé no longer feels safe to run in her neighborhood.

25 222. He states that he has been confronted by the unhoused residents when he has
26 called police or City Code requesting enforcement.

27 223. Victim Evan Doe states that his repeated emails and calls to the City of
28 Sacramento have gone unanswered. He specifically asked the City of Sacramento to abate the

1 nuisance in his neighborhood and enforce the City's local ordinances but never received a
2 response to any of his inquiries.

3 224. Victims Evan Doe's focus has specifically been on two RVs that are the main
4 source of nuisance and criminal issues in his neighborhood, Southwinds RV #6CVD179 and a
5 Chevrolet Van #7ATK430, who he says have parked in his neighborhood indefinitely since 2018.

6 225. Through a Public Information Request Act (PRA) Victim Evan Doe discovered
7 that the City of Sacramento's Department of Community Response responded over 400 times
8 since December 2021 and that there were over 700 police reports filed regarding the two vehicles
9 in the last 5 years.

10 226. Victim Evan Doe then contacted City of Sacramento Mayor Darrell Steinberg's
11 office and asked the office please coordinate an effort between the agencies.

12 227. On April 4, 2023, and April 10, 2023, Victim Evan Doe emailed Sacramento City
13 Code and the Mayor's office again and states that while an RV was towed on March 30, 2023, it
14 was back the same day at the same location. Sacramento City Code informed Victim Evan Doe
15 that the fines and fees for the towed vehicle were paid the same day.

16 228. On May 13, 2023, Victim Evan Doe communicated through email with
17 Sacramento Police Captains. He asked both Captains if the Sacramento Police Department could
18 please respond and conduct enforcement because the RVs constant presence are a public
19 nuisance. Victim Evan Doe was informed that the police department can only respond if the
20 vehicle is actively blocking a roadway or driveway, otherwise it is a 311 matter. The City
21 blatantly dismissed and overlooked his pleas for help regarding the constant nuisance activity,
22 despite being aware of the constant calls for help.

23 229. On May 16, 2023, Victim Evan Doe emailed the Assistant City Manager and asks
24 what is the definition of a public nuisance and who is responsible for enforcing those violations.
25 Mr. Lara directed Victim Evan Doe to the City of Sacramento's webpage. Victim Evan Doe
26 followed up this email by providing the Assistant City Manager the information from the PRA
27 informing him of the hundreds of calls, directly quotes from the City of Sacramento web page
28 regarding public nuisances and asks how his situation does not quality.

1 Inhabitants have cut the fencing around the building over a dozen times in the past couple of
2 years. They have had to increase their security measures to the tune of \$30,000 but those
3 measures have not curtailed the damage caused by the inhabitants.

4 236. Just recently, the zone inhabitants cut the internet cable that serviced their
5 business resulting in a disruption in services and a profit loss of over \$5,000 due to not being
6 able to process customer orders online.

7 237. Michael Doe works as the general manager of the business and advised it is
8 “challenging” to keep their business running because of the unhoused frequently harassing the
9 business, including illegal dumping on their property. Michael reports that employees feel unsafe
10 coming to work due to these very conditions. Employees of the business reported that on April
11 27, 2023, they saw a video of a car that was set on fire near the business.

12 238. The Pitt victims have called 311 and law enforcement on numerous occasions.
13 The 311 operators have told their employees “not to call too much” or they would be placed “in
14 the back of the que.” Also, in response to their complaints, the City of Sacramento, its officials,
15 employees and agents routinely inform the Pitt zone victims that nothing can be done.

16 239. Based upon the information provided by each of the Pitt victims as well as
17 responses from members of the public not specifically pled herein, the People are informed and
18 believe, and thereon allege, that the City of Sacramento, its officials, employees, and agents
19 refused to abate the nuisance and address the dangers posed by the zone dwellers based upon the
20 express or implied directives and policies of city officials and leaders who did not have the vested
21 authority to do so.

22 **The Del Paso Bike Trail Zones**

23 240. John Doe and his family have been living on Edgewater in Del Paso Heights for
24 over 7 years. His wife Ariana Doe and her family are lifelong residents of the area. His wife
25 describes the area as once an idyllic place to raise a family. Gerri Doe, and her 80-year-old
26 mother have lived on Altos Avenue for many years. A large number of unhoused individuals
27 have set up zones all along the bike trail that runs through their neighborhood. They are
28 collectively referred to as the “Del Paso Bike Trail victims.”

1 241. The Del Paso Bike Trail victims have been negatively impacted by the zone
2 residents. They see constant drug sales and use, defecating and urinating in public, and erratic
3 behavior by the zone inhabitants. The inhabitants are also constantly lighting fires and allowing
4 their dogs to roam freely without leashes. (See Exhibit 30)

5 242. Del Paso residents have also reported zones at the corner of Baxter Avenue and
6 Del Paso Boulevard. for several months. Just recently, that City owned parcel went up in flames
7 due to unlicensed starting fires on the property. (See Exhibit 31)

8 243. John Doe and his wife have seen fights among the inhabitants. One fight
9 involved two unhoused men – one armed with a knife and the other armed with a pipe fighting.
10 John has seen zone dweller walk down his street armed with man-made weapons that he describes
11 as a long pipe with one end sharpened.

12 244. John Doe works as a firefighter and is assigned to his station overnight two nights
13 a week. His wife and their two young daughters are not comfortable being alone by themselves.
14 They often call upon other family members to stay with them when John is at work. Even during
15 the day, the family is uncomfortable walking in their neighborhood due to the erratic behavior of
16 the zone inhabitants.

17 245. Gerri Doe had to move in with her 80-year-old mother for their safety. She says
18 her neighbors are constantly terrorized by the zone inhabitants who are aggressive and constantly
19 armed.

20 246. The Del Paso bike trail victims have called 311 and law enforcement on
21 numerous occasions. In response to their complaints, City of Sacramento, its officials, employees
22 and agents routinely inform the victims that nothing can be done.

23 247. Based upon the information provided by each of the Del Paso Bike Trail victims
24 as well as responses from members of the public not specifically pled herein, the People are
25 informed and believe, and thereon allege, that the City of Sacramento, its officials, employees,
26 and agents refused to abate the nuisance and address the dangers posed by the zone dwellers
27 based upon the express or implied directives and policies of city officials and leaders who did
28 not have the vested authority to do so.

The Auburn and Marconi Circle Zones

1
2 248. Georgina Doe, and her children have lived on Marconi Avenue for over 5 years.
3 Ryan Doe has lived on Naomi Way for over twenty-five years. Eric Doe works for a company
4 that is responsible for fire hydrants in and around Sacramento including the one located at 1834
5 Auburn Boulevard. An unhoused zone entrenched itself in the area of Marconi Circle and the
6 zones have formed on Auburn between Marconi and El Camino as well. The inhabitant numbers
7 have increased steadily since early 2020 and saw an exponential increase after the Roseville Road
8 zone was moved earlier this year. Collectively they are referred to as “the Auburn and Marconi
9 Circle Victims.” (See Exhibit 32)

10 249. The Auburn and Marconi Circle victims have been severely impacted by the
11 zone residents. They have been victims of theft, indecent exposure of genitalia, vandalism and
12 assault. They see constant drug sales and use, domestic violence, and erratic behavior by the
13 zone inhabitants. The inhabitants are also constantly lighting fires.

14 250. Georgina Doe and her family have been forced to live in a constant state of fear
15 because of the zone dwellers. Their house was shot up last year, and the unhoused broke their
16 back patio window. The unhoused have jumped her fence and tried to break into her home at
17 least two times that she is aware of. She and her children observed the zone dwellers looking
18 over their fence while armed with weapons.

19 251. Georgina is paralyzed by fear. She suffers from depression and PTSD because of
20 constant negative interactions with the zone dwellers. She has not been able to work as she is
21 taking medication for her illness. She feels unsafe in her home but doesn’t ever leave because
22 she is so afraid of what the unhoused will do to her when she leaves or what they will do to her
23 dogs that she leaves in the house. She has been so negatively affected that she missed several
24 family events including a funeral last year. She had another two relatives die recently and she
25 fears she will not be able to make it to their funeral services either.

26 252. Georgina and her children are aware of constant fires started by the nearby
27 unhoused that rage near their home. She reports that the zone inhabitants run their generators
28 every day and at all times of the day.

1 253. Georgina sees men walk up and down her street in their underwear. Dilapidated
2 vehicles park in front of her house. The sidewalks are blocked by the zones so they can no longer
3 walk their dogs. There is trash everywhere. The inhabitants have stolen her neighbor's boat, and
4 water from the fire hydrant in Georgina's front yard.

5 254. Due to the erratic behavior of the inhabitants, Georgina installed several cameras
6 to protect her family. While watering her plants, an unhoused individual came by to tell her that
7 he didn't like her cameras and to turn them off "or else."

8 255. Ryan Doe has lived in his home for over twenty-five years. A portion of these
9 zones relocated in front of his house.

10 256. The zone inhabitants in front of Ryan's home have set multiple fires, the largest
11 have occurred within the past five months. They were so large that Ryan was afraid his home
12 would also be engulfed in flames. Ryan called 911 and the fire department arrived. He was told
13 that the inhabitant lit the fires to kill the rodents running around his zone. After the police left,
14 the man remained.

15 257. Ryan and his girlfriend Ann have seen many ordinance violations including
16 illegal dumping, illegal parking, urinating, and defecating in public. They have also seen women
17 having sex with men in cars on their street. His mailbox had been broken into so many times, he
18 purchased a new "night drop" mailbox.

19 258. Ryan hears the zone dwellers fight all day and night. They curse and
20 scream at him. Ryan and his girlfriend have tried to leave or enter the house several times only
21 to be stopped by an unhoused person sleeping in their driveway. His girlfriend feels too unsafe
22 to stay at his home when he is not home.

23 259. Erik Doe monitors several fire hydrants and water sources in Sacramento. The
24 hydrant located at 1834 Auburn Boulevard has been tampered with repeatedly by the zone
25 inhabitants. The unhoused have removed the caps and attached plastic bottles to the hydrant to
26 steal water. He removed the contraption the first time he saw it, but it was there two days later.
27 (See Exhibit 33)

28 260. The Auburn and Marconi victims have called 311 and law enforcement on

1 numerous occasions. In response to their complaints, City of Sacramento, its officials, employees
2 and agents routinely inform the Auburn and Marconi zone victims that nothing can be done.

3 261. Based upon the information provided by each of the Auburn and Marconi Circle
4 victims as well as responses from members of the public not specifically pled herein, the People
5 are informed and believe, and thereon allege, that the City of Sacramento, its officials,
6 employees, and agents refused to abate the nuisance and address the dangers posed by the zone
7 dwellers based upon the express or implied directives and policies of city officials and leaders
8 who did not have the vested authority to do so.

9 The 5th & Broadway Zones

10 262. The vacant building that used to house the California Shellfish Company
11 (hereinafter the “Shellfish Building”) is located at 2601 5th Avenue in the City of Sacramento
12 and was owned by Eugene Doe. Peter Doe was attempting to purchase the building to develop
13 multiple housing units. Bill Doe has owned and operated a store on 5th Street near the vacant
14 “Shellfish Building” for twenty-nine years. Collectively they are referred to as “the 5th &
15 Broadway victims.”

16 263. The Sacramento Fire Department has reported to 14 fires at the 2601 5th Avenue
17 property since 2019 and it most recently caught fire on August 24, 2023. At the time of the fire,
18 the building was boarded up, fenced and there were no utilities servicing the building.

19 264. The current owners of the “Shellfish Building” have repeatedly reached out to the
20 Sacramento Police Department for assistance regarding the constant trespassing of unhoused
21 people. The owners have repeatedly boarded and fenced the building. They even hired security
22 at their own cost.

23 265. Due to their high calls for assistance, the Sacramento Police Department referred
24 the case to the Sacramento City Building Department, which in turn deemed the building a
25 dangerous building.

26 266. After the City designated the “Shellfish Building” as “dangerous,” the owner
27 continued to work to secure it. Unfortunately, the building had become overrun with unhoused
28 individuals, including one unhoused person that routinely set fires inside of it. Despite this, the

1 City refused to enforce the notice of trespass and eventually told the owner to stop calling because
2 he was calling “too much.”

3 267. On one occasion the owner was on site conducting a building inspection.
4 Although he called the police beforehand to assist, a transient accessed the building and set the
5 building on fire while the owner was in the building. Even though there was no electricity in the
6 building, and the owner observed the transient individual fleeing from the scene, the City refused
7 to attribute the fire to the unhoused person and fined the owner for the fire.

8 268. The owner also repeatedly requested permits from the City to demolish the
9 “Shellfish Building.” Ironically, even though the City had deemed the “Shellfish Building” as
10 “dangerous,” the City nonetheless routinely and inexplicably denied the owner’s requests for a
11 demolition permit.

12 269. In response to the owner’s repeated requests for the City to enforce the law by
13 expelling trespassers, arresting arsonists, and clearing the unhoused from the property, the City
14 refused to act—choosing instead to fine the property owner. During this time, Sacramento City
15 Code Enforcement routinely fined the property owner for violations.

16 270. Just four days prior to the last fire in August 2023, the owner, again, sent the City
17 of Sacramento a letter requesting a demolition permit due to concern about another potential fire
18 which could potentially release toxic chemicals into the air and ground.

19 271. On August 24, 2023, only after the most recent fire that eventually destroyed the
20 entire “Shellfish Building,” the owners were finally given a demolition permit by the Fire
21 Marshall.

22 272. Based upon the information provided by each of the 5th and Broadway victims as
23 well as responses from members of the public not specifically pled herein, the People are
24 informed and believe, and thereon allege, that the City of Sacramento, its officials, employees,
25 and agents refused to abate the nuisance and address the dangers posed by the zone dwellers
26 based upon the express or implied directives and policies of city officials and leaders who did
27 not have the vested authority to do so.

28 //

1 sanitation for the camps, or providing cleanup of the City property inundated by the wastes
2 created by the zones. By allowing these zones to exist on City property without any effort at
3 minimizing or eliminating the camps or the waste generated by them, the City is allowing and
4 permitting garbage, refuse, and waste, and substances deleterious to aquatic life to be deposited
5 into and allowing it to be placed where it may pass into waters of the State. Specific examples
6 of these unhoused zones and the effects on the waterways include but are not limited to those
7 alleged below.

8 279. The City of Sacramento operates a storm water system within its boundaries
9 which flows to creeks and ultimately the Sacramento River. The storm water is not cleaned,
10 strained, or treated prior to flowing into the Sacramento River. By allowing the disposal of waste,
11 garbage, and refuse including human waste, associated with unhoused zones both adjacent to
12 waterways and on city streets, where the waste can, and does, pass into the storm drain system
13 eventually entering the Sacramento River, the City is allowing the disposal of waste and
14 substances deleterious to aquatic life to waters of the State.

15 280. On both the north and south sides of the eastern entrance to the Tower Bridge on
16 the Sacramento River in the City of Sacramento, unhoused zones exist on City owned and
17 managed property. Human excreta is present along the bridge railings and walls and along the
18 shoreline. Tents, bicycles, trash and garbage, including plastics, paper, and other refuse from the
19 camps is present along the eastern shoreline from the promenade at the river's high-water mark
20 to the waterline of the river during summer months. When impacted by winds or rising water
21 due to winter storms, this waste will enter the Sacramento River.

22 281. Arcade Creek is a continuously flowing creek that flows into the Sacramento
23 River within the City limits. There are numerous unhoused zones along the creek. Several zones
24 exist on City property and roads fronting the creek. The unhoused who reside in these zones
25 daily dispose of waste to the creek and land where it will pass into the creek. The unhoused also
26 abandon waste and belongings when threatened by rising waters in the winter storm season. The
27 wastes and abandoned items enter Arcade Creek and the Sacramento River as a result. The waste
28 and debris are deleterious to aquatic life.

1 282. Since August 2021, volunteers have spent over 2,200 hours removing over
2 206,000 pounds of debris from Arcade Creek which includes items such as mattresses, tarps,
3 clothing, sleeping bags, blankets, fast food containers, liquor bottles, heaters, microwaves, lamps,
4 refrigerators, tube televisions, kitchen appliances and utensils, crack pipes, hypodermic syringes,
5 shopping carts, wood pallets, and propane tanks. Per lead volunteers, this was but the tip of the
6 iceberg with the amount of trash and debris still within the channel of Arcade Creek. (See video
7 https://youtu.be/tPFmtP1_K4Q.)

8 283. Steelhead Creek is a natural creek that continuously flows into the Sacramento
9 River. The outflow of the creek is within the City of Sacramento boundaries. The City owns
10 land on both banks of this creek. There are unhoused zones located on this property. There are
11 numerous unhoused zones along the creek. Several zones exist on City property fronting the
12 creek. The unhoused who reside in these zones daily dispose of waste to the creek and land
13 where it will pass into the creek. The unhoused also abandon waste and belongings when
14 threatened by rising waters in the winter storm season. The wastes and abandoned items enter
15 Arcade Creek and the Sacramento River as a result. The waste and abandoned refuse are
16 deleterious to aquatic life. Volunteer organizations have conducted cleanups of the waste and
17 refuse related to these unhoused camps.

18 284. Although there are many unhoused zones located along and within the Creek, one
19 campsite in particular has led to five years worth of cleanups. Dubbed Hoss' Camp by volunteers,
20 the same unhoused person has lived in the same location for twelve years without being moved
21 by City officials and agents. Hoss' Camp is located in the City limits between two levees at the
22 bottom of the channel. Hoss has erected a fence around his camp and posted a "no trespassing"
23 sign. He uses multiple tarps to create several "rooms" including a generator and air conditioning
24 unit. Most worrisome is that the camp floods every year. This year volunteers removed 52,300
25 pounds of debris from this camp. Last year, volunteers removed 62,000 pounds of debris from
26 this same camp. Five major cleanups on City land between West El Camino Avenue and Arcade
27 Creek have been implemented over the past five years totaling 493,360 pounds (247 tons).

28 285. The waste associated with unhoused zones includes but is not limited to the

1 following types of waste: Human and animal excreta, used hypodermic syringes, drugs and
2 medicines, surfactants, food waste, cans, bottles, plastics, paper, biohazardous, toxic, and
3 flammable items, large and small debris including tents, tarps, sleeping bags, carpets, rugs,
4 clothing, rags, ropes wires and cordage, and other textiles, bicycles, bicycle parts, wagons and
5 shopping carts, machinery, electronics, batteries, dishes and cooking utensils including camp
6 stoves and fuel and petroleum products. Many of these wastes constitute hazardous waste as
7 defined in California Health and Safety Code sections 25117, 25124 and 15121, and medical
8 waste as defined in California Health and Safety code section 117690. Hazardous and medical
9 wastes are highly regulated in California and require specific handling and disposal procedures
10 due to the risk of harm to the public and environment from improper handling or disposal.

11 286. Most, if not all, of these wastes are deleterious to aquatic life. Surfactants and
12 other chemicals directly kill fish and other aquatic life. Organic waste, including food waste,
13 human and animal excreta, and related matter is deleterious to aquatic life, is often contaminated
14 and can lead to water contamination with substances such as e-coli. Exposure to human excreta
15 used syringes and other contaminated items can expose the public to infectious pathogens and
16 diseases. Whether left on the banks of waterways, or upon entering the water, textiles and other
17 forms of debris including garbage, shopping carts, wood, metal, and plastics constitute a danger
18 to humans and the environment. The presence of such items provide a mechanism for injury or
19 death to humans including by drowning due to entanglement. These waste items negatively
20 impact aquatic life. They impede water flow, and oxygenation, cause the buildup of silt, and the
21 growth of invasive species. These impacts reduce useable habitat and negatively impact the
22 water quality and breeding area for aquatic organisms, thus reducing aquatic life. The waste
23 related to the unhooded zones and the negative effect on the aquatic environment is offensive to
24 the senses, and -makes the waterways unattractive, unsafe, and unusable by the general public.

25
26 **FIRST CAUSE OF ACTION**

27 **Public Nuisance**

28 **Civ. Code §§ 3480 *et seq.***

(People of the State of California Against City)

287. THE PEOPLE OF THE STATE OF CALIFORNIA re-allege and incorporate by

1 reference each and every allegation set forth in paragraphs 1 through 286 above as though fully
2 set forth herein.

3 288. California law defines nuisance as “[a]nything which is injurious to health,
4 including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive
5 to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable
6 enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary
7 manner, of any...public park, square, street or highway[.]” Civ. Code § 3479. A public nuisance
8 is the substantial and unreasonable interference with a public right.

9 289. As described herein, the City’s refusal to maintain the public property under its
10 control and failure to enforce its laws and local ordinances thereon facilitates and perpetuates a
11 public nuisance. The failure to abate this nuisance has caused a substantial interference of the
12 use and enjoyment of property, as well as the use of streets, sidewalks, and waterways by the
13 general public in the customary manner. This failure to abate continues to convert City parks,
14 sidewalks, and streets into rotting cesspools overrun with crime and disease and causes fear of
15 the same to the victims that live near, work in, or travel through these zones. The unsanitary and
16 dangerous conditions in the unhoused zones are injurious to the public health and safety.

17 290. The failure of the City to manage property under its control to eliminate the
18 disposal of garbage, waste, and refuse to waters of the State constitutes a public nuisance by
19 preventing citizens from using and enjoying public waterways in the ordinary or customary
20 manner.

21 291. Accordingly, the People of the State of California seek equitable and injunctive
22 relief compelling the City to properly maintain its property, including the zones described above,
23 by abating the nuisance that has continuously caused numerous citizens to suffer physical,
24 mental, and emotional injuries. As the People are not seeking monetary damages, the City is not
25 entitled to any claim of immunity. (Cal. Gov. Code § 814.)

26 //

27 //

28 //

SECOND CAUSE OF ACTION

Nuisance Per Se

(People of the State of California Against City)

1
2
3 292. The People of the State of California re-allege and incorporate by reference each
4 and every allegation set forth in paragraphs 1 through 286 above as though fully set forth herein.
5 The California State Legislature has statutorily declared that water pollution is a public nuisance
6 per se. Water Code Section 13050 (m) states that anything that is injurious to health, or is
7 offensive or indecent to the senses, or an obstruction the free use of property, so as to interfere
8 with the comfortable enjoyment of property, and affects at the same time an entire community
9 or neighborhood, or any considerable number of persons and occurs during, or as a result of, the
10 treatment or disposal of wastes is a public nuisance.

11 293. Water Code section 13050 (d) states that waste includes sewage and any and all
12 other waste substances, liquid, solid gaseous or radioactive associated with human habitation, or
13 human or animal origin including waste placed into containers of whatever nature prior to and
14 for purpose of disposal. By allowing the continual disposal of waste onto and from City property
15 to waters of the State, the City is violating Water Code section 13050 and has created and is
16 maintaining a Public Nuisance Per Se.

17 294. Additionally, blocking a public sidewalk or otherwise unlawfully obstructing the
18 free passage or use of any public park, square, street, or highway constitutes a nuisance per se.
19 (Cal. Civ. Code § 3479.) In failing to maintain its property, including, but not limited to, the
20 sidewalks, parks, and streets in the zones described above, by declining to clear the zones of the
21 encampments that are unlawfully obstructing the reasonable use and enjoyment of sidewalks,
22 streets, parks, and other City property by its citizens and/or by directing that any enforcement
23 action related to the zones be stopped and/or by otherwise failing to take any other action to abate
24 the nuisance, the City has caused a public nuisance by tacitly and affirmatively consenting
25 (through lack of action, as well as Darrell's Directive) to the growth, development, and
26 perpetuation of the above described zones that unlawfully obstruct the reasonable use and
27 enjoyment of sidewalks, streets, parks, and other City property by numerous citizens who are all
28 entitled to customarily use and travel through said property without interference with the

1 enjoyment of life or the property itself.

2 295. Although claims for nuisance per se do not require proof of harm, harm
3 nonetheless has occurred as the citizens who are forced to navigate the zones that the City,
4 through its inaction, has allowed to fester, have experienced a number of injuries—including
5 property damage, physical harm, and fear for their physical health and safety. The City's inaction
6 in abating the nuisance has also caused continuous waste disposal into City and, ultimately, State
7 waters, which interferes with citizens' enjoyment and use of rivers, streams, lakes, and other
8 bodies of water.

9 296. As specified above, the People of the State of California do not seek monetary
10 damages and, as such, the City is not entitled to any claim of immunity. (Cal. Gove. Code § 814.)
11 The People only seek equitable and injunctive relief in the form of an order compelling the City
12 to maintain its property and abate the nuisance.

13
14 **THIRD CAUSE OF ACTION**
15 **INJUNCTIVE RELIEF TO PREVENT WATER POLLUTION**
16 **FISH AND GAME CODE § 5650 *et seq.***
17 **(People of the State of California Against City)**

18 297. The People of the State of California re-allege and incorporate by reference each
19 and every allegation set forth in paragraphs 1 through 286 above as though fully set forth herein.

20 298. The City has permitted to pass into, and placed where it may pass into waters of
21 the State, waste matter, refuse, debris, and other substances and materials deleterious to aquatic
22 life in violation of Fish and Game Code section 5650. The city has deposited, permitted to pass
23 into, and placed where it can pass into the waters of the State, and abandoned, disposed of, and
24 thrown away, within 150 feet of the highwater mark of the waters of the State, cans, bottles,
25 garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris in violation of
26 California Fish and Game Code section 5652. Pursuant to Fish and Game Code section 5650.1
27 the People seek injunctive relief to prevent ongoing and future violations of the Fish and Game
28 code sections preventing water pollution.

29 299. The City's inaction in abating the nuisance has also caused continuous waste

1 disposal into City and, ultimately, State waters, which interferes with citizens' enjoyment and
2 use of rivers, streams, lakes, and other bodies of water.

3 300. As set forth above, the People of the State of California do not seek monetary
4 damages and, as such, the City is not entitled to any claim of immunity. (Cal. Gove. Code § 814.)
5 The People only seek equitable and injunctive relief in the form of an order compelling the City
6 to maintain its property and abate the nuisance.

7
8 **PRAYER FOR RELIEF**

9 WHEREFORE, PEOPLE OF THE STATE OF CALIFORNIA pray for judgment against
10 Defendant City of Sacramento and for relief as follows:

11 1. Injunctive/equitable relief requiring the City to take such action as is necessary so
12 that it no longer suffers a nuisance on its own property;

13 2. And such other and further relief as this Court deems just and proper.

14 Dated: December 5, 2023

15 **SACRAMENTO COUNTY**
16 **DISTRICT ATTORNEY**

17 
18 **THIEN HO**
19 **DISTRICT ATTORNEY**

EXHIBIT 1



Sacramento County District Attorney's Office

THIEN HO
District Attorney

June 30, 2023

Sacramento Councilmember Katie Valenzuela
Council District 4
Sacramento City Hall
915 I Street, 5th Floor
Sacramento, CA 95814

Re: Request for Consistent Enforcement of City Code and Ordinance Violations

Dear Councilmember Valenzuela,

As the representative of District 4, I respectfully request your immediate assistance to address critical public safety concerns surrounding the Gordon D. Schaber Courthouse by formally requesting the *consistent* enforcement of city code and ordinance violations. Unfortunately, significant public safety concerns are affecting the public, District Attorney employees, jurors called to fulfill their civic duty, defendants appearing on their cases, and victims of crime seeking justice.

People are entitled to the fundamental right of fair and equal access to justice. But to obtain justice, members of our community require unfettered access to the Courthouse and the District Attorney's Office without threats to their safety or well-being. Unfortunately, this is not the experience for those having to navigate the city blocks surrounding the courthouse. Every day, people encounter growing unhoused encampments with open air drug use and dealing, tents blocking sidewalk access, unhoused individuals engaged in erratic and violent behavior - all within the three-block area that encompasses the Courthouse, the District Attorney's Office, and Sacramento City Hall.

In the past 12 months, my office documented 86 incidents in and around the District Attorney's Office often involving unhoused individuals. For example: while walking back from court, a young deputy district attorney was accosted and struck in the head by an unhoused individual; while returning from a court run to file documents, a female D.A. employee received threats and hateful racial slurs from an unhoused man regarding the Hijab she wore; a fire was recently set in a nearby alleyway; a man exposed his genitalia across the street from the office; a rock was thrown through the window of the G Street Café; a man entered the lobby of the D.A.'s Office with a hammer; and encampments are growing in and near the area parking lots. These incidents do not include our daily exposure to feces, urine, broken furniture and trash littering the area. Some sidewalks are inaccessible as rows of tents and other items make walking

impossible, thus forcing pedestrians into our busy streets. It is a sad state of affairs when citizens choose to step out into the street over the dangers lurking on our city sidewalks.

When these issues in the downtown area have been raised by members of the public, some in elected positions point the finger of responsibility to others or misinterpret legal precedent by citing *Martin v. City of Boise*, 902 F.3d 1031 (9th Cir. 2018), as an excuse not to enforce the law or delay enforcement of city ordinances and codes while waiting for increased shelter beds. However, *Martin* does not suggest that unsheltered individuals are immunized from law enforcement in any capacity, nor does it allow for the City to ignore the problems in a way that creates a public nuisance. Just this year, a Court in Arizona ruled the City of Phoenix “created, maintained, and/or failed to abate a public nuisance” in an area called “The Zone” for refusing to enforce laws prohibiting loitering, obstruction of streets and sidewalks to remove homeless encampments that had taken over several city blocks in the downtown area. (*Freddy Brown, et al. v. City of Phoenix* (2023) Under Advisement Ruling filed March 27, 2023). Additionally, just this month, the City of Portland reached a tentative settlement brought by people with disabilities who argued homeless tents and encampments prevented them from accessing the city sidewalks. The Plaintiffs filed their lawsuit in federal court and argued the City violated the Americans with Disabilities Act by failing to “maintain its sidewalks clear of debris and tent encampments.” (*Tozer v. City of Portland*, 3:22-CV-01336 (U.S. District Court for the District of Oregon)).

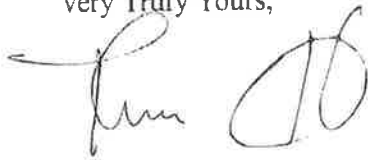
Furthermore, many who are experiencing homelessness are often victims of crimes, and their plight should not be dehumanized. I recognize the need for increased outreach, services and shelter by both the City and County as a component to addressing this crisis. Being unhoused is not a crime and we should not seek to criminalize homelessness. However, my office has a duty to prosecute offenses in violation of California’s criminal statutes. In fact, the Sacramento District Attorney’s Office has entire units dedicated to prosecuting misdemeanor and felony cases. But our constitutional authority is limited. We can only prosecute the cases presented to us by law enforcement after an individual is cited or arrested. In non-violent offenses, our office strives to address the underlying drug addiction and mental health issues that can accompany homelessness. But we cannot act alone.

The responsibility to enforce and prosecute Sacramento City Ordinances and Code violations rests squarely upon the City of Sacramento and the City Attorney’s Office. The proliferation of encampments on downtown streets has closed businesses, endangered people’s safety and is slamming the door of justice shut on those that need it most. Our Sacramento County residents do not want to come downtown to patronize our businesses and perform the duties we need and require them to fulfill.

I am cognizant that the homeless crisis stretches beyond our downtown region but as one of only three constitutional officers for Sacramento County and the only one whose office is headquartered in downtown Sacramento, I see the direct impact this crisis has on the access and administration of justice. Therefore, I respectfully ask that you request the Sacramento City Attorney’s Office, Sacramento City Code Enforcement and the Sacramento Police Department to *consistently* enforce existing Sacramento City Codes and Ordinances to address the public safety

concerns that so many people who live, work, and visit downtown see and feel every day. I look forward to further discussion on this matter with you and my office stands ready to assist.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Thien Ho', written in a cursive style.

Thien Ho
Sacramento County District Attorney

Enclosures: Photographs

CC: Mayor Darrell Steinberg
Sacramento City Council
Sacramento City Attorney Susana Alcalá Wood
Sacramento Police Chief Kathy Lester
Sacramento City Manager Howard Chan







EXHIBIT 2



Sacramento County District Attorney's Office

THIEN HO
District Attorney

August 7, 2023

City of Sacramento
Sacramento City Hall
915 I Street, 5th Floor
Sacramento, CA 95814

Dear City of Sacramento,

Over the last six years, Sacramento's unsheltered population has increased by over 250%. We have a public safety crisis that is endangering both the unhoused and the housed. Our community is caught between compassion and chaos as we reach a breaking point that requires action.

My office invited the community to complete a survey regarding 16 encampments located throughout the city. We have received over 1600 responses in a matter of days. Many of the responses were disturbing and appalling. Residents reported they were assaulted at gunpoint by an unhoused individual; a girls' soccer game was postponed because of hypodermic needles on the field; a homeowner was diagnosed with PTSD due to the constant harassment and break-ins by unhoused people living in an encampment across the street from her home; children have had to walk through human feces and urine to get to school.

Some respondents said their calls to the city for help had gone unanswered. Additional respondents received comments from elected leaders chastising them for seeking help and directed them to "be thankful" for being housed. Some who called 311 to request help were told to stop calling.

Public safety is a core mandate of the District Attorney. Our office remains committed to the enforcement and prosecution of violations of state law, including misdemeanor crimes occurring within the encampments. We do not prosecute individuals for living unsheltered.

The District Attorney's Office continues to work with the Sacramento Superior Court and our other justice partners to develop comprehensive strategies for prosecution and diversion of defendants who live with serious mental illness or drug addiction. Additionally, the District Attorney's Office offers expansive alternative courts in lieu of traditional prosecution, with special emphasis on Veteran's Court, Mental Health Court, and Drug Court. We currently staff 12 different and robust alternative courts. Although participation is voluntary, we have served nearly 5,000 individuals over the last several years in these collaborative courts and alternative programs. In lieu of booking into the main jail, we recently started a pilot program with the

Sacramento Police Department to divert individuals with substance abuse and co-occurring disorders to Well Space Health instead of the main jail.

In a recent conversation, the Mayor of Sacramento requested that the District Attorney's Office offer diversion on **all** misdemeanor cases where an unhoused individual has been cited. *Mandatory* diversion, which would result in a dismissal of the charges on all misdemeanors committed by an unhoused person without evaluating the nature of the offense, the circumstance of the crime, the individual's background, and input from the victim would be inappropriate and unlawful. Each case must be evaluated on its individual merits.

While we wait for the passage of an innovative ballot initiative proposed by Governor Newsom that would create 10,000 additional new community beds and housing units for behavioral health patients, we need to **act now**.

While we wait for needed changes to the archaic conservatorship laws that would allow for involuntary guardianship and treatment for those who suffer from substance abuse disorders, we need to **act now** to address the humanitarian crisis for the unhoused that has created significant public safety issues for the entire community.

The people have spoken. The survey responses reveal an unprecedented public safety crisis that demand we **act now**. Therefore, I am requesting that the City of Sacramento do the following within the next 30 days:

- **Compliance Action:**
 - Require the City Attorney's Office to prosecute city codes and ordinances related to provisions of the Sacramento City Code regarding Critical Infrastructure; Sidewalk Obstructions and Pedestrian Interference; Park Use Regulations; Storage of Personal Property on Public Property; and Vehicles and Traffic, as well as provisions of the California Vehicle Code applicable to vehicle encampments. While the District Attorney's Office has jurisdiction over state misdemeanor and felony offenses, the authority to prosecute city codes and ordinances remains in the sole authority of the city to enforce. Enforcement by the City Attorney's Office has been inconsistent;
 - The City Attorney's Office will provide four (4) additional city attorneys for the north, south and east/central parts of the city, which will be funded by the city. These city attorneys will vertically prosecute violations of city codes and ordinances, and when appropriate provide an individualized diversion program;
 - Implement compliance protocols that employ three main types of activities: outreach, encampment management/cleanup, and compliance with state law and the Sacramento City Code through engagement with both law enforcement and non-law enforcement personnel.
- **Temporary Emergency Shelter Space & Camping Space:**
 - Identify, authorize, and establish emergency shelter space and/or

emergency camping space, including but not limited to *temporary* Safe Ground locations within the City of Sacramento within the next 30 days equal to 75% of the total number of unsheltered individuals estimated to reside in the city pursuant to the last point-in-time (PIT) count conducted by the city;

- The city may use any public property, except for city streets, neighborhood parks, or locations within one thousand (1,000) feet of a K-12 school, public library, daycare or preschool facility, or playground, or five hundred (500) feet from a stream or river.
 - Ensure strict adherence to the above compliance protocols in and around the above locations to prevent public safety issues in the communities where encampments are located;
 - Employ a professional operator to maintain the emergency shelter or camping space to ensure public safety and adherence to the law including the following:
 - Use of 24-hour security;
 - Removal of garbage;
 - Use of sanitation equipment.
 - Implement a Good Neighbor Policy:
 - Prohibit and remove all camping within 500 feet of any shelter or Safe Ground location.
 - The emergency shelter and *temporary* Safe Ground locations should provide adequate protection from the weather and elements;
 - Publicly report on a monthly basis:
 - How many people are moved into the shelter or Safe Ground;
 - How many people from the shelter or Safe Ground are moved into permanent supportive housing;
 - How many people are moved from permanent supportive housing to non-subsidized housing.
- **Access to Real Time Data Related to Shelter Beds and a Refusal to Accept Shelter:**
 - Implement a Coordinated Access Program requiring all providers to share information in real time to assist in coordinated service.
 - Require service providers who receive funding from the City of Sacramento to publicly report on a daily basis the number of shelter beds available and the location of those beds;
 - Availability of shelter beds must be input every morning into a shared information platform along with other important assessment information;
 - This information will be collated and sent to different nonprofits and government agencies (including law enforcement) for potential referrals;
 - This information must be shared on the Homeless Management Information System (HMIS).

- Implement the following protocols:
 - During the first contact, an unsheltered individual who declined the offer of shelter will be given a warning;
 - During the second contact, a citation will be issued if the unsheltered individual rejects the offer for shelter. The citation will later be dismissed after the offer for shelter has been accepted;
 - A third visit with another rejected invitation will result in a transport to the jail where the individual will be cited and released for a misdemeanor. The citation will be dismissed upon acceptance into a shelter.

- **Citywide Daytime Camping Ban:**
 - Implement citywide the same ordinance used to prohibit camping at City Hall between 6 am and 9 pm.
 - The city prohibited camping on City Hall property during the day but allowed it in the evening after 9 pm. This policy was implemented after several city employees were assaulted;
 - The prohibition is valid under *Martin vs. Boise*. Therefore, the City of Sacramento must implement the same ordinance citywide;
 - Provide safe and secure locations for those who are unsheltered to store their life necessities during the day and retrieve them in the evening to bring to their temporary campsite.

- **Implementation of Compliance Protocols and Clearing of Identified Encampments:**
 - Apply the Compliance Protocols and above listed procedures and clear within the next 30 days the 16 encampments within the city identified by the Sacramento District Attorney's Office;
 - Ensure that individuals in those encampments not relocate or migrate to an area within three (3) city blocks of the original encampment location.

- **Audit:**
 - Audit money used by the City of Sacramento to address homelessness for the last two (2) years;
 - Publicly file a report identifying the amount of funds spent, each entity using the funds, the activities for which the funds were applied, and the numbers of unsheltered individuals moved into permanent non-subsidized housing.

- **Point-In-Time Count:**
 - Conduct a point-in-time count in July of each year;
 - The City of Sacramento will pay individuals to conduct the count;
 - Data will be collected as to whether unsheltered individuals lived in Sacramento prior to becoming unsheltered.

Notice to City of Sacramento:

California Civil Code section 3480 defines a public nuisance as, "One which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal."

California Health and Safety Code Section 11570 states: "Every building or place used for the purpose of unlawfully selling, serving, storing, keeping manufacturing, or giving away any controlled substance, precursor, or analog specified in this divisions, and every building or place wherein or upon those acts take place, is a nuisance which shall be enjoined, abated, and prevented and for which damages may be recovered, whether it is a public or private nuisance."

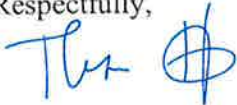
I now direct your attention to the California Penal Code that addresses the problems occurring at your properties. California Penal Code Section 370 provides: "Anything which is injurious to health, or is indecent, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property by an entire community or neighborhood, or by any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway, is a public nuisance."

Penal Code Section 373a reads: "Each person who maintains, permits, or allows a public nuisance to exist upon his or her property or premises, and each person occupying or leasing the property or premises of another who maintains, permits or allows a public nuisance to exist on the property, after reasonable notice in writing from a ... district attorney ... to remove, discontinue or abate the same has been served upon such person, is guilty of a misdemeanor. The existence of a public nuisance for each and every day after the service of the notice is a separate and distinct offense, and it is the duty of the district attorney ... to prosecute state misdemeanors, to continuously prosecute all persons guilty of violating this section by continuous prosecutions until the nuisance is abated and removed." (Emphasis added.)

BE ADVISED THAT THIS LETTER CONSTITUTES YOUR FORMAL LEGAL NOTICE PURSUANT TO PENAL CODE SECTION 373A.

As one of only three constitutional officers for Sacramento County, I again request that you work with the Sacramento City Attorney's Office, Sacramento City Code Enforcement, and the Sacramento Police Department to enforce existing Sacramento City Codes and Ordinances to address the public safety concerns that so many people who live, work, and visit our city see and feel every day.

Respectfully,

A handwritten signature in blue ink, appearing to read "Thien Ho" followed by a stylized symbol that resembles a dollar sign with a vertical line through it.

Thien Ho,
Sacramento County District Attorney

CC:

Mayor Darrell Steinberg

Sacramento City Council

Sacramento City Attorney Susana Alcala

Sacramento Police Chief Kathy Lester

Sacramento City Manager Howard Chan

EXHIBIT 3

Ho. Thien (DA)

From: Susana Alcala Wood [REDACTED]
Sent: Monday, August 7, 2023 8:01 PM
To: Ho. Thien (DA)
Subject: Re: Letter to City of Sacramento

Thien,

Truthfully, I am not exactly sure what this letter is about. You have made many public statements that you are investigating the city - so it is obviously related to that. However it looks in part to be a follow up to a meeting or discussion between you and Mayor Steinberg? I certainly don't know what that was about.- and at this point I'm not sure I really need to. I am an independent city prosecutor and neither the Mayor or Council can direct my prosecutorial decisions or interfere in any way. Because I am not an elected official I prefer to avoid politics and focus instead on solving the problem. That's the reason why I am sending you this email directly vs. copying councilmembers or making public statements.

Instead, I wanted to take this opportunity to let you know that I've reached out to your scheduler a couple of times now, hoping to get a meeting scheduled with the two of us. You and I met once when you came to city hall in the spring and we exchanged cell phone numbers. My cell is [REDACTED] - please reach out and let me know some times you have available over the next ten days, and I will have my assistant follow up and get a meeting on the books for us.

Fortunately for both our offices however, at my request, Supervising Deputy City Attorney Gustavo Martinez was able to get a meeting scheduled on July 28th with Scott Triplett and Rochelle Beardsley of your office. It was very productive meeting where everyone avoided the politics and instead focused on how our two offices could work more effectively together and support SPD enforcement efforts. SPD is simply not issuing citations for unlawful camping, unlawful storage, sidewalk obstructions or any Sacramento city code sections related to the homeless encampments. Our data indicates no citations have been referred to our office for prosecution with the exception of a single "general release" citation. For that reason partnering with your office to support SPD in becoming more comfortable in issuing citations is a good approach because as you know - we can't prosecute cases if no cases are sent to us.

Although I'm sure you have already been briefed, in this productive meeting on the 28th we reached the following agreement as to effective next steps:

1. Offers and Sanctions - Developing standard offers for similar quality of life crimes (misdos) by the unhoused. Your office committed to share information on community service providers and help us come up with innovative and creative strategies to sanction the unhoused that does not rely entirely on jail time.
This is exactly the kind of collaboration that can have the most benefit for sustained enforcement efforts. because it would align the prosecution approach of our two offices towards these cases and prevents political interference.
3. Training Seminars – Joint Office Training for SPD by the DA and CAO on which state and city code citations are applicable for misconduct by the unhoused and what evidence is required by our

respective offices for successful prosecutions. We've already done multiple enforcement training for SPD and other enforcement staff - so being able to add the DA office to our training would be excellent.

4. More communication between our offices to address the chronically homeless and their criminal misconduct - for example Scott and Rochelle mentioned the CNO program (10 citations [infractions or misdos]) results in jail or agreement to accept mental, health and rehab services as being an option for us. We thought that was an excellent idea if we could truly partner with your office on the CNO program; and gave us a chance to brainstorm how this could be used most effectively.

At the present, my office is vigorously engaged in opposing Judge Nunley's TRO issued on August 3rd enjoining the City from taking any enforcement actions against encampments for 14 days. We filed our opposition papers and supporting declarations. We have put a lot of information in front of Judge Nunley in a vigorous effort to prevent him from issuing a preliminary injunction to this same effect. I am happy to send you our opposition papers if you would like a copy. We are prepared to argue the City's right and obligation to enforce health and safety violations to the 9th Circuit should we get an unfavorable ruling from Judge Nunley.

I'll look forward to hearing from you.

Susana Alcala Wood

City Attorney

Office of the City Attorney,

City of Sacramento

915 I Street, Fourth Floor

Sacramento, CA 95814

[REDACTED]

[REDACTED]

Pronouns - she/her

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If you are not the intended recipient, please contact the sender by reply email, and destroy all copies of the original message.

Any distribution or forwarding of this email, without the express written permission of the City Attorney, is prohibited.

From: Darrell Steinberg (City) <[REDACTED]>
Sent: Monday, August 7, 2023 4:37 PM
To: Ho. Thien (DA) <[REDACTED]>
Cc: Susana Alcalá Wood <[REDACTED]>; Howard Chan <[REDACTED]>; Mary Lynne Vellinga <[REDACTED]>
Subject: Re: Letter to City of Sacramento

I have not gone public with my proposal. You are going public again without doing what I did—call you and seek a meeting to discuss. Your ‘heads up’ hours before your public release does not suffice.

But I now understand. Your continued threats against my city will not go unchallenged so long as you are not a full participant in what it will really take to make this problem better. Let’s have a real public debate. I look forward to it

Darrell

Sent from my iPhone

On Aug 7, 2023, at 4:27 PM, Ho. Thien (DA) <[REDACTED]> wrote:

Good Afternoon Mayor Steinberg –

Thank you for reaching out to me recently with your suggestions to address the unsheltered crisis in our community. Attached please find my response and proposal. As a matter of courtesy, I am providing you an advance copy of the letter I intend to deliver *tomorrow morning* to the other individuals listed in the letter.

Respectfully,

Thien

Thien Ho | District Attorney
Sacramento County District Attorney's Office
901 G Street | Sacramento, CA 95814

[REDACTED]
- *Semper Justitia*

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EXHIBIT 4









EXHIBIT 5





BIKE LANE

↑
SUTTER'S
LANDING
PARK

NO
PARKING





EXHIBIT 6

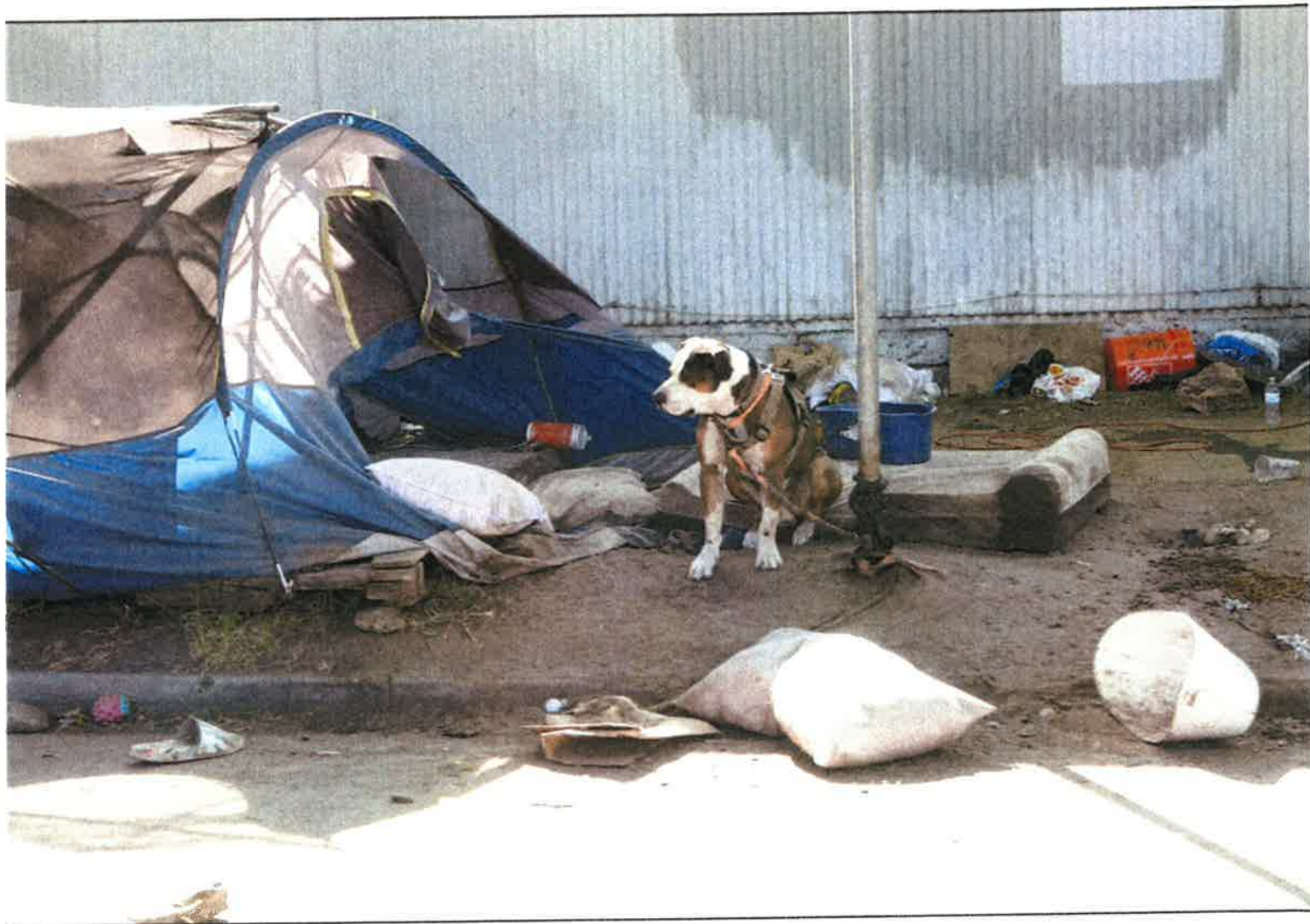




EXHIBIT 7

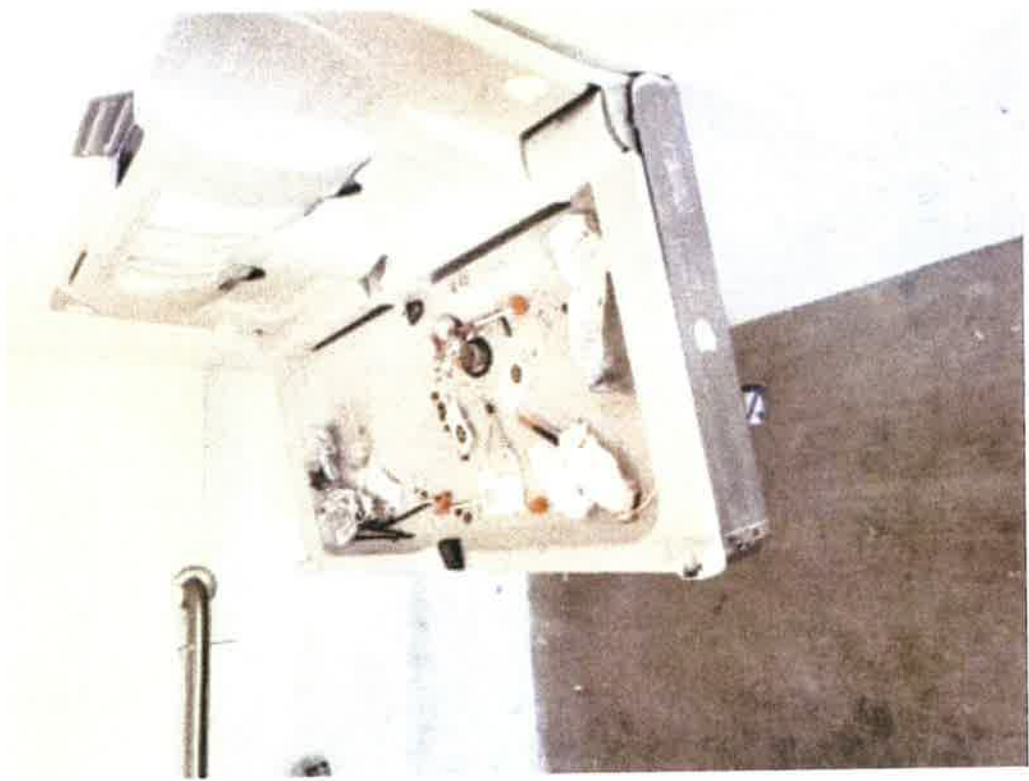


EXHIBIT 8















EXHIBIT 9



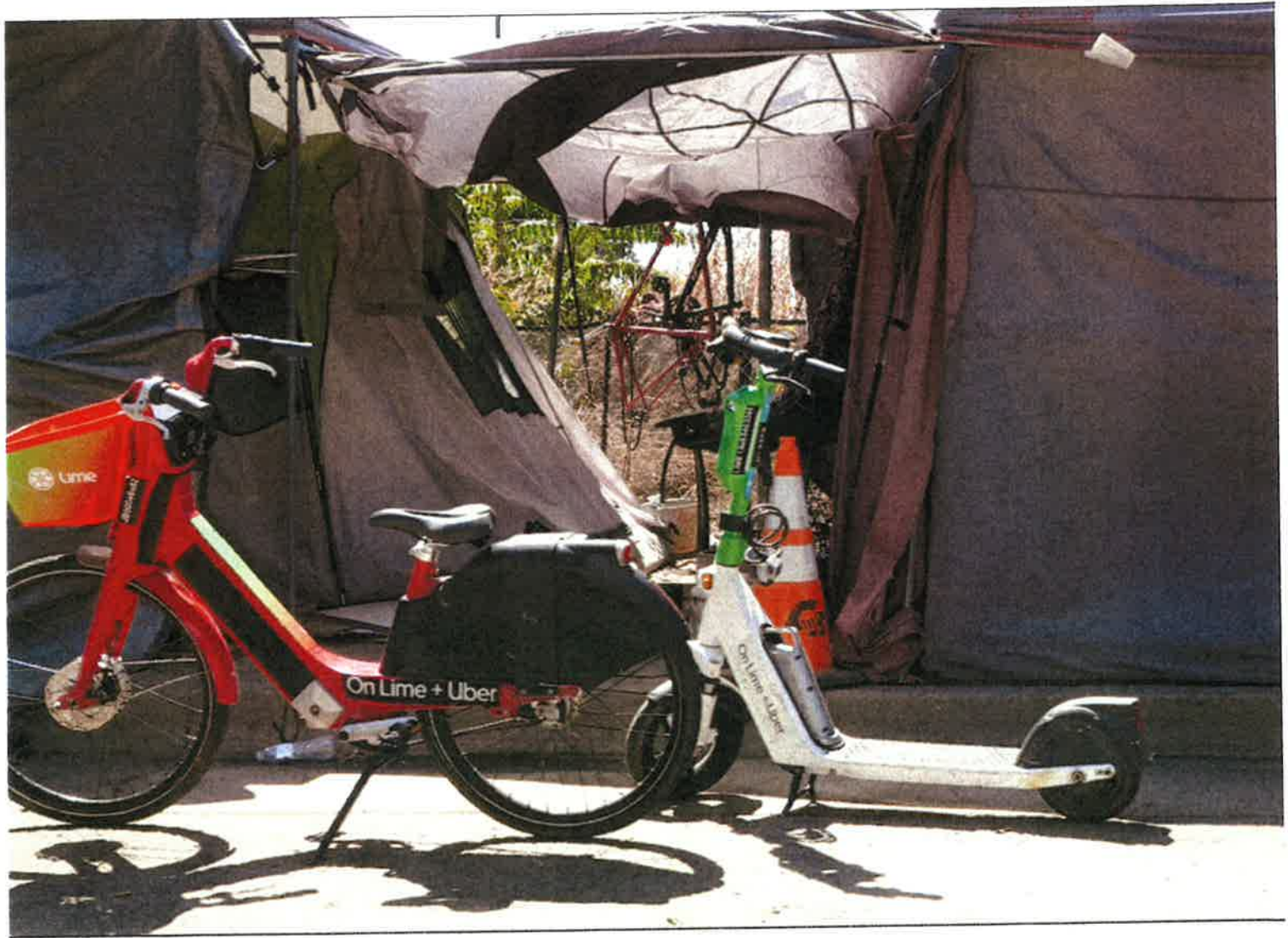




EXHIBIT 10



EXHIBIT 11

Tanya

July 22, 2022

Katie Valenzuela, Councilmember, District 4
City of Sacramento
915 I Street, 5th Floor
Sacramento, CA 95814

RE: REQUEST FOR REMOVAL OF HOMELESS ENCAMPMENT

Dear Councilmember Valenzuela,

I am writing to ask for your help in removing a homeless encampment located in the Caltrans right-of-way, along the sound wall separating the Riverfront Plaza Condominium Complex (at P and 3rd Streets) and the I-5 South freeway onramp.

We have been watching this encampment grow for quite some time. The Homeowners' Association Board and management personnel have reported it to the appropriate authorities multiple times. However, nothing has been done to-date and, as of yesterday, a new tent has been added to the encampment. These unhoused individuals have pitched their tents along the sound wall with many redwood trees and other vegetation surrounding them. If they were to lose control of a fire, it wouldn't take long to engulf the condo complex.

Several years ago, the Sacramento Fire Department ran drills in the complex to ensure they had a plan should just such an incident occur. Obviously, this is not the first encampment on that right-of-way but it has been there the longest and without any intervention from Caltrans, the Sacramento Police Department, Sacramento Fire Department, or any other government entity.

Additionally, several times in the past few months, my neighbors and I have witnessed people we believe are associated with the encampment testing gates and walking fence lines to gain access to our gated complex.

For these reasons, I am requesting your help in assisting the residents of this encampment to relocate to a safer location so they can get the services they clearly need and to avoid a fire that would destroy many condo units and could result in the loss of life.

Thank you for your attention to this matter.

Sincerely,

Tanya

Resident, Riverfront Plaza Condos

cc: Dennis Keaton, Caltrans; Chief Katherine Lester, Sac PD; Leyne Milstein, Sac FD

EXHIBIT 12

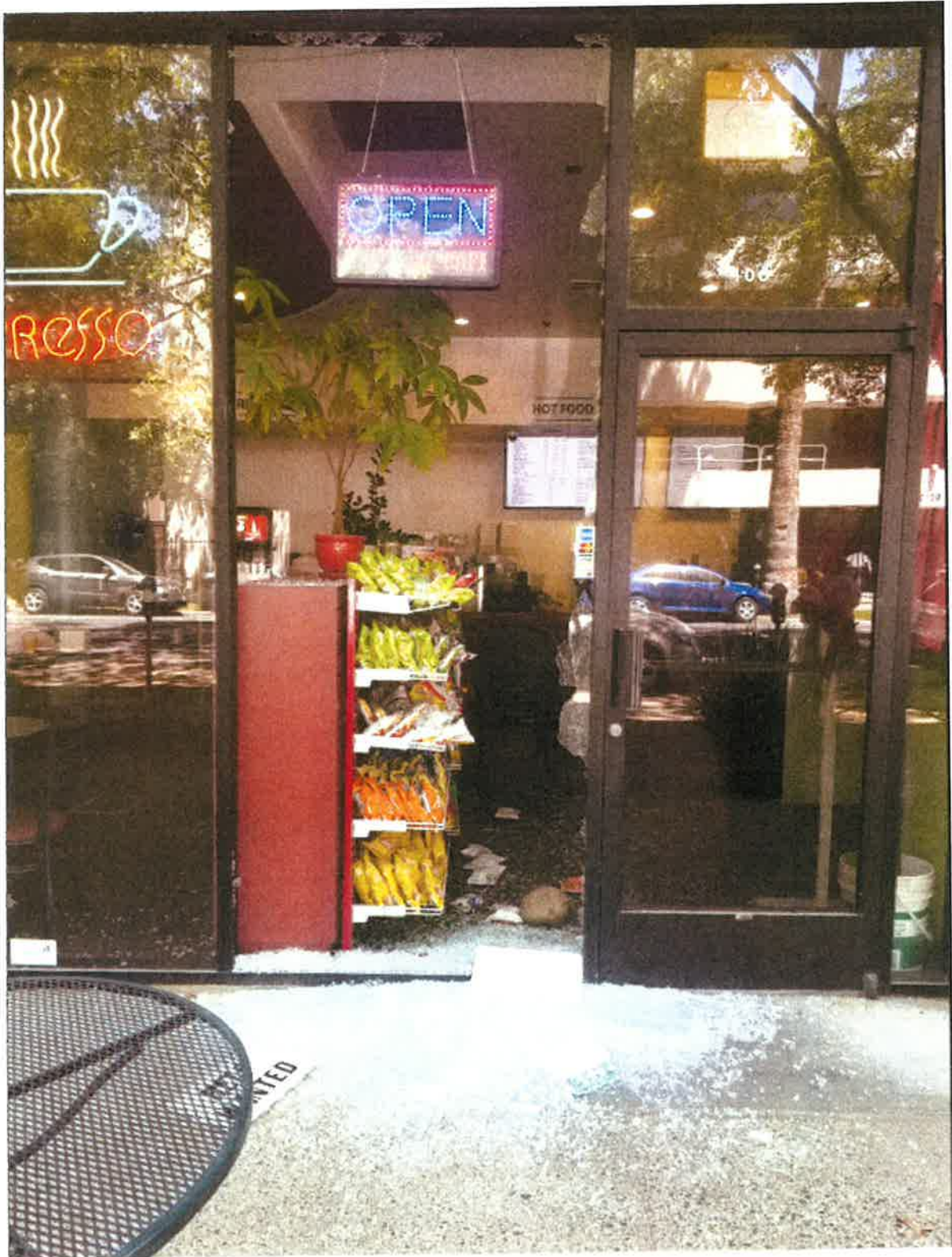








EXHIBIT 13



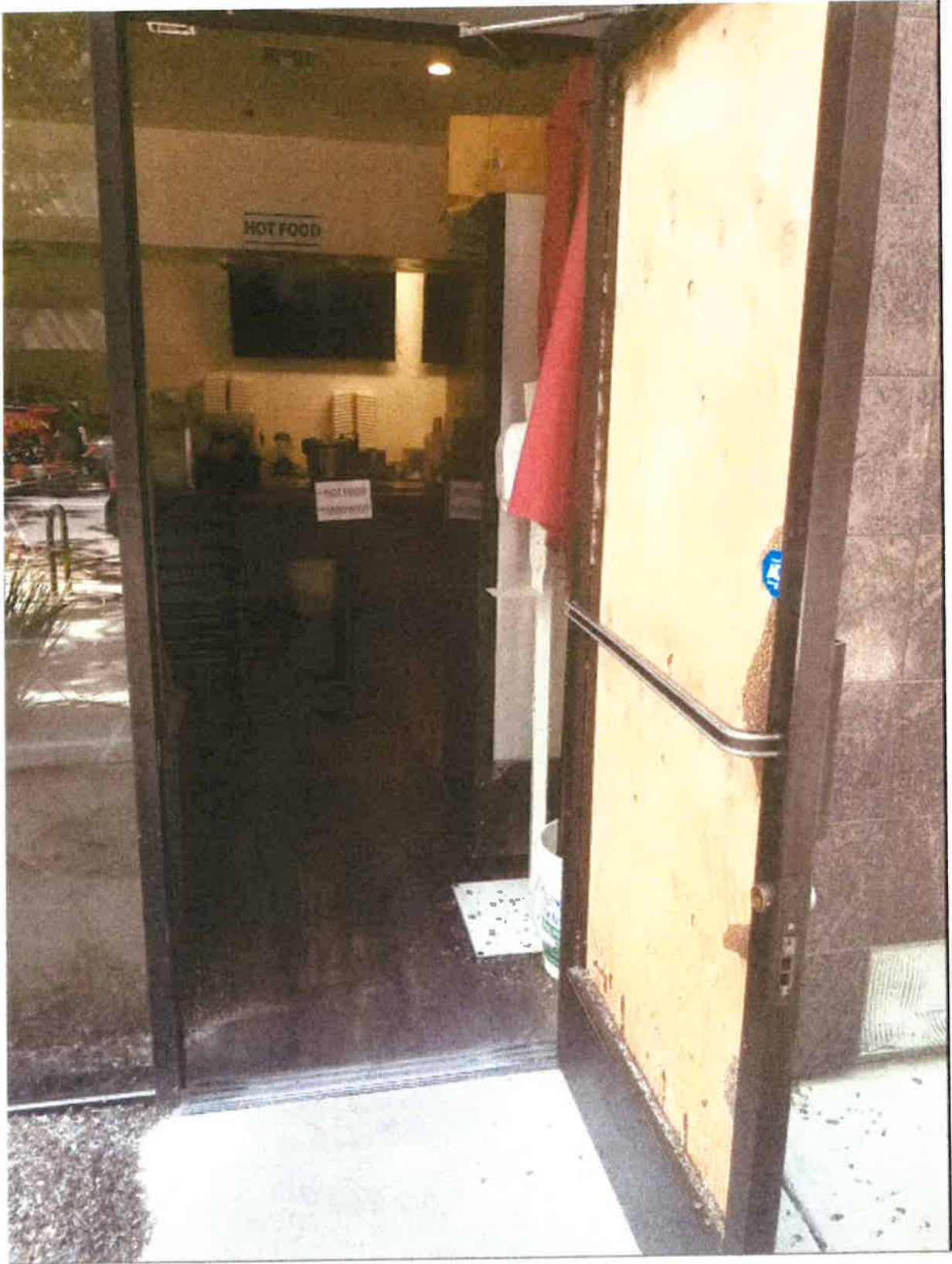


EXHIBIT 14

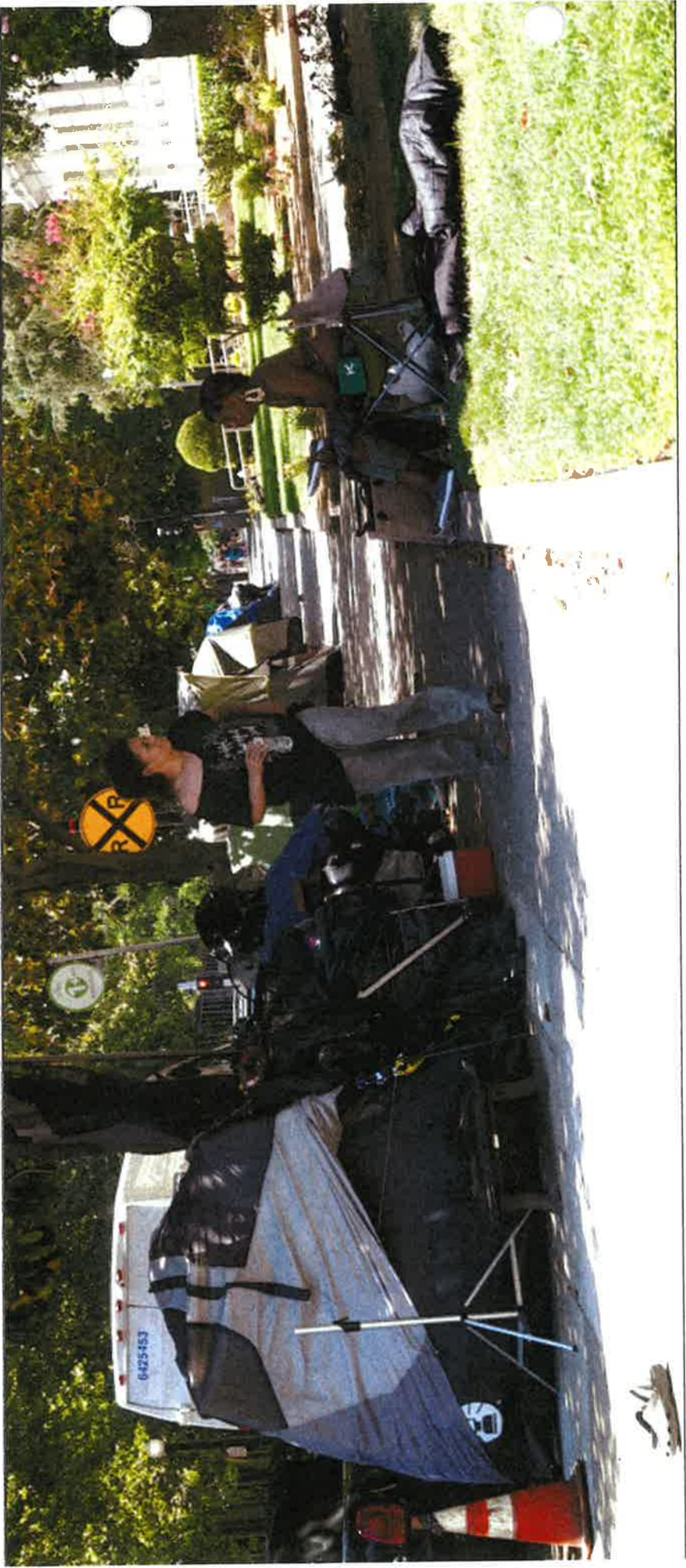








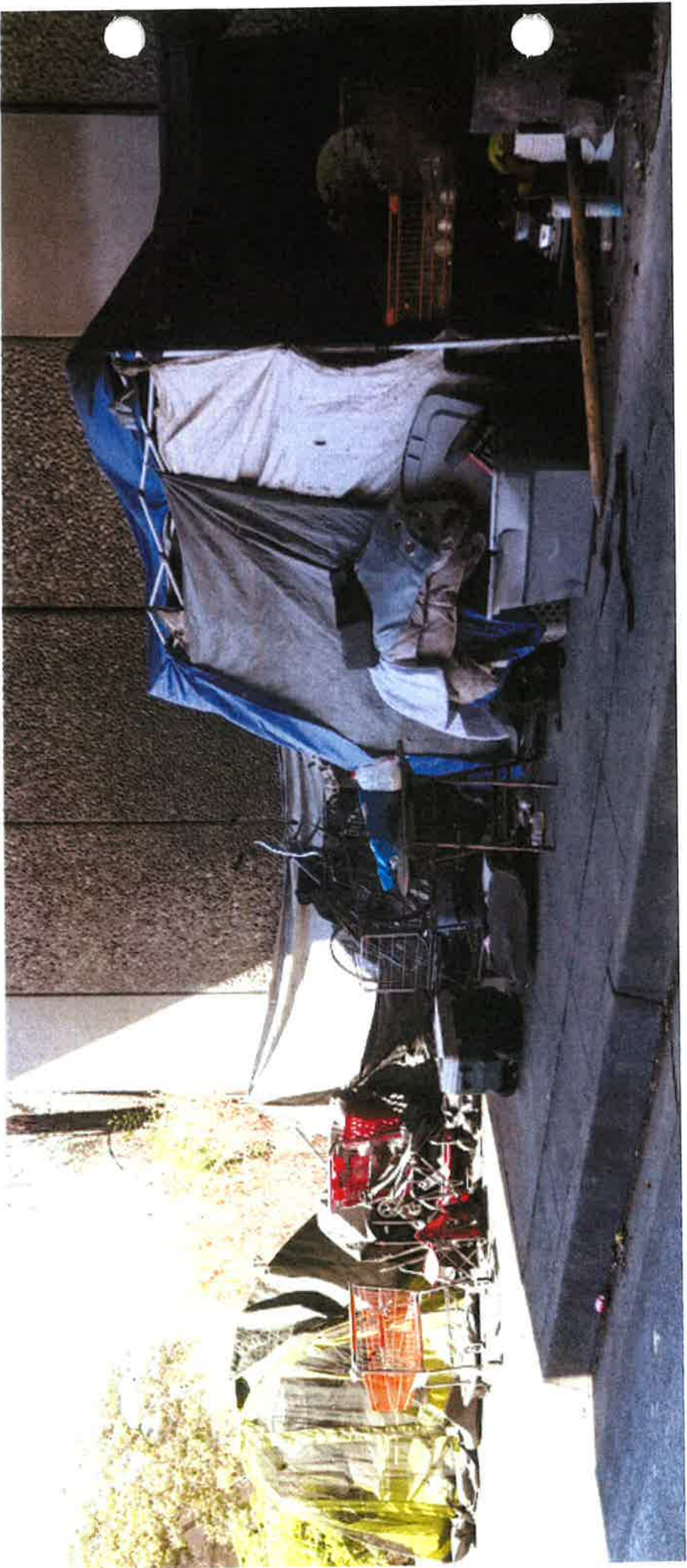


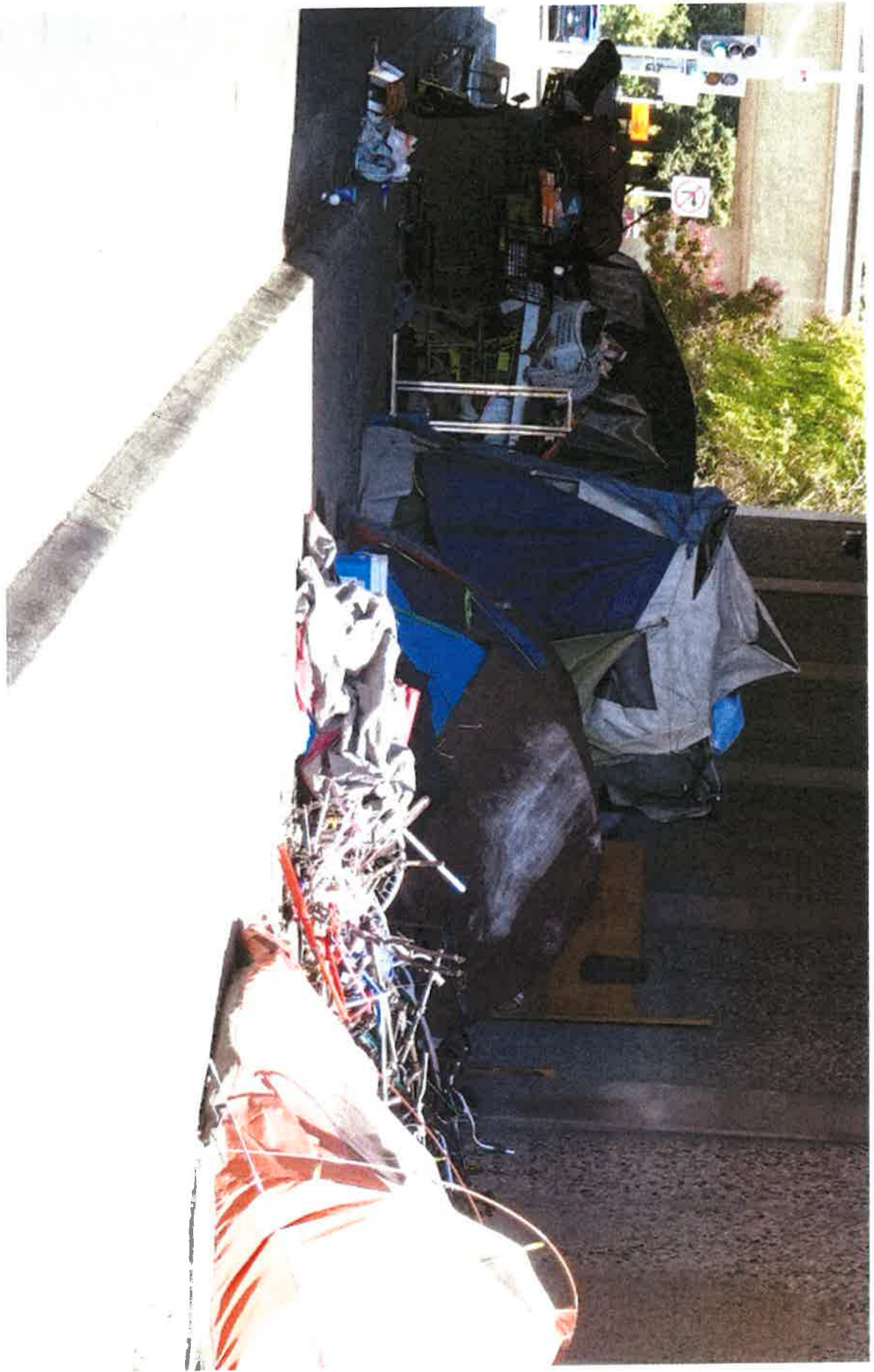




EXHIBIT 15









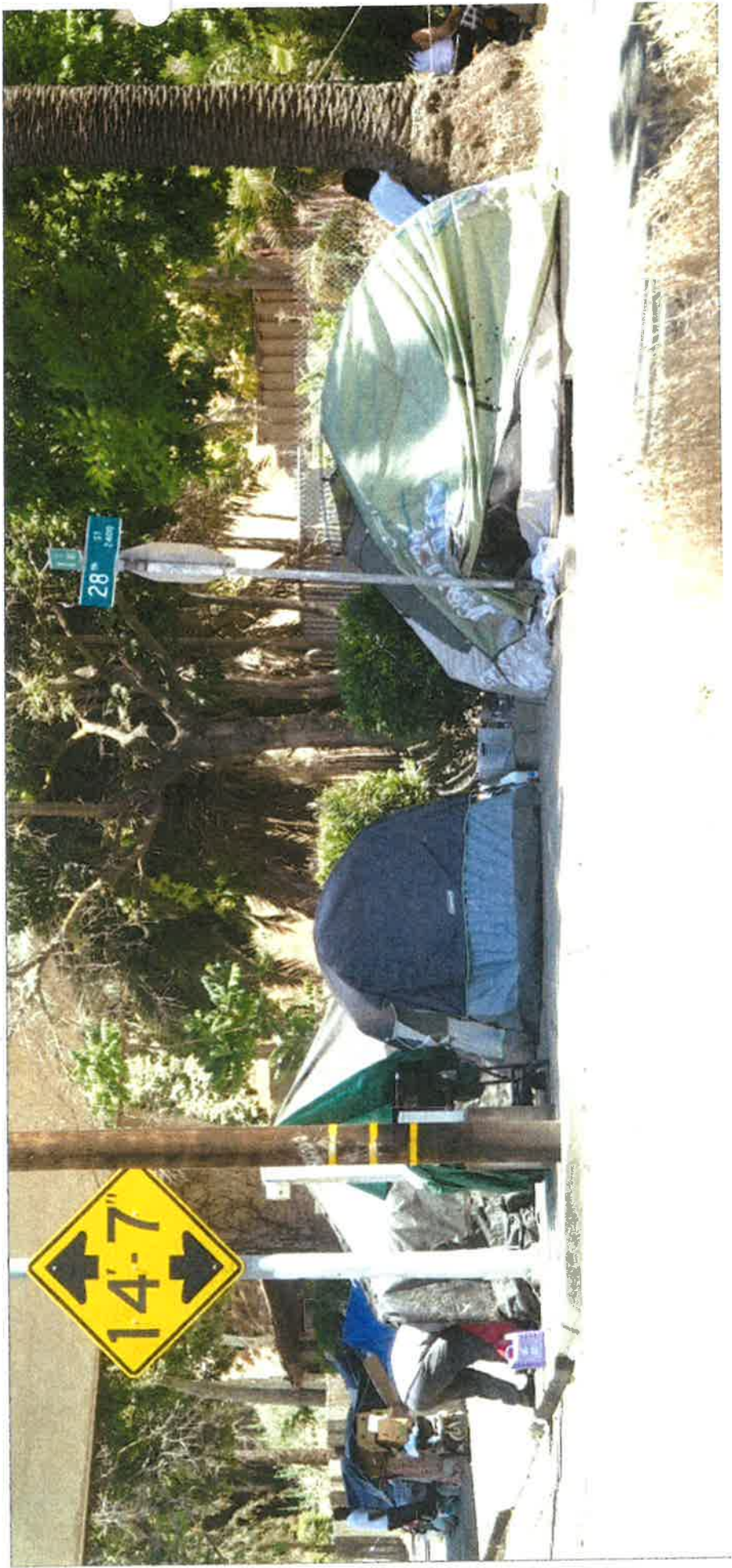












EXHIBIT 16



EXHIBIT 17









EXHIBIT 18







DO NOT FEED THE DOGS
BEWARE OF 3 WATCH DOGS!
WATCH DOGS!



EXHIBIT 19













EXHIBIT 20















EXHIBIT 21



EXHIBIT 22





EXHIBIT 23



EXHIBIT 24

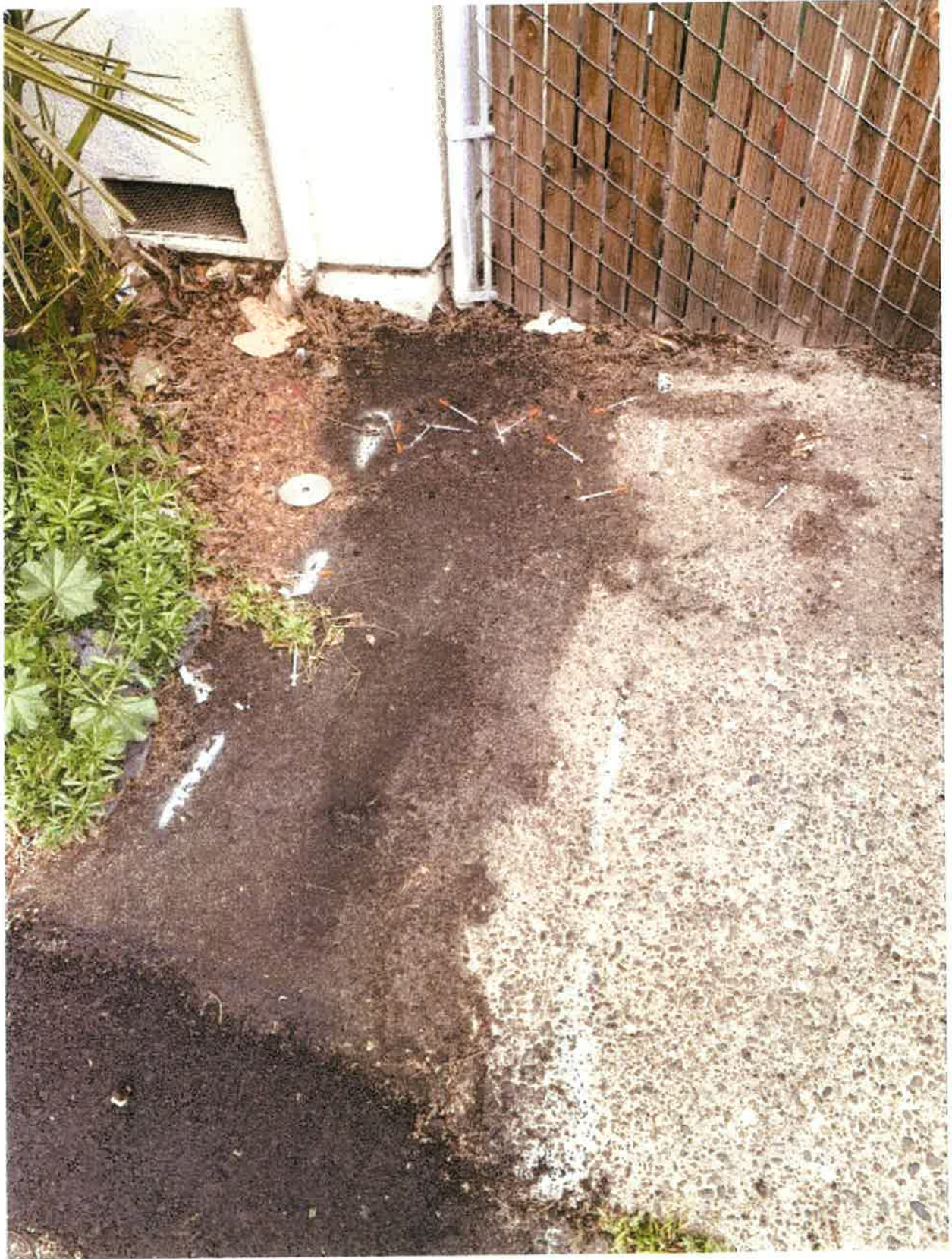




EXHIBIT 25



EXHIBIT 26



EXHIBIT 27









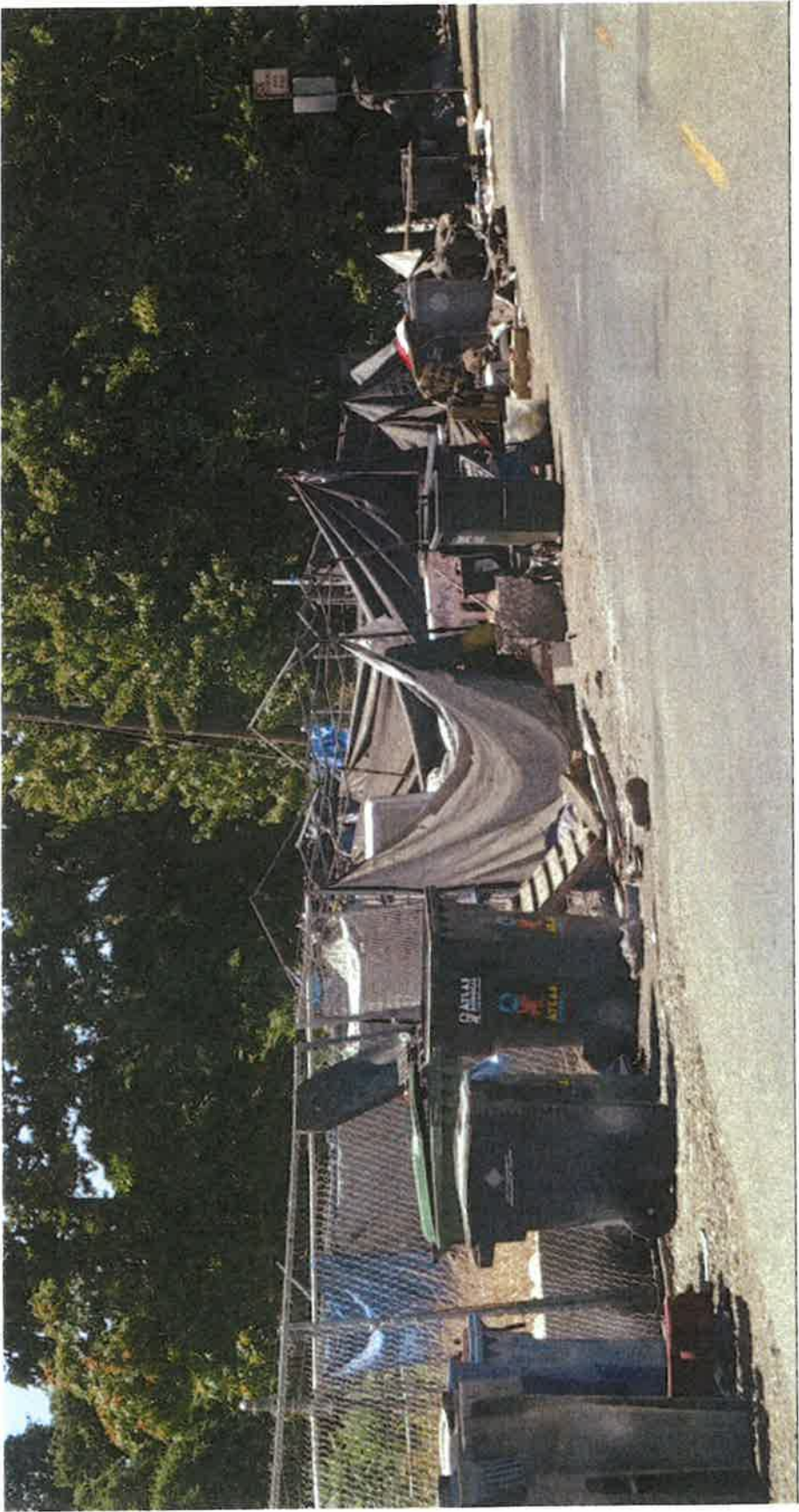


EXHIBIT 28











EXHIBIT 29





EXHIBIT 30





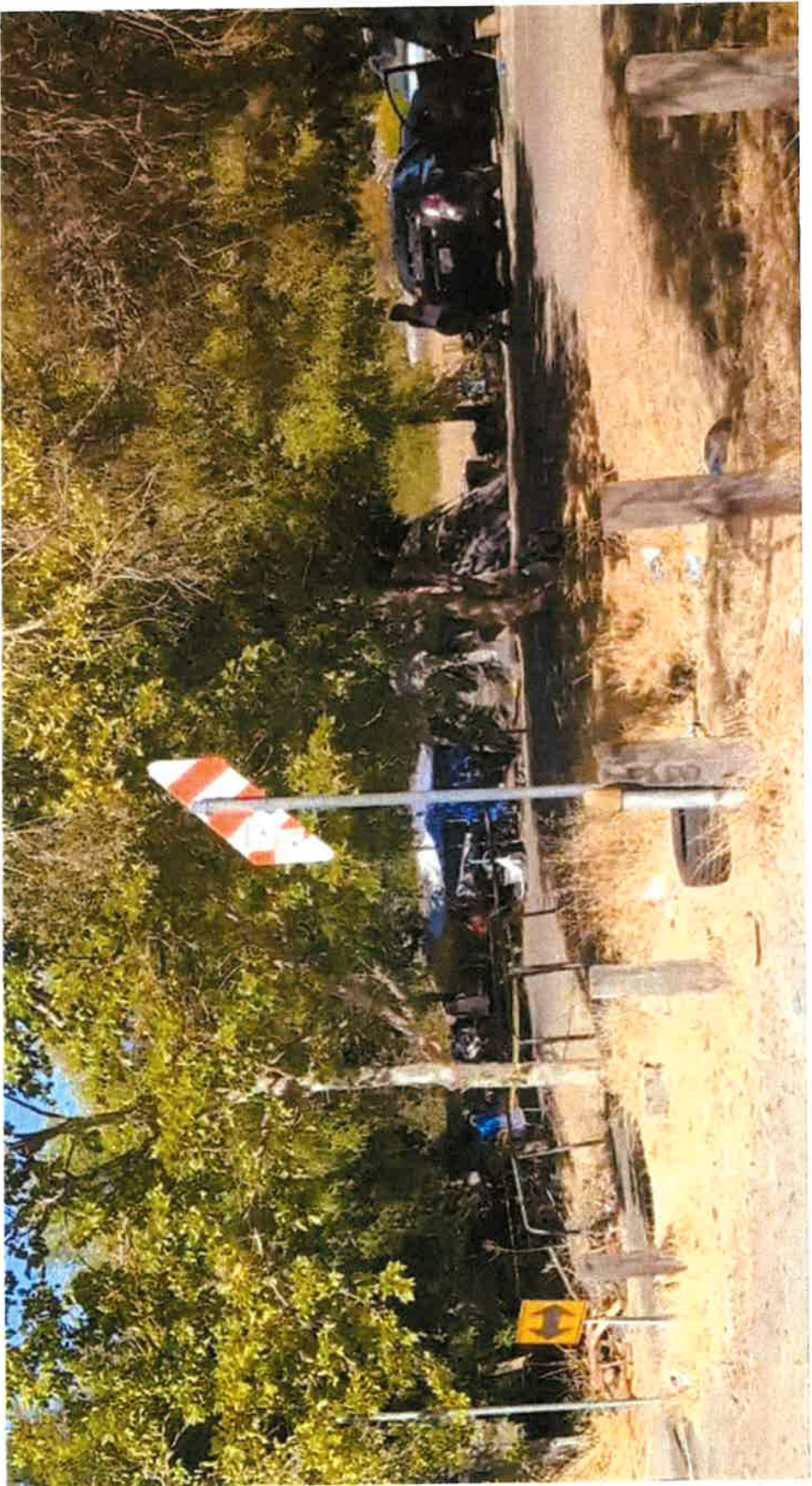


EXHIBIT 31



EXHIBIT 32

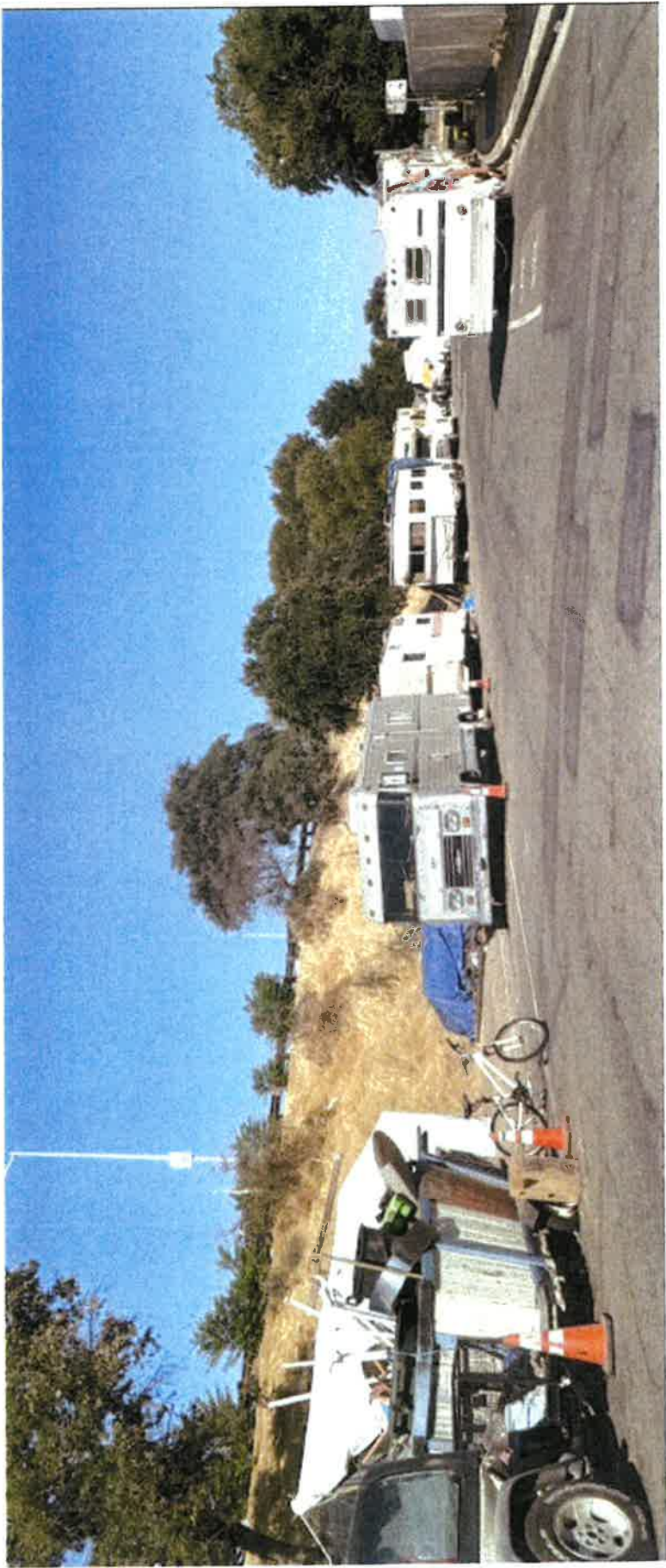




EXHIBIT 33

