



## March 2023 Neighborhood News

### Tents, Graffiti, & More -- But First:



**Please join our horticultural team of members and neighbors this Saturday, March 4 from 10:00 a.m.-noon at Al's Park, on Corbett just below Clayton, for an early Spring clean-up. Thank you Andrea and Margaret for arranging this!**

### SFPD Park Station

We want to remind you that our excellent Park Station police district office — all of CHN is within the Park Station's boundaries — has an informative monthly newsletter. Here at the Park Station page on the SFPD website you can learn more about the station, as well as view the latest newsletter: <https://www.sanfranciscopolice.org/stations/park-station> For ease of reference, we posted the January Park Station newsletter on our website:

<https://www.corbettneighbors.com/newslettersdocuments.html>

Also, Commanding Officer Hart at Park continues to hold monthly remote community meetings, typically the last Wednesday of the month at 6:30 p.m. If you subscribe to the newsletter, you will learn of the next meeting a few weeks hence and be given the opportunity to register. At the most recent one, we learned a few things, some of which are reflected in the public safety notes below.

### Graffiti

There is an SFPD Graffiti Abatement Unit that is doing its best to get a handle on a city-wide scourge. If you see newly added graffiti, please report it, (a) by calling the non-emergency number, (b) filing a police report, or (c) emailing Park Station directly, preferably with a photo ([sfpdparkstation@sfgov.org](mailto:sfpdparkstation@sfgov.org)) Why? Because this is a criminal matter, many of these scrawls are performed by the same

person or persons, and sometimes the police can identify the likely perpetrator from the style of the painting. A call to 311 should also be made so that the DPW crew can repaint.

## **Tents & a Federal Court Order**

We get calls and emails from you about tents in the neighborhood, most recently at the Ord Triangle Park. What can we do? It's complicated; this is perhaps more than you want to know.

As we reported in the last CHN newsletter, in connection with a lawsuit filed in Federal Court against San Francisco last autumn by the Coalition on Homelessness ("COH"), in December a Federal Magistrate Judge in Oakland enjoined the City from enforcing its half dozen "sit/sleep/lie" laws against "involuntarily homeless individuals" *so long as the number of homeless people exceeds the number of available shelter beds*. Price tag of that: an additional \$1.45 billion. Time to complete: many years.

Given the injunction, what can the City do? CHN obtained a copy of Chief Scott's January 25, 2023 Department Notice -- essentially, his order to SFPD -- regarding code enforcement under the injunction. Scott identifies the half dozen now-unenforceable sit/sleep/lie municipal codes but he also wrote that the injunction "...does not restrict enforcement for conduct other than sitting, lying, or sleeping." Thus, not allowing a 48" wide path of travel on a sidewalk is still prohibited; and other nuisance and public health and safety laws can be enforced. For those who want to dig deeper, we posted a copy of Chief Scott's Department Notice on our website:

<https://www.corbettneighbors.com/newslettersdocuments.html>

At his most recent Park Station virtual community meeting Capt. Hart explained SFPD's constraints but noted, as did Chief Scott in his order, that the injunction does not prevent the City from enforcing health and criminal codes. Therefore, Park Station continues to suggest that the public notify it of tents, particularly those that are obstructing sidewalks or posing a health or safety issue. Such reports can be sent to the non emergency police number (415-553-0123), by email directly to Park Station ([sfpdparkstation@sfgov.org](mailto:sfpdparkstation@sfgov.org)), or by telephone directly to the station (415-242-3000). If via email, a photograph is helpful. Consistent with all of the above, Park Station has helped to ameliorate a few recent camping incidents on or near the Ord Triangle Park.

The SF Standard has a recent article on the City-wide struggles implementing the Magistrate's order. That article is here:

<https://sfstandard.com/public-health/homelessness/court-order-blocking-homeless-sweeps-leaves-residents-city-workers-in-ambiguity/>

*Commentary:* A lawyer on the CHN Newsletter team has insisted upon inserting this commentary; please forgive us. The current injunction stems from the aforementioned 2022 COH lawsuit that claims that San Francisco is not abiding by a 2019 Ninth Circuit Federal Appeals Court ruling, the "*Boise*" decision, that restricted the ability of the City of Boise, Idaho from enforcing certain sit/sleep/lie laws against "homeless individuals who cannot obtain shelter." COH is represented for free by Latham & Watkins, a prestigious LA lawfirm with more than 2800 lawyers. Note that any Ninth Circuit ruling, including *Boise*, is "the law" everywhere within the Ninth Circuit's geography: California, Washington, Oregon, Montana, Idaho, Arizona, Alaska, Hawaii, Guam, the Northern Marianas. And this raises the question: Why hasn't the City Attorney asked these states (and their large cities, too) to sign-on as "friends of the court" or to attempt to intervene in order to support San Francisco's position? And, why isn't California Attorney General Bonta attempting to make an appearance to represent the interests of the state and other CA cities? Would all of these states and the cities within them welcome an interpretation of *Boise* as has been decreed for San Francisco? And, oddly, this case is not

even listed as one of the "major cases" on the City Attorney's website. Yes, we are now straying afield from neighborhood news so we will return to our lane.

### **SFPD ALERT**

For those with time on their hands and a willingness to help SFPD, Capt. Hart reminds us of the SFPD Auxiliary Law Enforcement Response Team, a trained volunteer organization that can be called upon by SFPD to provide support such as traffic and safety patrols, at district police events, and in the event of a mass casualty. During the three years of the pandemic, ALERT handed out 2 million masks. If you pass a background check and take the training, you too could be a member! You can learn more here: <https://www.sanfranciscopolice.org/community/programs/auxiliary-law-enforcement-response-team-alert-program>

### **Who to Call and When**

We're going to crib from pages 39 and 41 of the latest Park Station newsletter (see the first paragraph of this newsletter for the link on our website) but it's this:

- 311 This is the non emergency line for most city services including many homelessness related issues. You can also get the SF 311 app, which permits you to geolocate the issue and attach a photo.

- Non-Emergency Dispatch: 415-553-0123. This is for situations that require the police but NOT on an emergency basis. Examples: noise complaints, double parking, nuisance issues. You can also use this number to file a police report although it might be easier to do so on-line: <https://www.sanfranciscopolice.org/get-service/police-reports/file-police-report>

Emergency Dispatch: 911. BUT, if calling from a mobile phone, it's better to use 415-553-8090. This is the number to obtain an emergency response by police, fire, or medical personnel. This is for "crimes in progress" or medical emergencies in progress. A drug addled, agitated, potentially violent person dancing down the middle of Market Street would also warrant a call to this emergency number.

### **Enough About Public Safety...**

**SFMTA.** We previously reported on SFMTA's plans to eliminate flag stops at bus stops. Since our notice to members, SFMTA has announced that it is moving forward: <https://www.sfmta.com/blog/parking-muni-stops-being-phased-out>  
The Board of Supervisors is unanimously behind the idea. It sounds to us like it's a done deal, as they say, but at least one of our members is seeking to learn if public input for Corbett Avenue is still an option. We'll let you know what we learn.

**CASTRO THEATRE.** As you no doubt have read in the main stream press and as we foretold in our last newsletter, the Historic Preservation Commission voted to designate the interior as an historic resource. What the exact wording of the soon-to-be enacted ordinance does to Another Planet Entertainment's seating plans for the theater is to be determined.

### **Merritt Park Is Lovely**



As always, thank you for your support!

In the meantime, you can contact us at:  
[info@corbettneighbors.com](mailto:info@corbettneighbors.com)

Paul Allen, Secretary  
February 26, 2023

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