



LEGAL ADVOCACY UNIT

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December 13, 2024

VIA ELECTRONIC MAIL:

michael.mcguinness@escondido.gov

City of Escondido
City Attorney's Office
Michael R. McGuinness, City Attorney

Re: Encampment Sweep at Harmony Grove Flood Control Area

Dear Mr. McGuinness:

We are writing to express our concern regarding the upcoming large scale encampment sweep by the City of Escondido of the entire area of Harmony Grove Flood Control in Escondido, California, which is known colloquially by its community as "The Jungle." As you know, Disability Rights California (DRC) is the largest provider of legal services for people with disabilities in the country. We also are the federally and state-designated protection and advocacy agency for California, protecting the rights of disabled people through a variety of systems, including our investigatory access authority, the state Legislature and the federal administration and Congress, as well as the courts. On behalf of our clients, we address the discriminatory impact of the planned closure on the Jungle's residents with disabilities.

We are advised that the encampment sweep is scheduled for Monday December 16, 2024. We understand that the sweep will disrupt or displace approximately 100 residents of The Jungle, and the majority of Jungle residents identify as persons with disabilities.

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We are especially troubled that there are no plans to have shelter options available for the individuals who will be displaced. This is particularly alarming because currently the City of Escondido does not have an emergency shelter available to unhoused residents, nor does it have a sufficient number of shelter beds. This presents a grave humanitarian danger because unhoused residents of Escondido have limited, and realistically no options for shelter beds. For example, people must meet application criteria or other circumstances that render most shelters, even if technically “existing” in the City, unavailable to most unhoused people. See, for example, City of Escondido Sixth Cycle Housing Element at 24.

Even when localities provide available shelter options (which is not the case here), persons with disabilities encounter significant barriers to accessing shelters, such as the lack of ramps and shower grab bars, stringent mandatory rules with which compliance is impossible due to disability, transportation difficulties that prevent access to medical providers and social services, and little or no access to food that is necessary to meet important dietary needs, among other things. Without a clear plan to shelter individuals with a disability or any individual in general, the City of Escondido will be putting unhoused individuals in grave danger. In this case, it is also our understanding that there are no tangible solutions to store and catalog the property and belongings owned by individuals. In our experience, critical identification, medical supplies and other items essential for survival will be destroyed during the process, creating additional liabilities for localities.

In light of the high risk of grave bodily harm or death facing these residents, we strongly urge the City of Escondido to postpone the closure of The Jungle pending the consideration of the residents’ reasonable accommodation request(s) and to further allow a comprehensive assessment of the individualized needs of each resident. Conducting this assessment is the only process to ensure that each resident receives adequate relocation and offers for shelter to accommodate their disability-related needs, and to prevent discriminatory actions by the City on the basis of disability.

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Thank you for considering this matter. If you have further questions, please contact Alexandra Robertson, Civil Rights Practice Group, Senior Attorney, alexandra.robertson@disabilityrightsca.org.

Best regards,

A handwritten signature in black ink, appearing to be the name 'Alexandra Robertson', written in a cursive style.

Alexandra Robertson
Senior Litigation Attorney
Disability Rights California

cc: Escondido Times-Advocate
San Diego Union-Tribune
Voice of San Diego