



# Seattle Human Rights Commission

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September 5, 2016

Mayor Ed Murray  
Seattle City Councilmembers  
600 4<sup>th</sup> Ave  
Seattle, WA 98104

*Transmitted via email to: to: [ed.murray@seattle.gov](mailto:ed.murray@seattle.gov); [lisa.herbold@seattle.gov](mailto:lisa.herbold@seattle.gov); [bruce.harrell@seattle.gov](mailto:bruce.harrell@seattle.gov); [kshama.sawant@seattle.gov](mailto:kshama.sawant@seattle.gov); [rob.johnson@seattle.gov](mailto:rob.johnson@seattle.gov); [deborajuarez@seattle.gov](mailto:deborajuarez@seattle.gov); [mike.obrien@seattle.gov](mailto:mike.obrien@seattle.gov); [sally.bagshaw@seattle.gov](mailto:sally.bagshaw@seattle.gov); [tim.burgess@seattle.gov](mailto:tim.burgess@seattle.gov); [lorena.gonzalez@seattle.gov](mailto:lorena.gonzalez@seattle.gov)*

Dear Honorable Mayor and Councilmembers:

We, the Seattle Human Rights Commission (hereafter “The Commission”), write to urge the City of Seattle to take immediate and long-overdue action to protect the rights of those who are unsheltered living on public property around the city.

As you know, on August 24, Columbia Legal Services, the Seattle/King County Coalition on Homelessness, the American Civil Liberties Union (ACLU) of Washington, the Seattle Community Law Center, Real Change, and the Public Defender Association released proposed legislation that would create a more consistent, humane, and sustainable framework to guide the City in responding to unsheltered residents living on public property.<sup>1</sup> The proposal would provide much-needed public health and sanitation resources to those living in encampments, while still allowing the City to take immediate and consistently applied action to prevent unsafe or hazardous living situations.

The Commission supports the passage and enactment of this or substantially similar legislation immediately. With harsh weather on the horizon,<sup>2</sup> and sweeps continuing to jeopardize the safety, property, and livelihoods of Seattle’s population without shelter, now is the time for action—not red tape. Given the Mayor’s Homelessness State of Emergency declaration over ten months ago, a clear policy for protecting the rights of those who are unsheltered is long overdue.

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<sup>1</sup> Heidi Groover, *Advocates propose major changes to encampment sweeps, new protections for homeless people*, THE STRANGER, Aug. 24, 2016, available at <http://www.thestranger.com/slog/2016/08/24/24504796/homeless-advocates-propose-major-reforms-to-the-way-the-city-handles-homeless-encampments>.

<sup>2</sup> See Wilson Dizard, *The homeless way of death: Frozen to the floor, no money for a funeral*, AL JAZEERA AMERICA, Mar. 24, 2015, available at <http://america.aljazeera.com/multimedia/2015/3/the-homeless-way-of-death-frozen-in-chicago-no-money-for-a-grave.html> (“Among America’s nearly 390,000 homeless, about 700 die of hypothermia each year, according to the National Coalition for the Homeless’ winter services report.”).

We support the proposed legislation because it aims to protect the human rights of unsheltered individuals. The City's current approach is inconsistent in its removal and notification procedures, leading to encampment sweeps that forcibly displace individuals from their homes and disconnect them from their personal property.<sup>3</sup> Any legislation enacted should not only require sufficient and accurate notice to those whose encampments are impacted, but should also provide them assistance in identifying and moving to a more-stable living situation. It should also prioritize a thorough inspection of personal property prior to removal and include a process by which encampment residents can easily and quickly reclaim their property that has been taken. Engagement and outreach that is consistent, accurate, and responsive is necessary to respect the lives and property of unsheltered individuals.

With the City's budget season ahead, the Commission also calls upon the Council and Mayor to fund and open additional indoor emergency shelters for the upcoming winter months. In the midst of a State of Emergency with more than 3,000 people sleeping outdoors in our city, we must take advantage of every possible route to shelter individuals until more permanent housing becomes available.

In 2012, the City declared itself a Human Rights City, committing itself to protect, respect and fulfill the full range of inherent human rights for all, as set forth in the Universal Declaration of Human Rights and numerous other international human rights instruments. Every individual has internationally-recognized rights to access adequate housing, necessary social services, and security<sup>4</sup>. Additionally, every individual has the right to own property alone as well as in association with others and no one shall be arbitrarily deprived of his property<sup>5</sup>. These rights are threatened by Seattle's lack of affordable housing among many other factors which drive the City's homelessness crisis.

The Commission applauds the Mayor and City Council for making homelessness a top priority and declaring an emergency. We implore that you take immediate action to remedy policies that have created more instability and infringed on the human rights of Seattle's most vulnerable residents. This is not a time for deliberations and process, but a time for long-overdue action to save and improve lives. Community leaders have presented a viable framework for moving forward, and action should promptly follow. They should be involved not only in the development of encampment sweep reform policy, but also in overseeing its enactment when a new framework is put in place.

The City has dedicated itself to promoting and protecting human rights, and should enact legislation and make public investments that are commensurate with an emergency of this scale. We urge you to take immediate and meaningful action to protect the human rights of unsheltered people, and to vote for a more flexible and sustainable approach similar to the one proposed by the aforesaid stakeholders.

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<sup>3</sup> See, e.g., Mike Baker, *Chaos, trash and tears: Inside Seattle's flawed homeless sweeps*, SEATTLE TIMES, Aug. 19, 2016, available at

<http://www.seattletimes.com/seattle-news/chaos-trash-and-tears-inside-seattles-flawed-homeless-sweeps/>.

<sup>4</sup> Article 25(1) of the Universal Declaration of Human Rights.

<sup>5</sup> Article 17 of the Universal Declaration of Human Rights.

The Commission looks forward to working with you to create a more equitable Seattle for all.

Sincerely,



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Danielle Wallace  
Seattle Human Rights Commission Co-Chair



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Bill Dow  
Seattle Human Rights Commission  
Economic, Social and Cultural Rights Task Force Chair

/s/ Tammy Morales  
Tammy Morales  
Seattle Human Rights Commission  
Economic, Social and Cultural Rights Task Force Member