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CITY OF SANTA CRUZ, MARTIN BERNAL, TONY ELLIOT, and ANDREW MILLS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

SANTA CRUZ HOMELESS UNION, on behalf of itself and those it represents; SANTA CRUZ FOOD NOT BOMBS; ALICIA AVALOS, HANNAH HEGEL, CHRIS INGERSOLL and RANDOLPH TOLLEY, on behalf of themselves and similarly situated homeless persons,

Plaintiffs,

vs.

CITY OF SANTA CRUZ; MARTIN BERNAL, individually and in his official capacity as City Manager for the City of Santa Cruz; TONY ELLIOT, individually and in his capacity as Director of Parks & Recreation for the City of Santa Cruz; ANDREW MILLS, individually and in his capacity as Chief of Police for the City of Santa Cruz,

Defendants.

Case No. 5:20-cv-09425-SVK

DECLARATION OF CATHERINE BRONSON PROVIDING FURTHER INFORMATION TO THE COURT RELEVANT TO THE COURT'S INJUNCTION AT SAN LORENZO PARK

Honorable Magistrate Judge Susan van Keulen

Hearing Date: March 30, 2021

Hearing Time: 9:30 a.m.

1 I, Catherine Bronson, declare:

2 1. I am an attorney at law duly licensed to practice before this court, and I am an attorney at
3 the law firm of Atchison, Barisone & Condotti, counsel of record for Defendant CITY OF SANTA
4 CRUZ, MARTIN BERNAL, TONY ELLIOT, and ANDREW MILLS, in the above-entitled action. If
5 called to testify about the matters discussed in this declaration, I could and would do so.

6 2. On March 19, 2021, I reached out to County Counsel, Jason Heath, via email and asked
7 if one or more County employees could provide a declaration, updating the Court as to the specifics as
8 to what has already occurred and what is slated to occur (and when) with respect to the vaccination of
9 unsheltered individuals at large encampments within the City of Santa Cruz.

10 3. In response, on March 19, 2020, County Counsel indicated that “I’m not sure whether the
11 County will be interested in providing declarations for the City’s use on this issue. . . . I may be able to
12 find a County staff member for you to speak with by Monday, and then you could include that
13 information in your own declaration to the Court.” I later responded, on March 22, 2021, with “Thanks
14 so much for the offer of a phone call with County staff. I would appreciate getting the information –
15 whether it is in an email, a press release, a declaration, or a phone call.”

16 4. On March 23, 2021, County Counsel sent me a statement from Joey Crottogini, Health
17 Center Manager for the Homeless Persons Health Project, which verbatim stated:

18 “Throughout this pandemic, the County of Santa Cruz Health Services Agency’s Homeless
19 Persons Health Project (HHP) has been working in new ways with City and County
20 agencies, the Continuum of Care (Homeless Action Partnership), non-profits, and people
21 with lived experience of homelessness to provide services to people currently experiencing
22 homelessness. HHP’s expanded outreach and street medicine teams have consistently
23 provided continuity of care to support the COVID-19 shelter in-place public health orders for
24 people experiencing homelessness at shelters, isolation/quarantine motels and hotels, and at
25 encampments and other public spaces throughout the County. Due to their vulnerability of
26 COVID-19 transmission and barriers to accessing health care, people experiencing
27 homelessness are prioritized to receive the COVID-19 vaccine, according to the Centers for
28 Disease Control and Prevention (CDC) and California Department of Public Health. With a
2019 point-in-time count of 2,167 individuals experiencing homelessness in Santa Cruz
County, vaccinating this sub-population is crucial to our mission of providing equitable
access to vaccines for our most vulnerable communities.

HHP is implementing multiple strategies based on best practices and science to effectively
offer COVID-19 vaccines to people experiencing homelessness. Here are a few of those
strategies:

1 1. Vaccine Clinics: Currently, the Homeless Persons Health Project is providing vaccines
2 to people experiencing homelessness every Tuesday and Thursday morning from 9am-
3 11:30am. While we do accept walk-in patients if vaccine is available, people are encouraged
4 to call or email to make an appointment. Vaccination clinics began in January with patients
5 over 75 years old, then over 65 years old, and are currently for anybody experiencing
6 homelessness 16 years and older. HPHP is utilizing population health reports to identify its
7 patients who have the most significant health conditions that increase mortality risks
8 associated with COVID-19 disease and aggressively outreaching to those individuals for
9 vaccination, in addition to making broader outreach efforts to all people experiencing
10 homelessness ages 16 years and older. Both the Santa Cruz Health Center and the
11 Watsonville Health Center, two additional County-operated community clinics, also provide
12 vaccinations to patients experiencing homelessness who are 16 years and older.

13 2. Shelter “Pop-Up” Clinics: The Homeless Persons Health Project works closely with
14 providers serving persons experiencing homelessness to educate providers and organize
15 vaccine clinics at shelters and drop-in centers. HPHP prioritized South County shelters to
16 begin this effort due to the disproportionate number of COVID-19 cases in the southern parts
17 of Santa Cruz County. To date, HPHP has provided vaccination clinics at the Watsonville
18 Veterans Hall and Watsonville Salvation Army, with an additional clinic being planned at the
19 Pajaro Valley Shelter Services sites in Watsonville and in the City of Santa Cruz
20 Armory/Pavilion/Golflands sheltering programs. Both program guests and staff are
21 vaccinated during these clinics and HPHP always brings additional vaccine to offer
22 individuals on-site who can be added as walk-ins the day of the clinic to allow flexibility and
23 expanded access to vaccines.

24 3. Street Medicine Teams: The Homeless Persons Health Project’s Street Medicine Teams
25 are deployed to vaccinate people experiencing homelessness at encampments and other
26 public spaces. These experienced medical teams can address logistical challenges to meet
27 the needs of this unique patient population. Current vaccination efforts at encampments
28 include the Watsonville Levee, San Lorenzo Park, Highway 1/9, and Pogonip.

The Homeless Persons Health Project has vaccinated over 1,000 individuals to date,
including people experiencing homelessness, providers of services to people experiencing
homelessness, and health care workers. Plans to break up encampments continue to interfere
with vaccine efforts, as some people sleeping in encampments are beginning to leave.
Formally and publicly linking COVID-19 vaccination efforts for people experiencing
homelessness with planned encampment enforcement and shelter closures will likely
contribute to greater vaccination reluctance among this high-risk population. HPHP staff at
all levels continue to address community concerns related to COVID-19 and to provide
scientific information related to vaccines so that individuals can make an informed decision
about getting the vaccine. HPHP takes proactive steps to educate the public about COVID-
19 and maintains a 24/7 nurse on-call line specifically for issues related to COVID-19. The
County of Santa Cruz Health Services Agency follows and promotes adherence to CDC
guidance related to COVID-19 public health interventions for people experiencing
homelessness.”

1 5. On March 24, 2021, I asked County Counsel some follow-up questions. On March 25, 2021,
2 responses to those questions were provided from the County, as set out below:

- 3 - Q: “Does the County have an estimate what percentage of SLP occupants have already
4 been vaccinated?” A: “We can’t estimate that at this point. We vaccinate at SLP, but
5 people sheltering at SLP also come to our clinic to get vaccinated, so it is difficult to
6 track.”
- 7 - Q: “Would it be possible for Joey to describe what kind of wait period (a day, a week,
8 two weeks?) a homeless person typically faces when trying to make an appointment with
9 HPHP on Tuesday / Thursdays.” A: “**Right now, there is almost no waiting period.**
10 **PEH who call today are scheduled for the next available vaccine clinic. We also will**
11 **take walk-ups but scheduled appointments are preferred.**” (Emphasis added.)
- 12 - Q: “Is the vaccine given at HPHP on Tuesdays and Thursdays typically the J&J single
13 shot vaccine?” A: “We use all three vaccines, but for first doses we are mostly using
14 J&J. We cannot take personal requests for vaccines at this time. Our vaccine supply is
15 based on regional allocation. We make sure anybody getting their second dose gets the
16 same vaccine as their first dose.”
- 17 - Q: “Does Joey want to submit a declaration under penalty of perjury, or will an email be
18 it?” A: “The County prefers to provide you with information in this manner.”

19 6. On March 25, I asked the County to confirm statements I had heard from City staff and
20 answer additional questions, as set out below. Responses were provided to me on March 26
21 by County Counsel, as set out below.

- 22 - Q: “I am also hoping that Joey can confirm the accuracy of these statements, which were
23 obtained from City staff: With the reference to 1000 vaccines - that means both first and
24 second Pfizer and Moderna and one dose Janssen – as opposed to just 1000 shots.” A:
25 Some both, some just one dose. Some need second shots. Reference is for shots, not
26 total people completely vaccinated. **Our numbers are increasing every day. Yesterday**
27 **110 people received the Janssen vaccine (47 at Watsonville levee homeless and farm**
28

1 *workers, 5 at SLP, the rest at our clinic, which included homeless services providers*
2 *and health care workers)*”.

- 3 - Q: “HPHP has capacity to administer up to 200 doses a day.” A: “HPHP DOES NOT
4 have the capacity to administer 200 doses a day. ***HPHP currently has the capacity to***
5 ***administer 150 doses on Tuesday, and 150 doses on Thursday.*** With additional staffing
6 and support for parking from Housing Matters, that number could increase.”
- 7 - Q: “Can you tell me how many times the Street Medicine Teams have gone out and
8 vaccinated at SLP?” A: “At least twice.”
- 9 - Q: “Approximately, how many vaccines were administered at SLP during the times when
10 the street medicine teams visited?” A: “Approximately 15 total (including the five
11 yesterday)”
- 12 - Q: “Does the street medicine team have any concrete future plans to vaccinate at SLP? If
13 so, when?” A: “We will bring vaccine with us every Thursday if we have capacity to do
14 so, during our regular, consistent, ongoing, and routine street medicine visits on
15 Thursdays from 10-12.”

16

17 I declare under penalty of perjury under the laws of the State of California that the foregoing is
18 true and correct and that this declaration is executed on March 26, 2021.

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20 /s/ Catherine Bronson
21 CATHERINE BRONSON

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