Housing Justice Village Protests City’s Treatment of Unsheltered: 22 Arrested

Oakland, CA - In the early hours on the morning of November 25th, 2019, Mayor Libby Schaaf ordered 60 police and a dozen Department of Public Works employees to arrest 22 housed and unhoused protestors, and destroy their protest camp created in front of Oakland City Hall. The protest camp was set up to demonstrate against the City’s inhumane and cruel treatment of Oakland’s unsheltered communities. The activists agreed to leave once their nine demands were implemented into City policy and enforced.

The Housing Justice Village tent in front of Oakland City Hall proclaims “Housing is a human right”. The protest camp was destroyed on November 25, 2019.

Instead, protestors were given citations for camping in a public park past 10 pm. In addition, they were arrested on criminal charges including resisting arrest and obstructing justice. Bystanders who were not part of the protest camp were also swept up and spent the night in Santa Rita Jail.

See related BALPA Series, Pt 1: Oakland

MCLI 2020 Delegation to the U.N. Human Rights Council in Geneva

Berkeley, CA - In May of 2020, MCLI Program Director Needa Bee will be leading a delegation of unhoused residents and human rights advocates to address the United Nations Human Rights Council in order to further expose the human rights abuses in the U.S.

On October 2, 2019, MCLI submitted a report to the United Nations Human Rights Council. In that report, MCLI denounced the Trump administration’s refusal to participate in the human rights monitoring process. In the absence of U.S. participation, MCLI asked the Human Rights Council to review MCLI’s previous report to the Committee on the Elimination of Racial Discrimination as well as the list of questions to the U.N. Human Rights Committee.

In the report, MCLI asks the Human Rights Council to review the following issues:

1. The criminalization of homelessness.
2. Structural barriers preventing access to courts for low income people, Latin Americans, and African Americans.
4. Slavery through incarceration and exploitative labor conditions.
5. The criminalization of sex workers including FOSTA-SESTA which criminalizes communication.
6. Lack of accountability for law enforcement officers engaged in extrajudicial violence including killing of nonviolent or unarmed people.
7. Separation of children from their families without justification and isolation of these children from their culture, language and community within systems of immigration, foster care and adoption.

See related BALPA Series, Pt 1: Oakland

onward to page 7
Sex Worker Rights Groups tell the United Nations how the U.S. Violates Human Rights

By Best Practices Policy Project (BPPP) bppp bestpracticespolicy.org Tags: UPR2020

Newark, NJ – On October 3rd, 2019, the Black Sex Worker Collective, the Outlaw Project, Desiree Alliance, BPPP and New Jersey Red Umbrella Alliance submitted a shadow report to the United Nations.

The Universal Periodic Review (UPR) is a United Nations session to hold member countries responsible for their human rights records. The United States is being reviewed in 2020 for the first time in five years. Today we submitted a 10 page shadow report to the United Nations about the human rights abuses sex workers face and in the coming months sex workers will travel to Geneva, Switzerland to speak to member countries about the criminalization of our communities.

“We are calling on the United States to immediately end the atrocities of current border policies in the United States that impact all immigrants, including sex workers,” says Janet Duran of New Jersey Red Umbrella Alliance.

“Our report documents the death of migrant sex workers at the hands of state agents, the incarceration of migrant sex workers in rights violating detention centers, and the deportation of vulnerable people back into harm’s way. The deaths of people like Yang Song and Roxsana Hernandez must not happen again.”

The U.S. is obligated to uphold everyone’s human rights, including the rights to housing, education and healthcare; the right to be free from arbitrary arrest, due process violations, and invasions of privacy; the right to be free from torture and inhumane treatment; the rights of migrants; as well as rights related to the U.S. obligation to eliminate racial discrimination. The U.S. violates these rights on a routine basis when it comes to sex workers and people in the sex trade. The UPR provides a space for the world to hear about how the U.S. has violated human rights over the past four years.

“The U.S. government has engaged in a sustained campaign to roll back the rights of transgender people and we are calling out these abuses at the UN so that the world will learn what is happening,” says Monica Jones, founder of the Arizona based Outlaw Project, “We believe that member states of the UN will agree that it is time to put an end to anti-sex work policing practices targeting transgender people.”


Take Action – Some actual, SANE legislation

By Jon Rainwater, Executive Director of Peace Action www.peaceaction.org Groundswell

November 7, 2019 -- Trump has plans to spend nearly $2 TRILLION over the next 30 years on unneeded and unnecessary nuclear weapons and delivery systems. This makes no sense. This is insane.

That’s nearly $100 million wasted every day for thirty years on weapons we are supposed to be getting rid of. To put that amount in perspective, you could instead spend that money to send nearly nine million people to a four-year university or hire 18 million teachers for a year!

Ask your members of Congress to support the Smarter Approach to Nuclear Expenditures (SANE) Act from Senator Ed Markey (D-MA) and Representative Earl Blumenauer (D-OR). The SANE Act is a bill that would save taxpayers approximately $100 billion over ten years by scaling down, delaying, or canceling a variety of obsolete nuclear weapons programs. By helping to focus our resources on the real threats of the 21st century instead of on Cold War relics, the SANE Act would help bolster our economic and national security.

Some of the targeted cuts and savings include:

- Cut the current fleet of nuclear submarines from 12 to 8 operational at sea ($3 billion)
- Delay the purchase of new nuclear subs ($17 billion)
- Reduce the number of ICBMs ($6 billion)
- End the nuclear missions of air bombers (up to $17 billion savings)
- Delay the new bomber program ($18 billion)
- Cancel new, wasteful nuclear weapons facilities ($15 billion)

[The SANE Act’s name is a nod to Peace Action who formed 62 years ago originally as The Committee for a SANE Nuclear Policy.]

The SANE Act has been introduced at a critical time for the nuclear budget issue in Congress. As the government struggles to balance the national budget, the necessity of Cold War-era nuclear programs needs to come into question. Just think what we could do with the $100 billion we could cut from nuclear weapons. Our communities desperately need those resources to invest in jobs, infrastructure, and education.

Please contact your members of Congress today to cosponsor the SANE Act.

https://secure.everyaction.com/5a2LP8pCgkSuUoIH9EngVw2
In the next three issues of Human Rights Now! we will look at how different Bay Area Cities are addressing the affordable housing & homeless crisis. First city: Oakland.

BAY AREA LANDLESS PEOPLE’S ALLIANCE SERIES, PART ONE: OAKLAND

By Anita De Asis Miralle aka Needa Bee

As California’s homeless state of emergency continues to soar above the rest of the crisis that sweeps the United States, so do falsely claimed government-controlled “solutions.” The state and the nation are turning their eyes to the Bay Area governments who are patting themselves on the back for their successful approaches, while the housing affordability crisis and homeless state of emergency continue to worsen. Unfortunately, the programs to prevent homelessness and the pathways to end homelessness most often do not result in a permanent roof over your head. Rather they are a revolving door (and sometimes a one-way door) back to the streets.

Oakland: Working on Making Homeless People Disappear, While the Homeless Crisis Grows

Over the past two years, the City of Oakland has spent unprecedented millions of dollars on so called solutions to homelessness. But during that time Oakland’s unhoused population has more than doubled, and hundreds of curbside residents who have been thru Tuff Sheds and Bay Area Community Services Rapid Rehousing efforts have been recycled back on the streets.

Meanwhile, rather than heed the October 19th, 2018 United Nations report from the Special Rapporteur on Adequate Housing who visited Oakland homeless encampments in the Fall 2017 and described the conditions as “cruel and inhuman,” Mayor Libby Schaaf’s Encampment Management Team has increased its inhumane treatment of its most vulnerable residents.

The only U.S. cities called out for violations in the United Nations’ new report on global homelessness conditions are San Francisco and Oakland.

The situation in Oakland over two years ago was grim, receiving international condemnation and concern as stated in the 2018 UN report:

Since that report, there has been a massive increase in the already inhumane practices described in the UN report. There has also been new tactics the Encampment Management Team deploys including demolishing entire communities of self-built homes or taking vehicles people live in. Adding insult to injury, trauma to more trauma, no alternative adequate shelter is being offered to the communities it destroys -- not even a tent or one night in a homeless shelter, but leaves people vulnerable and traumatized on the side of the road where their homes & RVs once stood.

From The Curbs to Bandaid Shelter to The Curbs

When the City pats itself on its back for offering one night at St. Vincent de Paul, it’s still not offering adequate shelter. Because the shelter system is broken. The City knows this. The homeless service providers know this. And the unsheltered know this. Yet the Mayor wants to use millions of dollars to build more homeless shelters without drastically fixing this broken system. Many of us have advocated and advised that if the City is set on shelter beds, they should in the very least improve the existing system instead of wasting public funds in a system that recycles people in and out of the streets. And why should millions be spent on beds when those resources could be used to build permanent housing?

The main push prior to the creation of new homeless shelters was the multi-million dollar Tuff Shed Scam. Tuff Sheds do not work. They do not improve the lives of the vast majority of people who are pushed through them. Much like the shelter system, a majority of people are recycled back onto the streets after spending 6 months to a year in the Tuff Sheds. In addition, the mismanagement of the Tuff Shed sites by nonprofits receiving a half a million dollars to run them is unacceptable. The Village and Meiklejohn Civil Liberties Institute have documented dozens of testimonies of abuse, punishment, loss of personal property, dismal conditions, harm and violence from former residents of the Tuff Sheds. The Tuff Shed program is merely a cosmetic approach that gives the illusion of doing something, while making homeless residents -- not the homeless crisis -- disappear.
The Mayor and her Encampment Management Team need to come clean. Approaching homelessness as a humanitarian crisis is not their priority. Homelessness is an eye sore to their profit-driven development plans that are making a handful of people very rich. The money is not reaching the people it has been intended to help.

There are literally thousands of Oaklanders, mostly Black, mostly born and raised in Oakland, living on the streets tonight. Meanwhile, for every one unhoused person, four residential units stay empty in Oakland. Meanwhile, only 200 permanent housing units for low-income and no-income residents have been approved to be built over the next five years. Over that same time 50,000 market rate and above market rate units will be built.

The City is lying. They have no intention to solve the affordable housing crisis or the homeless state of emergency. They have every intention of building for rich, white people who do not live here, while they leave The Town on the streets to freeze to death.

**Are Nonprofits the New Frontier for Organizing Workers? Sierra Club Chapter Employees Join Progressive Workers Union**

**New York, NY -** As of June 13, 2019, over 130 chapter employees at Sierra Club, the largest environmental organization in the United States, have unionized with the Progressive Workers Union (PWU). On June 6, 2019, PWU filed to be recognized as the exclusive collective bargaining representative of chapter staff employees of the Sierra Club.

This development comes on the heels of an eight-month long collective bargaining process between national level employees already represented by PWU working at Sierra Club that concluded with a robust five year agreement. Those negotiations addressed a multitude of issues including: family sustaining wages for all workers, tracking compensatory time for workers, addressing workload issues, increased benefits including vacation time, dependent healthcare coverage, accountability for toxic behavior, and addressing investment in women of color leadership within the organization.

“We are seeing a resurgence of the unions as younger people recognize the need to have a voice in our workplace to live our values of equity, justice, and living wages. For the first time in over 100 years at Sierra Club, chapter employees have the opportunity to improve long held policies at both the national and local level,” said Eva Resnick-Day, Pennsylvania Chapter Community Organizer with the Ready for 100 Campaign.

“We staff at the Chapter represent the Sierra Club brand every day as we’re out working long hours, doing difficult work as we build just relationships with our partners, build just relationships with our volunteers, and we fight to make sure the campaigns we’re working on reflect our values. We are the Sierra Club.”

As a part of this agreement, PWU secured a pathway to unionization for Sierra Club chapter staff through a card check agreement. This is historic not only because of the rarity of card check agreements in the United States, but also because these employees have expressed interest in unionizing for decades and experience a very different reality being employed as non-union staff. A card check agreement was signed with Sierra Club in March 2019.

More than 70% of non-managerial Sierra Club Chapter employees have signed and mailed cards, requesting their unit to be unionized with PWU. In the coming months, PWU will be forming a bargaining team and begin the negotiations process. The existing PWU collective bargaining agreement will serve as a framework for negotiating a contract that represents the issues of chapter staff.

Through negotiations Chapter employees now have the opportunity, for the first time to improve wages, hours, working conditions and more at the largest environmental nonprofit organization in America. The Sierra Club has a long history of partnership with Labor, both internally with the unions that currently represent our national staff, as well as externally through the Sierra Club Labor and Economic Justice Program with many unions across the country.

“National and chapter employees of Sierra Club are now unionized. We are at this moment after years of organizing led by chapter staff, PWU members, and our union’s leadership. This is what collective action and power looks like.” said Neha Mathew-Shah, President of PWU.

Founded in 1992, the Progressive Workers’ Union (PWU) now represents over 330 workers across the United States and in Puerto Rico and Sierra Employee Alliance (SEA) represents workers based at the Sierra Club headquarters in Oakland.
Richmond City Council
Considering Coal Ban: MCLI Provides Human Rights Framework

Below is a letter submitted by MCLI’s Steven DeCaprio

December 6, 2019
Re: Letter Supporting Coal Ban
To the Richmond City Council,

It is universally agreed that the most fundamental human right is the right to life.
In the U.S. Declaration of Independence, the right to life is proclaimed as “sacred & undeniable” as well as “inherent & inalienable”.
Article VI of the U.S. Constitution states that treaties made by the U.S. are the “supreme law of the land”. The United States has signed and ratified the International Covenant on Civil and Political Rights which states in Article 6 that “Every human being has the inherent right to life.”

In the public hearing held by this City Council on December 3, 2019, there was significant testimony that exposure to coal and petroleum coke dust is harmful to public health resulting in premature death and health conditions impairing residents’ quality of life.

Richmond, CA: Coal pile seen from above (Google maps)

These negative impacts on public health violate the basic human right to clean air. This right was further affirmed in Article 25 of the Universal Declaration of Human Rights which states that: “Everyone has the right to a standard of living adequate for [their] health and well-being…”

In addition, all people have the right to be free from environmental racism. Richmond’s history of environmental racism was an issue raised by the Meiklejohn Civil Liberties Institute’s former Vice President and Executive Director Reverend Daniel Buford in remarks to a fact-finding hearing on the Toxic Triangle of polluted sites in Alameda, Contra Costa, and San Francisco Counties. These remarks were republished in the September 2008 edition of Human Rights Now!, the Institute’s quarterly newsletter.

In that statement, Reverend Buford asserted that the exposure of African American communities in Richmond to toxins constituted racial discrimination in violation of the 14th Amendment to the U.S. Constitution and Title VI of the 1964 Civil Rights Act. Such environmental racism also violates Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination.

In 2010, the Institute submitted a report to the U.N. Human Rights Council citing Reverend Buford’s statements asserting that environmental racism in the City of Richmond violates human rights laws.

In the hearing on December 3, 2019, there was also significant testimony that coal and petroleum coke dust disproportionately affects neighborhoods whose residents are predominantly low income and people of color. Thus, the Institute’s previous legal analysis related to Superfund sites in Richmond are applicable to the issue of toxic exposure to coal and petroleum coke dust.

The Institute encourages the City of Richmond to continue and accelerate efforts to reverse the historically negative impacts of environmental toxins in your city which have disproportionately impacted your most vulnerable residents. This long history of environmental racism must end.

Based on the foregoing, the City of Richmond has a legal obligation under civil rights and human rights laws to prevent environmental hazards to the lives and health of residents exposed to toxic coal and petroleum coke dust.

The Meiklejohn Civil Liberties Institute asks the Richmond City Council to enact a ban on coal and petroleum coke and thanks the Richmond City Council for your leadership on these important public health issues.

Sincerely,

Steven DeCaprio
Interim Executive Director
Meiklejohn Civil Liberties Institute
A Documentary About:
Letter Carriers!
‘Detroit 48202, Conversations on a Postal Route’
Review by Vicki Sawicki: MCLI Board Member

As a letter carrier, I had heard about this film from my friend and mentor, Walter Riley long before it was completed. Walter Riley, Civil Rights Lawyer, said his friend was working on a film about letter carriers. Fast forward to 2018, NALC National Convention, Detroit, Michigan. Lo and behold, the trailer for the movie was shown at our convention. Wendell Watkins, the letter carrier ‘star’, took the stage with a deafening applause from his brothers and sisters. We, the delegates, gave Wendell the infamous ‘letter carrier cheer’ and a standing ovation. This documentary resonated with all present.

Why did letter carriers respond with such enthusiasm? Well, it is a movie about us, letter carriers. We see Wendell walk his route, one step at a time. We see him climb stairs, organize his bundles of mail, juggle the parcels, greet his customers, shove mail thru slots, drive his LLV and get his keys out to get in and out of buildings. Stuff we do every day, day in and day out, for weeks, months and years. It is a movie about work, our work, letter carrier work. Work that matters and the workers who do the work – who matter. Work

Let’s talk about our work. I can speak as a retired letter carrier, who toted the mailbag for many a year. Our job is to deliver mail, everything from a $5 bill from grandma to grandson for his birthday, to electric bills, to the infamous ‘junk mail’ kindly referred to (by the PO) as circulars, advertisement, marriage mail. We, letter carriers go to every household and business in every city, county and state. We connect people. We save lives everyday on our routes. We protect children, sometimes (if we are lucky) dodge dogs, we are the daily ‘neighborhood watch’. We do our job with dignity. All work matters and the work we do is the source of our dignity.

Why this movie matters?

Wendell’s route is in Detroit, zip code: 48202. The context and background for this movie is the demise of the city of Detroit. Detroit was once a thriving metropolis, the automobile capitol of the world. And then, Detroit collapsed. On Wendell’s route, you see the vacant houses, the boarded up buildings. You hear stories of workers having their pensions cut. One worker has to pay his pension back, instead of the pension paying him for a job well done. Hard to believe? Yes. The effects of Detroit’s bankruptcy, a major city in the U.S., is visible, palpable on the screen. The crisis left no stone or brick unturned. The question I have is how could we have allowed a major city, with at one time 1.8 million people, be reduced to 700,000? Think of all the people who were displaced. Jobs lost. Homes abandoned. Schools closed. How could that be?

History Lesson

The director, Pam Sporn, wisely gives us a dose of history, however unpleasant. The role of racism during the second great migration north of African Americans is exposed as Detroit was growing fast and furious.

Wendell shows us in the movie the ‘wall’ built in the 40’s to separate African American families from white families. Yes, we Americans have built a few walls to separate folks. It was shocking to me, because I’m from Detroit, and I knew nothing about this wall. In addition, the movie explores the role of African Americans organizing within the UAW (United Auto Workers union) throughout the auto industry. Important lessons can be gleaned. They say you can’t delete or forget history because that history forms who we are today.

So to sum up, this documentary is about work, the effects of the financial collapse of ‘08 in Detroit, and the role of racism in housing. But still, the best thing about the movie/doc is Wendell. Wendell hug his customers— a lot! Wendell cares about his customers. Wendell is a shining example of the many thousands of letter carriers that provide a service to their communities with a smile and a warm heart.

Go see the movie. (Or, now find it on PBS at: https://www.pbs.org/video/detroit-48202-conversations-along-a-postal-route-tzz2ee/ )
Support the Berkeley Charter Amendment for Effective Oversight of the Police

Berkeley, CA - In October 2019, the City of Berkeley’s Peace and Justice Commission wrote this letter to the city council urging quick action on police accountability.

Please write to the council at: council@cityofberkeley.info to add your voice in support of putting on the 2020 ballot a charter amendment for more effective civilian oversight of the police department.

Hon. Mayor Arreguín and Members of the Berkeley City Council:

The Peace and Justice Commission advises the City Council and Board of Education on all matters relating to the City of Berkeley’s role in issues of peace and social justice (Berkeley Municipal Code (BMC) Chapter 3.68.070).

Berkeley is a human rights city. The City of Berkeley adopted Ordinance 5985 N.S., the “City of Berkeley Human Rights Ordinance, 1990, Adopting a Human Rights Policy Based on Articles 55 and 56 of the United Nations Charter.”

Thank you for considering placing a charter amendment on the November 2020 ballot to strengthen community oversight of the police.

Berkeley was a pioneer in creating one of the first police review commissions in the country. However, the PRC structure has not kept pace with the times. It is essential for the commission and its staff to be independent of the city management, which also manages the police department.

Fair and impartial policing in Berkeley is vital to our public safety. Progressive police chiefs nationally welcome appropriate oversight by civilian boards, and understand that collaboration with the community will make their work easier and more effective.

We urge you to move without further delay to place on the 2020 ballot the version of the Charter Amendment referred last year to the meet-and-confer process with the police association. This is the version created by Mayor Arreguín and Councilmember Harrison. Please do not weaken this version further. The provisions that are most crucial to retain are:

1. Full independence for the commission and its staff from the City Manager. The commission should be responsible only to the City Council.
2. Authority of the commission to obtain internal data from the BPD as required to fulfill its role.
3. A 365-day investigative/disciplinary period as allowed by state law.
4. Standard of proof to be changed to “preponderance of evidence,” as in neighboring jurisdictions, instead of “clear and convincing evidence.”

Berkeley can set an example of a collaborative process of civilian review that will inspire other communities to follow. Please act now to put this amendment on the ballot.

Sincerely yours,

Berkeley Peace and Justice Commission

MCLI 2020 Delegation: continued from page 1

In the report, MCLI goes into detail on the criminalization of homelessness and the failure of local, state, and federal governments to ensure the human right to housing. Needa Bee’s on-the-ground organizing is highlighted in this report. MCLI is in the process of forming a delegation of representatives from unhoused Bay Area communities who can speak directly to the violation of human rights in the U.S..

U.S. signs U.N. Charter at the SF Conference in 1945


MCLI needs to raise at least $7,200 to fund this trip. Please donate today so that MCLI can send a delegation to Geneva in 2020.
HAPPY HOLIDAYS from MCLI! Please Donate Today!

The Meiklejohn Civil Liberties Institute needs funding to further our human rights advocacy and education as we work to hold the impeached Trump administration accountable and bring in a new decade of leadership and collaboration with emerging grassroots movements fighting systems of oppression. MCLI is drawing upon increased participation from within communities directly impacted by human rights violations so that our work can better reflect the needs of marginalized communities. MCLI needs your contribution and commitment to continue fighting-- at home and on the international stage, on the ground and according to law-- for human rights that are violated everyday all over the U.S. Make a donation online at meihumanrights.org or by completing the information below and mailing it to us at: MCLI, P.O. Box 673, Berkeley, CA 94701.

<table>
<thead>
<tr>
<th>Credit Card Number</th>
<th>Expiration:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount:</td>
<td>Email:</td>
</tr>
<tr>
<td>First Name:</td>
<td>Last Name:</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>Phone Number:</td>
</tr>
</tbody>
</table>

One Time Gift □ / Monthly □ / Quarterly □ / Annual □ / Other Recurring Gift: ___________________