

**From:** [REDACTED]

**Sent:** Tuesday, April 3, 2018 4:02 PM

**To:** The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10

**Cc:** City Clerk; VanderVeen, Rachel; Morales-Ferrand, Jacky

**Subject:** Recommendations on Rent Control To Be Voted On April 24

Dear Mayor and Councilmembers,

Attached please note the recommendations of the Silicon Valley Renters Rights Coalition on the various rent control-related items coming to City Council on April 24. We have already been in contact with many of your offices about these questions. Please contact us if you have any further questions. Thank you!

Sandy Perry  
Silicon Valley Renters Rights Coalition



WORKING PARTNERSHIPS USA

## SILICON VALLEY RENTERS RIGHTS COALITION PROTECT OUR PEOPLE PLAN APRIL 2018

### RECOMMENDATIONS

- A) **Stop Unfair Utility Charges.** Continue the RUBS exclusion (Section 17.23.315): No charges may be passed through to tenants through RUBS or any similar unmetered allocations. Existing rental agreements for pass throughs of RUBS payments are void.
- B) **Protect Immigrant Tenants.** The Tenant Protection Ordinance will reference Civil Code Section 1940.35(a) (AB 291). Landlords will be required to post a notice in English, Spanish, and Vietnamese in all TPO properties, informing tenants that it is illegal for landlords to threaten to call immigration authorities because of their immigration status or share information regarding their immigration status. The City will assist enforcement of AB 291 by taking landlords who violate it to court.
- C) **Stop Unfair Evictions.** A new criminal activity clause is unnecessary because the existing TPO already allows landlords to evict tenants for criminal activity. The nuisance provision of the TPO specifically permits eviction for “violations of state and federal law that destroy the peace, quiet, comfort or safety of the Landlord or other Tenants of the structure or rental complex containing the Rental Unit.”
- D) **Stop Displacement.** The Ellis Act Ordinance will include one of the two following provisions in cases of demolition, depending on which can be shown to provide the lowest rents for the largest number of tenants: 1) All new replacement units will be re-controlled, or 2) In addition to the affordable units required by the inclusionary ordinance, a substantial additional number of deed restricted units affordable to the displaced tenants will be required. The Ellis Act Ordinance should be extended to triplexes, and should require apartments with three or more units built after 1979 to provide 120 day notice and offer relocation consulting services to tenants.
- E) **Stop Discrimination.** The proposed ordinance disallowing source of income discrimination will ban discrimination at every stage of the rental process and include appropriate enforcement measures to assure compliance.



**BAY AREA LEGAL AID**

WORKING TOGETHER FOR JUSTICE

March 12, 2018

***SENT VIA EMAIL***

Rachel Vanderveen  
City of San Jose Housing Department  
200 E. Santa Clara St.  
San José, CA 95113

**RE: TENANT PROTECTION ORDINANCE – Criminal Activity Provision**

Dear Ms. Vanderveen,

The Law Foundation of Silicon Valley and Bay Area Legal Aid write to express concern about the potential harmful consequences of adding a specific “criminal activity” cause to the Tenant Protection Ordinance (TPO), specifically to those who are survivors of domestic violence, communities of color, and individuals with disabilities. We also write to caution that any “criminal activity” provision adopted as an amendment to the TPO must be limited to convictions for crimes on the property that affect the health and safety of residents, and must allow families to remain in place if the “bad actor” is removed from the property.

I. The Current TPO Sufficiently Addresses Concerns about Evicting Tenants who Engage in Criminal Activity.

As currently drafted, the TPO allows landlords to evict tenants for criminal activity. The nuisance provision of the TPO specifically permits eviction for “violations of state and federal law that destroy the peace, quiet, comfort or safety of the Landlord or other Tenants of the structure or rental complex containing the Rental Unit.” Tenant Protection Ordinance, section 17.23.150. Additionally, the TPO allows for eviction based on material lease violations and many leases bar criminal activity. In our experience, we have seen both bases used to evict tenants when there are allegations that a tenant has engaged in criminal activity.

Any additional basis that would allow landlords to evict tenants for criminal activity must be considered with caution. On a daily basis, we see the struggles families in eviction proceedings face, and specifically impacts that evictions have on families with children. It is extremely difficult for tenants to find housing in this tight rental market, and the number of affordable units is dwindling. While the TPO limits evictions for good cause, we have seen tenants evicted for seemingly pretextual reasons. We have witnessed tenants evicted for minor lease violations, including for storing a toolshed outside. Despite zealously representing tenants in such cases, the reality is, oftentimes tenants lose.

From our experience, concerns raised by landlords about the difficulty that landlords would have proving underlying criminal activity is a nuisance is misplaced within the reality of Santa Clara County's eviction Court. For example, if a landlord could show that a tenant was selling drugs on the property, a Court would not also require the landlord to prove that such drug activity was also affecting the health and safety of other residents – it is assumed that drug activity is nuisance. Moreover, Courts routinely allow landlords to evict for criminal activity with little evidence aside from the landlord's testimony.

## II. A Criminal Activity Provision Will Have Negative Effects on Protected Groups.

A criminal activity provision as an independent just cause in San José's Tenant Protection Ordinance may cause real harm to survivors of domestic violence, communities of color, and individuals with disabilities. It may also violate the First Amendment right to petition, the Fair Housing Act, and other anti-discrimination laws. As a result, such a provision has the potential to expose housing providers and the City to liability. If a criminal activity provision is enacted, it should be tailored to promote the health and safety of all individuals, families, and communities, and prevent discrimination and displacement.

### A. *An Independent Criminal Activity Just Cause Will Produce a Chilling Effect on Domestic Violence Survivors Seeking Emergency Assistance.*

A criminal activity provision is likely to undercut the health and safety of domestic violence survivors by deterring survivors from contacting police and seeking emergency assistance. This chilling effect exposes localities and landlords to liability for violating a tenant's First Amendment right to petition their government, which includes the right to contact law enforcement, and undermines both the safety and housing stability of victims of domestic violence.<sup>1</sup> For example, in *Briggs v. Borough of Norristown et al.*, a tenant faced eviction from her home after requesting police protection from an abusive ex-boyfriend.<sup>2</sup> Ms. Brigg's fear of seeking police assistance prevented her from calling the police even as her ex-boyfriend was stabbing her.<sup>3</sup> After a lawsuit was filed on the basis that the ordinance violated the tenant's First Amendment right to petition the government for assistance and her rights under the Violence Against Women Act, the ordinance was rescinded and the case was settled for half a million dollars in damages and fees. Implementing additional barriers by penalizing those who seek assistance is detrimental to the health and safety of domestic violence survivors. Although there are domestic violence protections in place pursuant to State and federal laws, we are concerned about the unnecessary chilling effect a criminal activity provision may cause.

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<sup>1</sup> ACLU, *Briggs v. Borough of Norristown et al.*, (Sep. 18, 2014), <https://www.aclu.org/cases/briggs-v-borough-norristown-et-al>

<sup>2</sup> Complaint at 9–17, *Briggs v. Borough of Norristown et al.*, No. 2013 C 2191 (E.D. Pa. Apr. 24, 2013), [http://www.aclu.org/files/assets/norristown\\_complaint.pdf](http://www.aclu.org/files/assets/norristown_complaint.pdf); Lakisha Briggs, *I Was a Domestic Violence Victim. My Town Wanted Me Evicted for Calling 911*, GUARDIAN, (Sep. 11, 2015), <https://www.theguardian.com/commentisfree/2015/sep/11/domestic-violence-victim-town-wanted-me-evicted-calling-911>

<sup>3</sup> *Id.*

*B. A Criminal Activity Provision Will Have a Disparate Impact on Communities of Color and Individuals with Disabilities.*

An independent criminal activity just cause provision may violate the Fair Housing Act if it has an unjustified discriminatory effect, and thus must be limited to convictions.<sup>4</sup> Communities of color and individuals with disabilities are likely to be disparately impacted by a criminal activity provision due to law enforcement's interaction with these protected groups. Accordingly, a criminal activity provision should require more than an arrest, and be limited to crimes that affect the health and safety of others.

For instance, individuals of color are arrested at disproportionate rates relative to their share of the population and their actual level of participation in criminal conduct.<sup>5</sup> Additionally, individuals of color are more likely to be detained pre-trial due to income inequality and as a result more likely to be convicted.<sup>6</sup> Studies have also shown that individuals with mental illness are more likely to be seen by police as suspected offenders, although for relatively minor offenses.<sup>7</sup> And individuals with mental illness are re-arrested more frequently.<sup>8</sup> Yet, an arrest does not prove criminal activity.<sup>9</sup> Therefore, any criminal activity provision should substantiate criminal activity with more than a mere arrest. It should also limit the criminal activity provision to crimes that endanger the safety and health of others.

III. A Criminal Activity Provision Will Have Disproportionately Harsh Penalties.

We caution the City of San José to not include a criminal activity provision in the TPO because of the disproportionately harsh penalties such a provision will likely have. Such a provision can add the penalty of homelessness to the penalties imposed by the criminal justice system. San José's TPO should not impose additional penalties, especially in instances where crimes do not affect the health and safety of other residents or family members, and where those crimes are committed off the premises. Moreover, given the tight rental market and the dearth of affordable housing in San Jose, evictions oftentimes lead to homelessness.

Additionally, forcing homelessness upon a household as a punishment to innocent family members is too drastic. Causing innocent family members to be homeless and displacing entire families due to any criminal activity will likely lead to further instability.<sup>10</sup> A criminal activity

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<sup>4</sup> 24 C.F.R. § 100.500

<sup>5</sup> Emily Werth, Sergeant Shriver National Center on Poverty Law, *The Cost of Being "Crime Free": Legal and Practical Consequences of Crime Free Rental Housing and Nuisance Property Ordinance 13* (2013), <http://povertylaw.org/files/docs/cost-of-being-crime-free.pdf>.

<sup>6</sup> Ashley Nellis, Ph.D., The Sentencing Project Research and Advocacy Reform, *The Color of Justice: Racial and Ethnic Disparity in State Prisons* 10 (2016), <https://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>

<sup>7</sup> See, e.g., INT'L ASSOC. OF CHIEFS OF POLICE, BUILDING SAFER COMMUNITIES:IMPROVING POLICE RESPONSE TO PERSONS WITH MENTAL ILLNESS 6 (2010), available at <http://www.theiacp.org/portals/0/pdfs/ImprovingPoliceResponsetoPersonsWithMentalIllnessSummit.pdf>

<sup>8</sup> *Id.*

<sup>9</sup> *United States v. Zapete-Garcia*, 447 F.3d 57, 60 (1st Cir. 2006) (“[A] mere arrest, especially a lone arrest, is not evidence that the person arrested actually committed any criminal conduct.”).

<sup>10</sup> Werth, *supra*, note 7, at 12.

provision should not threaten a family's housing stability, or be a basis for an entire family to lose their home. Providing an opportunity to cure by removing the criminally charged household member will allow a household the ability to retain their housing. Therefore, "criminal activity" should be limited to crimes that affect the health and safety of others and crimes that occur on the premises, and the provision should allow innocent household members the opportunity to cure.

*A. If a Criminal Activity Provision is Enacted, a Criminal Activity Provision Should be Limited to Crimes Affecting the Health and Safety of Others on the Premises*

It is important to distinguish a nexus between the crime and the punishment. A crime that does not affect the health and safety of others should not be punished by both the criminal justice system and the Tenant Protection Ordinance. For example, a tenant who knowingly writes a check with insufficient funds engages in criminal activity, however, this type of criminal activity likely does not result in threatening the health and safety of family members or neighboring residents. While such criminal activity is punishable by the criminal justice system, the Tenant Protection Ordinance should not further punish it with homelessness. Therefore, a criminal activity provision should be limited to crimes endangering the health and safety of others.

A criminal activity provision should be tailored to crimes committed on the premises because those are the crimes that affect the quiet enjoyment and safety of other residents. In tenancies with broad anti-crime provisions, we have seen actual scenarios where minor crimes committed off the premises were used as a basis for rendering a whole family homeless. For example, we represented a client who had lived in a subsidized unit for many years and was threatened with eviction because her grandson had shoplifted from a corner store down the street. Because the crime occurred within 500 feet of the property, the landlord was able to use it as a legal basis under the lease's "criminal activity" provision to evict the whole family. Not only was it clear that the grandson's alleged criminal activity did not threaten the health and safety of other residents, but it was also a clear indication of the disproportionate penalty renting families (which are more likely to be low-income) pay under such policies. If a 14-year-old from a well-to-do family of homeowners is caught shoplifting, the bank does not cancel the family's mortgage. But, because of the policy, the entire family renting the subsidized apartment lost their housing. Therefore, a criminal activity provision should not only be limited to crimes affecting the health and safety of others, but also to crimes that occurred on the premises.

*B. If Member of the Household Commits a Crime that Forms a Valid Basis for a Notice to Quit Pursuant to the Criminal Activity Provision, the Remaining Household Members Should Be Given an Opportunity to Cure.*

A criminal activity provision should not seek to punish innocent household member for actions outside their control. If a member of the household commits a crime that forms a valid basis for notice under the criminal activity provision, innocent members of the household should be given an opportunity to cure by removing the family member with a criminal conviction. In San Jose, multiple generations live with one household. Allowing a family to remove a bad actor would prevent the remaining family members from being displaced. This prevents an entire household from losing their housing for actions outside their control. Possible ways to cure include the following language:

**“A landlord may not proceed with an eviction on the basis of criminal activity if the tenant household does the following:**

- a. Remove the Member of the household convicted of criminal activity and provide written notice to the landlord within the notice period (i.e. 10 days) that the household member has been removed; OR**
- b. Files a restraining order against the household member convicted of criminal activity or provides evidence of similar steps being taken to remove them from the household;”**

Allowing a household to voluntarily remove the bad actor gives the household the ability to help remove the person and aid the housing provider in ensuring the health and safety of others. Alternatively, if getting the offending household member to leave voluntarily is unsuccessful, a household is given an opportunity to cure through whatever legal recourse might be available to forcibly remove them. By allowing a household to initiate the process of involuntary removal, the family is given the ability to retain their housing and also ensure that the health and safety of others will be protected.

We welcome the opportunity to discuss these recommendations further with you. You can contact us by contacting Nadia Aziz at \_\_\_\_\_ or by phone at \_\_\_\_\_

Sincerely,

Nadia Aziz  
Supervising Attorney  
Law Foundation of Silicon Valley

/s/  
Lara Verwer  
Staff Attorney  
Bay Area Legal Aid

## Nguyen, Viviane

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**From:** Nguyen, Viviane  
**Sent:** Monday, April 9, 2018 2:57 PM  
**To:** Nguyen, Viviane  
**Subject:** FW: Input about criminal reason for JCE

**From:** Cheryl  
**Sent:** Saturday, April 7, 2018 5:24 PM  
**To:** VanderVeen, Rachel; RSP  
**Subject:** Re: Input about criminal reason for JCE

Hi Rachel,

Please add this:

Housing's recommendation at the HCDC meeting did not seem like a viable solution;

It included about 45 crimes, which included rape and other sexual offenses. Allegations for these types of offenses, and the fact that it didn't include the sale of drugs to adults, didn't align well.

Also, it included giving notice and stating the specific ways the cure, which didn't make it any different than the nuisance reason.

Again, our goal is to have a way to protect our tenants when there has been serious behavior that needs immediate attention, and to ensure that they can feel safe in their homes.

Thank you,  
Cheryl

On Sat, Apr 7, 2018, 9:22 AM Cheryl wrote:

Hi Rachel,

Will you please add this input for the upcoming criminal reason for JCE?

The point of adding something would be to address serious criminal activity that could put some tenants or all tenants in the building at risk.

It is meant to cover things that are beyond the scope of the nuisance clause, and therefore not require the same written notice; meaning that the same behavior does not need to happen subsequent times for the landlord to have the right up take action.

Several ideas have been passed around.



1. Rely on the "Responsible Landlord Initiative" -- This is meant to address criminal activity for "irresponsible" landlords, who are not addressing criminal activity on their own. We are looking for something for responsible landlords, to enable them to address serious criminal activity on their own.

2. Based on conviction only -- that may be useful in some cases. But it will not address the case of a serious immediate need to protect the tenants and the property. Serious meaning: physical assault, arson, weapons, drug dealing. The truth is that many times tenants are afraid to take action because they live in the same building as the person committing the behavior. And it falls upon the landlord to take action.

Consider what would happen if certain behaviors happened at your work place:

1. One of your co-workers comes into your office area, and fires a gun, or physically assaults another employee.

Would that person ever be allowed to come back to work? Probably not. They would be taken away by the police. Even if they get out on bail, would they be allowed to come back to work? Probably not. Would any of your employees feel comfortable at work if that person came back? NO. Would the City be required to wait for a conviction? NO. Would the person be given a chance to come back to work? NO! Would you let this person come back to work because he is the sole provider for his family? Probably not. Would you be concerned about protecting yourself and the other employees, and not want to take the chance for this to happen again?

These are the same type of situations that we are concerned about; where we need to protect the tenants and the property.

Our #1 obligation to our tenants is to provide a place of quiet enjoyment for everyone.

Please consider your own work place. What type of criminal behavior would be allowed and how would you address it?

Thanks,  
Cheryl

## Nguyen, Viviane

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**From:** Nguyen, Viviane  
**Sent:** Thursday, April 12, 2018 10:29 AM  
**To:** Nguyen, Viviane  
**Subject:** FW: criminal reason for Just Cause

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

On Apr 2, 2018, at 11:30 AM, Cheryl

> wrote:

Hi Rachel,

How about this for a possible criminal reason for Just Cause?

"The tenant is convicted of using or expressly permitting the rental unit or the common areas of the premises to be used for illegal purposes, and the underlying offense involved illegal drug activity, violent crime or threat of crime, unlawful weapon or ammunition crime, gang-related crime, or arson".

Victims of domestic violence, elder abuse, and human trafficking are already protected from eviction under State Law. So, crimes toward them would already be exempt.

Thanks,  
Cheryl

## Nguyen, Viviane

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**From:** VanderVeen, Rachel  
**Sent:** Monday, April 23, 2018 3:13 PM  
**To:** RSP; Nguyen, Viviane  
**Subject:** FW: Letter to City Council, Housing Department re: TPO Amendments on Criminal Activity, 4/24 City Council Meeting  
**Attachments:** SignOnLetter-TPO (1).pdf

### Rachel VanderVeen

Program Manager  
408.535.8231

**From:** Elizabeth Gonzalez  
**Sent:** Monday, April 23, 2018 2:54 PM  
**To:** The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District6@sanjoseca.gov; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Morales-Ferrand, Jacky <Jacky.Morales-Ferrand@sanjoseca.gov>; VanderVeen, Rachel <Rachel.VanderVeen@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>  
**Cc:** Charisse Domingo ; Raj Jayadev  
**Subject:** Letter to City Council, Housing Department re: TPO Amendments on Criminal Activity, 4/24 City Council Meeting

Mayor, City Council and Housing Department,

Attached please find a letter regarding amendments to the Tenant Protection Ordinance – Title 17 for Criminal Activity from the following signatories: Alfredo Morales Law Offices of Morales & Leños, All of Us Or None, Alliance for Boys and Men of Color, Asian Law Alliance, Bill Wilson Center, Coalition for Justice and Accountability, Legal Services for Prisoners with Children, San Jose/Silicon Valley NAACP, Santa Clara County Public Defender’s Office, Policy Link, San Jose State Human Rights Institute, and Silicon Valley De-Bug.

As organizations that support and work with community members impacted by the criminal justice system, we urge the Mayor and Council to reject the Housing Department’s amendment, we urge the Council to reject the Mayor’s amendment, and support Councilmember Sergio Jimenez’s recommendation.

Thank you for your attention and consideration on these critical issues.

Sincerely,  
Liz Gonzalez

Silicon Valley De-Bug

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Liz González // Silicon Valley De-Bug  
[www.siliconvalleydebug.org](http://www.siliconvalleydebug.org)



## **Coalition for Justice and Accountability**

*“Building a community where everyone feels safe.”*

April 18, 2018

To: Jacky Morales-Ferrand

Mayor Sam Liccardo  
Vice-Mayor Magdalena Carrasco  
Councilmember Chappie Jones  
Councilmember Sergio Jimenez  
Councilmember Raul Peralez  
Councilmember Lan Diep  
Councilmember Dev Davis  
Councilmember Tam Nguyen  
Councilmember Sylvia Arenas  
Councilmember Donald Rocha  
Councilmember Johnny Khamis

We, the undersigned organizations, write to express our opposition to the potential amendments around criminal activity to the Tenant Protection Ordinance. We support the larger call of the Silicon Valley Renters’ Rights Coalition to increase tenant protections. However, as organizations that support and work with community members impacted by the criminal justice system, this specific amendment is troubling. We urge the Mayor and the Council to reject Housing Department’s amendment, reject the Mayor’s amendment, and support Councilmember Sergio Jimenez’s recommendation.

Barriers to housing that start from the guise of public safety and lead to devastating consequences for not only an individual but an entire family’s wellbeing works against the purpose of a Tenant Protection Ordinance, one whose aim is to contribute to the stability of our communities and unburden renters by shifting the unequal power dynamic between landlord and renter to a relationship where both are informed of their rights and abide by their responsibilities.

This “Criminal Activity” provision to the Tenant Protection Ordinance is discriminatory, unnecessary, and will separate families while increasing housing instability in San Jose. The provision also sends a chilling message of exclusion to communities targeted by the criminal justice system. Already, our loved ones returning home from incarceration face incredible barriers to employment, housing, schooling, and reuniting with their families. These are individuals who have done their time, vetted for public safety by various stakeholders of the criminal justice system and are often still under the supervision of parole or probation upon their

return. This new amendment only adds to the discrimination and hardships these individuals and their families face during the critical time of reentry when those who are formerly incarcerated need the most support. Indeed, forcing families to choose between loved ones and homelessness is mean-spirited and harmful policy.

Under current housing law, even including just cause tenant protections, landlords are given wide latitude to evict tenants, including those with contact with the criminal justice system. In particular, as identified in the Housing Department Recommendations memo to the City Council itself on page 6, there are two key vehicles for eviction that currently exists in the TPO, **“As currently adopted, Material or Habitual Violation of the Lease and Nuisance Behavior are the two primary just cause terminations in the TPO that are available to landlords to address criminal activity.”**

The Housing Department’s research of current application of the TPO in San Jose and their research of other cities lays out the best argument as to why an extra criminal activity provision is redundant and purposeless. No evidence is presented that current just cause reasons are insufficient to facilitate removal of tenants who have the described conduct articulated in the Criminal Activity provision, conviction or otherwise. In fact, the memo presents data that shows current eviction protocols are enough for landlords to effectuate evictions. It states also on page 6, **“Although the data set is limited, it suggests landlords are able to use the Nuisance Behavior just cause to address criminal activity.”**

And in their review of other cities, the housing department concluded on page 7, **“In discussions with cities that have a separate criminal activity cause, staff from these agencies stated that the criminal activity reasons are not used frequently by landlords. Instead, landlords overwhelmingly utilize the nuisance reason to address unwanted behaviors. Cities that use the nuisance cause have been able to use it effectively to evict tenants for criminal activity.”**

And even on page 9, in the section presenting Owner Input, landlords themselves readily admit that since a proposed criminal activity proposal would be for convictions may take longer, they would utilize the current law to remove the same exact tenant. It reads, **“In consideration of the proposal, landlords stated the new cause for termination based on conviction would not be effective in providing a tool for landlords to address crime at their properties. Instead, landlords would be resigned to continue using the nuisance cause to address unwanted behavior.”**

In summary, the memo articulates the key rationale why the city should not enact an extra Criminal Activity provision:

- 1) The data from San Jose’s current implementation of the TPO.
- 2) Research from other cities studied by the housing department.
- 3) The input from owners themselves who say they would use the nuisance behavior clause to evict those who have had contact with the criminal justice system.

It is also important to note, as the memo alludes to, that community advocates, civil rights organizations, and tenant groups, have already challenged (and beat back) the principles of the

criminal activity provision in its prior iteration known as the Crime Free Multi Housing Initiative.

Mayor Sam Liccardo's memo is even more troubling. His suggestion that tenants can be evicted while their criminal case proceedings are still ongoing only further adds to the instability of families and is tone-deaf to the concerns of both tenants and landlords that were voiced repeatedly during various stakeholder processes for the last 3 years.

Beyond their findings, our community's most vulnerable populations, now existing in the most insecure moment in housing stability in the history of the city, should not be subjected to policies that are antithetical to an inclusive San Jose. True efforts to increase public safety must not include measures that only seek to further punish San Jose residents. Our community deserves to live in the certainty that we are safe from abuse and that when this city's leaders say they have our back, the actions and policies implemented demonstrate that support.

Sincerely,

Alfredo Morales, Law Offices of Morales & Leños

All Of Us Or None

Alliance for Boys and Men of Color

Asian Law Alliance

Bill Wilson Center

Coalition for Justice and Accountability

Legal Services for Prisoners with Children

San Jose/ Silicon Valley NAACP

Santa Clara County Public Defender's Office

PolicyLink

San Jose State Human Rights Institute

Silicon Valley De-Bug