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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**  
**HONORABLE DAVID O. CARTER, U.S. DISTRICT JUDGE**

LA ALLIANCE FOR HUMAN )  
RIGHTS, an unincorporated )  
Association, JOSEPH BURK, )  
HARRY TASHDJIAN, KARYN )  
PINSKY, CHARLES MALOW, )  
CHARLES VAN SCOY, GEORGE )  
FREM, GARY WHITTER, and )  
LEANDRO SUAREZ, individuals, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
CITY OF LOS ANGELES, a )  
Municipal entity; COUNTY OF )  
LOS ANGELES, a municipal entity; )  
and DOES 1 through 200 inclusive, )  
 )  
Defendants. )  
 )

**Certified Transcript**  
  
Case No.  
2:20-cv-02291 DOC (KES)

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
STATUS CONFERENCE  
THURSDAY, MARCH 19, 2020  
10:00 A.M.  
LOS ANGELES, CALIFORNIA

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**APPEARANCES OF COUNSEL:  
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**FOR THE LEGAL AID FOUNDATION OF LOS ANGELES ON  
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**ALSO PRESENT:**

Honorable Judge Andre Birotte, Federal Judge  
Honorable Judge Philip S. Gutierrez, Federal Judge  
Honorable Judge James Smith - Special Master  
Thomas Fawn - Senior Assistant County Counsel, County  
of Los Angeles  
Brooke Weitzman - Intervenor Orange County Catholic  
Worker  
Scott Marcus - Los Angeles City Attorney's Office  
Jessica Mariani - Los Angeles City Attorney's Office  
Mike Feuer - Los Angeles City Attorney's Office  
Kevin de Leon - Los Angeles City Council

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**APPEARANCES OF COUNSEL:  
(Continued:)**

**ALSO PRESENT:**

- Michele Martinez - Chief Dot Connector
- Juan Garza - Mayor of Bellflower
- Miguel A. Pulido - Mayor of Santa Ana
- Yvette Ahlstrom - Elimination Foundation
- Paul Cho - Elimination Foundation
- Paul Leon - CEO of Elimination Foundation
- Gary Kranker - Whittier City Attorney
- Joe Vinatieri - Mayor of Whittier
- Kathryn Barger - Los Angeles County Supervisor
- Heidi Marsdon - Interim LAHSA
- Aleen Langton - LAHSA
- Nury Martinez - Los Angeles City Council President
- Ken Price
- Jackie Lacey - Los Angeles County District Attorney
- Robert Cartwright - Assistant Los Angeles County Counsel
- Gabriel Dermer - Los Angeles City Attorney's Office
- Brandon Young - Manatt, Phelps & Phillips

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**APPEARANCES:  
(Continued:)**

**ALSO PRESENT:**

- Byron McLain - Foley & Lardner
- Rodrigo Castro-Silva - Los Angeles County Counsel
- Mark Ridley-Thomas - Los Angeles County Supervisor
- Michel Moore - Los Angeles Police Chief
- Ralph Terrazas - Los Angeles Fire Chief
- Commissioner Kenneth Hodder - The Salvation Army
- Lieutenant Colonel John Chamness - The Salvation Army
- Miguel Santiago - California Assemblyman
- Bill Taormina

1                   **LOS ANGELES, CALIFORNIA; THURSDAY, MARCH 19, 2020**

2                                   **10:00 A.M.**

3   - - -

4                   THE COURT: Well, first, good morning. If you would  
10:00AM 5 try to find a seat and be as distant as you can from normally  
6 our wonderful and collegial executive and legislative and court  
7 family, it would be appreciated.

8                   So it's a huge courtroom. We planned it that way.  
9 But if you can get six feet apart, we would actually appreciate  
10:00AM 10 it. Okay? There's plenty of room. That's not quite six feet,  
11 but we're working on it. Okay. And there's -- we tried to  
12 supply sanitary, you know, for you as best we can.

13                   A couple of general thoughts. I'm going to get  
14 right into business. And for counsel, I'm calling the matter  
10:00AM 15 of *L.A. First Alliance for Human Rights versus City of*  
16 *Los Angeles*. But believe it or not, I don't even want your  
17 appearances at this time, although I'm going to spend a good  
18 part of the day with you. We're going to get our elected  
19 officials back doing what they do best in this critical time.  
10:01AM 20 That's making good decisions on all of our part.

21                   And although we've called you together concerning  
22 the homeless, whatever happens concerning the homeless  
23 community, they're not a socially acceptable distance right  
24 now, and I think we're all on the same page collaboratively,  
10:01AM 25 and that is, you know, if we can do something through your good

1 graces, and if the Court can be of a benefit and not a  
2 hindrance in this matter, then we're working together,  
3 hopefully saving time.

4 The other thing is this is eventually,  
10:01AM 5 unfortunately, going to probably affect our citizens who are  
6 able to socially distance, which our homeless community is not.  
7 If it breaks out in the homeless community, I don't think any  
8 of the socially distanced community is going to be safe in any  
9 way, shape, or form. And from whatever I read, this may come  
10:01AM 10 in waves over a long period of time. So at some point most of  
11 us are going to be exposed and hopefully survive.

12 I'm not going to stand on further ado. I'm going to  
13 call on Mayor Garcetti. I'm going to call you Eric from now  
14 on. Okay? I'm Dave or whoever you want to call me when you're  
10:02AM 15 done.

16 And Kathryn Barger, I'm going to call on you next.

17 And then we've got a little bit of a program. Let  
18 me give you an overlay. With transparency, we're going to talk  
19 about our phone call last night, who was on it, and I'm going  
10:02AM 20 to ask at the end of the day for the plaintiffs' and defense  
21 counsel -- and by the way, you can use your cell phones at any  
22 time. Okay? Keep those conversations going. Because I don't  
23 want to hold another one of these.

24 But I'm going to ask the parties, if eventually you  
10:02AM 25 trust this Court or another member of the Court as the other

1 community that we've been involved in has trusted us, I need  
2 the following from you. If not a settlement, I need the  
3 ability to reach out in an ex parte situation and make a call  
4 to Eric or to Kathryn or to you or to you, but share that  
10:02AM 5 transparently and get you together as a court family as we work  
6 together, because together we accomplished a tremendous amount  
7 before. But if I don't have that ex parte ability to  
8 communicate, I can't hold these kinds of meetings timely enough  
9 for this wave that's about to hit us. The same thing, that  
10:03AM 10 means you have to trust me.

11 We can do it in two ways. You can enter into a  
12 temporary settlement for a month setting out those parameters  
13 or three months but not -- certainly not a consent decree and  
14 not over a period of time. These issues have to be worked out.

10:03AM 15 So at the end of the day I'm going to spend quite a  
16 bit of time with you, but we're getting folks on the way.

17 So, Mayor Garcetti, the lectern is yours. You can  
18 remain seated. If you have notes, you can go to the lectern.  
19 There's --

10:03AM 20 MAYOR GARCETTI: What's best for you? Is it best  
21 for me to go there?

22 THE COURT: Whatever is good for you.

23 MAYOR GARCETTI: I'll go up there.

24 THE COURT: I think our goal is the same. Let's get  
10:03AM 25 collaborative. If the courts can help you, let's save some

1 lives as fast as we can.

2 MAYOR GARCETTI: Thank you so much, Your Honor. And  
3 it's great to be here at the first convening of the  
4 Judge Carter Fan Club meeting, Los Angeles chapter.

10:03AM 5 THE COURT: Tell me that in a couple weeks.

6 MAYOR GARCETTI: Yeah, exactly. Appreciate you and  
7 appreciate the energy you've brought to the most pressing  
8 humanitarian crisis of our time, certainly in Southern  
9 California, across California, and too much of America.

10:04AM 10 As you're well aware, overlaid on this right now is  
11 the most existential crisis we have, which is the coronavirus  
12 spread and COVID-19. And I want to thank Kathryn Barger and  
13 our County and our other fellow mayors, not just in the County  
14 of Los Angeles but across the counties of Southern California,  
10:04AM 15 for really acting more as a single organism that I've ever seen  
16 in my life. When it comes to homelessness, I think it's a  
17 pretty fitting model, too, that it's about breaking down all  
18 the boundaries that have separated us, all those borders that  
19 distinguish us.

10:04AM 20 But we're in the midst of a global emergency  
21 unprecedented in recent modern history. We know that the novel  
22 Coronavirus is now in 150 different countries of the world.  
23 It's only a matter of time before every corner of the globe has  
24 it.

10:04AM 25 And I think there's considerable fear and anxiety,

1 especially for those of us who have a deep caring for those who  
2 are not only the most vulnerable but the most susceptible; most  
3 vulnerable because they're much more likely to have underlying  
4 health conditions which the public health officials, of course,  
10:05AM 5 tell us makes them more likely to die, and most susceptible  
6 because of the way they're living right now and where they're  
7 clustered together.

8 So the City and the County have been working around  
9 the clock really hand in glove in a County that already has  
10:05AM 10 good relationships between City and County. I know that's not  
11 always the case. But here we do, and it's been even closer.  
12 But we know that our homeless neighbors that are out there  
13 today with the underlying health conditions that I described  
14 and living in environments that put them at a higher risk, we  
10:05AM 15 have a special obligation.

16 So let me thank you for letting me go back to the  
17 rest of the work shortly. But between testing, bed capacity,  
18 restrictions on people's movements right now, closures of  
19 businesses, this is one of the five, I would say, equal pillars  
10:05AM 20 of our fight right now against coronavirus and its spread.

21 We had the first death of somebody who is homeless  
22 in Northern California from COVID-19. We have no confirmed  
23 cases here of anybody homeless. But we know, of course, like  
24 all of us that the actual number of cases is dozens above -- by  
10:06AM 25 a factor of dozens above what we are officially reporting.

1 So to protect the unhoused population during this  
2 public health emergency, at the beginning of this I asked my  
3 team to start drawing up what sort of plans we could do in this  
4 emergency. And I want to be clear, I took that direction first  
10:06AM 5 from Dr. Barbara Ferrer. Really had some pushes back and forth  
6 about what is the public health advice and -- because there was  
7 some service providers, others who said, "No, maybe keeping  
8 people on the street is better." She has been, at least with  
9 me, and I think the county's direction has been crystal clear,  
10:06AM 10 that this is best prevented and treated indoors, not outdoors.  
11 That's the first principle.

12 And so the City of Los Angeles, I asked what would  
13 it take for us to take decisive action, to be not looking at  
14 dozens as we usually do when we celebrate the opening of a  
10:06AM 15 shelter or even hundreds but thousands of people off of our  
16 streets.

17 So we're increasing in advance of that outreach  
18 together LAHSA, the City, the County, and other cities to  
19 educate those Angelenos experiencing homelessness about the  
10:07AM 20 disease. They, like anybody who is housed, want to save their  
21 lives and want to be healthy. When people ask, "How are you  
22 going to get them off the streets?" everybody wants to care for  
23 themselves, whether they are lucky enough to be in housing or  
24 not.

10:07AM 25 And so we added critical resources right away. I

1 think there's over 250 new handwashing stations already  
2 deployed, another 60 on the way or deployed as well for a total  
3 of 310. 120 mobile bathrooms on the way in addition to the  
4 many mobile bathrooms that we put up in encampment sites months  
10:07AM 5 before this as well.

6 And these interventions may sound basic, but whether  
7 it's that or continuing street sweeping even as we relax  
8 ticketing for that, these things are critical to public health  
9 around and in encampments as well to improve hygiene, to  
10:07AM 10 flatten the curve of local infections, and to prepare the  
11 County and the health system better for the onslaught of beds  
12 that will be taken.

13 And, also, in coordination with the County, we've  
14 made plans to isolate and quarantine unhoused individuals,  
10:08AM 15 either at and/or away from shelters. Nobody will go into a  
16 shelter who's exhibiting those symptoms. That vetting will  
17 happen with County public health officials before anybody  
18 boards a bus and is transported to these areas.

19 And our preparation to isolate and quarantine  
10:08AM 20 unhoused patients is happening several levels of government.  
21 County led, as of yesterday -- or two days ago, excuse me, 34  
22 RVs have been placed by the County for isolation units for  
23 COVID-confirmed cases. 124 motel rooms have been acquired by  
24 the County for symptomatic COVID-unconfirmed cases.

10:08AM 25 And the County, with assistance from the City, has

1 been engaging hotel and motel owners who are about to go out of  
2 business, so it's actually a good time to help them and help  
3 this crisis, to begin designating rooms with bathrooms with  
4 quarantine and isolation.

10:08AM 5 To be clear, the County has to do that  
6 simultaneously for housed people and unhoused people. But  
7 there's no discrimination on that, and the highest priority  
8 goes to those most at risk. That is disproportionately going  
9 to help those who are unhoused given their underlying health  
10:09AM 10 conditions.

11 Second, city-led efforts, we've acquired 50 pallet  
12 shelters that will be delivered Friday. We got 50 of, I think,  
13 the last 75 left in America from this company. We're looking  
14 at the potential placement of these pallet shelters in parking  
10:09AM 15 lots in City Council District 13, Mitch O'Farrell, who asked if  
16 we could put them there. We're considering them for quarantine  
17 and isolation use. So, if somebody has symptoms, immediately  
18 be able to take them into essentially their own housing, almost  
19 like a mini-home for them to be able to be in for the period of  
10:09AM 20 quarantine and then take the direction from public health.

21 One of the reasons we were advised by public health  
22 also to look at this with proper spacing using the 35 tenets of  
23 the CDC's recommendations for homeless shelters is because --  
24 everything from making sure people are head to toe properly  
10:09AM 25 spaced, we're looking at whether there can be even partitions.

1 But we took that advice because the public health officials  
2 said this is a place where we can monitor better. We cannot  
3 monitor very well on the street. Of course, this is right now  
4 voluntary.

10:10AM 5 And we know that our homeless neighbors, like the  
6 rest of us, are safer and healthier when they're indoors. So  
7 I've exercised my emergency authority under the City Charter  
8 and our administrative code to extend the winter shelter period  
9 which would be ending just next week on March 21st until this  
10:10AM 10 crisis is over. So indefinitely.

11 THE COURT: Okay.

12 MAYOR GARCETTI: And then a couple last notes. Over  
13 the past 19 months before this crisis hit, we had been part of  
14 a historic surge of bridge-housing shelters. These are  
10:10AM 15 shelters that have your own little area, pets, partners,  
16 possessions, all those things can come in, low barrier. You  
17 stay there. You're not kicked out during the day.

18 So today we have 12 of those open with 813 beds. We  
19 had 14 due to open by July 1st. And I can tell you we're  
10:10AM 20 pressing the accelerator on that so that we will have over  
21 2,200 beds that didn't exist just 18 months ago on top of our  
22 plans to take 1600 people, we believe, or have capacity for  
23 1600 people by the end of this weekend.

24 Think about that. 18 months to get 2200. When this  
10:11AM 25 happens, it will be in four or five days, 1,600 additional

1 beds. And then a second phase will go to 29 additional  
2 recreation centers and have a full capacity when we're done of  
3 6,006 beds.

4 So we're working to identify with LAHSA who's  
10:11AM 5 prioritized the 4,000 most vulnerable folks that are in their  
6 system to make sure that we're making the contact with them and  
7 offering these beds to them first. This will make it easier  
8 for the at-risk population to practice safe social distancing,  
9 to remain visible to outreach workers who are focused on  
10:11AM 10 getting them crucial services.

11 And we'll also work to relocate vulnerable Angelenos  
12 indoors into low barrier congregate settings. So this isn't  
13 just something that we'll probably be doing over the long term  
14 for those that are unhoused. As our hospital beds are  
10:11AM 15 overwhelmed, we can expect that those of us that live in  
16 housing will need to go to those low barrier settings as well  
17 and isolation in hotels, motels, et cetera, if they cannot stay  
18 at home in a safe space.

19 And with our partners at LAHSA, as I mentioned, this  
10:12AM 20 is really -- I want to thank our rec and parks, our emergency  
21 operations center -- I've never seen this before -- and the Red  
22 Cross, we have obtained, you know, 6,000 beds -- actually 7,000  
23 cots, all the blankets. We've put in the orders for everything  
24 we need for sanitation. Not every rec center is equal. They  
10:12AM 25 don't all have showers. But our Department of Transportation

1 buses will take people for their showers to those rec centers  
2 that have them if they're staying at one that doesn't. And  
3 this will be paid for through City dollars, state aid, and  
4 federal dollars, we believe, through FEMA reimbursements now  
10:12AM 5 that I've mobilized emergency workers.

6 So this means together with the existing shelters  
7 and ones opening, we can bring 7,000 unhoused Angelenos off the  
8 streets and into emergency housing.

9 One last note, which is not about COVID but is, I  
10 think, very important, up and down the state, Mayor Pulido and  
11 I are part of the big 13 mayors, we've been talking every  
12 single night, and we appreciated the contact as well from you  
13 last night. We need to plan for the moment this crisis winds  
14 down to make sure that folks that we bring in aren't just  
10:13AM 15 thrown back out on the streets.

16 THE COURT: Right.

17 MAYOR GARCETTI: And whether that federal aid will  
18 be there, whether the state dollars that have been promised  
19 from the legislature and Governor Newsom yesterday can be used  
10:13AM 20 for that, we're going to have to look everywhere, but this is  
21 an opportunity to not let this crisis go to waste and to say  
22 not only did we save lives during this crisis, but we finally  
23 healed those lives and brought people home.

24 So I'm encouraged that that money is coming. It's  
10:13AM 25 \$100 million directly to local governments and \$50 million in

1 trailers and to lease rooms in hotels and motels. And whether  
2 it's leads you've given us from North Dakota, oil and gas  
3 employee housing, whether it is the trailers, the tiny homes,  
4 we have to look all over to be able to make sure at a time of  
10:13AM 5 scarce resources that we can make this happen.

6 So in closing, let me say as the mayor of  
7 Los Angeles, I can assure the Court that the City is committed  
8 before this crisis, during this crisis, and after this crisis  
9 to doing everything that we can to listen and to bring together  
10:14AM 10 a coalition of folks. You never make 100 percent of people  
11 happy.

12 THE COURT: Right.

13 MAYOR GARCETTI: But for those who will say, "You're  
14 never doing anything right," and for those who say, "I never  
10:14AM 15 want anything in my neighborhood," there is a huge wide berth  
16 in between of, I think, you've seen in our actions and our  
17 willingness to stand up on both sides to be able to say let's  
18 keep moving forward.

19 Never stop listening to people no matter how they  
10:14AM 20 communicate, because often there's kernels of truth to what  
21 everybody is saying. But we're very excited. Your  
22 coalition-building powers are part of this and your wide  
23 shoulders, as you said, to be able to say from a federal court  
24 perspective that this needs to keep going. I would only ask  
10:14AM 25 that of you, help us keep momentum, help us keep momentum, help

1 us keep momentum. These are trying days for our city, but we  
2 will get through them together.

3 THE COURT: Don't go away. And I can't tell you how  
4 much you're appreciated. Let's have a conversation  
10:14AM 5 transparently. And I'm not going to allow counsel to enter  
6 into this.

7 MAYOR GARCETTI: Okay.

8 THE COURT: It's just -- it's a very complimentary  
9 conversation, by the way.

10:15AM 10 First of all, I want all counsel to know that we  
11 started ex parte communications immediately when a wonderful  
12 colleague of mine, Steve Wolfson, and I had a conversation last  
13 Friday. This was actually Judge Wolfson's case. We go back  
14 for many, many years. We had a collegial conversation about  
10:15AM 15 who's going to take this case. And so let me tell you how this  
16 ended up. And by the way, if you get rid of me, it's no  
17 problem at all.

18 MAYOR GARCETTI: We don't want that.

19 THE COURT: First of all, in Orange County we had  
10:15AM 20 what's perceived to be a modicum of success. And I want to lay  
21 out how that was to the parties so we discuss this later on.  
22 First of all, *Boise* is a decent and good case, but when  
23 Judge Berzon wrote this, you can read *Boise* as requiring 100  
24 percent.

10:15AM 25 So let's say we have 35- to 38,000 homeless in

1 Los Angeles with Juan Garza, the president of the League of  
2 Cities will tell me we have probably another 20,000 in the  
3 surrounding cities. Well, *Boise* could be read that we take  
4 100 percent of that, Mayor, and we say you have to build 38,000  
10:16AM 5 shelters.

6 I'm not certain if I'm going against *Boise*, but in  
7 working with Carol and Brooke down in our part of the world and  
8 other folks who are involved on the plaintiff and defendant's  
9 side, we came together and came up with this thought and idea;  
10:16AM 10 that all of your homeless aren't going to go into shelters. In  
11 fact, some are going to avoid it. Whether they're using  
12 narcotics, et cetera, you're not going to save every soul,  
13 although we're going to try.

14 And, therefore, in the Santa Ana River we had  
10:16AM 15 this -- and you need to hear why we're at these numbers. We  
16 took the unheard of step of walking down the river before it  
17 was cleared, and there weren't a thousand people on the river,  
18 there were about 1400. And when we put out two-weeks' notice,  
19 we saw people walking away.

10:16AM 20 So in a good faith, the plaintiffs' counsel came and  
21 said to us, "Look, the number is about 81 percent because we  
22 have 1,000 people on the river and 810 wanted shelter." There  
23 was also a different number, and that is for weeks 3- or 400  
24 people had walked away. So I took the lowest number. That's  
10:17AM 25 the first time I thought I was in trouble with one of the

1 parties. I took the 60 percent. So, therefore, it was, in a  
2 sense, a defendant's number at the time. And we held pretty  
3 close to 60 percent in the 11 or 12 encampments that we've gone  
4 out.

10:17AM 5 Now, I want to tell you and share with you how many  
6 mistakes I've made and how many times I've tried to back up and  
7 get it right. It's very humbling. I didn't recognize the  
8 number of women. I didn't recognize the number of people who  
9 had lost their homes. I didn't recognize the number of  
10 veterans. I probably started off with the perception that most  
11 of these were criminals. But what I found was a huge degree of  
12 mental illness. And I found an awful lot of people who had  
13 lost their homes from UCI -- UCI students and dock workers and,  
14 I'll name it, Disneyland workers and Angel workers and just  
10:17AM 15 good people out there also.

16 And then the multitude, I also found, quite frankly,  
17 that most of those were homegrown. They didn't come from  
18 Los Angeles or from another state, they came from Orange  
19 County. And I was surprised.

10:18AM 20 That's why the 60 percent number. And what I find  
21 fault with me about is this: If I write an order, you folks  
22 are stuck with that for ten years. That's a federal order, and  
23 some other case has to go along with that; otherwise, you have  
24 this order. So I've taken a 60 percent figure, right or wrong.

10:18AM 25 But in working with my cities -- and I'll tell you

1 about the L.A. supervisor in just a moment also, because you've  
2 been very helpful with this -- what we're finding is that we're  
3 holding not only to about 60 percent of the number, but what  
4 happens in a year, Mayor, if you and the supervisor have been  
10:18AM 5 successful and you've swept your city and the people who want  
6 to go into shelter have gone into shelter? And now we're done  
7 to 30 percent.

8 I shouldn't be at that 60 percent. I need you to  
9 come back to me working together and say, "You know, Dave,  
10:18AM 10 we're about 30 to 40 percent we're showing in this last year,  
11 and we don't need 30 to 40 percent emergency shelter. It's  
12 badly spent money." So, therefore, I want that continuing  
13 interplay in negotiations so we're spending your money wisely  
14 and quickly from the Court's perspective and you don't have  
10:19AM 15 that hindsight of our wisdom that you're stuck with as a bright  
16 line duty. So that's what I'm offering back to you. That  
17 collaboration is absolutely critical that our courts are  
18 flexible.

19 Second, I want to introduce you to two wonderful  
10:19AM 20 colleagues. Well, first of all, Judge Smith who's been with me  
21 from the beginning, he's my former friend because he's probably  
22 given over \$1.5 million of free time that he would normally  
23 charge, so I call him my former friend.

24 But Andre Birotte, who is my colleague, and Phil  
10:19AM 25 Gutierrez, would you folks stand up. I personally asked these

1 jurists to become involved. And in the finishing colloquy I  
2 have with the mayor, Phil, if you have any questions, just  
3 blurt them out. Fair enough? Okay.

4 We only have jurisdiction over three cases. 18  
10:20AM 5 other cases have come in voluntarily who were never going to be  
6 sued and held up their hand and said, "Judge, I want to be  
7 sued," because they want to be tucked under the federal  
8 umbrella, and they wanted to know going forward what they could  
9 do, not what they couldn't do. Because the end result working  
10:20AM 10 all together, we came up with some parameter and some ability  
11 to move forward. Because otherwise, it's a chilling effect.  
12 And it's a chilling effect that five or six judges are making a  
13 decision, because which judge's decision do you start playing  
14 to? So you are always chilled.

10:20AM 15 I think our courts are offering you a real  
16 opportunity for collaboration from our point of view and a real  
17 good discussion with both these parties later today to try to  
18 either reach a negotiation or hammer one out that will give us  
19 all some guidelines so you're not chilled in any way and you do  
10:20AM 20 that in record time.

21 I think the last thing I'd say is that the reason  
22 you came to me was, frankly, we're negotiating with 16 other  
23 cities in Los Angeles at the present time. It's a slow walk,  
24 but Bellflower has settled. We were just talking to Whittier  
10:20AM 25 today, not quite certain where they're at, but I think they're

1 the next ones up. And I'll say to Joe -- Mayor Joe is here. I  
2 just know Joe by "Joe" because we call each other all the time.

3 But there's 14 or 15 other cities who have been into  
4 my chambers. And what's happening is this is starting to speed  
10:21AM 5 along. So whatever happens in Downtown L.A., we've got to be  
6 careful with our surrounding cities, which you well know, which  
7 is why Juan Garza is here, and a lot of other mayors who wanted  
8 to come that we turned away because we didn't want over 50.  
9 Because if, in fact, folks migrate, they're going to go out to  
10:21AM 10 your residential areas, your surrounding cities. So whatever  
11 we're doing, hopefully we're containing it here, we're getting  
12 some things to you much needed.

13 Finally, let me say this: You've done a fabulous  
14 job. Judges aren't supposed to say that. Thank you very much.

10:21AM 15 MAYOR GARCETTI: Thank you.

16 THE COURT: And the next thing I would say to you is  
17 this: I think you're going to see us in a few moments, and  
18 your staff can make the decision because I want to get you out  
19 of here, along with the supervisor, if you leave somebody to  
10:21AM 20 listen to this presentation, I think we're going to be able to  
21 augment, if you choose, a huge amount of resources.

22 Now, let me disclose to all parties, I can't tell  
23 you the number of phone calls, but I'll tell you the last one.  
24 They got my home number through some colleagues. I got a call  
10:22AM 25 at 8:15. I thought it was just Rusty Bailey, the mayor of

1 Riverside, who we've talked, but it was the mayor from  
2 Los Angeles, Stockton, Oakland, San Diego --

3 MAYOR GARCETTI: The 13 most popular cities.

4 THE COURT: -- 13, yeah, all on the phone. And I  
10:22AM 5 thought --

6 MAYOR GARCETTI: Your Honor, I didn't call because I  
7 don't know what these rules are, I'm not a lawyer, but  
8 Mayor Pulido brought him in.

9 THE COURT: So I want to disclose to the parties  
10:22AM 10 that that's the way I've got to be able to operate. If the  
11 mayors want to call me individually or collectively, or  
12 Kathryn, you want to call me, I have to have that ability or I  
13 can't function. And just go litigate, which is wasteful. We  
14 need to hammer this out.

10:22AM 15 So at the end of the day, you have got to give me  
16 that consent or just go litigate. The phone's open to you,  
17 period.

18 MAYOR GARCETTI: Thank you.

19 THE COURT: And I think this: I think that your  
10:22AM 20 cities are going to come running with consent decrees and tuck  
21 under the federal umbrella, but they need help. We're paying  
22 attention, and we should, to Los Angeles and San Francisco.  
23 It's our smaller cities right now who don't have that financial  
24 backing but the supervisors, quite frankly, have been very  
10:23AM 25 helpful in getting.

1 Janice Hahn and your colleague and you, Kathryn,  
2 have stepped forward and tried to step forward with funding.  
3 But they need a funding source also, and we need to get that  
4 message out to the governor who, by the way, had his staff on  
10:23AM 5 the phone at 10:00 o'clock after the call.

6 Lastly, help me, I've got 14 to 20 percent of folks  
7 out there who have done nothing with women who have to dress up  
8 over the top of their head.

9 Jimmy, what time did we go out in the morning? What  
10:23AM 10 time did we appear on the scene?

11 JUDGE SMITH: 4:30, 4:45, 5:30.

12 THE COURT: 4:30 a.m. because your homeless are  
13 moving. They're not working on County hours or my hours.  
14 They're moving at 4:30. And by 6:00 o'clock you're not finding  
10:23AM 15 the homeless. They're scattering.

16 So what are we going to do with that 14 to 20  
17 percent who are truly bipolar when we closed our mental  
18 hospitals, who I can't put inside a shelter because they'll  
19 tear it apart and they've done absolutely nothing wrong? And  
10:24AM 20 that I'm going to ask you -- and I think Gavin's fully on board  
21 with our conversations last night, so I'm paying compliments  
22 today, I think he's recognizing that whether it's Norwalk,  
23 Fairview, Sonoma, those hospitals have to be opened up in some  
24 form to contain these people. I want to ask your help because  
10:24AM 25 I've been on that bandwagon from day one.

1           And number two, if we get these for the local folks  
2 here in the state of California, maybe we're not getting people  
3 shipped in off Princess Cruise -- I'm just kidding you -- but  
4 we need those facilities anyway for our own state, and we're  
10:24AM 5 going to have to have them sooner or later. Sooner is better.

6           I'm going to ask you to leave a staff member here.

7           MAYOR GARCETTI: Yes.

8           THE COURT: I want to compliment you on these motel  
9 rooms. I have the personal opinion that they're transitory,  
10:24AM 10 but their transitional in the sense -- and I think we're going  
11 to be able to offer you 20,000 units really quick out of  
12 North Dakota. And if anybody doesn't like them, I'm going to  
13 invite today, give me a better solution. Show me the pop-up  
14 tents that are supposed to be coming, show me the spring tents,  
10:25AM 15 tell me why the price is wrong, et cetera. And if you don't  
16 like this alternative, just give me an alternative.

17           Number two, Michelle Martinez in Santa Ana hammered  
18 out and knocked down all of the barriers because she put a  
19 building inspector onsite. So when we went for a permit, we  
10:25AM 20 didn't go into an office and wait for a good person who was  
21 doing their job to take 24 to 36 hours or two weeks. They're  
22 well-intentioned people. But I'm encouraging you, if we get  
23 some trucks down here that we're going to talk about, we've got  
24 40 trucks ready to roll, if you'd like it.

10:25AM 25           The last thing I'll disclose to counsel is this: If

1 L.A. doesn't want it, Dave, you're the mayor of Stanton, you  
2 want some? Joe, you want some out in Anaheim? Sure. I just  
3 got off the phone with Harry Sidhu. He wants some.

4 Here's my concern: Can we transition these trailers  
10:25AM 5 fast enough to help our Los Angeles community? Because if  
6 we're going to a hookup with a sewer system and you can't  
7 accomplish it quickly, as I said to the mayors last night, we  
8 can't wait with that valuable resource. I want to get them up  
9 to Oakland for the governor or whatever. And so, therefore,  
10:26AM 10 please leave somebody here for this presentation.

11 MAYOR GARCETTI: We'll have somebody here  
12 throughout. And if you'll permit me 15 seconds, we appreciate  
13 that. Our goal, also, is not to have an order but to have a  
14 collaboration.

10:26AM 15 THE COURT: Exactly.

16 MAYOR GARCETTI: Second, the flexibility we greatly  
17 appreciate. And know that even though I was presenting on our  
18 plan amidst this crisis, you will hear from the City what we're  
19 doing -- permanent housing, special services, working with  
10:26AM 20 veterans -- which I know is near and dear to our hearts, and  
21 we've reduced by 80 percent in this city.

22 There's a lot of other aspects of this that I know  
23 will be in the larger case, but you asked us to come today  
24 because of COVID-19.

10:26AM 25 THE COURT: Yeah.

1           MAYOR GARCETTI: And Council President Nury Martinez  
2 is here representing incredible City Council.

3           THE COURT: Right.

4           MAYOR GARCETTI: Beautiful leadership. And we'd  
10:26AM 5 love other cities to be involved if they want to be in this.  
6 So we are not in any way -- we know that this problem has no  
7 borders, and the solutions need to have no borders as well. We  
8 very much appreciate you.

9           THE COURT: Okay. Mayor, just a moment.

10:27AM 10 Jimmy, any thoughts? Any thoughts on your part?

11           JUDGE SMITH: No.

12           THE COURT: Okay. Let's do this: I have no  
13 jurisdiction right now. Understand?

14           MAYOR GARCETTI: Yes.

10:27AM 15           THE COURT: The defendants are here by choice. They  
16 haven't even been served. But I couldn't wait for the 60 days  
17 and the answer. So you were invited today. I really  
18 appreciate your courtesy. I promise that we're going to have  
19 uniformity back from the courts from all of us as colleagues  
10:27AM 20 trying to be cooperative and collaborative within reason as we  
21 talk to the parties today to get some reasonableness, which is  
22 why I have allowed the intervention on the plaintiffs' side of  
23 every potential plaintiff we can get here, because there will  
24 be disputes between the plaintiffs, and they're going to have  
10:27AM 25 to come to some agreement basically to give us some guidance.

1 Fair enough?

2 MAYOR GARCETTI: Thank you.

3 THE COURT: Okay. We can work together.

4 MAYOR GARCETTI: My sister, I'm sitting down.

10:27AM 5 You're smart to do that.

6 THE COURT: And Mayor, listen, would you designate  
7 somebody by name, because I'd like to be able to call you as  
8 early as tonight and as late as tomorrow morning.

9 MAYOR GARCETTI: Could you stay?

10:27AM 10 THE COURT: Okay. Could one of you stay --

11 MAYOR GARCETTI: So Christina Miller, who's deputy  
12 mayor of City Homelessness Initiatives, our first deputy mayor,  
13 and my deputy chief of staff, one of them will always be here.

14 THE COURT: Perfect. Let's get you back. That way  
10:28AM 15 you're reporting back to the mayor, not through my eyes  
16 tonight. And we'll talk as early as tonight or as late as  
17 tomorrow. Okay? But you're reporting back through your eyes.

18 And I want you to listen to this presentation and keep  
19 asking -- we're not necessarily in favor or disfavor of what  
10:28AM 20 you're about to hear, but what else is out there. And if we  
21 can get 20- and maybe 30,000 units down here -- we got 40  
22 trucks up there ready to roll. It depends upon how fast we can  
23 sequence. And if we can't, then just tell me. Let's get these  
24 up to Oakland if they're interested with some of the other  
10:28AM 25 mayors. Okay? Fair enough?

1 Mayor, I can't thank you enough. Stay as long or as  
2 little as you'd like. You're socially distanced. Go take good  
3 care of yourself and make great decisions for us.

4 Kathryn, please.

10:28AM 5 MS. BARGER: Thank you. First of all, I want to  
6 thank Mayor Garcetti, because this is about all hands on deck.

7 THE COURT: Yeah.

8 MS. BARGER: And while L.A. city is probably ground  
9 zero for where the greatest number of homeless are located, the  
10:29AM 10 impact it has throughout all of L.A. County -- Whittier,  
11 Bellflower, Pasadena -- it's still really a humanitarian  
12 crisis. And I view being in this court today not as  
13 adversarial, but actually, I think we're all on the same page.

14 THE COURT: We are.

10:29AM 15 MS. BARGER: And the plaintiffs, quite frankly, have  
16 been in our office, and we've talked to them, and we wanted to  
17 work toward addressing this issue. So I don't view this as us  
18 against them because we're all in this together. And working  
19 with all of our 87 other cities along with L.A. city is what  
10:29AM 20 L.A. County is committed to do.

21 And I believe that the challenges that we have  
22 before us as it relates to the Coronavirus are going to present  
23 opportunities. Because while we're looking right now short  
24 term and we've got 2,000 isolation beds set aside, 4200 County  
10:30AM 25 property beds also ready to go right now, and we're moving that

1 out. And our team at the County will really outline what  
2 exactly our plan is for the Coronavirus. But this is only the  
3 beginning of what we are doing.

4 And as Mayor Garcetti said last night, I watch every  
10:30AM 5 briefing you have every night. But what is being done at the  
6 City level and the County level was already in the works.  
7 Coronavirus just accelerated and actually broke down barriers  
8 that we recognize were in place, whether it be CEQA and/or  
9 other issues that, quite frankly, given this virus, we have to  
10:30AM 10 think outside the box and recognize that asking for permission  
11 is not necessary -- sorry, lawyers -- but we're going to ask  
12 for forgiveness because we have to get this done and we have  
13 got to get it down now. And we recognize that prevention is  
14 the key.

10:31AM 15 And to your point, the homeless population is very  
16 good at moving early morning and are oftentimes invisible. And  
17 we need to be aggressive in how we do outreach.  
18 Sheriff Villanueva has got his host team boots on the ground  
19 out there working very aggressively to try to convince people  
10:31AM 20 to come in. Because many of them do not understand how at risk  
21 they are right now. And many do not understand what this  
22 Coronavirus means or could mean.

23 And so when we hear the number of one death already  
24 amongst the homeless, my biggest concern is that that is going  
10:31AM 25 to rise because we all know that healthwise they are

1 compromised. They are not in the best of health. And we know  
2 that the studies show that the elderly and those with  
3 compromised immune systems are at greatest risk.

4 And when we talk about slowing the spread, it's done  
10:32AM 5 so that we do not overwhelm our hospitals. Because right now,  
6 you know, what's keeping me up at night is making sure that we  
7 have the inventory of beds across the County should we need  
8 them, especially the ICU beds, for those that are going to be  
9 presenting themselves in the emergency rooms.

10:32AM 10 So, you know, Judge Carter, I have admired the work  
11 you did in Orange County, and you keep saying it's going to  
12 change. It won't change. Because I know where your heart is,  
13 and I know where my fellow colleagues on the board of  
14 supervisors' heart is, and that is we have to do better.

10:32AM 15 And Measure H gave us an opportunity to put new  
16 money into addressing the homeless population. So money really  
17 prior to the Coronavirus wasn't our issue. Post Coronavirus it  
18 may be because we don't know what the implication is going to  
19 be as it relates to jobs that are being lost, people that are  
10:33AM 20 presenting themselves as possibly homeless.

21 I know we did exactly what the City did in terms of  
22 eviction notices and putting a stay on that because that is  
23 another issue for those that can't pay. We're trying to get  
24 the ones that are currently on the street off the street. God  
10:33AM 25 forbid we add more. So we are looking at that, and we don't

1 know what the implication would be financially.

2 But prior to this, Measure H provided us with an  
3 infusion of money. We projected 355 million. In fact, it came  
4 in over 400 million thanks to the hard work of people like  
10:33AM 5 Supervisor Mark Ridley-Thomas, who saw this as a crisis long  
6 before we even came into this court, long before you were  
7 dealing with the Orange County.

8 So I know that money is not necessarily the issue,  
9 it's about leadership. And I will tell you that I know in my  
10:33AM 10 cities -- and I look at Juan Garza. Is he here? You keep  
11 saying "Juan."

12 THE COURT: He is. Come on, Juan. Come on up here.

13 MS. BARGER: Okay. There he is. I look at people  
14 like Juan Garza, who I had the honor of meeting last year and  
10:34AM 15 heard him speak, and listened to his vision about wanting to  
16 understand who the homeless are. And then I flash forward,  
17 read about how he's entered into the consent decree within  
18 Bellflower to address the homeless within his population --

19 THE COURT: Kathryn, on May 5th, Bellflower got  
10:34AM 20 swept.

21 MS. BARGER: Yeah -- no, but I mean -- my point  
22 being Bellflower was ahead of the curve as it relates to  
23 recognizing that they could do it if given the opportunity, but  
24 they actually wanted to enter into the consent decree to give  
10:34AM 25 them coverage so that they could be compassionate. Because

1 it's not about criminalizing the homeless, but also being firm.  
2 And I know Whittier is looking at doing the same.

3 We have an opportunity, both the plaintiffs, the  
4 counties, and the cities to get this right. And I am  
10:35AM 5 committed, along with my colleagues. And you referenced  
6 Supervisor Janice Hahn who took a lot of heat for pushing to  
7 San Pedro. But what I tell people is they're already in our  
8 community. If left to their own device, not great neighbors.  
9 But if provided the supportive services and the help that they  
10:35AM 10 need, I'd be proud to have them as my neighbor.

11 So as a board, we are committed to moving forward,  
12 Your Honor. And I want you to know that, again, I don't view  
13 the people that got us here today in an adversarial way. In  
14 fact, I admire their courage for stepping forward and saying,  
10:35AM 15 "We want to be a part of the solution as well."

16 Because you will in the end be a part of the  
17 solution, because it's going to be a give and take and it's  
18 going to impact neighborhoods and people that you may know that  
19 are going to say, "We want you to fix it. But by the way, do  
10:35AM 20 it over there, don't do it over here," which I'm sure  
21 Mayor Garcetti's heard, I'm sure a lot of my colleagues have  
22 heard that are elected officials.

23 So we have to have the political will and the  
24 leadership to get it done. And we're going to be looking to  
10:36AM 25 you, Judge Carter, to help us navigate those waters. So thank

1 you for having us here today.

2 THE COURT: Well, thank you. And let me be a safe  
3 forum because I've got heroes and heroines out there, and our  
4 job is to create that for you as elected officials and let you  
10:36AM 5 proceed as quickly as possible without being an impediment.

6 Now I'm going to ask the following of you  
7 specifically: You're so well thought of in so many circles, so  
8 I'm going to toss out some names, Robert O'Brien, okay, and Joe  
9 Grogan, they're a phone call away. All right?

10:36AM 10 You know that I went back -- Ben Cardin wanted to  
11 come out and see our program. I went back to DC because nobody  
12 cares about a federal judge in DC or most places, by the way,  
13 but certainly not in DC. And that was too big a story having  
14 him come out. If they're going to produce, this is the  
10:36AM 15 collaborative effort, but I'm going to be asking the tough  
16 questions in the future on behalf of our city, and that is if  
17 they're going to produce and help you, maybe you can't say it,  
18 but I can. So right now, love to all, best wishes,  
19 collaborative effect. But the federal government, if they're  
10:37AM 20 going to step up, Mayor, and they're not, this is going to be a  
21 much different session in the future. Okay? And that's not a  
22 threat, that's just a promise.

23 Now, sharpen your pencils. You don't have to stay.  
24 You've got decisions to make. But in a moment we're going to  
10:37AM 25 try to give you a presentation because since Steve was kind

1 enough to accede to me taking this case, I think folks have  
2 been working night and day. I don't know many folks who have  
3 slept since last Friday.

4 And we're going to see if there's 20,000 to 30,000  
10:37AM 5 units that you're interested in and how you would sequence them  
6 and what permitting would take place, et cetera, and how  
7 quickly. Because if not, then let's get on the phone. I want  
8 you to have my number. Okay? If I can't communicate with you,  
9 then -- and I don't want the whole public to know it, because  
10:37AM 10 I'm going to make a transcript, and I'm going to ship it out to  
11 everybody. We're going to get a transcript out because we had  
12 to limit this today. But you've got to be able to call me, and  
13 I've got to be able to call you.

14 But most importantly, Andre Birotte is a great  
10:38AM 15 admirer of you. Judge Birotte speaks nothing but praise. I'd  
16 like you to coordinate with Andre Birotte and work through him  
17 on all occasions, okay, that are possible. You've always got  
18 my number. But we're such close friends. Okay.

19 Now, I want to show you one picture on the way out.  
10:38AM 20 Eddie, put up a picture of someplace called Georgia.  
21 And I want to show you what our country can do. So anybody  
22 tells us that they can't build a shelter within 28 days, then  
23 go talk to Michelle Martinez or the mayor in Anaheim --

24 MAYOR PULIDO: And Santa Ana.

10:38AM 25 THE COURT: And Santa Ana, yeah. Thanks, Miguel.

1           -- and go talk to Michelle Martinez. They put a  
2 shelter up in 28 days. Anaheim matched them. And right now  
3 you're looking at America. This is a place called Georgia  
4 right after the war, right after the debacle called genocide  
10:39AM 5 had taken place. And this is South Ascension coming across the  
6 border into Georgia.

7           By the way, this gentleman was born a short place  
8 from here. That's your money. They may call it UN money, but  
9 that's United States money, and these were put up overnight by  
10:39AM 10 USAID. So anybody who tells you from the federal or state  
11 government that America can't do this, well, I'll just show  
12 them this picture.

13           Now, would you take me over to where I just sat in  
14 Saipan. They got hit by a god-awful typhoon. It destroyed it.  
10:39AM 15 If you don't like those kind of shelters, then I'm all for  
16 tents. Because if we're going to get them off the street, it's  
17 not going to be pretty. Some people are going to get hurt.  
18 But we're trying to move as many people as quickly and save  
19 their lives.

10:39AM 20           And they're not going to be the optimum conditions,  
21 plaintiffs' counsel. They're not going to have all the ADA.  
22 We're going to try. We don't want a paraplegic on the second  
23 floor of a motel without whatever, an elevator. And so we're  
24 going to try. But this is not going to be perfect. In fact,  
10:40AM 25 don't let the --

1                   What is it, Jim? Get a --

2                   JUDGE SMITH: Don't let the perfect be the enemy of  
3 the good.

4                   THE COURT: Yeah. So if we're going to move, then  
10:40AM 5 there's going to be a lot of criticism for everybody. Well,  
6 these are tents. Guess what, they've been going to school now  
7 for five and a half months over there, and these kids are going  
8 to be going to school over there in these tents for probably  
9 another year and a half to two years.

10:40AM 10                   If a country is doing that this quickly and we've  
11 got a crisis involving death on Skid Row -- hey, tents, I love  
12 tents. So you're not getting any pushback from this court or  
13 from my colleagues in terms of getting structure up because I'm  
14 going to say this: We are losing more people right now to  
10:40AM 15 hypothermia, pneumonia, and other disease than possibly this  
16 COVID crisis is going to cause in increased deaths.

17                   In Orange County alone, we've lost 240 without the  
18 crisis hitting. Well, God help us, I hope it doesn't add  
19 substantially. But with those kinds of numbers, if you could  
10:41AM 20 give me these in every city in Orange County and Riverside and  
21 Los Angeles immediately -- so if you don't like the following  
22 presentation, great, I'm going to ask everybody what's better.

23                   So without further ado, Paul Leon, come up here, and  
24 I'm going to get a pencil and step off of the bench, and we're  
10:41AM 25 going to get numbers. And you're going to start taking down

1 numbers for me. Because if this doesn't make sense, tell me  
2 what does.

3 Eric, thank you. I'll call you tonight.

4 MR. LEON: Good morning. My name is Paul Leon. I  
10:41AM 5 am a public health nurse and CEO of Elimination Foundation.  
6 And we currently are working in Orange County, L.A. County, and  
7 Inland Empire.

8 So Judge Carter asked me to present real quickly on  
9 what we were doing prior to COVID-19 hitting, and that was we  
10:42AM 10 ran recuperative care, medical recuperative care. We're the  
11 largest recuperative care currently in the nation. And we had  
12 already started looking at supply and emergency housing, bridge  
13 housing, and then permanent supportive housing.

14 And about a month ago, Mr. Ken Rice [sic] came to us  
10:42AM 15 with these units. We had already talked to him about  
16 purchasing these units at cost. They were in North Dakota, and  
17 they were assembled for oil derricks and oil derrick workers.  
18 When we saw these units, we realized that we could not only  
19 assemble them quickly, but they could serve as recuperative  
10:42AM 20 care medical respite units for our clients that were homeless  
21 and were really increasing.

22 You could see the beds are complete. They come with  
23 all the soft items needed to run. You know, they can be  
24 stacked. They could get here -- they could start coming. They  
10:43AM 25 have full kitchens that could be set up. And they could also

1 be assembled and serve 300 meals three times a day.

2 We -- they can be configured any way. They have  
3 full washrooms. And on the right you'll see they have complete  
4 generator systems if they need to be brought in and they can't  
10:43AM 5 be hooked up to a grid. Full-on washing machines, pretty much  
6 everything similar to -- these are the generators -- to what  
7 we're doing now.

8 Now, again, these are at cost. It's a  
9 public/private partnership that we were going to do in  
10:44AM 10 Orange County, and our nonprofit was going to bring in 78 beds  
11 as a stepdown facility for COVID-19. So we had already talked  
12 to Ken about having them on the way. And, again, we could go  
13 over the prices with you.

14 My colleague in just a second -- these are the  
10:44AM 15 Caltrans places that we identified that we were already looking  
16 at putting LifeArk -- and I'll show you LifeArk in a second --  
17 but we were already looking at acquiring some of these places  
18 in L.A., Orange County, and we were already on our way to  
19 filling out the applications to put up LifeArk.

10:44AM 20 And, again, LifeArk, for those of you who don't  
21 know, Mayor Garcetti's office had a challenge for innovative  
22 housing. We actually won that housing challenge. And we won  
23 the challenge for services. LifeArk, again, will take a little  
24 bit longer to set up, about 90 days. 90 days to six months.

10:45AM 25 The first facility is going to be set up --

1 Paul, is that Monterey Park?

2 THE COURT: No, no, too long. Move on.

3 MR. LEON: Okay. So, again, these are the units.

4 We could have 7,000 of the first units here in 90 days to six  
10:45AM 5 months max. So, again, Judge Carter wanted us to present.

6 THE COURT: You presented that. Still too long.

7 MR. LEON: 7,000 beds, 11,000 per bed, and that's a  
8 total of 4,648 units. We showed you the Caltrans sites that  
9 we're able to apply to put them on that.

10:45AM 10 As far as services, both Elimination Foundation,  
11 Salvation Army, we in Orange County run probably the two  
12 biggest shelters, and we have capacity to scale up.

13 THE COURT: Okay. Now, let's have a conversation.  
14 That's excellent for the long term. But our conversation was

10:46AM 15 also about 1.9 million --

16 Come on up, Ken.

17 -- about 1.9 million for 70 beds. Right, Paul? No,  
18 Paul, stay there. About 1.9 million for 70 bedrooms; right?

19 MR. LEON: Yes.

10:46AM 20 THE COURT: But on my discussion, and I want all of  
21 you to be clear, I don't care if these are purchased or not.  
22 You could put up tents. You could put up Tuff Sheds if you  
23 could save lives. But the end result is that if you double  
24 bunk these, then you move from 70 to 140.

10:46AM 25 And the problem facing us right now is we don't know

1 the standard. Can 50 of us assemble under the present  
2 guidelines or shortly are we at 10? And so, therefore,  
3 wherever we're doing, we need the flexibility to make certain  
4 we're not spending money and backing up and having to do it  
10:47AM 5 again.

6 The next thing is we need these now, which is why  
7 I'm going to call on Kevin De Leon in just a moment. And so I  
8 want to talk about what we could do now as we transition in,  
9 because if Los Angeles can't absorb this, then, Joe, I want a  
10:47AM 10 couple hundred out in Whittier. Dave, in Stanton, I want 100  
11 out there. In Anaheim, Harry wants some. I think Mayor Silva  
12 is here. But I want to give this opportunity, if it is an  
13 opportunity, right here because we're the most impacted in  
14 Los Angeles. So let's see if this makes sense monetarily. And  
10:47AM 15 if it doesn't, okay.

16 So if we -- remember, I can't add, so you're going  
17 to help me in the audience. Are you ready for this? And  
18 multiply. How many trucks can you use for transportation? And  
19 I informed you my dad was a long-haul truck driver. How many  
10:48AM 20 trucks can you put on the road?

21 MR. PRICE: Right now I have a commitment for 240.

22 THE COURT: Trucks?

23 MR. PRICE: Trucks.

24 THE COURT: Okay. On each truck, I'm going to call  
10:48AM 25 one of these units of 70 bedrooms holding 140 people -- what do

1 you want to call this?

2 MR. PRICE: That's a facility.

3 THE COURT: A facility.

4 So I want to just take 40 trucks. And would  
10:48AM 5 somebody multiply for me in the audience 40 times 140 and tell  
6 me what the answer is.

7 UNIDENTIFIED SPEAKER: 5,600.

8 THE COURT: 5,600.

9 Now, when the Saudis got in a fight with Russia over  
10:49AM 10 oil prices -- if you're not broke by now, something's wrong --  
11 but it went down into the 50s, and now if you check, it's in  
12 the high 30s or low 20s. He's having to stash these up in  
13 Canada probably.

14 So you say you're selling at cost, I don't know.  
10:49AM 15 Check it out. Not in favor or disfavor, but if that's the  
16 case --

17 Eddie, start flipping up the first photo of what one  
18 of these looks like.

19 Without the bureaucracy of well-intentioned permits  
10:49AM 20 and going into offices, if you put 40 trucks on the road, Ken,  
21 how quick could you have them here?

22 MR. PRICE: We've worked it out for the 70-bed  
23 facility --

24 THE COURT: Not set up. Just how soon can you get  
10:49AM 25 to the outskirts of L.A.?

1 MR. PRICE: A little less than a week.

2 THE COURT: Okay. Let's say eight days to be sure,  
3 a little more. As we put up these pictures --

4 And blow that up, Eddie, if you can.

10:50AM 5 Let's go to the interior of what one of these looks  
6 like. Because, folks, I'll represent I haven't seen these in  
7 person. I'm only giving you alternatives about adding to a  
8 supply, if we can add to the supply, and then getting a cost  
9 figure and seeing if we can beat that cost figure or negotiate  
10:50AM 10 it or do something else as an alternative instead of what are  
11 we going to do next. So all I'm doing is laying out for you a  
12 possibility that I don't necessarily subscribe to.

13 Let's just start with 40 trucks; right? Eight days.  
14 5,600 -- what do we call them? Bedrooms?

10:50AM 15 UNIDENTIFIED SPEAKER: Facilities.

16 THE COURT: Facilities? Well, whatever they are.  
17 Is that 5,600 if I double-bunk those rooms?

18 MR. PRICE: We're looking at -- right now I think we  
19 have nine facilities on the offer. The first unit is the  
10:51AM 20 70-bed complex.

21 THE COURT: Right. We're right here.

22 MR. PRICE: And that we can have --

23 THE COURT: 140 capacity.

24 MR. PRICE: That we can have here and operational in  
10:51AM 25 three weeks.

1 THE COURT: So if we -- now, not operational because  
2 the City is about to help you. Part of the problem with  
3 operation is are these the four units that operate off of a  
4 septic tank where we don't have to hook into a main sewer line,  
10:51AM 5 and that's 640 you can supply that I know about? Or are these  
6 units that we have to hook into a sewer line?

7 MR. PRICE: This unit is built to connect into the  
8 local utilities.

9 THE COURT: Okay. In a sewer line or electricity.  
10:51AM 10 So the question would become for the mayor and the City, where  
11 do they go and how many do you want, if you even want these?  
12 And how do we shorten that permit process and do it as the City  
13 of Santa Ana just did it, that is, put an inspector onsite with  
14 these and sign off as we go, because every time we had to go  
10:52AM 15 back to the office in my cities in Orange County, it took a  
16 long time because folks were doing what they were supposed to  
17 be doing. But when we got them out in the street, we were able  
18 to build shelters in 28 days. Okay?

19 How many of these do you have?

10:52AM 20 MR. PRICE: Right now I've set aside for Paul 20,000  
21 beds.

22 THE COURT: How many do you and Paul have under  
23 contract that he's trying to tie you up with?

24 MR. LEON: 4,000.

10:52AM 25 THE COURT: 4,000. So if I had a population in

1 Los Angeles, according to "Los Angeles Times" -- and who's here  
2 from the "Times"? Anybody? Yeah. So you wrote in yesterday's  
3 article 38- to 37,000 homeless people in Los Angeles. That's  
4 what you said. I'll read it to you. And if I took 60 percent  
10:53AM 5 of that, what's that?

6 UNIDENTIFIED SPEAKER: I'm sorry?

7 THE COURT: What's 60 percent of 37,000?

8 UNIDENTIFIED SPEAKER: I didn't write it.

9 THE COURT: How much? 25,000. 25,000. So at  
10:53AM 10 60 percent, you've already got 4,000, and you have it under  
11 contract.

12 MR. LEON: For Orange County.

13 THE COURT: For Orange County, right. But I might  
14 be asking you -- well, we'll see. You got it under contract;  
10:53AM 15 right? Yeah, show me the money. Put up your contract for me.

16 MR. LEON: We actually don't own it, but we have the  
17 purchase agreements.

18 THE COURT: You agree? You've got a purchase  
19 agreement?

10:53AM 20 MR. PRICE: We have a purchase agreement.

21 THE COURT: So I won't have to do the drama of  
22 putting up the contract. We can believe that. Okay.

23 Now, that's going to leave -- what's your capacity  
24 here? You said 20,000?

10:53AM 25 MR. PRICE: We have set aside 20-.

1 THE COURT: 20,000?

2 MR. PRICE: Since this hit, we're getting demands  
3 from all across the country now.

4 THE COURT: Exactly. So if you're going to jump on  
10:54AM 5 this, you better jump on it if it's being true to cost, because  
6 otherwise, in our discussion with the mayors last night, we're  
7 quite willing to ship them right up to Oakland as we dawdle and  
8 discuss this and try to get perfect instead of good.

9 Because my input to the governor and staff last  
10:54AM 10 night was as follows: If we can't absorb them here in  
11 Los Angeles with a need, we're not going to wait for  
12 Los Angeles. We're going to get them up to Oakland, et cetera.  
13 So you got first opportunity or nonopportunity. And the longer  
14 you take -- and by the way, it's okay to reject it. In other  
10:54AM 15 words, if it doesn't fit, just tell me no and let somebody else  
16 take a shot at it. But you have got about 24 hours to make up  
17 your mind. And we're going to do that today. Back to your  
18 office. And I'm going to stay here until I get it. Fair  
19 enough?

10:54AM 20 Now, Eddie, what are my court hours?

21 MR. NUGENT: We've been on the record until 1:30 in  
22 the morning.

23 THE COURT: 1:30 in the morning, no problem. I'll  
24 just sit here.

10:55AM 25 So I believe that we're collaborative, but I also

1 believe that when we get back to our offices, we have got a  
2 thousand things to do. And just tell me you don't want them.  
3 Because 13 other mayors were on the line last night, right,  
4 Miguel? Miguel's gone. Yeah. But, Joe, et cetera, and other  
10:55AM 5 folks. Kevin, you said you wanted some. Come on up for a  
6 moment. Kevin, come on up. Don't be shy. How many you want?  
7 If the price is right.

8 MR. DE LEON: We'll negotiate. One thing I want to  
9 make sure it's clear, these are not just beds. When these  
10:55AM 10 facilities drop in, you have a full commercial kitchen. We  
11 have one complex that is 330 beds. It has a full commercial  
12 kitchen that will serve breakfast, lunch, and dinner for over  
13 700 people a day.

14 THE COURT: Eddie, show them the kitchen.  
10:56AM 15 Now, remember, this may be pie in the sky. Okay?  
16 Just tell me what else you got going that's better, or even  
17 less better, whatever that means, that you think is acceptable.

18 MR. DE LEON: These all have laundry facilities.  
19 They all have dining halls. They all have commissaries. We  
10:56AM 20 have meeting rooms. We have treatment rooms. We have  
21 examination rooms. We have boardrooms. We have fitness  
22 centers that can work as rehab centers.

23 THE COURT: So for the mayor, the Board, we  
24 obviously have an opportunity far beyond homelessness. We  
10:56AM 25 actually have an opportunity in this crisis to set up, if you

1 will, intake centers and isolation centers in the same module.  
2 Now that's a lot different than a motel room that we're putting  
3 folks in and asking a doctor to go to.

4 And the question is how fast in talking to City  
10:57AM 5 Manager Rick from Santa Monica yesterday, he said, "Watch out,  
6 Judge, because we may not be able to sequence these fast  
7 enough." And if we can't sequence these fast enough, then I  
8 think that there's a general agreement that we don't want to  
9 wait while they sit there for a period of time because then  
10:57AM 10 another city can use them.

11 So my last question is I want to do some fancy  
12 calculations, okay. I calculated that 140 into 1.9 million is  
13 how much? Would somebody calculate that for me in the  
14 audience?

10:57AM 15 "L.A. Times," you're doing real well. How much?

16 UNIDENTIFIED SPEAKER: It's about 13.5, Judge.

17 THE COURT: I would know the answer, but we'll see  
18 how he does. 13,500. Okay. Good.

19 All right. 13,500 to serve one homeless person in a  
10:57AM 20 two-person separated --

21 I'll be right with you, I promise you.

22 -- separated unit. So you don't have to worry about  
23 whether there's 10 or 50 as the CDC gives direction to us. And  
24 they haven't given direction yet.

10:58AM 25 Hold on, I'll get to you. But if I let you in, I

1 let everybody in. So hold on.

2 Now take what's the cost of 27,000 units or -- or  
3 27,000 people on the streets of Los Angeles? In other words,  
4 if you supplied 60 percent of the 37- or 38,000, I want  
10:58AM 5 everybody in this room to come up with a bottom-line number  
6 that should scare the heck out of us.

7 MS. SOBEL: The current budget, it is around 50  
8 million just for the cleanups.

9 THE COURT: Okay. Just hold on. I just want to  
10:58AM 10 know what these units are going to cost for a moment. Come on.

11 UNIDENTIFIED SPEAKER: 350 million.

12 UNIDENTIFIED SPEAKER: 350 million, Your Honor.

13 THE COURT: 350. Do it again. Remember, we're  
14 double-bunking. So really, one module of 70 is 140; right? So  
10:59AM 15 how many modules do we need? 140 into 27,000, let's say,  
16 times -- and we'll take the smaller modules because they get  
17 less expensive, the larger modules --

18 And you've got much larger modules; right?

19 UNIDENTIFIED SPEAKER: Up to 1800 beds.

10:59AM 20 THE COURT: So let's get the worst figure possible.  
21 Do it one more time. You may be right.

22 UNIDENTIFIED SPEAKER: It's around 340 million.

23 THE COURT: Okay. 340 million. That's our bottom  
24 line with other costs, of course, with hookup. Now that's a  
11:00AM 25 scary number, but at least it's a number to work with; right?

1 That's a number to decide if there's a more quicker -- if  
2 there's a quicker, more economical, more humane way. But  
3 eventually, you're going to go to some kind of transitional or  
4 long-term supportive housing. And what I'm suggesting is this  
11:00AM 5 may be the jump right now with the crisis that gets you into  
6 one bedroom, two people per bedroom, et cetera. But law  
7 enforcement's here and I'd like to speak to LAPD.

8 UNIDENTIFIED SPEAKER: Chief Moore is here.

9 THE COURT: Chief, thank you. The first concern  
11:00AM 10 would be, Chief, hey, why am I putting a bunch of folks into a  
11 room where I can't see them? I can't see them. Because I've  
12 got these folks coming in and some are using narcotics who want  
13 shelter. And so at least in our part of the world, we were  
14 putting them into larger rooms for supervision until they gave  
11:01AM 15 us some degree of, let's say, of getting off of narcotics for  
16 those who were on narcotics or psychiatric issues.

17 So our experience was we put you into a little bit  
18 larger facility, or tried to, and then you kind of earned your  
19 way out because law enforcement couldn't see unless they were  
11:01AM 20 in more of a dormitory style. And we don't know if we're going  
21 to 10 or 50 yet. CDC hasn't told us that yet.

22 And, number two, you've got a tough call to make,  
23 and I really respect you, and that is, do you even want these  
24 folks in jail if they're loitering, et cetera, or they're going  
11:01AM 25 to carry the Coronavirus in, and my guess is that's the last

1 thing you want to do.

2 CHIEF MOORE: Well, Your Honor, thank you for the  
3 opportunity to appear before you. And I appreciate your energy  
4 and even more importantly your authority on this critical  
11:01AM 5 issue. This is an organization as a local government that is  
6 trying to work feverishly to provide needed services for  
7 individuals that are in -- terribly at risk, and this pandemic  
8 is only amplifying the crisis that we have before us. And  
9 frankly, this is also an organization of County and City  
11:02AM 10 officials that have worked tirelessly in order to get through  
11 red tape and bureaucracy and seemingly endless counts of  
12 obstacles.

13 And I'm -- it's my hope by being here today that I'm  
14 witnessing an opportunity to break through that, and that  
11:02AM 15 you'll have the authority and the ability to actually allow us  
16 to work in a common-sense manner that can provide shelter for  
17 those that are in need as well as care and treatment for people  
18 who are experiencing mental health crises, substance abuse  
19 problems, and that the complexity of this is not simply the  
11:02AM 20 establishment of a large shelter or individual beds. But the  
21 real care of this is not the construction of the units, but  
22 also the augmenting it with staffing that can provide.

23 The worst-case scenario is a barrack setting with  
24 law enforcement on gun post, looking at this population as if  
11:03AM 25 it's somehow an offender or somehow the enemy. The best-case

1 scenario is mental health workers, medical personnel, outreach  
2 and engagement of social workers that are present 24/7, 365.  
3 That has been a challenge for this region and it is across  
4 America.

11:03AM 5 So I look forward to you working with us in this  
6 coalition, working in support of our joint endeavor here, which  
7 is to provide affordable, realistic, resilient housing  
8 immediately for people who are in crisis because they're in an  
9 environment in a public setting that exposes them to this  
11:03AM 10 Coronavirus as only the latest chapter of the risk to their  
11 safety and their welfare.

12 And so, secondly, as is perhaps is a moment that can  
13 transition us into a more lasting solution, I -- we all share  
14 that ambition. But as law enforcement, what I would first ask  
11:03AM 15 is that we find the means to build and locate and establish  
16 immediate shelters so that we have ample opportunity for people  
17 who are willing or able to provide, then to take advantage of  
18 that shelter.

19 THE COURT: Absolutely. In other words, let's get  
11:04AM 20 folks under shelter as quickly as possible, supervise them as  
21 best we can.

22 Okay. A couple things. This won't work unless it  
23 works for law enforcement. It's just as simple as that. And  
24 historically, when I started, the cities wanted to sweep the  
11:04AM 25 City from a law enforcement perspective, but we didn't have the

1 same kind of help, impetus, and push. I don't think people  
2 really cared about that as much in the community. That's  
3 transitioning now because the community is terrified of this  
4 COVID-19. So health has really risen to the top of the ladder.

11:04AM 5 I want you to tell me and educate me what the best  
6 scenario for law enforcement is and repeat that to me. So if  
7 we were going down, let's say, Broadway, and we were cleaning  
8 encampments and we just started -- I mean, street to street --  
9 you took in a thousand people, tell me the module that you'd  
11:05AM 10 like that initial thousand people, what that module would look  
11 like for you.

12 CHIEF MOORE: Well, the worst-case scenario is the  
13 one you just described. The clearing of streets by law  
14 enforcement in Los Angeles would, in my view, as a professional  
11:05AM 15 of nearly four decades of service, lose the very trust of the  
16 community in which we're attempting to maintain.

17 THE COURT: Everybody hear that?

18 Now, here's what I got from the governor's office.  
19 They're right on board. They're expecting that they may get  
11:05AM 20 from CDC as of 10:00 o'clock last night in the conversation,  
21 "Hey, hold these encampments in place because the scattering is  
22 going to cause chaos and mayhem. And, Judge, what do you think  
23 about that?"

24 I said, well, I would never interfere with the input  
11:05AM 25 of a professional like CDC, but why aren't we increasing, then,

1 the health of these people in that very area by supplying these  
2 tents or trailers or whatever you decide because they're not  
3 social distancing themselves now, Chief, they're all rubbing  
4 elbows and using subway and I don't care about our social  
11:06AM 5 distancing. It's just not going to work in the gate-guarded  
6 communities even. So I'm right on board with you.

7 CHIEF MOORE: So we join with you, the -- the  
8 sheltering system, the 13 that are being established starting  
9 tomorrow as part of a 42 overall outreach effort will also have  
11:06AM 10 challenges in regards to social distancing. And I do not  
11 intend for LAPD to be the enforcers of social distancing.  
12 We're not carrying tape measures around nor do we expect to use  
13 them.

14 THE COURT: Listen closely as we discuss these  
11:06AM 15 trailers or tents today from your perspective. And jump in at  
16 any time because this must work for law enforcement in the  
17 community and the citizens. Because although we're focusing on  
18 homelessness, it's really the whole community. Okay?

19 UNIDENTIFIED SPEAKER: Yes.

11:07AM 20 THE COURT: Any input, just step forward. All  
21 right?

22 Okay, Ken, we're almost done. So there's your price  
23 tag. Are you going to flimflam us and negotiate and drive that  
24 price up or are you going to hold your word --

11:07AM 25 CHIEF MOORE: Excuse me, Your Honor. I'm going to

1 excuse myself.

2 THE COURT: -- to that cost?

3 CHIEF MOORE: Your Honor, absent other direction or  
4 desire, I'm going to excuse myself. I do have staff here --

11:07AM 5 THE COURT: Excellent.

6 CHIEF MOORE: -- that will continue to monitor this  
7 and be a party to our efforts.

8 THE COURT: And by the way, you'll have my phone  
9 number.

11:07AM 10 CHIEF MOORE: Very good, sir.

11 THE COURT: And I'll reach out.

12 So Ken, here, now we're going to test you. I get  
13 input as of two days ago that we're going to go with cost.  
14 You're going to stay with cost?

11:07AM 15 MR. PRICE: Yes.

16 THE COURT: Okay. There's the commitment. He's not  
17 going to flimflam you or raise it. Those were the numbers that  
18 we were given. Take it or leave it or take a portion of it,  
19 but please let the governor, let me, and let other people know  
11:07AM 20 what our needs are in Los Angeles. And please let us work

21 together from the City perspective if we can sequence these in,  
22 if you want some of these, Kevin, quickly enough so that we're  
23 not wasting time by either finding professionals who we don't  
24 have to get in here, because then let's get some up to Oakland

11:08AM 25 and help the governor. Okay? Let's not let them sit for six

1 months.

2 Now, anybody in the audience, this is -- come on  
3 down. You tell me and give me a better price for units of this  
4 type.

11:08AM 5 MS. SOBEL: I have a question.

6 THE COURT: Okay. Now, hang on, Carol, I promise  
7 you you'll have all day and night. I want to hear from the  
8 audience. I want to even hear from the press. You guys are  
9 covering this, and gals. Give me a better price.

11:08AM 10 Okay. Then either go with trailers or they come  
11 back with some alternative or cheaper solution. Tell me why  
12 it's better. Tell me why hotel rooms are going to work. While  
13 they might in the interim, how in the heck are we going to  
14 eventually service those hotel rooms with professionals going  
11:08AM 15 place to place? And aren't we wasting money in the long run by  
16 not having transitional and long-term supportive centers that  
17 we need anyway? So for God's sake, if the governor's helpful  
18 and going to give away money, and if President Trump -- can  
19 somebody get him on the line? No, call Joe Grogan. I tried  
11:09AM 20 this morning. I'm not kidding you. Call him. Then if they're  
21 serious about this, then let's take advantage of this god-awful  
22 situation and do something.

23 So, Ken, I'm going to come back to you. Anything  
24 else you want to say? Because you got about 30 more seconds.

11:09AM 25 You did great.

1 MR. PRICE: Oh, I just think this is a full-service  
2 offering. So you're not just throwing people into beds, you're  
3 getting them fed, you're making them secure, you're getting  
4 them treatment all on-site. So this is a total solution, not  
11:09AM 5 just a throw-them-in-a-bed solution.

6 UNIDENTIFIED SPEAKER: Ken, what's your last name?

7 MR. PRICE: Price.

8 THE COURT: Okay. Paul.

9 And by the way, we've got lots of photos. I'm  
11:09AM 10 not -- trust me, I'm going to remain a judge for the rest of my  
11 life. I don't care if you take it or not. Just give me a  
12 better alternative that works better for Los Angeles. Ears  
13 open.

14 Carol, you had one question?

11:10AM 15 MS. SOBEL: One question. Can we tell what the  
16 square footage of each unit is?

17 MR. LEON: Yes. We have that. We've got it. We  
18 have the footprint.

19 But I want to just clarify, Judge, that we're the  
11:10AM 20 service providers. So although Ken seems like a nice guy, we  
21 said this is the price. We've got to show its at cost because  
22 we have contracts with DHS, L.A. Care, Orange County Health  
23 Care Agency. We're already at the front line and our beds  
24 are -- DHS cleared some out because they're going to bring some  
11:10AM 25 other people to our recuperative cares, but we've already been

1 in contact with hospitals. We anticipate by the weekend  
2 they're going to be full.

3 And I used to be a critical care director at  
4 Saddleback and Orange County. I already know their biggest  
11:10AM 5 need right now is to clear the people that are healthy. And  
6 this could be an option. LifeArk could be an option. Because  
7 this is going to be for months, to clear the hospital so then  
8 they can really use their ICU beds. So far we've sent about 50  
9 people that we deemed -- and remember, we're medical  
11:11AM 10 personnel -- that we deemed are significant. They met the  
11 criteria. And probably about 40 of them came back roughly as  
12 nonCOVID-19. So it's just a huge problem we're going to have  
13 continuing forward.

14 And as a provider, we're seeing both those as the  
11:11AM 15 immediate answer to -- that we really need. We're telling as a  
16 provider that not only can we use them now moving forward,  
17 December, January next year, we would have needed similar units  
18 like this to house, you know, roughly, give or take, 16,000 in  
19 L.A. and about 10,000 in Orange County. So --

11:12AM 20 THE COURT: Thank you very much. In fact, there are  
21 schematics of the space, et cetera. Remember, I don't care if  
22 you accept these or reject them. Just make a decision, and  
23 then let's move on, if you want some of these or not.

24 So now I want to turn to Nury Martinez. You're the  
11:12AM 25 council president. It's a pleasure. I wanted to --

1 And thank you for letting me get that presentation  
2 on.

3 Let me turn to you.

4 MS. MARTINEZ: Thank you very much, Judge. One  
11:12AM 5 thing about me, and I hope through this whole process you and I  
6 can become friends, I don't mince words and I'm very direct in  
7 terms of not only what I believe the leadership of this council  
8 is trying to do with this homeless crisis, but also to give you  
9 an indication of how our neighborhoods and our communities are  
11:12AM 10 heavily impacted by this crisis that's been going over the last  
11 couple of years.

12 And so for me, I think the mayor has already covered  
13 what the City is doing. These -- two days ago when we had a  
14 council meeting, we appropriated \$20 million for our COVID-19  
11:13AM 15 crisis. Over the last couple of years through the commitment  
16 of this council and the voters of the City, we voted on  
17 Measure HHH, which you are well aware about, and we have now --  
18 our goal is to build almost 10,000 units of housing. I want to  
19 say that 10 out of the 15 council districts have already met,  
11:13AM 20 if not exceeded the 222 pledge, which basically we took 10,000  
21 units of housing, divided it by 15, and that was our pledge to  
22 at least build 222 units of housing in each council district.

23 I am adamant -- and I don't mince words -- I am  
24 adamant that all communities need to provide a homeless  
11:13AM 25 solution. Historically, some parts of our city have not shared

1 the same responsibility and we are overwhelmed. Particularly,  
2 those communities or districts -- communities of color and  
3 districts that -- who have historically have had to deal with  
4 environmental justice issues. Basically, every and any other  
11:14AM 5 facility that no one else wanted in the City, it gets built in  
6 these communities. So if we are going to do this, we need to  
7 do it fair and we need to do it equitable for everyone to share  
8 in the responsibility.

9 We are in an era of NIMBYism, and I have to say that  
11:14AM 10 my colleagues on the City Council have dealt with opposition,  
11 with community pushback, and they have stood up to some of  
12 those oppositions and moved forward with some of these  
13 permanent supporting housing projects and their district. That  
14 needs to be recognized. We need to do more of that and we need  
11:14AM 15 to ensure that as a city, we're committed to doing this and  
16 sharing the responsibility of solving this crisis. You know,  
17 it's a decent thing to do and we're up to the obligations to  
18 make sure that we fulfill those commitments.

19 THE COURT: I want to thank you. And that equitable  
11:14AM 20 responsibility is critical. No community can feel that they're  
21 being disproportionately harmed. By the same token, if  
22 everybody does whatever they've got there, then if one  
23 community has more, that's the problem. If another community  
24 has less, that may be good for that community. But unless they  
11:15AM 25 cooperate, there's going to be an unintended consequence of

1 migration for some of these communities who so far have felt  
2 relatively distant, and we're seeing that in some portions of  
3 Orange County where there's been an influx towards our beaches  
4 and some other locations that have been unintended by some of  
11:15AM 5 those communities that didn't step up as quickly, let's say, as  
6 others.

7 MS. MARTINEZ: That's correct.

8 THE COURT: And so I want to thank you.

9 I want to turn really quickly to The Salvation Army.

11:15AM 10 MS. MARTINEZ: One more thing, Judge, if I may. I  
11 know that Chief Terrazas is also here in the audience --

12 THE COURT: Oh, thank you.

13 MS. MARTINEZ: -- from our fire department. They  
14 need to get back to deal with our Coronavirus crisis --

11:15AM 15 THE COURT: Chief, I want to recognize you --

16 MS. MARTINEZ: -- so I want to recognize him if he  
17 has anything.

18 Chief, do you want to come up? Because I know our  
19 first responders are heavily being impacted by this crisis, and  
11:16AM 20 I want to recognize him and give him the ability to be able to  
21 go back to work because I know you have a full plate.

22 THE COURT: Chief, we're getting you back to work  
23 right now.

24 MS. MARTINEZ: Thank you, sir.

11:16AM 25 CHIEF TERRAZAS: Thank you, President Martinez.

1 Thank you, Your Honor, for allowing me to be here.

2 I think public safety has an important role in this  
3 whole effort. Just to give you an idea of the numbers that we  
4 deal with on a regular basis, we run 1350 emergency incidents  
11:16AM 5 every 24 hours in the City of Los Angeles. Of that 1350, about  
6 11 percent is to our homeless population. We transport about  
7 600 people to the hospital every 24 hours. Of that number, we  
8 transport about 14 percent of our homeless population to the  
9 hospitals.

11:16AM 10 I think bringing the homeless into shelters is going  
11 to help us. They're going to be protected from the elements.  
12 They're going to be congregated together instead of spread out  
13 throughout the city. And we should have a healthcare component  
14 on-site at these shelters so we can catch these issues, these  
11:17AM 15 medical emergencies while they're still minor. So we're here  
16 to do whatever is necessary to support the effort.

17 THE COURT: And we're going to extend that courtesy  
18 back from the bench. I don't want you to be chilled. I think  
19 you're the first responders and it's amazing that I'm capable  
11:17AM 20 of social distancing. I'm privileged and lucky and fortunate,  
21 but that homeless population isn't. And guess who's responding  
22 to it?

23 CHIEF TERRAZAS: We are, Your Honor.

24 THE COURT: Yeah, just like the military, you're  
11:17AM 25 right on the front line.

1 CHIEF TERRAZAS: Yes, sir.

2 THE COURT: And so, you know, anything that we can  
3 do, you've got that pledge right back. We're not going to be  
4 an obstacle. We're going to give you hopefully a parameter so  
11:17AM 5 the plaintiffs and defendants here can operate in good faith  
6 within that parameter, and you get the necessary nonimpediment  
7 and nonchilling effect just immediately. Okay. And the same  
8 thing to the police chief.

9 But I want to follow with Kevin De Leon for just a  
11:17AM 10 moment because he's got a -- and I apologize to The Salvation  
11 Army because he's got the most impacted area, which you  
12 commonly refer to as Skid Row. So Kevin?

13 CHIEF TERRAZAS: Yes, sir. Am I excused,  
14 Your Honor, or would you like me to --

11:18AM 15 THE COURT: Listen. A long time ago. I humbly  
16 can't thank you enough. You've got really important things to  
17 do. Let me hammer this out with the plaintiffs and defendants  
18 later tonight.

19 CHIEF TERRAZAS: Yes, sir.

11:18AM 20 THE COURT: And phone's open, okay?

21 CHIEF TERRAZAS: Thank you very much.

22 THE COURT: Pleasure.

23 CHIEF TERRAZAS: Thank you.

24 MR. DE LEON: Thank you very much, Judge David  
11:18AM 25 Carter, Judge Birotte, as well as the fellow judges here

1 present today, I want to thank everyone who's had the  
2 opportunity to present to you.

3 Judge Carter, it was indeed an honor and pleasure,  
4 quite a kick, actually, a few years ago to work with you and  
11:18AM 5 the dilemma in Orange County with regards to the housing  
6 homeless crisis. But it was a real honor -- it was a real  
7 honor, once again, to touch base with you again.

8 I am a senate president emeritus of the California  
9 State Senate. I am an aspirant to say that hopefully sometime  
11:19AM 10 soon within the next few weeks I can call myself council  
11 member-elect of CD 14. And CD 14 is also the epicenter of the  
12 homelessness crisis not in the City of Los Angeles, but  
13 actually in the United States of America. There's not one city  
14 in America that can claim the most number of unhoused  
11:19AM 15 individuals, any particular geographical area, than Skid Row  
16 specifically in CD 14. If we walk out this U.S. federal  
17 building, this beautiful brand-new federal building, just down  
18 the street past Little Tokyo, we will be in Skid Row, and it's  
19 unlike anything we have ever seen there. In fact, let me say  
11:19AM 20 this --

21 THE COURT: In fact, you're going to take me down  
22 there, aren't you?

23 MR. DE LEON: We're going to go together.

24 THE COURT: That's right.

11:19AM 25 MR. DE LEON: And you said you wanted to go at 4:00

1 or 5:00 in the morning, so...

2 Let me say that a few months ago I took some family  
3 members down to Skid Row purposefully. And as we were driving,  
4 my family members said, who are not from Los Angeles --

11:20AM 5 **(Speaking in Spanish.)**

6 "This cannot be. This is incredible. This is the  
7 City of Los Angeles." Which to another relative in the van  
8 said --

9 **(Speaking in Spanish.)**

11:20AM 10 "This looks like the third world."

11 To another family member corrected that family  
12 member and said, "That's an insult to Third World nations to  
13 say something like this. In one of the wealthiest cities,  
14 clearly in the wealthiest state, in the wealthiest nation in  
11:20AM 15 the world, obviously, this leaves an indelible mark of shame  
16 and it wounds our civic pride as Angelenos, as Californians,  
17 and as Americans. And I think as Kathy Barger, who just said a  
18 few moments ago before she left, "This is all hands on deck."

19 I appreciate our great mayor, Eric Garcetti, who I  
11:20AM 20 know him and his staff have been on this 24/7 as well as our  
21 new council president, Nury Martinez. And before I want to  
22 just share a few -- just a couple minutes, but I do want to  
23 emphasize what Council President Nury Martinez just mentioned a  
24 few moments ago.

11:21AM 25 This is about equity. And those communities that

1 have been disproportionately impacted by poverty, lack of  
2 parks, lack of open space, a dearth of supermarkets, fresh  
3 food, freeways, deep-entrenched poverty, gentrification  
4 displacement, these communities also to -- through Council  
11:21AM 5 President Nury Martinez's comments have to be treated through  
6 the lens of equity, and how we distribute this issue throughout  
7 the City and County of Los Angeles. So therefore, I say it is  
8 all hands on deck.

9 Let me say the following, Judge Carter, is one is --  
11:21AM 10 and I think it was mentioned here a few moments ago. This is  
11 about leadership and accountability. And the reason why I say  
12 leadership and accountability is that taxpayer dollars are  
13 finite. HHH, I'm the author of "No Place Like Home." That's  
14 \$2 billion that are coming down the pipeline to build permanent  
11:22AM 15 housing solutions. Those are finite dollars.

16 It is ultimately up to the citizens of the City, the  
17 County, and the state of California to make that determination  
18 if, in fact, they'll continue to fund housing programs. We  
19 need value to get volume because the crisis that we have. You  
11:22AM 20 cannot have extraordinary amounts of dollars being spent,  
21 therefore, politically, you have an electorate saying if we're  
22 spending 500-, 600-, \$700,000 per unit on permanent housing  
23 solutions, I can't afford to purchase with a great FICO score  
24 with any capital to put down as a down payment to get into a  
11:22AM 25 condominium or a townhouse.

1           So you run the risk of alienating the electorate.  
2       Because as mayors know, as our great council member Nury  
3       Martinez, and our Mayor Eric Garcetti knows, budgets are tied  
4       up for fire and police, Department of Transportation, city  
11:23AM 5       parks, after-school programs, and so forth. So your wiggle  
6       room is limited to nonexistent. Therefore, you have to go to  
7       the electorate to ask for money, whether it's a government  
8       bond, whether it's an enhancement on a tax revenue.

9           And if the electorate themselves are saying, "I'm  
11:23AM 10       done, that's it," then we're going to be in a heap of trouble,  
11       even more so, than the current situation today.

12           I would differ with regards to the chief when he  
13       said -- when he described the worst-case scenario. The  
14       worst-case scenario is what is happening today present in  
11:23AM 15       realtime. That is the worst-case scenario. We have tens of  
16       thousands of men and women, increasingly children, who are  
17       living on our streets every single night.

18           To that, I want to say the following: The question  
19       is, can we build what I authored, Senate Bill 100 RPS,  
11:24AM 20       Renewable Portfolio Standard, which clearly says to utility  
21       companies you must by a certain year have X amount procurement  
22       of renewable energy. I think for leadership and  
23       accountability, and to have the teeth that's built in, city  
24       governments throughout California, especially in Southern  
11:24AM 25       California, have to have a legal mandate. We will build X

1 amount of housing units, and the question is by when.

2 THE COURT: By when. Okay.

3 MR. DE LEON: How many units and by when which is  
4 absolutely critical. Because if we don't have the legal teeth,  
11:24AM 5 then we'll be in litigation after litigation after litigation.  
6 The *Boise* decision, the *Mitchell* decision, all of these  
7 lawsuits that are coming down the pipeline today right now. If  
8 we're all hands on deck by using the money that we have today  
9 in the most prudent manner, we can resolve this crisis.

11:24AM 10 THE COURT: And let me share something with you.  
11 One of the best things that's happened through the settlements  
12 and the consent decrees with the 21 cities is that in 18  
13 months, we've had two issues that were resolved by Judge Smith  
14 that took 15 to 30 minutes each. And that wasn't necessarily  
11:25AM 15 satisfactory to all parties, but we have absolutely flattened  
16 the litigation. That is money that you can be spending that  
17 normally goes out for litigation purposes that's devastating  
18 and, quite frankly, could be better spent in other ways.

19 So that's one of the good things. Maybe a city  
11:25AM 20 attorney or law firm might not be as appreciative of that, but  
21 we have flattened the litigation in our part of the world. And  
22 it's caused two things, our ability to move forward.

23 Kevin, hypothetically, I'm going to offer you 4,000  
24 trailers.

11:25AM 25 MR. DE LEON: I will say this --

1 THE COURT: No, hold on. Hypothetically, I want you  
2 to walk me through that. How are you going to get the permits?  
3 How are you going to hook them up? And how long would it --  
4 and you don't have these answers yet, so you don't have to  
11:25AM 5 respond today, but are you interested?

6 MR. DE LEON: I am absolutely interested. I don't  
7 have the legal or political authority to accept these units,  
8 but I do have the moral authority as a constituent of CD 14 and  
9 as a constituent --

11:26AM 10 THE COURT: So if we can get them here  
11 hypothetically in seven days and without the City's help, if it  
12 took 30, 60, 90 days to hook up, but hypothetically, if my dad  
13 were still alive and he got in his long-haul rig and he drove  
14 down here -- see, he used to go from Portland to Detroit down  
11:26AM 15 to L.A. to deliver cars -- back to see mom and me, and made  
16 that circle. Okay? So North Dakota, no big deal.

17 All right. Now, you arrive with 4,000 units out  
18 here at the -- either the train station or you arrive -- if  
19 they're overland. I think it's become a real problem in terms  
11:26AM 20 of well-intended bureaucracy because we take it to an office,  
21 the person does a good job looking at it, but the one miracle  
22 that I saw with Michele Martinez in Santa Ana and Anaheim and  
23 the rest of these cities was they actually took that  
24 inspectorate and put it right on-site. And it didn't go to an  
11:27AM 25 office. They signed off as they went if it was appropriate.

1 And if not, they corrected it. That's the realtime action we  
2 need because this doesn't have to take 90 days.

3 And that's why I kind of rudely, and I apologize to  
4 Ken and Paul, cut them off when I said 90 days is too much.

11:27AM 5 Because we've talked about a much shorter period, if we get the  
6 cooperation of the City, because we watched it work before. So  
7 it's nothing new. We're not inventing something. We've just  
8 sat there and watched the time cut in two-thirds, just slashed.

9 MR. DE LEON: Well, I would say, Judge Carter, in  
11:27AM 10 that I think that city/local governments have to identify  
11 city-owned real estate portfolio assets that are  
12 underappreciated, undervalued, underused. So those are real  
13 estate locations where we can immediately --

14 THE COURT: Okay.

11:27AM 15 MR. DE LEON: -- find the housings. And  
16 specifically, I think when it comes to planning departments, we  
17 have to cut the red tape and roll out the red carpet.

18 THE COURT: I have to depend upon you to do that. I  
19 don't want to tell folks the date we're going out there. Call  
11:27AM 20 me at home again.

21 MR. DE LEON: I'll give you a call.

22 THE COURT: Okay. 4:30, 5:00, 5:00 o'clock, and  
23 we're out there; right?

24 MR. DE LEON: We'll do it together.

11:28AM 25 THE COURT: In a very short period. Because I don't

1 want the press with us or anybody else. We'll just quietly go  
2 out there.

3 MR. DE LEON: We'll go out there in cognito.

4 THE COURT: By the way, I used to be here in the  
11:28AM 5 Mexican Mafia case for two years so I used to run down through  
6 Skid Row every day. So I know it. I just want to relook at it  
7 again. I wasn't -- haven't been there for a while.

8 MR. DE LEON: Okay.

9 THE COURT: Kevin, thank you very much.

11:28AM 10 MR. DE LEON: Thank you very much.

11 THE COURT: Give me a call.

12 MR. DE LEON: Just one last -- I will take those  
13 units right there, as many as we can --

14 THE COURT: Okay.

11:28AM 15 MR. DE LEON: -- for CD 14 at least.

16 THE COURT: Okay. Then we'll work out the  
17 sequencing and stuff.

18 MR. DE LEON: Okay.

19 THE COURT: Fair enough, Kevin. Thanks a lot.

11:28AM 20 Okay. I want to call on Salvation Army for a  
21 moment. General, you've come down. I know you don't go by  
22 "general," I just promoted you. Thank you. Introduce yourself  
23 to the audience really quick, tell me your capacity, and then  
24 get back to the front line as a first responder.

11:28AM 25 COMMISSIONER HODDER: Thank you very much, Your

1 Honor. It's a privilege to appear before you today. My name  
2 is Commissioner Kenneth Hodder. I'm privileged to serve as the  
3 territorial commander for The Salvation Army USA Western  
4 Territory, all of its operations from the eastern border of  
11:28AM 5 Colorado to Guam and Saipan.

6 I'm accompanied today by Lieutenant Colonel John  
7 Chamness, who is the divisional commander for the California  
8 South Division, and by Captain Nursen Keyston (phonetic) with  
9 whom I know you had the opportunity to work when you were doing  
11:29AM 10 your fine work in Orange County.

11 Your Honor, as you know, The Salvation Army has been  
12 passionate about the issue of homelessness since its founding  
13 in 1865. We have 155 years of experience in this area. It is  
14 at the very core of what The Salvation Army does. In the last  
11:29AM 15 few years, of course, we've hit an explosion in this problem.  
16 We determined, therefore, last year that we were going to  
17 double our capacity to improve the lives of the homeless around  
18 the Western United States within five years.

19 THE COURT: Now, just a moment. My colleagues in  
11:29AM 20 Portland, Seattle, and San Francisco are very interested in  
21 what's happening in court today.

22 COMMISSIONER HODDER: Yes, sir.

23 THE COURT: So you're about to speak far beyond  
24 Los Angeles for a moment. There's a network of judges out  
11:29AM 25 there who want to be, let's say, helpful. And that may be best

1 in a collaborative sense, as long as it's within reason and the  
2 parties being involved, instead of you guessing what we're  
3 about to do a year from now. Can you add to this capacity?  
4 You've heard today some representations that were made, you've  
11:30AM 5 heard the issues and problems about sequencing, et cetera. Can  
6 you add to the capacity in Los Angeles? And if so, tell me  
7 how.

8 COMMISSIONER HODDER: Your Honor, within 24 hours,  
9 we can add 80,000 square feet of facility available in Bell for  
11:30AM 10 triage purposes. Within 24 hours under your direction, we'll  
11 have an additional 27 properties which are closed Salvation  
12 Army thrift stores. By instruction, I closed all of them  
13 yesterday and repurposed them for purposes of serving the  
14 homeless and those who are vulnerable in the Coronavirus  
11:30AM 15 crisis.

16 THE COURT: Okay. Repeat that very quickly. And  
17 then Mike and certainly our district attorney, Jackie, I'd like  
18 to call on you. I'll get you back on the front lines.

19 Okay. I want you to repeat that.

11:30AM 20 COMMISSIONER HODDER: Certainly, sir. Subject to  
21 appropriate governmental approvals and the necessary funding,  
22 we can make available 80,000 square feet in Bell for purposes  
23 of indoor sheltering, for isolation purposes, or for triage.  
24 In 24 hours, we can also make two of our camps available in the  
11:31AM 25 Calabasas area that will provide recuperative recovery care and

1 it will also provide isolation services for those who perhaps  
2 have already tested positive for Coronavirus, again, within 24  
3 hours.

4 We have more than 60 properties here in Los Angeles  
11:31AM 5 County that The Salvation Army will make available for any use  
6 that any municipality feels is most appropriate to respond to  
7 the crisis. We can have all of those ready in 24 hours. Store  
8 personnel that have been working in Salvation Army stores will  
9 be available to provide additional personnel.

11:31AM 10 THE COURT: So you're going to switch those out of  
11 the stores into the field?

12 COMMISSIONER HODDER: Yes, sir. We'll just bring  
13 them right in. And all of those facilities, sir, will be led  
14 by trained Salvation Army officers.

11:32AM 15 THE COURT: Okay. You've done an outstanding job in  
16 Anaheim, first, is where we've been working with you. And on  
17 every occasion, I want to pay a compliment to you. The  
18 homeless have actually come to believe that you're one of the  
19 premiere, if not primary programs, that they tend to stay in.  
11:32AM 20 And that's quite frankly because of some of your rules and  
21 rigidity, which they're not rejecting.

22 Now, I want to walk through this again. 80,000  
23 square feet. Give me specifics. Who do you need to talk to?  
24 What do you need? How do you get this up and running?

11:32AM 25 COMMISSIONER HODDER: We would like to work through

1 LAHSA so as to --

2 THE COURT: Hold on. Where's LAHSA?

3 UNIDENTIFIED SPEAKER: Right here.

4 THE COURT: Thank you. Come on up. LAHSA's coming  
11:32AM 5 up. There she is. Hold on. Have we have a chance to talk  
6 yet? And that's not fault finding because I want to see a big  
7 hug -- just kidding you. Get six feet apart.

8 COMMISSIONER HODDER: It's a pleasure to meet her  
9 this morning.

10 THE COURT: Well, there's no problem. That's why  
11 we're here. Say hi to each other.

12 COMMISSIONER HODDER: Good morning.

13 UNIDENTIFIED SPEAKER: Good morning.

14 THE COURT: Good. Now give each other your phone  
11:33AM 15 numbers. Write down your phone number. Write down your phone  
16 number for each other.

17 COMMISSIONER HODDER: We will, indeed.

18 THE COURT: Yeah, right now. Good. Now exchange  
19 the phone number. Now, hold on.

11:33AM 20 So we don't know when, but I would love to be able  
21 to go out and see these 80,000 feet, so would you and so would  
22 the public, although they can't go, operational; right.

23 COMMISSIONER HODDER: Yes, sir. At the present time  
24 on that site, we already have one of the largest shelters in  
11:33AM 25 L.A. County. The Bell --

1 THE COURT: I know about it. Harry Pregerson, I  
2 think, was involved.

3 COMMISSIONER HODDER: Yes, sir.

4 THE COURT: Yeah, he took me down there years ago  
11:33AM 5 and I wish Harry was with us now. He would be a fabulous  
6 asset.

7 Okay. I don't know what you have to do and I'm not  
8 going to take the time to hammer that out. But I would like to  
9 get back to you not in a huge setting like this, but on a phone  
11:33AM 10 call. Okay? If I could be of help, great. If I can't be of  
11 help, get me out of the way. In other words, you don't need a  
12 lookie-loo coming in and interfering with professionals.  
13 You're on the front line shooting bullets right now.

14 But by the same token, I'm going to be asking why  
11:34AM 15 that isn't up and running. And so I don't want to get into the  
16 particulars, I don't have time. I need my first responders  
17 back. But the next meeting will be why isn't this up and  
18 running? And I want names of why it's not. Okay? But today,  
19 we're all happy. Next time, I'm not sure we're happy. Okay.

11:34AM 20 Now, what else are you going to do for us? You've  
21 got 80,000 feet. I want to hear the next one.

22 COMMISSIONER HODDER: Next place, sir, would be the  
23 repurposing of all of our closed Salvation Army thrift stores.  
24 We will be ready to clear those out so as to make them  
11:34AM 25 available for --

1 THE COURT: Give me an idea of capacity. In other  
2 words, what am I talking about? Am I talking about a hundred  
3 people or am I talking about a thousand people? A rough  
4 guesstimate. And I'm not holding you to exactness, but tell  
11:34AM 5 Eric and his staff what kind of capacity we have out here in  
6 our communities.

7 COMMISSIONER HODDER: Each store would have  
8 approximately 12- to 15,000 square feet of area.

9 THE COURT: Wow. Time out. Now, if you made that  
11:34AM 10 available and I was in a smaller city like La Puente or  
11 Rosemead or hypothetically some city who might have come in,  
12 and I don't have any money and I heard that I could get a  
13 Salvation Army site that I formerly couldn't afford, then I  
14 need to go to somebody for provider services, because in the  
11:35AM 15 past our smaller cities are afraid to put in a building,  
16 because after they spend their 1 or 2 million -- right, Joe? --  
17 out in Whittier or 3 million, they have no guarantee of  
18 provider services, so they're searching for 1.5 or \$1.2 million  
19 each of the succeeding years. They can't get started.

11:35AM 20 If you could do that, the end result would be a lot  
21 of these cities would now cut their costs in half, and they  
22 just have to go back to whomever for provider services. I  
23 mean, that would be a huge benefit to kick start these for the  
24 cities because you're everywhere. I drop off stuff at  
11:35AM 25 Salvation Army a lot of times. So does my wife.

1           Okay. So how do we get these locations? How do we  
2 know at least in the Southern California area, let's just say  
3 Los Angeles, let's say the southern cities of Los Angeles or  
4 the valley, I don't care, how can we get these sites to LAHSA,  
11:36AM 5 and then how could we coordinate --

6           Where's Juan Garza? Juan?

7           -- how could we coordinate as the president of the  
8 League of Cities --

9           Come on up.

11:36AM 10           -- and how could we coordinate, Nury, through your  
11 agencies getting our cities, these individually scattered small  
12 cities who have a hard time, together with these potential  
13 sites that they're offering for free and maybe even some  
14 professional intake help because we're transitioning -- you  
11:36AM 15 know, Salvation Army, I mean, this -- if this worked, this  
16 would be a godsend. You'd have immediate structures up and  
17 ready to go with some kind of professional. Even if we don't  
18 have the nursing staff we need, it's better than what's  
19 happening now.

11:36AM 20           MS. MARTINEZ: Do you have a number of Salvation  
21 Army stores? How many are there? Do you know where they're  
22 located?

23           COMMISSIONER HODDER: In Los Angeles County we have  
24 17. In Orange County we have 10. We have approximately -- and  
11:36AM 25 speaking to those in Portland and Seattle, we have about

1 another 100 stores that would be available.

2 THE COURT: I'll be on the phone with my colleagues  
3 after this up in Portland and Seattle. But right now, 17 L.A.?

4 COMMISSIONER HODDER: 17 L.A.

11:37AM 5 THE COURT: And we can give those designations to  
6 Nury?

7 MS. MARTINEZ: 17 L.A. City or L.A. County?

8 COMMISSIONER HODDER: They're L.A. County.

9 THE COURT: That's why I've got Juan up here also on  
11:37AM 10 behalf of the cities. We need to find out where these are.  
11 And if we can really transition these into dropping off, you  
12 know, things for the folks and transition these, we'd have 17  
13 new locations.

14 I don't care whether we call it city or -- cities or  
11:37AM 15 the Downtown L.A. area, it's got to be a benefit to all of us  
16 in breaking down these barriers; right?

17 COMMISSIONER HODDER: Yes, sir.

18 THE COURT: Now, how do we get what you want to call  
19 a tickle date, what I call a drop-dead date where we just don't  
11:37AM 20 talk about it but we're responsible by phone or in person in a  
21 much smaller group getting back together in a timeline that  
22 either gives us a yes or a no? How do we make that progress?

23 Okay. Time out. Go talk about that for a moment.

24 The next presentation, come back with a plan in a few moments  
11:38AM 25 about some schematic of getting us together in a time frame

1 that's reasonable to make that kind of decision so we don't go  
2 back to our offices and just kind of, you know, do our job, but  
3 we don't get together. There's a wonderful corner. Stay six  
4 feet apart or jump in there with the press. They'll love that.

11:38AM 5 COMMISSIONER HODDER: Thank you, Your Honor. We  
6 will do so.

7 THE COURT: Okay. Here we go.

8 Okay. District Attorney Jackie and whatever you'd  
9 like to say, please.

11:38AM 10 MS. LACEY: Thank you. First of all, just from an  
11 entertainment point of view, it's great to see a federal judge  
12 cut elected officials off. I've never smiled so much.

13 THE COURT: Well, usually my attorneys cut me off,  
14 and so --

11:38AM 15 MS. LACEY: Only you can do that, so that's really  
16 good, because you're making people get to the point.

17 Here's just a brief thing I want to say. Does the  
18 340 million number include services? Because without  
19 services --

11:38AM 20 THE COURT: Great. I don't think it does.

21 MS. LACEY: I don't think it does either.

22 THE COURT: Hold on. But Paul and Ken, come on up  
23 here.

24 Jackie, let's get those answers. That's a great  
11:38AM 25 question. I didn't think it does. Just what's the bottom line

1 to get X amount? If we can't afford it, can we do half of it?

2 MS. LACEY: Right, Your Honor, because we don't need  
3 a timeshare presentation. We need to get down to brass tacks.

4 THE COURT: Let's find out. There they are. What's  
11:39AM 5 real and what's not?

6 MR. LEON: So our services, we are already working  
7 with DHS. We're just looking for capacity. And so we already  
8 provide services. So they're already paid for in different,  
9 you know, venues by different contracts.

11:39AM 10 So the problem that we have is that we have clients  
11 or patients that are funded, but we don't have anywhere to put  
12 them or for our nurses and our case managers to work. So...

13 THE COURT: So the funding -- I keep hearing,  
14 Jackie, that we've actually got the funding out there.

11:39AM 15 MS. LACEY: Yeah.

16 THE COURT: What we don't have is let's get together  
17 because we're so large, quite frankly and, you know --

18 THE WITNESS: Right. Right. My next question is  
19 will they house people who are infected?

11:39AM 20 THE COURT: Well, let's find out.

21 MS. LACEY: That's fine.

22 THE COURT: Because that's one of the things I like  
23 about the trailers is that we can separate out with the  
24 trailers so I could use them for two purposes.

11:39AM 25 MS. LACEY: Right.

1 THE COURT: Not homelessness, but I could also get  
2 those over to the medical community where we were sorting out.  
3 And maybe we had one trailer with OVID [sic] whatever, and I  
4 also like the fact that we weren't putting 10 or 15 people in  
11:40AM 5 the same room whenever CDC gives us direction.

6 MS. LACEY: Right.

7 THE COURT: Can somebody call CDC and get some  
8 direction? I'm just kidding.

9 MR. LEON: They can be converted any way. And  
11:40AM 10 they're actually perfect because the fact that you could use it  
11 isolation, we could do triage, we could break them apart.

12 THE COURT: Yeah. Come on up.

13 MR. LEON: And again, they're temporary. However,  
14 once they're done, we can continue to use them in different  
11:40AM 15 capacities. That's the difference from having just a trailer.  
16 They're temporary. And then we already have permanent  
17 supportive housing coming in the back of ours.

18 THE COURT: Jackie, I promise you, it's a lot of  
19 money, but the money really isn't the problem.

11:40AM 20 MS. LACEY: Right. No, I agree.

21 THE COURT: Long term it's not really the money,  
22 believe it or not.

23 MS. LACEY: Well, so is it the RFP process? Can  
24 these things be done --

11:40AM 25 THE COURT: Well, let's find out, Jackie. Hold on.

1 Come on back up here.

2 MS. LACEY: The request for proposal, does it have  
3 to be competitive bidding for the City to accept?

4 THE COURT: Mike, do we have to spend a whole lot of  
11:41AM 5 time spending out for 30 people -- you know, 30 days or 60 days  
6 while people die?

7 MR. FEUER: In the emergency, competitive bidding is  
8 not required.

9 THE COURT: Bingo.

11:41AM 10 Jackie, see what I mean? We've got an answer now.  
11 Mike is not going to stand in our way with competitive bidding  
12 because we've got an emergency so we don't have to take that  
13 normal 30-, 60-day timeline.

14 Mike, thanks.

11:41AM 15 MS. LACEY: Right. Right. So hypothetically  
16 speaking, let's say L.A. County was getting ready to release a  
17 certain percentage of inmates in response to this emergency.  
18 Okay? Some of those people are going to be homeless. So we're  
19 getting them out of the jail. Will we be able to get them into  
11:41AM 20 some of this housing? Is there going to be housing set aside  
21 for the justice involved?

22 THE COURT: Great question. That's why I asked the  
23 police chief to come over today. Look, they've got a tough  
24 decision to make, and that's a decision I'd love to hear  
11:41AM 25 between you and the police chief, and I don't want to put you

1 on the spot.

2 MS. LACEY: Right.

3 THE COURT: Because as the jails are down loaded  
4 because they're worried about taking in a COVID-19, by the same  
11:42AM 5 token, where are they going to go?

6 MS. LACEY: That's right.

7 THE COURT: And then the public's going to say, and  
8 they should, "Hey, I've got all these homeless running around  
9 down here." And by the way, you downloaded the jails, and why

11:42AM 10 aren't they in jail because they're loitering, camping,  
11 defecating and, by the way, committing some robberies and  
12 shooting some dope? And now the police chiefs is really in a  
13 tough bind as he's trying to keep his jail population pure.

14 Come on up, representative.

11:42AM 15 MR. LEON: I just want to mention that --

16 THE COURT: Hold on. Hold on. Hold on.

17 Jackie --

18 Hold on. Hold on. Wait. Paul, you got it.

19 So, Jackie, that's a really hard, tough question.

11:42AM 20 And the second thing is the courts. Hey, are the courts going  
21 to do, what I would think from the plaintiffs' perspective,  
22 what I call a turnaround? If somebody was arrested and they,  
23 you know, were loitering or being homeless, then the end result  
24 is if we had these old loitering laws, do you really take them  
11:42AM 25 into custody for two days and let them out?

1 MS. LACEY: No.

2 THE COURT: See, the courts are going to have a very  
3 difficult -- because I used to be a state court judge. Jim was  
4 my presiding judge. We're going to have a very tough problem  
11:43AM 5 back, Phil, on the state court side if we were still there.  
6 Andre, you know, we're going to turn these people right back?  
7 I mean, it's a heck of a problem. So I leave that to the  
8 professionals because I don't have the answer to that.

9 MS. LACEY: Right. So like I said, hypothetically  
11:43AM 10 speaking, there may actually be more homeless people next week  
11 out there, so...

12 THE COURT: Absolutely, with no place to go, by the  
13 way.

14 MS. LACEY: So as a prosecutor who's concerned about  
11:43AM 15 public safety, I would love it if these people had someplace to  
16 live because that would cut down on them being rearrested.

17 THE COURT: Have you asked the police how many  
18 they're going to release?

19 MS. LACEY: We're working on it.

11:43AM 20 THE COURT: No, just go ask her. She knows. Just  
21 step over and ask her. No. Quietly, not in front of me.

22 MS. LACEY: She doesn't represent the sheriff.

23 UNIDENTIFIED SPEAKER: I don't represent the  
24 sheriff, Your Honor. So the police only have a very short  
11:43AM 25 term, and then they go into County jail.

1 THE COURT: Oh, and you're not the County?

2 UNIDENTIFIED SPEAKER: Sorry.

3 MS. LACEY: Right. Yeah.

4 THE COURT: Is the County here?

11:44AM 5 MS. LACEY: So I think the sheriff might have a rep  
6 here. But I know they've identified 2,000 people who are in  
7 there are nonserious, nonviolent that may be able to be  
8 released. So we're talking about that now. So in terms of --

9 THE COURT: Jackie, I'm going to leave that alone  
11:44AM 10 for the time being. Because I -- that's something to you  
11 uniquely and there's -- you'll have to work out.

12 MS. LACEY: Right. Right. Exactly. So my only  
13 comment is we just need to ask more questions.

14 THE COURT: Get back and do your job. But thank you  
11:44AM 15 for the courtesy. Okay?

16 And let me turn -- because I'm going to conclude  
17 court in just a moment -- to Mike. You've been very patient  
18 with me. Thank you for that wisdom concerning the emergency  
19 and not having to go through an RFP.

11:44AM 20 And then, Bill, I want to get to you for a moment,  
21 and then we're going to disband court.

22 MR. FEUER: Your Honor, thank you very much for  
23 convening this extraordinary session today. As the Court  
24 probably knows, I came to public life having directed that side  
11:44AM 25 of legal services that provides free legal work to tens of

1 thousands of people. And we emphasized for the first time in  
2 the history of the organization reaching out to homeless  
3 people. I also served as a state legislature and a city  
4 council member.

11:45AM 5 The roles there are different than the role I occupy  
6 here, but the values remain the same. So our office has a  
7 program which is focused on in the "L.A. Times" over the  
8 weekend that -- where we send a nurse, a substance abuse  
9 expert, a mental health expert, and formerly incarcerated  
11:45AM 10 caseworkers to the street to locations where homelessness and  
11 drug possession offenses intersect to direct people to services  
12 before they commit an offense.

13 We have a program we competed for and won a grant to  
14 take over the County's homeless court program. So we now have  
11:45AM 15 convened dozens and dozens and dozens of sessions where we help  
16 people, principally homeless people, eliminate outstanding  
17 fines and citations and warrants in exchange for them agreeing  
18 to connect to services to lift them out of homelessness.

19 We have been very aggressive on what's called  
11:46AM 20 patient dumping, unlawful discharge of homeless patients to the  
21 street, not only going after --

22 THE COURT: Just a moment. Thank you.

23 MR. FEUER: For what it's worth, the principal goal  
24 we have is not to be punitive. The goal is to change medical  
11:46AM 25 facility protocols so that no homeless patient is ever

1 unlawfully discharged. And now we're collaborating with the  
2 hospital association to achieve that.

3 We have a program in conjunction with the public  
4 defender in courts where the offenders have serious mental  
11:46AM 5 health issues to divert them immediately in a collaborative way  
6 working across the lines of prosecutor and defense counsel to  
7 get people the services they need rather than have them  
8 languish in an incarcerated setting.

9 I could go on a number of very important programs,  
11:46AM 10 many of which transcend the traditional role of a city  
11 attorney. But the crisis demands, as you pointed out, that we  
12 transcend our traditional roles. So for purposes --

13 THE COURT: By the way, Mike, as uncomfortable as it  
14 is, it's uncomfortable, in coming out of these traditional  
11:46AM 15 roles, everybody's going to have to get uncomfortable in this  
16 process.

17 MR. FEUER: The least comfortable people are people  
18 who have Coronavirus and/or homeless at the same time, the  
19 numbers for which we do not know at this moment.

11:47AM 20 So -- but for today, the Court's focus today is on  
21 the intersection between Coronavirus and homelessness. And  
22 it's not as though I stand here with a ready solution to deal  
23 with that confluence, but I do want to say that our office has  
24 been deeply involved in both collaboration with the mayor's  
11:47AM 25 office and the City Council on an array of emergency measures.

1           We continue to be there for this particular purpose:  
2 To eliminate where possible impediments to action, to be sure  
3 that rules that may otherwise seem appropriate, if they can be  
4 circumvented in order to achieve the result of getting services  
11:47AM 5 to people who desperately need them, we will try to find a way  
6 to do that. Our role is in this crisis, with regard to our  
7 partners on the policy-making side, to get to the point of  
8 providing services as rapidly as possible with as few  
9 impediments as possible.

11:48AM 10           And so in addition to the outreach programs we  
11 engage in on the affirmative side to try to lift people out of  
12 homelessness in our purely legal capacity as the lawyers for  
13 the City Council and the mayor, we're going to working as we  
14 did over the past weekend day and night.

11:48AM 15           So, Your Honor, having said that, if you have  
16 requests of me and of my office --

17           THE COURT: I'm making one right now.

18           MR. FEUER: Yeah.

19           THE COURT: In the past, historically, I'm really  
11:48AM 20 good at telling you what you did wrong two years from now  
21 because I've got the hindsight and the wisdom of looking back  
22 at people who are struggling on the front line making tough  
23 decisions and making value choices that actually the courts  
24 might not agree with.

11:48AM 25           This whole scenario is changing in realtime because

1 if you wait for the courts, we have a chilling effect on you.  
2 You don't know what injunctive relief we're going to assign.  
3 You don't know what we're going to do. You haven't seen the  
4 parties get together this afternoon.

11:49AM 5 I'm going to toss back to you that we need to be  
6 more helpful in going forward in this new dynamic so that the  
7 parties and the Court hammer out and get together with you so  
8 that you don't have a chilling effect. You can move forward.  
9 You know what you can do within reason and you have input about  
11:49AM 10 that.

11 And if you wait, Mike, that the problem's going to  
12 be -- that the Courts are going -- or at least this Court's  
13 going to have to change its shallow thinking to some degree and  
14 be a little bit more listening to both parties, but a little  
11:49AM 15 bit more demanding on them to really get together for the  
16 public good and hammer this out and take off the litigation.

17 And I will pay a compliment to plaintiffs on both  
18 sides. I was told that -- and I told plaintiffs' counsel when  
19 you go down the riverbed in L.A., we're going to have 20 1983  
11:49AM 20 cases. There's going to be a battle going on and a couple of  
21 my litigants down in Orange County. He said, "No, Judge,  
22 there's not going to be."

23 And what they did is actually put down their sword,  
24 and they went into the tents. They got out in front of the  
11:50AM 25 health workers followed by the police. We didn't have one

1 incident in five days. Let me repeat that. I was astounded  
2 and absolutely wrong. And it was a great lesson about a  
3 cooperative effort when the council finally got together.  
4 Because unless they can get together today, I'm going to go  
11:50AM 5 back to Orange County and do what I do best, and that is deal  
6 with my cities down there. But in a few moments, I'm going to  
7 ask them if they want us involved, fine. If they don't, just  
8 go litigate and have a great day.

9 So I think if we're still involved, we're going to  
11:50AM 10 be getting together, but probably by phone, because I'm not  
11 going to have another big tent meeting like this. In fact,  
12 knowing now, you know, we limited it to 50. Let's get you back  
13 to work. Okay?

14 MR. FEUER: No, we'll trade you -- we'll trade cell  
11:50AM 15 phone numbers, Your Honor.

16 THE COURT: Yeah. Then they got to give me  
17 permission and you permission to talk and trust, and then I'll  
18 disclose to you what we're saying. And we have to do that in  
19 realtime, Mike.

11:50AM 20 MR. FEUER: Yeah. And let me conclude with this --

21 THE COURT: Oh, and I'll give you Judge Smith's  
22 number. No, I'm just kidding.

23 MR. FEUER: I already know Judge Birotte's phone  
24 number. And Judge Gutierrez is trying to shield his phone  
11:51AM 25 number from me.

1 THE COURT: Let me give you both of them, then.

2 MR. FEUER: There you go. But seriously for a

3 second, the one -- you know, a couple key revelations that

4 emerge from a conversation as broad as this. One is there

11:51AM 5 needs to be region-wide collaboration because homeless people

6 don't know where the boundary is between Beverly Hills and

7 Los Angeles and so on; right?

8 THE COURT: Right.

9 MR. FEUER: And region-wide sharing of obligation as

11:51AM 10 well. You know, Ms. Martinez alluded to the importance within

11 the City of Los Angeles of shared commitments across council

12 district lines, across neighborhood lines. The same argument

13 pertain with even more force with regard to the cities in the

14 broader region here, and that's going to require several

11:51AM 15 things.

16 And one thing is, as I conclude here, with regard to

17 the various proposals for -- I'll call them putting beds on the

18 street right now -- we do have to work collaboratively in the

19 larger system including with the state and ideally the federal

11:52AM 20 government, because if you crossed out \$340 million for those

21 beds, for example, I have no idea what the service provision

22 costs are associated with that, let alone -- what the mayor's

23 office is doing right now is redirecting staff members from

24 throughout the City whose roles have been changed --

11:52AM 25 THE COURT: Right.

1 MR. FEUER: -- because of the emergency and putting  
2 them for the first time in settings to assist homeless people.

3 THE COURT: And we just heard that about the  
4 Salvation Army which I didn't know until I heard this  
11:52AM 5 presentation.

6 MR. FEUER: Right. But there is going to be a need  
7 to assure that there is a supply of people to provide the  
8 services of the police chief and what others have said are  
9 necessary concomitants of this location of this housing.

11:52AM 10 So let's -- if we're going to think about working  
11 together across jurisdictional lines, it has to be with real  
12 common sense in a practical way, saying what's real in terms of  
13 actually delivering an array of services in a setting that's  
14 helping --

11:53AM 15 THE COURT: Hold on.

16 Come on up, Salvation Army. If you've had a  
17 meeting.

18 Mike --

19 MR. FEUER: Ken and I are law school classmates.

11:53AM 20 THE COURT: No, I know. But, folks, come on down  
21 from LAHSA, whatever -- whoever wants to participate. Colonel,  
22 Captain, come on up.

23 Now, hold on, Mike.

24 Let's find out real quick, what's our solution here?  
11:53AM 25 How are we doing?

1 COMMISSIONER HODDER: Based upon the conversations  
2 we've been having, Your Honor, we will have a final plan in  
3 place by Tuesday.

4 THE COURT: Excellent. And who do I call to verify  
11:53AM 5 that? I believe you.

6 COMMISSIONER HODDER: The man here (indicating).

7 THE COURT: Okay. So I'll see you in my court  
8 Tuesday at what time?

9 UNIDENTIFIED SPEAKER: What time do you want me?

11:53AM 10 THE COURT: No. You know my hours. 5:00 in the  
11 morning, 10:00 o'clock? You name the time.

12 UNIDENTIFIED SPEAKER: 10:00 a.m.

13 THE COURT: I'll see you at 10:00 a.m. along with  
14 the captain. Fair enough. Now, you don't have to drive all  
11:53AM 15 the way down. We'll get you by phone. I'm not trying to get  
16 folks down. Okay? I just want to know that if we're setting  
17 dates, that those are kind of dates that we're really working  
18 towards. So thank you. Every day, everything -- we have 17  
19 maybe, places.

11:54AM 20 UNIDENTIFIED SPEAKER: Yes, sir.

21 THE COURT: Wow. Yeah, I can't tell you how much --  
22 Michele, isn't that going to help our cities? Yeah.  
23 Juan -- I mean, Nury, isn't that going to help our  
24 cities?

11:54AM 25 MS. MARTINEZ: Absolutely.

1 THE COURT: No matter how you call it. And if  
2 they're going to transition, I mean, just -- that was worth it  
3 for me to drive down just today to hear that. I had no idea  
4 about that. I had no idea when I talked to you by phone and  
11:54AM 5 asked you to come down that you were in the process of actually  
6 taking Salvation Army personnel and willing to give up your  
7 storefront and the drop-offs, which by the way, I'm still going  
8 to do, okay. But then transition those folks into people  
9 trying to help. We just now need to get to the medical folks.  
11:54AM 10 Let's work on that, because maybe we can get our healthy folks  
11 in there.

12 And so for the mayor's office, you're hearing  
13 something I never heard. This is a gift. And if it's  
14 happening in Los Angeles, you know -- so we need their number  
11:54AM 15 also; right? We certainly need Nury's number; right? We're  
16 going to need the litigants. We're going to have to talk about  
17 this today as we run with it. I know there are problems, but  
18 you just overcame those problems. Thank you. They're not now  
19 problems. There are no problems. All right. Good.

11:55AM 20 MR. FEUER: Can I ask a question? Just for my  
21 edification --

22 Ken, good to see you. Is -- are you offering these  
23 locations free of charge to the City, or would there be some  
24 compensation you'd be asking for?

11:55AM 25 COMMISSIONER HODDER: We are asking for no rent of

1 any kind.

2 THE COURT: Hold on.

3 Did you hear that, everybody?

4 MS. SOBEL: Zero rent.

11:55AM 5 THE COURT: Zero rent.

6 COMMISSIONER HODDER: We would ask for assistance in  
7 operational funding, but no rent.

8 THE COURT: Sure. That's fair enough. And Carol's  
9 saying that that's really high, but we'll get it lower; right?

11:55AM 10 COMMISSIONER HODDER: We're willing to work with all  
11 involved.

12 THE COURT: Okay. So at least we can get the  
13 establishments which we didn't have before. And wherever the  
14 negotiations are now, it's over the servicing, Carol, that's  
11:55AM 15 going to take place. And so you might say it's too high, and  
16 you might say it's too low, and you might say we're not going  
17 to pay for it, but at least we have something we never had  
18 before, and that is 17 different locations with personnel.  
19 That's worth just having this meeting in and of itself.

11:56AM 20 Okay. Mike, get back to work. Thanks. Blessing.

21 UNIDENTIFIED SPEAKER: Judge, can we be excused or  
22 would you --

23 THE COURT: Oh, no, absolutely. Get back and do  
24 what you do best.

11:56AM 25 Nury, do you want -- do you need to go?

1 MS. MARTINEZ: Yeah, I need to leave.

2 THE COURT: Yeah, please. Don't stand up in the  
3 gallery. Just walk out. We have got just a few more  
4 presentations, and I'm going to disband also.

11:56AM 5 MS. MARTINEZ: Thank you, Judge.

6 THE COURT: Thank you very much.

7 Okay. Mayor, I'm going to -- Mayor Joe -- and I  
8 just know Mayor Joe as Mayor Joe. So, Mayor, would you  
9 introduce yourself on behalf of Whittier.

11:56AM 10 And by the way, I expressed some -- I got it. I  
11 expressed -- where's Miguel? Ask Miguel to come up.

12 Miguel, my apologies. Where's Miguel? Yeah, come  
13 on up here.

14 Join with the mayor. He's going to be just a  
11:56AM 15 moment, Miguel. I saw you. I thought you'd left. Come on up  
16 or just a moment.

17 But, Joe, tell me your thoughts in a couple minutes.  
18 Then I want to talk to Miguel.

19 MAYOR VINATIERI: Your Honor, thank you very much.  
11:57AM 20 I'm in court all the time. This is an -- I've never seen a  
21 court hearing like this. Thank you. There is hope. I'm  
22 hearing hope this morning. And thank you that the Court's  
23 making something happen, that there's accountability. That's  
24 very important.

11:57AM 25 I'm Joe Vinatieri. I'm the mayor of the City of

1 Whittier. We have 88,000 people. We've been talking about  
2 L.A. County and the City of Los Angeles. We're a small city,  
3 somewhat small, 80,000 in Southeast L.A. County, and we border  
4 Orange County. We also have --

11:57AM 5 THE COURT: Thanks again, Mike. And, Nury, thank  
6 you very much. And tell your staff thank you.

7 MAYOR VINATIERI: As you know, we have 231 homeless,  
8 and we've done our City Net survey. There are three things I  
9 just want to say. The City of Whittier, we have the City  
11:57AM 10 council-approved settlement agreement has been sent to  
11 plaintiffs' counsel.

12 THE COURT: Let me say this in complete  
13 transparency. I expressed frustration with both of you out in  
14 the hallway. My apologies. This just arrived last night. So  
11:58AM 15 although the council's approved it, I put you both in a  
16 position of making the decision, and I think I growled. My  
17 apologies to both of you. Isn't that nice to hear apologize?  
18 I apologize. But I was growling at both of you.

19 She needs time to look at that. So we probably have  
11:58AM 20 a good chance of a settlement that we could have put on record  
21 today or modification, Carol, if you looked at it and didn't  
22 see something you like. But it's not fair to you to lay out  
23 that settlement now. But I know that Whittier is going to  
24 settle. And I know that, Carol, whatever those modifications  
11:58AM 25 is, we'll get back in a reasonable period of time. But I don't

1 expect you to stress over that today. She got that last night,  
2 okay?

3 MAYOR VINATIERI: We are very motivated, Your Honor,  
4 and to join with the City of Bellflower and the other cities in  
11:58AM 5 Los Angeles County, the smaller cities.

6 Secondly, we're very concerned, of course, about the  
7 mental health aspects of what is going on. There's been lots  
8 of discussion. And you've talked about Fairview and Costa  
9 Mesa, Metropolitan State Hospital in Norwalk. From our  
11:59AM 10 perspective, at least in the southeast area, and with the  
11 governor's order relative to state facilities, we're working  
12 with Juan Garza, and we're hopeful of getting here very shortly  
13 with the City of Norwalk and talk about how we can work some  
14 things through because you have lots of space, and I saw it, I  
11:59AM 15 think, indicated on one of the screens we saw just earlier.

16 So we think it's very important for the regional  
17 approach to homelessness to make things happen that way also.

18 THE COURT: Eddie, you want to put up Fairview?

19 MAYOR VINATIERI: Yeah. We had all those, I think,  
11:59AM 20 various properties that are properties within Los Angeles  
21 County.

22 THE COURT: Now, a lot of the cities have expressed  
23 this. So, Joe, here's what I need. And I would -- I know my  
24 colleagues may be interested. And, in fact, I think Andre or  
11:59AM 25 Phil orchestrated all of this. And I want to thank you for

1 bearing with me for so long just humbly as colleagues. So  
2 appreciative.

3 I've been on the bandwagon about what do I do with  
4 that 10 to 14 percent and some people say 20 percent of just  
12:00PM 5 the poor people out there who are just so schizophrenic and  
6 bipolar. Guess what, they got downloaded a long time ago. And  
7 the governor's not going to bring them onboard. Maybe you  
8 ought to know that. So we're sharing courts --

9 It's all my -- my fault. Would you get on the  
12:00PM 10 phone, just apologize. Doing my best. It's L.A.; right.

11 She's been expressing that a long time. If the  
12 governor is going to open them, great. And if he's not, just  
13 tell us that, bottom line.

14 MAYOR VINATIERI: We're going to find out. We're  
12:00PM 15 working on it. It needs to be done. It's a major issue in  
16 Whittier. I know it is everywhere else.

17 THE COURT: But if we're not going to put it -- if  
18 we're not going to put them on the grounds at Norwalk or  
19 Fairview or Sonoma or whatever, hey, just bottom line it, maybe  
12:00PM 20 you sell it, maybe you do something else. But right now we  
21 have got to find a way to get those 10 or 14 or 20 percent off  
22 those streets because I can't get them into a shelter. And I'm  
23 watching them close so --

24 MAYOR VINATIERI: It's a major issue in our  
12:01PM 25 jurisdiction.

1 THE COURT: Okay. Let me talk jointly with the  
2 assembly person. So would you introduce yourself. By the way,  
3 I disclosed to both parties that members of the California  
4 Assembly called, they got on FaceTime, I think there was six or  
12:01PM 5 seven of us, maybe more dropping by. I was in court. And we  
6 had a conversation about you being here. So I want that fully  
7 disclosed to the parties that I didn't wait for this meeting  
8 today to take place.

9 MR. SANTIAGO: And I want to thank you, Judge.

12:01PM 10 We're here at your discretion to expedite and facilitate  
11 anything that we can do. I know the questions that you had  
12 asked at the time were what sort of funds had the state  
13 expended and what sort of ideas or facilities do we have.

14 I don't want to take the Court's time -- too much of  
12:01PM 15 your time. But I do want to say I want to thank you for making  
16 this happen because I think otherwise we'd be waiting a little  
17 bit longer to get some of this stuff online. In terms of state  
18 dollars, those that expended had already had been HEAP dollars,  
19 and they're close to about 86 million for L.A. city continuum  
12:02PM 20 of care. About 81 million HAP dollars, to my knowledge, have  
21 not been expended but will be released.

22 THE COURT: How much?

23 MR. SANTIAGO: So it's my knowledge that the -- for  
24 this region alone, about 81 million to the continuums of care,  
12:02PM 25 about 118 million to the City, and L.A. County about 194

1 million. If I have erred, I will correct myself to you.

2 THE COURT: Don't worry. It's a good faith. Okay.

3 MR. SANTIAGO: It is. We were jotting this down.

4 And when the governor asked us for -- about

12:02PM 5 authority, we passed \$1 billion in emergency funding that gave  
6 the governor the authority to use at his discretion.

7 A day ago yesterday, as you know, the governor

8 released \$150 million. Of that approximately 19 million is

9 going to the City of Los Angeles and to the region, these are

12:03PM 10 approximate numbers, 37 million to the region in total. So we  
11 expect that money to be used as fast as possible.

12 THE COURT: Now, let me tell you the content of the

13 conversation without the -- with the governor's office last

14 night. The governor's not on the phone. I don't think it's

12:03PM 15 good that we communicate. But I told them that the Court was  
16 going to be very supportive if I had jurisdiction over this  
17 case in terms of moving forward.

18 But the one thing was going to be absolute

19 consistency, and that is that I was going to ask the tough

12:03PM 20 question and, I didn't want them to feel slighted as everybody

21 left with a very warm hospitable phone call about 10:00 last

22 night, that I wasn't going to say time and time again what we

23 were going to do with that 10, 14, or 20 percent of these

24 hopeless schizophrenic/bipolar men and women who have done

12:04PM 25 absolutely nothing wrong. And so you don't have the answer to

1 that.

2 MR. SANTIAGO: But I think you should ask the tough  
3 questions because it will force immediate action.

4 THE COURT: Oh, I am. And I'm going to trust you to  
12:04PM 5 take that back to the governor's office, to Williams. Okay?

6 MR. SANTIAGO: I will.

7 THE COURT: Okay. Real quick. I mean, please.

8 MR. SANTIAGO: I will call. Absolutely.

9 THE COURT: And I'm wide open tonight for another  
12:04PM 10 phone call because we -- we said we would get on the phone with  
11 his chief, et cetera, and they know that I'm asking that tough  
12 question again, why aren't these hospitals open? If not, what  
13 are you going to do with this percentage of people that are in  
14 our cities that the co-op person just can't cope with?

12:04PM 15 MR. SANTIAGO: I will note, Judge, if I may, that  
16 the governor took an extraordinary step to -- in exempting CEQA  
17 for emergency shelters.

18 THE COURT: I was very complimentary last night  
19 about that, both for municipality --

12:04PM 20 MR. SANTIAGO: That was my bill so I know very well  
21 about it. But to local municipalities, it really does cut down  
22 the time that they need to go through that process. So that --  
23 and L.A. already has that. But for other municipalities up and  
24 down the stat for the region, they no longer have to wait for  
12:05PM 25 that.

1 I would ask you as another piece to take a look at,  
2 too, would be the conservatorship or Lanterman Act  
3 conversations.

4 THE COURT: Right.

12:05PM 5 MR. SANTIAGO: Because there are going to be a  
6 series of populations who are going to be hard to press to get  
7 off the street. But I would ask the Court in a future late,  
8 maybe take a look at that as well.

9 THE COURT: Other than, you know, having this  
12:05PM 10 pulpit, that's the legislative function. I understand that. I  
11 can growl. But I have no power in a sense to implement what  
12 you can implement. But I don't care whether it's Norwalk or  
13 Fairview or Sonoma or whatever, we seem to have the federal  
14 government on one occasion saying that we can bring people off  
12:05PM 15 the Princess Cruise, and I'm just wondering when I saw that why  
16 aren't we handling our own California people who we have to  
17 deal with at some point anyway and providing those services  
18 that are so needed?

19 Because every police chief tells me, "You know,  
12:06PM 20 Judge, if I could get 10 or 15 people just out of my community  
21 who are just bipolar and schizophrenic and they've done nothing  
22 wrong, I take my violence level down. I take" -- I leave that  
23 with you. But next session I'm going to be asking the same  
24 question. So please tell Darrel that. Please convey that to  
12:06PM 25 the governor. And I'll convey that tonight.

1 MR. SANTIAGO: I will make that call when I leave  
2 here.

3 THE REPORTER: Excuse me, can I have your  
4 appearance.

12:06PM 5 MR. SANTIAGO: Sure. Miguel Santiago.

6 THE COURT: Okay. Thank you very much. All right.  
7 And I appreciate your patience. I love Sharon Quirk-Silva.  
8 I -- would you apologize, and I'll text her later on. I just  
9 had Los Angeles folks I wanted to get to immediately. So no  
12:06PM 10 disrespect intended.

11 So, Joe, do you want any of these trailers?

12 MAYOR VINATIERI: Yes, Your Honor.

13 Just one last thing. Trailers, looks great. I  
14 haven't talked to my council about it.

12:06PM 15 THE COURT: Right.

16 MAYOR VINATIERI: But the mayor of Whittier wants to  
17 make it happen. So put us in line.

18 THE COURT: Okay. So check the price. I mean, get  
19 involved. If you don't want them, fine. I don't care. But if  
12:07PM 20 they are of any value, so be it. If they're not, just reject  
21 them. I don't care. You know, we can get tents. We can get  
22 other trailers, et cetera. I just want to come up with  
23 something concrete, Joe, that's on the table. If people don't  
24 like it, reject it, but if it's going to go, then make it go.  
12:07PM 25 Okay? And if you want some of these and L.A. doesn't want

1 them, let's feed them out to Oakland, let's get them over to  
2 Whittier.

3 MAYOR VINATIERI: My suspicion is with this  
4 information that you've elicited today, I think there will be a  
12:07PM 5 lot of people interested.

6 THE COURT: Oh, I've gotten calls. In fact, we  
7 asked some mayors not to come who are going to make the same  
8 statement, that they wanted these trailers.

9 Michele, you've been extraordinary helpful as usual.  
10 Bill, I invite you to come up for a moment.

11 And I want to thank Miguel and Christine for  
12 remaining also.

13 MR. TAORMINA: Good afternoon, sir.

14 THE COURT: Hi, Bill.

15 MR. TAORMINA: Bill Taormina. I am here to add to  
16 your arsenal to avoid anarchy. I'm from the private sector.  
17 I'm not an elected official, nor will I ever be one. I need 90  
18 seconds of the Court's time.

19 THE COURT: Take it.

12:08PM 20 MR. TAORMINA: I need six points to tell to you  
21 right now.

22 Number one, I'm the private sector. I represent  
23 numerous families in Orange and Los Angeles County that are  
24 ready to move forward on this. We are a catalyst. We are a  
12:08PM 25 catalyst to make action. We are not driven by profit. We are

1 driven by the preservation of the quality of life and life  
2 itself.

3 Point two, the funding is ready. We need zero  
4 dollars from any government. We are ready to buy these  
12:08PM 5 trailers today. In a moment I'm going to hand my credit card  
6 to Mr. Price for whatever deposit he wants. We're going to tie  
7 these trailers up today.

8 Number three, logistics, the shipping and the  
9 installation is ready. We are ready to move forward.

12:08PM 10 Number four, our nonprofit operators are sitting in  
11 the front row. They're ready to move forward.

12 Number five, what we need -- the gentleman from  
13 Whittier just said we need locations. We need government  
14 property. We need private property. We need -- we just need  
12:08PM 15 locations. We need to break a few rules relative to zoning and  
16 land entitlements. That should be easy because your other  
17 choice is anarchy. Let's be honest here. This thing is out of  
18 control and we need to fix it.

19 Point six, this is a solution for both homelessness  
12:09PM 20 and to control this virus. Thank you for your time. I'm going  
21 to hand my --

22 THE COURT: Oh, no, don't go away. I love this  
23 credit card. Could I -- no, I'm just kidding.

24 MR. TAORMINA: It has unlimited credit amount, and  
12:09PM 25 I'm here to give this to Mr. Price. I'm going to walk back

1 there and hand him my business card and the credit card number  
2 is on the back. And I'm dead serious.

3 THE COURT: By the way, I know his worth, and he has  
4 got a substantial limit, trust me.

12:09PM 5 MR. TAORMINA: It doesn't matter. It's time for  
6 action. Thanks to you for this Court for making it happen. So  
7 let's do it.

8 THE COURT: Okay. Now, here is a strong ally for  
9 some portion of the plaintiffs. They're your business  
12:09PM 10 community. In my part of the world, before I came to this part  
11 of the world and now I'm part of our world here in Los Angeles,  
12 I may be getting a shelter up here, okay, I'm going to start  
13 living up here thanks to Judge Carney and his being so gracious  
14 about maybe getting me some hotel space -- he's what I call the  
12:10PM 15 police league side. He's what I call the business side.

16 If you don't know who he is -- and by the way some  
17 of the other major families, who he's going to probably  
18 privately disclose to you, trust me, he's probably very much in  
19 line with the First Alliance Group, because I perceive you as  
12:10PM 20 more business oriented in a sense than maybe some of the other  
21 groups that might be -- there's going to be an accord.

22 So he's speaking your language. Okay? In fact, he  
23 actually sued the railroads to clean up the mess on the  
24 railroads behind his multiple properties. So talk to him.  
12:10PM 25 Okay.

1 Bill, I want to thank you for stepping up. I had no  
2 idea you were going to do that. I'm actually a little stunned.

3 Okay. I'm ready to suspend this Court except for my  
4 esteemed and incredibly wonderful counsel. And here's the  
12:11PM 5 bottom line. You've heard today -- and I've asked nothing of  
6 you -- if you want the Court not to be involved, that's just  
7 great. We will litigate for the next ten years, and I could  
8 care less.

9 And Andre and -- Birotte, thank you for being here  
12:11PM 10 for this wonderful opportunity to meet all these good folks.

11 But if you want us involved, we can give you a  
12 shelter and parameter to operate within, I hope, with a lot of  
13 disagreements on occasion, a lot of disagreements on occasion.  
14 Okay? But the point is we moved forward in our part of the  
12:11PM 15 world to an extent that I never expected before I got involved.  
16 It's not been pretty. It's not been perfect. People have  
17 gotten hurt. But by God we moved forward.

18 And I know that we can move forward on this. So you  
19 tell me what time you want me to be back here. I'm going to go  
12:11PM 20 walk around and get a cup of coffee for a moment and visit with  
21 some of the folks who've remained, just because they're friends  
22 and I'd like to meet some of the other people in the audience  
23 who have been so patiently sitting here with us that I haven't  
24 had a chance to talk to.

12:12PM 25 If you want the Court involved, I want you to tell

1 me that, but you have to give me the following or I won't be  
2 involved: One, I must be able not to gather a group like this  
3 again. I have to be able to reach out to Eric. I have to get  
4 on the phone with the governor's office tonight. I've got to  
12:12PM 5 be able to talk to Bill about trailers or call Ken, you know,  
6 and Paul. I've got to be able to talk to Carol. I've got to  
7 be able talk to you. And you've got to trust me in those  
8 ex parte conversations. Because they're going to be more  
9 valuable, I hope, than litigation.

12:12PM 10 And if you get to litigation, I've got great judges  
11 who can litigate. And they can probably be much more  
12 collaborative than even I am. So I'm reaching out to you  
13 choosing two of what I think are the finest colleagues that I  
14 could possibly find on the bench to participate in this,  
12:12PM 15 because you should have a tremendous -- you should have a  
16 tremendous sense of confidence that when you talk about people  
17 like Judge Birotte -- in fact, our entire bench here and  
18 Judge Gutierrez, that you're talking about people that are the  
19 middle of the road, that don't have an axe to grind, liberal or  
12:13PM 20 conservative or however you toss those silly labels around, who  
21 will get down to work with you, and by God, we're going to get  
22 criticized for the lives we didn't save. We're never going to  
23 be accountable or known for the lives we did save.

24 But you have got a chance for us to save an awful  
12:13PM 25 lot of lives. And if we act quickly -- and if not, we came

1 here for the homelessness and COVID, right, the community right  
2 now distancing themselves who have that benefit, and God bless  
3 them. Thank you. It's coming. It's just going to delay.

4 So what time would you like me to meet? Because  
12:13PM 5 you're going to be ordered to meet and confer.

6 Carol, you've been through this before. Okay? And  
7 you know that I have to be able to communicate with you early  
8 in the morning or late at night and share with the other side.  
9 And I've made a lot of mistakes.

10 But you have got to give me an answer today. And  
11 I'm going to sit here until I get "yes" or "no." And then  
12 you're going to sign up and you're going to give me some  
13 limited jurisdiction for a limited period of time so you're not  
14 trapped. Because I don't want a three-year consent decree. I  
12:14PM 15 don't want a settlement. You don't even have to call it a  
16 settlement. You just have to call it an agreement of some kind  
17 so you're not trapped. And then let's get going. Okay?

18 Now --

19 MR. UMHOFFER: Your Honor, we want you involved.

12:14PM 20 THE COURT: Wait, wait, wait. Not so fast. You  
21 talk to those people over there, and you talk to the defendants  
22 sitting there. They're not here, et cetera. Get on the phone.  
23 But I'm going to sit here until I get an answer "yes" or "no."  
24 Okay?

12:14PM 25 So get together. I'll be back at what time? How

1 about 1:30? Because she's got some defendants here also. I  
2 mean, you need to have a conference back in that room, just  
3 like Salvation Army. Be certain -- because I'm a complete  
4 nightmare. Smiling, but I'm a nightmare.

12:14PM 5 MR. UMHOFFER: It's the nightmare we need, Your  
6 Honor.

7 THE COURT: Well, we'll see. Okay. So 1:30 then.

8 For all you folks outside, let me come out and just  
9 humbly thank you for a moment because you've stayed and sat  
10 through this.

11 **(Lunch recess from 12:14 p.m. to 3:08 p.m.)**

12 THE COURT: We're on the record. We're on the  
13 record. We're on the record.

14 And now I will have the parties identify themselves.  
03:08PM 15 So just please identify who you are and who you represent.

16 MR. UMHOFFER: Good afternoon, Your Honor. Matthew  
17 Umhofer on behalf of the plaintiffs. With me at counsel table  
18 is Elizabeth Mitchell. We're both with the law firm of  
19 Spertus, Landes & Umhofer.

03:09PM 20 THE COURT: Just introduce -- I know both of you  
21 gentlemen, but let me make a record of who's here.

22 MR. FAWN: Yes. Thomas Fawn, senior assistant  
23 county counsel on behalf of the County of Los Angeles.

24 MR. CARTWRIGHT: Bob Cartwright, assistant county  
03:09PM 25 counsel on behalf of the County of Los Angeles.

1 THE COURT: Thank you. Let's go down -- well, let  
2 me see. Let's take the other plaintiffs, in a sense.  
3 Plaintiffs.

4 MS. WEITZMAN: Brooke Weitzman on behalf of  
03:09PM 5 intervenor Orange County Catholic Worker.

6 MS. SOBEL: Carol Sobel on behalf of intervenor  
7 Orange County Catholic Worker and also on behalf of intervenor  
8 Los Angeles Catholic Worker and Los Angeles Community Action  
9 Network.

03:09PM 10 MS. MYERS: Shayla Myers with the Legal Aid  
11 Foundation of Los Angeles on behalf of intervenor L.A. Catholic  
12 Worker and Los Angeles Community Action Network.

13 MS. SWEETSER: Catherine Sweetser on behalf of all  
14 intervenors.

03:10PM 15 THE COURT: Now, for the other parties, I want it  
16 clear that the parties who are about to identify themselves  
17 were invited to come to the court, because the Court had no  
18 legal ability to order you into court. So please.

19 MR. CASTRO-SILVA: Thank you, Your Honor. Rodrigo  
03:10PM 20 Castro-Silva for the County of Los Angeles. I'm from the  
21 Office of County Counsel.

22 MR. MCLAIN: Byron McLain on behalf of Los Angeles  
23 County from Foley & Lardner.

24 MR. YOUNG: Brandon Young on behalf of the County of  
03:10PM 25 Los Angeles from the law firm of Manatt, Phelps & Phillips.

1 MR. DERMER: Gabriel Dermer from the Los Angeles  
2 City Attorney's Office on behalf of the defendant City of  
3 Los Angeles.

4 MR. MARCUS: Scott Marcus from the Los Angeles City  
03:10PM 5 Attorney's Office on behalf of the City of Los Angeles.

6 THE COURT: First, there's an agreement that we will  
7 convene next Tuesday at --

8 MR. UMHOFER: 10:00 in the morning.

9 UNIDENTIFIED SPEAKER: 10:00 a.m.

03:10PM 10 THE COURT: -- 10:00 a.m. Not p.m., 10:00 a.m. At  
11 the location of?

12 MR. UMHOFER: The Alexandria Building in Pershing  
13 Square. We'll provide details to all the parties and the  
14 Court.

03:11PM 15 THE COURT: And it's my intent to exclude the public  
16 but not the press because I'm going to make the same order, and  
17 I'm not quite certain how I'm going to control that, you  
18 understand, in an outside facility. So one of the things I  
19 want you to take into account is I can control excluding the  
03:11PM 20 public in the court, but that's because of the emergency health  
21 issue. So we're going to try this, though, next week at this  
22 location to see if it works. I think we can control it.

23 Is that correct, Counsel?

24 MS. MITCHELL: Yes. The address is 501 South  
03:11PM 25 Spring.

1 THE COURT: 501 South Spring.

2 JUDGE SMITH: It seems to me it's not a problem. If  
3 it's a private-owned building, you have the right to exclude  
4 anybody. If you decide that you're not going to let the public  
03:12PM 5 in, it's not a court order, it's the parties. If other parties  
6 don't want to participate under those circumstances, that's  
7 their decision.

8 MR. UMHOFER: Right. And, Your Honor, in the  
9 interim, should I put the agreement that we talked about off  
03:12PM 10 the record on the record; that is, the agreement to suspend  
11 litigation deadlines and things along those lines?

12 MS. MITCHELL: The original agreement when we first  
13 came into the court this afternoon, Your Honor.

14 MR. UMHOFER: So, Your Honor, I'll put this on the  
03:12PM 15 record. The parties during lunch --

16 THE COURT: Oh, I'm sorry. Put that on the record  
17 for me. I thought we were back in the settlements.

18 MR. UMHOFER: No, no, no, no. I apologize.

19 So we have a limited agreement that we reached over  
03:12PM 20 the -- over the lunch break. That agreement was to suspend  
21 litigation deadlines, including the 21 days that the City and  
22 County have to respond, because they have been served, so it's  
23 21, not 60, to permit the Court and the parties to engage in  
24 settlement discussions and in efforts to address the underlying  
03:13PM 25 problems that occasioned this hearing today.

1 The parties have no objection to the Court's  
2 ex parte communications with other relevant parties. And at  
3 the service of trying to get both resolution and action on the  
4 underlying issues of the Coronavirus and the homelessness  
03:13PM 5 crisis, the parties stand ready to support and assist the  
6 Court. And the parties have no objection to the involvement of  
7 Judges Birotte and Gutierrez in the process.

8 MS. SOBEL: And Judge Smith.

9 MR. UMHOFER: And Judge Smith as well.

03:14PM 10 THE COURT: Who's earning nothing.

11 MR. UMHOFER: Yes. Yes.

12 THE COURT: Would you state who you are and if this  
13 is acceptable as stated by counsel.

14 MR. CASTRO-SILVA: So this is Rodrigo Castro-Silva  
03:14PM 15 on behalf of the County of Los Angeles. We're in agreement.

16 MR. MARCUS: On behalf of the City of Los Angeles,  
17 this is Scott Marcus from the City Attorney's Office, that's  
18 acceptable.

19 MS. MYERS: On behalf of the intervenors LA CAN and  
03:14PM 20 LA Catholic Worker, that's acceptable.

21 MS. SOBEL: And on behalf of intervenor Orange  
22 County Catholic Worker, that is acceptable.

23 MR. UMHOFER: Your Honor, one more thing, Mr. McLain  
24 just pointed out to me that -- we just wanted to make it  
03:14PM 25 clear -- I think the Court has already issued orders on this

1 point that the intervenors are allowed to -- or their motions  
2 to intervene have been granted and that they're allowed to --

3 THE COURT: And the other motion you brought to me  
4 is --

03:14PM 5 MR. UMHOFER: Well, we haven't brought any other  
6 motions. They've all been over there.

7 THE COURT: Okay. Let's anticipate two things, and  
8 that is, we're trying to give access to the public through the  
9 press. And you've heard that we're going to start with  
03:15PM 10 transparency until it's called to my attention that there's a  
11 reason for going in camera. But you're different entities.  
12 You're the printed press. Then we might have the audio or  
13 radio station, and then we might have the television.

14 The difficulty is in federal court with our rules,  
03:15PM 15 we would not allow television. And what I can't have is moving  
16 off-site and then perceiving that I'm treating one area of the  
17 public access television unfairly. I think that they would be  
18 saying, "Golly, gosh, what's happening here?" But I'm not  
19 really comfortable having a televised off-site because it's  
03:15PM 20 violating our local rules.

21 I need to go to my chief judge here. I need to have  
22 a court meeting to abrogate those rules. And there's just no  
23 way to do that. The judges are all over the place and they're  
24 not going to have a special meeting in that regard. So help  
03:15PM 25 me.

1 MS. SOBEL: I have a suggestion to amend the  
2 stipulation or add to it, which is that because of the court  
3 closures for dealing with the pandemic, that the parties agree  
4 that meetings that are scheduled with the Court off-site are to  
03:16PM 5 be held under the same rules as if the meeting were occurring  
6 in the federal courthouse.

7 THE COURT: I think my colleagues would appreciate  
8 that.

9 MR. UMHOFFER: No objection.

03:16PM 10 THE COURT: Because we're not going against our  
11 time-honored rules otherwise.

12 MR. UMHOFFER: No objection.

13 THE COURT: Would that be acceptable, Counsel?

14 MR. UMHOFFER: No objection.

03:16PM 15 THE COURT: Counsel, acceptable?

16 **(Counsel collectively responded "No objection.")**

17 THE COURT: I think that will allow us to honor the  
18 decorum and the tradition of the federal court regardless. But  
19 I'll have to get an explanation from some of you folks who can  
03:16PM 20 come in from the printed press about what's happened here.  
21 Because if I was the television station, I'd be concerned and  
22 wonder why I would be treated differently. But those are the  
23 federal rules.

24 Is there anything else today? Otherwise, I want to  
03:16PM 25 thank you very much and see you next Tuesday at 10:00 o'clock.

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**(Proceedings concluded at 3:16 p.m.)**

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