

Shelter Grievance Advisory Committee (SGAC)
Meeting Minutes
September 7, 2021, 2:00-4:00PM
Microsoft Team Video Conference

Members Present: Terezie Bohrer – Chair, Lessy Benedith, Jennifer Friedenbach, Meghan "RK" Johnson, Jane Ginsburg, Jose Landaverde, Kate Shuton, Cris Plunkett, Henry Brown

Members Absent: Stephen Irwin

Shelter Client Advocates Present: Ben Baczkowsk, Christopher Garcia, Ramsey Dunlap, Tyler Rougeau, Waldo Campos

HSH Staff Present: Cordell Thompson, Lisa Rachowicz, La Shenna Sirles, Patrick Buckalew, Janay Washington, Shireen McSpadden, Christopher Kramer, Louis Bracco

Others Present: Tony Chase, Yanira Ramirez, Alejandro Nuno, Stacie Caparella, Joseph Donohoe, Jaime Perez-Bautista

Introductions and Welcome: Members and guests introduced themselves.

Meeting Agenda: The agenda was reviewed and approved.

Review and Approval of Meeting Minutes – 6/8/21: Meeting minutes were reviewed and approved.

SGAC Business

Bylaw revisions

Chair Bohrer informed the committee that she will be stepping down as Chair after the December SGAC meeting. During the revision, a term limit was added to the Bylaws.

The Chair put forward a motion to approve the revised Bylaws. The motion was seconded and approved.

Review of Shelter Grievance Statistics

15 Month Denial of Services, Internal Hearings and Arbitrations Report 5/20-7/21

Summary of DOS's by Shelter for April – June 2021

Chair Bohrer mentioned the discrepancies in the Department of Homelessness and Supportive Housing's (HSH) June Denial of Service (DOS) report. Unfortunately, the issues with HSH's shelter hearing reporting have not been resolved.

Lisa Rachowicz noted that there's been some staffing challenges in the Data and Performance Team. HSH has sent out a survey to the shelters, so the department can update shelter information and rule changes. Lisa will implement the updates within the next two months.

The Chair asked if the data from the last fiscal year would be updated.

Lisa stated that there was a plan to retrieve the back data from the shelters beginning January 2021. However, she believed the data prior to that date would be difficult for the shelters to provide.

Jane Ginsburg expressed her concern about the lack of data. She said it was important to see what's going on within the shelter system.

The Chair asked if the data offered for today's meeting was accurate?

Lisa responded that the data was limited, because the information doesn't show the whole picture.

Lessy Benedith wanted clarity on the shelter survey that HSH submitted to the shelter providers.

Lisa acknowledged that not all providers have received the shelter survey. HSH was in the process of updating provider contact information. Once completed, all providers will be issued the survey to complete.

Client Advocate Reports

Hearing and Arbitration Monthly Comparison Report for April – June 2021

Tyler Rougeau went over the Client Advocacy Report. Also, he mentioned that the Covid Command Center (CCC) requested help from the Shelter Client Advocates to assist with the rehousing process.

Discussion on 48-hour rule

Tyler expressed his concern regarding limited data on the 48-Hour Rule for congregate shelters. When the 48-Hour Rule was applied, the shelters provided no Denial of Service (DOS) paperwork, offered no shelter hearing, or provided a referral to the Shelter Client Advocate program. He highlighted a case where a client was exited for the 48-Hour Rule. According to Tyler, the client returned to the shelter and was denied entry. The individual was not provided DOS paperwork or advised of their rights. When the Client Advocates followed up with the shelter provider, the provider explained that HSH said the 48-Hour Rule was not covered under the congregate manual. Since a hearing was not provided, the Client Advocates requested a Good Cause Arbitration. The arbitrator ruled that the Shelter Grievance Policy would afford the client a hearing, notwithstanding the congregate manual. After the arbitration decision, the Client Advocates requested a hearing from the shelter provider. Based on HSH's guidance, the shelter provider denied the request based on the 48-Hour Rule was not grievable under the congregate manual.

Lisa stated that the 48-Hour Bed Abandonment Rule has never been grievable, pre-covid, in the navigation centers. The shelter programs have a Curfew Rule, which is different than the Bed Abandonment Rule. She said clients can return to the shelter if they have documents proving why they were absent, i.e. incarceration or hospitalization.

Meghan Johnson believed the language in the congregate manual never stated that the 48-Hour Rule was not grievable. She related a story regarding a client, exited on February 2021, that had his DOS for the 48-Hour Rule overturned in an arbitration. On June 2021, HSH sent out a revision of the congregate manual that stated the 48-Hour Rule was not grievable. As a result, HSH has not recorded the number of clients exited.

Ben Baczkowsk explained that the whole point of due process was to allow people the right to address accusations made against them. By omitting the 48-Hour Rule, it prevents the client the opportunity to challenge their exiting.

Lessy believed that the Shelter Grievance Policy and pre-covid rules need to be reinstated, so guests and staff have a safe shelter experience.

Meghan moved for a motion to have the 48-Hour Rule become grievable. The motion was second and approved.

Old Business

Grievance Policy in regard to Covid-19 (Jennifer Friedenbach)

Jennifer Friedenbach stated that the implementation of the new manual created a lot of confusion, because there's conflict between the Congregate Manual and the Shelter Grievance Policy. She mentioned that any changes to the grievance procedure should go through the SGAC. Jennifer requested that the Shelter Grievance Policy be the sole document overseeing the shelter system, because people experiencing homelessness, client advocates and the shelter providers knew their rights and the rules.

Legislation

The Chair stated that there's a subcommittee working on placing the SGAC in statute. The subcommittee has met with 10 Board of Supervisors. Also, President Walton has his staff meeting with several providers to see what changes may be needed. Hopefully, the legislation will be introduced by December.

New Business

Continue ZOOM Meetings

Chair Bohrer announced that the SGAC would continue having virtual meetings.

Henry Brown suggested creating a survey to gauge the interest of having in-person meetings.

Shireen attend this meeting - welcome message

Director Shireen McSpadden expressed a need to have a collaborative relationship with the SGAC. She acknowledged the differences of opinion on the roles

performed by HSH and SGAC. She assured the committee that HSH would work with the SGAC to ensure that clients receive due process.

Alejandro Nuno, St. Vincent de Paul, said it was important that everyone collaborate to improve the services of our clients. He wanted to examine the results of the pandemic on the grievance process. He believed that HSH's actions limited clients' rights and compromised the safety of the shelter staff.

Jaime Perez-Bautista, St. Vincent de Paul, noted that shelter staff have encountered a lot of clients with serious health issues. Due to these challenges, staff have had difficulty supporting clients with issues of self-care.

Kate Shuton believed that clients' self-care has been an issue long before the pandemic. When the Shelter in Place Hotels (SIP) shut down, the nursing staff will return to the shelters. Her nursing staff provides extra support to clients who need assistance. Also, she stated that clients with chronic issues have challenges being admitted to the hospital, saying "It's an act of God".

Tony Chase, Director at Bayshore Navigation Center, shared his appreciation for Kate's team. He said that they do an excellent job. Tony believed that the shelters and navigation centers have become a dumping ground for people. Also, he felt that providers should be able to vet the clients coming into their facilities. The clients must have the ability to self-care.

Ben stated that the Shelter Grievance Policy had been tossed aside and clients' rights have been taken away. As a result, shelter staff are forced to make difficult decisions. He believed that it would be beneficial if the Shelter Grievance Policy was reinstated.

Joseph Donohoe, MSC South, shared stories of medical facilities dropping off people at his shelter in taxis. He mentioned a case when a double amputee was dropped off in front of MSC South without a wheelchair.

Meghan asked Director McSpadden if she had formed an opinion about the role of the committee?

Director McSpadden replied that the SGAC's role is to work with HSH. Ultimately, HSH is responsible for creating the shelter rules. She wants to work collaboratively with the SGAC, because HSH needs to rely on the committee as a policy partner. The goal is to create a better system, so clients and staff feel safe.

HSH's transparency and notifying SGAC/ advocates when policies and rules are being changed

Lisa explained that the rules are under the purview of HSH. She believed that there should be a collaboration between the SGAC and HSH. Lisa stated that the department's priority was getting input from the providers about the rules. Also, she suggested both sides meet to discuss the inconsistencies within the two shelter policies.

Jennifer reiterated that any changes to the grievance procedures needed to go through the SGAC. She added that the Shelter Grievance Policy was created to make sure that the shelter clients receive due process based on the shelter's rules.

The Chair asked for volunteers to work on a subcommittee to address the inconsistencies within the two shelter policies.

Public Comment

There was no public comment.

Next Meeting

Tuesday, December 7, 2021

2:00-4:00PM

Video Conference

Meeting Adjourned