

Please provide space for members of the Columbus Park Community to provide testimony about the living conditions such as access to water, bathrooms, laundry, and showering.

On December 22, 2020 I visited Columbus Park in response to a report that the bathrooms had been boarded up, the only source of drinking water had been shut off, and the one porta potty had not been routinely cleaned. Columbus Park has become a stable home-base to a community of over 200 unsheltered people. The reports were accurate. A story regarding the situation was ran in [The Spotlight](#). The water has been turned on once again, and one of the two bathrooms have been opened. While looking for the San Jose Human Rights Policy I was not able to locate.

However, water and sanitation are included amongst essential human rights by the United Nation and California has passed a law that recognizes the human right to water.

*“On 28 July 2010, through [Resolution 64/292](#), the United Nations General Assembly explicitly recognized the human right to water and sanitation and acknowledged that clean drinking water and sanitation are essential to the realisation of all human rights. The Resolution calls upon States and international organisations to provide financial resources, help capacity-building and technology transfer to help countries, in particular developing countries, to provide safe, clean, accessible and affordable drinking water and sanitation for all.”*

AB 685, 2011-2012 Leg. Reg. Sess. (Cal. 2012) (codified at Cal. Water Code § 106.3 (West 2012)). For more information on federal and California laws pertaining to the regulation of drinking water, see Safe Water Alliance, Environmental Justice Coalition for Water, and the International Human Rights Law Clinic, University of California, Berkeley, School of Law, “Racial Discrimination and Access to Safe, Affordable Water for Communities of Color in California,” Shadow Report to the UN Committee on the Elimination of Racial Discrimination (August 2014), pp. 7-8, available at [http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/USA/INT\\_CERD\\_NGO\\_USA\\_17884\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/USA/INT_CERD_NGO_USA_17884_E.pdf)

I would like to vote to send a letter to Mayor, City Council, and Parks and Recreation requesting a policy to ensure that water and bathrooms will not be closed off for public use, additionally community centers should be outfitted to provide 24-hour shelter during the winter months. With the reminder that the many social determinants that create systemic inequity, are the same social determinants that make historically marginalized groups most at risk for housing insecurity, including the group of people that I was appointed to represent, the disabled members of our city

## **Supplemental Information**

### The Human Right to Water in the United States

Written submission prepared by the  
International Human Rights Clinic at Santa Clara University School of Law 2015

#### Similar Example Situation Sacramento CA

Policies that restrict access to public restrooms and drinking fountains in public areas<sup>33</sup> and laws criminalizing public urination or defecation exacerbate the problems caused by lack of access to water and sanitation.

The UN Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation documented this situation during her 2011 country visit to the United States, looking specifically at the situation of a large homeless encampment in Sacramento, CA. She found that, with no access to public sanitation services, homeless populations are forced to clean up their own human waste and find alternative ways to dispose of it. She emphasized the importance of access to sanitation services for homeless individuals, noting that the “denial of opportunities to [exercise basic bodily functions] in a lawful and dignified manner can both compromise human dignity and cause suffering,” even rising to the level of “cruel, inhumane or degrading treatment.”<sup>40</sup>

In the U.S., where up to 3.5 million people experience homelessness every year, homeless populations systematically lack equal access – or any access – to adequate water and According to the National Law Center on Homelessness and Poverty, for homeless selective enforcement of these laws against homeless individuals, who have no other alternatives,

### Water and Sanitation in Urban America, 2017–2019

Drew Capone, BEng, Oliver Cumming, MSc, Dennis Nichols, MPH, and Joe Brown, PhD

*Californians without access to basic: sanitation= 214 930 (0.57) water174 803 (0.46)*

### Cal Matters: Homelessness Crisis data and Figures

In a state with vast amounts of wealth, more than 150,000 of its residents sleep in shelters, cars, or on the street.

The [United Nations](#) compared the tent encampments of San Francisco to the slums of New Delhi and Mexico City. [Nearly 5,000 people](#) live in the half square mile of Los Angeles’ Skid Row. And while the problem is most acute in California’s urban centers, homelessness is now a common fixture in many of the state’s [suburbs and rural towns](#). State and local officials have pledged billions in recent years to help, but voters remain frustrated by a lack of visible progress.

