



## Over 1,300 Homeless Bay Area Residents Claim Compensation Following Caltrans Lawsuit

*1,315 people who had their belongings taken by Caltrans in encampment sweeps have submitted 1,529 claims for compensation in a class action lawsuit.*

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ALAMEDA COUNTY -- Nearly four years to the day after homeless residents sued Caltrans for confiscating and destroying their most valuable assets, a historic total of 1,315 homeless and formerly homeless individuals submitted claims seeking compensation for their losses. The class action lawsuit was brought by the Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCRSF), the East Bay Community Law Center (EBCLC), the American Civil Liberties Union of Northern California, and the law firm WilmerHale in 2016.

When plaintiffs secured a legal victory in *Sanchez v. Caltrans* in February 2020, coalition members hoped to continue in-person encampment outreach and anticipated reaching a few hundred class action members in Berkeley, Emeryville, and Oakland who were entitled to claim a recovery from the \$1.3 million fund provided in the settlement to compensate claimants. The onset of COVID-19 quickly derailed the existing outreach plan, leading coalition advocates to galvanize more than 200 volunteers across multiple states to connect with plaintiffs via a live hotline and talk them through the completion of the nine-page form remotely.

"What's important about this outreach effort is not just the dollar amount or the number of people we reached," said Candy Smallwood, staff attorney and clinical supervisor at EBCLC and one of the lead coordinators of the outreach effort. "It's the fact that our community members got to share the stories of their trauma and have their loss officially acknowledged. This process has allowed 1,315 claimants to seek compensation for their losses, and the overall settlement will help ensure that Caltrans treats homeless people with dignity and respect."

"For years, Caltrans has swept homeless encampments and unjustly seized the property of unhoused people, destroying items necessary for survival such as insulin, HIV medication, canes, clothing, and food," said Tori Larson, Equal Justice Works Fellow at the LCCRSF. "While this case is settled, we know the fight isn't over. We will continue to keep Caltrans accountable to the policy changes we won in the settlement and to the Fourth Amendment."

Volunteers connected with claimants through a dedicated Google Voice line answered in real time, an important aspect of collecting information from a group of people with limited access to phone and email. Posters and flyers were distributed at encampments and stuffed inside grocery bag donations. Staff members and volunteers at the LCCRSF, EBCLC, and the Homeless Action Center conducted outreach at encampments to ensure those without access to phones and emails could still complete a claim form.

Bill Freeman, Senior Counsel of the ACLU Foundation of Northern California, said, "The number of claims submitted reflects both the widespread harm caused by the conduct that gave rise to the lawsuit, as well as the heroic efforts of the team of attorneys and volunteers who reached out to class members to help them submit their claims."

"It is a testament to the incredible strength and resiliency of communities and networks of homeless individuals that our outreach was so successful, particularly as the COVID-19 pandemic rages on," said Laura Goodall, counsel at WilmerHale.

"Indigenous, African-American, and people of color are disproportionately represented among the homeless, as they are disproportionately represented among the poor, the unemployed, the victims of police violence, and now the dead and dying of COVID-19," said Osha Neumann, staff attorney and clinical supervisor at EBCLC. "For the wrongs they suffer in this unequal and unjust society, they are seldom compensated. As a result of this lawsuit, the wrongs done to people experiencing homelessness were recognized, their rights were vindicated, and they will obtain some small measure of compensation for their loss."