

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. LA CV 20-02291-DOC-KES

Date: May 27, 2021

Title: LA ALLIANCE FOR HUMAN RIGHTS, et al. v. CITY OF LOS ANGELES, et al.

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Kelly Davis
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR
DEFENDANT:
None Present

PROCEEDINGS (IN CHAMBERS):

**ORDER RE: MAY 27, 2021
EVIDENTIARY HEARING**

On Thursday, May 27, 2021, the Court held an evidentiary hearing in Los Angeles. Per the Court’s April 25, 2021 order ([Dkt. 286](#)) on Defendants’ Ex Parte Applications to Stay (Dkt 282, 284), the purpose of the May 27th hearing was to 1) “determine what properties exist and are available for homelessness relief” and 2) “receive testimony from the City and County” regarding “the Court’s findings on structural racism in its April 20, 2021 preliminary injunction.” [Dkt. 286 at 14.](#)

Provision 2(a)(ii) of the Court’s April 20, 2021 preliminary injunction reads:

The Court ORDERS the cessation of sales, transfers by lease or covenant, of the over 14,000 City properties pending the report by the Controller Ron Galperin to the Court, and all similarly situated properties held by the County pending the report by the County counsel.

[Dkt. 277 at 107.](#)

At the May 27 hearing, the Court heard testimony from City Controller Ron Galperin regarding the availability of City properties for homelessness relief. As a result of this testimony, the Court finds it reasonable to EXTEND THE STAY of Provision 2(a)(ii) of the April 20 preliminary injunction pending the outcome of the parties’ appeal in the Ninth Circuit.

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The Court’s preliminary injunction also ordered the following:

Pursuant to the Mayor’s announcement of a ‘justice budget’ on Monday, April 19, 2021, the Court ORDERS that \$1 billion, as represented by Mayor Garcetti, will be placed in escrow forthwith, with funding streams accounted for and reported to the Court within 7 days.

Dkt. 277 at 106.

Following the Court’s order, the City represented that the billion dollars allocated for homelessness in the justice budget was not available to put in escrow.¹ Los Angeles City Administrative Officer Richard Llewellyn further stated that “the great majority of these funds are not currently in the City’s possession.”² The City maintains that it still does not have the billion dollars that it initially pledged for homelessness available to put in escrow. Given this representation, the Court EXTENDS THE STAY of this provision until October 18, 2021.

Finally, in its April 20, 2021 preliminary injunction, the Court found that structural racism in the form of freeway construction, eminent domain, exclusionary zoning, redlining, and unequal access to shelter and affordable housing was a driving force behind Los Angeles’ homelessness crisis. *See Dkt. 277 at 1–31*. In response to the Court’s order, the parties argued that they “never had an opportunity to address these issues.” Dkt. 284 at 2; *see also Dkt. 286 at 7* (“[T]he County did not have an opportunity to address . . . the facts the Court relied on . . .”). In an effort to address the parties’ concerns, the Court offered to “receive testimony from the City and County on these findings” and “invite[d] all interested parties to notify the Court if they would also like to be heard in this regard.” Dkt. 286 at 14.

At the May 27th hearing, the Court heard testimony from the Chair of the County Board of Supervisors Hilda Solis; City Councilman Kevin de Leon; and community leaders General Jeff, Pastor Q, and Pete White that underscores the impact of structural racism on homelessness. The Court heard further testimony from the Downtown Women’s Center, Skid Row Housing Trust, and Union Rescue Mission on the plight of homeless women and children in Skid Row. Following this testimony, the Court maintains its factual findings as outlined in the April 20, 2021 preliminary injunction.

The Clerk shall serve this minute order on the parties.

¹ Christopher Weber, *Judge Orders LA to Offer Shelter for Homeless on Skid Row*, YAHOO! NEWS (Apr. 20, 2021), <https://www.yahoo.com/news/judge-orders-la-offer-shelter-213848366.html>. *But see* Benjamin Oreskes & David Zahniser, *L.A. Plans Nearly \$1 Billion in Spending to Address Homelessness Under Garcetti Plan*, L.A. TIMES (Apr. 19, 2021), <https://www.latimes.com/homeless-housing/story/2021-04-19/los-angeles-will-increase-budget-for-addressing-homelessness>.

² Dkt. 284-1, ¶ 10 (Richard H. Llewellyn, Jr. Declaration).

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Initials of Deputy Clerk: kd