



Rev. Jethroe Moore II
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San Jose Silicon Valley NAACP
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July 6, 2024

Chair Nai Hsueh, District 5
Vice Chair Richard Santos, District 3
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118-3686

Dear Chair Nai Hsueh and Vice Chair Richard Santos,

I write to you today in an effort to stir your conscience, to find your better angels within, you all have individually established yourself as exceptional leaders. As President of the San Jose/Silicon Valley NAACP, we have no permanent enemies, and no permanent friends, only permanent interests. Proverbs 31:8-9 Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and needy. Chair Nai Hsueh, and Vice Chair Richard Santos, I am surprised that you are Blind to the past, blind to the present, and blind to the future.

On June 28th, 2024 Friday, the Supreme Court revisited the issue of vagrancy, shedding light on a troubling aspect of American legal history. The concept of vagrancy has a long and contentious past, dating back to laws that targeted individuals deemed idle or wandering without visible means of support. These laws often unfairly criminalized individuals experiencing poverty, homelessness, or unemployment, labeling them as "vagrants," "beggars," or "common drunkards."

The Supreme Court's reconsideration of vagrancy laws raises crucial questions about justice, equity, and the criminalization of poverty. If Valley Water values equality and fairness, it is essential to examine how historical biases and systemic injustices have shaped legal frameworks targeting vulnerable populations.



Valley Water's proposed ordinance to fine and jail individuals camping on their property deemed a "protected waterway" is not only unjust but also short-sighted and misguided. By penalizing unhoused individuals who have no other choice but to seek shelter in these areas, Valley Water would be exacerbating rather than alleviating the issue of homelessness.

First and foremost, the fact that 90% of these sites already have individuals living there indicates that these people have no alternative options for housing. Criminalizing their presence and threatening them with fines and jail time is not a solution to homelessness. In fact, it would only push these vulnerable individuals further to the margins of society without addressing the root causes of their homelessness.

Furthermore, Valley Water's provision of porta-potties and trash receptacles at these sites has been effective in reducing pollution into the waterways. By reversing course and implementing punitive measures, Valley Water risks undoing the progress that has been made in environmental protection. It is counterproductive to punish individuals who are already marginalized and struggling to survive, especially when they are making efforts to minimize their impact on the environment.

The proposal to impose a \$50 fine and 30 days in jail on unhoused individuals is not only inhumane but also financially unrealistic. The very population being targeted by this ordinance is the least able to pay such fines. Criminalizing homelessness only perpetuates a cycle of poverty and disenfranchisement, making it even more challenging for these individuals to break out of homelessness.

Moreover, it is crucial to consider the disproportionate impact that such a policy would have on Black individuals, who are already overrepresented in the homeless population. The statistics highlighting the overrepresentation of Black people among the unhoused in our County underscore the systemic inequalities and injustices that perpetuate homelessness. Penalizing these individuals without addressing the underlying issues of systemic racism, poverty, and lack of affordable housing only serves to further marginalize and harm communities that are already vulnerable.

Instead of punitive measures, Valley Water should work towards implementing compassionate and effective solutions to address homelessness. This could involve partnering with local organizations and agencies to provide supportive services, affordable housing options, and access to mental health and substance abuse treatment. By approaching the issue of homelessness with empathy and a focus on



long-term solutions, Valley Water can better serve both the unhoused individuals and the community as a whole.

Valley Water's proposed ordinance to fine and jail individuals camping on their property deemed a "protected waterway" is unjust, inhumane, and counterproductive. And would potentially separate families placing kids in the foster care system. Rather than criminalizing homelessness, Valley Water should prioritize working towards sustainable and equitable solutions that address the root causes of homelessness and support the well-being of all individuals in our community.

As leaders in our community, you have the power to shape policies that reflect our shared values of justice and inclusivity. I invite you to engage in a dialogue with the San Jose/Silicon Valley NAACP and other community stakeholders to explore alternative approaches that promote equity and compassion for all.

I urge you to heed the call of conscience and reconsider the path ahead. Let us work together towards a more just and equitable future for all residents of our community.

Yours in solidarity,

A handwritten signature in black ink that reads "REV. Jethroe Moore II". The signature is written in a cursive style and is placed on a light blue rectangular background.

Rev. Jethroe Moore II, President
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Cc: Rick Callender, CEO, Santa Clara Valley Water District
Carlos Orellana, District Counsel, Santa Clara Valley Water District

Isaiah 55:1 "Come, all you who are thirsty, come to the waters; and you who have no money, come, buy and eat! Come, buy wine and milk without money and without cost.



Please watch if at all possible it's on Amazon Prime

