

Oakland Informal Settlements Upgrade Their Encampments Under the Banner “Right to Exist Curbside Communities”

By Anita De Asis Miralle aka Needa Bee

March 2019

Right to Exist Curbside Communities is an alliance of unhoused people who came together in July 2019 to shed light on the civil rights violations that the City of Oakland is perpetrating against its unhoused residents. We demand affordable housing for Oakland’s displaced and soon to be displaced. Until adequate affordable housing is available for Oakland’s curbside residents, **Right To Exist** is advocating for the right to shelter in place, upgrading curbside communities, and rallying the community support necessary to make their vision a reality. This is an effort to work in alignment with Oakland’s many unhoused neighbors who are already standing up for and asserting our rights.

Over the last five years, the city has witnessed the formation of massive curbside communities like Community of Grace or The Wood Street Collective that are fully autonomous from city or non-profit governance. There are also offshoots of The Village - the human rights movement for curbside communities that provides support, services, advocacy and encampment upgrades to dozens of Oakland’s informal settlements. From January 2017 - January 2019 The Village created three curbside communities. These were the Promise Land, Two Three Hunid Tent City, Housing and Dignity Village, which were intentional curbside communities built in partnership and co-governance with housed residents, community organizations, and curbside residents.

Right to Exist is also using the judicial system to shed light on the civil rights violations of the city’s current policies. With support from Meiklejohn Civil Liberties Institute, three of the communities operating under the **Right to Exist** banner are currently **suing the City of Oakland**. Two of these communities are still standing: one is located on E12th and 16th Avenue behind the Burger King in East Oakland. The other is located on E12th and 22nd Avenue. Some residents have been at these locations on and off for seven years. A handful were former residents of Two Three Hunid Tent City. The third is Housing and Dignity Village, which was located in deep East Oakland on Edes Avenue until the city evicted them in December 2018. The residents of all these curbside communities are suing the city of Oakland for violations of their rights to exist and survive. The lawsuits in question are called **Shipp vs. Schaff and City of Oakland, Bowen vs. The City of Oakland, and Miralle vs. City of Oakland**. The unhoused plaintiffs in these cases assert **we are protected by our 1st, 4th, 8th and 14th amendment rights**.

Right To Exist Curbside Communities, unhoused neighbors across the city, and homeless advocates have documented and testified the city constantly violates these rights thru their eviction and cleaning practices:

1. Department of Public Works destroys and throws out properties including IDs, work uniforms, medication, family photos, laptops, tents - people’s entire lives - despite the official policy which states these items are included in a list that cannot be thrown away. This practice not only violates their own policies, but the constitution (4th, 8th & 14th). It causes curbside residents deep depression and trauma, setbacks. Residents had expressed that this practice knocks our most vulnerable residents off the one foot they are standing on.
2. The City’s policy also states that no one’s property can be touched by City agents while the owner of the property are present and that property that the resident wants but does not have the ability to move will be bagged, tagged and stored for up to 90 days free of charge by the Department of Public Works.

3. An unnecessary and costly large police force is present at every eviction and clean-up. This large police presence makes curbside residents feel criminalized, triggered, threatened and unsafe. (8th & 14th)

Housing is a human right. The United Nations said it is the responsibility of governments to provide housing for its residents. And when a government fails to provide this, creating curbside communities is the act of human beings asserting and achieving that right by any means when the public servants have failed.

The number one priority of the city shouldn't be millions of dollars into temporary tool sheds. Instead, **Right to Exist** asserts that they should be putting millions of dollars into:

1. Housing built for regular folks from The Town. Over the next six years, the city of Oakland has approved 50,000 units of market rate and above market rate housing units (that's like \$4,000 for a one bedroom!). In these same 6 years, the city has approved 1,100 units of what they call affordable housing. In 2019 "affordable" housing is for people making \$79,000 a year. And in the next 6 years there are 250 units for no income, low income and working class residents.
2. Upgrading the quality of life in all encampments across the city. The Homeless Advocacy Working Group (HAWG) have been tirelessly pressuring the City and County to provide portapotties, showers, trash services, clean drinking water, potable water and solar power in the 80 known curbside communities across Oakland. After three years of advocacy, only 20 encampments have partial sanitation services.

Last month the city of Oakland filed a motion asking the federal judge to dismiss the Shipp vs Schaaf case. On August 15, 2019 the judge denied the city's motion. This means that encampment will be free from threats of eviction for a while as the drawn out legal process continues. So until the city comes up with an actual solution, Right to Exist Curbside Communities are currently upgrading their encampments with the support of The Village.

At the E12 & 16th Ave location, The Village volunteer builders are working with residents to build more solid homes and a community kitchen. At E12th & 22nd Ave location The Village volunteers are working with residents to deal with the massive illegal dumping happening at the site by housed folks and businesses. On both sites, The Village is supporting the residents towards developing solid decision making process, roles and responsibilities and also fundraising for portapotties/clean drinking water/showers/building materials.

This past June, homeless advocates were able to persuade city council to include \$600,000 a year in The City budget to support self-governed encampments such as Right To Exist Curbside Communities throughout Oakland. Right to Exist is hoping to be able to have some of these funds applied to their encampments upgrades, but the bureaucratic process is slower than a snail. So in the meantime residents are pooling their curbside community resources and The Village is supporting with fundraising efforts.

To stay in the loop about issues affecting your unhoused neighbors check out [The Village](#) on Facebook, [The Village website](#), or [HAWG Homeless Advocacy Working Group](#) on Facebook. Also if you would like to support our efforts of asserting our human right to housing, clean water and food please contact Right To Exist Curbside Communities' advocate Needa Bee at 510-355-7010.

To donate to our encampment upgrade efforts please send Home Depot electronic gift cards to: maowunyo@gmail.com or donate directly to The Village paypal at <https://www.paypal.com/paypalme2/thevillageinoakland>. Funds will be used towards clean drinking water, hot

meals, hygiene supplies, building supplies, trash services, towing RVs & Campers to safe places, power sources.

****since the printing of this article, two new civil rights lawsuits have been filed. The now destroyed Union Point Park vehicle community filed Hung vs. City of Oakland with for plaintiffs. Speaking up for the e12th street community from 16th to 19th streets that has been repeatedly traumatized and brutalized for the past three years, a second Hung vs. City of Oakland was filed.*