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STATEMENT OF MATTHEW WECHTER,

**SUPERVISING DEPUTY PUBLIC DEFENDER,
PRETRIAL ADVOCACY AND COMMUNITY CONNECTIONS,
COUNTY OF SAN DIEGO DEPARTMENT OF THE PUBLIC
DEFENDER**

**BEFORE THE COMMITTEE ON THE VETERANS' AFFAIRS,
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
UNITED STATES HOUSE OF REPRESENTATIVES**

FOR A HEARING ENTITLED

**ALL HANDS ON DECK: ENDING VETERAN HOMELESSNESS
IN SAN DIEGO**

PRESENTED

MAY 4, 2023

STATEMENT OF MATTHEW WECHTER,
SUPERVISING DEPUTY PUBLIC DEFENDER,
PRETRIAL ADVOCACY AND COMMUNITY CONNECTIONS TEAM,
COUNTY OF SAN DIEGO DEPARTMENT OF THE PUBLIC DEFENDER

AT A HEARING ENTITLED
ALL HANDS ON DECK: ENDING VETERAN HOMELESSNESS IN SAN DIEGO

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Chairman Van Orden, Ranking Member Levin, and distinguished members of the Committee: On behalf of the County of San Diego Department of Public Defender, our Chief Deputies, and the members of our office, thank you for inviting me to testify on the issue of Veteran Homelessness.

Thank you for inviting me to the hearing on this very important topic. Since my first years as an attorney in this office, it has been clear to me the strong commitment that the San Diego Public Defender – and the greater County of San Diego community – has to serving our homeless veteran population. Veteran issues are always at the forefront of our concerns; our court has a Veteran Court, we have the new Community Care Coordination for Veterans program, and are always trying to find ways to support our veteran community – housed or unhoused.

Let's be clear – not all veterans are unhoused, and not all unhoused individuals are veterans; but veteran homelessness is an unacceptable combination phenomenon. Of all our various populations that do not have adequate shelter, veterans should not be counted among them. All levels of government have worked hard over the past several years, and made great strides to reduce the number of unhoused veterans; they should be applauded for their amazing efforts and results in this area.

With several military facilities within our borders, San Diego County is a heavily veteran-focused community that still has work to do. That being said, San Diego CAN get to Functional Zero – but only if we remove barriers to their success. I will focus my written comments on how we can make that happen through removing legal barriers.

Addressing Legal Issues is Paramount to Exit the Cycle of Veteran Homelessness

Two examples of this scenario may be illustrative.

Example 1: A veteran is cited for a minor quality of life offense, and doesn't show up to court (as is often the case) because they are more concerned with their next meal or their safety on the streets than keeping track of the court citation. As a result of their non-appearance, a warrant is issued for their arrest. That warrant may result in them being denied certain benefits, or housing,

they may face barriers to some treatment programs that will not allow entry, or they may refrain from reporting themselves as a victim of a crime because they are frightened of being arrested. In either situation, that veteran is more likely to stay on the streets for years in the cycle.

Example 2: A veteran is cited for the same offense, but shows up to court. They plead or are found guilty, and are assessed fines and fees and put on probation. Through probation, or on their own, they engage in substance use or mental health treatment, or work with a housing provider for a voucher. At the end of working with that case manager, they are ready to graduate and get into housing. However, the fines and fees have gone to collections, and they owe several thousands of dollars in fines/fees, the housing is denied, and they fall back into homelessness.

In both of those examples, without addressing the legal issues that are the collateral consequences of being unhoused, the cycle of homelessness will continue. What can be done?

Origins of Homeless Court in San Diego – Stand Down

In 1988, the first Veteran Stand Down event was held in San Diego County. Stand Down events are one-stop-shops, where those veterans and their families that are homeless, or at-risk of homelessness can come and engage with community services. In San Diego, that event is a three-day event, formerly at the San Diego High School field, where the veterans can stay for the duration of the event on site, bunking with other veterans in a safe, secure and welcoming environment. Volunteers come from all aspects of the community – food service, clothing, medical, dental, jobs, substance use help, musical entertainment, haircuts, and so much more.

One of our retired Public Defenders was among those volunteers – Steve Binder. He was part of an exit survey of the veterans at the 1988 event; the most requested item for help listed was “legal help”. In response to that survey, Mr. Binder went to the Superior Court and asked that the court participate in future events. The court’s initial – and understandable – response was, “we are open 9-5 Monday through Friday, have them come down and we will help.” Mr. Binder’s response, in 1989, was ahead of its time; he and the members of the Stand Down volunteer team told the court, “Your Honor, with all due respect, that isn’t good enough. We need to serve and meet these veterans where they are.” And the Court listened. So, in 1989, the Public Defender, the Superior Court, the City and District Attorney, all came to the Stand Down event to do just that. Based on the participation and engagement of the veterans with the multitude of services provided to them, minor quality of life offenses¹, fines, and fees that had been hanging over the heads of these veterans were pulled from the courtrooms to the Stand Down “courtroom” where the judge appeared and lifted the weight and burden of these cases off their shoulders.

These cases being lifted are not insignificant. Many times a minor unpaid traffic infraction can result in a court “hold” on someone’s Driver’s License, or be referred to collections and cause a negative report on a credit report. An outstanding warrant can prevent someone from accessing the full benefits or receiving housing for which they may be entitled. The Homeless Court portion of Stand Down successfully provides opportunities for veterans experiencing homelessness, mental health issues, and substance abuse to receive services to address their

¹ The cases handled at Stand Down/Homeless Court are of the minor variety – infractions and minor misdemeanor cases. These may be a minor nuisance to any one of us, but getting to court across town, on time, and/or a \$100 fine for an unhoused individual who is attempting to find food for their next meal or find shelter from the cold can prove to be an insurmountable barrier.

needs. With the exception of COVID, the Public Defender and the rest of the justice partners have been there almost every year since 1989, rain or shine, to continue that tradition. Homeless Court @ StandDown was born.

Homeless Court and Stand Down Today

In 2001, through a grant, the monthly Homeless Court Program, similar to its current form, was born. Building off the model of the Stand Down event, individuals who are homeless or at risk of homelessness, can participate with an approved Homeless Court Program community provider (including the VA, and some others testifying on this panel), be referred to us, and their minor infraction and misdemeanor cases can be dismissed and/or fines and fees satisfied. The model is one of “recognition” of the work someone is doing on themselves to identify the root causes of their homelessness and justice-involvement, addressing it through engagement in services, and the Court merely getting out of the way of their positive trajectory.

Homeless Court @ Stand Down and the standard Monthly Homeless Court Program are alive and even stronger today. The American Bar Association Commission on Homelessness and Poverty² lists the Homeless Court Program as one of its national initiatives, providing technical assistance to jurisdictions across the country to create or improve their Homeless Court Programs with San Diego as the gold standard. The California Chief Justice’s Workgroup on Homelessness Report listed creation of more Homeless Courts as one of the recommendations to the Chief Justice³. We are in the planning stages now, with Veteran’s Village of San Diego, to put on the 2023 Stand Down event in late July.

Innovation in the HCP Model – Stand Down as a Model for the San Diego Homeless Court Pop-up Resource Fair

In the same way the Stand Down Homeless Court paved the way for the monthly Homeless Court Program accessible to veteran and non-veteran alike, in 2021 the Public Defender, City Attorney, District Attorney, DMV, County Office of Homeless Solutions and Equitable Communities, and Superior Court decided to go even further in adoption of the Stand Down model to all unhoused individuals. On a monthly basis, the above partners and several hyper-local community-based providers join together in a geographic location(s) where there is demonstrated need for these services. The events have been widely popular, and many communities have asked for the HCP Pop-up Resource Fair to be held in their community.

At the Pop-up, veterans (similar to the Stand Down model) and non-veterans alike can walk up to engage in resources, including benefits, medical, showers, substance use. In exchange for that engagement, the Homeless Court is there to *immediately* clear the cases holding up their license, and clear outstanding warrants that may prevent them from accessing benefits or housing. We can do this immediate relief now as a result of the forced innovation to keep the court lights on during COVID. With a judge and clerk on call at the courthouse, relief can be granted with a click of a button.

² https://www.americanbar.org/groups/public_interest/homelessness_poverty/initiatives/homeless-courts/about-homeless-courts/

³ https://www.courts.ca.gov/documents/hwg_work-group-report.pdf (Recommendation 2.1)

If the clients have other non-immediate barriers, they are referred to one of our approved Homeless Court Network Providers⁴ to further work on themselves and go through the traditional Monthly Homeless Court Program to satisfy the remainder of the cases/fees.

Homeless Court for Veterans Nationwide

Stand Down may have some of its initial origins in San Diego, but they occur throughout the country in communities with a high veteran population. Several federal agencies also support Stand Down events through grants and other supportive work.⁵⁶ Stand Down events are an important “surge” to provide community support in a big way, but these events are traditionally one time per year, and have varying degrees of court/legal barrier relief; some may include civil legal aid, or basic post-conviction consultation, but no meaningful active case assistance. Without relief of legal issues, the cycle of homelessness for veterans will continue.

Conclusion

San Diego has been a leader in addressing the legal needs of its veterans for the past 30 years – both in the San Diego County community and beyond in consulting with other jurisdictions to improve their offerings. By supporting more regular monthly Homeless Courts and Stand Down/Pop-up style events that clearly incorporate legal relief, where the veterans need it most, we can further stem the tide of veteran homelessness and work toward veteran Functional Zero.

⁴ <http://homelesscourtprogram.org> / <http://bit.ly/sdhcp>

⁵ <https://www.va.gov/homeless/events.asp>

⁶ [https://www.dol.gov/agencies/vets/programs/StandDown#:~:text=Stand%20Downs%20\(SD\)%20are%20typically,VA%20Social%20Security%20benefits%20counseling.](https://www.dol.gov/agencies/vets/programs/StandDown#:~:text=Stand%20Downs%20(SD)%20are%20typically,VA%20Social%20Security%20benefits%20counseling.)