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## **81 New Beds Will Soon Be Available to Vulnerable San Diegans**

*After years of delay, court ruling allows S.M.A.R.T. Program facility to open its doors in summer 2020*

San Diego City Attorney Mara W. Elliott today announced that the City will soon open a facility to assist one of the most intractable subsets of San Diego's homeless population: drug addicts who support their habit by committing low-level crimes.

The long-awaited Smart on Palm facility – which will provide its participants with housing, treatment programs, job readiness training, and counseling in a safe and supervised setting – is expected to open this summer.

The opening of the Smart on Palm facility was obstructed for several years by unnecessary and costly litigation. But last week, the California Fourth District Court of Appeal found no merit in a lawsuit claiming that the former Super 8 motel in Egger Highlands needed a Coastal Development Permit to be repurposed as bridge housing for unsheltered San Diegans. The lawsuit, filed by attorney Cory Briggs on behalf of Citizens for South Bay Coastal Access, had delayed progress on Smart on Palm since it was filed in December 2017.

**“This program helps individuals who have been resistant to intervention get their lives back on track by providing them with shelter, treatment, and wraparound services,”** San Diego City Attorney Mara Elliott said. **“We’re grateful that the appellate court saw through this meritless lawsuit and cleared the way for a program that will provide vulnerable citizens with the services they so desperately want and need.”**

The S.M.A.R.T. Program was ranked number one in California when 58 municipalities competed for state funds for programs that assist individuals caught in a revolving door of substance abuse, arrest, and incarceration without access to programs that address the underlying cause of their behavior. S.M.A.R.T. began as a pilot program with 10 beds; once Smart on Palm opens, it will have 81.

Had the December 2018 trial court ruling stood, its impacts would have imperiled other project applicants in Coastal Zone communities, including Torrey Pines, La Jolla, Pacific Beach, Mission Beach, Ocean Beach, Point Loma, Sunset Cliffs, Barrio Logan, Nestor, and Egger Highlands.

Under the trial court ruling, project applicants could no longer utilize an existing-structure exemption to the Coastal Development Permit (CDP) requirement, even for minor improvements to their property. By the time the appellate court took the case, the City had already obtained a CDP for the Smart of Palm improvements. But with its successful appeal, the City Attorney's Office preserved that exemption from the costly, time-consuming CDP process, an exemption that had been utilized by many project applicants every year since the Coastal Commission approved it in 2000.

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**“The law specifies when the Coastal Commission must review changes in our beach communities. Had the litigants prevailed, layers of unnecessary bureaucracy and costs would have been placed on tens of thousands of project applicants who merely proposed minor renovations to an existing structure,”** Elliott said.

The Smart on Palm property was previously a run-down Super 8 motel that had a history of low occupancy, high crime, and repeated police service calls. Numerous building code violations have been corrected, and it now has new landscaping, lighting, and gating, and will operate with round-the-clock staffing and security.

Once completed, Smart on Palm will offer accommodations for men and women, communal kitchens, exercise facilities, and even the opportunity to grow vegetables in a patio garden. The overall goal is to improve quality of life for both the participants and the community while teaching participants important life skills that will help them gain independence after graduating from the program.

The City was represented by Deputy City Attorney Jenny K. Goodman with assistance from Deputy City Attorney Heather Ferbert and Chief Deputy City Attorney Angela Law.

The S.M.A.R.T. Program is a collaboration between the San Diego City Attorney’s Office, the San Diego County Office of the Public Defender, the County of San Diego Behavioral Health Services Department, the San Diego Police Department, the San Diego County Sheriff’s Department, and Family Health Centers of San Diego, with support and assistance from Mayor Kevin Faulconer, and the American Civil Liberties Union. Chief Deputy City Attorney Lara Easton spearheaded the effort. The S.M.A.R.T. Program is led by Chief Deputy City Attorney Angela Law, who leads the Neighborhood Justice & Collaborative Courts Unit in the Criminal Division of the City Attorney’s Office.

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