



The San Diego Union-Tribune

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THURSDAY • OCTOBER 29, 2020

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K.C. ALFRED U-T

GETTING THE MESSAGE

A woman on Sixth Avenue in downtown San Diego on Wednesday walks past a banner imploring people to vote. More than 875,000 registered voters in San Diego County have already voted, according to the county Registrar of Voters Office.

EUROPE, U.S. FACE NEW WAVE OF VIRUS INFECTIONS

France to begin nationwide lockdown amid massive surge

BY TODD RICHMOND & FRANK JORDANS

A new wave of lockdowns and business closings swept across France, Germany and other places in Europe on Wednesday as surging coronavirus infections there and in the U.S. wipe out months of progress against the scourge on two continents.

The resurgence and the resulting clampdown sent a shudder through Wall Street. The S&P 500 fell 3.5 percent, its biggest drop since June, and the Dow Jones Industrial Average lost 943 points, or 3.4 percent.

French President Emmanuel Macron declared a new nationwide lockdown starting Friday, saying the country has been “overpowered by a second wave.” Many doctors had urged the move, given that 58 percent of the nation’s intensive care units are now taken up by COVID-19 patients.

In Germany, Chancellor Angela Merkel announced a four-week shutdown of bars, SEE SURGE • A10

CITY RELAXES TAXI RULES TO ACCOUNT FOR RIDE-HAILING COMPETITION

BY DAVID GARRICK

San Diego is loosening nearly a dozen taxi regulations to help the slumping industry survive during the COVID-19 pandemic and become more competitive with app-based ride services like Uber and Lyft.

The number of city taxi permits has plummeted 45 percent since 2016, from 1,249 permits for cabs to 693. Industry leaders say there are only about 350 cabs operating during the pandemic, which has shrunk local tourism and decreased airport taxi rides.

Akbar Majid of San Diego Yellow Cab, a 30-year veteran of the local taxi industry, said the situation has become more dire during the pandemic than many realize.

“The number of active taxicabs on the street has dropped to an all-time low of 350 from a high of nearly 1,300,” he said. “It is absolutely imperative that some of these antiquated regulations should be updated in order for us to weather the storm.”

SEE TAXI • A11

AFTER CASES, VISTA UNIFIED CHANGES CLOSURE CRITERIA

Middle, high schools will be closed with 2 or more positives

BY DEBORAH SULLIVAN BRENNAN

A week after reopening its schools and reporting that six students had tested positive for COVID-19 at five schools, the Vista Unified School District changed the criteria for closing secondary campuses when positive cases are reported.

Under rules adopted Tuesday, a campus will close entirely for two weeks if two or more positive cases are reported at any one site, and will revert to virtual learning. If three middle or high schools report one positive case each, all three campuses will close.

The guidelines are based on criteria used by schools in New York, Superintendent Matt Doyle said. The rules will trigger the closure of Mission Vista High School starting today, officials said,



JARROD VALLIERE U-T

Rya Hege teaches her fourth-grade class at Vista Unified’s T.H.E. Leadership Academy.

following two recent positive cases at that campus.

Under the existing guidelines, established through a “COVID-19 decision tree,” when a single student or staff member tests positive, all other people in classes with that individual must quarantine for 14 days.

Last week, the two positive cases at the high school forced those students, their teachers and all of their

classmates to quarantine. Another case at Roosevelt Middle School also prompted the quarantine of multiple students.

Those cases, in addition to one case each at Alamosa Park and Mission Meadows Elementary Schools, and one at Alta Vista High School, the district’s continuation school, led to quarantines of 429 students and 23 SEE VISTA • A8

WORDS OF CAUTION AS HALLOWEEN APPROACHES, VIRUS LURKS

County reports 12 outbreaks; hospitalizations remain flat

BY PAUL SISSON

With coronavirus still spreading inside and outside of San Diego County, Halloween will be scary enough this year without the normal habits and haunts.

That was the message of Dr. Wilma Wooten, San Diego County’s public health officer, in her weekly COVID-19 update Wednesday.

“Please note that many traditional Halloween celebrations such as parties and in-person, door-to-door trick-or-treating pose a significantly high risk of spreading COVID-19 and are strongly discouraged,” Wooten said.

Drive-thru events and front yard decorations, she said, can be enough this year.

The tone Wednesday was sober, with county Supervisor Nathan Fletcher highlighting communities that have recently seen big surges of coronavirus transmission. SEE VIRUS • A8

NEW LAWSUIT TO CHALLENGE TRUMP ADMINISTRATION’S ‘REMAIN IN MEXICO’ POLICY

Asylum seekers have waited across border for hearings in U.S.

BY KATE MORRISSEY

As one legal challenge to the Trump administration’s “Remain in Mexico” program heads to the Supreme Court, a new one is being launched in California.

The program, known officially as Migrant Protection Protocols, requires most asylum seekers from Latin American countries to wait in Mexico while their immi-

gration court cases progress in the United States. The lawsuit, which aims to become a class action, was filed Wednesday in the Central District of California.

It is brought by several asylum seekers who were returned along the California border along with organizations that employ their attorneys — San Diego-based Jewish Family Service and Los Angeles-based Immigrant Defenders Law Center.

The complaint argues that the program is designed to ensure that as many asylum seekers as pos-

sible are deported rather than protected. It says that the program requires asylum seekers to stay in dangerous situations that prevent them from having access to the tools and information they need to successfully present their cases to U.S. immigration judges. It also says that the way the federal government has handled the pandemic with regard to the border has worsened the situation.

One of the main arguments is that the program does not allow people in it access to legal representation, said Luis Gonzalez, an

immigration attorney with Jewish Family Service.

“As attorneys, the access to our clients has been extremely limited,” Gonzalez said.

Gonzalez recalled struggles to find safe and confidential locations to meet with clients in Tijuana. He once had to prepare a woman for her final asylum hearing sitting at a Starbucks.

“It was very challenging because we were talking about very sensitive information, and we were forced to do it in a public place and just do our best to make sure SEE ASYLUM • A12



NELVIN C. CEPEDA U-T

Asylum seekers who are part of the Trump administration’s “Remain in Mexico” program arrive in San Diego where their cases will be heard in court.



LOCAL

‘GRINCH’ GOING ON RADIO

Old Globe’s annual holiday show will be a recorded audio play on KPBS starting on Thanksgiving. B1

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Legal Notices

Legal Notices

NOTICE OF PUBLIC SALE
Self-storage unit contents of the following customers containing household and other goods will be sold for cash at **www.storageasures.com** by CubeSmart to satisfy a lien on Thursday, **November 5th, 2020** at the approximate times listed below for Cubesmart facility.
1:00pm - 9:45 Aero Drive San Diego Ca 92123:
Bianca Sanchez, Amy Forte, Rosie Mirabel

Name Change
ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case Number: 37-2020-00032805-CU-PT-CTL
Superior Court of California, County of San Diego, 330 W. Broadway, San Diego, CA 92101.
Petition of **Rhett An-**

drew Pitcock for change of name to all Interested Persons: **Petitioner: Rhett Andrew Pitcock** filed a petition with this court for a decree changing names as follows: **RHETT ANDREW PITCOCK to RHETT ANDREW MCGINTY.** **The Court Orders** that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing. **NOTICE OF HEARING Date: 11/02/2020. Time: 8:30 am. Dept: 61.** The address of the court is **330 W. Broadway, San Diego, CA 92101.** A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: The San Diego Union Tribune. Dated: **September 18, 2020.** /s/ **Lorna Aiksne,** Judge of the Superior Court. **10/29, 11/5, 11/12, 11/19/2020 7730402**

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The San Diego Union-Tribune Classifieds

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**PUBLIC DISCLOSURE NOTICE
INTENT TO ADOPT FINDINGS PURSUANT TO SECTION 15183 OF
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
October 29, 2020**

NOTICE IS HEREBY GIVEN that the County of San Diego intends to adopt findings in accordance with the California Environmental Quality Act Section 15183 for the following project. The proposed findings and the associated analysis can be reviewed at https://www.sandiego-county.gov/pds/ceqa_public_review.html. Under this process, public review is not required; however, any comments received will be accepted and taken into consideration. A FAQ sheet on the 15183 CEQA exemption process can be located at <https://www.sandiegocounty.gov/pds/zoning/formfields/PDS-202.pdf>. Comments on these findings must be sent to the PDS address listed above and should reference the project number and name.

CAMP LOCKETT MASTER PLAN AND REZONE: PDS2017-CAMP-17-003; PDS2020-REZ-20-005; PDS2020-ER-20-00-001.

The Camp Lockett property consists of approximately 400-acres of land located in the unincorporated area within the Campo/Lake Morena subregional group area. The Master Plan proposes to rezone the Camp Lockett property to allow civic, cultural, visitor, and community-oriented uses and to establish long-range goals and objectives intended to revitalize the Campo/Lake Morena community. The Master Plan will accommodate future museums, historical displays, and community-serving facilities such as parks and community centers on the site.

Comments on the proposed findings and associated analysis must be received no later than **November 17, 2020 at 4:00 p.m.** For additional information, please contact Camila Easland at camila.easland@sdcounty.ca.gov, or (858) 505-6677.

**Summons (Domestic Violence Restraining Order)
Superior Court of California, County of San Diego
1100 Union Street, San Diego, CA 92101
Case Number: 20FDV03686C**

(1) Person asking for protection: ANASTASIA AVINA
(2) **Notice to: TROY SORENSEN**
The person in (1) is asking for a Domestic Violence Restraining Order against you.
You have a court date
Name and address of court: same as above
Date: 11/24/2020 Time: 8:30AM Dept.: 902

What if I don't go to my court date? If you do not go to your court date, the judge can grant a restraining order that limits your contact with the person in (1). If you have a child with the person in (1), the court could make orders that limit your time with your child. Having a restraining order against you may impact your life in other ways, including preventing you from having guns and ammunition. If you do not go to your court date, the judge could grant everything that the person in (1) asked the judge to order.
How do I find out what the person in (1) is asking for? To find out what the person in (1) is asking the judge to order, go to the court-house listed at the top of page 1. Ask the court clerk to let you see your case file. You will need to give the court clerk your case number, which is listed above and on page 1. The request for restraining order will be on form DV-100, Request for Domestic Violence Restraining Order.
Where can I get help? Free legal information is available at your local court's self-help center. Go to www.courts.ca.gov/selfhelp to find your local center.
Do I need a lawyer? You are not required to have a lawyer, but you may want legal advice before your court hearing. For help finding a lawyer, you can visit www.lawhelpca.org or contact your local bar association.
Date: Oct 6, 2020 Clerk, by: M. Jaimes, Deputy Pub: 10/15, 10/22, 10/29, 11/5/2020 7726827

**NOTICE OF AVAILABILITY OF A DRAFT
ENVIRONMENTAL IMPACT REPORT
(SCH No. 2018081093), GENERAL PLAN AMENDMENT
October 29, 2020**

NOTICE IS HEREBY GIVEN that the County of San Diego, Department of Planning & Development Services (PDS), as a lead agency, is circulating for public review a Draft Supplemental Environmental Impact Report (Draft SEIR) in accordance with the California Environmental Quality Act (CEQA), along with a General Plan Amendment (GPA), for the proposed Alpine Community Plan Update (CPU). The Department is seeking public and agency input on the Draft SEIR and related project documents. Project documents, including the Draft SEIR, can be reviewed online beginning November 4, 2020 at the following website: <https://www.sandiegocounty.gov/pds/CommunityGroups/AlpineCommunityPlanUpdate.html>

ALPINE COMMUNITY PLAN UPDATE (PDS2016-GPA-16-011), GENERAL PLAN AMENDMENT (PDS2016-GPA-16-011), DRAFT SEIR (LOG NO. PDS2018-ER-18-00-002). The project is a comprehensive update to the Alpine Community Plan (Project) proposed by the County of San Diego (County). A Draft SEIR has been prepared in order to analyze and disclose the environmental impacts of the project. The Draft SEIR tiers from the General Plan Program EIR and the Forest Conservation Initiative SEIR and includes updated baseline conditions. The SEIR is programmatic in nature in that it analyzes the reasonably foreseeable impacts of the changes to the plan. It should be noted that the proposed project itself does not propose any specific development project that would result in physical impacts on the environment. However, it is reasonably foreseeable that future individual projects that are implemented under the Project could result in physical impacts on the environment.

A range of draft land use concepts were developed and presented to the public for feedback. Six alternatives for implementing land use changes reflecting different community viewpoints were considered. One of the alternatives were chosen as the proposed project (Village Focused), and five are fully evaluated as project alternatives in this SEIR.

The proposed project and each of the five alternatives propose varying land use designation changes for the different subareas. The proposed project analyzed within this SEIR includes the Village-Focused land use designations. The proposed project would update and refine the current community plan's goals and policies to reflect the character of Alpine and guide future growth and development within the community, as well as change land use designations within four of the seven subareas identified within the Alpine Community Plan Area (CPA). These land use changes could result in increased density and intensity in the CPA compared to the existing land uses. The changes proposed in the Alpine CPU concentrate local services and residential density in the more developed Village area where there are existing infrastructure and services. However, to accommodate growth associated with the buildout of the proposed project, it is anticipated that new or expanded infrastructure would be required such as roads, water, wastewater treatment, stormwater drainage, electric power, natural gas, and/or telecommunications facilities.

The Alpine CPU provides guidance and opportunities for future growth within Alpine but does not mandate development. An implementation plan will be developed alongside the Alpine CPU which will identify funding sources and financial mechanisms for future CPU-consistent development and outline and prioritize potential projects that would assist in the implementation of the proposed project. A GPA would be required to incorporate the changes to the Community Plan including but not limited to land use designations and the mobility network.

Alpine is an unincorporated community in the eastern portion of San Diego County, approximately 25 miles east of downtown San Diego, and is bisected by Interstate 8 (I-8). The Alpine CPA covers approximately 68,100 acres of land characterized by diverse geography, residential land use patterns, and an established town center area. The majority of the population is concentrated in and around the Alpine Village, which is adjacent to I-8, and includes residential and commercial centers. The Cleveland National Forest comprises most of the land in the eastern and northern portions of the Alpine CPA.

The Draft SEIR identified potentially significant environmental impacts to the following issue areas: Aesthetics, Agriculture, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions and Climate Change, Wildfire, Hydrology and Water Quality, Mineral Resources, Noise, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems.

Comments on the Draft SEIR and related project documents must be received no later than **December 22, 2020 at 4:00 p.m.** (a 48-day public review period). The SEIR can be reviewed at County PDS and at the Alpine Branch Library, 1752 Alpine Blvd., Alpine, CA. A virtual public meeting will be held on the SEIR on December 1, 2020 at 6:00 p.m. A link to the meeting will be provided prior to the meeting. Please subscribe on our website at the following address so that we can provide you with the meeting link: <https://www.sandiegocounty.gov/pds/CommunityGroups/AlpineCommunityPlanUpdate.html>.

Comments on the draft project documents must be sent to Donna Beddow, Environmental Coordinator at 5510 Overland Avenue, Suite 310, San Diego, California 92123, or via e-mail to donna.beddow@sdcounty.ca.gov and should reference the project name and numbers listed in this notice.

For additional information regarding the project, please contact Tara Lieberman at (858) 505-6677 or by email at tara.lieberman@sdcounty.ca.gov.

GOVERNMENT SETTLES SUIT WITH ACTIVISTS

U-T NEWS SERVICES

The Trump administration has settled a lawsuit with three Latino activists who had sued after being arrested for deportation because, they say, of organizing they did with other farm-workers for better working and living conditions.

As part of the settlement, the Department of Homeland Security has agreed to pay \$100,000 to the three activists and Migrant Justice, the advocacy group they were working with, and to grant

them deferred action, effectively stopping their deportation cases and allowing them to obtain work permits.

The agency must also distribute a memo about the First Amendment — which protects political speech — to the Immigration and Customs Enforcement field office in Vermont, where the workers had been arrested.

The move brings the 2018 lawsuit to a close, one of a handful of cases where people arrested for deportation said they had been targeted because of their politics in

the heated debate about immigration in recent years.

In an email, ICE confirmed the settlement but said it “disputes the notion that the 1st Amendment rights of these individuals were violated.”

“ICE does not target unlawfully present aliens for arrest based on advocacy positions they hold or in retaliation for critical comments they make,” an agency spokesperson wrote. “However, ICE does have an obligation to pursue a case against anyone claiming to

be breaking our nation's immigration laws.”

The case involved a small worker advocacy group based in Vermont, Migrant Justice, that drew some high-profile attention to a campaign for better working conditions for dairy workers called Milk With Dignity. Perhaps the group's biggest win was extracting concessions from ice cream maker Ben & Jerry's in 2015.

The Washington Post and The Associated Press contributed to this report.

ASYLUM

FROM A1

that people around us couldn't hear what we were discussing,” Gonzalez said.

Also, there is no confidential meeting space for attorneys to meet with their clients while they're on the U.S. side of the border for court.

Meeting with attorneys is only a small piece of the add-

ed difficulties that asylum seekers in the program face because they are in Mexico. Even finding a lawyer to represent an MPP returnee is much harder than it would be if the person was in the United States.

According to government data obtained by the Trans-accional Records Access Clearinghouse at Syracuse University, about 7 percent of asylum seekers who were placed into the Remain in

Mexico program have had legal representation.

Munmeeth Suni, director of litigation advocacy at Immigrant Defenders Law Center, recalled watching Remain in Mexico court hearings in March in which everyone in the room was unrepresented. The judge spoke to them as a group rather than individually.

“Everyone looked so lost,” Suni said. “I was lost — as an immigration attorney who has been doing this work for 13 years, I couldn't follow what was happening. That was surreal to witness that.”

Judges have already blocked the program's implementation, but appeals have left Remain in Mexico in place for now. The Supreme Court recently agreed to hear the original case against the program, which was filed soon after MPP began.

Trump administration officials have vigorously defended the program and celebrated it as an essential tool in accomplishing the president's goals at the border.

“This process helps promote a safer and more orderly process along the Southwest border, discourages individuals from making meritless asylum claims, and enables quick immigration results,” said Chad Wolf, acting secretary of the Department of Homeland Security, in a recent speech.

The first lawsuit called into question the program's validity on three grounds — whether it was legal under immigration law, whether its implementation was legal under laws for procedural

changes and whether it kept U.S. obligations under international human rights law.

Stephen Manning, executive director of Innovation Law Lab, one of several organizations representing the plaintiffs and itself one of the plaintiffs in the case heading to the Supreme Court, said that this new lawsuit is different because it is based on a broader range of information gathered by observing the program in action since its announcement in December 2018 and implementation in January 2019.

“The biggest distinction is that we now have more than a year of real-time watching the impact of the Remain in Mexico policy on people and the danger, the despair, the trauma and deaths that it's causing that we didn't have before,” Manning said.

A Nicaraguan man represented by Jewish Family Service said he was extorted by Mexican police. Gonzalez said another of his clients, a woman from Guatemala, was nearly kidnapped while walking back from taking her children to school.

“In Mexico, we have been discriminated against due to our condition, for not belonging to this country,” said a Honduran asylum seeker given the pseudonym Benjamin in transcripts provided to the Union-Tribune. “It has been very difficult to find work because we don't have the documentation they ask of us. Being in the MPP program has affected us so much as a family. They separated me from my eldest son, and they've tried to kidnap another one of my sons. My children haven't been able to have a stable life because they fear they will be kidnapped.”

Manning pointed to numerous reports from human rights observers and journalists about people in the program facing kidnappings, assaults and even death while forced to wait in the program.

The lawsuit argues that the Trump administration was aware of these dangers, referencing human rights reports from the U.S. State Department that specifically call out the way that migrants are targeted in Mexico.

“What the policy has done is it has trapped thousands of people in dangerous zones and taken away their ability to access the basic means to survive,” Manning said.

Suni said that unlike calls from clients who have been harmed in U.S. immigration detention centers, she feels like there is nothing she can do for clients in crisis in Mexico.

“When my client is detained, and they call me, and they tell me, ‘I'm not getting my medication,’ or ‘I've been mistreated by a guard,’ I know exactly what I can do and how to try to get that harm addressed,” Suni said. “When a client calls me who's in MPP and is stuck in Mexico and is telling me they're afraid for their lives, they don't know where they're going to sleep tonight, I'm so helpless.”

The situation has only grown more dire under the pandemic.

Hearings in all MPP cases have been paused since COVID-19 began shutting down the country. While President Donald Trump has pushed the United States to reopen in many ways, the Department of Homeland Security has left little hope that Remain in Mexico hearings will start up again anytime soon. Dates are scheduled and rescheduled.

“People are trapped in Remain in Mexico with no way out,” Manning said. “They are being essentially indefinitely stuck in Mexico with no way to vindicate their right to asylum.”

He said the government should allow these asylum seekers into the United States if it's not going to have hearings for them during the pandemic.

kate.morrissey@sduniontribune.com

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Next publication ▶ Friday, October 30

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