

2018 NATIONAL HCH CONFERENCE & POLICY SYMPOSIUM

Housing Not Handcuffs: Working Together to End the Criminalization of Homelessness & Protect the Human Rights of People Experiencing Homelessness

May 16, 2018

Bob Erlenbusch, Executive Director,
Sacramento Regional Coalition
to End Homelessness



SACRAMENTO CITY: PATTERN & PRACTICE OF CRIMINALIZING HOMELESS PEOPLE

12 Municipal Codes:

Number of Codes	Activity
5	Standing, sitting, and resting in public places
3	Camping & lodging in public places
4	Begging & panhandling

SPD: 2004 – 2014: Disproportionate enforcement

Offenses	# of Tickets	% Total
Begging; panhandling	144	12%
Standing, sitting; resting	226	19%
Sleeping, camping or lodging	831	69%
TOTAL	1,201	

SACRAMENTO PARK RANGERS: ANTI-CAMPING CITATIONS & CAMPS CLOSED MARCH 2014 – MARCH, 2018

	2015	2016	2017	2018	TOTAL
Citations	1,278	736	1,673	773	4,460
Camps Closed	1,209	1,579	1,453	446	4,697

Homeless “Whack a Mole” Strategy



SACRAMENTO SHERIFF'S DEPARTMENT HOMELESS OUTREACH TEAM [HOT]



Service With Concern

HOT MISSION: SERVICE ORIENTED POLICING

Service based policing model that focuses on engaging homeless subjects with resources, along with enforcement when necessary, to bring about positive change

THE THREE E'S

- **Education:** educate homeless people on what services are available through the local Continuum of Care;
- **Encouragement:** Building a rapport and providing encouragement to homeless individuals upon every contact to accept services to make a change in their situation;
- **Enforcement:** When education and encouragement have failed or if the situation dictates immediate action

THE RESULTS: 1/10/18 - 4/25/18

- 978 citations issued
- 301 notices of trespassing issued
- 783 camps closed
- 199 misdemeanor arrests
- 44 felony arrests
- 235 referrals to social service

“INNOVATIVE SOLUTIONS USING TECHNOLOGY”



**iPhone technology designed by TerraGo allows
HOT officers to:**

- Do surveys in the field**

- Photographs of “subjects”**

- Geocode location**

- Information transferred into a Splunk
dashboard for comparison**

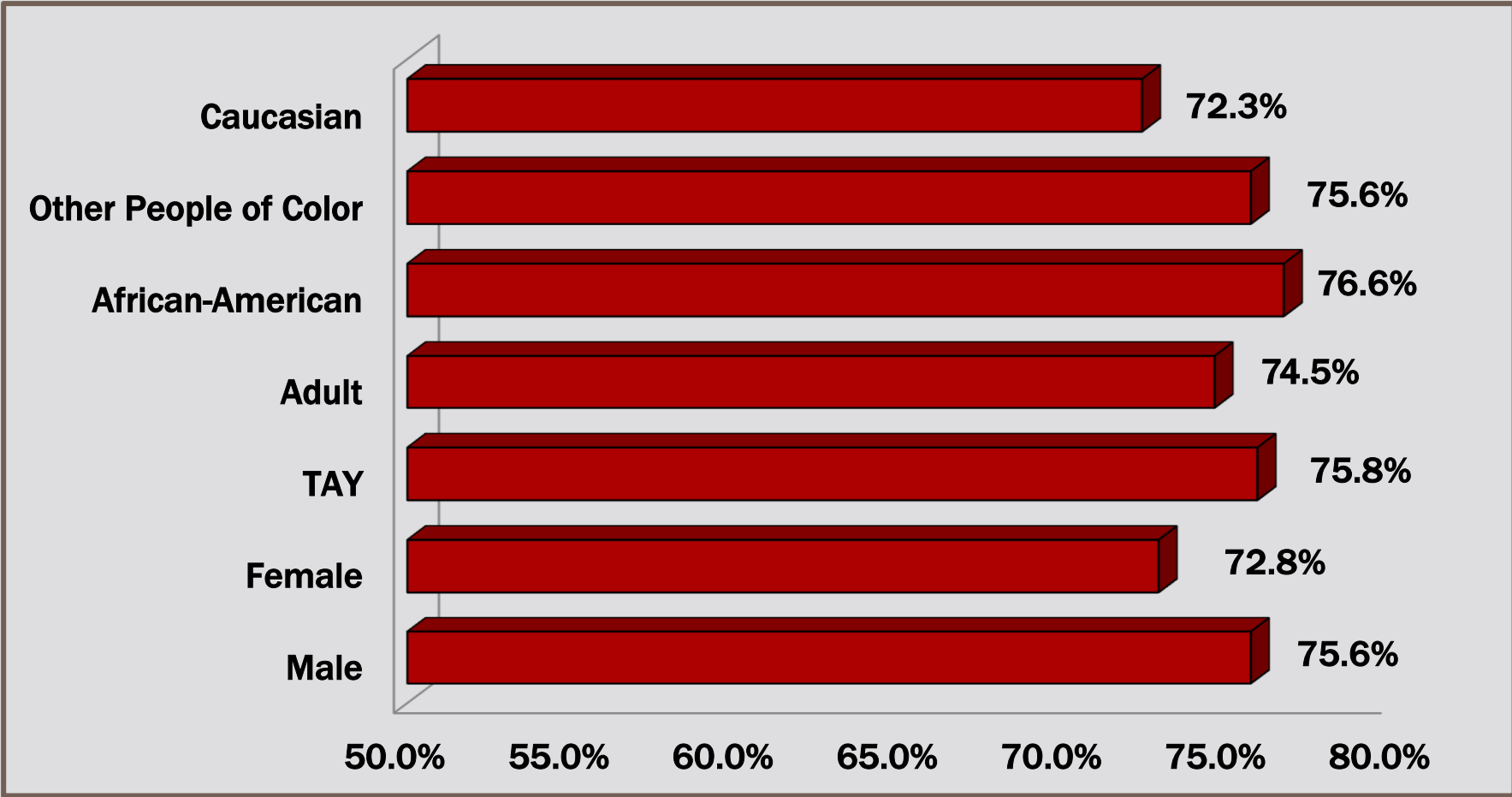
**CRUEL & UNUSUAL
PUNISHMENT:
SACRAMENTO HOMELESS
CRIMINALIZATION,
DISCRIMINATION &
HARASSMENT REPORT:
2015 - 2016**



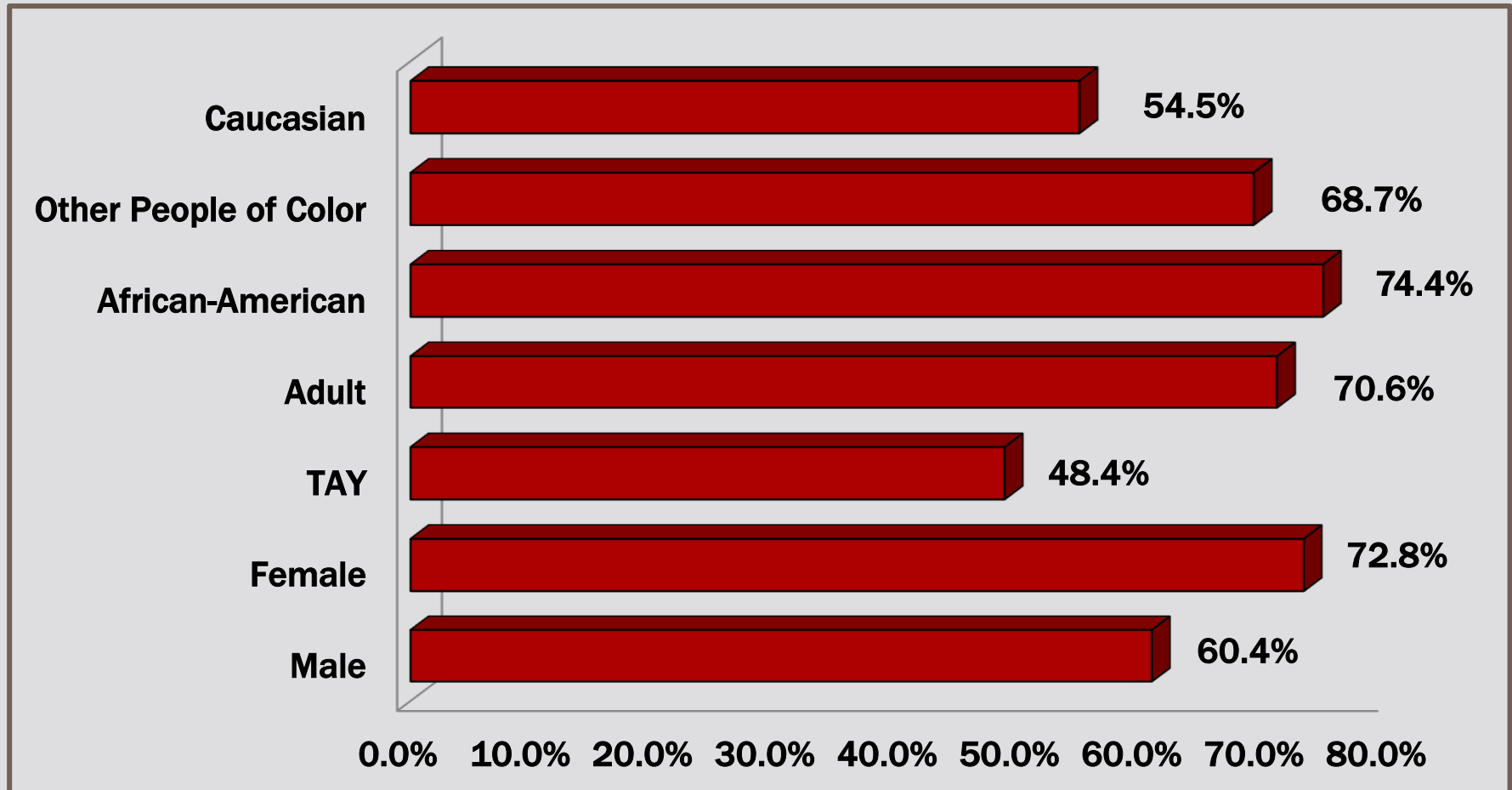
297 SURVEYS: DEMOGRAPHICS

- **Age:** 79% adults; 21% youth
- **Gender:** 55% male; 43% female; 2% transgender
- **Ethnicity:** *66% people of color*
 - 36% African-American
 - 34% Caucasian
 - 11.8% Multi-ethnic
 - 7.1% Hispanic
 - 4.4% Native American
 - 2% Other Pacific Islander
 - 1% Native Hawaiian
 - 1% Asian
- **Sexual Orientation:** 78% heterosexual; 6% bisexual; 5% gay; 3% lesbian; 8% preferred not to answer

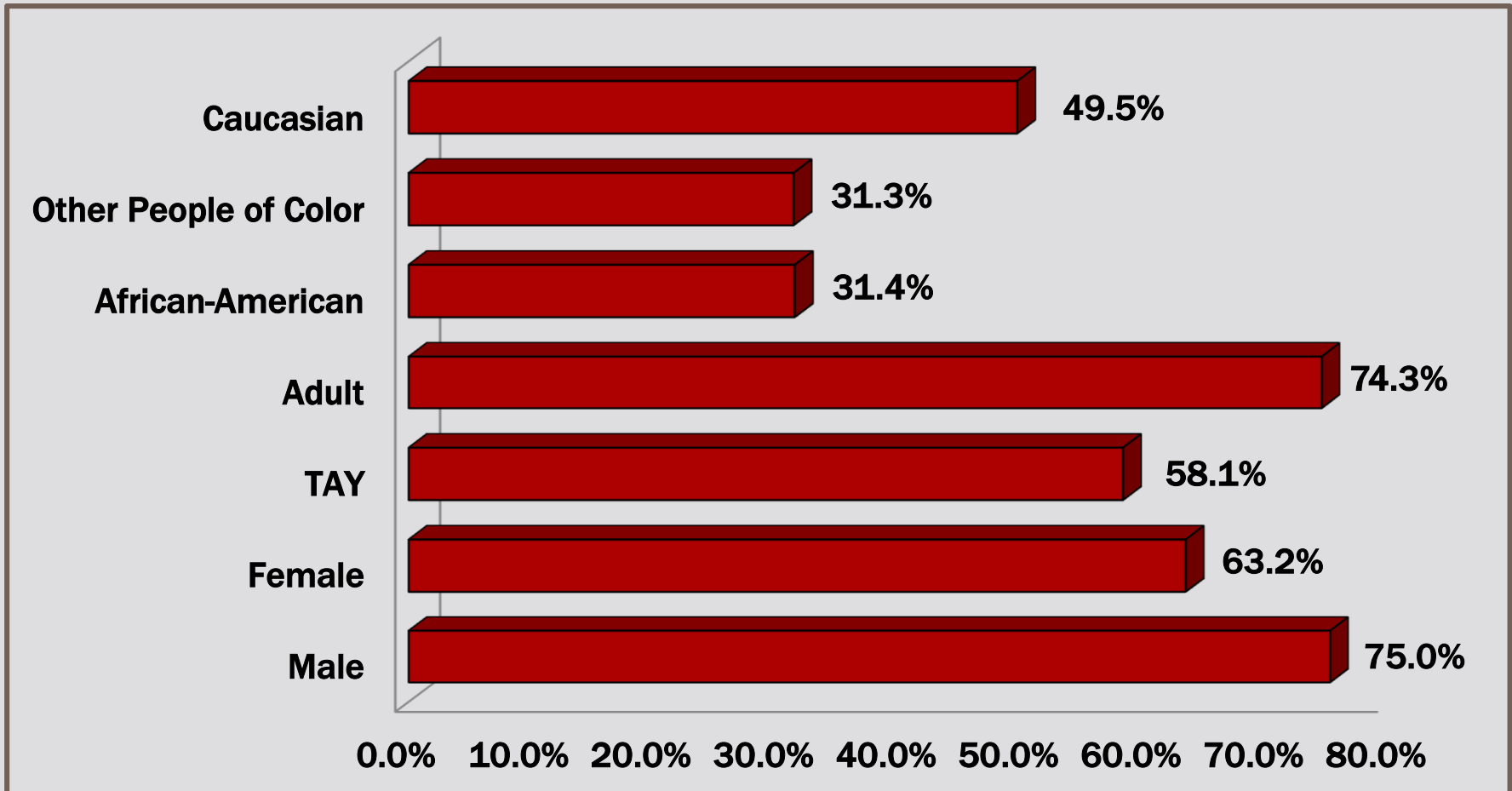
SUMMARY: OVERALL PERCEPTION OF DISCRIMINATION BY GENDER, AGE & ETHNICITY: **74.8%**



**RIGHTS NEVER RESPECTED BY LAW
ENFORCEMENT: COMBINED GENDER,
AGE & ETHNICITY: 64.3%**



“MOVE ALONG” BY POLICE: GENDER, AGE & ETHNICITY: **54.7%**



94% SUPPORT FOR LOCAL HOMELESS BILL OF RIGHTS

Demographic	No	Yes
Gender		
Male	7.3%	92.7%
Female	4.2%	95.8%
Transgender	0%	100%
Age		
TAY	3.3%	96.7%
Adult	5.9%	94.1%
Ethnicity		
Hispanic	10%	90%
Native American	0%	100%
African-American	8%	92%
Caucasian	3.2%	96.8%
Multi-ethnic	6%	94%
AVERAGE	5.8%	94.2%

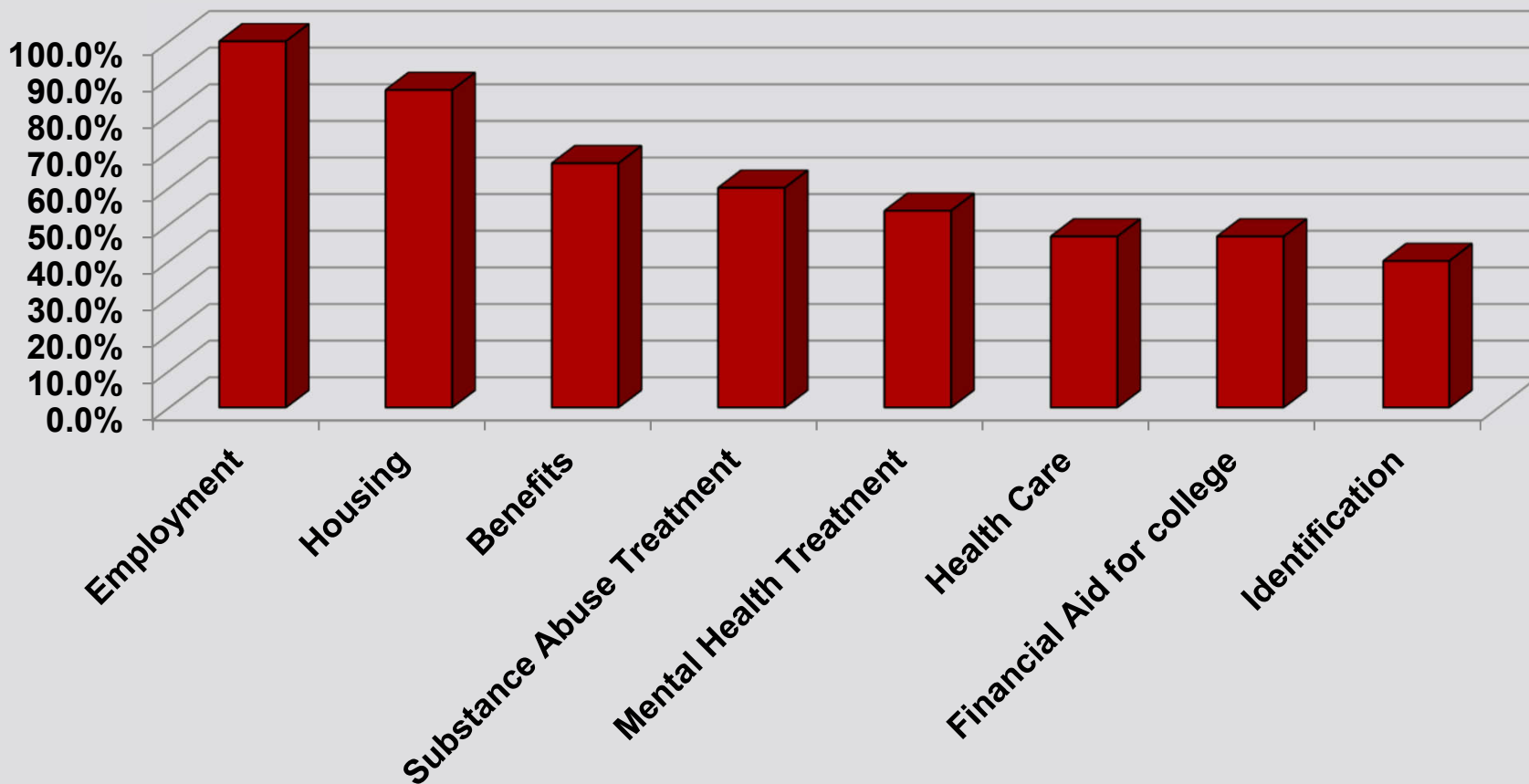
**ACCESS DENIED:
SURVEY RESULTS OF
SACRAMENTO HOMELESS
SERVICE PROVIDERS ON
BARRIERS FOR HOMELESS
PEOPLE CREATED BY CITY &
COUNTY ANTI-HOMELESS
ORDINANCES**

**SRCEH SURVEY OF 21
HOMELESS SERVICE
PROVIDERS: JUNE, 2016**

SUMMARY

	< 25%	26% – 50%	>75%
% Clients/Guests receiving anti-camping ticket	54%	33%	12%
% Clients/Guests not able to pay ticket	50%	25%	25%
% Clients/Guests went to jail for warrant	69%	19%	12%

BARRIERS CREATED BY ANTI-HOMELESS ORDINANCES



CURRENT SACRAMENTO HOMELESS CIVIL RIGHTS ISSUES

- **Adding “homelessness” or “housing status” to Sacramento City’s Anti-Discrimination & Equality Municipal Code**
- **Panhandling**
- **Environmental justice: Human Right to Clean Water and Sanitation**

HOMELESS BILL OF RIGHTS

Add “homelessness” to City of Sacramento’s Anti-Discrimination & Equality Municipal Code



PANHANDLING

Sacramento Regional Coalition to End Homelessness

Sacramento Homeless Organizing Committee

James Lee Clark

v.

City of Sacramento

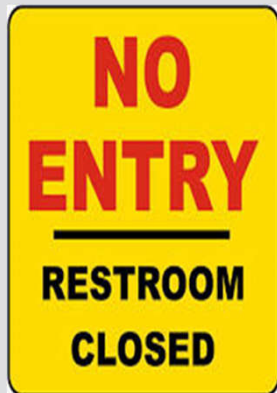
April 2018

US District Court – Eastern District of California



HUMAN RIGHT TO CLEAN WATER & SANITATION

SRCEH 2018 Report: *Dignity Denied:
Homeless & Nowhere to Go....Literally*



An Environmental Justice Issue

SACRAMENTO CITY: 205 PARKS & ONLY 24 – 11.7% WITH BATHROOMS

Distribution of Neighborhood Parks and Parks with Bathrooms

Neighborhood	Number of Parks	% of Total # of Parks	Number of Bathrooms	% of Bathrooms in Neighborhood Park	% of Total # of Bathrooms
Arden Arcade	2	1%	1	50%	2.6%
Central City	22	11.1%	5	22.7%	13.2%
East Sacramento	12	6.1%	6	50%	15.8%
Fruitridge/Broadway	19	9.6%	5	26.3%	13.2%
Land Park	9	4.5%	2	22.2%	5.3%
North Natomas	43	21.7%	7	16.3%	18.4%
North Sacramento	20	10.1%	3	15%	7.9%
Pocket	18	9.1%	2	11.1%	5.3%
South Natomas	21	10.6%	2	9.5%	5.3%
South Sacramento	32	16.2%	5	15.6%	13.2%

LOCKED OUT

of Bathrooms Open/Closed

Neighborhood	Number of Bathrooms	No bathroom	% No bathroom	# of Bathrooms Closed	% of Bathrooms closed	% Total No/closed Bathrooms Closed in Neighborhood Parks
Arden Arcade	1	1	100%			-
Central City	5	1	20%	2	40%	60%
East Sacramento	6		-			-
Fruitridge/Broadway	5		-	3	60%	60%
Land Park	2		-			-
North Natomas	7	3	42.8%			42.8%
North Sacramento	3	1	-	1	33%	33%
Pocket	2		-			-
South Natomas	2		-			-
South Sacramento	5	1	20%	1	20%	40%

KEY POINTS



- ❑ **No bathrooms/locked in four communities with a high population of people experiencing homelessness: Central City, Broadway; North Natomas; South Sacramento**
- ❑ **No bathrooms open sunset to sunrise**

A PUBLIC HEALTH NIGHTMARE

Hepatitis A: A Public Health Crisis

Hepatitis A is a viral disease that primarily attacks the liver, and can be deadly in seniors and immune-compromised people. It is most commonly transmitted by people not washing their hands after using a bathroom and then handling food.

In late 2017, there was a Hepatitis A outbreak in San Diego, Santa Cruz, Monterey and Los Angeles.

As of 2/8/18 the CA Department of Public Health documented 694 cases resulting in 454 hospitalizations and 21 deaths.

PUBIC HEALTH NIGHTMARE....

E. Coli Pollutants



***Homeless Camp on/in
the American River***

From 2007-2014 the Central Valley Regional Water Quality Control Board found average levels of E. Coli at three sites that were higher than the EPA standard, “beyond which the water body is not recommended for recreation.”

The three sites are in the westernmost section of the American River Parkway, near downtown Sacramento, where there are the highest concentration of homeless encampments.

The Board has proposed adding the bacteria to a list of pollutants that make the lower American River a federally designated impaired water body.

The state is expected to sign off on a decision in later 2018 and ask for final approval by the EPA.

HUMAN RIGHT TO SAFE WATER & SANITATION

“Because evacuation of the bowels and bladder is a necessary biological function and because denial of opportunities to do so in a lawful and dignified manner can both compromise human dignity and cause suffering, such denial could, in some cases, amount to cruel, inhuman or degrading treatment. An immediate and interim solution for those without housing is to ensure access to restroom facilities in public places, including during the night.”

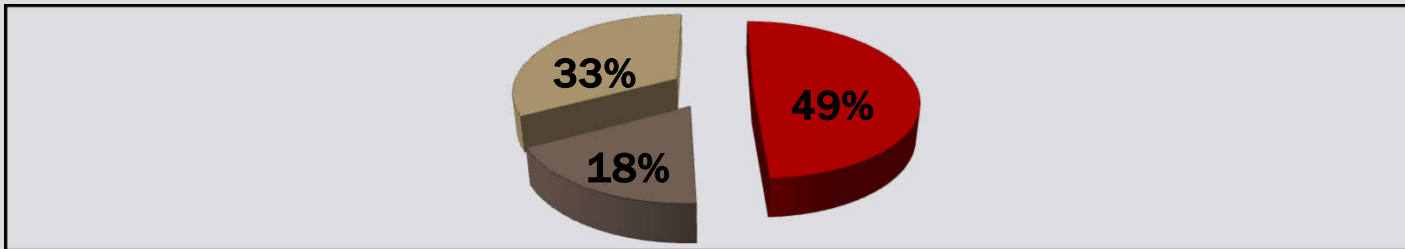
--1/23/2012 Letter to Sacramento Mayor Johnson from Catrina de Albuquerque, United Nations Special Rapporteur on the Human Right to Safe Drinking Water & Sanitation

Mayor Johnson never replied.

CITY & COUNTY COSTS OF “MITIGATING THE IMPACTS OF HOMELESSNESS

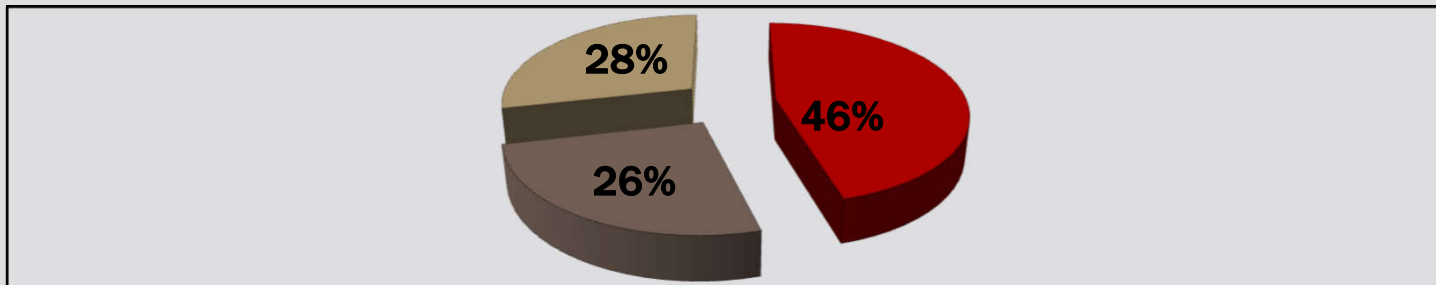
City Total: \$709,402

■ Bathroom related: ■ Trash removal ■ Camp cleanup



County Total: \$1,287,471

■ Camp Cleanup ■ Park Rangers: Citations ■ Transient Enforcement



SUCCESSFUL MODELS



San Francisco & Los Angeles



Pit Stop, San Francisco



Portland Loo, Portland OR

SACRAMENTO PARKS & RECREATION BUDGET RECOMMENDATIONS



City budget vote on June 12, 2018

SACRAMENTO'S \$140,000 HOMELESS MAN: *RUSSELL BARTHLOW*

15

Russell was homeless for 15 years in Sacramento

190

He received 190+ citations – mostly for camping

\$140,000

His citations totaled \$140,000 in fines

104

He spent 104 days in County jail

37

When Russell died on 10/5/2016 he had 37 active warrants

NATIONAL HOUSING NOT HANDCUFFS CAMPAIGN

NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY
Changing Laws, Changing Lives

HOUSING
NOT HANDCUFFS



www.housingnothandcuffs.org

Who we are: We are connected by the understanding that criminalizing homelessness is ineffective, and costs more money than solving the crisis by ensuring access to housing. We recognize that our criminal justice system is not the solution to social problems. And we have the solutions.

What we want to end homelessness. On our path to that goal, we recognize that the criminalization of homelessness must end immediately. All persons experiencing homelessness should instead have access to affordable housing, education, health care, employment, income, and other opportunities and services that allow all to live with dignity

CONTACT INFORMATION



Bob Erlenbusch, Executive Director, SRCEH
1331 Garden Highway, Suite 100
Sacramento, CA 95833

[W]: 916-993-7708

[M]: 916-889-4367

bob@srceh.org

www.srceh.org