

# MAJORITY OF HOMELESS PEOPLE HURT BY ANTI-HOMELESS LAWS

San Francisco has more anti-homeless laws than any other city in California—23 ordinances banning sitting, sleeping, standing, and begging in public places. Political disputes over these laws are well known. But what often goes overlooked are the consequences of such laws on homeless persons.

To understand the impact of San Francisco's punitive approach to managing homelessness, the Coalition on Homelessness (also publisher of the Street Sheet) surveyed 351 homeless people about their experiences with criminalization in collaboration with researchers at the UC Berkeley Law School's Human Rights Center.

The study found that 74% of homeless respondents had been approached by police in public spaces during the last year. 20% reported having

been approached at least once a week during the month the survey was taken. For those surveyed who identified as currently unsheltered, police interactions were much more common, with 90% reporting having been approached at least once in the past year and 46% having interactions with police on a weekly basis.

Most of these police interactions involved officers forcing homeless people to move from sitting, resting, or standing in public spaces. 70% of respondents reported that they were forced to move at least once in the past year, with fully 90% of unsheltered respondents reporting being forced to move at some point.

These findings make clear that anti-homeless laws are not simply "tools" used to target or move along a select group of homeless persons behaving in an "uncivil manner,"

but instead affect the vast majority of homeless persons who have no other choice but to rest, sit, sleep, stand, and simply exist in public spaces.

## THE RUNAROUND

When homeless people are instructed to move for sitting on the sidewalk, sleeping in parks, and loitering, where do they go? The study asked respondents where they had moved after their most recent displacement and found that in nearly every case (91%), people did not end up moving out of public space. Only 9% moved indoors, and many of these moves were only temporary.

Most reported moving to drop-in centers or the public library, or riding a city bus. They likely ended up on the street again when drop-in centers or the library closed for the day.

22% of respondents who were forced to move by the SFPD reported moving to public space in a different neighborhood. However, there was no unidirectional movement into a

CHRIS HERRING

single neighborhood, but rather a constant churning between neighborhoods and across police districts. The result is that

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## IT AIN'T FUNNY TO BE HOMELESS

MIKE LEE

I find being homeless to be funny. Keep in mind, 97% is trial and tribulation; it still has its moments of comic relief.

Just the way folks with shiny shoes avoid acknowledging me sitting on the sidewalk. They've even got their dogs trained to avert their eyes, avoiding us, the great unwashed. "No, Fido. Don't say, 'Hi,' to that person: he's homeless and his socks probably stick to his feet." Gawd only knows what they teach their kids. "No, Nancy. Don't wave at that man: he's homeless and just wants to eat you." "Now, Scott, eat all of your vegetables. Think of all the starving homeless people on Bryant Street."

What I find really funny are the so-called "experts" on homelessness. You read their comments every day. They enact laws criminalizing us. They make decisions for us that affect our very lives. At the end of the day, no matter what scheme, theory, or law they come up with, it's for nothing simply because they refuse to ask the experts on the problem. Let's say you have brain cancer. Would you ask an auto mechanic for advice? Of course not: You would consult an expert. Homelessness is the same. It can only be resolved with the direct input from those of us who are in the trenches.

If asked how to solve homelessness our collective response would be:

### 1. Stop criminalizing us

There are presently over 20 laws specifically targeting homeless people. Spending thousands of dollars just to chase us is stupid and does not increase public safety.

### 2. Housing

Around one third of homeless people like me receive a monthly income. The number one obstacle we face is that rent for a flea bag hotel is at least 20% higher than what we

receive. Creating housing I can afford and I'll stop sleeping on the sidewalk.

### 3. Any solution must be peer-based

While the City/County spends significant money on homeless services, little of it is peer-based. This has been proven time and time again to be counterproductive. Every shelter either in existence now or in the future must

#### a. Set aside at least 20% of paid staff positions for clients.

b. Be required to hold community meetings where clients make decisions on shelter policy.

c. Increase the access that Shelter Client Advocates have to the shelters, and allow them to visit unannounced to make contact with shelter residents directly.

By employing these three simple points the powers that be can immediately reduce the homeless population of our city. Providing homeless people a vehicle to voice their expert opinion results in service delivery that is targeted at the most vulnerable.

What must happen immediately is a change of attitude towards homeless people. We are homeless not helpless. We are not beggars. We are asking for a hand up not a hand out.

While you may find it funny to chase me around, kick me awake, have DPW spray me with unknown chemicals, I don't. What I do find funny is your attitude you actually think me and mine are going to magically disappear. Before that happens priests will fly and birds will say mass.

From the streets of San Francisco

Homeless Not Helpless

A Hand Up Not A Hand Out ■

## July 31, 3:00pm

### Powell & Market St. turnaround Rally For Our Right To Exist!



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## MAJORITY HURT

even as in- **FROM PAGE 3** individuals are driven from one neighborhood to another, the overall numbers of homeless people in each district remain relatively constant.

One interviewee explained, “My typical day is, I’m sleepin’ on the streets. Sometimes I get woken up by cops; sometimes by DPW... In the past year I’ve moved pretty far across San Francisco. I moved from the Haight to China Basin to the Ballpark to the Financial District to the TL and also the Wharf... I felt all they do is pick on homeless people because we’re an easy target instead of—I’ll say it—catching real criminals.”

The forced removal of homeless people from a given area may prove temporarily satisfying to a particular shop owner or resident at the time of their complaint. However, the overall effect is to shuffle homeless people to other public spaces, where other business owners or residents might complain. Furthermore, the prevention of sleep and rest due to the constant displacement and the entanglements with the criminal justice system through citation and arrest that often result prolongs homelessness. The findings suggest that the long-term result of this continual policing is more homeless people in public space, not less.

#### THE MYTH OF SFPD’S “HOMELESS OUTREACH”

In 2004, Greg Suhr (current Chief of Police) launched “Operation Outreach,” a key component of which was SFPD “homeless outreach units” — 24 officers who respond solely to 911 calls regarding complaints involving homelessness during their daily shifts. According to the SFPD’s website dedicated to homelessness, “The mission of Operation Outreach is to locate the homeless wherever they might be and to determine their needs... to provide targeted services for those in need while addressing quality of life concerns in the communities we serve.”

This public presentation may leave the impression that Homeless Outreach Units are some sort of hybrid of police and social work force, with special training or resources to address homelessness. However, the study found that services were rarely ever mentioned during police interactions and that punitive treatments such as displacement, search and seizure of property, and cita-

tions were far more common.

Of the 204 survey respondents who had been forced to move from public spaces by the SFPD, only 24 reported receiving services during their most recent police interaction. Ten respondents were offered a single-night shelter bed, five were referred to the Department of Public Health’s street care team, three were given food, and six received rides to detox or informational pamphlets.

These services, both palliative and primitive, pale in comparison to the frequency of searches and destruction of homeless people’s property. Of survey participants:

- 56% had been searched, and 21% in the last month.
- 46% had their belongings taken away by City officials.
- 38% had their belongings destroyed by City officials.
- 47% reported that their fear of being searched prevented them from carrying certain needed belongings.

Respondents reported having their prescribed medication, blankets, tents and sleeping bags confiscated or destroyed by SFPD or DPW, all of which threaten an individual’s health, well being, and ability to survive on the streets. Many reported having destroyed various forms of identification such as birth certificates, social security, and veteran cards, which create significant barriers to accessing government benefits such as employment and housing.

#### CRIMINALIZED FOR EXISTING

Homeless people are not in public space by choice. They are in public space because they cannot afford rent and have nowhere else to go. San Francisco has a total of 1,200 shelter beds for single adults with an official counted homeless population hovering at over 6,400 at any given time. This amounts to roughly one shelter bed for every five homeless people. On any given day, over 500 people are on the 311 shelter wait list, and on any given night, there are between 20 and 100 people who sleep in chairs because they were unable to access a shelter bed for the evening. During the day, the vast majority of shelters are closed. The city only has a handful of drop-in

centers, leaving the parks, library, and pews of St. Boniface Church where poor people are invited inside to rest until 3 p.m. as the only truly public spaces—although if one falls asleep at the library, a guard will promptly wake them up.

Amidst these highly limited options, the continual policing faced by homeless people due to anti-homeless laws is not only costly and ineffective, but unconstitutional.

In a recent report issued by the US Department of Justice and Department of Housing and Urban Development, the agencies found such laws to likely be in violation of a number of amendments and may “violate international human rights law, specifically the Convention Against Torture and the International Covenant on Civil and Political Rights.”

When asked to respond to the report’s findings, SFPD Homeless Outreach Coordinator Lt. Nevin’s expressed frustration about the directive to enforce anti-homeless laws and explained that many police officers would prefer not to enforce “quality of life” laws, and would rather focus on serious crimes. However, he said, police must enforce laws that are on the books, regardless of whether they agree that policing is an appropriate response: “If Mrs. Smith continues to call 911 because some guy’s sleeping on her door step, we are duty-bound to respond.”

However, the study also found that enforcement of anti-homeless laws varied drastically even when the laws remained the same—for instance between 2011 and 2014 citations for such offenses tripled. This suggests that reforms can be pushed at the local level around prioritizing resources addressing “crime.”

A more systemic solution would be to abolish laws criminalizing homelessness in the first place. In California, Senator Carol Liu has presented legislation, SB 608, known as the Right to Rest Act, that would prohibit the enforcement of laws banning activities that homeless people have no choice but to engage in in public. While Alameda County supported the bill, San Francisco County did not come out in public support. Supervisors could be pressured to support this bill in solidarity with our East Bay neighbors while pressing for local reforms in the meantime. ■

## LOST

FROM PAGE 5

been sober for four weeks, and is blessed to be so. That he served time for having got caught with the Vicodin that wasn’t his, but is happy to be sober today. He smiles a lot, thin face animated, open. I ask about the last night in jail, and he tells me that he was picked up on a warrant that had been vacated by the court that had placed him at Next Door, but that the warrant hadn’t yet left the system. He shows me the release paper. He’s not sure he still has the bed at the shelter—the reservation ends if you don’t use it and because he spent the previous night in jail, he couldn’t use the reservation. He wants to get up to the shelter, ask about his bed.

I tell him I’ll make the calls. He’s visibly relieved. I’m impressed—he didn’t ask me to make them. I call Next Door and find out that his bed was ended, his reservation vacated after he no-showed last night. They tell me I have to call the CJC to see if I can get it reinstated. I call the CJC, tell them the story. I mention the good deed Vanson has done, coming to the police to get help for O.G., but the worker on the phone is only minimally responsive. I emphasize the quality of his act of help for O.G. several times, the unfairness of losing a bed because of a leftover warrant in the system. The worker doesn’t think any of it is a big deal, and can’t understand the notes in the computer system that maintains the shelter reservations. She tells me to talk to another worker there, one I know from other interactions. I’m relieved—this one I know I can talk to. I reach her, and I emphasize that his not being in the bed was no fault of his own, and that he seems to be following through just fine. He has his Walden House intake next week and can we please, please give him his bed back? She agrees, and I tell Vanson he’s got a bed. He thanks God and it’s not in a jokey way. I’m relieved, too—I would have put him in one of the 18 beds I manage for homeless men, but I don’t have any unused right now—they are all full of people we convinced in from the street.

The program staffer from where O.G. lives drive up and we help O.G. into the car. He’s willing to go back to the group home. I’m not sure he was really clear that he’d wandered off from it, some worn path in his brain leading out and back to the TL, no doubt his stomping grounds for years before the blood vessel in his head blew out. They thank me and drive off.

Vanson and I talk for a few more minutes. I tell him if he

ever needs anything, come find me. Tell him how glad I am that he approached the SFPD brass coming out of the meeting, and we turn our separate ways, me walking back to the office and him heading up to Next Door, to check into his bed and wait for dinner.

Vanson is one of the brave souls, I think as I walk back down Market Street to make my turn onto 6th, back to the office. He’d just been arrested for a warrant that hadn’t backed out of the system; arrested and incarcerated and released at 2:00 in the morning, with nowhere to go. But when he’d seen the police brass leaving the meeting he’d run up to them without hesitation, seeking help for his O.G. for the man he’d cared for six months ago. It’s clear that when he stopped doing the job, the man couldn’t make it anymore. “Failed community” is how we’d put it, with nobody to shop and clean for him, make sure he was dressed in the neat way he’d put himself together for years. Then he’d gone into the residential, and now he’s going back, to safety, to security.

Vanson had every reason to be scared of the cops. He could feel that all they do is put him in jail, could be alienated. But instead he acted from high principle, to help someone else even at potential cost to himself. What if Sardix had gotten curious about this thin, agitated fellow, speaking so fast that he couldn’t be readily understood, in a dirty gold-tone jacket, and asked Pat Kwan to run his ID? What if that warrant still hadn’t backed out of the system?

Vanson David is a brave man, I think, headed down Market Street, past the boarded up ground floor commercials, past the men selling little bits of something and pirated DVDs. Vanson David is a brave and generous man, I think, turning past the Taquería Cancún on 6th Street. Vanson David is the kind of person whom we should provide as many resources to as we can, because his heart is in the right place, despite the odds. Vanson David makes the Tenderloin—many days a grim and desperate place—a little brighter. Vanson David is a lesson to me. Maybe to us all. I don’t know if O.G. is grateful to Vanson, but I am, in ways that I can’t tell him at the time and don’t figure out for months. All I know is that to be witness to an act of kindness and generosity at such potential cost leaves me thrilled.

I hope he makes it.

I remember reading of a Supreme Court decision that stated that in cases of police misconduct, the proper recov-