

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 3:29 PM  
**To:** Alma Valenzuela; Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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- I should also say regardless of what they have done as homeless Long Beach has not provided their fair share of taking care of the issues while we are still getting our increase of tax revenue for the city as well as our high amount of a parking ticket is unjustifiable You're Expecting these people to have multiple jobs and not being able to afford their own rent and the food that comes with it yet our city can have lavish million dollar events without taking care of its own people shame on you for sitting there and thinking that you guys could get a cute little check while you're not really taking care of the city that you call home

Alexandria  
California

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NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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6. National Health Care for the Homeless Council, "Impact of Encampment Sweeps on People Experiencing Homelessness," National Health Care for the Homeless Council, Inc., December 2022, <https://nhchc.org/wp-content/uploads/2022/12/NHCHC-encampment-sweeps-issue-brief-12-22.pdf>.
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8. Robert J. B. Lehmann, Joscha Hausam, and Friedrich Lösel, "Stigmatization and Victimization of People Experiencing Homelessness: Psychological Functioning, Social Functioning, and Social Distance as Predictors of Reporting Violence to the Police," *Policing: A Journal of Policy and Practice* 17 (2023): <https://doi.org/10.1093/police/paac033>.
9. Eric Leonard, "LA's Homeless Were 24% of City's Murder Victims," *NBC Los Angeles*, January 4, 2023, <https://www.nbclosangeles.com/investigations/las-homeless-were-24-of->

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10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

11. Jeremiah Dobruck and Jason Ruiz, “City officials tied a stabbing spree to homelessness—but the suspect wasn’t homeless,” Long Beach Post, October 22, 2022, <https://lbpost.com/news/stabbing-spreed-suspect-not-homeless-long-beach-yohance-sharp/>.

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14. City of Long Beach, “Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count,” City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.

15. Homelessness Policy Research Institute, “Policing Homelessness: A review of the literature on policing policies that target homelessness and best practices for improving outcomes,” University of Southern California, October 21, 2021, <https://socialinnovation.usc.edu/wp-content/uploads/2021/10/Policing-Homelessness-Final-1.pdf>.

16. Ibid., 5.

17. Coalition on Homelessness, San Francisco, “Punishing the Poorest: How the Criminalization of Homelessness Perpetuates Poverty in San Francisco,” accessed July 11, 2023, <https://www.cohsf.org/Punishing.pdf>, 67.

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19. Lavena Staten and Sara K. Rankin, *Penny Wise But Pound Foolish: How Permanent Supportive Housing Can Prevent a World of Hurt* (Seattle: Seattle University School of Law, 2019), i.

Lee

California

## Alma Valenzuela

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**From:** Alexandria Emanuel <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 3:24 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

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more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

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I should also say regardless of what they have done as homeless Long Beach has not provided their fair share of taking care of the issues while we are still getting our increase of tax revenue for the city as well as our high amount of a parking ticket is unjustifiable You're Expecting these people to have multiple jobs and not being able to afford their own rent and the food that comes with it yet our city can have lavish million dollar events without taking care of its own people shame on you for sitting there and thinking that you guys could get a cute little check while you're not really taking care of the city that you call home

Alexandria

California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 3:15 PM  
**To:** Alma Valenzuela; Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Max Norris <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 2:51 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

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NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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7. Bennett Allen, "Impact of a Homeless Encampment Closure on Crime Complaints in the Bronx, New York City, 2017: Implications for Municipal Policy," *Journal of Evidence-Based Social Work* 19, no. 3 (2022): 356-366. Amanda Aykanian and Sondra J. Fogel, "The Criminalization of Homelessness," in *Homelessness Prevention and Intervention in Social Work: Policies, Programs, and Practices*, eds. Heather Larkin, Amanda Aykanian, Calvin L. Streeter (New York: Springer, 2019), 185-205.
8. Robert J. B. Lehmann, Joscha Hausam, and Friedrich Lösel, "Stigmatization and Victimization of People Experiencing Homelessness: Psychological Functioning, Social Functioning, and Social Distance as Predictors of Reporting Violence to the Police," *Policing: A Journal of Policy and Practice* 17 (2023): <https://doi.org/10.1093/police/paac033>.
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10. Thacher Schmid, "Homeless People in the US Are Being Murdered at a Horrific Rate," *Jacobin*, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>
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14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
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16. Ibid., 5.
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Max  
California

## Alma Valenzuela

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**From:** Max Norris <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 2:51 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

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[citys-murder-victims/3066979/](https://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf). Los Angeles County Department of Public Health, “Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County: 2014-2021,” May 2023, [http://www.publichealth.lacounty.gov/chie/reports/Homeless\\_Mortality\\_Report\\_2023.pdf](http://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf).

10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

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Max

California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 2:13 PM  
**To:** Alma Valenzuela  
**Cc:** Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Mary Simmons <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 2:10 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than

the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

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Mary  
California

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## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 2:12 PM  
**To:** Alma Valenzuela  
**Cc:** Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Casey Tonnely <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 2:08 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

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Casey  
California

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## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 2:12 PM  
**To:** Alma Valenzuela  
**Cc:** Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**Sent:** Tuesday, August 8, 2023 2:07 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than

the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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7. Bennett Allen, "Impact of a Homeless Encampment Closure on Crime Complaints in the Bronx, New York City, 2017: Implications for Municipal Policy," *Journal of Evidence-Based Social Work* 19, no. 3 (2022): 356-366. Amanda Aykanian and Sondra J. Fogel, "The Criminalization of Homelessness," in *Homelessness Prevention and Intervention in Social Work: Policies, Programs, and Practices*, eds. Heather Larkin, Amanda Aykanian, Calvin L. Streeter (New York: Springer, 2019), 185-205.
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10. Thacher Schmid, "Homeless People in the US Are Being Murdered at a Horrific Rate," *Jacobin*, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

11. Jeremiah Dobruck and Jason Ruiz, "City officials tied a stabbing spree to homelessness—but the suspect wasn't homeless," Long Beach Post, October 22, 2022, <https://lbpost.com/news/stabbing-sprees-suspect-not-homeless-long-beach-yohance-sharp/>.
12. Lucius Couloute, "Nowhere to Go: Homelessness among formerly incarcerated people," Prison Policy Initiative, August 2018, <https://www.prisonpolicy.org/reports/housing.html>.
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14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
15. Homelessness Policy Research Institute, "Policing Homelessness: A review of the literature on policing policies that target homelessness and best practices for improving outcomes," University of Southern California, October 21, 2021, <https://socialinnovation.usc.edu/wp-content/uploads/2021/10/Policing-Homelessness-Final-1.pdf>.
16. Ibid., 5.
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Byron  
California

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## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 2:11 PM  
**To:** Alma Valenzuela; Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Alex Arellano <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 1:39 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Alex  
California

## Alma Valenzuela

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**From:** Mary Simmons <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 2:10 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

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Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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8. Robert J. B. Lehmann, Joscha Hausam, and Friedrich Lösel, "Stigmatization and Victimization of People Experiencing Homelessness: Psychological Functioning, Social Functioning, and Social Distance as Predictors of Reporting Violence to the Police," *Policing: A Journal of Policy and Practice* 17 (2023): <https://doi.org/10.1093/police/paac033>.
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10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

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19. Lavena Staten and Sara K. Rankin, *Penny Wise But Pound Foolish: How Permanent Supportive Housing Can Prevent a World of Hurt* (Seattle: Seattle University School of Law, 2019), i.

Mary

California

## Alma Valenzuela

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**From:** Casey Tonnelly <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 2:08 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

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Casey  
California

## Alma Valenzuela

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**From:** Byron Adams <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 2:07 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

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Sincerely,

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8. Robert J. B. Lehmann, Joscha Hausam, and Friedrich Lösel, "Stigmatization and Victimization of People Experiencing Homelessness: Psychological Functioning, Social Functioning, and Social Distance as Predictors of Reporting Violence to the Police," *Policing: A Journal of Policy and Practice* 17 (2023): <https://doi.org/10.1093/police/paac033>.
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14. City of Long Beach, “Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count,” City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.

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16. Ibid., 5.

17. Coalition on Homelessness, San Francisco, “Punishing the Poorest: How the Criminalization of Homelessness Perpetuates Poverty in San Francisco,” accessed July 11, 2023, <https://www.cohsf.org/Punishing.pdf>, 67.

18. Angela Ly and Eric Latimer, "Housing First Impact on Costs and Associated Cost Offsets: A Review of the Literature," *The Canadian Journal of Psychiatry* 60, no. 11 (November 2015): 475-487.

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Byron  
California

## Alma Valenzuela

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**From:** Alex Arellano <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 1:39 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

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Alex

California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 1:34 PM  
**To:** Alma Valenzuela  
**Cc:** Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Kailee Caruso <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 1:28 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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16. Ibid., 5.
17. Coalition on Homelessness, San Francisco, "Punishing the Poorest: How the Criminalization of Homelessness Perpetuates Poverty in San Francisco," accessed July 11, 2023, <https://www.cohsf.org/Punishing.pdf>, 67.
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Kailee  
California

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## Alma Valenzuela

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**From:** Kailee Caruso <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 1:28 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

1. We appreciate that Councilmembers Cindy Allen and Roberto Uranga had the courage to vote no on NB-25
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Kailee  
California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 11:27 AM  
**To:** Alma Valenzuela; Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Alan Illan <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 11:23 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

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Alan  
California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 11:27 AM  
**To:** Alma Valenzuela; Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Anthony Gimenez <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 11:18 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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Anthony  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 11:13 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
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**-EXTERNAL-**

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18. Angela Ly and Eric Latimer, "Housing First Impact on Costs and Associated Cost Offsets: A Review of the Literature," *The Canadian Journal of Psychiatry* 60, no. 11 (November 2015): 475-487.
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Conor  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 11:26 AM  
**To:** Alma Valenzuela  
**Cc:** Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Katelyn Bernardo <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:50 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful

implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than

the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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6. National Health Care for the Homeless Council, "Impact of Encampment Sweeps on People Experiencing Homelessness," National Health Care for the Homeless Council, Inc., December 2022, <https://nhchc.org/wp-content/uploads/2022/12/NHCHC-encampment-sweeps-issue-brief-12-22.pdf>.
7. Bennett Allen, "Impact of a Homeless Encampment Closure on Crime Complaints in the Bronx, New York City, 2017: Implications for Municipal Policy," *Journal of Evidence-Based Social Work* 19, no. 3 (2022): 356-366. Amanda Aykanian and Sondra J. Fogel, "The Criminalization of Homelessness," in *Homelessness Prevention and Intervention in Social Work: Policies, Programs, and Practices*, eds. Heather Larkin, Amanda Aykanian, Calvin L. Streeter (New York: Springer, 2019), 185-205.
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10. Thacher Schmid, "Homeless People in the US Are Being Murdered at a Horrific Rate," *Jacobin*, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

11. Jeremiah Dobruck and Jason Ruiz, "City officials tied a stabbing spree to homelessness—but the suspect wasn't homeless," Long Beach Post, October 22, 2022, <https://lbpost.com/news/stabbing-sprees-suspect-not-homeless-long-beach-yohance-sharp/>.
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Katelyn  
California

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## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 11:26 AM  
**To:** Alma Valenzuela  
**Cc:** Allison Bunma  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
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Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Michelle Lewis <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:45 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Michelle  
California

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## Alma Valenzuela

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**From:** Alan Illan <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 11:23 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

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14. City of Long Beach, “Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count,” City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.

15. Homelessness Policy Research Institute, “Policing Homelessness: A review of the literature on policing policies that target homelessness and best practices for improving outcomes,” University of Southern California, October 21, 2021, <https://socialinnovation.usc.edu/wp-content/uploads/2021/10/Policing-Homelessness-Final-1.pdf>.

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Alan

California

## Alma Valenzuela

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**From:** Anthony Gimenez <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 11:18 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

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Anthony  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 11:13 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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[citys-murder-victims/3066979/](https://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf). Los Angeles County Department of Public Health, “Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County: 2014-2021,” May 2023, [http://www.publichealth.lacounty.gov/chie/reports/Homeless\\_Mortality\\_Report\\_2023.pdf](http://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf).

10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

11. Jeremiah Dobruck and Jason Ruiz, “City officials tied a stabbing spree to homelessness—but the suspect wasn’t homeless,” Long Beach Post, October 22, 2022, <https://lbpost.com/news/stabbing-spreed-suspect-not-homeless-long-beach-yohance-sharp/>.

12. Lucius Couloute, “Nowhere to Go: Homelessness among formerly incarcerated people,” Prison Policy Initiative, August 2018, <https://www.prisonpolicy.org/reports/housing.html>.

13. Marina Fisher, Nathaniel Miller, Lindsay Walter, Jeffrey Selbin, “California’s New Vagrancy Laws The Growing Enactment and Enforcement of Anti-Homeless Laws in the Golden State,” Social Science Research Network, February 12, 2015, <https://ssrn.com/abstract=2558944>.

14. City of Long Beach, “Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count,” City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.

15. Homelessness Policy Research Institute, “Policing Homelessness: A review of the literature on policing policies that target homelessness and best practices for improving outcomes,” University of Southern California, October 21, 2021, <https://socialinnovation.usc.edu/wp-content/uploads/2021/10/Policing-Homelessness-Final-1.pdf>.

16. Ibid., 5.

17. Coalition on Homelessness, San Francisco, “Punishing the Poorest: How the Criminalization of Homelessness Perpetuates Poverty in San Francisco,” accessed July 11, 2023, <https://www.cohsf.org/Punishing.pdf>, 67.

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Conor  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:57 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Erin Foley <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:46 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and some of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Erin  
California

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## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:57 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** jenniemariergeorgieff@gmail.com <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:16 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
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California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:57 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Andrew Mandujano <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:11 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

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Andrew  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 10:57 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**Sent:** Tuesday, August 8, 2023 10:09 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

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Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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13. Marina Fisher, Nathaniel Miller, Lindsay Walter, Jeffrey Selbin, "California's New Vagrancy Laws The Growing Enactment and Enforcement of Anti-Homeless Laws in the Golden State," Social Science Research Network, February 12, 2015, <https://ssrn.com/abstract=2558944>.
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Kenny  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:57 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Liliana Monroy <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 9:46 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Liliana  
California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:57 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**Sent:** Tuesday, August 8, 2023 9:23 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

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10. Thacher Schmid, "Homeless People in the US Are Being Murdered at a Horrific Rate," *Jacobin*, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>
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13. Marina Fisher, Nathaniel Miller, Lindsay Walter, Jeffrey Selbin, "California's New Vagrancy Laws The Growing Enactment and Enforcement of Anti-Homeless Laws in the Golden State," Social Science Research Network, February 12, 2015, <https://ssrn.com/abstract=2558944>.
14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
15. Homelessness Policy Research Institute, "Policing Homelessness: A review of the literature on policing policies that target homelessness and best practices for improving outcomes," University of Southern California, October 21, 2021, <https://socialinnovation.usc.edu/wp-content/uploads/2021/10/Policing-Homelessness-Final-1.pdf>.
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Karenina  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:57 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Anna Carella <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 8:21 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Anna  
California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:56 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Brendan Whalen <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 8:19 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

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Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

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Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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Brendan  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:56 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**Sent:** Tuesday, August 8, 2023 7:43 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

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Allena  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 10:56 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**-EXTERNAL-**

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Sincerely,

The People of Long Beach

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10. Thacher Schmid, "Homeless People in the US Are Being Murdered at a Horrific Rate," *Jacobin*, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>
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13. Marina Fisher, Nathaniel Miller, Lindsay Walter, Jeffrey Selbin, "California's New Vagrancy Laws The Growing Enactment and Enforcement of Anti-Homeless Laws in the Golden State," Social Science Research Network, February 12, 2015, <https://ssrn.com/abstract=2558944>.
14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
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Carrissa  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:56 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Joshua Newman <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 4:31 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

I assume that you are going to get a bunch of these, so I am going to write something at the top. I am a teacher in Long Beach and every year I have students who have or who are experiencing homelessness. Almost always this is due to rent increases. Children are experiencing homelessness and it is not because of their use or parental use of drugs or their own personal choices. It is due to the cost of housing. The increase in homelessness is affecting children and families, and the real estate industry is profiting off of these people's misery.

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options "related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns" [1]. The item's author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that "firm," police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council's repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and

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Joshua  
California

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## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:56 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Ayanna Blount <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 12:09 AM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

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Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
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While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

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Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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The People of Long Beach

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Ayanna  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:56 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Manuel Aguado <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 11:50 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

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Manuel  
California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:56 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Gabe Sosnowski <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 11:02 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

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Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

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Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

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14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
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Gabe  
California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:55 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** DSA Long Beach <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 10:59 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

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DSA  
California

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## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 10:55 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** cheyenne wright <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 10:44 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

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Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
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cheyenne  
California

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## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:55 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Sean Rivera <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 10:16 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

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Sean  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 10:55 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**Sent:** Monday, August 7, 2023 10:00 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

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While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as

suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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11. Jeremiah Dobruck and Jason Ruiz, "City officials tied a stabbing spree to homelessness—but the suspect wasn't homeless," Long Beach Post, October 22, 2022, <https://lbpost.com/news/stabbing-sprees-suspect-not-homeless-long-beach-yohance-sharp/>.
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14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
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ROGER  
California

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## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:55 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Alice Stevens <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:54 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

POVERTY SHOULD NOT BE A CRIME. Our unhoused neighbors are already suffering enough.

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws,

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While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Alice  
California

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## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:55 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Esther Sims <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:43 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

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Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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Esther  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:55 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Megan Emme <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:37 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

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Megan  
California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:54 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

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Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

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Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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Yeshi  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:54 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Tory Jaimez <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:34 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

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Tory  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 10:54 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**Sent:** Monday, August 7, 2023 9:32 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

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Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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David  
California

## Alma Valenzuela

---

**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:54 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Tae Jin Suh <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:30 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Tae Jin  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 10:54 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**Sent:** Monday, August 7, 2023 9:23 PM  
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**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made

into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness

places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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14. City of Long Beach, "Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count," City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.
15. Homelessness Policy Research Institute, "Policing Homelessness: A review of the literature on policing policies that target homelessness and best practices for improving outcomes," University of Southern California, October 21, 2021, <https://socialinnovation.usc.edu/wp-content/uploads/2021/10/Policing-Homelessness-Final-1.pdf>.
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jaclyn  
California

## Alma Valenzuela

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**From:** CityAttorney  
**Sent:** Tuesday, August 8, 2023 10:54 AM  
**To:** Alma Valenzuela  
**Subject:** FW: Say NO to criminalizing homelessness.

**Barbara Gallagher**  
*Executive Assistant*

**Office of the City Attorney | Departmental Counsel Division**  
411 W. Ocean Blvd., 9th Floor | Long Beach, CA 90802  
Office: 562.570.2269 | Fax: 562.436.1579



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**From:** Jimmy Ecklund <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:25 PM  
**To:** CityAttorney <CityAttorney@longbeach.gov>  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh,  
Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City  
Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Jimmy  
California

## Alma Valenzuela

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**From:** Katelyn Bernardo <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:50 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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[citys-murder-victims/3066979/](https://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf). Los Angeles County Department of Public Health, “Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County: 2014-2021,” May 2023, [http://www.publichealth.lacounty.gov/chie/reports/Homeless\\_Mortality\\_Report\\_2023.pdf](http://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf).

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Katelyn  
California

## Alma Valenzuela

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**From:** Erin Foley <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:46 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and some of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

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Erin

California

## Alma Valenzuela

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**From:** Michelle Lewis <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:45 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

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[citys-murder-victims/3066979/](https://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf). Los Angeles County Department of Public Health, “Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County: 2014-2021,” May 2023, [http://www.publichealth.lacounty.gov/chie/reports/Homeless\\_Mortality\\_Report\\_2023.pdf](http://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf).

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Michelle  
California

## Alma Valenzuela

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**From:** jenniemariegoorgieff@gmail.com <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:16 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

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California

## Alma Valenzuela

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**From:** Andrew Mandujano <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:11 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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8. Robert J. B. Lehmann, Joscha Hausam, and Friedrich Lösel, "Stigmatization and Victimization of People Experiencing Homelessness: Psychological Functioning, Social Functioning, and Social Distance as Predictors of Reporting Violence to the Police," *Policing: A Journal of Policy and Practice* 17 (2023): <https://doi.org/10.1093/police/paac033>.
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16. Ibid., 5.

17. Coalition on Homelessness, San Francisco, “Punishing the Poorest: How the Criminalization of Homelessness Perpetuates Poverty in San Francisco,” accessed July 11, 2023, <https://www.cohsf.org/Punishing.pdf>, 67.

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19. Lavena Staten and Sara K. Rankin, *Penny Wise But Pound Foolish: How Permanent Supportive Housing Can Prevent a World of Hurt* (Seattle: Seattle University School of Law, 2019), i.

Andrew  
California

## Alma Valenzuela

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**From:** Kenny Allen <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 10:09 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

1. We appreciate that Councilmembers Cindy Allen and Roberto Uranga had the courage to vote no on NB-25
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Kenny  
California

## Alma Valenzuela

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**From:** Liliana Monroy <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 9:46 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

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For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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Liliana  
California

## Alma Valenzuela

---

**From:** Karenina Alfaro <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 9:23 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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The People of Long Beach

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6. National Health Care for the Homeless Council, "Impact of Encampment Sweeps on People Experiencing Homelessness," National Health Care for the Homeless Council, Inc., December 2022, <https://nhchc.org/wp-content/uploads/2022/12/NHCHC-encampment-sweeps-issue-brief-12-22.pdf>.
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10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

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Karenina

California

## Alma Valenzuela

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**From:** Anna Carella <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 8:21 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Anna  
California

## Alma Valenzuela

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**From:** Brendan Whalen <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 8:19 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

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Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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[citys-murder-victims/3066979/](https://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf). Los Angeles County Department of Public Health, “Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County: 2014-2021,” May 2023, [http://www.publichealth.lacounty.gov/chie/reports/Homeless\\_Mortality\\_Report\\_2023.pdf](http://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf).

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15. Homelessness Policy Research Institute, “Policing Homelessness: A review of the literature on policing policies that target homelessness and best practices for improving outcomes,” University of Southern California, October 21, 2021, <https://socialinnovation.usc.edu/wp-content/uploads/2021/10/Policing-Homelessness-Final-1.pdf>.

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Brendan  
California

## Alma Valenzuela

---

**From:** Allena Braithwaite <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 7:43 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

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Allena  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 7:43 AM  
**To:** CityClerk  
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**-EXTERNAL-**

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Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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Carrissa  
California

## Alma Valenzuela

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**From:** Joshua Newman <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 4:31 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

I assume that you are going to get a bunch of these, so I am going to write something at the top. I am a teacher in Long Beach and every year I have students who have or who are experiencing homelessness. Almost always this is due to rent increases. Children are experiencing homelessness and it is not because of their use or parental use of drugs or their own personal choices. It is due to the cost of housing. The increase in homelessness is affecting children and families, and the real estate industry is profiting off of these people's misery.

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options "related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns" [1]. The item's author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that "firm," police-based approaches are needed to manage people who refuse services. We counter, however, that carceral

responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council's repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25's shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models

already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Joshua  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 4:31 AM  
**To:** CityAttorney  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

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Joshua  
California

## Alma Valenzuela

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**Sent:** Tuesday, August 8, 2023 4:31 AM  
**To:** CityAttorney  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

I assume that you are going to get a bunch of these, so I am going to write something at the top. I am a teacher in Long Beach and every year I have students who have or who are experiencing homelessness. Almost always this is due to rent increases. Children are experiencing homelessness and it is not because of their use or parental use of drugs or their own personal choices. It is due to the cost of housing. The increase in homelessness is affecting children and families, and the real estate industry is profiting off of these people's misery.

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options "related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns" [1]. The item's author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that "firm," police-based approaches are needed to manage people who refuse services. We counter, however, that carceral

responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council's repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25's shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities' enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to "look to" other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models

already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforce more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent),

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16. Ibid., 5.

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Joshua  
California

## Alma Valenzuela

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**From:** Ayanna Blount <info@sg.actionnetwork.org>  
**Sent:** Tuesday, August 8, 2023 12:09 AM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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Ayanna  
California

## Alma Valenzuela

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**From:** Manuel Aguado <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 11:50 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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13. Marina Fisher, Nathaniel Miller, Lindsay Walter, Jeffrey Selbin, “California’s New Vagrancy Laws The Growing Enactment and Enforcement of Anti-Homeless Laws in the Golden State,” Social Science Research Network, February 12, 2015, <https://ssrn.com/abstract=2558944>.

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Manuel  
California

## Alma Valenzuela

---

**From:** Gabe Sosnowski <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 11:02 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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3. American Civil Liberties Union, *Outside the Law: The Legal War Against Unhoused People* (California: ACLU, 2021).
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6. National Health Care for the Homeless Council, "Impact of Encampment Sweeps on People Experiencing Homelessness," National Health Care for the Homeless Council, Inc., December 2022, <https://nhchc.org/wp-content/uploads/2022/12/NHCHC-encampment-sweeps-issue-brief-12-22.pdf>.
7. Bennett Allen, "Impact of a Homeless Encampment Closure on Crime Complaints in the Bronx, New York City, 2017: Implications for Municipal Policy," *Journal of Evidence-Based Social Work* 19, no. 3 (2022): 356-366. Amanda Aykanian and Sondra J. Fogel, "The Criminalization of Homelessness," in *Homelessness Prevention and Intervention in Social Work: Policies, Programs, and Practices*, eds. Heather Larkin, Amanda Aykanian, Calvin L. Streeter (New York: Springer, 2019), 185-205.
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9. Eric Leonard, "LA's Homeless Were 24% of City's Murder Victims," *NBC Los Angeles*, January 4, 2023, <https://www.nbclosangeles.com/investigations/las-homeless-were-24-of->

[citys-murder-victims/3066979/](https://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf). Los Angeles County Department of Public Health, “Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County: 2014-2021,” May 2023, [http://www.publichealth.lacounty.gov/chie/reports/Homeless\\_Mortality\\_Report\\_2023.pdf](http://www.publichealth.lacounty.gov/chie/reports/Homeless_Mortality_Report_2023.pdf).

10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

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Gabe

California

## Alma Valenzuela

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**From:** DSA Long Beach <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 10:59 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

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DSA

California

## Alma Valenzuela

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**From:** cheyenne wright <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 10:44 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

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We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

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NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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6. National Health Care for the Homeless Council, "Impact of Encampment Sweeps on People Experiencing Homelessness," National Health Care for the Homeless Council, Inc., December 2022, <https://nhchc.org/wp-content/uploads/2022/12/NHCHC-encampment-sweeps-issue-brief-12-22.pdf>.
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9. Eric Leonard, "LA's Homeless Were 24% of City's Murder Victims," *NBC Los Angeles*, January 4, 2023, <https://www.nbclosangeles.com/investigations/las-homeless-were-24-of->

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10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

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14. City of Long Beach, “Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count,” City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.

15. Homelessness Policy Research Institute, “Policing Homelessness: A review of the literature on policing policies that target homelessness and best practices for improving outcomes,” University of Southern California, October 21, 2021, <https://socialinnovation.usc.edu/wp-content/uploads/2021/10/Policing-Homelessness-Final-1.pdf>.

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19. Lavena Staten and Sara K. Rankin, *Penny Wise But Pound Foolish: How Permanent Supportive Housing Can Prevent a World of Hurt* (Seattle: Seattle University School of Law, 2019), i.

cheyenne

California

## Alma Valenzuela

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**From:** Sean Rivera <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 10:16 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

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NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

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Sean  
California

## Alma Valenzuela

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**Sent:** Monday, August 7, 2023 10:00 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as

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Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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10. Thacher Schmid, “Homeless People in the US Are Being Murdered at a Horrific Rate,” Jacobin, May 17, 2022, <https://jacobin.com/2022/05/homeless-homicides-data-surge-victims-suspects>

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14. City of Long Beach, “Press Release: Long Beach Releases Results of the 2023 Homeless Point in Time Count,” City of Long Beach, April 27, 2023, <https://longbeach.gov/press-releases/long-beach-releases-results-of-the-2023-homeless-point-in-time-count/>.

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19. Lavena Staten and Sara K. Rankin, *Penny Wise But Pound Foolish: How Permanent Supportive Housing Can Prevent a World of Hurt* (Seattle: Seattle University School of Law, 2019), i.

ROGER  
California

## Alma Valenzuela

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**From:** Alice Stevens <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:54 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

POVERTY SHOULD NOT BE A CRIME. Our unhoused neighbors are already suffering enough.

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest

one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively

impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

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Alice

California

## Alma Valenzuela

---

**From:** Esther Sims <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:43 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

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The People of Long Beach

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Esther  
California

## Alma Valenzuela

---

**From:** Megan Emme <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:37 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

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Megan  
California

## Alma Valenzuela

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**Sent:** Monday, August 7, 2023 9:37 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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16. Ibid., 5.

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Yeshi

California

## Alma Valenzuela

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**From:** Tory Jaimez <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:34 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

The People of Long Beach

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Tory

California

## Alma Valenzuela

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**From:** David Aldarondo <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:32 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

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The People of Long Beach

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David  
California

## Alma Valenzuela

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**From:** Tae Jin Suh <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:30 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

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The People of Long Beach

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Tae Jin  
California

## Alma Valenzuela

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**Sent:** Monday, August 7, 2023 9:23 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

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jaclyn  
California

## Alma Valenzuela

---

**From:** Jimmy Ecklund <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:25 PM  
**To:** CityAttorney  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Attorney Dawn McIntosh,

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more people will inevitably end up on the streets as the cost of rental housing continues to rise.

NB-25 has alarmed housing advocates in Long Beach as an anti-homeless measure that will criminalize and police our unhoused neighbors for activities that are unavoidable when unsheltered. The criminalization of homelessness is defined as laws and policies aimed at PEH that prohibit basic, life-sustaining activities from taking place in public. The most common forms of criminalization include bans on publicly sleeping or resting, pitching tents and sheltering, storing personal property in public, and asking for help. These bans may be applied as anti-camping, anti-loitering, anti-panhandling, or nuisance ordinances, and may be justified in the name of public health or safety. Notably, Councilmembers Megan Kerr, Suely Saro, and Joni Ricks-Oddie voiced concern—prior to voting yes—toward NB-25’s shameful implications and precedents, which include Vagrancy Laws, Anti-Okie Laws, Jim Crow Laws, Ugly Laws, Sundown Laws, and other instances in the long history of outlawing and punishing the poor and oppressed people in the United States.

While Councilmember Mary Zendejas and certain of her colleagues insist, unconvincingly, that NB-25 does not entail criminalization, the decision to examine other cities’ enforcement practices is worrying, to say the least. The ACLU reports that homelessness criminalization by local governments is spreading in California partly because such policies legitimize and influence the use of similar mechanisms elsewhere. Local governments have exploited loopholes in *Martin v. Boise* to administer discriminatory measures designed to remove PEH from public space, which may result in displacement, incarceration, hardship, and/or death [3]. In this way, the decision to “look to” other municipalities risks reproducing a vicious feedback loop in which punitive measures in one area justify the enactment of harmful policies in another, and vice versa. Whereas Long Beach has the opportunity, in part due to the powers granted to it through the emergency proclamation, to lead the way in progressive, housing-first options, this leadership will be abdicated if the City simply imports failed models already in place in Los Angeles, Chico, Santa Cruz, Orange County, and other California regions and municipalities.

Furthermore, it is highly questionable whether anti-homeless enforcement actually betters public safety. Encampment sweeps, one of the go-to mechanisms to remove PEH from sight, which the City and LA County practice regularly [4], have been well documented to negatively impact the health and well-being of swept residents, to make homelessness worse, and to fail to improve public safety in general [5]. The National Health Care for the Homeless Council reports, for example, that encampment residents may refrain from calling 911 in life-

threatening emergencies due to fear of a resulting sweep, which leaves residents vulnerable to violence and other emergencies [6]. More broadly, criminological studies examining encampment communities in New York and Los Angeles found little to no reduction in crime rates and reports near encampment areas following police interventions and/or encampment clearances, suggesting that most crime near encampments is not attributable to PEH [7].

Second, criminalization reinforces stigmatization and the social exclusion of an extremely vulnerable group, which reinforces more criminalization and may lead to greater violence and aggression against PEH [8]. The LAPD reports that nearly a quarter of all LA murder victims were unhoused despite only comprising one percent of the population and the LA County Department of Health reports that PEH are 15 times more likely to be victims of homicide than the general public [9]. Relatedly, unhoused people are significantly less likely to factor as suspects in homicide cases, meaning that many of the murders of PEH in LA City and LA County are perpetrated by people with housing [10]. Nevertheless, PEH are consistently made into scapegoats for violent crime, often without evidence or truthfulness to the accusations [11].

Third, criminalization degrades public safety because it creates a revolving door between homelessness and the carceral system. The Prison Policy Initiative reports that “people who have been to prison just once experience homelessness at a rate nearly 7 times higher than the general public” and “people who have been incarcerated more than once have rates 13 times higher than the general public” [12]. By the same token, homelessness increases the chance of arrest and incarceration, increasingly for reasons of status rather than behavior, which makes it even harder to access housing, mental health services, and substance abuse treatment [13].

Fourth, this revolving door primarily impacts people of color. As the City Council very well knows, the majority of PEH in Long Beach are Latinx (35.2 percent) and Black (32.4 percent), according to the 2023 homeless count [14]. Alarming, the disproportionate percentages put unhoused members of racial groups that already experience higher rates of police violence at further risk of harm. As studies show, interactions between police and PEH—which criminalization generates—are more likely to result in the use of force by police [15]. In 2019, for example, 34 percent of LAPD “non-categorical” use of force incidents (translation: the use of any forcible or coercive action except deadly force or weapon strikes to the head, such as using riot control weapons, batons, tasers, and/or bodily force) were against alleged PEH—approximately 23 times the rate experienced by the general public [16]. Given these

numbers, if the City Council chooses to embolden enforcement, it will actively stoke the conditions for police violence to occur on our streets.

Fifth, other research shows that criminalization neither decreases the visibility of chronic homelessness nor successfully encourages accepting services, a primary rationale for NB-25. A 2015, San Francisco-based report states: “criminalization did not significantly reduce homeless people’s presence in public space or deter camping, loitering, begging, sitting, or sleeping in public.” In fact, the study found “no evidence to support the claim that criminalization led more homeless people to seek or receive services—police almost never offered services or referrals to our respondents and when they did, these services were primarily in [the] form of a pamphlet, one-night shelter bed, or sandwich” [17].

Finally, criminalization wastes money and resources. Recent studies add to an already significant body of literature demonstrating that punitive enforcement, besides being ineffective, is highly expensive. The cost of policing and penalizing chronic homelessness places significant stress on emergency, legal, shelter, and health systems and resources without the payoff of actually reducing the problem [18]. The price tag of police contact, legal processing, jail time, emergency services, and other expenses associated with criminalization reaches thousands and thousands of dollars per person, far outpacing the amount of money required to implement non-punitive, housing-first alternatives.

Housing-first programs, which provide stable, permanent housing with wrap-around supportive services and no strings attached, have been shown to be cost-reductive, effective solutions. In fact, researchers report that housing-first programs constitute “the most cost-effective, long-term solution to chronic homelessness. When people experiencing chronic homelessness receive PSH [Permanent Supportive Housing], they are less likely to use emergency departments, hospitals, detoxification facilities, and shelters. PSH residents are also less likely to interact with law enforcement, get arrested, and be incarcerated. The decreased use of these expensive services is dramatic and results in savings. Often, cost savings equal or exceed the cost of PSH” [19].

For these reasons, we strongly object to any decision by city officials to adopt and enact punitive policies based on NB-25, no matter what humanitarian spin is placed on them. Our unhoused neighbors need rehabilitative, care-based, housing-first solutions, not more fines, arrests, and jail time. If adopted, the turn to criminalization will mark nothing less than a failure by the City of Long Beach to lead and a failure to improve the lives of all residents who call Long Beach home.

Sincerely,

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Jimmy  
California

## Alma Valenzuela

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**From:** Jimmy Ecklund <info@sg.actionnetwork.org>  
**Sent:** Monday, August 7, 2023 9:25 PM  
**To:** CityClerk  
**Subject:** Say NO to criminalizing homelessness.

**-EXTERNAL-**

City Clerk Monique De La Garza,

Dear Mayor Richardson, Supervisor Hahn, City Manager Modica, City Attorney McIntosh, Homeless Services Officer Duncan, Health and Human Services Director Colopy, Deputy City Manager Chandler, and Long Beach City Council,

We, the undersigned, urge you to reject any and all homelessness criminalization policies that may result from the passing of a revised agenda item (NB-25) exploring enforcement mechanisms ostensibly related to public safety. It is clear from existing research that removing people experiencing homelessness (PEH) from public space by ticketing, arrest, coercion, and other punitive measures exacerbates and prolongs homelessness rather than solving it.

NB-25 passed in City Hall by a 7-2 vote on June 20, 2023, greenlighting research into policy options “related to [unsafe] uses of public spaces, including camping, that contribute to public health issues, nuisance, and public safety concerns” [1]. The item’s author, Councilmember Kristina Duggan, justifies enforcement by appealing to the May 30 attack on people in Belmont Shore by an unhoused man, arguing that “firm,” police-based approaches are needed to manage people who refuse services. We counter, however, that carceral responses not only fail to address the root cause of homelessness (unaffordable housing), they also forsake the very models that could have prevented the attack in the first place.

NB-25 stands in clear contradiction to the City Council’s repeated acknowledgements in recent weeks that homelessness is a housing problem that requires housing solutions. In Los Angeles County, renters must earn an annual income of about \$70,000 to afford a modest one-bedroom market-rate apartment; that equals working more than 80 hours a week on a minimum wage salary [2]. The state-wide shortage of available affordable housing units, the failure to cap rents, and the rollback of COVID-19 eviction protections mean that more and

more people will inevitably end up on the streets as the cost of rental housing continues to rise.

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