

Homelessness is Not a Criminal Activity

To criminalize homelessness does not address its root causes and is a waste of resources in Los Angeles, where there is broad recognition that existing resources, such as housing and public restrooms, are grossly inadequate for homeless people. Free meals, camping, public urination, and other basic survival activities must not be made illegal until clear alternatives are identified to meet the housing, hunger, and other basic needs of homeless residents of Los Angeles.

2 Key Facts: 1) There are an estimated 41,000 homeless people in the City of Los Angeles and an estimated 8,600 existing emergency and transitional housing beds. 2) The City of Los Angeles Housing Element calls for the construction of 8,000 units annually, about half of those affordable to low-income people. The City of L.A. falls well short of this goal every year.

- Ordinances that criminalize activities that homeless people **are forced** to engage in intend only to reduce the visibility of homeless people – not reduce homelessness itself through investment in affordable housing, medical care, employment opportunities, and other supportive services.
- The statement which continues to pervade the current public discourse is this: “something has to be done about homelessness”. The most apparent action in the downtown community is increased law enforcement within the rhetoric that claims these are acts of compassion and sensitivity.
- Criminalizing everyday activities specific to homeless people, such as public camping or public urination, basically begins a process of criminalizing the sheer existence of an entire group of people under the guise that the law or ordinance affects all citizens equally.
- Many existing and proposed ordinances are difficult to enforce, locally and nationally, due to challenges presented by the necessity defense. In theory anti-homeless laws are *said* to curb inappropriate behavior but in practice anti-homeless laws give law enforcement a “tool” to use in order to create *probable cause* which allows contact or *legally sanctioned* intimidation.
- The sheer numbers of those suffering from mental illness in our community and the questionable handling of such individuals by law enforcement causes much concern about the safety and well-being of both parties when contact is increased due to ordinances that criminalize homelessness.
- People are not “broken windows” – the theory of Dr. Kelling and others does not attempt to fix those things that are broken in people’s lives and does not recognize that people classified as “broken” are often working desperately to “fix” their current conditions.

We urge City Councilmembers, other decision makers and all stakeholders in the City of Los Angeles to strongly oppose ordinances that criminalize the everyday activities that are unavoidable for those surviving without housing. Let’s work together to create real solutions such as housing, jobs, healthcare, substance abuse treatment, other supportive services, and citywide public restroom facilities. The statement that “something needs to be done” is indeed correct - let’s make that “something” truly beneficial to both homeless people and our city as a whole.