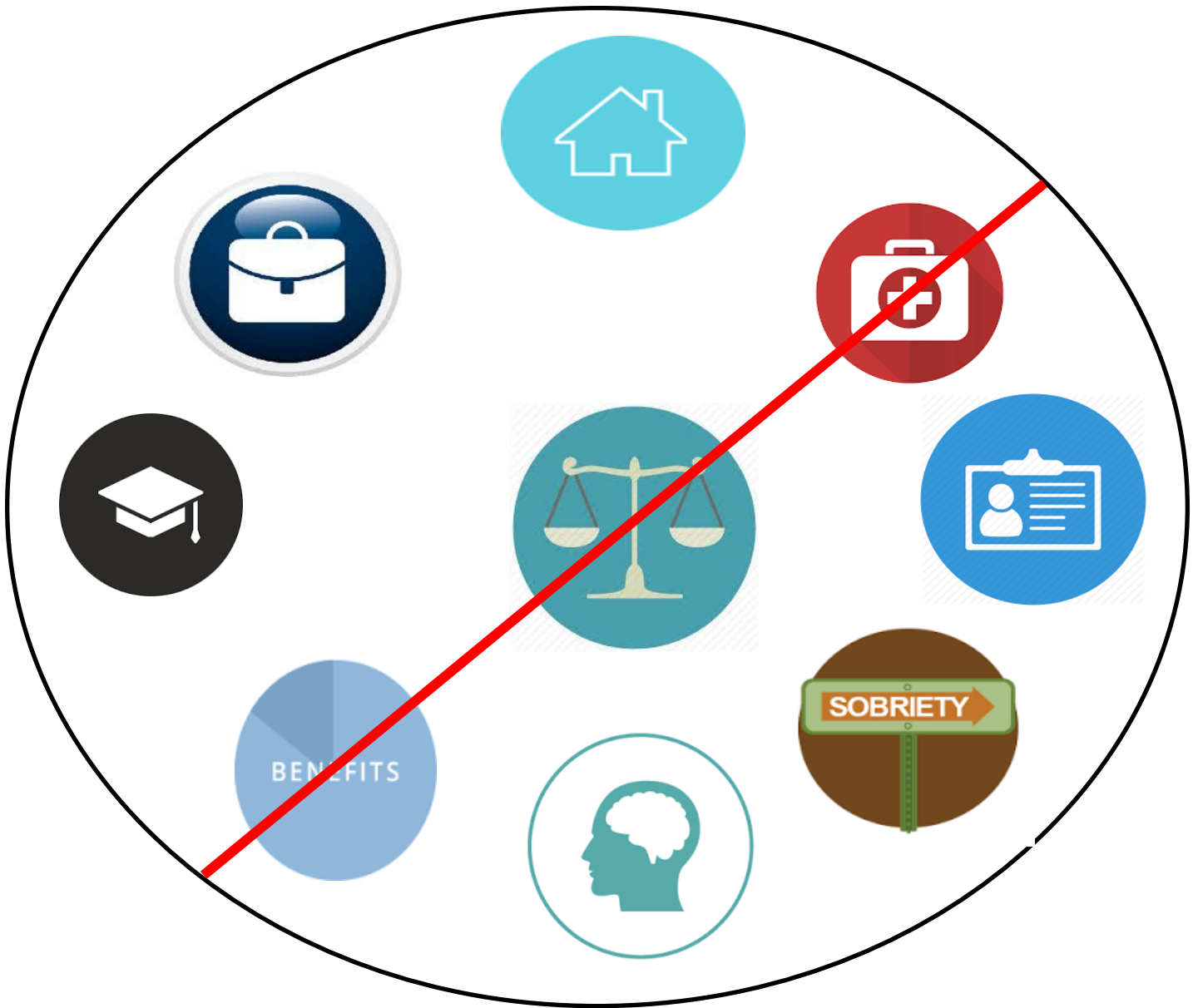


# ACCESS DENIED:

## *Survey Results of Sacramento Homeless Service Providers on Barriers for Homeless People Created by City & County Anti-Homeless Ordinances*



June 29, 2016

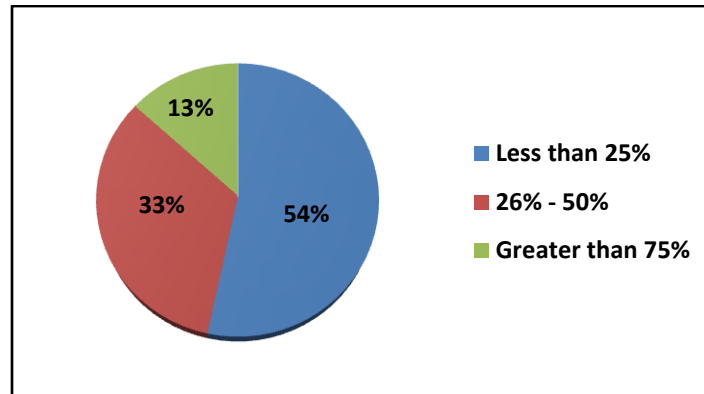


Bob Erlenbusch, Executive Director  
bob@srceh.org    www.srceh.org  
916.993.7708

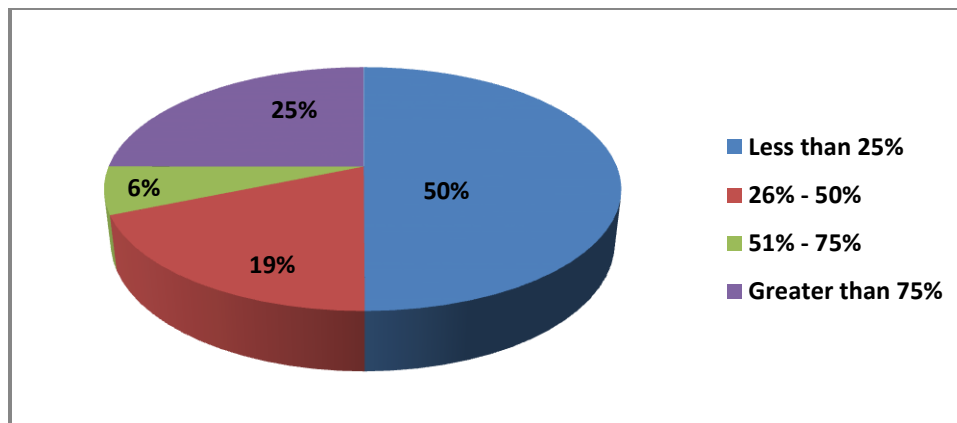
## Executive Summary of Sacramento Homeless Service Providers Survey & Recommendation

SRCEH created a “survey monkey” poll of Sacramento homeless service providers regarding potential barriers to services created by anti-homeless ordinances. The poll was conducted between June 6 – June 22, 2016. The poll was sent to 21 homeless direct service providers, including shelters, clinics and food banks. SRCEH assured the providers that the poll results would be reported anonymously, to address direct service providers of potential “retaliation” by elected officials and the business community. SRCEH received 17 responses for a response rate of 81%. Below is a summary of the results of responses to the five questions in the survey:

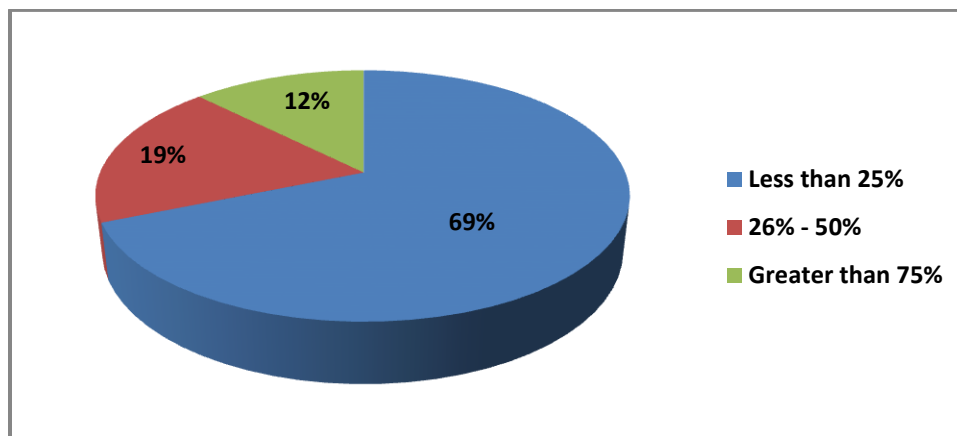
### Question 1: % Clients receiving anti-camping ordinance



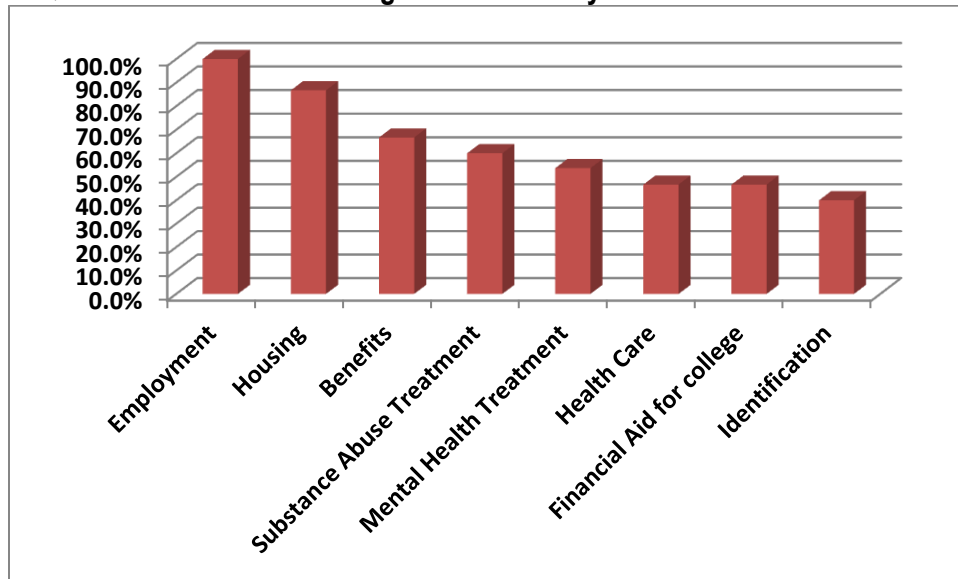
### Question 2: % Clients that cannot pay citation fine



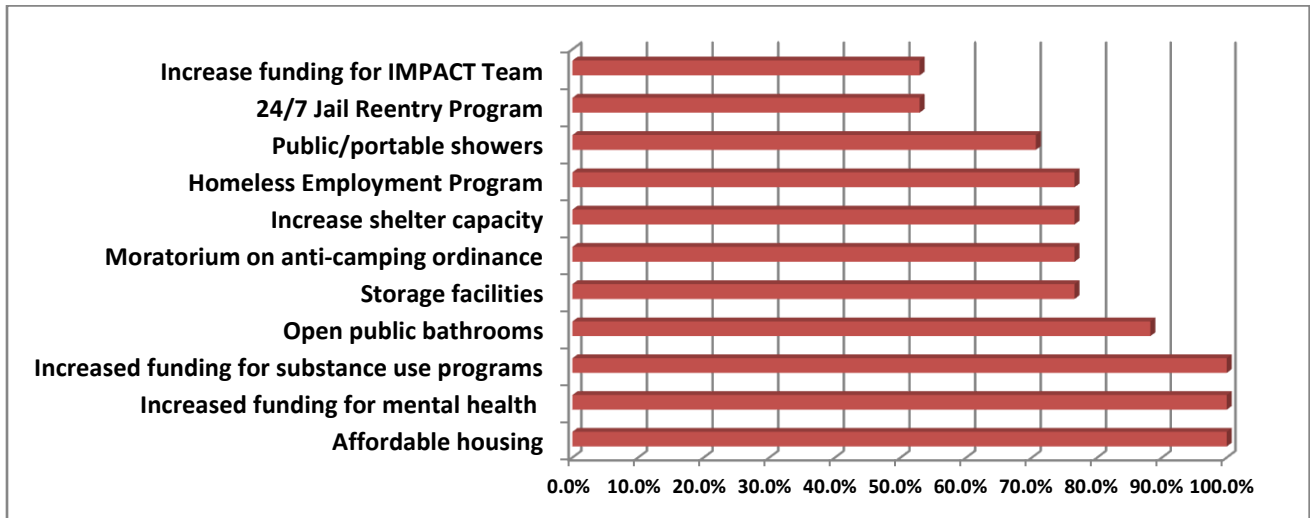
### Question 3: % Clients that have been in jail due to anti-homeless ordinances



**Question 4: Barriers to Programs Created by Anti-Homeless Ordinances**



**Question 5: Community Resources & Policies needed to end & prevent homelessness**



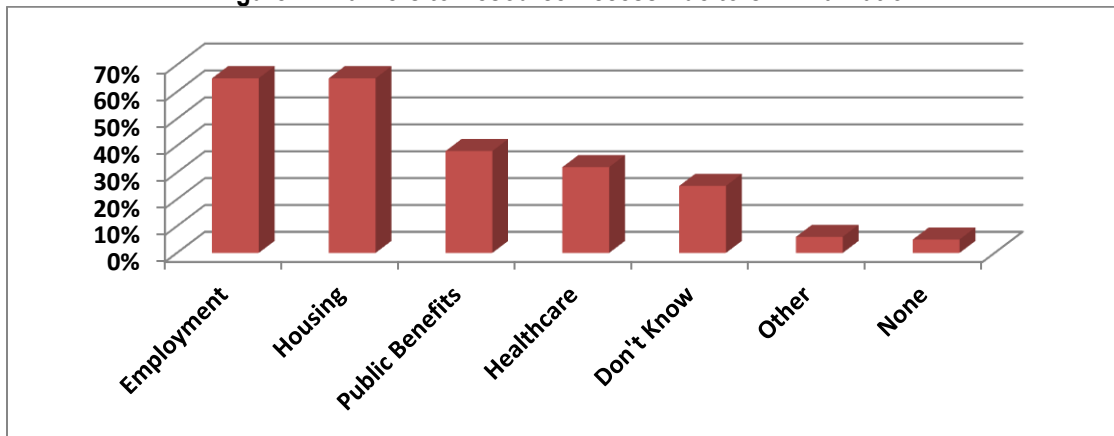
**Recommendation: *Moratorium on the enforcement of the anti-camping ordinance and expand the sources of funding for the City/County Affordable Housing Trust Fund.***

**Background:**

**National Law Center on Homelessness & Poverty service provider survey:** In 2011, the National Law Center on Homelessness & Poverty issued a report, [Criminalizing Crisis: The Criminalization of Homelessness in U.S. Cities](#), where they reported an increase in the number of anti-homeless ordinances in communities around the nation, as well as the results of a survey of 154 homeless service providers, advocates and people experiencing homelessness. The reported documented the consequences of the criminalization of homelessness, principally the increased difficulty in homeless people accessing community resources.

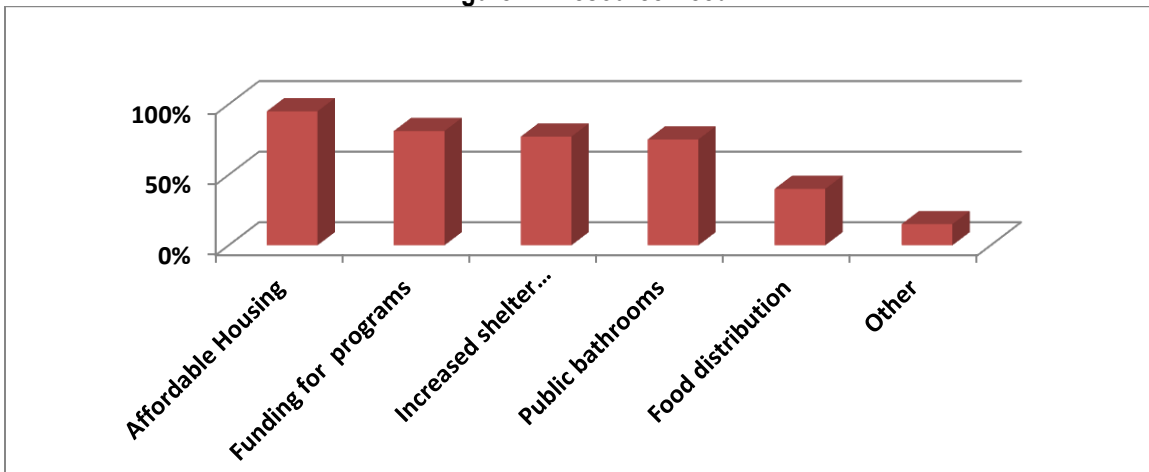
Figure 1 indicates that barriers to access to housing and employment are the main community resources that the criminalization of homeless people has made it difficult of homeless people to access:

**Figure 1: Barriers to Resource Access Due to Criminalization**



Of the survey participants who reported restrictions on public camping/sleeping, urination/defecation, or storage of belongings, over 80 percent indicated that their cities lack sufficient resources in each of the following categories: shelter beds, public bathrooms, and free-to-low cost storage options for the personal belongings of homeless individuals that live outside. When all respondents were asked what resources are needed for their city to more effectively address homelessness, they indicated need among several areas as indicated in Figure 2, with the need for affordable housing the number one priority:

**Figure 2: Resource Need**



Sacramento Regional Coalition to End Homelessness [SRCEH] 2016 report: [Cruel & Unusual Punishment: Sacramento Criminalization, Discrimination & Harassment Report: 2015 - 2016](#): SRCEH surveyed 297 people experiencing homelessness [235 homeless adults and 62 transitional age youth [TAY: ages 18 - 24] from September 2014 to October 2015.

The goal of SRCEH's survey, depending on the outcome of our findings, was to support the national movement to end the criminalization of people experiencing homelessness, led by the National Coalition of the Homeless [NCH] and the National Law Center on Homelessness & Poverty [NLCHP], support the Western Regional Advocacy Project's [WRAP] call for a *CA Right to Rest Act or Homeless Bill of Rights*, support the SRCEH's local advocacy efforts calling for a moratorium on the city/county anti-camping ordinance as well as a Sacramento specific Homeless Bill of Rights, including the addition of homelessness as a "protected class."

SRCEH's focus was on their interactions with law enforcement, broadly defined [Sacramento Police, Sacramento Sheriffs, County Park Rangers, and Transit police]. Additionally, SRCEH wanted to know their experiences with the business community, social service providers and medical providers, including their experience being "discharged to the streets," by jails, hospitals, mental health and substance abuse treatment facilities, foster care and emergency shelters. Finally, we wanted to know how many of the youth and adults experiencing homelessness would support a local "homeless bill of rights."

**Key Findings:**

Table 1 below is a summary of the key findings of this report:

**Table 1: Summary of Key Findings of "Cruel & Unusual" report**

Findings	Percent: Combined average of Ethnicity, Age & Gender
Perception of discrimination by all law enforcement	74.8%
Perception of discrimination by Police	69.6%
Experience being asked to "Move Along" while resting in public spaces by Police/Sheriff	54.7%
Jail: Discharged to the streets from Jail	80.3%
Hospitals: Discharged to the streets from local hospitals	79.3%
Shelters: Discharged to the streets from shelters	62.6%
Rights never respected by law enforcement	64.3%
Support for a local <i>Homeless Bill of Rights</i>	94.2%

Overwhelmingly, almost 75%, of homeless people, regardless of age, ethnicity or gender felt discriminated against by local law enforcement based on their status of being homeless. Additionally, 80% had been in jail. This latter figure is supported by the Sacramento Steps Forward's Common Cents outreach team who did 2,359 evaluations of homeless individuals and families in 2015 and documented that 80.1% had been in jail at some point in their homelessness. Finally, almost 95% of the homeless surveyed for this report supported a local *Homeless Bill of Rights*.

**SRCEH's Homeless Civil & Human Rights Platform:** Based on the results of this report and listening to the voices of the homeless youth and adults experiencing homelessness in our community, SRCEH created our Homeless Civil Rights Taskforce consisting of homeless advocates, people experiencing homelessness, interfaith community, civil rights activists and labor. The Taskforce created the [Homeless Civil & Human Rights Platform](#) and sought endorsements from the community to indicate to the Sacramento City Council and Sacramento Board of Supervisors the breadth of the support for this 10 point platform.

**Key components of the platform include:**

- Moratorium on the enforcement of the anti-camping ordinance;
- Sacramento City & County declare an Emergency Shelter Crisis, pursuant to California state law;
- Add “homeless status” to Sacramento City’s Non-Discrimination and Equality Municipal Code;
- City Council instruct the City Police Commission to hold hearings by September 2016 on homeless civil rights and the Police and report back 30 days after the hearing to the City Council with recommendations to decriminalize homelessness in the City of Sacramento.

**Continued criminalization of homeless people and elected officials flawed rationale:**

Despite SRCEH’s *Cruel & Unusual* report, the City Council and Board of Supervisors remain unconvinced that the continued criminalization of homelessness creates barriers to access community resources for people experiencing homelessness.

***Continued criminalization of homelessness:***

The Sacramento Park Rangers “Illegal Camp Detail” from March 2014 – May 2016 has issued 2,159 anti-camping citations [an average of 86 per month], closed 2,086 homeless camps [an average of 83 per month] and only have made 70 referrals to the County Department of Human Assistance [DHA] [an average of 2.8 referrals per month]. At \$230 per citation, the Park Rangers have issued \$496,570 in citations, almost all of which goes unpaid by homeless campers.

Despite the arguments from SRCEH and the interfaith community, principally Sacramento Area Congregations Together [A.C.T.], that continuing to criminalize homeless people is a “whack-a-mole” strategy that is costly and highly ineffective, the County Board of Supervisors voted to increase the “Illegal Camp Detail’s” budget from \$818,000 to \$1.34 million, an increase of \$566,498, while failing to add funding to expand shelter options for homeless people or add additional funds to create affordable housing.

***Flawed logic of elected officials:***

Sacramento City Council members and members of the Sacramento Board of Supervisors, despite being confronted with the shift in homeless federal policy away from continuing to criminalize homeless people as evidenced by the policy positions of the United States Interagency Council [USICH], Department of Justice [DOJ] and Housing & Urban Development [HUD], continue to use the following flawed logic to support the enforcement of the anti-camping ordinance:

- *Tool to engage homeless people:* Elected officials have repeatedly stated that enforcing the anti-camping ordinance is law enforcement’s major “tool” to engage homeless people and get them the services they need.

*SRCEH response:* The “Illegal Camping Detail” has issued 2,159 citations in 14 months, but only made 70 referrals to DHA, an average of 2.8 per month. Clearly law enforcement has no intention of engaging homeless campers and helping them with access the services they need, but rather a failed attempt at harassing homeless people and drive them off the American River Parkway. In fact, the “Illegal Camping Detail” does not even team with SSF’s Common Cents navigators, who are trained in helping homeless people access needed community resources.

- *Public health and safety:* additionally elected officials state they “need” to continue to enforce the anti-camping ordinance for public health reasons. The City recently started a pilot project, *Pit Stop*, a port-a-pottie in a key location for use by homeless people.

*SRCEH response:* The City and County lock public bathrooms so homeless people are forced to use the alleys, streets and parks as their bathroom – a real public health hazard. *Pit Stop* is a small, but important first step in addressing the public health needs of people experiencing homelessness.

**SRCEH replicates NLCHP direct service provider survey:**

The Homeless Civil Rights Taskforce decided to conduct an anonymous survey of homeless service providers, including shelters, health clinics and food banks, to determine, what, if any barriers, the criminalization of homelessness have on the ability of people experiencing homelessness to access community resources, including housing, employment and health care.

The goal was to add the voice of direct service providers to educate elected officials on the dual, contradictory, nature of their homeless policy. On the one hand, elected officials have embraced, in principle, the Housing First approach, but on the other the ongoing enforcement of the anti-camping ordinance, which, as our survey results found, creates barriers to accessing affordable housing.

*Methodology:* SRCEH created a “survey monkey” poll replicating the NLCHP 2011 survey and added several questions to the poll. The poll was conducted between June 6 – June 22, 2016. The poll was sent to 21 homeless direct service providers, including shelters, clinics and food banks. SRCEH assured the providers that the poll results would be reported anonymously, to address direct service providers of potential “retaliation” by elected officials and the business community. SRCEH received 17 responses for a response rate of 81%.

**SERVICE PROVIDER SURVEY RESULTS**

**As the results of SRCEH's Homeless Service Provider Survey indicate, the local results were similar to those found by the National Law Center on Homelessness & Poverty 2011 report.**

- 1. **From 1/2015-5/2016, approximately what % of your clients or guests have received an anti-camping citations?**  
Approximately half of the providers stated that their clients or guests have received an anti-camping citation, while half have said that between 25%-75% have received, with 13% stating that 75% or more of their clients or guest have received an anti-camping citation.

**Table 2: % receiving anti-camping citations**

% receiving citations	#	% of total
Less than 25%	8	53.3%
26% - 50%	5	33.3%
51% - 75%	0	0%
Greater than 75%	2	13.3%

- 2. **From 1/2015 – 5/2016, approximately what % of your clients or guests have anti-camping citations that they cannot pay?**  
Again, half of the providers state that 25% of their guest or clients cannot pay the citation, while half state that somewhere between 25%-75% cannot pay, with 25% stating that 75% or greater of their clients or guests cannot pay the camping citation fine of \$230 per citation.

**Table 3: % cannot pay citation**

% receiving citations	#	% of total
Less than 25%	8	50%
26% - 50%	3	18.8%
51% - 75%	1	6.3%
Greater than 75%	4	25%

- 3. **From 1/2015 – 5/2016, approximately what % of your clients or guests have been in jail due to anti-homeless ordinances?**  
Two thirds of the providers stated that 25% clients or guests had been in Sacramento County Jail due to anti-homeless ordinances while one third indicated that 25% - 75% had been in jail.

**Table 4: % who have been in jail due to anti-homeless ordinances**

% receiving citations	#	% of total
Less than 25%	11	68.8%
26% - 50%	3	18.8%
51% - 75%	0	0%
Greater than 75%	2	12.5%

4. **From your perspective, what access barriers are created, if any, for your clients or guests by anti-homeless ordinances, including outstanding citations, warrants and/or jail time? Check all access barriers that apply:** 93.7% of the homeless service providers surveyed indicated that the anti-homeless ordinances created multiple barriers for their clients or guests to access community resources, with barriers to employment [93.3%] and affordable housing [86.7%] leading the list, followed by access to public benefits [66.7%], substance use treatment [60%], mental health treatment [53.7%], health care [46.7%], financial aid for school [46.7%] and identification [40%]. Only one respondent [6.7%] felt that anti-homeless ordinances did not create any barriers for their clients or guests.

Additionally, one of the more chilling consequences for people experiencing homelessness is as one provider stated, *“denial of equal protection under the law: due to their default state of criminality under illegal camping ordinances, they are fearful of reporting crimes to the police because they do not want to present an opportunity to face a citation or arrest.”*

**Table 5: Barriers**

<b>Access to:</b>	<b>#</b>	<b>% of total</b>
<b>Employment</b>	14	93.3%
<b>Housing</b>	13	86.7%
<b>Benefits – including disability checks, VA checks, CalWORKs, GA</b>	10	66.7%
<b>Substance abuse treatment</b>	9	60%
<b>Mental health treatment</b>	8	53.7%
<b>Health Care</b>	7	46.7%
<b>Financial aid for school</b>	7	46.7%
<b>Identification</b>	6	40%
<b>Other:</b> <ul style="list-style-type: none"> <li>▪ Public institutions</li> <li>▪ Equal protection under the law – by their default state of criminality under illegal camping ordinances, they are fearful of reporting crimes to the police because they do not want to present an opportunity to face a citation or arrest</li> </ul>		
<b>None</b>	1	6.7%

5. **What do you think are the resources/policies the City and County needs to implement to address the homeless crisis?**

Service providers were unanimous in supporting the expansion of the City/County Affordable Housing Trust Fund [100%] as well as increased funding for mental health and substance use treatment program [100%].

Additionally, 87% wanted to see the City and County open public bathrooms for homeless people and 80% supported a moratorium on the enforcement of the anti-camping ordinance, storage facilities for homeless people’s belongings and increased funding for homeless programs overall. See *Table 6 for the complete list.*



**Table 6: Community Resources & Policies**

<b>Resources &amp; Policies</b>	<b>#</b>	<b>% of total</b>
<b>Affordable housing – expand sources of funding for City/County Affordable Housing Trust Fund</b>	17	100%
<b>Increased funding for mental health &amp; substance use treatment programs</b>	17	100%
<b>Open public bathrooms for homeless people</b>	15	88.2%
<b>Storage facilities for homeless people’s belongings</b>	13	76.5%
<b>Moratorium on anti-camping ordinance</b>	13	76.5%
<b>Increased funding for homeless programs overall</b>	13	76.5%
<b>Increase shelter capacity so no one is left outside</b>	13	76.5%
<b>Homeless Employment Program</b>	13	76.5%
<b>Public/portable showers for homeless youth and adults</b>	12	70.6%
<b>Increase funding for City’s IMPACT Team</b>	9	52.9%
<b>24/7 Jail Reentry Program</b>	9	52.9%
<b>Increased funding for food banks</b>	6	35.3%
<b>Other:</b> <ul style="list-style-type: none"> <li>▪ <b>CoC needs services to fund prevention and other services provided by just a few agencies in town</b></li> <li>▪ <b>Crisis triage center – tiny homes &amp; services</b></li> <li>▪ <b>Any &amp; all services that directly or indirectly serve homeless people</b></li> <li>▪ <b>Changes in zoning &amp; development policy to allow fast-tracked development of non-traditional forms of permanent housing, such as tiny homes</b></li> <li>▪ <b>Increased access to legal aid to rectify barriers in the form of criminal records and civil judgments</b></li> </ul>		

**RECOMMENDATION**

The current City and County homeless “policy” of supporting a Housing First approach while simultaneously continuing to criminalize people experiencing homelessness is a failed, expensive, counter-productive and contradictory dual strategy.

Homeless service providers overwhelmingly agree that the continued enforcement of anti-homeless ordinances creates significant barriers for homeless people to access employment, affordable housing and a range of other community programs.

The SRCEH Board and the Homeless Civil Rights Taskforce are making one recommendation to the Sacramento City Council and Sacramento Board of Supervisors, based on the results of this survey: ***a Moratorium on the enforcement of the anti-camping ordinance and expand the sources of funding for the City/County Affordable Housing Trust Fund.***